



## **MASSACHUSETTS GAMING COMMISSION MEETING**

June 25, 2015

10:30 a.m.

**Boston Convention and Exhibition Center**

415 Summer Street, Room 102B

Boston, MA



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



## NOTICE OF MEETING and AGENDA

**June 25, 2015**

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

**Thursday, June 25, 2015**

**10:30 a.m.**

**Boston Convention and Exhibition Center**

**415 Summer Street – Room 102B**

**Boston, MA**

### **PUBLIC MEETING - #156**

1. Call to order
2. Approval of Minutes
  - a. June 18, 2015
3. Research and Responsible Gaming – Mark Vander Linden, Director
  - a. Southeastern MA Public Health Strategic Plan – Steve Keel, Director of Problem Gambling Services – MA Department of Public Health
4. Investigations and Enforcement Division – Karen Wells, Director
  - a. Plainridge Park Casino Operations Certificate – B. Band, Gaming Agents Division Chief - **VOTE**
  - b. Temporary License Update
5. Racing Division – Alex Lightbown, Acting Director
  - a. Suffolk Downs Racing Application Update – C. Blue, General Counsel
  - b. Annual Report – D. O'Donnell, Senior Financial Analyst
6. Ombudsman Report – John Ziemba
  - a. Region C – RFA2 Schedule
  - b. Region A & B Update
    - i. MGM Quarterly Report and Schedule – Pinck & Company
    - ii. Section 61 Findings
  - c. Local Community Mitigation Advisory Committee Appointees
  - d. Gaming Policy Advisory Committee Update
7. Administrative Update – Rick Day, Executive Director
  - a. FY2016 Budget Approval – D. Lennon, CFAO – **VOTE**
  - b. Red Book Section 2.03 – T. Banda, Human Resources Manager - **VOTE**
8. Workforce Supplier and Diversity Development – Jill Griffin, Director
  - a. Definition of Veteran – B. Stebbins, Commissioner and Chris King, Veteran Employment – MA Department of Veteran's Services

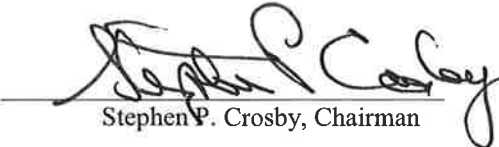


Massachusetts Gaming Commission

9. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to: [regs@sec.state.ma.us](mailto:regs@sec.state.ma.us), [melissa.andrade@state.ma.us](mailto:melissa.andrade@state.ma.us).

4/22/15  
(date)

  
Stephen P. Crosby, Chairman

**Date Posted to Website:** June 23 2015 at 10:30 a.m.



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## Meeting Minutes

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**Date/Time:** June 18, 2015 – 1:30 p.m.

**Place:** Boston Convention and Exhibition Center  
415 Summer Street Room 102B  
Boston, Massachusetts

**Present:** Chairman Stephen P. Crosby  
Commissioner Gayle Cameron  
Commissioner James F. McHugh  
Commissioner Bruce W. Stebbins  
Commissioner Enrique Zuniga

### Call to Order

See transcript page 2

1:28 p.m. Chairman Crosby called to order the 155<sup>th</sup> meeting of the Massachusetts Gaming Commission.

### Approval of the Minutes

See transcript pages 2-3

1:29 p.m. *Commissioner McHugh moved for the approval of the June 11, 2015 minutes of the Commission meeting with reservation of power to change mechanical and typographical errors. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

*Commissioner McHugh moved for the approval of the June 11, 2015 minutes of the Racing Division meeting with reservation of power to change mechanical and typographical errors. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

### Administration

See transcript pages 4-110

1:30 p.m. Director Rick Day noted eight areas (oversight project management, slot machines, responsible gaming, diversity, inspection and internal controls, licensing, tax reporting and legal) that will be reported on to the Commissioners for determination that the Plainridge Park Casino may open for business.

- [1:33 p.m.](#) Oversight Project Manager Dane Wigfall, Pinck and Company, provided a report on the construction monitoring regulation and highlighted conditions that have been complied with in the license agreement.
- [1:59 p.m.](#) Chief Information Officer John Glennon provided a report on the network security plan and testing of electronic gaming devices.
- [2:10 p.m.](#) *Commissioner Zuniga moved that the Commission issue the permits for the associated prototypes outlined in the packet for the manufactures Ainsworth, Aristocrat, Bally, IGT, Konami, Multimedia and WMS to be used as prototypes. Motion seconded by Commissioner Cameron. Motion passed unanimously.*
- [2:17 p.m.](#) Director Mark Vander Linden provided a report on the responsible gaming plan and provided an update on the following initiatives: self-exclusion, credit restriction and GameSense.
- [2:31 p.m.](#) Director Jill Griffin provided a report on the Plainridge Park Casio Diversity Plan which included construction and workforce diversity highlights.
- [2:47 p.m.](#) The Commission took a short recess.
- [2:59 p.m.](#) The meeting resumed.
- [3:00 p.m.](#) Deputy IEB Director/Gaming Agents Division Chief Bruce Band provided a report on the status of inspection and internal controls at Plainridge Park Casino and noted the following areas met all requirements: floor plan, hours of operation, security and surveillance plan, critical incident and emergency response plan, AML Title 31 plan, and slot management plan.
- [3:09 p.m.](#) IEB Director Karen Wells and Licensing Director Paul Connelly provided a report on licensing compliance and status and an update on background checks on gaming establishment employees.
- [3:15 p.m.](#) CFAO Derek Lennon provided an overview on the tax reporting and tax collection process.
- [3:27 p.m.](#) CFAO Derek Lennon provided a report on the lottery agreement with the Massachusetts State Lottery and Plainridge Park Casino.
- [3:30 p.m.](#) General Counsel Blue provided an update on the Plainridge Park Casino permits. General Counsel Blue also recommended that the Commission approve delegation of authority to Commissioner Cameron to sign a temporary operations certificate, approve draft and permanent operations certificate forms, and approve compliance reports.
- [3:36 p.m.](#) *Commissioner McHugh moved that the Commission grant to Commissioner Cameron the authority to issue a temporary operating certificate effective June 24, 2015 through June 25, 2015 if she is satisfied on the basis of the*

*test operations that will be done at the facility on June 22 and June 23 that it is appropriate to do so. Motion seconded by Commissioner Zuniga. Commissioner Cameron abstained from the vote. Motion passed four to one.*

[3:37 p.m.](#) *Commissioner McHugh moved that the Commission approve both the temporary operating certificate and the permanent operating certificate, approve the form of the temporary operating certificate and the permanent operating certificate as those documents appear in the packet of materials before the Commission. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

[3:39 p.m.](#) *Commissioner McHugh moved that the Commission authorize Plainville Gaming and Redevelopment, LLC to open for test operations on June 22 and June 23 provided that they have prior to opening an occupancy certificate issued by the town of Plainville. Motion seconded by Commissioner Stebbins. Motion passed unanimously.*

[3:41 p.m.](#) *Commissioner McHugh moved that the Commission find and determine that Plainville Gaming and Redevelopment, LLC has demonstrated compliance with the requirements of 205 CMR 135 and with 205 CMR 151 in all material respects. Motion seconded by Commissioner Zuniga. Motion passed unanimously.*

#### **Other Business Not Reasonably Anticipated**

See transcript page 111

[3:46 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Zuniga. Motion seconded by Commissioner Cameron. Motion passed unanimously.*

#### **List of Documents and Other Items Used**

1. Massachusetts Gaming Commission Notice of Meeting and Agenda, dated June 18, 2015
2. Massachusetts Gaming Commission Draft Meeting Minutes, dated June 11, 2015 (two sets)
3. Letter from Plainridge Park Casino to Rick Day, dated June 15, 2015 regarding Request for Operations Certificate
4. Massachusetts Gaming Commission Memorandum, dated June 16, 2015 regarding Determination that Gaming Establishment May Open for Business
5. Pinck & Company Oversight Project Manager Report dated June 18, 2015
6. Massachusetts Gaming Commission Memorandum, dated June 15, 2015 regarding Plainridge Park Casino – Gaming Technology Laboratory Pre-Opening Responsibilities
7. Massachusetts Gaming Commission Memorandum, dated June 18, 2015 regarding Responsible Gaming Initiatives at Plainridge Park Casino
8. Plainridge Park Casino Diversity Report dated June 15, 2015

9. Plainridge Park Casino Employee & Vendor Diversity Report dated June 11, 2015
10. Report on Plainridge Park Casino Regarding Floor Plan, Hours of Operation, Internal Controls, Security Plan, Surveillance Plan, Critical Incidents Preparedness Plan/Emergency Response Plan, AML/Title 31 Plan, Slot Management Plan, Monitoring of PPC Test Operating, and attachments
11. Massachusetts Gaming Commission Memorandum, dated June 18, 2015 regarding Temporary Tax Reporting Process
12. Massachusetts Gaming Commission Memorandum, dated June 18, 2015 regarding Lottery Agreement
13. Massachusetts Gaming Commission Memorandum, dated June 18, 2015 regarding Delegation of Authority to Commissioner Cameron to Issue Temporary Certificate of Operation
14. Massachusetts Gaming Commission, Temporary Operations Certificate, Plainville Gaming and Redevelopment, LLC
15. Massachusetts Gaming Commission, Permanent Operations Certificate, Plainville Gaming and Redevelopment, LLC

/s/ Catherine Blue

Catherine Blue, Assistant Secretary

DRAFT

# The Plainville Problem Gambling Services Assessment and Interim Plan

June 11, 2015

Massachusetts Technical Assistance Partnership for Prevention (MassTAPP)  
Funded by the Bureau of Substance Abuse Services, MDPH

Lauren Gilman, Emily Bhargava, and Jack Vondras



# The Context

The Plainridge Park Casino in Plainville, MA will open on June 24, 2015, two years before the Springfield and Everett casinos will open



# Purpose of this Report

This report summarizes findings related to problem gambling in the Southeast region including:

- Perceived needs and service gaps
- Existing resources and services
- Programs and services that are in development

# Methodology

- Document and literature review
- Key informant interviews
- Surveys at the Ounce of Prevention and Mass Council on Compulsive Gambling annual conferences
- Review and analysis of SEIGMA baseline results related to southeastern Massachusetts

# SEIGMA baseline data

The Southeastern (SE) region of MA is unique in several ways:

- Older population (more likely to be retired)
- Least racially and ethnically diverse region
- Highest rates of past-year and weekly gambling
- Greatest percentage (21.5%) of respondents reported being affected by someone else's gambling

# Perceived Needs/ Gaps in Service:

- Need for increased screening and referrals
- Limited availability of support groups
- Lack of insurance coverage
- Cost of treatment / difficulty of transportation
- Denial of gambling as a problem
- Stigma and shame
- Language barriers
- Lack of trained clinicians who can identify and work with disordered gamblers
- Waitlists for accessing services
- Potential increases in traffic, accidents, heart attacks, and crime, domestic violence, car repossession, and home foreclosures

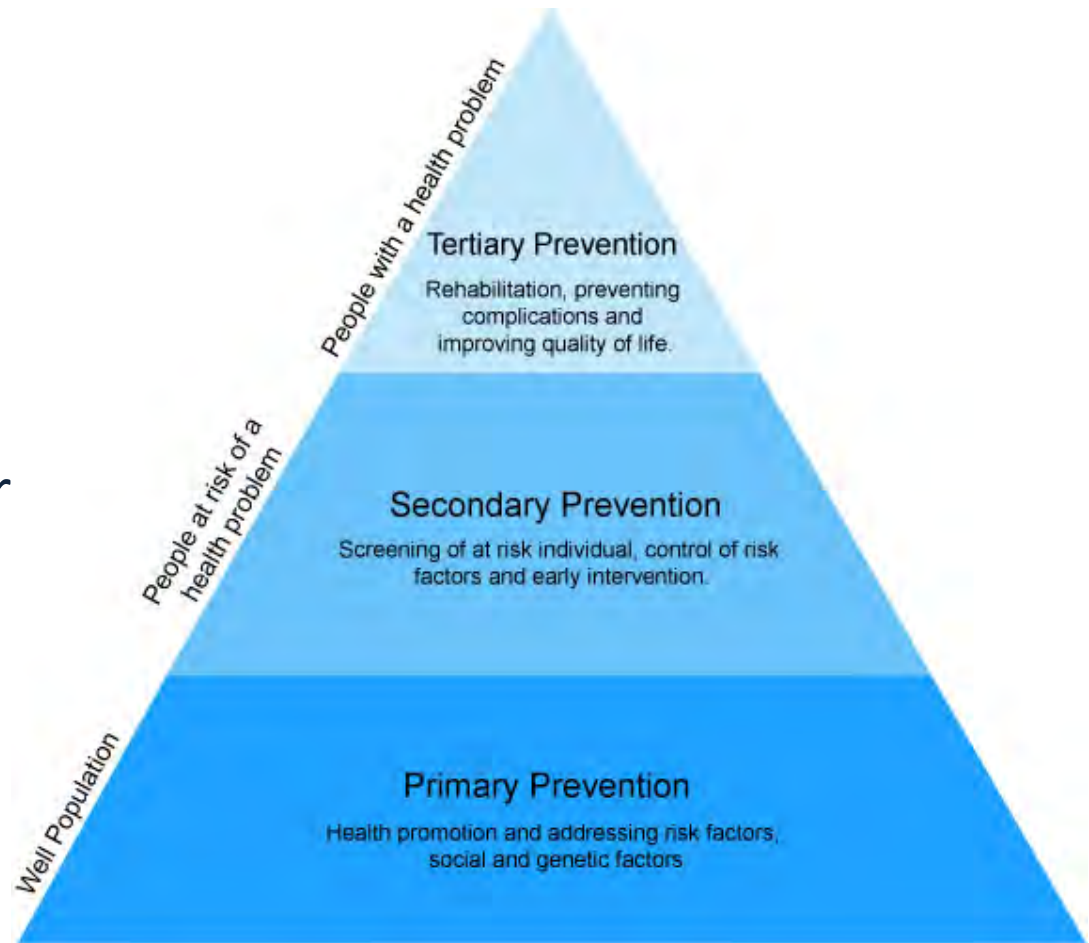
# Higher-risk groups

- ❖ Male gender
- ❖ Under 35 years old
- ❖ Unemployed
- ❖ Below poverty line
- ❖ Ethnic minority
- ❖ Gaming employee
- ❖ Unmarried
- ❖ Seniors

- Southeast MA has an older population (more likely to be retired)
- Likely that employees of the slots parlor will live in Plainville and surrounding communities

# Continuum of Care

...Is a scope of services for individuals, groups, and communities *before, during, and after* they experience a behavioral health problem or disorder such as gambling, providing assistance to people at all levels of need



# Primary Prevention

(targets the general population)

- Training to EAPs and unions
- BSAS Gambling Free Guidelines
- GameSense, a prevention program designed to educate and help players make informed, responsible decisions around gaming
  - Trained advisor on site 16 hours a day, option to establish a gaming budget for the day
  - Employee education
  - MGC-funded GameSense media campaign



# Primary Prevention

(targets the general population)

Additional policies within the Responsible Gaming Framework also support primary prevention:

- Responsible marketing practices
- Limiting access to ATMs

# Secondary Prevention

(targets at-risk groups)

- Voluntary self-exclusion
- Resources for employees in need of assistance
- MA Problem Gambling Helpline provides screening and referrals
- Locally available bankruptcy attorneys who are knowledgeable about problem gambling
- Screening for gambling problems in some treatment programs
- Training for corrections to better understand the issue of problem gambling

# Tertiary Prevention

(includes treatment and recovery support services)

- 120 private practice practitioners have MAPGS Certification from the Massachusetts Council on Compulsive Gambling
- MDPH provides payment for treatment services for those who do not have insurance or are not able to pay for treatment.
- Mental health crisis teams are called in to help in situations of suicidality or other mental health crises
- MCCG building capacity of re-entry programs to provide support to problem gamblers.

# Recovery Support Services

- BSAS Gambling-Free Policy Guidelines for all BSAS-funded substance abuse programs,
- [Gamblers Anonymous](#) (GA) and [Bettors Anonymous](#) (BA) self-help meetings based on the same 12-step concept as Alcoholics Anonymous (AA).
- Immediate family members may petition for exclusion of a problem gambler from the Plainridge Casino slots-parlor.
- MOAR (Massachusetts Association for Addiction Recovery) provides support and advocacy for individuals in recovery from gambling addiction as well as substance use disorders.

# Recovery Support Services

- MA Council on Compulsive Gambling (MCCG) yearly retreat for a recovery advisory board to plan activities and serve as a voice to comment on programs
- BSAS Recovery Coaching to encourage, motivate and support a peer seeking to establish or strengthen his or her recovery
- MCCG provides financial literacy with people in recovery and their family members
- MA DOC works with people coming out of prison for a crime related to a gambling disorder to assist them in finding work and housing; dealing with MA DOR and the IRS and addressing other issues of re-integration

# Sustainability

- Because services do not depend on additional dollars from the Public Health Trust Fund, they should be able to continue from now until PHTF funds become available.
- Plans will be enhanced and informed by ongoing data collection, and there will be a full strategic plan for Massachusetts by the fall of 2015 that will incorporate and enhance these initiatives

# Monitoring and evaluation

From the SEIGMA study, BSAS treatment data and community surveys, the following indicators will be particularly important:

- # of treatment providers certified in the region
- # of relationships established with local partners such as foreclosure lawyers and credit counselors
- # of Gamblers Anonymous meetings
- Compliance with/adoption of the recommendations in the *Responsible Gaming Framework*
- Rates of problem gambling
- Increases in intervention, treatment, and recovery support paid through BSAS

# Thank You to:

- All key informants
- Steve Keel, Director Problem Gambling Services at the Massachusetts Department of Public Health
- Mark Vander Linden, Director of Research and Responsible Gaming for the Massachusetts Gambling Commission
- Marlene Warner, Executive Director of the Massachusetts Council on Compulsive Gambling



# Questions?

# MassTAPP Contacts

Jack Vondras, Senior Advisor

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<http://masstapp.edc.org>

# The Plainville Problem Gambling Services Assessment and Interim Plan

*June 11, 2015*

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Presented by the Massachusetts Technical Assistance Partnership for  
Prevention (MassTAPP) of Education Development Center, Inc. (EDC).

This report is supported by the Massachusetts Department of Public  
Health and the Massachusetts Gaming Commission.



## Background and Purpose

On November 22, 2011, Governor Deval Patrick signed into law the Expanded Gaming Act (Chapter 194), which allows up to three destination resort casinos and a single slots-parlor in Massachusetts (Massachusetts Gaming Commission [MGC], 2015a). The Expanded Gaming Act also establishes a Public Health Trust Fund (PHTF) to allocate significant resources to research, prevention, intervention, treatment, and recovery support services in order to mitigate the harmful effects of problem gambling and related issues. The PHTF will begin to receive dollars to support prevention and services when the casinos open (MGC, 2015b).

As expanded gaming rolls out across the state, the Massachusetts Gaming Commission (MGC) and the Massachusetts Department of Public Health (DPH) are engaging in careful planning and data collection. MGC is overseeing a baseline study, the Social and Economic Impacts of Gambling in Massachusetts (SEIGMA), conducted by a research team at the University of Massachusetts–Amherst School of Public Health and Health Sciences (University of Massachusetts, Amherst, 2013). Led by Dr. Rachel Volberg, the team is gathering baseline data relevant to the impact of expanded gambling in Mass., including the following:

- ❖ Public attitudes toward gambling
- ❖ The current gambling behavior of the general public
- ❖ Current gamblers' motivations for gambling
- ❖ The perceived value of gambling
- ❖ Awareness of existing efforts to prevent problem gambling
- ❖ The prevalence of problem gambling in the Mass. population
- ❖ Discrete social and health impacts of gambling
- ❖ Associated comorbidities<sup>1</sup> of gambling and problem gambling in the areas of health, mental health, and substance use

Annual SEIGMA research will be conducted to monitor changes and to identify areas for improvement in policies and practices related to prevention, intervention, treatment, and recovery support services for gambling and gambling-related issues. In addition, a statewide Strategic Plan is being developed to guide the expenditure of prevention dollars toward best practices.

Penn National Gaming received a license that will allow it to open up to 1,250 slot machines at the Plainridge Park Casino in Plainville, Mass., on June 24, 2015, two years before the Springfield and Everett casinos will open. The Plainridge Park Casino will offer a variety of gaming in addition to the slot machines, including KENO, electronic blackjack, and the Massachusetts Lottery. Pari-mutuel betting is available at the adjoining racetrack.

The purpose of this report is to (1) provide a brief assessment of the needs related to problem gambling and (2) summarize the resources and services related to problem gambling that are currently in place in Plainville, Mass., and the surrounding region; the programs and services to mitigate the potential harmful effects of gambling in Southeast Mass. that are in development; and the ongoing data collection efforts, which will inform and enhance

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<sup>1</sup> *Comorbidity*: The presence of one or more disorders (e.g., substance abuse, a mental health disorder) that co-occur with the primary disorder (e.g., gambling).

the statewide plan. As there is limited new funding for programs and services at this stage, this interim plan describes the local and state resources already allocated to problem gambling. A full Strategic Plan for Massachusetts will be in place by fall 2015.

## Methodology

This report was developed by the Massachusetts Technical Assistance Partnership for Prevention (MassTAPP) of Education Development Center (EDC), on behalf of DPH and MGC, using the following data collection methods:

- ❖ Review of documents relevant to problem gambling in Southeast Mass.
- ❖ Key informant interviews with problem gambling researchers, leaders of affected communities, industry representatives, representatives of state agencies, and preventionists
- ❖ Dissemination and analysis of 158 surveys at the DPH Ounce of Prevention and the Massachusetts Council on Compulsive Gambling (MCCG) annual conferences to collect information about organizational readiness across the state, existing resources, gaps in services, and barriers to services
- ❖ Review and analysis of SEIGMA baseline results related to Southeast Mass.

Key informant interviews were coded by theme and analyzed to identify common and outlying themes that were relevant to prevention, treatment services, and recovery support in Southeast Mass., where the Plainridge Park Casino slots-parlor will be located.

Data from the DPH Ounce of Prevention and the MCCG conference surveys were analyzed for differences between regions in regard to participants' roles and the readiness of their organizations to address problem gambling. Data were graphed to better illustrate patterns and percentages, and averages were calculated to make comparisons. Qualitative responses from respondents from the Southeast Mass. region were analyzed for emergent themes. A total of 16 participants from the Southeast Mass. region responded to the surveys, representing 10% of survey respondents. Overall, 79 participants from each conference (158 total) responded to the survey.

Data in the SEIGMA report were examined for areas where significant differences emerged between the Southeast Mass. region and other regions. Data were graphed to better illustrate patterns and when necessary to help understand the results. Data by county were also examined.

### Key terms

- ❖ *“Problem gambling:* Problem gambling is characterized by gambling behavior [that] leads to a continuum of adverse consequences for the gambler, others, and the community” (MGC, 2014, p. 3).
- ❖ *“Problem gambler:* A person who chronically or habitually gambles to the extent that such gambling substantially interferes with the person’s social or economic functioning or that the person has lost the power of self control over that person’s gambling” (Commonwealth of Massachusetts, 2015, ¶ 13).
- ❖ *“Responsible gaming:* Responsible gaming is the provision of gambling services in a way that seeks to minimize the harm to customers and the community associated with gambling” (MGC, 2014, p. 3).
- ❖ *Self-exclusion programs:* Programs “to assist patrons who recognize they have experienced a loss of control over their gambling and wish to invoke external controls” (MGC, 2014, p. 9). “These voluntary programs allow a person to be banned from gambling venues for a defined period, even a lifetime” (Substance Abuse and Mental Health Services Administration, 2014, p. 5).

## Assessment Results

### SEIGMA Baseline Data Relevant to Southeast Mass.

Preliminary SEIGMA baseline data show that while the Southeast region of Massachusetts is relatively similar to the rest of state, the region is unique in several ways:

- ❖ Southeast Mass. has an older population that is more likely to be retired than Greater Boston or Western Mass.
- ❖ Southeast Mass. is the least racially and ethnically diverse region in the state.
- ❖ Southeast Mass. has the highest rates of past-year and weekly gambling.
- ❖ Southeast Mass. has the greatest percentage (21.5%) of respondents who reported being affected by someone else's gambling.

### Needs/Gaps in Services

Surveys revealed that the conference attendees from Southeast Mass. belonged to the organizations that were most prepared to respond to a potential rise in problem gambling in the state, in that they had a greater awareness of problem gambling and greater initiation and stabilization of programs and strategies to address the issue.

Southeast Mass. survey respondents identified a variety of barriers for problem gamblers to access and use treatment resources. Individual-level barriers they described include denial of the problem, fear of stigma, lack of self-awareness of the problem, and shame. In addition, they identified numerous resource factors as barriers, including access to services (e.g., not enough Gamblers Anonymous meetings), costs, transportation issues, lack of trained clinicians who can identify and work with disordered gamblers, lack of insurance coverage, lack of infrastructure to support these services, language barriers, and wait-lists for accessing services.

*For a community to most effectively mitigate harm caused by the development of a . . . casino, community readiness efforts need to be made to build an effective problem gambling treatment and prevention system before the expanded gaming venue opens to the public.*

*—Problem Gambling Solutions, Inc., 2013 (p. 36)*

An additional issue was identified in a 2013 report commissioned by the town of Plainville, Mass.:

Data from the Massachusetts Problem Gambling Helpline show [that] citizens from the Town of Plainville and the surrounding counties access helpline services at a very low rate suggesting current community awareness of, and interest in, problem gambling services are low. (Problem Gambling Solutions, Inc., 2013, p. 36)

In response to the survey question “Where do you see the most significant gaps in services for problem gamblers?”, Southeast Mass. respondents repeated several of the barriers they’d noted: not enough Gamblers Anonymous meetings in the area, a lack of treatment centers, and limited or no insurance to cover treatment. They also expanded the list to include barriers created by insurance providers, such as co-pays, referral requirements, credentials of providers required for reimbursement, and not paying for gambling treatment as a primary diagnosis; the need to identify and offer services in jails and behavioral treatment programs; limited publicity on where programs are available; and lack of public awareness campaigns about gambling problems.

Another gap in services was identified in the Plainville report:

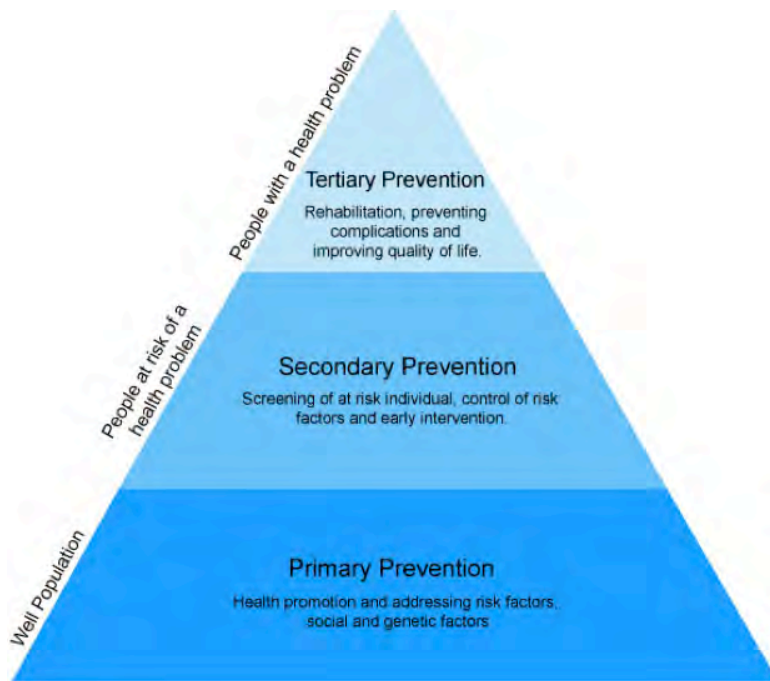
Work is needed to train healthcare professionals, educators, and criminal justice personnel, including courts, probation, and juvenile justice in how to screen for gambling problems and how to refer problem gamblers and family members for help. There is a need to develop cost-effective approaches to expanding the availability of problem gambling treatment services and to provide a broader continuum of care. (Problem Gambling Solutions, Inc., 2013, p. 37)

The Plainville community anticipates that the greatest impact of the slots parlor opening will be the sudden influx of people coming to the community to gamble. To respond to some of the problems that will likely arise (e.g., increased traffic, accidents, heart attacks, crime), Plainville is planning to increase its security force and to add additional firefighters. Interviewees also mentioned potential social impacts, such as problem gambling and related decreased quality of life (e.g., domestic violence, car repossession, home foreclosures).

## The Programs and Services Interim Plan: What's in Place? What's Coming?

Programs and services to prevent and address the potential for problem gambling in the Southeast Mass. region can be defined within a continuum of care: a scope of services for individuals, groups, and communities *before, during, and after* they experience a behavioral health problem or disorder, such as gambling. These services include *promotion, prevention, treatment, and maintenance* (National Resource Council & Institute of Medicine, 2009). Ideally, this continuum of care will offer assistance to people at all levels of need, from *primary prevention* for those who do not gamble or who gamble only recreationally; to *secondary prevention* efforts that include screening of at-risk individuals and brief interventions for those in the early stages of problem development; to *tertiary prevention*, which includes treatment services for disordered gamblers and rehabilitation and recovery support. This pyramid of prevention tiers (HSC Medical Center, n.d.) is represented in Figure 1.

**Figure 1: Pyramid of Prevention**



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DPH and MCCG have been working together to identify promising practices that can be expanded to enhance the problem-gambling treatment system in and around Plainville. Some of these practices are incorporated into the *Responsible Gaming Framework* developed by MGC (2014), which provides guidance for casino operators on how to implement a responsible gaming policy. Other practices are in development within Plainville and its surrounding communities, and still others will be incorporated into the statewide Strategic Plan.

Current and developing prevention activities in the Southeast Mass. region are described below, organized according to the three tiers of the Prevention Pyramid.

## Primary Prevention Activities

Primary prevention activities target the general population:

- ❖ The MCCG provides training to Employee Assistance Programs and unions to improve the safety and support of workplaces, to promote a nurturing environment, and to create an organizational climate that does not foster addictive behavior.
- ❖ The Massachusetts Bureau of Substance Abuse Services (BSAS) has developed Gambling-Free Policy Guidelines that are required for the 450 substance abuse prevention, treatment, and recovery programs that they contract with across the state.
- ❖ MCCG and MGC are implementing GameSense, a prevention program designed to educate players and help them make informed, responsible decisions around gaming:
  - Once the Plainridge Park Casino has opened, a trained GameSense advisor will be on-site 16 hours a day during peak hours to work with patrons and their families. The advisor will be based at the centrally located GameSense Information Center, which will “serve as the patrons’ point of contact for inquiries and enrollment into voluntary responsible gaming programs and services, including self-exclusion programs; play information and management systems; and educational tools to assess play risks, provide responsible gaming tips, and increase players’ knowledge of how games work” (MGC, 2014, p. 9). GameSense advisors will also monitor for problem gambling and make referrals to problem-gambling resources. Within the Information Center, designated office spaces will be available “for private meetings between patrons with concerns related to their gambling and counselors or other staff trained in crisis intervention, mental health triage, and facilitation of a self-exclusion process” (MGC, 2014, p. 14).
  - Individuals will be able to establish a gaming budget for the day at the game center or at the slot machines, and they will be informed when they reach certain percentages of that budget.
  - Prior to the opening of the casino, GameSense training will be provided to 500 Plainridge slot employees about responsible and problem gaming. Training will include how to recognize signs of problem gambling, how to triage and respond to patrons in crisis, and how to make referrals to resources in the community. Professional development will continue to be offered to staff after this initial training.
  - MCCG is in the process of hiring four GameSense advisors and a coordinating manager for the Plainridge Park Casino, who will be trained prior to the casino’s opening.
  - In conjunction with the casino’s opening, MORE Advertising will conduct an MGC-funded GameSense media campaign about responsible gaming, which will include billboards, spots on local television, and newspaper ads, all localized to the Plainville area, as well as online ads and a website. Literature already developed as part of the campaign includes flyers about the odds of slot machines, voluntary self-exclusion, what is provided at the GameSense Information Centers, and tips for keeping gambling fun.



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The *Responsible Gaming Framework*, which Plainridge Park Casino will be encouraged to follow, suggests a number of policies and practices that support primary prevention:

- ❖ Educate employees about responsible gaming and their role in promoting a responsible gaming environment
- ❖ Develop relationships with relevant community organizations that provide support and information for patrons who are experiencing gambling problems, as well as their families
- ❖ Integrate play-management tools into gaming machines that include limit setting, where players can voluntarily set time limits, loss limits, and/or win limits, and pop-up reminders to help them stay within limits
- ❖ Include an on-site GameSense Information Center
- ❖ Employ responsible marketing practices that protect youth from exposure to gambling promotion
- ❖ Prohibit bank card transactions in the gaming area, and keep ATM services at least 15 feet away from gaming areas

In addition, Plainridge Park Casino will offer pre-commitment for patrons, allowing them to set a voluntary monetary limit at gaming machines.

## Secondary Prevention Activities

Secondary prevention activities target at-risk groups:

- ❖ Self-exclusion will be available for individuals who wish to limit their gambling:
  - MGC's required self-exclusion program will make three forms of self-exclusion available to patrons: opting out of marketing lists, exclusion from receiving house credit, and voluntary exclusion from MGC-licensed gambling venues statewide.
  - Voluntary self-exclusion has a minimum period of six months, with options of one, three, or five years or lifetime. Only after expiration of the chosen duration will an individual be able to request that his or her name be removed from the self-exclusion list. The casinos will enforce this policy.
  - When participants come off the self-exclusion list, either MCCG or another designated agent will provide an information session to discuss the risks of gambling, how to recognize the signs of a gambling problem, and contingency planning if the individual finds that his or her gambling has become a problem.
- ❖ Casinos will be encouraged to reduce the risk of employee gambling-related problems through policies, practices, and education.
- ❖ The Massachusetts Problem Gambling Helpline provides a screening regarding problem behaviors as well as information about problem-gambling resources for individuals in need of support.
- ❖ MCCG has a relationship with the American Credit Counseling Service in Plainville and will work with them to increase the number of locally available bankruptcy attorneys who are knowledgeable about problem gambling and to whom MCCG can refer patrons.
- ❖ Screening for gambling problems is included in some BSAS DUI treatment programs.
- ❖ MCCG has trained the Massachusetts Parole Board on the issue of gambling within parole. The Council has also presented at the probation academy and has trained hundreds of police officers and county sheriffs to better understand the issue of problem gambling.

**Note:** Ultimately, a universal screening tool for corrections staff and prisoners about gambling and problem gambling, as well as a strategic plan for the criminal justice system, will need to be developed and implemented.

## Tertiary Prevention Activities

Tertiary prevention includes treatment and recovery support services.

DPH has a variety of initiatives that target individuals or populations who have a gambling disorder:

- ❖ A network is in place for referral services for problem gambling. BSAS maintains a list of 120 private practice practitioners who have Massachusetts Problem Gambling Specialist (MAPGS) Certification from MCCG. In Southeast Mass., this includes SSTAR, a long-time BSAS treatment provider in Fall River. The Massachusetts Problem Gambling Helpline uses this list to make referrals.
- ❖ DPH covers payment for treatment services for those who do not have insurance or who are not able to pay for treatment.

**Note:** Treatment providers must be pre-approved by DPH, and the treatment center must have an MAPGS on staff.

- ❖ Emergency Service Program mental health crisis teams are called in to help in situations of suicidality or other mental health crises, to do on-site intervention, and/or to get people to a hospital for treatment.

## Recovery Support Services

- ❖ BSAS has explicit Gambling-Free Policy Guidelines for all BSAS-funded substance abuse programs, including recovery centers, to keep gambling activities out of their substance-free social activities.
- ❖ Conversations regarding how to build up problem-gambling materials and resources for the Brockton Substance Abuse Recovery Center are ongoing.
- ❖ Gamblers Anonymous and Bettors Anonymous are self-help meetings based on the same 12-step concept as Alcoholics Anonymous. Gam-Anon is a support group specifically for families and loved ones of people experiencing problems with gambling. There are several Gamblers Anonymous meetings in the region, as well as in nearby Rhode Island.
- ❖ As part of the GameSense program being implemented, immediate family members may also petition for exclusion of a problem gambler from the Plainridge Park Casino slots-parlor.
- ❖ Massachusetts Association for Addiction Recovery provides support and advocacy for individuals in recovery from gambling addiction as well as substance use disorders.
- ❖ MCCG hosts a weekend retreat each year for a volunteer Recovery Advisory Board, whose members plan activities geared toward recovery and offer feedback on programs being developed.
- ❖ BSAS provides Recovery Coaching.<sup>2</sup> MCCG has trained the bureau to include problem gambling in the training for Recovery Coaches.
- ❖ MCCG has done work to increase the financial literacy of people in recovery and their family members and hopes to expand this program.

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<sup>2</sup> Although the name used for this service can vary from project to project, the terms *mentoring* and *coaching* refer to a one-on-one relationship in which a peer leader with greater recovery experience encourages, motivates, and supports a peer who is seeking to establish or strengthen his or her recovery.

- ❖ MCCG is helping to build the capacity of the existing re-entry programs' infrastructure by training program staff to provide re-entry support to problem gamblers.
- ❖ The Massachusetts Department of Corrections uses the Square One program to work with people coming out of prison for a crime related to a gambling disorder. The department works with those in pre-release, those on probation, and parolees in the following ways:
  - Assisting them with finding work and housing, dealing with the Mass. Department of Revenue and the IRS, and addressing other issues that might make it harder for them to re-integrate
  - Connecting them with existing services

## Sustainability

Most of the prevention harm reduction, intervention, treatment, and recovery support initiatives discussed in this report are already in place or are actively in development. Because services do not depend on additional dollars from the PHTF, they should be able to continue from now until PHTF funds are available. As more PHTF dollars become accessible, it will be possible to not only expand the initiatives discussed in this report, but also to identify new and innovative strategies that will further strengthen the full continuum of care: prevention, intervention, treatment, and recovery support.

## Higher-Risk Populations

Seniors are at risk for a number of reasons:

- ❖ They are coping with big changes or losses in their lives and are therefore more vulnerable to developing a gambling problem.
- ❖ They may turn to gambling as a distraction from life transitions.
- ❖ Seniors who gamble away their retirement savings don't have the needed working years to make up for these losses.
- ❖ Many seniors hide their gambling problem because of the stigma attached.

*While no demographic group is immune from developing a gambling disorder, approximately 50% of the [Plainville] citizens fall into at least one demographic group that has been found to be at greater risk for developing a gambling disorder. . . . The following demographic indicators were used: male gender under 35 years old, unemployed, below poverty line, ethnic minority, gaming employee, and unmarried status. . . . Some demographic groups are at higher-risk than others.*

—Problem Gambling Solutions, Inc., 2013, pp. 3–4).

“Although the proportion of seniors that manifest a gambling problem is lower than other age groups, this group is frequently considered an at-risk group for being impacted by gambling problems” (Problem Gambling Solutions, Inc., 2013, p. 33).

The preliminary SEIGMA results indicate that Southeast Mass. has an older population that is more likely to be retired, more so than other regions of the state. This may suggest the need to specifically target this population in any prevention programs.

Another group at high risk for developing a gambling disorder is employees of gambling venues (Williams, Volberg, & Stevens, 2012). It is likely that employees of the Plainridge slots-parlor will live in Plainville or its surrounding communities, requiring a strong prevention and treatment infrastructure.

## Monitoring and Evaluation

The SEIGMA study, which is being conducted by Dr. Rachel Volberg and her team at UMass Amherst, is examining the prevalence of problem gambling, the demographics of problem gamblers, treatment-seeking behaviors, and the social and economic impacts of expanded gaming in Mass.. SEIGMA is a cross-sectional study of the prevalence of gambling in the general Mass. population. In contrast, the Massachusetts Gambling Impact Cohort (MAGIC) study, also conducted by Dr. Volberg, is unique in that it is a longitudinal study that will follow the same group of people (a cohort) over a period of time to identify the incidence of new cases of problem gambling and to examine how gambling problems develop. This multi-year, groundbreaking study will collect valuable information about risk and protective factors<sup>3</sup> for problem gambling, safe levels of gambling, the possible causes of problem gambling, and the characteristics that encourage problem gamblers to seek treatment. Together, the data from these two studies will guide how the PHTF strategically allocates resources for prevention, intervention, treatment, and recovery support in order to optimize prevention campaigns and services (Volberg, 2014).

The UMass research team will also conduct community surveys that focus specifically on the communities where gaming venues are located, including Plainville and the communities adjacent to it.

Treatment data are reported on an ongoing basis to DPH. MCCG tracks the number of providers in the region who are certified to provide problem-gambling treatment, and the partnerships they establish to support prevention and recovery.

From these sources, the following indicators will be particularly important:

- ❖ The number of treatment providers who become certified in the region
- ❖ The number of relationships established with local partners, such as foreclosure lawyers and credit counselors
- ❖ The number of Gamblers Anonymous meetings
- ❖ Compliance with and/or adoption of the recommendations in the *Responsible Gaming Framework* by the Plainridge Park Casino
- ❖ Rates of problem gambling
- ❖ Increases in intervention, treatment, and recovery support paid through the BSAS

Changes in these indicators will provide a consistent view into the success of the initiatives described in this report and into emerging needs in the region.

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<sup>3</sup> *Risk and protective factors* are characteristics that increase or decrease, respectively, the likelihood of a behavioral problem occurring. For example, beginning gambling at an early age is a risk factor, while strong family connectedness is a protective factor.

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## Acknowledgements

Thank you to everyone who generously served as a key informant to help us better understand the current status of problem-gambling services and the interventions that are being developed to enhance the current infrastructure.

Additionally, special thanks for direct contributions to this report go to Steve Keel, Director of Problem Gambling Services at the Massachusetts Department of Public Health; Mark Vander Linden, Director of Research and Responsible Gaming for the Massachusetts Gambling Commission; and Marlene Warner, Executive Director of the Massachusetts Council on Compulsive Gambling.

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## MASSACHUSETTS GAMING COMMISSION

PURSUANT TO THE POWER AND AUTHORITY GRANTED TO IT BY  
CHAPTER 23K OF THE MASSACHUSETTS GENERAL LAWS,  
HEREBY PRESENTS THIS OPERATION CERTIFICATE TO

*Plainville Gaming and Redevelopment, LLC*

ON THE PREMISES OF THE CATEGORY 2 GAMING ESTABLISHMENT LOCATED IN PLAINVILLE, MASSACHUSETTS WITH  
**1250 SLOT MACHINES / 0 TABLE GAMES / 1500 GAMING POSITIONS.**

THIS CERTIFICATE IS SUBJECT TO THE LICENSEE'S COMPLIANCE WITH CHAPTER 23K OF THE GENERAL LAWS,  
THE REGULATIONS OF THE MASSACHUSETTS GAMING COMMISSION PROMULGATED THEREUNDER, AND ALL OTHER APPLICABLE LEGAL REQUIREMENTS.

**EFFECTIVE JUNE 24, 2015**

*Gayle Cameron, Commissioner*

*Bruce Stebbins, Commissioner*

*Stephen P. Crosby  
Chair*

*James McHugh, Commissioner*

*Enrique Zuniga, Commissioner*

**MASSGAMING 2015**





## MASSACHUSETTS GAMING COMMISSION

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THE REGULATIONS OF THE MASSACHUSETTS GAMING COMMISSION PROMULGATED THEREUNDER, AND ALL OTHER APPLICABLE LEGAL REQUIREMENTS.

**EFFECTIVE JUNE 24, 2015 THROUGH JUNE 25, 2015**

*Gayle Cameron, Commissioner*

**MASSGAMING 2015**







**CATEGORY 2 GAMING LICENSE**

EXPIRES JUNE 24, 2020  
LICENSE # MGC-C2-01



*Plainville Gaming and Redevelopment, LLC  
d/b/a - Plainridge Park Casino*

310 WASHINGTON STREET, PLAINVILLE, MA  
LANCE GEORGE - GENERAL MANAGER

THIS LICENSE IS AT ALL TIMES SUBJECT TO THE TERMS AND CONDITIONS SET FORTH IN THE DETERMINATION OF ISSUANCE OF LICENSE TO OPERATE A CATEGORY 2 GAMING ESTABLISHMENT DATED FEBRUARY 28, 2014 INCLUDING THOSE CONTAINED IN G.L. C.23K, §21, AND ALL CONDITIONS SET FORTH IN THE OPERATION CERTIFICATE ISSUED IN ACCORDANCE WITH 205 CMR 151, AND ALL ARE INCORPORATED BY REFERENCE AS IF COMPLETELY SET FORTH HEREIN.

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*Gayle Cameron, Commissioner*

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*Bruce Stebbins, Commissioner*

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*Stephen P. Crosby  
Chair*

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*James McHugh, Commissioner*

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*Enrique Zuniga, Commissioner*

**MASSGAMING 2015**





**PENN NATIONAL**  
GAMING, INC.

June 22, 2015

Massachusetts Gaming Commission  
84 State Street, 10th Floor  
Boston, MA 02109  
Attention: Catherine Blue, General Counsel

Dear Ms. Blue:

As you are aware, we recently reviewed all of our permits, including the Massachusetts Environmental Protection Act ("MEPA") certificate from the Secretary of Energy and Environmental Affairs, as well as the specific requirements for off-site mitigation in the MassDOT Section 61 findings. We performed this review to determine whether corrections were necessary in light of the regulatory position concerning gaming devices and gaming positions. In accordance with the regulations, Plainridge Park Casino intends to operate 1,250 gaming devices with up to 1,500 gaming positions. Also in accordance with the statute and the regulations, each relevant permit (including the MEPA certificate) is based on the number of gaming devices (1,250), rather than the number of gaming positions.

We performed this review because the number of gaming positions influences certain assumptions used in preparing various permit applications – mostly notably those concerning traffic generation, road mitigation, parking and water. As a result, we asked our primary third party consultants, McMahon Transportation Planners and Engineers and Tilton & Associates, Inc., to re-examine these assumptions to determine whether their conclusions were affected by operating with up to 1,500 positions. Enclosed with this letter are summaries of their analyses, which conclude that, because of the extremely conservative nature of the estimates, the current assumptions do not impact their conclusions and that no material changes have occurred within the scope of MEPA.

In sum, we are pleased to report that, based upon this analysis and review of all applicable permits (including the MEPA certificate), we believe all such permits remain valid, and that no further action is required in order to supplement or amend any such permits.

If you or your staff have any questions or would like any additional information, please feel free to contact me to discuss in more detail.

Sincerely,

Chris Rogers  
Vice President, Senior Corporate Counsel



Larry E. Tilton, PLS  
Principal

Deborah H. Tilton  
Executive V.P.

Paul J. Santos, PLS  
Associate

81 John Dietsch Boulevard  
P.O. Box 467  
North Attleborough, MA 02761  
Tel: (508) 699-4120 Fax: (508) 699-7810

June 15, 2015

John Rauen, VP Development  
Penn National Gaming, Inc.  
825 Berkshire Blvd., Suite 200  
Wyomissing, PA. 19610

Re: Plainridge Park Casino – Plainville, Massachusetts  
*State and Local Permitting and Approvals*  
Tilton File No. 3086

Dear Mr. Rauen,

In response to your request, the following informational summary is provided for your review and consideration regarding permitting associated with the Plainville Park Casino Category 2 Gaming License awarded to Plainville Gaming and Redevelopment, LLC (PGR) (formerly known as Springfield Gaming and Redevelopment, LLC) in February 2014 by the Massachusetts Gaming Commission.

When legislation for Expanded Gaming in Massachusetts was first proposed, the prior owners and operators of Plainridge Racecourse (Ourway Realty, LLC) engaged Tilton & Associates, Inc. (TAI) to undertake the necessary permitting in anticipation of application for the State's sole Category 2 Gaming License. Based on the draft legislation which limited the number of slot machines to 1,250 TAI was instructed to base all permitting on that number and all of the permits issued to date have been based on the maximum number of 1,250 slot machines. When PGR assumed the permitting process from Ourway and ultimately purchased the assets associated with Plainridge, TAI continued all permitting with the maximum of 1,250 slot machines.

Therefore, all permits applied for and all permits obtained for this project are based on the maximum number of 1,250 slot machines. The Massachusetts Environmental Policy Act (MEPA) Certificate of the Secretary of Energy and Environmental Affairs on the Final Environmental Impact Report (FEIR) (EEA#11431, dated December 27, 2013) states that, "*If the Category 2 license is granted, up to 1,250 slot machines will be added to the facility*". See Attachment A, Page 1, Project Description. That being said, there are two areas where the number of Gaming Seats have been applied to estimates, those being Parking and domestic Water demand, which we will address below as follows:

1. **Parking:** Given that this is the first Gaming Facility in Massachusetts, TAI analyzed parking allocations at several other existing facilities, including Newport Grand (Rhode Island), Twin River (Rhode Island) and Ocean Downs (Maryland) to determine some rough approximation as to what amount of parking would be required. Although the Massachusetts Environmental Policy Act (MEPA) regulations recommend parking reductions to encourage Mass-Transit solutions, local Plainville Commercial Interchange District regulations require that there be sufficient parking provided for the specific proposed use. See Attachment B, Code of the Town of Plainville §500-31.A., Parking Requirements, which states that "*Any parcel on which a building is constructed shall contain off-street parking areas of appropriate design to accommodate the number of vehicles suitable to the permitted use and with proper provision for egress*". To that end, TAI prepared a Parking Analysis with an allocation of parking based on a breakdown of proposed uses within the facility, which was approved locally and carried forward to the State permitting. See Attachment C, MEPA Certificate of the Secretary of Energy and Environmental Affairs on the FEIR, Page 3, Environmental Impacts, which states that "*The project includes 1,620 parking spaces within the existing surface parking and proposed garage*". In 2015, an additional 181 surface parking spaces were added into the design at the request of PGR and approved at the local level, and did not exceed the requirement for further supplemental review at the State level. See Attachment D, MEPA Preparing & Filing a Notice of Project Change (NPC), Item 1. Notice of Project Change

for Project Change (see 301 MR 11.10(1)), which states that a change may be significant if (i) expansion in the physical dimensions of a project of 10% or more, or, (ii) an increase in the level of impacts previously reviewed of 25% or more. The MEPA Certificate of the Secretary of Energy and Environmental Affairs on the FEIR, Page 6, Parking, (Attachment E) states that *“The FEIR provides a summary of parking demand and supply. The FEIR indicates that parking demand and supply and three comparable facilities were reviewed and found to range from 0.65 to 3.25 parking spaces per slot machine. The project presents parking at a ratio of 1.3 parking spaces per slot machine, comparable to that of Twin River Casino (in Lincoln, Rhode Island).”* The addition of parking spaces in 2015 adjusts the parking ratio on-site from 1.3 to 1.44, which is still within the range of comparable facilities reviewed and below the 25% increase threshold.

2. **Water:** Based on the proposed interior uses, TAI prepared an estimate for increased domestic water usage, increasing the estimated demand from the previously approved 14,225 gallons per day to roughly 30,000 gallons per day, which increase was approved by the Plainville Water Department. See Attachment F, MEPA Certificate of the Secretary of Energy and Environmental Affairs on the FEIR, Page 9, Wastewater, which states that *“The proposed sewer usage rate, incorporating additional site amenities, is approximately 30,000 GPD. The FEIR indicates that subsequent to conversations with the Plainville Water and Sewer Department in 2013, and reviewed by Town consultants there is sufficient sewer capacity available to service the project”*. Anticipating the allowance for up to 1,500 Gaming Seats (but still only 1,250 slot machines), TAI has determined that the estimated domestic water service demand is still below the 30,000 gallons per day authorized in the existing permit. See Attachment G, Plainridge Park Casino Water Allocation, dated June 15, 2015.

In summary, all of the existing project permits and approvals, on both the State and Local levels, are all still in conformity with the estimates and projections for the build-out of the Plainridge

will generate 3,000 or more new average daily trips (adt) on roadways providing access to a single location. The project requires a revised Vehicular Access Permit from MassDOT. The project change is subject to the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol.

Because the Proponent is not seeking State Financial Assistance, MEPA jurisdiction is limited to the subject matter of required permits; however, the subject matter of the Gaming License confers broad scope jurisdiction and extends to all aspects of the project that may cause Damage to the Environment, as defined in the MEPA regulations. These include GHG emissions, traffic and transportation, and construction period impacts.

#### Environmental Impacts

Potential environmental impacts associated with the project include an increase in traffic generation. The project will generate an additional 4,878 adt for a total of 6,512 adt. The project includes 1,620 parking spaces within the existing surface parking and proposed garage. The project will not increase land alteration, create new impervious surfaces, alter wetland resource areas, affect mapped rare species habitat or increase water use or wastewater generation. Measures to avoid, minimize, and mitigate impacts will include roadway and signal improvements, development of a Transportation Demand Management (TDM) program, and measures to reduce GHG emissions.

#### Review of the FEIR

The FEIR includes a revised traffic study, revised GHG analysis, an updated mitigation chapter, revised Draft Section 61 Findings and Responses to Comments.

#### *Traffic and Transportation*

The project requires a Vehicular Access Permit from MassDOT because access to the project site is provided by an existing right-in/right-out driveway on Route 1, which is a state highway. The FEIR includes supplemental traffic analyses in response to the Certificate on the DEIR and comments received from MassDOT. The FEIR includes a revised traffic study, which is generally consistent with the EEA/MassDOT Guidelines for EIR/Environmental Impact Statement (EIS) Traffic Impact Assessment. I note that the Proponent met with MassDOT representatives prior to submitting the FEIR to review its comments on the DEIR and to coordinate revisions to the study analyses that were requested by MassDOT and others.

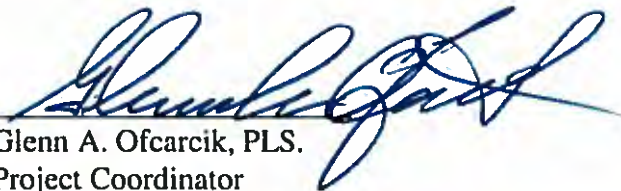
The FEIR includes supporting information on the trip generation methodology, the peak hour determination, and the identification of the most critical peak periods. The revised study includes updated trip distribution and capacity analyses. The gravity model, upon which the trip distribution is based, was modified to consider the casino resort proposal in Taunton, and indicates that the proposed Taunton casino will not result in material changes to the traffic operations previously discussed in the DEIR. According to comments from MassDOT, the traffic study analysis indicates impacts are limited to minor increases in delay; level of service (LOS) will not degrade at locations in the study area under 2019 No-Build conditions or 2019 Build conditions.



Park Casino facilities with a maximum of 1,250 slot machines and up to a total of 1,500 gaming seats serving those 1,250 slot machines.

Please feel free to contact us if you have any questions or need further clarification of any of the above.

Sincerely,  
TILTON & ASSOCIATES, INC.

By:   
Glenn A. Ofcarcik, PLS.  
Project Coordinator

cc: Larry E. Tilton, PLS.

Enclosures



*The Commonwealth of Massachusetts*  
*Executive Office of Energy and Environmental Affairs*  
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Boston, MA 02114

Deval L. Patrick  
GOVERNOR

Richard K. Sullivan Jr.  
SECRETARY

Tel: (617) 626-1000  
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<http://www.mass.gov/envir>

December 27, 2013

**CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
FINAL ENVIRONMENTAL IMPACT REPORT**

PROJECT NAME : Plainridge Park Casino (formerly Plainridge Racecourse)  
PROJECT MUNICIPALITY : Plainville  
PROJECT WATERSHED : Taunton River  
EOEA NUMBER : 11431  
PROJECT PROPONENT : Springfield Gaming and Redevelopment, LLC (formerly  
Ourway Realty, LLC)  
DATE NOTICED IN MONITOR : November 20, 2013

Pursuant to the Massachusetts Environmental Policy Act (MEPA, M.G. L. c. 30, ss. 61-62I) and Section 11.08 of the MEPA regulations (301 CMR 11.00), I have reviewed the Final Environmental Impact Report (FEIR) submitted on this project and hereby determine that it adequately and properly complies with MEPA and its implementing regulations. The project may proceed to State permitting.

Project Description

The project consists of the Proponent's efforts to obtain a Category 2 gaming license for the site pursuant to Chapter 194 of the Acts of 2011 and M.G.L. Chapter 23K. The legislation allows expanded gaming under the Massachusetts Gaming Commission (MGC). If the Category 2 license is granted, up to 1,250 slot machines will be added to the facility. Environmental impacts associated with the change include an increase in traffic generation and parking demand. Access will continue to be provided via the existing access drive from Route 1. The FEIR includes proposed roadway and signalization improvements to mitigate traffic impacts and addresses comments from the Massachusetts Department of Transportation (MassDOT) on the Draft Environmental Impact Report (DEIR).

The FEIR identifies changes proposed since the filing of the DEIR. These include a change in the Proponent and project name, a 29,492 sf increase in the size of the building addition for a total of 100,492 sf, an increase in parking and the addition of a 650 kilowatt (kW)

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**§ 500-30. Specific standards in commercial and industrial districts.**

- A. No activity shall be permitted in commercial or industrial districts unless its operation is conducted such that any noise, vibration or flashing is not normally perceptible above street noise without instruments at any point further than the following:
  - (1) For activities within a commercial district, 80 feet beyond the premises.
  - (2) For activities within an industrial district, 250 feet beyond the premises, or at any point 100 feet within a residential district.
- B. The operation shall be so conducted that all resulting cinders, dust, fumes, gases, odors, smoke, radiation and electromagnetic interference is effectively confined to the premises or disposed of so as to avoid any pollution. Smoke density shall not exceed No. 2 of the Ringelmann Scale for more than 10% of the time and at no time shall exceed No. 3 on that scale. The activity shall not be detrimental to the neighboring property by reason of special danger of fire or explosion.

**§ 500-31. Parking requirements.**

- A. Any parcel on which a building is constructed shall contain off-street parking areas of appropriate design to accommodate the number of vehicles suitable to the permitted use and with proper provision for egress.
- B. All parking areas shall be shown on the site plan indicating the layout of the parking area, including access, location and type of trees and shrubs, proposed lighting and provisions for stormwater drainage.
- C. Minimum standards.

Use	Number of Spaces
Stores, retail business	At least 1 space for every 250 square feet of gross floor space
Offices, banks and similar business	1 space for each 300 square feet of floor area
Motels, hotels, inns and similar uses	1.2 spaces for each lodging unit
Theaters, funeral homes, and places of assembly	1 space for every 3 seats
Restaurants and other places serving food or beverages	1 space for every 3 seats
Single-family residences	2 spaces for each individual dwelling unit
Multifamily residences	2.5 spaces for each family unit
Industrial/manufacturing	1 parking space per 1.3 employees per shift, but not less than 1.3 parking space per 1,000 square feet





The Official Website of the Executive Office of Energy and Environmental Affairs

**Energy and Environmental Affairs**

EEA Home > Agencies > MEPA > Filing with MEPA > Preparing & Filing a Notice of Project Change (NPC)

**Preparing & Filing a Notice of Project Change (NPC)**

**ABOUT NOTICES OF PROJECT CHANGE**

**PURPOSE OF A NOTICE OF PROJECT CHANGE (NPC)**

The MEPA regulations require the filing a NPC for either of two purposes:

1. to document a material change to a project and any related environmental impacts, or
2. to notify the Secretary and reviewers of a lapse of time in the development of a project

**1. NOTICE OF PROJECT CHANGE FOR PROJECT CHANGE (see 301 CMR 11.10(1))**

**When is a NPC required?**

A NPC is required whenever there is a material change (positive or negative) in a project prior to the taking of all agency actions for the project

**When is a change significant?**

The MEPA regulations specify the factors which the Secretary may consider in determining whether changes to a project are significant. These factors include:

- i. expansion in the physical dimensions of a project of 10% or more
- ii. an increase in the level of impacts previously reviewed of 25% or more
- iii. meeting or exceeding any review threshold that was not previously met or exceeded
- iv. change in the expected date for commencement of the project or construction, completion date, or schedule
- v. change of the project site
- vi. new application for a permit or new request for financial assistance or land transfer
- vii. for a project with net benefits to the environment, any change that prevents or delays realization of such benefits

Proponents should refer to Section 11.10(6) of the MEPA regulations for greater detail.

A proponent may include in a NPC a request that the Secretary determine the change to be insignificant in terms of its environmental consequences. The request for a determination of insignificance should refer specifically to these factors and provide any other relevant information. If the Secretary determines that the change is insignificant, the NPC will not be noticed in the Environmental Monitor, and she will issue a Certificate on the NPC within ten days of its receipt in the MEPA Office. Otherwise, the NPC will undergo the ordinary MEPA review as described below.

All NPCs, including those requesting to be found insignificant, must satisfy the circulation requirements described below.

**2. NOTICE OF PROJECT CHANGE FOR LAPSE OF TIME (see 301 CMR 11.10(2))**

**When is a NPC required?**

A NPC is required if more than three years have elapsed between

- (i) the publication of the Environmental Notification Form (ENF) and the publication of the notice of availability of the single or final EIR, or
- (ii) the publication of the notice of availability of the single or final EIR; and the earlier of:
  - (a) notification of commencement of construction (see 301 CMR 11.09(9)), and
  - (b) commencement of non-construction related work or activity, including expenditure of funds for final design, property acquisition, or marketing, provided that the proponent has continued to take major steps in a continuous sequence to advance the project

Suspension or abandonment of project construction for more than 3 years may also require a NPC.

**When is a change significant?**

The Secretary may consider changes in the ambient environment or in information concerning the ambient environment when determining whether a NPC for lapse of time is significant.

Apart from the above, the following may also require filing an NPC form.

**3. NOTICE OF PROJECT CHANGE UPON SECRETARY'S DETERMINATION (see 301 CMR 11.10(5))**



**When is a NPC required?**

If the Secretary determines that a proponent has, either knowingly or inadvertently, concealed a material fact or submitted false information during MEPA review, or has segmented the project, the Secretary may consider the determination to be a NPC.

**PREPARING AND FILING THE NEW NPC FORM**

The first three pages of the NPC form will be published in the Environmental Monitor. When filling out these pages, do not leave questions unanswered and do not refer reviewers to attached pages.

For detailed instructions on filling out the parts of the NPC form that are consistent with the ENF, please refer to the instructions for completing the ENF.

The NPC form is intended to collect information specific to the project change. In many instances, responses to the form may be limited to information about the change itself, without reference to the project as a whole.

The box on the first page that asks for a very brief description of the project change is intended to replace the short summary of the project change, which has previously been published in the Environmental Monitor. This description should be limited to the size of the box on the form, and this box should not be expanded. Recent examples of appropriately brief descriptions include, The project change involves

- "modification of the drainage system and the resulting need for a Mass. Highway Dept. Access Permit"
- "construction of two new general office and research & development buildings totaling 261,000 square feet with 348 additional parking spaces"

Note that page 3 of the form asks for a detailed description of the project change and is the appropriate location on the form for such a description.

When assembling the NPC for submittal to the MEPA Office, include

- one signed original NPC with all of the attachments, and
- one unbound copy of the NPC form only.

Attachments. The NPC filing must also include the following attachments:

- A. Secretary's most recent Certificate on this project
- B. Plan showing most recent previously-reviewed proposed build condition
- C. Plan showing currently proposed build condition
- D. Original U.S.G.S. map or good quality color copy (8-1/2 x 11 inches or larger) indicating the project location and boundaries
- E. List of all agencies and persons to whom the proponent circulated the NPC, in accordance with 301 CMR 11.10(7)

Circulation Requirements. If the NPC is being filed by the proponent, a copy of the complete NPC package, including the attachments, must be circulated to any agency or person who received the ENF or who commented on the ENF or any EIR. The NPC must be circulated prior to or when the NPC is filed with the MEPA Office.

If the NPC is being filed by an agency or person other than the proponent, the agency or person filing the NPC must send a copy to the proponent prior to or when filing with the MEPA Office.

Environmental Monitor Notice. The first three pages of the NPC will be printed in the Environmental Monitor. The publication date of the Environmental Monitor on which the NPC is published is the starting date of the 20 day comment period. During that period, the Secretary will accept written comment on the NPC.

Following the close of the comment period, the Secretary has ten days to issue a Certificate stating whether the project requires any additional MEPA review and, if it does, what the substance of that review will be. The Certificate will be mailed to the proponent along with a copy of each comment letter received.

**Recommended Content**

**People also viewed...**

- [Notice of Project Change Form](#)
- [Filing with MEPA](#)
- [MEPA Forms](#)

**You recently viewed...**

- [Massachusetts Environmental Policy Act \(MEPA\)](#)
- [Final Regulations 5-10-13](#)
- [Form 1: Massachusetts Resident Income Tax Return and Schedules](#)

Personalization: ON [Privacy](#)

\*Recommendations are based on site visitor traffic patterns and are not endorsements of that content.

Did you find the information you were looking for on this page? \*

- Yes
-

investigate realigning and signaling the I-495 southbound off-ramp to address weaving issues between the off-ramp and the Route 1/Route 152 intersection. Further, MassDOT notes that concerns the Proponent has expressed, including patron confusion regarding access and prevention of accidents, could be alleviated through the introduction of adequate signage and the publication of clear directions. Finally, MassDOT comments indicate that the issues identified in its comments can be addressed during permitting and, for that reason, is not requesting additional MEPA review.

### *Safety*

The FEIR includes an updated safety analysis for intersections within the study area. According to the analysis, the Route 1/Route 152 intersection, the Route 152/Route 106 intersection and the Taunton Street/Cowell Street intersection were identified as having a higher crash rate than both the District 5 and statewide averages. Measures to mitigate high crash rates include modifying signal timings and phasing, revising traffic signal clearance intervals, installing overhead guide signs to enhance driver awareness, vegetation clearing within the right-of-way and relocating a stop sign and stop line to improve sight distance.

Comments from MassDOT indicate that the Proponent should provide a RSA prior to submittal of the 25 percent design plans for any study area intersection that has a cluster of Highway Safety Improvement Program (HSIP)-eligible crashes. The Proponent should continue to work with MassDOT towards implementation of warranted safety improvements.

### *Parking*

The FEIR provides a summary of parking demand and supply. The FEIR indicates that parking demand and supply at three comparable facilities were reviewed and found to range from 0.65 to 3.25 parking spaces per slot machine. The project presents parking at a rate of 1.3 parking spaces per slot machine, comparable to that of Twin River Casino (in Lincoln, Rhode Island).

### *Pedestrian and Bicycle Facilities*

Bicycle improvements are proposed on Route 1 in the vicinity of the site and include five-foot bicycle lanes and four-foot roadway shoulders which can be used by bicycles. In addition, the Proponent is committed to improvements such as bicycle racks. The FEIR indicates that pedestrian access along Route 1 was investigated but determined to be impractical for this location given the existing roadway constraints, a lack of adjacent sidewalks, and potential pedestrian/vehicle conflicts. Pedestrian connections are proposed throughout the interior of the site. Comments from MassDOT indicate that the Proponent should consider the feasibility of connecting the site with the neighborhoods along Route 152 and Mirimichi Street through measures such as signage, painting of "sharrows" or construction of shared-use paths. These measures should be reviewed during permitting to increase multimodal accommodations to the site.

MassDOT indicates, in its comments, that any proposed mitigation measures within the state highway layout and internal circulation must be consistent with a Complete Streets design



Commission that the project is designed to comply with the Massachusetts Stretch Code. I expect the Proponent will consult with DOER to address these issues. The FEIR notes that there are opportunities to increase the size of the PV installation. I strongly encourage the Proponent to continue efforts to increase the energy efficiency of the facility and to increase the creation of renewable energy through additional installation of PV.

The Proponent will provide a certification to the MEPA Office signed by an appropriate professional (e.g. engineer, architect, general contractor) indicating that all of the GHG mitigation measures, or equivalent measures that are designed to collectively achieve the proposed stationary source GHG emission reduction committed to in the Single EIR, have been incorporated into the project. The certification should be supported by as-built plans. For those measures that are operational in nature (i.e. TDM, recycling, use of Energy Star-rated equipment), the Proponent will be required to provide an updated plan identifying the measures, the schedule for implementation and how progress towards achieving these measures will be achieved.

#### *Wastewater*

According to the FEIR, the project is connected to the municipal sewer via the Englehard Sewer Line. Wastewater from the building addition, parking garage, and administration building will connect to the existing wet well on-site and be pumped through the existing force main. The permitted sewer usage under the original Special Permit in 1998 is 14,225 gallons per day (GPD). The proposed sewer flow has been estimated using sewer flow estimates provided in 314 CMR 7.15 (Division of Water Pollution Control - Calculation of Flows), and flow rates provided by the Massachusetts Department of Environmental Protection (MassDEP) during the initial construction of the current facility. The proposed sewer usage rate, incorporating additional site amenities, is approximately 30,000 GPD. The FEIR indicates that subsequent to conversations with the Plainville Water and Sewer Department in 2013, and review by Town consultants there is sufficient sewer capacity available to service the project.

The Scope on the DEIR did not require additional analysis of wastewater issues and the Town of Plainville has confirmed that adequate wastewater capacity is available. I note that MassDEP comments indicate that the previous analysis did not include specific uses proposed for this facility and, therefore, the estimates may not be accurate and a wastewater permit may be needed. I encourage the Proponent to review the MassDEP comment letter and consult with them regarding this concern.

#### *Mitigation*

The FEIR includes a separate and revised chapter on mitigation measures and Draft Section 61 Findings for each State permit. The FEIR and Section 61 Findings include the following commitments to avoid, minimize and mitigate project impacts:

- Transportation mitigation including:
  - Install guide signage on Route 1 and revised jughandle guide signage on Taunton Street;
  - New traffic signal at site driveway intersection with Route 1;

**PLAINRIDGE PARK CASINO WATER ALLOCATION**

June 15, 2015

**Office Space (Square Footage)**

Casino	2,059
Simulcast	2,588
Garage	5,684
Racing	<u>1,073</u>
Total	11,404

**Gallons**

x 75/1,000 = 856

**Dining (Seats)**

Slacks	110
Food Court	144
Fluties	<u>84</u>
Total	338

x 35 each = 11,830

**Bar (Seats)**

Slacks	25
Revolution	25 <sup>†</sup>
Fluties	15
Live Racing	<u>26</u>
Total	91

x 35 each = 3,185

**Pub (Seats)**

Fluties	80
---------	----

x 35 each = 2,800

**Lounge (Seats)**

Revolution	60
------------	----

x 20 each = 1,200

**Lunch Room (Seats)**

Employees	58
-----------	----

x 10 each = 580

**Seats**

Gaming	1,500 <sup>†</sup>
Live Racing	250
Simulcast	151
Multi-Function	300
Concourse	<u>90</u>
Total	2,291

x 3 each = 6,873

**Racing**

Paddock Facilities

= 2,400

**Total Domestic Water Demand (Gallons Per Day) 29,724**

<sup>†</sup> 8 Gaming seats are also bar seats.



TO: John Rauen, Penn National

FROM: Gary McNaughton, P.E., PTOE

DATE: June 19, 2015

SUBJECT: Plainridge – Transportation Assessment Update



**PRINCIPALS**  
Joseph W. McMahon, P.E.  
Joseph J. DeSantis, P.E., PTOE  
John S. DePalma  
William T. Steffens  
Casey A. Moore, P.E.  
Gary R. McNaughton, P.E., PTOE

**ASSOCIATES**  
John J. Mitchell, P.E.  
Christopher J. Williams, P.E.  
R. Trent Ebersole, P.E.  
Matthew M. Kozsuch, P.E.  
Maureen Chlebek, P.E., PTOE

### *Executive Summary*

This memo clarifies our analysis of the proposed Plainridge Park Casino and the related off-site traffic operations. Since the time of our original analysis, it is our understanding that the Massachusetts Gaming Commission has gone through a rigorous process and concluded that, consistent with the views of other states, each multi-position slot machine constitutes a single slot machine for purposes of the gaming statute and regulations, provided that the Category 2 licensee shall have no more than 1,500 total gaming positions. The offsite roadway infrastructure was designed to accommodate significantly more traffic than is expected to be generated by this project. As a result, the distinction between 1,250 machines verses 1,500 gaming positions has no effect on our previous conclusion that the roadway improvements at the property more than offset any potential increase in traffic generation. This is the case for purposes of all relevant permits related to the site access, as well as the off-site mitigation specified in the MassDOT Section 61 and MEPA findings related to the project.

### *Traffic Generation*

The traffic generation estimates for the Plainridge facility were developed based on traffic counts taken at comparable facilities, which were then adjusted to account for the number of machines at Plainridge. The facilities where counts were conducted include the following:

- Twin River Casino, Lincoln, RI – 4,700 machines
- Casino at Ocean Downs, Berlin, MD – 800 machines
- Newport Grand Slots, Newport, RI – 1,100 machines

In addition to slot machines, each of these facilities includes various other amenities, such as restaurants, entertainment, and horse racing (at Ocean Downs). Significantly, each of these facilities included multi-seat electronic table games at the time of measurement, including blackjack, poker, and roulette. The traffic volumes counted at these facilities, inclusive of all site activities, was correlated directly to the number of slot machines, and trip generation rates were established based on those numbers. The rates did not segregate traffic generation related to the

ancillary uses or multi-seat electronic games. In other words, this methodology assumed that all traffic at these sites was generated by slot machines, even though these sites have significant other amenities. These rates were then applied to Plainridge Park, and the resulting trip generation estimates for the slot machines at Plainridge Park were added to the existing site traffic, which included live racing and simulcast. This approach not only considered the impact of multi-seat games, but it also conservatively estimated the proposed site traffic at Plainridge by effectively double counting the effect of Plainridge's existing race and simulcast traffic. Specifically, the existing facility generated approximately 1,634 vehicle trips per day and the proposed 1,250 slot machines (even at 1,500 gaming positions) will generate an additional 4,878 trips per day for a site total of 6,512 vehicle trips per day.

To illustrate the conservative nature of the trip generation used to develop the off-site roadway infrastructure, a direct comparison to Ocean Downs would be appropriate. Ocean Downs includes live horse racing, simulcast, and 800 slots. On a daily basis, Ocean Downs generates 3,930 vehicle trips. If that volume were extrapolated directly to the 1,250 slot machines proposed at Plainridge, the daily trip generation estimate at Plainridge would be 6,141 vehicle trips, considerably less than the 6,512 trips used in our analysis.

The specific procedure for the trip generation estimates is documented in the Environmental Impact Reports (EIR) and was reviewed in detail by MassDOT and the town's consultant. We've attached the trip generation section from the EIR documents for information purposes. Overall, we believe the trip generation estimates for the facility are conservative and account for fluctuations that may be experienced, as well as the impact of multi-seat electronic games. In addition, there are extensive traffic monitoring requirements that will document variations between the actual traffic volumes and the projections.

### *Roadway Mitigation*

The roadway improvements planned for access to and from the Plainridge facility were designed based on the traffic generation estimates described above and presented in the EIR. However, much like the trip generation estimates themselves, the off-site mitigation is conservative, with ample reserve capacity built into the system. In fact, we previously performed sensitivity analysis to assess increased development options during project development. Based on that analysis, the roadway design can accommodate significantly more site traffic than is projected. In fact, if site traffic were to be 100% greater than that projected in our analysis, the roadway infrastructure would still be adequate to accommodate the site generation traffic and existing roadway traffic, at reasonable levels of service. As the site generated traffic tends to be spread over several hours of the day and generally does not coincide with commuter peaks on the adjacent roadways, the roadway infrastructure is not particularly sensitive to increases in site generated traffic. Based on this analysis, it is clear to us that the roadway design can easily accommodate the projected site traffic related to 1,500 gaming positions at Plainridge.



### *Environmental Review*

The traffic generation, traffic analysis, and off-site roadway design for the Plainridge project underwent extensive review through the environmental review process administered by the Massachusetts Environmental Policy Act (MEPA) Office. That process culminated in a Final EIR, with MEPA finding that the FEIR was adequate and no further review was necessary. MassDOT documented their conclusions and the specific requirements for the off-site mitigation in their Section 61 Findings. The fact that the Plainridge Park Casino will include 1,500 gaming positions at the 1,250 slot machines does not have a significant effect on the conclusions of the MEPA process. The off-site roadway infrastructure specified in the MassDOT Section 61 Findings would not change even with a significant increase in site generated traffic, and would certainly not change from the use of multi-seat electronic games. The traffic analysis results for this project are not overly sensitive to changes in site generated traffic as the roadway infrastructure includes reserve capacity to accommodate fluctuations in traffic volumes operations and site traffic peaks do not generally coincide with commuter peaks on the adjacent roadways.

### *Conclusion*

We are confident that our trip generation estimates fully consider the appropriate volume of site generated traffic, and even considerable increases in site generated traffic would not have a significant effect on the off-site roadway infrastructure or overall traffic operations. Site generated traffic would need to double before changes in the roadway infrastructure were necessary, beyond possible signal timing adjustments. The project is required to conduct an extensive traffic monitoring program that will identify changes in traffic volumes from projections and those results will be reported back to MassDOT, Plainville and the surrounding towns to ensure traffic operations are acceptable.



PLAINRIDGE PARK  
CASINO

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June 24, 2015

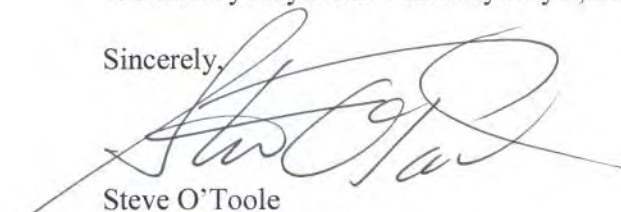
Alexandra Lightbown  
Interim Director of Racing  
Massachusetts Gaming Commission  
101 Federal St.  
Boston, MA 02110

Dear Director Lightbown,

Plainridge Park Casino respectfully requests approval to cancel live racing scheduled on Thursday June 25, 2015.

Plainridge Park Casino respectfully requests approval to set post time at 11:00am on Monday June 29, Wednesday July 1 and Thursday July 2, 2015.

Sincerely,



Steve O'Toole  
Director of Racing

cc: Rick Day, Executive Director Mass Gaming Commission  
Christopher McErlean, VP Racing Penn National  
Lance George, VP/GM Plainridge Park Casino



*Investigations & Enforcement Bureau*

To: Chairman Crosby, Commissioner Zuniga, Commissioner Stebbins, Commissioner Cameron and Commissioner McHugh

From: Karen Wells, Director, Investigations and Enforcement Bureau

Re: Temporary Key Gaming Employee Licenses Issued

Date: June 25, 2015

---

Pursuant to the authority the Commission delegated to the IEB on March 19, 2015, the IEB has granted temporary licenses to the following individuals.

Key Gaming Employees

1. Janice Lynn Barbosa, Interim Security Director, Plainville Gaming and Redevelopment (6/19/15)
2. Edward St. Nolan, Internal Audit Manager, Plainville Gaming and Redevelopment (6/8/15)
3. Tony O. Amado, Surveillance Supervisor, Plainville Gaming and Redevelopment (6/19/15)
4. Pham Anderson, Player Development Manager, Plainville Gaming and Redevelopment (6/19/15)
5. Valerie A. Bisset, Slots Operation Manager, Plainville Gaming and Redevelopment (6/23/15)
6. Courtenay Broussard, Security Shift Manager, Plainville Gaming and Redevelopment (6/23/15)
7. Michael C. Dickerson, Surveillance Supervisor, Plainville Gaming and Redevelopment (6/8/15)
8. Albert De La Garza, Slot Tech Manager, Plainville Gaming and Redevelopment (6/19/15)
9. Quinten Lee Glidden, Assistant Slot Manager, Plainville Gaming and Redevelopment (6/8/15)
10. Joshua Michael Hyre, Assistant Slot Shift Manager, Plainville Gaming and Redevelopment (6/8/15)
11. Christopher M. Leaman, Surveillance Supervisor, Plainville Gaming and Redevelopment (6/19/15)
12. Paula M. Leuschner, Player Services Supervisor, Plainville Gaming and Redevelopment (6/19/15)
13. Diane Vona Lynch, Slots OPS Assistant Shift Supervisor, Plainville Gaming and Redevelopment (6/23/15)
14. Jonathan Michael Medina, Assistant Slot Shift Manager, Plainville Gaming and Redevelopment (6/8/15)
15. Humberto Montalvo, Count Room Supervisor, Plainville Gaming and Redevelopment (6/23/15)
16. Brenda Marie Paige, Player Services Supervisor, Plainville Gaming and Redevelopment (6/19/15)
17. John G. Paone, Slots OPS Assistant Shift Supervisor, Plainville Gaming and Redevelopment (6/23/15)
18. John A. Paquette, Security Shift Supervisor, Plainville Gaming and Redevelopment (6/24/15)
19. Gary B. Pecorello, Player Development Director, Plainville Gaming and Redevelopment (6/24/15)
20. Jessica R. Cipriano Reynolds, Security Shift Supervisor, Plainville Gaming and Redevelopment (6/23/15)
21. Susan Marie Smith, Cage Supervisor, Plainville Gaming and Redevelopment (6/19/15)
22. Patti Sokol, Count Room Supervisor, Plainville Gaming and Redevelopment (6/24/15)
23. Patricia Thoomey, Security Shift Supervisor, Plainville Gaming and Redevelopment (6/19/15)



Massachusetts Gaming Commission



*Investigations & Enforcement Bureau*

24. Jeremy James Votolato, Assistant Slot Shift Manager, Plainville Gaming and Redevelopment (6/22/15)

Each application has been deemed complete by the Division of Licensing. The petitioner has certified and the IEB has found, after reviewing the proposed operational plan for the facility, that each temporary license is necessary for the operation of the gaming establishment given the planned June 24, 2015 opening date, and is not designed to circumvent normal licensing procedures.

The IEB has found that in each case that the license is reasonably likely to be issued upon completion of the investigation.



Massachusetts Gaming Commission

101 Federal Street, 23rd Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.737.8066 | [www.massgaming.com](http://www.massgaming.com)



TO: Stephen Crosby, Chairman  
Gayle Cameron, Commissioner  
James McHugh, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Interim Director of Racing

CC: Rick Day, Executive Director  
Catherine Blue, General Counsel

DATE: June 25, 2015

RE: Plainridge Schedule Change Request

---

Dear Commissioners:

Plainridge General Manager of Racing Steve O'Toole has submitted a request for approval to cancel live racing on Thursday, June 25, and to change post time to 11 am on Monday June 29, Wednesday July 1 and Thursday July 2, 2015. Traffic on opening day was heavier than expected, and this request is being made in the interest of the safety and welfare of the horses, so they don't get trapped in the traffic.

**Recommendation: That the Commission approve the request of Plainridge Park Casino to cancel Thursday, June 25 and change the post time to 11 am on June 29<sup>th</sup>, July 1 and July 2.**



Massachusetts Gaming Commission

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# THE COMMONWEALTH OF MASSACHUSETTS



## *Second Annual Report*

of the

## *Racing Division*

of the

MASSACHUSETTS GAMING COMMISSION

Stephen Crosby, Chairman  
Gayle Cameron, Commissioner  
James McHugh, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

YEAR ENDING  
DECEMBER 31, 2014

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## *Introduction / Mission Statement*

The Mission Statement of the Massachusetts Gaming Commission is to create a fair, transparent and participatory process for implementing the expanded gaming law passed in November 2011. In creating that process, the Commission will strive to ensure that its decision-making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of the new legislation, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality.

**The Massachusetts State Racing Commission (“SRC”) was a predecessor agency created** by an act of the General Court in 1934. The State Racing Commission, pursuant to Chapter 4 of the Acts of 2009, was transferred to the Division of Professional Licensure (“DPL”), **on January 1, 2010. Effective May 20, 2012, all State Racing Commission** functions were further transferred to the Massachusetts Gaming Commission, pursuant to Section 89 of Chapter 194 of the Acts of 2011. DPL continued to manage all racing operations through an inter-agency service agreement through the end of calendar year 2012. The Racing Division of the Massachusetts Gaming Commission assumed control of the fiscal and operational activities of the old State Racing Commission on January 1, 2013.



# The Commissioners

## Stephen Crosby

### Massachusetts Gaming Commission Chair



Prior to serving as Chair of the Massachusetts Gaming Commission, Mr. Crosby served as Founding Dean of the John W. McCormack Graduate School of Policy and Global Studies at UMass Boston. He has 45 years of experience in policy making, entrepreneurship, non-profits and academics.

In his position as Dean, Mr. Crosby oversaw three academic departments (Public Policy and Public Affairs; Gerontology; and Conflict Resolution, Human Security and Global Governance), along with thirteen research centers and institutes. During his nearly 6 year tenure, he founded the Commonwealth Compact; the Edward J. Collins Center for Public

Management; the Collaborative Institute on Oceans, Climate & Security; the Center for Civil Discourse; and has overseen the development of new Centers on Governance and Sustainability; Community Democracy and Democratic Literacy; and Peace, Democracy and Development.

As Secretary of Administration and Finance to Governors Paul Cellucci and Jane M. Swift from 2000-2002, Mr. Crosby was responsible for development, legislative approval and implementation **of the governor's \$23 billion annual operating budget and a \$2 to \$3 billion capital budget.** He supervised 22 agencies with 3,000 employees. In 2002, he served as chief of staff to Governor Swift. Working with the community on non-profit boards, Mr. Crosby presently serves as chair of the Center for Applied Special Technologies (CAST), and as a board member of the Economic Progress Institute, in Providence, R.I.

In other public service, he co-chaired **Governor Patrick's Transition Task Force on Budget and Finance**; served as Chair of the Commission to Review **Compensation Packages of Senior "Quasi Public" Employees**; and served as a member of the **Supreme Judicial Court Task Force on Hiring and Promotion** in the Judiciary.

In 25 years of work in the private sector, Mr. Crosby was founder and publisher of CCI/Crosby Publishing in Boston. In other business endeavors, he has served as chairman and CEO of technology and publishing companies, including Interactive Radio Corp., Inc., SmartRoute Systems, Inc., Crosby Vandenberg Group, and MetroGuide, Inc. His career also includes work as a campaign manager and senior advisor for local and national candidates and elected representatives, and as a frequent commentator in local and national media.

Mr. Crosby received his B.A. from Harvard College and his J.D. from Boston University.

# Gayle Cameron

## Massachusetts Gaming Commissioner



Prior to her appointment to the Massachusetts Gaming Commission, Gayle Cameron worked as a public safety consultant after a distinguished career with the New Jersey State Police. She retired as a Deputy Superintendent, the second highest rank.

Prior to her retirement, Lieutenant Colonel Cameron commanded the Investigations Branch which had authority over the areas of: casino regulation, specialized investigations, intelligence gathering and analysis, **and forensic sciences. In this position she held the agency's top security clearance and interacted on a regular basis with the US Attorney from the District of NJ, the State's Governor, the NJ Attorney General and was the**

primary liaison with all federal law enforcement agencies.

The purview of this position included managing more than 900 detectives, analysts and scientists assigned to 57 different units with an annual budget of over seventy five million dollars. Incorporated within these entities were subordinate bureaus and offices responsible for casino gaming, counter terrorism, narcotics, organized crime, cyber technology, intelligence management, electronic surveillance, street gang investigations, homicide and violent crimes.

**Cameron's gaming experience** began as an undercover operative while conducting casino criminal and organized crime investigations. She also gained valuable expertise as a detective vetting **individuals and companies during the application process for licensure to Atlantic City's** casinos.

Prior to serving as the Deputy Superintendent, she held leadership positions as the Commanding Officer of the following sections: Administration, where she was responsible for the formulation and **management of the Division's annual budget; Human Resources and Identification and Information Technology.** Other positions held include: Bureau Chief of Command Operations, Station Commander, EEO/AA Investigations Unit leader, Executive Protection Squad Leader and road duty Trooper.

Lt. Colonel Cameron has been called upon to sit on numerous promotional boards both in the United States and abroad. Toward the end of her service she was appointed to serve as a Commissioner for the Commission on Accreditation for Law Enforcement Agencies (CALEA) which evaluates police **agencies' best practices both nationally and internationally. She is a founding member of New Jersey Women in Law Enforcement** and frequently serves as a panelist for the international association of Chiefs of Police and the National Center for Women and Policing.

Lt. Colonel Cameron holds an M.A. from Seton Hall University, a B.S. from Bridgewater State College, and is a graduate of the FBI Leadership Development School, the Northwestern University School of Staff and Command, and the International Chiefs of Police Leadership in Police Organizations certification.

## James F. McHugh

### Massachusetts Gaming Commissioner



James F. McHugh comes to the Gaming Commission from the Massachusetts Appeals Court, where he served as the special advisor to the Trial Court Chief Justice for Administration and Management on the **Trial Court's automated case management project from July 2004 through July 2008**. The National Center for State Courts named Justice McHugh as the 2011 recipient of the William H. Rehnquist Award for Judicial Excellence in recognition of his many achievements over his 26-year judicial career, including his tireless efforts and success in achieving improvements in the Massachusetts court system – for the public and for those who work in the courts – on issues ranging from information technology and caseload management to judicial ethics. He retired from the Appeals Court on February 29, 2012.

James F. McHugh was born in Sioux Falls, South Dakota, on February 11, 1944. He received a B.A. from Brown University in 1965. After serving on active duty in the United States Navy, he attended Boston University School of Law, where he was Editor-in-Chief of the Law review and from which he graduated, magna cum laude, in 1970. From 1970 to 1971 he was a law clerk to Judge George MacKinnon of the United States Court of Appeals for the District of Columbia Circuit. In 1971, he returned to Boston, joining the law firm of Bingham, Dana & Gould (now Bingham McCutchen) as an associate, and later became a partner. His practice emphasized admiralty and First Amendment law. In 1985, Governor Michael Dukakis appointed him to the Superior Court, where he served for a period as a Regional Administrative Justice and as Chair of the Rules Committee. He served on the Superior Court until March 5, 2001, when Governor Paul Cellucci appointed him to the Appeals Court. Justice McHugh taught a course on the law of the First Amendment at Boston College Law School for ten years and a course on advanced torts at Northeastern University School of Law for two years.

## Bruce Stebbins

### Massachusetts Gaming Commissioner



A native of Western Massachusetts, Bruce most recently served as Business Development Administrator for the city of Springfield. He also served two terms on the Springfield City Council from 2006 through the end of 2009. Prior to joining the city Economic Development office, Bruce served as Senior Regional Manager for the National Association of Manufacturers in the New England region from 1999 through 2010.

Earlier in his career, Bruce served in the administrations of Governors William Weld and Paul Cellucci eventually being promoted to head the Massachusetts Office of Business Development after serving as deputy director and regional director. His government experience included

working in the Office of Political Affairs at the White House for President George H.W. Bush.

His commitment to his community has also included serving on the elected school committee in East Longmeadow for seven years and chairmanship of the Board of Trustees of Springfield Technical Community College as well as other non-profit community organizations. He is a graduate of George Washington University in Washington, D.C. where he received a Bachelor of Arts degree in Political Science.

# Enrique Zuniga

## Massachusetts Gaming Commissioner



Enrique recently served as the Executive Director of the Massachusetts Water Pollution Abatement Trust. The Trust is a \$5.2 billion state infrastructure bank that provides subsidized loans to Cities and Towns for clean water and drinking water projects. **The Trust is a “State Revolving Fund” that accepts federal grants and issues municipal debt to fund the loans it provides to municipalities.** Under his tenure the Trust re-procured all its advisors and service providers, issued a competitive short term financing of \$100 million, and prepared for the permanent financing of \$450 million of loans.

Prior to joining the Trust, Enrique was the director of Quality Assurance at the Massachusetts School Building Authority. **Enrique’s duties cut across different areas of the Authority** including the initial drafting of regulations, reimbursements to cities and towns during the design and construction project (progress payments), design and implementation of information systems, executive reporting, training and other special projects.

Prior to the MSBA, Enrique was a manager at Ernst & Young in the Real Estate and Construction Advisory Services Group, where he conducted a number of advisory, audits and risk assessments for corporate clients with large capital programs. Enrique came to New England 17 years ago to obtain an MBA from the Yale School of Management, and prior to that he was a co-owner and director of a residential development and construction company in Monterrey Mexico. Enrique obtained a Civil Engineering degree in Mexico.

In 1997 Enrique relocated to Massachusetts and since 2001 has resided in Jamaica Plain with his wife Ellen and two children.

# *Executive Staff*

## Rick Day

### Executive Director

**As MGC's Executive Director, Mr. Day is the executive and administrative head of the Commission** responsible for administering and enforcing the provisions of the Expanded Gaming Act. Mr. Day is responsible for planning, directing and coordinating all administrative activities and assisting the Commission in developing the policy and procedures related to the regulation of gaming in Massachusetts.

Mr. Day has more than 30 years in the criminal justice system with more than two decades dedicated to state law enforcement and regulatory work involving gambling investigations and compliance. From 2001 to 2013, Mr. Day was the Executive Director of the Washington State Gambling Commission where he led over 150 gaming employees including special agents, auditors and licensing units. He also negotiated Tribal-State Gaming compacts on behalf of the state. In addition, Mr. Day was responsible for successfully executing and completing statewide criminal and regulatory gambling investigations including felony cheating, bookmaking and employee theft. During his tenure as executive director, Mr. Day created an international task force with federal, state, and Canadian law enforcement agencies to investigate illegal internet gambling by actively investigating high-profile cases.

**Prior to his role as Washington's gaming control board executive director, Mr. Day was the first Director of Montana's then newly-created Department of Corrections from 1995-2000. As director, Day's responsibilities included organizing the first Department of Corrections in Montana's history,** providing leadership and management for more than 1,000 positions, 25 field offices, eight secure facilities, probation and parole, and a 40,000 acre correctional ranch.

As Bureau Chief of the Gambling Control Division at the Department of Justice in Montana in 1989 **from 1991, Mr. Day is also credited with establishing and managing Montana's first criminal and regulatory gambling investigations bureau for the Montana Attorney General's office.**

Mr. Day began his career as a police officer in Montana. He graduated from Montana State University with a degree in Sociology/Criminal Justice. He also holds a Master's Degree from the University of Washington in Public Administration.

## Catherine Blue

### General Counsel

**As MGC's General Counsel, Ms. Blue leads the Commission's legal team responsible for managing the legal issues arising out of the Commission's implementation and administration of the Expanded Gaming Act.**

Ms. Blue has more than 30 years experience practicing law in the private and public sectors. From 2010 to 2013, Ms. Blue was the head of the MassDevelopment legal department, working with a team of attorneys to assist one of the **Commonwealth's primary economic development agencies in** restoring blighted properties and funding emerging businesses. From 2008 to 2010, Ms. Blue was an attorney with the Metropolitan Transportation Authority in New York City, working on corporate governance, funding and contract matters. Prior to that Ms. Blue spent ten years with AT&T Wireless Services managing a team of legal professionals responsible for supporting the construction of wireless technology networks across the United States.

Ms. Blue began her career as an attorney in the Alcoa legal department. She graduated from Stonehill College with a degree in political science. She holds a Juris Doctor degree from the College of William and Mary in Virginia.

## Elaine Driscoll

### Director of Communications

Elaine Driscoll is a media relations professional with more than a decade of experience in public relations, strategic communications and community outreach. Prior to joining the Massachusetts Gaming Commission, Driscoll served as the Director of Communication and Media Relations for the Boston Police Department (BPD). In this role, Driscoll developed and implemented policies and strategies related to all Boston Police internal and external communications, public relations, marketing, community relations and public information. During her tenure at BPD, Driscoll and the **BPD Media Relations staff were recognized as the 'In-house PR Team of the Year' at the 2011 PR Week Awards**. Driscoll functioned as the primary Boston Police spokesperson and was responsible for developing key messaging and media strategy for numerous high-profile crisis situations, promoting positive news stories, and maintaining effective relationships with all media outlets. Prior to joining the BPD, Driscoll worked as Vice President of Corporate Communications at SBE Entertainment Group in Los Angeles, CA. Driscoll began her career at Regan Communications Group in Boston, MA. Driscoll is a graduate of Arizona State University and holds a Bachelor of Science degree in Communication.

## Jennifer Durenberger

### Director of Racing

Dr. Durenberger first began working on the racetrack in 1991 as a veterinary assistant at what was then Canterbury Downs in Shakopee, MN. She received her veterinary degree from Cornell University in 2002. Following an internship at Rood and Riddle Equine Hospital in Lexington, KY and a short time in private practice, Dr. Durenberger went back to the racetrack. She was employed as a track veterinarian for the New York Racing Association from 2003-2008, at Aqueduct, Belmont Park, and Saratoga. She left New York for California in 2008, working for the California Horse Racing Board from 2008-2010 at Hollywood Park, Santa Anita, Fairplex and Los Alamitos while completing a law degree. Following a term as an association steward at Delta Downs in Louisiana, Dr. Durenberger accepted her current position as Director of Racing for the Massachusetts Gaming Commission.

## John R. Glennon

### Chief Information Officer

As the Chief Information Officer (CIO) for the Commission, John Glennon has over 30 years of information technology leadership in the public and private sectors. Mr. Glennon is responsible for overseeing the use and deployment of technology for the Commission.

In his previous role as Deputy Chief Information Officer for the Commonwealth of Massachusetts, Mr. Glennon served as a member of the senior leadership team that managed the Information Technology Division (ITD), the primary internal provider of technology services to Commonwealth Executive Branch agencies. As Deputy CCIO, Mr. Glennon was responsible for major projects including the Springfield Data Center; MassNET, the build-out of broadband services in western Massachusetts and provision of managed services to Executive Office agencies; MassHR, human resources automation and consolidation efforts; IT finance reform and budget planning business re-engineering; and ITD collaboration with municipalities.

Mr. Glennon was previously the Secretariat Chief Information Officer for the Executive Office of Labor and Workforce Development (EOLWD). At EOLWD Mr. Glennon managed an IT organization supporting 1800 employees, 45 offices, and five call centers. In addition to fulfilling **secretariat responsibilities, John has been a leader in the Commonwealth's IT Consolidation program and is an active participant in the Commonwealth's three enterprise IT governance boards.**

Prior to joining state government in 2004, Mr. Glennon held senior IT leadership positions in the private sector at Tufts Health Plan, The Vantage Group, Fresenius Medical Care, and W.R. Grace & Co.

## Jill Griffin

### Director of Workforce, Supplier, and Diversity Development

**As MGC's Director of Workforce, Supplier and Diversity Development, Ms. Griffin is responsible for** the promotion of diversity and programs to encourage all residents of the Commonwealth to benefit from the new jobs and business opportunities created through the expansion of gaming. Ms. Griffin also develops and manages initiatives to support small business seeking business opportunities with casino and slots-parlor gaming licensees. Ms. Griffin works with unions, employers, training entities and other workforce development partners and agencies across the state to recommend policy and engage in existing or new initiatives that address casino training, workplace safety and diversity.

Ms. Griffin has more than 15 years of experience in economic and workforce development and most recently served as Senior Director of Programs at The Boston Foundation. Prior to this role, Griffin held various leadership positions with a focus in economic development and strategic planning and **partnerships at the Boston Redevelopment Authority and the City of Boston's Department of Neighborhood Development**. Ms. Griffin began her career at City Year and Northeastern University's Cooperative Education Program. Ms. Griffin has also served on several boards throughout her professional career including presently the Massachusetts Service Alliance and previously MYTOWN (**Multicultural Youth Tour of What's Now**) and the National Coalition of 100 Black Women, Community Action Committee. Ms. Griffin earned a Masters of Science and a Bachelors of Arts in Communication both from the State University of New York College at Oswego, NY.

## Mark Vander Linden

### Director of Research and Responsible Gaming

**As MGC's Director of Research and Responsible Gaming, Mr. Vander Linden oversees the MGC** research agenda which includes a baseline study to understand the social and economic effects of expanded gambling, levels of problem gambling and prevention and treatment services currently available. Additionally, he will oversee numerous ongoing studies to gain information relative to gambling disorders and advance the treatment and prevention field. Mr. Vander Linden will work closely with stakeholders throughout the Commonwealth to support effective and innovative prevention, treatment and recovery support methods.

Mr. Vander Linden most recently served as the Executive Officer in the Office of Problem Gambling Treatment and Prevention at the Iowa Department of Public Health where he directed all aspects of problem gambling services for the state including treatment, prevention, marketing, research and workforce development. He serves on numerous Boards including the Association of Problem Gambling Service Administrators and National Center for Problem Gambling. Mr. Vander Linden frequently provides training and consultation on problem gambling policy, research and practices.

Mr. Vander Linden has more than 15 years of experience in the social work field specializing in addictions, community health and mental health. Vander Linden earned a Masters of Social Welfare from the University of California at Berkeley and a Bachelor of Arts degree in Social Work from the University of Iowa.

## Karen Wells

### Director of Investigations and Enforcement Bureau

As the Director of the IEB, Ms. Wells is focused on protecting the public interest and ensuring the integrity of legal gaming in Massachusetts by leading the regulatory and criminal enforcement of the Expanded Gaming Act. She is the operational and administrative head of the Bureau responsible for executing, administering and enforcing the provisions of the law relative to investigations and enforcement. On behalf of the gaming commission, she is also responsible for facilitating law enforcement activity involving the Massachusetts State Police, the Alcohol Beverage Control **Commission, the Massachusetts Attorney General's Office and other local, state and federal law enforcement partners.**

Prior to joining MGC, Ms. Wells most recently served as the Undersecretary for Law Enforcement at the Massachusetts Executive Office of Public Safety. As Undersecretary, Ms. Wells directed the functions and administration of the Massachusetts State Police, the Department of Public Safety and the Municipal Police Training Committee. The Department of Public Safety is a regulatory, licensing and inspection agency, charged with the oversight of numerous activities, businesses and professions. Ms. Wells also coordinated with federal, state and local public safety officials to enhance cooperation on all policy and operational matters. During her tenure as Undersecretary, she also served as secretariat lead for gaming-related issues. In 2008, Ms. Wells functioned as the **commonwealth's Senior Counsel for Law Enforcement and Fire Services and was responsible for** managing policy development and implementation of programs relative to crime prevention, emergency management and public safety.

In 2007, Ms. Wells served as Deputy Chief of the Public Protection, Anti-Terrorism, Corruption and **Technology Unit at the Middlesex District Attorney's Office where she prosecuted high-level** narcotics and white-collar crimes. Previously, she served as Assistant Attorney General in the **Criminal Bureau of the Massachusetts Attorney General's Office assigned to the Special Investigations and Narcotics Division.**

In 1994, Ms. Wells began her career as an Assistant District Attorney at the Middlesex County **District Attorney's Office. Wells graduated** with a law degree from Boston University School of Law in 1994. In 1991, she graduated from Colgate University with a Bachelor of Arts Degree in English. Wells is also the recipient of several commendations and distinguished service awards including the **Massachusetts State Police Superintendent's Commendation for her contribution to a wiretap** investigation of a major state narcotics investigation.

## John Ziemba

### Ombudsman

Prior to joining the Massachusetts Gaming Commission, John Ziemba held positions in both the public and private sector acquiring experience which is uniquely suited to the position of Ombudsman. Most recently, Mr. Ziemba held the position of Counsel at the law firm of Bowditch & Dewey, LLP, where he was a Co-Chair of the Government Practice and helped found the Renewable Energy Practice. Prior to that, he held top legal, managerial, and policymaking positions for **sixteen years in Massachusetts state government. He most recently served in the Governor's Cabinet as** Cabinet Secretary / Director of the Department of Labor, the executive office responsible for the **Commonwealth's labor relations, occupational safety, and workers' compensation agencies. Prior to** his appointment as Director, he was Undersecretary / Acting Secretary of the Executive Office of Transportation and Acting Chairman of the Massachusetts Bay Transportation Authority. From 1991 **until 2002, he developed a wide range of experience as Deputy Chief of Staff in the Governor's Office,** at the Department of Housing and Community Development and at the Office of Consumer Affairs **and Business Regulation, where he worked with the state's banking, racing and utility regulation agencies. While in the Governor's Office, John was responsible for the state's transportation, public safety, consumer affairs, and labor and workforce agencies and authorities.**



*Massachusetts Gaming Commission*  
*Division of Racing*  
*Administrative Office*

Jennifer Durenberger  
Director of Racing

Alexandra Lightbown, D.V.M.  
Operations Manager and Chief Commission Veterinarian

**Douglas A. O'Donnell**  
Senior Financial Analyst

Carol A. Malcolm  
Chief Pari-Mutuel Officer

# Massachusetts Racetracks

## Suffolk Downs

### Mailing address

Sterling Suffolk Racecourse, LLC  
d/b/a Suffolk Downs  
525 McClellan Highway  
East Boston, MA 02128  
(617) 567-3900



### Meet period

3 May 2014 thru 4 October 2014  
62 race days

### 2014 Racing stats

Total number of races:	560
Total number of starters:	4,017
Average field size:	7.17
Total 2014 purses:	\$6,929,400
Average daily purse:	\$106,000

### Track stats

Barn Area Stall Space:	1085
Horses on Grounds:	675

### Main track

Homestretch:	90 ft. wide, backstretch 70 ft. wide
Turns:	Banked 4.5 degrees; straightaways 2.0 degrees
Distance from top of stretch to finish line:	1030 ft.
Distance from finish line to clubhouse turn:	360 ft.
Fontana safety rail	

### Turf course

About 7 furlong oval comprised of perennial rye grass	
Homestretch:	70 ft. wide; backstretch 65 to 70 ft. wide
Distance from top of stretch to finish line:	1,030 ft.
Distance from finish line to clubhouse turn:	360 ft.
Fixed rail and hedge	

## Wonderland Greyhound Park

### Mailing address

d/b/a/ Sterling Suffolk LLC  
525 McClellan Highway  
East Boston, MA 02128  
(617) 567-3900



### Simulcasting

7 days a week

## Plainridge Racecourse

### Mailing address

Springfield Gaming and Redevelopment LLC  
d/b/a Plainridge Racecourse  
301 Washington Street  
Plainville, MA 02762  
(508) 643-2500



### Meet period

April 16, 2014 through October 22, 2014  
80 race days

### 2014 Racing stats

Total number of races:	736	715 Overnights (wagering) 21 MA Sire Stakes (non-wagering)
Total starters in Overnights:	4,948	
Average field size:	7.02	
Average field size in Sire Stakes:	3.74	
Overnights:	535 paces, 180 trots	
Sire Stakes:	12 paces, 9 trots	
Total 2014 purses:	\$2,581,552	
Total Overnight purses:	\$2,268,300	
Average per dash	\$3,172	
Total Sire Stake Purses	\$208,777	
Average per dash	\$9,941	

### Track stats

Barn Area Stall Space: 141

### Race track

5/8ths mile  
Pylons

## Raynham Taunton Greyhound Park

### Mailing address

1958 Broadway  
Raynham, MA 02767  
(508) 824-4071



### Simulcasting

7 days a week

# *Plainridge Racecourse 2014 Racing Season Wrap-Up Story*

The 2014 meet at Plainridge Racecourse opened on Wednesday, April 16<sup>th</sup> and concluded on Wednesday, October 22<sup>nd</sup> when the track conducted its 80<sup>th</sup> card of the season.

**The most notable difference in the 2014 season at Plainridge was that it was the track's first year of operation by Penn National Gaming, which had been awarded the state's first slots license by the Massachusetts Gaming Commission less than two months prior to opening day.**

**Penn National's commitment to harness racing in the Bay State was evident right from the start, manifested in the enhanced purses offered to the local horsemen. All told more that \$2.5 million dollars in purse monies were distributed at Plainridge in 2014, a sizeable increase from the prior years.**

On the racetrack much was still the same. Jim Hardy, the perennial leading driver at Plainridge **since the track opened in 1999, was again at the top of the "wins" board. With 128 trips to the winners circle, Hardy eclipsed Steve Nason by 30 victories for the top honors again. Mike Eaton, Dan Deslandes and Shane Taggart rounded out the top five dash winning drivers. Steve Nason also found himself in second place in the UDR category (harness racing's version of the batting average)** and in that grouping, Steve finished second to none other than his father, John Nason.

The training statistics somewhat mirrored the driving totals, as Hardy was again the leading barn, **besting Randy Bickmore's 44 wins to 27. Steve Nason finished in third place, while newcomers Scott Rollins and Jason Beattie were the fourth and fifth leading conditioners, respectively. With an average north of .400, Hardy was also the leading trainer in UTR.**

The highlight of the meet was undoubtedly a new track record on the trot. On September 17<sup>th</sup>, Coco Lindy, owned by the Lindy Farm of Connecticut and driven by Frank Antonacci, cruised to victory in an Open trotting event. His 1:54 mile erased the all time track mark that had stood for more than a decade.

# Licensing

**One of the Commission's foremost responsibilities is the issuance** of occupational licenses to every person who participates in racing, and the issuance of licenses to associations who operate the **Commonwealth's racetracks and simulcast facilities.**

## 2552 applications for licensure processed in 2014

The licensing process requires that every person who participates in racing complete an application, and that all questions must be answered truthfully. The application is reviewed for completeness by licensing staff who then forward the application to the Massachusetts State Police Gaming Enforcement Unit, who conduct a background check of the applicant. Once the background check is completed, the application is sent to the Board of Stewards/Judges at each track. The Board reviews the application and may interview the applicant. The Stewards/Judges determine if the applicant has the required integrity, ability, and the eligibility for the license for which the applicant has applied. **The Commission also has access to the Association of Racing Commissioners' International (ARCI) files in Lexington, Kentucky and the United States Trotting Association's (USTA) database** for violations. These files maintain a record of every racing related offense attributed to an applicant anywhere in the country. The Commission provides reciprocity to other jurisdictions and their licensing decisions.

If the Stewards/Judges recommend licensing an applicant, the licensing staff collects the required **fee and enter the appropriate information in the Commission's computer network.** The applicant is issued a license card that entitles him to a photo identification badge. No person may enter any restricted area of a racetrack without a photo identification badge. During 2014, the Division of Racing issued 2,552 occupational licenses to persons participating in horse racing in the State. Occupations licensed include jockeys, drivers, trainers, assistant trainers, owners of racing animals, blacksmiths, racing officials, vendors, stable employees and pari-mutuel clerks. \$64,665 was collected in Occupational License Fees, \$7,335 in Badge Fees and \$20,065 in Racing related fines. Occupational licenses expire annually on December 31.

## 2 association licenses issued

Consistent with the Massachusetts General Laws, the Commission held public hearings in the fall of 2013 on applications for two licenses to conduct running horse and harness racing meetings during 2014. Public hearings were held in Boston and Plainville, Massachusetts.

The Gaming Commission issued a running horse racing license to Sterling Suffolk Racecourse, LLC, located in East Boston, to conduct thoroughbred racing in calendar year 2014 at a facility known as Suffolk Downs. The Commission also issued a harness horse racing license to Springfield Gaming and Redevelopment, located in Plainville, to conduct Standardbred racing in calendar year 2014 at a facility known as Plainridge Racecourse.

## *Licensing Staff*

Jeffrey Bothwell  
Licensing Coordinator, MGC at Plainridge Racecourse

Richard J. Ford  
Licensing Coordinator, MGC at Suffolk Downs

**Licensing Coordinators supervise the operation of the Commission's field offices located at Suffolk Downs, Raynham Park, and Plainridge Racecourse.** They work closely with stewards, judges, racing officials, track security, the State Police unit and the Gaming Commission to ensure that operations at each track are efficient and effective.

# *Occupational Licenses*

TYPE OF LICENSE	FEE	PLAIN.	TOTAL	SUFFOLK	TOTAL	RAYNHAM	GRAND TOTAL
Apprentice Jockey	60			5	300		300
Asst Trainer	30			21	630		630
Authorized Agent	30			8	240		240
Blacksmith	25	2	50	10	250		300
Correction		1		9	65		65
Driver	30	140	4200				4200
Duplicate	5	0	0	0	0		0
Exercise Rider	5			66	330		330
Jockey	60			35	2100		2100
Jockey Agent	60			11	660		660
Owner	30	402	12060	501	15030		27090
Pari-Mutuel	10	35	350	33	330	19/190	870
Partnership per Suff.	50			155	3550		3550
Pony Person	5			3	15		15
Racing Official	25	22	550	25	625		1175
Reimbursement	varies	4	240	4	235		475
Security	10	7		2	20		20
Stable Employee	5	149	745	142	710		1455
Stable Name	60	28	1680	102	6120		7800
Temp Owner	30	41	1230	4	120		1350
Track Employee	35	35		9			0
Trainer	30	183	5490	151	4530		10020
Valet	10			11	110		110
Vendor	10	47	470	47	470		940
Vendor Security	10			41	410		410
Vendor Track	10			8	80		80
Veterinarian	60	5	300	3	180		180
Sub Total of Licenses		1120	27365	1413	37110	19/190	64665
Badge	5	583	2915	869	4345		7260
Courtesy Badge				19	95		75
Sub Total of Badges		583	2915	888	4440		7335
Fines		124	11775	49	8290		20065

# Auditors

**Douglas A. O'Donnell**  
Senior Financial Analyst

Paul M. Buttner  
Auditor

Jeffrey Bothwell  
Auditor

## Pari-Mutuel Operations – Compliance ensured

**Responsibilities of the Commission's auditors include assessing liabilities owed to the Commission** and overseeing the calculation of take-out from handle. The handle is the total amount of money wagered at each performance and the take-out percentage of handle is determined by statute. Proceeds from the handle are distributed to numerous stakeholders, as described by statute.

## Safeguards

All money wagered on a horse race goes through the equipment of one of the three Totalisator companies; namely, AmTote, Sportech and United Tote. These are private companies who sell their services to racetracks. Both Suffolk Downs and Raynham Park use the services of AmTote whereas Plainridge is with United. All three provide the machines for wagering, those used by the tellers and the self service terminals. **The "tote" system (as it is referred to) accepts wagers and based on those wagers, it calculates the odds on each betting interest, displays them, produces and configures the payouts following the race and later cashes the tickets given to the bettor. This is all accomplished through very sophisticated computerized equipment that has the ability to combine all wagers placed, no matter where they are coming from, including those placed via computer, live at the track where the race is being conducted and at all guest sites that have contracted to wager with the host track. All these wagers go into a common pool. The term "host" is the track where the race is being run and the term "guest" means any other location where wagers are made on a live race.**

Before the start of a racecard, all tote companies at the sites that will take wagers on the live product, connect with the tote at the host site. At the start of each individual race, the Steward/Judge at the Host track presses a key/button that locks all the wagering machines. This stops any betting after the start of any race. At the conclusion of a race, the Stewards/Judges determine the order of finish and **notify their Mutuel Department who is linked to the Tote system that the race is going "official"** and the numbers of the first 4 finishers are posted along with the payouts for all the different wagers; i.e., win, place, show, daily double, exacta, trifecta, superfecta, or any wager that is offered on the race by the Host track.

Printouts from the tote system are audited by the Racing Commission Auditors for accuracy and compliance with current statutes.



## Daily Audit

A summary sheet, detailing the breakdown of the statutory take-out is prepared by Commission Auditors for each individual racing performance. For live racing, the information is provided by the on-site tote system. For imported simulcast races, a report from the host track is faxed to the guest track. This report is used in conjunction with on-track reports to complete the summary sheet. This activity ensures that the public, the Commonwealth, purse accounts, and all designated trust funds are properly funded. The Commission Auditors prepare a handle reconciliation report on a daily basis. This report shows the handle broken down as to live, signal exported and signal imported. Further, the balance of all current unclaimed winning tickets and the liquidity of the mutuel department are audited on a daily basis by the Commission Auditors.

# *Massachusetts State Police Investigative Unit*

Michael Scanlan  
Sergeant

Robert Miller  
Trooper

Scott Walker  
Trooper

Joseph Sinkevich  
Trooper

**The Commission's goals of protecting racing participants and the wagering public as well as maintaining the public's confidence in pari-mutuel wagering are achieved through the Commission's** licensing, revenue collection and investigative activities. The State Police Investigative Unit plays a vital role in achieving the goals of the Commission.

The Gaming Commission applies to the Department of Public Safety for an assignment of a complement of police officers. In the performance of their duties, the State Police Investigative Unit investigates violations of the rules of racing and the Massachusetts General Laws. **The Investigative Unit's extensive responsibilities and activities have resulted in a major improvement in the Commission's regulatory/policing functions.**

## Stable Inspections

Stable inspections focus on the detection of safety violations, the presence of unlicensed persons in restricted areas and the possession of illegal medications, drugs and syringes. These inspections are conducted by officers assigned to the State Police Unit and aid in preserving the integrity of racing.

## 5 Ejections - 44 Investigations - 2 Arrests

In 2014, the State Police Investigative Unit conducted 44 investigations including hidden ownership of racehorses, larceny, and counterfeit money that resulted in 2 arrests and 5 ejections from Massachusetts racetracks of persons determined to be detrimental to racing.

## Special Investigations

The State Police Investigative Unit conducted investigations into the background of each individual who was a party to the application for a racetrack license in Massachusetts. The State Police Unit also conducted several special investigations with other agencies and units within the State Police concerning ten per center activity, identity investigations and drug activity.

## 1,983 Background Investigations

The State Police Investigative Unit conducted 1,983 background investigations on Gaming Commission employees, racing officials and occupational licensees who participate at Massachusetts racetracks.

## Thoroughbred – Standardbred Racing

The State Police Unit committed itself to maintain a constant presence at each racetrack, especially during live racing, working closely with the Stewards/Judges and other Commission and racing officials to help ensure that each track operated honestly and credibly.

# Laboratory Services

Alexandra Lightbown, D.V.M.  
Chief Commission Veterinarian

In 2013 Massachusetts changed its testing laboratory to Truesdail Laboratories in Tustin, California. 2014 marks the second year Massachusetts used its services. Every year, Truesdail chemists analyze 30,000 to 40,000 biological fluids for the presence and identification of drugs. They work closely with several racing commissions, fairs and expositions testing horses, sheep, hogs, cattle and dogs for the presence of drugs. Testing protects the health of the animals and the integrity of races and contests.

Truesdail is committed to improving their ability to detect new drugs of abuse. They work closely with the Association of Official Racing Chemists (AORC), Association of Racing Commissioners International, Inc. (ARCI) and Racing Medication Testing Consortium (RMTC). As a result, Truesdail is a driving force in the application of new technology for the drug testing industry. On April 30, 2014 RMTC issued a formal notice of accreditation to Truesdail Laboratories, recognizing their high standards for testing and joining them with the relatively few organizations that share this approval.

In addition to testing urine and blood samples for the presence of drugs, Truesdail analyzes syringes, vials, powders and a variety of materials seized as evidence. They also test for drugs in a variety of nutritional supplements. Government agencies, lawyers, doctors, and veterinarians have used their services for many years.

## Integrity of samples ensured

Special precautions are taken at all Massachusetts racetracks when post-race blood and urine samples are collected to ensure that no tampering can take place. In order to assure the continuity of evidence, every winning horse and all designated horses are under the surveillance of a Gaming Commission employee from the finish of the race until the specimens are obtained.

## 1735 urine samples, 2749 blood samples analyzed, 2243 TCO<sub>2</sub> blood samples analyzed

Many other items confiscated in the course of investigations are also submitted for analysis. These items may include feed preparations, vitamins, liniments, antibiotics, other pharmaceuticals and medical devices such as needles and syringes.

2014 marked the second **year that the Massachusetts Gaming Commission's Division of Racing** participated in the Controlled Therapeutic Medication Program.

At Suffolk Downs, 6 samples showed Controlled Therapeutic Medication overages, 5 for Phenylbutazone and 1 for Xylazine. There was also 1 finding of a Pentoxifylline positive.

At Plainridge Racecourse, there was 1 overage for Phenylbutazone and 2 samples returned showing Oxymetazoline positives.

## *Veterinarians*

Alexandra Lightbown, D.V.M.  
Chief Commission Veterinarian

Julia Bentley, D.V.M.  
Contract Veterinarian

Robert Calley, D.V.M.  
Contract Veterinarian

Lacy Crowley, D.V.M.  
Contract Veterinarian

Kevin Lightbown, D.V.M.  
Contract Veterinarian

The Commission Veterinarians play an indispensable function in ensuring that the quality and integrity of racing within the Commonwealth remains strong by protecting the health and welfare of the equine athletes in Massachusetts.

### Supervise equine drug testing area

A Commission Veterinarian supervises the testing areas in order to ensure proper collection and continuity of evidence for blood and urine samples collected from the racing animals.

### Testify at Commission hearings / meetings

Commission Veterinarians testify at hearings on medication use, drug violations, animal care, new policies and procedures, etc.

# *Stewards / Judges*

## Suffolk Downs Board of Stewards

### **Commission Stewards**

Susan Walsh  
Chief Commission Steward

Daniel Fick  
Associate Commission Steward

### **Association Steward**

Russell G. Derderian

## Administrative Hearings

The primary responsibility of the Stewards is to interpret and enforce the rules of racing as promulgated by the Commonwealth of Massachusetts.

In carrying out this duty, the Stewards presided as judges, issuing 90 rulings in 2014 - resulting in 49 fines, 14 suspensions, 2 warnings, 13 **“other” which included 10 rescinded and 3** license denials.

# Plainridge Board of Judges

## Commission Judges

Robert Coberley  
Chief Commission Judge

Salvatore Panzera  
Associate Commission Judge

Carol A. Malcolm  
Associate Commission Judge

## Association Judge

Anthony Salerno  
Presiding Judge

## Administrative Hearings

The primary responsibility of the Board of Judges is to interpret and enforce the rules of racing as promulgated by the Commonwealth of Massachusetts.

In carrying out this duty, the Judges issued 148 rulings in 2014 – resulting in 131 fines, 13 suspensions, 2 warnings, 15 “Other” 1 rescinded, 5 revoked, 3 revoked w/o prejudice, 3 denied, and 3 restored to good standing.

Enforcement of the rules and regulations of racing begins with the investigation of complaints and prosecution of alleged violations by the Board of three Stewards / Judges at the racetrack. One Steward / Judge is appointed by the racetrack and must be approved by the Gaming Commission and licensed as a racing official. Two Stewards / Judges are appointed by the Gaming Commission. The duties of the Stewards / Judges are the same; however, in Thoroughbred racing they are called Stewards and in Harness Racing, they are known as Judges. Same job - different title.

## Enforcement of Rules and Regulations

The most significant responsibility of the Commission is the enforcement of the rules and regulations of racing. It is only as a result of conscientious, consistent and aggressive enforcement of the rules and regulations that we are able to ensure honest racing.

# Responsibilities

The Stewards and Judges are responsible for reviewing all occupational license applications and recommending or not recommending the applicant for a license. The Stewards and Judges are present at the racetrack each day on which there is live racing and they oversee everything from drawing of post positions to making official the results of every race. In addition, the Stewards / Judges preside over all hearings conducted at the track and report their rulings and findings to the Gaming Commission.

Before post time of the first race, the Stewards/Judges review the daily program of races to approve any changes or report errors. Changes are reported to each department that might be affected by the change (i.e., mutuels, paddock judges, patrol judges, starters, clerk of the course, clerk of scales, program director, TV department and announcer). All changes are also reported promptly to the wagering public.

After observing every live race, both live and on television monitors, the Stewards/Judges mark the order of finish as the horses cross the finish line. They give the first four unofficial finishers to the Mutuel Department, and when necessary, they post an inquiry, review an objection and request a photo finish. If there is an apparent violation of the rules, the Stewards/Judges review the videotape and then make a decision before making the results of the race official.

## 238 rulings

If a violation of the rules occurs, the Stewards/Judges notify all the parties involved in the violation. Sometimes only a warning will be issued but other times the offending horseman may be fined and/or suspended from participating in racing for a certain amount of time. If any party involved contests the decision of the Stewards/Judges, then a hearing will be scheduled. After conducting the hearing, the Stewards/Judges determine if any penalty such as a fine or suspension, purse redistribution, or other sanction should be imposed. Violators are advised of their right of appeal to the Gaming Commission. 238 separate rulings were written by the Boards of Stewards/Judges at Massachusetts racetracks in 2014.

## Appeals

If any licensee disagrees with a decision of the Stewards/Judges, they may appeal to the Gaming Commission, through its designated hearing officer. The Commission affords appellants adjudicatory hearings on the merits of their appeals. If appellants are dissatisfied with the decision of the Gaming Commission, they may appeal to the Superior Court of the Commonwealth in accordance with Chapter 30A of the General Laws.

<b><u>Hearings</u></b>	<b><u>2012</u></b>	<b><u>2013</u></b>	<b><u>2014</u></b>
Board of Judges/Stewards	122	16	48
<b><u>Sanctions</u></b>			
Fines	76	82	173
Suspensions	44	19	24



# *Racing Division Financials*

Calendar Year 2014 – January 1, 2014 to December 31, 2014

## Receipts

0131	Commission	\$1,348,908.96
2700	Fines and Penalties	27,400.00
3003	Association License Fees	388,930.80
3004	Licenses and Registrations	64,665.00
4800	Assessments	749,994.67
5009	Unpaid Tickets	626,070.66
	<b>Total Receipts</b>	<b>\$3,205,969.29</b>

## Expenditures

AA	Regular Employee Compensation	\$711,445.65
BB	Regular Employee Related Expenses	8,720.48
CC	Contractor Payroll	370,879.54
DD	Pension/Insurance, Related Expenses	206,299.25
EE	Administration Expenses	13,221.75
FF	Facility Operations	2,148.86
HH	Consultant Services	104,945.80
JJ	Operational Services	206,703.94
LL	Equipment Lease/Maintenance	3,989.01
MM	Purchased Programs Services	264,321.33
PP	Grants to Non-Public Entities	2,127.72
TT	Loans & Special Payments	566,975.13
UU	Information Technology	42,691.89
	<b>Total Expenditures</b>	<b>\$1,935,346.36</b>

# *Racing Revenues Calendar Year 2014*

\$3,205,969.29 in revenues collected

In addition to licensing racetracks and participants, the Racing Division of the MGC has a primary responsibility to collect revenue in accordance with Chapters 128A and 128C of the General Laws. Each licensed racetrack pays a commission as determined by law in addition to license fees and other assessments. Racing Division Inspectors collect occupational license fees, badge fees and fines. The Racing Division collected \$3,205,969.29 from Massachusetts racetracks in 2014. All Commission activities are revenue driven as Commission expenditures come from Commission revenue and are made in a priority order in accordance with Section 5(h) of Chapter 128A.

**MASSACHUSETTS GAMING COMMISSION**  
**Division of Racing**  
**Statement of Program Revenue and Expenses**  
**Calendar Year 2014**

**Program Revenue:**

Commissions	\$ 1,348,908
Occupational licenses	64,665
Assessments	749,995
Association licenses daily fee	388,930
Fines/Badges	27,400
Unclaimed tickets (“outs”)	626,070

**Total revenue by source**

**\$ 3,205,969**

**Program Expenses:**

Unclaimed tickets distributed to racetrack purse accounts	426,053
Unclaimed tickets transferred to Racing Stabilization Fund	200,017
Local aid (paid to cities and towns)	977,438

Sub total

1,603,508

**Available for Racing Commission operations**

**\$ 1,602,461**

Total Racing Commission operations

1,935,346

Available

(332,885)

Other programs costs -

Health & welfare - stable & backstretch workers, The Eighth Pole	80,000
Economic assistance program	20,000
Compulsive gamblers - Dept. of Public Health	110,000

Total other program costs

210,000

Available for distributions to racetracks' purse accounts

0

Distributions to racetrack purse accounts

0

**MASSACHUSETTS GAMING COMMISSION  
2014 Racing Development and Oversight Fund  
Comments**

<b>Handle and Revenue by track:</b>	Live and On Track	Revenue Collected	
	<b><u>Handle</u></b>	<b><u>Comm. &amp; Fees</u></b>	<b><u>OUTs*</u></b>
Sterling Suffolk Downs	\$ 134,576,845	\$1,082,508	\$ 285,130
Plainridge Racetrack	33,390,353	500,278	140,922
Taunton & Massasoit Dog Tracks	29,865,263	672,841	177,184
Wonderland Greyhound Park	5,193,404	232,206	22,833
<b>Total revenue by track</b>	<b><u>\$ 203,025,865</u></b>	<b><u>\$ 2,487,833</u></b>	<b><u>\$ 626,070</u></b>

\* Unclaimed wagers (“OUTs”) collected from the horse tracks are distributed to the purse accounts of the licensees that generated the unclaimed wagers. At dog tracks unclaimed wagers are transferred to the Racing Stabilization Fund.

**Local Aid - Transfers to State:**

Local aid payment for calendar year 2014 was \$977,438. It is paid quarterly at .35 percent times amounts wagered during the quarter ended six months prior to the payment.

# *Racing Commission Business*

## Meetings and Hearings

As required by Chapter 128A of the Massachusetts General Laws, the Commission held public hearings in the fall of 2013 on applications for two licenses to conduct running horse or harness racing meetings for calendar year 2014. The hearings were held in Boston and Plainville. The Commission approved the association licenses for Sterling Suffolk Racecourse, LLC, to conduct thoroughbred racing in 2014 and for Springfield Gaming and Redevelopment, to conduct harness horse racing in 2014 at their respective facilities.

## Decisions appealed to the Racing Division

The Gaming Commission, sitting as a quasi-judicial body pursuant to the Massachusetts Administrative Procedures Act, adjudicated 0 appeals. The Commission has taken extensive precautions to ensure licensees due process throughout the appeal process. The Commission initiated a Stay-of-Suspension process. This permits licensees suspended by the Stewards/Judges for a minor violation of the rules that does not compromise the integrity of racing to continue to participate in racing until the licensee has been provided a hearing by the Commission and a decision made. Procedural safeguards were adopted to prevent licensees from abusing the Stay privilege. Hearings are conducted as soon as practicable from the time of the granting of a Stay, thereby preventing a licensee from participating while on a Stay status for an extended period of time.

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## Due process afforded all licensees

Licensees charged with a violation of the rules that may result in the loss of a license are entitled to a hearing pursuant to the Administrative Procedures Act (APA). Formal disciplinary hearings held by the Racing Division follow the requirements established in the Massachusetts APA. These requirements include issuing timely notice of hearings, providing the opportunity for an appellant to confront witnesses and to be represented by counsel.

## Commission decisions appealed to Superior Court

In addition to hearing appeals, the Racing Division must prepare a complete record and legal decision for each case that is appealed to the Superior Court. When the record is completed and **certified, it is forwarded to the Government Bureau of the Attorney General's Office** and is assigned to an Assistant Attorney General who defends the case in court. The Commission and the Attorney General work closely together to present the best possible case in Superior Court.

The Racing Division takes this opportunity to thank **the Attorney General's Office for the diligent, professional and expert defense of Commission cases.**

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## Notes on charts and graphs

In this 2014 Annual Report, the following terminology is used in reporting simulcast events.

**“Signal Received”** is categorized as **“Imported”** as this is the signal sent from a remote track being received locally.

**“Signal Sent”** is categorized as **“Exported,”** as this is the local signal being sent to a remote track.

# *Racing Terminology*

## **Outs**

Outs are the unclaimed winning wagers at each horse track. If the tickets haven't been presented for payment by 90 days after 31 December of the year following the year of the actual wager, they will be distributed to the commission. Subject to the rules and regulations established by the commission, the commission shall deposit the unclaimed live wagers into the purse accounts of the racing meeting licensees (Suffolk and Plainridge) that generated those unclaimed live wagers. When the outs come from Wonderland and Raynham they go to the Racing Stabilization Fund.

## **Breakage**

Breakage – the difference in the rounding off of the pari-mutuel payoffs.

The difference in cents between the winning payouts and the nearest dime or nickel is called the Breakage. One half of the odd cents shall be retained by the licensee, and one half shall be paid to the commission on the day following each day of a racing meeting. The commission then dispenses the breaks as follows: The breaks from Suffolk and Plainridge go to their respective Capital Improvement Funds whereas the breaks from Wonderland and Raynham go to the Racing Stabilization Fund.

## **Purses**

Purses are the monies that the horses earn for racing. Each race has a purse amount assigned to it before the race is run. How much each horse earns of that purse depends on where the horse finishes and the amount of the purse. The actual money wagered on the race does not have an immediate impact on the amount of the purse. However, a percentage of every dollar wagered makes its way into the purse account for races at a later date. The average daily purse is the amount of the total purses awarded during a race meet divided by the number of days of racing for that meet.

## **Simulcasting**

Simulcasting is when a racetrack sends a closed circuit transmission via satellite of its live racing to another location, either in the same state or out of state and sometimes out of the country. The track where the racing is being contested is called the Host and the location where it is viewed is called the Guest. People at the guest site bet on these races in real time. The Guest site customers receive the same payoffs as the customers at the Host track. All the money wagered by both the Host and Guest sites are merged and the odds are computed on the total amount of money wagered into these combined wagering pools. To view their races, the Host charges the Guest a certain percentage of the **guest site's handle. This percentage is based on the quality of the racing and by agreement between the Host and Guest.**

## **Handle**

Handle is the total amount of money wagered at a specific location, by individual race/ by day/by month or by year.

# Handle Comparison

	<u>2013</u>	<u>2014</u>	
<b>Live</b>	"	"	"
Raynham	0	0	
Wonderland	0	0	
Plainridge	1,079,321	1,108,715	
Suffolk	6,367,362	4,789,715	
<b>Total Live</b>	\$ 7,446,683	5,898,430	
	"	"	"
<b>Import Simulcast</b>	"	"	"
Raynham	32,514,421	29,865,263	
Wonderland	4,272,965	5,193,404	
Plainridge	37,130,712	32,281,638	
Suffolk	126,128,728	129,787,130	
<b>Total Import</b>	\$ 200,046,826	197,127,435	
	"	"	"
<b>Export Simulcast</b>	"	"	"
Raynham	0	0	
Wonderland	0	0	
Plainridge	10,274,626	6,576,620	
Suffolk	59,757,770	38,686,944	
<b>Total Export</b>	\$ 70,032,396	\$ 45,263,564	
<b>TOTAL HANDLE</b>	<b>\$ 277,555,905</b>	<b>\$ 248,289,429</b>	

# Handle Calendar Year 2014 Financial Variance Report

<b>Category</b>	<b><u>2013</u></b>	<b><u>2014</u></b>	<b><u>Variance</u></b>	<b><u>% Variance</u></b>
Live Performances	172	142	(30)	(17.5%)
Live Handle	7,446,683	5,898,430	(1,548,253)	(20.7%)
Simulcast Import	200,046,826	197,127,435	(2,919,391)	(1.45%)
Simulcast Export	70,032,396	45,263,564	(24,768,832)	(35.36%)
Total Simulcast	270,109,222	242,390,999	(27,718,223)	(10.26%)
Total Handle	277,555,905	248,289,429	(29,266,476)	(10.54%)
Commissions	1,401,814	1,348,909	(52,905)	(3.77%)
Assessments	750,001	749,995	(6)	(0.01%)
Association License Fee	400,200	388,931	(11,269)	(2.81%)
Occupational License Fee	69,525	64,665	(4,860)	(6.9%)
Outstanding Tickets	674,381	626,070	(48,311)	(7.16%)
Fines & Penalties	9,375	20,045	10,670	113%
Miscellaneous	<u>7,810</u>	<u>7,335</u>	<u>(475)</u>	<u>(5.52%)</u>
<b>TOTAL REVENUES</b>	\$ 3,313,106	\$ 3,205,969	(\$ 107,316)	(3.2%)



# *Analysis of Purses Paid 2013 Compared to Statutory Requirements*

	<b><u>Plainridge</u></b>	<b><u>Suffolk</u></b>
Number of live performances 2012	92	81
Purses paid 2012	<u>\$ 2,311,989</u>	<u>\$ 9,362,966</u>
2012 Average purses per performance	<u>25,130</u>	<u>115,592</u>
Number of live performances 2013	92	80
Purses paid 2013	<u>2,131,739</u>	<u>9,277,664</u>
2013 Average purses per performance	<u>23,171</u>	<u>115,971</u>
Increase (decrease) in 2013 compared to 2012	<u>(180,250)</u>	<u>(85,302)</u>
Average change per performance	<u>(1,959)</u>	<u>379</u>
% change per performance	<u>-7.8%</u>	<u>0.3%</u>
Purse 2012 distribution received	\$ 0	\$ 0
April 2013 (2011 OUT's returned)	<u>176,646</u>	<u>304,684</u>
Total Chapter 139 distributions to track purse accounts	<u>176,646</u>	<u>304,684</u>
Racing commission purse distributions applied to		
2013 purse account	\$ 176,646	\$ 304,684
Purses as a percentage of handle	1,555,152	5,666,709
Premiums received	<u>76,909</u>	<u>652,014</u>
Minimum purses required for 2013	1,808,707	6,623,407
Actual purses paid by track for 2013	<u>2,131,739</u>	<u>9,277,664</u>
Variance - over / (under) statutory amounts	<u>\$ 323,032</u>	<u>\$ 2,654,257</u>

# *Suffolk 2014 Financial Report*

Category	<b><u>2014</u></b>
Live Performances	62
Live Handle	\$ 4,789,715.00
Simulcast Import	129,787,130.00
Simulcast Export	38,686,944.00
Total Simulcast	168,474,074.00
<b>Total Handle</b>	<b>\$ 173,263,789.00</b>
Commissions	\$ 525,734.30
Assessments	470,074.55
Association License Fee	86,700.00
Occupational License Fee	37,110.00
Outstanding Tickets	285,130.35
Fines & Penalties	8,290.00
Miscellaneous	<u>4,440.00</u>
<b>TOTAL REVENUES</b>	<b>\$1,417,478.20</b>

**MASSACHUSETTS GAMING COMMISSION**  
**Sterling Suffolk Racecourse, LLP** (600177133)  
**Capital Improvement Trust Fund** (1050 0022)  
**Statement of Activities**

FY 2014 - July 1, 2013 through June 30, 2014

	<u>Fiscal year to date</u>
Fund balance, beginning of period	\$ 390,723.68
Program revenue & interest	<u>848,632.06</u>
Funds available	1,239,355.74
Less expenditures	<u>1,146,889.72</u>
Fund balance, end of period	92,466.02
Funds required for approved projects	<u>1,489,158.77</u>
Excess or (deficit) of funds available for approved projects	<u><u>\$ (1,396,692.75)</u></u>

**Status of Individual Projects**

<b>Work Item</b>	Project <u>Number</u>	Balance @ 7/1/13	RFC	RFR	FY2014	Status/ Funds
		Approved Reim. or RFR <u>Amount</u>				
			<u>Rec'd</u>	<u>Rec'd</u>	<u>Expenditures</u>	<u>Required</u>
Architect & engineering fees	none	n/a	n/a	n/a		n/a
Resurface Track	SCI 2011-7	75,000.00	Y	N		75,000.00
Barn Rehab	SCI 2011-13	150,000.00	Y	N		150,000.00
Bobcat Skid-Steer Loader	SCI 2012-1	-	Y	Y	-	-
Storm Water Management	SCI 2012-2	2,411,048.49	Y	Y	1,146,889.72	1,264,158.77
		\$				
		<u>2,636,048.49</u>			<u>\$ 1,146,889.72</u>	<u>\$1,489,158.77</u>

**MASSACHUSETTS GAMING COMMISSION**  
**Sterling Suffolk Racecourse, LLP** (600177133)  
**Promotional Trust Fund** (1050 0021)  
**Statement of Activities**

FY 2014 - July 1, 2013 through June 30, 2014

	<u>Fiscal year to date</u>
Fund balance, beginning of period	\$ 270,032.85
Program revenue & interest	<u>176,503.71</u>
Funds available	446,564.22
Less expenditures	<u>270,032.85</u>
Fund balance, end of period	176,531.37-
Funds required for approved projects	<u>-</u>
Excess or (deficit) of funds available for approved projects	<u><u>\$ -</u></u>

**Status of Individual Projects**

<u>Work Item</u>	<u>Project</u>	<u>Balance @ 7/1/13 Approved Reim. or RFR Amount</u>	<u>RFC</u>	<u>RFR</u>	<u>FY2014</u>	<u>Status/ Funds</u>
	<u>Number</u>		<u>Rec'd</u>	<u>Rec'd</u>	<u>Expenditures</u>	<u>Required</u>
2008 Direct mail advertising/ Balance forward from FY12	SPT 08-1	270,032.85	Y	Y	270,032.85	-
		<u>\$ 270,032.85</u>			<u>\$ 270,032.85</u>	<u>\$ -</u>

# *Plainridge Racecourse 2014 Financial Report*

Category	<b><u>2014</u></b>
Live Performances	82
Live Handle	\$ 1,108,715
Simulcast Import	32,281,638
Simulcast Export	6,576,620
Total Simulcast	38,858,258
<b>Total Handle</b>	<b>\$ 39,966,973</b>
Commissions	248,276.14
Assessments	143,571.09
Association License Fee	108,430.00
Occupational Licenses Fee	27,555.00
Outstanding Tickets	140,922.39
Fines & Penalties	11,775.00
Miscellaneous	<u>2,915.00</u>
<b>TOTAL REVENUES</b>	<b>\$ 683,444.62</b>

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**MASSACHUSETTS GAMING COMMISSION**  
**Plainridge Racecourse** (0000120837)  
**Capital Improvement Trust Fund** (1050 0013)  
**Statement of Activities**  
FY 2014 - July 1, 2013 through June 30, 2014

	<u>Fiscal year to date</u>
Fund balance, beginning of period	\$ 125,000.00
Program revenue & interest	<u>183,377.65</u>
Funds available	308,377.65
Less expenditures	<u>125,000.00</u>
Fund balance, end of period	183,377.65
Funds required for approved projects	<u>575,878.86</u>
Excess or (deficit) of funds available for approved projects	<u><u>\$ (392,501.21)</u></u>

**Status of Individual Projects**

<u>Work Item</u>	<u>Project Number</u>	Balance @ 7/1/13			<u>FY2014 Expenditures</u>	<u>Status/ Funds Required</u>
		<u>Approved Reim. or RFR Amount</u>	<u>RFC Rec'd</u>	<u>RFR Rec'd</u>		
Architect & engineering fees	none	n/a	n/a	n/a	-	n/a
Parking/Facility Renovation	PCI 10-03	\$700,878.86	Y	Y	125,000.00	575,878.86
-						
		<u>\$ 700,878.86</u>			<u>\$ 125,000.00</u>	<u>\$ 575,878.86</u>

**MASSACHUSETTS GAMING COMMISSION**

**Plainridge Racecourse** (0000120837)

**Promotional Trust Fund** (1050 0012)

**Statement of Activities**

FY 2014 – July 1, 2013 through June 30, 2014

	<u>Fiscal year to date</u>
Fund balance, beginning of period	\$ 72,134.24
Program revenue & interest	<u>66,683.78</u>
Funds available	138,818.03
Less expenditures	<u>-</u>
Fund balance, end of period	138,818.03
Funds required for approved projects	<u>-</u>
Excess or (deficit) of funds available for approved projects	<u><u>\$ 138,818.03</u></u>

**Status of Individual Projects**

<u>Work Item</u>	<u>Project Number</u>	Balance @ 7/1/13			FY2014 <u>Expenditures</u>	Status/ Funds	
		<u>Approved Reim. or RFR Amount</u>	<u>RFC Rec'd</u>	<u>RFR Rec'd</u>		<u>Required</u>	
		-	Y	Y	-	-	-
		<u>\$ 138,818.03</u>				<u>\$ -</u>	<u>\$ -</u>

## *Status of Greyhound Racing in 2014*

As a result of Chapter 388 of the Acts of 2008, the two greyhound racetracks located in the Commonwealth were precluded from conducting greyhound races effective January 1, 2010. Therefore, no live greyhound races were conducted during 2012.

Chapter 167 of the Acts of 2009, and subsequently, Chapter 203 of the Acts of 2010 allowed these facilities to continue operations as simulcasting venues without conducting the minimum of 100 live racing performances mandated by Chapter 128C of the General Laws. These facilities offered pari-mutuel wagering on greyhound races conducted outside the Commonwealth as well as both in-state and out of state thoroughbred and harness races, with conditions.

Massasoit Greyhound Association and Taunton Greyhound, Inc. continued simulcasting operations throughout 2012 at Raynham/Taunton Greyhound Park.

Wonderland Greyhound Park continued simulcasting operations, at their facility, until August 18, 2010, when it closed down its racing activities. On June 2, 2011 Wonderland reopened its simulcast operations at Suffolk Downs.

Chapter 194 of the Acts of 2011 (section 92) has extended greyhound simulcast racing through July 31, 2014.



# *Raynham Park 2014*

## *Financial Report*

<b>Category</b>	<b><u>2014</u></b>
Live Performances	0
Live Handle	0
Simulcast Import	\$ 29,865,263
Simulcast Export	0
Total Simulcast	29,865,263
<b>Total Handle</b>	<b>\$ 29,865,263</b>
Commissions	\$ 445,063.43
Assessments	120,077.83
Association License Fee	107,700.00
Occupational License Fee	0
Outstanding Tickets	177,184.21
Fines & Penalties	0
Miscellaneous	<u>0</u>
<b>TOTAL REVENUES</b>	<b>\$ 672,841.26</b>

" " " "

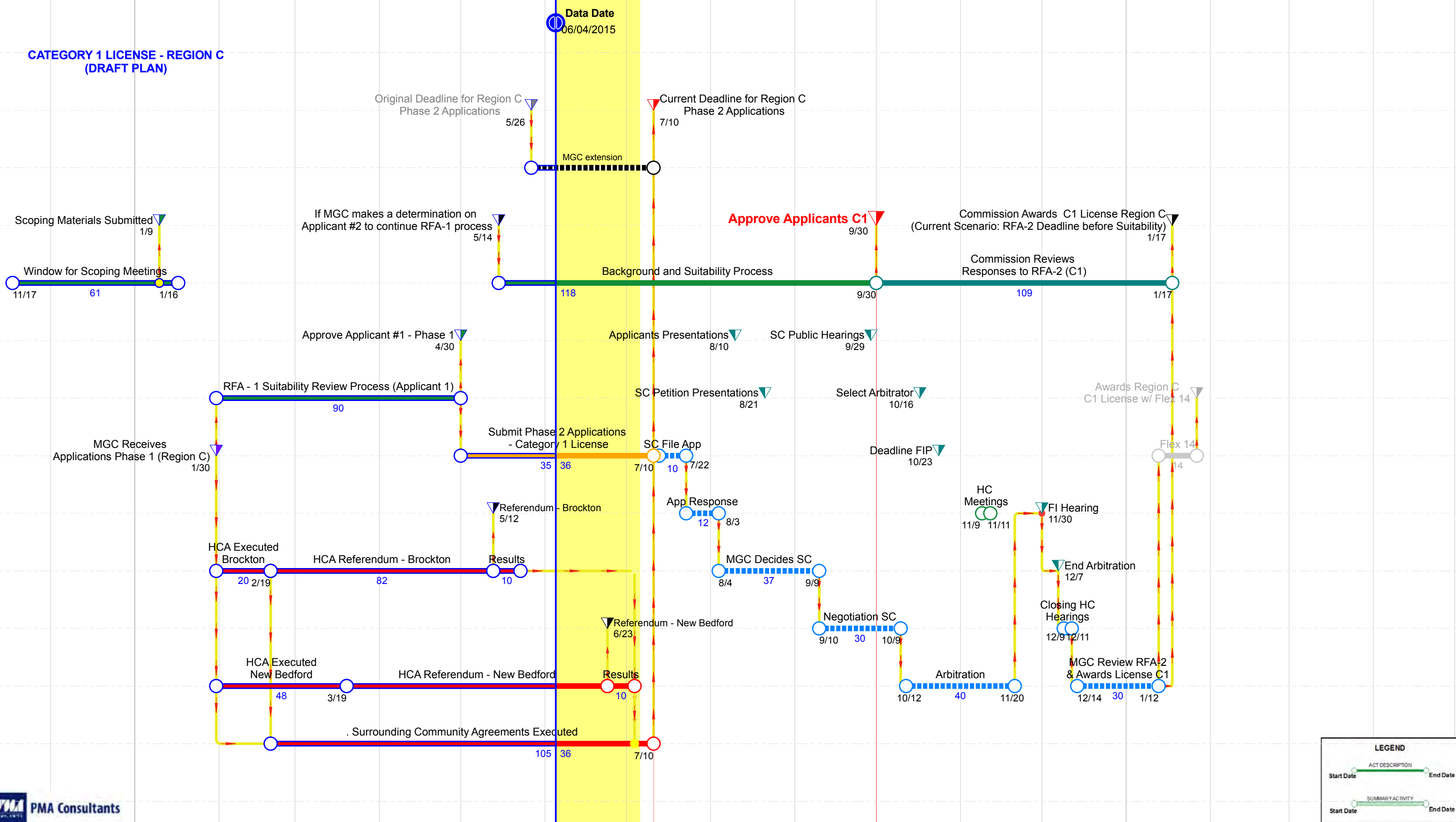
# *Wonderland 2014 Financial Report*

<b>Category</b>	<b><u>2014</u></b>
Live Performances	0
Live Handle	
Simulcast Import	5,193,404
Simulcast Export	
Total Simulcast	5,193,404
<b>Total Handle</b>	<b>\$ 5,193,404</b>
Commissions	129,835.10
Assessments	16,271.20
Association License Fee	86,100.00
Occupational License Fee	
Outstanding Tickets	22,833.21
Fines & Penalties	0.00
Miscellaneous	<u>0.00</u>
<b>TOTAL REVENUES</b>	<b>\$ 255,039.51</b>

# Massachusetts Gaming Commission / 2015-06-04 Category 1 License - Region C

## Current Scenario: RFA-2 Deadline on July 10th 2015

**CATEGORY 1 LICENSE - REGION C (DRAFT PLAN)**



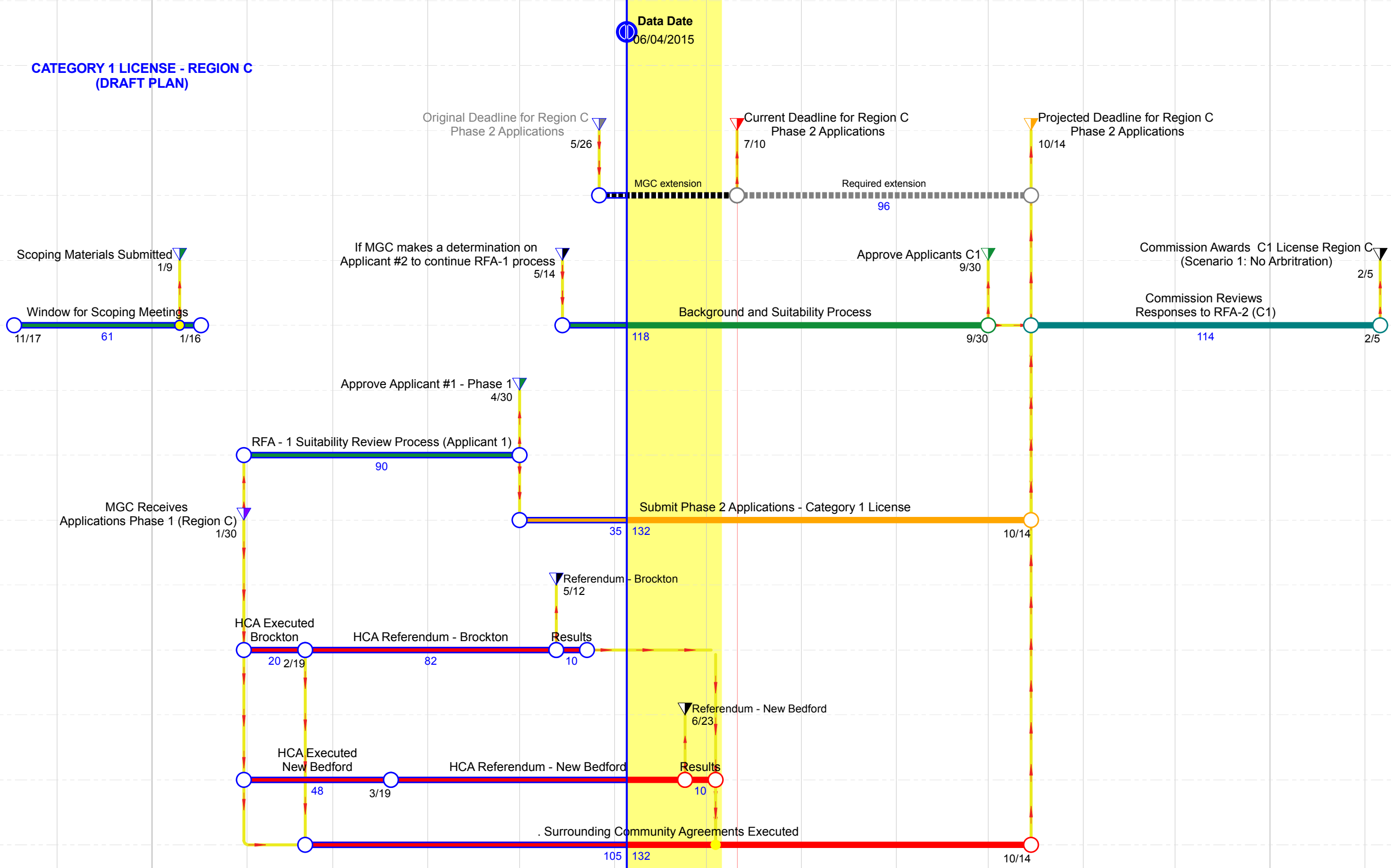
**LEGEND**

- ACT DESCRIPTION: Start Date — End Date
- SUMMARY ACTIVITY: Start Date — End Date

# Massachusetts Gaming Commission / 2015-06-04 Category 1 License - Region C

## Scenario 1: RFA-2 Deadline Oct 14th 2015 - No Arbitration

**CATEGORY 1 LICENSE - REGION C  
(DRAFT PLAN)**



**LEGEND**

ACT DESCRIPTION: Start Date — End Date

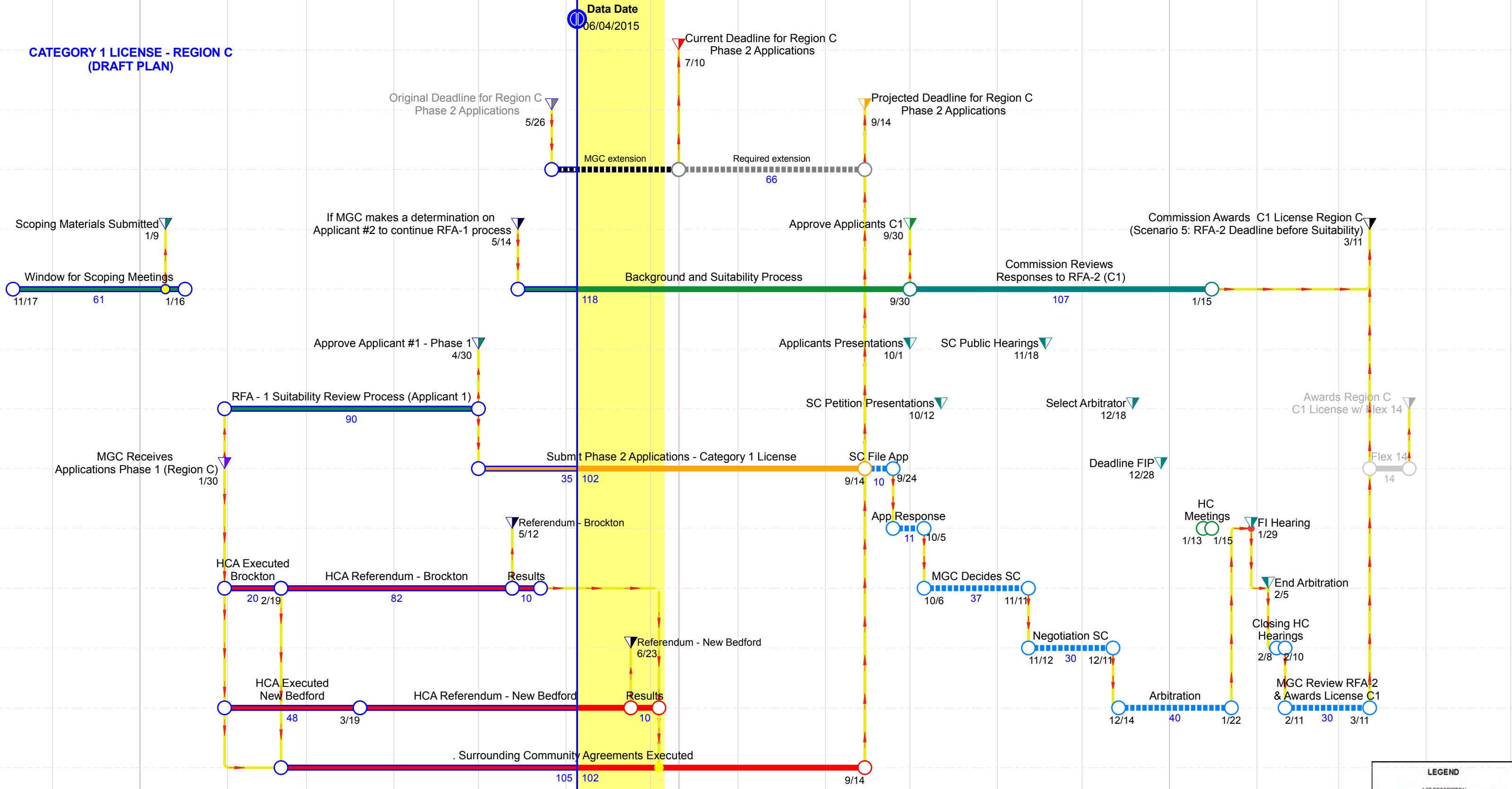
SUMMARY ACTIVITY: Start Date — End Date



# Massachusetts Gaming Commission / 2015-06-04 Category 1 License - Region C

## Scenario 5: RFA-2 Deadline before Suitability Determination

**CATEGORY 1 LICENSE - REGION C (DRAFT PLAN)**



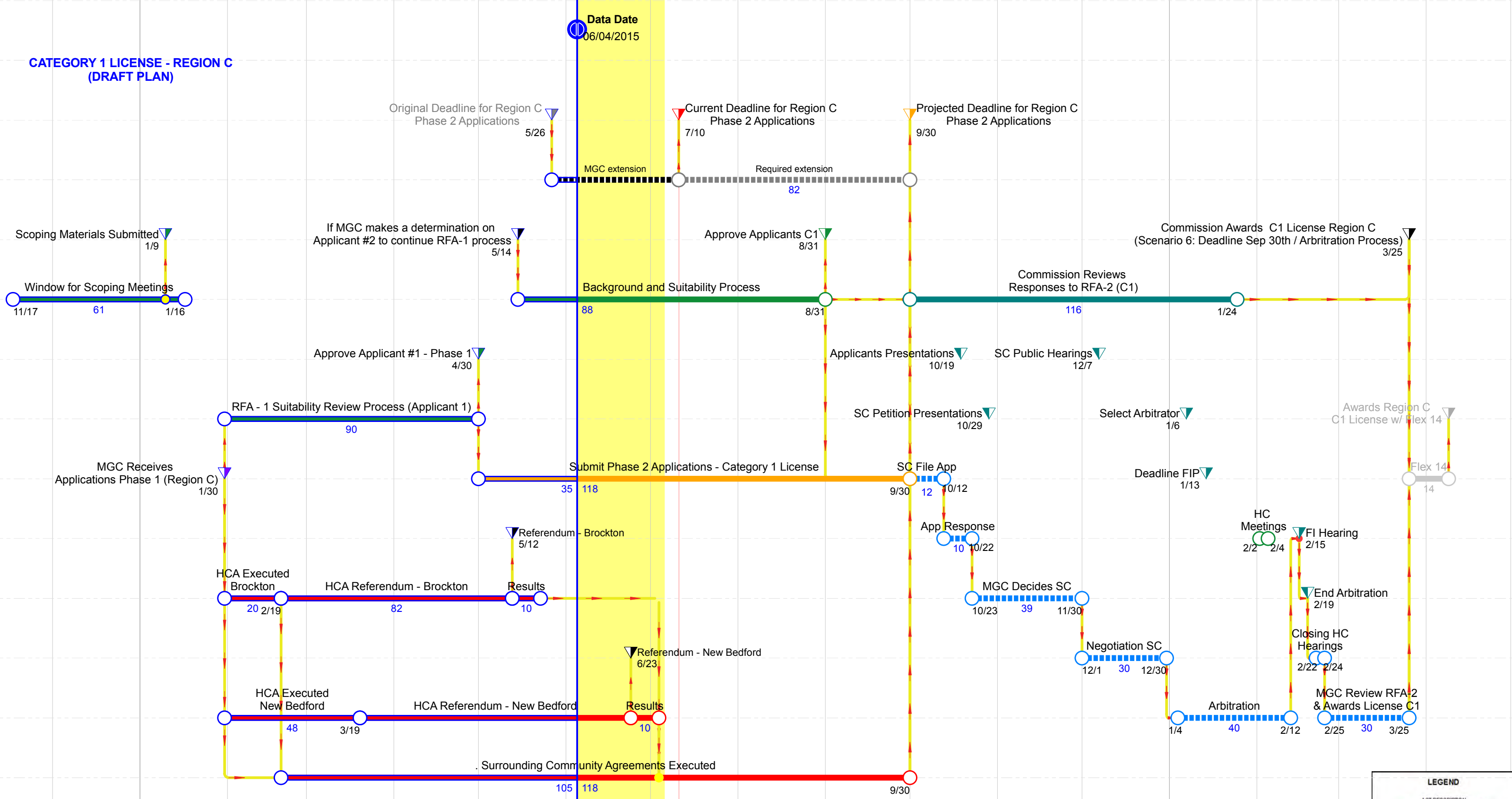
**LEGEND**

- ACT DESCRIPTION: Start Date — End Date
- SUMMARY ACTIVITY: Start Date — End Date

# Massachusetts Gaming Commission / 2015-06-04 Category 1 License - Region C

## Scenario 6: RFA-2 Deadline Sep 30th 2015 - Arbitration Process

**CATEGORY 1 LICENSE - REGION C (DRAFT PLAN)**



**LEGEND**

ACT DESCRIPTION: Start Date — End Date

SUMMARY ACTIVITY: Start Date — End Date



H. Hamilton Hackney III  
Tel. (617) 310-6090  
Fax (617) 897-0990  
[hackneyha@gtlaw.com](mailto:hackneyha@gtlaw.com)

June 24, 2015

Stephen Crosby  
Chairman  
Massachusetts Gaming Commission  
101 Federal Street, 23rd Floor  
Boston, MA 02110

**Re: RFA-2 Deadline Extension**

Dear Chairman Crosby:

We are writing on behalf of KG New Bedford, LLC with respect to the Commission's request for comments on extending the RFA-2 application deadline for the Region C Category 1 Casino License. This letter supplements earlier comments submitted by KG Urban on May 26, 2015 requesting an extension of the RFA-2 deadline to September 30, 2015. That request was supported by the City of New Bedford. (Yesterday, New Bedford voters overwhelmingly approved KG Urban's Host Community Agreement).

The Commission has already reviewed three Category 1 RFA-2 applications, and is well aware of the scope and extent of the detailed information needed to support a competitive RFA-2 application. As a brownfield project on a working waterfront adjacent to downtown New Bedford, the Cannon Street Station project offers a unique opportunity to convert an obsolete and contaminated industrial site into a resort casino on New Bedford's historic waterfront. However, the project's location also triggers some complex regulatory and permitting issues, including Chapter 21E site cleanup regulations and Chapter 91, Designated Port Area, Municipal Harbor Plan permitting issues. KG Urban has initiated discussions with key municipal and state agencies on those regulatory and permitting issues, but requires additional time to order to ensure all agency questions and concerns have been addressed. Completion of these agency discussions is essential to KG Urban's ability to demonstrate in its RFA-2 application that the Cannon Street Station project is both feasible and able to proceed to construction promptly following licensure.

KG Urban has been working closely with its gaming operator and consultants to refine the Cannon Street project design. Those revisions have progressed to such an extent that KG Urban recently concluded that it should withdraw its MEPA Environmental Notification Form (ENF) and re-file it in order to reflect the design revisions. Re-filing the ENF will likely push back to September the date by which KG Urban will receive a certificate on the ENF from the MEPA Office.



Chairman Stephen Crosby  
June 24, 2015  
Page 2

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In addition, based on those project revisions, KG Urban must prepare a number of non-parallel track studies and reports both to fulfill its obligations under the Host Community Agreement (HCA) and to prepare its RFA-2 application. The HCA requires that KG Urban, in coordination with the City, commission comprehensive studies to evaluate the impacts of the project on traffic/public transit/transportation infrastructure, utility infrastructure, public safety, economy, and construction impacts. While the impact study consultants have been retained, that work has been deferred pending completion of the project re-design work. Based on the results of those impact studies, KG and the City will have to negotiate and execute a mitigation agreement prior to submission of the RFA-2 application.

Extending the RFA-2 application deadline to September 30<sup>th</sup> will ensure that KG Urban has adequate time both to complete those various non-parallel track activities and to submit a fully-developed RFA-2 application with sufficiently detailed information to support a well-informed licensure decision by the Commission.

Sincerely,

  
H. Hamilton Hackney III

cc: Jonathan Silverstein, Esq.  
Andrew Stern  
Kevin Conroy, Esq.

PHI 317452852v1

---

**From:** Jonathan Silverstein <JSilverstein@k-plaw.com>  
**Sent:** Tuesday, May 26, 2015 8:01 PM  
**To:** MGCcomments (MGC)  
**Cc:** Ziemba, John S (MGC)  
**Subject:** Response to Request for Public Comment - Region C Deadline  
**Attachments:** 1337\_001.pdf

Please see the attached letter on behalf of the City of New Bedford regarding the Region C application deadline.

Thank you,

Jonathan M. Silverstein  
Kopelman and Paige, PC



**KOPELMAN AND PAIGE, P.C.**

*The Leader in Public Sector Law*

101 Arch Street  
Boston, MA 02110  
T: 617.556.0007  
F: 617.654.1735  
www.k-plaw.com

May 26, 2015

**Jonathan M. Silverstein**  
[jsilverstein@k-plaw.com](mailto:jsilverstein@k-plaw.com)

BY ELECTRONIC MAIL  
AND BY FIRST CLASS MAIL

Stephen Crosby, Chairman  
Massachusetts Gaming Commission  
84 State Street, 10th Floor  
Boston, MA 02109

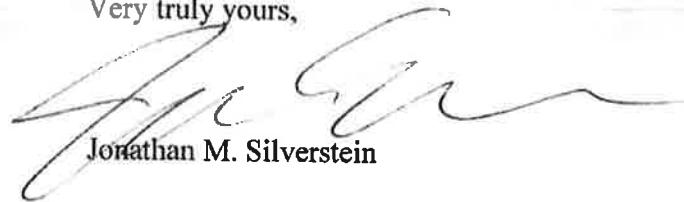
Re: Requests for Public Comment – Region C RFA-2 Deadline

Dear Chairman Crosby and Members of the Commission:

On behalf of the City of New Bedford, I write in support of the letter of even date from KG Urban Enterprises/KG New Bedford, LLC (“KG”). Specifically, the City fully supports KG’s suggestion that the RFA-2 deadline for Region C be established as September 30, 2015. As noted in the letter from KG, and as aptly noted by the Commission’s Ombudsman at its last meeting, extending the RFA-2 deadline will enable the Commission to have more detailed information regarding the applicants’ proposals, including more final design and mitigation information.

Thank you for your attention to this matter. Please do not hesitate to contact me should you have any questions regarding this matter.

Very truly yours,



Jonathan M. Silverstein

JMS/jam  
cc: Mayor

514973/20112/0003

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**From:** John Donnelly <jdonnelly@donnellyclark.com>  
**Sent:** Tuesday, May 26, 2015 4:52 PM  
**To:** MGCcomments (MGC)  
**Cc:** Scott Strusiner; Paul Seeman  
**Subject:** Region C RFA-2 Applications

Dear Honorable Commission Members;

In response to the Commission's request for public comment regarding the due date for the Region C RFA-2 application, Mass Gaming & Entertainment, LLC recommends July 24, which is two weeks after the outside date by which MG&C expects to receive the certificate from the MEPA Office associated with its ENF filing.

Thank you for the opportunity to comment.

Respectfully,

John Donnelly

on behalf of Mass Gaming & Entertainment

May 26, 2015

BY E-MAIL AND U.S. MAIL

Stephen Crosby  
Chairman  
Massachusetts Gaming Commission  
101 Federal Street, 23rd Floor  
Boston, Massachusetts 02109

Re: RFA-2 Application Deadline for Region C

Dear Chairman Crosby:

KG New Bedford, LLC thanks the Gaming Commission for the opportunity to comment on the RFA-2 application deadline for the Region C Category 1 Casino License. In its request for comment, the Commission noted that the deadline chosen should help “maximize the positive greatest possible economic development benefits and revenues to the people of the Commonwealth and also help [ ] to reduce to the maximum extent possible the potentially negative or unintended consequences of expanded gaming in Region C.”

As you are well aware, the Commission’s RFA-2 application imposes stringent permitting and regulatory status requirements. As you are also well aware, KG did not enter into its Host Community Agreement (HCA) until March 19, 2015. The HCA required KG to redesign significant aspects of the project and we have been working closely with Scott Butera and Foxwoods to refine the proposal’s architectural and operational elements. KG has initiated a series of non-parallel track activities that could not commence until the project scope and design was determined, but which are requirements of the RFA-2 application. As a result, we request sufficient time to prepare studies and other work needed to prepare a detailed RFA- 2 Application that will allow the MGC make an informed decision in a competitive process.

Because KG is proposing not only a brownfield project, but one that also sits on a working waterfront, the site-specific issues, and the details of permitting and regulatory status required for the submission are more complex and challenging than those in an application for a casino with none of the attendant application hurdles. Accordingly, KG will require time sufficient to process these details to a point necessary for inclusion in a proper RFA-2 Application and include the appropriate regulatory agency comments and permitting status in its application. Specifically, the Chapter 91 permitting process, which applies only to working waterfronts, requires significant study, plan preparation and review, and incorporation of input from multiple city and state agencies in order to finalize the project design well in advance of the RFA-2 application submission.

Unlike applications in Regions A and B, the HCA requires KG and the City to jointly commission comprehensive studies to evaluate the impacts of the project on the City's (i) traffic/public transit/transportation infrastructure; (ii) utility infrastructure; (iii) public safety; (iv) economy; and (v) construction impacts. KG and the City have identified the consultants that will perform these studies. Once completed, the studies will be reviewed by both parties' consultants prior to negotiating and entering into a mitigation agreement. KG will need time to work with City personnel, who cannot focus exclusively on the KG project, to finalize these details. Working on the details with the City can be especially time consuming as KG will need to submit plans, meet with the City personnel, revise the plans and submit again.

The Commission's Ombudsman has noted that for Regions A and B, the applicants had all filed Draft Environmental Impact Reports prior to submitting their RFA-2 applications and had provided extensive information on the plans for their sites in the RFA-2 application. This information played an important role in the Commission's review of Category 2 where the Commission considers the applicant's development timing; Category 4, Building and Site Design; and Category 5 where the Commission considers the applicant's traffic plan. Successful applicants like Wynn and MGM had at least six months between the execution of their HCA and the filing of their RFA-2 Application and an RFA-2 due date of September 30 will provide KG at least the same six months as well. By choosing September 30, the Commission will help to ensure that KG has sufficient time to complete the work needed to submit a robust RFA-2 application and that the information contained in KG's RFA 2 Application is sufficiently detailed to permit the Commission to make a thoughtful and well-considered determination in awarding the Region C license.

Please let me know if you have questions. Thank you.

Sincerely,

  
Andrew Stern

# Massachusetts Gaming Commission

## 1st Quarter 2015

### June 25, 2015



**MGM RESORTS**  
INTERNATIONAL

BELLAGIO® ARIA® VDARA® MGM GRAND® THE SIGNATURE AT MGM GRAND® MANDALAY BAY® DELANO™ LAS VEGAS THE MIRAGE® MONTE CARLO™ NEW YORK-NEW YORK®  
LUXOR® EXCALIBUR® CIRCUS CIRCUS® LAS VEGAS CIRCUS CIRCUS® RENO, NEVADA SILVER LEGACY™ RENO, NEVADA BEAU RIVAGE® BILOXI, MISSISSIPPI  
GOLD STRIKE® TUNICA, MISSISSIPPI MGM GRAND® DETROIT, MICHIGAN MGM® NATIONAL HARBOR, MARYLAND MGM® SPRINGFIELD, MASSACHUSETTS  
BORGATA® ATLANTIC CITY, NEW JERSEY GRAND VICTORIA® ELGIN, ILLINOIS MGM MACAU™, CHINA MGM GRAND® SANYA, CHINA MGM® COTAI, CHINA

# Summary - 1st Quarter 2015

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1. 1st Quarter Enabling Activities
2. Mission Commencement
3. Contractor Commitments
4. Diversity Update
5. WebCam
6. Historic Update
7. Looking Forward - Next 90 Days
8. Schedule



# 1st Quarter Enabling Activities

- Construction fence installation has commenced
- Howard Street School abatement work has commenced
- Howard Street School demolition is awarded
- Armory demolition and abatement scope is awarded
- Half of remaining demolition/abatement contracts are out for bid
- Webcam has been installed
- Street discontinuance coordination with utility entities is in progress

# Mission Commencement

- Building Permit received on 2/9/15
- Bid packages sent to multiple trades
- Expect majority of all contracting awards for the Mission to be issued in the 2nd Quarter 2015



# Contractor Commitments

Ref	Companies	Scope	Location
1	American Environmental, Inc. (MBE)	Abatement	Holyoke, MA
2	Collins Electrical Company, Inc.	Temp Services/Electrical	Chicopee, MA
3	Gagliarducci Construction, Inc.	Site Work/Utility Disconnect	Indian Orchard, MA
4	JDC Construction Co., LLC	Demolition	Boston, MA
5	Herb Holden Trucking, Inc. (WBE)	Demolition tier to JDC	Broad Brook, CT
6	JM Environmental Corp., Inc. (WBE)	Demolition tier to JDC	Worcester, MA
7	Security Construction Services, Inc. (WBE)	Fencing	Hudson, MA
8	Tishman Realty & Construction Co., Inc.	Pre-construction Services/Enabling Works	Boston, MA

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise

The Commitments listed above are included in the Tishman Contract listed in Quarter 1 2015 Status Report Section 4

# Diversity Update

- The Diversity Plan for the Design and Construction Phase was approved on 1/22/15
- Reporting on Construction Commitments has commenced
- Reporting on Design Commitments and Construction Workforce begins 2nd Quarter 2015
- Outreach process underway to identify additional local MBE/WBE/VBE Design and Construction Firms
- Templates created for construction workforce tracking

# Diversity Update

## Workforce Tracking Template

MGM Springfield

Workforce Diversity Statistics Report - Construction (TEMPLATE)

As of Week Ending 4/4/2015

Reference	Subcontractor	This Week's Workforce Diversity Statistics						Project To Date Workforce Diversity Statistics							
		This Week's Total Hours	Minority		Women		Veteran		Project To Date Hours	Minority		Women		Veteran	
			Hours	%	Hours	%	Hours	%		Hours	%	Hours	%		
1															
2															
3															
4															
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40															
<b>Total</b>		0.00	0.00	#DIV/0!	0.00	#DIV/0!	0.00	#DIV/0!	0.00	0.00	#DIV/0!	0.00	#DIV/0!	0.00	#DIV/0!

Group	Project Goals	Project To Date %	Delta
Minority	15.30%	#DIV/0!	#DIV/0!
Women	6.90%	#DIV/0!	#DIV/0!
Veteran	8.00%	#DIV/0!	#DIV/0!
<b>Total</b>	<b>30.20%</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>

# Diversity Update

## Contracting

Group	Firms	Project Goals	% of Spend Committed	Total Expenditure	Variance
Women	3	10.0%	11.4%	\$362,866	1.4%
Minority	1	5.0%	19.9%	\$635,432	14.9%
Veteran	0	2.0%	0.0%	\$0	-2.0%
<b>Total</b>	<b>4</b>	<b>17.0%</b>	<b>31.3%</b>	<b>\$998,298</b>	<b>11.7%</b>

Note:

(1) Total Commitments from 1/1/15 through 3/31/15 are \$3,194,362.

# WebCam

- WebCam installed Mid-March 2015
- Images taken every 15 minutes for the life of the project



3/19/15



3/27/15



3/24/15

# Historic Update

3/4/15, 3/20/15, and 4/2/15 Presentations to Springfield Historical Commission

The following issues are resolved with the Springfield Historical Commission:

1. Emulate YWCA building façade within project
2. Reuse the dome from 73 State Street
3. French Church to be relocated on-site
4. Remove rear structure of State Armory, front structure to be preserved as signature feature
5. Preserve Union Chandler House Main Street Façade, portion of Bliss Street wall retained



# Historic Update

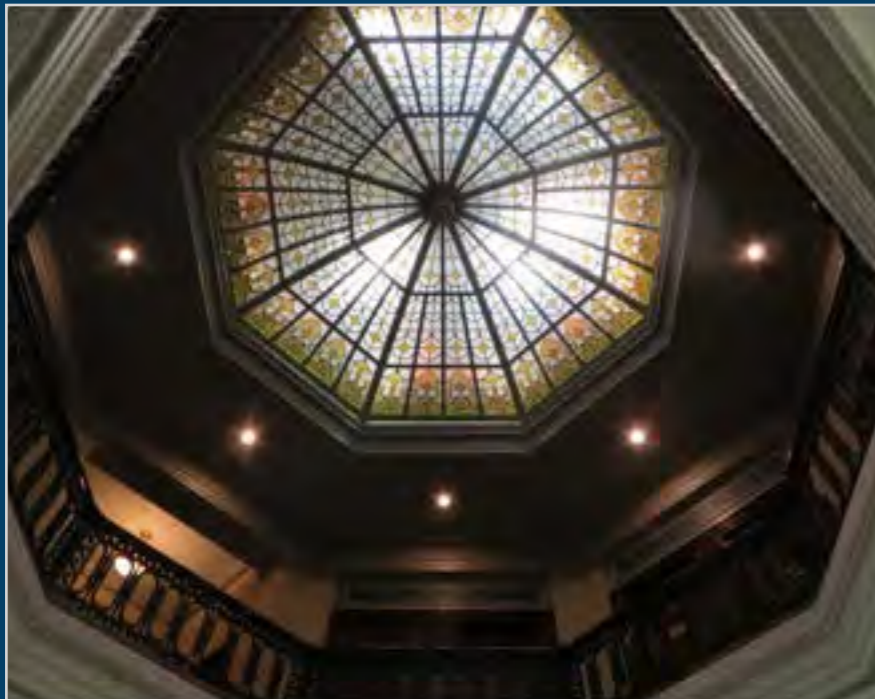
3/4/15, 3/20/15, and 4/2/15 Presentations to Springfield Historical Commission



Emulated YWCA Building



Armory Front Structure Preservation



73 State Street Dome



French Church Relocation



Union Chandler House Façade

# Looking Forward - Next 90 Days

- On this Tuesday, MGM's design team, City representatives and the City's design consultants met for a lengthy and productive work session in National Harbor, Maryland to review and refine MGM's proposed final design previously submitted to the City and address any areas of concern or that require additional detail.
- MGM anticipates incorporating that feedback to finalize its Site Plan package for submission to the City in July with the commencement of formal Site Plan review meetings by the City Council this summer.
- On June 30, 2015, MGM will meet with Massachusetts Historical Commission to provide a response to the requests and feedback received on April 17, 2015.

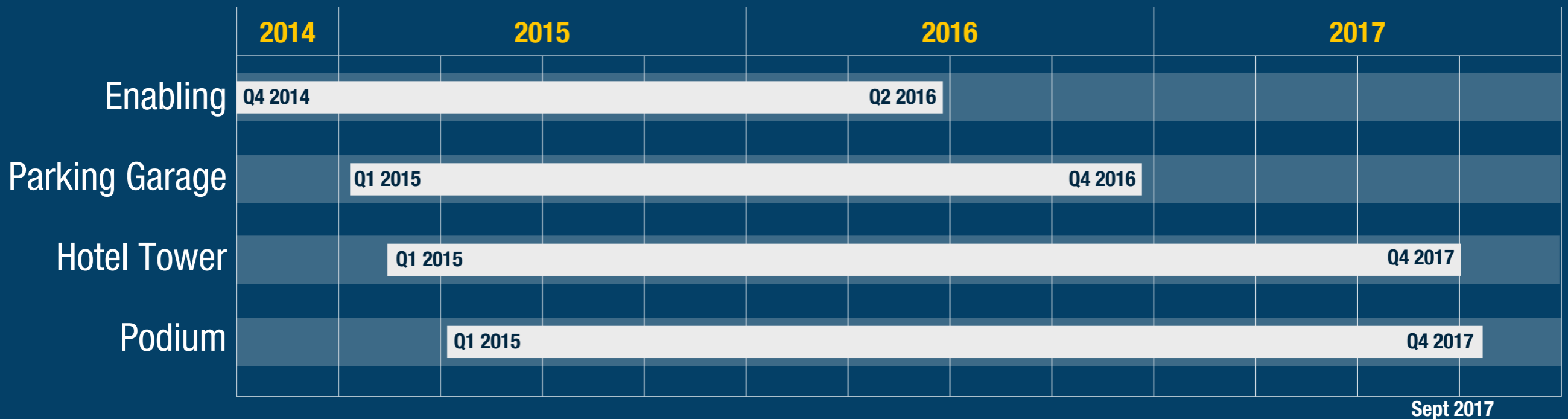
# Looking Forward - Next 90 Days

- On the Project Site, the construction team will continue enabling works and pre-construction efforts over the next several months including the following:

1. Complete Mission building core and shell construction
2. Salvage work throughout the site, including 73 State Street Dome
3. Abatement work throughout the site
4. Demolition of Robbie's Auto and 68 Union Street Car Wash
5. Underground storage tank removal
6. Cut and cap/terminate existing utilities
7. Complete 100% Schematic Design documents
8. Begin Construction Workforce Diversity Tracking

# Schedule - March 5, 2015

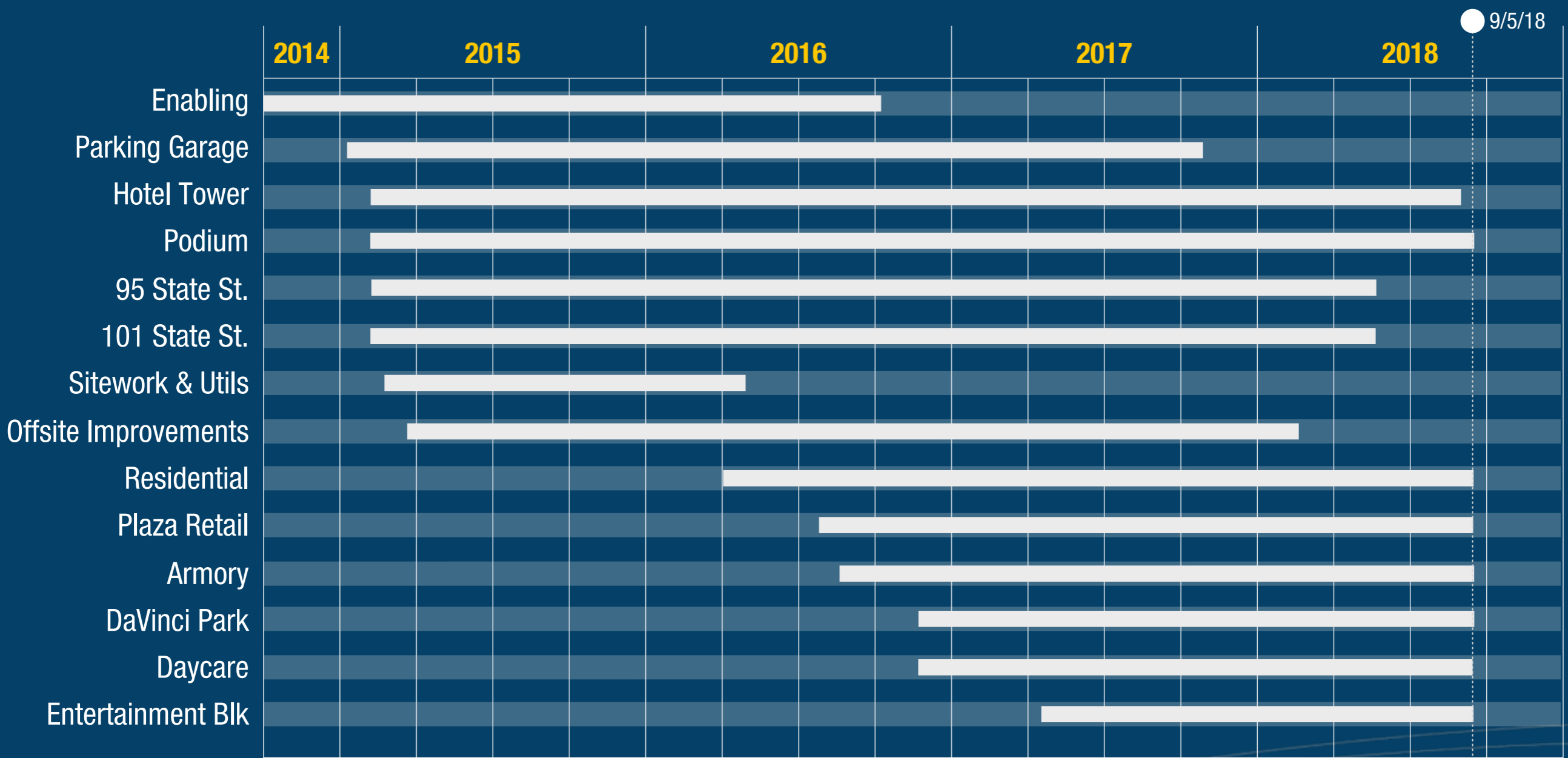
- The overall project timeline and the preliminary 6 month look ahead schedule were presented to the Massachusetts Gaming Commission on March 5th
- Factors with potential schedule impact were being evaluated, including historic approvals and MassDOT Viaduct project



The project timeline and other schedules included in this presentation are for discussion purposes only and subject to further modification. The final project timeline will be submitted to and approved by the Commission pursuant to 205 CMR 135.02.

# Schedule Submission - June 25, 2015

- Anticipated Opening Date - September 5, 2018



This schedule is provided as a summary. Please reference MGM's full schedule submission for additional details.



# MGM SPRINGFIELD

## QUARTERLY STATUS REPORT # 1

Monitoring of Project Construction and  
Licensee Requirements  
205 CMR 135

For the Period:  
January–March 2015

Submitted:  
June 22, 2015



# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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Letter Regarding Cost of Construction and Capitalization of Gaming License.....	Appendix E



# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

3570404 Vj g'eqo o kukap'ij cm'lp'ceeqtf cpeg'y kj 'OQ ON0e045M0E32'cpf '33'crrtqxf'igt 'gcej 'i co kpi " rkegpugg.'c'rtqlgev'uej gf wrg'igt 'y j g'i co kpi 'rkegpuggau'ecrkcnlpxgaw gpv'kp'ku'i co kpi 'guacdrkij o gpv'cpf " tgrvxf 'lphc utwewt g'y j kej 'kpenf gu' "

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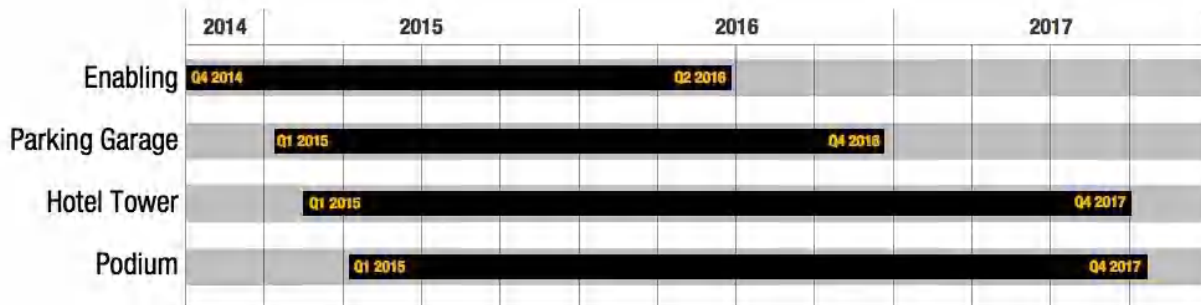
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## 1 PROJECT SCHEDULE

### 1a CURRENT SCHEDULE

The preliminary 6 month construction look ahead schedule was presented to the commission on March 5, 2015. A summary is below and a copy of the detailed schedule is attached as Appendix A.



During the first quarter of 2015, MGM accomplished the following benchmarks set forth in that schedule:

- Contractor outreach activities for Site Fence, Abatement/Demolition, Mass Excavation, Site Utilities, Foundations and Waterproofing
- Construction Fence Installation
- Multiple Demolition and Abatement Awards out to Bid
- Completed all Entitlements for Howard Street School Demolition with the exception of Massachusetts Historical Commission
- Remaining demolition milestones cannot be met until Massachusetts Historical Commission approvals are obtained





## **QUARTERLY STATUS REPORT: JANUARY-MARCH 2015**

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MGM Springfield continues to analyze external factors that impact its proposed final project schedule, including without limitation delays in obtaining certain historic approvals, and intends to provide its proposed schedule to the Commission as soon as it is able to determine project schedule impacts.

### **1b PROJECT SCHEDULE CHANGES**

MGM Springfield is in the development of the baseline schedule for the project; therefore there are no changes to report at this time.

# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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357040'Y kj lp'vj g'vko g'lt co g'rt qxlj gf 'lp'vj g'cy ctf "qhlvj g'i co lpi 'hkgpug.'vj g'hkgpugg'ij cml'rt qxlj g'vq"  
vj g'eqo o kulkqp'ltt 'eqo o kulkqp'crrt qxcn'cp'cHkt o cvkxg'cewkqp'rt qi tco "qhl'gs wcn'qrr qt wplkx' y j gt gd{ 'vj g'  
hkgpugg'guac drkuj gu'ir gekk'e'i qcnu'ltt 'vj g'vkkk'cvkqp'qhl'o kpat kkgu.'y qo gp'cpf 'xgvt cpu'qp'eqpwt wewkqp"  
lqdu'cpf 'ltt "eqpwt cevkpi 'y kj 'o kpat kxf.'y qo gp'qt 'xgvt cp'qy pgf "dwukp guugu'f wtkpi 'gkxj gt 'f guki p'qt "  
eqpwt wewkqp'rt qxlj gf.'j qy gxgt 'vj cv'wvej 'i qcnu'ij cml'dg'gs wcn'vq'qt 'i t gcvgt 'vj cp'vj g'i qcnu'eqpwt kpgf 'lp"  
Gz.gewkxg'Qhkg'qhl'cf o kpat cvkqp'cpf 'Hkpc peg'cf o kpat cvkxg'Dwngvlp'Pwo dgt '360"

135.02.5c To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(e) a detailed statistical report pursuant to M.G.L. c. 23K, §21(a)(23) on the number, gender and race, and veteran status of individuals by job classifications hired to perform labor as part of the construction of the gaming establishment and related infrastructure, and a comparison of this report with the goals established by the gaming licensee and commission pursuant to M.G.L. c. 23K, §21(a)(22). In the event the licensee's hiring of the aforementioned entities does not comply with the goals established the licensee shall submit within 20 days of a request by the commission a response as to why the goals have not been achieved, identify any good faith efforts that have been undertaken to achieve those goals and provide a plan to bring the dollar amount contracted and spent into compliance with the goals.

(f) a report describing the number of contracts, total dollar amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises for design and construction of the gaming establishment and related infrastructure, and the total number and value of all subcontracts awarded to a minority, women and veteran owned business, and a comparison of these reports with the goals established by the gaming licensee and commission pursuant to M.G.L. c. 23K, §21(a)(21). In the event the licensee's hiring of the aforementioned entities does not comply with the goals established the licensee shall submit within 20 days of a request by the commission a response as to why the goals have not been achieved, identify any good faith efforts that have been undertaken to achieve those goals and provide a plan to bring the dollar amount contracted and spent into compliance with the goals.

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## 2 CONSTRUCTION PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY

### 2a DIVERSITY SUMMARY

The Diversity Plan for the Design and Construction Phase of MGM Springfield was approved on January 22, 2015 and is included in this report as Appendix B.

The implementation of the Diversity Plan has commenced for Design and Construction. Reporting on Design and Construction contracts is included as Appendix C. A template for workforce tracking is being finalized and is attached as Appendix D.

As funds begin to be paid out for Design and Construction, a section will be added to the reporting showing expenditures to date and percent complete.



## **QUARTERLY STATUS REPORT: JANUARY-MARCH 2015**

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The project has committed to reaching the following goals for Diversity Commitments in Design and Construction:

- WBE: 10%
- MBE: 5%
- VBE: 2%

A Letter of Agreement (LOA) with the design team through Schematic Design is expected to be signed in the coming quarter. The LOA is expected to include several WBE design consultants. Reporting will be available in the next report. An outreach process is underway to identify additional WBE/MBE/VBE firms for participation in the later stages of the Design work.

### **2b WORKFORCE STATISTICS**

A reporting template for work force statistics is currently being developed. The draft document is included in this report as Appendix D.

It is expected that the next quarterly report issued will include statistics to date on workforce diversity for the project. In each quarter we will be able to report statistics for the number, race, gender and veteran status, comparing the target goal with actual work force statistics to date.

### **2c DIVERSITY COMMITMENTS**

Specifics of the Design and Construction contract commitments to date are included in the Diversity Commitments report as Appendix C.

## QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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135.02.5a To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(a) the total estimated cost of construction of the project and related infrastructure improvements, including a sworn certification regarding costs incurred pursuant to 205 CMR 122.03: Costs Included in the Calculation of Capital Investment, and separately identifying detailed costs for design, land acquisition, site preparation and construction and off-site improvements

(b) a sworn certification regarding the capitalization of the gaming licensee, sufficient for the commission to determine, pursuant to M.G.L. c. 23K §10(e) or 11(c), that the gaming licensee has adequate funds to complete the gaming establishment and related infrastructure improvements.

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### 3 COST OF CONSTRUCTION / CAPITALIZATION OF GAMING LICENSE

Pursuant to 205 CMR 135.02.5(a) and (b), please see Appendix E for a sworn certification regarding (a) the total estimated cost of construction of the project and related infrastructure improvements, and (b) the capitalization of MGM Springfield.

## QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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135.02.5c To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(c) a copy of all design and construction contracts executed within the prior quarter by the gaming licensee to design and construct the gaming establishment and related infrastructure improvements

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### 4 DESIGN & CONSTRUCTION CONTRACTS

The following contracts have been executed to date:

COMPANY	CONTRACT
1. Tishman Construction Corporation	Preconstruction and Early Work Agreement between Owner and Construction Manager
2. Sanborn Head	Phase II Environmental Assessment Services – 10 Mill Street
3. Sanborn Head	Hazardous Building Material Surveys
4. Sanborn Head	Phase II Environmental Assessment Services – Main Street, Wilcox Street, East Columbus Avenue and State Street Area
5. Sanborn Head	Phase I ESA Services and Update of Draft ESA Report

Copies of executed contracts are available to the Massachusetts Gaming Commission's Representative for review.

## QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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135.02.5d To ensure adherence to the project schedule approved pursuant to 205 CMR 135.02(2) or (4), the gaming licensee shall submit to the commission in a media, format and level of detail acceptable to the commission, quarterly a status report including:

(d) a status report reflecting the progress of construction and certifying compliance with the approved project schedule for major stages of construction. In the event that the progress of construction does not comply with the project schedule approved pursuant to 205 CMR 135.02, the licensee shall submit a detailed plan to bring the progress of construction into compliance with the approved project schedule or submit a request for a revised project schedule pursuant to 205 CMR 135.02(4)

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### 5 STATUS OF WORK COMPLETED / PROGRESS PHOTOGRAPHS

#### 5a STATUS OF WORK COMPLETED

The following construction activities have been completed or are underway:

- Construction fence installation has commenced.
- Multiple demolition and abatement contracts are out for bid.
- Howard Street School demolition and abatement scope is awarded.
- Howard Street School abatement work is in progress.
- Armory demolition and abatement scope is awarded.
- Webcam has been installed
- Street discontinuance coordination with utility entities is in progress.

#### 5b PROGRESS PHOTOGRAPHS

On the following pages please find current progress photographs of the site for the month of March 2015.



# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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## PROGRESS PHOTOGRAPHS



Groundbreaking: March 24, 2015



March 24, 2015



# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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## PROGRESS PHOTOGRAPHS



March 24, 2015



March 31, 2015



# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

3570408'Vj g'hkegpugg'ij cmlj cxg'c"eqpvkwkpi 'qdrki cwkq. 'rwtuwpv'vq'427'EOT'34203\*4+'vq'vko grf 'rtqxlf g' vq'vj g'eqo o kulkap'cp'wrf cvgf 'r gt o ku'ej ctv'cpf 'cmlf qewo gvu'cpf 'kplqt o cwkq'hkngf 'kp'427'EOT'34203<' Rgt o kulkpi 'Tgs wkt go gvu. 'cu'y gml'cu'cpf 'wrf cvgu'vq'vj g'O GRC'rt qegul'wvej 'vj cv'vj g'eqo o kulkap'ku' eqpvkwkwur'crrtkugf 'qhlcm'bo cvgt kcnlf gxngr o gvu'y kj 't gur gev'vq'cml' rgt o ku'cpf 'crrt qxcnu't gswkt gf 'hqt " vj g'i co lpi 'gux dtkaj o gvuORwt uwpv'vq'427'EOT'34203\*3+vj g'hkegpugg'ij cml'rtqxlf g'vq'vj g'eqo o kulkap" egr kgu'qhl'cpf "crr gcn'y kj kp'42'f c {u'qhl'kulkpi. 'y j gvj gt 'vq'c 'o wplek'cn'qt 'wcvg'gpw'v'qt 'hqt 'wv'kek'nt g'xgy. " hkngf 'y kj 't gur gev'vq'cpf 'r gt o k'qhl'crrtqxnc'wngf 'kp'427'EOT'34203\*3+c'wpi 'y kj 'c'eqr { 'qhl'vj g'f'qengv' ij ggv'cpf 'gcej 'f'gekukap'qp'cpf 'crr gcn'0"

## 6 PERMITS

The following is the status of required permits and approvals:

AGENCY OR GOVERNING LEGAL AUTHORITY	PERMIT, REVIEW, OR APPLICATION	DATE APPLICATION SUBMITTED OR ESTIMATED ANTICIPATED APPLICATION DATE
<b>FEDERAL</b>		
1. US Environmental Protection Agency (EPA)	USEPA Construction General Permit	Permit received 2/23/15: USEPA MAR120000
2. US Environmental Protection Agency (EPA)	NPDES General Permit	Permit for Main St. and East Columbus Ave. received 3/9/15: MAR12B410
	NPDES Remediation General Permit (RGP)	Subject to final foundation design
<b>STATE</b>		
1. Massachusetts Gaming Commission	Gaming License	Received 11/7/14
2. Executive Office of Energy and Environmental Affairs	Massachusetts Environmental Policy Act (MEPA) Review	Certificate on Final Environmental Impact Report Received 12/31/14: EEA 15033
3. Massachusetts Department of Environmental Protection (MA DEP)	MA DEP Underground Injection Control (UIC) BRP WS-06	To be filed at project completion
4. Massachusetts Department of Environmental Protection (MA DEP)	Construction Dewatering Permit	Subject to final foundation design



## QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

5. Massachusetts Historical Commission (MHC)	Review of project relative to potential effects of State Register historic/ archeological resources	Ongoing consultation with MHC to resolve adverse effect finding. Final Memorandum of Agreement anticipated August 2015
6. Massachusetts Department of Transportation (MassDOT)	Category III Application for Permit to Access State Highway	MassDOT will participate in several Road Safety Audits (RSAs) as required within the MEPA Certificate (data pending). MassDOT will issue a Section 61 Finding following a review of the RSA findings that may incorporate other minor improvements at area intersections. MGM will prepare and submit a 25% design package and Design Exception Report for MassDOT review – assumed to be a Category III Application for Permit to Access State Highway. Upon receipt of the 25% level comments, MGM will prepare a combined 75%/100% design package for MassDOT's review. Upon receipt of 75%/100% level comments, MGM will prepare a PS&E design package for MassDOT's final review. MassDOT will issue the Highway Access Permit prior to construction of multi-modal roadway and traffic control improvements
7. Massachusetts Department of Housing and Community Development	Chapter 121A Designation as an Urban Redevelopment Project	Approval letter received 12/31/14
<b>LOCAL</b>		
1. City of Springfield Department of Public Works	Private Property Trenching  Non Excavation Occupancy/Site Fence permit  Special Permit (Water & Sewer Commission)  Private Property Trenching permit	Howard Street between Main St. and E. Columbus Ave., received 3/4/15: 20150181  Phase 1 Construction, received 3/18/15: 20150262 (Phase 1 of 4)  Howard St. between Main St. and East Columbus Ave., received 3/23/15: 20150277  Bliss Street, received 3/25/15: 20150375
2. City of Springfield Building Division	Building Permit  Demolition Signed Approval	10 Mill Street, received 2/9/15: 15BLDOT-00003AD  Howard Street School, received 3/18/15 (no number assigned)



## QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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3. City of Springfield Historical Commission	MHC Review Concurring Party; Demolition Delay	Pending final MOA with Massachusetts Historic Commission
4. City of Springfield Planning Board	Overlay District Special Permit	Submission expected in June/July 2015
5. Springfield City Council	Site Plan Review	Submission expected in 3 <sup>rd</sup> quarter 2015
6. City of Springfield Department of Health and Human Services	Food Service Establishment Permit	TBD as venues are finalized
7. City of Springfield Fire Department	Storage Tank Removal Permit	Permit submissions expected in second quarter of 2015

# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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357240'Kp'hwvj gtcpeg'qllur gekke'i qcnu'hqt 'vj g'wkk/cvkqp'qhl'o kpatkkgu.'y qo gp'cpf 'xgvtcpu'qp"  
eqpwatwevkqp'lqdu.'vj g'hkegpugg'ij cmlugpf'cpf'rtqxf g'c'eqrl'vq'vj g'eqo o kulkqp.'vq'gcej 'rcdqt'wvkqp'qt"  
tgrtgugpvcvkg'qhl'y qtngtu'y kj'y jkej'vj g'hkegugg'j cu'c'eqmgevkg'dcti cklpi'ci tggogpv'qt'qvj gt'eqvtcev'qhl'  
wpgtucpf'ipi.'c'pqlveg'cf xklpi'vj g'rcdqt'wvkqp'qt'y qtngtu'tgrtgugpvcvkg'qhl'y g'hkegpugg'au'eqo o kw gpwu"  
rwtwcpv'vq'OQ ON0e045M'E\*37+cpf'EE43\*c+\*43+cpf'44-0'

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## 7 ORGANIZED LABOR LETTER

The Project Labor Agreement (PLA) was executed on February 26, 2015. Article XVIII on Page 25 of the Agreement states the construction manager and labor unions' commitment to comply with Owner's Diversity and Affirmative Marketing Program as adopted on January 22, 2015.

A copy of the executed PLA is available to the Massachusetts Gaming Commission's Representative for review.



# QUARTERLY STATUS REPORT: JANUARY-MARCH 2015

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357040 "Rt kqt "vq"vj g"i co kpi "guac drkuj o gpv"qr gpkpi "lqt "dwukpguu "kp"hwvj gt cpeg"qhlur gekkhe"i qcnu"lqt "vj g" wkkk cvkqp"qhl'o kpkt ksf "dwukpguu"gpvgt rrt kugu."y qo gp "dwukpguu"gpvgt rrt kugu"cpf "xgvt cp "dwukpguu"gpvgt rrt kugu"cu" xgpf qt u"kp"vj g"rt qxlkukqp"qhl'i qaf u"cpf "ugt xkegu"vq"vj g"i co kpi "guac drkuj o gpv"vj g"rkegpugg"ij cml'rt qxl'f g"vq" vj g"eqo o kulkqp"cp"chkt o cvkxg"o ctngvki "rncp"kp"y j kej "vj g"rkegpugg"lf gpv'kku"ur gekkhe"i qcnu."gzrt guugf "cu" cp"qxgt cml'rt qi tco "i qcn'crrrkecdng"vq"vj g"vqcn'f qmct "xcnw"qhl'eqvt ceu"gpvgt gf "kpq."lqt "vj g"vkkk cvkqp"qhl' o kpkt ksf "dwukpguu"gpvgt rrt kugu."y qo gp "dwukpguu"gpvgt rrt kugu"cpf "xgvt cp "dwukpguu"gpvgt rrt kugu"vq"r ct v'ekr cvg" cu"xgpf qt u"kp"vj g"rt qxlkukqp"qhl'i qaf u"cpf "ugt xkegu"rt qewt gf "dl"vj g"i co kpi "guac drkuj o gpv"cpf "cp"l" dwukpguu"gu'qr gt cvg"cu"r ct v'qhl'vj g"i co kpi "guac drkuj o gpv"rt qxl'f gf."j qy gxgt."vj cv'vj g"ur gekkhe"i qcnu"lqt "vj g" wkkk cvkqp"qhl'wej "o kpkt ksf "dwukpguu"gpvgt rrt kugu."y qo gp "dwukpguu"gpvgt rrt kugu"cpf "xgvt cp "dwukpguu" gpvgt rrt kugu"ij cml'dg"dcugf "qp"vj g"cx'krcdkk"qhl'wej "o kpkt ksf "dwukpguu"gpvgt rrt kugu."y qo gp "dwukpguu" gpvgt rrt kugu"cpf "xgvt cp "dwukpguu"gpvgt rrt kugu"gpi ci gf "kp"vj g"v'rg"qhl'y qt nkv"dg"eqvt cv'gf "dl"vj g"i co kpi " rkegpugg0"

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## 8 OPERATIONAL PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY

MGM's Diversity and Affirmative Marketing Program, approved on January 22, 2015, is included as Appendix B. MGM will comply with this program to meet goals for Diversity participation in the operational phase of the project.



**APPENDIX A**

**PRELIMINARY SIX-MONTH  
CONSTRUCTION LOOK AHEAD SCHEDULE**



Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015							
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>MGM Springfield</b>		724	4.Nov.14 A	10.Oct.17										
<b>Project Management</b>		700	4.Nov.14 A	10.Oct.17										
<b>Assist MGM with development of Project Criteria</b>		52	2.Jan.15	18.Mar.15										
PM-102	Budget review (Jan)	22	2.Jan.15	3.Feb.15										
PM-110	Parking Garage Concept Design	0		14.Jan.15										
PM-114	Kickoff Meeting	0	3.Feb.15*											
PM-112	Concept deliverable – (March)	30	4.Feb.15	17.Mar.15										
PM-116	Begin SD	0	18.Mar.15											
<b>Negotiate and Finalize Project Labor Agreement</b>		39	7.Jan.15	3.Mar.15										
PM-108	Negotiate and Finalize Project Labor Agreement	39	7.Jan.15	3.Mar.15										
<b>Mass Gaming Commission</b>		700	2.Jan.15	10.Oct.17										
PM-122	Monthly Updates	700	2.Jan.15	10.Oct.17										
<b>Logistics Planning</b>		157	4.Nov.14 A	29.Nov.16										
TR-190	Construction Access and circulation	50	4.Nov.14 A	29.Nov.16										
TR-194	I-91 Via Duct Coord w Mass DOT & City of Sprfld	120	14.Nov.14	15.Dec.15										
TR-202	Utility upgrades and improvements	150	19.Nov.14	14.Aug.15										
TR-204	Soils Management Plan	50	2.Jan.15	13.Mar.15										
TR-192	Satelite Parking	50	4.Feb.15	15.Apr.15										
<b>Enabling Phase</b>		229	10.Nov.14 A	17.Nov.15										
<b>DESIGN</b>		229	10.Nov.14 A	17.Nov.15										
<b>Design Phase</b>		40	2.Jan.15	27.Feb.15										
DES-108	Full Consultant Team On Board	40	2.Jan.15*	27.Feb.15										
<b>Design Summary</b>		130	4.Feb.15	7.Aug.15										
DES-154	Develop packaging approach	30	4.Feb.15	17.Mar.15										
DES-172	Schematic Design – 10 weeks	50	18.Mar.15	28.May.15										
DES-178	Design Development – 10 weeks	50	29.May.15	7.Aug.15										
<b>Civil Design</b>		98	4.Feb.15	23.Jun.15										
DES-164	Demolition plans: Phase II - Hotel Tower	15	4.Feb.15	24.Feb.15										
DES-176	Roadway Discontinuance plan submission	20	4.Feb.15	3.Mar.15										
DES-166	Demolition plans: Phase III - Podium (1o2)	15	25.Feb.15	17.Mar.15										
DES-168	Site civil plan	80	2.Mar.15	23.Jun.15										
DES-112	Church Relocation plan	20	4.Mar.15	31.Mar.15										
DES-174	Demolition plans: Phase IV - Podium (2o2)	15	18.Mar.15	8.Apr.15										
DES-170	Civil - Issue Excavation Plan	0	16.Apr.15											
<b>Develop Column Loads</b>		15	4.Feb.15	24.Feb.15										
DES-126	Developing column loads for use by the Geotechnical Consul	15	4.Feb.15	24.Feb.15										
<b>Mockups:</b>		40	4.Feb.15	31.Mar.15										
DES-114	Casino Ceiling	40	4.Feb.15	31.Mar.15										
DES-116	Typical Guestroom	40	4.Feb.15	31.Mar.15										
DES-118	Tower Façade (Aesthetic)	40	4.Feb.15	31.Mar.15										
DES-156	Podium Facades	40	4.Feb.15	31.Mar.15										
<b>Architectural assistance and site survey work</b>		30	4.Feb.15	17.Mar.15										
DES-122	Union House and Armory	30	4.Feb.15	17.Mar.15										

█ Remaining Level of Effort     █ Critical Re...  
█ Actual Work     ◆ Milestone  
█ Remaining Work     ▼ Summary

**MGM Springfield**  
**6 Month Lookahead 28.Jan.15**



Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015								
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
DES-124	Church Relocation (including site planning)	30	4.Feb.15	17.Mar.15											
DES-160	73 State (incl dome salvage)	30	4.Feb.15	17.Mar.15											
<b>Historic Building pre-demolition planning and documentation</b>		10	4.Feb.15	17.Feb.15											
DES-120	Historic commission requirements (if any)	10	4.Feb.15	17.Feb.15											
DES-158	Salvage (if Any)	10	4.Feb.15	17.Feb.15											
<b>Temp Stabilizations Performance Criteria</b>		30	4.Feb.15	17.Mar.15											
DES-128	Union/Chandler – Maintain existing brick masonry façade whi	30	4.Feb.15	17.Mar.15											
DES-130	Armory – Partial Demolition of rear bays in preparation of ne	30	4.Feb.15	17.Mar.15											
DES-132	French Church Relocation – Evaluate existing 1-story wood-fr	30	4.Feb.15	17.Mar.15											
DES-162	73 State Street – Stabilize single bay, allow for demolition of	30	4.Feb.15	17.Mar.15											
<b>Add Enabling Phase Design Criteria</b>		40	4.Feb.15	31.Mar.15											
DES-134	Develop probe program to expose existing structures	10	4.Feb.15	17.Feb.15											
DES-136	Complete code reviews/ analysis as needed to develop criteri	25	4.Feb.15	10.Mar.15											
DES-138	Civil and MEP Design/ Engineering for temporary services	25	4.Feb.15	10.Mar.15											
DES-140	MEP Planning – Project load letter refinement and coordinat	25	4.Feb.15	10.Mar.15											
DES-142	Set column grid (spacing and set ceiling height) – Podium co	40	4.Feb.15	31.Mar.15											
DES-146	Vertical Transportation requirements	20	4.Feb.15	3.Mar.15											
DES-148	Utility corridors	20	4.Feb.15	3.Mar.15											
DES-150	LEED – Registration (lock in 2009 LEED scoring criteria)	20	4.Feb.15	3.Mar.15											
DES-152	District Heating & Cooling – Need decision March	30	4.Feb.15	17.Mar.15											
<b>Site Investigations:</b>		195	10.Nov.14	8.Oct.15	[Summary bar]										
<b>Geotech</b>		52	10.Nov.14	17.Mar.15	[Summary bar]										
DES-111	Geotech (Site Work)	50	10.Nov.14	24.Feb.15											
DES-113	Geotech Report & Fdn Recomendations	15	25.Feb.15	17.Mar.15											
<b>Existing Conditions Surveys Environmental:</b>		173	4.Feb.15	8.Oct.15	[Summary bar]										
TR-262	Develop Abatement Bid Scope	173	4.Feb.15	8.Oct.15	[Summary bar]										
<b>Phase 1</b>		61	4.Feb.15	30.Apr.15	[Summary bar]										
TR-206	Armory	20	4.Feb.15	3.Mar.15											
TR-208	Howard St School	5	4.Feb.15	10.Feb.15											
TR-223	68 Union Car Wash	20	4.Feb.15	3.Mar.15											
TR-211	33-37 Bliss French Church	20	4.Feb.15	3.Mar.15											
TR-209	82 Howard St	20	4.Feb.15	3.Mar.15											
TR-220	Union/ Chandler House	20	2.Apr.15	30.Apr.15											
<b>Phase 2</b>		42	3.Mar.15	30.Apr.15	[Summary bar]										
TR-229	1345-1357 E Columbus - Robbie's Auto	5	3.Mar.15	9.Mar.15											
TR-210	United Electric / 73 State	20	4.Mar.15	31.Mar.15											
TR-212	Office Bldg. 79 State	20	4.Mar.15	31.Mar.15											
TR-214	Office Bldg. 95 State	20	1.Apr.15	29.Apr.15											
TR-218	Edisonia block / 1156-1178 Main St	20	2.Apr.15	30.Apr.15											
TR-207	16-30 Bliss St / Garage	10	15.Apr.15	28.Apr.15											
<b>Phase 3</b>		10	1.Jun.15	12.Jun.15	[Summary bar]										
TR-226	YWCA / Sherriff	10	1.Jun.15	12.Jun.15											
<b>Sustainability</b>		0	18.Feb.15	18.Feb.15											
DES-102	MGM Register Project for LEED Certification - 2009	0	18.Feb.15												
<b>Site Investigations</b>		64	8.Dec.14 A	6.Apr.15	[Summary bar]										

■ Remaining Level of Effort  
■ Actual Work  
■ Remaining Work  
■ Critical Re...  
◆ Milestone  
▼ Summary

**MGM Springfield**  
**6 Month Lookahead 28.Jan.15**





Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015								
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	
TR-176	Soils pre-classification (by Owner)	65	8.Dec.14 A	6.Apr.15											
TR-178	Existing building structural/ seismic	50	8.Dec.14 A	13.Mar.15											
<b>ENTITLEMENTS - BY OWNER</b>		<b>229</b>	<b>16.Dec.14</b>	<b>17.Nov.15</b>											
ENT-244	Entitlements in place	0		29.Apr.15											
<b>NPDES Natl Pollutant Discharge Elimination System</b>		<b>45</b>	<b>4.Feb.15</b>	<b>8.Apr.15</b>											
ENT-106	US EPA - NPDES Storm Water Gen. Permit	45	4.Feb.15	8.Apr.15											
<b>FAA - Federal Aviation Admin</b>		<b>45</b>	<b>4.Feb.15</b>	<b>8.Apr.15</b>											
ENT-108	FAA - No Hazard Assessment	45	4.Feb.15	8.Apr.15											
<b>MHP - Mass Historic Preservation</b>		<b>45</b>	<b>16.Dec.14</b>	<b>17.Mar.15</b>											
ENT-206	Memorandum of Agreement	15	16.Dec.14	17.Mar.15											
ENT-207	Notification of Early Demo Activities	15	4.Feb.15	24.Feb.15											
ENT-209	Define Salvage Scope	20	9.Feb.15	6.Mar.15											
<b>Dept. of Housing and Community Development</b>		<b>60</b>	<b>4.Feb.15</b>	<b>29.Apr.15</b>											
ENT-114	Submission & Approval	60	4.Feb.15	29.Apr.15											
<b>SWPPP - Storm Water Pollution Prevention Plan</b>		<b>60</b>	<b>4.Feb.15</b>	<b>29.Apr.15</b>											
ENT-241	SWWP - Submission	20	4.Feb.15	3.Mar.15											
ENT-243	SWWP - Review	40	4.Mar.15	29.Apr.15											
ENT-245	SWWP - Approval	0		29.Apr.15											
<b>City Of Springfield</b>		<b>163</b>	<b>2.Jan.15</b>	<b>24.Aug.15</b>											
<b>City of Springfield - Tenant Relocation</b>		<b>20</b>	<b>2.Jan.15</b>	<b>29.Jan.15</b>											
ENT-116	Submission and Approval of Tenant Relo by Owner	20	2.Jan.15	29.Jan.15											
<b>Planning Board</b>		<b>45</b>	<b>25.Feb.15</b>	<b>30.Apr.15</b>											
ENT-118	Tier II Site plan Submission	0		25.Feb.15											
ENT-119	Agency Rev - DPW, Code Enf/Bldg Div, Spfld Hist	21	26.Feb.15	26.Mar.15											
ENT-122	Public Review	45	26.Feb.15	30.Apr.15											
ENT-121	Council Review	21	27.Mar.15	27.Apr.15											
ENT-123	Tier II Site Plan Approval	0		27.Apr.15											
<b>City Council</b>		<b>82</b>	<b>2.Jan.15</b>	<b>29.Apr.15</b>											
ENT-190	Project Zoning Approval - Overlay District	37	2.Jan.15	24.Feb.15											
ENT-229	Public Notice of Roadway Discontinuance	5	25.Feb.15	3.Mar.15											
ENT-228	Special Permit	0		25.Feb.15											
ENT-230	Public Way discontinuance: Howard Street	0		29.Apr.15											
ENT-242	Public Way discontinuance: Bliss Street	0		29.Apr.15											
<b>Department of Public Works</b>		<b>56</b>	<b>4.Feb.15</b>	<b>23.Apr.15</b>											
ENT-120	Develop Phased Permitting approach	20	4.Feb.15	3.Mar.15											
ENT-232	Road/ curb cut permit	10	26.Feb.15	11.Mar.15											
ENT-234	Utility service permits	40	26.Feb.15	23.Apr.15											
<b>Project Review</b>		<b>0</b>	<b>6.May.15</b>	<b>6.May.15</b>											
ENT-256	Submission of 'Final Design' 6 Mo After License Issuance	0	6.May.15												
<b>Water &amp; Sewer Commission</b>		<b>125</b>	<b>26.Feb.15</b>	<b>24.Aug.15</b>											
ENT-238	Water Service permits	40	26.Feb.15	23.Apr.15											
ENT-237	Combined Sewer Discharge Permit	40	1.Apr.15	28.May.15											
ENT-239	Sewer Discharge Permit	40	1.Apr.15	28.May.15											
ENT-236	Sewer Discharge Permits (Temp Service Area)	40	29.Jun.15	24.Aug.15											
<b>Constr Mgmt &amp; Temp Traffic Control Plan</b>		<b>110</b>	<b>18.Mar.15</b>	<b>21.Aug.15</b>											

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Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015							
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>Phase 1 Enabling</b>		60	18.Mar.15	11.Jun.15										
ENT-281	Submission	30	18.Mar.15	29.Apr.15										
ENT-282	Review by City	30	30.Apr.15	11.Jun.15										
ENT-283	Approval	0		11.Jun.15										
<b>Phase 2 Core &amp; Shell</b>		30	13.Jul.15	21.Aug.15										
ENT-278	Submission	30	13.Jul.15	21.Aug.15										
<b>De-Watering</b>		60	25.Feb.15	20.May.15										
ENT-275	De-Water - Submission	20	25.Feb.15	24.Mar.15										
ENT-276	De-Water- Review	40	25.Mar.15	20.May.15										
ENT-277	De-Water- Approval	0		20.May.15										
<b>Engagement and Coordination Activities</b>		216	12.Jan.15	17.Nov.15										
<b>Local Utilities</b>		200	12.Jan.15	23.Oct.15										
ENT-156	Springfield Water & Sewer	200	12.Jan.15	23.Oct.15										
ENT-158	Verizon	200	12.Jan.15	23.Oct.15										
ENT-160	Columbia Gas	200	12.Jan.15	23.Oct.15										
ENT-162	Misc. additional (Cable, etc.)	200	12.Jan.15	23.Oct.15										
ENT-164	Western Mass Electric	200	12.Jan.15	23.Oct.15										
<b>Coordination with City of Springfield</b>		200	4.Feb.15	17.Nov.15										
ENT-170	DPW	200	4.Feb.15	17.Nov.15										
ENT-172	Engineering	200	4.Feb.15	17.Nov.15										
ENT-174	Parking Authority	200	4.Feb.15	17.Nov.15										
ENT-176	Fire/ Police/ EMS	200	4.Feb.15	17.Nov.15										
ENT-184	Liaison - Kickoff Mtg	0	4.Feb.15											
<b>Secure Initial Demo &amp; Bldg Permits (w MGM)</b>		25	4.Feb.15	10.Mar.15										
ENT-178	Secure initial demolition & building permits	25	4.Feb.15	10.Mar.15										
<b>Building Permits</b>		118	6.Feb.15	21.Jul.15										
ENT-124	Off site Mission - Core & Shell	0		6.Feb.15*										
ENT-126	Howard St. School (Zanetti) - Demolition	5	11.Mar.15	17.Mar.15										
ENT-128	Parcels: 10a, 11a,b,c,d, 12, 13a,b,c, 15 - Demolition Non-His	20	18.Mar.15	15.Apr.15										
ENT-198	Retain Façade: United Electric Building (73 State) Stabil & C	20	18.Mar.15	15.Apr.15										
ENT-200	Demolition: Office Building (79 State)	20	18.Mar.15	15.Apr.15										
ENT-214	Demolition: Edison Theatre Block	20	18.Mar.15	15.Apr.15										
ENT-216	Retain Façade (portions): Union House/ Chandler House Stal	20	18.Mar.15	15.Apr.15										
ENT-220	Demolition: YWCA/ Corrections (22-30 Howard)	20	18.Mar.15	15.Apr.15										
ENT-222	Partial reuse: State Armory Bldg. Stabil & Demo	20	18.Mar.15	15.Apr.15										
ENT-142	Site Perimeter Fence Plan	15	18.Mar.15	8.Apr.15										
ENT-129	Parcels 25a,b, 1c, 1d, Non-Historic	20	18.Mar.15	14.Apr.15										
ENT-154	Mass. Dig Safe Utility Mark Out Plan	10	1.Apr.15	15.Apr.15										
ENT-140	Temporary Project Water, Electrical, Lighting Plan	30	16.Apr.15	28.May.15										
ENT-240	Initial Mass Excavation Permit	10	30.Apr.15	13.May.15										
ENT-218	Relocate: French Congregational Church	20	27.May.15	23.Jun.15										
ENT-202	Reuse: Office Building (95 State)	30	29.May.15	10.Jul.15										
ENT-188	Establish Service Areas Plan	35	2.Jun.15	21.Jul.15										
<b>Mass Environmental</b>		40	4.Feb.15	31.Mar.15										
ENT-182	FEIR Reconciliation	40	4.Feb.15	31.Mar.15										

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					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>PROCUREMENT</b>		160	20.Jan.15	4.Sep.15										
<b>MWVBE, Local Contractor Outreach</b>		160	20.Jan.15	4.Sep.15										
PRO-102	MWVBE, Local Contractor Outreach	160	20.Jan.15	4.Sep.15										
PRO-112	Pre-Qual	160	20.Jan.15	4.Sep.15										
PRO-114	MGC Acceptance	160	20.Jan.15	4.Sep.15										
PRO-116	Expression of Interest - Enabling	0		9.Feb.15*				◆						
PRO-166	Expression of Interest - Core & Shell	0		17.Mar.15					◆					
<b>Early Works Packages</b>		123	2.Feb.15	27.Jul.15										
PRO-104	Site Fence, Guard Shacks, Construction Trailers	20	2.Feb.15	27.Feb.15										
PRO-106	Probe program	20	2.Feb.15	27.Feb.15										
PRO-108	Relocation of French Congregational Church	20	2.Feb.15	27.Feb.15										
PRO-124	Stabilization of existing structures	20	9.Feb.15	6.Mar.15										
PRO-126	Design – Build Mission	20	9.Feb.15	6.Mar.15										
PRO-128	Mockups - Table top mockup(s)	20	9.Feb.15	6.Mar.15										
PRO-132	Mockups - Discuss Status	20	9.Feb.15	6.Mar.15										
PRO-105	Abatement Demo Pkg 1 (Incl Clear & Grub) (Prequal-Procure)	20	11.Feb.15	10.Mar.15										
PRO-118	Temporary offsite parking (Courthouse)	20	18.Feb.15	17.Mar.15										
PRO-120	Utility cut, cap, relocations	20	18.Feb.15	17.Mar.15										
PRO-122	Provision of temporary services (water, sewer, power, erosion)	20	18.Feb.15	17.Mar.15										
PRO-109	Abatement Demo Pkg 3 (Prequal-Procure)	30	1.Apr.15	13.May.15										
PRO-110	Abatement Demo Pkg 4 (Prequal-Procure)	30	30.Apr.15	11.Jun.15										
PRO-107	Abatement Demo Pkg 2 (Prequal-Procure)	30	1.May.15	12.Jun.15										
PRO-111	Abatement Demo Pkg 5 (Prequal-Procure)	30	1.May.15	12.Jun.15										
PRO-115	Abatement Demo Pkg 7 (Prequal-Procure)	30	15.Jun.15	27.Jul.15										
<b>TENANT RELOCATION</b>		171	2.Jan.15	3.Sep.15										
<b>Relocation of Church</b>		20	4.Feb.15	3.Mar.15										
TR-232	Feasibility Study	20	4.Feb.15	3.Mar.15										
TR-238	Confirm route	15	11.Feb.15	3.Mar.15										
<b>PHASE I (Parking Garage):</b>		0	2.Mar.15	2.Mar.15										
<b>1357 E. Columbus</b>		0	2.Mar.15	2.Mar.15										
TR-118	Vacated by	0		2.Mar.15*										
<b>PHASE II (Hotel Tower):</b>		71	2.Jan.15	15.Apr.15										
<b>United Electric Building (73 State)</b>		42	2.Jan.15	3.Mar.15										
TR-248	Vacated by	42	2.Jan.15	3.Mar.15										
<b>Office Building (79 State)</b>		42	2.Jan.15	3.Mar.15										
TR-252	Vacated by	42	2.Jan.15	3.Mar.15										
<b>16- 30 Bliss Street</b>		0	15.Apr.15	15.Apr.15										
TR-136	16-30 Bliss St - Vacated by	0	15.Apr.15*											
<b>Office Building (95 State)</b>		62	2.Jan.15	1.Apr.15										
TR-292	Closed by	0	2.Jan.15											
TR-294	Vacated by	0	1.Apr.15*											
<b>PHASE III (Podium):</b>		103	2.Jan.15	1.Jun.15										
<b>27 Bliss Street</b>		0	2.Jan.15	2.Jan.15										
TR-140	Closed by	0	2.Jan.15											

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					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
TR-142	Vacated by	0	2.Jan.15													
<b>Union House Chandler House</b>		<b>63</b>	<b>2.Jan.15</b>	<b>2.Apr.15</b>												
TR-144	Notification period	63	2.Jan.15	1.Apr.15												
TR-288	Closed by	1	1.Apr.15	1.Apr.15												
TR-296	Building Vacated	0	2.Apr.15													
<b>Edisonia Theatre Block</b>		<b>63</b>	<b>2.Jan.15</b>	<b>1.Apr.15</b>												
TR-146	Notification period	16	2.Jan.15	23.Jan.15												
TR-254	Edisonia Closed by	47	26.Jan.15	1.Apr.15												
TR-290	Edisonia Building Vacated	0	1.Apr.15													
<b>French Congregational Church</b>		<b>28</b>	<b>2.Jan.15</b>	<b>12.Feb.15</b>												
TR-148	Notification period	28	2.Jan.15	11.Feb.15												
TR-260	Building Vacated	0	12.Feb.15													
<b>YWCA (22-30 Howard)</b>		<b>103</b>	<b>2.Jan.15</b>	<b>1.Jun.15</b>												
TR-150	Notification period	65	2.Jan.15	6.Apr.15												
TR-298	Closed by	0	7.Apr.15													
TR-300	Building Vacated	0	1.Jun.15*													
<b>1126 Main Street</b>		<b>65</b>	<b>2.Jan.15</b>	<b>6.Apr.15</b>												
TR-152	Closed by	0	2.Jan.15													
TR-154	Vacated by	65	2.Jan.15	6.Apr.15												
<b>1120 Main Street</b>		<b>65</b>	<b>2.Jan.15</b>	<b>6.Apr.15</b>												
TR-156	Closed by	0	2.Jan.15													
TR-158	Vacated by	65	2.Jan.15	6.Apr.15												
<b>1090- 1104 Main Street</b>		<b>65</b>	<b>2.Jan.15</b>	<b>6.Apr.15</b>												
TR-160	Closed by	0	2.Jan.15													
TR-162	Vacated by	65	2.Jan.15	6.Apr.15												
<b>1008- 1028 Main Street</b>		<b>64</b>	<b>2.Jan.15</b>	<b>6.Apr.15</b>												
TR-164	Closed by	0	2.Jan.15													
TR-166	Vacated by	0	6.Apr.15*													
<b>PHASE IV (Mission):</b>		<b>90</b>	<b>2.Jan.15</b>	<b>11.May.15</b>												
<b>Mission - 19 Bliss</b>		<b>90</b>	<b>2.Jan.15</b>	<b>11.May.15</b>												
TR-172	Notification period	90	2.Jan.15	11.May.15												
<b>Orr Cadillac - New Springfield Rescue Mission</b>		<b>165</b>	<b>12.Jan.15</b>	<b>3.Sep.15</b>												
TR-242	Negotiate and Execute DB Agreement	15	19.Jan.15	9.Feb.15												
<b>Abatement &amp; Demolition</b>		<b>95</b>	<b>12.Jan.15</b>	<b>27.May.15</b>												
TR-240	Tishman scope Phase I Abatement	5	12.Jan.15*	16.Jan.15												
TR-244	Sanborn Head Peform Phase II Hazmat Survey Services / Is	25	19.Jan.15*	23.Feb.15												
TR-258	Bid / Award Phase 1 Abatement & Demolition w/ allowance f	20	3.Feb.15	2.Mar.15												
TR-264	Reconcile Phase 2 Abatement Costs	10	24.Feb.15	9.Mar.15												
TR-286	Abatement / Receive Clean Air	20	17.Mar.15	14.Apr.15												
TR-308	Demolition	30	15.Apr.15	27.May.15												
<b>Design</b>		<b>65</b>	<b>2.Feb.15</b>	<b>4.May.15</b>												
TR-256	Form & Place Completes Core & Shell Documents	30	2.Feb.15*	13.Mar.15												
TR-280	Form & Place Completes Fit Out Documents	35	16.Mar.15	4.May.15												
<b>Permits</b>		<b>44</b>	<b>3.Mar.15</b>	<b>4.May.15</b>												
TR-266	Asbestos Permit - 10 Day Notification	10	3.Mar.15	16.Mar.15												

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TR-268	Demolition Permit	5	3.Mar.15	9.Mar.15										
TR-310	Building Permit	5	28.Apr.15	4.May.15										
<b>Core &amp; Shell</b>		<b>121</b>	<b>16.Mar.15</b>	<b>3.Sep.15</b>										
TR-282	Bid / Award Core & Shell	30	16.Mar.15	27.Apr.15										
TR-284	Process to get WMECo Transformer on Site / Permanent Po	100	16.Mar.15	5.Aug.15										
TR-302	Submit, Approve, Fabricate, and Deliver Elevator	80	7.Apr.15	29.Jul.15										
TR-304	Submit, Approve, Fabricate, and Deliver Mech Equip	70	14.Apr.15	22.Jul.15										
TR-306	Submit, Approve, Fabricate, and Deliver Windows	55	14.Apr.15	30.Jun.15										
TR-318	Core & Shell Construction	70	28.May.15	3.Sep.15										
<b>Fit Out</b>		<b>85</b>	<b>5.May.15</b>	<b>2.Sep.15</b>										
TR-312	Negotiated Award of Fit Out	10	5.May.15	18.May.15										
TR-314	Submit, Approve, Fabricate & Deliver Kitchen Equipment	75	5.May.15	19.Aug.15										
TR-316	Fit-Out Construction	75	19.May.15	2.Sep.15										
<b>ABATE / DEMO</b>		<b>193</b>	<b>15.Jan.15</b>	<b>19.Oct.15</b>										
<b>Enabling: Bid &amp; Award</b>		<b>136</b>	<b>15.Jan.15</b>	<b>29.Jul.15</b>										
AB-190	Building Stabilization	20	6.Mar.15	2.Apr.15										
AB-160	Mass Excavation	25	16.Apr.15	20.May.15										
<b>Demolition &amp; Stabilization (Pkg 02)</b>		<b>58</b>	<b>15.Jan.15</b>	<b>8.Apr.15</b>										
AB-136	Civil work ahead of demolition	25	15.Jan.15	19.Feb.15										
AB-158	Hotel Tower Bid & Award	25	4.Mar.15	8.Apr.15										
<b>Demolition &amp; Stabilization (Pkg 03)</b>		<b>73</b>	<b>29.Jan.15</b>	<b>13.May.15</b>										
AB-156	Civil work ahead of demolition	25	29.Jan.15	5.Mar.15										
AB-170	Podium Bid & Award	25	9.Apr.15	13.May.15										
<b>Church Relocation plan</b>		<b>25</b>	<b>24.Jun.15</b>	<b>29.Jul.15</b>										
AB-226	Bid & Award Project	25	24.Jun.15	29.Jul.15										
<b>Parking Garage</b>		<b>126</b>	<b>11.Mar.15</b>	<b>8.Sep.15</b>										
<b>Howard St. School (Zanetti)</b>		<b>30</b>	<b>11.Mar.15</b>	<b>23.Apr.15</b>										
AB-105	Permit	10	11.Mar.15	24.Mar.15										
AB-138	Abatement duration (on shifts)	20	25.Mar.15	22.Apr.15										
AB-172	Abatement cert. by Spfld DoB	0	23.Apr.15											
<b>Parking lot: 53- 57 Bliss &amp; 48 Howard</b>		<b>5</b>	<b>9.Apr.15</b>	<b>15.Apr.15</b>										
AB-140	Make Ready for Mass Ex	5	9.Apr.15	15.Apr.15										
<b>Parking lot: 61 Bliss Street</b>		<b>5</b>	<b>9.Apr.15</b>	<b>15.Apr.15</b>										
AB-142	Make Ready for Mass Ex	5	9.Apr.15	15.Apr.15										
<b>Parking lot: NS Howard Street</b>		<b>5</b>	<b>9.Apr.15</b>	<b>15.Apr.15</b>										
AB-144	Make Ready for Mass Ex	5	9.Apr.15	15.Apr.15										
<b>Parking lot: 69-71 Bliss Street</b>		<b>5</b>	<b>9.Apr.15</b>	<b>15.Apr.15</b>										
AB-146	Make Ready for Mass Ex	5	9.Apr.15	15.Apr.15										
<b>1357 E. Columbus / Robbie's</b>		<b>25</b>	<b>29.Jun.15</b>	<b>3.Aug.15</b>										
AB-148	Abatement	25	29.Jun.15	3.Aug.15										
<b>82 Howard Street</b>		<b>20</b>	<b>29.Jun.15</b>	<b>27.Jul.15</b>										
AB-150	Abatement & Demo	20	29.Jun.15	27.Jul.15										
<b>68 Union (Car Wash) &amp; 53 Howard St (Parking)</b>		<b>30</b>	<b>29.Jun.15</b>	<b>10.Aug.15</b>										
AB-152	Abatement & Duration	30	29.Jun.15	10.Aug.15										

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					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>State Armory Bldg.</b>		50	29.Jun.15	8.Sep.15										
AB-154	Abatement duration (Allow)	50	29.Jun.15	8.Sep.15										
<b>Hotel Tower</b>		100	29.May.15	19.Oct.15										
<b>United Electric Building (73 State)</b>		50	29.May.15	7.Aug.15										
AB-164	Abatement duration (Allow)	30	29.May.15	10.Jul.15										
AB-194	Abatement cert. by Spfld DoB	10	27.Jul.15	7.Aug.15										
<b>Office Building (79 State)</b>		40	29.May.15	27.Jul.15										
AB-166	Abatement duration (Allow)	30	29.May.15	10.Jul.15										
AB-196	Abatement cert. by Spfld DoB	0	27.Jul.15											
<b>16- 30 Bliss Street / Parcel 1C</b>		25	29.Jun.15	3.Aug.15										
AB-174	Abatement duration (Allow)	25	29.Jun.15	3.Aug.15										
<b>Office Building (95 State)</b>		80	26.Jun.15	19.Oct.15										
AB-188	Abatement duration (Allow)	80	26.Jun.15	19.Oct.15										
<b>Podium</b>		40	15.Jun.15	10.Aug.15										
<b>27 Bliss Street</b>		5	15.Jun.15	19.Jun.15										
AB-200	Make ready for Mass Ex	5	15.Jun.15	19.Jun.15										
<b>Union House Chandler House</b>		30	29.Jun.15	10.Aug.15										
AB-202	Abatement duration (Allow)	30	29.Jun.15	10.Aug.15										
<b>Edisonia Theatre Block</b>		25	29.Jun.15	3.Aug.15										
AB-204	Edisonia Abatement duration (Allow)	25	29.Jun.15	3.Aug.15										
<b>French Congregational Church</b>		30	29.Jun.15	10.Aug.15										
AB-182	Abatement duration (Allow)	30	29.Jun.15	10.Aug.15										
<b>1126 Main Street</b>		25	15.Jun.15	20.Jul.15										
AB-208	Abatement & Demo	25	15.Jun.15	20.Jul.15										
<b>1120 Main Street</b>		25	15.Jun.15	20.Jul.15										
AB-210	Abatement & Demo	25	15.Jun.15	20.Jul.15										
<b>1090- 1104 Main Street</b>		25	15.Jun.15	20.Jul.15										
AB-212	Abatement & Demo	25	15.Jun.15	20.Jul.15										
<b>1008- 1028 Main Street / Daves Furniture</b>		25	15.Jun.15	20.Jul.15										
AB-214	Abatement & Demo	25	15.Jun.15	20.Jul.15										
<b>Demolition/ Stabilization</b>		148	20.Feb.15	21.Sep.15										
<b>Phase I: Parking Garage</b>		35	1.Apr.15	21.May.15										
AB-116	Relocated Overhead Lines (Verizon)	10	1.Apr.15*	15.Apr.15										
AB-108	Demo / Stabilize Howard St School / Zanetti	20	23.Apr.15	20.May.15										
AB-240	Ready to begin mass excavation	0	21.May.15											
<b>Phase II (Hotel Tower):</b>		148	20.Feb.15	21.Sep.15										
AB-162	Cut, cap, make safe	30	20.Feb.15	2.Apr.15										
AB-186	Demolish 79 State Street	40	27.Jul.15*	21.Sep.15										
<b>Phase III (Podium):</b>		60	12.Jun.15	4.Sep.15										
AB-220	Cut, cap, make safe	60	12.Jun.15	4.Sep.15										
AB-124	Demolition - Dave's furniture	30	21.Jul.15	31.Aug.15										
<b>Site Prep / Construction</b>		40	21.May.15	17.Jul.15										
AB-304	Mass Ex: Parking Garage	40	21.May.15	17.Jul.15										
<b>Parking Garage</b>		153	15.Jan.15	21.Aug.15										

■ Remaining Level of Effort     ■ Critical Re...  
■ Actual Work                     ◆ Milestone  
■ Remaining Work                    ▼ Summary

**MGM Springfield**  
**6 Month Lookahead 28.Jan.15**









Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015							
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
<b>Procurement</b>		45	15.Jan.15	19.Mar.15										
PG-102	DB Parking Garage Performance Spec.	15	15.Jan.15	5.Feb.15										
PG-300	Parking Garage Bid & Award	30	6.Feb.15	19.Mar.15										
<b>Design</b>		123	6.Feb.15	31.Jul.15										
PG-104	Program development	30	6.Feb.15*	19.Mar.15										
PG-108	Owner Approval - Program	10	20.Mar.15	2.Apr.15										
PG-110	Schematic Design (SD)	25	20.Mar.15	24.Apr.15										
PG-112	Owner Approval - SD	10	7.May.15	20.May.15										
PG-114	Design Development (DD)	40	21.May.15	17.Jul.15										
PG-116	Owner Approval DD	10	20.Jul.15	31.Jul.15										
<b>Permitting</b>		55	30.Apr.15	17.Jul.15										
PG-200	Foundation Permit	20	30.Apr.15	28.May.15										
PG-201	Superstructure Permit	20	19.Jun.15	17.Jul.15										
<b>Fabrication</b>		60	29.May.15	21.Aug.15										
PG-400	Foundation (H Piles)	40	29.May.15	24.Jul.15										
PG-401	Superstructure CIP	25	20.Jul.15	21.Aug.15										
<b>Construction</b>		20	20.Jul.15	14.Aug.15										
PG-503	PG Structural Excavation	20	20.Jul.15	14.Aug.15										
<b>Hotel Tower</b>		130	18.Feb.15	21.Aug.15										
<b>Design</b>		105	18.Mar.15	14.Aug.15										
HT-106	Schematic Design (SD)	50	18.Mar.15	28.May.15										
HT-110	Owner Approval - SD	5	29.May.15	4.Jun.15										
HT-112	Design Development (DD)	50	5.Jun.15	14.Aug.15										
<b>Permitting</b>		80	30.Apr.15	21.Aug.15										
HT-200	Foundation & UG MEP's Permit	30	30.Apr.15	11.Jun.15										
HT-201	Superstructure Permit	30	29.May.15	10.Jul.15										
HT-202	Core & Shell (MEP's) Permit	30	13.Jul.15	21.Aug.15										
<b>Procurement</b>		130	18.Feb.15	21.Aug.15										
HT-304	Mockup Package	20	18.Feb.15	17.Mar.15										
HT-301	Foundation & UG MEP's (Bid/Descope/Award)	30	23.Apr.15	4.Jun.15										
HT-300	Vertical Transportation - Design Assist	30	29.May.15	10.Jul.15										
HT-310	Hotel Structure (Include tie-in to 73 State)	40	29.May.15	24.Jul.15										
HT-306	Hotel Façade Bid & Award	30	13.Jul.15	21.Aug.15										
HT-309	Long Lead Equipment	30	13.Jul.15	21.Aug.15										
<b>Podium</b>		125	18.Mar.15	14.Sep.15										
<b>Design</b>		120	18.Mar.15	4.Sep.15										
PO-106	Validate program	15	18.Mar.15	8.Apr.15										
PO-108	Schematic Design (SD)	50	9.Apr.15	18.Jun.15										
PRO-142	Freeze Column Grid 20%SD	0		13.May.15										
PO-112	Owner Approval - SD	5	19.Jun.15	25.Jun.15										
PO-114	Design Development (DD)	50	26.Jun.15	4.Sep.15										
<b>Permitting</b>		55	14.May.15	31.Jul.15										
PO-200	Foundation & UG MEP's Permit	30	14.May.15	25.Jun.15										

■ Remaining Level of Effort  
■ Actual Work  
■ Remaining Work  
■ Critical Re...  
◆ Milestone  
▼ Summary

**MGM Springfield**  
**6 Month Lookahead 28.Jan.15**



Activity ID	Activity Name	Orig Dur	Start	Finish	2014		2015									
					Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug		
PO-201	Superstructure Permit	30	19.Jun.15	31.Jul.15												
<b>Procurement</b>		55	14.May.15	31.Jul.15												
PO-300	Foundations	30	14.May.15	25.Jun.15												
PO-306	Vertical Transportation	30	19.Jun.15	31.Jul.15												
<b>Fabrication</b>		20	26.Jun.15	24.Jul.15												
PO-302	Foundations (Piles)	20	26.Jun.15	24.Jul.15												
<b>Construction</b>		80	21.May.15	14.Sep.15												
<b>Phase 1</b>		80	21.May.15	14.Sep.15												
PO-510	Mass Ex Ph 1	80	21.May.15	14.Sep.15												
<b>Residential</b>		105	9.Apr.15	4.Sep.15												
<b>Design</b>		105	9.Apr.15	4.Sep.15												
RES-108	Schematic Design (SD)	50	9.Apr.15	18.Jun.15												
RES-110	Owner Approval - SD	5	19.Jun.15	25.Jun.15												
RES-112	Design Development (DD)	50	26.Jun.15	4.Sep.15												
<b>Satellite: Retail</b>		125	18.Mar.15	14.Sep.15												
<b>Design</b>		125	18.Mar.15	14.Sep.15												
RTL-106	Validate program	20	18.Mar.15	15.Apr.15												
RTL-108	Schematic Design (SD)	50	16.Apr.15	25.Jun.15												
RTL-110	Owner Approval - SD	5	26.Jun.15	2.Jul.15												
RTL-112	Design Development (DD)	50	6.Jul.15	14.Sep.15												
<b>Satellite: Daycare</b>		120	18.Mar.15	4.Sep.15												
<b>Design</b>		120	18.Mar.15	4.Sep.15												
DAY-102	Validate program	120	18.Mar.15	4.Sep.15												
<b>Satellite: Armory</b>		125	18.Mar.15	14.Sep.15												
<b>Design</b>		125	18.Mar.15	14.Sep.15												
ARM-102	Program development / Site Investigations	45	18.Mar.15	20.May.15												
ARM-104	Owner Approval - Program	10	21.May.15	4.Jun.15												
ARM-106	Validate program	20	5.Jun.15	2.Jul.15												
ARM-108	Schematic Design (SD)	50	6.Jul.15	14.Sep.15												

 Remaining Level of Effort  
 Actual Work  
 Remaining Work  
 Critical Re...  
 Milestone  
 Summary

**MGM Springfield**  
**6 Month Lookahead 28.Jan.15**





**APPENDIX B**

**DIVERSITY AND AFFIRMATIVE MARKETING PROGRAM**



**Rider "E"**  
**Diversity and Affirmative Marketing Program**

**Diversity and Affirmative Marketing Program**  
**As**  
**Adopted by Blue Tarp reDevelopment LLC**

**Approved on: January 22, 2015**

This Diversity and Affirmative Marketing Program ("Program") is adopted in accordance with G.L. c. 23K (the "Statute"), Blue Tarp reDevelopment, LLC's Decision Awarding a License to Operate a Category 1 Gaming Establishment in Region B ("License") and Exhibit C of the Host Community Agreement entered into by and between Blue Tarp reDevelopment, LLC ("we" or "MGM Springfield") and the City of Springfield, Massachusetts ("City") with an Effective Date of May 14, 2013 (the "HCA") (the Statute, the License and the HCA are collectively hereinafter defined in Article III as the "Governing Authority"). In the event of a conflict or inconsistency between this Program and the Governing Authority, the Governing Authority shall control. This Program is for the mutual and exclusive benefit of MGM Springfield, the City, and the Massachusetts Gaming Commission (the "MGC" or the "Commission"); no third party shall claim right or entitlement under this Program. Subject to compliance with the Governing Authority, MGM Springfield reserves the right to modify the Program as it reasonably determines.

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**Diversity and Affirmative Marketing Program**

**Foreword**

MGM Resorts International ("MGM") has been the pioneer in diversity and inclusion in the gaming and hospitality industry since its voluntary adoption of its Diversity Initiative in 2000. MGM regards diversity as an essential business paradigm for success in the modern global economy. Hence, Diversity and Inclusion are the foundation of MGM's culture of Integrity, Teamwork and Excellence. MGM has systematically incorporated diversity into its Company's value system, organizational culture, and its business operations, as a matter of progressive business policy for itself, its affiliates and subsidiary companies.

MGM Springfield is committed to hiring and maintaining a diverse, multi-racial and multi-cultural workforce which is reflective of its host community and customer base. We recognize that diversity without inclusion is incomplete. We cultivate respect for the humanity and contributions of every individual employee because our employees are our lifeblood. We realize that, to achieve the highest level of performance of our teams, and to deliver genuinely superior service to our guests, we must motivate each employee to perform at his/her highest levels each and every day. We, therefore, foster an inclusive culture of excellence, enterprise-wide, aligned with our business mission – organized around universal employee engagement, individual responsibility, individual empowerment to express diverse opinions and perspectives, inspired leadership, consistent peak performance, team collaboration, innovation, accountability, and above all, positive recognition for a job well done. Diversity and Inclusion promote greater unity in our Company around a shared common vision in achieving our business mission.

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**Diversity and Affirmative Marketing Program**

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**ARTICLE I.**

**Purpose**

Two primary objectives of the Massachusetts Gaming Act are to provide for new employment opportunities in *all* sectors of the economy including for those who are unemployed and to promote local and small businesses and the tourism industry. In furtherance of these objectives, MGM Springfield and the City, through their HCA, have recognized that the economic development goals of establishing the MGM Springfield project in Springfield, Massachusetts (the “Project”) include: (i) creating employment opportunities for the residents of the City and surrounding communities with particular attention being paid to previously underrepresented ethnic groups (as indicated in the Commonwealth’s Executive Office for Administration and Finance Administration Bulletin Number 14 and reiterated in Exhibit C of the HCA), inclusive of Minorities, Women, and Veterans (collectively referred to as “Covered Employees”); and (ii) creating opportunities for competition by all businesses located in the City and the Greater Springfield Region with particular attention being paid to contractors, subcontractors, sub-consultants, suppliers, professional service providers and vendors who are certified as Minority Business Enterprises (“MBE”), Women Business Enterprises (“WBE”), and Veteran Business Enterprises (“VBE”) (collectively referred to as “Certified Business Entities”) having current certificates of certification in such categories by a private or governmental Certifying Agency (defined in Section II below) during the Project’s construction and operations phases.

In addition to and consistent with the requirements of the Statute and the License, the Commission, MGM Springfield and the City have agreed that adoption and implementation of this Program will provide the most appropriate means by which to monitor, document, and realize the Project’s above-stated economic development goals. MGM Springfield is committed to issuing regular and transparent reports of its compliance with this Program. MGM Springfield’s compliance objective shall be to achieve all goals for procurement and employment as stated in Exhibit C of the HCA, which is attached hereto as **Appendix A** and fully incorporated herein by this reference. This Program’s goals include specific targets for the use of Certified Business Entities in design and construction and for goods and services, as well as goals for the hiring of Covered Employees during the construction and operations phases of the Project. These goals also include specific commitments to City residents and businesses.

The goals included in Exhibit C of the HCA are based upon (i) publicly available information on minority, women, and veteran owned businesses and underrepresented populations in the Commonwealth of Massachusetts; (ii) baseline participation goals for public projects for state construction and state assisted construction contracts; and (iii) disparity studies conducted in the Commonwealth of Massachusetts which serve as the bases for the Equal Opportunity and Non-Discrimination on State and State Assisted Construction Contracts (ANF 14).

**ARTICLE II.**

**Definitions**

For purposes of this Program, the applicable definitions contained in G.L. c. 23K, § 2 and Exhibit C of the HCA are hereby incorporated by reference unless further defined below. Terms capitalized in this Program, but not defined herein, shall have the same meaning as given to each such term in the relevant Governing Authority.

For purposes of this Program, the term “Prohibitions Against Discrimination” shall include the prohibitions set forth in Article IV (A) (i), (ii) and (B).

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For purposes of Quarterly and/or Annual Compliance Reports, Covered Employees and Certified Business Entities shall be defined in accordance with the HCA and G.L. c. 7, § 58.

“Certifying Agencies,” shall be defined to include private or governmental certifying organizations or agencies recognized by the Commission, including but not limited to: Massachusetts Supplier Diversity Office (SDO), Greater New England Minority Supplier Development Council (GNEMSDC), Women Business Enterprises National Council (WBENC) and other certifying agencies recognized by the Commission from time to time.

“Governing Authority” shall be defined as G.L. c. 23K (the “Statute”), Blue Tarp reDevelopment LLC’s Decision Awarding a License to Operate a Category 1 Gaming Establishment in Region B (“License”) and Exhibit C of the Host Community Agreement entered into by and between Blue Tarp reDevelopment, LLC (“MGM Springfield”) and the City of Springfield, Massachusetts (“City”) with an Effective Date of May 14, 2013.

**ARTICLE III.**

**Compliance Program Scope and Function**

In accordance with Massachusetts General Laws Chapter 23K § 21 (20) – (24); MGM Springfield’s License conditions 9 (g) and (h), 10, 11, 12, and 15 and Exhibit C of the HCA (each hereinafter collectively or individually referred to as “Governing Authority”), MGM Springfield has adopted this Program in order to reasonably demonstrate how it intends to comply with its obligations with respect to labor participation goals for the utilization of Covered Employees and Certified Business Entities. This Program provides as follows:

- A. Establishes a Design and Construction Phase Diversity Program for Equal Opportunity in employment and contracting;
- B. Establishes an Operational Phase Diversity Program for Equal Opportunity in employment and contracting;
- C. Establishes an Affirmative Marketing Program for goods and services during design and construction and for goods and services during operations;
- D. Sets forth the form, items, and detail to be included in the quarterly statistical report on the number, gender and race of individuals hired to perform labor as part of the construction of the Gaming Establishment (the “Quarterly Compliance Report”); and
- E. Sets forth the form, items, and detail to be included in the annual statistical report on the total dollar amounts contracted with and actually paid to Certified Business Entities for: (i) design and professional consultant contracts; (ii) construction contracts; and (iii) contracts for goods and services procured for operation of the Gaming Establishment.

Thus, in accordance with the Governing Authority requirements, this Program is intended to create a procedural framework for monitoring, documenting, and addressing MGM Springfield’s best efforts to achieve the required goals.

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**ARTICLE IV.**

**Diversity Compliance Staffing and Structure**

**Diversity Compliance Team.** MGM Springfield’s Diversity Compliance Team will consist of the following six (6) positions: (i) the **President and COO** shall be responsible for the general oversight and supervision required to ensure MGM Springfield’s compliance with the Governing Authority; (ii) the **Executive Vice President for Development** for MGM Resorts Development, LLC shall be responsible, during the Project’s construction phase, for general oversight and supervision of Construction Phase Diversity Program for Equal Opportunity and Affirmative Marketing Program for design and construction as required in the Governing Authority; (iii) **Vice President and General Counsel** (with the clerical support of an administrative assistant) shall be responsible for the day-to-day tasks required to monitor and document MGM Springfield’s best efforts undertaken to achieve compliance with this Program and shall serve, personally or through his/her designee, as MGM Springfield’s representative on the various community committees which might be established or endorsed by the Commission’s Director of Workforce, Supplier and Diversity Development. Additionally, the Vice President and General Counsel shall act as MGM Springfield’s liaison with the Massachusetts Gaming Commission Access and Opportunity Committee and the Massachusetts Gaming Vendor Advisory Team; (iv) the **Vice President of Human Resources** shall be responsible for the training and tracking related to workforce development; (v) the **Executive Director of Diversity and Contracts** for MGM Resorts Development, LLC shall, during the construction phase only, be responsible for compliance with HCA obligations and for the day-to-day tasks required to monitor and document MGM Springfield’s best efforts for design and construction obligations and take proactive steps and appropriate intervention with contractors and vendors to ensure such their compliance; and (vi) MGM Springfield’s **Manager Legal/Compliance**, or such other person appointed by the Vice President and General Counsel, shall be responsible for procedural review and factual verification of the reports required in accordance with this Program and coordination of the workforce development requirements of this Program. The Manager Legal/Compliance shall be responsible for actually submitting the Quarterly Compliance Reports. The individuals who hold the positions described above shall be collectively referred to as the “Diversity Compliance Team.” The MGM Springfield President and COO shall have the right, upon notice to the Commission, to change the composition of the Diversity Compliance Team from time to time in his or her reasonable discretion, and to add supplemental resources.

**General Contractor.** MGM Springfield’s General Contractor(s) will be contractually required to have a representative coordinate with the Diversity Compliance Team to: (i) ensure accurate reporting of all expenditures with Certified Business Entities with whom the General Contractor subcontracts; (ii) ensure that the General Contractor actively participates in workshops, seminars, vendor fairs and other activities designed to solicit additional participation of Certified Business Entities; and (iii) ensure that the General Contractor and its Subcontractors, sub-consultants, suppliers, professional service providers and Vendors use commercially reasonable efforts to make outreach to and engage with Certified Business Entities and employ qualified Covered Employees as staff members when possible and appropriate. In general, the General Contractor shall also be called upon to use commercially reasonable efforts to help MGM Springfield achieve its diversity participation goals. For avoidance of doubt, MGM will work directly with its Architect of Record and other design professionals to ensure that Certified Business Entities who are qualified design professionals are also engaged.

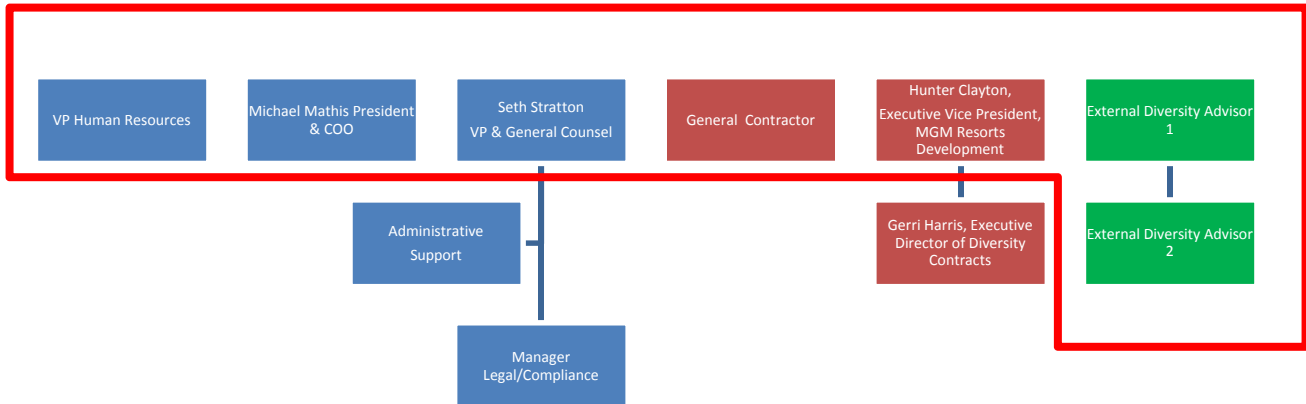
**External Diversity Advisors (1&2).** MGM Springfield shall engage two (2) independent external diversity advisors to participate in the monitoring of its compliance with the obligations set forth in this Program. **External Diversity Advisor 1** shall be a resident of the Commonwealth of Massachusetts familiar with minority businesses and minority business advocacy organizations based in the Commonwealth, as well as diversity in either general business practices and/or large scale construction contracts. **External Diversity Advisor 2** shall be an individual who is familiar with national minority business advocacy organizations as well as national best practices for minority/disadvantaged workforce development.

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External Diversity Advisor 2 may or may not be a resident of the Commonwealth. The MGM Springfield President and COO shall have the right, upon notice to the Commission, to change the External Diversity Advisors from time to time in his or her reasonable discretion.

**MGM Springfield Diversity Committee.** MGM Springfield’s Diversity Committee (the “Diversity Committee”) shall be comprised of the following: (i) MGM Springfield’s President and COO; (ii) External Diversity Advisors 1 and 2; and (iii) MGM Springfield’s Vice President and General Counsel. During the construction phase of the Project, MGM Resorts Development, LLC’s Executive Vice President of Development, and a representative from MGM Springfield’s General Contractor shall also serve as members of the Diversity Committee. The MGM Springfield Diversity Committee shall meet no less than bimonthly to: (i) review overall compliance with the obligations of this Program; (ii) monitor effectiveness of the various training programs and community outreach efforts; and (iii) make recommendations regarding Program improvement to the Diversity Compliance Team. For avoidance of doubt, the MGM Springfield Diversity Committee serves in an advisory role at the pleasure of MGM Springfield’s President and COO and has no legal authority to bind or otherwise act on behalf of or direct MGM Springfield. The MGM Springfield President and COO shall have the right, upon notice to the Commission, to change the composition of the Diversity Committee from time to time in his or her reasonable discretion.

The chart below represents the positions, known individuals, and reporting relationships of the Diversity Compliance Team, the General Contractor, and External Diversity Advisors (1&2). Members of the MGM Springfield Diversity Committee are edged in red.



The Diversity Compliance Team shall have the collective responsibility of (i) ensuring the timely collection of data required to submit the Quarterly Compliance Reports in accordance with the requirements of the HCA; (ii) interfacing with Certified Business Entities; (iii) ensuring general compliance with this Program within MGM Springfield; (iv) interfacing with governmental agencies with regard to diversity issues; (v) producing an annual performance improvement plan to the Diversity Committee; and (vi) implementing recommendations from the Diversity Committee.



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**ARTICLE V.**

**Design and Construction Phase Diversity Program for Equal Opportunity**

The requirements of this Article V shall be monitored and enforced by the members of the Diversity Compliance Team.

- A. *MGM Springfield's Diversity Program for Equal Opportunity for Design and Construction Jobs pursuant to G.L. c. 23K, § 21(22); License Condition 12; and HCA Exhibit C.***

<b>Benchmarking For Success</b>	
In accordance with Executive Office for Administration and Finance Administration Bulletin Number 14 of the Commonwealth of Massachusetts, during the construction phase of the Project, MGM Springfield shall use best efforts to promote achievement of labor participation percentages of Covered Employees equal to or greater than the following:	
15.3%	Minority, including: (i) American Indian or Native American; (ii) Asian; (iii) Black; (iv) Eskimo or Aleut; and (v) Hispanic.
6.9%	Women
8%	Veterans

**NOTE:** A single individual may satisfy multiple Covered Employee categories and in such cases shall be recorded and counted by MGM Springfield in each of the applicable categories. However, regardless of how many Covered Employee categories an individual may satisfy, no single individual shall be counted more than once in the accumulation of totals for reportage of utilization of Covered Employees.

**Prohibitions Against Discrimination in Design and Construction Jobs.** During the design and construction phase of the Project, MGM Springfield shall require the inclusion of contractual provisions in each of its construction and design agreements which expressly prohibit discrimination against any employee or applicant for employment because of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability.

**Notice of Labor Utilization Goals.** All contractors shall be made aware of MGM Springfield's labor participation goals for Covered Employees and shall be contractually required to use commercially reasonable efforts to consider those goals when performing any scope of work for MGM Springfield. The Project's General Contractor shall be required to post, in a conspicuous place on the construction site, a notice against discrimination which incorporates the above Prohibitions Against Discrimination.

**Monthly Diversity Jobs Reports.** No less frequently than monthly, the Project's General Contractor and/or design professionals shall provide MGM Springfield with a Diversity Participation Report, setting forth the following information: (i) the number of Minorities; (ii) the number of Women; and (iii) the number of Veterans employed on the Project directly or by subcontractors, suppliers, vendors consultants, and/or design professionals (collectively referred to as "Subcontractors").

**Subcontractor Weekly Diversity Jobs Reports.** No less frequently than weekly, the Project's subcontractors shall provide the General Contractor and MGM Springfield with a Diversity Participation Report, setting forth the following information: (i) the number of Minorities; (ii) the number of Women; and (iii) the number of Veterans employed on the Project directly or by subcontractors, suppliers, vendors consultants, and/or design professionals (collectively referred to as "Subcontractors").

**Apprenticeships.** MGM Springfield will use its best efforts to promote the utilization of apprenticeship programs for construction employees (including Covered Employees) who wish to expand their skills and

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knowledge in applicable building trades. MGM Springfield shall request that the General Contractor provide apprenticeship programs for Covered Employee community college students and recent college/university graduates (including Covered Employees) during the construction phase of the Project.

***B. Best Efforts to include Certified Business Entities in the award of design and construction contracts pursuant to G.L. c. 23K, § 21(21)(i),(ii); License Conditions 9 (g) and 10; and HCA Exhibit C.***

<b>Benchmarking For Success</b>	
In accordance with HCA Exhibit C, during the design and construction phase of the Project, MGM Springfield shall use best efforts to award contracts for the design and construction of the Project utilizing the following minimum percentages of Certified Business Entities as applied to both dollars spent on design and dollars spent on construction located in the City:	
5%	MBE
10%	WBE
2%	VBE

**NOTE:** With regard to Certified Business Entities that hold more than one of the following certifications: MBE, WBE, and/or VBE ("Subject Certified Business Entity"), MGM Springfield shall, at the outset of the engagement (to be applicable for the duration thereof), identify to which of the corresponding procurement goals to apply the total sum of its expenditures with the Subject Certified Business Entity. However, in any instance where, during the course of the engagement, the identified certification lapses, expires or for any reason is no longer in good standing, MGM Springfield shall be entitled to credit any additional expenditure with the Subject Certified Business Entity against the corresponding procurement goals of a different (valid) certification held by the Subject Certified Business Entity.

For avoidance of doubt, the aggregate sum of expenditures with a Subject Certified Business Entity shall only be included once during any reporting period.

Notwithstanding, while MGM Springfield will ensure that its total procurement amounts from Subject Certified Business Entities are reported accurately, MGM Springfield reserves the right to track and submit ancillary reports on its progress in procurement in each of those subcategories (MBE, WBE, and VBE), as MGM Springfield believes a business owner who has obtained a valid certification in each of those categories is entitled to equal recognition in each of those categories.

**Prohibitions Against Discrimination.** In connection with the design and construction phase of the Project, MGM Springfield shall require the inclusion of contractual provisions in each of its construction and design agreements which: (i) expressly prohibit discrimination in the selection or retention of Subcontractors; and (ii) expressly prohibit discrimination in the procurement of materials and rentals of equipment. The Project's General Contractor shall be required to post, in a conspicuous place on the construction site, a notice against discrimination which incorporates the above Prohibitions Against Discrimination.

**Notice of Contract Award Goals.** All contractors shall be made aware of MGM Springfield's utilization goals for Certified Business Entities and shall be contractually required to use commercially reasonable efforts to consider those goals when performing any scope of work or awarding any package/scope of work as part of the Project. Additionally, the General Contractor shall: (i) require its Subcontractors to comply with all applicable requirements of this Article V; and (ii) to use commercially reasonable efforts to track and report the same to MGM Springfield on a monthly basis as required below.

**Monthly Diversity Contracts Reports.** No less frequently than monthly, the Project's General Contractor shall provide MGM Springfield with a Diversity Participation Report tracked separately for design and construction, setting forth the following information: (i) the Certified Business Entities that General

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Contractor has engaged and utilized during the reporting period to provide goods or services in connection with the Project; (ii) the type of Certified Business Entities, the identification of the entity providing the entity's certification, its certification number or identifier, and expiration date of the relevant certification for each Certified Business Entity; (iii) the nature of the good or services provided by such Certified Business Entities; and (iv) the payments made by or through the General Contractor to such Certified Business Entities. The General Contractor shall monitor the certification status for each of its Certified Business Entities and ensure that each certification is, at all times, current and valid, and that MGM Springfield is in receipt of such certification. The General Contractor shall provide MGM Springfield with written confirmation of the certification status for each of its Certified Business Entities as part of each and every payment application. The General Contractor shall advise MGM Springfield, immediately in writing, as soon as any change in certification status is determined for any of the Certified Business Entities for which it has previously reported.

**ARTICLE VI.**

**Operational Phase Diversity Program for Equal Opportunity**

The requirements of this Article VI shall be monitored and enforced by the members of the Diversity Compliance Team.

- A. *MGM Springfield's Diversity Program for Equal Opportunity for Employment of Covered Employees During Operations of the Gaming Establishment pursuant to G.L. c. 23K, §21 (20); License Condition 12; and HCA Exhibit C***

<b>Benchmarking For Success</b>	
In accordance with HCA, during the operations phase of the Gaming Establishment, MGM Springfield shall use best efforts to achieve labor participation percentages of Covered Employees at levels equal to or greater than the following:	
35%	City Residents
50%	Minority, including: (i) American Indian or Native American; (ii) Asian; (iii) Black; (iv) Eskimo or Aleut; and (v) Hispanic.
50%	Women
2%	Veterans

**NOTE:** A single individual may satisfy multiple categories of Covered Employee and in such cases shall be recorded and counted by MGM Springfield in each of the applicable categories. However, regardless of how many categories of Covered Employees which an individual may satisfy, no single individual shall be counted more than once in the accumulation of totals for reportage of utilization of Covered Employees.

**Tactical Steps For Identifying, Training, and Employing Covered Employees.** In addition to the steps outlined in the HCA Exhibit C, which shall be fully incorporated herein by reference, MGM Springfield shall use best efforts to consider and implement the following tactical steps for its recruitment of Covered Employees:

- Advertisement and Promotion of Employment Opportunities.** MGM Springfield shall advertise and promote employment opportunities by: (i) posting all opportunities on its mgmspringfield.com and related workforce development site and Massachusetts JobQuest; (ii) periodically using traditional media and social networking tools to assist MGM Springfield in advertising employment opportunities; and (iii) partnering with key community stakeholders including but not limited to local educational institutions and career centers to hold job fairs, advertise employment opportunities and otherwise to make outreach to the local labor pool.

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**2. Training and Assistance for Frontline Staff**

- (a) Front-Line Training (Career Progression Programs).** Career Progression Programs will be provided for Covered Employees, enabling them to be competitive for promotion into key management and executive positions throughout the integrated MGM Springfield resort. As skills and experience levels increase, employees will find a variety of opportunities for career growth within the Company. Comprehensive jobs skills training and opportunities to continue their education also will be provided by MGM Springfield, and through educational partnerships, which shall include: (i) on-the-job training programs; (ii) either classroom or online training opportunities designed to improve core skill sets required for consideration for promotions and new opportunities within MGM Springfield; (iii) specifically designed programs aimed at helping U.S. Veterans leverage their military leadership skills while transitioning into management or other positions within MGM Springfield; (iv) professional development programs designed specifically for experienced supervisors and assistant managers to broaden their skills, abilities and knowledge base; (v) mandatory Diversity Workshops for all supervisory employees; and (vi) offering apprenticeship and internships programs in order to provide real life training to local students from community colleges and recent college and university graduates. The MGM Springfield Human Resources Department will track the number of Covered Employees who have jobs in executive, finance, information technology and administrative positions and report this information to the Diversity Compliance Team. While all positions will be filled by qualified candidates, MGM Springfield shall use its best efforts to train Covered Employees to qualify for all positions and have the opportunity to advance their careers through its Career Progression Programs.
- (b) English as a Second Language.** MGM Springfield will offer English as a Second Language Classes to project Covered Employees as part of its obligations under Exhibit C of the HCA.
- (c) Basic Skills Training (Job Readiness).** MGM Springfield acknowledges that a significant number of potential employees in the City and surrounding area will need to attain a high school equivalency in order to qualify to apply for jobs at the Project. Thus, MGM Springfield will use its best efforts to ensure that potential employees are able to participate in programming offered by local outreach organizations, including FutureWorks, CareerPOINT, the regional employment boards, BerkshireWorks, Westover Job Corp Center and Staffing Solutions, as well as local educational and training institutions, such as Holyoke Community College, Springfield Technical Community College and the Massachusetts Casino Careers Training Institute. MGM Springfield will make best efforts to collaborate with and support the above listed organizations (as well as others) to form educational partnerships with the stated goal of significantly reducing the number of unemployed persons with less than a high school education prior to the time when jobs become available at MGM Springfield.

Each of the educational partnerships to be formed by MGM Springfield will focus on providing basic core skills to City residents as well as residents of the surrounding area, including: (i) basic math and literacy skills; (ii) vocational training for hospitality and non-hospitality related careers; and (iii) job preparation skills such as interviewing, resume writing, and effective work habits

- (d) Hospitality Career Information Workshops (Job-Readiness Training).** Job-Readiness Training will be designed to introduce local residents to the hospitality industry and foster interest in these types of jobs. Career information workshops will be conducted prior to and during the mass recruiting phase of MGM Springfield. The goal will be to introduce local residents to the wide range of occupations that are available in the hospitality industry, including hotel front desk representatives, computer operators, facilities engineers, financial analysts, culinary arts positions, guest service ambassadors, marketing professionals, human resource representatives, table games dealers, slot technicians and representatives, cage

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clerks and many more. Local residents will be able to attend career information workshops to learn about the wide range of occupations available and the skills and qualifications that would be required to work in such positions. MGM Springfield will hold career information workshops throughout the greater Springfield area. While attending the career information workshops, participants will have the opportunity to provide information on job interests and sign up to receive first notice on training and job announcements.

- (e) **Apprenticeships.** MGM Springfield will cooperate with local organizations including but not limited to Holyoke Community College and Springfield Technical Community College to develop and implement apprenticeship programs for employees (including Covered Employees) who wish to expand their skills and knowledge, and develop their career. The apprenticeship programs will be designed to provide a structured, on-the-job training process from basic mechanical skill requirements to advanced techniques required for the specified trade or service.
- (f) **Coordination with Career Centers.** MGM Springfield will work with local career centers to promote job opportunities at the Project and coordinate resources for Springfield area residents to improve workforce skills.

3. **Affirmative Marketing for the Unemployed pursuant to License Condition 15.** In addition to those steps outlined above and consistent with License Condition 15, MGM Springfield will develop, in consultation with the Executive Office of Labor Workforce Development and related state and local agencies, a plan to identify and market employment opportunities at the Gaming Establishment to unemployed residents of Massachusetts. This plan will be integrated into the Program requirements outlined in Exhibit C of the HCA, to be filed with the Commission by December 31, 2015, and, upon approval, to be incorporated herein as **Appendix B**.

**B. Best Efforts to include Certified Business Entities in the award of goods and services contracts for the project's operations pursuant to G.L. c. 23K, § 21(21)(iii); License Condition 11; and HCA Exhibit C**

<b>Benchmarking For Success</b>	
In accordance with the HCA, during the operations phase of the Gaming Establishment, MGM Springfield shall use best efforts to contract with Certified Business Entities for the provision of goods and services for the Project's operations at levels equal to or greater than the following:	
10%	MBE
15%	Women
2%	Veterans

**NOTE:** With regard to Certified Business Entities that hold more than one of the following certifications: MBE, WBE, and/or VBE ("Subject Certified Business Entity"), MGM Springfield shall, at the outset of the engagement (to be applicable for the duration thereof), identify to which of the corresponding procurement goals to apply the total sum of its expenditures with the Subject Certified Business Entity. However, in any instance where, during the course of the engagement, the identified certification lapses, expires or for any reason is no longer in good standing, MGM Springfield shall be entitled to credit any additional expenditure with the Subject Certified Business Entity against the corresponding procurement goals of a different (valid) certification held by the Subject Certified Business Entity.

For avoidance of doubt, the aggregate sum of expenditures with a Subject Certified Business Entity shall only be included once during any reporting period.

Notwithstanding, while MGM Springfield will ensure that its total procurement amounts from Subject Certified Business Entities are reported accurately, MGM Springfield reserves the right to track and

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submit ancillary reports on its progress in procurement in each of those subcategories (MBE, WBE, and VBE), as we believe a business owner who has obtained a valid certification in each of those categories is entitled to equal recognition in each of those categories.

In addition to the steps outlined below in Article VII, which shall be fully incorporated herein by reference, MGM Springfield shall use best efforts to consider and implement the following tactical steps for its identification and engagement of Certified Business Entities during its operational phase:

**1. Minority / Women and Veteran Database.** MGM Springfield will leverage all secondary databases of active Certified Business Entities known to provide services in the Commonwealth and those specifically registered or licensed to work for gaming licensees, including those maintained by governmental and non-governmental entities.

**2. Vendor Packets.** MGM Springfield will maintain a vendor packet for each Certified Business Entity that includes: (a) a certificate of good standing from the jurisdiction of formation provided by the vendor; (b) agreements with the vendor entity as set forth in draft 205 CMR 138.06 (3); (c) proof of applicable certifications provided by the vendor; and (d) a running tally of the total amount of the transactions that MGM Springfield has with each individual vendor.

**3. Coordination with Advisory Groups.** MGM Springfield will coordinate with advisory groups, including but not limited to, the Massachusetts Supplier Diversity Office (SDO), the Massachusetts Gaming Commission Vendor Advisory Group and other state and regional supplier and industry organizations with a focus on diversity to: (a) assist in the identification and engagement of Certified Business Entities during its operational phase; (b) formally introduce the Program; and (c) review frequently asked questions with regard to supplier diversity and those procurement processes that are unique to MGM Springfield.

**ARTICLE VII.**

**Affirmative Marketing Program for Goods and Services During Design and Construction and Goods and Services During Operations**

In addition to the steps outlined in the HCA, which shall be fully incorporated herein by reference, MGM Springfield shall use best efforts to consider and implement the following tactical steps for its recruitment and procurement efforts of Certified Business Entities during both its construction and operational phases:

***A. Advertisement and Promotion of Business Opportunities***

MGM Springfield shall advertise and promote design and construction and operations related business opportunities, including: (i) advertising vendor and construction opportunities on its [mgmspringfield.com](http://mgmspringfield.com) and related vendor outreach website(s); (ii) promoting supplier diversity on its [mgmspringfield.com](http://mgmspringfield.com) website and requesting that companies register with MGM Springfield in its [mgmspringfield.com](http://mgmspringfield.com) and related diversity vendor website(s); (iii) participating in diversity contractor vendor fairs; and (iv) periodically using traditional media and social networking tools to assist the MGM Springfield procurement team in locating suppliers for future bid opportunities.

***B. Training and Assistance for Certified Business Entities***

MGM Springfield shall offer training and business assistance to all businesses selected to work on the Project, including Certified Business Entities. With regard to the training of Project business participants,

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including Certified Business Entities, MGM Springfield will: (i) co-host outreach sessions with its General Contractor throughout the City and region to introduce upcoming contracting opportunities; (ii) provide information with regard to best business practices; (iii) train potential Certified Business Entities on how to compile documentation to prequalify and tender for the project; and (iv) consider commercially reasonable proposals for financial support strategies on a case-by-case basis.

***C. Registration Certification Assistance for Business Entities***

MGM Springfield and its General Contractor shall coordinate to provide assistance to minority; women and veteran contractors and Subcontractors who are not certified or registered/licensed with the Commission. The goal of the assistance given will be to increase the overall number of Certified Business Entities who can participate in the business opportunities during both the construction and operations phases. The Diversity Compliance Team will be responsible for tracking the total number of Certified Business Entities newly certified as a result of the assistance provided as contemplated herein.

**ARTICLE VIII.**

**Composition of Compliance Reports**

MGM Springfield shall collect and maintain all records and documents required to verify data and information contained in the required Quarterly Compliance Reports and the Annual Compliance Reports. All reports shall be completed and submitted in a timely fashion as required by the Commission and HCA commencing on April 30, 2015 covering the first quarter of 2015 (January 1 – March 30, 2015). . The last Quarterly Compliance Report will be filed for the quarter immediately following the commencement of operations as approved by the Commission.

***A. Methodology for Design and Construction Quarterly Compliance Reports***

Subject to permitted exclusions, all expenditures with a Certified Business Entity in Construction-related Business Opportunities shall be documented and compared with MGM Springfield's Total Construction Purchase Value, taking into account exclusions for furniture, fixtures and equipment ("FFE") and operating, supplies, and equipment ("OSE"), in addition to those exclusions included in AGA list below). Once calculated the information shall be included in the Quarterly Compliance Reports. Included as part of the report or in a supplemental report and using the same methodology, MGM Springfield shall track and report on dollars spent on design and dollars spent on construction with a Certified Business Entity separately compared with the Total Purchase Value applied to each category.

The Quarterly Compliance Reports shall incorporate tables showing: (i) the percentage of Covered Employees employed during the subject period of time; and (ii) the percentage of spend with each of the Certified Business Entities and the goal for spend for each individual category for the current period of each subject report. Additionally, in close proximity to each table will be a description of the best efforts exerted to achieve the agreed upon goal. The Quarterly Compliance Reports shall follow in substantial part the form attached hereto as **Appendix C.**

***B. American Gaming Association (AGA) Exclusions***

In accordance with Section 23K § 21 of the Massachusetts General Laws, the actual calculation of the percentage of expenditure with Certified Business Entities shall be based on the availability of such

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Certified Business Entities to engage in the type of work to be conducted by MGM Springfield. MGM Springfield's calculations shall recognize exclusions as defined by the AGA (attached hereto as **Appendix D**) and take into consideration the availability of Certified Business Entities who are able to provide goods and services of the type required by MGM Springfield. If MGM Springfield shall determine that additional exclusions shall be included in its calculation, MGM Springfield shall not consider the additional exclusions unless: (i) it has provided at least thirty (30) days advanced notice to the Commission's Director of Workforce, Supplier and Diversity Development; and (ii) after a commercially reasonable search, no Certified Business Entity has been identified as experienced and capable of performing the specific type of work contemplated in the new exclusion during the 30-day notice period.

***C. Business Opportunity Design and Construction Spend Reporting***

The statistical data provided under this Article shall be properly documented and verified in accordance with MGM Springfield's established business policies inclusive of: (i) vendor background checks; (ii) confirmation of regulatory compliance with Massachusetts Gaming Regulations regarding vendor registration requirements; (iii) verification that work has been performed prior to payment (in accordance with standard procedure for processing pay applications); (iv) vendor office and field visits; and (v) review of any lien waivers, invoices, and evidence of payment, as applicable.

***D. Design and Construction Employment Reporting***

The Quarterly Compliance Reports shall track all employment held by Covered Employees as compared with MGM Springfield's overall Design and Construction-related Employment for the project. Each subject report will be based upon an industry standard "FTE" calculation which is defined as the total number of hours worked which is divided by the maximum number of compensable hours in a full-time schedule. For example, when any report refers to one (1) FTE it will mean one (1) individual that is a full-time employee, while a reference to 0.5 FTE would mean an individual who is a half-time employee during construction.

***E. Annual Statistical Reporting***

Pursuant to G.L. c. 23K, § 21(24) and subject to permitted exclusions, MGM Springfield shall collect and annually provide to the Commission (commencing on December 31, 2015) a detailed statistical report on the total dollar amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises in: (i) design contracts; (ii) construction contracts; and (iii) contracts for every good and service procured by the gaming establishment; provided, however, that such statistical report shall also identify the amounts so contracted as a percentage of the total dollar amounts contracted with and actually paid to all firms.

***F. Continuous Review Process***

In furtherance of their responsibilities, the Diversity Compliance Team shall engage in a process of continuous review of both process and work product associated with the compilation of the Quarterly Compliance Reports. The Diversity Compliance Team shall designate a subgroup who shall, prior to the submission of any Quarterly and/or Annual Compliance Report, conduct a joint review of process and work product and confirm to MGM Springfield's President and COO and MGM Resorts Development,



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LLC's Executive Vice President that the subject report is accurate and complete.<sup>1</sup> MGM Springfield will also continue to consider and assess software applications and nationally recognized protocols, systems, and manuals that could help MGM Springfield achieve its goals.

***G. Cooperation / Books and Records***

MGM Springfield will document its engagement of Certified Business Entities and its employment of Covered Employees in a transparent manner. MGM Springfield shall keep full and complete records of its efforts to comply with its obligations under this Program. All records will be kept in accordance with MGM Springfield's record retention policies and applicable law.

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<sup>1</sup> Once the construction phase is complete, the (i) Executive Director of Diversity and Contracts, (ii) Executive Vice President, MGM Resorts Development, LLC, and (iii) the General Contractor shall be relieved of their active participation in this Program.

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**APPENDIX A**

**Exhibit C to Springfield Host Community Agreement**

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**EXHIBIT C**

**EMPLOYMENT, WORKFORCE DEVELOPMENT AND OPPORTUNITIES**  
**FOR LOCAL BUSINESS OWNERS**

I. General

With respect to all employment decisions of the Developer whether for construction jobs or operations jobs, Developer shall, and shall cause its contractors and subcontractors, to:

(a) comply with all applicable equal employment opportunity, non-discrimination and affirmative action requirements, including, but not limited to, the provisions of Chapter 151B of the Massachusetts General Laws, as amended, and all other applicable anti-discrimination and equal opportunity laws;

(b) not discriminate against any employee or applicant for employment because of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability;

(c) undertake, in good faith, affirmative action measures to eliminate discriminatory barriers in the terms and conditions of employment on the grounds of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability. Such affirmative action measures shall entail positive and aggressive measures to ensure non-discrimination and to promote the equal opportunities in the areas of hiring, upgrading, demotion or transfer, recruitment, layoff or termination, rate of compensation, apprenticeship and on the job training programs. A list of positive and aggressive measures shall include, but not be limited to, advertising employment opportunities in minority and other community news media; notifying Minority, women, Veteran and other community-based organizations of employment opportunities; validating all job specifications, selection requirements, and tests; maintaining a file of names and addresses of each worker referred to Developer or its contractor and what action was taken concerning such worker; and notifying the administering agency in writing when a union with whom the Developer or its contractor has a collective bargaining agreement has failed to refer a Minority, woman or Veteran worker. These and other affirmative action measures shall include all actions required to guarantee equal employment opportunity for all persons, regardless of race, color, religious creed, national origin, sex, sexual orientation, genetic information, military service, age, ancestry or disability; and

(d) establish a tracking system that tracks all of the employees that are working on or at the Project and such records and system shall be subject to inspection by the City.

2. Construction Jobs

During construction of the Project:

(a) Developer shall use its best efforts to create and maintain no fewer than Two Thousand (2,000) construction jobs at the Project; and

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(b) Developer shall abide by an affirmative action program of equal opportunity as approved by the Commission whereby Developer shall strive to achieve labor participation goals for the utilization of Minorities, women and Veterans on the construction of the Project; *provided however*, that such goals for women and minorities shall be equal to or greater than the goals contained in the Commonwealth's Executive Office for Administration and Finance Administration Bulletin Number 14 which goals currently are set at 15.3% Minorities and 6.9% women and such goal for Veterans is set at 8%. The participation goals as set forth herein shall not be construed as quotas or set asides; rather such participation goals will be used to measure the progress of the Developer's equal opportunity, non-discrimination and affirmative action program.

3. Operations Jobs

(a) Developer will use its best efforts to employ as of the Operations Commencement Date no fewer than Three Thousand (3,000) persons, of which no fewer than Two Thousand Two Hundred (2,200) persons shall be employed on a full-time equivalent basis at the Project and/or any work of the Developer's at any facility at Union Station.

(b) Beginning on the Operations Commencement and continuing throughout the Term:

(i) Developer shall use its best efforts to strive to achieve labor participation goals for the utilization of City Residents so that (a) no fewer than Thirty-Five Percent (35%) of persons employed by the Developer at the Project and any related Union Station facility will be City Residents; and (b) no more than Ten Percent (10%) of its workforce will be residents from outside the City and its surrounding area.

(ii) Developer shall use its best efforts to strive to achieve labor participation goals for the utilization of Minority persons, women and Veterans so that: (a) no less than Fifty Percent (50%) of its workforce will be Minority persons, (b) no less than Fifty Percent (50%) of its workforce will be women and (c) no less than Two Percent (2%) of its workforce will be Veterans. The participation goals as set forth herein shall not be construed as quotas or set asides; rather such participation goals will be used to measure the progress of the Developer's equal opportunity, non-discrimination and affirmative action program.

(c) The Developer will provide a "First Choice" recruitment program in partnership with the Massachusetts Casino Careers Training Institute to provide City Residents the first opportunity to learn about and apply for positions at the Project. The First Choice program also will provide outreach services to economically isolated residents, those on disability benefits and residents in disadvantaged areas in the City, with a focus on the unemployed and underemployed, as well as Minority, women and Veteran recruitment, to encourage City residents to apply for jobs available at the Project.

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4. Workforce Development

(a) The Developer will organize and maintain a training program to offer workforce skills development courses to City Residents in addition to training for all Project employees.

(b) The Developer will offer English as a Second Language Classes at no charge to Project employees.

(c) Developer shall otherwise comply with Section 18(17) of the Act in establishing and implementing a workforce development plan.

5. MBE/WBE/VBE Commitment

For purposes of this section, MBE shall mean Minority-owned Business, WBE shall mean Women-owned Business and VBE shall mean Veteran-owned Business, as defined in section 7 hereof.

(a) Developer shall use its best efforts to:

(i) award contracts for the design and construction of the Project, utilizing the following minimum percentages of MBE, WBE and VBE located in the City, measured by the total dollar amount of such contracts:

MBE: Five Percent (5%);

WBE: Ten Percent (10%); and

VBE: Two Percent (2%).

(ii) utilize the following percentages of MBE, WBE and VBE located in the City for the provision of goods and services for the Project following Operations Commencement, measured by the total dollar amount of such contracts:

MBE: Ten Percent (10%);

WBE: Fifteen Percent (15%); and

VBE: Two Percent (2%).

In furtherance of such best efforts obligations, Developer will implement a marketing program to achieve such goals and alert MBE, WBE and VBE of supplier opportunities.

(b) On a periodic basis, the Developer will hold day-long training and seminar sessions, free of charge and open to City businesses, to educate and assist them in applying for certification as an MBE, WBE and/or VBE.

6. Opportunities for Local Business Owners

Developer shall exercise its best efforts to ensure that at least Fifty Million Dollars (\$50,000,000) of its annual biddable goods and services are prioritized for local procurement,

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meaning principally Springfield, but including the immediately surrounding Greater Springfield Area. Such local businesses shall not be guaranteed any awards but shall be given preferential consideration if all other aspects of the respective bid responses are competitive with non-local businesses.

Further, Developer shall use best efforts to work with local business associations such as, the Affiliated Chambers of Commerce of Greater Springfield and the Massachusetts Latino Chamber of Commerce (Springfield office) to educate local businesses on the opportunities provided by Developer's commitment to source such goods and services locally.

7. **Definitions.** For purposes of this **Exhibit C**, the following terms shall have the following meanings:

(a) **"City Resident"** means any person for whom the principal place of residence is within the City as of the date of such person's hire, unless such person's residency occurred within three (3) months of the date of such hire as a result Developer's prior express agreement to hire. Proof of residence may include, but is not limited to, the following: a valid Massachusetts driver's license indicating a City permanent residence, utility bills, proof of voter registration within the City or such other proof indicating a permanent residence within the City.

(b) **"Minority"** means a person who meets one or more of the following definitions:

(i) American Indian or Native American means: all persons having origins in any of the original peoples of North America and who are recognized as an Indian by a tribe or tribal organization.

(ii) Asian means: all persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian sub-continent, or the Pacific Islands, including, but not limited to China, Japan, Korea, Samoa, India, and the Philippine Islands.

(iii) Black means: all persons having origins in any of the Black racial groups of Africa, including, but not limited to, African-Americans, and all persons having origins in any of the original peoples of the Cape Verdean Islands.

(iv) Eskimo or Aleut means: All persons having origins in any of the peoples of Northern Canada, Greenland, Alaska, and Eastern Siberia.

(v) Hispanic means: All persons having their origins in any of the Spanish-speaking peoples of Mexico, Puerto Rico, Cuba, Central or South America, or the Caribbean Islands.

(c) **"Minority-owned Business"** means a business that is beneficially owned by one or more Minority persons as follows:

(i) the business must be at least 51% owned by Minority persons; in the case of a corporation or other entity having more than one class of

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stockholders or equity interests, the ownership requirement must be met as to each class of stock or equity interest;

(ii) the Minority owners shall demonstrate that they have dominant control over management;

(iii) the business has not been established solely for the purpose of taking advantage of a special program which has been developed to assist minority businesses; and

(iv) in the case of a joint venture between a minority business meeting the requirements of 1. through 3. above, inclusive, and a non-minority business, the joint venture shall be found to be a minority business if the minority business meeting the requirements of said clauses 1. to 3. above, inclusive, shall have more than one-half control over management of the project and shall have the right to receive more than one-half of the profits deriving from that project.

(d) "**Veteran**" shall have the meaning ascribed to such term as provided in Massachusetts General Law Chapter 4, Section 7.

(e) "**Veteran-owned Business**" means a business that is meeting the requirements set forth in clauses 1. to 4., inclusive, of the definition of a "Minority-owned Business" except that the terms "veterans", "veteran owners" and "veteran-owned business" shall be substituted for the terms "minority", "minority persons", "minority owners" and "minority business" appearing in the definition.

(f) "**Women-owned Business**" means a business that meets the requirements set forth in clauses 1. to 4., inclusive, of the definition of a "Minority-owned Business" except that the terms "women", "women owners" and "women-owned business" shall be substituted for the terms "minority", "minority persons", "minority owners" and "minority business" appearing in the definition.

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APPENDIX B

MGM Springfield Affirmative Marketing Plan for the Unemployed

**[TO BE INSERTED UPON SUBMISSION AND APPROVAL by 12-31-15]**



Rider "E"  
Diversity and Affirmative Marketing Program

APPENDIX C

Sample Quarterly Design and Construction Compliance Report

**Quarterly Design and Construction Compliance**

**Appendix C Diversity Program for Equal Opportunity and Affirmative Marketing Program**

**Methodology**

All data and statistical analysis included in this report has been computed in accordance with the requirements agreed in the Article VIII (*Composition of Compliance Reports*) of the [INSERT DATE] Diversity Program for Equal Opportunity and Affirmative Marketing Program Inclusive of the Governing Authority incorporated therein Terms capitalized in this Report, but not defined herein, shall have the same meaning as given to each such term in the Program.

**Time Period of Report**

This Report constitutes MGM's compliance with its obligation in accordance with [INSERT CITE] to submit a Quarterly Compliance Report for the period constituting the [X] Quarter of 201[X]. It is made up of the data and statistical analysis

**Dash Board Report for Quarter Ending [XXX 2015]**

**Design and Construction**

DESIGN and CONSTRUCTION		Percent Goal	Percent Actual	Percent Change
<b>Employment</b>	[Raw Number XXX] FTE	[XX%]		+ [X%]
	Minority, including: (i) American Indian or Native American; (ii) Asian; (iii) Black; (iv) Eskimo or Aleut; and (v) Hispanic.	15.3%		
	Women	6.9%		
	Veterans	8%		
<b>Contracting</b>				
	MBE	5%		
	WBE	10%		
	VBE	2%		

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**Diversity and Affirmative Marketing Program**

<b>Design and Construction Employment</b>				
	Percentage Goal	Percentage of Construction Employees	Total Employees	Percent Change
City Residents				
Minority, (including: (i) American Indian or Native American; (ii) Asian; (iii) Black; (iv) Eskimo or Aleut; and (v) Hispanic)	15%			
Women	6.9%			
Veterans	8%			

During the reporting period, in addition to advertising for all open positions for Covered Employees at MGM's Website: [INSERT WEBSITE] MGM used the following best efforts to conduct Employment and Outreach Efforts in compliance with [INSERT CITATION] as follows:

- a. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- b. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- c. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- d. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- e. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]

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**Diversity and Affirmative Marketing Program**

## Design and Construction

<b>Design and Construction Contracting</b>				
	Percentage Goal	Percentage of Construction Spend	Total Construction Expenditure	Percent Change
MBE	5%			
WBE	10%			
VBE	2%			

During the reporting period, MGM used the following best efforts to contract with Certified Business Entities inclusive of outreach efforts in compliance with [INSERT Cite] as follows:

- a. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- b. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- c. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- d. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]
- e. [insert event name] [Insert Date] [insert activity/event Description] [insert attendance circulation]

Rider "E"  
Diversity and Affirmative Marketing Program

APPENDIX D

American Gaming Association Diversity Spending Exclusions List

**Hard Exclusions**

Definition:

- Monopoly in a particular market or industry;
- Government regulated; and/or
- Is not and never will be a biddable option for the gaming industry

Spend Categories in this area

- Aircraft Fuel
- Customer Comps
- Customer Refunds
- Employee-related Expenses
- Payroll
- Reimbursements
- Directors Fees
  - Fees to Parent Companies
  - Fines
  - Gaming Fees (ex. participation games, table game leases)
  - Garnishments
  - Government Agencies
  - Inter-company (internal) payments
  - Licenses
  - Litigations/Risk Settlements
  - Mail Pay (Sports Book)
  - Permits
  - Petty Cash
  - Postage
  - Regulatory Fees
  - Settlements
  - Taxes
  - Travel Agency Commissions

**Hard/Soft Exclusions (hard today but potential exists for the inclusion of diversity in the future)**

Definition:

- Not biddable today due to current market conditions (i.e. lack of maturation in supplier base)
- Long term area for exploration – fertile area for collaboration with a mature company

Spend Categories in this area

- Credit card fees
- Accounting fees
- Alcoholic Beverages
- Bank fees
- Employee Benefits
- Express Mail

**Rider "E"**  
**Diversity and Affirmative Marketing Program**

- Gaming Equipment companies
- Gasoline
- Insurance and Claims
- Loans/Interest
- Utilities
- Workman's Compensation

**Soft Exclusions**

Definition:

- Not biddable because decisions purely based on market conditions and/or factors

Spend Categories in this area

- Rent – what the facility sits on (i.e. land, boat/barge)
- Entertainment – entertainers selected based on anticipated draw of customers to casino
- Independent Agents – junket operators
- Inter-casino payments (ex. Caesar's purchases show tickets to an event at MGM)
- Leased retail enterprises

**Excluded from Purchasing denominator only**

Definition:

- Purchasing has no effect and/or control over how dollars are allocated so exclude from Purchasing denominator
- Able to include spend and diversity requirements in a separate area of the business

Spend Categories in this area

- **Philanthropy**
  - Donations
  - Non-profit
- **Construction**
  - Industry specific sourcing – Purchasing organization's don't specialize and attract specialists in this area
  - Pertains to architectural costs of building the building

**Spend Categories currently excluded but now need to be included:**

- Busses
- Drug Tests and Physicals
- Dues and Subscriptions
- Freight
- Gasses (ex. sterno, pyrotechnic, etc.)
- Legal Fees
- Lobbyists
- Non-goods and services

**Rider "E"**  
**Diversity and Affirmative Marketing Program**

- Out of country vendors
- Seminars and Training
- Shipping or Courier
- For-profit sponsorships
- Temporary Services
- External Travel Agencies

**Inclusions**

**Definition:**

- Non-monopoly in a market or industry;
- non-government regulated; and/or
- the commodity is a biddable option.

**Sample Products & Services**

- **Food**  
Meat, Poultry, Seafood, Dairy Products, Dry Goods, Produce, Frozen Products, Bakery Items, Canned Goods, Condiments, Ethnic Foods, Specialty Items.
- **Beverage**  
Tea, Liquor, Domestic & Imported Wines, Beer, Water, Coffee.
- **General Equipment & Supplies**  
Housekeeping Equipment & Supplies, Office Supplies & Equipment, Audio Visual Equipment, Banquet Equipment, Computer Equipment, Cleaning Equipment, Security/Surveillance Equipment, Cell Phones/Radios/Beeepers, Marina Equipment, Signage, Food & Beverage Equipment.
- **Gaming Equipment & Supplies**  
Casino Equipment, Casino Supplies, Slot Signage
- **FF&E**  
Artwork, Carpet, Drapery, Furniture, Glass/Mirror, Upholstery, Wall Coverings, Wood Flooring, Tile.
- **Operating Inventories**  
China, Glassware, Flatware/Holloware, Linen, Uniforms, Cleaning Chemicals, Guest Room Amenities, Food & Beverage Disposables, Hotel Supplies, Kitchen Supplies.
- **Engineering/Facilities**  
Facilities/Engineering Supplies, General Maintenance Supplies, Repairs & Maintenance.
- **Retail**  
Accessories, Apparel, Art, Cosmetics/Fragrances, Gifts, Jewelry, Lingerie, Logo Apparel, Men's Wear, Toys & Games, Shoes, Souvenirs, Swimwear, Gifts/Specialty Items.

**Rider "E"**  
**Diversity and Affirmative Marketing Program**

- **Construction / Contracting**  
Concrete, Demolition, Drywall, Electrical, Landscaping, Life Safety, Mechanical, Millwork, Painting, Reinforced Steel, Structural Steel, Construction Equipment.
- **General Services**  
Consulting, Staffing, Decorating, Advertising, Printing, Repairs & Maintenance, Freight, Janitorial.

**Supplier Selection Criteria**

- Ability to meet specifications and standards
- Product and service quality
- Competitive prices
- Dependable delivery
- Quality control methods and practices
- Technical abilities and leadership
- Financial reliability
- Compatibility with existing products
- Adequate facilities and resources
- Spare parts availability
- Warranty, insurance, and bonding provisions
- Proven performance and experience

**APPENDIX C**

**DIVERSITY COMMITMENTS – DESIGN AND CONSTRUCTION**

**AS OF 3/30/15**





*MGM Springfield*

**Diversity Commitment Report - Design And Construction**

As of: April 6, 2015

**Contracting**

<b>Ref</b>	<b>Category</b>	<b># Firms</b>	<b>Percentage Goal</b>	<b>Percentage of Spend Committed</b>	<b>Total Expenditure Committed</b>	<b>Variance</b>
1	Women	3	10.0%	8.3%	\$ 362,866	-1.7%
2	Minority	1	5.0%	14.6%	\$ 635,432	9.6%
3	Veteran	0	2.0%	0.0%	\$ 0	-2.0%
<b>4</b>	<b>Total</b>	<b>4</b>	<b>17.0%</b>	<b>22.9%</b>	<b>\$ 998,298</b>	<b>5.9%</b>

**Workforce**

<b>Ref</b>	<b>Category</b>	<b>Percentage Goal</b>	<b>Percentage of Construction Employees</b>	<b>Total Employees</b>	<b>Variance</b>
1	Women	6.9%	0.0%	0	-6.9%
2	Minority	15.3%	0.0%	0	-15.3%
3	Veteran	8.0%	0.0%	0	-8.0%
<b>4</b>	<b>Total</b>	<b>30.2%</b>	<b>0.0%</b>	<b>0</b>	<b>-30.2%</b>

**Note:**

(1) Workforce data not available at the time of this report. It is expected that data will be included in the next report.

**APPENDIX D**

**WORKFORCE DIVERSITY STATISTICS REPORT TEMPLATE**



Reference	Subcontractor	This Week's Workforce Diversity Statistics						Project To Date Workforce Diversity Statistics							
		This Week's Total Hours	Minority		Women		Veteran		Project To Date Hours	Minority		Women		Veteran	
			Hours	%	Hours	%	Hours	%		Hours	%	Hours	%		
1															
2															
3															
4															
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38															
39															
40															
<b>Total</b>		<b>0.00</b>	<b>0.00</b>	<b>#DIV/0!</b>	<b>0.00</b>	<b>#DIV/0!</b>	<b>0.00</b>	<b>#DIV/0!</b>	<b>0.00</b>	<b>0.00</b>	<b>#DIV/0!</b>	<b>0.00</b>	<b>#DIV/0!</b>	<b>0.00</b>	<b>#DIV/0!</b>

Group	Project Goals	Project To Date %	Delta
Minority	15.30%	#DIV/0!	#DIV/0!
Women	6.90%	#DIV/0!	#DIV/0!
Veteran	8.00%	#DIV/0!	#DIV/0!
<b>Total</b>	<b>30.20%</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>

**APPENDIX E**

**LETTER REGARDING COST OF CONSTRUCTION AND CAPITALIZATION OF GAMING LICENSE**





June 22, 2015

Massachusetts Gaming Commission  
 101 Federal Street, 23<sup>rd</sup> Floor  
 Boston, MA 02110

**Re: Quarterly Report – First Quarter 2015**

Dear Commissioners:

In accordance with 205 CMR 135.02(5)(a) of the Massachusetts Gaming Commission Monitoring of Project Construction and Licensee Requirements (the "Monitoring Regulations"), please see below for the total estimated costs of construction related infrastructure improvements relating to the development of MGM Springfield in Springfield, Massachusetts (the "Facility"), and related costs incurred through March 31, 2015, which have been calculated in accordance with 205 CMR 122.03: Costs Included in the Calculation of Capital Investment.

	<b>Cost Incurred</b>	<b>Est. Remaining Cost</b>	<b>Total Estimated Cost<sup>1</sup></b>
<b>Eligible Capital Costs</b>			
Building/Construction <sup>2</sup>	\$ 702,320	\$407,586,680	\$408,292,000
FF&E	\$ 0	\$107,500,000	\$107,500,000
<b>Subtotal of Capital Costs</b>	<b>\$ 702,320</b>	<b>\$515,089,680</b>	<b>\$515,792,000</b>
<b>Ineligible Costs</b>			
Land <sup>3</sup>	\$ 46,617,386	\$ 3,515,614	\$ 50,133,000
License/Application Fees	\$ 85,000,000	\$ 0	\$ 85,000,000
Preopening Expenses	\$ 8,826,117	\$ 21,173,883	\$ 30,000,000
Cage Cash	\$ 0	\$ 25,000,000	\$ 25,000,000
Financing Costs	\$ 3,100	\$ 57,996,900	\$ 58,000,000
Operating Supplies	\$ 0	\$ 31,500,000	\$ 31,500,000
Host Community	\$ 1,150,000	\$ 4,000,000	\$ 5,150,000
Project Contingencies	\$ 0	\$ 24,425,000	\$ 24,425,000
<b>Subtotal of Ineligible Costs</b>	<b>\$141,596,603</b>	<b>\$167,611,397</b>	<b>\$ 309,208,000</b>
<b>Total</b>	<b>\$142,298,923</b>	<b>\$682,701,077</b>	<b>\$825,000,000</b>

<sup>1</sup> Estimates provided herein are based on the development budget included in MGM's RFA-2.

<sup>2</sup> Includes site preparation costs of \$28,325, design cost of \$161,853.

<sup>3</sup> This will include any off site improvement costs (none to date) in connection with improvements to Orr Parcel, the transfer of which is consideration for transfer of Springfield Rescue Mission Parcel.



In addition, in accordance with 205 CMR 135.02(b) of the Monitoring Regulations, I direct you to the publicly-filed financial statements of MGM Resorts International, the parent company of Blue Tarp reDevelopment, LLC (the "Licensee"), including MGM's Annual Report on Form 10-K for the year ended December 31, 2014, filed with Securities and Exchange Commission (the "SEC") on March 2, 2015, and MGM's Quarterly Report Form 10-Q for the quarter ended March 31, 2015, filed with the SEC on May 8, 2015, each of which are available at [www.sec.gov](http://www.sec.gov). As reflected in these financial statements, the Licensee has sufficient resources in order to meet all expected financial obligations relating to the completion of the gaming establishment and related infrastructure improvements associated with the Facility.

I hereby certify that the foregoing information is truthful and accurate to the best of my knowledge and belief.

Sincerely,

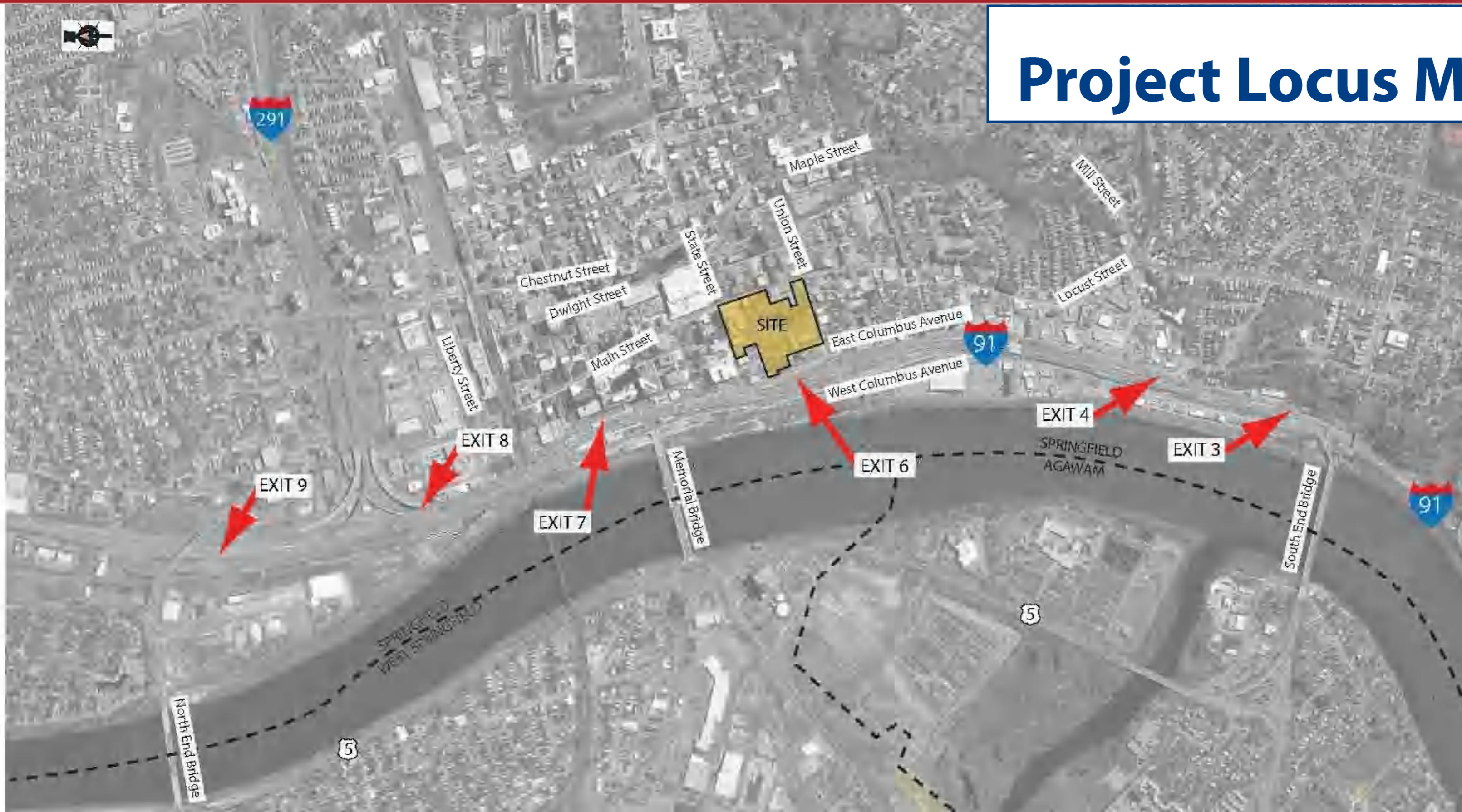
Seth N. Stratton  
Vice President & General Counsel

cc: Michael Mathis, President & COO  
Edward Pikula, Esq., Springfield City Solicitor

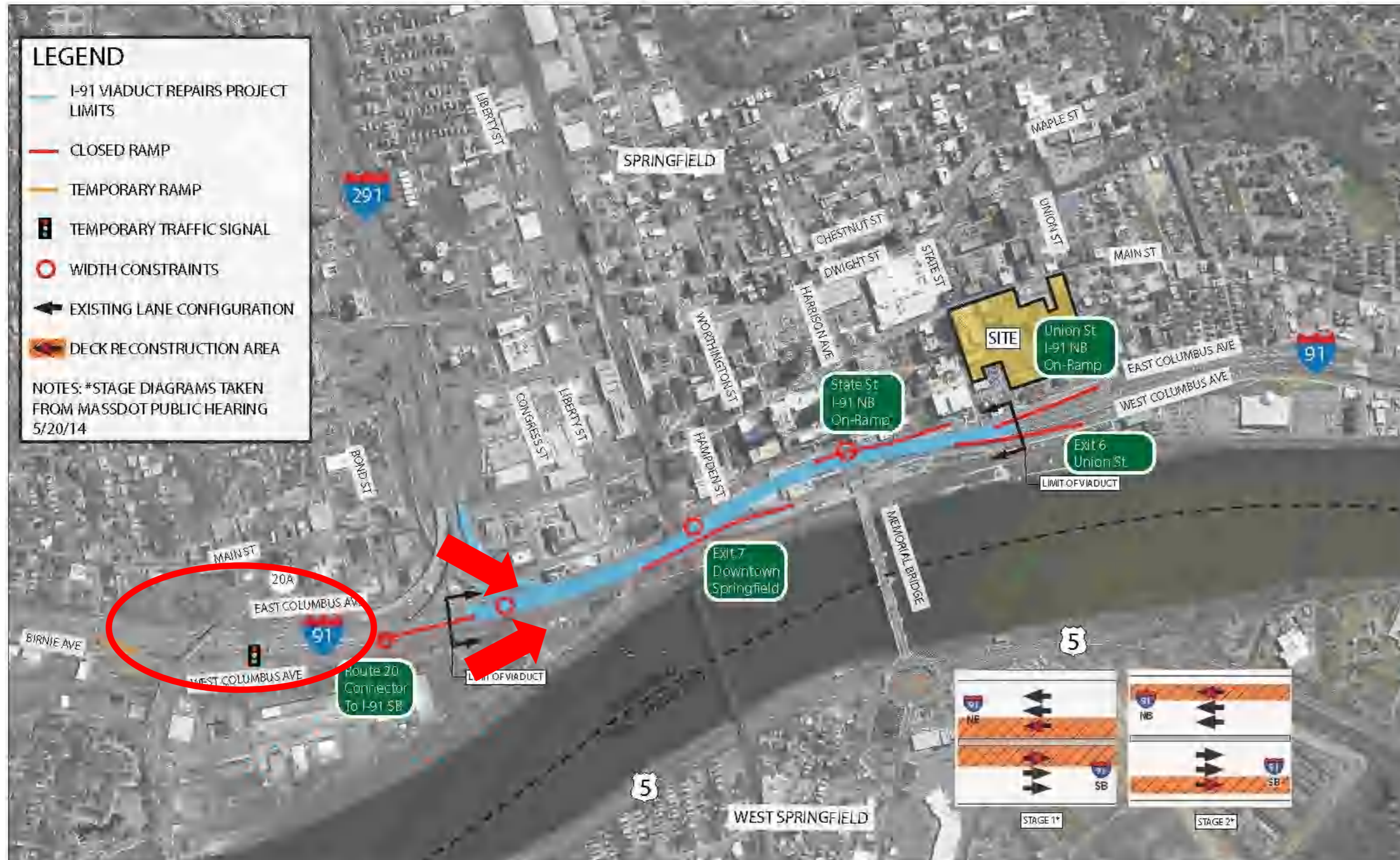
# Interstate 91 Viaduct Rehabilitation Project



**Project Locus Map**



# Interstate 91 Viaduct Rehabilitation Project

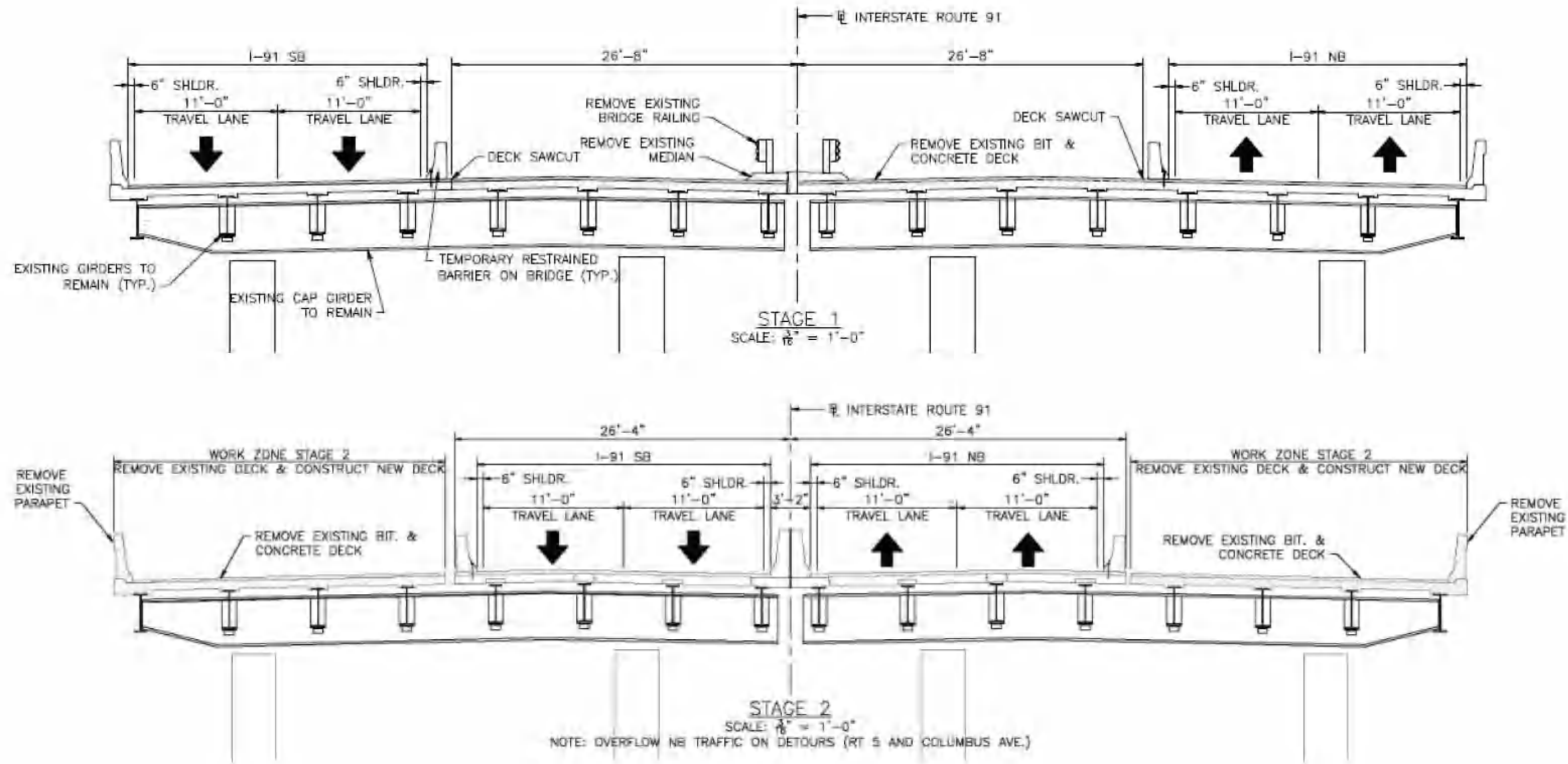


I-91 Southbound Traffic reduced to one lane approaching the Viaduct

The other lane is dedicated for I-291 southbound



# Interstate 91 Viaduct Rehabilitation Project



Note: Cross sections taken from MassDOT Hearing 5/20/14

# I-91 Viaduct Rehabilitation Project



## Key Features of Construction Phasing

- A maximum of 2 lanes provided on I-91 during peak travel times
- Contractor activities will require limiting I-91 to 1 lane during most non-peak daytime periods
- Nighttime deliveries may also limit number of lanes on I-91 in both directions
- Traffic will be encouraged to get off I-91 and use East and West Columbus – congested conditions

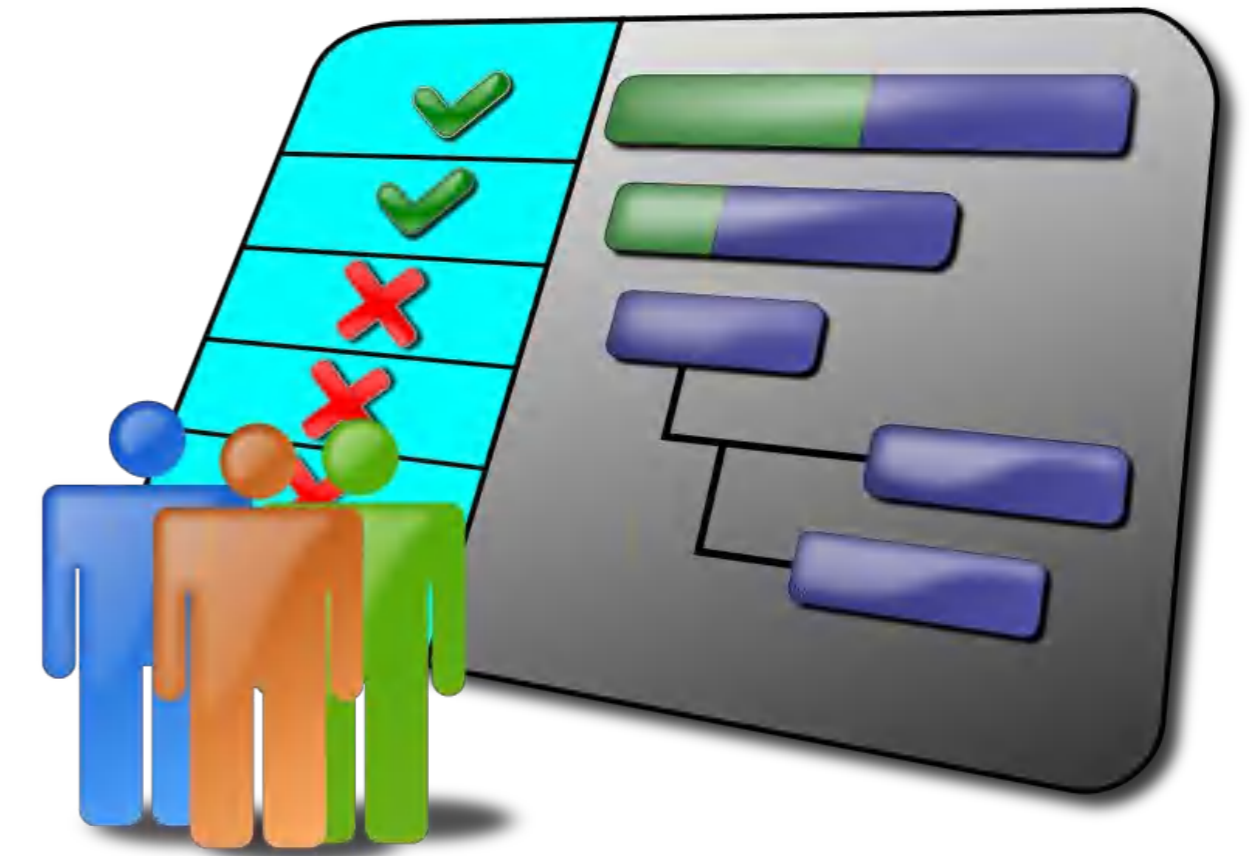


# I-91 Viaduct Rehabilitation Project



## Project Schedule

- Begin Early Construction – July 2015
- Public Informational Meeting – July/Aug 2015
- Ramp and Lane Closures – Nov/Dec 2015
- Ramps and Lanes Reopen – **July/Aug 2018**



MassDOT's contractor is currently preparing a detailed schedule of the various phases.

# I-91 Viaduct Rehabilitation Project



## MGM-MassDOT-City Coordination

- Prior & Current Coordination Efforts
  - Regular Coordination Meetings
  - Construction Employee and Displaced Parking
  - Project Phasing, Detours, and Ramp Closures
  - Truck Routing Plans and Material Deliveries
  - Staging and Lay-Down Areas



# I-91 Viaduct Rehabilitation Project



## Traffic Conditions

- The stakeholders' consultants can predict the following traffic conditions without MGM's grand opening traffic being added:
  - Increased regional delays during peak commuter hours and core daytime hours
  - Decreased Level of Service at intersections along East and West Columbus Avenues
  - Potential for significant queuing between local intersections as traffic detours off I-91



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One  
Financial  
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02111  
tel 617.856.8200  
fax 617.856.8201

June 22, 2015

Rick Day, Executive Director  
Massachusetts Gaming Commission  
101 Federal Street, 23rd Floor  
Boston, MA 02110

**RE: Blue Tarp reDevelopment Final Project Schedule**

Dear Director Day:

Pursuant to 205 CMR 135.02(2)(a-c), Blue Tarp reDevelopment LLC's ("MGM Springfield") submits to the Massachusetts Gaming Commission ("Commission") for approval its final project schedule setting forth all major stages of design and construction, a date for its final stage of construction and a construction completion and commencement of operations date ("Final Project Schedule") as follows:

- (i) A Level 1 and Level 2 Project Schedule for MGM Springfield setting forth all major stages of design and construction as attached hereto;
- (ii) A date for commencement of the final stage of construction pursuant to G.L. c. 23K, § 10(a) of February 1, 2018 to coincide with the commencement of the construction of the retail buildout of the gaming establishment; and
- (iii) A date on which the gaming licensee shall be approved to open for business pursuant to G.L. c. 23K, § 10(c) to be thirty (30) days following a construction completion date of either August 6, 2018 or the date on which the I-91 Viaduct Project achieves Full and Beneficial Use (as defined in MassDOT project documents), whichever occurs later.<sup>1</sup>

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<sup>1</sup> This is the date on which MGM Springfield would be entitled to issuance of an operations certificate pursuant to G.L. c. 23K, § 25(a) and 205 CMR 151.



MGM Springfield requests that the Commission **APPROVE** the Final Project Schedule as described above at its June 25, 2015 Public Meeting or as soon thereafter as possible.

Thank you for your attention to this matter. MGM Springfield looks forward to appearing before the Commission on the 25th to answer any questions.

Sincerely,

**BROWN RUDNICK LLP**

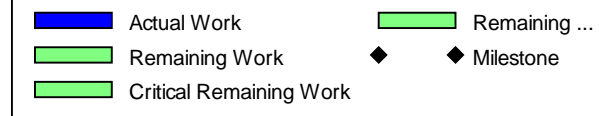
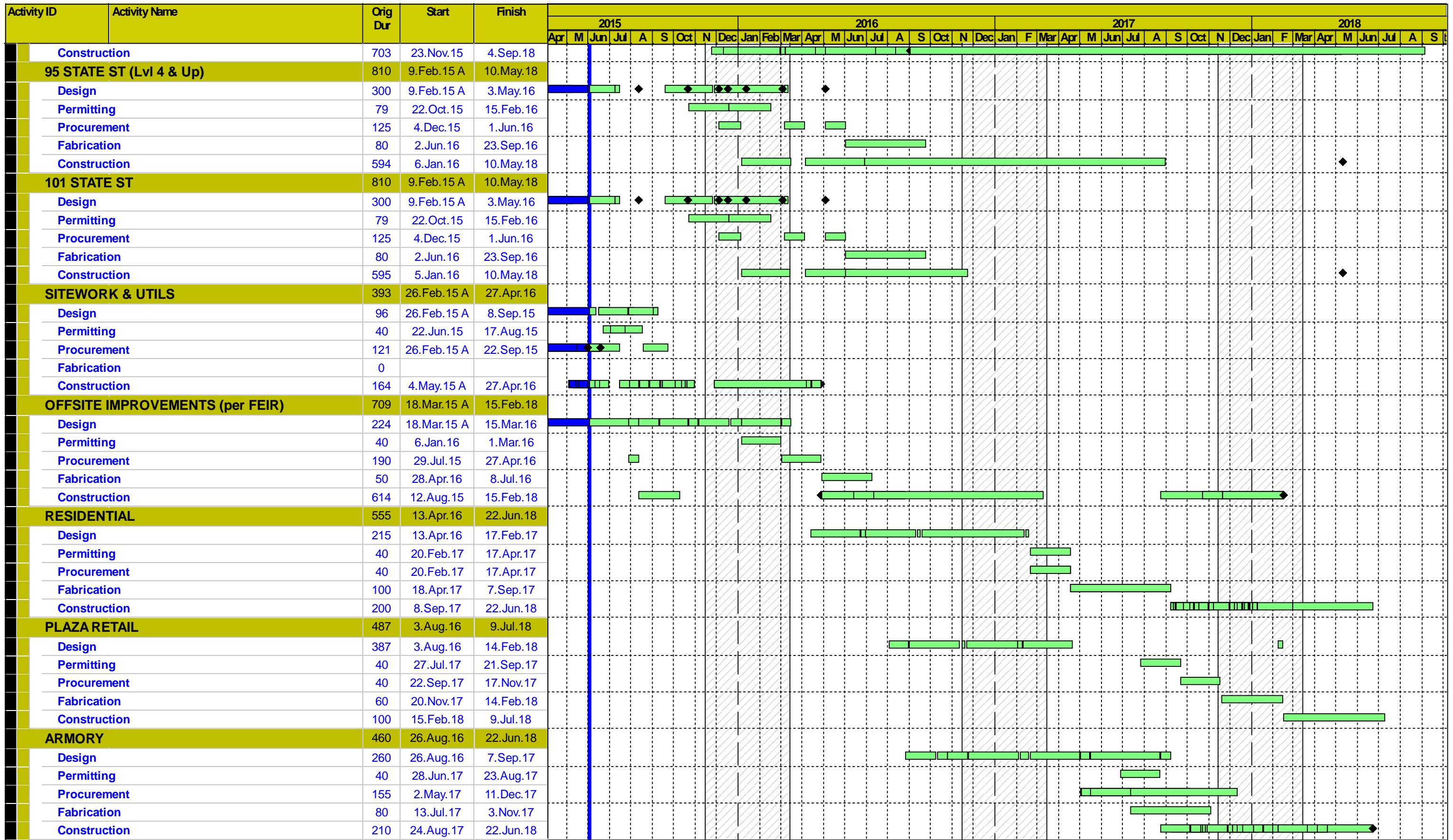
Jed M. Nosal

61969837v3/024302/0005














**MGM Springfield Sep 2018 Opening  
Level 2 Exec Summary 20.Jun.15**



Activity ID	Activity Name	Orig Dur	Start	Finish	2015												2016												2017												2018														
					Apr	M	Jun	Jul	A	S	Oct	N	Dec	Jan	Feb	Mar	Apr	M	Jun	Jul	A	S	Oct	N	Dec	Jan	F	Mar	Apr	M	Jun	Jul	A	S	Oct	N	Dec	Jan	F	Mar	Apr	M	Jun	Jul	A	S	Oct	N	Dec						
<b>DaVINCI PARK</b>					400	8.Dec.16	9.Jul.18																																																
	Design	180	8.Dec.16	23.Aug.17																																																			
	Permitting	40	20.Nov.17	17.Jan.18																																																			
	Procurement	40	24.Aug.17	20.Oct.17																																																			
	Fabrication	60	23.Oct.17	17.Jan.18																																																			
	Construction	120	18.Jan.18	9.Jul.18																																																			
<b>DAYCARE</b>					399	9.Dec.16	9.Jul.18																																																
	Design	299	9.Dec.16	14.Feb.18																																																			
	Permitting	40	19.Dec.17	14.Feb.18																																																			
	Procurement	40	22.Sep.17	17.Nov.17																																																			
	Fabrication	60	20.Nov.17	14.Feb.18																																																			
	Construction	309	19.Apr.17	9.Jul.18																																																			
<b>ENTERTAINMENT BLK (F/O)</b>					307	21.Apr.17	9.Jul.18																																																
	Interior Fit Outs	307	21.Apr.17	9.Jul.18																																																			

 Actual Work  
 Remaining Work  
 Critical Remaining Work  
 Remaining ...  
 Milestone



**Edward M. Pikula, Esq.**  
**City Solicitor**

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Email: [epikula@springfieldcityhall.com](mailto:epikula@springfieldcityhall.com)



**THE CITY OF SPRINGFIELD, MASSACHUSETTS**

June 24, 2015

VIA E-MAIL - [steve.crosby@state.ma.us](mailto:steve.crosby@state.ma.us)

Mr. Stephen Crosby, Chairman  
Massachusetts Gaming  
Commission 101 Federal Street,  
23rd Floor Boston, MA 02110

Re: *Project Schedule submitted by Blue Tarp reDevelopment, LLC*

Dear Mr. Crosby:

The City of Springfield ("City") is in receipt of a copy of the project schedule submitted by Blue Tarp reDevelopment, LLC ("MGM Springfield") to the Massachusetts Gaming Commission ("MGC") on June 22, 2015 (the "Proposed Schedule") for review at its meeting to be held on June 25, 2015. In this submission, MGM Springfield has requested the MGC approve the Proposed Schedule that calls for completion of project construction in August, 2018, and a project opening on September 6, 2018.

The Proposed Schedule does not conform to the schedule agreed upon by the parties in the Springfield Host Community Agreement ("HCA"). However, MGM Springfield has offered additional consideration to the City as part of an amendment to the HCA to conform the HCA schedule to MGM Springfield's Proposed Schedule.

Under the HCA, MGM Springfield is allowed up to 33 months from the issuance of its gaming license to complete project construction and up to an additional 6 months to commence project operations. Considering the effective date of its gaming license to be November 7, 2014, under the terms of the HCA, MGM must complete project construction by August 7, 2017 and commence project operations by February 7, 2018. Under the Proposed Schedule, project operations would not commence until September 6, 2018.

After discussions, MGM Springfield has proposed to the City that the HCA be amended to allow a delay in completion of project construction and opening due to the I-91 viaduct construction. As part of such amendment, MGM Springfield has offered the following:

- MGM Springfield will make an additional payment to the City of \$1 Million due in the Fall of 2017. Such “new money” will be dedicated to public safety.
- MGM Springfield will make an additional pre-payment to the City of 121A payments of \$3 Million due in the Fall of 2017.
- MGM Springfield will continue to make all payments due the City under the HCA according to the original project construction schedule, except for an adjustment to the annual Fixed Community Impact Fee of \$2.5 Million due on July 1, 2018, and a prorated payment of such fee in the amount of \$993,055 due on February 7, 2018. The Fixed Community Impact Fee will be amended to provide for a prorated payment of such fee in the amount of \$2 Million due at project opening on September 6, 2018 and the first annual payment of such fee in the amount of \$2.5 Million due on July 1, 2019.
- The other payments to be made by MGM Springfield to the City under the HCA which will remain the same include but are not limited to the Riverfront Park payment of \$1 Million (August 8, 2016); the Union Station payment of \$500,000 per year for 15 years (commencing August 8, 2016); the Upfront Community Impact Fee of \$2.5 Million (May 8, 2017); the Community Development Grant of \$2.5 Million (payable annually on July 1 beginning July 1, 2018 with a prorated payment due February 7, 2018).

The City and MGM continue to discuss various project design changes. In part, project design changes are subject to finalization of certain project design matters by the Massachusetts Historical Commission (“MHC”).

The City wishes to cooperate with the MGC and MGM Springfield to assure that the opening of the MGM Springfield development is successful for MGM Springfield, the City, and the Commonwealth of Massachusetts. Accordingly, once the City’s and the MHC’s review of the final design is completed and the City completes its site plan review process, the Mayor and City Council will consider MGM Springfield’s proposed HCA amendment and offer of additional consideration together, with a recommendation for approval of the amendment by City staff and its consultants.

Stephen Crosby - Mass. Gaming Commission  
June 24, 2015  
Page - 3 -

---

Very truly yours,

Edward M. Pikula, City Solicitor

cc: Mayor - [msarno@springfieldcityhall.com](mailto:msarno@springfieldcityhall.com)  
Chief Development Officer - [KKennedy@springfieldcityhall.com](mailto:KKennedy@springfieldcityhall.com)  
City Council Pres. - [mfenton@springfieldcityhall.com](mailto:mfenton@springfieldcityhall.com)  
MGC Ombudsman - [john.s.ziemba@state.ma.us](mailto:john.s.ziemba@state.ma.us)  
MGM Springfield - [sstratton@mgmspringfield.com](mailto:sstratton@mgmspringfield.com)

**No Documents**



TO: Commissioners

FROM: John Ziemba

CC: Rick Day, Executive Director  
Catherine Blue, General Counsel

DATE: June 23, 2015

RE: Requirements for Staffing Subcommittees under the Gaming Policy Advisory Committee

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Pursuant to M.G.L. c. 23K, Section 68, the Commission is required to make appointments to several committees under the Gaming Policy Advisory Committee (“GPAC”). The below is a staffing status on those committees with recommendations for possible appointments.

**Local Community Mitigation Advisory Committee (“LCMAC”)**

The purpose of this subcommittee is to provide information and develop recommendations for the Community Mitigation Advisory Subcommittee on issues related to the gaming facilities in its region and present information to the Commission on any issues related to the gaming establishment located in its region. The Commission is authorized to make four appointments per region: 1 representing a chamber of commerce, 1 representing a regional economic development organization and 2 representing human service providers. The statute does not specify the term to which the appointees would serve. I recommend a one year term which could be annually reauthorized. I also recommend that these appointees serve at the pleasure of the Commission. The following are recommendations for these positions. Their brief biographies are attached to this memorandum.

**Region A**

Chamber of Commerce	Colin Kelly, Dir. of Public Affairs, Schnitzer Steel Industries
Regional Economic Development Organization	Linda Bass, Executive Director, Metro North Regional Employment Board
Human Service Provider	Ed Powell, Vice President for Community Engagement, Justice Resource Institute
Human Service Provider	TBD



Massachusetts Gaming Commission



Region B

Chamber of Commerce	Kathleen Kane, Managing Director, Northwestern Mutual Office
Regional Economic Development Organization	Richard Sullivan, CEO of the Economic Development Council of Western Massachusetts
Human Service Provider	Ellen Patashnick, former director of the Springfield office of the Department of Children and family Services
Human Service Provider	TBD

**Community Mitigation Advisory Committee (“CMAC”):**

The Community Mitigation Advisory Committee develops recommendations to address community mitigation issues. The Commission has the authority to choose “one representative” of the Commission to be on the Subcommittee. This “representative” could be a member of the Commission, the Executive Director or a staff member.

<b>Community Mitigation Advisory Committee</b>	
<b>Host Region A - Everett</b>	David, Rodrigues. Asst. City Solicitor
<b>Host Region B - Springfield</b>	Haskell Kennedy, Jr.
<b>Host Region C -</b>	
<b>Dept. of Revenue</b>	Sean Cronin, Senior Dep. Commr. of the Div. of Local Svs.
<b>Representative of the Commission</b>	
<b>Governor Appointee with experience in community mitigation gaming</b>	
<b>Governor Appointee (Sm. business owner in HC)</b>	
<b>Governor Appointee C of C (chosen from 3 candidates)</b>	
<b>Mass. Mutual Association</b>	Stephen Cirillo, Brookline Fin. Dir./Treasurer & Collector
<b>w/notices to:</b>	Catherine Rollins, Senior Legislative Analyst
<b>Com. Mit Advis. Com. Region A</b>	
<b>Com. Mit Advis. Com. Region B</b>	Stephen Crane, Town Manager
<b>Com. Mit Advisory Com. Region C</b>	

**Subcommittee on Public Safety:**

The subcommittee on public safety develops recommendations for regulations to be considered by the Commission to address public safety issues. The following are the current members:

<b>Subcommittee on Public Safety</b>	
<b>Member of the Commission</b>	
<b>Sec. of Public Safety (or designee)</b>	
<b>Attorney General</b>	Patrick Hanley, Chief Gaming Enforcement Division
<b>Rep. MA District Attorneys Association</b>	Michael W. Morrissey, Norfolk District Attorney
<b>Colonel of State Police</b>	Lt. Colonel Francis J. Matthews, Commanding Officer
<b>Rep. MA Chiefs of Police Association</b>	Mark K. Leahy, Chief of Police
<b>Public Safety Labor Union</b>	Dana Pullman, President

As you will note, a “member” of the Commission needs to be appointed to fill this committee. Given Commissioner Cameron’s current policy role on public safety matters and former professional role in law enforcement, it is my recommendation that she be appointed to be a member of this Committee with staff assistance from me and Karen Wells, IEB Director.

**Subcommittee on Addiction Services:**

The subcommittee on addiction services develops recommendations for regulations to be considered by the Commission to address issues related to addiction services. The following are the current members and those awaiting appointment.

<b>Subcommittee on Addiction Services</b>	
<b>Rep. Department of Public Health</b>	Steve Keel, Director Problem Gambling Services, Department of Public Health
<b>Compulsive Gambling</b>	Marlene D. Warner, Executive Director, Massachusetts Council on Compulsive Gambling
<b>Representative of the Commission</b>	
<b>Governor Appointee</b>	
<b>Governor Appointee</b>	

The Commission needs to appoint a representative to this Committee. In this regard, it could be a member of the Commission, the Executive Director or a staff member. My recommendation for this representative would be either Mark Vander Linden, the Director of Research and Responsible Gaming or Executive Director Rick Day.

### **Colin Kelly**

*A long-time resident of Everett, Colin Kelly is a 1980 graduate of Pope John XXIII High School. He attended Suffolk University and graduated with a Bachelor's Degree in Business Administration in 1984.*

*He displayed an interest in community service early on in his career and was elected to the Everett Common Council in 1989, where he served for 11 years. Since then he has contributed much of his time to community service and charitable organizations. He has been a Director of the Everett Business Education Cooperative, the Cambridge Health Alliance Foundation, Founding member of the Everett Technology Center, Keverian School Council, Past Distinguished President of the Everett Kiwanis, Director of the Everett Chamber of Commerce and former Trustee for Pope John XXXIII High School.*

*He began a career in retailing with the Purity Supreme Company after his graduation. In 1986 he purchased Paul's Cold Cuts in Everett. In 1995, he expanded the business and built a new building with a full service restaurant and a catering business. In 1997 he added another location in Charlestown MA, the Galley Cafe. In 2006 Kelly left the food industry completely to pursue new interests.*

*In 2000, he was elected the Executive Director of the Everett Chamber of Commerce. He also served as the Clerk and a Director of the Everett Development and Financial Corporation. With his background in government he was influential in developing strong relations with government and business leaders alike. He was instrumental in starting Everett events such as the River Fest and the September 11 Memorial Remembrance Ceremony.*

*In 2006 he joined Schnitzer Steel Industries as the Government Relations Manager for the Northeast area and in 2014 was selected as the Corporate Director of Government Relations.*

*A devoted family man, he is married to the former Robin De Martino. They are the proud parents of Ryan and Taylor.*

**Linda J. Bass**

**5/2012 – Present Executive Director**

**Metro North Regional Employment Board (REB)  
Cambridge, MA**

- ◆ Lead a private non-profit that acts as staff to a 30-member private sector-led board which is responsible for policy development and programmatic oversight of workforce development programs and which operates as the primary fiscal agent for state and federal workforce development funds serving a 20-community region; core programs funded include Workforce Innovation and Opportunity Act (WIOA) Adults, Youth, and Dislocated Workers and Employment Services, Adult Basic Education Career Pathways, YouthWorks Summer and Year-Round Jobs, School to Career Connecting Activities; additional funding is focused on industry sector initiatives, STEM programs, disability employment initiatives, and National Emergency Grants/Rapid Response grants for serving customers laid off through large layoffs/plant closings
- ◆ Lead the development of a vision and corresponding strategic plan for the regional workforce development system every four years
- ◆ Developed cross-regional industry partnerships in priority industries with community colleges, vocational technical schools, adult basic education, and One-Stop Career Centers in order to match business and job seeker needs and develop career pathways tools. Accomplishments to date:
  - Founded the Northeast Advanced Manufacturing Consortium with three other regions
  - Leads the Metro North Healthcare Partnership
  - Partners in the Skilled Careers in Life Sciences Initiative with three other regions
  - Leads the Metro North STEM Network, with members from business, pre-K to post-secondary education, and career centers
  - Partners with four other regions on Tech Ready, an information technology/computer science consortium
- ◆ Procure and charter the One-Stop Career Center operator(s), currently Middlesex Community College; oversee the high-performing career center system in Metro North, which includes Career Source, Cambridge and Chelsea, and The Career Place, Woburn; managed the transition from two to one operator in July 2012
- ◆ Oversee the approval process and performance of Workforce Innovation and Opportunity Act training programs for adults, youth, and dislocated workers in the Metro North region
- ◆ Working with the lead local official (City Manager, Cambridge), develop board membership through outreach to priority industries and key partner organizations
- ◆ Work closely with business, economic development, education, community-based organizations, federal and state agencies, and legislators to ensure the needs of businesses and job seekers are met; participate in task forces working on implementation of new law/regulations
- ◆ Develop resources to support industry partnerships and training to meet customer/business needs; since May 2012, have added \$6.2 million in resources beyond core funding in order to support regional initiatives
- ◆ Increased resources through implementing a low-risk investment strategy for the organization
- ◆ Increased visibility of the REB through hosting/participating in events, resource development, and oversight of web development
- ◆ Led the search for new premises, the development of a space design for the build-out, and purchase of needed furniture and equipment resulting in a significant cost savings to the agency
- ◆ Hire and supervise staff; with additional resources added two additional full-time staff

**10/1999 – 4/2012 Senior Associate Director**  
**7/1995 – 10/1999 Associate Director**

**Metro North Regional Employment Board  
Cambridge, MA**

- ◆ Led the implementation of career centers in Metro North; oversaw the procurement of operators; staffed the Career Center Committee which established the vision for career center operations and which currently oversees career centers; developed the charter document
- ◆ Conducted annual career center evaluations and three-year rechartering processes, including reports development, data analysis and interpretation, site visits, design and analysis of customer satisfaction survey data, and writing reports summarizing results; facilitated the quarterly Consumer Advisory Group
- ◆ Performed labor market analysis, collected input from key players, presented policy and planning options to REB committees, and wrote the annual employment and training plan; developed the regional integrated budget (\$8.3m) across multiple funding streams
- ◆ Prepared legislative papers to summarize the region's accomplishments and funding needs
- ◆ Advocated on behalf of career centers with regard to state policy; participated in statewide workgroups
- ◆ Prepared career center funding scenarios based on demographics of populations served and performance criteria for consideration by the Policy, Funding, and Oversight Committee; provided technical assistance to the career centers; wrote contracts and modifications
- ◆ Regularly prepared and delivered demonstrations on the advanced use of Crystal Reports with the statewide management information system (MOSES)

**12/1988 – 7/1995      Grants Manager/Planner      Employment Resources, Inc., Cambridge, MA**

- ◆ Managed multiple grants, analyzed and projected fiscal and program performance; developed strategies to optimize performance
- ◆ Wrote the annual plan; wrote grant proposals; developed requests for proposals; led the proposal review process
- ◆ Staffed the agency's Planning Committee; organized and led bidders conferences and vendor meetings
- ◆ Negotiated, wrote, and managed contracts with 25 providers of education and training programs

**12/1986 – 12/1988   Training Director      West Suburban YWCA, Natick, MA**

- ◆ Significantly increased program application, retention, job placement, and wage rates
- ◆ Chaired advisory council meetings; increased private sector participation
- ◆ Assessed and selected program applicants; developed curricula and taught career development and business communications; developed and supervised internships; provided counseling and job development
- ◆ Hired and supervised training instructors
- ◆ Wrote grant proposals and program evaluations

**Education:**

**Master of Arts (plus Predoctoral Work), Psychology, University of California, Berkeley**  
 Honors: Dean's Fellowship, Regents' Fellowship

**Bachelor of Arts, University of California, Los Angeles**  
 Honors: Phi Beta Kappa; Magna Cum Laude; Psychology Departmental Honors;  
 Publication in Journal of Personality and Social Psychology (First Author)

## **EDWARD M. POWELL**

An enthusiastic, dedicated leader possessing highly developed organizational and strategic planning skills with proven success in program management and operational effectiveness. Adept at building and leveraging community capital in the service of youth development. Seeking an executive level position in an organization poised for its next stage of development and growth.

### **PROFESSIONAL EXPERIENCE**

Justice Resource Institute

2014-present

*Focus will be on building community relationships that will allow JRI to increase its visibility in the neighborhoods that it serves*

#### **Vice President for Community Engagement**

- Lead a JRI Boston Based Coordination Committee through a process that will allow JRI's Boston based programs to operate more efficiently both internally and externally
- Explore partnership and merger opportunities with community agencies that have missions that are compatible to JRI
- Identifying and recruiting new talent into all levels of the agency
- Providing sponsorships to community initiatives that are closely aligned with our mission.

StreetSafe Boston

2011-2014

*Led an internationally celebrated violence prevention initiative that works with some of the most active gangs in the city of Boston in 5 neighborhoods that are disproportionately affected by violence.*

#### **Executive Director**

- Brought the initiative to full implementation within 6 months of assuming leadership
- StreetSafe focus gangs saw significant decreases in gun related violence.
- Created the StreetSafe Transitional Employment program (STEP) which increased the amount of employment opportunities by 150% for gang involved youth in the program.
- The model's effectiveness led to the replication of StreetSafe in Bridgeport, Ct and Bermuda
- Effective spokesman and thought leader on the issue of youth violence both nationally and internationally.

Boston Private Industry Council, Inc.

2001 – 2010

#### **Deputy Director (2009-2010)**

*Developed a constructive public engagement strategy, focusing on bringing more awareness of the youth programs to the community.*

- Initiated legislative strategy: organized a state wide legislative site visit campaign through the 16 regional workforce investment boards resulting in first-hand look at primary state programs for youth employment and employer connections.
- Ensured quality supervision and work experience for youth in community-based alternative education program.
- Part of State wide Youth Coalition of 30 youth and community organizations that secured over \$1 million and 11,000 (2700 additional) youth jobs for this summer.
- Led successful campaign to secure level funding of Connecting Activities line item within state budget.

### **School to Career Director (2001 – 2009)**

- Implemented Universal Job Readiness Criteria to utilize with all students in the program.
- Supervised staff of 31 Career Specialists and three Assistant Directors of summer jobs/internships program; reduced turnover by developing and implementing career paths.
- Oversaw the execution of the largest private sector youth summer job programs in the country.
- Implemented new performance appraisal and benchmark system for the STC Team.
- Created Mock Interview Week Program: community volunteers conducted mock interviews with students. Developed supervisory training for this program. (Program recruits 100 volunteers who service 300 students annually).
- Revised strategic and staffing plans annually, including staff reductions/layoffs over the past three years.
- Recruited employers to join the STC Program; trained and supported them throughout the process. Developed and maintained strong employer relationships.

Boston Public Schools, Boston, MA

1998 – 2001

### **Assistant Director of Transportation**

*Along with the Director, oversaw a system which transported over 40,000 students, with an annual operating budget of over \$60 million.*

- Oversaw liquidated damages process (where BPS was reimbursed weekly for late buses), saving the school system \$250,000 annually.
- Responsible for performance management of eight Transportation Officers (who oversaw the creation and updating of bus routes), the Complaints' Manager (who oversaw disputes between bus drivers, parents, and headmasters), and the unit leader for the Bus Monitors, who oversaw a staff of eight supervisors and over 300 bus monitors..
- Selected to serve on school department wide Management Restructuring Committee, involved in restructuring of non teachers' union management jobs for compensation equity.
- Ran community meetings to listen to transportation concerns and resolve issues.
- Visited bus manufacturing plants to ensure they were built to specifications and safety standards.

Boston Private Industry Council, Inc., Boston, MA  
**Career Services Manager** (1996 – 1998)

1993 – 1998

- Supervised 10 Career Specialists and Pro-Tech Coordinators in the Boston Public Schools -- providing orientation (designed the orientation program), conducting regular performance evaluations, and facilitating staff development.

### **COMMUNITY LEADERSHIP**

Institute for Racial Justice, Boston, Ma. Advisory Board member (2015)

City of Boston My Brother's Keeper Initiative, Workforce and Business Development Sub- Committee (2015)

NECAT (New England Center for Arts and Technology) Boston, Ma Board of Directors (2013-present)

The Partnership Inc. Next Generation Executive program. Boston, Ma (2013)

Higher Ground Initiative, Boston, MA Youth Employment Task Force Member (2010)

Yawkey Boys and Girls Club Volunteer program (2010-present)

All for One Basketball Program, Boston Ma. Co-Founder and Educational Director (2004-2009)

### **Awards**

2014 Roxbury African American Ball Community Service Award

2011 Concerned Black men of Massachusetts Paul Robeson Community Service Award

2010 Alpha Phi Alpha Northeastern Region Everyday Hero Award

2010 Kappa Alpha Psi Boston Alumni Community Service Award

2009 Diamond Educators Mentor Award

### **EDUCATION**

Suffolk University, Boston, Ma.

Master of Science in Public Administration expected 2017

Delaware State College – Dover, Delaware 1986  
*Bachelor of Science in Marketing*

Suffolk University Human Services program 2015  
*Certificate of Completion*

Boston University School of Management 2008  
Institute for Non-Profit Leadership & Management  
*Certificate of Completion*



## **BIOGRAPHY**

### **Kate Kane**

Kate Kane, CLU is the Managing Director for Northwestern Mutual in Springfield, Massachusetts. She has worked for Northwestern Mutual since 1986. Her career with Northwestern Mutual includes positions as office manager, recruiter, compliance specialist, and Director of New Representative Training and Development. She became a Financial Representative in 1999, a Field Director in 2001, and a Managing Director in 2003. Kate graduated cum laude from Vassar College with a degree in English. She lives in West Brookfield, Massachusetts with her husband, Craig.

#### **Volunteer Work:**

Chair, Board of Trustees, Sisters of Providence Health System, Springfield, MA  
Treasurer, Board of Trustees, Springfield Museums Association, Springfield, MA  
Board Member, College of Business Advisory Board, Western New England University, Springfield, MA  
Board Member, Business Leaders for Education, Springfield, MA  
Board Member, Dress for Success Western MA, Springfield, MA

#### **Awards:**

Richard J. Moriarty Citizen of the Year 2015, Affiliated Chambers of Commerce of Greater Springfield, MA  
Woman of the Year Award 2012, Western MA Women Magazine  
Woman of the Year Award, 2011, Professional Women's Chamber, Affiliated Chambers of Commerce of Greater Springfield, MA  
Difference Maker, *BusinessWest*, Springfield, MA, 2009.  
Northwestern Mutual Foundation Community Service Award, Dress for Success Western Massachusetts, 2003.

## **Richard K. Sullivan, Jr.**

Richard K. Sullivan, Jr. is the President & Chief Executive Officer of the Economic Development Council of Western Massachusetts, a private non-profit corporation that provides resources and information to businesses operating in or entering the region by aiding in expansion, relocation and networking.

Before he became President & CEO of the EDC he was the Governor Deval Patrick's top advisor and worked with all members of the his Cabinet to advance the Administration's agenda.

Prior to being named Patrick's Chief of Staff, Rick served as Secretary of the Executive Office of Energy and Environmental Affairs, overseeing the Commonwealth's six environmental, natural resource and energy regulatory agencies: the Departments of Environmental Protection, Public Utilities, Energy Resources, Conservation & Recreation, Agriculture, and Fish & Game. He also served as Chairman of the Massachusetts Water Resources Authority, the Energy Facilities Siting Board, and the Massachusetts Clean Energy Center.

Under his leadership, Massachusetts is the first state in the nation to combine energy and environmental agencies under one Cabinet secretary with the shared mission of bringing clean energy technology to market, curbing greenhouse gas emissions and cutting energy costs. Governor Patrick's land conservation initiative is the largest in the Commonwealth's history, with protection of more than 75,000 acres of land from 2007 to 2010.

Prior to his appointment to the cabinet post at Energy and Environmental Affairs, Secretary Sullivan served as the commissioner of the Department of Conservation and Recreation (DCR). Appointed in June 2007, he ushered in a new era of transparency and accountability at DCR, with posted maintenance schedules for DCR properties and public meetings for all significant DCR initiatives and policies. Under his leadership, DCR completed several large-scale capital improvements in parks statewide, including a two-year, \$21.3 million project at Mt. Greylock State Reservation in Lanesborough that featured rehabilitation of the 13.5-mile Mt. Greylock Road, and a \$9 million renovation of the visitor center at Georges Island in Boston, a facility that includes a concession area, children's playground and a state-of-the-art solar-powered maintenance building. DCR also conducted a Forest Futures Visioning Process to engage residents across the Commonwealth in a discussion of forestry practices in state forests, leading to dramatic expansion of forest reserves that are protected from commercial logging.

Secretary Sullivan served as the mayor of Westfield from 1994 to 2007 and, in that capacity, chairman of the Westfield School Committee. In 2005, Sullivan was recognized by the New England Association of School Superintendents with its annual President Award for Exemplary Contributions to Education.

He is a past president of the Massachusetts Mayors Association, past chairman of the Turnpike Advisory Board, and a past member of the Governor's Local Advisory Committee. He also served as founding president of the Winding River Land Conservancy, which has protected 1,700 acres in western Hampden County.

Sullivan graduated from Westfield High School and holds degrees from Bates College, and Western New England School of Law.

**Ellen Patashnick  
Springfield, MA**

Ellen received her undergraduate degree at Northeastern University and her masters degree in counseling from Suffolk University. Early in her career Ellen worked at the Department of Youth Services in Boston with delinquent and pre-delinquent youth and their families. Before moving out to the western part of the state, she worked as a social worker in Roxbury with the Department of Public Welfare and was then was promoted to a supervisory position in the Division of Child Guardianship (now the Department of Children and Families). She has held several management positions including Director of the Holyoke and Robert Van Wart DCF offices. Now retired, Ellen is a volunteer disaster responder and instructor for the American Red Cross for both local and national events. Her husband is a retired adoption supervisor.

**No Documents**

Descriptors	Massachusetts	Massachusetts Comments	Michigan	Michigan Comments	Pennsylvania	Pennsylvania Comments
Headquarters	Boston		Detroit		Harrisburg	Central office in Harrisburg and three satellite offices in Scranton, Philadelphia, and Pittsburgh
Budget	28,312,371.19	Budget funding comes from fees and investigation costs, and balance comes from assessment on industry	26,489,300.00	Comes from annual assessment linked to CPI, and fees and revenues. Current assessment is \$11M/operator. Balance goes to other state budget purposes as needed. So assessment is in excess of \$33M/yr	37,990,000.00	~75% comes from (1.5% of GGR), and ~25% comes from restricted fees (Gaming lab \$1M, application fees for investigations and specific licensing fees)
FTEs	71.48	8 new hires, 4 interns, one contract employee and 58 existing or already planned hires.	116	116 FTEs assigned to Gaming. State Police and AG's office staff not included in this count	312	10 employees in each casino--includes salary and fringe. At high point was 330 employees.
Cost of FTEs	8,515,068.94	Includes salary and fringe	10,000,000.00	Commission staff and Fringe costs	32,460,000.00	Includes salaries and fringe
Contracted Costs (What are they)	19,797,302.25	Rent, MSP, AGO, licensing system, high performance organization, central monitoring system, oversight project monitors, outside counsel, outside investigators, fingerprint services, cell phones, state agency central service chargebacks, rent, consultants	14,500,000.00	Rent for headquarters, MSP, Attorney General, IT infrastructure	5,530,000.00	Interagency Billings, comptroller, IT services \$20K/month, hrd, rent 4 locations (central office and three satellite offices Scranton, Philadelphia, and Pittsburgh), fingerprint services \$350K/yr
Characteristic Comparison	Included in Agency Budget		Included in Agency Budget		Included in Agency Budget	
State Police	3,240,000.00 Yes	22 troopers included	3,554,500.00 Yes	32 Troopers included in \$26.48M	22,995,000.00 No	PSP separate line item (1.5% GGR) 12-14 officers in each casino
Attorney General	1,900,000.00 Yes	Placeholder. Does not include MSP costs associated with AGO.	1,502,000.00 Yes	9 FTEs included in \$26.48M	1,140,000.00 No	Separate line item of \$1M (1.5% GGR)
Department of Revenue*	- N/A		- N/A		2,913,000.00 No	DOR \$9.5M from gaming revenue for CMS (\$7M) balance for auditors (1.5% GGR)
Responsible Gaming	4,612,969.16 Yes	Included in \$28.3M. In future years part of this will come from separate assessment to Public Health Trust Fund.	960,000.00 Yes	included in \$26.48M	8,200,000.00 No	2 people at PGCB carveout going to DPH for \$5.2M, Drug and Alcohol \$3M paid from 53% tax (not part of regulatory control, split out of slots tax)
Centralized Monitoring System	2,030,374.00 Yes	Included in \$28.3M	- N/A		6,600,000.00 No	This is also paid by DOR from (1.5% GGR)
Other State Agency Costs	78,080.00 Yes	ISA to ABCC	6,510,700.00 No	Difference between \$33M assessment and what Michigan Control Board Spends. Balance goes to the State Budget		
Full/Part Time Commission	2,115,563.01 Yes	Salaries set statutorily and includes cost of review of region c applications	50,000.00 Yes	Only travel reimbursements and lunches for Commission meetings	1,020,000.00 Yes	\$145K/yr chairman gets \$150K, and 7 total members no staff or vehicles (included in \$36.9M)
# of Venues	1	Two to Three more expected	3	Commercial Casino costs only included here	12	Potentially 2 more could come on board
Tax Revenue Generated	342,000,000.00	25% on Category 1 Facilities and 40% on Category 2. Estimates range based on whether there is a region C or not. It can be anywhere as low as \$325M, or as high as \$478M. These numbers are assuming all operations open.	108,000,000.00	State takes 8.1% of GGR (\$108M) City of Detroit 11.9% of GGR (\$58.67M) City of Detroit 1% of GGR above \$400M/yr Municipal Service Fee 1.25%	1,332,000,000.00	\$1.238 from slots revenue (53% GGR), and \$102.5M table games (14% GGR)
Total GGR	1,400,000,000.00	Estimates range based on whether there is a region C or not. It can be anywhere as low as \$1.2B, or as high as \$1.8B. These numbers are assuming all operations open.	1,332,800,000.00		3,052,000,000.00	
Total Amount Spent on Regulatory Control	28,312,371.19		26,489,300.00		71,638,000.00	
Cost of Regulating as % of Rev Generated for State	8.28%		24.53%		5.38%	
Cost of Regulating as % of GGR	2.02%		1.99%		2.35%	

Descriptors	Colorado	Colorado Comments	Ohio	Ohio Comments	Maryland	Maryland Comments
Headquarters	Golden		Columbus		Baltimore City	
Budget	15,331,439.00	Comes from Gaming Taxes. Colorado Gaming only allowed in the towns of Black Hawk, Central City and Cripple Creek. Division of Gaming located within the Enforcement Business Group of Colorado DOR.	12,465,000.00	3% of GGR 33% tax (1% of GGR) plus License fees.	85,607,818.00	2% of GGR from slots operations or approx \$13.2M. Balance comes from General Fund On April 1 this reduces to 1% of GGR from slots.
FTEs	91	91 FTEs assigned to Gaming.	100	How many at each site?	146	142 FTEs and 4 contractors. 60 casino compliance reps 9-16 at each facility 10 hr days 4 days/wk. Cost of employees does not include cost of legal, finance, HR staff.
Cost of FTEs	8,282,451.00	Commission staff and fringe costs	8,528,000.00	80,525.85 Includes salaries and fringe	9,103,487.00	
Contracted Costs (What are they)	7,048,988.00	Rent for headquarters, Other stat agencies (state police, colorado bureau of investigations, state auditors, department of law) IT infrastructure, legal services, utilities.	3,937,000.00	Administrative Hearings, Rent, Travel, Supplies, Equipment Intrastate Payments (\$358K)	76,504,331.00	\$55M for rental of slot machines, \$8.9M for debt payment on purchase of slot machines. \$11M left for central system, software licensing, some machine costs maintenance, and e-licensing system
<b>Characteristic Comparison</b>	<b>Included in Agency Budget</b>		<b>Included in Agency Budget</b>		<b>Included in Agency Budget</b>	
State Police	3,200,000.00 Yes	Troopers included in \$15.3M and part of \$4.3M agency services ~\$3.2M	-	No In Ohio Gaming Agents have arrest authority. There are 54 FTEs that have this ability in the OCCC	-	No
Attorney General	250,000.00 Yes	included in \$15.3M and part of \$4.3M agency services ~\$250K The department of revenue runs the Colorado Gaming Commission	30,000.00 Yes		80,000.00 Yes	One Staff Attorney
Department of Revenue*	- Yes		720,000.00 Yes	10% of OCCCs 1% of GGR	-	N/A
Responsible Gaming	- Yes	Are there expenses that go towards this?	4,800,000.00 No	2% of the 33% GGR ( or .67% of GGR)	-	N/A
Centralized Monitoring System	- N/A		-	N/A No Central Management System	4,000,000.00 Yes	What is cost?
Other State Agency Costs	850,000.00 Yes	State Police, Attorney General,		Are there any other state agency costs paid here	-	N/A
Full/Part Time Commission	- N/A	5 member Commission Are they full time or part time?	210,000.00 Yes	7 member board. Salary of \$30K/Commissioner plus actual expenses	162,000.00 Yes	9 part-time commissioners not more than \$1,500/mtg each
# of Venues	36 Yes		4.00		5.00	
Tax Revenue Generated	104,877,635.88	.25% on amounts up to \$2 million 2% on amounts over \$2 million and up to \$5 million 9% on amounts over \$5 million and up to \$8 million 11% on amounts over \$8 million and up to \$10 million 16% on amounts over \$10 million and up to \$13 million 20% on amounts over \$13 million	240,000,000.00	33% of GGR	507,100,000.00	67% of GGR on Slots (\$429M) and 20% of GGR on Table Games (\$78.1M)
Total GGR	740,646,937.16		720,000,000.00		1,117,200,000.00	
Total Amount Spent on Regulatory Control	15,331,439.00		12,465,000.00		85,607,818.00	
Cost of Regulating as % of Rev Generated for State	14.62%		5.19%		16.88%	
Cost of Regulating as % of GGR	2.07%		1.73%		7.66%	

## Attachment A--List of MGC Appropriations and Revenues

Budget	FY16 Projection
<b>10500001--Gaming Control</b>	
AA REGULAR EMPLOYEE COMPENSATION	6,460,884.92
BB REGULAR EMPLOYEE RELATED EXPEN	90,900.00
CC SPECIAL EMPLOYEES	150,506.15
DD PENSION & INSURANCE RELATED EX	1,903,677.87
EE ADMINISTRATIVE EXPENSES	505,193.58
FF PROGRAMMATIC FACILITY OPERATONAL SUPPLIES	500.00
GG ENERGY COSTS AND SPACE RENTAL	1,129,453.26
HH CONSULTANT SVCS (TO DEPTS)	5,239,276.14
JJ OPERATIONAL SERVICES	5,193,333.57
KK Equipment Purchase	80,000.00
LL EQUIPMENT LEASE-MAINTAIN/REPAR	25,617.71
MM PURCHASED CLIENT/PROGRAM SVCS	35,000.00
NN INFRASTRUCTURE:	-
PP STATE AID/POL SUB	3,011,010.00
UU IT Non-Payroll Expenses	4,487,017.99
<b>Total</b>	<b>28,312,371.19</b>
Revenues	FY16 Projection
Region C Phase 1 Investigation Collections	200,000.00
Region C Phase 2 Category 1 Collections	800,000.00
Grant Collections (restricted)	400,000.00
Region A slot Machine Fee	1,945,200.00
Region B Slot Machine Fee	1,800,000.00
Slots Parlor Slot Machine Fee	750,000.00
Gaming Employee License Fees (GEL)	30,000.00
Key Gaming Executive (GKE)	35,000.00
Key Gaming Employee (GKS)	20,000.00
Non-Gaming Vendor (NGV)	30,000.00
Vendor Gaming Primary (VGP)	45,000.00
Vendor Gaming Secondary (VGS)	40,000.00
Gaming Service Employee License (SER)	-
Subcontractor ID Initial License (SUB)	-
Temporary License Initial License (TEM)	-
Veterans Initial License (VET)	-
Transfer of Licensing Fees to CMF	-
Assessment	22,217,171.19
Misc	
<b>Total</b>	<b>28,312,371.19</b>
	-
Budget	FY 16 Projection
<b>10500002--Greyhound Stabilization</b>	

TT LOANS AND SPECIAL PAYMENTS	\$ -
<b>Revenues</b>	<b>Initial Projection</b>
Greyhound Balance Forward Simulcast	
Plainridge Greyhound Import Simulcast	\$ 32,174.19
Raynham Greyhound Import Simulcast	\$ 112,449.69
Wonderland Greyhound Import Simulcast	\$ 36,338.91
<b>Total</b>	<b>\$ 180,962.79</b>
<b>Budget</b>	<b>FY16 Projection</b>
<b>1050003--Racing Oversight Trust Fund</b>	
AA REGULAR EMPLOYEE COMPENSATION	\$ 523,531.72
BB REGULAR EMPLOYEE RELATED EXPEN	\$ 5,000.00
CC SPECIAL EMPLOYEES	\$ 408,245.20
DD PENSION & INSURANCE RELATED EX	\$ 168,147.06
EE ADMINISTRATIVE EXPENSES	\$ 30,855.00
FF PROGRAMMATIC FACILITY OPERATONAL SUPPLIES	\$ 1,000.00
HH CONSULTANT SVCS (TO DEPTS)	\$ 32,000.00
JJ OPERATIONAL SERVICES	\$ 59,300.00
LL EQUIPMENT LEASE-MAINTAIN/REPAR	\$ 6,650.00
MM PURCHASED CLIENT/PROGRAM SVCS	\$ 266,000.00
NN INFRASTRUCTURE:	\$ -
UU IT Non-Payroll Expenses	\$ 78,700.00
<b>Total</b>	<b>\$ 1,579,428.98</b>
<b>Revenues</b>	<b>FY16 Projection</b>
Plainridge Assessment	\$ 170,849.60
Plainridge Daily License Fee	\$ 124,695.42
Plainridge Occupational License	\$ 85,000.00
Plainridge Racing Development Oversight Live	\$ 18,674.66
Plainridge Racing Development Oversight Simulcast	\$ 264,972.66
Racing Oversight and Development Balance Forward	
Raynham Assessment	\$ 126,681.83
Raynham Daily License Fee	\$ 110,931.00
Raynham Racing Development Oversight Simulcast	\$ 457,149.55
Suffolk Assessment	\$ 437,169.33
Suffolk Commission Racing Development Oversight Simulcast	\$ 170,748.32
Suffolk Daily License Fee	\$ 80,631.00
Suffolk Occupational License	\$ 20,000.00
Suffolk Racing Development Oversight Live	\$ -
Suffolk TVG Commission Live	\$ -
Suffolk TVG Commission Simulcast	\$ 92,997.43
Suffolk Twin Spires Commission Live	\$ -
Suffolk Twin Spires Commission Simulcast	\$ 92,997.43
Suffolk Xpress Bet Commission Live	\$ -



Suffolk Xpress Bet Commission Simulcast	\$ 92,997.43
Transfer to General Fund 10500140	
Wonderland Assessment	\$ 15,132.22
Wonderland Daily License Fee	\$ 80,073.00
Wonderland Racing Development Oversight Simulcast	\$ 120,746.64
Transfer to General Fund 10500140	\$ (900,000.00)
Misc	\$ -
<b>Total</b>	<b>\$1,662,447.52</b>
<b>Budget</b>	<b>FY16 Projection</b>
<b>10500012--Plainridge Capital Improvements</b>	
TT LOANS AND SPECIAL PAYMENTS	\$ 125,000.00
<b>Revenues</b>	<b>FY16 Projection</b>
Plainridge Import Harness Horse Simulcast	\$ 45,610.62
Plainridge Racing Harness Horse Live	\$ 15,879.94
Raynham Import Plainridge Simulcast	\$ 8,123.52
Suffolk Import Plainridge Simulcast	\$ 10,639.63
Plainridge Racecourse Promo Fund Beginning Balance	
TVG Live	\$ -
TVG Simulcast	\$ 18,060.54
Twin Spires Live	\$ -
Twin Spires Simulcast	\$ 18,060.54
Xpress Bets Live	\$ -
Xpress Bets Simulcast	\$ 18,060.54
<b>Total</b>	<b>\$ 134,435.33</b>
<b>Budget</b>	<b>FY16 Projection</b>
<b>10500013--Plainridge Promotional</b>	
TT LOANS AND SPECIAL PAYMENTS	\$ -
<b>Revenues</b>	<b>FY16 Projection</b>
Plainridge Import Harness Horse Simulcast	\$ 19,131.77
Plainridge Racing Harness Horse Live	\$ 9,288.26
Raynham Import Plainridge Simulcast	\$ 4,010.33
Suffolk Import Plainridge Simulcast	\$ 4,755.02
Plainridge Capital Improvement Fund Beginning Balance	
TVG Live	\$ -
TVG Simulcast	\$ 6,089.66
Twin Spires Live	\$ -
Twin Spires Simulcast	\$ 6,089.66
Xpress Bets Live	\$ -
Xpress Bets Simulcast	\$ 6,089.66
<b>Total</b>	<b>\$55,454.36</b>
<b>Budget</b>	<b>FY16 Projection</b>

<b>10500021--Suffolk Promotional</b>	
TT LOANS AND SPECIAL PAYMENTS	\$ 146,000.00
<b>Revenues</b>	<b>FY16 Projection</b>
Plainridge Import Running Simulcast	\$ 31,104.90
Raynham Import Running Simulcast	\$ 16,577.01
Suffolk Import Running Horse Simulcast	\$ 55,366.16
Suffolk Racing Running Horse Live	\$ -
Suffolk Promotional Fund Beginning Balance	
TVG Live	\$ -
TVG Simulcast	\$ 28,355.23
Twin Spires Live	\$ -
Twin Spires Simulcast	\$ 28,355.23
Xpress Bets Live	\$ -
Xpress Bets Simulcast	\$ 28,355.23
<b>Total</b>	<b>\$188,113.76</b>
<b>Budget</b>	<b>FY16 Projection</b>
<b>10500022--Suffolk Capital Improvements</b>	
TT LOANS AND SPECIAL PAYMENTS	\$ 525,500.00
<b>Revenues</b>	<b>FY16 Projection</b>
Plainridge Import Running Simulcast	\$ 129,847.21
Raynham Import Running Simulcast	\$ 59,992.30
Suffolk Import Running Horse Simulcast	\$ 224,469.37
Suffolk Racing Running Horse Live	\$ -
Suffolk Capital Improvement Fund Beginning Balance	
TVG Live	\$ -
TVG Simulcast	\$ 103,567.87
Twin Spires Live	\$ -
Twin Spires Simulcast	\$ 103,567.87
Xpress Bets Live	\$ -
Xpress Bets Simulcast	\$ 103,567.87
<b>Total</b>	<b>\$725,012.49</b>
<b>Budget</b>	<b>Initial Projection</b>
<b>10500140--Racing Payments to Cities and Towns</b>	
TT LOANS AND SPECIAL PAYMENTS	\$ 900,000.00



TO: Chairman Crosby and Commissioners Cameron,  
McHugh, Stebbins and Zuniga

FROM: Trupti Banda, Human Resources Manager

CC: Rick Day, Executive Director

DATE: 6/25/2015

RE: Adoption of Red Book Section 2.03  
Crediting Prior Comparable Experience for the  
Purpose of Determining Vacation Status

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In an effort to ensure we can recruit and retain the most qualified employees, I recommend that the commission adopts Red Book Section 2.03 (of The Commonwealth of Massachusetts Human Resources Division (HRD)).

This policy allows the commission to grant up to 5 weeks of vacation per year to employees who have prior comparable experience. The discretion to grant vacation under this policy should be delegated to the Executive Director.



Massachusetts Gaming Commission

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April, 2002

## HUMAN RESOURCES DIVISION

### PROCEDURES FOR IMPLEMENTING THE RED BOOK CHANGES EFFECTIVE JANUARY 28, 2002

#### RED BOOK SECTION 2.03

#### CREDITING PRIOR COMPARABLE EXPERIENCE FOR THE PURPOSE OF DETERMINING VACATION STATUS

Red Book Section 2.03, as recently amended, includes the following provision:

*Creditable service for the purpose of vacation status only may also include experience comparable to the duties of the job for which the employee is being hired. To be recognized for this purpose, such comparable experience must be in excess of that which meets the minimum entrance requirements for the position, and shall include experience in all employment sectors, including work for all private and public employers. Such experience must be full-time and will be credited on the basis of one year of experience for one year of creditable service. All such requests are subject to the approval of the Personnel Administrator.*

Vacation status represents the vacation rate accrual for an employee. Vacation status progresses according to the following schedule:

Milestone	Accrual Rate
Date of hire	1 day per month
After 4½ years	1.25 days per month
After 9½ years	1.67 days per month
After 19½ years	2.083 days per month

Please note that **this benefit shall be granted at the discretion of the agency head, subject to the approval of the Personnel Administrator.** Accordingly, care should be taken to initiate requests early enough so that approvals can occur in advance of making job offers. The following instructions are provided for carrying out this new benefit for managers and confidential employees.

#### Summary of Procedure

- Obtain a current resume from the individual being hired.
- In reviewing the resume, pay particular attention to those portions of the individual's training, experience, licensure, and certification that meet the minimum entrance requirements for the classification and those which demonstrate comparable experience **beyond** the minimum entrance requirements described in Sections XII and XIII of the classification specification for the title. Complete a Request for Enhanced Vacation Status for Comparable Service Form (attached). The resume must describe applicable fields of study, degrees and/or credit hours received, the kinds of

## Red Book Changes Effective January 28, 2002

duties performed in previous work experience, and the exact dates of each period of employment listed.

- Determine, in years and full months, the amount of comparable experience **beyond** the minimum entrance requirements for the position into which the individual is being hired by following the steps below. Only full-time experience is creditable. Do not include part-time or intermittent experience.

**Step 1:** Compare the person's resume against the minimum entrance requirements in the class specification for the subject position and determine the overall amount of relevant experience **beyond** the minimum entrance requirement. State the amount of this experience in years and months.

**Step 2:** Based on the amount of applicable experience identified in Step 1, determine the appropriate level of vacation status. If, for example, the result from Step 1 is equal to or greater than the amount of service needed to reach the milestone of 4½ years, but less than the amount needed to reach the milestone of 9½ years, then the recommended vacation status level should be that which corresponds to the milestone of 4½ years: 15 days per year (1.25 days per month).

**Example:** Arthur Johnson is being hired into an Administrator V position. The minimum entrance requirement for the title of Administrator V requires at least (a) five years of professional, administrative supervisory or managerial experience in business administration, business management, or public administration, and (b) of which at least four years must have been in a supervisory or managerial capacity. Mr. Johnson has ten years and four months experience as a supervising manager.

**Step 1:** Mr. Johnson's 10 years and 4 months of management experience exceeds the required minimum of 5 years by 5 years and 4 months.

**Step 2:** Because the 5 years and 4 months from Step 1 is greater than the milestone of 4½ years, but less than the next milestone of 9½ years, his initial vacation status should be based on the former. His vacation status should thus be set at 15 days per year (1.25 days per month).

- Next, determine the date and level of the next vacation status milestone. If, for example, the employee receives, upon the date of hire, the benefit of enhanced vacation status to the 4½ year milestone of 15 days per year (1.25 days per month), the date of the next vacation status milestone of 9½ years (1.67 days per month) will be 5 years from the date of hire. The date of the final vacation milestone of 19½ years (2.83 days per month) will be 15 years from the date of hire. Any excess amount of comparable experience from Step 1 beyond the chosen milestone **will not** be applied toward meeting the next milestone. In the above example, even though the amount of comparable experience beyond the minimum entrance requirements, i.e., 5 years and 4 months, exceeds the milestone of 4½ years by 10 months, this excess factor of 10 months may not be applied toward the next vacation status milestone. The employee must work a full 5 years to reach the next milestone of 9½ years.
- Submit the completed Request for Enhanced Vacation Status for Comparable Service Form to HRD, making sure to secure the required signatures and to attach the candidate's resume.

## Red Book Changes Effective January 28, 2002

- If approval of the request for enhanced vacation status has been received from the Personnel Administrator, enter the appropriate *Benefit Plan* in the employee's job record in HR/CMS when making the appointment. Please note that progression to the next vacation status milestone must be tracked and entered manually. The HR/CMS path is as follows:

### **Compensate Employees-Administer Base Benefits-Use-Leave Plans**

Refer to the HR/CMS Job Aid, *Assign Leave Plan*, on the Knowledge Center.

Select the appropriate Benefit Plan from among the following:

<b># of Hours Worked</b>	<b>Vacation Status Level (days/year)</b>	<b>Benefit Plan</b>
37.5	15	EVAC 02
37.5	20	EVAC 03
37.5	25	EVAC 04
40	15	EVAC 06
40	20	EVAC 07
40	25	EVAC 08

- Retain the Request for Enhanced Vacation Status Form and the resume in your files. Be sure to provide the employee with a copy of the approved form and place a copy in the employee's personnel file. The form includes a reference to the date of the employee's next vacation status progression.

## **RED BOOK SECTION 2.08**

### **Carry Over of Vacation Accrual**

The following language has been added to Section 2.08:

*In extraordinary circumstances, an agency head may request the Personnel Administrator to permit an employee to carry over more than two years of vacation credits. The approval of such a request shall be at the discretion of the Personnel Administrator.*

### **Summary of Procedure**

- Send to the Personnel Administrator a letter signed by the agency head or his/her designee requesting the restoration of vacation credits that the employee stands to forfeit at the end of the calendar year. The letter should include the number of hours to be restored and the reason(s) why the employee was unable to use the vacation credits in question. This rationale should reflect the extraordinary circumstances that were beyond the employee's control.
- Requests should be submitted well in advance (three weeks or more) of the end of the calendar year. This will provide the necessary approval and processing time to correctly report the employee's vacation balance in the pay advice for the first pay period of the new calendar year.

## **RED BOOK SECTION 2.14**

### **Advance of No More than Five Vacation Days**

New Red Book Section 2.14 provides the following:

*Subject to the approval of the Personnel Administrator, newly hired employees who have completed one month of state service have the option to request an advance of no more than five vacation days. Employees who opt to receive an advance of vacation leave shall not accrue additional vacation credits until sufficient time has passed to offset the amount of vacation credits that were advanced. Employees may exercise the option to advance vacation credits only once during the first twelve months of employment. In the event that an employee who exercises this option separates from the employment of the Commonwealth with a deficit of vacation credits, said employee's final pay remittance will be reduced by an amount corresponding to the negative balance of vacation credits.*

#### **Summary of Procedure:**

- Subject to the approval of the Agency Head and the Personnel Administrator, newly hired managers and confidential employees may request an advance of no more than 5 days of vacation credits during the first 12 months of employment
- A Request for Advance of Vacation Credits Form must be signed by the Agency Head and submitted to HRD.
- Once the advance has been approved, the agency will enter the number of approved hours of vacation advance using the following processing path in HR/CMS:

#### **Self Service–Manager-Tasks-Weekly Elapsed Time**

Refer to the HR/CMS Job Aid, **Report Time**, on the Knowledge Center. Add a new line and enter the approved number of hours on any day of the week, using the Time Reporting Code (TRC) of **VAC+(# of hours)**, up to a maximum of 1 week (37.50/40.00 hours).

- The agency will manually track the payback of the advance, by removing monthly credits as soon as they are accrued, using the Time Reporting Code (TRC) of **VAC- 7.50/8.00**, until the total number of hours advanced has been recovered.
- Employees who terminate before the advanced vacation hours can be recovered, will need to have their final pay remittance reduced by an amount equal to the number of vacation hours owed. Use the following path in HR/CMS to process this reduction in pay:

#### **Compensate Employees-Maintain Payroll Data-Use-Additional Pay**

Using the Earnings Code of **ADS**, enter the negative earnings amount equal to the number of vacation hours that are owed.

## Red Book Changes Effective January 28, 2002

**Example:** Marie Emerson was hired on December 31, 2001 with a work schedule of 37.50 hours per week. On February 1, 2002 she received 7.50 hours of earned vacation accrual. She received an approved advance of 37.50 hours of vacation (VAC+ of 37.50 hours) on February 19, 2002. On February 22<sup>nd</sup> and 25<sup>th</sup> of 2002, Ms. Emerson used 15 hours of vacation time. This included the 7.50 hours of vacation that she accrued on February 1, 2002 and 7.50 hours of the 37.50 hours that she was advanced on February 19, 2002. Because of the advance of 37.50 hours (5 days) Ms. Emerson was informed that it would take 5 months to “repay” the advance by removing, for the next 5 months, the monthly vacation credits that she would normally be accumulating. She was also told that on August 1, 2002, after having offset the advance with her accruals from March through July, she would begin to accrue vacation credits in the normal monthly fashion. However, on February 28, 2002, Ms. Emerson terminated, with an unused advanced balance of 30.00 hours and owing 7.50 hours for the vacation day that she took on February 25, 2002. (The 7.50 hours of vacation time that she took on February 22<sup>nd</sup> was offset by the 7.50 hours that she accrued on February 1<sup>st</sup>.) To address this situation, the department must now enter a VAC- of 30 hours of vacation time to remove the vacation credits that were advanced, but not used, and recoup 7.50 hours of pay by using a negative amount in additional pay using the Earnings Code of **ADS**.

The following chronology outlines the processing steps related to this example:

<b>Date</b>	<b>Action</b>
12/31/01	Date of hire
2/1/02	Received 7.50 monthly vacation hours
2/19/02	Received 37.50 hours of advanced vacation hours
2/22 & 2/25/02	Used 15.00 hours of vacation
2/28/02	Employee terminates
3/1/02	Department enters VAC- 30.00 hours (removing the unused advanced hours). Since the employee accrued only one vacation day, she must pay back one day (used on February 25, 2002). The agency recoups 7.50 hours of pay from the final paycheck in the <i>Additional Pay</i> panel by using the <i>ADS</i> Earnings Code and entering the negative dollar amount corresponding to 7.50 hours.

### **RED BOOK SECTION 6.05**

#### **Military Leave**

Section 6.05 reads as follows:

*Upon returning to their state positions, employees who have been called to active military service by the United States of America shall be entitled to sick leave, vacation leave and personal leave that they would have accrued had they been on the payroll during their absence for military leave.*



**Summary of Procedure:**

Credit those returning from military service with the vacation, sick leave and personal leave that they would have received had they not left for active duty. To do so, use the following path in HR/CMS:

**Self Service–Manager-Tasks-Weekly Elapsed Time**

Refer to the HR/CMS Job Aid, *Report Time*, on the Knowledge Center. Use the Time Reporting Codes *VAC+*, *SIC+* and *PER+* as needed.

**Example:** Gus Belmont, who is a member of the National Guard, is called into active service on February 11, 2002. His vacation and sick leave accrual rate is 1.25 days per month and he works 37.50 hours per week. He will be released from active military duty on April 13, 2002, and will resume his position with the Commonwealth on April 16, 2002. Because he was off the payroll on March 1 and April 1, he did not receive vacation or sick leave credits for these months. Upon his return to work from active military duty, he is entitled to receive the vacation and sick leave credits that he would have received on March 1 and April 1, had he not been on military leave. Using the above listed path, you should make a *VAC+* entry of 18.75 hours (2.5 days) and a *SIC+* entry of 18.75 hours (2.5 days).

**RED BOOK SECTION 8.06**

**Other Leaves of Absence With Pay**

The following has been added to the list of other leaves of absence with pay:

- *The Personnel Administrator may approve emergency paid leave for an employee, as a result of a state or national emergency. An employee on a prior approved leave of absence or scheduled vacation, sick, personal or compensatory leave during the emergency closing shall not have his/her leave changed to emergency leave.*

**Summary of Procedure:**

If an employee is absent from work, as a result of a state or national emergency, the agency must submit a letter to the Personnel Administrator requesting permission to grant a leave of absence with pay due to the emergency. The letter should specify the circumstances (e.g., the suspension of air travel) relating to the dates of absence. When this type of leave is authorized, use the following path to record the leave:

**Self Service–Manager-Tasks-Weekly Elapsed Time**

Refer to the HR/CMS Job Aid, *Report Time*, on the Knowledge Center. Use the Time Reporting Code of *ESL*, 7.50/8.00 hours per day.

## **RED BOOK SECTION 10.04**

### **Compensatory Time**

Section 10.04 has been rewritten as follows:

*Compensatory time in lieu of overtime will not be allowed for managers. An Appointing Authority shall grant confidential employees compensatory time, in lieu of payment for overtime, in a manner consistent with the pertinent provisions of the collective bargaining agreements that would otherwise cover the employees' job titles.*

#### **Summary of Procedure:**

In granting compensatory time to confidential employees, use the following path:

#### **Self Service-Manager-Tasks-Weekly Elapsed Time**

Refer to the HR/CMS Job Aid, **Report Time**, on the Knowledge Center. Use the Time Reporting Code of **COM**, 7.50/8.00 hours per day.

## **RED BOOK SECTION 11.06**

### **Holiday Pay for Part-Time Employees**

Section 11.06 now reads as follows:

*A part-time employee shall earn pay for a holiday or compensatory time in the same proportion that his/her part-time service bears to full-time. A part-time employee who is scheduled, but not required to work on a holiday, who receives less holiday credit than the number of hours he/she is required to work, may use other available leave time, or upon the request of the employee and approval by the Appointing Authority, subject to operational needs, may make up the difference in hours that same workweek. The scheduling of these hours will be at a time requested by the employee and approved by the Appointing Authority, subject to operational needs.*

#### **Summary of Procedure:**

Refer to the HR/CMS Job Aid, **Report Holiday Hours** on the Knowledge Center. Also refer to the Doc/View Direct report HMTLR011 (MTLR011R), Part-Time Holiday Report.

April, 2002

**HUMAN RESOURCES DIVISION**

**Request for Enhanced Vacation Status  
Based on Prior Comparable Service Pursuant to Red Book Rule 2.03**

Please attach the candidate's resume.

**Agency Name:** \_\_\_\_\_ **Date Prepared:** \_\_\_\_\_

**Name of Candidate:** \_\_\_\_\_ **Date of Hire:** \_\_\_\_\_

**Position Information**

**Official Title:** \_\_\_\_\_ **Account Code:** \_\_\_\_\_ **Pos. No.:** \_\_\_\_\_

**Minimum Entrance Requirements**

**Required (A) Experience:**

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**Required (B) Experience (if applicable):**

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**Substitutions:**

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**Nature and Amount of Candidate's Comparable Experience:**

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**Amount of Comparable Experience in Excess of Minimum Entrance Requirements:**

**# of Years:** \_\_\_\_\_ **# of Months:** \_\_\_\_\_ **Level of Vacation Status Requested:** \_\_\_\_\_

**Date of Next Vacation Status Milestone:** \_\_\_\_\_ **Next Level of Vacation Status:** \_\_\_\_\_

**Approved:**

**Agency Head:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Personnel Administrator:** \_\_\_\_\_ **Date:** \_\_\_\_\_

April, 2002

**HUMAN RESOURCES DIVISION**

**Request for Advance of Vacation Credits**

Pursuant to Red Book Rule 2.14

**Agency Name:** \_\_\_\_\_ **Date Prepared:** \_\_\_\_\_

**Employee Name:** \_\_\_\_\_ **Employee ID:** \_\_\_\_\_

**Official Title:** \_\_\_\_\_ **Account Code:** \_\_\_\_\_ **Pos. No.:** \_\_\_\_\_

**Date of Hire:** \_\_\_\_\_ **Vacation Status:** \_\_\_\_\_ (# of days/month)

**Number of Advanced Vacation Hours Requested:** \_\_\_\_\_

**Date Vacation Advance Will Be Offset and Normal Vacation Accruals Will Resume:** \_\_\_\_\_

**Acknowledgement of Terms and Conditions of Vacation Advancement:**

*I understand that my normal monthly vacation accruals will be used to offset any vacation credits that are advanced to me until such time as the number of advanced vacation hours are completely offset. In the event that I separate from the employment of the Commonwealth with a deficit of vacation credits, my final pay remittance will be reduced by an amount corresponding to the negative balance of vacation credits.*

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Approved:**

**Agency Head:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Personnel Administrator:** \_\_\_\_\_ **Date:** \_\_\_\_\_



TO: Chairman Crosby and Commissioners Cameron, McHugh, and Zuniga

FROM: Commissioner Stebbins  
General Counsel Catherine Blue

CC: Executive Director Day  
Director Paul Donnelly, Division of Licensing

DATE: June 23, 2015

SUBJECT: Definition and Status of Veterans

The Expanded Gaming Act of 2011 makes repeated references to “veterans” throughout the statute. There is a priority placed on hiring veterans to be part of the design, construction and operational workforce of our licensees. There is attention placed on a new category of identified companies – “veteran-owned business enterprises/VBE’s”.

### **Background**

This commission has incorporated policies and licensing procedures to help veterans self-identify their business or enterprise as veteran-owned. We have invited vendor licensees to submit information about the company’s principal owner or executive’s military service background. All of these measures are for the purposes of fulfilling the goals of economic inclusion and diversity heralded by the Expanded Gaming Law.

In the MGC’s ongoing efforts to promote the opportunities available to veterans, we have reached out to non-profits, other state agencies, members of the MGC Vendor Advisory Task Force, and local Veteran Service Officers (VSO’s) working within each community in the Commonwealth of Massachusetts. It was during one of these outreach meetings to VSO’s that the question was posed to us about who qualifies or can be defined as a veteran. It was certainly an intriguing question coming from this group of officials whose key responsibility within their community is to make sure veterans have access to the services and benefits to which they are entitled. The question raised was whether the men and women serving in the Massachusetts National Guard and also the Reserves could be considered a “veteran” especially in light of the dramatic increase in active duty of our state’s guard members since the attacks of September 11<sup>th</sup>.



Massachusetts Gaming Commission

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Members of the National Guard and Reserves are eligible for state and federal financial benefits if they served a minimum number of 180 consecutive days on active duty. According to the Massachusetts Secretary of State's website, an active duty military service member does not need to meet this 180 day requirement if s/he served some time in the campaign and was awarded the Purple Heart, or suffered a service-connected disability per the discharge certificate, or died in the service under honorable conditions. When a member of the National Guard or Reserves is honorably discharged or retires, they obtain veteran status.

### **Proposed Resolution**

In considering this question, the legal department and I discussed how the MGC could resolve this question understanding that government financial benefits are not under consideration when defining a "veteran" for the purposes of our statute. Answering this question would simply help us and our licensees define whether members of the Massachusetts National Guard or Massachusetts residents who serve in the Reserves could be considered part of the "veteran" target population in the statute. We are proposing three approaches for the Commission to consider by first posting and inviting public comment.

- 1) Establish within MGC regulations under 205 CMR a definition for a "Veteran" for the purposes of Chapter 23K and identifying those individuals who are part of the target population for hiring during the design, construction and operational workforce.

Such definition could read: "Veteran" – An individual who honorably served in the armed forces of the United States for a minimum of 180 days on active duty or an individual who is an active member of the Massachusetts Army and Air National Guard or a Massachusetts resident serving in the Reserves and will obtain veteran status upon his/her retirement or honorable discharge."

- 2) Establish with MGC regulations under 205 CMR 135 and 139, a reporting requirement of each gaming licensee to track and report those employees who are veterans and including those employees who currently serve as active members of the Massachusetts Army and Air National Guard or are Massachusetts residents and serve in the Reserves.

A focus on reporting these numbers may place a greater priority and focus for our licensees to hire members of the Guard. Guard members and Massachusetts Reservists may not be full-time workforce participants. Some Guard members and Reservists may qualify among the Expanded Gaming Statute's focused hiring populations of minority, women, unemployed and underemployed residents.

- 3) Leave the definition of veteran as it is defined by the Massachusetts Secretary of State as provided above.



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## **Guard Information**

The Massachusetts Army and Air National Guard (MANG) has approximately 9,000 members including 6,200 Soldiers, 2,300 Airmen, and 500 Civilians. Approximately 15% of this population is women and minorities. Since the attacks of September 11<sup>th</sup>, 17 MANG members have died while serving on Active Duty in support of the Global War on Terror. Approximately 50% have been called to Active Duty/Overseas duty.

## **Recommendation**

I move that the Massachusetts Gaming Commission post the aforementioned approaches as to address the status of the men and women serving in the Massachusetts Army and Air National Guard and Massachusetts residents serving in the Reserves and invite public comment to close July 10<sup>th</sup>, 2015 at 5:00 p.m.



Massachusetts Gaming Commission

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