



**MASSACHUSETTS GAMING COMMISSION  
PUBLIC MEETING #238**

Mach 15, 2018  
10:00 a.m.

**Massachusetts Gaming Commission**  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA



Massachusetts Gaming Commission



## UPDATED

### NOTICE OF MEETING and AGENDA March 15, 2018

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, March 15, 2018  
10:00 a.m.  
Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA**

#### **PUBLIC MEETING - #238**

1. Call to order
2. Approval of Minutes
  - a. February 22, 2018 – **VOTE**
  - b. March 1, 2018 – **VOTE**
3. Administrative Update – Ed Bedrosian, Executive Director
  - a. General Update
  - b. MGM - Opening Update
4. Ombudsman – John Ziembra
  - a. MGM Status and Schedule Review – MGM Executives
  - b. MGM Springfield Quarterly Report – MGM Executives
  - c. Community Mitigation Fund – Gaming School Scholarships – J. Griffin, Director – Workforce, Supplier and Diversity Development – **VOTE**
5. Racing Division – Alex Lightbown, Director and Chief Veterinarian
  - a. Harness Horsman's Association of New England Pension Plan
6. Workforce, Supplier and Diversity Development – Jill Griffin Executive Director
  - a. General Update

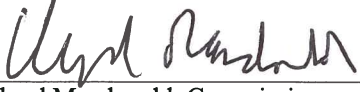


Massachusetts Gaming Commission

7. Legal Division – Catherine Blue, General Counsel
  - a. Amendments and Small Business Impact Statements – Begin promulgation process – **VOTES**
    - i. 205 CMR 101.00 - Adjudicatory Proceedings
    - ii. 205 CMR 146.23 – Chase the Flush Table; Physical Characteristics
8. Commissioner’s Updates
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 “Massachusetts 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).

3/14/18  
Date

  
Lloyd Macdonald, Commissioner

**Date Posted to Website:** March 14, 2018 at 11:00a.m.



Massachusetts Gaming Commission

**DRAFT**



---

## Massachusetts Gaming Commission Meeting Minutes

---

**Date/Time:** February 22, 2018 – 1:00 p.m.

**Place:** Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA

**Present:** Chairman Stephen P. Crosby  
Commissioner Lloyd Macdonald  
Commissioner Bruce Stebbins  
Commissioner Enrique Zuniga  
Commissioner Gayle Cameron

**Time entries are linked to  
corresponding section in  
Commission meeting video**

### **Call to Order**

See transcript page 2

[1:00 p.m.](#) Chairman Crosby called to order the 236<sup>th</sup> Commission meeting.

### **Approval of Minutes**

See transcript pages 2 – 4

[1:00 p.m.](#) *Commissioner Macdonald moved to approve the minutes of the meeting on January 31, 2018 as they appeared in the packet, subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. The motion was approved unanimously.*

*Commissioner Macdonald further moved to approve the minutes of the meeting of February 7<sup>th</sup> of 2018, also subject to correction for typographical errors and other nonmaterial matters. Commissioner Cameron seconded the motion. Commissioner Stebbins noted that employees' titles should appear in front of their names throughout the meeting minutes. The motion was approved unanimously, as amended.*

# DRAFT

## Investigations and Enforcement Bureau (IEB)

See transcript pages 4 - 30

1:02 p.m.

### **MGM Qualifier Suitability.**

Chief Enforcement Counsel Loretta Lillios presented the suitability report for Senior Vice President and Security Officer for MGM International, Scott Howitt, as an MGM Qualifier. Counsel Lillios recommended that Mr. Howitt be found suitable as a Qualifier for MGM.

1:07 p.m.

*Commissioner Cameron moved to approve Mr. Howitt, Senior Vice President of Security Information Officer for MGM. Commissioner Macdonald seconded the motion. The motion passed 5 – 0.*

### **Wynn Review Update.**

Counsel Lillios presented an update on the status of the Wynn Resorts, LLC investigation. The investigation was stated to be active and a priority. Details would not be disclosed to the Commission or the public until the investigation was complete.

Counsel Lillios addressed another matter involving a contribution in the amount of two million dollars that was made to the Republican Governors' Association (RGA) in October of 2014 by Wynn Resorts Limited. Chairman Crosby and Executive Director Edward Bedrosian Jr. asked the IEB to state whether it was aware of the contribution to the RGA in 2014, if it was reviewed, and if so, what the IEB's conclusion was. Counsel Lillios stated that the IEB investigated this contribution in 2014 with the Legal Division, and determined that it was not in violation of Massachusetts law. Counsel Lillios stated that the IEB continues to be satisfied with the conclusions made.

## **Licensing Division**

See transcript pages 31 - 64

1:38 p.m.

### **Service Employee Registration Discussion.**

Director of Licensing Paul Connelly presented recommendations to the Commission to exempt certain gaming service employee positions from the registration requirement. Presenting with him was Gaming Attorney for MGM Resorts International, Patrick Madamba, and Vice President/Human Resources of MGM Springfield, Marikate Murren.

Attorney Madamba stated that they were withdrawing their request to exempt the position of Utility Porter 16472, as it was cleaning staff that had entry to the casino floor. This position and variations of Porter positions were still being discussed.

Director Connelly noted that they would have further recommendations in the near future to include some of the entertainment block employees, and Attorney Madamba stated that they would have these recommendations prepared most likely for March or April.

# DRAFT

[2:10 p.m.](#) *Commissioner Stebbins moved that the Commission approve the Gaming Service Employee Exemptions as provided in the packet with the exception of position 16472. Commissioner Macdonald seconded the motion. The motion passed 5 – 0.*

## **Legal Division**

See transcript pages 64 - 92

[2:11 p.m.](#) **Amendments to 205 CMR 138.10 and Small Business Impact Statement – Jobs Compendium Submission**

General Counsel Catherine Blue requested that the Commission approve the Small Business Impact Statement and amendments to the Jobs Compendium Submission regulation and begin an emergency promulgation process. The amendments would require licensees to advise the IEB when they make changes in their job description, and file them for review.

[2:12 p.m.](#) *Commissioner Macdonald moved to approve the Small Business Impact Statement for 205 CMR 138.10, Jobs Compendium Submission, as included in the packet. Commissioner Cameron seconded the motion. The motion passed 5 – 0.*

*Commissioner Macdonald further moved that the Commission approve the amendments to 205 CMR 138.10 as included in the packet and authorize the staff to file the regulation on an emergency basis pursuant to chapter 23K section 5(b) and further to take the steps necessary to file the regulation with the Secretary of the Commonwealth and to proceed with the formal regulation promulgation process. Commissioner Stebbins seconded the motion. The motion passed 5 – 0.*

[2:13 p.m.](#) **Final version of amendments and Amended Small Business Impact Statement for 205 CMR 133.04 – Duration of Exclusion and Removal from the List**

General Counsel Blue requested that the Commission approve the Amended Small Business Impact Statement and final version of the amendments to the Duration of Exclusion and Removal from the List regulation, in order to move it through the final promulgation process. The amendment was updated with the six-month period on the Voluntary Self-Exclusion list removed.

There was a discussion around whether an edit to the regulation that would reflect that one should have the choice of committing to a lifetime self-exclusion after one year was necessary. This would imply that someone could get on the lifetime list without an exit interview. A decision was made not to vote, and to address this topic at the next meeting with the Responsible Gaming staff.

[2:20 p.m.](#) **Final version of amendments and Amended Small Business Impact Statement for 205 CMR 138.07, 138.66, 151.01 – Floor Plans**

General Counsel Blue requested that the Commission approve the Amended Small Business Impact Statement and final version of the amendments to the Floor Plans regulation in order to move it through the final promulgation process. The amendments removed the requirement to submit a floor plan to the Commission from the casino's certificate of operations. The requirement would be applied to

# DRAFT

the casino's system of Internal Controls, which would streamline the process of amending a floor plan.

There was discussion around comments that were received by Plainridge Park Casino on these amendments.

[2:00 p.m.](#)

*Commissioner Cameron moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 138.07, 138.66, and 151.01, Floor Plans, as included in the packet. Commissioner Macdonald seconded the motion. The motion passed 5 – 0.*

*Commissioner Cameron also moved that the Commission approve the final version of 205 CMR 138.07, 138.66, and 151.01 as included in the packet and authorize the staff to take all steps necessary to file the regulation with the Secretary of the Commonwealth and complete the regulation promulgation process. Commissioner Macdonald seconded. The motion passed 5 – 0.*

[2:01 p.m.](#)

## **Final version of amendments and Amended Small Business Impact Statement for 205 CMR 138.20 – Possession of Firearms**

General Counsel Blue requested that the Commission approve the Amended Small Business Impact Statement and final version of amendments to the Possession of Firearms regulation, in order to move it through the final promulgation process. The amendment changed the language that requires Plainridge Park Casino's telephone number be included on a casino's sign, to being blank so that the appropriate facility's telephone number could be included.

[2:02 p.m.](#)

*Commissioner Stebbins moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 138.20, Possession of Firearms, as included in the packet. Commissioner Cameron seconded the motion. The motion passed 5 – 0.*

*Commissioner Stebbins moved that the Commission approve the final version of 205 CMR 138.20 as included in the packet and authorize the staff to take all steps necessary to file the regulation with the Secretary of the Commonwealth and complete the regulation promulgation process. Commissioner Cameron seconded the motion. The motion passed 5 – 0.*

[2:03 p.m.](#)

## **Final version of amendments and Amended Small Business Impact Statement for 205 CMR 138.28, 138.33, 138.68, 140.02 - Unsecured Funds and Gaming Day**

General Counsel Blue requested that the Commission approve the Amended Small Business Impact Statement and final version of the amendments to the Unsecured Funds and Gaming Day regulation in order to move it through the final promulgation process. These amendments had been brought to the Commission previously, however there was now an additional amendment. This proposed amendment was a change to the way monetary overages would be treated, as they had previously been counted as "unsecured funds". It would require that these overages instead be investigated with the results/source brought to the Commission.

# DRAFT

[2:10 p.m.](#) *Commissioner Zuniga moved that the Commission approve the Amended Small Business Impact Statement for 205 CMR 138.28, 138.33, 138.68, and 140.02 Unsecured Funds on Gaming Day, as included in the packet. Commissioner Macdonald seconded the motion. The motion passed 5 – 0.*

*Commissioner Zuniga further moved that the Commission approve the final version of 205 CMR 138.28, 138.33, 138.68, and 140.02 as included in the packet and authorize the staff to take all steps necessary to file the regulation with the Secretary of the Commonwealth and complete the regulation promulgation process. Commissioner Cameron seconded the motion. The motion passed 5 – 0.*

[2:11 p.m.](#) **Final version of amendments and Amended Small Business Impact Statement for 205 CMR 141.06 – Notice to the Commission of Changes**

General Counsel Blue requested that the Commission approve the Amended Small Business Impact Statement and final version of the amendments to the Notice to the Commission of Changes regulation in order to move it through the final promulgation process. The most significant change was that the regulation would now require a licensee to notify the Commission prior to replacing CCTV equipment or physically moving slot machines or table games.

[2:35 p.m.](#) *Commissioner Macdonald moved to approve the Amended Small Business Impact Statement for 205 CMR 141.06 Notice to the Commission of Changes as included in the packet. Commissioner Zuniga seconded the motion. The motion passed 5 – 0.*

*Commissioner Macdonald moved that the Commission approve the final version of 205 CMR 141.06 as included in the packet and authorize the staff to take all steps necessary to file the regulation with the Secretary of the Commonwealth and complete the regulation promulgation process. Commissioner Cameron seconded the motion. The motion passed 5 – 0.*

## **Commissioners' Updates**

See transcript pages 92 - 96

Commissioner Zuniga attended the New Horizons conference and GameSense summit in Vancouver. He noted that the MGC continues to be recognized as very progressive in this area by all the work that has been done. There was international interest in visiting PlayMyWay as well as GameSense here in Massachusetts.

MGM was showcased at this conference with their own efforts in implementing GameSense, as MGM was quickly deploying this program throughout all of their properties.

[2:39 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Commissioner Macdonald Seconded the Motion. The Motion passed unanimously.*



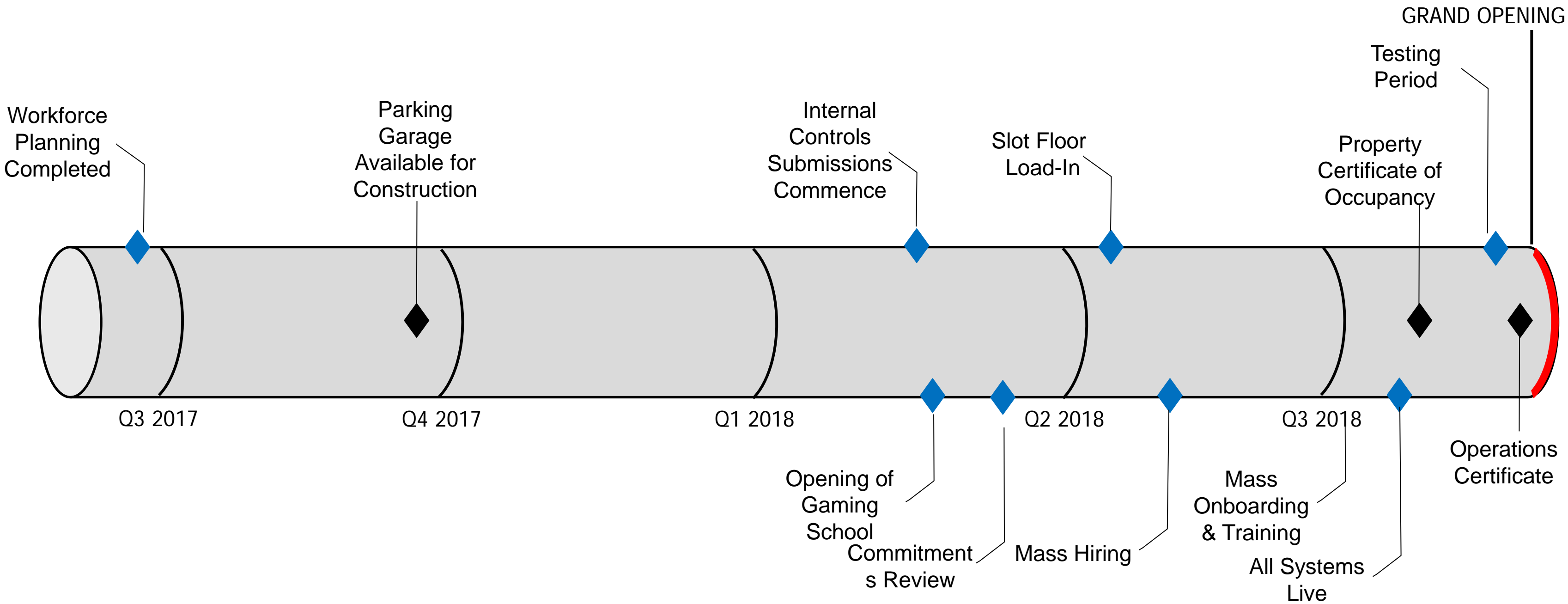
# DRAFT

## List of Documents and Other Items Used

1. Notice of Meeting and Agenda, dated February 22, 2018
2. Massachusetts Gaming Commission Meeting Minutes draft, dated January 31, 2018
3. Massachusetts Gaming Commission Meeting Minutes draft, dated February 7, 2018
4. Memo to Commissioners from IEB Chief Enforcement Counsel Loretta Lillios, Re: Wynn Resorts' Ltd. October 2014 Contribution to the Republican Governors' Association, dated February 21, 2018
5. Gaming Service Employees (SER) Exemption Memo, dated February 16, 2018
6. Identification of Potential Positions for Exemption from the Registration Requirement by the MGC form
7. 205 CMR 138.10 – Jobs Compendium (Draft)
8. Small Business Impact Statement for 205 CMR 138.10
9. 205 CMR 133.04 – Duration of Exclusion and Removal from the List (Final Draft)
10. Amended Small Business Impact Statement for 133.04
11. 205 CMR 138.07, 138.66, 151.01 – Floor Plans (Final Draft)
12. 205 CMR 138.07, 138.66, 151.01 – COMMENTS from Plainridge Park Casino
13. Amended Small Business Impact Statement for 138.07, 138.66, 151.01
14. 205 CMR 138.20 – Possession of Firearms (Final Draft)
15. Amended Small Business Impact Statement for 138.20
16. 205 CMR 138.28, 138.33, 138.68, 140.02 – Unsecured Funds and Gaming Day (Final Draft)
17. Amended Small Business Impact Statement for 138.28, 138.33, 138.68, 140.02
18. 205 CMR 141.06 – Notice to the Commission of Changes (Final Draft)
19. Amended Small Business Impact Statement for 141.06

/s/ Catherine Blue  
Assistant Secretary

# MGM Springfield Critical Path Timeline





**NOTICE OF MEETING and AGENDA  
March 15, 2018**

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, March 15, 2018  
10:00 a.m.  
Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA**

**PUBLIC MEETING - #238**

1. Call to order
2. Approval of Minutes
  - a. February 22, 2018 – VOTE
  - b. March 1, 2018 – VOTE
3. Administrative Update – Ed Bedrosian, Executive Director
  - a. General Update
  - b. MGM - Opening Update
4. Ombudsman – John Ziemba
  - a. MGM Status and Schedule Review – MGM Executives
  - b. MGM Springfield Quarterly Report – MGM Executives
  - c. Community Mitigation Fund – Gaming School Scholarships – J. Griffin, Director – Workforce, Supplier and Diversity Development – VOTE
5. Racing Division – Alex Lightbown, Director and Chief Veterinarian
  - a. Harness Horsman's Association of New England Pension Plan – VOTE
6. Workforce, Supplier and Diversity Development – Jill Griffin Executive Director
  - a. General Update

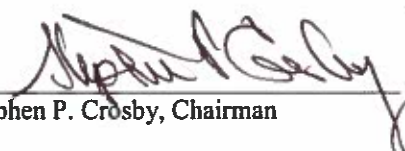


**Massachusetts Gaming Commission**

7. Legal Division – Catherine Blue, General Counsel
  - a. Amendments and Small Business Impact Statements – Begin promulgation process – VOTES
    - i. 205 CMR 101.00 - Adjudicatory Proceedings
    - ii. 205 CMR 146.23 – Chase the Flush
  - b. Executive Director's Performance Review - Commissioners
8. Commissioner's Updates
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 “Massachusetts Gaming Commission Meeting” at [www.massgaming.com](http://www.massgaming.com) and emailed to: [reus@sec.state.ma.us](mailto:reus@sec.state.ma.us), [melissa.andrade@state.ma.us](mailto:melissa.andrade@state.ma.us).

3/12/18  
Date

  
\_\_\_\_\_  
Stephen P. Crosby, Chairman

**Date Posted to Website:** March 12, 2018 at 4:00p.m.



Massachusetts Gaming Commission



March 12, 2018

**VIA EMAIL**

John Ziemba, Esq., Ombudsman  
Joseph E. Delaney, Construction Project Oversight Manager  
Massachusetts Gaming Commission  
101 Federal Street, 12th Floor  
Boston, Massachusetts 02110

**RE: Issues for March 2018 Commission Meeting/Project Update**

Dear Messrs. Ziemba and Delaney:

Please accept this correspondence in response to your February 13, 2018 letter (the “Letter”) requesting information regarding various aspects of the MGM Project (the “Project”) for review, and if necessary, approval by the Massachusetts Gaming Commission (the “Commission”). We appreciate the Commission’s partnership through the development and construction of the Project as well as the Commission’s recognition that a project of the magnitude of MGM is expected to evolve during the approximately six years from conception to opening in order to best align the project with evolving market conditions, industry competition and patron preferences.

As always, we welcome the opportunity to update you and the public on our successes to date as we continue to proceed toward a timely opening of the largest economic development project in the history of Western Massachusetts. MGM will not only far surpass original capital spending commitments in the Commonwealth, but also far exceed goals on (i) number of construction workers employed on-site; (ii) construction workforce participation goals for minorities, women and veterans; and (iii) construction spending goals with MBEs, WBEs and VBEs. Witnessing the transformation of the Project from a first-of-its-kind concept on a drawing board, through the complexity of construction in a historic downtown urban environment, to an on-time opening with all core commitments in tact is remarkable and our entire team is proud to be a part of it.<sup>1</sup>

**Evolution of the Project and Associated Regulatory Approvals**

As you know, the Project was first negotiated with the City of Springfield (the “City”) in 2012, approved by the Host Community in mid-2013 and proposed in the RFA-2 Application to the Commission in December 2013. Due to the delay caused by the November 2014 Ballot Initiative to repeal central components of the Gaming Act, our Gaming License did not become effective until November 7, 2014. Massachusetts Environmental Protection Act (“MEPA”) Certificate on the Final Environmental Impact Report (“FEIR”) was issued in December 2014. Once it became clear

---

<sup>1</sup> Two major components of the Project, the parking garage and MGM’s operations offices, already have temporary certificates of occupancy and we are well on-track to open no later than the first week of September 2018.

that the Massachusetts Department of Transportation's ("MassDOT") I-91 viaduct reconstruction project adjacent to the Project site would align exactly with MGM's construction, in May 2015, MGM sought and the Commission approved modifications to the construction schedule and the Operations Commencement date to avoid impacts of the I-91 viaduct project. Certain project scope changes were effectuated through the October 2015 MEPA Notice of Project Change ("NPC"). The Commission subsequently issued Section 61 findings in December 2015 ("MGC Section 61s"); and MassDOT issued its own Section 61 findings in March 2016 ("MassDOT Section 61s"). A Revised Site Plan, reflecting the Project changes first presented in connection with the NPC, was approved by the City in February 2016. That Revised Site Plan was incorporated by the Commission in its May 2016 Final Design Approval. The Project was updated again through the 95% Construction Plans filed with the City of Springfield and Commission in May of 2017 and has since gone through additional minor changes that were negotiated with and adopted by the City this last fall and presented to the Commission in September 2017.

The Project is also one of the most regulated private construction projects in the Commonwealth. The Commission's monitoring includes the tracking of thousands of mitigation and other commitments that are governed by the operative agreements and aforementioned approvals (and others), as well as the Gaming Act and Commission's regulations. Through its construction monitoring regulations and oversight, Commission staff has effectively had real-time access to the Project's progress and evolution in addition to the multiple briefings to the full Commission that have highlighted changes throughout the construction process.

These approvals and filings over five years reflect modifications and significant improvements to the Project from what was presented to the Commission in December 2013 and approved in 2014. MGM has worked hard to keep the City, the Commission and the public informed all along. MGM firmly believes that the Project that will open later this year has evolved to a point that MGM will be best positioned to achieve the anticipated patron experience, economic development spin-off, and job opportunities, while maximizing revenue for MGM and the Commonwealth. The final Project will unquestionably adhere to MGM's core commitments of an integrated, outward-facing, urban, destination resort and entertainment complex.

Some of the notable improvements to the Project as it has evolved include:

- A redesign and relocation of the hotel from what was a high-rise glass tower tucked in the Northwestern corner of the site to a prominent Main Street facing mid-rise hotel incorporating the existing historic New England street-scape;
- Retention and renovation of an additional historic property for MGM offices; and
- Increased capital expenditures and several programming changes, including additional table game capacity and improvements to the Project's food, beverage and retail offerings to reflect 2018 customer preferences rather than 2012 customer preferences.

This evolution continues today and will continue through and past opening so that the Project can constantly adapt to customer demands and trends in the gaming and entertainment industry consistent with MGM's unparalleled brand standard.

## **Commitment Tracking Process**

It is within the above context that MGM responds to the items raised in the Letter. Many of the items discussed below have been continuously and collaboratively discussed with Commission staff and, in many cases, with the Commission during regular briefings. A healthy balance naturally exists between regulators seeking to ensure adherence to commitments critical to the award of our gaming license, and a business seeking flexibility to evolve as necessary to create economic efficiencies, respond to continual changes in market conditions and customer preferences and align with enterprise-wide brand standards and best practices. Nonetheless, we continue to be impressed with the cooperative spirit exhibited by the Commission even when insisting that we demonstrate compliance.

The items to be discussed below generally fall into 3 categories: (i) programming changes; (ii) schedule matters and (iii) reconciliation/refinement of certain construction conditions. As will be further explained, some of the changes discussed below are necessary to reconcile competing City and State conditions, while others represent conforming conditions to previously approved design changes and yet others are needed to adapt to factors (outside of MGM's control). Finally, one significant item, off-site residential development, will require some modification to allow MGM to accommodate an important request of the City of Springfield.

For ease of reference, MGM has organized its response similarly to the Letter.

### **Areas of Focus**

#### **1. Project Program**

##### a) Optimizing Gaming Position Mix

As previously explained to the Commission,<sup>2</sup> customer preference trends in relevant markets have demonstrated a patron preference shift toward table games, poker and interactive “high tech” slot play and away from traditional (smaller) slot machines. Moreover, those trends are reinforced by some lessons learned in connection with MGM's recent opening of its very successful National Harbor property. Accordingly, MGM has increased its table game and poker offerings and reduced its slot machines. Ensuring comfortable spacing between larger slot machines and ample table game offerings has resulted in minor reductions to overall gaming position numbers. MGM has finalized a proposed floor plan that we believe is optimal, which we intend to submit for approval by the Commission. The resulting numbers of gaming positions by category follow: (i) 2504 slot machine = 2504 positions; (ii) 93 table games = 608 positions; (iii) 23 Poker tables = 230 positions. The resulting total of 3,324 positions compares to a total of 3,657 set forth in the NPC. Within the same sized casino it has always proposed, MGM has optimized the mix of gaming positions – increasing table games, poker and interactive electronic machines and reducing traditional slot machines – in a way that will enhance customer experience and maximize revenue to the mutual benefit of MGM and the Commonwealth.

##### b) Poker Table Expansion – See response to A above.

---

<sup>2</sup> See Massachusetts Gaming Commission Public Meeting, Dec. 3, 2015, at pp. 127-28.

c) Main Street Relocation of Starbucks

One of the modifications driven by a desire to modify the gaming offerings as discussed above, while enhancing customer experience and further integrating the Project into downtown Springfield, is the moving the location of Starbucks from the State Street side of the Building to Main Street, the Commission was first briefed on these changes at a Public Meeting in Springfield on September 28, 2017. Starbucks was moved to the front lobby of the hotel where it will stand out as a destination venue that complements the patron volumes expected in the hotel lobby as well as the restaurant offerings on Main Street. Starbucks' proximity to the hotel will also enhance the use of this venue in the morning.

d) Main Street Relocation of Salon

With the movement of the Hotel to Main Street, MGM's design plans had included a combined space for a salon/spa concept located on the second floor of the casino podium, connected to the hotel, and adjacent to the outdoor pool area. As discussed before the Commission on September 28, 2017, the salon and spa were separated and the salon was relocated to a space on the first level accessible from Main Street. In MGM's experience with such facilities throughout its properties, salons and spas often offer different services and are utilized differently by hotel guests and local patrons. Spa treatments are more limited in volume as compared to salon services. The spa is more likely to be accessed by hotel guests regardless of location. Salons, which offer manicure and pedicure services along with hair styling, coloring and other similar services, are more likely to be used by local visitors to the property in addition to hotel guests.

Responding to these trends, the salon was moved to a location with direct public access on Main Street where the facility can attract more local business that will add to the vibrancy of south Main Street. Together with the relocation of the Starbucks as discussed above, these moves will help to elevate the entire south Main Street presence in Springfield consistent with MGM's overall commitment to integrate the Project into Springfield's downtown.

e) Armory Activation Day One and Beyond

MGM has invested substantially in capital expenditures on the Springfield's historic Armory to ensure that it is structurally sound, handicapped accessible and eligible for a certificate of occupancy. As discussed with the Commission on September 28, 2017, MGM has been working on plans to program this unique venue as well as the rest of the plaza. MGM feels strongly that this iconic building needs to be programmed in a way that energizes the plaza, drives visitation and complements without competing with the Project's other offerings. To that end, at Operations Commencement, MGM plans to activate the Armory as a flexible multi-use event, food and beverage and retail space. We will provide additional detail during our presentation on March 15<sup>th</sup>, but currently contemplated programming include: an MLife experience center; pop-up night club events; a Halloween haunted house; comedy club; Holiday Marketplace; and yoga and beer with a local craft brewery. Such programming will be planned to complement uses in the outdoor plaza surrounding the Armory, which will likely include: Farmer's Market, ice skating and hot chocolate, CityBlock Concert Series, a Taste of Springfield, local brewery/food festivals, Food Truck festivals, and more.

We are confident that such varied and changing uses will drive the most patrons in and out of this exciting space from day-one. The benefit of this approach is that MGM will be able to showcase



this unique historic building immediately upon opening to generate excitement and interest in potential future long-term uses for the building. While MGM initially anticipated in 2012 a three-floor high-end restaurant and lounge space (a concept that we continue to actively explore) as the highest and best use for the space, the ultimate programming here should be one that drives the most customers across all spectrums to our site (and Springfield generally) throughout the day and week. We are also sensitive to ensuring complementary uses across the Project and not creating unnecessary competition among existing restaurant uses on site.

As requested in the Letter, MGM is happy to provide regular quarterly updates to the Commission on the intended activation of the Armory, evolving plans for long-term highest and best use and whether such long-term use is expected to vary from the use conceived over five years ago.

f) 101 State Street Preservation

As set forth above, MGM proposed several changes to the Project including the relocation of the hotel from State St. to Main St., moving residential offsite, a reduction in back of house space, elimination of one story of the parking garage and retention of the historic 95 State St. office building,<sup>3</sup> among other changes. The back of house functions originally proposed for 101 State St., including MGM's executive and operations offices, were integrated into 95 State St., leaving only the first floor as part of the Project consisting of retail space and the office space for the Commission. The first floor of 101 State St. was connected to the casino podium through the then-proposed Commission offices. As part of subsequent modifications, the Commission offices were moved and 101 State St. was no longer connected to the casino podium.

The renovation of 95 State and use for "back of house" operations, including the Commission Offices and MGM's executive and operations offices, is consistent with the conditions established for this Project and was not a "change" that required any additional MEPA approval. Indeed, retention and renovation of all of 95 State Street is less of an impact on a historic resource and otherwise exceeds MGM's minimum obligations to retain and renovate a portion of this building. Significantly, the back of house square footages used in the MEPA NPC were based on the use of 95 State Street for this function.

As a result of the retention and renovation of 95 State Street, 101 State Street continues to be a standalone, functional commercial office building with numerous third party commercial tenants occupying floors 2 through 8 and Focus Springfield occupying the first floor. It is anticipated that 101 State Street will continue in its current use without renovation through Operations Commencement. The MHC MOA requires first and foremost that the building is retained and further allows for – *but certainly does not require* – renovation of the building.

While a portion of the first floor of 101 State St. is currently leased to Focus Springfield, MGM will seek a new retail tenant(s) at the end of the current lease. As further set forth in section (g) below, MGM proposes to exclude 101 State Street from the boundary of the Gaming

---

<sup>3</sup> In its MEPA Certificate, MGM had the optionality of retaining part or all of 95 State Street for the Project. See MEPA certificate, at p. 29. The Memorandum of Agreement with the Massachusetts Historic Commission ("MHC MOA") also contemplated the retention and renovation of 95 State Street in its entirety. The full retention of 95 State Street was also included in the City of Springfield's final approval of the Project Site Plan in February 2016 which was before the Commission at the time the Commission approved the Project's "final" design in May 2016.

Establishment (but not from the Project under the HCA), allowing the building's current and future use be governed by the HCA in partnership with the City. Aside from being contiguous to the Project and common ownership, this stand-alone commercial office building no longer has any direct connection to the casino podium structure and faces outward, rather than all of the other inward facing amenities. Excluding 101 State Street from the Gaming Establishment will not impact the MHC MOA commitment to retain the building. Nor will excluding 101 State Street from the Gaming Establishment impact MGM's commitment under the HCA to incorporate retail on the building's first floor. Finally, it will create clarity with respect to police jurisdiction over this building that houses no gaming or gaming-related function.

g) Updates to Gaming Establishment Boundaries

The current boundary of the Gaming Establishment was set upon issuance of MGM's license in 2014. As discussed above, the Project has evolved since. In addition to removing 101 State Street from the Gaming Establishment, MGM also proposes amending the boundary to include floors two and above of the Main Street portion of the Project that was formerly proposed to be residential apartments, but will now house the hotel. Also, MGM proposes to exclude the small taxi and ride share waiting lot parcel across MGM Way from the casino complex. Excluding this lot would help create on contiguous boundary that provides clarity for jurisdictional purposes. With these changes, the footprint of the Gaming Establishment could be consistent throughout all levels with no need to distinguish boundaries by floor levels as previously required. MGM plans to submit a proposal to amend its license accordingly for consideration during an April meeting of the Commission as previously discussed with Commission staff.

h) Stormwater Management and Increased Impervious Surfaces

The Project's storm water management system ensure that the overall post-development peak discharge rates for the project site do not exceed the overall pre-development peak discharge rates for the project site – a key requirement under the DEP standards. Overall, MGM has increased pervious surfaces in the approximately 14 Acres Project site from .32 acres to 1.62 acres (not including DaVinci Park). In addition, a majority of the storm water generated from the project area is directed into 70,000 gallon holding tank to be discharged at a controlled rate into the municipal closed drainage system. MGM's storm water management system is sized to capture and treat the required water quality volume and pretreatment criteria of 80% Total Suspended Solid (TSS) removal. Further, the storm water management system has been designed so that prior to discharge to an infiltration structure or municipal drainage system, the TSS removal standards have been met using some combination of Deep Sump Catch Basins and Proprietary Separators.

Although MGM's updated design for the podium roof after moving the hotel from State Street to Main Street as depicted in the MEPA NPC filing and Final Site Plan reduced the green space on the podium roof, this design change does not impact the Project's storm water mitigation requirements.<sup>4</sup> Irrespective of the presence of 2.2 acres of green roof, the Project's storm water system meets the required DEP standards and was approved by the City on May 26, 2016.<sup>5</sup>

---

<sup>4</sup> Because this change was not anticipated to impact the mitigation for the Project it was not specifically addressed in the MEPA NPC.

<sup>5</sup> As further set forth in section (I) below, this change will not negatively impact the Project's Green House Gas ("GHG") mitigation commitments.

i) Successful Parking Management During Construction

Together, MGM, the City, MassDOT, Tishman Construction and the Commission have actively participated in the successful comprehensive management of parking in downtown Springfield during the MGM Project and I-91 viaduct project. Through the use of subsidized lots, offsite parking locations, parking restrictions in construction contracts, regular coordination between the interested parties (including biweekly meetings with MassDOT) and innovative programs such as the Commission's use of Community Mitigation grants to fund a valet service, the impact on downtown Springfield parking has been nominal. In addition to providing regular updates on construction impacts, MGM has also remained in regular communication with the Trial Court on parking access and management. MGM has also made temporary arrangements for parking for abutters impacted the construction project.

While use of MGM's garage by the public was contemplated with the best intentions in 2014,<sup>6</sup> the realities of allowing the public to park in a facility located on an active construction site prior to the garage being fully functional – including the use of elevators and required safety and security measures – proved this plan untenable. The loss of this option has not impacted ability for all the interested parties to manage parking impacts throughout the construction of the Project, especially as allowance of construction worker parking in the garage has reduced demand on nearby alternative parking.

j) Innovative PVTa Downtown Circulator Bus

MGM has been in regular discussions with the Pioneer Valley Transit Authority (PVTa) and the City for months working collaboratively toward a mutually agreeable MOU. The parties are in the final stages of discussion and anticipate being in a position to execute an MOU within the next thirty (30) days. That MOU will generally provide for a **no fare** downtown circulator service using an all-electric Proterra no-emissions bus from 10:00 a.m. to 10:00 p.m. Wednesday through Sunday. The circulator bus will follow a mutually agreed to route stopping at all major tourist attractions in downtown Springfield with a 60-minute route interval. The bus will be "skinned" with images of the Springfield cityscape. A historic trolley will be made available for special events. MGM believes that this modern and environmentally friendly solution will satisfy all material requirements under the Section 61 Findings and will be agreed to by the City as materially compliant with the parties' shared objective of having a convenient and attractive tourist circulator that highlights Springfield's rich history and modern progress forward.

k) City Permitting of Dynamic Sign

As the Commission is aware, the MGM Garage will have a digital sign capable of projecting digital images. As the sign is affixed to MGM's building on its property and will be used to advertise MGM and MGM's products or services offered on the property, the sign is exempt from the MassDOT Outdoor Advertising Board Regulations 700 CMR 3.02(1)(b)(1)(a). Exclusive

---

<sup>6</sup> MGM's MEPA Certificate reviewed potential impacts that Project construction may have on public parking in downtown Springfield as well as multiple measures MGM can take to mitigate these impacts. MGM's 2014 FEIR filing did propose utilizing the Project garage for public parking during the final phase of construction. However, the Section 61s called for planning with the City, the Springfield Parking Authority and MGM's General Contractor to manage impacts on parking and do not specifically mandate the use of any particular parking facility.

jurisdiction over the sign's approval, therefore, lies with the City. MGM included all sign proposals in its Site Plan Approval application. As part of the City Council's Site Plan approval, MGM was required to file a report with the City's Office of Planning and Economic Development (OPED) from a transportation professional in the field of traffic impacts setting forth an opinion on adverse impacts and traffic flow including distraction from animation. MGM engaged the transportation consulting firm Vanasse Hangen Brustlin, Inc. (VHB) to provide a review of existing studies and information on the impact of digital signs on driver safety or crashes and filed its report with OPED. As noted in the Letter, the City retains jurisdiction to review the signs under its permitting authority. To the extent that there are any further issues raised or conditions imposed by the City, MGM will most certainly keep the Commission apprised.

l) Surpassing Benchmarks for Greenhouse Gas Emission Reduction

MGM has completed a current audit of its GHG status as it relates to commitments made during the MEPA permitting process for stationary/building sources.<sup>7</sup> The audit consisted of a status check of each of the commitments detailed in MGM's FEIR. In a number of cases, MGM will surpass the level of mitigation previously committed to in the original submission. For example, MGM committed to a 200 kWh combined heat and power (CHP) plant. Ultimately, a 450 kWh CHP plant was selected for the Project.

Overall, MGM committed to a 22% GHG reduction for its buildings compared to an ASHRAE 2010 code-compliant base case. According to the most recent modeling, the Project is anticipated to achieve a 27% reduction from the base case. These findings indicate that MGM will be ready to submit a self-certification indicating its compliance with MEPA GHG commitments at the completion of construction, as required. As the Project's GHG commitments will be met or exceeded, no changes the GHG commitments are necessary.

m) Final Design and Schedule for Day Care

MGM is scheduled to turn over a state-of-the-art the day care facility to Head Start by July 30, 2018. According to Head Start, it plans to move into the day care facility, train its staff and complete its licensing and registration by late August. Head Start plans to commence operation of the day care for full day and Head Start students in early September. Recognizing that this schedule is contingent upon factors outside of MGM's control, namely that Head Start must have the necessary certifications and licenses in place to commence operations, the current schedule does not require any changes by the Commission. As the day care design was not previously approved by the Commission, MGM respectfully requests that the design be approved. A copy of the current design is attached hereto as **Exhibit A**.

n) Project Program Comparison from NPC to Current

Please see the Table attached as **Exhibit B** as requested by the Commission.

o) Thoughtful Incorporation of Local Retail and Food and Beverage

A crucial ingredient to guest satisfaction, and thus our success, is the partnership of the local business community. We continue to identify multiple ways in which we not only honor the history of Springfield, but also enhance it by embracing to local partners through incorporation into the

---

<sup>7</sup> Impacts from mobile sources have not changed.

programming of the Armory and Armory Square, as well as offerings featuring local products in various retail and food and beverage venues. MGM looks forward to providing additional details during its presentation to the Commission on March 15<sup>th</sup>.

## 2. Schedule

Please see the construction schedule attached as **Exhibit C** as requested by the Commission. This schedule is consistent with the construction schedule included in MGM Quarterly Construction Reports filed pursuant to 205 CMR 135.02(5). MGM requests that this schedule be approved pursuant to 205 CMR 135.02(2). The additional scheduling issues identified in this section are addressed individually below, including LEED Gold certification, Solar and Transportation Demand Management (TDM) programs.

a) Armory – See Response 1(e) above.

b) Corner Retail

MGM originally anticipated having the proposed retail and/or food and beverage space planned for the corner of Main and Union Streets shelled and available for leasing by Operations Commencement. This space has always been contemplated to be leased and operated by third parties. As discussed earlier, MGM is discovering that there is less demand for traditional retail space than there was when the project was proposed over five years ago – referred to colloquially as the “Amazon effect.” Accordingly, we have found that food and beverage and more interactive, uniquely designed spaces driven by tenant preferences and brands are more prevalent. MGM has continually communicated with City staff and Commission staff as the leasing strategy here has evolved. Thus, MGM plans to temporarily delay constructing a “shell” to ensure that any exterior construction meets the needs of desirable tenants. We are pleased to report that we have very promising leads for a tenant and anticipate being in a position to develop the site for an exciting tenant for an opening well within the first year of Operations. We hope to be in a position to make an announcement by the Commission meeting on March 15<sup>th</sup>, but if unable to, will certainly continue to keep the Commission regularly apprised.

c) Residential Units

When MGM’s decision to move the residential development offsite was approved by the City and the Commission, MGM reiterated its commitment to market-rate residential development in the City’s downtown core. To that end, MGM purchased a building at 195 State Street in Springfield (which MGM still owns) to develop apartment units and was in negotiations with a local developer for additional residential development to fulfill its obligations. However, MGM was approached by the City and requested to delay such development and instead consider partially funding a mixed-use residential, commercial, retail project adjacent to the Project in Court Square in Springfield. The 31 Elm building, a vacant and blighted historic hotel owned by the City in the heart of the urban center has long been identified by the City and third-parties as absolutely critical to a redevelopment of Springfield’s downtown center. The 31 Elm project is complicated and requires collaboration between the City (through the Springfield Redevelopment Authority), the City’s preferred developers and MGM. In order to be economically feasible for development, the project requires historic and new market tax credit financing and an approximately \$11 million contribution from MGM. MGM has agreed in principle to funding this project at that level in lieu of developing competing market rate residential units less critical to the redevelopment of the downtown center.

The City has advised MGM and the Commission that it is working hard to move forward with the 31 Elm project in a timely fashion and continues to request that MGM be prepared to partially finance the project in lieu of standalone residential development of its own. To that end, the City amended the HCA to extend the deadline for residential development under the HCA until eighteen (18) months after opening – approximately March 2020.

MGM understands that the Commission remains very interested in ensuring that market-rate residential development ancillary to the casino development timely occur. MGM is likewise interested in timely satisfying this requirement. MGM, therefore, proposes quarterly status updates to the Commission on this commitment and a March 1, 2019 deadline for a firm commitment and documentation for the 31 Elm Project along with a realistic construction timeline from the City. Absent, such certainty, MGM would proceed with independent residential development to satisfy the residential development requirement within the timeline set forth in the HCA, as amended. MGM does request, however, that residential development be removed from the Project construction schedule and instead be treated as an ongoing license condition commitment as it is unrealistic for MGM to continue what will likely be a third-party development project under the existing Project construction schedule managed by its construction manager.

MGM is also opened to continued discussion on security for this development obligation whether in the form of bonding or escrow funding.

d) LEED Gold Certification

The Gaming Act requires that the Project “be certified as gold or higher under the appropriate certification category in the Leadership in Environmental and Energy Design program created by the United States Green Building Council.” G.L. c. 23K, § 18(8). The statute has no deadline for achieving the LEED certification. Achieving LEED certification is a complex process that requires specific filings and steps depending on the certification category for the structure. For most parts of the Project, final LEED certification is not expected until January 2019.<sup>8</sup> An updated plan based for each of the major components of the project is set forth below.

i) *LEED Plan - Hotel/ Resort and Podium/95 State Street*

This space is all new construction, served by the central utility plant and completed at the time of opening. These attributes make this building space capable of being certified under the resort LEED New Construction Gold-level certification.

- ✓ Current Stage: Design completion and preparing design submittal documentation for GBCI
- ✓ Design Submission Timeline: 12/7/2017 - Complete
- ✓ GBCI Award for Design: April 1, 2018 (anticipated 46 Points awarded)
- ✓ Construction Submission Plan: October 30, 2018
- ✓ GBCI Award for Construction: January 15, 2019

ii) *LEED Plan - The Armory*

As this building is now intended to be occupied by multiple tenants and constructed / renovated separately, a LEED New Construction certification would not be a plausible solution to certify the

---

<sup>8</sup> All dates listed below for project components are target dates and may be subject to future changes.

building spaces. MGM is in the process of certifying this space as LEED Gold Commercial Interior certified space.

- ✓ Current Stage: Design completion and preparing design submittal documentation for GBCI
- ✓ Design Submission Timeline: April 30, 2018
- ✓ GBCI Award for Design: July 1, 2018
- ✓ Construction Submission Plan: October 30, 2018
- ✓ GBCI Award for Construction: January 15, 2019

iii) *LEED Plan - The French Congregational Church*

MGM is currently planning to make only minor exterior changes to the Church. Anticipating this space to be utilized as a retail tenant space, MGM is proposing to certify as a LEED Gold-level Commercial Interior space.

- ✓ Current Stage: Design completion and preparing design submittal documentation for GBCI
- ✓ Design Submission Timeline: April 30, 2018
- ✓ GBCI Award for Design: July 1, 2018
- ✓ Construction Submission Plan: October 30, 2018
- ✓ GBCI Award for Construction: January 15, 2019

iv) *LEED Plan – Day Care Building*

As a newly constructed space and in accordance with the applicable LEED and sustainability commitments, this space will be registered and certified as both a NetZero facility and a LEED Platinum-level certified New Construction building.

- ✓ Current Stage: Design completion and preparing design submittal documentation for GBCI
- ✓ Design Submission Timeline: December 7, 2017
- ✓ GBCI Award for Design: April 1, 2017 (anticipated 65 Points awarded)
- ✓ Construction Submission Planned: September 30, 2018
- ✓ GBCI Award for Construction: December 1, 2018
- ✓ NetZero Energy Input Begins: December 1, 2018
- ✓ 12 Month Mandatory Energy Inputs: December 2018 – November 2019
- ✓ Net Zero Review: December 15, 2019
- ✓ NetZero Certification: February 2020

v) *LEED Plan - Site / Resort Footprint*

MGM, during the original design, and incorporation of on-site residential units, committed to evaluating and certifying the project site under the LEED Neighborhood Development program. This is in addition to the individual certifications listed above. Although initial prerequisite review has been completed, 8 of the 12 prerequisites are currently under review with the USGBC / GBCI and the Project has not yet been fully cleared as an eligible site.

- ✓ Current Stage: Optional Prerequisite for GBCI
- ✓ Prerequisite Submission Timeline: February 14, 2017
- ✓ GBCI / Prerequisite Clarification Due: February 20, 2018
- ✓ GBCI Prerequisite Review Complete: March 20, 2018

- ✓ Construction Submission Planned: October 1, 2018
- ✓ GBCI Award for Construction: January 1, 2019

e) LEED Certification 101 State Street

As set forth in MGM's response to Section 1(f) above, MGM is not renovating 101 State Street at this time and further proposes to exclude this stand-alone, commercial office building from the boundaries of the Gaming Establishment. As such, there is no time table or ability to seek LEED certification for 101 State Street. Further, excluding 101 State Street from the Gaming Establishment removes the building from the requirement that MGM redevelop 101 State Street as LEED gold certified under the Gaming Act. MGM has separate obligations regarding 101 State Street to the City of Springfield under the HCA and any redevelopment of the property would be subject to the City's stretch energy code or other local permitting requirements.

Moreover, LEED certification of 101 State Street is not necessary for MGM to meet its LEED commitments in connection with the Project. As 101 State Street was originally connected to the casino podium and was to include essential gaming functions such as Commission offices and MGM operations and executive offices, LEED status was required for this portion of the Gaming Establishment under section 18 of the Gaming Act. As set forth in sections 1(f) and (g) above, 101 State Street is no longer functionally part of the Gaming Establishment but rather a stand-alone, occupied commercial office building. Notably, all of the same LEED commitments are achieved in 95 State Street. 95 State Street will be LEED Gold Certified as part of the hotel/podium and will house the majority of functions originally slated for 101 State Street. Through 95 State Street, MGM is meeting LEED Gold certification for the space originally slated for 101 State Street. For the reasons explained above, the LEED Gold Certification requirement should be removed from 101 State Street.

f) Installation of Solar Photovoltaic System

MGM's MEPA Certificate included a review of the Project's impacts with the installation of a Solar PV system installed as well as a review of the Project without onsite solar PV. MGM's MEPA Certificate noted that the Project would be constructed "solar ready". For renewable energy requirements, the Gaming Act requires that the Project obtain 10% of its energy from onsite renewable sources or "procuring" an equivalent amount of renewable energy or combination thereof. G.L. c. 23K, § 18(8)(vi). MGM's Section 61s set out as a condition the requirement to incorporate onsite solar "with sizes and locations to be determined based on final design." For this condition, MGM specifically reserved its right to revise this condition based on "structural and economic feasibility including but not limited to potential changes in state and federal tax credits and other subsidies for PV in Massachusetts." Indeed, there has been upheaval in solar programs in Massachusetts since this condition was first proposed.

Pursuant to Chapter 75 of the Acts of 2016, the Department of Energy Resources (DOER) was required to develop a program that would transform the solar incentive program to meet a number of legislative goals, including creation of a long-term sustainable solar incentive program to promote cost-effective solar development in the Commonwealth. This program will replace the Commonwealth's SREC program.

In September 2016, DOER presented a proposal for a fixed long-term contract payment (inclusive of the value of energy and incentive) for a fixed term, that would be administered through a utility tariff approved by the Department of Public Utilities (DPU). The proposed



program was referred to as the "Solar Massachusetts Renewable Target" (SMART) program. The DOER finalized regulations to implement the SMART program at 225 C.M.R. 20.00 in January 2018. These regulations create the structure of the program. However, implementation of the program is dependent upon tariffs that are separately approved and administered by the DPU, and such review is currently underway. DOER anticipates that, while the timing of the DPU review is not under its control, such review could be completed in the spring and the SMART program will become operational in the second or third quarter of 2018.

Despite the ongoing uncertainty of the solar incentives under the new SMART program, MGM has forged ahead with planning a solar project concept for the Parking Garage roof should the project be economically feasible. The economics of this project are still not fully known but should be understood in the coming months and MGM will update the Commission on the solar project's economic feasibility. If the project is deemed economically feasible and achieves all other qualifications, including an interconnection agreement, erection of the Solar PV project would not commence until January 2019 with an in-service date of July 2019. MGM has constructed the garage roof as "solar ready" and will purchase renewable energy or renewable energy credits equal to 10% of the project's energy use upon opening as required under Chapter 23K.

MGM has partnered with General Electric (GE) to design and construction the facility and has been working with Western Massachusetts Electric Company (WMECo) for approval of the project and interconnection to WMECo's system. GE has completed engineering site visits and a comprehensive electrical review as the basis of GE's solar interconnection design per WMECO requirements. GE submitted a WMECO Interconnection Application (IA) on behalf of MGM on October 26, 2017. Initial comments from WMECO were received on November 16, 2017 and GE responded to WMECO's initial comments on December 22, 2017 after numerous discussions between MGM, GE and WMECO.

On February 2, 2018, GE submitted revised electrical & site plan drawings. No further documentation has been requested by WMECO. An Interconnect Services Agreement ("ISA") is pending for MGM's solar project and will be finalized once the project CHP ISA is approved (WMECO will not act on the ISA request until a protection study is completed on MGM's CHP project). Once the CHP ISA is approved by WMECO, MGM's solar ISA approval will closely follow. An executed ISA is a prerequisite to securing capacity in the SMART incentive program along with site control and a Statement of Qualification (SOQ) submitted to MassACA.

If economically feasible, an illustrative timeline for the Solar PV project is set forth in **Exhibit D**.

g) Public Transit /Transportation Demand Management

The MGC Section 61s and MassDOT Section 61s together contain approximately ninety (90) commitments relative to Transportation Demand Management (TDM) and public transportation. These commitments include establishing and funding certain services, improvements and maintenance for bus stops on Main Street as well as the implementation of multiple programs to promote use of public transportation and bicycles by patrons and employees at the Project. Several of these commitments involving construction are required to be in place by opening (the "Construction Transportation Commitments"), but the majority are operational in nature and

employee-facing, which are required to be in place “during operations” (the “Operations Transportation Commitments”).<sup>9</sup>

As to the Construction Transportation Commitments, discussions with the PVTA are well underway for items that require significant lead time, including establishment of the route and needed infrastructure to support the downtown loop service and the bus stops on Main Street. MGM intends to have any necessary agreements in place and work performed for these commitments prior to opening. A chart detailing Construction Transportation Commitments is attached as **Exhibit E**. An operations project management team will be assigned to the Operations Transportation Commitments to develop a plan to operationalize such commitments. MGM anticipates regular communications with Commission staff on those operational commitments as Project opening approaches and is happy to present its operational plan to the Commission in advance of opening.

As to the Commission’s interest in discussions regarding a traffic plan for MGM’s Opening, we are happy to engage in this dialogue and encourage the Commission to include the City, potentially impacted surrounding communities and the State Police. MGM’s point of contact for this planning is Jason Rucker, Director of Security.

### **3. Section 61 Findings**

The Commission as a permitting agency may amend its Section 61s and expressly reserved this authority in the Section 61s. To the extent needed, MGM will work with Commission staff to incorporate any necessary changes.

### **4. Construction Security Mechanism**

While MGM remains open to discussions regarding proposals to ensure the completion of construction that may extend beyond the Project’s opening date, including residential commitments, the Company notes that it currently maintains a bond in the amount of \$51,579,200 as required as a License Condition and pursuant to G.L. c. 23K, § 10. This bond continues through November 30, 2018. While MGM may have rights to terminate this bond upon approval of the final stage of construction under section 10 of chapter 23K, we have no present intention of doing so. This bond can also be extended beyond November 2018.

### **5. RFA-2 Employment, Spending, and Regional Marketing**

As noted in the Letter, MGM continues to be in regular communication with the Commission on its commitments with respect to local and diverse hiring, local operational spending and regional marketing. MGM continues to exercise best efforts on all of these items and remains confident in its progress toward success in this regard.

---

<sup>9</sup> The MassDOT Section 61s have no implementation date for TDM. MassDOT Section 61s, March 28, 2016 at p.p. 25-26. The MGC Section 61s have overlapping TDM sections and list the Schedule for TDMs as “during site operations” or “at occupancy and during operations”. MGC Section 61s, December 22, 2015 at pp. 11-16

**6. Lottery Agreement**

MGM is pleased to report that it has reached agreement with the Massachusetts Lottery with respect to deployment of lottery sales on the Project site. The materials attached as **Exhibit F** outline such agreement and next steps.

As always, we thank the Commission and its Staff for the open and productive dialogue and look forward to a successful opening of a one-of-kind destination resort casino of which MGM, the City, the Commission and the entire Commonwealth will be proud.

Sincerely,



Seth N. Stratton  
Vice President & Legal Counsel

cc: Michael Mathis, President & COO  
Alex Dixon, General Manager  
Brian Packer, Vice President, Construction

## **EXHIBIT A**

Day Care Design

ROOFTOP  
PV ARRAY

The image is a site plan for a school building. The building's roof is shown in brown and is divided into two large sections of rooftop PV arrays, each represented by a grid of blue rectangles. To the right of the building is an 'ENTRY PLAZA' with a sun icon. Below the plaza is an 'INFANT / TODDLER PLAYGROUND' with a yellow background and various play equipment icons. At the bottom of the plan is a 'PRESCHOOL PLAYGROUND' with a light green background and a circular play structure. The entire site is surrounded by green lawn and various trees and shrubs. A building facade is visible on the right edge of the plan.

ENTRY  
PLAZA

INFANT /  
TODDLER  
PLAYGROUND

PRESCHOOL  
PLAYGROUND

ELEC

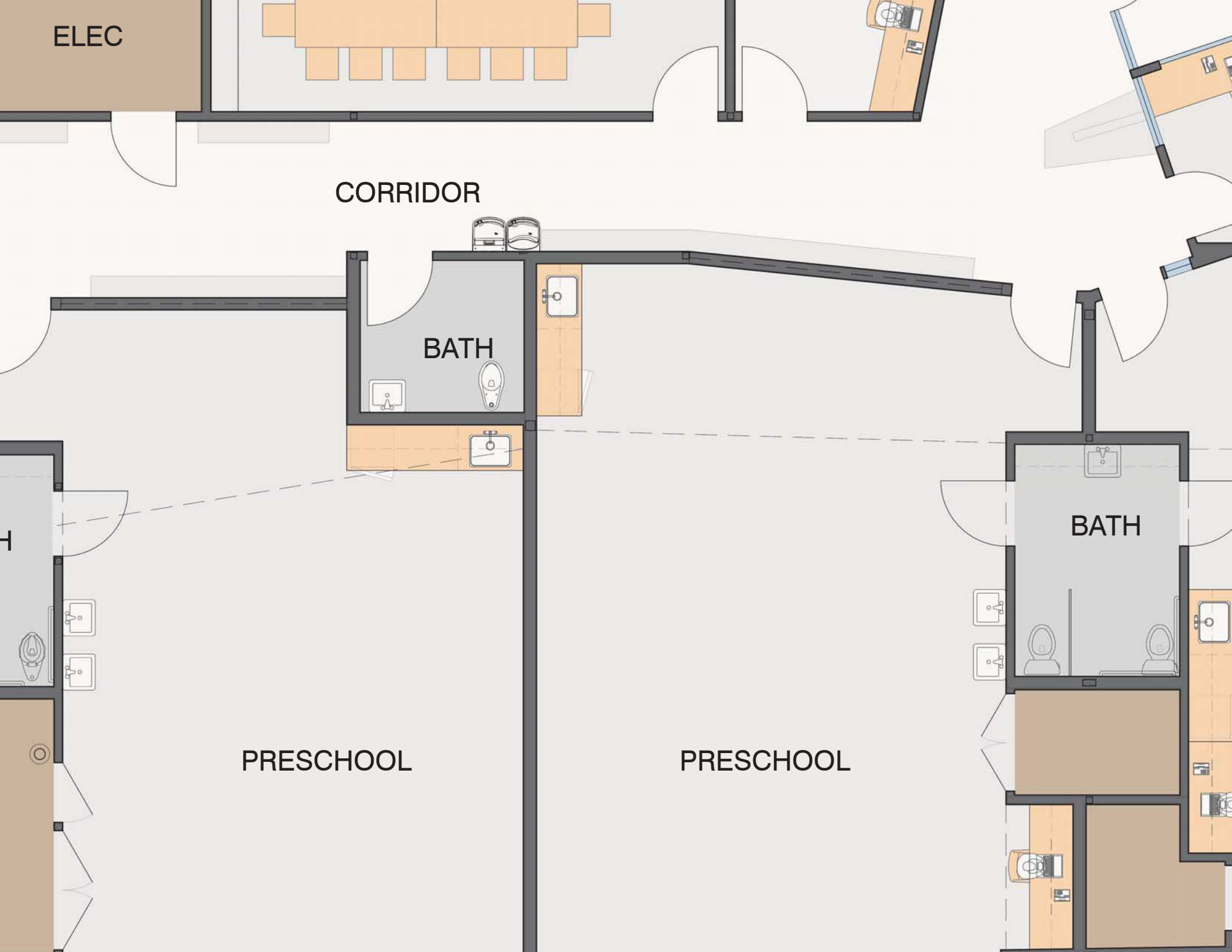
CORRIDOR

BATH

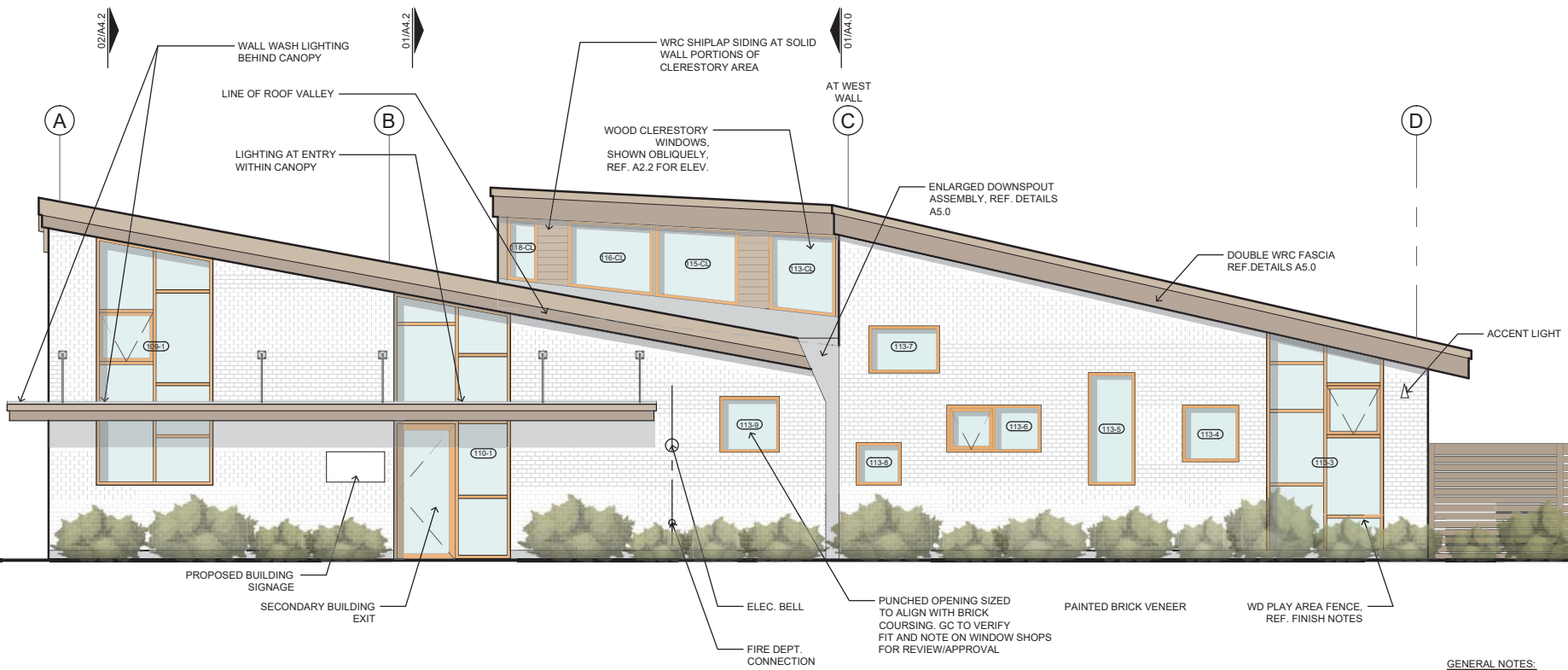
BATH

PRESCHOOL

PRESCHOOL



ATION



GENERAL NOTES:  
 1. REFER TO FINISH SCHEDULE A3.0 AND INFORMATION ON MATERIAL DETAILS.  
 2. REFER TO ROOF PLAN A2.3 FOR TOP OF IN DETERMINING ROOF PLANES. DIMENS REFERENCE ONLY TO ILLUSTRATE OVER

## **EXHIBIT B**

Comparison of Programming and Square Footage - NPC v. Current



**MGM Springfield**  
**Program Comparison Summary**

<b>Ref.</b>	<b>Project Element</b>	<b>Unit</b>	<b>NPC</b>	<b>Current</b>
<b>Casino Block</b>				
1	Gaming	SF	126,262	125,616
2	Hotel	SF	151,861	151,266
3	Hotel Rooms	Rooms	250	252
4	Convention	SF	43,705	46,023
5	Retail	SF	15,204	15,440
6	Food & Beverage	SF	34,184	36,637
7	Operations	SF	200,605	215,151
<b>Retail Block</b>				
8	Parking Garage Total Spaces	Spaces	3,375	3,414
9	Surface Parking Spaces	Spaces	54	82
10	Bowling	SF	9,618	12,232
11	Retail	SF	16,046	15,423
12	Food & Beverage	SF	24,962	28,588
13	Cinema	SF	37,465	42,926
14	Office	SF	12,000	-
15	Operations	SF	18,495	10,832
16	Church Relocation	SF	2,489	4,842
<b>Offsite</b>				
17	Residential - 54 Units	SF	65,500	65,000

**Notes:**

<sup>(a)</sup> Current Event Plaza & Marketplace is 73,254 SF.

<sup>(b)</sup> Current Daycare is 5,508 SF.

<sup>(c)</sup> Current Exterior Convention and Pool Deck areas with public access are 18,623 SF.

## **EXHIBIT C**

### MGM Springfield Construction Schedule

**MGM Springfield**  
**Schedule**

<b>Ref</b>	<b>Sub-Project</b>	<b>Date</b>
1	Parking Garage - TCO	10/04/2017
2	95 State Street - TCO	12/22/2017
3	Central Utility Plant - Construction Milestone	04/06/2018
4	Central Electric Facility - Construction Milestone	06/01/2018
5	Parking Garage - Signage & Valet - Construction Milestone	06/04/2018
6	Commissioning Gaming Equipment <sup>(a)</sup>	07/31/2018
7	Information Technology Systems <sup>(a)</sup>	07/31/2018
8	Off-site Improvements - Construction Milestone	07/31/2018
9	Day Care - Turnover to Tenant	07/31/2018
10	French Church Fit Out - Turnover to Tenant	08/01/2018
11	Podium - TCO	08/06/2018
12	Hotel - TCO	08/06/2018
13	Armory - Construction Milestone	08/15/2018
14	Entertainment Block - Construction Milestone	08/20/2018
15	Opening Date-On or Before	09/05/2018
16	Corner Retail (Dave's Furniture site)	07/08/2019
17	Residential <sup>(b)</sup>	03/27/2020
18	101 State Street <sup>(c)</sup>	TBD

**Notes:**

<sup>(a)</sup> MGC Requirement pursuant to 205 CMR 135.02 (2) (a)

<sup>(b)</sup> HCA Amendment Date.

<sup>(c)</sup> Timing of final build-out of 101 State Street is contingent on discussions with Focus Springfield and future tenants. Discussions will take place post opening

## EXHIBIT D

Illustrative Solar Approval and Construction Timeline

# *MGM Springfield*

## **Illustrative Solar Approval and Construction Timeline**

<b>Ref</b>	<b>Description</b>	<b>Timing</b>
1	MGM-Solar ISA Execution	February 2018
2	GE-Solar ISA Received	March 2018
3	MGM-LOI	March 2018
4	GE-LOI	April 2018
5	GE-SMART Submittal	April 2018
6	GE-Title Search	April 2018
7	GE-Final Engineering	May 2018
8	GE-Gaming Comm Cert.	May 2018
9	GE-FAA Glare	May 2018
10	GE-Planning/Zoning	May 2018
11	MGM-Design Sign-Off	May 2018
12	MGM-Probity Approval of GE	May 2018
13	GE-SMART Award	June/July 2018
14	MGM-PPA Execution	August 2018
15	GE-Sub Selection	October 2018
16	GE-PPA Execution	October 2018
17	GE-Bldg/Elec Permitting	October 2018
18	GE-Sourcing	October 2018
19	GE-Construction Kick-Off	November 2018
20	GE-Steel Delivery	December 2018
21	GE-Steel Erection	January 2019
22	GE-Module / BOS Delivery	February 2019
23	GE-Mech Completion	March 2019
24	GE-Substantial Completion	May 2019
25	GE-Witness Testing	June 2019
26	GE-COD	July 2019

### **Notes:**

<sup>(a)</sup> Schedule based on economics for solar being confirmed as feasible.

## **EXHIBIT E**

### **Section 61 Public Transit and Transportation Demand Management Commitments - Prior to Opening**

## *MGM Springfield*

### **MassDot and MGC Section 61**

#### **Public Transit and Transportation Demand Management (TDM) (Preopening Construction)**

<b>Ref</b>	<b>Category</b>	<b>Agreement</b>	<b>Item Description</b>
1	TDM	MassDOT Section 61 (24)	Coordinate with PVTA to provide bus service directly to the Project site.
2	TDM	MassDOT Section 61 (24)	Providing geometric roadway and signal improvements for bicycle/pedestrians.
3	TDM	MGC Section 61 (23)	Implement trolley service for no fare on scheduled service days between the Project site, Union Station, and local attractions; such as Basketball Hall of Fame and Quadrangle Museum Zone.
4	TDM	MGC Section 61 (23)	Update and retrofit pedestrian signal equipment at study area intersections surrounding the site and along Main Street between Union Station and the site.
5	TDM	MGC Section 61 (23)	Provide striping improvements for bicycle lanes or sharrows along with corresponding bike signs.
6	TDM	MGC Section 61 (23)	Provide ADA improvements at wheelchair ramps near site.
7	TDM	MGC Section 61 (23)	Provide enhanced connectivity to the Connecticut River Walk and Bikeway.
8	TDM	MGC Section 61 (23)	Reconstruct sidewalks along streets surrounding the site that are affected by project construction activities to improve access.
9	TDM	MGC Section 61 (23)	Construct mid-block crossing with pedestrian warning device on State Street to service the pedestrian traffic between the Project parking structure and the adjacent courthouse.
10	TDM	MGC Section 61 (23)	Construct mid-block crossing with raised median island on Union Street to service pedestrian traffic to land uses along southerly side of Union Street.
11	TDM	MGC Section 61 (23)	Coordinate with the City of Springfield and expedite, to the extent feasible, MGM's construction employee parking plan.
12	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Provide improved bus stops with passenger amenities (weather protection, seating, real time information, customer information) immediately adjacent to the Project site.
13	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Provide secure, weather protected, long-term bicycle parking (for employees and residents) at designated locations within the Project site.
14	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Provide bicycle racks for short-term users at several locations on-site.
15	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Provide showers for employees who commute by walking or biking.
16	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Provide preferential parking for rideshare, carpool, and hybrid vehicles.
17	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Provide charging stations for electric vehicles, which will be located near the doorways on each floor of the parking structure.

# *MGM Springfield*

## **MassDot and MGC Section 61**

### **Public Transit and Transportation Demand Management (TDM) (Preopening Construction)**

<b>Ref</b>	<b>Category</b>	<b>Agreement</b>	<b>Item Description</b>
18	TDM	MGC Section 61 (23)/MassDOT Section 61 (24)	Implement an intelligent parking system to direct drivers to open parking spaces or nearby facilities controlled by the Springfield Parking Authority.
19	Public Transportation	MassDOT Section 61 (24)	The Proponent has committed to initiating and funding the implementation of a trolley service.
20	Public Transportation	MassDOT Section 61 (24)	This service will use attractive, tourist friendly, rubber-tired vehicles and will provide connections between Union Station and downtown visitor attractions, including the Project Site.
21	Public Transportation	MassDOT Section 61 (24)	The trolley is intended to provide ease of access to visitor amenities and connections to the Amtrak Station at Union Station, the future PVTA Springfield Bus Terminal, the Basketball Hall of Fame, the Springfield Museums, and Worthington Street.
22	Public Transportation	MassDOT Section 61 (24)	The Proponent will work closely with the PVTA to implement the trolley service.
23	Public Transportation	MassDOT Section 61 (24)	The Proponent will provide improvements to the two inbound and two outbound PVTA bus stops on Main Street.
24	Public Transportation	MassDOT Section 61 (24)	The stops on Main Street, and the entire frontage, will be altered, especially on the Project side of Main Street, as streets and driveways are removed.
25	Public Transportation	MassDOT Section 61 (24)	The bus stops on Main Street will be adjusted and improved in coordination with PVTA and the City of Springfield.
26	Public Transportation	MassDOT Section 61 (24)	They will be located near crosswalks to allow safe and convenient pedestrian access on Main Street and will have access to on sidewalks with a minimum 10-foot width.
27	Public Transportation	MassDOT Section 61 (24)	All bus stops will include amenities for passengers (signage, sheltered waiting areas, seating, and passenger information) as determined through the design process.
28	Public Transportation	MGC Section 61 (23)	MGM must fulfill its commitment to reach an agreement with the PVTA that will capture all public transportation agreements and commitments on the Project.
29	Public Transportation	MGC Section 61 (23)	Commitment to fund ADA paratransit trips that serve the Project.
30	Public Transportation	MGC Section 61 (23)	Provision of trolley/circulation service, to be operated by PVTA, including final details on trolley route, stops and hours of operation.
31	Public Transportation	MGC Section 61 (23)	Improvements to bus stops on Main Street, including passenger amenities.



## **EXHIBIT F**

Massachusetts Lottery Agreement



March 8, 2018

**VIA EMAIL**

Michael Lorden  
Assistant Executive Director/Director of Sales  
Massachusetts State Lottery Commission  
60 Columbian Street  
Braintree, MA 02184

**RE: Agreement to be a Licensed State Lottery Sales Agent**

Dear Mr. Lorden:

Please accept this correspondence as confirmation of Blue Tarp reDevelopment, LLC's ("MGM Springfield") agreement to be a licensed state lottery agent under Chapters 10 and 23K of the Massachusetts General Laws. As discussed, we are pleased to deploy Massachusetts State Lottery Commission (MSLC) sales terminals at MGM Springfield as set forth in Exhibit A.

Also enclosed for your reference as Exhibit B is MGM Springfield's application for a MCLS lottery sales agent license. We look forward to completing the application process and partnering with MCLS to offer lottery products at MGM Springfield.

Sincerely,

Alex Dixon  
General Manager

Enclosures

cc: Michael Mathis, President & COO  
Seth N. Stratton, Vice President & Legal Counsel

# **Exhibit A**

# MGM Springfield

## Lottery Track

## Terminal Locations & Specifications

November 2, 2017



SPRINGFIELD

An MGM Resorts  
Luxury Destination

# LOTTERY TERMINALS

6 x PAT Terminals (Vending-Player Activated Terminal)

1 x Flex Terminal (Retail/POS)

1 x Flex Terminal (Retail/POS)

1 x Flex Terminal (Retail/POS/Keno)

# PAT TERMINAL

## Power:

120V 20A

Double Duplex

## Network:

Hardwired

Independent MPOS

Telecom Circuit



# FLEX TERMINAL

## Customer View



Display: 16" H x 16" W x 16"D  
Base: 10" W x 7"D  
Pole: 4" W x 20"H  
Router: 2.5" H x 10" W x 8"D  
LED Sign/Transmitter (?): 2" H x 6" W x 3"D

## Agent View



Printer: 9" H x 6.5" W x 12.5"D  
Scanner: 9" H x 4" W x 5.5"D  
Terminal: 16" H x 16" W x 16"D  
Drawer: 5" H x 16" W x 18"D

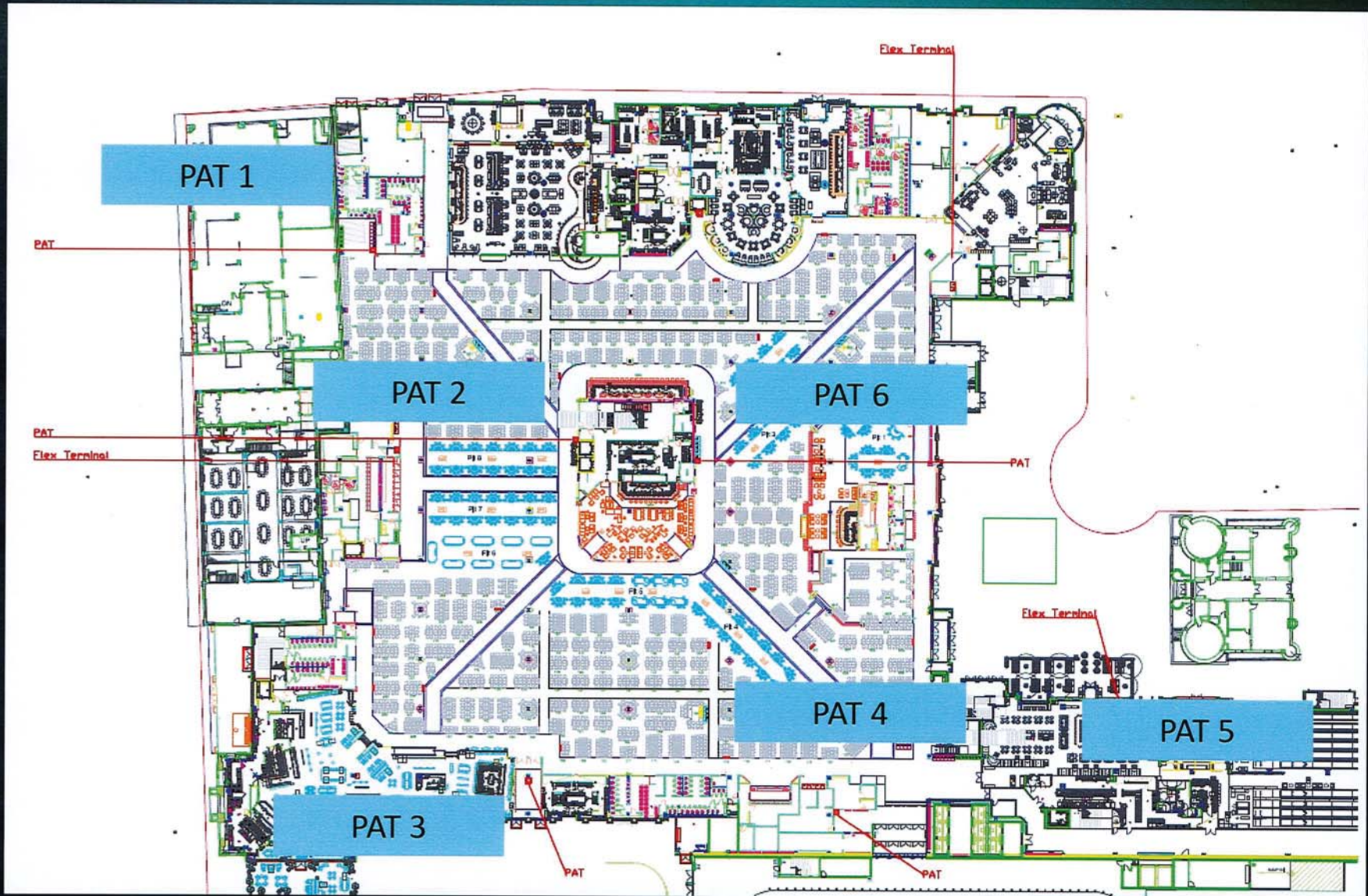
# FLEX TERMINAL

**Lottery Basic Terminal Setup**  
**The Space Needed for This Setup Is**  
**W 44" X D24" X H24"**

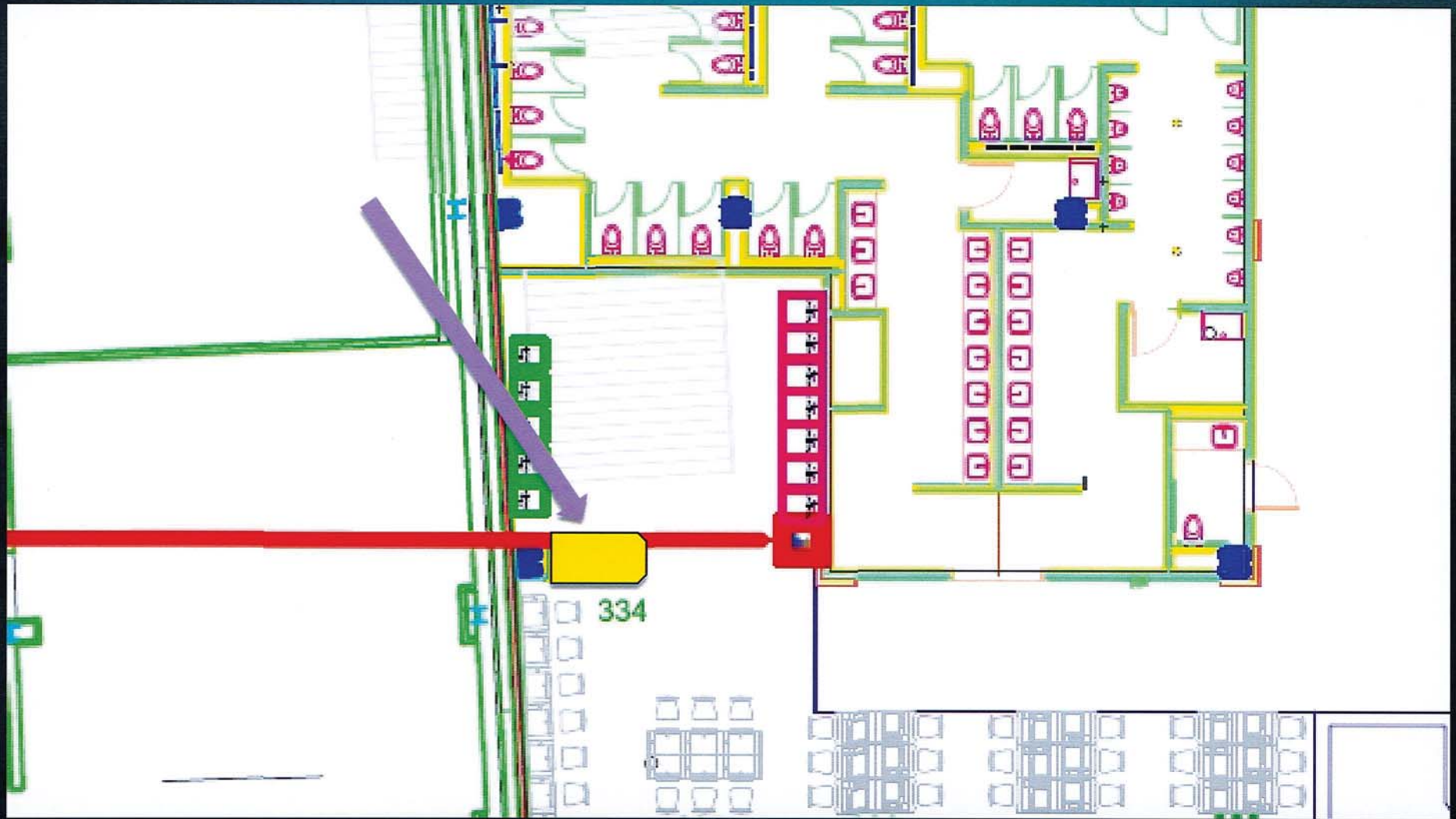




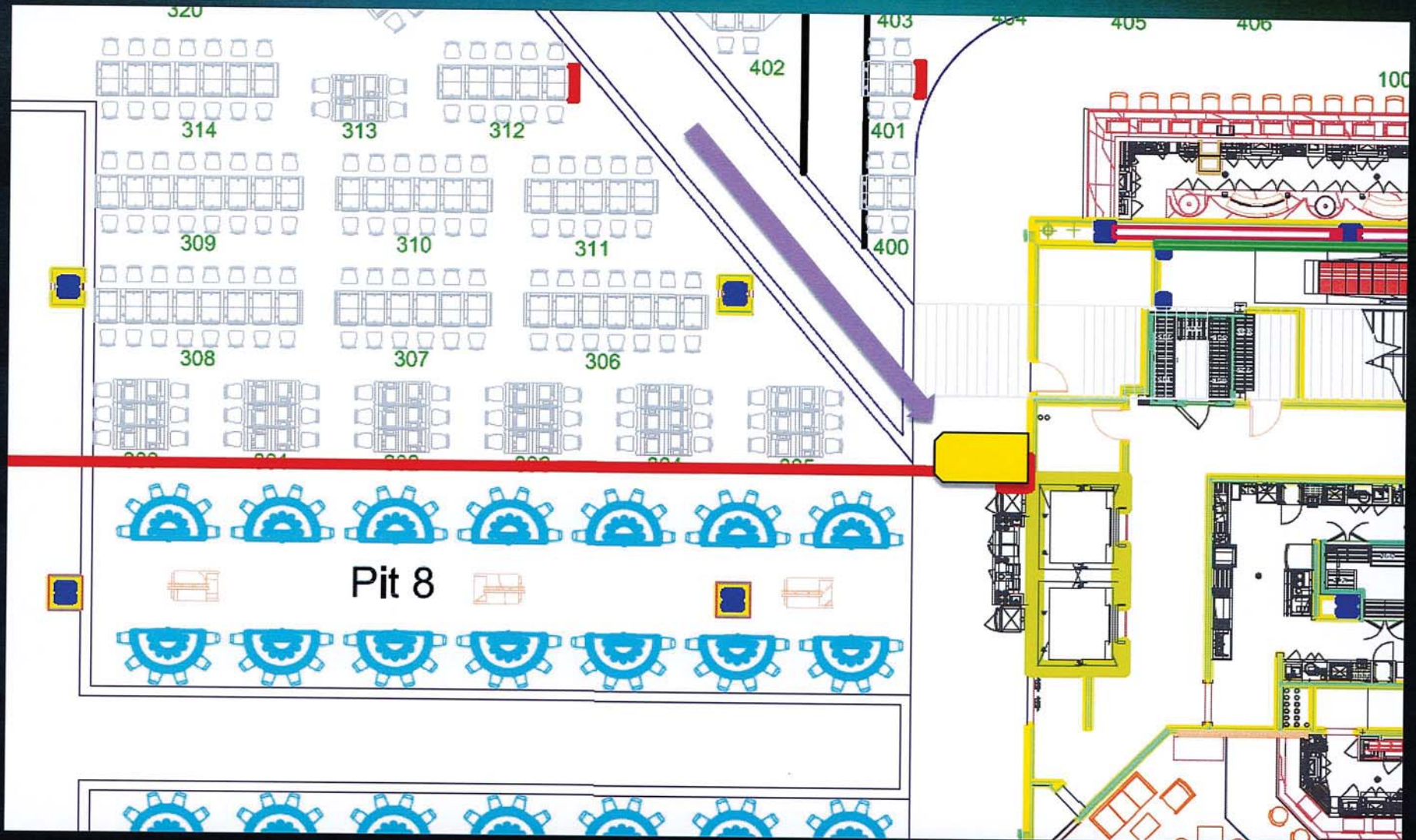
# PAT LOCATIONS



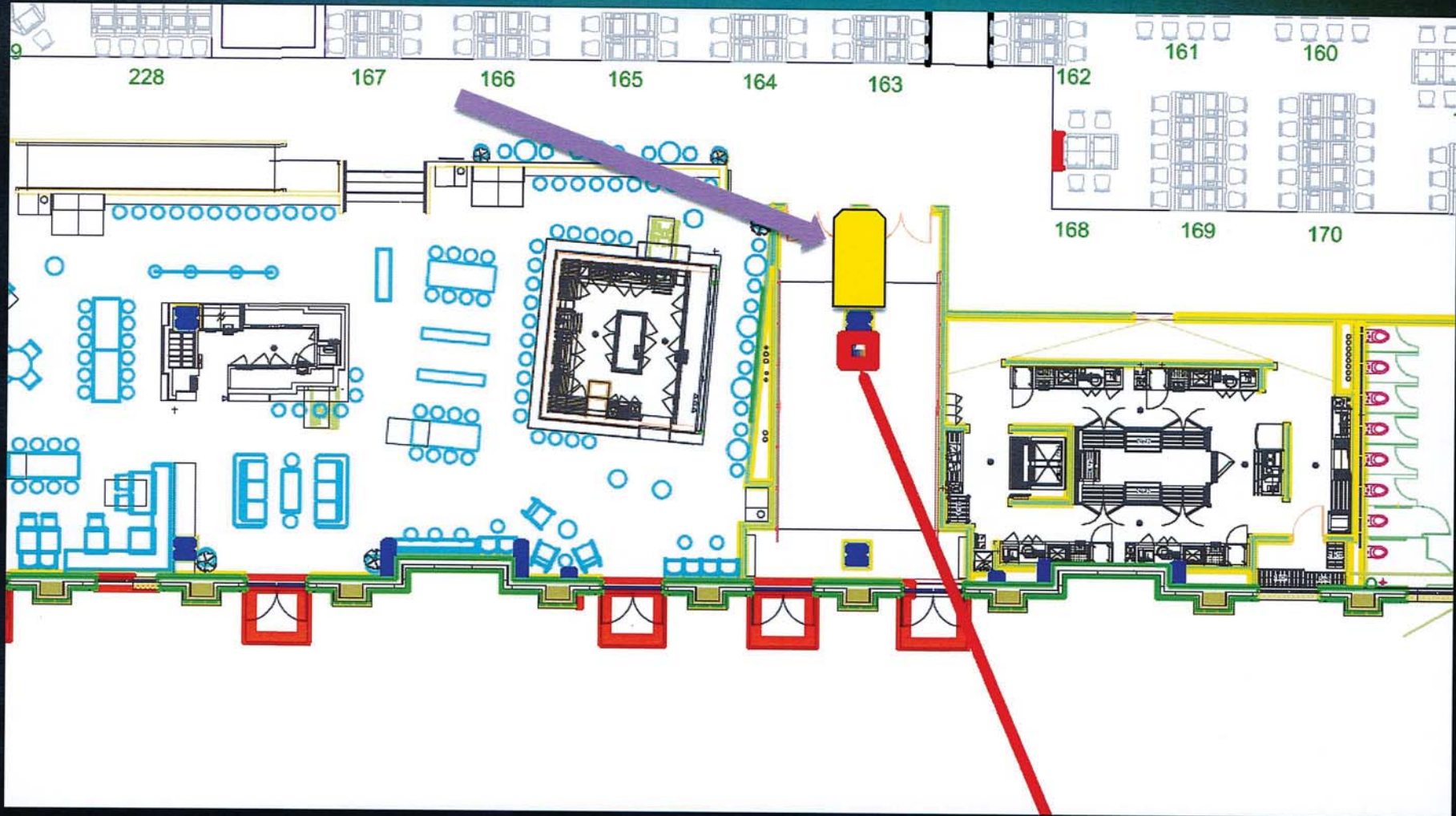
# PAT 1 – NW CASINO ALCOVE



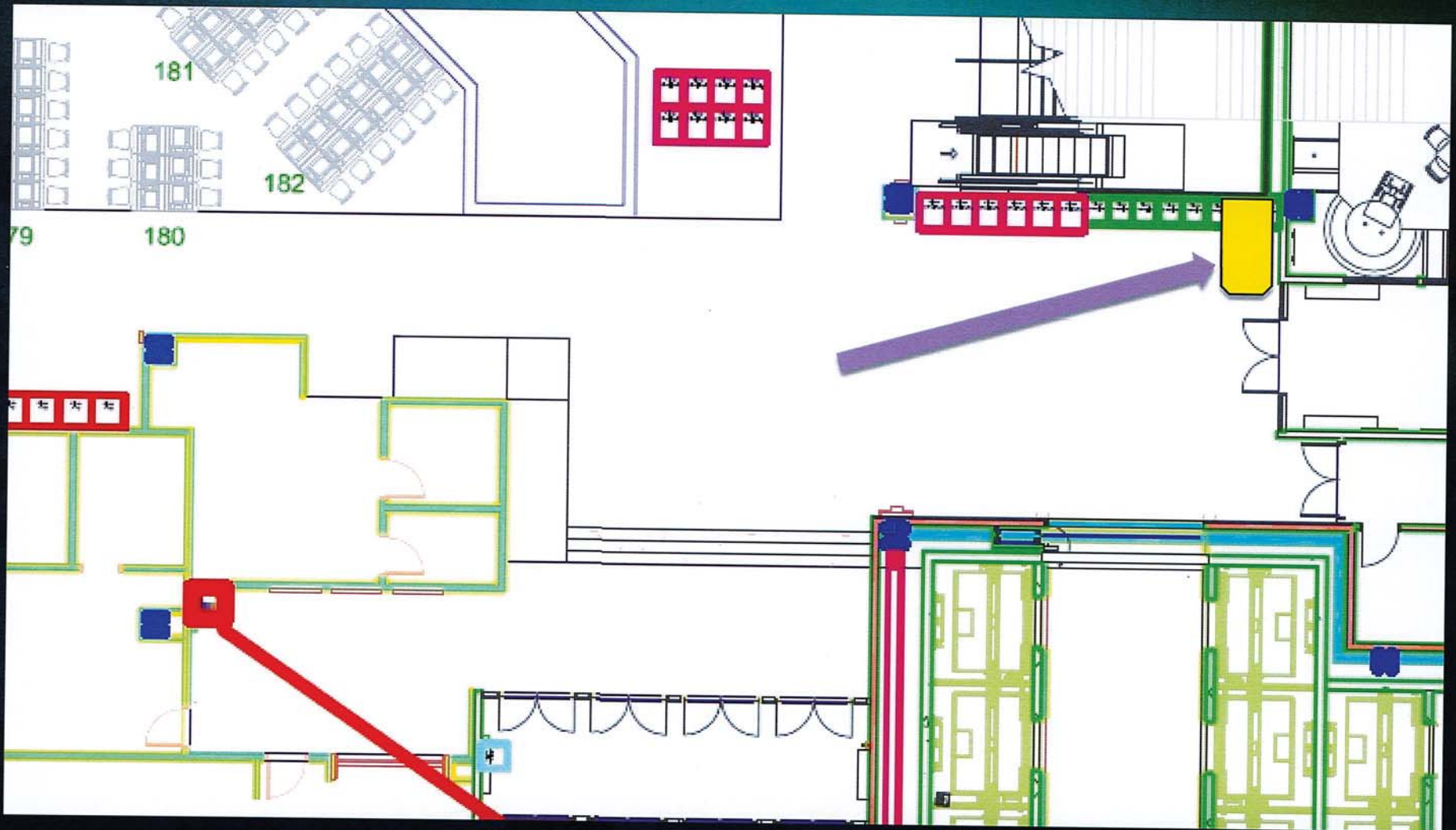
# PAT 2 – CENTER CASINO L



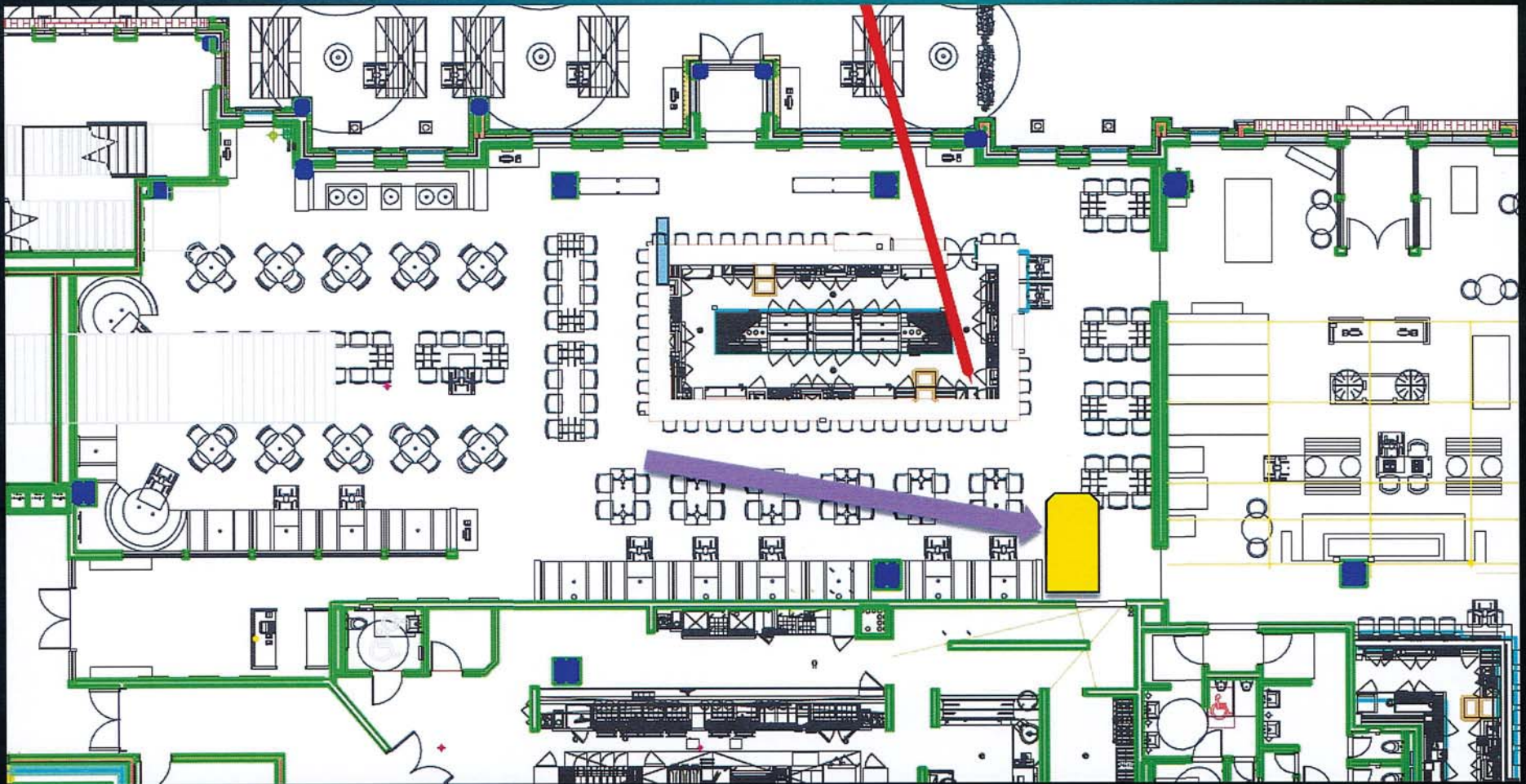
# PAT 3 – BUS DROP OFF



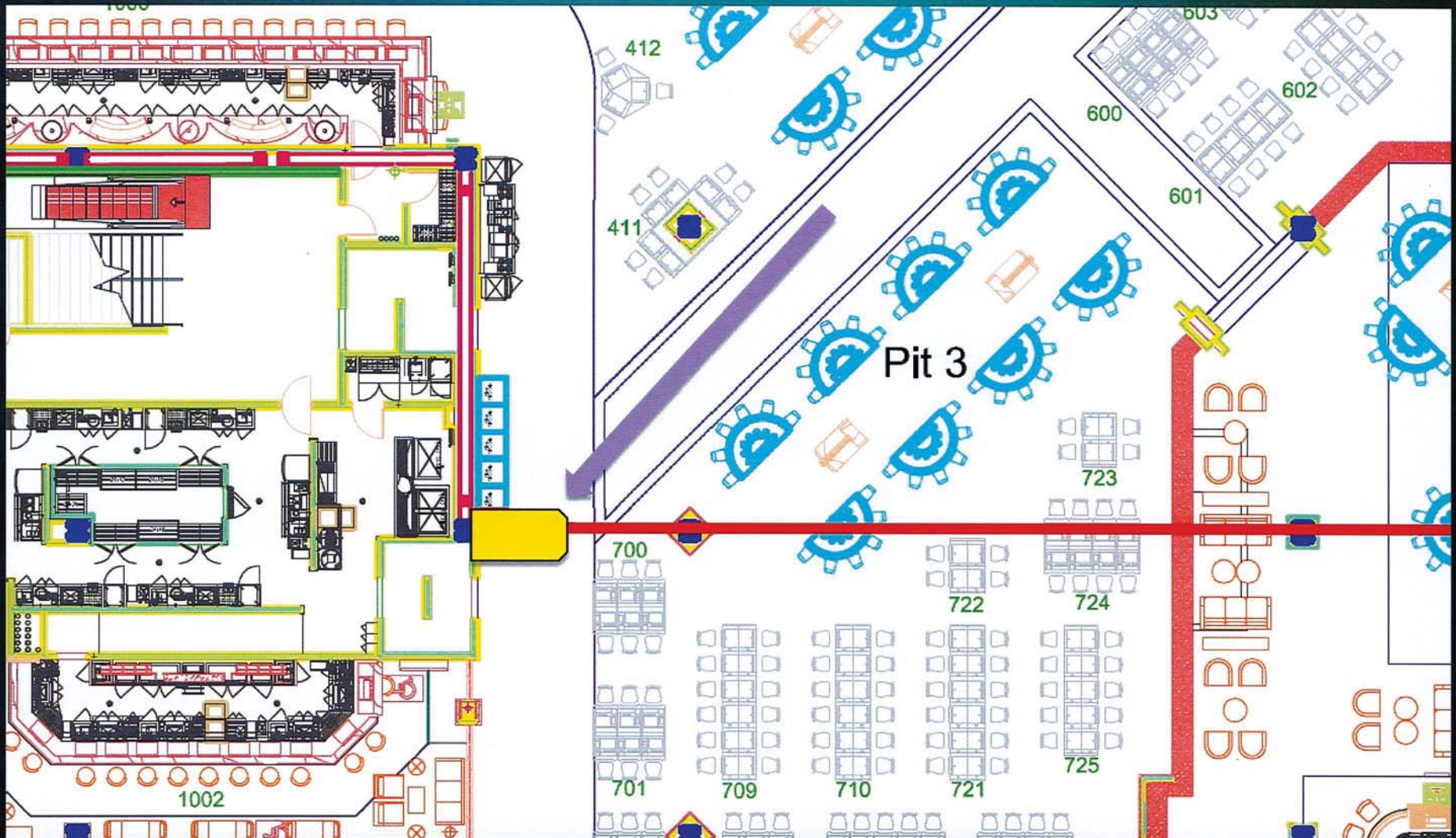
# PAT 4 – KIOSK WALL



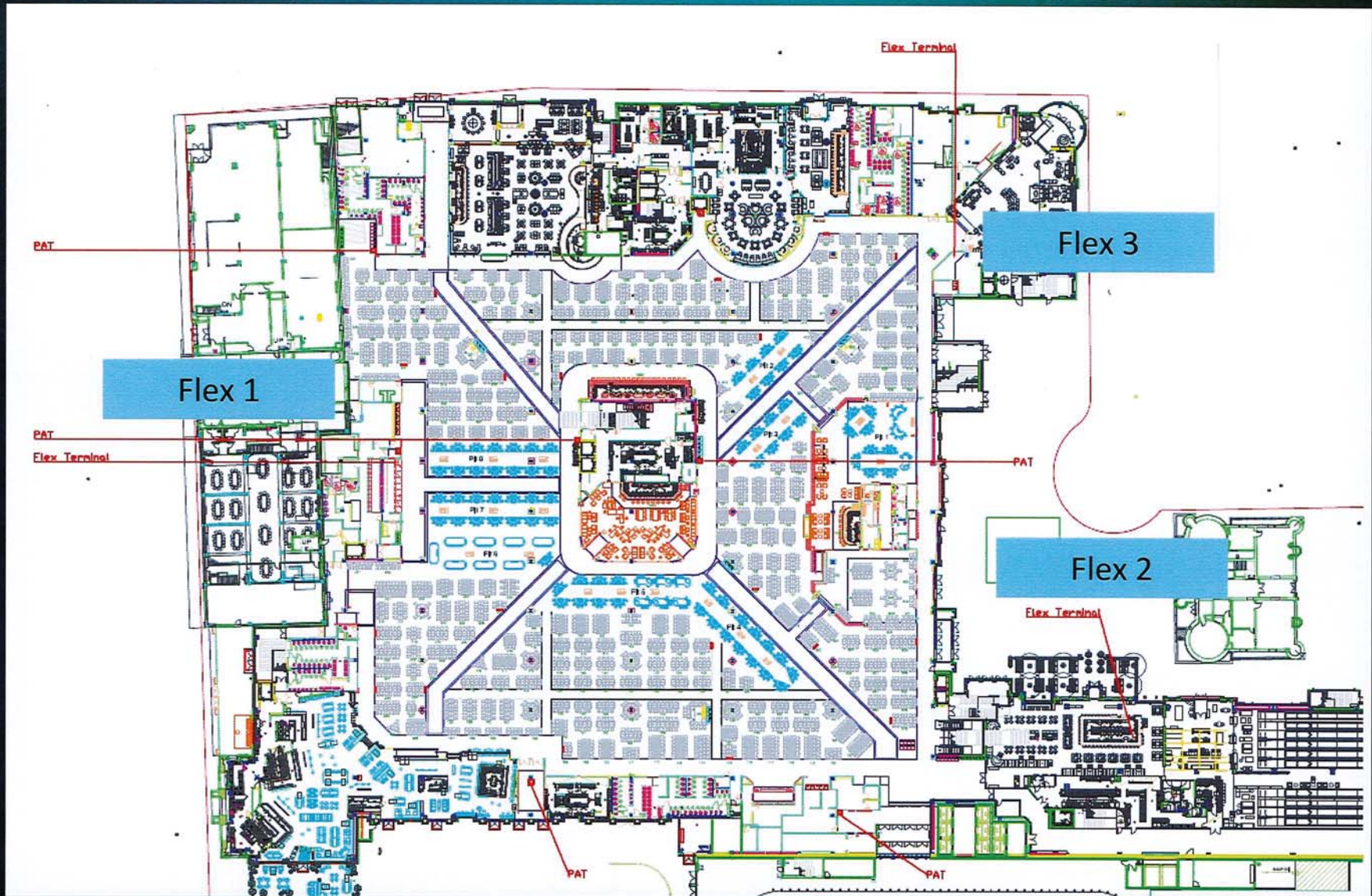
# PAT 5 – TAP



# PAT 6 - CENTER CASINO R

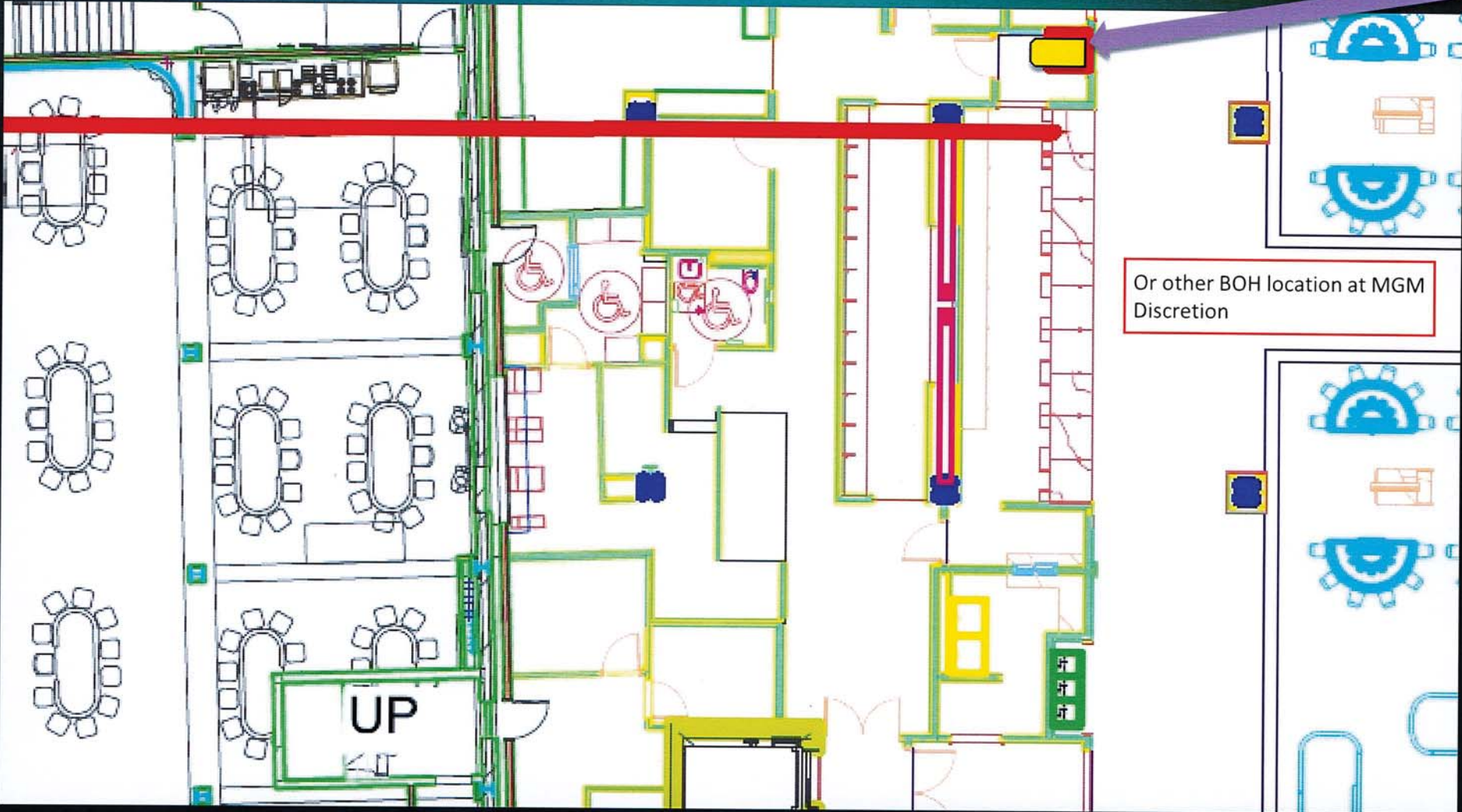


# FLEX LOCATIONS

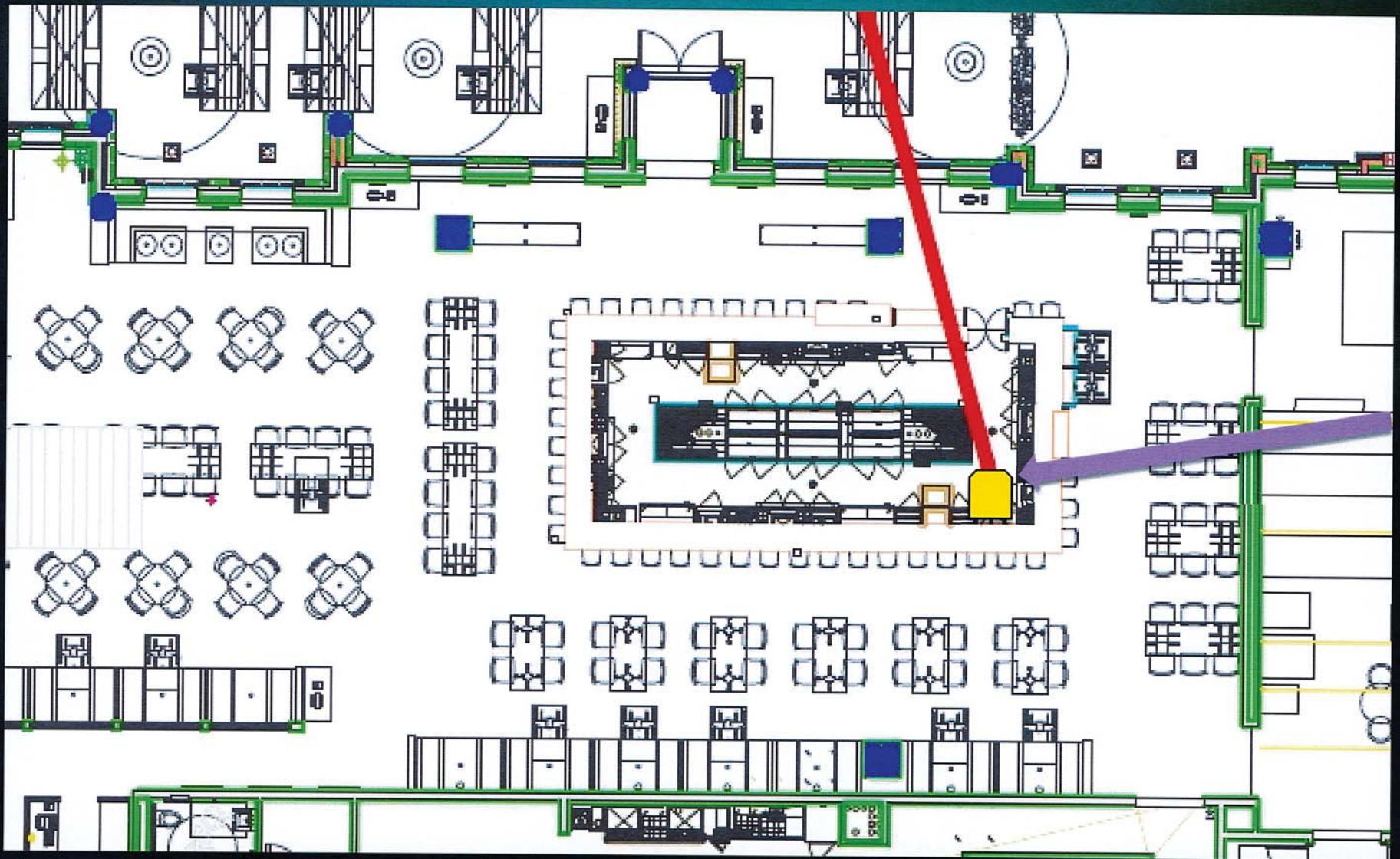




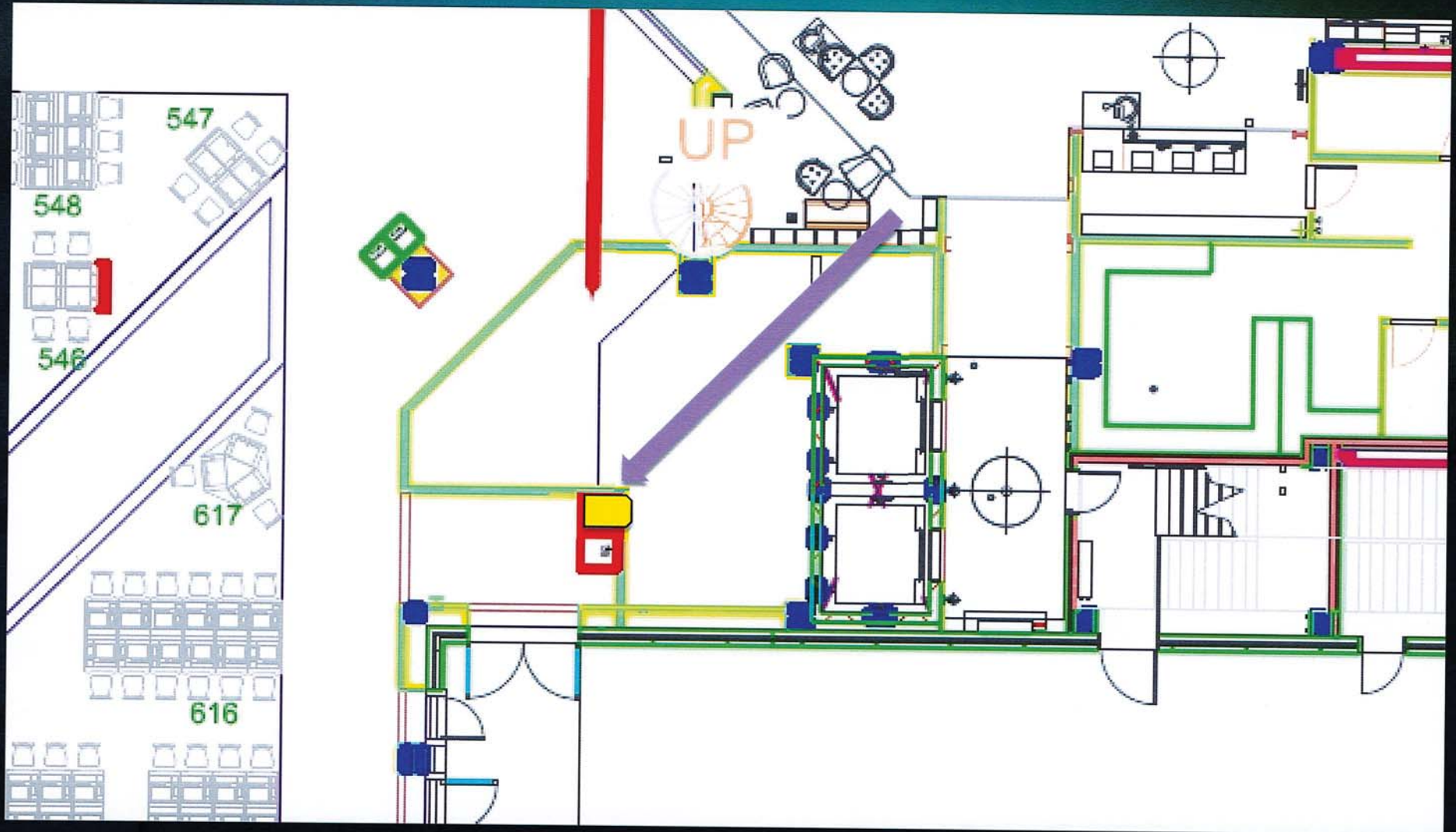
# FLEX 1 – MAIN CAGE



# FLEX 2 – TAP



# FLEX 3 – SUNDRY



# **Exhibit B**

# MASSACHUSETTS STATE LOTTERY COMMISSION



## LICENSE APPLICATION BOOKLET

*Supporting the 351 Cities and Towns of Massachusetts*

*Deborah B. Goldberg*  
Treasurer and Receiver General

*Michael R. Sweeney*  
Executive Director

## THE APPLICATION PROCESS

### Stage I Document Review

- An MSLC representative will conduct a review of your application to ensure that all required documents have been completed and submitted.
- If the application is incomplete, it will be returned.
- If the application is complete, notification will be sent and the review process will continue.

### Stage II Financial Review

- All **current owners, partners, LLC members, LLC managers or corporate officers listed on the application** are subject to a credit check by the MSLC.
- **Existing debt from a prior Lottery licensee at the proposed location will be considered during the approval process.**

### Stage III Criminal History Investigation

- All **current owners, partners, LLC members, LLC managers or corporate officers listed on the application** are subject to a criminal history record background check. The MSLC Security Department will review the results of the criminal history investigation.

### Stage IV Site Assessment

- A representative of the MSLC will conduct an assessment of your business location to measure its sales potential.
- Proposed agents of the MSLC must be a retail business. The business may not be established for the sole purpose of selling MSLC products.
- The word "Lottery" cannot be used in your business name.

### Stage V Approval/Denial Notification

- If approved, notification will be sent with further instructions.
- If denied, notice by the Licensing Department will be sent by certified mail. Applicants may appeal a denial within 20 days of receiving said notice. If the applicant does not file an appeal in the specified time period, the application will expire.



## LICENSE APPLICATION INFORMATION

Massachusetts State Lottery Commission (MSLC) licenses are issued subject to the requirements of 961 CMR 2.00-4.00.

No federal, state, county, or municipal employee or a member of the immediate family as defined in Chapter 10, Section 27 of the Massachusetts General Laws, shall sell, or be issued a license to sell lottery tickets.

MSLC sales agent licenses are not transferable. If you have purchased or are in the process of buying a business establishment that is currently licensed to sell MSLC products, you will have to apply for a new license to sell MSLC products.

Our Licensing Department, which is located in our Braintree Office, processes all applications. If you have any questions, please call the Licensing Department at **781-849-5555 ext. 5739**.

### FEES

#### Applicants

- There is a \$200 non-refundable application fee, regardless of the outcome of the application.

#### Agents

*Once licensed by the Lottery, all agents are charged:*

- A \$2.00 per diem service fee.
- A \$2.00 per diem bonding fee.

### WEB-SITE

Additional Lottery information is located on our Website – [www.masslottery.com](http://www.masslottery.com)

## BUSINESS STRUCTURES

Below is a list of the business structures licensed by the MSLC.

- ⊙ Corporations
- ⊙ Sole Proprietorships
- ⊙ Limited Liability Companies
- ⊙ Partnerships

### All business entities must provide:

- ⊙ Application
- ⊙ W-9 Form (completed and signed)
- ⊙ Verification of taxpayer identification number
- ⊙ Photo ID (copy of valid license or passport)
- ⊙ MSLC Personal Data Form(s)
- ⊙ MSLC Release Authorization Form(s)
- ⊙ Liquor License (if applying for KENO)
- ⊙ Application fee

**Each business structure must also provide additional documents. Please refer to the list below that applies to your business structure.**

### Corporation

- ⊙ Articles of Organization\*
- ⊙ Certificate of Good Standing (original)\*
- ⊙ Each current officer of the corporation must complete an MSLC Personal Data Form and MSLC Release Authorization Form

### Limited Liability Company (LLC)

- ⊙ Certificate of LLC\*
- ⊙ Certificate of Good Standing (original)\*
- ⊙ Each current LLC manager or LLC member must complete an MSLC Personal Data Form and MSLC Release Authorization Form

### Partnership

- ⊙ Certificate of Partnership or Partnership Agreement
- ⊙ DBA (doing business as) Certificate from the city or town where the business is located
- ⊙ Each current partner must complete an MSLC Personal Data Form and MSLC Release Authorization Form

### Sole Proprietorship

- ⊙ DBA (doing business as) Certificate from the city or town where the business is located
- ⊙ The sole proprietor must complete an MSLC Personal Data Form and MSLC Release Authorization Form

\* These required documents *must* be obtained by contacting the Massachusetts Secretary of State's Office. You may call (617) 727-9640 or visit their web-site at [www.state.ma.us/sec/cor](http://www.state.ma.us/sec/cor) for information and locations.



## APPLICATION CHECKLIST

Before submitting your application the following items must be included:

- A completed application (pages 7-9)
- All required documents based on your business structure (page 5)
- A W-9 form completed and signed (page 11)
- Official verification from the IRS or DOR of your Taxpayer Identification Number
- MSLC Personal Data Form(s) completed and signed by all required parties (page 13)
- MSLC Release Authorization Form(s) completed and signed by all required parties (page 14)
- Photo identification for all required parties (photo copy of valid license or passport is acceptable)
- A \$200 non-refundable check made payable to the MSLC. Do not send cash.

**If your application does not include all of the items listed above, it will be considered incomplete and returned.**

All applications must be mailed to:

Massachusetts State Lottery Commission  
Licensing Department  
60 Columbian Street  
Braintree, MA 02184





Massachusetts State Lottery Commission

AGENT APPLICATION

Licensing Department
60 Columbian Street
Braintree, MA 02184
(781) 849-5555 ext. 5739



Deborah B. Goldberg
Treasurer and Receiver General

Michael R. Sweeney
Executive Director

Please print clearly in ink

Please check the box that applies to your application:

- Checked: New Applicant
Change in Business Structure
Current Agent #
New Applicant at Existing MSLC location
Current Name
Current Agent #

Note: No federal, state, county or municipal employee or a member of the immediate family, as defined in Chapter 10, Section 27 of the Massachusetts General Laws, shall sell, or be issued a license to sell Lottery tickets.

BUSINESS STRUCTURE - Please check the box that applies to your business

- Checked: Limited Liability Company
Sole Proprietorship
Partnership
Corporation

Business Structure Name BLUE TARP REDEVELOPMENT

TAXPAYER IDENTIFICATION NUMBER (TIN) FOR BUSINESS STRUCTURE

Taxpayer Identification Number (TIN) 455469986

Official verification from the Internal Revenue Service or Department of Revenue of your Taxpayer Identification Number is required and must be attached to the completed W-9 form enclosed in this application booklet.

BUSINESS LOCATION INFORMATION

DBA Name (Doing BusinessAs) MGM SPRINGFIELD
Street Address One MGM Way
City/Town Springfield Zip Code 01103
Business Phone (413) 273-5000 Fax Number



**TYPE OF BUSINESS**

- |                                                                                      |                                                     |                                                 |
|--------------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------|
| 01 <input type="checkbox"/> Food Supermarket                                         | 02 <input type="checkbox"/> Convenience Store       | 03 <input type="checkbox"/> Drug Store          |
| 04 <input type="checkbox"/> Bar/Tavern/Lounge                                        | 05 <input type="checkbox"/> Restaurant/No Liquor    | 06 <input type="checkbox"/> Restaurant/Liquor   |
| 10 <input type="checkbox"/> Coffee Shop                                              | 11 <input type="checkbox"/> Liquor Store            | 12 <input type="checkbox"/> Gas Station/Conv.   |
| 14 <input type="checkbox"/> Hardware Store                                           | 15 <input type="checkbox"/> Bowling Alley/Pool Hall | 16 <input type="checkbox"/> Club/Fraternal Org. |
| 23 <input type="checkbox"/> Newsstand                                                | 24 <input type="checkbox"/> Video Store             |                                                 |
| 25 <input checked="" type="checkbox"/> Other Retail Business (Specify) <u>CASINO</u> |                                                     |                                                 |

**KENO & PULL-TAB APPLICANTS**

**Only establishments with a liquor-pouring license can apply to sell Keno and/or Pull-Tab products.**

Are you applying for a Keno license? Yes  No

Are you applying for a Pull-Tab license? Yes  No

**If yes, a copy of your liquor-pouring license from your city/town is required.**

**LANDLORD INFORMATION**

**List the information requested below pertaining to the owner of the business location.**

Name \_\_\_\_\_

Business Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

**CURRENT OWNERS, PARTNERS, LLC MEMBERS, LLC MANAGERS OR CORPORATE OFFICERS**

**List the names of all current owners, partners, LLC members, LLC managers or corporate officers of the business structure. Each individual listed below must submit an MSLC Personal Data Form and MSLC Release Authorization Form, which is enclosed in this application booklet. Copies may be made if necessary.**

First Name                      Last Name                      Title

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_



**AUTHORIZED SIGNATURE**

I hereby certify that I am duly authorized to execute this application on behalf of

BLUE TARP REDEVELOPMENT

Business Structure Name (list individual name if you are a sole proprietor)

MGM Springfield

Doing Business As (if different from above)

and that I have examined this application and to the best of my knowledge and belief the information contained herein is accurate and pursuant to Massachusetts General Laws Ch. 62C, Sec 49A. I also certify under the penalties of perjury that all Massachusetts tax returns have been filed and any amount due and payable has been paid.

Print the name of the authorized owner, partner, LLC member, LLC manager or corporate officer completing this application.

Kenneth Darby  
Name

Director of Cage Operations  
Title

Signature of the authorized owner, partner, LLC member, LLC manager or corporate officer completing this application.

[Signature]  
Signature

02/28/18  
Date

**APPLICATION FEE**

Please attach a check in the amount of \$200 for the application fee. Please note that this fee is non-refundable, regardless of the outcome of this application. Checks must be made payable to the MSLC. Please do not send cash.

**The MSLC must be notified of any changes regarding this application.**

# MGM Springfield Project Update

March 15, 2018



# Agenda

- 1 Introduction – Mike Mathis
- 2 Retail/ Food & Beverage Update – Sarah Moore
- 3 Project Program Update – Mike Mathis/ Alex Dixon
- 4 Gaming Establishment/ Compliance - Seth Stratton
- 5 NPC/ Environmental/ Schedule Update - Brian Packer
- 6 Quarterly Report – Brian Packer/ Courtney Wenleder
- 7 Closing - Mike Mathis



1

# Mike Mathis

*President & COO - MGM Springfield*

---

Introduction



# MGM SPRINGFIELD EXECUTIVE TEAM





# ENTERTAINMENT IS A HUMAN NEED

## Global Study Finds Entertainment Plays Key Role In People's Identities and Overall Happiness

MGM Resorts International finds growth of digital-based entertainment options spurs longing for more live entertainment

---

NEWS PROVIDED BY  
[MGM Resorts International](#) →  
Mar 06, 2018, 15:38 ET

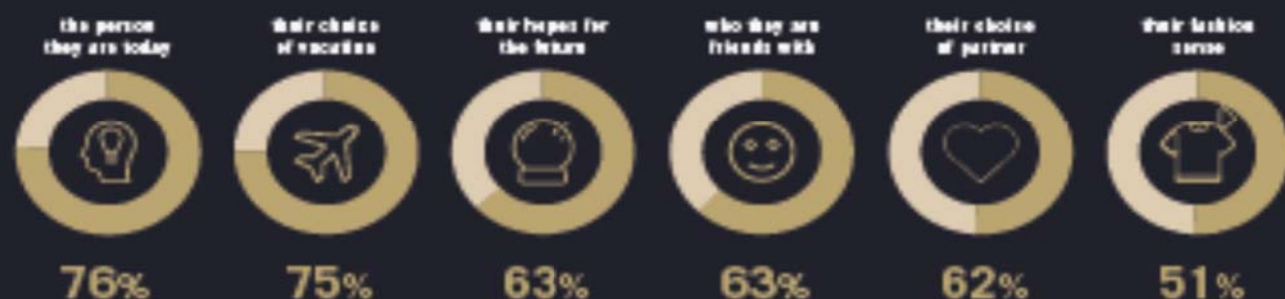
McCANN  
TRUTH CENTRAL

THE TRUTH ABOUT ENTERTAINMENT  
WHITEPAPER

# THE TRUTH ABOUT ENTERTAINMENT

## 1. ENTERTAINMENT IS FUNDAMENTAL TO HUMAN IDENTITY

% OF AMERICANS WHO SAY ENTERTAINMENT HAS INFLUENCED...



No wonder **69%** of Millennials say that services like Netflix and Spotify know them better than their friends!

## 2. ENTERTAINMENT SUPPORTS OVERALL HUMAN WELLNESS

"Entertainment is what I, and most people, really live for."

- Bernhard, 54, Houston

**93%** of Americans see entertainment as essential to health and happiness.



**92%** of Americans say they think of entertainment as a fundamental human need.



of people say they have a go-to source for entertainment when they feel low.



of people see entertainment as critical to their well-being.

Entertainment stimulates the pleasure and reward centres of the brain which are very central not only to humanity but throughout evolution, this is what has driven all species.

-- Dr. Valerie Salaspear, Neuroscientist, Baycrest Health Sciences

## 3. HUMANS CRAVE MORE ENTERTAINMENT

2 IN 5 PEOPLE CAN'T REMEMBER THE LAST TIME THEY WENT TO A LIVE SHOW.



**69%** of Americans agree that the world would be a better place if people went to live entertainment more often.

## 4. THERE IS A CLEAR DEFICIENCY OF LIVE ENTERTAINMENT

IDEAL VS. ACTUAL DIETS

IDEAL	ACTUAL
WATCH 12 LIVE SPORTING MATCHES IN A YEAR	WATCH 5 LIVE SPORTING MATCHES IN A YEAR
GET TO 5 COMEDY SHOWS A YEAR	GET TO 1 COMEDY SHOW A YEAR
GO TO 8 LIVE MUSIC CONCERTS EVERY YEAR	GO TO 2 LIVE MUSIC CONCERTS EVERY YEAR
GO TO A CASINO 7 TIMES EVERY YEAR	GO TO A CASINO 3 TIMES EVERY YEAR
WATCH 21 HOURS OF TV EVERY WEEK	WATCH 20 HOURS OF TV EVERY WEEK

IF FORCED TO CHOOSE BETWEEN LIVE AND DIGITAL...

**66%**

of Americans say that they would be willing to get rid of all online entertainment (excluding YouTube, Netflix, and Spotify) in order to see live entertainment.

**83%**

of people say we spend too long looking at screens.

**73%** of Millennials feel that the world would be a better place if people went to live entertainment more often.

50%



of Americans say they regularly feel under-stimulated by their entertainment.

44%



say they rarely ever feel entertained these days.

61%



of 18-24-year-olds say they feel bored a lot of the time.

## 5. LIVE ENTERTAINMENT TRENDS

1. ONLINE SPARKS MORE LIVE DEMAND



**45%** of Americans who first introduced to an actor/actress and then want to see them live.

2. MILLENNIALS CRAVE LIVE AS A DIGITAL ANTIDOTE



**75%** of Millennials say that the more time they spend on a screen, the more they crave live experiences.

3. AUGMENTED REALITY TO ALTERNATIVE REALITY

**53%**



of people prefer entertainment that transports them to fantasy.

# DEALER SCHOOL



2

# Sarah Moore

*Vice President - Marketing*

---

Retail/ Food & Beverage Update



# CAL MARE COASTAL ITALIAN



# THE CHANDLER STEAKHOUSE



# SOUTH END MARKET



HEARTH  
GRILL

Bill's  
DINER

WICKED  
NOODLES

wine bar



# TAP SPORTS BAR, ARCADE & BOWLING





# TOPGOLF SWING SUITES

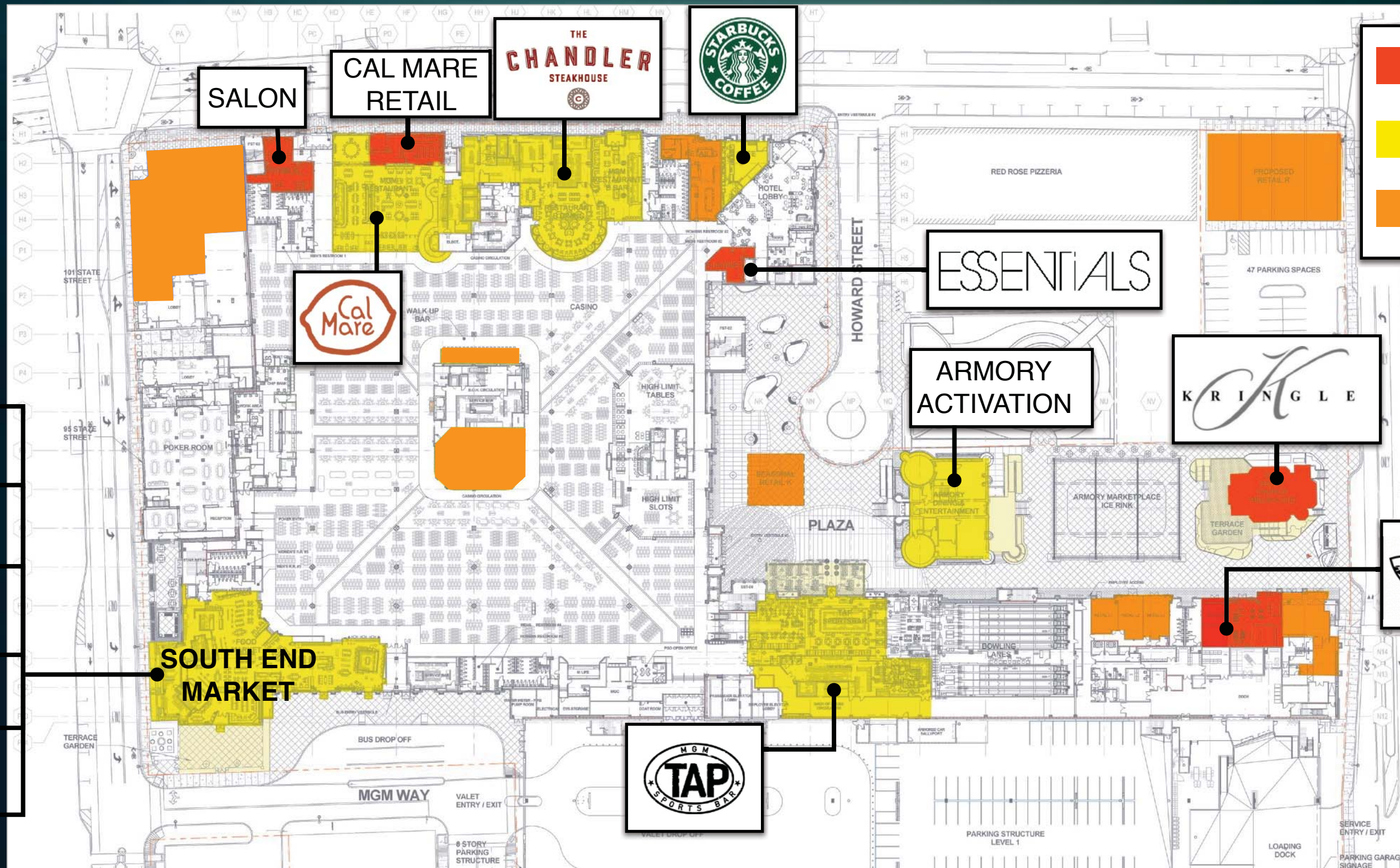


# ARMORY ACTIVATION AND PROGRAMMING

M life Rewards Experience Center  
Pop-Up Night Club  
Halloween Haunted Armory  
Comedy Club  
Holiday Marketplace  
Pop-Up Retail  
Beer Yoga  
Art Exhibitions



# RETAIL / F&B PLAN



- ANNOUNCED RETAIL
- ANNOUNCED F&B
- ANNOUNCEMENT FORTHCOMING

HEARTH GRILL

Bill's DINER

WICKED NOODLES

wine bar

GELATO ESPRESSO

JACK'S SHACK

SALON

CAL MARE RETAIL

THE CHANDLER STEAKHOUSE



ESSENTIALS

ARMORY ACTIVATION

KRINGLE

SOUTH END MARKET



TOPGOLF SWING SUITE

3

# Mike Mathis

*President & COO - MGM Springfield*

---

Project Program Update



# CORNER DEVELOPMENT

- 7,000 square foot pad with ~45 adjacent surface parking spaces
- In active discussions with national F&B operator for a restaurant development
- Transformative brand, catering to the downtown residents as well as resort guests and employees
- Expect to complete documentation in next 45 days, and commencement of construction this Summer/Fall (MGM has already initiated pad preparation)
- Receiving renewed interest in this corner based on the progress of the overall project, and have other potential developers if experience any setbacks in our discussions

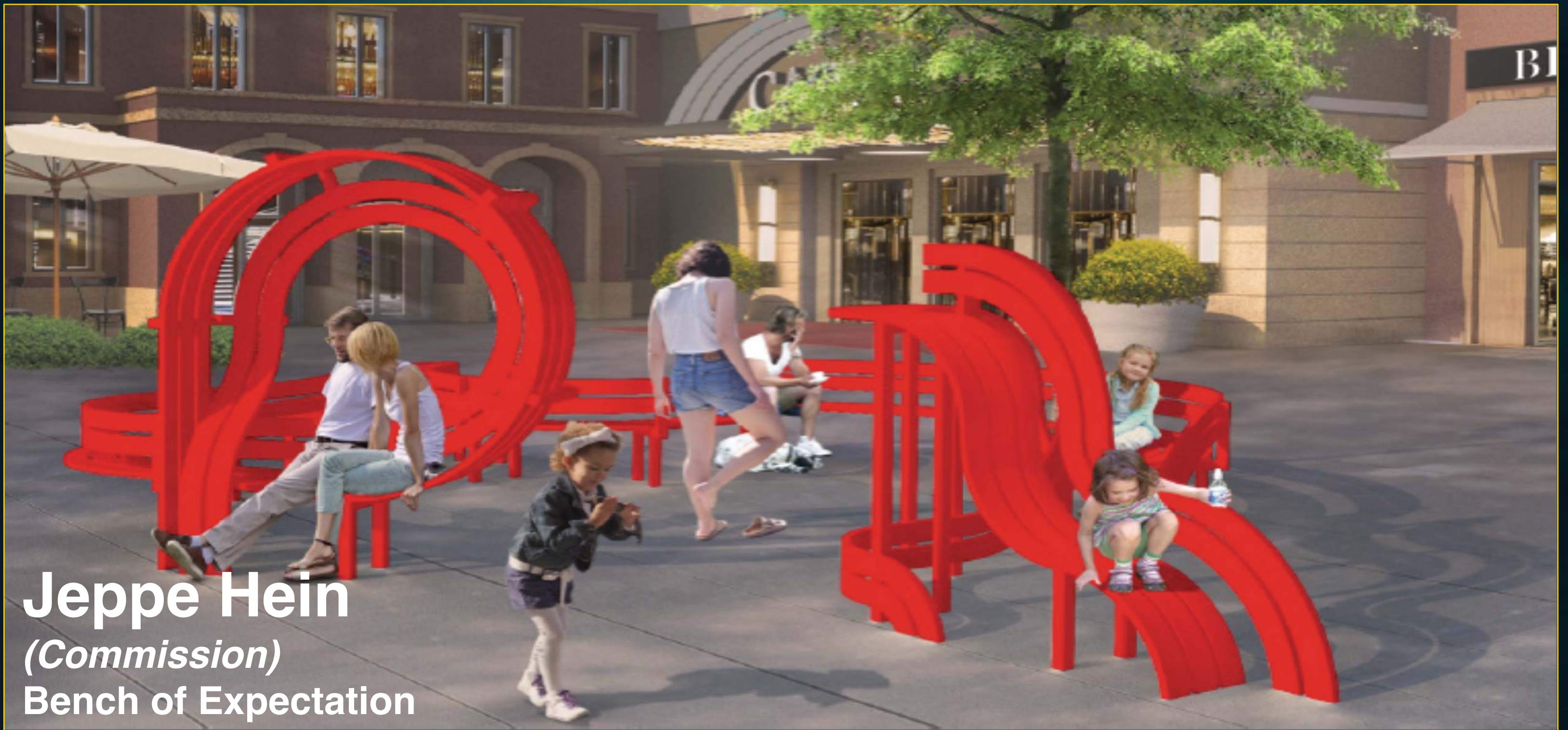


# CHILDCARE CENTER





# PUBLIC ART PROGRAM



**Jeppe Hein**  
*(Commission)*  
**Bench of Expectation**



# PUBLIC ART PROGRAM



**Viola Frey**

*Fighting Men and the World*  
Enameled Ceramic

# PUBLIC ART PROGRAM



# PUBLIC ART PROGRAM



**David "Chim" Seymour**  
*Picasso at Guernica*  
Photograph

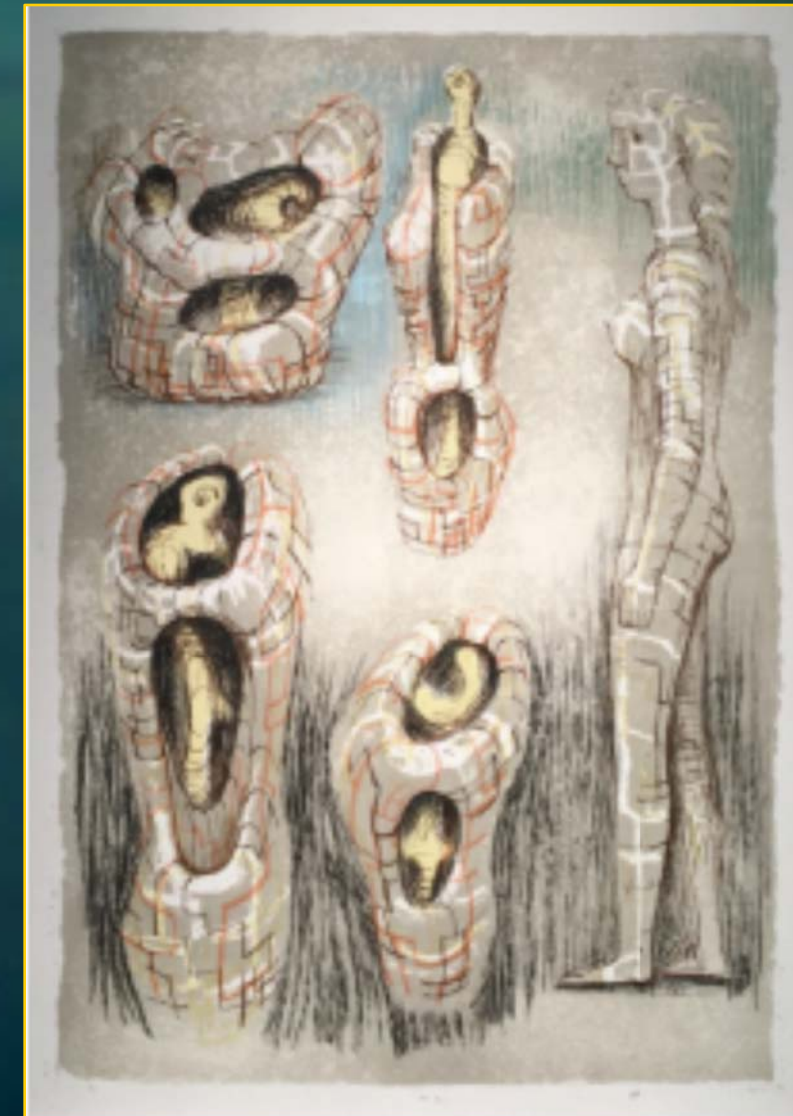
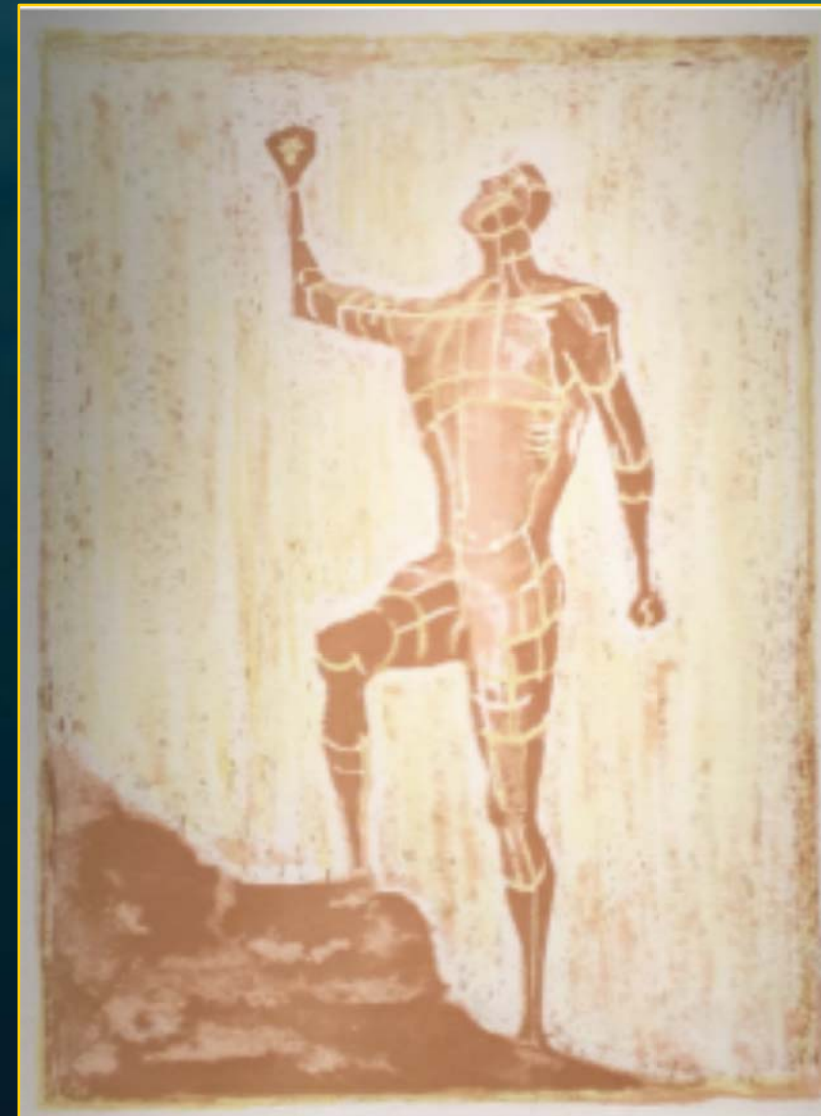


**MGM Entertainment**  
*Paul McCartney at MGM Grand Arena*  
Photograph

# PUBLIC ART PROGRAM



**Jasper Johns**  
*Lands End*  
Lithograph



**Henry Moore**  
*Portrait of Prometheus*  
Series of 8  
Lithographs

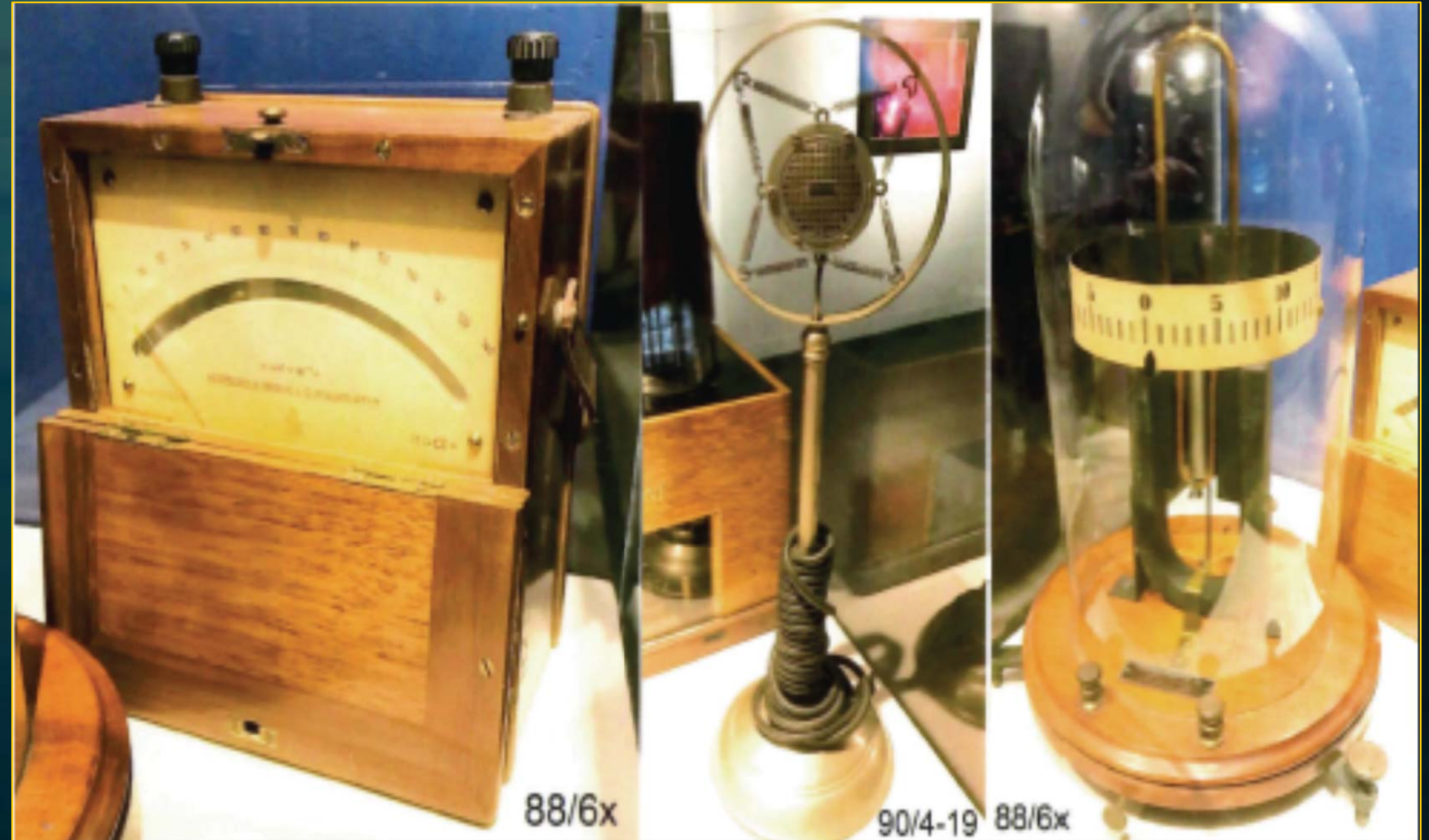
# PUBLIC ART PROGRAM



# PUBLIC ART PROGRAM



**Springfield Museums**



**Artifacts**

**Hotel Lobby Vitrines**

# PUBLIC ART PROGRAM



**Indian Motorcycle Wall Art**  
*The Plaza/Armory Wall*



**John Simpson**  
Art Professor, UMass  
Resident Artist, 9th Floor Gallery

3

Alex Dixon  
*General Manager*

---

Project Program Update





# MAIN STREET PROGRAMMING UPDATE

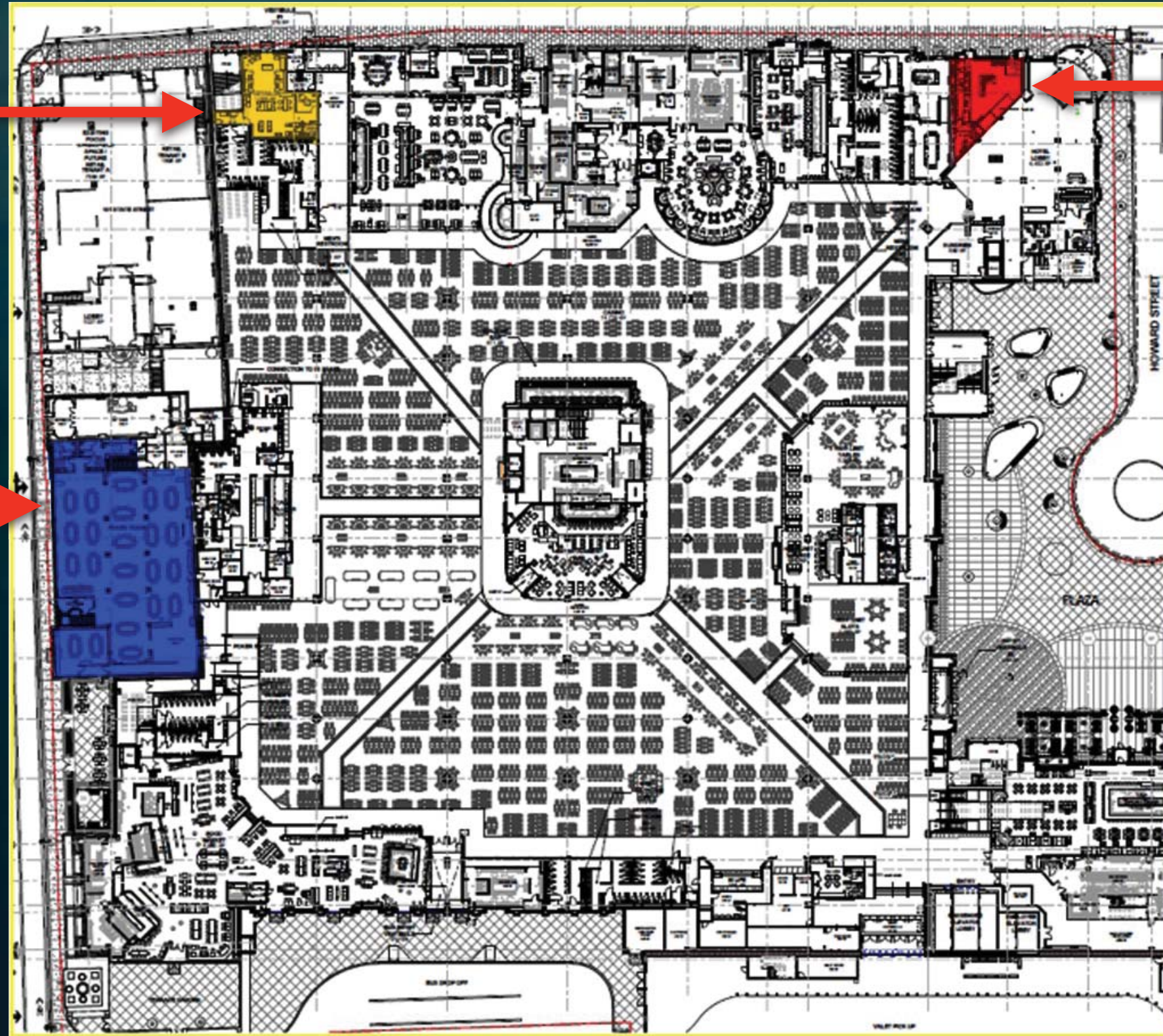
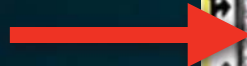
Salon



Starbucks



Poker Room



# OPTIMIZING GAMING POSITION MIX

## Casinos Bet On Growth In Table Games, Removing Slot Machines To Make Room

- The Washington Post  
June 7, 2015



# Is Your Casino Optimized For Millennials?

- [marketingresearch.org](http://marketingresearch.org)  
April 28, 2015

“**Slots** in particular are widely viewed by younger consumers as being antisocial, non-intuitive and **generally boring**.”

“There is **less resistance to table games** such as blackjack or poker among Millennials, especially males. Perhaps this is because of a **more inherently social experience** and the feeling that skill is involved in the game itself. Also, table games continue to be romanticized by Hollywood, keeping them **more current** in the mindset of **younger consumers**.”



# OPTIMIZING GAMING POSITION MIX



Poker Tables



Table Games



Penny Slots

**Gaming Positions - 3,324**

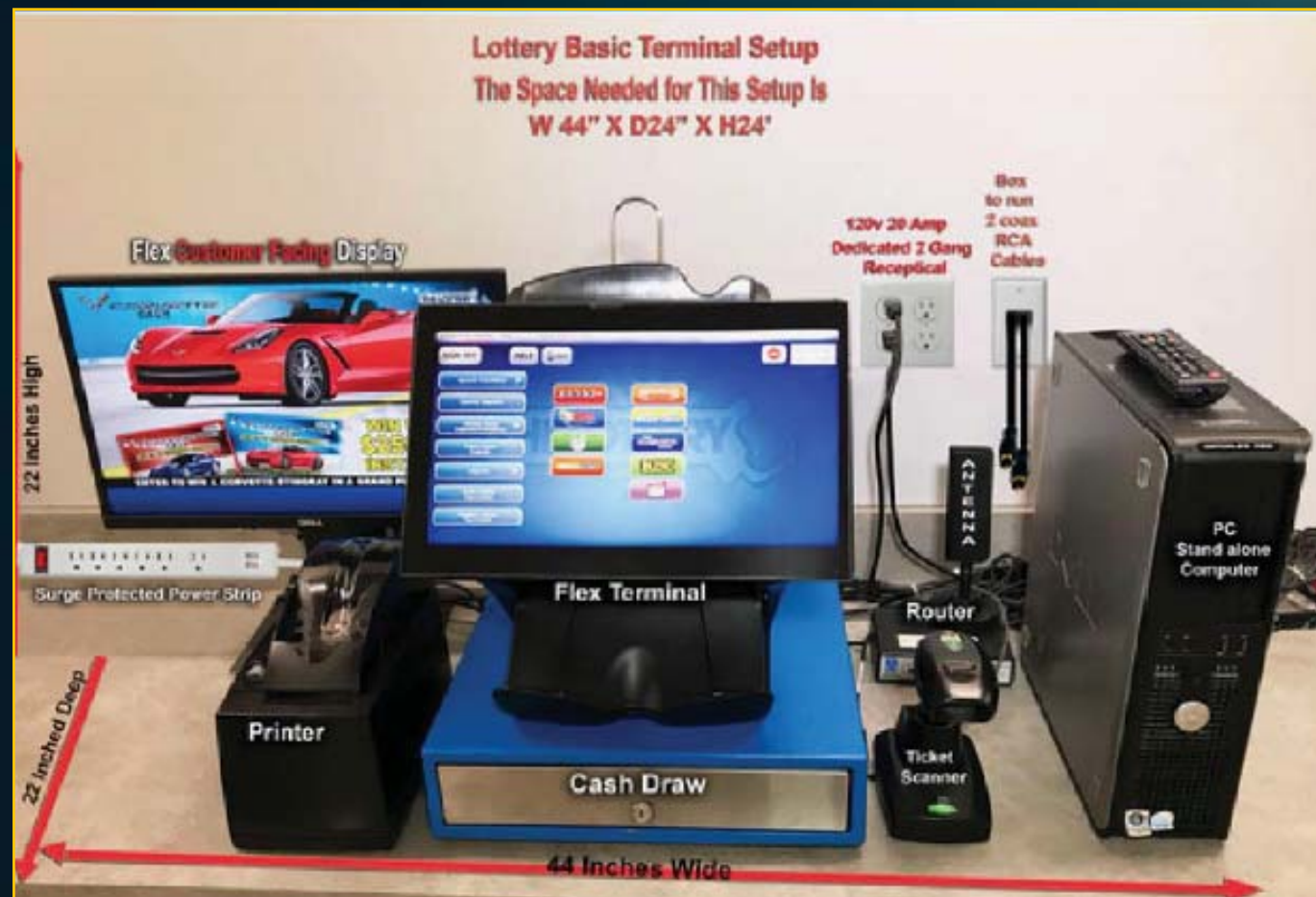
# INNOVATIVE PVRTA DOWNTOWN CIRCULATOR BUS

- Free shuttle service
- Wednesday through Sunday
- Hourly, 10 am to 10 pm
- Zero emission, electric bus
- All major tourist and hospitality destinations

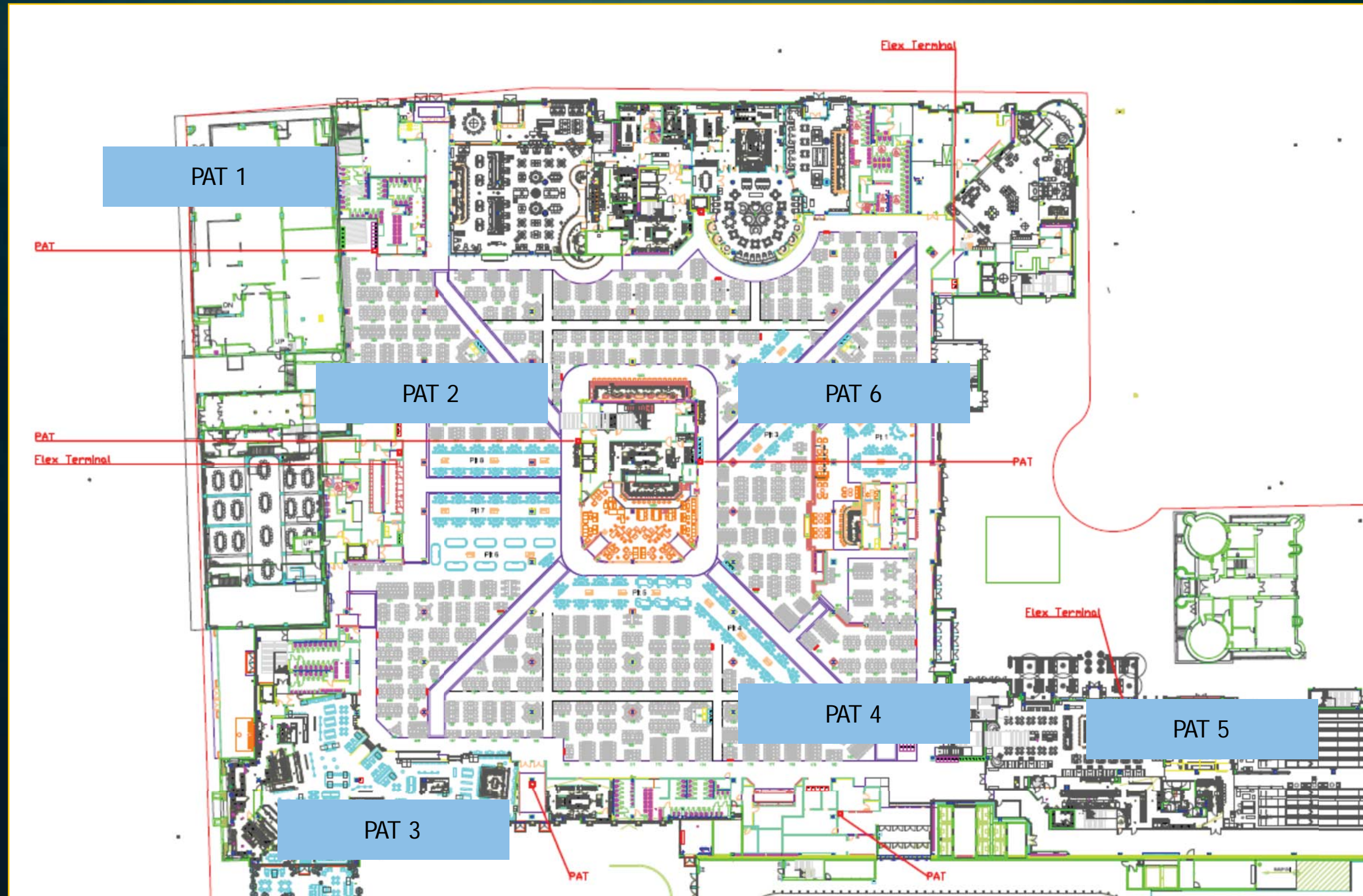


# LOTTERY AGREEMENT

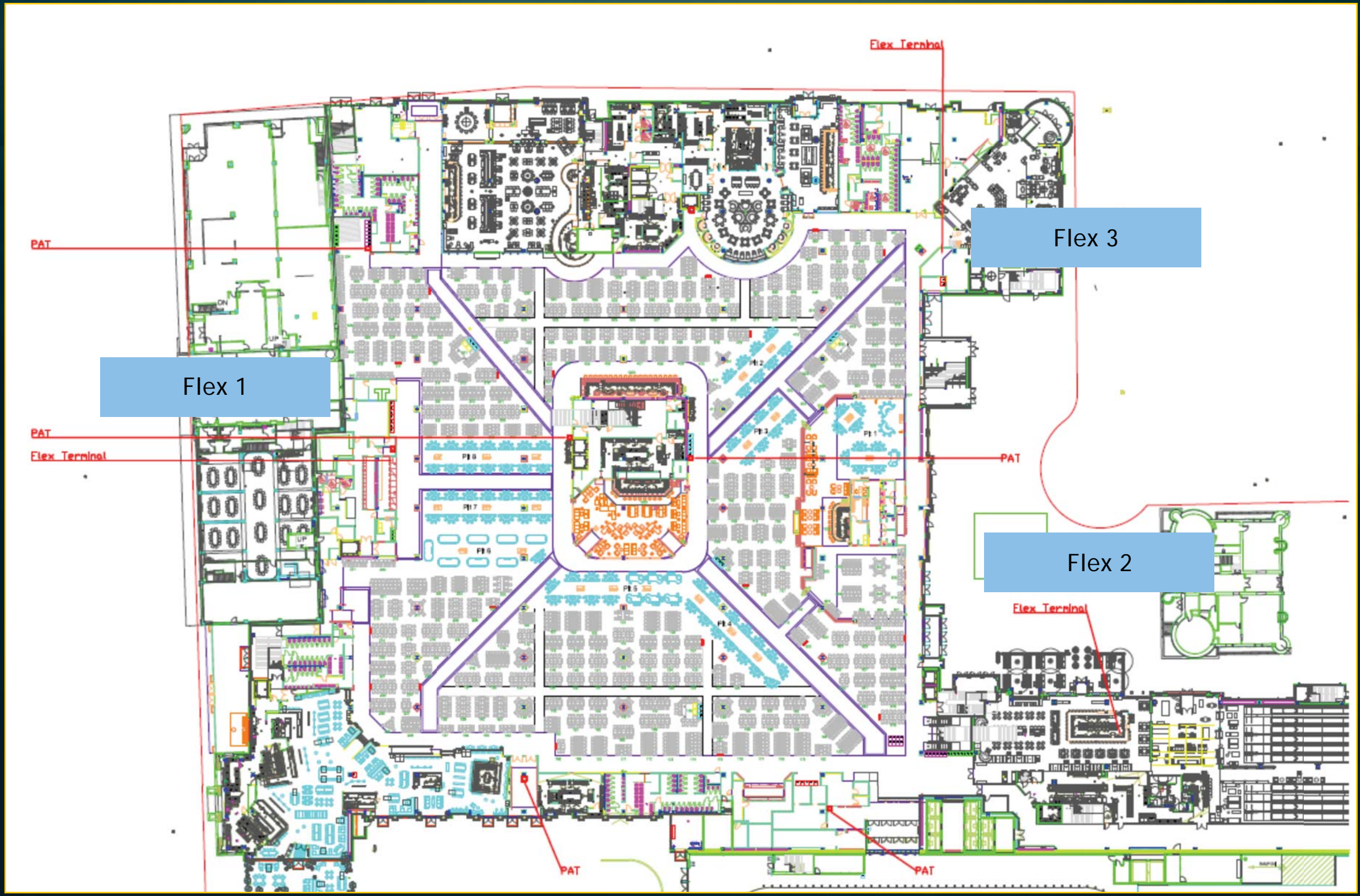
- 6 Player Activated Terminals (PAT)
- 2 Flex Terminal (Retail / POS)
- 1 Flex Terminal (Retail / POS / Keno)



# PAT LOCATIONS



# FLEX LOCATIONS





4

# Seth Stratton

*Vice President - Legal*

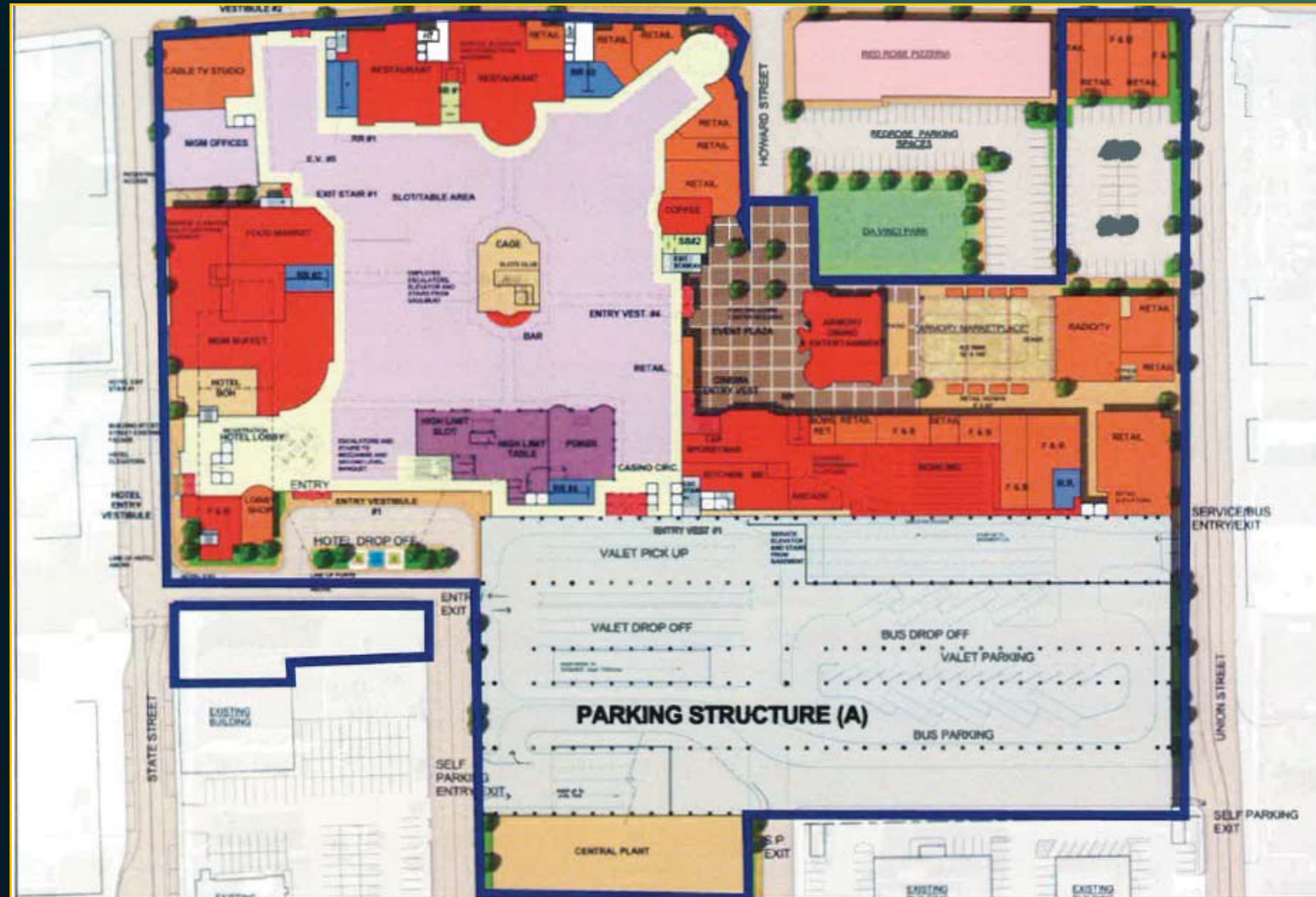
---

Gaming Establishment/ Compliance

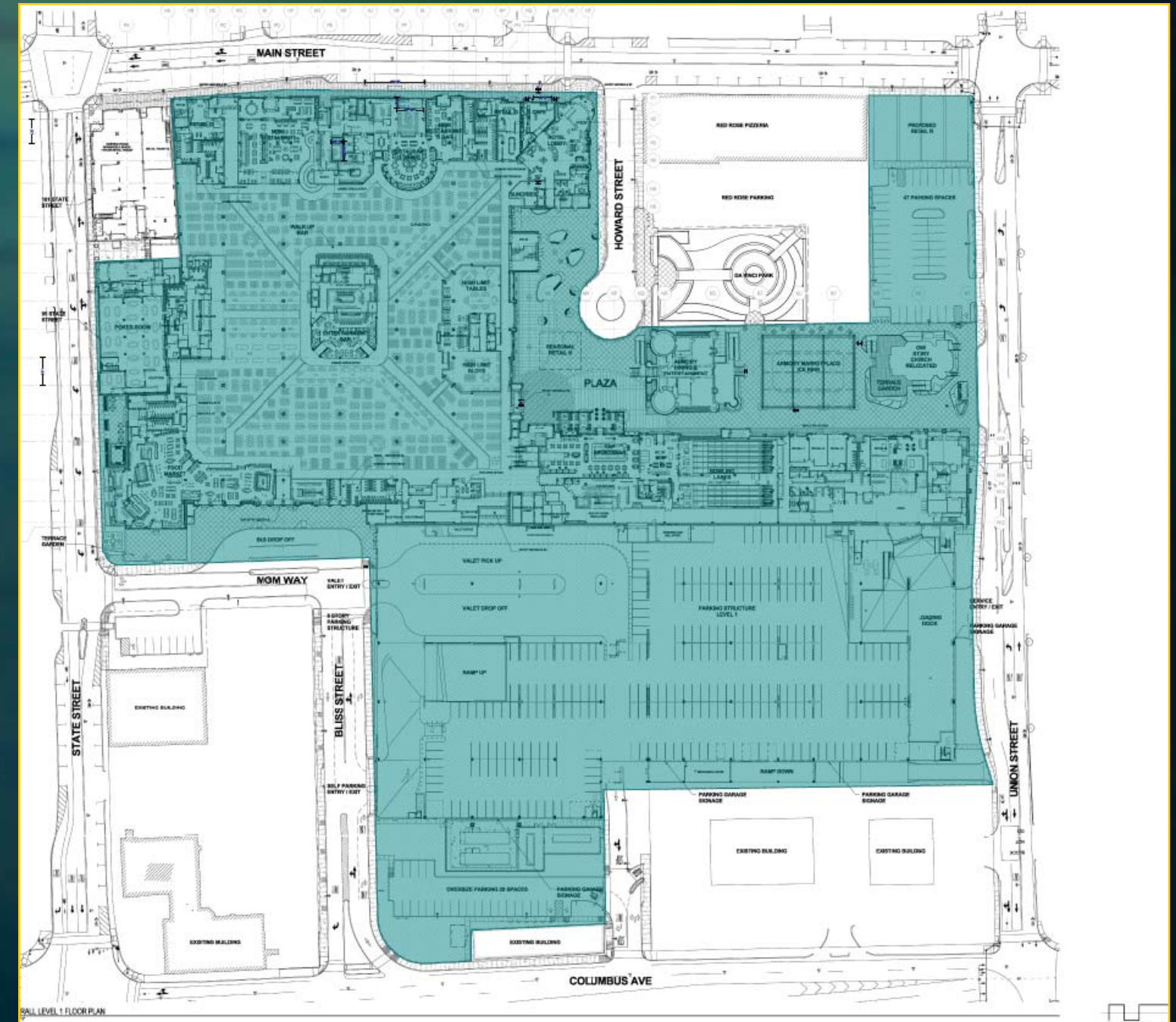


# UPDATES TO GAMING ESTABLISHMENT BOUNDARIES

Current



Proposed



## Next Steps

- Review in detail with Commission Staff for consensus
- Formal proposal for license amendment at April Commission Meeting

# 101 STATE STREET

## First Floor Retail

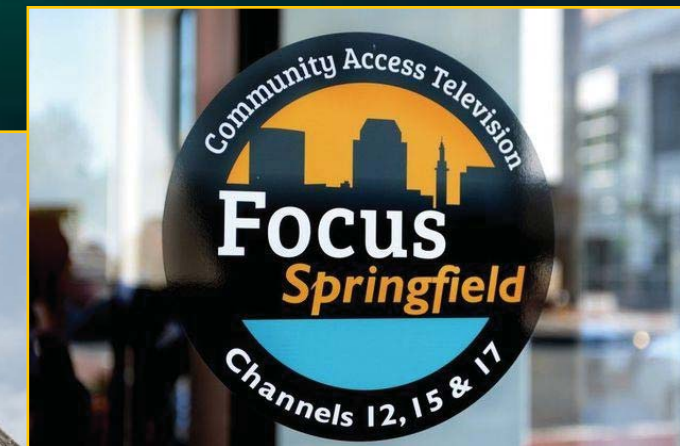
- Focus Springfield lease through September 2019 with mutual early termination right effective November 2018
- Exploring opportunities for future tenants

## Floors 2 through 8

- Commercial tenants
- Will continue to operate as commercial building
- Renovation permitted (not required) under Historic MOA
- Tenant space/floors may be renovated upon tenant turnover

## LEED

- Retained 95 State replaces originally intended use of 101
- LEED commitments satisfied at 95 State



# CITY PERMITTING OF DYNAMIC SIGN

## Permitting

- Exempt from MassDOT jurisdiction
- Exclusive jurisdiction of City
- City Council approval on 10/17/16 conditioned on submission of report of transportation professional on safety standards prior to issuance of permit
- VHB transportation expert study submitted on 5/17/17

## Status/Next Steps

- Sign infrastructure complete
- Issuance of City sign permit
- Digital sign to be in place by June/July 2018
- Programming to be determined
- Subject to further City review once sign is operational to determine whether additional conditions required



# MARKET RATE RESIDENTIAL UPDATE

- MGM advises MGC at 5/25/17 public hearing that MGM/COS agreed to redirecting its market rate housing commitment to 31 Elm Street
- MGM is formally memorializing its \$11mm grant/contribution towards 31 Elm
- September 2016 Urban Land Institute Report advised “Springfield’s highest attention should be given to...the historic Court Square hotel building”
- December 2017 SRA issues RFP for 31 Elm Street master developer services



# MONITORING OF OTHER COMMITMENTS

## EMPLOYMENT, SPENDING AND REGIONAL MARKETING

- Regular monthly participation in AOC committee on construction workforce and spending commitments
- Quarterly reporting to MGC on construction workforce and spending commitments
- Affirmative Marketing Plan for the Unemployed was presented on March 2, 2017 and October 12, 2017
- Regular monthly participation in Vendor Advisory Team meetings
- Local vendor identification plan submitted by March 15, 2018
- Regional Marketing Plan to be submitted in May 2018

5

# Brian Packer

*Vice President - Construction/  
Development*

---

NPC/ Environment/ Schedule Update



# SUCCESSFUL PARKING MANAGEMENT DURING CONSTRUCTION

- Subsidized rate was negotiated for Courthouse employees in Mass Mutual Garage
- Construction phase parking provisions are outlined in the Construction Management Plan, approved by City and in effect
- Site workers parked at the locations on the plan prior to opening of MGM Garage to employees
- MGM Garage has been in use for site laborers since October 2017
- MassDOT is kept fully updated. 46 meetings have occurred in the last two years



**MGM Springfield Craft Labor Parking Plan**



# PROJECT PROGRAM COMPARISON FROM NPC TO CURRENT

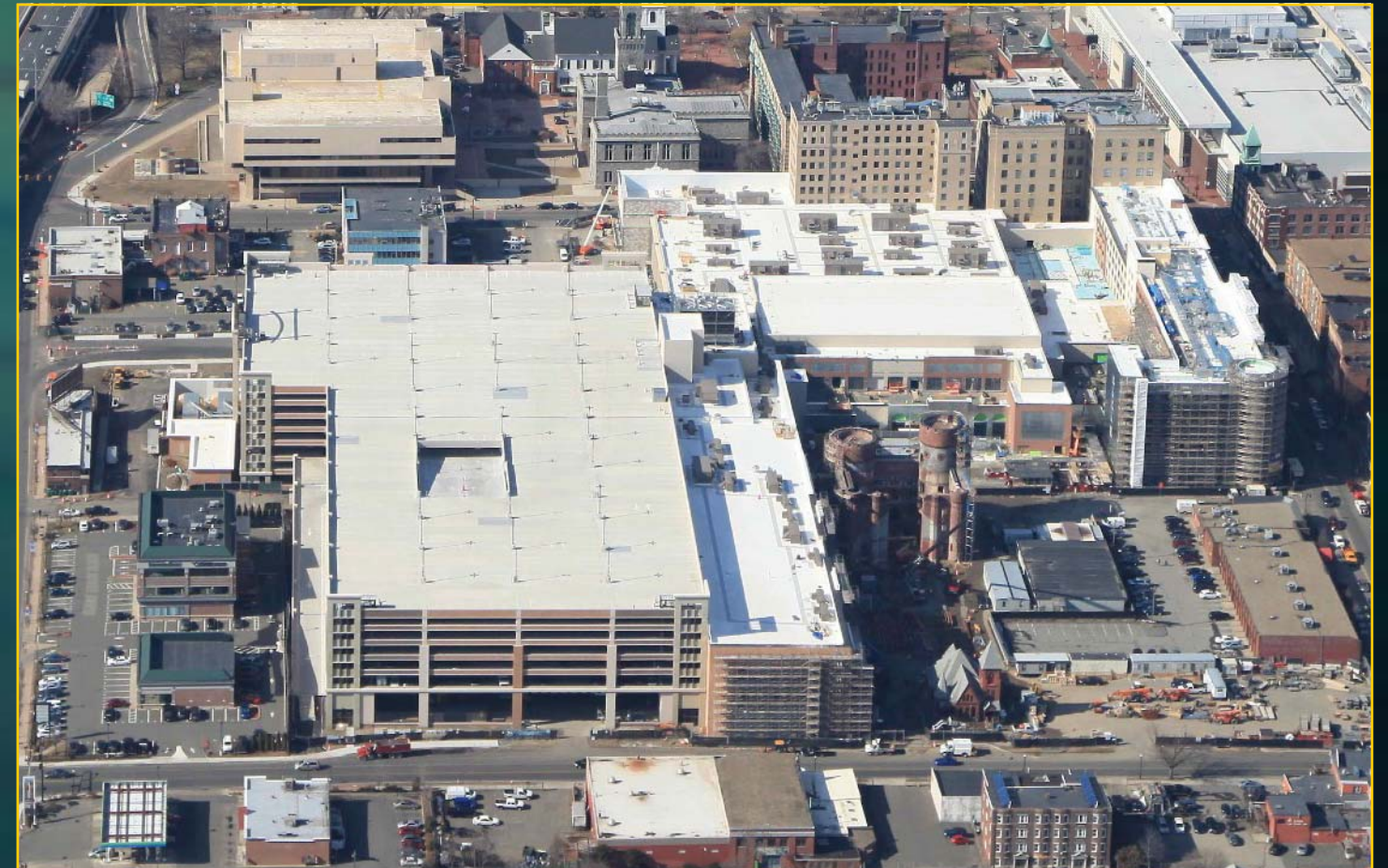
Ref	Project Element	Unit	NPC	Current
<b>Casino Block</b>				
1	Gaming	SF	126,262	125,616
2	Hotel	SF	151,861	151,266
3	Hotel Rooms	Rooms	250	252
4	Convention	SF	43,705	46,023
5	Retail	SF	15,204	15,440
6	Food & Beverage	SF	34,184	36,637
7	Operations	SF	200,605	215,151
<b>Retail Block</b>				
8	Parking Garage Total Spaces	Spaces	3,375	3,414
9	Surface Parking Spaces	Spaces	54	82
10	Bowling	SF	9,618	12,232
11	Retail	SF	16,046	15,423
12	Food & Beverage	SF	24,962	28,588
13	Cinema	SF	37,465	42,926
14	Office	SF	12,000	-
15	Operations	SF	18,495	10,832
16	Church Relocation	SF	2,489	4,842
<b>Offsite</b>				
17	Residential - 54 Units	SF	65,500	65,000

**Notes:**

- (1) Current Event Plaza & Marketplace is 73,254 SF.
- (2) Current Daycare is 5,508 SF.
- (3) Current Exterior Convention and Pool Deck areas with public access are 18,623 SF.

# SURPASSING BENCHMARKS FOR GREENHOUSE GAS EMISSION REDUCTION

- FEIR Commitment in 2013 was for a 22% reduction in Greenhouse Gas Emissions for Stationary Sources compared with an ASHRAE 90.1 code-compliant base case
- A 200 kWh Combined Heat and Power (CHP) plant was anticipated at that time
- A 450 kWh CHP system was ultimately selected
- Based on the incorporated mitigation measures from the FEIR, the energy model was updated and analyzed
- The new analysis concluded that compared against the ASHRAE 90.1 base case, we now expect a 27% reduction
- More than 25 mitigation measures were incorporated into the new design model
- **Current projection is a 5% improvement over 2013 target**







# STORM WATER MANAGEMENT

## Prior to Development



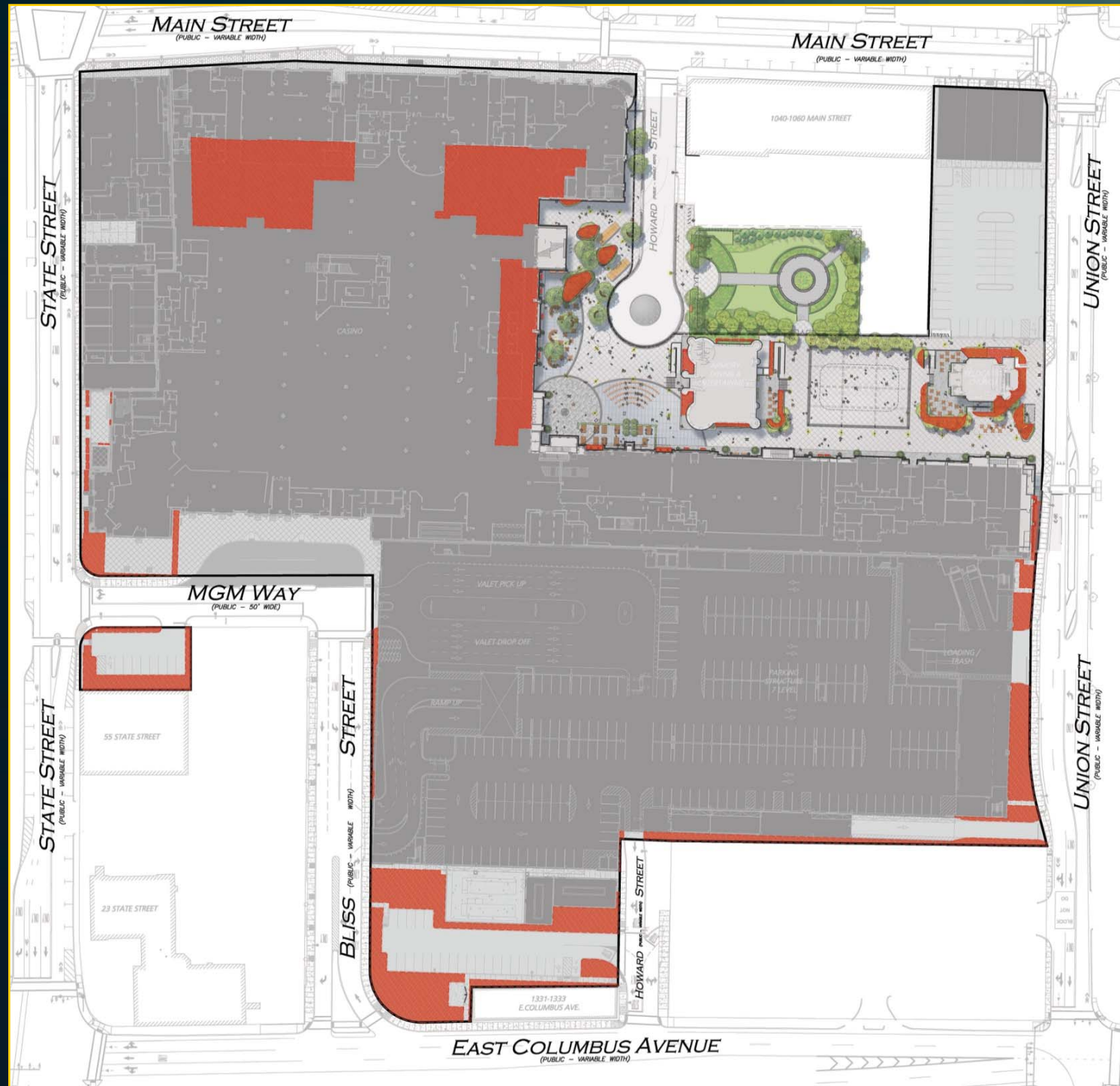
## Surfaces Before Development:

PROJECT BOUNDARY		13.55 ACRES (590,413± S.F.)
EXIST. PERVIOUS		0.32 ACRES (14,158± S.F.)
EXIST. BUILDING		4.23 ACRES (184,402± S.F.)
EXIST. IMPERVIOUS		9.00 ACRES (391,853± S.F.)

- DEP Standards require that the development does not increase overall peak storm water discharge rates

# STORM WATER MANAGEMENT

## After Development



## Surfaces After Development:

PROJECT BOUNDARY		13.55 ACRES (590,413± S.F.)
PROPOSED PERVIOUS		1.62 ACRES (70,682± S.F.)
PROPOSED BUILDING		10.15 ACRES (442,560± S.F.)
PROPOSED IMPERVIOUS		1.78 ACRES (77,171± S.F.)

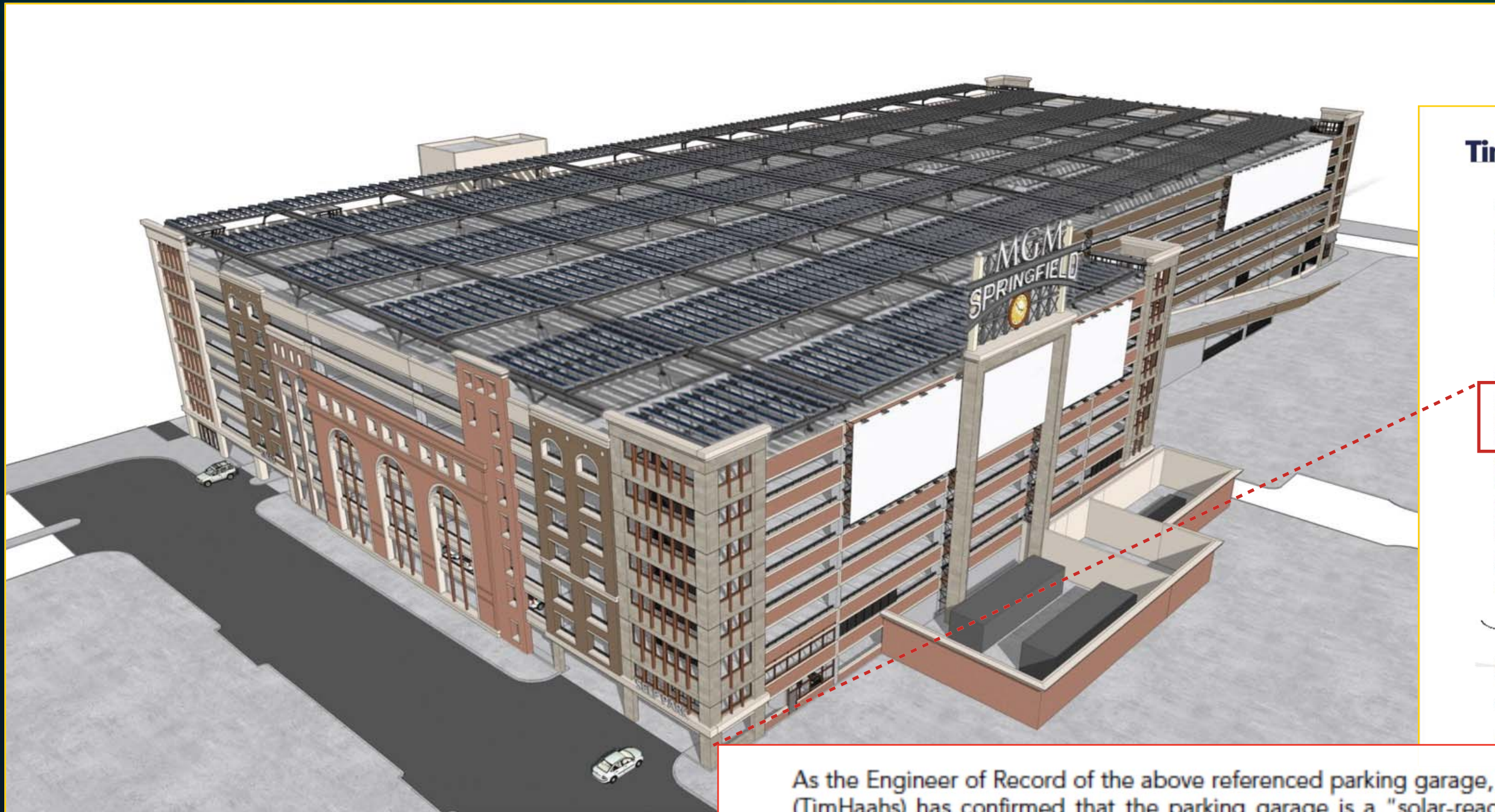
## Summary

- Pervious Surfaces is 1.62 acres
- Da Vinci Park adds an additional .38 acres of pervious surfaces
- As the project design evolved and green roof areas were reduced, DEP standards were still met
- Majority of Storm Water is directed into a 70,000 holding tank for controlled discharge into municipal system

# SOLAR READINESS

- Submissions to DOER (Massachusetts Department of Energy Resources) to be part of incentive blocks opened in early 2018
- MGM Springfield is actively working on a submission for a Statement of Qualifications (SOQ) from the DOER, which requires the following:
  - Interconnection Agreement from Eversource
  - Site Control Document (Letter of Intent or Power Purchase Agreement)
  - Permits for Construction (4-6 week timeline to obtain)
- Schedule based on economics for solar being confirmed as feasible:
  - November 2018: Construction Commences
  - January 2019: Steel Erection
  - July 2019: Estimated Completion

# SOLAR READINESS



**TimHaahs**  
ENGINEERS ARCHITECTS

www.timhaahs.com  
TIMOTHY HAABS & ASSOCIATES, INC.  
510 TOWNSHIP LINE ROAD, SUITE 100  
BLUES BELL, PA 19422  
T. 484.342.0200 F. 484.342.0222

August 22, 2017

Mr. Stephen J. O'Connor  
Senior Project Manager  
Tishman Construction Corporation  
An AECOM Company  
55 State Street, 3<sup>rd</sup> Floor  
Springfield, MA 01103

RE: Letter of Certification – Solar-Ready Structure  
MGM Springfield Casino Parking Garage  
Springfield, MA

Dear Steve:

As the Engineer of Record of the above referenced parking garage, Timothy Haahs & Associates, Inc. (TimHaahs) has confirmed that the parking garage is a "solar-ready" structure and it is structurally designed to support a roof-top solar array system and the necessary support structure (canopy) for the system up to a maximum of 25psf uniformly distributed throughout the entire top tier footprint of the parking structure.

Attached herewith are page excerpts from the original structural calculations we performed during the design phase as well as renderings of the photo-voltaic panels indicating the inclusion of the intended solar panel array into the structure.

This certification shall be covenant upon the assumption that both TimHaahs and the Precast Engineer of Record of the project, Blakeslee Prestress, Inc. shall be given the chance to review and approve the final designs and construction drawings of the solar array system in the future, and if applicable, be compensated appropriately for such efforts.

This letter of confirmation is being issued by TimHaahs at the request of Tishman Construction Corporation.

Sincerely,

Neil Marcon, P.E., F.ASCE  
Vice President/Project Manager

Cc: Timothy H. Haahs, P.E. – President  
Paul Yantosh, P.E. – Project Engineer

Attachments:

As the Engineer of Record of the above referenced parking garage, Timothy Haahs & Associates, Inc. (TimHaahs) has confirmed that the parking garage is a "solar-ready" structure and it is structurally designed to support a roof-top solar array system and the necessary support structure (canopy) for the system up to a maximum of 25psf uniformly distributed throughout the entire top tier footprint of the parking structure.

# PRE-OPENING CONSTRUCTION ACTIVITIES

## PUBLIC TRANSIT AND TRANSPORTATION DEMAND MANAGEMENT (TDM)

Ref	Category	Agreement	Item Description
1	TDM	MassDOT Section 61 (24)	Coordinate with PVRTA to provide bus service directly to the Project site.
2	TDM	MassDOT Section 61 (24)	Providing geometric roadway and signal improvements for bicycle/pedestrians.
3	TDM	MGC Section 61 (23)	Implement trolley service for no fare on scheduled service days between the Project site, Union Station, and local attractions; such as Basketball Hall of Fame and Quadrangle Museum Zone.
4	TDM	MGC Section 61 (23)	Update and retrofit pedestrian signal equipment at study area intersections surrounding the site and along Main Street between Union Station and the site.
5	TDM	MGC Section 61 (23)	Provide striping improvements for bicycle lanes or sharrows along with corresponding bike signs.
6	TDM	MGC Section 61 (23)	Provide ADA improvements at wheelchair ramps near site.
7	TDM	MGC Section 61 (23)	Provide enhanced connectivity to the Connecticut River Walk and Bikeway.
8	TDM	MGC Section 61 (23)	Reconstruct sidewalks along streets surrounding the site that are affected by project construction activities to improve access.
9	TDM	MGC Section 61 (23)	Construct mid-block crossing with pedestrian warning device on State Street to service the pedestrian traffic between the Project parking structure and the adjacent courthouse.
10	TDM	MGC Section 61 (23)	Construct mid-block crossing with raised median island on Union Street to service pedestrian traffic to land uses along southerly side of Union Street.
11	TDM	MGC Section 61 (23)	Coordinate with the City of Springfield and expedite, to the extent feasible, MGM's construction employee parking plan.
12	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Provide improved bus stops with passenger amenities (weather protection, seating, real time information, customer information) immediately adjacent to the Project site.

# PRE-OPENING CONSTRUCTION ACTIVITIES

## PUBLIC TRANSIT AND TRANSPORTATION DEMAND MANAGEMENT (TDM)

Ref	Category	Agreement	Item Description
13	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Provide secure, weather protected, long-term bicycle parking (for employees and residents) at designated locations within the Project site.
14	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Provide bicycle racks for short-term users at several locations on-site.
15	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Provide showers for employees who commute by walking or biking.
16	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Provide preferential parking for rideshare, carpool, and hybrid vehicles.
17	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Provide charging stations for electric vehicles, which will be located near the doorways on each floor of the parking structure.
18	TDM	MGC Section 61 (23)/ MassDOT Section 61 (24)	Implement an intelligent parking system to direct drivers to open parking spaces or nearby facilities controlled by the Springfield Parking Authority.
19	Public Transportation	MassDOT Section 61 (24)	The Proponent has committed to initiating and funding the implementation of a trolley service.
20	Public Transportation	MassDOT Section 61 (24)	This service will use attractive, tourist friendly, rubber-tired vehicles and will provide connections between Union Station and downtown visitor attractions, including the Project Site.
21	Public Transportation	MassDOT Section 61 (24)	The trolley is intended to provide ease of access to visitor amenities and connections to the Amtrak Station at Union Station, the future PVRTA Springfield Bus Terminal, the Basketball Hall of
22	Public Transportation	MassDOT Section 61 (24)	The Proponent will work closely with the PVRTA to implement the trolley service.
23	Public Transportation	MassDOT Section 61 (24)	The Proponent will provide improvements to the two inbound and two outbound PVRTA bus stops on Main Street.



# PRE-OPENING CONSTRUCTION ACTIVITIES

## PUBLIC TRANSIT AND TRANSPORTATION DEMAND MANAGEMENT (TDM)

Ref	Category	Agreement	Item Description
24	Public Transportation	MassDOT Section 61 (24)	The stops on Main Street, and the entire frontage, will be altered, especially on the Project side of Main Street, as streets and driveways are removed.
25	Public Transportation	MassDOT Section 61 (24)	The bus stops on Main Street will be adjusted and improved in coordination with PVTA and the City of Springfield.
26	Public Transportation	MassDOT Section 61 (24)	They will be located near crosswalks to allow safe and convenient pedestrian access on Main Street and will be have access to on sidewalks with a minimum 10-foot width.
27	Public Transportation	MassDOT Section 61 (24)	All bus stops will include amenities for passengers (signage, sheltered waiting areas, seating, and passenger information) as determined through the design process.
28	Public Transportation	MGC Section 61 (23)	MGM must fulfill its commitment to reach an agreement with the PVTA that will capture all public transportation agreements and commitments on the Project.
29	Public Transportation	MGC Section 61 (23)	Commitment to fund ADA paratransit trips that serve the Project.
30	Public Transportation	MGC Section 61 (23)	Provision of trolley/circulation service, to be operated by PVTA, including final details on trolley route, stops and hours of operation.
31	Public Transportation	MGC Section 61 (23)	Improvements to bus stops on Main Street, including passenger amenities.

# OVERALL PROJECT SCHEDULE

Ref	Sub-Project	Date
1	Parking Garage - TCO	10/04/17
2	95 State Street - TCO	12/22/17
3	Central Utility Plant - Construction Milestone	04/06/18
4	Central Electric Facility - Construction Milestone	06/01/18
5	Parking Garage - Signage & Valet - Construction Milestone	06/04/18
6	Commissioning Gaming Equipment <sup>(1)</sup>	07/31/18
7	Information Technology Systems <sup>(1)</sup>	07/31/18
8	Off-site Improvements - Construction Milestone	07/31/18
9	Day Care - Turnover to Tenant	07/31/18
10	French Church Fit Out - Turnover to Tenant	08/01/18
11	Podium - TCO	08/06/18
12	Hotel - TCO	08/06/18
13	Armory - Construction Milestone	08/15/18
14	Entertainment Block - Construction Milestone	08/20/18
15	Opening Date-On or Before	09/05/18
16	Corner Retail (Dave's Furniture site)	07/08/19
17	Residential <sup>(2)</sup>	03/27/20
18	101 State Street <sup>(3)</sup>	TBD

**Notes:**

(1) MGC Requirement pursuant to 205 CMR 135.02 (2) (a).

(2) HCA Amendment Date.

(3) Timing of final build-out of 101 State Street is contingent on discussions with Focus Springfield and future tenants. Discussions will take place post opening.

# LEED CERTIFICATION SUMMARY

Ref	Project Area	Construction Submission Plan	GBCI Award For Construction	NetZero Certification
1	Hotel/ Resort and Podium/ 95 State Street	10/30/18	01/15/19	NA
2	Armory	10/30/18	01/15/19	NA
3	Church	10/30/18	01/15/19	NA
4	Child Care	09/30/18	12/01/18	12/15/19

Notes:

(1) Dates listed are approximate.

6

# Brian Packer

*Vice President - Construction/  
Development*

---

Quarterly Report



7

# Mike Mathis

*President & COO - MGM Springfield*

---

Closing





February 13, 2018

**Via Email**

Seth N. Stratton, Vice President & General Counsel  
MGM Springfield  
Monarch Place, Suite 910  
Springfield, MA 01144

Re: Issues for March 2018 Commission Meeting

Dear Mr. <sup>Seth</sup>Stratton:

We write in preparation for the next Massachusetts Gaming Commission (“Commission”) in-depth review (“In-depth Review”) of the progress of the MGM Springfield Project (“MGM Springfield” or “Project”), its schedule, programming, and commitments scheduled for next month. As we are now nearing the final stage in the completion of the Project, this next In-depth Review in March will provide MGM Springfield and the Commission the opportunity to discuss the status of the Project and the regulatory steps that will need to be taken to enable MGM Springfield to have the successful opening that has been envisioned. As you are aware, as the development of the Project has progressed, it has experienced some design and programmatic refinements. As the need for such refinements has been determined, MGM Springfield has provided updated information regarding such refinements to the Commission, Commission staff, the City of Springfield (“City”), other relevant agencies, and the general public. Perhaps most notably, MGM Springfield participated in extensive public reviews after the filing of its Massachusetts Environmental Policy Act (“MEPA”) Notice of Project Change (“NPC”) and the City of Springfield Site Plan Review, where several significant changes to the Project design were approved. Since that time, MGM Springfield has appeared before the Commission numerous times to provide updates regarding the Project and the status of the fulfillment of project goals and commitments. For example, in addition to MGM Springfield’s Quarterly Reports to the Commission, MGM Springfield appeared before the Commission on September 28, 2017 to provide more in-depth information regarding the Project’s design and programming.

We recognize that any project of this magnitude will be subject to certain changes during the design and construction to better come in line with market conditions and to reflect the most current thinking in the design and operation of these types of facilities. This Project has been no exception. Since the Commission approved the design of the Project in 2016, there have been several program and design changes that need to be approved. In addition to the review



Massachusetts Gaming Commission

of design and programmatic changes, the Commission is also required to approve a detailed Project schedule. The Commission approved the current opening date of the Project in August 2015. However, the approval of the detailed schedule of the major stages of construction, as contemplated in the Commission's regulations, remains to be finalized. We believe that such final schedule needs to be approved in short order now that such construction schedule details are much clearer. In the review of the Project's myriad but important commitments, it is apparent that there are several areas where an extension of time beyond the Project opening is being requested and some areas where existing Project commitments need to be reviewed and perhaps revised. For example, as you are aware, the Commission has been steadfast in questioning MGM Springfield about the status of the completion of the planned residential units. Although MGM Springfield received approval from the City regarding a new timetable for the completion of those units and reported this to the Commission, the Commission has not yet acted on the revised timetable.

An important goal of this In-depth Review is to ensure that all of these changes are appropriately approved by the Commission and incorporated into the Project record. While undoubtedly other areas of focus will become apparent as we continue our review of the Project, we highlight the following areas that deserve further discussion before the Commission at this time. It is our expectation that you will continue to notify us of any additional areas that may require further discussion either in the near term or during the months prior to the anticipated opening of the MGM Springfield Facility.

### **AREAS OF FOCUS**

#### **1. Project Program**

There have been a number of changes to the program since the NPC that are not reflected in the current approvals of the Commission. MGM Springfield has provided detail on some or many of these changes in prior meetings. These include:

- a) Decrease in Number of Gaming Positions – The number of gaming positions, which was reduced between the Project's RFA-2 application and the NPC, has been further refined since then. Please provide us a current breakdown of total gaming positions by slot machines and table games. Please also further describe the reason for such changes.
- b) Increase in the Number of Poker Tables – MGM Springfield has decided to increase the number of poker tables increasing the number of seats for the poker room. Please further describe the increase.
- c) Moving of the Starbucks to the Main Street side of the Property – The increase in the number of poker tables necessitated the move of Starbucks to the Main Street side of the property. It is now located adjacent to the lobby of the hotel.

- d) Movement of the Salon From Spa Area to Main Street Retail Space – In order to free up some additional space in the Spa area, the Salon has been moved from the second floor of the hotel/podium area to a retail space on Main Street.
- e) Temporary Change in Use of Armory from Food and Beverage Space to Flexible Programming Space – See discussion under Schedule for details.
- f) Elimination of 101 State Street Renovation – The Memorandum of Understanding (“MOU”) with the Massachusetts Historical Commission states that 101 State Street will be renovated. Since the time that MOU was executed, MGM Springfield has chosen to move its offices planned for 101 State Street to 95 State Street. This change was not incorporated into MGM Springfield’s NPC.
- g) Change in the Gaming Establishment Boundaries – The entire building at 101 State Street is still within the gaming establishment boundary. The gaming establishment boundary was approved in 2014 and has not yet been modified (even though aspects of the Project shown on the boundary depiction (including the hotel tower) are no longer part of the Project). MGM Springfield has described its intention to renovate the first floor space at 101 State Street into a retail use at some point after the opening of the casino. See the schedule discussion below for more details regarding this item. We are interested in MGM Springfield’s input regarding the schedule for the anticipated retail use and any proposal how the gaming establishment boundary for the remainder of the building should be modified.
- h) Reduction in Green Roof – In the FEIR, the Project incorporated approximately 2.2 acres of Green Roof. Since that time, the Project design has resulted in the reduction in the amount of the podium roof area (as shown in the NPC) that is not obstructed by equipment and other uses. We understand that the space available or allocated for Green Roof was reduced to approximately 0.5 acres. Although a depiction showing the new roof area was included in the NPC, this reduction in the size of the Green Roof was not specifically identified in the NPC. Thus, the 2.2 acres of Green Roof carried forward into the Section 61 findings. Green Roof requirements were identified in two areas of the Section 61 findings, Greenhouse Gas Emission (“GHG”) reduction and stormwater mitigation. In reviewing the backup documents, it appears that neither the GHG nor the stormwater calculations relied on the Green Roof to meet those underlying environmental requirements.
- i) Parking Garage Public Use During Construction – MGM Springfield has indicated concerns about making its garage available to the public in the midst of an active construction project. MGM Springfield’s FEIR filings anticipated early availability of the garage for the public. The Commission’s conditions require MGM Springfield to coordinate with the Massachusetts Department of Transportation, the Trial Court of the Commonwealth and other interested parties on plans to minimize disruption to parking



during construction. We do note that the Commission has funded a valet service to help with area parking concerns.

- j) Trolley for Fare – The Project’s MEPA Certificate noted that MGM Springfield and the Pioneer Valley Transit Authority (“PVTA”) will work on a document that captures all public transportation agreements and commitments, including but not limited to a trolley for no fare. This was incorporated into the Commission’s Section 61 Findings. However, this no fare provision contradicts a provision in Springfield’s Host Community Agreement, which requires that the Trolley be operated for a fare throughout the term of the HCA. We continue to be interested in the progress of this Agreement and will need to determine adjustments necessary due to any inconsistencies.
  
- k) Sign Study – During MGM Springfield’s Site Review Process, MGM Springfield provided details to the City of Springfield and the Commission of its proposed new sign facing I-91. In its briefing to the Commission, MGM Springfield referenced its plans for dynamic signage, noting that Department of Transportation approval would be necessary due to special rules regarding dynamic signage. Since that time, MGM Springfield determined that the anticipated sign is outside of the Office of Outdoor Advertising’s jurisdiction. In October 2016, the City, as part of its review of the Project’s signage, required a safety report from a transportation professional. MGM Springfield engaged a transportation professional that completed this study in 2017. The report (also provided to the Commission at the time) noted that “the available literature on the subject of digital signing and driver distraction indicates that... there is no statistically significant correlation between on-site outdoor electronic signs and driver safety or crashes.” The report also noted that “to minimize driver distraction” “most off-site billboards display static images and retain the same image for at least eight (8) seconds” and that this policy is the voluntary off-site billboard industry standard. In October 2016, in addition to the transportation professional report, the City also required that a review of proposed signs, including moving images, shall be completed after such signs are operational to determine if additional conditions are required. It is our understanding that the sign facing I-91 may be completed by June. A full understanding of MGM Springfield’s plans for such sign and its knowledge of any post operational review of such sign would be beneficial, given the above.
  
- l) Greenhouse Gas Emissions - In MGM Springfield’s MEPA filings, MGM Springfield established GHG targets for both stationary sources and mobile sources. MGM Springfield is required to provide a self-certification document to the MEPA Office signed by an appropriate professional indicating that all required mitigation measures, or their equivalent, have been completed for each phase. The certification must illustrate what GHG mitigation measures have been incorporated. We request an update regarding MGM Springfield’s GHG mitigation and a description of any need for modifying any language regarding specific GHG reduction measures.

- m) Day Care – MGM Springfield’s RFA-2 document outlined its plans about how and when its day care facility would be operated. We understand that MGM Springfield is working with its day care operator regarding when the facility will be operational. We request an update regarding any changes that may be necessary to previously provided plans or schedules.

The following table, once completed, will show the changes in the overall program since the submission of the NPC. Please provide an update regarding any changes needed to the below:

<b>NOTICE OF PROJECT CHANGE</b>	<b>CURRENT</b>
<b>CASINO BLOCK</b>	<b>CASINO BLOCK</b>
Casino – 126,262 – 3,657 gaming positions	
Hotel – 151,861 sf – 250 rooms	
Convention – 43,705 sf	
Retail – 15,204 sf	
Restaurant – 34,184	
Back of House – 200,605 sf	
<b>RETAIL BLOCK</b>	<b>RETAIL BLOCK</b>
Parking Garage – 7 floors – 3,375 spaces	Parking Garage – 7 floors -
Surface Parking – 54 spaces	
Bowling Alley – 9,618 sf (10 lanes)	
Retail – 16,046 sf	
Restaurant – 24,962 sf	
Cinema – 37,465 sf (7 theaters)	
Office Space – 12,000 sf	
Back of House – 18,495 sf	
Event Plaza	
Church Relocation – 2,489 sf	
<b>OFFSITE</b>	<b>OFFSITE</b>
Residential – 65,000 sf – 54 Units	Residential – 65,000 sf – 54 Units
Day Care – 3,000 sf	Day Care – 3,000 sf

As you are aware, in its RFA-2 submission, MGM Springfield specified significant efforts to include local and regional entities in its retail and food and beverage plans. While this is a commitment that by necessity occurs during the operational phase of the facility, efforts prior to opening are required in order to achieve this project priority at the opening. We ask that MGM Springfield provide an update regarding the status of its programming for retail and food and beverage spaces, together with an update on its local and regional prioritization for such spaces.

## 2. Schedule

As noted, the Commission has not approved a final schedule for the Project. The Commission did vote on the current design after the City conducted its Site Plan Review and has approved of the opening date of the casino (September 5, 2018), but has not yet approved the underlying schedule. As MGM Springfield presents its schedule, it is broken down into several sub-projects. Each of these sub-projects has been assigned a completion date as follows, based on MGM Springfield’s last submission:

<u>Sub-project</u>	<u>Construction Completion Date</u>
Parking Garage	06/04/2018
Central Electric Facility	06/01/2018
Central Utility Plant	04/06/2018
Podium	08/15/2018
Commissioning Gaming Equipment*	07/23/2018
Information Technology Systems*	07/23/2018
Entertainment Block	08/20/2018
Hotel	08/15/2018
Off-site Improvements	07/31/2018
Armory	08/06/2018
French Church Fit out	08/01/2018
Day Care	07/31/2018
Corner Retail (Dave’s Furniture site)	07/08/2019
Residential	03/27/2020 (HCA date)
95 State Street	Open
101 State Street Retail	No Date Identified
101 State Street Renovation	No Date Identified

\*MGC Requirements pursuant to 205 CMR 135.02(2)(a)

We ask that you carefully evaluate this schedule and determine if any additional modifications need to be requested. For example, it is our understanding that the residential housing project MGM Springfield is currently exploring may take significant time to construct, once financing and other project requirements are finalized. We ask MGM Springfield to note when local approvals of any deadline changes would be necessary.

There are some additional Project components or items subject to Section 61 requirements that may require some modification from the original schedules as follows:

<u>Other Project Components</u>	<u>Potential Proposed Completion Date</u>
LEED Gold Certification	09/28/2018 Documentation Submission USGBC Approval TBD
LEED Gold 101 State St. 1 <sup>st</sup> Floor	No Date Identified
Solar Photovoltaic System	Date TBD (as soon as practical after Department of Energy Resources approval)
TDM Implementation	No Date Identified

As currently constituted, all of the Project elements are expected to be completed before September 5, 2018. MGM Springfield current schedule shows that, with the exception of the Corner Retail (Dave’s Furniture site), the off-site residential, and 101 State Street. In addition, the schedule shows that the Armory building will be completed as a flexible use space with one floor rather than the three floors originally envisioned. While the buildings and spaces for the Project retail spaces are expected to be constructed, we ask you to provide an update whether it is anticipated that one or more of the retail units in the entertainment block or in the podium could be vacant at the Project’s opening. For example, last year, the Commission was notified of the extension of the lease for the space on the corner of State and Main for Focus Springfield.

We request that you provide further information on whether the below items will be completed by the Project opening or a later date:

- a) Armory – As originally envisioned in the RFA-2 through the NPC, the Armory was intended to be a three floor space that would house a high end restaurant and potentially a club on the third level. At the September 28, 2017 Commission meeting, MGM Springfield explained the significant construction work that needs to be done to the Armory to make it a viable location for future uses. Recently submitted construction schedules indicate that this significant initial work will not be completed until the Summer of 2018. The schedules do not yet account for the additional efforts that would be necessary to construct the multiple floors for restaurant and club space. In order to enable the Commission to understand how the Armory space will be activated both at the opening and post opening, Commission staff recommends that: 1) MGM Springfield provide at least quarterly reports identifying the proposed activation of the Armory space for the subsequent three month period; and 2) MGM Springfield report to the Commission during the quarterly reports on the efforts used to identify a suitable tenant for the Armory space for its original intended purpose. We ask that MGM Springfield provide an update on the activation of the Armory during the In-depth Review session in March and more detail on the requested schedule for the uses anticipated in the RFA-2.
  
- b) Corner Retail – An anticipated corner retail site is at the location of the former Dave’s Furniture building. MGM has been actively seeking a tenant for this space. In

September 2017, MGM Springfield provided to the Commission some detail about a potential tenant for this location. It is our understanding that this potential tenant is no longer being pursued for this space. As such, we question whether this portion of the Project is in jeopardy of not being completed by the time of the opening of the remainder of the Project. We ask that you provide an update regarding the efforts to finalize a tenant for this location and an update on schedule.

- c) Residential Units – The Project is required to include no less than 54 newly developed market rate housing units within one half mile of the casino. The City has identified 31 Elm Street as the desired location for the off-site units. We look forward to a discussion of both the final date for the construction of such units and a date prior to this final date when MGM Springfield would need to determine whether its current plans for such units can be realized. We are mindful of City deadlines that apply. We also understand that MGM Springfield would need to finalize plans and Project documents in order to move forward with the current City preferred location for such residential units. We ask MGM Springfield to be mindful of both the City and the Commission approvals that would be necessary when crafting such documents.
- d) LEED Gold Certification – The Section 61 Findings require the LEED certification to be in place at Project opening. The Project is currently tracking well into the LEED Gold level and, at present, there does not appear to be any reason to believe it won't achieve that goal. We recognize that when a project proponent applies to the United States Green Building Council ("USGBC") for LEED certification, it is sometimes very difficult to have the certification in hand before the opening of the facility. At the completion of construction, there is sometimes a flurry of activity in assembling and submitting the final documentation to USGBC. The Project schedule currently calls for this final submission to be made on 9/28/2018. Certification from USGBC typically occurs 3-6 months after the submission of the final project documentation. We ask that you provide a reasonable schedule for the LEED submission and approval.
- e) LEED Certification 101 State Street – As we understand, as currently envisioned, MGM Springfield is not proposing to do any significant renovation work on 101 State Street before the Project opens. 101 State Street is currently considered part of the gaming establishment. However, there remains a question how much, if anything, beyond the first floor of the building will be part of the Project. The first floor is currently designated for retail use. As noted, MGM Springfield plans on allowing the current tenant (Focus Springfield) to stay in their 101 State Street location until after the MGM Springfield Project opens. Therefore, this portion of the Project will not be able to meet the LEED standard by the Project's opening date. Considering that the rest of the Project is expected to meet the LEED Gold standard, does MGM Springfield seek an extension of the LEED certification to such time as the 1<sup>st</sup> floor of 101 State Street is renovated into retail space? At that time, the renovations would need to meet the appropriate LEED Gold standard for that type of construction.

- f) Installation of Solar Photovoltaic System – The Section 61 Findings required the installation of a solar PV system on the Project, with the details to be worked out during final design. It has been reported to us that several issues have arisen during the design and construction of the Project that have not allowed the PV project to proceed in a timely manner. We ask that you provide the Commission with more detail regarding these issues and a status of the installation. Consistent with the Project’s Section 61 Findings, the parking garage has been constructed with the ability to support a PV system, and MGM believes that the entire solar commitment can be handled on the roof of the garage. We have been briefed regarding MGM Springfield’s plans and ask for an updated schedule when such units could be constructed.
  - g) Implementation of Public Transportation / Transportation Demand Management Systems – The Section 61 Findings require an agreement with the PVTA that will capture all public transportation agreements and commitments on the Project. This Agreement is likely to include final details on items such as promotion of PVTA passes to MGM Springfield employees and the implementation of onsite PVTA pass and fare sales. Such items may be important in determining how best to ensure that transportation systems are working effectively at the opening, when the facility may experience customer visitation levels significantly greater than normalized levels. We need to continue to have active discussions regarding the implementation of traffic plans at the opening.
3. Section 61 Findings – In order to effectuate some of these program and schedule changes, the corresponding Section 61 Findings will, in all likelihood, need to be revised. At a minimum, the Section 61 Findings may need to be revised to remedy discrepancies and to reflect current anticipated square footage and gaming position totals. If the proposed program and schedule changes are approved by the Commission, Commission staff will work with outside counsel to make the appropriate revisions to the Section 61 Findings and bring them back to the Commission for approval.
4. Construction Security Mechanism – We note that M.G.L. c. 23K includes the mechanism of a bond or escrow agreement to further secure performance of outstanding construction. We believe that such security is prudent for at least some aspects of construction that may be outstanding at the time of opening, if the Commission authorizes dates post opening for the completion of construction of such items. We would need to discuss the form and content of such construction security mechanism (e.g. escrow agreement). We do not anticipate that the Commission would approve this form at the first meeting of the In-depth Review.
5. RFA-2 Employment, Spending, and Regional Marketing Requirements - As you are aware, we are actively (but separately) monitoring MGM Springfield’s employment, spending, and regional marketing commitments. Some of the above items (schedule / initial programming) may have an impact on the timing of employment projections.

Seth N. Stratton, Vice President & General Counsel

February 13, 2018

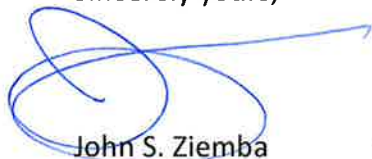
Page 10

6. Lottery Agreement – We understand that conversations between MGM Springfield and the Massachusetts State Lottery have progressed well and a final agreement is nearing completion. Please provide the Commission with an update.

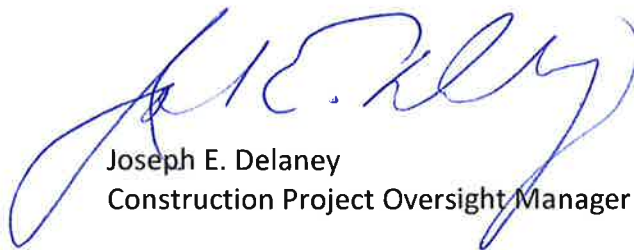
In order to prepare for the In-depth Review, we ask MGM Springfield to provide a response to this letter by February 23, 2018. We also ask that MGM Springfield provide its draft presentation and its Fourth Quarter 2017 Quarterly Report by February 23, 2018. Please know that we are sensitive to the fact that the public release of some information (such as detail of negotiations with potential tenants) could be detrimental to the Project. Therefore, we ask that you respond in a way that provides a robust answer but is not detrimental to the Project. In the event you need to provide sensitive information to answer the question (which we hope is not necessary), please contact Deputy General Counsel Todd Grossman to discuss how this information could be provided.

We thank the MGM Springfield team for all of its cooperation in the course of this review and look forward to a very successful opening later this year.

Sincerely yours,



John S. Ziemba  
Ombudsman



Joseph E. Delaney  
Construction Project Oversight Manager

cc: MGC Commissioners  
Edward R. Bedrosian, Executive Director  
Catherine Blue, General Counsel  
Michael Mathis, President & COO  
Jed Nosal, Esquire

# Massachusetts Gaming Commission Quarterly Report Presentation: 4th Quarter 2017

March 15, 2018





# Mike Mathis

*President & COO - MGM Springfield*



Brian Packer

*Vice President - Construction/Development*



# Construction Update



# ONE YEAR AGO

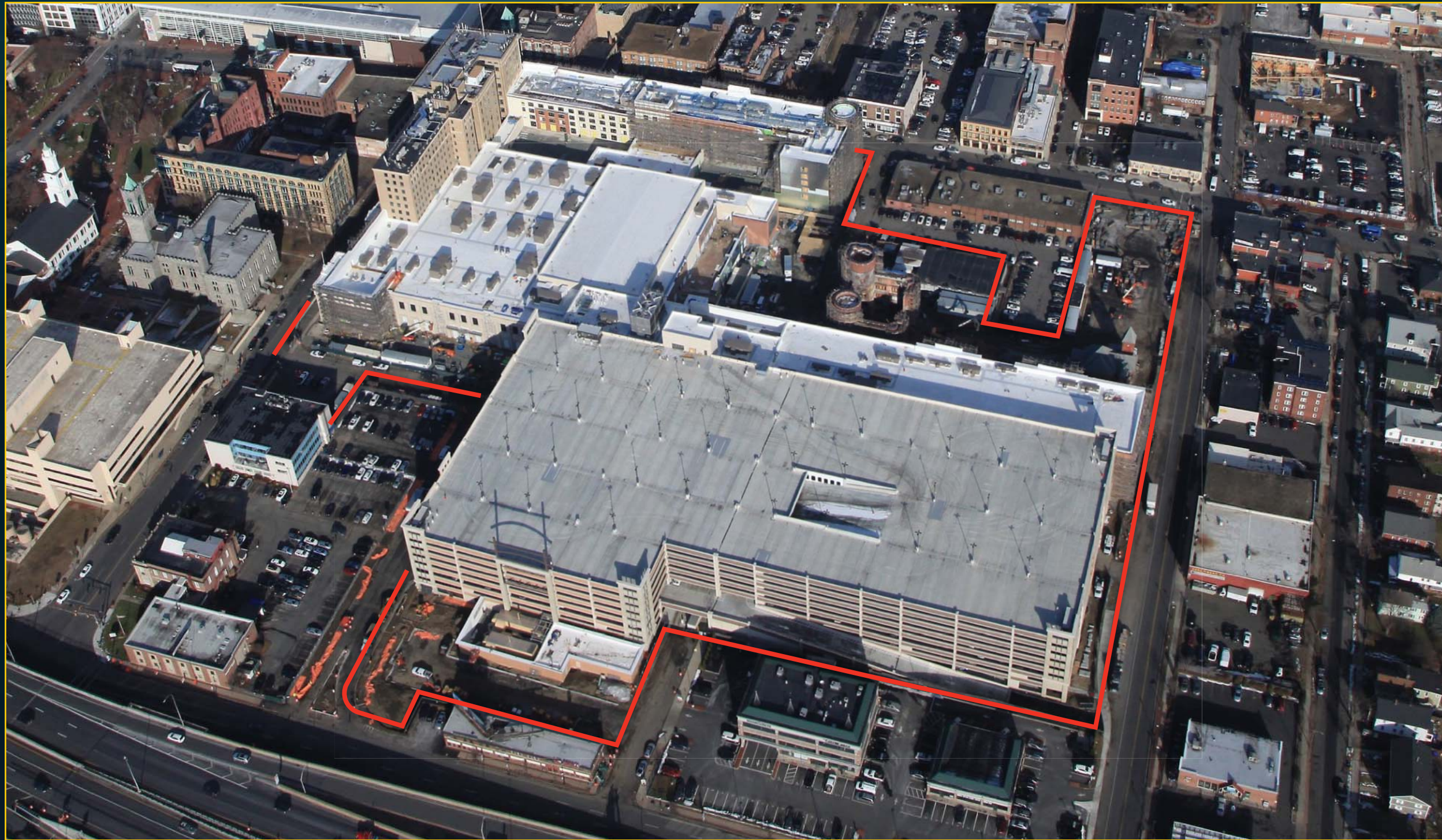


**Aerial View - December 16, 2016**

Notes:

(1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.

# AERIAL PROGRESS



**Aerial View - December 19, 2017**

Notes:

(1) Reference Quarter 3 2017 Status Report Section 1a and Appendix A.

# GARAGE CONSTRUCTION PROGRESS



Workers Parking in Garage - October 10, 2017



Garage Construction - December 1, 2017



Garage and Union St - December 1, 2017

Notes:

(1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.

# 95 STATE STREET



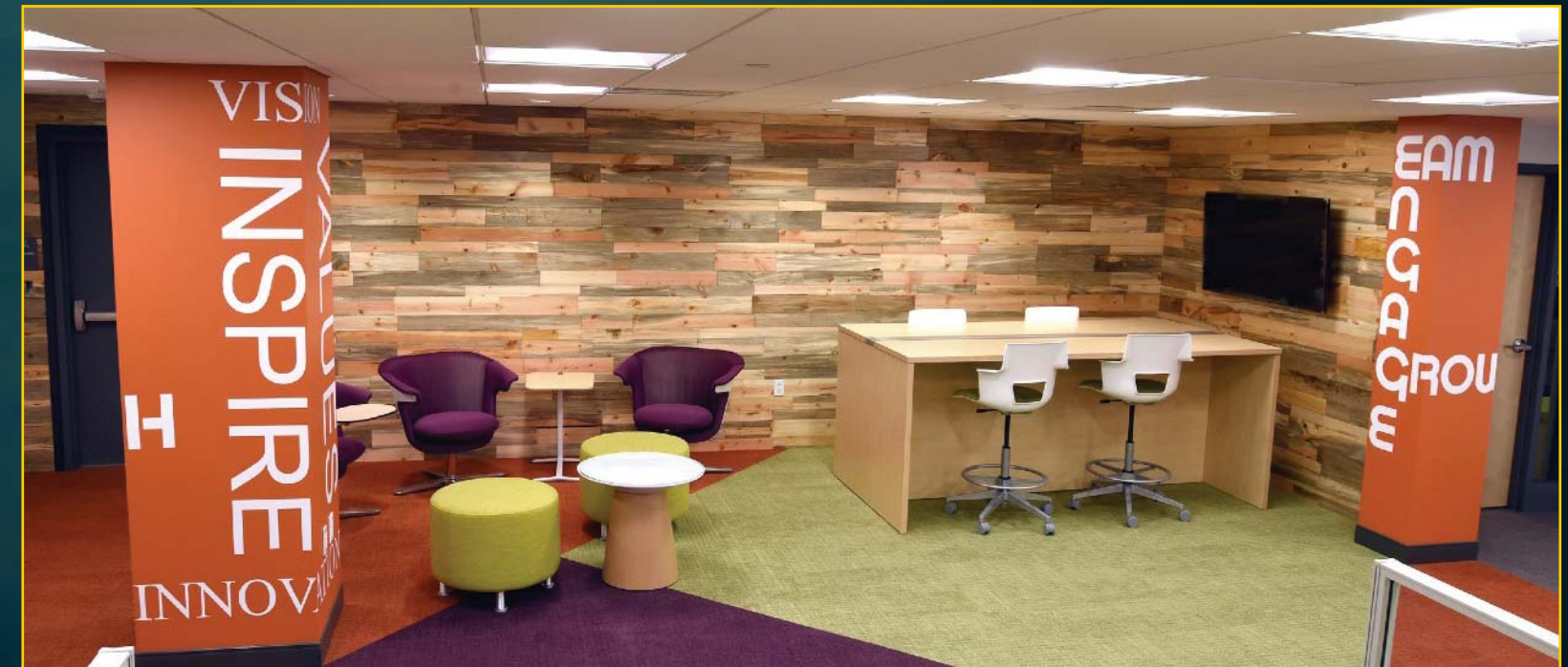
95 State 8th Floor Exec Offices - December 29, 2017



95 State 4th Floor Training Room - December 29, 2017



95 State 8th Floor - December 29, 2017



95 State 3rd Floor - December 29, 2017

Notes:

- (1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.

# HOTEL EXTERIOR PROGRESS



Main St Facades - December 27, 2017

Notes:

- (1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.



Main St Facades - December 27, 2017



# HOTEL INTERIOR PROGRESS



Hotel Room - December 20, 2017

Notes:

- (1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.



Hotel Room - December 20, 2017

# PODIUM / ARMORY PROGRESS



**MGM Way Facade - December 19, 2017**



**Armory Progress**

Notes:

- (1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.

# EARLY CHILDHOOD CENTER



Daycare Construction - December 19, 2017



Daycare Construction - December 19, 2017

Notes:

(1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.



# SCHEDULE

- Final project schedule was submitted to MGC on November 6, 2015.
- Monthly updates were provided on:
  - November 6, 2017
  - December 6, 2017
  - January 8, 2018

Notes:

(1) Reference Quarter 4 2017 Status Report Section 1a and Appendix A.

# Courtney Wenleder

*Vice President & CFO*



# Q4 2017 COST ESTIMATE (\$mm)

Ref	Description	Incurred To Date	Remaining	Total Estimate
1	Construction / Design	\$430.8	\$167.1	\$597.9
2	FF&E	\$5.7	\$58.0	\$63.7
3	OSE	\$2.0	\$45.1	\$47.1
	<b>Subtotal of Eligible Cap. Costs</b>	<b>\$438.5</b>	<b>\$270.2</b>	<b>\$708.7</b>
4	License/ Application Fees	\$85.0	\$0.0	\$85.0
5	Pre-opening Exp. / Host Comm. Costs	\$73.5	\$61.3	\$134.8
6	Project Contingency	\$0.0	\$30.0	\$30.0
	<b>Subtotal of Ineligible Costs</b>	<b>\$158.5</b>	<b>\$91.3</b>	<b>\$249.8</b>
	<b>Total</b>	<b>\$597.0</b>	<b>\$361.5</b>	<b>\$958.5</b>

Notes:

1. Total estimate before Contingency is \$928.5mm. If spent, Contingency is more likely to be spent on and reclassified as Eligible Capital Costs.
2. Total does not include \$60.7mm for land and \$75.5mm for capitalized interest.
3. The figures above are approximations to the nearest hundred thousand, which in some instances results in minor discrepancies (\$100k or less) in sums.

Brian Packer

*Vice President - Construction/Development*





# Diversity Update



# DESIGN & CONSTRUCTION COMMITMENTS

## AS OF DECEMBER 31, 2017

Group	Project Goals	Commitments	Variance	Company Count	Value
WBE	10.0%	21.1%	11.1%	77	\$108.51M
MBE	5.0%	7.7%	2.7%	42	\$39.36M
VBE	2.0%	6.3%	4.3%	24	\$32.35M

**Notes:**

- (1) Total Commitments through December 31, 2017 are \$513.2M.
  - (2) Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  - (3) Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
  - (4) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DESIGN & CONSTRUCTION PAYMENTS

AS OF DECEMBER 31, 2017

Group	Project Goals	Payments	Variance	Company Count	Value
WBE	10.0%	18.7%	8.7%	66	\$65.3M
MBE	5.0%	6.9%	1.9%	38	\$24.2M
VBE	2.0%	6.7%	4.7%	22	\$23.3M

**Notes:**

- (1) Total Payments through December 31, 2017 are \$349.0M. Total payments is inclusive of \$62.4M in plan approved exemptions.
  - (2) Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  - (3) Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
  - (4) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# WORKFORCE DIVERSITY STATISTICS - TOTAL

## AS OF DECEMBER 31, 2017

Group	Project Goals	Project To Date %
Women	6.90%	8.87%
Minority	15.30%	21.74%
Veteran	8.00%	10.10%

**Notes:**

- (1) Statistics include all workforce reports that were received by MGM as of December 31, 2017.
- (2) The Diversity plan approved by the MGC allows reporting to include hours allocated to multiple diversity categories. 5.50% of total workforce hours are included in two of the diversity categories and 0.24% of total workforce hours are included in three diversity categories.
- (3) Reference Quarter 4 2017 Status Report Section 2c and Appendix B and C.
- (4) While this is not a reporting requirement of the approved diversity plan, the total hours worked through 3rd Quarter 2017 is as follows:
  - Approximately 36% are from Springfield/ Surrounding Communities
  - Approximately 56% are from Western Massachusetts
  - Approximately 73% are from Massachusetts



# MGM SPRINGFIELD

## QUARTERLY STATUS REPORT #12

Monitoring of Project Construction and  
Licensee Requirements  
205 CMR 135

For the Period:  
October–December 2017



**QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017**

---

**TABLE OF CONTENTS**

**TABLE OF CONTENTS ..... 1**

**LIST OF APPENDICES ..... 1**

**1 PROJECT SCHEDULE..... 2**

**1a CURRENT SCHEDULE ..... 2**

**1b PROJECT SCHEDULE CHANGES ..... 2**

**2 CONSTRUCTION PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY ..... 3**

**2a DIVERSITY SUMMARY ..... 3**

**2b COMMITMENTS ..... 4**

**2c WORKFORCE STATISTICS ..... 5**

**3 COST OF CONSTRUCTION / CAPITALIZATION OF GAMING LICENSEE ..... 6**

**4 DESIGN & CONSTRUCTION CONTRACTS..... 7**

**5 STATUS OF WORK COMPLETED / PROGRESS PHOTOGRAPHS..... 9**

**5a STATUS OF WORK COMPLETED ..... 9**

**5b PROGRESS PHOTOGRAPHS ..... 11**

**6 PERMITS ..... 13**

**7 ORGANIZED LABOR LETTER ..... 18**

**8 OPERATIONAL PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY ..... 19**

**LIST OF APPENDICES**

**LEVEL 1 AND LEVEL 2 PROJECT SCHEDULES – DATA DATE DECEMBER 31, 2017..... APPENDIX A**

**PRESENTATION OF DIVERSITY STATISTICS AS OF DECEMBER 31, 2017..... APPENDIX B**

**CONSTRUCTION WORKFORCE STATISTICS AS OF DECEMBER 31, 2017.....APPENDIX C**

**LETTER REGARDING COST OF CONSTRUCTION & CAPITALIZATION OF GAMING LICENSEE.... APPENDIX D**

**CONSTRUCTION SITE PROGRESS IMAGES AS OF DECEMBER 31, 2017.....APPENDIX E**



# QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

135.02.2 The commission shall, in accordance with M.G.L. c. 23K, §§ 10 and 11 approve for each gaming licensee, a project schedule for the gaming licensee's capital investment in its gaming establishment and related infrastructure which includes:

(a) all major stages of design and construction; including all permitting and approvals, design deliverables, site preparation, foundation, structure, plumbing, electrical, mechanical, exterior finish and fenestration, long lead items, insulation, interior finish and furnishings and landscaping, building commissioning and commissioning of gaming equipment and information technology systems.

(b) For a Category 1 gaming establishment, a timeline for commencement of the final stage of construction pursuant to M.G.L. c. 23K, § 10(a); and

(c) a timeline for the stage of construction at which the gaming licensee shall be approved to open for business or operate a slot machine pursuant to M.G.L. c. 23K, §§10(c) and 11(a).

135.02.4 If unforeseen and/or changed circumstances necessitate a change to a project schedule approved pursuant to 205 CMR 135.02(2) which will impact the completion date or requires a major change in the method or progress of construction, the gaming licensee may submit to the commission for its approval a revised project schedule, with a detailed statement of the unforeseen changed circumstances which justify the revised project schedule. If the commission approves such revised project schedule, it shall substitute and supersede the previously approved project schedule.

---

## 1 PROJECT SCHEDULE

### 1a CURRENT SCHEDULE

On August 6, 2015, the Massachusetts Gaming Commission approved a revised opening date of 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. MGM submitted a final project schedule for consideration on November 6, 2015. In accordance with our commitment to providing monthly schedule updates, schedule updates were provided to MGC's representative on November 6, December 6, 2017 and January 8, 2018 (data date December 31). The January 8th update is included in this document as Appendix A.

### 1b PROJECT SCHEDULE CHANGES

There are no changes to report that would alter MGM's opening date.

**QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017**

*135.02.3 Within the time frame provided in the award of the gaming license, the licensee shall provide to the commission for commission approval an affirmative action program of equal opportunity whereby the licensee establishes specific goals for the utilization of minorities, women and veterans on construction jobs and for contracting with minority, women or veteran owned businesses during either design or construction; provided, however that such goals shall be equal to or greater than the goals contained in Executive Office of Administration and Finance Administrative Bulletin Number 14.*

*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.*

**2 CONSTRUCTION PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY**

**2a DIVERSITY SUMMARY**

The following is a snapshot of Construction and Design Diversity Commitments through December 31:

GROUP	PROJECT GOALS	COMMITMENTS	VARIANCE	COMPANY COUNT	VALUE
WBE	10.00%	21.1%	11.1%	77	\$108.51M
MBE	5.00%	7.7%	2.7%	42	\$39.36M
VBE	2.00%	6.3%	4.3%	24	\$32.35M

Notes:

1. Total Commitments through December 31, 2017 are \$513.2M
  2. Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  3. Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women’s Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- WBE = Woman-owned Business Enterprise; MBE=Minority-owned Business Enterprise; VBE=Veteran-owned Business Enterprise.





## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

The following is a snapshot of Construction and Design Diversity Payments through December 31:

GROUP	PROJECT GOALS	PAYMENTS	VARIANCE	COMPANY COUNT	VALUE
WBE	10.00%	18.7%	8.7%	66	\$65.3M
MBE	5.00%	6.9%	1.9%	38	\$24.2M
VBE	2.00%	6.7%	4.7%	22	\$23.3 M

Notes:

1. Total Payments through December 31, 2017 are \$349.0M. Total payment is inclusive of \$62.4M in plan approved exemptions.
  2. Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  3. Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- WBE = Woman-owned Business Enterprise; MBE=Minority-owned Business Enterprise; VBE=Veteran-owned Business Enterprise.

A presentation of the most recent statistics for the fourth quarter of 2017 is included as [Appendix B](#).

### 2b COMMITMENTS

#### Design and Consulting Commitments

The following is a snapshot of Design and Consulting Diversity Commitments through December 31:

GROUP	PROJECT GOALS	COMMITMENTS	CONSULTANT COUNT	VALUE
Women	10.00%	16.5%	20	\$7.54M
Minority	5.00%	13.5%	17	\$6.14M
Veteran	2.00%	6.6%	3	\$2.99M

Notes:

1. Total Commitments through December 31, 2017 are \$45.6M
  2. Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- WBE = Woman-owned Business Enterprise; MBE=Minority-owned Business Enterprise; VBE=Veteran-owned Business Enterprise.

A listing of design and consulting companies included in the totals above is included in [Appendix B](#).



# QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

## Construction Commitments

The following is a snapshot of Construction Diversity Commitments through December 31:

GROUP	PROJECT GOALS	COMMITMENTS	COMPANY COUNT	VALUE
Women	10.0%	21.6%	57	\$100.96M
Minority	5.0%	7.1%	25	\$33.22M
Veteran <sup>(3)</sup>	2.0%	6.3%	21	\$29.36M

Notes:

- Total Commitments through December 31, 2017 are \$467.6M
  - Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  - Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women’s Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- WBE = Woman-owned Business Enterprise; MBE=Minority-owned Business Enterprise; VBE=Veteran-owned Business Enterprise.

A listing of construction companies included in the totals above is included in [Appendix B](#).

## 2c WORKFORCE STATISTICS

Subcontractors have been submitting workforce tracking forms after each pay period. The most recent available results have been tallied and are included as [Appendix C](#).

Summary workforce statistics for the total Project as of December 31 are as follows:

GROUP	PROJECT GOALS	PROJECT TO DATE %
Women	6.90%	8.87%
Minority	15.30%	21.74%
Veteran	8.00%	10.10%

Notes:

- Statistics include all workforce reports that were received by MGM as of December 31, 2017.

Detailed workforce statistics for the reporting period are included in [Appendix C](#).



## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

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.

---

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

Pursuant to 205 CMR 135.02.5(a) and (b), please see [Appendix D](#) for a 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: OCTOBER-DECEMBER 2017

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

### 4 DESIGN & CONSTRUCTION CONTRACTS

The following contracts were executed in the fourth quarter of 2017:

COMPANY	CONTRACT	MGC STATUS
1. Hi-Rise Graphics, Inc.	Letter of Authorization for Interior Signage	Registrant
2. Brunswick Bowling Products	Base Agreement for Equipment, Software and Installation of 10 Bowling Lanes	Registrant
3. Sign Design, Inc.	Letter of Authorization for Interior Signage	Registrant
4. Gable Signs & Graphics, Inc.	Letter of Authorization for Exterior Signage	Registrant
5. SOEP Painting	Tishman Letter of Authorization for Polished and Stencil Concrete	Subcontractor to Tishman
6. The Pappas Company	Tishman Letter of Authorization for Nanawall Doors	Subcontractor to Tishman
7. Chandler Architectural	Tishman Letter of Authorization for Interior Aluminum Framing and Glazing	Subcontractor to Tishman
8. Northeast Contractors	Tishman Letter of Authorization for Landscaping/Hardscaping and Roof Plaza	Subcontractor to Tishman
9. JKR Partners	Letter of Authorization for Cinema Interior Architecture & Design	REGISTRANT
10. Mastercraft Floor Covering, Inc.	Tishman Letter of Authorization for Vinyl and Carpet	Subcontractor to Tishman
11. Jantile Boston, LLC	Tishman Letter of Authorization for Hotel Tile, Stone, Vinyl and Carpet	Subcontractor to Tishman
12. Mortensen Woodwork, Inc.	Tishman Letter of Authorization for Architectural Woodwork	Subcontractor to Tishman
13. Legere Group, Ltd.	Tishman Letter of Authorization for Architectural Woodwork	Subcontractor to Tishman

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

<b>14. Dagle Electrical Construction Corp.</b>	Letter of Authorization for Offsite Intelligent Transportation	Registrant
<b>15. Mirmil Products</b>	Tishman Letter of Authorization for Architectural Woodwork	Subcontractor to Tishman
<b>16. NE Deck and Floors Inc.</b>	Tishman Letter of Authorization for Epoxy Flooring and Flush Cove Base	Subcontractor to Tishman

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

# QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

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)

---

## 5 STATUS OF WORK COMPLETED / PROGRESS PHOTOGRAPHS

### 5a STATUS OF WORK COMPLETED

The following onsite activities took place in the fourth quarter of 2017:

#### Construction Progress

- **Parking Garage:** The Temporary Certificate of Occupancy was received and the garage is in use for craft labor parking.
- **Hotel:** Interior fit-out is ongoing. Exterior façade installation is ongoing, and preparation for storefront installation is underway. The man and material hoist was removed, and elevators are operational for construction use. Window installation is complete on all levels with the exception of staging support areas.
- **Podium:** Interior fit-out is ongoing. Exterior façade installation is underway as well as fixed window installation. Preparation for storefront installation is underway.
- **95 State Street:** The Temporary Certificate of Occupancy was received for all levels on December 21. Move-ins will begin in early January.
- **Armory:** Ongoing work includes exterior masonry repairs and interior demolition.
- **Church, Plaza, Dave’s Retail Corner, Central Electric Facility (CEF):** No work this period.
- **Entertainment Block:** Interior fit out, exterior façade work and fixed window installation are underway.
- **Utility Work on Surrounding Streets:**
  - Union Street traffic signs and posts, and brick sidewalk work is underway. The Street is now open, and paving of driveway from the parking garage to street, reconstruction of sidewalks, curbing, wheelchair curb ramps, signal conduits, and foundations is complete.
  - Bliss Street reclamation work to prepare new roadway, grading and paving are complete. Curbing and sidewalk prep is complete.
  - Work to repair and replace portions of water main piping at East Columbus Avenue took place.
  - Howard Street drain line installation to the catch basin on Main Street took place.
- **Early Childhood Center:** Foundation work was completed and building framing is underway.
- **Offsite Traffic:** Work continues on several intersections in Springfield per agreements made as a part of community commitments. Reconstruction of sidewalks and curbing, along with installation of wheelchair curb ramps, signal conduits, foundations and pull boxes took place or is currently underway at 20 locations. Work began in West Springfield on the ITS (Intelligent Transportation System) installation at five intersections on the opposite side of the River.



## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

### Design Progress

- Deltas 8 and 9 to the Podium Core and Shell permit set were issued.
- Deltas 5 and 6 to the Podium Fit Out package were issued.
- Delta 4 to the Hotel Fit Out package was issued.
- The Armory Fit-Out package was issued for Permit, and Deltas 1, 2 and 3 to the Armory partial demolition package were issued.
- The French Church/Kringle Retrofit package was issued.

# QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

## 5b PROGRESS PHOTOGRAPHS

A set of construction site progress photographs as of December 31, 2017 is included in this document as [Appendix E](#). Aerial comparisons showing progress over the past year are included below.



One Year Ago – December 16, 2016 View from River looking Northeast



December 19, 2017



**QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017**

---



One Year Ago – December 16, 2016 View from Main Street looking West



December 19, 2017

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

135.02.6 The licensee shall have a continuing obligation, pursuant to 205 CMR 120.01(2) to timely provide to the commission an updated permits chart and all documents and information listed in 205 CMR 120.01: Permitting Requirements, as well as any updates to the MEPA process such that the commission is continuously apprised of all material developments with respect to all permits and approvals required for the gaming establishment. Pursuant to 205 CMR 120.01(1)(h) the licensee shall provide to the commission copies of any appeal within 20 days of filing, whether to a municipal or state entity or for judicial review, filed with respect to any permit of approval listed in 205 CMR 120.01(1) along with a copy of the docket sheet and each decision on any appeal.

### 6 PERMITS

The following is the status of required permits and approvals, including local permits issued in the Fourth Quarter of 2017:

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
	NPDES General Permit	Permit for Main St. and East Columbus Ave. received 3/9/15: MAR12B410
	NPDES Remediation General Permit (RGP)	Based on foundation design, no permit is expected to be required.
2. Federal Aviation Administration	Determination of No Hazard to Air Navigation	Approval letters received April 13, 2016: 2016-ANE-471-OE for Hotel/Casino 2016-ANE-471-OE for Parking Garage
		Approval letters received July 14, 2016 for Tower Crane and Liebherr 1250 Crawler Crane
	Form 7460-2: Notice of Actual Construction or Alteration	To be e-filed for Hotel/Casino and Parking Garage within 5 days after the construction reaches its greatest height.
<b>STATE</b>		
1. Massachusetts Gaming Commission	Gaming License	Received 11/7/14
	Findings issued pursuant to M.G.L. ch. 30 sec. 61	Section 61 Findings issued by MGC on Dec. 17, 2015.
	Site Plan Approval	Final Design/Site Plan approved by unanimous vote at meeting on May 12, 2016.

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

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); Certificate on Notice of Project Change (NPC) finding no Supplement Environmental Impact Report required issued 11/25/15.
3. Massachusetts Department of Environmental Protection (MA DEP)	Underground Injection Control (UIC) BRP WS-06	To be filed at project completion
	Construction Dewatering Permit	Based on foundation design, no permit is required as groundwater can be managed internal to the site boundary. A permit will be pursued if any deeper excavation is required.
4. Massachusetts Historical Commission (MHC)	Review of project relative to potential effects of State Register historic/ archeological resources	Final Memorandum of Agreement Approved by MGC on December 17, 2015 and Signed by MHC on December 18, 2015.
5. Massachusetts Department of Transportation (MassDOT)	Findings pursuant to M.G.L c. 30, sec. 61	Section 61 Findings issued by MassDOT on March 28, 2016.
	Category III Application for Permit to Access State Highway – Package 1 of 2	Highway Access Permit #2-2016-0079 granted on 11/9/16 for construction of multimodal roadway and traffic control improvements for all work affecting the State's infrastructure.
	Category III Application for Permit to Access State Highway – Package 2 of 2	Highway Access Permit #2-2017-086 was granted on 11/16/17 for construction of ITS enhancements and roadway lighting mitigation affecting the State's infrastructure.
6. Massachusetts Dept. of Housing & Community Development	Chapter 121A Designation as an Urban Redevelopment Project	Approval letter received 12/31/14
7. Massachusetts Department of Public Safety	New Elevator Construction Permit	New installation of direct hydraulic freight elevators at 1200 Main St., 2/6/17: ELV17-0331 and ELV17-0328
		New installation of direct hydraulic freight elevators at 1200 Main Street, 2/28/17: ELV17-0493 and ELV17-0494.
		New installation of traction passenger elevators at 1200 Main Street-Parking Garage, 3/20/17: ELEV17-0644, ELEV17-0645, ELEV17-0646, ELEV17-0648, ELEV17-0649, ELEV17-0650, ELEV17-0606, ELEV17-0607.
	Certificate For Use of Man/Material Hoist	Certificate to Use Elevator, 95 State Street, 10/17/17: INS-127597
		Certificate for Use of Elevator, 1441 Main Street, 3/21/17: INS-088733 and INS088738

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

Massachusetts Department of Public Safety, Continued	Storage Permit	Not required per 527 CMR 9.00. No fuel tanks in excess of 10,000 gallons are expected to be included in the project.
8. Commonwealth of Massachusetts Division of Professional Licensure	Certificate for Use of Elevator	Permit to Use Elevator at 95 State Street, 9/12/17: <i>INS-146454</i>
		Certificate for use of elevator; 95 State Street, 12/27/17: ID# 281-P-672; Ins# <i>INS-175035</i>
9. Commonwealth of Massachusetts-Dept. of Fire Services-Office of State Fire Marshall	Storage Tank Removal Permit	None this reporting period.
10. Massachusetts Division of Fisheries and Wildlife	Natural Heritage and Endangered Species Prog.	Filing exemption for Memorial Bridge improvements received on 6/21/16.
<b>LOCAL PERMITS AND APPROVALS UPDATE FOR OCTOBER-DECEMBER, 2017</b>		
1. City of Springfield Department of Public Works Division	Approval Letter	Revised Drainage/MGM Off Site Traffic Mitigation Plans, 10/6/17: <i>Approval Letter Dated 10/6/17</i>
	General Roadway Excavation – Trenching	Installation of granite curbing along east side of roadway adjacent to MGM, 10/20/17: <i>20172593</i>
	Non-Excavation occupancy	Road closure for MGM mitigation work on Union Street between Hall of Fame Ave. and East Columbus Ave., 10/20/17: <i>20172592</i>
2. City of Springfield – Code Enforcement/Building Division	Building Permit Alteration	Hotel Podium Fitout Permit; Hotel Podium, 10/12/17: <i>17BDOT-00240AL</i>
		Alter 4,720 sf of interior for a change of use from a church to retail; Kringle Emporium; French Church-Kringle Emporium, 12/7/17: <i>17BLDOT-0027AL</i>
		Alter 9,247 sq. ft of interior fit out of former Armory Building; MGM Casino site; Former Armory Building, 12/12/17: <i>17BLDOT-00279AL</i>
	Temporary Certificate of Occupancy	Request for TCO-95 State Street: Approval Letter Dated 12/22/17
		Request for TCO-Garage: Approval Letter Dated 10/4/17
	Permit To Do Fire Extinguishing Equipment	Parking Garage Inspection for Valet / car counting systems / fire alarm in elevator lobbies / camera / waps, 10/19/17: <i>17BDOT-02358EL</i>
MGM Casino CUP + Podium - Control Wiring; 1224 MGM Way, 11/27/2017: <i>17BDOT-02634EL</i>		

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

City of Springfield – Code Enforcement/Building Division, Continued	Permit To Do Fire Extinguishing Equipment, Continued	Install fire protection sprinkler system in hotel; MGM Casino; 1224 MGM Way, 12/21/2017: 17BDOT-00049SP.
		Install fire protection sprinkler system in hotel; MGM Casino; 1224 MGM Way, 12/21/2017: 17BDOT-00050SP.
	Permit To Do Electrical Wiring	Install access control system; 34 MGM Way, 10/13/17: 17BDOT-02318EL
		Parking Garage-Inspection for valet / car counting systems / fire alarm in elevator lobbies / camera / waps; 34 MGM Way, 10/19/17: 17BDOT-02358EL.
		Final electrical permit after temp co / wire security cameras / FA in elevator lobbies / valet office area; 34 MGM Way, 11/27/2017: 17BDOT-02662EL
		Disconnect / Repair HVAC unit on roof; 101 State Street / MGM Springfield, 11/27/2017: 17BDOT-02664EL
		Wire light poles (36) outlet / sound equipment/ irrigation control panel at casino plaza and pool area; 34 MGM Way, 11/27/2017: 17BDOT-02661EL
	Weekend shutdown of the main service on 12/9/17, 95 State Street, 11/27/17: 17BDOT-02663EL.	
3. City of Springfield Historical Commission	MHC Review Concurring Party; Demolition Delay	SHC approved changes to design for purposes of historic resources and revised MOU on 10/23/15.
4. Springfield City Council	Overlay District Special Permit	Overlay District Special Permit approved by City Council on December 22, 2015.
	Site Plan Review	MGM Site Plan submission deemed completed on November 23, 2015. The City Council voted to approve the plan on 2/22/16.
	Amendments to HCA	Amendment No. 1 approved by Council vote on 6/22/15. Amendment No. 2 approved by Council vote on 2/22/16.
	Public Way Discontinuance Approval	The City Council voted to approve street discontinuances of both Bliss and Howard Streets on 1/26/16.
5. City of Springfield Department of Health and Human Services	Food Service Establishment Permit	TBD as venues are finalized

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

6. City of Springfield – Forestry Division	Tree Removal Permit	None this reporting period.
7. Springfield Water and Sewer Commission	Approval Memo	None this reporting period.
8. City of Springfield – Fire Department	Sprinkler System Inspection	Final fire sprinkler system test, inspection dated 10/3/17
9. City of Springfield – Fire Prevention Bureau	Installation of Above Ground Storage Tank Permit(s)	See City of Springfield City Clerk Flammables and Explosives Registration, 4/18/17.
	Fuel Oil, Gasoline and Diesel Fuel Storage Permit	See City of Springfield City Clerk Flammables and Explosives Registration, 4/18/17.
10. City of Springfield – Conservation Comm.	Wetlands Protection Act Filing Exemption	None this reporting period.
11. City of Springfield – City Clerk	Open Air Parking License	License to conduct and maintain open-air parking for 3498 vehicles at 34 MGM Way, 5/23/17
	Flammables and Explosives Registration	Registration for the lawful use of the building at 34 MGM Way for the keeping, storing, manufacture or sales of flammables or explosives, 4/18/17

## QUARTERLY STATUS REPORT: OCTOBER-DECEMBER 2017

---

*135.02.7 In furtherance of specific goals for the utilization of minorities, women and veterans on construction jobs, the licensee shall send and provide a copy to the commission, to each labor union or representative of workers with which the licensee has a collective bargaining agreement or other contract of understanding, a notice advising the labor union or workers representative of the licensee's commitments pursuant to M.G.L. c. 23K §(15) and §§21(a)(21) and (22).*

---

### 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.

*135.02.8 Prior to the gaming establishment opening for business, in furtherance of specific goals for the utilization of minority business enterprises, women business enterprises and veteran business enterprises as vendors in the provision of goods and services to the gaming establishment, the licensee shall provide to the commission an affirmative marketing plan in which the licensee identifies specific goals, expressed as an overall program goal applicable to the total dollar value of contracts entered into, for the utilization of minority business enterprises, women business enterprises and veteran business enterprises to participate as vendors in the provision of goods and services procured by the gaming establishment and any businesses operated as part of the gaming establishment; provided, however, that the specific goals for the utilization of such minority business enterprises, women business enterprises and veteran business enterprises shall be based on the availability of such minority business enterprises, women business enterprises and veteran business enterprises engaged in the type of work to be contracted by the gaming licensee.*

---

### **8 OPERATIONAL PHASE DIVERSITY PROGRAM FOR EQUAL OPPORTUNITY**

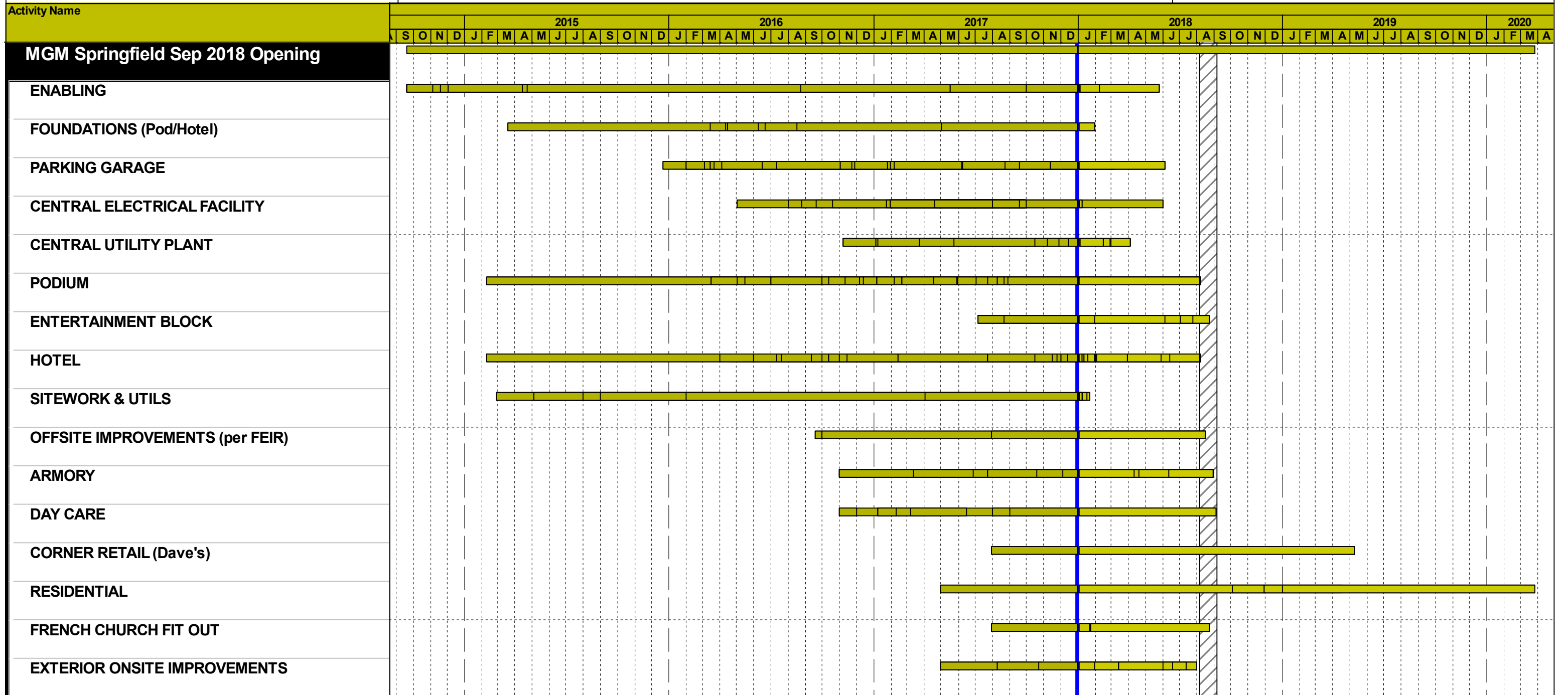
MGM's Diversity and Affirmative Marketing Program was approved on January 22, 2015. MGM will comply with this program to meet goals for Diversity participation in the operational phase of the project.

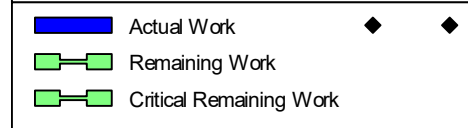
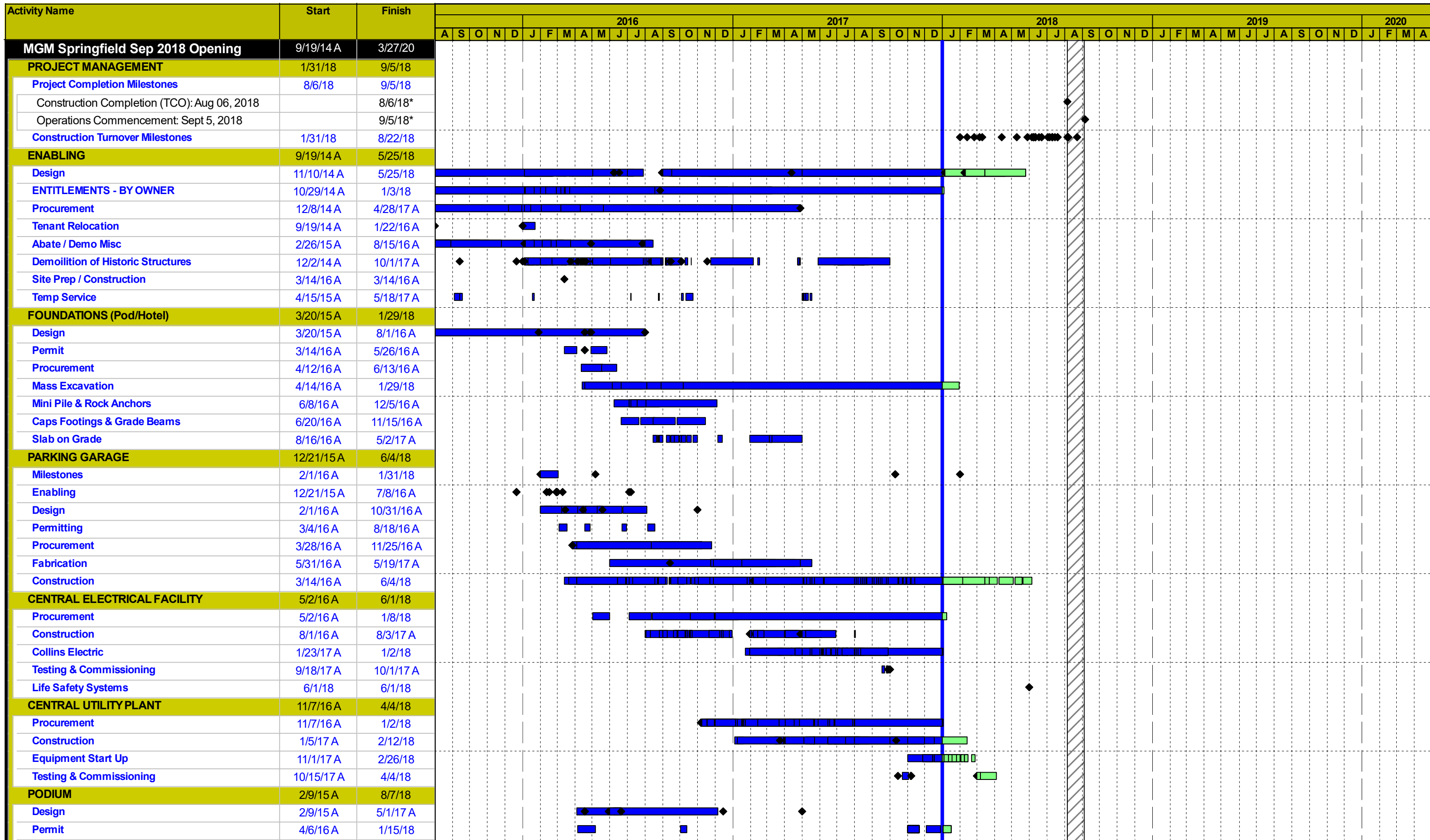


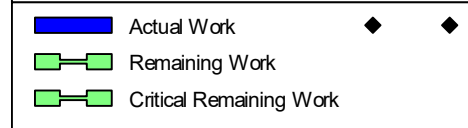
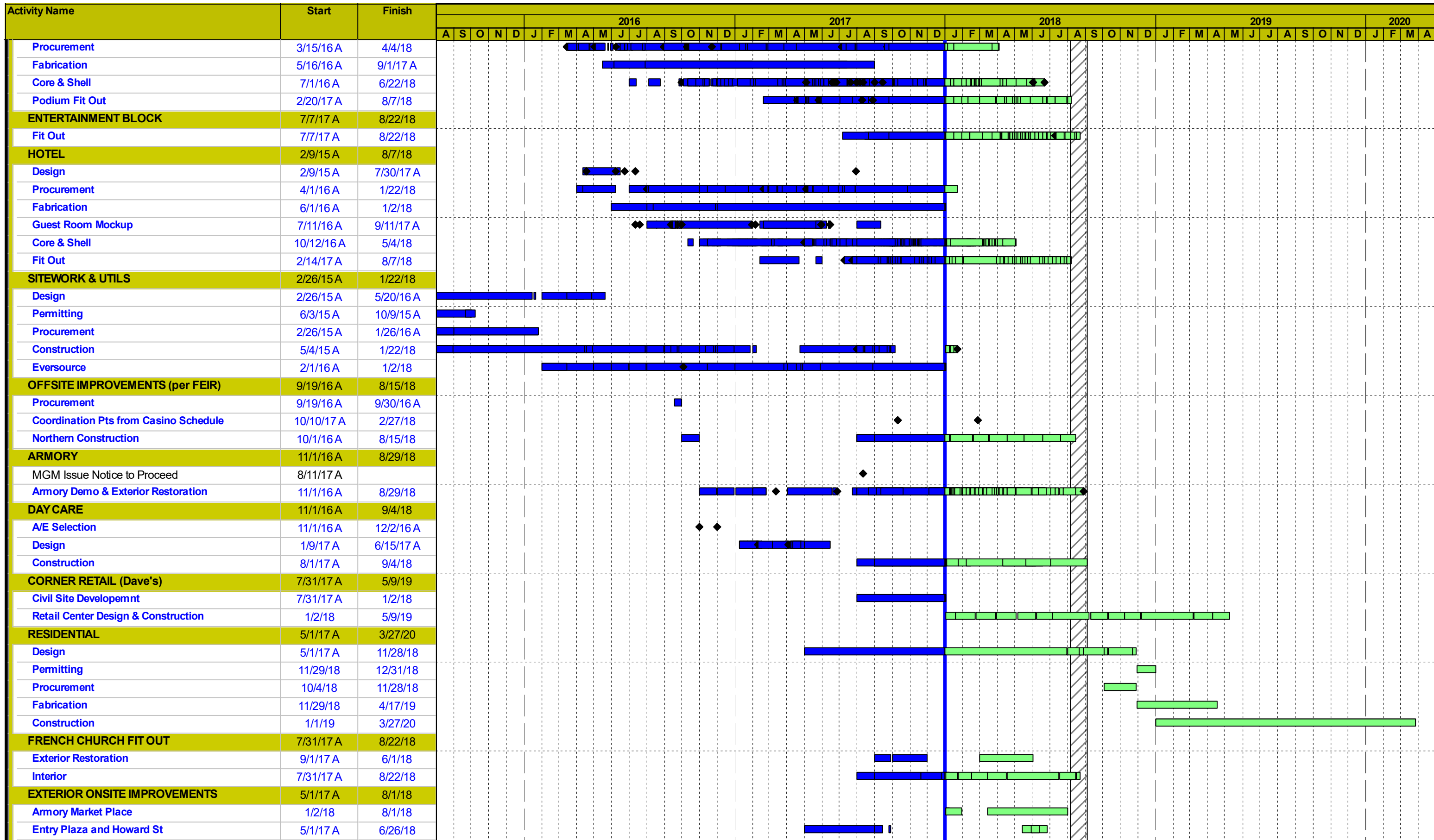
**APPENDIX A**

**LEVEL 1 AND LEVEL 2 PROJECT SCHEDULES  
JANUARY 8, 2018 (DATA DATE DECEMBER 31, 2017)**

# MGM Springfield Project Schedule









**APPENDIX B**

**PRESENTATION OF DIVERSITY STATISTICS AS OF DECEMBER 31, 2017**

# DESIGN & CONSTRUCTION PAYMENTS

AS OF DECEMBER 31, 2017

Group	Project Goals	Payments	Variance	Company Count	Value
WBE	10.0%	18.7%	8.7%	66	\$65.3M
MBE	5.0%	6.9%	1.9%	38	\$24.2M
VBE	2.0%	6.7%	4.7%	22	\$23.3M

**Notes:**

- (1) Total Payments through December 31, 2017 are \$349.0M. Total payments is inclusive of \$62.4M in plan approved exemptions.
  - (2) Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  - (3) Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
  - (4) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DESIGN & CONSTRUCTION COMMITMENTS

## AS OF DECEMBER 31, 2017

Group	Project Goals	Commitments	Variance	Company Count	Value
WBE	10.0%	21.1%	11.1%	77	\$108.51M
MBE	5.0%	7.7%	2.7%	42	\$39.36M
VBE	2.0%	6.3%	4.3%	24	\$32.35M

**Notes:**

- (1) Total Commitments through December 31, 2017 are \$513.2M.
  - (2) Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  - (3) Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
  - (4) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.



# DESIGN & CONSULTING COMMITMENTS

## AS OF DECEMBER 31, 2017

Group	Project Goals	Commitments	Company Count	Value
WBE	10.0%	16.5%	20	\$7.54M
MBE	5.0%	13.5%	17	\$6.14M
VBE	2.0%	6.6%	3	\$2.99M

**Notes:**

(1) Total Commitments through December 31, 2017 are \$45.6M.

(2) Includes companies that are certified with the following agencies:

- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
- WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
- VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

(3) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DESIGN & CONSULTING COMMITMENTS

## AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
1	AAC Investments, LLC	Interior Design	Los Angeles, CA	WBE
2	AFO Project Consulting, LLC	Construction Consulting	Las Vegas, NV	VBE
3	Akal Engineering, Inc.	Project Commissioning - MEP Services	Boylston, MA	MBE
4	American Project Management	Signage Installation Management	Las Vegas, NV	MBE
5	Andelman & Lelek Engineering, Inc.	Energy Modeling	Norwood, MA	WBE
6	Blackford, LLC	Construction Management	Las Vegas, NV	VBE
7	Black Hawk Group	Consulting Engineer Services	Philadelphia, PA	MBE
8	C&C Consulting Engineers, LLC	Structural Peer Review	Allston, MA	MBE
9	Calvin Consulting Services, LLC	Construction Consulting	Las Vegas, NV	WBE
10	Communications for Design LLC	Design and Project Management Support Services	Northfield, MN	WBE
11	Convergent Technologies	Acoustics/ Audio Visual/ IT/ Low Voltage	Lockport, NY	WBE
12	Copley Wolff Design Group, Inc.	Full Landscape Architectural Services	Boston, MA	WBE
13	Desert Construction Consulting, Ltd	Estimating and Contractor Bidding Services	Henderson, NV	MBE
14	Desman, Inc.	Parking Garage Bridging Documents (LOA)	Boston, MA	MBE
15	Dietz & Company Architects, Inc.	Full Service Architecture and Interior Design	Springfield, MA	WBE
16	Engineers Design Group, Inc.	Structural Engineering Consulting Services	Malden, MA	MBE
17	Erin Chrusciel Photography, LLC	Photography	East Longmeadow, MA	WBE
18	Fernandez & Associates	Fire Protection Design and Code Consulting Services	Byfield, MA	MBE
19	Hamilton Anderson Associates, Inc.	Architectural Services	Detroit, MI	MBE
20	Hyde Business Services, LLC	Permit and Community Commitment Coordination	Medina, MN	WBE

**Notes:**

- (1) Includes companies that are certified with the following agencies:
- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
  - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
  - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
- (2) Green highlighted companies have been paid as of November 30, 2017.
- (3) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DESIGN & CONSULTING COMMITMENTS

## AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
21	Independent Design, LLC	Historical MOA Research/ Signage Design	Quincy, MA	WBE
22	JoAnn Jones	Administrative Services	Henderson, NV	WBE
23	Marshall Moya Design, LLC	Architectural Services	Washington, DC	MBE
24	Maryann Thompson Architects	Architectural Design Services	Henderson, NV	WBE
25	MCLA, Inc.	Lighting	Washington, DC	WBE
26	Nitsch Engineering, Inc.	Engineering Services	Boston, MA	WBE
27	Pristine Engineers, Inc.	MEP Peer Review Services	Raynham, MA	MBE
28	Pro Cure, LLC	FFE Project Management	National Harbor, MD	WBE
29	Renderready, LLC	Rendering and Graphic Design	Albuquerque, NM	MBE
30	RSE Associates, Inc.	Engineering Design	Watertown, MA	MBE
31	Sign Design, Inc.	Signage Design	Brockton, MA	WBE
32	Soden Sustainability Consulting, LLC	LEED	Winchester, MA	WBE
33	Spec's Design Group, LLC	Interior Design	Springfield, MA	WBE
34	Stevens & Associates	Façade Stabilization Design	Brattleboro, VT	VBE
35	Timothy Haahs & Associates, Inc.	Architect and Engineer of Record/ Parking Consultant	Blue Bell, PA	MBE
36	Two Twelve	Graphic Designer	New York, NY	WBE
37	US Inspection & Consulting, LLC	Construction Inspections	Lake Havasu City, AZ	MBE
38	VAV International, Inc.	Mechanical Consulting	Woburn, MA	MBE
39	WA Architects, Inc.	Architectural Services	Cleveland, OH	MBE
40	YA Construction Services, LLC	MEP Peer Review	St. Louis, MO	WBE

**Notes:**

- (1) Includes companies that are certified with the following agencies:
- MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
  - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
  - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.

(2) Green highlighted companies have been paid as of November 30, 2017.

(3) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# CONSTRUCTION COMMITMENTS

## AS OF DECEMBER 31, 2017

Group	Project Goals	Commitments	Company Count	Value
WBE	10.0%	21.6%	57	\$100.96M
MBE	5.0%	7.1%	25	\$33.22M
VBE	2.0%	6.3%	21	\$29.36M

**Notes:**

- (1) Total Commitments through December 31, 2017 are \$467.6M.
  - (2) Figures have been updated since presenting to the Access and Opportunity Committee on January 9, 2018.
  - (3) Includes companies that are certified with the following agencies:
    - MBE - Massachusetts Supplier Diversity Office or Greater New England Minority Supplier Development Council.
    - WBE - Massachusetts Supplier Diversity Office or Women's Business Enterprise National Council.
    - VBE - United States Department of Veteran Affairs or Massachusetts Gaming Commission.
  - (4) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.
- WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DIVERSE CONSTRUCTION COMPANIES

AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
1	Aces Enterprises, LLC	Steel Plate Supplier	Dunlap, IL	VBE
2	AeroSage, LLC	Fire Protection Material Supplier	Tampa, FL	VBE
3	Alares, LLC	Commissioning and Construction Services	Quincy, MA	VBE
4	All American Signs	Signage	Plymouth, MA	VBE
5	Alonzee Consulting	Construction Consulting	Las Vegas, NV	WBE
6	American Environmental, Inc.	Abatement	Holyoke, MA	MBE
7	American Stair Corporation	Stair Supplier	Romeoville, IL	VBE
8	Architectural Products, Inc.	Glass and Glazing	Burlington, CT	WBE
9	Argent Associates, Inc.	Material Vendor	Burlington, CT	WBE
10	Arrow Security Corporation	Security Guard Services	Springfield, MA	VBE
11	Ayala Excavating and Trucking, LLC	Trucking	Springfield, MA	MBE
12	Baron Industries, Inc	Coiling Doors	Woburn, MA	VBE
13	Beacon Light & Supply, Co.	Electrical Supplier	Burlington, CT	WBE
14	BECO Electrical Contractors, Inc.	Electrical	Monson, MA	VBE
15	Berkshire Concrete Cutting, LLC	Saw Cutting	Torrington, CT	WBE
16	Brican, Inc.	General Contracting Services	Springfield, MA	VBE
17	C&C Contractors, LLC	Trucking Services	Springfield, MA	MBE
18	C&D Electronics, Inc.	Cabling, Wiring, Electronics Supplier	Holyoke, MA	WBE/MBE
19	C4 Cables	Hotel Electrical Material Supplier	Taunton, MA	WBE

**Notes:**

(1) Green highlighted companies have worked on site and been paid as of November 30, 2017.

(2) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.



# DIVERSE CONSTRUCTION COMPANIES

## AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
20	Capasso Restoration, Inc.	95 State Masonry Contractor	North Haven, CT	WBE
21	Carol's Lighting & Supply Company	Electrical Supplies	Canton, MA	MBE
22	Certified Connection, Inc.	Podium Electrical Material Supplier	Worcester, MA	MBE
23	Central Ceilings, Inc.	Drywall Contractor	South Easton, MA	VBE
24	Chabot & Burnett Construction Co., Inc.	Masonry Contractor	Agawam, MA	WBE
25	Charle George Companies, Inc.	Solid Waste Disposal, Recycling, Trucking	Londonberry, NH	WBE
26	CK Flooring Solutions, Inc.	Carpet Installer	Chicopee, MA	WBE
27	CMJ, LLC	Property Management/Maintenance	Springfield, MA	MBE
28	Connecticut Drywall Finishing, Inc.	Drywall	West Springfield, MA	WBE
29	Connecticut Temperature Controls, LLC	Controls	Newington, CT	VBE
30	Construction Labor Unlimited	Labor/Clean-Up	West Springfield, MA	WBE
31	Coghlin Electrical Contractors, Inc.	Electrical Services	Worcester, MA	WBE
32	C.R. Levesque Trucking Corp.	Hauling & Equipment Transportation	Monson, MA	WBE
33	Critical Power Testing and Maintenance, Inc.	Podium Electrical Commissioning	Amesbury, MA	VBE
34	CSL, Inc.	Daycare Landscaping	Ludlow, MA	WBE
35	Dagle Electrical Construction Corp.	Offsite Improvements - Electrical	Melrose, MA	WBE
36	Davenport Advisors, LLC	Property Management/ Maintenance	Boston, MA	MBE
37	DeLucca Fence Company, Inc	Offsite Improvements - Guardrail Contractor	Methuen, MA	WBE
38	Dependable Masonry Construction Company, Inc.	Masonry and Brickpaving	North Reading, MA	MBE

**Notes:**

(1) Green highlighted companies have worked on site and been paid as of November 30, 2017.

(2) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DIVERSE CONSTRUCTION COMPANIES

## AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
39	Duray/J.F. Duncan Industries, Inc.	Food Service Equipment Packages	Downey, CA	MBE
40	Eagle Elevator Company, Inc.	Elevator Repairs, Service, Maintenance	Boston, MA	VBE
41	EDI Landscape, LLC	Landscaping Services	Hartford, CT	WBE
42	EDM Construction, Inc.	Carpentry & Structural Steel Erection	Merrimac, MA	WBE
43	E L Waterman, Inc.	Pipe Supplier	Foxboro, MA	WBE
44	Elegance in Granite, LLC	Supplier - Stone Countertops, Cabinets	Leominster, MA	MBE
45	Evermore Light & Power, Inc.	Electrical	Somerville, MA	WBE
46	Fabiano Oil Corp.	Fuel & Oil Supplier	Wrentham, MA	WBE
47	Federal Concrete, Inc.	Concrete Services	Hopedale, MA	WBE
48	Fisher Contracting Corporation	General Contracting Services	Worcester, MA	WBE
49	Fletcher Sewer & Drain, Inc.	Inspection - FEIR	Ludlow, MA	WBE
50	Folan Waterproofing and Construction Company, Inc.	Masonry Contractors & Waterproofing	South Easton, MA	WBE
51	Frisoli Electric, Inc.	Electrical	Holbrook, MA	VBE
52	Gomes Construction Co. Inc.	Utility Connections	Ludlow, MA	WBE
53	Granite America, LLC	Countertops, Stone, Manufacturing	Frederick, MD	MBE
54	Granite City Electric Supply Company, Inc.	Electrical Supplier	Quincy, MA	WBE
55	Great In Counters, Inc.	Natural Stone & Quarts Fabrication	Smithfield, RI	WBE
56	Green Insulation, Inc.	Insulation	Adams, MA	WBE
57	H B Welding, Inc.	Steel, Welding, Iron Work	Johnston, RI	WBE
58	Hiway Safety Systems, Inc	Offsite Improvements - Traffic line striping	Rockland, MA	WBE

**Notes:**

(1) Green highlighted companies have worked on site and been paid as of November 30, 2017.

(2) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.

# DIVERSE CONSTRUCTION COMPANIES

## AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
59	Homeland Mechanical, LLC	Pipe Supplier	Quincy, MA	VBE
60	Industrial Flame Cutting, Inc.	Steel Plate Supplier	Beacon Falls, CT	VBE
61	JMK Building Supply, Inc	Drywall	Colchester, CT	WBE
62	JRL Construction, Inc.	General Contractor - Demolition	Springfield, MA	VBE
63	Kittredge Equipment Company, Inc.	Kitchen Equipment	Agawam, MA	WBE
64	L.K. Sheet Metal, Inc.	Sheet Metal	East Hartford, CT	WBE
65	Larry's Trucking Co.	Trucking	Springfield, MA	MBE
66	Lindon Group	Piping Materials	East Providence, RI	WBE
67	M. Frank Higgins & Co., Inc.	Casino Tile and Stone	Newington, CT	WBE
68	Mastercraft Floor Covering, Inc.	Carpet Installation	Glenpool, OK	WBE
69	McElroy Scenic Service, LLC	Millwork Fabricator	Ashley Falls, MA	WBE
70	Medeiros Hydroseeding & Landscaping Construction, Inc.	Trucking and Soil Materials	Monson, MA	MBE
71	Moor Metals, Inc.	Sales and Distribution of Metals	Holliston, MA	MBE
72	Ms. Pipe, LLC	Procurement of Valves, Pipes and Fittings	South Windsor, CT	WBE
73	New England Foundation Company, Inc.	Helical Piles	Boston, MA	WBE
74	Northeastern Steel Corporation	Steel Distributor	Revere, MA	MBE
75	Orissa, LLC	Cleaning Service	Rocky Hill, CT	MBE
76	Osprey Construction Supply, LLC	Millwork Supplier	Sharon, MA	WBE
77	Performance Testing & Balancing LLC	Testing & Balancing	South Hampton, MA	VBE

**Notes:**

(1) Green highlighted companies have worked on site and been paid as of November 30, 2017.

(2) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.



# DIVERSE CONSTRUCTION COMPANIES

AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
78	Piping Systems, Inc.	HVAC	Assonet, MA	WBE
79	Protocol Management Services, Inc.	Raised Access Floors Material Supplier	North Attleboro, MA	WBE
80	Quinette King Consulting	Blackout Paint Supplier	Las Vegas, NV	MBE
81	Rebars & Mesh, Inc.	Concrete	Haverhill, MA	WBE
82	Regis Steel Corporation	Steel Erection/ Reinforcing	Fall River, MA	MBE
83	S&F Concrete Contractors, Inc.	Concrete	Hudson, MA	MBE
84	S-Cel-O, LLC	95 State Painting	Springfield, MA	MBE
85	Security Construction Services, Inc.	Fencing	Hudson, MA	WBE
86	SOS Corporation	Construction Cleaning, Selective Interior Demolition	Milford, MA	WBE
87	Steere Engineering, Inc.	Engineering Services	Warwick, RI	WBE
88	Strategic Environmental Services, Inc.	Environmental Consultants	Sutton, MA	WBE
89	Sullivan and Narey Construction, Inc.	Armory Building Masonry	Holyoke, MA	VBE
90	Superior Caulking & Waterproofing	Caulking & Waterproofing	Palmer, MA	VBE
91	Supplies Exchange Systems	Materials Supplier	Dorchester, MA	MBE
92	Tavares, LLC	Fireproofing	Providence, RI	MBE
93	T & M Equipment Corporation	Excavating Contractor	Springfield, MA	VBE
94	Titan Roofing Company	Roofing	Springfield, MA	MBE
95	Total Mechanical Service Corp.	Pool Mechanical Contractor	Plymouth, MA	MBE

**Notes:**

(1) Green highlighted companies have worked on site and been paid as of November 30, 2017.

(2) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.



# DIVERSE CONSTRUCTION COMPANIES

AS OF DECEMBER 31, 2017

Ref	Company	Scope	Location	Diversity Status
96	Triton Leasing and Rental, Inc.	Demolition & Abatement	Feeding Hills, MA	WBE
97	Turtle & Hughes, Inc.	Podium Unistrut Supplier	Linden, NJ	WBE
98	United Personnel Services, Inc.	Kitchen Equipment Labor	Springfield, MA	WBE
99	Ultimate Abatement Company, Inc.	Abatement	Plainfield, MA	WBE
100	Welch Associates Land Surveyors, Inc.	Land Surveying	West Bridgewater, MA	WBE
101	West Floor Covering, Inc.	Sales and Installation of Floor Coverings	Pembroke, MA	WBE
102	Willow Tree Outdoor, LLC	Landscape	Springfield, MA	WBE
103	Woodchuck's Building & Hone Center	Construction Supplier	Rockland, MA	MBE
104	Younger Brothers Construction, LLC	Materials Supplier	Watertown, MA	MBE

**Notes:**

(1) Green highlighted companies have worked on site and been paid as of November 30, 2017.

(2) Reference Quarter 4 2017 Status Report Section 2b and Appendix B.

WBE = Woman-owned Business Enterprise; MBE = Minority-owned Business Enterprise; VBE = Veteran-owned Business Enterprise.



# WORKFORCE DIVERSITY STATISTICS - TOTAL

## AS OF DECEMBER 31, 2017

Group	Project Goals	Project To Date %
Women	6.90%	8.87%
Minority	15.30%	21.74%
Veteran	8.00%	10.10%

**Notes:**

- (1) Statistics include all workforce reports that were received by MGM as of December 31, 2017.
- (2) The Diversity plan approved by the MGC allows reporting to include hours allocated to multiple diversity categories. 5.50% of total workforce hours are included in two of the diversity categories and 0.24% of total workforce hours are included in three diversity categories.
- (3) Reference Quarter 4 2017 Status Report Section 2c and Appendix B and C.
- (4) While this is not a reporting requirement of the approved diversity plan, the total hours worked through 3rd Quarter 2017 is as follows:
  - Approximately 36% are from Springfield/ Surrounding Communities
  - Approximately 56% are from Western Massachusetts
  - Approximately 73% are from Massachusetts

**APPENDIX C**

**CONSTRUCTION WORKFORCE STATISTICS AS OF DECEMBER 31, 2018**

**MGM Springfield**  
**Workforce Diversity Report (By Company)**  
As of: December 31, 2017

Reference	Company	This Month's Workforce Diversity Statistics								Project To Date Workforce Diversity Statistics							
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
1	Acranom Masonry Enterprises, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	1,580.50	0.00	0.00%	824.50	52.17%	0.00	0.00%
2	AeroClean	5	280.50	0.00	0.00%	155.50	55.44%	0.00	0.00%	16	2,724.50	0.00	0.00%	1,331.00	48.85%	0.00	0.00%
3	Allied Fire Protection, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	1,354.00	0.00	0.00%	256.00	18.91%	0.00	0.00%
4	American Environmental, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	184	32,725.25	2,210.50	6.75%	29,544.75	90.28%	288.50	0.88%
5	AmQuip Crane Rental LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	1,989.50	0.00	0.00%	970.50	48.78%	0.00	0.00%
6	Ardex, L.P.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	268.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
7	Axion Specialty Contracting	8	360.00	0.00	0.00%	176.00	48.89%	128.00	35.56%	26	5,983.00	0.00	0.00%	2,188.00	36.57%	408.00	6.82%
8	Ayotte & King For Tile, Inc	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	24	450.50	0.00	0.00%	4.00	0.89%	0.00	0.00%
9	Barber Firestop Systems LLC	2	60.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	1,366.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
10	Bay Crane Northeast	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	10.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
11	Bay State Elevator Co.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	315.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
12	BECO Electrical Contractors, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	11	3,433.50	0.00	0.00%	1,116.50	32.52%	2,088.00	60.81%
13	Berkshire Concrete Cutting	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	24.50	0.00	0.00%	0.00	0.00%	7.50	30.61%
14	Berlin Steel Construction Company	10	616.00	120.00	19.48%	80.00	12.99%	0.00	0.00%	88	48,104.50	4,215.00	8.76%	6,340.50	13.18%	3,242.50	6.74%
15	BG Mechanical Contractors, Inc.	3	184.00	0.00	0.00%	0.00	0.00%	83.00	45.11%	37	14,174.62	0.00	0.00%	2,565.00	18.10%	2,449.00	17.28%
16	Blakeslee Prestress, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	43	27,632.50	2,515.50	9.10%	3,753.00	13.58%	2,218.50	8.03%
17	Blue Construction, Inc.	9	1,270.50	226.00	17.79%	380.00	29.91%	144.00	11.33%	14	10,538.50	1,563.50	14.84%	2,593.50	24.61%	1,364.00	12.94%
18	Capasso Restoration, Inc.	2	56.00	0.00	0.00%	56.00	100.00%	0.00	0.00%	13	4,172.00	0.00	0.00%	2,148.00	51.49%	706.50	16.93%
19	Central Ceilings, Inc.	48	5,708.50	595.00	10.42%	1,487.00	26.05%	919.00	16.10%	70	51,900.00	4,595.50	8.85%	15,279.50	29.44%	8,227.50	15.85%
20	Chabot & Burnett Construction Co., Inc.	20	1,002.00	110.50	11.03%	336.00	33.53%	64.00	6.39%	89	28,022.50	2,070.50	7.39%	9,139.00	32.61%	1,918.00	6.84%
21	Champlain Masonry, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	37	5,090.75	100.00	1.96%	1,965.00	38.60%	688.00	13.51%
22	Chandler Architectural Products	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	29	3,196.00	404.00	12.64%	127.00	3.97%	472.00	14.77%
23	CIP Concrete, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	4,337.00	0.00	0.00%	687.00	15.84%	0.00	0.00%
24	CK Flooring Solutions, Inc.	8	378.00	83.00	21.96%	174.00	46.03%	0.00	0.00%	31	6,966.00	1,041.00	14.94%	2,027.50	29.11%	521.50	7.49%
25	Coghlin Electrical Contractors, Inc.	183	25,191.00	949.00	3.77%	4,680.00	18.58%	3,106.00	12.33%	393	146,850.50	7,808.00	5.32%	25,186.50	17.15%	19,185.50	13.06%
26	Collins Electrical	28	1,827.50	141.00	7.72%	242.00	13.24%	94.00	5.14%	115	75,151.25	6,208.00	8.26%	9,248.00	12.31%	5,894.50	7.84%
27	Commonwealth Guardrail, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	20	868.00	26.00	3.00%	115.00	13.25%	0.00	0.00%
28	Connecticut Drywall Finishing, Inc.	1	40.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	29	4,396.50	207.00	4.71%	861.50	19.60%	0.00	0.00%
29	Construction Labor Unlimited, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	732.00	8.00	1.09%	383.00	52.32%	0.00	0.00%
30	Conte Company, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	24.00	0.00	0.00%	0.00	0.00%	8.00	33.33%
31	Cross Country Food Service Installers Inc.	3	76.00	0.00	0.00%	18.00	23.68%	34.00	44.74%	5	528.00	0.00	0.00%	142.00	26.89%	178.00	33.71%
32	Cushing and Sons, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	130.50	0.00	0.00%	0.00	0.00%	42.00	32.18%
33	Cyn Environmental Services	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	24.00	0.00	0.00%	24.00	100.00%	0.00	0.00%
34	D.A. Sullivan & Sons, Inc.	8	317.00	0.00	0.00%	37.00	11.67%	8.00	2.52%	14	890.50	0.00	0.00%	207.00	23.25%	164.00	18.42%
35	Dagle Electrical Construction	5	280.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	16	1,579.00	164.00	10.39%	0.00	0.00%	148.50	9.40%
36	Day & Nite Refrigeration	4	358.00	0.00	0.00%	238.00	66.48%	0.00	0.00%	4	1,179.00	0.00	0.00%	947.00	80.32%	0.00	0.00%
37	DeLuca Fence Company, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	184.00	8.00	4.35%	16.00	8.70%	0.00	0.00%
38	Dependable Masonry Construction Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	439.00	32.00	7.29%	219.00	49.89%	0.00	0.00%
39	Division Six Installers, Inc.	9	707.00	64.00	9.05%	80.00	11.32%	80.00	11.32%	9	1,571.00	64.00	4.07%	208.00	13.24%	112.00	7.13%
40	EDM Construction, Inc.	5	147.00	0.00	0.00%	33.50	22.79%	113.50	77.21%	23	3,993.50	188.00	4.71%	829.00	20.76%	1,035.00	25.92%
41	EF Corcoran Plumbing & Heating, Inc.	7	464.00	80.00	17.24%	160.00	34.48%	0.00	0.00%	12	4,724.00	650.00	13.76%	1,323.00	28.01%	0.00	0.00%
42	Energy Insulation Conservation Inc.	11	487.00	0.00	0.00%	118.00	24.23%	0.00	0.00%	14	2,881.00	0.00	0.00%	652.00	22.63%	0.00	0.00%
43	Environmental Testing & Balancing	1	10.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	10.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
44	Evermore Light and Power, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	613.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
45	Federal Concrete, Inc.	7	180.00	72.00	40.00%	0.00	0.00%	0.00	0.00%	77	26,463.00	2,292.00	8.66%	3,530.00	13.34%	1,757.50	6.64%
46	First Choice Finishes	4	379.50	72.00	18.97%	72.00	18.97%	64.00	16.86%	6	1,705.50	72.00	4.22%	72.00	4.22%	311.50	18.26%
47	Folan Waterproofing & Construction	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	1,471.50	0.00	0.00%	547.50	37.21%	0.00	0.00%
48	Fontaine Bros, Inc.	8	591.00	167.50	28.34%	228.50	38.66%	0.00	0.00%	61	16,825.50	2,572.50	15.29%	4,402.00	26.16%	1,230.00	7.31%
49	Food Equipment Installation, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	116.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
50	Frisoli Electric Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	299.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
51	Fusion Electric, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	112.00	0.00	0.00%	104.00	92.86%	0.00	0.00%
52	Gagliarducci Construction, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	47	4,264.50	635.00	14.89%	709.50	16.64%	906.50	21.26%
53	Gomes Construction Company, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	575.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
54	Granite State Specialties LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	223.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
55	Green Insulation, Inc.	2	88.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	1,788.00	0.00	0.00%	48.00	2.68%	0.00	0.00%
56	H. Carr & Sons, Inc.	68	6,906.00	334.00	4.84%	2,050.00	29.68%	397.00	5.75%	173	92,925.00	4,796.00	5.16%	23,051.00	24.81%	10,583.00	11.39%
57	Harry Grodsky & Co.	37	3,019.50	192.00	6.36%	336.00	11.13%	280.00	9.27%	186	77,796.50	2,679.00	3.44%	6,853.50	8.81%	8,453.50	10.87%
58	Hayward Baker Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	32	4,465.50	306.50	6.86%	1,170.50	26.21%	775.00	17.36%
59	HB Welding	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	17	6,833.00	148.50	2.17%	470.00	6.88%	1,082.00	15.83%
60	Heritage Restoration, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	19	5,858.00	82.00	1.40%	2,336.00	39.88%	0.00	0.00%

MGM Springfield

Workforce Diversity Report (By Company)

As of: December 31, 2017

Reference	Company	This Month's Workforce Diversity Statistics								Project To Date Workforce Diversity Statistics							
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
61	Hickman & Sgroi Electric Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	192.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
62	Insulation Contractor of New England LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	22	2,454.50	0.00	0.00%	954.00	38.87%	296.00	12.06%
63	JDC Demolition	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	29	3,874.00	400.00	10.33%	792.00	20.44%	160.00	4.13%
64	John W. Egan	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	542.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
65	Jones Engineering LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	168.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
66	JRL Construction, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	88	29,913.56	5,897.21	19.71%	11,391.50	38.08%	5,272.00	17.62%
67	K&K Acoustical Ceilings, Inc.	5	184.00	40.00	21.74%	32.00	17.39%	0.00	0.00%	7	2,006.50	321.50	16.02%	274.00	13.66%	0.00	0.00%
68	KHS&S Contractors, Inc.	24	1,975.00	208.00	10.53%	443.00	22.43%	0.00	0.00%	54	13,506.00	1,258.00	9.31%	3,175.00	23.51%	0.00	0.00%
69	Kleeberg Mechanical Services, LLC	2	26.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	29	2,559.50	0.00	0.00%	334.00	13.05%	0.00	0.00%
70	L.K. Sheet Metal, Inc.	29	3,387.50	350.50	10.35%	624.00	18.42%	405.00	11.96%	76	46,322.75	3,189.25	6.88%	8,345.75	18.02%	4,012.00	8.66%
71	Langan Insulation LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	568.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
72	Legere Group	4	442.00	120.00	27.15%	80.00	18.10%	0.00	0.00%	5	890.00	120.00	13.48%	80.00	8.99%	0.00	0.00%
73	Longden Company, Inc.	6	560.00	32.00	5.71%	224.00	40.00%	0.00	0.00%	12	1,408.00	184.00	13.07%	400.00	28.41%	144.00	10.23%
74	M. Frank Higgins & Co., Inc.	1	24.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	357.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
75	M.L. Schmitt, Inc.	23	2,643.50	367.00	13.88%	497.00	18.80%	142.00	5.37%	37	19,851.00	3,317.25	16.71%	3,011.75	15.17%	1,514.50	7.63%
76	Manganaro Northeast, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	184.00	0.00	0.00%	144.00	78.26%	0.00	0.00%
77	Marr Equipment Company	3	317.00	158.00	49.84%	256.00	80.76%	0.00	0.00%	21	4,611.25	1,865.75	40.46%	3,196.25	69.31%	0.00	0.00%
78	Marr Scaffold	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	21	638.00	0.00	0.00%	282.00	44.20%	16.50	2.59%
79	Marguerite Concrete	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	79	2,953.50	0.00	0.00%	356.00	12.05%	224.50	7.60%
80	Massey's Plate Glass & Aluminum, Inc.	10	901.00	120.00	13.32%	280.00	31.08%	0.00	0.00%	27	9,189.00	552.00	6.01%	1,374.00	14.95%	361.00	3.93%
81	Maxim Crane Works LP	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	1,136.00	0.00	0.00%	543.00	47.80%	24.00	2.11%
82	Medeiros Hydroseeding & Landscape Construction, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	17.00	0.00	0.00%	11.00	64.71%	0.00	0.00%
83	Midwest Pro Painting Inc	10	675.00	172.00	25.48%	152.00	22.52%	0.00	0.00%	15	2,752.00	548.50	19.93%	362.50	13.17%	396.00	14.39%
84	Moran Sheet Metal, Inc.	2	19.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	16	1,051.25	0.00	0.00%	289.75	27.56%	0.00	0.00%
85	MTK Construction Services, Inc.	6	56.00	0.00	0.00%	8.00	14.29%	0.00	0.00%	24	985.00	0.00	0.00%	56.00	5.69%	0.00	0.00%
86	NER Construction Management	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	19	2,125.00	0.00	0.00%	405.00	19.06%	0.00	0.00%
87	New England Concrete Cutting, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	456.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
88	New England Foundation Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	20	2,727.00	0.00	0.00%	587.50	21.54%	226.00	8.29%
89	New Hampshire Steel Erectors, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	12	2,753.50	518.50	18.83%	104.00	3.78%	0.00	0.00%
90	Northeast Contractors, Inc.	15	1,686.50	231.00	13.70%	103.00	6.11%	128.00	7.59%	17	2,942.50	343.00	11.66%	103.00	3.50%	200.00	6.80%
91	Northeast Lighting Protection, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	384.31	0.00	0.00%	112.45	29.26%	0.00	0.00%
92	Northeast Steel Erectors	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	1,335.00	34.00	2.55%	183.00	13.71%	393.00	29.44%
93	Northeastern Steel Corporation	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	64.00	9.00	14.06%	50.00	78.13%	0.00	0.00%
94	Northern General	22	1,888.00	158.00	8.37%	432.00	22.88%	166.50	8.82%	107	42,089.50	2,903.50	6.90%	6,953.00	16.52%	2,947.00	7.00%
95	Orissa, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	78.00	54.00	69.23%	13.00	16.67%	0.00	0.00%
96	P. Gioioso & Sons Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	834.50	114.50	13.72%	0.00	0.00%	0.00	0.00%
97	Palmer Paving Corporation	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	56	880.00	53.00	6.02%	14.00	1.59%	0.00	0.00%
98	Performance Testing & Balancing, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	64.00	0.00	0.00%	0.00	0.00%	38.00	59.38%
99	Professional Drywall Construction, Inc.	5	207.50	0.00	0.00%	0.00	0.00%	0.00	0.00%	93	12,727.50	438.50	3.45%	2,254.50	17.71%	1,862.00	14.63%
100	Regis Steel Corp	3	40.00	16.00	40.00%	0.00	0.00%	0.00	0.00%	66	9,296.50	1,412.50	15.19%	2,215.00	23.83%	305.00	3.28%
101	RoadSafe Traffic Systems	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	49.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
102	S & F Concrete Contractors, Inc.	23	1,368.00	160.50	11.73%	556.50	40.68%	0.00	0.00%	323	69,308.00	4,742.50	6.84%	20,912.50	30.17%	6,373.00	9.20%
103	Safespan	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	11	780.50	0.00	0.00%	56.00	7.17%	0.00	0.00%
104	Safway Services	11	893.00	56.00	6.27%	384.00	43.00%	0.00	0.00%	58	19,934.58	1,613.00	8.09%	9,926.50	49.80%	1,269.00	6.37%
105	Save-On-Wall Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	290.50	45.00	15.49%	45.00	15.49%	8.00	2.75%
106	S-Cel-O Painting, LLC	7	453.00	40.00	8.83%	83.00	18.32%	80.00	17.66%	18	5,379.50	583.50	10.85%	1,605.00	29.84%	1,034.00	19.22%
107	Schindler Elevator Corp	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	24	9,042.60	99.00	1.09%	701.20	7.75%	191.50	2.12%
108	Security Construction Services, Inc. d/b/a: Security Fence Co.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	14	3,866.00	300.00	7.76%	1,233.25	31.90%	40.00	1.03%
109	Skyline Drywall, Inc.	10	1,196.00	124.50	10.41%	465.50	38.92%	148.50	12.42%	11	3,318.00	366.50	11.05%	1,059.50	31.93%	988.50	29.79%
110	Soep Painting Corp	7	230.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	31	9,833.50	0.00	0.00%	1,092.00	11.10%	0.00	0.00%
111	Southern New England Electrical Testing, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	1,129.00	0.00	0.00%	0.00	0.00%	356.00	31.53%
112	Stamford Wrecking	2	72.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	2,085.00	76.00	3.65%	138.00	6.62%	74.00	3.55%
113	Sullivan & Narey Construction Co., Inc.	6	108.50	0.00	0.00%	33.00	30.41%	12.00	11.06%	19	3,465.50	22.50	0.65%	634.50	18.31%	115.00	3.32%
114	Superior Caulking & Waterproofing Co., Inc.	1	6.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	976.50	0.00	0.00%	264.50	27.09%	4.00	0.41%
115	T & M Equipment Corporation	4	73.00	32.50	44.52%	0.00	0.00%	0.00	0.00%	69	31,976.55	4,666.50	14.59%	5,673.55	17.74%	1,448.50	4.53%
116	Tavares, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	2,974.00	254.00	8.54%	326.00	10.96%	0.00	0.00%
117	Tech Valley Contracting, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	8	2,018.00	206.00	10.21%	0.00	0.00%	0.00	0.00%
118	Tishman	11	960.00	320.00	33.33%	320.00	33.33%	80.00	8.33%	24	29,501.00	6,701.00	22.71%	6,360.00	21.56%	6,880.00	23.32%
119	Titan Roofing Company	28	1,287.75	0.00	0.00%	366.00	28.42%	93.25	7.24%	114	26,416.75	0.00	0.00%	5,015.50	18.99%	2,000.75	7.57%
120	T.J. Conway Company	31	3,457.00	38.00	1.10%	605.50	17.52%	741.50	21.45%	78	47,896.00	2,237.00	4.67%	7,414.50	15.48%	8,080.00	16.87%

MGM Springfield

Workforce Diversity Report (By Company)

As of: December 31, 2017

Reference	Company	This Month's Workforce Diversity Statistics							Project To Date Workforce Diversity Statistics								
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
121	Triton Leasing and Rental, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	35	3,187.50	0.00	0.00%	1,547.50	48.55%	239.00	7.50%
122	Ultimate Abatement Company, Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	47	10,430.50	3,632.50	34.83%	10,119.50	97.02%	0.00	0.00%
123	Unistrut International Corporation	3	198.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	23	4,361.00	462.00	10.59%	965.00	22.13%	184.00	4.22%
124	Universal Electric Co.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	18	5,635.00	556.50	9.88%	1,284.50	22.80%	394.00	6.99%
125	Walco Installations, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	527.00	108.50	20.59%	199.00	37.76%	93.00	17.65%
126	William Roberts Electric Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	22	7,976.50	488.00	6.12%	220.00	2.76%	0.00	0.00%
127	Willow Tree Outdoor, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	261.50	0.00	0.00%	105.50	40.34%	0.00	0.00%
128	Wolfe House Movers, LLC	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	1,194.50	0.00	0.00%	306.00	25.62%	228.00	19.09%
129	Wolverine Fire Protection Co	17	1,044.00	56.00	5.36%	120.00	11.49%	0.00	0.00%	32	18,736.50	1,388.00	7.41%	4,012.00	21.41%	1,615.00	8.62%
130	Worcester Elevator Co., Inc.	-	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	12.00	0.00	0.00%	0.00	0.00%	6.00	50.00%
<b>Total - Unions</b>		<b>837</b>	<b>77,362.25</b>	<b>6,006.00</b>	<b>7.76%</b>	<b>17,202.00</b>	<b>22.24%</b>	<b>7,511.25</b>	<b>9.71%</b>	<b>4,210</b>	<b>1,294,299.97</b>	<b>99,743.96</b>	<b>7.71%</b>	<b>296,098.70</b>	<b>22.88%</b>	<b>126,478.75</b>	<b>9.77%</b>
131	On-Site Design / Management	107	7,722.85	1,074.00	13.91%	1,419.50	18.38%	674.50	8.73%	472	263,272.63	38,415.10	14.59%	42,520.33	16.15%	30,861.80	11.72%
<b>Total</b>		<b>944</b>	<b>85,085.10</b>	<b>7,080.00</b>	<b>8.32%</b>	<b>18,621.50</b>	<b>21.89%</b>	<b>8,185.75</b>	<b>9.62%</b>	<b>4,682</b>	<b>1,557,572.60</b>	<b>138,159.06</b>	<b>8.87%</b>	<b>338,619.03</b>	<b>21.74%</b>	<b>157,340.55</b>	<b>10.10%</b>

Totals - Overall			
Group	Project Goals	Project To Date	Delta
Women	6.90%	8.87%	1.97%
Minority	15.30%	21.74%	6.44%
Veteran	8.00%	10.10%	2.10%

Notes:

(1) Statistics include all workforce reports that were received by MGM as of December 31, 2017.

(2) The total number of unique union workers that have worked on site is approximately 3,827. The 4,210 union workers identified above includes workers that have worked for multiple companies.

**MGM Springfield**  
**Workforce Diversity Report (By Union)**  
**As of: December 31, 2017**

Reference	Union	This Month's Workforce Diversity Statistics							Project To Date Workforce Diversity Statistics								
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
1	AEEF CWA Local #1300	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	324.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
2	AFSCME Local #230	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	48.00	0.00	0.00%	48.00	100.00%	0.00	0.00%
3	Asbestos Workers #6	21	935.00	0.00	0.00%	294.00	31.44%	128.00	13.69%	93	15,971.00	0.00	0.00%	5,325.50	33.34%	943.00	5.90%
4	Boston Plasters' & Cement Masons' - Asphalt Layers' Union #534	6	64.50	0.00	0.00%	0.00	0.00%	0.00	0.00%	100	5,311.50	0.00	0.00%	962.50	18.12%	55.50	1.04%
5	Bricklayers Local #1	2	224.00	0.00	0.00%	120.00	53.57%	0.00	0.00%	10	1,216.00	0.00	0.00%	503.00	41.37%	0.00	0.00%
6	Bricklayers Local #3	25	950.50	110.50	11.63%	334.00	35.14%	12.00	1.26%	202	46,529.00	1,540.00	3.31%	12,319.50	26.48%	2,372.00	5.10%
7	Building Wreckers Union #1421	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	542.00	0.00	0.00%	542.00	100.00%	0.00	0.00%
8	Carpenters Local #24	1	5.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	33.50	10.50	31.34%	0.00	0.00%	0.00	0.00%
9	Carpenters Local #26	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	21.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
10	Carpenters - Local #108	170	15,779.50	1,314.00	8.33%	4,412.00	27.96%	1,391.00	8.82%	619	226,204.18	18,674.50	8.26%	62,507.50	27.63%	29,079.50	12.86%
11	Carpenters Local #107	4	368.00	0.00	0.00%	96.00	26.09%	0.00	0.00%	18	5,889.00	0.00	0.00%	1,318.00	22.38%	112.00	1.90%
12	Carpenters Local #109	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	636.50	117.00	18.38%	117.00	18.38%	0.00	0.00%
13	Carpenters Local #1305	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	366.00	0.00	0.00%	226.00	61.75%	0.00	0.00%
14	Carpenters Local #210	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	16.00	0.00	0.00%	0.00	0.00%	8.00	50.00%
15	Carpenters Local #218	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	6.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
16	Carpenters Local #33	2	250.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	13	2,932.00	45.00	1.53%	0.00	0.00%	0.00	0.00%
17	Carpenters Local #424	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	80.00	0.00	0.00%	72.00	90.00%	65.00	81.25%
18	Carpenters Local #43	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	40.00	0.00	0.00%	32.00	80.00%	0.00	0.00%
19	Carpenters Local #475	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	39.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
20	Carpenters Local #535	1	144.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	565.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
21	Carpenters Local #67	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	32.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
22	Carpenters Local #1977	1	88.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	2,406.00	0.00	0.00%	160.00	6.65%	0.00	0.00%
23	CT Bricklayers #1	1	8.00	0.00	0.00%	8.00	100.00%	0.00	0.00%	5	263.50	0.00	0.00%	238.00	90.32%	0.00	0.00%
24	Floorcoverers Local #2168	4	254.00	83.00	32.68%	158.00	62.20%	0.00	0.00%	38	5,723.00	977.00	17.07%	1,697.50	29.66%	521.50	9.11%
25	Glaziers Union Local 1133	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	197.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
26	International Association of Heat and Frost Insulators - Local 33	1	44.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	676.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
27	International Association of Iron Workers Local #7	11	736.00	120.00	16.30%	80.00	10.87%	0.00	0.00%	124	52,475.00	4,033.00	7.69%	5,699.00	10.86%	3,932.00	7.49%
28	International Association of Iron Workers Local #15	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	2,219.50	40.00	1.80%	137.00	6.17%	0.00	0.00%
29	International Brotherhood of Electrical Workers - IBEW Local #455	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	112.25	50.75	45.21%	112.25	100.00%	0.00	0.00%
30	International Brotherhood of Electrical Workers - IBEW Local #7	234	29,662.00	1,457.00	4.91%	5,419.00	18.27%	3,342.00	11.27%	608	260,511.25	18,377.75	7.05%	40,203.25	15.43%	29,432.50	11.30%
31	International Brotherhood of Electrical Workers - IBEW Local #35	14	1,575.50	196.50	12.47%	537.50	34.12%	212.50	13.49%	22	5,407.81	438.50	8.11%	1,243.95	23.00%	1,300.00	24.04%
32	International Brotherhood of Electrical Workers - IBEW Local #90	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	773.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
33	International Brotherhood of Electrical Workers - IBEW Local #103	4	255.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	16	1,554.00	164.00	10.55%	0.00	0.00%	148.50	9.56%
34	International Brotherhood of Electrical Workers - IBEW Local #104	1	25.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	25.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
35	International Brotherhood of Electrical Workers - IBEW 2nd District	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	23.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
36	International Union of Elevator Constructors Local #4	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	404.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
37	International Union of Elevator Constructors Local #41	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	33	9,277.60	99.00	1.07%	701.20	7.56%	197.50	2.13%
38	International Union of Elevator Constructors Local #42	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	46.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
39	International Union of Elevator Constructors Local #43	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	46.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
40	International Union of Operating Engineers - IUOE Local #4	5	41.50	0.00	0.00%	0.00	0.00%	0.00	0.00%	75	8,063.50	0.00	0.00%	241.50	2.99%	807.00	10.01%
41	International Union of Operating Engineers - IUOE Local #5	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	9.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
42	International Union of Operating Engineers - IUOE Local #98	17	1,196.75	190.50	15.92%	394.50	32.96%	15.75	1.32%	201	49,134.00	4,870.75	9.91%	9,460.80	19.26%	2,965.75	6.04%
43	International Union of Operating Engineers - IUOE Local #106	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	12.00	0.00	0.00%	12.00	100.00%	12.00	100.00%
44	International Union of Operating Engineers - IUOE Local #478	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	850.50	0.00	0.00%	682.50	80.25%	0.00	0.00%
45	International Union of Painters and Allied Trades - IUPAT District #11	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	125.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
46	International Union of Painters and Allied Trades - IUPAT Local #1333	4	277.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	21	6,061.00	0.00	0.00%	37.00	0.61%	369.00	6.09%
47	International Union of Painters and Allied Trades - IUPAT, DC #11, Local #481	1	80.00	80.00	100.00%	0.00	0.00%	0.00	0.00%	1	80.00	80.00	100.00%	0.00	0.00%	0.00	0.00%
48	Iron Workers District Council of New England	9	307.00	16.00	5.21%	33.50	10.91%	113.50	36.97%	143	33,691.00	4,220.00	12.53%	7,426.00	22.04%	3,604.50	10.70%
49	Laborers' District Council	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	22	2,664.50	0.00	0.00%	1,226.50	46.03%	15.00	0.56%
50	Laborer's International Union of North America - LIUNA Building Wreckers Local #1421	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	183	28,724.75	3,997.25	13.92%	26,958.75	93.85%	0.00	0.00%
51	Laborers Local #133	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	56.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
52	Laborers Local #138	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	219.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
53	Laborers Local #151	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	224.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
54	Laborers Local #175	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	6	173.00	8.00	4.62%	149.00	86.13%	0.00	0.00%
55	Laborers Local #22	1	72.00	72.00	100.00%	0.00	0.00%	0.00	0.00%	24	8,129.00	421.50	5.19%	486.00	5.98%	1,128.50	13.88%
56	Laborers Local #223	1	8.00	0.00	0.00%	8.00	100.00%	0.00	0.00%	5	204.00	0.00	0.00%	110.00	53.92%	0.00	0.00%
57	Laborers Local #230	1	40.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	1,066.75	0.00	0.00%	1,002.25	93.95%	7.50	0.70%
58	Laborers Local #243	1	8.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	3,938.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
59	Laborers Local #385	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	5	129.00	0.00	0.00%	8.00	6.20%	0.00	0.00%
60	Laborers Local #39	1	161.00	0.00	0.00%	0.00	0.00%	161.00	100.00%	5	2,552.00	0.00	0.00%	0.00	0.00%	1,927.00	75.51%
61	Laborers Local #429	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	24.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
62	Laborers Local #455	3	155.50	0.00	0.00%	155.50	100.00%	0.00	0.00%	19	5,296.50	1,496.00	28.25%	5,296.50	100.00%	0.00	0.00%
63	Laborers Local #473	2	182.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	11	2,306.50	0.00	0.00%	2.00	0.09%	0.00	0.00%
64	Laborers Local #547	1	16.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	2,039.00	0.00	0.00%	0.00	0.00%	0.00	0.00%



**MGM Springfield**  
**Workforce Diversity Report (By Union)**  
**As of: December 31, 2017**

Reference	Union	This Month's Workforce Diversity Statistics							Project To Date Workforce Diversity Statistics								
		Employee Count	This Month's Total Hours	Women		Minority		Veteran		Employee Count	Project To Date Total Hours	Women		Minority		Veteran	
				Hours	%	Hours	%	Hours	%			Hours	%	Hours	%	Hours	%
65	Laborers Local #560	1	128.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	176.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
66	Laborers Local #596	29	2,375.50	374.00	15.74%	618.00	26.02%	205.00	8.63%	201	58,835.75	6,008.50	10.21%	16,656.50	28.31%	3,269.00	5.56%
67	Laborers Local #609	3	119.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	19	1,337.00	0.00	0.00%	73.00	5.46%	114.50	8.56%
68	Laborers Local #610	3	24.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	12	314.50	0.00	0.00%	14.00	4.45%	0.00	0.00%
69	Laborers Local #611	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	270.50	0.00	0.00%	270.50	100.00%	0.00	0.00%
70	Laborers Local #665	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	1,659.50	32.00	1.93%	1,659.50	100.00%	0.00	0.00%
71	Laborers Local #675	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	133.50	0.00	0.00%	133.50	100.00%	0.00	0.00%
72	Laborers Local #88 [Tunnel Workers]	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	338.50	0.00	0.00%	8.00	2.36%	41.00	12.11%
73	Laborers Local #721	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	33.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
74	Laborers Local #876	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	40.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
75	Laborers Local #999	54	5,186.00	1,144.00	22.06%	1,709.50	32.96%	224.00	4.32%	518	141,890.46	22,428.21	15.81%	45,907.75	32.35%	14,452.00	10.19%
76	Laborers Local #1000	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	3	24.00	8.00	33.33%	8.00	33.33%	0.00	0.00%
77	Massachusetts Laborers' District Council	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	10	828.00	0.00	0.00%	85.00	10.27%	0.00	0.00%
78	Nevada Laborer's Local #872	2	144.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	1,240.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
79	Nevada Painters Local #159	1	106.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	735.00	90.00	12.24%	64.00	8.71%	0.00	0.00%
80	NY Bricklayers #2	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	4.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
81	Operating Engineers Local #4	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	15	1,637.00	0.00	0.00%	20.00	1.22%	0.00	0.00%
82	Operating Engineers Local #478	1	109.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	438.50	0.00	0.00%	139.50	31.81%	0.00	0.00%
83	Operative Plasterers and Cement Masons International Association, Local 40	6	601.50	0.00	0.00%	122.00	20.28%	0.00	0.00%	24	7,867.50	0.00	0.00%	980.50	12.46%	1,476.00	18.76%
84	Painters and Allied Trades 1M	8	410.00	64.00	15.61%	152.00	37.07%	0.00	0.00%	12	1,280.00	64.00	5.00%	152.00	11.88%	0.00	0.00%
85	Painters and Allied Trades District Council #35	18	908.00	68.00	7.49%	83.00	9.14%	80.00	8.81%	85	21,450.50	1,195.00	5.57%	3,769.00	17.57%	1,430.00	6.67%
86	Pile Drivers Local #56	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	18	2,114.00	0.00	0.00%	468.50	22.16%	180.50	8.54%
87	Plasterers and Cement Masons Local #534	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	56	2,707.00	0.00	0.00%	906.00	33.47%	151.00	5.58%
88	Plumbers & Pipefitters #104	82	7,348.50	310.00	4.22%	1,339.50	18.23%	1,024.50	13.94%	336	146,203.62	5,566.00	3.81%	19,293.00	13.20%	18,155.50	12.42%
89	Plumbers & Pipefitters Local #777	3	176.00	0.00	0.00%	0.00	0.00%	80.00	45.45%	15	2,816.00	0.00	0.00%	144.00	5.11%	827.00	29.37%
90	Roofers #248	23	1,171.00	0.00	0.00%	360.00	30.74%	71.50	6.11%	96	23,589.50	0.00	0.00%	4,734.50	20.07%	1,352.00	5.73%
91	Sheet Metal Workers #17	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	4	116.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
92	Sheet Metal Workers #19	2	58.00	0.00	0.00%	0.00	0.00%	34.00	58.62%	3	298.00	0.00	0.00%	0.00	0.00%	178.00	59.73%
93	Sheet Metal Workers #40	3	223.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	24	10,281.50	0.00	0.00%	1,146.00	11.15%	0.00	0.00%
94	Sheet Metal Workers #63	33	3,312.00	350.50	10.58%	642.00	19.38%	416.50	12.58%	88	38,724.00	3,189.25	8.24%	7,631.50	19.71%	4,234.00	10.93%
95	Sheet Metal Workers #83	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	1	8.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
96	Sprinkler Fitters #669	17	1,044.00	56.00	5.36%	120.00	11.49%	0.00	0.00%	41	20,090.50	1,388.00	6.91%	4,268.00	21.24%	1,615.00	8.04%
97	Teamsters' #404	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	9	961.50	114.50	11.91%	32.00	3.33%	0.00	0.00%
98	Teamsters Local #25	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	7	111.00	0.00	0.00%	0.00	0.00%	0.00	0.00%
99	United Union of Roofers, Waterproofers and Allied Workers/ Local Union #12	0	0.00	0.00	0.00%	0.00	0.00%	0.00	0.00%	2	761.50	0.00	0.00%	0.00	0.00%	0.00	0.00%
100	United Union of Roofers, Waterproofers and Allied Workers/ Local Union #9	1	6.00	0.00	0.00%	6.00	100.00%	0.00	0.00%	1	270.50	0.00	0.00%	270.50	100.00%	0.00	0.00%
<b>Subtotal - Other Unions</b>		<b>840</b>	<b>77,362.25</b>	<b>6,006.00</b>	<b>7.76%</b>	<b>17,202.00</b>	<b>22.24%</b>	<b>7,511.25</b>	<b>9.71%</b>	<b>4,367</b>	<b>1,294,299.97</b>	<b>99,743.96</b>	<b>7.71%</b>	<b>296,098.70</b>	<b>22.88%</b>	<b>126,478.75</b>	<b>9.77%</b>
101	On-Site Design / Management	107	7,722.85	1,074.00	13.91%	1,419.50	18.38%	674.50	8.73%	472	263,272.63	38,415.10	14.59%	42,520.33	16.15%	30,861.80	11.72%
<b>Total</b>		<b>947</b>	<b>85,085.10</b>	<b>7,080.00</b>	<b>8.32%</b>	<b>18,621.50</b>	<b>21.89%</b>	<b>8,185.75</b>	<b>9.62%</b>	<b>4,839</b>	<b>1,557,572.60</b>	<b>138,159.06</b>	<b>8.87%</b>	<b>338,619.03</b>	<b>21.74%</b>	<b>157,340.55</b>	<b>10.10%</b>

Totals - Overall			
Group	Project Goals	Project To Date	Delta
Women	6.90%	8.87%	1.97%
Minority	15.30%	21.74%	6.44%
Veteran	8.00%	10.10%	2.10%

**Notes:**

- (1) Statistics include all workforce reports that were received by MGM as of December 31, 2017.
- (2) The total number of unique union workers that have worked on site is approximately 3,827. The 4,367 union workers identified above includes workers that have worked for multiple companies and/or multiple unions.

**APPENDIX D**

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



March 7, 2018

Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA 02110

**Re: Quarterly Report – Fourth Quarter 2017**

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 costs of construction, infrastructure improvements and related costs incurred by Blue Tarp reDevelopment, LLC (“MGM”) through December 31, 2017 in connection with the development of MGM Springfield project in Springfield, Massachusetts (the “Project”) compared to MGM’s cost estimates as of that date, which costs have been calculated in accordance with 205 CMR 122.03: Costs Included in the Calculation of Capital Investment.

**Eligible Capital Costs**

**Total estimated eligible capital costs is \$708.7mm.** This total consists of: (i) \$597.9mm for construction and design; (ii) \$63.7mm for furniture, fixture, and equipment, and (iii) \$47.1mm for operating supplies and equipment. As of December 31, 2017, the following amounts have been incurred toward those categories: (i) \$430.8mm for construction and design; (ii) \$5.7mm for furniture, fixture, and equipment; and (iii) \$2.0mm for operating supplies and equipment.

**Ineligible Costs**

Total estimated ineligible costs include: (iv) \$85.0mm for license/application fee; (v) \$134.8mm for pre-opening expenses and host community costs; (vi) \$30.0mm for project contingency; (vii) \$60.7mm for land; and (viii) \$75.5mm for capitalized interest. As of December 31, 2017, the following amounts have been incurred toward those categories: (iv) \$85.0mm for license/application fee; (v) \$73.5mm for pre-opening expenses and host community costs; (vi) \$0.0mm in project contingency costs; (vii) \$60.7mm for land; and (viii) \$38.7mm for capitalized interest.

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 Quarterly Report on Form 10-K for the annual period ended December 31, 2017, filed with Securities and Exchange Commission (the “SEC”) on March 1, 2018, which is 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 Project.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Courtney Wenleder', with a long horizontal flourish extending to the right.

Courtney Wenleder  
Vice President & CFO

cc: Michael Mathis, President & COO  
Seth N. Stratton, Vice President & Legal Counsel  
Edward Pikula, Esq., Springfield City Solicitor

**APPENDIX E**

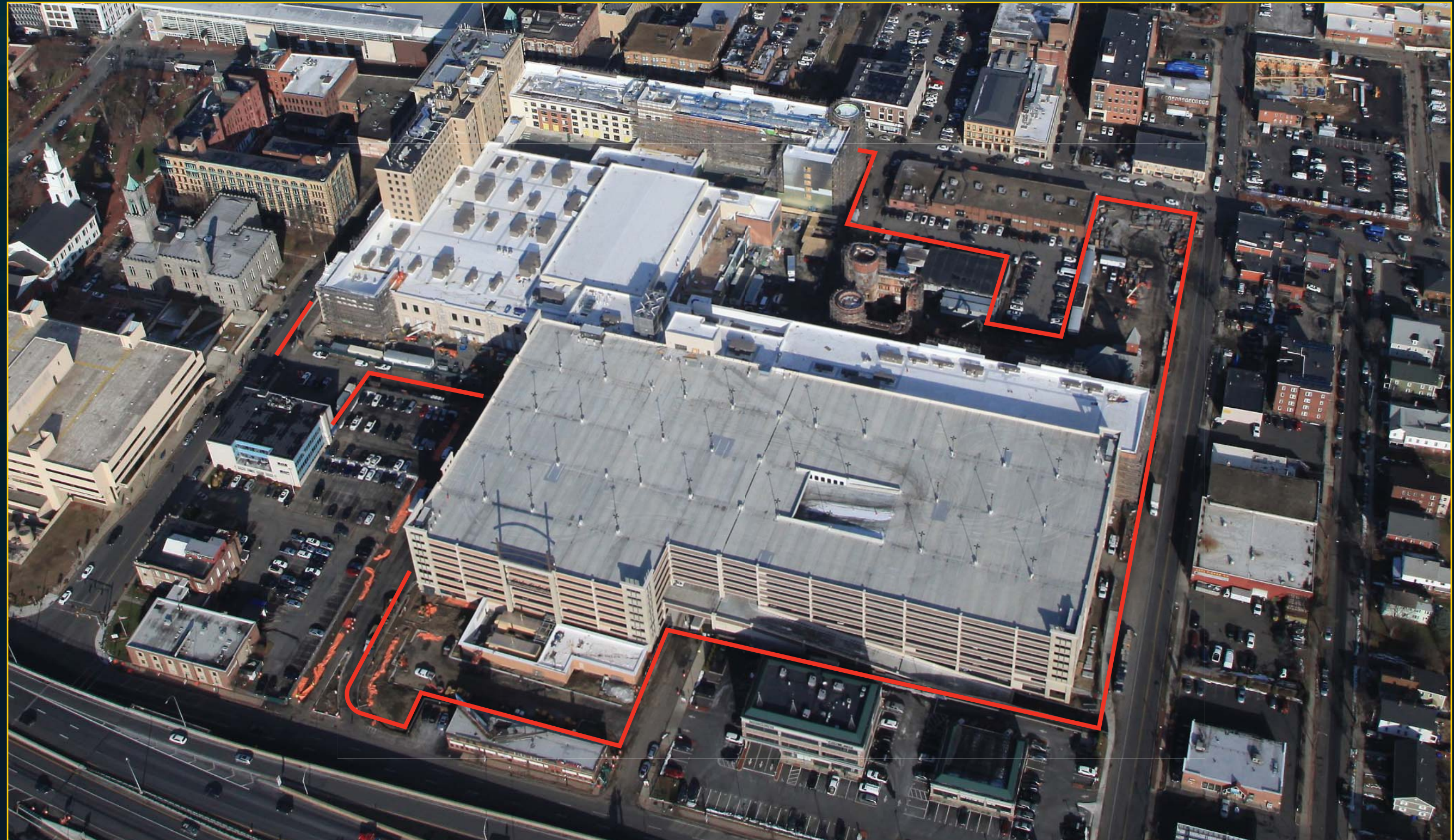
**CONSTRUCTION SITE PROGRESS IMAGES AS OF DECEMBER 31, 2017**

# ONE YEAR AGO



Aerial View - December 16, 2016

# AERIAL PROGRESS



Aerial View - December 19, 2017

# GARAGE CONSTRUCTION PROGRESS



Workers Parking in Garage - October 10, 2017



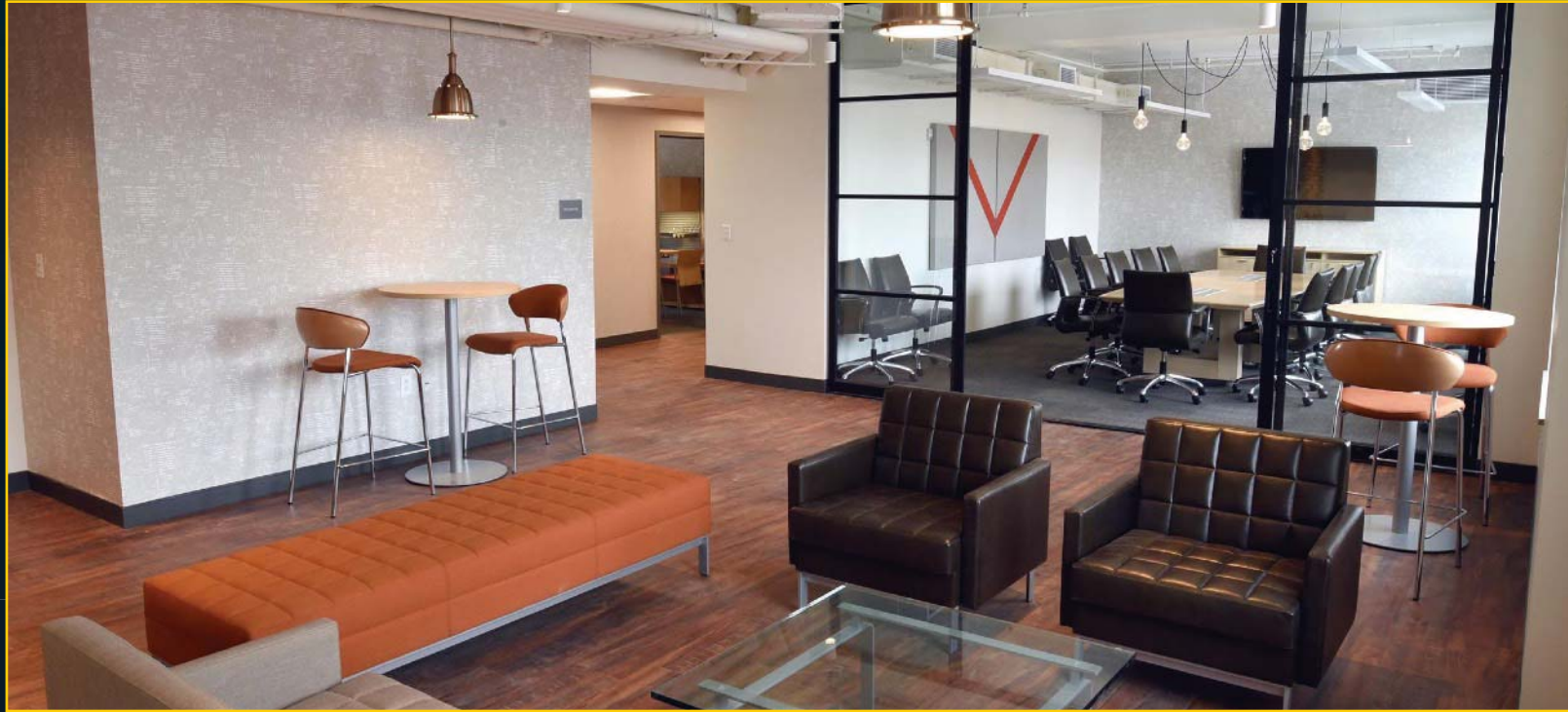
Garage Construction - December 1, 2017



Garage and Union St - December 1, 2017



# 95 STATE STREET



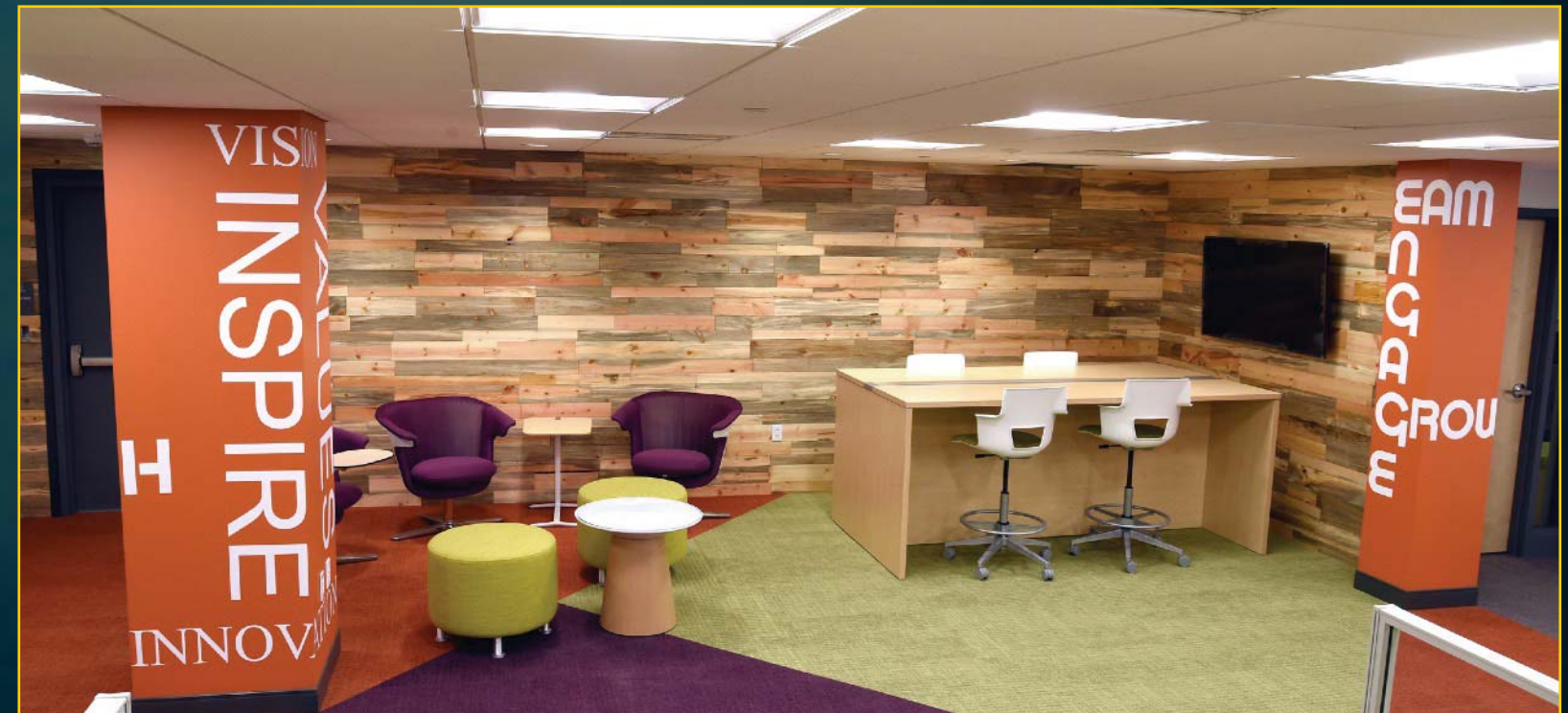
95 State 8th Floor Exec Offices - December 29, 2017



95 State 4th Floor Training Room - December 29, 2017



95 State 8th Floor - December 29, 2017



95 State 3rd Floor - December 29, 2017

# HOTEL EXTERIOR PROGRESS



Main St Facades - December 27, 2017



Main St Facades - December 27, 2017

# HOTEL INTERIOR PROGRESS



Hotel Room - December 20, 2017



Hotel Room - December 20, 2017

# PODIUM / ARMORY PROGRESS



MGM Way Facade - December 19, 2017



Armory Progress

# EARLY CHILDHOOD CENTER



Daycare Construction - December 19, 2017



Daycare Construction - December 19, 2017



**TO:** Chairman Crosby; Commissioners Cameron, McHugh, Stebbins and Zuniga

**FROM:** Jill Griffin, Director of Workforce, Supplier and Diversity Development  
John S. Ziemba, Ombudsman

**DATE:** March 13, 2018

**RE:** 2018 Community Mitigation Fund Gaming School Scholarships Applications

---

The 2018 Community Mitigation Fund Review Team seeks the Commission's guidance in its review of requests that the Commission provide funding for scholarships to gaming schools that are underway or soon to be underway. Because one gaming school, being run by the Massachusetts Casino Careers Training Institute (MCCTI) in collaboration with MGM Springfield, is currently underway, an expeditious decision on whether to fund scholarships is warranted.

Brief Background on Timetable. In December 2017, the Commission approved the guidelines for the Community Mitigation Fund (CMF), which authorized funding for Workforce Development Pilot Programs. By the February 1, 2018 CMF deadline, the Commission received three applications for a pilot program, two in Region A (MetroNorth Regional Employment Board, Boston Private Industry Council) and one application in Region B (a joint application by MCCTI-Holyoke Community College (HCC), Springfield Technical Community College (STCC), and Springfield Public Schools (SPS)). The 2018 CMF Review Team is reviewing these Workforce Development Pilot Program applications as part of its review of all the 2018 CMF applications.

Although the Review Team plans to provide its recommendations to the Commission well before the beginning of the FY2019 fiscal year, it seeks guidance now on one item, potential scholarship assistance, well before this deadline. The Region B Joint Applicants have requested a waiver of the Commission's planned timeline in order to begin their readiness and skills training "as soon as possible in FY18 and continue in FY19 in order to meet industry needs in time for the hiring events of MGM Springfield scheduled for late spring and early summer in anticipation of a fall 2018 opening." Although the Joint Applicants request expeditious review of more than their proposal for scholarship assistance, the Review Team believes that the timing is especially acute for scholarship assistance. The first gaming school classes under MCCTI began on February 26, 2018. Under the MCCTI, students must take a Level-1 Class (Blackjack-1, Roulette-1, Craps-1, or Poker-1) before they take a Level-2 Class (Carnival Games-2, MiniBaccarat/PaiGow Poker-2, Blackjack-2, Roulette-2, or Craps-2). The first round of second level classes begins on April 9. The next round of Level-1 classes is scheduled to begin on May 7. Even with an immediate decision by the Commission, it is unclear if a scholarship program could be put in place by April 9. Staff has communicated with a representative of the Joint Applicants who noted that it may be possible to put a program in place, but is more likely that a program would be ready by May 7.

S:\ZIEMBA\Mitigation Grants\2018 Mitigation Fund\Edited Memo on Gaming School Scholarships.docx



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)

The gaming school in Region A is not due to begin operations until at least late Spring.

Funding Requests (see excerpts for full details):

- The Region B Joint Applicants have requested \$60,000 for MCCTI scholarships for up to 75 unemployed or underemployed gaming school students.
- The Boston Private Industry Council application is seeking funding for scholarships for 35 training spots at the Region A gaming school

The Review Team is mindful that the Commission has spent considerable time reviewing gaming schools, the role of our licensees in assisting with the gaming schools, and questions of how to fund such schools. Given this, we seek at least an initial conversation by the Commission of some of the following questions (in addition to those generated by Commissioners during the discussion):

- Should the Commission provide funding for scholarships?
- If the Commission provides funding for scholarships, should such scholarships be full or partial scholarships?
- Is there any role for licensees in helping to provide for scholarships (e.g. MGM Springfield program to reimburse students for the cost of gaming schools if they remain in employment for at least one year)?
- Is there any role for host or surrounding communities providing for scholarships (similar to the City of Holyoke's scholarships for unemployed City residents to the HCC MGM Culinary and Hospitality School)?
- If the Commission authorizes scholarships now, should it be anticipated / expected that the Community Mitigation Fund will continue to fund scholarships in future years?
- How should these requests be expeditiously reviewed given the early stage in the Commission's thorough review process (meetings with applicants, public comment, applicant written answers to questions, etc.)?

**Excerpts from Holyoke Community College / Springfield Technical Community College / Springfield Public Schools Joint Application**

***b) Please identify below the manner in which the funds are proposed to be used***

Estimated expenses are presented below and the final project budget will be developed as part of the program award. Please see the attached proposed budget for information.

**Gaming School Scholarship Fund - \$60,000**

Work Ready is seeking to fund Gaming School (MCCTI) scholarships for qualified job seekers, who are unemployed or underemployed. As part of the Gaming School application process, applicants demonstrating need will be provided on average 250 hours of skills training to become dealers at no cost (including but not limited to uniforms and transportation.) For the unemployed the fees for gaming classes may be challenging, by providing a scholarship one more obstacle to employment is removed. Through this scholarship, participants will be trained in two games; with successful completion, students will be eligible for an audition with MGM Springfield. It is estimated that this fund will serve up to 75 individual job seekers. HCC will manage the scholarship fund.

***d) Please describe how the mitigation request will address the specific impact indicated.***

Work Ready will enroll up to 75 individuals in the gaming school through scholarships, up to 90 individuals in line cook training, 100 in Hampden Prep, and 100 individuals in Ahead of the Game in order to get them into the pipeline for skills training and job placement. Given the current occupational vacancies in the hospitality sector and the imminent workforce demand of MGM Springfield, Work Ready's outcome of over 300 trained job seekers will significantly impact and complement the current workforce development efforts of the industry and MGM. The intent is to operate these programs as soon as possible to assist the ramp-up efforts of MGM, as well as assist existing companies in the backfill needs of other businesses within the hospitality industry.

**Outcomes:**

**Part 1 Dealer Training:**

For the \$60,000 it is planned to provide scholarships for dealer training to 75 individuals; the goal is to provide at least 65 scholarships or 85+% of capacity. In addition it is anticipated that of the 65 participants there will be 80% (52) that complete the training for two games and be eligible for an audition with MGM Springfield.

**Excerpt From letter to Commission from Holyoke Community College**

Holyoke Community College and Springfield Technical Community College, in collaboration under our Training and Workforce Options (TWO) initiative, has been a statewide leader in the development of casino training programming. Through the support of the 2018 Community Mitigation Fund, scholarships to low-income residents interested in a casino gaming career will ensure that all potential and skilled employees have access to the required training.

**Excerpt from Springfield Technical Community College Letter of Support for Holyoke**

In addition, STCC, along with Training and Workforce Options (TWO) partner Holyoke Community College (HCC), has been at the forefront of casino curriculum development since gaming was first legalized in the state. Providing scholarships to community residents interested in becoming dealers at the casino will ensure that all potential employees have ready access to the training they need to be hired.

**Excerpts from Boston Private Industry Council Application**

**Question 1**

The cost of these newly designed gaming classes may create further barriers and impact those with the greatest needs. At this time, it appears that the cost of the classes will be an out-of-pocket expense to the job seeker. Particularly since Wynn Boston Harbor is the only employer in the region, taking these classes without a guarantee of being hired creates a financial risk for participants. Although these positions have the potential to attract a wide range of applicants, the cost will be prohibitive to many.



**Question 2**

2) Gaming Pilot – Fund a pool of students through a gaming school. Enrollment will prioritize individuals of color with a high school diploma who can take classes for two games at the MGC-approved gaming school.

**Question 3**

- Supporting a new gaming school and access to training funds.

**Question 4**

The largest job category includes a projected 1,325 positions at the gaming tables. This is expected to be the biggest draw for job seekers interested in casino employment. Applicants must complete two trainings at an approved gaming school before they will be considered for hire at the Wynn resort. The cost of the training is a barrier for many, particularly in low-income communities. The estimated cost to be trained on two games, at 200 training hours per game, is \$1,100. As a stand-alone training, this cost is not covered by Pell grants and is not currently on the regional approved training vendor list. Because the full cost of the training would be paid by the job seeker, this is a high-risk investment – there is no guarantee of employment and no other gaming employer in the region. The GBCPI project proposes funding 35 training slots at the approved gaming school. Eligible applicants will also have career counseling and peer support both pre- and post-training. This pilot will help the GBCPI understand what resources and supports are necessary for the job seeker to be successful in this occupation.

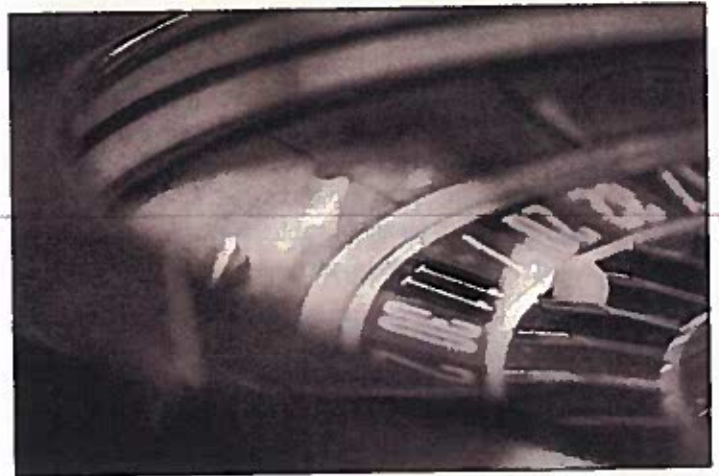


# Massachusetts Casino Careers Training Institute

## Which classes should you take?

FIRST, start with a Level-1 Class:	SECOND, then take one or more Level-2 Classes:
Blackjack-1	Carnival Games-2
Roulette-1	Mini Baccarat/PGP-2
Craps-1	Blackjack-2
Poker-1	Roulette-2
	Craps-2

*Successfully completing classes for two or more games guarantees you an audition with MGM.*



Next, choose a start date and morning, afternoon or evening session:

## Class Schedule

### Starts Feb. 26

- Blackjack-1 Morning, 8:00- 12:20, Ends April 6  
Afternoon, 1:00- 5:20  
Evening, 6:00- 10:20
- Roulette-1 Morning, 8:00- 1:00, Ends April 6  
Afternoon, 1:00- 6:00  
Evening, 6:00- 11:00
- Craps-1 Morning, 8:00- 12:00, Ends May 4  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00

### Starts April 9

- Carnival Games-2 Morning, 8:00- 12:00, Ends May 4  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00
- Mini Baccarat/PGP-2 Morning, 8:00- 12:00, Ends May 4  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00

### Starts April 16

- Poker-1 Afternoon, 2:00- 6:00, Ends June 22  
Evening, 7:00- 11:00

### Starts May 7

- Blackjack-1 Morning, 8:00- 12:20, Ends June 15  
Afternoon, 1:00- 5:20  
Evening, 6:00- 10:20

**Classes to be held Monday to Friday at  
95 State Street in Springfield.**

To register, go to

**[www.mccti.org](http://www.mccti.org)**

For more information, call 413-552-2086

### Starts May 7 Continued

- Roulette-1 Morning, 8:00-1:00, Ends June 15  
Afternoon, 1:00- 6:00  
Evening, 6:00- 11:00
- Craps-1 Morning, 8:00- 12:00, Ends July 13  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00
- Blackjack-2 Morning, 8:00- 12:20, Ends June 15  
Afternoon, 1:00- 5:20  
Evening, 6:00- 10:20
- Roulette-2 Morning, 8:00- 1:00, Ends June 15  
Afternoon, 1:00- 6:00  
Evening, 6:00- 11:00
- Craps-2 Morning, 8:00- 12:00, Ends July 13  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00

### Starts June 18

- Carnival Games-2 Morning, 8:00- 12:00, Ends July 13  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00
- Mini Baccarat/PGP-2 Morning, 8:00- 12:00, Ends July 13  
Afternoon, 1:00- 5:00  
Evening, 6:00- 10:00

## Tuition

Blackjack-1	\$399	Carnival Games-2	\$199
Roulette-1	\$399	Mini Baccarat/PGP-2	\$199
Craps-1	\$599	Blackjack-2	\$249
Poker-1	\$459	Roulette-2	\$269
		Craps-2	\$399

## Course Descriptions

### Level-1 Classes

Take one of these first. Level-1 classes contain all the essential requirements.

#### Blackjack-1

A Level-1 class includes Introduction to Massachusetts Gaming for Licensees. Prepares students to be proficient blackjack dealers. Covers chip-handling; shuffling; wagering; payoffs; card dealing; table layout, opening, and closing; security; guest service, etc.



The first component of the course will concentrate on correct chip-handling techniques, identifying the value of each color chip, learning to read the total value of a bet, and proper pit procedures. Then, the course will teach the fundamentals of dealing Blackjack. Emphasis will be placed on card totaling, chip cutting and handling, card shuffling, and card placement. Special attention will be given to game and accounting procedures, accuracy and speed.

Intro to Mass. Gaming for Licensees covers: Mass. gaming legislation and regulations; job readiness; employee obligations; industry standards, practices, and procedures; customer service relations; guest service excellence and expectations; problem gaming; and CPR.

*Prerequisites:* Positive attitude, basic math skills, ability to pass a CORI background check and meet all licensing requirements, a signed student contract.

**Number of Training Hours:** 130

**Price:** \$399

#### Roulette-1

A Level-1 class includes Introduction to Massachusetts Gaming for Licensees. Prepares students to be proficient Croupiers. Covers table layout, chip handling, wagers, payouts, spinning the wheel and ball, dealer duties, rules, procedures, game protection and more.

Emphasis will be placed on accurate and quick mental multiplication, chip handling, memorization of table layout, and accuracy in clearing the table.

Intro. to Mass. Gaming for Licensees covers: Mass. gaming legislation and regulations; job readiness; employee obligations; industry standards, practices, and procedures; customer service relations; guest service excellence and expectations; problem gaming; and CPR.

*Prerequisites:* Positive attitude, basic math skills, ability to pass a CORI background check and meet all licensing requirements, a signed student contract.

**Number of Training Hours:** 150

**Price:** \$399

#### Craps-1

A Level-1 class includes Introduction to Massachusetts Gaming for Licensees. Prepares students to be proficient members of a craps crew. Covers the roles, rules, and procedures of the game; chip-handling; wagering and payoffs; security; guest service and more.

Covers the fundamentals of dealing Craps. Emphasis will be placed on the knowledge of the procedures on a variety of bets, accurate and quick mental multiplication, and chip handling. Special attention will be given to game and accounting procedures, accuracy and speed.

Intro. to Mass. Gaming for Licensees covers: Mass. gaming legislation and regulations; job readiness; employee obligations; industry standards, practices, and procedures; customer service relations; guest service excellence and expectations; problem gaming; and CPR.

*Prerequisites:* Positive attitude, basic math skills, ability to pass a CORI background check and meet all licensing requirements, a signed student contract.

**Number of Training Hours:** 200

**Price:** \$599

#### Poker-1

A Level-1 class includes Introduction to Massachusetts Gaming for Licensees. Prepares students to be accurate, efficient, professional poker dealers. Covers mechanical skills, techniques, rules, common procedures and policies, customer interaction, best behaviors and more.

Covers the essentials of dealing Poker and preparing for a career as a Poker dealer. You'll train and practice dealing Poker from the hand including the fundamentals of rake/antes/blind bets, game rules and regulations, dealer's responsibilities, and game security.

Intro. to Mass. Gaming for Licensees covers: Mass. gaming legislation and regulations; job readiness; employee obligations; industry standards, practices, and procedures; customer service relations; guest service excellence and expectations; problem gaming; and CPR.

**Prerequisites:** Positive attitude, basic math skills, ability to pass a CORI background check and meet all licensing requirements, a signed student contract.

**Number of Training Hours:** 200

**Price:** \$459

## Level-2 Classes

After completing a Level-1 class, take a different game. Choose one or more of these. For example, after Blackjack-1 take Carnival Games-2. But, don't take Blackjack-2 after Blackjack-1.

### Carnival Games-2

A Level-2 class prepares students to deal various poker derivative games such as Three Card Poker. This class covers the layout, possible bets, progressive and bonus options, dealing, the pay/take process, dead games, game protection & guest service.

For those who already have training in other games, this course accommodates the experience, knowledge and skills acquired in previous game training.

**Prerequisite:** Successful completion of a Level-1 class.

**Number of Training Hours:** 80

**Price:** \$199

### Mini Baccarat/PGP-2

A Level-2 class prepares students to be proficient dealers of Mini Baccarat and Pai Gow Poker. Covers the rules and procedures for both games including dealing, shuffling, wagers, payoffs, progressive combinations for Baccarat, commissions in Pai Gow Poker and more.

For those who already have training in other games, this course accommodates the experience, knowledge, and skills acquired in previous game training. Emphasis will be placed on commissions and percentages, immediate calculation, customer relations, and security.

**Prerequisite:** Successful completion of a Level-1 class.

**Number of Training Hours:** 80

**Price:** \$199



### Blackjack-2

A Level-2 class for those who already have training in other games, this course accommodates the experience, knowledge, and skills acquired in previous game training. Prepares students to be proficient blackjack dealers. Covers chip-handling; shuffling; wagering; payoffs; table layout, opening, and closing; security; guest service, etc. The first component of the course will concentrate on correct chip-handling, learning to read the total value of a bet, and proper pit procedures. Then, the course will teach the fundamentals of dealing Blackjack. Emphasis will be placed on card totaling, chip cutting and handling, card shuffling, and card placement. Special attention will be given to game and accounting procedures, accuracy and speed.

**Prerequisite:** Successful completion of a Level-1 class.

**Number of Training Hours:** 130

**Price:** \$249

### Roulette-2

A Level-2 class for those who already have training in other games, this course accommodates the experience, knowledge, and skills acquired in previous game training. Prepares students to be proficient Croupiers. Covers table layout, chip handling, wagers, payouts, spinning the wheel and ball, dealer duties, rules, procedures, game protection and more.

Emphasis will be placed on accurate and quick mental multiplication, chip handling, memorization of table layout, and accuracy in clearing the table.

**Prerequisite:** Successful completion of a Level-1 class.

**Number of Training Hours:** 150

**Price:** \$269

### Craps-2

A Level-2 class for those who already have training in other games, this course accommodates the experience, knowledge, and skills acquired in previous game training. Prepares students to be proficient members of a craps crew. Covers the roles, rules, and procedures of the game; chip-handling; wagering and payoffs; security; guest service and more.

Covers the fundamentals of dealing Craps. Emphasis will be placed on the knowledge of the procedures on a variety of bets, accurate and quick mental multiplication, and chip handling. Special attention will be given to game and accounting procedures, accuracy and speed.

**Prerequisite:** Successful completion of a Level-1 class.

**Number of Training Hours:** 200

**Price:** \$399

## Gaming School Policies

### Attendance

Only one unexcused absence is permitted. In case of an absence, you are required to call 413-552-2086. Doors close 5 minutes after class starts.

### Attire

Black slacks, white button down shirt or blouse and comfortable black shoes

### You will be evaluated on:

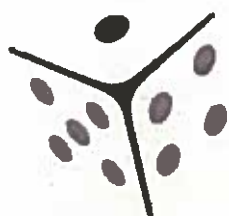
- Attendance and Punctuality
- Attitude
- Ability to follow instructions/directions of the classroom instructor, case manager and program director
- Participation in classroom discussion and hands-on training
- Completion of homework assignments and the weekly tests
- Test scores

### Snow Days

In case of inclement weather, check the local news media. If classes are delayed or cancelled at Springfield Technical Community College, the gaming school will also be cancelled.

### Refunds

- By the Friday before the first class meeting, 100% of all fees less \$30.
- After the Friday before the 1<sup>st</sup> class meeting, but before the 3<sup>rd</sup> class meeting, 50% of course fee.
- No refund will be granted after the start of the third class meeting.
- If the school cancels a course, 100% of all fees are refunded.
- If a student has to be removed from a class for behavior, attendance, or other issues – no refund will be granted. A copy of the "Student Code of Conduct" can be obtained from MCCTI at HCC, Kittredge Center Attn: Sheila Kelly, 303 Homestead Ave, Holyoke, MA 01040.



To register for class, go to:

**[www.mccti.org](http://www.mccti.org)**

For more information, call:

**413-552-2086**

Mailing address for forms and other paperwork:  
MCCTI at HCC, Kittredge Center, 303 Homestead Ave.,  
Holyoke, MA 01040.

Classes to be held at 95 State Street in Springfield, MA.

## Summary of the Application Process for a Gaming Employee License

To ensure that employees of casinos in Massachusetts meet the requirements of good character, honesty, and integrity -- all employees have to be licensed by or registered with the Massachusetts Gaming Commission (MGC). Table game dealers -- for blackjack, roulette, craps, poker, carnival games, baccarat, etc. -- will need a Massachusetts Gaming Employee License. Other employees will need other licenses or a registration.

People who wish to be dealers will follow these steps:

1. Successfully complete the gaming school. (Experienced dealers who do not wish to enhance their skills may choose to skip this step.)
2. Audition with the casino.
3. Be offered a job by the casino.
4. After receiving a job offer, fill out the application for a Massachusetts Gaming Employee License. There will be a \$300 application fee, but the casino *may offer* payroll deductions.

Your application must be complete and truthful. It has to include a notarized authorization to release tax information, a certification that you have paid your taxes, valid identification, and fingerprinting for a criminal records check. You will be asked to provide information about: your citizenship, work status, residency, military history, offices and positions held, gaming license history if any, employment history, financial issues, lawsuits or judgments against you, etc.

### Reasons an Application Can Be Denied

The MGC shall deny a gaming employee license if the individual has been convicted of a felony or other crime involving embezzlement, theft, fraud or perjury; submitted an application that contains false or misleading information; committed prior acts which have not been prosecuted or in which the applicant was not convicted but form a pattern of misconduct that makes the applicant unsuitable.

In determining whether an applicant is suitable for a license, the MGC may evaluate and consider the overall reputation of the applicant including, without limitation: the integrity, honesty, good character, and reputation of the applicant; and whether the applicant has been convicted of a crime of moral turpitude.

For additional information, you can go to the MGC site:

<https://massgaming.com/licensing/employee-licensing-and-registration/>



*Division of Racing*

TO: Stephen Crosby, Chairman  
Gayle Cameron, Commissioner  
Lloyd Macdonald, Commissioner  
Bruce Stebbins, Commissioner  
Enrique Zuniga, Commissioner

FROM: Alexandra Lightbown, Director of Racing

CC: Edward Bedrosian, Executive Director  
Catherine Blue, General Counsel

DATE: March 15, 2018

RE: Harness Horseman's Association of New England  
Pension Plan

---

Dear Commissioners,

In accordance with Massachusetts General Law Chapter 23K, today the Harness Horseman's Association of New England will present their proposed rules and eligibility requirements of the pension plan they have developed, for your review. They have not had a pension plan before, so this is being brought to the Massachusetts Gaming Commission now. Massachusetts Gaming Commission staff has not had time to fully review the plan. At a later date, the plan will be brought back to the Commission with a request for your approval.

Massachusetts General Law Chapter 23K, Section 60 (c) (iii): Race Horse Development Fund, reads as follows:

(iii) 4 per cent shall be used to fund health and pension benefits for the members of the horsemen's organizations representing the owners and trainers at a horse racing facility for the benefit of the organization's members, their families, employees and others under the rule and eligibility requirements of the organization, as approved by the commission; provided, however, that this amount shall be deposited within 5 business days of the end of each month into a separate account to be established by each respective horsemen's organization at a banking institution of its choice; and provided further, that of this amount, the commission shall determine how much shall be paid annually by the horsemen's organization to the thoroughbred jockeys or standardbred



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)

drivers organization at the horse racing facility for health insurance, life insurance or other benefits to active and disabled thoroughbred jockeys or standardbred drivers under the rules and eligibility requirements of that organization.



Massachusetts Gaming Commission

101 Federal Street, 12<sup>th</sup> Floor, Boston, Massachusetts 02110 | TEL 617.979.8400 | FAX 617.725.0258 | [www.massgaming.com](http://www.massgaming.com)



P.O. Box 1811, Plainville, MA 02762

Website: [www.hhane.com](http://www.hhane.com)  
Email: [hhanesec@hhane.com](mailto:hhanesec@hhane.com)

Executive Secretary p 508-824-1074 f 508-824-0154

March 16, 2018

**PLEASE READ THIS IMPORTANT NOTICE AND  
COMPLETE THE NECESSARY ACTION STEPS**

Dear Trainers and Drivers:

As you know the Harness Horseman's Association of New England (HHANE) offers many membership benefits. The newest benefit to be added is a Retirement Savings Plan ("RSP"). In order for the HHANE to manage the RSP in a timely fashion, it is important to know your responsibilities:

1. You must complete a "Retirement Savings Plan Application."
2. You must complete the enclosed "Beneficiary Designation" form, and you should review and update your beneficiary elections regularly.
3. You must provide your address, phone number(s), and an e-mail address (if you have one) to HHANE every year.

The HHANE has worked hard to provide the RSP for you. Your efforts to complete the forms with the information necessary to facilitate this process would be greatly appreciated.

**Participation Requirements**

The following minimum annual requirements to participate in the HHANE RSP are:

1. You must be a member in Good Standing of the HHANE by May 31<sup>st</sup> of each year, and you must maintain your Good Standing at all times.

PLEASE NOTE: You must submit a renewal Membership Application every year. Failure to renew your membership in HHANE every year will result in forfeiture of any unvested contributions to your RSP account. Forfeited amounts are reallocated to the remaining active Participants.

2. Trainers: To participate in the RSP each year, Trainers must complete a minimum of two (2) Qualified Starts per month during seven separate months of the Racing Season at the Plainridge Park Racecourse ("Racecourse").
3. Drivers: To participate in the RSP each year, Drivers must complete a minimum of four (4) Qualified Starts per month during the seven separate months of the Racing Season at the Racecourse.

PLEASE NOTE: Any Trainer or Driver who does not complete the minimum number of Qualified Starts per month during the seven separate months of the Racing Season will forfeit any unvested contributions to his or her RSP account. Forfeited amounts are reallocated to the remaining active Participants.



**“Points” – Earning a Contribution to the RSP**

Each year, you may earn the right to receive a contribution to your RSP account by earning a “Point,” or a portion of a Point. You may only earn one Point per Plan year. You earn a Point or a portion of a Point based on your number of Qualified Starts during the Racing Season as either a Driver or a Trainer.

PLEASE NOTE: You cannot combine Qualified Starts earned as a Driver and a Trainer in any Plan year. You will receive the most number of Qualified Starts earned in either capacity. You will receive an annual statement that will contain information on how your RSP benefit is calculated.

**Trainers**

Trainers who are Massachusetts residents must have a minimum of 20 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 20 to 39 Qualified Starts
- ½ Point: 40 to 59 Qualified Starts
- ¾ Point: 60 to 79 Qualified Starts
- 1 Point: 80 or more Qualified Starts

Trainers who are NOT Massachusetts residents must have a minimum of 30 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 30 to 59 Qualified Starts
- ½ Point: 60 to 89 Qualified Starts
- ¾ Point: 90 to 119 Qualified Starts
- 1 Point: 120 or more Qualified Starts

**Drivers**

Drivers that are Massachusetts residents must have a minimum of 40 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 40 to 79 Qualified Starts
- ½ Point: 80 to 119 Qualified Starts
- ¾ Point: 120 to 159 Qualified Starts
- 1 Point: 160 or more Qualified Starts

Drivers that are NOT Massachusetts residents must have a minimum of 60 Qualified Starts per Racing Season to earn a contribution to the RSP. Points are earned as follows:

- ¼ Point: 60 to 119 Qualified Starts
- ½ Point: 120 to 179 Qualified Starts
- ¾ Point: 180 to 239 Qualified Starts
- 1 Point: 240 or more Qualified Starts

**Retroactive Contributions**

HHANE will make a contribution to your RSP account for the Plan years ending December 31, 2013, December 31, 2014, December 31, 2015, and December 31, 2016 based on the number of your Qualified Starts during each of those Plan years as follows:

**Trainers (Massachusetts and non-Massachusetts residents)**

- ¼ Point: 10 to 24 Qualified Starts
- ½ Point: 25 to 39 Qualified Starts
- ¾ Point: 40 to 54 Qualified Starts
- 1 Point: 55 or more Qualified Starts

March 16, 2018

Page 3

Drivers (Massachusetts and non-Massachusetts residents)

- ¼ Point: 20 to 49 Qualified Starts
- ½ Point: 50 to 79 Qualified Starts
- ¾ Point: 80 to 109 Qualified Starts
- 1 Point: 110 or more Qualified Starts

Vesting

Trainers and Drivers must participate in the RSP for five (5) consecutive years to become vested in the amount in his or her RSP account. When you complete five (5) years of vesting service, you will become 100% vested in your RSP account. After you are vested, breaks in service are allowed.

PLEASE NOTE: Participants may only earn vesting service as of the Plan year beginning January 1, 2017. There is no retroactive vesting for any contributions for 2013 to 2016. You must complete five (5) consecutive years of vesting service beginning as of January 1, 2017 to become vested in any contributions for 2013 to 2016.

To earn a year of vesting service, you must satisfy the following requirements each Plan year:

1. You must be a member of HHANE in Good Standing.
2. You must satisfy the participation requirements described above.
3. You must complete the minimum number of Qualified Starts to earn ¼ Point.

**EXCEPTIONS:**

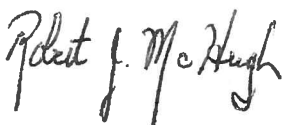
1. Participants who reach age 65 before completing five (5) years of vesting service will immediately become vested in his or her RSP account.
2. Participants who die or become Totally Disabled while the Participant is an active Trainer or Driver at the Racecourse will immediately become vested in his or her RSP account regardless of the number of years of vesting service.

TAKE ACTION

1. Please complete the enclosed Retirement Savings Plan Application.
2. Please complete the enclosed Beneficiary Election form.
3. Please review the Question and Answer Information Sheet we've put together for you in anticipation of any questions you might have. However, should you require further information, please contact any Board member and they will be happy to assist.

HHANE is glad to have members like you and, by working together to get the information we need in a timely fashion, we will be able to provide you with improved service.

Sincerely,



Robert J McHugh, President  
Harness Horseman's Association of New England

Enclosures: 3

## QUESTIONS AND ANSWERS INFORMATION SHEET

What is the “Committee”?

“Committee” refers to the individuals who are appointed by the Board of Trustees of HHANE to supervise the administration of the RSP. The Committee has broad discretion to implement rules and procedures for administering the Plan.

What is a Massachusetts Resident?

A Trainer or Driver who proves Massachusetts residency by providing the Committee with one of the following items during a Plan year:

- Massachusetts Driver’s License with a Massachusetts address
- Massachusetts state income tax return
- Massachusetts real estate tax invoice for property in the State of Massachusetts
- Other documentation that satisfies the Committee that the Trainer or Driver is a Massachusetts Resident.

What is a racing season?

The period that generally begins in early April and generally ends in November, as defined by the Racecourse, during any Plan year.

What is a Qualified Start?

Any pari-mutuel race held during the Racing Season where a Trainer or Driver is listed in the racetrack program or Judge’s book as the official Trainer or Driver for the horse entered in the race. If a program entity is scratched or cancelled for any reason prior to the race, the race is not a Qualified Start.

Where does the information for Qualified Starts come from?

The information comes directly from the United States Trotting Association (USTA)

What is a member in Good Standing?

A Participant who is current on dues and payments owed to HHANE, who complies with the rules and requirements of HHANE and Racecourse, and who has not has his or her membership in HHANE revoked for any reason.

How will I know how much money is in my RSP account?

Each participant will receive an annual statement as soon as administratively possible following the end of each Plan year.

What does vested mean?

Put simply, “vested” refers to the amount of money in your RSP account that you can take with you when you leave the Plan. You may have money in your account before you become vested. You cannot take that money out of your account until you become vested.

If I turn 65 this year will I automatically be vested?

Yes.

What does “Totally Disabled” mean?

To be Totally Disabled you must have a disability that makes you permanently incapable of participating in harness racing as a Driver or a Trainer

What if I “cash-out” of the Plan?

You may only “cash-out” of the Plan when you become vested. Once a distribution of your account is made to you, you may not re-enter the Plan

Who can I contact with questions?

Any Board Member will be happy to assist you.

# Trainer/Driver Retirement Savings Plan



P.O. Box 1811  
Plainville, MA 02762

## Harness Horseman's Association of New England Participation Statement

I hereby apply for participation in the Harness Horseman's Association of New England Retirement Savings Plan for Trainers and Drivers. I have been advised I must be a member in good standing of the HHANE by May 31<sup>st</sup> of each year and must maintain my good standing at all times.

You have informed me a copy of this Plan is available for review by contacting the HHANE.

I certify to the Committee that my date of birth is:

\_\_\_\_ - \_\_\_\_ - \_\_\_\_  
Month Day Year

My Social Security Number is

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

## Personal Information

Name: \_\_\_\_\_  
Last First Middle Initial Suffix (if applicable)

Physical Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Mailing Address (if different from physical address above)

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Primary Phone No. \_\_\_\_\_ Secondary Phone No. \_\_\_\_\_

Email Address \_\_\_\_\_

It is your obligation to notify the offices of the Harness Horseman's Association of New England, Inc. of any changes due to death, separation, divorce, etc.

Participant's signature \_\_\_\_\_ Date \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ before me, the undersigned notary public, personally appeared \_\_\_\_\_ proved to me through satisfactory evidence of identification, being (check whichever applies): \_\_\_ driver's license or other state/federal government document bearing a photographic image, \_\_\_ oath or affirmation of a credible witness known to me who knows the above signatories, or, \_\_\_ my own personal knowledge of the identity of the signatories, to be the persons whose names are signed above, and acknowledged the foregoing to be signed by them voluntarily for its stated purpose.

Notary \_\_\_\_\_ Date \_\_\_\_\_

**Please complete, sign, and date the beneficiary election(s) form on the other side of this form.**

\*\*\* For Office Use Only \*\*\*

Date RSP app rec'd \_\_\_\_\_  
Membership status \_\_\_ Yes \_\_\_ No  
Vested \_\_\_ Yes Date \_\_\_\_\_

Residency status: \_\_\_ Non-MA \_\_\_ MA by means of \_\_\_ MA drivers lic \_\_\_ MA tax return  
\_\_\_ MA real estate tax bill  
\_\_\_ other proof \_\_\_\_\_

Committee approval by \_\_\_\_\_ on \_\_\_\_\_



P.O. Box 1811, Plainville, MA 02762

## Retirement Savings Plan BENEFICIARY DESIGNATION

Participant's Name	
Address	
City, State, Zip	
Social Security No.	
Date of Birth	

As a Participant in the above Plan, I hereby revoke any prior beneficiary designation and direct that any benefits payable upon my death be paid to the following beneficiary/beneficiaries. The total share for the Primary Beneficiaries must equal 100% and the total share for the Secondary Beneficiaries, if any, must equal 100%

**PRIMARY BENEFICIARY(IES)**

Name and Social Security Number	Share	Relation	Address

If none of the Primary Beneficiaries designated above survive me, payment shall be made to the following Secondary Beneficiary(ies).

**SECONDARY BENEFICIARY(IES)**

Name and Social Security Number	Share	Relation	Address

Unless otherwise specified above, if none of the beneficiaries designated above survive me, payment shall be made pursuant to the applicable provisions of the Plan.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
City, State

\_\_\_\_\_  
 Signature of Participant

\_\_\_\_\_  
 Name of Participant (print or type)



**HARNESS HORSEMAN'S ASSOCIATION of NEW ENGLAND, INC.  
RETIREMENT SAVINGS PLAN  
Election Form for Distribution of Vested Account Balance upon Disability**

**Election to Waive Joint and Survivor Annuity**

By my signature below, I certify that I am a married Participant in the Harness Horseman's Association of New England, Inc. Retirement Savings Plan, and that I hereby elect to waive the payment of my Normal Retirement Benefit in the form of a Joint and Survivor Annuity with my spouse, subject to my spouse's written consent below in favor of a Single Life Annuity.

\_\_\_\_\_  
Participant Name (*Print/Type*)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

**Spousal Consent**

I am the spouse of the Participant identified above. I hereby consent to my spouse's waiver of the payment of benefits in the form of a qualified joint and survivor annuity. I further acknowledge my understanding that:

1. My spouse's waiver of the qualified joint and survivor annuity is not valid unless I consent to it; and
2. My consent is irrevocable unless my spouse revokes the waiver.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.  
City, State

\_\_\_\_\_  
Signature of Participant's Spouse

\_\_\_\_\_  
Name of Participant's Spouse (*Print/type*)

Witnessed by:

Notary Public, State of \_\_\_\_\_

My Commission (is permanent/expires) **OR**

\_\_\_\_\_  
Authorized Representative of Plan Administrator

\_\_\_\_\_  
Date

**HARNESS HORSEMAN'S ASSOCIATION of NEW ENGLAND, INC.**  
**RETIREMENT SAVINGS PLAN**  
**Election Form for Distribution of Vested Account Balance upon Death**

**Participant:** \_\_\_\_\_ **Date of Normal Retirement:** \_\_\_\_\_

**U.S. Citizen?:** \_\_\_\_ **Yes** \_\_\_\_ **No** **If No, Country of Citizenship:** \_\_\_\_\_

As the beneficiary of a Participant in the Harness Horseman's Association of New England, Inc. Retirement Savings Plan, you are entitled to take distribution of the decedent's vested account balance under the provisions of the Plan.

\*\*\*\*\*

The decedent's vested account balance as of December 31, 20\_\_ was \$\_\_\_\_\_. In accordance with the Plan document, this balance will be distributed to the Participant's designated beneficiary(ies) in one lump sum.

By my signature below, I elect to receive payment of the decedent's vested Plan account balance. I certify that I am the Participant's designated beneficiary. I further certify that the information I am providing is complete and accurate, and release Harness Horseman's Association of New England, Inc. from any liability in carrying out my instructions regarding this distribution.

\_\_\_\_\_  
Beneficiary Name (*Print/Type*)

\_\_\_\_\_  
SSN

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

⇒ **Please return this completed and signed Form to the Plan's Third Party Administrator (TPA):** Cherry Bekaert, LLP (formerly Berlin, Ramos & Company)

11200 Rockville Pike, Suite 400  
Rockville, MD 20852

Attn: Cheryl Pasierb

Email: cpasierb@cbh.com

Fax: (301) 589-5464



**HARNESS HORSEMAN'S ASSOCIATION of NEW ENGLAND, INC.  
RETIREMENT SAVINGS PLAN  
Election Form for Distribution of Vested Account Balance upon Normal Retirement**

**Participant:** \_\_\_\_\_ **Date of Normal Retirement:** \_\_\_\_\_

**U.S. Citizen?:** \_\_\_\_ **Yes** \_\_\_\_ **No** **If No, Country of Citizenship:** \_\_\_\_\_

As a Participant in the Harness Horseman's Association of New England, Inc. Retirement Savings Plan, you are entitled to take distribution of your vested account balance under the provisions of the Plan upon attainment of your Normal Retirement Age (65).

\*\*\*\*\*

Your vested account balance as of December 31, 20\_\_ was \$\_\_\_\_\_. In accordance with the Plan document, this balance will be distributed to you in one lump sum.

By my signature below, I elect to receive payment of my vested Plan account balance. I certify that the information I am providing is complete and accurate, and release Harness Horseman's Association of New England, Inc. from any liability in carrying out my instructions regarding this distribution.

\_\_\_\_\_  
Participant Name (Print/Type) \_\_\_\_\_  
SSN

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_

\_\_\_\_\_  
Signature \_\_\_\_\_  
Date

\*\*\*\*\*

⇒ **Please return this completed and signed Form to the Plan's Third Party Administrator (TPA):** Cherry Bekaert, LLP (formerly Berlin, Ramos & Company)

11200 Rockville Pike, Suite 400  
Rockville, MD 20852

Attn: Cheryl Pasierb

Email: cpasierb@cbh.com

Fax: (301) 589-5464

**HARNESS HORSEMAN'S ASSOCIATION of NEW ENGLAND, INC.  
RETIREMENT SAVINGS PLAN  
Election Form for Distribution of Vested Account Balance upon Normal Retirement**

**Participant:** \_\_\_\_\_ **Date of Normal Retirement:** \_\_\_\_\_

**U.S. Citizen?:** \_\_\_\_ Yes \_\_\_\_ No **If No, Country of Citizenship:** \_\_\_\_\_

As a Participant in the Harness Horseman's Association of New England, Inc. Retirement Savings Plan, you are entitled to take distribution of your vested account balance under the provisions of the Plan upon attainment of your Normal Retirement Age (65).

\*\*\*\*\*

Your vested account balance as of December 31, 20\_\_ was \$\_\_\_\_\_. In accordance with the Plan document, this balance will be distributed to you in accordance with your election below (**You may select only one.**):

- Pay me the balance in one lump sum payment.
- Pay me the balance in the form of a monthly annuity. (An annuity contract will be purchased from an insurance company.)
  1. If you are married, the annuity will be in paid as a 50% Joint and Survivor Annuity, unless you waive this payment form AND your spouse consents, in writing, to a Single Life annuity. (See Election to Waive Joint and Survivor Annuity on Page 2 for additional consent required.)
  2. If you are unmarried, the annuity will be paid as a Single Life annuity.

By my signature below, I certify that the information I am providing is complete and accurate, and release Harness Horseman's Association of New England, Inc. from any liability in carrying out my instructions regarding this distribution.

\_\_\_\_\_  
Participant Name (*Print/Type*)

\_\_\_\_\_  
SSN

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

**⇒ Please return this completed and signed Form to the Plan's Third Party Administrator (TPA):** Cherry Bekaert, LLP (formerly Berlin, Ramos & Company)

11200 Rockville Pike, Suite 400  
Rockville, MD 20852

Attn: Cheryl Pasierb

Email: cpasierb@cbh.com

Fax: (301) 589-5464



**HARNESS HORSEMAN'S ASSOCIATION of NEW ENGLAND, INC.  
RETIREMENT SAVINGS PLAN  
Election Form for Distribution of Vested Account Balance upon Disability**

**Participant:** \_\_\_\_\_ **Date of Normal Retirement:** \_\_\_\_\_

**U.S. Citizen?:** \_\_\_\_ **Yes** \_\_\_\_ **No** **If No, Country of Citizenship:** \_\_\_\_\_

As a Participant in the Harness Horseman's Association of New England, Inc. Retirement Savings Plan, you are entitled to take distribution of your vested account balance under the provisions of the Plan upon attainment of your Total and Permanent Disability.

\*\*\*\*\*

Your vested account balance as of December 31, 20\_\_ was \$\_\_\_\_\_. In accordance with the Plan document, this balance will be distributed to you in one lump sum.

By my signature below, I elect to receive payment of my vested Plan account balance. I certify that the information I am providing is complete and accurate, and release Harness Horseman's Association of New England, Inc. from any liability in carrying out my instructions regarding this distribution.

\_\_\_\_\_  
Participant Name (*Print/Type*)

\_\_\_\_\_  
SSN

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

⇒ **Please return this completed and signed Form to the Plan's Third Party Administrator (TPA):** Cherry Bekaert, LLP (formerly Berlin, Ramos & Company)

11200 Rockville Pike, Suite 400  
Rockville, MD 20852

Attn: Cheryl Pasierb

Email: [cpasierb@cbh.com](mailto:cpasierb@cbh.com)

Fax: (301) 589-5464

**HARNESS HORSEMAN'S ASSOCIATION of NEW ENGLAND, INC.**  
**RETIREMENT SAVINGS PLAN**  
**Election Form for Distribution of Vested Account Balance upon Death**

**Participant:** \_\_\_\_\_ **Date of Death:** \_\_\_\_\_

**Are you a U.S. Citizen?:** \_\_\_\_ Yes \_\_\_\_ No **If No, Country of Citizenship:** \_\_\_\_\_

As the beneficiary of a deceased Participant in the Harness Horseman's Association of New England, Inc. Retirement Savings Plan, you are entitled to take distribution of the decedent's vested account balance under the provisions of the Plan.

\*\*\*\*\*

The decedent's vested account balance as of December 31, 20\_\_ was \$\_\_\_\_\_. In accordance with the Plan document, this balance will be distributed to you in accordance with your election below (**You may select only one.**):

Pay me the balance in one lump sum payment.

**The option below is available only to a surviving spouse.**

Pay me the balance in the form of a Single Life annuity. (An annuity contract will be purchased from an insurance company.)

By my signature below, I elect to receive payment of the decedent's vested Plan account balance. I certify that I am the Participant's designated beneficiary. I further certify that the information I am providing is complete and accurate, and release Harness Horseman's Association of New England, Inc. from any liability in carrying out my instructions regarding this distribution.

\_\_\_\_\_  
Beneficiary Name (*Print/Type*)

\_\_\_\_\_  
SSN

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\*\*\*\*\*

⇒ **Please return this completed and signed Form to the Plan's Third Party Administrator (TPA):** Cherry Bekaert, LLP (formerly Berlin, Ramos & Company)

11200 Rockville Pike, Suite 400  
Rockville, MD 20852

Attn: Cheryl Pasierb

Email: cpasierb@cbh.com

Fax: (301) 589-5464

**Harness Horseman's Association of New England, Inc. Retirement Savings Plan**

P.O. Box 1811  
Plainville, MA 02762

**Statement period: From 9/01/17 to 12/31/17**

**RETIREMENT SAVINGS PLAN ACCOUNT SUMMARY**

**Sample Participant**

	<u>Beginning Balance</u>	<u>Contributions</u>	<u>Forfeitures</u>	<u>Investment Gains/(Losses)</u>	<u>Distributions</u>	<u>Ending Balance</u>	<u>Vested Balance</u>
Retirement Savings	\$0.00	\$1,500.00	\$0.00	\$80.00	\$0.00	\$1,580.00	\$1,580.00
						Vested Percent: 100%	

<b>Points Earned This Year</b>	<b>0.50</b>	<b>Consecutive Years of Vesting Service: 5.00</b>
--------------------------------	-------------	---------------------------------------------------

**Forfeitures:** A participant who does not satisfy the Specific Eligibility to Participate requirements (listed below) in any Plan Year, with 0% vesting, will forfeit his/her balance. The forfeited balance will be allocated to the remaining Active Plan participants.

**Harness Horseman's Association of New England, Inc. Retirement Savings Plan**  
*Drivers and Trainers who are members in Good Standing of the Harness Horseman's Association of New England, Inc., and race at Plainridge Park Racecourse, may become eligible to participate in the Plan.*

	<u>Drivers</u>	<u>Trainers</u>
Specific Eligibility to Participate <u>Each Plan Year</u>	1. Obtain at least 4 Qualified Starts (QS) per month during 7 months of the Racing Season; and 2. Renew membership in the Association and pay membership dues on or before May 31 <sup>st</sup> of each year.	1. Obtain at least 2 Qualified Starts (QS) per month during 7 months of the Racing Season; and 2. Renew membership in the Association and pay membership dues on or before May 31 <sup>st</sup> of each year.

*Each Plan Year, a Participant may earn the right to receive a Contribution to his/her Plan Account by completing the number of Qualified Starts (QS) detailed above and earning a Point.*

**Qualified Start (QS)** = any pari-mutuel race held during the Racing Season of a Plan Year at Plainridge Park Racecourse, where a Driver or Trainer is listed in the official racing program or Judge's book as the official Driver or Trainer for the horse entered in the race. If a pari-mutuel race is scratched or cancelled for any reason prior to the pari-mutuel race, the pari-mutuel race will not be a Qualified Start.

Earning Points in any One Racing Season (Maximum of 1 Point per Racing Season)	<u>Drivers – MA Residents</u>	<u>Drivers – Non-MA Residents</u>
	1/4 Point = 40 to 70 QS 1/2 Point = 80 to 119 QS 3/4 Point = 120 to 159 QS 1 Point = 160 or more QS	1/4 Point = 60 to 119 QS 1/2 Point = 120 to 179 QS 3/4 Point = 180 to 239 QS 1 Point = 240 or more QS
	<u>Trainers – MA Residents</u>	<u>Trainers – Non-MA Residents</u>
	1/4 Point = 20 to 39 QS 1/2 Point = 40 to 59 QS 3/4 Point = 60 to 79 QS 1 Point = 80 or more QS	1/4 Point = 30 to 59 QS 1/2 Point = 60 to 89 QS 3/4 Point = 90 to 119 QS 1 Point = 120 or more QS

The Retirement Plan's financial professional is:  
Normand R. Fluet, Jr.  
Ameriprise Financial Services, Inc.  
80 Clinton Street, Suite 100; Brockport, NY 14420  
Office: 508-637-0202 Fax: 585-637-0505

Proposed RSP requirements

Is this email not displaying  
correctly?

[View it in your browser.](#)



## Retirement Savings Plan (RSP) Requirements

*Below is a summary of the proposed requirements for participation  
in the Retirement Savings Plan (RSP), which we believe  
is in the final steps of being approved.*

### HHANE Retirement Savings Plan ANNUAL REQUIREMENTS

- Must be a member of the HHANE by May 31st each year; **no exceptions granted.**
- **Drivers** must obtain at least four qualified starts per month,

during 7 months of the racing season at Plainridge Park, per plan year.

A driver must have at least 60 qualified starts (QS) (40 starts for Massachusetts drivers). Having at least this number qualifies the participant for a 1/4 point. A qualified start is driving in a pari-mutual race

- **Trainers** must obtain at least two qualified starts per month, during 7 months of the racing season at Plainridge Park, per plan year.

The trainer must have at least 30 QS (20 starts for Massachusetts trainers). Having at least this number qualifies the participant for a 1/4 point. The trainer's horse must participate in a pari-mutual race to count as a qualified start.

Application for pension is for trainer OR driver. Applicant will receive the most number of points earned in either capacity. The maximum an applicant can earn each year is one point.

**Vesting:** A participant shall acquire 100% vested interest upon five consecutive years of participation. (Exception to this rule is disability.) Once the participant is 100% vested, a break in participation is permitted. A participant, who is actively engaged as a driver or trainer at Plainridge Park, upon reaching the age of 65, will be immediately 100% vested regardless of his/her years of vesting service.

**Forfeitures:** A participant who does not satisfy at least the minimum



qualified start requirement in each plan year, with 0% vesting, will forfeit his/her balance in full. Any forfeited balances will be reallocated to remaining active participants.



[Like Us on Facebook](#)

**Our mailing address is:**

HHANE  
PO Box 1811  
Plainville, MA 02762

MailChimp

[Add us to your address book](#)

[unsubscribe from this list](#) | [update subscription preferences](#)

**K. William Krikorian**

196 Bemis Road

Fitchburg, MA 01420

Tel. 978-337-4380, E-Mail: [KWKRIK@GMAIL.COM](mailto:KWKRIK@GMAIL.COM)

February 6, 2018

Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, Ma 02110

Attention: Attorney Catherine Blue, General Counsel

Subject: Horseman's Health and Welfare Fund

Dear Attorney Blue:

This letter is pursuant to a problem that currently exists with the Horseman's Health and Welfare Program for the horsemen at Plainridge Park Casino Racetrack. The members of H.H.A.N.E. that are eligible for receiving benefits under this program are not being properly advised as to what the terms, conditions and benefits of the program are. This program has been funded by The Commonwealth going on approximately two and one half years and has approximately \$800,000 dollars in the program which was directly funded by proceeds from the Race Horse Development Fund.

Since the Directors of H.H.A.N.E. voted and approved to create a retirement program for the trainers and drivers approximately one and a half (1 1/2) years ago, we have yet and to get and accounting of the proceeds in the account, nor have we received any formal written benefit package or plan criteria as to what the program is in detail, nor do we know how much money is in the program and how much money the participants will be individually receiving from the fund.

In the latter part of 2017 a group of concerned members of HHANE executed a formal petition with 25 signatures of the members requesting that the Board of HHANE call an emergency meeting to discuss the matter with the members. Prior to submitting the petition we were told that we would get the information very soon and not to file the petition that it was unnecessary, we agreed. Needless to say that information was not provided. What was received was a brief one page e-mail that gave some general basic information but not a detailed formal benefit package. Close to the end of the 2017 racing season we were advised that the entire formal benefit package (Benefit Program) was submitted to The Mass Gaming Commission for approval and that approval should be in hand shortly, needless to say we have no first hand knowledge of that. We once again contacted Ms. Alice Tisbert who is the treasurer of the association, she once again assured me that the information was going to be provided shortly, as of the date of this letter we have not received anything formally in writing from HHANE or the supposed agent that they have contracted with.

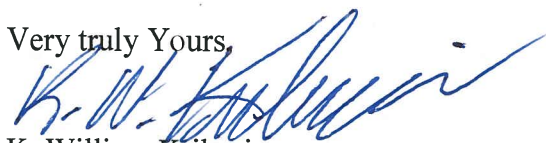
2018 FEB - 8 PM 12: 08  
MASSACHUSETTS GAMING  
COMMISSION

In mid January of this year I once again contacted Alice Tisbert and we spoke in detail and I asked her again where the documentation was, her response was that there were problems with the Internal Revenue Service and that there were issues with HHANE's "Non-Profit" status with the IRS. It seems that every time we asked for definitive details there was a major issue that they were dealing with that prevented them from providing us with plan documentation that we requested. I advised Alice Tisbert that I was tired of this non-performance and if the paperwork was not in hand in early February that I was going to file a formal complaint with the Gaming Commission, which I am now doing, that being this letter.

Furthermore, and in conclusion we are very concerned about the actual benefits of this program and how the plan is structured, therefore we demand that any proposed plan be ratified by a majority of the individuals that are eligible to receive benefits under the proposed plan. We don't want this plan forced onto us without first having a say as to how the plan is structured. After all, these funds are not HHANE funds they are monies of the members that will benefit from the program, as I assume was the intent of Legislature when they instituted the program.

Thanking you in advance for your help and consideration in this very important matter. If you have any questions please feel free to contact me at your convenience at the above provided contact information.

Very truly Yours,



K. William Krikorian

Former Board of Director member of HHANE and Massachusetts licensed Trainer & Driver

and

William Abdelnour (This co-signature provided with prior consent & approval)  
Former Board of Director member of HHANE and Massachusetts licensed Trainer & Driver

**Copy to:**

**Dr. Alexandra Lightbown, Director of Racing**

**Mr. Robert McHugh  
President of H.H.A.N.E.**



## A message from MGC's Office of Workforce, Supplier, and Diversity Development

*The following information has been provided by Wynn Boston Harbor. MGC is not responsible for information on third-party links.*



Wynn Boston Harbor is seeking local, minority, woman, and veteran-owned businesses for the ongoing supply of operational goods and services for the new Wynn Boston Harbor Resort in Everett.

Wynn is committed to the local business community, and in particular businesses located in our Host Community of Everett and Surrounding Communities of Malden, Medford, Boston, Chelsea, Cambridge, and Somerville.

**The event is planned for Thursday March 22 from 9:00am to 11:00am at Anthony's of Malden, 105 Canal Street, Malden, MA.**

We invite you to attend to learn more about these opportunities and meet with the Wynn Procurement and Operations teams.

The focus of this event is limited strictly to the "Purchasing Areas" summarized below and more fully detailed on the Wynn Boston Harbor website at:

<http://www.wynnbostonharbor.com/files/WBHSupplierOpportunitiesMatrix.pdf>.

Those goods and services *not* listed are not being solicited by Wynn Boston Harbor at this time.

The program for the event will be as follows:

**8:30–9:00am** Check-in

**9:00am** Welcome

**9:15am** Presentation covering Wynn Procurement requirements, standards, and timelines

**9:30–11:00am** 1-on-1 vendor meetings with the Wynn Procurement team and representatives from the various business units (vendors will be notified in advance of time slots)

**Ongoing Supplier Opportunities - Wynn Boston Harbor**

Category	Commodity	Supplier Criteria: see note 2 below				Opportunity Timing: see note 3 below							
		On-Call	Avail. 24x7	Trade Licensed	OEM Auth.	'18 Q1	'18 Q2	'18 Q3	'18 Q4	'19 Q1	'19 Q2	'19 Q3	'19 Q4
F&B Beverages	Beer, Wine, & Spirits			Yes									
F&B Beverages	Soda, Juice, & Water			Yes									
F&B Food	Bread			Yes									
F&B Food	Dairy			Yes									
F&B Food	Fruit & Produce			Yes									
F&B Food	Grocery Items			Yes									
F&B Food	Meat (Beef/Port/Poultry/Lamb)			Yes									
F&B Food	Seafood			Yes									
F&B Food	Specialty Foods			Yes									
F&B Products	China, Glass, Silver, Smallwares				Yes				X				
F&B Products	Kitchen Equipment & Parts				Yes				X				
F&B Products	Paper & Disposable Goods												
General Ops	Car Washing & Detailing												
General Ops	Copier Equipment & Maintenance		Yes		Yes				X				
General Ops	Furniture (Replenishment Only)				Yes				X				
General Ops	Medical Supplies & Equipment				Yes					X			
General Ops	Office Supplies & Equipment				Yes					X			
Hotel Ops	Hotel Room Amenity Products				Yes				X				
Hotel Ops	Laundry Services (Duvets/Mats/Specialty)		Yes		Yes				X				
Hotel Ops	Room Keys (Logo'd Mag Cards)				Yes				X				
Hotel Ops	Spa & Salon Products				Yes				X				
Hotel Sales/Catering	Audio Visual Equip. & Services (Supplemental)									X			
Hotel Sales/Catering	Destination Management Companies (DMC)			Yes							X		
Hotel Sales/Catering	Entertainment - Bands, DJs, etc.										X		
Hotel Sales/Catering	Exhibition Services Companies				Yes						X		
Hotel Sales/Catering	Florists										X		
Hotel Sales/Catering	Photographers & Videographers										X		
Hotel Sales/Catering	Promotional & Gift Items						X						
Hotel Sales/Catering	Stage & Lighting Rigging Equipment			Yes								X	
Maint. Materials	Carpeting/Fabric/Upholstery (Replenish. Only)				Yes							X	
Maint. Materials	Cleaning & Janitorial Supplies				Yes					X			
Maint. Materials	Electrical Supplies				Yes					X			
Maint. Materials	Glass, Marble, Tile & Metal				Yes					X			
Maint. Materials	HVAC Parts & Supplies				Yes					X			
Maint. Materials	Lumber - Rough & Millwork				Yes					X			
Maint. Materials	Paints & Stains				Yes					X			
Maint. Materials	Plants, Trees, & Flowers									X			
Maint. Materials	Plumbing Supplies & Fittings				Yes					X			
Maint. Materials	Propane, Gases, & Diesel		Yes	Yes	Yes						X		
Maint. Materials	Safety & Protective Equipment				Yes						X		
Maint. Materials	Signage										X		

# Request for Proposal



## *Expanding Economic Access in the Commonwealth's New Casino Industry*

MASSACHUSETTS GAMING COMMISSION

**Workforce, Supplier and Diversity Development**

March 6, 2018

**BD-18-1068-1068C-1068L-24457**

PROPOSALS DUE MARCH 26, 2018

# Overview

The Massachusetts Gaming Commission (MGC) seeks proposals to aid in advancement of economic development within the state's emerging casino industry as a result of the Expanded Gaming Act. The mission of the Workforce, Supplier and Diversity Development division is to maximize equity and inclusion for licensee employees and vendors. With a Category 2 slot casino operating in Plainville, Category 1 in Springfield beginning the hiring phase, and Category 1 in Everett preparing for opening in the spring of 2019, we aim to ensure an adequate pool of available, qualified, diverse and prepared applicants for these gaming and hospitality jobs. Proposals should enable access to these emerging casino careers and business opportunities, including those whose diverse background, wealth status and/or legal history may inadvertently impede the process.

## Primary Objectives

The commission seeks to inspire collaborative coalitions, partnerships, grassroots organizations and non-profits to aid in providing programs, outreach, and resources to achieve at least one of the following goals:

- 1) Promote awareness of job opportunities and assist with interview/skill preparation for potential job candidates within the Host and Surrounding Communities of one of the casino properties.
- 2) Remove road blocks for the unemployed, underemployed and/or candidates with employment challenges.
- 3) Increase net job gain via initiatives benefiting minorities, women and veterans.
- 4) Strategies for maximizing contracting opportunities for vendors/suppliers with the licensee

## Funding Opportunities

With a goal of promoting economic stimulus, including disadvantaged populations in the communities surrounding the new casinos, funding opportunities may consist of, but are not limited to:

- New programming, program additions and/or enhancements to operations or services
- Efforts increasing awareness of job or vendor opportunities, programs or services
- Training and/or workshops assisting with the process of sealing court records
- Career readiness programs for those with employment challenges and limitations

## Funding Available

MGC intends to post a rolling application for grants that will have multiple competitive cycles over a two year period. Funding for the entire period is subject to availability. Funds awarded in the first competitive cycle must be expended by June 30, 2018, but may be eligible for additional funding during subsequent cycles. Approximately \$75,000 will be available for multiple small grants in the first cycle. Grants are competitive, and awards will generally range between \$10,000 and \$20,000. MGC reserves the right to make awards for smaller or larger proposals deemed relevant and important. We reserve the right to determine the quantity of grants awarded and the funding amount. Top awardee prospects will be those that closely follow the RFP guidelines specified on pages 5 through 6 and most strongly fit the selection criteria on page 7.

# *Background*

## Legal

In November of 2011, an act establishing expanded gaming in the Commonwealth was signed into law. The legislation, which was designed to stimulate economic development and job creation, has many references to diversity and inclusion particularly for minority, women and veteran individuals. The law also calls for a net job-gain for the Commonwealth and for increased opportunities for unemployed or underemployed Massachusetts residents.

## Our Role

The Massachusetts Gaming Commission was formed to oversee the expanded gaming law, with a mission to create a fair, transparent, and participatory process for implementation. The Commission works to provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reducing to the maximum extent possible the potentially negative or unintended consequences of the new legislation, and allowing an appropriate return on investment for gaming providers, assuring the operation of casino-resorts of the highest quality.

Working with licensees, vendors, and community leaders, the Commission ensures that the state's new industry is inclusive and provides opportunities that reflect the diversity of the Commonwealth. Casino developers are required to set hiring goals and submit strategy plans for utilizing minority, women, and veterans in in the construction and operations of their gaming establishments. The Workforce, Supplier and Diversity Development division is tasked with aiding and monitoring the licensees through both phases.

## Impact

With a Category 2 slot casino in Plainville operating since June 2015, already, the Commonwealth has seen nearly 500 additional jobs. A Category 1 casino in Springfield has begun the hiring phase and is also procuring vendor and supplier contracts. The Category 1 casino in Everett is preparing for opening in June of 2019. Together, the Category 1 casinos will create over 7,500 new gaming and hospitality jobs for Massachusetts.

It is projected that over 60% of these jobs will require the equivalent of a high school education, and some additional training. Already several programs across the state have been created to expand access by establishing particular skills and training programs such as culinary institutes and gaming schools, as well as increasing opportunities for educational attainment and degree completion. The Commission continues to seek ways to enable access to these careers, including those whose diverse background, wealth status and criminal history may inadvertently impede the process.



# *Timeline and Eligibility*

## Deadline

**Applicants must submit proposals by 3:00pm on March 26, 2018.**

Late submissions will not be considered.

## Initial Timeline

Request for Proposals available: March 6, 2018

Bidders Conference: March 14 at 11:00am

Deadline for Questions: March 16 at 5pm

Responses posted: March 21 by 5pm

Deadline for Submission: March 26, 2018 at 3pm

Awards Announced: April 6, 2018

Grant Expiration: June 30, 2018

## Submission

**Applicants are required to register with [CommBuys](#) and then submit their proposals through the CommBuys platform for **BD-18-1068-1068C-1068L-24457**.** Applications can be submitted through “Open Bids” once registration is complete. (Be sure to check “attachments” or “no quote” to ensure submission, and DO NOT check the “no BID charge” box.) For assistance, call the CommBuys Help Desk at 617-720-3197.

## Funding Eligibility

- Organizations, coalitions or nonprofits applying must service the host and surrounding community of at least one of the licensees.
- Organizations which have previously received funding from MGC are eligible.
- If you have a Fiscal Agent, that entity must be listed as the applicant for the funding.
- By accepting grant funding, you declare that your organization (as well as any collaborative party) does not discriminate on the basis of any protected status.
- Awardees may be eligible for additional funding during the second cycle (pending availability of funds in next fiscal year.)

## Funding Limitations

- Proposals must focus on the operational phase of the casino workforce or vendors. Requests for programs, services and operational development which are directed towards the construction phase or industry will not be considered.
- Grant funds cannot be used to pay for existing programs or projects that normally would receive funding through regular budget allocation. (Program, Service or Process improvement and enhancements are eligible.)
- **Funding received this cycle must be expended on or before June 30, 2018.** The process for fund disbursement will be discussed after awards are announced.

### Reporting and Acknowledgement

All grant recipients will be required to acknowledge the MA Gaming Commission as a funding source on marketing collateral, and must submit a final report to the Commission.

### Duration

The total duration of this competitive grant will be approximately three months, with the option to conduct additional competitive cycles in September 2018 and approximate six month intervals thereafter for a total maximum duration of two years. Additional competitive cycles will be announced in CommBuys with approximate funding amounts, eligibility, funding areas and anticipated grant amounts subject to change from this initial posting.

# *Required Components*

## Budget

State the requested grant amount for the proposed project/plan, and be sure to clearly delineate how the grant funds will be used. Please include breakout of administrative and/or training costs, expenses incurred for materials or equipment and implementation of the program.

## Section One: Organization Description and History

Please provide some background on your organization, its mission, and any relevant history. Include explanation of your organization's ties to the goals of this RFP as well as at least one of the licensees/host communities.

## Section Two: Overview and Alignment

Please provide a clear description of what the funding will be used to accomplish and how it relates to a casino licensee, including the goals, activities, expected outcomes/deliverables and measures of success. Include how the activities or programs align with the Commission's stated objectives for this RFP, and who will benefit.

## Section Three: Capacity and Expertise

Demonstrate your ability to successfully implement your proposal, providing a description of your capacity to manage and administer the grant. Include any previous experience with effective programs and/or grants. Identify the expertise, certifications and qualifications of the individuals involved and determine how they will be beneficial to the success of the programming proposed. If there are any collaborations or partnerships involved, ensure that those relationships are noted, the responsibilities of each are delineated, and state the impact each entity will bring to the table.

## Section Four: Reporting and Evaluation

Briefly, please describe how will you define success for the proposal you're requesting funds for. What metrics will be used to determine the effectiveness of the project or program, and how do you determine to collect or compile the data/information? A final report will need to be submitted to the Commission. Please outline what you intend to include in this report.

## Timeline

Provide a brief timeline outlining your plan for implementation and evaluation.

# *Selection Criteria*

Proposals for funding will be reviewed by a committee assembled by the Commission, and selected according to strength amongst the following criteria:

## Scoring Rubric

<b>Goal Alignment</b> Proposals match one of more of objectives stated in RFP and goals align well with organization and its mission.	<b>30</b>
<b>Funding Structure</b> Proposals fit within the Commission's stated funding plan for this RFP, grant requests appear in line with the proposed plan/project and budgets are cost-effective/ do not appear overinflated.	<b>20</b>
<b>Capacity and Expertise</b> Organization demonstrates clear ability to implement proposed plan/project. Staff and/or partners are well-equipped to support programming and perform stated objectives.	<b>10</b>
<b>Measurable Outcomes</b> Strength of identified outcomes/impacts and plan for evaluating effectiveness or success of proposal	<b>10</b>
<b>Community Access</b> Existing relationships with casino licensee, entities and/or community to be impacted	<b>10</b>
<b>Diversity Initiative</b> Proposal will have positive impact on or benefit to minority, women and veteran populations	<b>10</b>
<b>Concept</b> Level of innovation of programs or projects proposed and/or excellence of concept for improvement to existing programming/services/processes	<b>10</b>
<b>Total Points</b>	<b>100</b>



## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this Small Business Impact Statement in accordance with G.L. c. 30A, §2 relative to the proposed amendment of **205 CMR 101.00: Adjudicatory Proceedings**; notice of which was filed with the Secretary of the Commonwealth. This regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth.

This regulation and the proposed amendments therein, govern the adjudicatory proceedings of the Commission, to include hearings before the Commission, orders, review process and decisions. This regulation is largely governed by G.L. c.23K, §4(28), 5, and 30A.

205 CMR 101.00 applies to gaming and racing licensees, employees, gaming establishments, and individuals subject to placement on the Massachusetts Gaming Commission’s Excluded Persons List. Accordingly, this regulation is unlikely to have an impact on small businesses. In accordance with G.L. c.30A, §2, the Commission offers the following responses to the statutory questions:

1. Estimate of the number of small businesses subject to the proposed regulation:

There are no small businesses that the Commission anticipates will be directly impacted by this regulation or the proposed amendments. It is designed to ensure that any party, including a small business, is provided with a fair process prior to certain decisions being made or made final.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no projected reporting, recordkeeping or other administrative costs required for small businesses to comply with this regulation or the proposed amendments therein.

3. State the appropriateness of performance standards versus design standards:

As a general matter, a design standard is necessary as hearing procedures must be prescriptive in nature to provide uniform process to all.

4. Identify regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation:



Massachusetts Gaming Commission

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth:

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses. The proposed amendments to this regulation are designed to help effectuate those intentions and growth.

Massachusetts Gaming Commission

By:

---

Shara Bedard  
Paralegal

Dated: \_\_\_\_\_



Massachusetts Gaming Commission

205 CMR: MASSACHUSETTS GAMING COMMISSION  
205 CMR 101.00: M.G.L. C.23K ADJUDICATORY PROCEEDINGS

101.01: Hearings Before the Commission

101.02: ~~Orders Issued by the Bureau or the Racing Division~~ **Review of Orders or Civil Administrative Penalties/Forfeitures Issued by the Bureau, Commission Staff, or the Racing Division**

101.03: ~~Review of Orders Issued by the Bureau or the Racing Division~~ **Review by the Commission of Decisions of the Hearing Officer**

101.04: ~~Review by the Commission of Decisions of the Hearing Officer~~ **Informal Disposition of an Adjudicatory Proceeding**

101.05: ~~Review of a Commission Decision~~

101.01: Hearings Before the Commission

(1) Hearings held before the full commission pursuant to 205 CMR 101.01 shall be adjudicatory proceedings ~~conducted pursuant to 801 CMR 1.01 Formal Rules~~ **in accordance with M.G.L. c. 30A, §§ 10 and 11. All hearings shall be further held under 205 CMR 101.00, as applicable, and 801 CMR 1.02: *Informal/Fair Hearing Rules* unless the applicant/petitioner makes a written request for a hearing under 801 CMR 1.01: *Formal Rules*. In that event, the commission shall determine based on the facts and circumstances of the matter whether 801 CMR 1.01 or 1.02 will apply in order to ensure a fair outcome. Such determination shall be based on such factors as the complexity of the issues presented, whether all parties are represented by counsel, and similar considerations. Conflicts between 801 CMR 1.01 or 1.02 and 205 CMR 101.00 shall be resolved in favor of 205 CMR 101.00. If the commission grants a request for a hearing to be held pursuant to 801 CMR 1.01: *Formal Rules*, the provisions of 801 CMR 1.01 (1), (2), (3), (5), (6), (11) and (14) shall not apply.**

(2) The following types of adjudicatory hearings shall be held **directly, in the first instance**, by the commission:

(a) Suitability hearings before the commission pursuant to M.G.L. c. 23K, § 17(f), concerning any findings of fact, recommendations and/or recommended conditions by the ~~B~~**B**ureau relative to the suitability of the applicant for an initial gaming license or renewal of a gaming license, including without limitation, recommendations and recommended conditions resulting from the RFA-1 or new qualifier process pursuant to 205 CMR 115.00: *Phase 1 and New Qualifier Suitability Determinations, Standards and Procedures*.

(b) Hearings regarding the failure of a gaming licensee or qualifier to maintain adequate suitability as set forth in 205 CMR 115.01(4) and any adverse action taken against a gaming licensee or qualifier as a result of said failure.

~~(b)~~ (c) Hearings regarding the termination, revocation or suspension of a category 1 or category 2 gaming license issued by the commission pursuant to M.G.L. c. 23K, and/or the addition or modification of a condition thereto, or the termination, revocation or suspension of a license to conduct a horse racing meeting pursuant to M.G.L. c. 128A.

~~(e)~~ (d) Hearings regarding the transfer of a category 1 or category 2 gaming license or the transfer of a license to conduct a racing meeting or related to the transfer of interest in a category 1 or category 2 gaming license or gaming establishment in accordance with 205 CMR 116.08 through 116.10;

(e) Hearings regarding the assessment of a civil administrative penalty pursuant to M.G.L. c. 23K, § 36, against a category 1 or category 2 gaming licensee or a racing meeting licensee.

(f) Hearings regarding the approval or amendment of the gaming licensee's Operation Certificate as discussed in 205 CMR 151.00: *Requirements For the Operations and Conduct of Gaming at a Gaming Establishment*;

(g) For purposes of reviewing a petition to reopen a mitigation agreement in accordance with 205 CMR 127.04.

(h) Any challenge to the certification or denial of certification of an independent testing laboratory in accordance with 205 CMR 144.06.

(i) Any challenge to the certification or denial of certification as a gaming school in accordance with 205 CMR 137.01(4).

(j) Review of an application for a gaming beverage license, or request to amend, alter, or add a licensed area, pursuant to 205 CMR 136.03(4).

(3) Any request for such a hearing shall be filed with the clerk of the commission on a form provided by the clerk. Such a request shall not operate as a stay of the underlying action unless specifically allowed by the commission upon motion of the aggrieved party. A request for a stay may be allowed at the commission's discretion if one or both of the following two circumstances are demonstrated by the aggrieved party:

a.

- (1) there is a likelihood that the party seeking the stay will prevail on the merits of the case; and
- (2) there is a likelihood that the moving party will be harmed irreparably absent a stay.

b.

- (1) the consequences of the decision(s) to be made in the case are far-reaching;
  - (2) the immediate impact upon the parties in a novel and complex case is substantial;
- or



(3) a significant legal issue(s) is involved.

(4) In order to be considered by the commission, a request for a hearing must be filed no later than 30 days from the date the complained of action was taken, except in the event of civil administrative penalties. The request for review of a civil administrative penalty issued by the Bureau pursuant to M.G.L. c.23K, §36 shall be filed no later than 21 days after the date of the Bureau's notice of issuance of the civil administrative penalty and such a request must comply with the provisions of M.G.L. c. 23K, §36(e). In the case of a temporary suspension of a license by the Bureau in accordance with M.G.L. c. 23K, §35(e), a gaming licensee shall be entitled to a hearing before the Commission within 7 days after the suspension was issued.

(5) The request for a hearing shall include:

- a. the contact information of the party requesting the hearing;
- b. the contact information of counsel representing the party requesting the hearing, if any, and
- c. a brief description of the basis for the request for the hearing. In the event that a temporary suspension has been issued in accordance with M.G.L. c.23K, § 35(e), at its election the licensee may include a request that the hearing be scheduled within 7 days of the date of the issuance of the suspension. If the matter involves a civil administrative penalty, the request shall include a written statement denying the occurrence of any of the acts or omissions alleged by the Bureau in the notice, or assert that the amount of the proposed civil administrative penalty is excessive.

(6) The failure of a party to provide a specific description of the basis for the request for hearing may result in the dismissal of the request per the discretion of the commission.

~~(3) Standing: No person other than an aggrieved applicant and/or gaming licensee shall have standing to challenge Phase 1 or new qualifier findings of fact and recommendations or a recommendation to terminate, revoke or suspend a category 1 or category 2 gaming license.~~

~~(4) Only the aggrieved applicant and the gaming licensee or the horse racing meeting licensee shall have the right to participate in the hearing under 205 CMR 101.01 (2) (a), (b) or unless otherwise ordered by the commission.~~

(7) Any adjudicatory hearing conducted under 205 CMR 101.01 may be closed to the public at the request of either party, or on the commission's own initiative, in order to protect the privacy interests of either party or other individual, to protect proprietary or sensitive technical information including but not limited to software, algorithms and trade secrets, or for other good cause shown. Such a determination rests in the sole discretion of the commission.

(8) ~~(5)~~ Pursuant to M.G.L. c. 23K, § 3(h), the chair may direct that all of the commissioners participate in the hearing and decision of the matter before the commission. In the alternative,

pursuant to M.G.L. c. 23K, § 3(h), the chair with the concurrence of one other commissioner may appoint a ~~presiding officer~~ **single commissioner** to preside over the hearing. The notice scheduling the time and place for the ~~pre-hearing conference~~ shall specify whether the commission or a designated individual shall act as presiding officer in the particular case.

**(9) ~~(6)~~ Burden of Proof.**

**(a)** The applicant shall have the affirmative obligation to establish by clear and convincing evidence both its affirmative qualification for licensure and the absence of any disqualification for licensure.

**(b)** In the case of a recommendation to terminate, revoke or suspend a category 1 or category 2 gaming license, or a license to conduct a ~~horse~~-racing meeting, the bureau or the racing division, as appropriate, shall have the affirmative obligation to establish by substantial evidence ~~why~~ **grounds upon which** the commission should terminate, revoke or suspend the licensee's category 1 or category 2 gaming license or the licensee's license to conduct a ~~horse~~ racing meeting.

**(c)** In the case of an adverse action taken against a gaming licensee or qualifier for failure to maintain their suitability pursuant to 205 CMR 115.01(4) the Bureau or the racing division, as appropriate, shall have the affirmative obligation to establish by substantial evidence the lack of clear and convincing evidence that the gaming licensee or qualifier remains suitable.

**(d)** In the case of a transfer of interest, the gaming licensee shall have the affirmative obligation to establish by clear and convincing evidence its compliance with 205 CMR 116.09 et seq.

**(e)** In the case of a civil administrative penalty, the Bureau shall have the obligation to prove the occurrence of each act or omission by a preponderance of the evidence.

**(10) ~~(7)~~ Decisions.** Upon completion of the hearing, the commission shall render a written decision as promptly as administratively feasible, in accordance with M.G.L. c. 30A, § 11(8). The written decision of the commission shall be the final decision of the commission.

**(11) ~~(8) No-Appeal From Commission's Determination of Suitability.~~** Pursuant to M.G.L. c. 23K, § 17(g), the applicant and/or the gaming licensee shall not be entitled to any further review from the commission's determination of suitability. **~~(9) Decisions by the commission concerning the matters set forth in 205 CMR 101.01(2)(b) et seq. termination, revocation or suspension of a category 1 or category 2 gaming license or the termination, revocation or suspension of a license to conduct a horse racing meeting may be reviewed by the appropriate court pursuant to the provisions of M.G.L. c. 30A.~~**

**101.02: Orders Issued by the Bureau or the Racing Division**

(1) Pursuant to M.G.L. c. 23K the bureau may issue orders or fines, or may revoke, suspend, terminate or condition the license of the holder of any license issued pursuant to M.G.L. c. 23K except for category 1 or category 2 gaming. Such orders or fines are subject to commission review pursuant to 205 CMR 101.03 and 101.04 and include, but are not limited to:

- (a) an order to cease any activity which violates the provisions of M.G.L. c. 23K, 205 CMR 101.00 or any other law related to gaming;
- (b) an order for the imposition of civil administrative penalties in support of an order to cease and desist, or as part of an order to deny, revoke, suspend or terminate a license or as a penalty for failure to comply with any provision of M.G.L. c. 23K, 205 CMR 101.00 or any law related to gaming;
- (c) an order requiring the placement of a person on the exclusion list;
- (d) an order denying, revoking, suspending or conditioning a key gaming employee license; a gaming employee standard license; a gaming employee license; a gaming service employee license; gaming employee registration; a gaming vendor license; or a gaming vendor qualifier or other similar license issued under 205 CMR 134.00: *Licensing and Registration of Employees, Vendors, Junket Enterprises and Representatives, and Labor Organizations*;
- (e) an order denying, revoking, suspending or conditioning a gaming beverage license or an order denying the transfer of a gaming beverage license.
- (f) any other order or fine as may be issued pursuant to M.G.L. c. 23K or 205 CMR 101.00.

(2) Pursuant to M.G.L. c. 128A and 128C judges or stewards may issue orders or fines, or may deny, revoke, suspend, terminate or condition the license of the holder of any license issued pursuant to M.G.L. c. 128A or 128C except for a license to conduct a horse racing meeting. Such orders or fines include, but are not limited to:

- (a) an order or fine issued for violation of the rules and regulations of racing as provided in 205 CMR 3.00 through 14.00;
- (b) an order denying, revoking, suspending, terminating or conditioning an occupational license.
- (c) an order ejecting an individual from the grounds of the race meeting.
- (d) any other order or fine as may be provided pursuant to M.G.L. c. 128A, c. 128C or 205 CMR 3.00 through 14.00.

(3) Each order or fine issued by the bureau or by the judges or stewards of the racing division shall be in writing and shall include a description of the basis for the order or fine, including the time, date and place of the activity which constitutes the basis for the order or fine, the statutory basis for the issuance of the order or fine, the amount of the fine or penalty assessed and any other the remedial action required. Each order shall further state in clear and concise language that the party subject to the order or the fine may request review of the order or fine and the

process for requesting such review. The order shall also state that the review of the order shall be held pursuant to 801 CMR 1.02: *Informal/Fair Hearing Rules* and 205 CMR 101.03 and 101.04.

101.023: Review of Orders Issued by the Bureau or the Racing Division Review of Orders or Civil Administrative Penalties/Forfeitures Issued by the Bureau, Commission Staff, or the Racing Division

(1) An aggrieved party may file a request for review of an order, decision, or fine civil administrative penalty issued by the Bureau, where applicable, relative to the interpretation or application of a statute, regulation, or other applicable authority, or order, decision, or forfeiture issued by the racing judges or stewards, other than those enumerated in 205 CMR 101.01(2), shall be filed with the clerk of the commission on a form provided by the clerk. A request for review shall not operate as a stay of the order, decision, or fine civil administrative penalty/forfeiture issued by the bureau or the judges or stewards, unless the request for review includes a request for a stay and such stay is granted by the hearing officer unless specifically allowed by the hearing officer upon motion of the aggrieved party. A request for a stay may be allowed at the hearing officer's discretion if one or both of the following two circumstances are present:

- a.
  - (1) there is a likelihood that the party seeking the stay will prevail on the merits of the case; and
  - (2) there is a likelihood that the moving party will be harmed irreparably absent a stay.
- b.
  - (1) the consequences of the decision(s) to be made in the case are far-reaching;
  - (2) the immediate impact upon the parties in a novel and complex case is substantial;
  - or
  - (3) a significant legal issue(s) is involved.

(2) The request for review of a civil administrative penalty issued by the bureau pursuant to M.G.L. c.23K §36 shall be filed not later than 21 days after the date of the bureau's notice of issuance of the civil administrative penalty. All other requests for review, aside from those for civil administrative penalties, must be filed not later than 30 days from the date of the order or decision or fine issued by the bureau or the judges or stewards. Requests for review filed later than 30 days from the date of the order or fine issued by the judges or stewards shall be forwarded to the hearing officer for review.

The request for review of a civil administrative penalty issued by the Bureau pursuant to M.G.L. c.23K §36 shall be filed not later than within 21 days after the date of the Bureau's notice of issuance of the civil administrative penalty and such a request must comply with the provisions of M.G.L. c. 23K, §36(e).

In the case of the temporary suspension of a license by the Bureau in accordance with M.G.L. c. 23K, §35(e), a licensee shall be entitled to a hearing before a hearing officer within 7 days after the suspension was issued.

(3) The request for review shall include:

- (a) ~~the name, address and contact information, including telephone number and email, if any,~~ of the party requesting review;
- (b) **contact information** of counsel representing the party requesting review, if any, ~~and~~
- (c) a **brief specific** description of the basis for the request for review. **In the event that a temporary suspension has been issued in accordance with M.G.L. c.23K, §35(e), at its election the licensee may include a request that the hearing be scheduled within 7 days of the date of the issuance of the suspension. If the matter involves a civil administrative penalty, the request shall include a written statement denying the occurrence of any of the acts or omissions alleged by the Bureau in the notice, or assert that the amount of the proposed civil administrative penalty is excessive; and**
- (d) a copy of the order or fine that is the subject of the request for review.

(4) **The failure of a party to provide a specific description of the basis for the request for review in accordance with 205 CMR 101.03(3)(c) shall be grounds for dismissal of the request per the discretion of the hearing officer.**

~~(5) When the request for review is received by the clerk, the clerk will docket the request for review. Upon receipt, t~~The clerk shall assign the request for review to a hearing officer and schedule the hearing on the request for review. ~~Such hearing shall not occur sooner than 30 days after the request for review is filed with the clerk, unless upon the request of a party and for good cause shown the hearing officer orders an accelerated hearing. Mailing of notice to the address on record with the commission, or emailing the notice to the email address provided by the licensee or registrant on their application for licensure or registration shall be deemed satisfactory notice. The notice of hearing shall contain:~~

- a. The name of the petitioner; and
- b. The date, time and place of the hearing

~~(6) The clerk shall request each party to file a brief stating why the order or fine should or should not be upheld and the relief requested. Such brief shall be no longer than 10 pages and shall be due no later than 10 days prior to the date of the hearing.~~

**Any adjudicatory hearing conducted under 205 CMR 101.02 may be closed to the public at the request of either party in order to protect the privacy interests of either party or other individual, to protect proprietary technical information including but not limited to software, algorithms and**

trade secrets, or for other good cause shown. Any such request may be opposed by the other party. The final determination rests in the sole discretion of the hearing officer.

(7) (a) Upon receipt of the appeal, the hearing officer shall, within ten (10) days, schedule a telephone status conference with all parties. During the status conference the hearing officer shall:

(1) Address any argument that the proceeding should proceed under the Formal Rules, 801 CMR 1.01 et seq.;

(2) Establish a briefing schedule including deadlines for the filing of the petitioner's brief and providing for a reasonable amount of time for the respondent to file a reply brief;

(3) Establish deadlines for the filing of a witness list and exhibit list a reasonable amount of time before the hearing date;

(4) Establish a briefing schedule with respect to any anticipated motions including deadlines for the filing of the movant's brief and providing for a reasonable amount of time for the respondent to file a reply brief;

(5) After completion of the status conference the hearing officer shall issue a written order memorializing all deadlines and provide it to all parties.

(b) After the initial status conference, either party may file a brief explaining how they believe the matter should be decided including the specific relief requested. No late briefs shall be accepted without express permission of the hearing officer. No sur-reply briefs shall be accepted without express permission of the hearing officer. No brief shall be longer than 15 double-spaced pages without express permission of the hearing officer.

A party may request permission to file a brief longer than ~~10~~ 15 pages. Such request shall be filed with the clerk who will forward it to the hearing officer for review. The request must be in writing and state the number of additional pages requested. It shall be up to the discretion of the hearing officer as to whether to grant such request. If the hearing officer grants a request for additional pages, the clerk shall forward the order of the hearing officer to all parties and all parties shall **have** the right to file such additional number of pages. ~~Along with the submission of the brief, each party shall submit a copy of all written evidence to be considered by the hearing officer as well as a list of witnesses that the party wishes to present at the hearing.~~

(8) With or without the submission of a brief, each party shall submit a copy of all written documentary evidence they intend to offer for consideration by the hearing officer as well as a list of all witnesses that the party intends to present at the hearing. The documentary evidence and witness lists shall be provided on or before the date determined by the Hearing Officer during the initial status conference. Failure to submit a brief shall not preclude a party from submitting written evidence or calling witnesses to be considered by the hearing officer. Upon

request, the petitioner shall be provided an opportunity in advance of the hearing to examine and copy the entire content of their case file and all other documents to be used by the commission, bureau, or racing division. All materials submitted to the clerk/hearing officer, including, but not limited to, briefs, evidence and witnesses lists, shall be contemporaneously provided to the all other parties and their counsel via first-class mail or email. Evidence or witnesses that are filed without providing reasonable notice to the opposing party may be precluded at the hearing officer's discretion.

~~(9)(8)~~ All requests for extensions of time to file a brief or to reschedule a hearing date shall be made in writing and filed with the clerk. ~~No request for extension of time to file a brief or to reschedule a hearing shall be considered unless it is made at least seven (7) days prior to the hearing date or briefing deadline. The clerk of the commission may issue orders on procedural and scheduling matters consistent with G.L. c. 23K and 205 CMR in order to further the efficient administration of the commission's hearings process. The clerk shall forward the request for extension of time or to reschedule the hearing date to the hearing officer and the hearing officer may provide an extension of time to file a brief or reschedule a hearing date in the hearing officer's clerk's discretion and for good cause shown. The clerk shall send the hearing officer's order granting an extension of time to file a brief or the rescheduling of a hearing date to all the parties. Any order shall include the number amount of days granted for the extension of time or the new date for the rescheduled hearing. Absent extenuating circumstances no hearing shall be rescheduled more than once.~~

In the event of the appeal of a decision by the Racing judges or stewards, if the petitioner fails to appear at the hearing, the Hearing Officer, after determining that the petitioner received proper notice of the hearing shall dismiss the matter. In the event of a matter before the hearing officer concerning an action taken by the bureau, the bureau may proceed with a hearing before the Hearing Officer even in the absence of the petitioner after determining that the petitioner received proper notice of the hearing.

~~(10)(9)~~ All hearings shall be heard by a hearing officer appointed by the commission. All hearings under 205 CMR 101.03 and 101.04 shall be adjudicatory proceedings held pursuant to 801 CMR 1.02: Informal/Fair Hearing Rules and 205 CMR 101.03 through 101.05 unless a party to the hearing requests that the hearing be held pursuant to 801 CMR 1.01 Formal Rules and the hearing officer, after review of the request, grants the request to hold the hearing pursuant to 801 CMR 1.01. Hearings held before the hearing officer pursuant to 205 CMR 101.02 shall be adjudicatory proceedings conducted in accordance with M.G.L. c. 30A, §§ 10 and 11. All hearings shall be further held under 205 CMR 101.00, as applicable, and 801 CMR 1.02: *Informal/Fair Hearing Rules* unless the applicant/petitioner makes a written request for a hearing under 801 CMR 1.01: *Formal Rules*. In that event, the hearing officer shall determine based on the facts and circumstances of the matter whether 801 CMR 1.01 or 1.02 will apply in order to ensure a fair outcome. Such determination shall be based on such factors as the complexity of the issues presented, whether all parties are represented by counsel, and similar considerations.

Conflicts between 801 CMR 1.01 or 1.02 and 205 CMR 101.00 shall be resolved in favor of 205 CMR 101.00. If the hearing officer grants a request that a hearing be held pursuant to 801 CMR 1.01 Formal Rules, the provisions of 801 CMR 1.01 (1), (2), (3), (5), (6), ~~(7), (8)~~, (11) and (14) shall not apply and the provisions of 205 CMR 101.03 through 101.05 shall govern.

~~(11)(10)~~ There shall be no motions or **formal** discovery allowed in hearings under this 205 CMR 101.03 and 101.04 unless upon the request of a party and for good cause shown, the hearing officer ~~orders~~ **allows** such motions or **formal** discovery **request to be served**. **In the event that motions or formal discovery are allowed by the hearing officer, the hearing officer shall also set forth a reasonable schedule for responding to such motions or discovery requests.**

~~(12)(11)~~ A written transcript or **electronic record** of each hearing shall be created and all witnesses presenting testimony shall be sworn to testify under oath.

~~(13)(12)~~ In addition to the duties and powers of the hearing officer under 801 CMR 1.02 (10)(f), the hearing officer shall **make all factual and legal findings necessary to reach a decision, including evaluating the credibility of all witnesses and evidence presented.** ~~determine if the party requesting review has standing to request review.~~ The hearing officer may ask questions of a party or a witness at the hearing. ~~The hearing officer shall determine the credibility of all witnesses providing testimony at the hearing.~~ The hearing officer can request additional information from any party and may recess or continue the hearing to a later date. **Any party to such a hearing shall be entitled to issue subpoenas as approved by the hearing officer in compliance with 205 CMR 101.02(11) and in accordance with M.G.L. c. 30A, § 12(3).** The hearing officer may request a post-hearing brief from the parties and shall determine the page limit for such brief and the time by which it must be submitted. **The parties may request leave of the hearing officer to submit a post-hearing brief as long as such a request is made within (ten) 10 days of the hearing.**

~~(14)(13)~~ The standard of review of an order or fine issued by the bureau or the racing division shall be the substantial evidence standard unless a different standard is required by ~~c. 23K or c. 128A or c. 128C~~. **The hearing officer shall conduct a review of the matter, making findings of fact and conclusions of law to render a decision.** ~~The hearing officer shall determine whether the order or fine issued by the bureau or the racing division is supported by substantial evidence, in accordance with the decisions of the Massachusetts courts regarding administrative review of agency decisions.~~

~~(15)(14)~~ The hearing officer shall issue a written decision as soon as administratively feasible after the close of the hearing. The written decision shall include findings of fact and conclusions of law and shall clearly state the basis for the hearing officer's decision. The hearing officer shall file its decision with the clerk. The decision of the hearing officer shall be the final decision of the commission unless a request for **appeal review by to** the commission is filed by a party to the proceeding within 30 days of the date of the hearing officer's decision. **In the event**



of a timely filed appeal of a civil administrative penalty to the commission, payment of any such penalty shall be stayed through the final decision by the commission.

(16)~~(15)~~ The clerk shall send a copy of the decision to all parties and shall include with the decision a letter stating that a party may request **appeal review** of the hearing officer's decision ~~to~~ **by** the commission and describing the process for requesting an **appeal review** by the commission.

(17) The hearing officer is authorized to certify any matter directly to the commission. The exercise of such authority will generally be reserved for matters of first impression or those which present extraordinary or unique circumstances. Either party may also request that the hearing officer certify such a matter for commission review. The commission may accept and review the matter or may remand the matter to the hearing officer. In the event that the commission accepts the matter such hearings will be conducted in accordance with 205 CMR 101.02 in which the commission will perform the hearing officer's functions. Appeals of such decisions may be taken in accordance with M.G.L. c.30A in lieu of 205 CMR 101.03.

#### 101.043: Review by the Commission of Decisions of the Hearing Officer

(1) Any decision issued by a hearing officer in accordance with 205 CMR 101.02 may be **appealed to the commission for review**. ~~An appeal request for review of the decision issued by a hearing officer shall be filed with the clerk of the commission on a form provided by the clerk. An appeal request for review shall not operate as a stay of the decision of the hearing officer, unless, along with the filing of a request for review, the party requesting review includes a request for a stay of the decision and such stay is granted by the commission unless specifically allowed by the commission upon motion of the appellant. A request for a stay may be allowed at the commission's discretion if one or both of the following two circumstances are present:~~

- (a)
  - (1) there is a likelihood that the party seeking the stay will prevail on the merits of the case; and
  - (2) there is a likelihood that the moving party will be harmed irreparably absent a stay.
- (b)
  - (1) the consequences of the decision(s) to be made in the case are far-reaching;
  - (2) the immediate impact upon the parties in a novel and complex case is substantial;
  - or
  - (3) a significant legal issue(s) is involved.

(2) ~~In order to be considered by the commission, the appeal request for review must be filed not later than 30 days from the date of the decision issued by the hearing officer was served by the clerk in accordance with 205 CMR 101.02(16). Requests for review filed later than 30 days~~

from the date of the order or fine issued by the judges or stewards shall be forwarded to the commission for review. Orders regarding requests for review filed later than 30 days from the date of the order or fine issued by the judges may be issued by a single commissioner appointed by the chairman to issue such orders.

(3) The **appeal** request for review shall include:

- a. ~~the name, address and contact information, including telephone number and email, if any, of the party requesting~~ **the appeal review;**
- b. ~~the name and address of counsel representing the party requesting~~ **the appeal review, if any, and**
- c. a brief description of the basis for the **appeal request for review;** **and**
- d. ~~(4)~~ **a copy of the decision of the hearing officer that is the basis for the appeal.**

~~(4)~~ Each request for review shall include a copy of the order or fine that is the subject of the request for review.

~~(4)~~**(5)** Upon receipt of the **appeal** request for review by the commission, the clerk shall docket the request and request a copy of the written record of the hearing from the hearing officer. The hearing officer shall provide a copy of the written record to the clerk no later than 10 days after the clerk's request. ~~The written record shall include the decision of the hearing officer, any briefs submitted by the parties, the evidence submitted to the hearing officer and the transcript of the adjudicatory hearing before the hearing officer. The clerk shall provide a copy of the written~~ **administrative** record to all parties involved in the matter to be reviewed by the commission. **The record may be provided electronically or via other similar means. The record shall include the decision of the hearing officer, any briefs submitted by the parties, the evidence submitted to the hearing officer and the transcript or audio recording of the adjudicatory hearing before the hearing officer. The record may only be expanded by the commission upon petition by a party and a showing of good cause as to why the evidence was not included as part of the hearing record below.**

~~(5)~~**(6)** The clerk shall schedule a date for review by the commission. The clerk shall request that each party file a brief stating why the decision of the hearing officer **should** be affirmed, vacated or modified and the relief requested. **Issues not raised before the hearing officer shall not be raised in a brief to the commission. The briefing schedule shall be set by the commission and shall be staggered to provide the appellee adequate time to address the matters raised in the appellant's brief prior to the scheduled hearing before the commission.** No brief shall be ~~no~~ longer than ~~10~~ **15** pages and shall be due no later than 15 days prior to the date of review by the ~~commission.~~ The briefs shall be filed with the clerk. Each party shall serve a copy of its brief on the other party (ies) to the hearing.

~~(6)(7)~~ The clerk shall provide copies of the briefs and a copy of the written record to the commission.

~~(7)(8)~~ A party may request permission to file a brief longer than ~~10~~ 15 pages. Such request must be in writing. The clerk shall forward the request to the commission. It shall be up to the discretion of the commission as to whether to grant such a request. If the commission grants a request for additional pages, the clerk shall forward a copy of the commission's order to all parties to the hearing and all parties shall have the right to file such additional number of pages. Requests to file a brief longer than ~~10~~ 15 pages may be granted by an order issued by a single commissioner appointed by the chairman to issue such orders.

~~(8)(9)~~ All requests for extensions of time to file a brief shall be made in writing to the clerk. The clerk shall forward the request for an extension of time to file a brief to the commission. It shall be up to the discretion of the commission as to whether to grant the request for an extension of time to file a brief. If the commission grants the request for an extension of time to file a brief, the clerk shall forward a copy of the commission's order to the parties and all parties shall have the extension of time to file a brief. Requests for an extension of time to file a brief may be granted by an order issued by a single commissioner appointed by the chairman to issue such orders.

~~(9)(10)~~ The commission's review of the decision of the hearing officer shall be on the ~~written administrative~~ record submitted by the parties **of the hearing conducted by the hearing officer.** The written record shall include the decision of the hearing officer, any briefs submitted by the parties, the evidence submitted to the hearing officer and the transcript of the adjudicatory hearing before the hearing officer. The commission, in its sole discretion and upon its own motion, may request oral argument on the request to review the decision of the hearing officer.

~~(10)(11)~~ Issues not raised before the hearing officer shall not be raised in the briefs to the commission or otherwise considered by the commission. The commission shall not accept as part of the request for review additional or new evidence not submitted to the hearing officer and not already included in the written record.

~~(11)(12)~~ The standard of review of a decision by the hearing officer shall be a substantial evidence standard unless a different standard is required by M.G.L. c. 23K or c. 128A or c.128C. The commission shall determine whether the decision of the hearing officer is supported by substantial evidence in accordance with the decisions of the Massachusetts courts regarding administrative review of agency decisions.

~~(12)(13)~~ The commission shall conduct a **de novo** review of the decision of the hearing officer based upon the **entire administrative** record submitted to the hearing officer, provided however, that findings made by the hearing officer regarding credibility of witnesses shall **be entitled to substantial deference** not be reviewed by the commission. **As provided by M.G.L. c.30A, § 10,**

such appeal shall comply with M.G.L. c. 30A, § 11(8). The procedures described in M.G.L. c. 30A, § 11(7) shall only apply if, where applicable, a party makes written request to the commission in advance for a tentative or proposed decision.

(13)(14) The commission may, **in whole or part**, affirm the decision of the hearing officer, **reverse** ~~vacate~~ the decision of the hearing officer, modify the decision of the hearing officer or remand the matter ~~back~~ to the hearing officer for further action in accordance with the commission's decision. ~~The commission may affirm, vacate or modify the decision of the hearing officer in whole or in part.~~ **Further, the commission may add any condition reasonably calculated to ensure a person's compliance or faithful performance, to penalize for the violations, and/or to deter future violation, including but not limited to fines.** In making its decision, the commission may rely on any evidence contained in the **administrative** record and is not limited to the evidence cited by the hearing officer in support of hearing officer's decision.

(14)(15) The Commission shall issue a written decision as soon as administratively feasible and file it with the clerk. **The decision shall advise the parties of their rights to review in accordance with M.G.L c.23K and 30A, as applicable.** The clerk will provide a copy of the commission's decision to all parties.

#### 101.054: Review of a Commission Decision

~~Decisions by the commission pursuant to 205 CMR 101 may be reviewed by the appropriate court pursuant to the provisions of M.G.L. c. 30A and M.G.L. c.23K;~~

#### Informal Disposition of an Adjudicatory Proceeding

**At any time during an adjudicatory proceeding before a hearing officer or the Commission, the parties may make informal disposition of any adjudicatory proceeding by stipulation, agreed settlement or consent order. Upon such a disposition, the parties are obligated to notify the hearing officer or commission through a joint filing indicating that the matter has been resolved and that is signed by all parties and/or their representatives.**

205 CMR 146.00: GAMING EQUIPMENT

146.23 Chase the Flush Table; Physical Characteristics

- (1) Chase the Flush shall be played on a table having positions for six players on one side of the table and a place for the dealer on the opposite side. A true-to-scale rendering and a color photograph of the layout(s) shall be submitted to the Bureau for approval prior to utilizing the layout design.
- (2) The layout for a Chase the Flush table shall contain, at a minimum:
  - (a) The name or trade name of the gaming licensee;
  - (b) Four separate designated betting areas at each player position for the placement of ante, x-tra bonus, all in and same suit wagers, configured with the same suit area closest to the dealer, the all in wager area farthest from the dealer, the ante wager area arrayed between the same suit wager area and the all in wager area, and the x-tra bonus wager area to the right of and separated from the ante wager area by an “+” symbol;
  - (c) A separate designated area for the placement of the four community cards, which area shall be located in the center of the table between the table inventory container and the player betting areas;
  - (d) A separate designated area for the placement of the dealer’s three cards, which area shall be located between the table inventory container and the designated area for the community cards described in 205 CMR 146.23(2)(c);
  - (e) An inscription indicating that an ante wager shall push if the dealer has less than a 3-card nine high flush; and
  - (f) Unless the gaming licensee complies with 205 CMR 146.23(3) an inscription at each player position describing the following:
    1. The payout odds for same suit and x-tra bonus wagers;
    2. That an x-tra wager shall not be paid unless the player’s hand beats the dealer with four or more cards of the same suit. If the player wins with less than a four card flush then the x-tra Bonus bet pushes.; and
    3. The rules governing the required amount of an all in wager as a multiple of the player’s ante wager (three times the ante if made prior to the first two cards cards being exposed; two times the ante if made after the first two cards are dealt but prior to the final two community cards being dealt; or equal to the ante if made after all community cards are dealt but prior to the dealer’s cards being revealed).
- (3) If the information required by 205 CMR 146.23(2)(f) is not inscribed on the layout, a sign shall be posted at each Chase the Flush table that sets forth such information.
- (4) Each Chase the Flush table shall have a drop box and a tip box attached to it on the same side of the table as, but on opposite sides of, the dealer.



*Legal Division*

## **SMALL BUSINESS IMPACT STATEMENT**

The Massachusetts Gaming Commission (“Commission”) hereby files this small business impact statement in accordance with G.L. c.30A, §2 relative to the proposed regulation **205 CMR 146.23: Chase the Flush Table; Physical Characteristics**; notice of which was filed this day with the Secretary of the Commonwealth. This regulation was developed as part of the process of promulgating regulations governing the operation of gaming establishments in the Commonwealth. This new regulation outlines the standards applicable to the equipment used in a specific table game offered for play in a gaming establishment, and is largely governed by M.G.L. c. 23K, §§ 4(28), and 5.

These regulations apply directly to gaming licensees as well as equipment manufacturers and vendors. To the extent that a manufacturer or vendor is a small business, these regulations may impact small businesses. In accordance with G.L. c.30A, §2, the Commission offers the following responses:

1. Estimate of the number of small businesses subject to the proposed regulation:

To the extent that an equipment manufacturer or vendor is a small business, they may be impacted by this regulation.

2. State the projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation:

There are no further projected reporting, recordkeeping or administrative costs created by this regulation that would affect small businesses.

3. State the appropriateness of performance standards versus design standards:

Although equipment standards must be prescriptive in nature to provide uniform process to all, this regulation does not implicate further design or performance standards.

4. Identify regulations of the promulgating agency, or of another agency or department of the Commonwealth, which may duplicate or conflict with the proposed regulation:

There are no conflicting regulations in 205 CMR, and the Commission is unaware of any conflicting or duplicating regulations of any other agency or department of the Commonwealth.



Massachusetts Gaming Commission

5. State whether the proposed regulation is likely to deter or encourage the formation of new businesses in the Commonwealth:

G.L. c.23K was enacted to create a new industry in the Commonwealth and to promote and grow local small businesses and the tourism industry, including the development of new small businesses. The proposed regulation is designed to effectuate those intentions and growth.

Massachusetts Gaming Commission  
By:

---

Shara Bedard  
Paralegal

Dated: March 15, 2018



Massachusetts Gaming Commission