# **Wynn Boston Harbor**

# Monitoring of Project Construction and Licensee Requirements 205 CMR 135

# Quarterly Report Massachusetts Gaming Commission as of June 30, 2016



# Monitoring of Project Construction and Licensee Requirements

#### Quarterly Report as of June 30, 2016

#### 1.0 Project at a Glance

The Wynn Boston Harbor (the "Project") is an approximately \$2.1 billion luxury resort that will transform a blighted section of the City of Everett, Massachusetts adjacent to the Mystic River, into a world-class destination. The Project will contribute hundreds of millions of dollars, including tens of millions of dollars in infrastructure contributions to the City of Everett, the region, and the Commonwealth of Massachusetts. The Project will be constructed on the contaminated site of a former chemical manufacturing plant totaling approximately 33.9 acres (the "Project Site").



The Project will be comprised of a luxury hotel with 629 rooms, a gaming area, retail space, food and beverage outlets, convention and meeting space, a spa and gym, a parking garage, and other complementary amenities. The Project will also include extensive landscape and open space amenities including a public gathering area with an outdoor park-like open space, a pavilion, waterfront features, a public harborwalk, and water transportation docking facilities reconnecting the City of Everett to the Mystic River and Boston Harbor for the first time in generations.

The Project will also include off-site improvements including extensive transportation improvements and a multiuse path from the Project's harborwalk to the existing paths at the Massachusetts Department of Conservation and Recreation ("DCR") Gateway Park. The Project will be developed in a single phase.

Wynn MA, LLC ("Wynn") received a conditional Category 1 gaming license for Region A (the "Gaming License") in November 2014. Since receiving the conditional Gaming License, Wynn has made significant progress on community outreach, project entitlements, permitting, land acquisition and the design of the Project.

In August 2015, Wynn selected Charter Contracting Company, LLC, a Massachusetts limited liability company, as its remediation contractor. Remediation of the Project Site commenced in October 2015, and final completion documentation is anticipated to be filed in August 2016.

On July 15, 2015, Wynn filed its Second Supplemental Final Environmental Impact Report ("SSFEIR") to address the remaining three principal areas of study that were outlined in the Certificate of the Secretary of Energy and Environmental Affairs on Wynn's Supplemental Final Environmental Impact Report ("SFEIR") dated April 3, 2015. On August 28, 2015, Wynn received a Certificate of the Secretary of Energy and Environmental Affairs on its SSFEIR (the "Secretary's Certificate") concluding that Wynn's SSFEIR "adequately and properly complies" with the Massachusetts Environmental Policy Act ("MEPA").

In accordance with MEPA, following the receipt of its Secretary's Certificate, Wynn has been working with various state agencies to obtain "Section 61 findings," a determination made by an agency of the Commonwealth describing the environmental impact, if any, of the Project and a finding that all feasible measures have been taken to avoid or minimize said impact. Wynn received its Section 61 findings from the following agencies on the dates set forth below:

Massachusetts Water Resources Authority: January 12, 2016
Massachusetts Port Authority: January 21, 2016

Massachusetts Department of Transportation &

Department of Conservation and Recreation: April 5, 2016
Massachusetts Gaming Commission: April 25, 2016

#### 2.0 Cost of Construction and Capitalization of Gaming Licensee

Pursuant to 205 CMR 135.02(5)(a) and (b), please see <u>Appendix 1</u> for a sworn certification regarding (a) the total estimated cost of construction of the Project and related infrastructure improvements and (b) the capitalization of the Wynn for the quarter ending June 30, 2016.

#### 3.0 Design and Construction Contracts

Pursuant to 205 CMR 135.02(5)(c), please see <u>Appendix 2</u> for a list of all design and construction contracts executed for the quarter ending June 30, 2016 to design and construct the gaming establishment and related infrastructure improvements.

#### 4.0 Progress of Construction

Environmental permitting activity continues at an aggressive pace. The purpose of these technical filings is to ensure that input from regulators, local officials, and stakeholders is understood, analyzed, and incorporated. Significant field analysis has been done to properly understand the Project Site, including additional traffic analyses, nearly 2,000 soil and water samples, wetlands delineation, vegetation classifications, and various other data gathering activities on and off the Project Site.

Pursuant to 205 CMR 135.02(5)(d), the following is a status report regarding the progress of the construction of the Project.

#### 4.1 Federal Permits.

On September 8, 2015, Wynn submitted an application for a Section 10 and 404 Individual Permit from the United State Army Corps of Engineers ("ACOE") with respect to dredging, structures and fill associated with navigation improvements and shoreline stabilization in support of the Project.

#### 4.2 State Permits.

On July 15, 2015, Wynn filed its SSFEIR to address the remaining three principal areas of study that were outlined in the Certificate of the Secretary of Energy and Environmental Affairs on Wynn's SFEIR dated April 3, 2015. On August 28, 2015, Wynn received a Secretary's Certificate concluding that Wynn's SSFEIR "adequately and properly complies" with MEPA.

The Secretary's Certificate confirmed that Wynn's traffic analysis and mitigation plans are effective to mitigate the Project's impacts on existing transportation infrastructure. With respect to broader regional transportation impacts, the Secretary's Certificate required the establishment of a "Regional Working Group" to be led by MassDOT for the purpose of assessing and developing long-term transportation improvements that will support sustainable redevelopment and economic growth in and around Sullivan Square. Wynn committed to participating in this Regional Working Group and providing a proportionate share of funding to support this effort.

The Secretary's Certificate also required enhanced public review during permitting and development of Section 61 findings by MassDOT and the Massachusetts Gaming Commission ("MGC"). Following the receipt of the Secretary's Certificate, Wynn had productive meetings with each of the State Agencies with permitting authority over the Project for the purpose of preparing Section 61 findings to be issued by each such State Agency. Wynn received its Section 61 findings from the following agencies on the dates set forth below:

Massachusetts Water Resources Authority: January 12, 2016
Massachusetts Port Authority: January 21, 2016

Massachusetts Department of Transportation &

Department of Conservation and Recreation: April 5, 2016
Massachusetts Gaming Commission: April 25, 2016

On August 24, 2015, Wynn filed its Chapter 91 License Application for the Project with the Massachusetts Department of Environmental Protection ("MassDEP") to obtain license authorization for the development of portion of the Project on private filled and flowed tidelands. Pursuant to M.G.L. c. 21A, § 18(d)(2), (3) and (6), MassDEP and Wynn entered into a Memorandum of Agreement regarding Project specific schedule and fees for the Project (the "Fast Track Agreement").

Pursuant to the schedule set forth in the Fast Track Agreement, the comment period for Wynn's Chapter 91 License Application began on September 9, 2015 and concluded on October 9, 2015. On September 24, 2015, MassDEP held a public meeting at Everett City Hall for the purpose of receiving comments on Wynn's Chapter 91 License Application. The meeting was well attended and the comments received were all positive. Following the meeting, written comments were submitted to MassDEP for its consideration.

Wynn received its "Written Determination" from MassDEP on January 22, 2016. On February 11, 2016, Mayor Joseph A. Curtatone, in his capacity as Mayor of the City of Somerville ("Somerville"), filed a "Notice of Claim" with the Executive Office of Energy and Environmental Affairs, Department of Environmental Protection, requesting an adjudicatory hearing with respect to the Written Determination. On February 18, 2016, the Office of Appeals and Dispute Resolution of MassDEP issued a Scheduling Order pursuant to which a hearing on Somerville's appeal was set for June 2, 2016. As a direct result of this appeal, Wynn was unable to commence construction activities within those portions of the Project Site that are subject to Chapter 91.

Wynn, Somerville and the DEP participated in the adjudicatory hearing on June 2, 2016. MassDEP's presiding officer is anticipated to issue a recommended decision in July 2016. MassDEP's commissioner will issue a final decision following the receipt of the recommended decision.

#### 4.3 Local Permits.

On May 11, 2015, Wynn submitted its Form 19A Site Plan Review Application to the Everett Planning Board. The City of Everett engaged outside consultants, LDD Collaborative, Inc. and TranSystems, to provide Site Plan Review services for the Project. On July 13, 2015, Wynn presented its Site Plan Review Application at the Everett Planning Board public meeting and advised the Everett Planning Board that it would be modifying its application to address comments raised by the City of Everett's outside consultants. On August 24, 2015, Wynn presented its modified application to the Everett Planning Board and the Everett Planning Board heard public comments. On September 16, 2015, the Everett Planning Board concluded the public hearing and unanimously approved the application.

The service road Application Site Plan Review and Special Permit was submitted to the City of Everett Planning Board for review in January 2016. On May 5, 2016, the Everett Planning Board issued the Site Plan Approval for the Service Road.

On August 11, 2015, Wynn submitted its Notice of Intent for the Project to the City of Everett Conservation Commission in order to obtain approval under the Massachusetts Wetland Protection Act for work within wetlands resource areas and buffer zones. The Everett Conservation Commission held an initial public meeting on August 20, 2015. On September 17, 2015, the Everett Conservation Commission held another public meeting and voted unanimously to approve Wynn's Notice of Intent. The Everett Conservation Commission issued its Order of Conditions with respect to the Project on September 24, 2015.

Pursuant to 205 CMR 135.02(6), please see <u>Appendix 3</u> for an updated permits chart and all documents and information listed in 205 CMR 120.01: *Permitting Requirements*.

#### 4.4 Site Remediation.

Prior to the commencement of the remediation, Wynn completed field investigation related including nearly 2,000 samples landside and in the river, and significant laboratory analysis of the samples. On April 8, 2015, Wynn received a petition from residents of the City of Everett requesting that the disposal site be designated as a Public Involvement Plan ("PIP") site in accordance with Massachusetts General Laws (MGL) c. 21E §14(a). This law requires that, upon receiving such a petition, a plan for involving the public in decisions regarding response actions must be prepared and a public meeting held to present the proposed plan. The disposal site was designated as a PIP site on April 28, 2015. The PIP process was used to educate the public on the remediation process and provide a forum for addressing any comments. The PIP process will continue through the completion of the remediation of the site anticipated in August 2016.

Wynn and GZA GeoEnvironmental, Inc., the Licensed Site Professional ("LSP") for the Project Site, presented the draft PIP plan at a public meeting on June 2, 2015 at Everett City Hall. In addition, the draft Release Abatement Measure ("RAM") plan was also presented at the meeting. The comment period for the PIP plan was scheduled to end on June 22, 2015, but was extended by Wynn at the request of the petitioners for an additional 21 days to July 13, 2015. In addition, the comment period for the draft RAM plan was extended an additional 30 days to July 22, 2015.

On August 19, 2015, the Release Abatement Measure ("RAM") plan for the landside remediation (known as Phase 1) was submitted to the MassDEP and all petitioners were notified accordingly.

Pursuant to the RAM Plan, Wynn held public meetings in Everett and Charlestown on October 15 and 16, 2015, respectively, for the purpose of informing the public regarding the remediation prior to commencement. Remediation of the Project Site began following such meetings. Weekly updates on the remediation were posted on Wynn's website (<a href="https://www.wynnineverett.com">www.wynnineverett.com</a>). The perimeter air-monitoring system was operational throughout the remediation and no alarm conditions attributable to the RAM work were recorded.

Phase 1 remediation of the Project Site was completed in the second quarter of 2016. A total of approximately 10,680 tons of contaminated soil was transported off-site for proper disposal during Phase 1. The soil was transported in lined trailers which were cleaned prior to leaving the Project Site.

A separate RAM Plan has been prepared to address construction-related RAM activities. Response actions to be conducted under this RAM Plan will include the excavation of contaminated soil, the dredging of contaminated sediment, and the placement of clean fill materials at the properties identified in the RAM Plan. On February 17, 2016, a public meeting on the construction-related RAM Plan was held at the Everett City Hall. The public comment period for the construction-related RAM Plan ended on March 9, 2016. No comments were received. On May 2, 2016 the construction-related RAM Plan and a Final Revised Public Involvement Plan was filed.

#### 4.5 Offsite Infrastructure.

As described above, the Secretary's Certificate confirmed that Wynn's traffic analysis and mitigation plans are effective to mitigate the Project's impacts on existing transportation infrastructure. In light of this positive response, an RFP was issued on June 26, 2015 to select a design and permitting team to deliver the offsite roadway and transit station improvements. In November 2015, Wynn entered into an agreement with AECOM USA of America, a Massachusetts corporation ("AECOM"), to provide civil and geotechnical engineering and construction oversight services for off-site infrastructure related to the Project. During first quarter 2016, AECOM completed the applicable Roadway Safety Audits and continued with site surveys and concept design. During the second quarter 2016, site surveys were completed as well as the development of the 25% design plans and functional design reports. On April 26, 2016, Wynn and AECOM staff met with MassDOT, MBTA and DCR transportation officials to discuss the projects and schedule. On June 14, 2016, the 25% design plans and functional design reports were submitted to the City of Everett and their peer review consultant, Weston and Sampson/Thule, at a design briefing meeting.

The 25% design plans and functional design reports were submitted for review to MassDOT at a design briefing meeting held on June 24, 2016. Coordination with the Massachusetts Central Transportation Planning staff commenced regarding the 25% design.

On a separate track, Howard/Stein-Hudson Associates, Inc., Wynn's design team for the Sullivan Square improvements has been working since last year on conceptual designs and will continue to advance the design to 25%. In connection therewith, Wynn is working closely with the City of Boston to advance its filing with the Public Improvements Commission. On July 1, 2016 the Conceptual Design Report was submitted to Boston Transportation Department (BTD) for their review.

Subject to Wynn receiving all permits required to complete the work, all offsite improvements are envisioned to be completed and operable prior to the opening of the Project.

#### 4.6 Design.

Project design has made significant progress this quarter. The foundation plan is complete and has been peer reviewed. The City of Everett issued the Foundation Permit on May 2, 2016. The hotel tower, podium, site, and interiors are being reviewed by the City of Everett.

#### 4.7 Construction Services.

On January 8, 2016, Wynn entered into an Agreement for Guaranteed Maximum Price Construction Services with Suffolk Construction Company, Inc. ("Suffolk"). Suffolk is currently providing pre-construction services including estimating, design review, value engineering, and preparation for procurement and construction. Suffolk procured the site work, slurry wall/LBE, and curtain wall subcontractors in second quarter 2016 and preconstruction activities commenced at the end of May 2016. Below is a summary of the activities through June 30, 2016:

- Completed pre-excavation and guidewalls in the non-Chapter 91 areas for the slurry wall.
- Completed pre-excavation for the LBE's in the non-Chapter 91 areas.
- Mobilized and set up the slurry wall rigs and plants.
- Started pre-excavation for the precast piles in the non-Chapter 91 areas.

Dust control measures that are in-place include a water truck dedicated full time to the Project Site when work is occurring on the Project Site and covering dirt stockpiles at night with poly (plastic).

#### 4.8 Service Road.

The service road and utilities drawings were prepared and issued on March 31, 2016. Bids were received in early May to allow early construction of this critical work. On May 25, 2016, J. Derenzo Co. was awarded the Service Road and Utility Relocation contract.

As of June 30, 2016 the following utility work was completed for the Service Road:

- Approximately 1,000 linear feet (If) (45%) NGrid 23kv ductbank including 5 MHs.
- Approximately 900 If (20%) Verizon ductbank including 3 MHs.
- NGrid and Verizon ductbanks crossings beneath 115 kV lines completed.
- Approximately 125 If 10" ductile iron water line.
- Approximately 400 If 18" ductile iron water line.

#### 4.9 Procurement.

Proposals were received for Commissioning, Independent Testing, and Room Controls. Fenaugh Engineering and HAKS were selected for special inspections in June 2016. BR+A was selected for commissioning services in June 2016.

#### 4.10 Owner Controlled Insurance Program ("OCIP").

Wynn has been working with Willis Towers Watson to initiate an Owner Controlled Insurance Program for the Project. This insurance program will be implemented prior to the commencement of construction.

#### 4.11 Project Labor Agreement.

Following the engagement of Suffolk, Wynn and Suffolk re-engaged in discussions with local labor leaders and finalized the draft Project Labor Agreement for the Project. The Project Labor Agreement was executed on May 5, 2016.

#### 4.12 Construction Management Plan.

Howard/Stein-Hudson Associates, Inc. prepared a Construction Management Plan ("CMP") for the purpose of mitigating any adverse impacts to the host and surrounding communities. The CMP was submitted to the City of Everett on April 21, 2016.

#### **5.0 Project Schedule**

#### 5.1 Six Month Look Ahead

The 6-month look ahead schedule is attached hereto as Appendix 4.

#### 5.2 Project Master Schedule

The development of the Master Schedule will track with the environmental permitting and be finalized once the Project has completed the Chapter 91 process.

#### 6.0 Project Resources/Diversity

Pursuant to 205 CMR 135.02(5)(f), please see <u>Appendix 5</u> for a report describing the number of contracts, total dollars amounts contracted with and actually paid to minority business enterprises, women business enterprises and veteran business enterprises for design and construction of the Project 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 Wynn as approved by the MGC.



June 30, 2016

Massachusetts Gaming Commission 101 Federal St., 23rd Floor Boston, MA 02110

#### Dear Commissioners:

In accordance with 205 CMR 135.02(5)(a), please see below for the total estimated cost of construction of the project and related infrastructure improvements and the costs incurred as of June 30, 2016, calculated 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:

MGC Quarterly Report Appendix 1 (US\$ thousands)

Component	Cost Incurred 6/30/2016	Re	Estimated maining Cost	Es	Total timated Cost
Construction / on-site development	\$ 39,556	\$	1,254,598	\$	1,294,154
Design and engineering	42,733		110,294		153,027
Site preparation	8,606		73,026		81,632
Off-Site Improvements	1,287		36,123		37,410
Land acquisition	54,225		12,523		66,748
Pre-opening	21,711		67,925		89,636
Owner FF&E	1,171		144,614		145,785
Total	\$ 169,288	\$	1,699,104	\$	1,868,392

In addition, in accordance with 205 CMR 135.02(5)(b), I direct you to the financial statements of Wynn Resorts, Limited (NASDAQ: WYNN), the parent of Wynn MA, LLC (the "Licensee"), including Wynn Resorts' Quarterly Report on Form 10-Q for the quarter ended March 31, 2016, filed with the Securities and Exchange Commission (the "SEC") on May 6, 2016, which is available at www.sec.gov. As reflected in these financial statements, Licensee has sufficient financial resources in order to meet all expected financial obligations relating to the completion of the Project and related infrastructure improvements associated with the Project.

I, Stephen Cootey, hereby certify, to my knowledge and in my capacity as Chief Financial Officer of Wynn Resorts, Limited, as to the material veracity of the foregoing.

Sincerely,

Stephen Cootey

Chief Financial Officer

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# Appendix 2

# **Design and Construction Contracts**

As of June 30, 2016

## Reference 205 CMR 135.02(5)(c)

Vendor/Contractor	Date	Services	MGC Status
AECOM	11/4/15	Civil and Geotechnical Eng. – Offsite Infrastructure	NGV092
	1/18/16	Design and Construction Phase Services – MBTA Everett Maintenance Facility	NGV092
Alliance Detective & Security	12/31/15	Site Security	NGV326
Arup USA, Inc.	12/10/14	Fire Protection Consulting	NGV102
Bohler Engineering MA, LLC	06/08/16	Engineering Services – Property Redevelopment - McDonalds	NGV845
Bukhari Design Studio, LLC	7/15/15	Concept and Documentation Services – High Limit Gaming	NGV434
Cashman Dredging & Marine Contracting and Company, LLC	9/2/15	Site Clean-up/Fencing	NGV450
Charter Contracting Company	11/10/15	Site Remediation Services	NGV479
Christopher Gordon		Project Management	NGV226
Cleo Design, LLC	7/15/15	Design Consultant – Staff Dining	NGV500
	7/15/15	Design Consultant – Executive Offices	NGV500
DHA Design Services LTD	9/24/15	Exterior Lighting Design	NGV522
Design Enterprise	9/17/15	Design Consultant – High Limit Gaming	NGV460
Eslick Design Associates	05/22/15	Design Consultant – Site Signage	NGV383
	7/15/15	Design Consultant – Low-Rise and Garage Signage	NGV383
	7/15/15	Design Consultant – High-Rise Signage	NGV383
First Circle Design, Inc.	10/14/15	Design Consultant – Interior Lighting – Meeting & Convention/Gaming	NGV518
Fort Point Associates, Inc.	12/30/14	Planning and Environmental Consulting	NGV075
Foundry Interior Design	10/21/15	Design Consultant – Performance Lounge	NGV535
Gilbane Building Company	01/24/14		
GZA GeoEnvironmental, Inc.	11/12/14	Geotechnical and Environmental Services	NGV013

	04/21/16	Geotechnical and Environmental Services – Harbor Walk	NGV013
Hirsch Bedner Associates dba HBA/Hirsch Bedner Associates	02/25/15	Design Consultant – High-Rise Interiors	NGV133
	05/22/15	Design Consultant – Public Areas	NGV133
	05/22/15	Design Consultant – F&B	NGV133
	05/22/15	Design Consultant – Public Areas	NGV133
	05/22/15	Design Consultant – Buffet	NGV133
	05/22/15	Design Consultant – Public Restrooms	NGV133
	05/22/15	Design Consultant – Meeting and Convention	NGV133
Howard/Stein-Hudson Associates, Inc.	12/30/14	Traffic Engineering	NGV079
	4/28/15	Traffic Engineering	NGV079
Harry Feldman, Inc., dba Feldman Land Surveyors	02/06/15	Surveying	NGV071
JBA Consulting Engineers	09/30/15	A/V Engineering Services	NGV642
Jacobs Consultants Inc.	12/04/14	Executive Architect	NGV181
John Lyons Systems - Moonlighting	05/09/16	A/V Engineering Services	NGV805
Lifescapes International, Inc.	02/03/15	Landscape Architect	NGV151
Lighting Design Alliance	10/29/15	Design Consultant – Interior Lighting – Food and Beverage/Public Areas	NGV439
	05/11/16	Design Consultant – Interior Lighting – Meeting and Convention Areas	NGV439
Halifax Security Inc. dba M. Malia & Associates	01/23/15	Security and Surveillance Consulting	NGV123
Michael Hong Architects, Inc.	12/11/14	Architectural Design Services	NGV206
Oguz Cem Yazici	3/23/16	Construction Consultant – Scheduling	NGV801
RF Networks	11/12/15	Communication Systems Specifications	NGV688
Ryan Biggs Clark Davis Engineers	10/29/15	Structural Peer Review of Jacobs Drawings	NGV508
Suffolk Construction Company, Inc.	01/08/16	Construction Management	NGV163
TRC Environmental Corporation	09/30/15	Construction Consultant - Building Demolition	NGV067
Vanasse & Associates, Inc.	02/06/15	Supplemental Final Environmental Impact Report - Transportation	NGV066
Vermuelens, Inc.	02/03/16	Construction Consultant – Construction Cost Analysis	NGC072
Vicente Wolf Associates	05/22/15	Design Consultant – F&B	NGV283

# Appendix 3

### Permits

## As of June 30, 2016

## Reference 205 CMR 135.02(6)

Agency Governing Legal Authority (Statute/Regulation/Ordinance	Permit, Review, or Approval	Date Application Submitted or Estimated Anticipated Application Date	Maximum Agency Decision Time Maximum Effective Period (if provided in applicable statute, regulation or ordinance)
Federal			
Federal Aviation Administration (FAA)  49 U.S.C. Subtitle VII, Aviation Programs, Part A and B; 14 CFR 77, Subpart D; Order JO 7400.2J, Procedures for Handling Airspace Matters, Ch. 7 Determinations	Determination Regarding Air Navigation	Building: Received January 9, 2016 Cranes: Submitted April 8, 2016 Podium: Submitted April 6, 2016	Determination is effective for 18 months and may apply for one 18-month renewal.
U.S. Army Corps of Engineers (ACOE)  Section 10 of Federal Rivers and Harbors Act; 33 USC s. 403; 33  CFR Parts 322, 325	Work in Navigable Waters (Section 10) Permit	Project: Submitted September 15, 2015 Permit Anticipated August, 2016	No fixed maximum decision time. For individual permits, ACOE will be guided by the target schedule of decision within 60 days of receiving completed application, subject to receipt of any additional information needed for decision and processes required by other state and federal laws (such as CZM Act) to precede decision.
U.S. Army Corps of Engineers (ACOE)  Section 404 of Federal Clean Water Act; 33 USC s. 1344; 33 CFR Parts 323, 325	Clean Water Act (Section 404) Individual Permit	Project: Submitted September 15, 2015 Permit Anticipated August, 2016	Individual permits for a permanent structure or activity typically do not expire, but may specify when the work must start - usually within 1 year of issuance.

		l c 1:	
U.S. Army Corps of Engineers	Massachusetts General	Sediment Remediation:	Massachusetts General
(ACOE)	Permit (GP) 17	Anticipated submittal	Permit ("GP") includes 41
Massachusetts General Permit		October 2016	general conditions for all
issued January 10, 21 2010,			activities and identifies 23
modified November 13, 2012;			differentiated GPs based on
pursuant to 33 CFR Part 330			activity. GP 17 applies to
parsault to 35 Crivi are 350			activities that affect the
			containment, stabilization,
			or removal of hazardous
			materials, or toxic waste
			materials, including court-
			ordered remedial action
			plans or related settlements,
			which are performed,
			ordered, or sponsored by a
			government agency with
			established legal or
			regulatory authority. Under
			GP 17, work in navigable
			waters with permanent
			impacts that meet or exceed
			the PCN limits on page 4 of
			the GP of less than or equal
			to ½ acres, is eligible for
			review under a PCN.
U.S. Environmental Protection	National Pollutant Discharge	On-site: April 6, 2016	Decision time for CGP and
Agency (EPA)	Elimination System (NPDES)	, ,	RGP: effective 14 days after
	Construction General Permit		NOI submittal to and
Federal Clean Water Act	(CGP) NOI (for stormwater		acknowledged by EPA.
Section 402(p); 33 USC s.	management)		When the CGP expires on
1342(p); 40			February 16, 2017, those
CFR 122.26; NPDES			activities covered by the CGP
Construction General Permit,			will likely have to file a NOI
Effective February 16, 2012	NDDEC Demodiation Commit	Cubacitted Mc 25, 2045	under the new CGP.
U.S. Environmental Protection	NPDES Remediation General	Submitted May 25, 2016	When the RGP expires on
Agency (EPA)	Permit (RGP) (for		September 10, 2015, those activities covered by the RGP
Federal Clean Water Act	construction dewatering)		will likely have to file a NOI
Section 402(a), 33 USC s.			under the new RGP. The
1342(a); 40 CFR			new RGP is not yet in place.
122.28; 314 CMR 4.00; NPDES			new new new yee in place.
Remediation General Permit,			
NPDES Permit No. MAG910000,			
Effective September 10, 2010			
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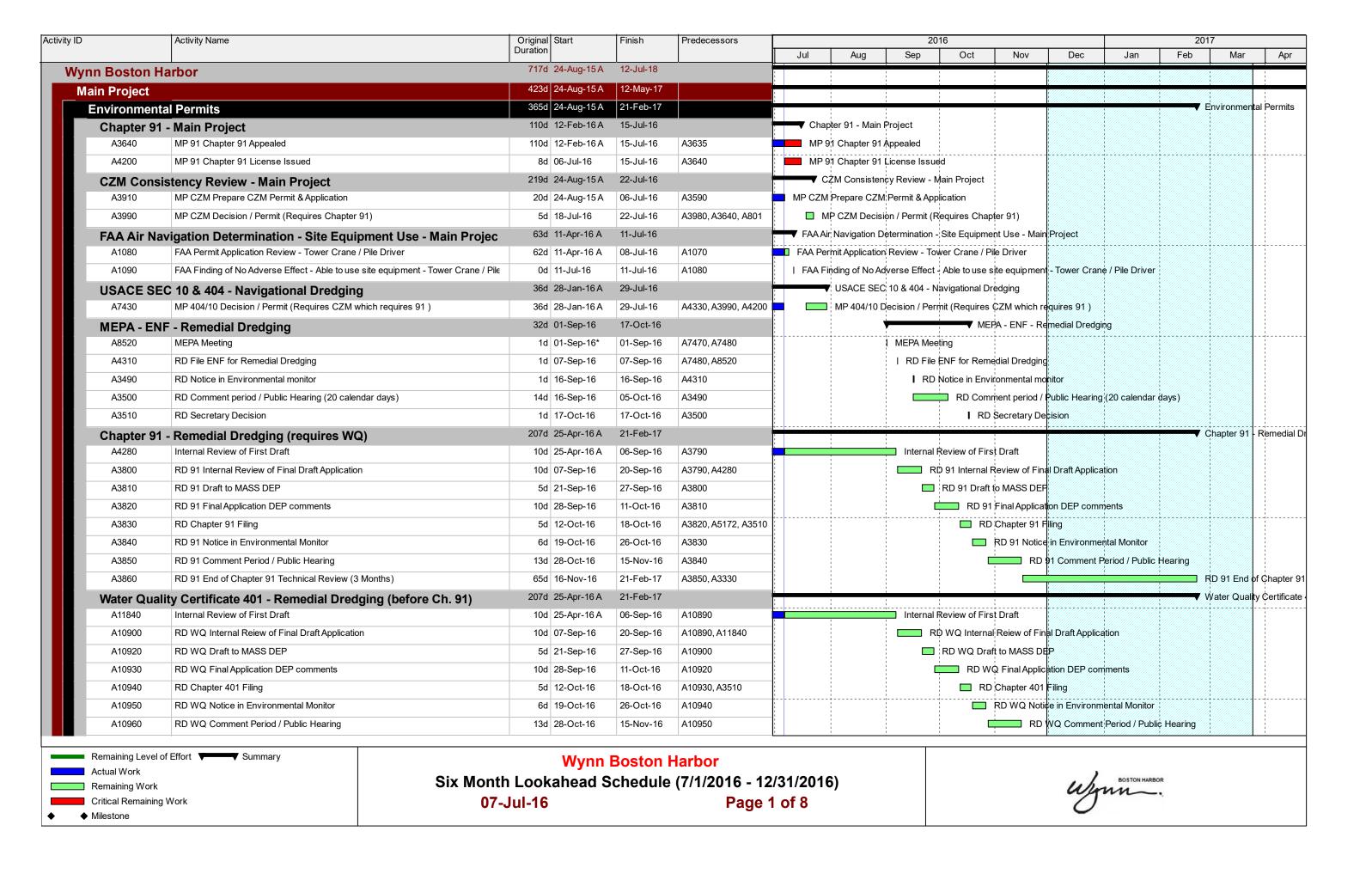
State			
Executive Office of Energy and Environmental Affairs  Massachusetts Environmental Policy Act; MGL c. 30 ss. 61-62l; 301 CMR 11.00	Massachusetts Environmental Policy Act (MEPA) Review	Project:  Certificate on EENF received 11/26/13  Certificate on DEIR received 2/21/14  Certificate on FEIR received 8/15/14  Certificate on SFEIR Received 4/03/15  Certificate on SSFEIR Received 8/28/15  Sediment Remediation: Filing NPC anticipated September 2016  Submitted on 10/16/13	Secretary determines whether a Draft EIR, or Final EIR, as applicable, is adequate within 37 days of notice of availability of the EIR in the Environmental Monitor.  A project that has not commenced either construction, or other project development activities (including final design, property acquisition, or marketing), within five years of notice of availability of Final EIR must file a Notice of Project Change.  Secretary determines whether a subsequent filing is required. MEPA review is complete if no further filings are required.  After publication of
Environmental Affairs  MGL c. 21A ss. 2 and 4A; 301 CMR 23.00	минира нагоог <del>г</del> лан	Approved on 2/10/14	proposed Plan in Environmental Monitor and 30 day public comment period, Secretary has 60 days to consult with municipality proposing the Plan and other applicable agencies/entities, and 21 days thereafter to issue a written decision on the MHP.
Massachusetts Department of Environmental Protection (MassDEP)  MGL c. 91 ss. 12-14; 310 CMR 9.00	Chapter 91 Waterways Determination of Applicability	Determination of Applicability re Chapter 91 jurisdictional boundaries received on July 29, 2013	
Massachusetts Department of Environmental Protection (MassDEP)  MGL c. 91 ss. 12-14; 310 CMR 9.00	Chapter 91 Waterways License	Project: Submitted August 19, 2015 License Anticipated August, 2016  Sediment Remediation: Submittal Anticipated October 2016	Licenses are issued for a fixed term; the standard term is 30 years but a license may be issued for an extended term (maximum of 99 years) if certain additional requirements are met.
<b>MassDEP</b> MGL c. 21 s. 43; 310 CMR 7.12	Compliance Certification for Stationary Engine	TBD	Required for CHP and generator

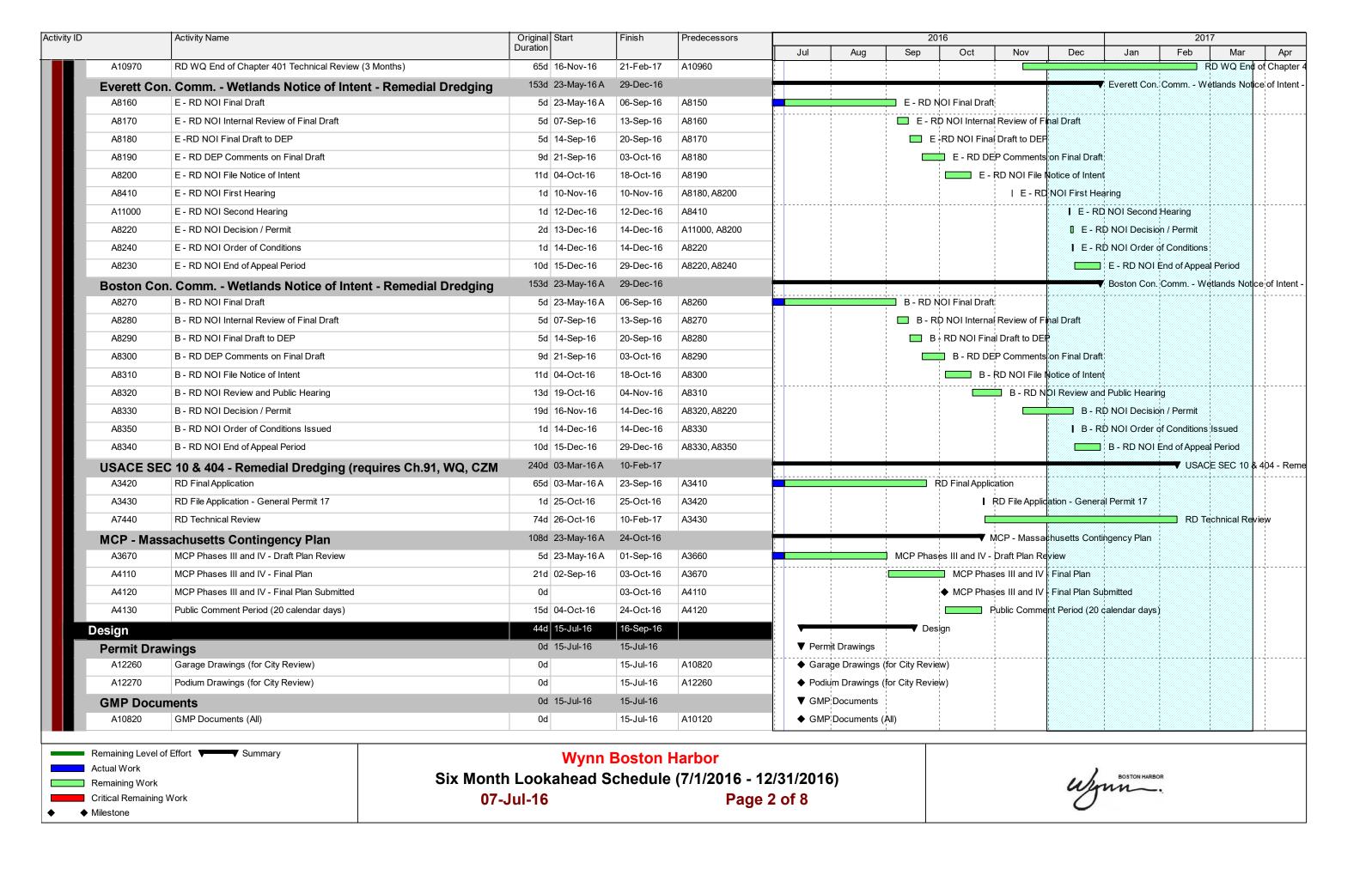
MassDEP  MGL c. 111 ss. 142A-142E; 310  CMR 7.09	Notification of Construction and Demolition	TBD	Effective 10 working days after filing of notification.
MassDEP  Section 401 of Federal Clean Water Act, 33 USC s. 1341; Massachusetts Clean Waters Act, MGL c. 21 ss. 26 et seq.; 314 CMR 9.00 (which cites to 310 CMR 4.00)	Water Quality Certification (401)	Project: Submitted September 8, 2015 Approval received January 22, 2016  Sediment Remediation: Submittal Anticipated October 2016	Standard MassDEP technical review period is 120 days (24 days for determination of administrative completeness and 96 days for technical review).  No fixed maximum decision time.
MassDEP  MGL c. 131 s. 40; 310 CMR 10.00	Wetlands Superseding Order of Conditions	Only in event of appeal of Order of Conditions issued by Everett Conservation Commission	Per 310 CMR 10.05 (7)(f) Issued within 70 days of request for superseding action (unless MassDEP requests additional information).
MassDEP Bureau of Waste Site Cleanup/Massachusetts Contingency Plan (MCP) MGL c. 21E; 310 CMR 40.000	(Submittals by Licensed Site Professional on behalf of Site Owner - do not need DEP approval)	Landside Remediation: Draft RAM Plan provided to DEP in May 2015; PIP process underway  Sediment Remediation: Phase II Submitted December 2015  Phase III: Submittal Anticipated December 2016	Agency decision time frame N/A under MCP privatized program.
Massachusetts Water Resources Authority (MWRA)  Chapter 372 of the Acts of 1984, s. 8(m); 360 CMR 10.000	Section 8(m) Permit (to cross or construct within an MWRA easement)	Project: Anticipated Submittal September 2016	
Massachusetts Office of Coastal Zone Coastal Zone Management (CZM)  301 CMR 20.00, M.G.L. c. 21A, §§2 and 4A  Coastal Zone Management Act of 1972, 16 U.S.C. 1451 et seq.,15 CFR §§ 923 and 930	Federal Consistency Certification	Project: Submitted December 2015  Sediment Remediation: Anticipated Submittal October 2016	

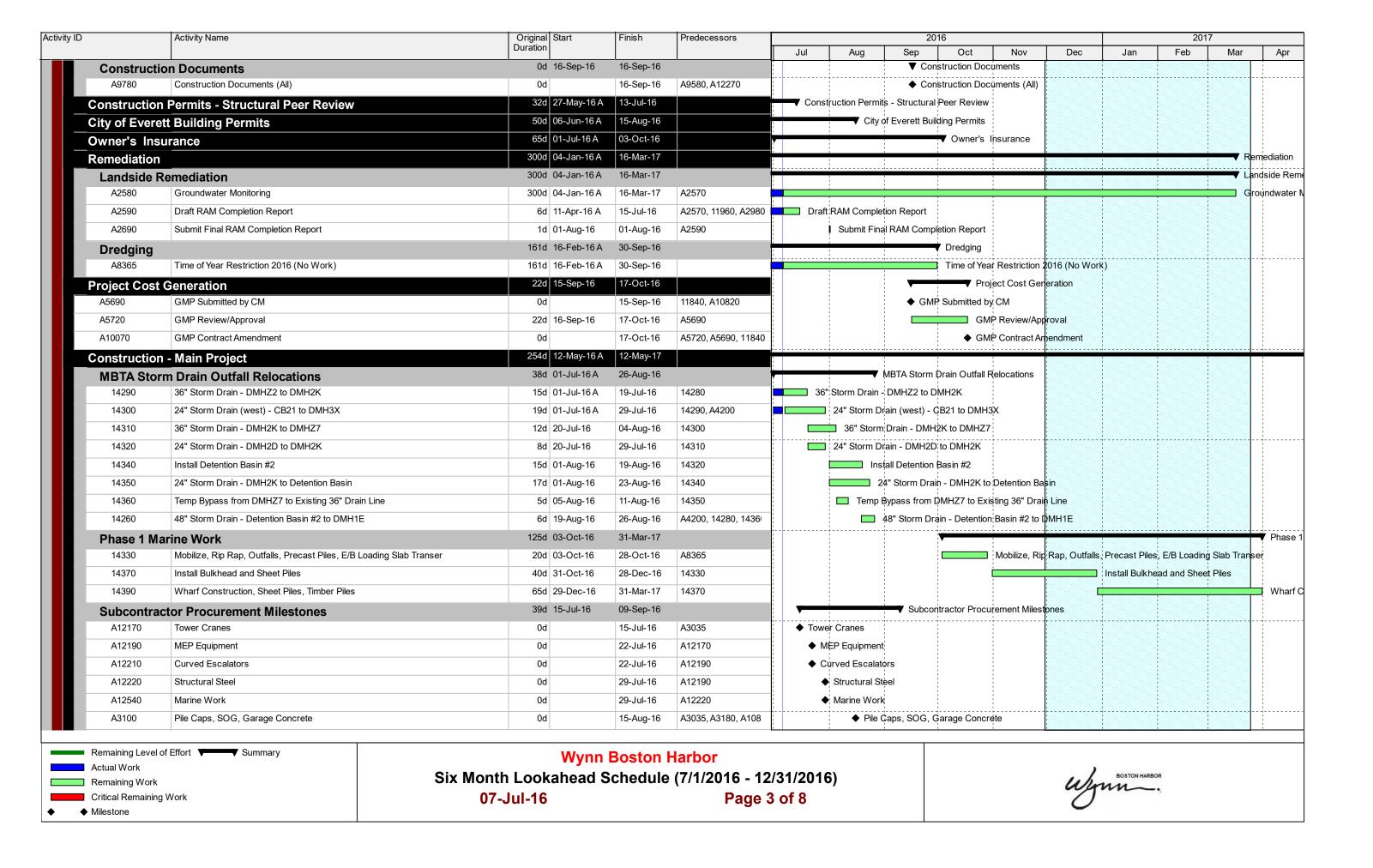
Massachusetts Historical Commission (MHC)  MGL c. 9 ss. 26 et seq.; 950  CMR 71.00  Board of Underwater Archaeological Resources (BUAR)  M.G.L. c. 6, ss. 179 and 180; 312 CMR 2.00	Review of project relative to potential effects on State Register historic/ archaeological resources.  Review of waterside activities	Project: Review Completed  Sediment Remediation: Anticipated review concurrent with MEPA NPC	Within 30 days of receipt of a completed Project Notification Form or ENF, the MHC will determine whether further information is needed and/or consultation is needed because the project may affect State Register properties. Beyond initial period, no other maximum decision times apply.
Massachusetts Department of Transportation (MassDOT)  MGL c. 81 s. 21, 720 CMR 13.00	Non-Vehicular Access Permit - Off-site roadway improvements	TBD	MassDOT completes technical reviews of the Access Permit application in 75 business days (35 business days following receipt of the 25% design submission, 20 business days following receipt of the 75%/100% design submission, and 20 business days following receipt of the PS&E submission.) Following technical review and approval, Section 61 Finding, and completion of MHC review and Mass. Wetlands Protection Act permitting, the MassDOT permit is issued 5 to 7 business days following final design approval.
Massachusetts Department of Transportation (MassDOT)  MGL c. 40 s. 54A	Consent to issuance of building permit for construction on land formerly used by railroad company	Project: Approval issued May 2, 2016	
Massachusetts Department of Transportation (MassDOT)  MGL c. 161A s. 5(b)	MBTA Land Disposition and Easement Agreements	Anticipated Summer 2016	

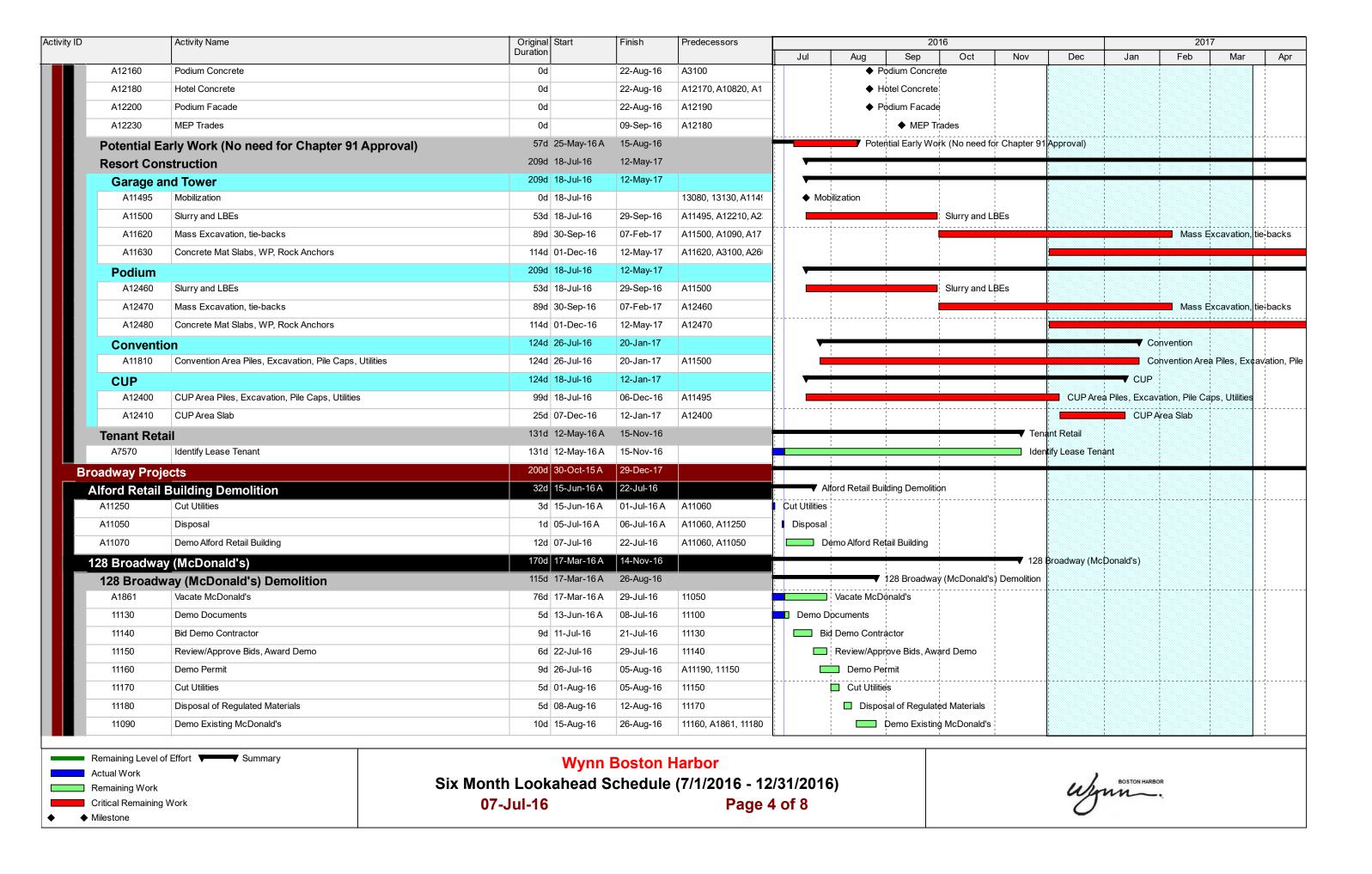
Local			
City of Boston (Off-site	Approvals	Filed January 30, 2015	
Roadway)		, .	
Public Improvement			
Commission (PIC)			
Boston Transportation			
Department (BTD)			
Revised Ordinances of City of			
Boston of 1961, Ch.21, Sect. 36			
Everett Planning Board	Site Plan Review	Project: Approval Received	Site Plan Review decisions
		October 14, 2015	shall be issued within 180
M.G.L. 40A, as amended, and			calendar days after filing of a
Everett Zoning Ordinance,		Access Road: Approval	completed application.
Section 28A, Resort Casino		Received May 5, 2016	Everett Zoning Ordinance,
Overly District (RCOD) in Lower Broadway Economic			Sec. 28A(10)(B)(iii).
Development District (LBEDD)			
Development District (LBEDD)			Everett has accepted
			expedited permitting
			processes for Priority
			Development Sites pursuant
			to MGL c. 43D. All lots
			located in the LBEDD
			and RCOD are Priority
			Development Sites, Everett
			Zoning Ordinance Section
			28A(10)(B).
Everett Conservation	Wetlands Order of	Project: Order of Conditions	Decision time (about 42 days
Commission	Conditions	issued September 24, 2015	plus duration of public
			hearing which may consist of
Everett City Charter, c. 2,			more than one ConComm
Article III, Division 7, Section 2-			meeting):
252			
M.G.L. c. 131 §40; 310 CMR		<u>Landside Remediation</u> :	- A public hearing must
10.00		Order of Conditions Issued	be held within 21 days of
		2015	receiving NOI.
		Calling at B	- Orders of Conditions issued
		Sediment Remediation:	within 21 days of the close
		Submittal Anticipated	of the public hearing.
		September/October 2016	Orders of Conditions are
			valid for 3 years unless
			extended.
Everett Fire Department	Review of Plans	TBD	exteriucu.
Lverett i ne Department	Fire Suppression System		
Rev. Ordinance 1976, Pt.2,	Installation		
Ch.7, §33	Fuel Storage Permit		
, 322	LP Gas Storage Permit		
Everett City Charter, Chapter 8,	Underground Storage Tank		
Article I, §2-252	Removal Permit		
	(Commercial)		
M.G.L. c. 148 §10A			
- • -	1	1	1

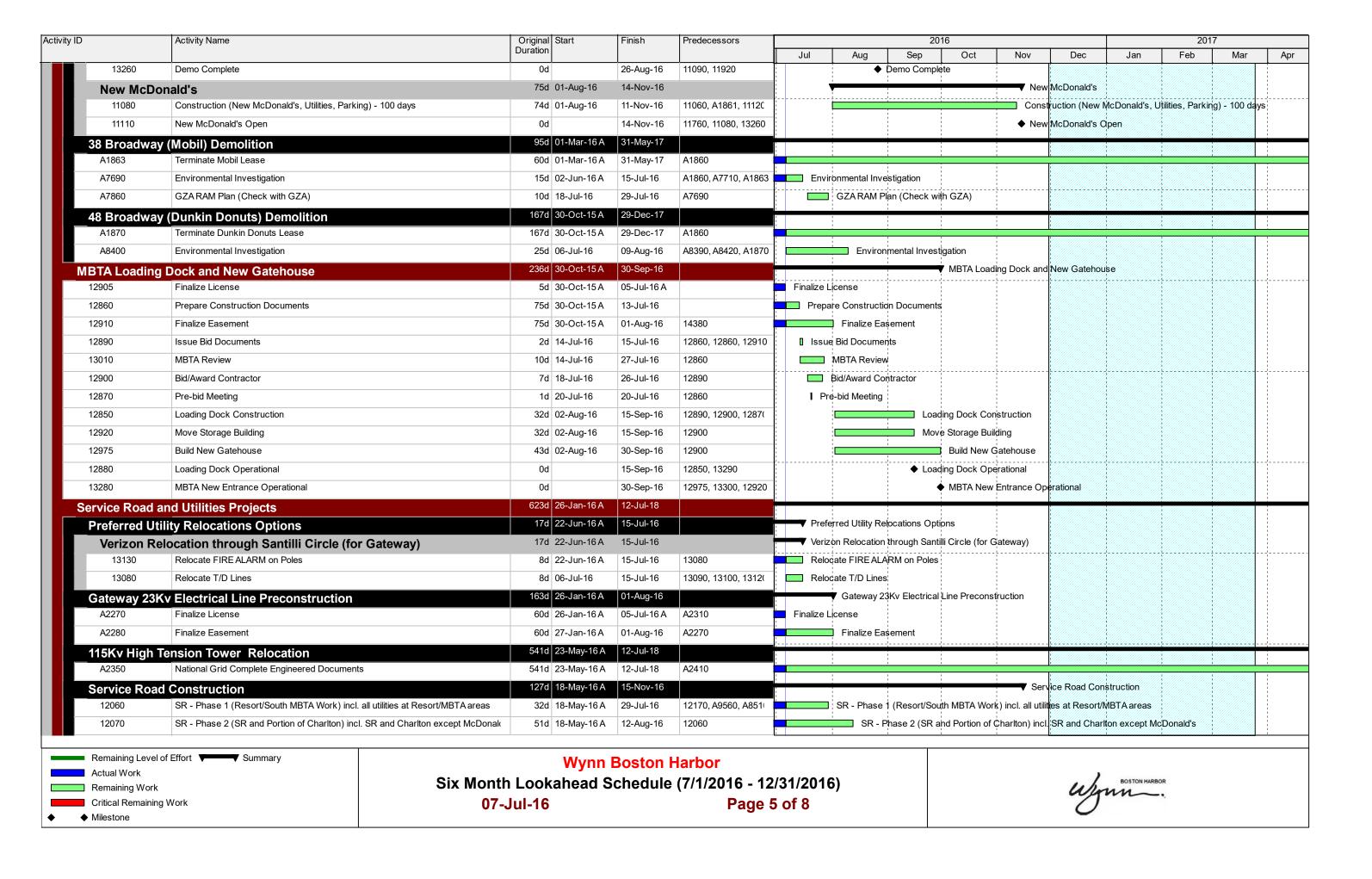
M.G.L. c. 140  Everett Licensing Commission	Food Establishment Permit Application  Alcohol License Common Victualler License	TBD	Permits are annual, and expire May 31st of each year.
Victualler License: M.G.L. c. 140			
Everett Public Works  Sewer: M.G.L., c. 83; Everett City Charter, Chapter 15  Water: Everett City Charter, Chapter 20	Sewer Connection Permit Water Connection Permit	TBD TBD	
Everett Building Department  State Building Code, 780 CMR 105.3.1	Building Permit Plumbing Gas Electrical Wire Trench Mechanical Foundation	Foundation Permit May 2, 2016	30 days from submission of completed application. Specific permits (plumbing, gas, etc.) to be requested and issued at various times during construction period within 30 days following application
Boston Conservation Commission M.G.L. c. 131 §40; 310 CMR 10.00	Wetlands Order of Conditions	Sediment Remediation: Submittal Anticipated September/October 2016	

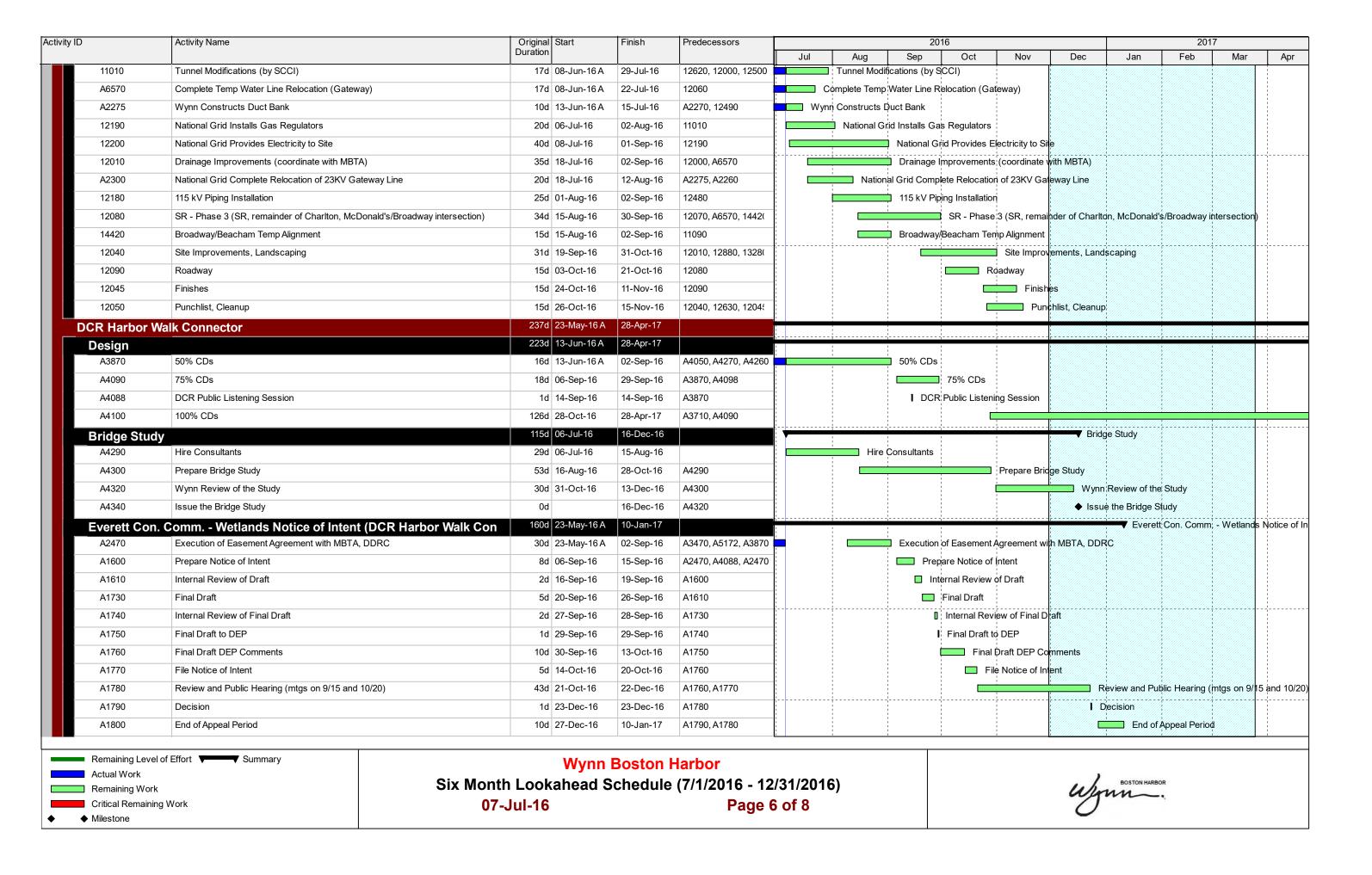


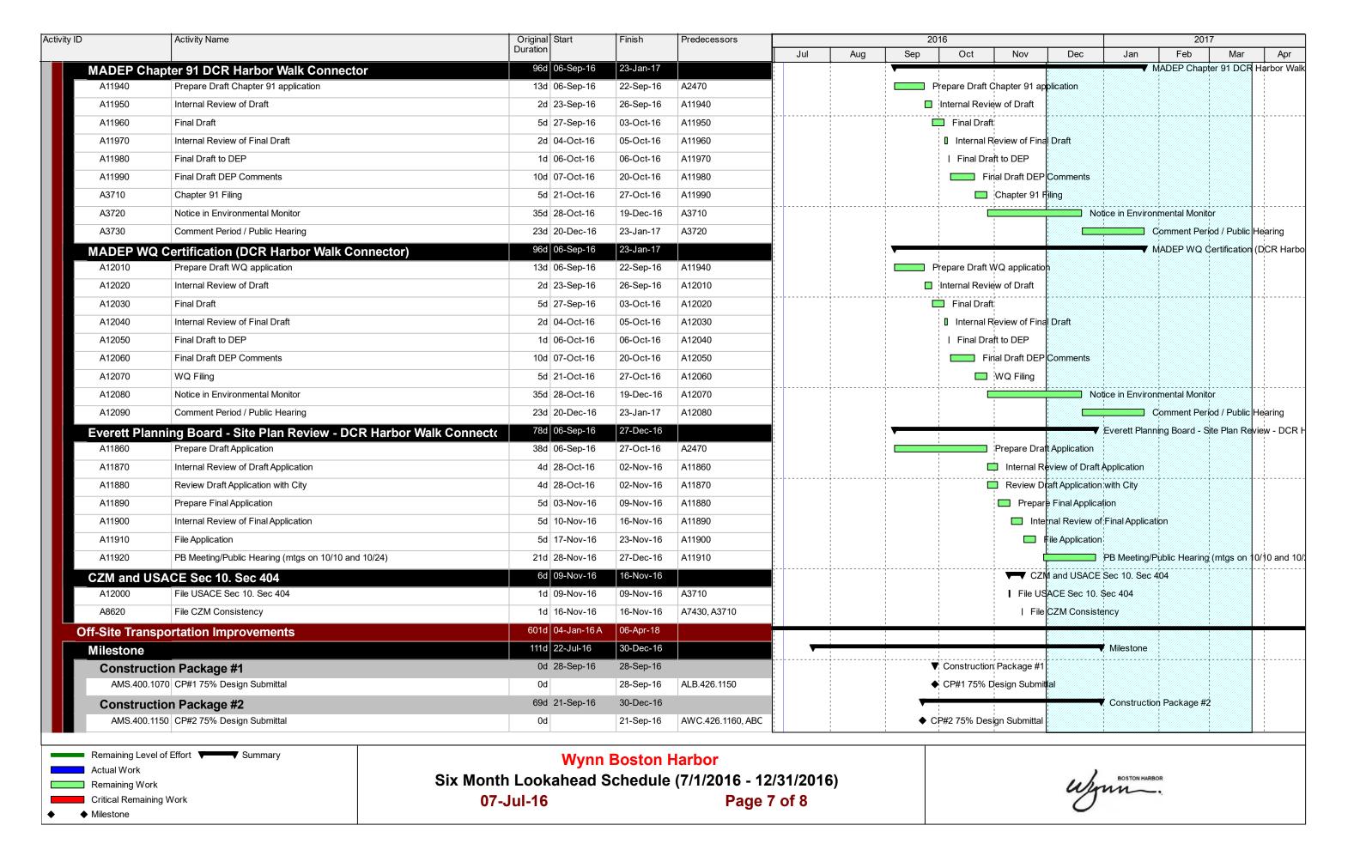












Activity ID		Activity Name	Original Start	Finish	Predecessors	2016			20	2017					
			Duration			Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr
	AMS.450.1160	CP#2 100% Design Submittal	0d	30-Dec-16	AWC.456.1050, ABC							◆ CP#2 100	% Design Sub	mittal	
	Construction	n Package #3	107d 22-Jul-16	23-Dec-16		_					************	Construction	Package #3		
	AMS.300.1180	CP#3 30% Design Submittal	0d	22-Jul-16	AWM.327.1100, APN	<b>♦</b> (	CP#3 30% De	sign Submittal							
	AMS.400.1190	CP#3 60% Design Submittal	0d	21-Oct-16	AWM.426.1160	1	1	1 1 1	<b>•</b> (	C₽#3 60% De	sign Submitta	al	1 1 1 1		
	AMS.450.1200	CP#3 100% Design Submittal	0d	23-Dec-16	AWM.456.1090			1	1		•	CP#3 100% [	Design Submit	al	
	Permitting		45d 02-May-16	A 26-Jul-16			Permitting	; ; ; ;	; ! !				i 1 1 1		
	Construction F	Package #1 - Lower Broadway & Truck Route	161d 14-Jun-16	A 04-Jan-17			-+		·	!	-8559999999	Constru	ction Package	#1 - Lowe	Broadway 8
	Construction F	Package #2 - Route 16	159d 14-Jun-16	A 30-Dec-16					1			Construct	ion Package #	2 - Route 1	6
	Construction F	Package #3 - MBTA Wellington & Malden Station	130d 22-Jun-16	10-Jan-17		1	1	1 1	1 1	1		Cons	truction Packa	ģe #3 - MB	3TA Wellingtor
	Construction F	Package #4 - Sullivan Square Charlestown	259d 04-Jan-16	A 10-Jan-17								Cons	truction Packa	ge #4 - Sul	livan Square
	A7220	25% Design	20d 04-Jan-16	01-Jul-16 A	A7210	25% Desig	ın	; ; ; ;					; t ; t		
	A7250	MADOT / FHA 25% Design Review	20d 06-Jul-16	02-Aug-16	A7220		MADOT /	FHA 25% Des	ign Review			)		<b>,</b>	
	A7260	Boston BTD 25% Review	20d 06-Jul-16	02-Aug-16	A7220		Boston B	TD 25% Reviev	<b>~</b>				}		
	A7270	MBTA 25% Review	20d 06-Jul-16	02-Aug-16	A7220		MBTA 25	% Review	1 1				i i i	) , ,	
	A7280	75% Design Package	53d 03-Aug-16	17-Oct-16	A7250, A7260, A7270	1		!	75	% Design Pac	kage		) 1 1		
	A7300	MADOT / FHA Review 75% Design Package	20d 18-Oct-16	14-Nov-16	A7280					MA	DOT/FHAF	Review 75% De	esign Package		
	A7310	Boston BTD Review 75% Design Package	20d 18-Oct-16	14-Nov-16	A7280		- <del> </del>			Bos	ton BTD Rev	view 75% Desi	gn Package	•	
	A7320	MBTA Review 75% Design Package	20d 18-Oct-16	14-Nov-16	A7280			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		MB'	TA Review 7	5% Design Pac	ckage		
	A7330	Final Design	37d 15-Nov-16	10-Jan-17	A7300, A7310, A7320	1		! ! !	! !			Final	Design		
	Woods Me <u>mor</u>	rial Bridge (by DOT)	520d 01-Feb-16	A 06-Apr-18		1!		1	1	!			Y Y		1
	A4040	Project by DOT	520d 01-Feb-16	A 06-Apr-18			-	1					<u> </u>	X/////////////////////////////////////	1

Remaining Level of Effort Summary

Actual Work

Remaining Work

Critical Remaining Work

Milestone

Wynn Boston Harbor
Six Month Lookahead Schedule (7/1/2016 - 12/31/2016)
07-Jul-16 Page 8 of 8



### Appendix 5

# Project Construction Workforce: Women, Minority, Veteran Participation

As of June 30, 2016

Reference 205 CMR 135.02(5)(e)

As of June 30, 2016, 22,823 person-hours of work was completed on the Project Site, with 30 minorities, eleven females, and nine veterans, on site over the last several months for pre-construction and remediation.

	# of	Participation to Date	Goal
	Workers	(% of workforce hours)	(% of workforce hours)
Minority	30	16.8%	15.3%
Female	11	8.0%	6.9%
Veteran	9	7.6%	3.0%

	PROJECT TO DATE									
		MINORITY - Goal : 15.3 %			FEMALE - Goal : 6.9 %			VETERAN - Goal : 3 %		
LOCAL TRADE UNION	Total	# Workers	Hours	Percentage	# Workers	Hours	Percentage	# Workers	Hours	Percentage
	Hours									
Carpenters Local 218	29.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 26	4.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Carpenters Local 33	45.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Electricians Local 103 I.B.E.W.	34.0	2	16.0	47.1%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 133	13.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 151	783.5	1	182.5	23.3%	2	190.5	24.3%	0	0.0	0.0%
Laborers Local 22	9,611.0	17	2,294.5	23.9%	6	1,296.0	13.5%	3	1,249.0	13.0%
Laborers Local 223	322.0	1	4.0	1.2%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 271	8.0	1	4.0	50.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 385	133.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 560	254.0	2	254.0	100.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 610	32.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 876	220.5	1	220.5	100.0%	0	0.0	0.0%	0	0.0	0.0%
Laborers Local 88 (Tunnel	32.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Workers)										
Operating Engineers Local 4	9,032.5	4	647.5	7.2%	2	260.0	2.9%	3	208.5	2.3%
Piledrivers Local 56	2,269.5	1	209.0	9.2%	1	84.0	3.7%	3	269.5	11.9%
Total	22,823.0	30	3,832.0	16.8%	11	1,830.5	8.0%	9	1,727.0	7.6%

		PROJECT TO DATE								
		MINORITY - Goal : 15.3 %		FEMALE - Goal : 6.9 %			VETERAN - Goal : 3 %			
CONTRACTOR	Total Hours	# Workers	Hours	Percenta ge	# Workers	Hours	Percentage	# Workers	Hours	Percenta ge
Cashman Dredging & Marine Contracting	200.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Coastal Marine Construction	2,223.5	0	0.0	0.0%	1	84.0	3.8%	1	116.5	5.2%
DeLucca Fence Company	394.5	5	110.0	27.9%	1	16.0	4.1%	1	24.0	6.1%
J Rams Inc	16.0	0	0.0	0.0%	0	0.0	0.0%	1	8.0	50.0%
J. Derenzo Co.	3,726.5	5	827.5	22.2%	3	409.5	11.0%	2	191.0	5.1%
Liberty Construction Services	446.0	5	32.0	7.2%	1	4.0	0.9%	0	0.0	0.0%
Lockwood Remediation	32.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
MON Landscaping Inc.	96.0	0	0.0	0.0%	0	0.0	0.0%	0	0.0	0.0%
Richard W. Reid Electric Company Inc.	34.0	2	16.0	47.1%	0	0.0	0.0%	0	0.0	0.0%
The Welch Corporation	11,582.5	2	1,308.0	11.3%	3	1,057.0	9.1%	2	1,225.0	10.6%
TREVIICOS CORPORATION	4,064.0	10	1,534.5	37.8%	2	260.0	6.4%	2	162.5	4.0%
Wood & Wire Fence Co. Inc	8.0	1	4.0	50.0%	0	0.0	0.0%	0	0.0	0.0%
Total	22,823.0	30	3,832.0	16.8%	11	1,830.5	8.0%	9	1,727.0	7.6%

# Contracts and Payments to Minority, Women and Veteran Business Enterprises for Construction Phase

As of June 30, 2016

Reference 205 CMR 135.02(5)(f)

As of June 30, 2016, Wynn had awarded \$15,352,752, or 10.8% of qualified construction contracts, in contracts to M/W/VBEs for pre-construction work. As of June 30, 2016, Wynn and Wynn contractors awarded seven contracts to MBEs, 17 contracts to WBEs, and six contracts to VBEs for pre-construction work.

	# Contract Value		% of Total Construction	% Goal	Paid to Date (\$)
	Contracts*	(\$)	Contracts Awarded to Date		
MBE	7	7,981,527	5.6%	5.0%	5,529,725
WBE	17	6,199,257	4.4%	5.4%	170,753
VBE	6	1,171,968	0.8%	1.0%	13,592
TOTAL	30	\$15,352,752	10.8%	11.4%	\$5,714,070

<sup>\*</sup>Note that 5 MBE contracts, 16 WBE contracts, and 6 VBE contract, are sub-contracted with Wynn's contractors and sub-contractors.

# Contracts and Payments to Minority, Women and Veteran Business Enterprises for Design Phase

As of June 30, 2016

Reference 205 CMR 135.02(5)(f)

As of June 30, 2016, Wynn had awarded \$9,736,132, or 18.3% of qualified design contracts, to M/W/VBEs for design work. As of June 30, 2016, Wynn and Wynn consultants awarded ten contracts to MBEs, ten contracts to WBEs, and three contracts to VBEs for design work.

	#	Contract Value (\$)	% Total Design	% Goal	Paid to Date
	Contracts*		Contracts		(\$)
MBE	10	3,993,657	7.5%	7.9%	2,807,658
WBE	10	2,389,758	4.5%	10.0%	830,604
VBE	3	3,352,717	6.3%	1.0%	2,152,675
TOTAL	23	\$9,736,132	18.3%	18.9%	\$5,790,937

<sup>\*</sup>Note that 9 MBE contracts, 7 WBE contracts, and 2 VBE contract, are sub-contracted with Wynn's consultants.