AGENDA

SPECIAL COMMITTEE ON RIVERFRONT ACTIVITIES AND BASEBALL

August 1, 2005 **5:15 PM**
Aldermen Lopez, Gatsas, **Aldermanic Chambers**
Guinta, DeVries, Smith **City Hall (3rd Floor)**

1. Chairman Lopez calls the meeting to order.

2. The Clerk calls the roll.

3. Introduction of Arthur P. Solomon as new majority stakeholder of the New Hampshire Fisher Cats.

4. Stadium project status reports:

   a) general project status report by Castagna Consulting Group;
   b) stadium budget projected dated July 26, 2005;
   c) stadium budget projection dated July 26, 2005; and
   d) stadium invoices by vendors.

5. Any other business which may come before the Committee.

6. If there is no further business, a motion is in order to adjourn.

3

CITY OF MANCHESTER

Office of the City Clerk

Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Memo To: Members, Special Committee on Baseball

From: Alderman Mike Lopez
Chairman

Date: July 26, 2005

Re: Transfer of Manager's Obligations

Enclosed is a communication from Arthur P. Solomon requesting approval to transfer rights and obligations under the management and operations agreement under the January 25, 2005 Agreement.

A meeting has been scheduled for Monday, August 1, 2005 at 5:15 PM to discuss the request. Staff will be prepared at that time to address the issue and answer questions that arise as we move forward with baseball.

C: Mayor Baines
All Aldermen
T. Arnold
P. Borek
R. Sherman

One City Hall Plaza, Manchester, NH 03101 Phone (603) 624-6455 Fax (603) 624-6481
www.ManchesterNH.gov

3

THE DSF GROUP
24 Federal Street, 3rd Floor
Boston, MA 02110

Boston
New York

Arthur P. Solomon
President & CEO
Phone: 617-542-5172
Fax: 617-542-5178

July 21, 2005

RECEIVED
JUL 21 2005
MAYOR'S OFFICE

RECEIVED
JUL 21 2005
MAYOR'S OFFICE

Office of the Mayor
City of Manchester
One City Hall Plaza
Manchester, NH 03101-4000

Gentlemen:

I am writing this letter in order to request approval by the City of Manchester to transfer the rights and obligations under the Amended and Restated Management and Operations Agreement of January 25, 2005 by and between THE CITY OF MANCHESTER, NEW HAMPSHIRE and 6 to 4 to 3, LLC. In a separate Purchase and Sale Agreement and Operating Agreement approved and agreed to by Drew Weber and Arthur Solomon on July 11, 2005 the parties agreed that Arthur P. Solomon would become the controlling owner and ultimate authority on all Fisher Cats Club matters subject to the approval of the Eastern League and Major League Baseball. The name of the new entity replacing 6 to 4 to 3, LLC is NH Triple Play, LLC.

As you know, Section 13.2 Transfer of Manager's Obligations in the January 25, 2005 Agreement with the City, requires written approval by the City for the Manager to transfer its rights and obligations to operate the Franchise and the Ballpark.

I am prepared to assume all of the duties and obligations of the Manager under the January 25, 2005 Agreement, including the obligation to own and control the Franchise directly as set forth in Section 2.4. Therefore, I would greatly appreciate your approval of this transfer.

If you have any additional questions or require further information please contact me at 617-542-5172.

Sincerely yours,

Arthur P. Solomon

Arthur P. Solomon

APS857/ped

4A

Castagna
Consulting Group, LLC
Wall Street Tower, Suite 808
555 Canal Street
Manchester, NH 03101-1519
(P) 603/625-1912, (F) 603/641-6493
E-mail: mjcastagna@verizon.net

Memo

To: Frank Thomas

From: Michael Castagna

CC:

Date: July 27, 2005

Re: Fisher Cat Stadium project Status

Dear Frank:

The following is a list of issues outstanding at the new stadium

- Architect punch list is 98% complete, Architect will be on-site on Thursday July 28th for an inspection and sign off of punch list
- A letter was sent to the Justice Department regarding the outstanding ADA issues with recommendations from the architect, endorsed by the team, how the nonconforming issues will be rectified. As of this report, there has been no word other than acknowledgement of receipt of the response.
- A meeting was held with Frank Thomas, Drew Webber, Paul Borek, Shawn Smith, Jim Anderson of PB and myself to address the cosmetic issues around the perimeter of the park including the riverwalk and how they will be finished and who the responsible party is for on-going maintenance of these spaces Primarily the focus was green spaces, landscaping that still needs to be done, the finish of the circle in front of the stadium. The meeting detailed what the city will accept as a finished product in order for the stadium to be accepted by the city. We also learned in this meeting that the Roedell's and Chinburg have not fully paid for their portion of the road cost
- The road has a few punch list issues including backup of the curbing on the railroad side, loam and seeding of the right of way, repair of curbing and a catch basin.

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4B

STADIUM BUDGET PROJECTED – July 26, 2005

ESTIMATED DESIGN/ENVIRON. COSTS		
• Gill architectural design	$	477,000*
• New stadium design		1,871,000*
• New stadium design – amendment		94,600*
• Site/Civil		405,000
• Environmental		450,000
• Construction Management & Testing		1,167,000
• **TOTAL**	**$**	**4,464,600**
LEGAL & LAND COSTS		
• Bond & Legal fees	$	323,927
• Land Costs		1,143,915
• **TOTAL**	**$**	**1,467,842**
CONSTRUCTION COSTS		
• Gill – Exhibit B	$	4,150,000
• Gill - $850,000		850,000
• New Stadium		19,000,000
• **TOTAL**	**$**	**24,000,000**
PSNH RELOCATION COSTS**		
• *Temporary relocation costs*	*$*	*41,250*
• *Underground cable costs*		*75,000*
• *Loss of easement costs*		*225,000*
• *Recording fees*		*350*
• ***TOTAL Costs Assumed Directly by the Team***	***$***	***341,600 +/- = $0.00 ******
TOTAL PROJECT COST		
• Design/environ. costs	$	4,464,600
• Legal/land costs		1,467,842
• Construction costs		24,000,000
• *PSNH relocation costs = $341,600 +/-*		0
• **TOTAL PROJECT COST**	**$**	**29,932,442**
BUDGET AVAILABLE		
• Bond	$	27,500,000
• Bond interest – approximate		344,771
• Drew Weber contribution		1,000,000
• Gill - $850,000		850,000
• Drew Weber Escrow		244,000
• **TOTAL AVAILABLE BUDGET**	**$**	**29,938,771**
ESTIMATED PROJECT BALANCE	**$**	**6,329**

* Note: Expenses are included at 6%

** Note: PSNH costs are being assumed directly by the Team by agreement with PSNH and not through the bond.

Hc

STADIUM BUDGET PROJECTION – July 26, 2005

ENVIRONMENTAL	
• GZA	$ 139,699.73
• H&A	309,087.16
Total	$ 448,786.89
	Say
	$ 450,000.00
SITE/CIVIL ENGINEERING	
• T.F. Moran	$ 55,586.92
	66,690.02
• KC	102,971.36
	34,190.57
• CLD – (estimated)	144,960.00
Total	$ 404,398.87
	Say
	$ 405,000.00
CONSTR. MANAGEMENT & TESTING	
• PB	$ 745,722.00
• Castagna – (estimated)	75,000.00
• Downtown Visions	66,664.00
• PB – City	32,473.36
• Harvey	42,559.28
• Testing (estimated) – Miller	120,000.00
• Team Design – 7 months @ $12,000	84,000.00
Total	$1,166,432.64
	Say
	$1,167,000.00
PSNH – ASSUMED COSTS	
• *Temporary Relocation – ¾'s of $55,000*	*$ 41,250.00*
• *Underground Cable – ¾'s of $100,000*	*75,000.00*
• *Easement – Residential @ $175,000*	*225,000.00*
• *Fee @ 1/3rd of $1,000*	*350.00*
Total	*$ 341,600.00*

*The Team is assuming these costs directly. These costs will not be requested for reimbursement from the bond unless there are bond balances at the end of the project.

Stadium Invoices by Vendors

Bonding		Land		Kimball Chase		TF Moran		HNTB		Harvey Preconst.		Harvey		GZA		H & A		CDL		CDL City
$1,789.00	2	$748,790.00	City	1	$34,190.57	1	$43,322.40	1	$375,642.41	3	$42,559.28	1	$209,318.00	3	$44,303.98	3	$31,875.00	21	$4,363.96	$21,999.78
$2,596.80	2	$135,125.00	Bank NH	9	$102,971.36	3	$23,367.62	3	$372,837.58			4	$924,778.00	8	$95,395.75	7	$27,812.90	31	$58,681.44	
	2	$260,000.00	MFK			11	$55,586.92	7	$326,280.00			6	$465,796.50			15	$11,974.59	36	$17,275.02	
								14	$113,112.37			10	$436,248.95			29	$12,229.11	51	$32,622.83	
								19	$169,830.71			17	$564,969.70			39	$43,171.01	72	$10,015.78	
								23	$146,331.18			18	$1,117,146.15			48	$104,751.63	79	$1,625.77	
								33	$110,203.36			24	$584,664.86			54	$23,335.99	89	$1,665.20	
								40	$105,526.71			32	$142,185.50			58	$34,472.11			
								45	$327,119.18			41	$190,009.27			64	$9,861.46			
								57	$1,366.30			47	$83,891.31			69	$5,602.10			
								63	$125,996.32			67a	$278,419.02			81	$2,107.60			
								70	$39,177.96			67b	$9,167.00							
								77	$109,086.40			OP	($9,167.00)							
								87	$38,178.71											
$4,385.80		**$1,143,915.00**	**Fisher**	**$137,161.93**		**$122,276.94**		**$2,360,689.19**		**$42,559.28**		**$4,997,427.26**		**$139,699.73**		**$307,193.50**		**$126,250.00**		**$21,999.78**
PB		**PB**	**Cats**	**Visions**		**Castagna**		**Security**		**Carnes**		**Payton**		**Legal**		**Miller**		**Design**		**P. R. & C.**
City																				
$2,247.75	5	$32,473.36	$2,174.99	1	$49,998.00		$2,063.75		$9,161.75	25	$12,840.70	34	$477,589.00		$319,541.38		$6,175.10	52	$12,756.50	$1,090.00
$840.00	12	$76,218.46		20	$16,666.00		$3,705.00		$87.50			37	$790,463.00				$13,800.76	60	$11,256.99	
	15	$54,419.98					$5,397.50					42	$1,283,352.00				$30,491.68	71	$13,874.23	
	22	$66,594.71					$2,291.25					50A	$2,267,158.00				$36,378.68	78	$8,163.75	
	28	$38,642.10					$3,201.25					56	$2,792,142.00				$19,898.53	85	$7,743.75	
	30	$41,620.92					$5,154.50					61	$2,083,235.00				$8,057.78	88	$15,579.38	
	35	$31,443.96					$5,492.50					66	$1,608,878.00				$1,368.40			
	38	$35,313.60					$6,205.85					73	$1,251,114.00				$375.50			
	44	$1,231.18	*				$4,953.10					75	$2,814,141.00				$25.00			
	46	$35,243.18					$6,028.75					82	$2,301,888.00				$1,550.01			
	49	$52,686.19					$5,183.75					84	$380,041.00				$1,376.26			
	55	$47,286.13					$3,770.00													
	53	$615.59	*				$6,881.74													
	59	$45,922.78					$6,240.00													
	62	$45,774.60					$5,843.00													
	65	$1,425.52	*				$2,095.42													
	68	$40,079.78					$1,673.75													
	74	$27,487.68																		
	76	$23,103.72																		
	80	$2,446.14	*																	
	83	$23,405.71																		
	86	$14,649.56																		
$3,087.75		**$738,084.85**	**$2,174.99**		**$66,664.00**		**$76,181.11**		**$9,249.25**		**$12,840.70**		**$18,050,001.00**		**$319,541.38**		**$119,497.70**		**$69,374.60**	**$1,090.00**
																	Total		**$28,871,345.74**	

* (CAR)

7/26/2005

Baseball Stadium Project

Budget	$4,470,771	$3,150,000	$1,000,000	$850,000	$1,144,000	$19,000,000	$324,000	$29,938,771
Requisition	Engineering	Gill Stadium	Rule 58 Gill	City Gill	Land Acquisition	New Stadium	Misc. Legal Bonding	Total
#1	$503,153.38	$209,318.00			$1,143,915.00			$712,471.38
#2								$1,143,915.00
#3	$514,943.46							$514,943.46
#4		$801,153.19	$123,624.81					$924,778.00
Bonding							$4,385.80	$4,385.80
Legal							$319,541.38	$319,541.38
#5	$32,473.36							$32,473.36
#6		$444,760.78	$21,035.72					$465,796.50
#7	$354,092.90							$354,092.90
#8	$95,395.75							$95,395.75
#9	$102,971.36							$102,971.36
#10		$326,145.00	$110,103.95					$436,248.95
# 11	$55,586.92							$55,586.92
#12	$76,218.46					No Payment Due		$76,218.46
#13								$0.00
#14	$113,112.37							$113,112.37
Castagna #1	$2,063.75							$2,063.75
#15	$11,974.59							$11,974.59
#16	$54,419.98							$54,419.98
#17		$61,486.23	$290,468.59	$213,014.88				$564,969.70
Castagna #2	$3,705.00							$3,705.00
PB # 1 Gill	$2,247.75							$2,247.75
PB # 2 Gill	$840.00							$840.00
#18		$881,654.74	$120,386.83	$115,104.58				$1,117,146.15
#19	$169,830.71							$169,830.71
Castagna #3	$5,397.50							$5,397.50
#20	$16,666.00							$16,666.00
#21	$4,363.96							$4,363.96
#22	$66,594.71							$66,594.71
Security				$9,161.75				$9,161.75
Castagna #4	$2,291.25							$2,291.25
#23	$146,331.18							$146,331.18
#24		$477,283.83	$53,888.21	$53,492.82				$584,664.86
#25	$12,840.70							$12,840.70
CLD # 1 Gill	$21,999.78							$21,999.78
#26								$0.00
#27								$0.00
#28	$38,642.10							$38,642.10
#29	$12,229.11							$12,229.11
#30	$41,620.92							$41,620.92

7/26/2005

Baseball Stadium Project

Requisition	Engineering	Gill Stadium	Rule 58 Gill	City Gill	Land Acquisition	New Stadium	Legal Bonding	Total
#31	$58,681.44							$58,681.44
#32		$67,546.19		$74,639.31				$142,185.50
#33	$110,203.36							$110,203.36
#34						$477,589.00		$477,589.00
#35	$31,443.96							$31,443.96
Security # 2				$87.50				$87.50
Castagna # 5	$3,201.25							$3,201.25
Castagna # 6	$5,154.50							$5,154.50
#36	$17,275.02							$17,275.02
#37						$790,463.00		$790,463.00
#38	$35,313.60							$35,313.60
Miller 1 & 2	$6,175.10							$6,175.10
# 39	$43,171.01							$43,171.01
# 40	$105,526.71							$105,526.71
#41		$17,130.24		$172,879.03				$190,009.27
#42						$1,283,352.00		$1,283,352.00
Castagna # 7	$5,492.50							$5,492.50
# 43								
#44	$1,231.18							$1,231.18
#45	$327,119.18							$327,119.18
Miller	$13,800.76							$13,800.76
#46	$35,243.18							$35,243.18
# 47			($9,167.00)	$93,058.31				$83,891.31
#48	$104,751.63							$104,751.63
Castagna # 8	$6,205.85							$6,205.85
Miller	$30,491.68							$30,491.68
#49	$52,686.19							$52,686.19
#50						$2,267,158.00		$2,267,158.00
#51	$32,622.83							$32,622.83
#52	$12,756.50							$12,756.50
#53	$615.59							$615.59
#54	$23,335.99							$23,335.99
Castagna # 9	$4,953.10							$4,953.10
#55	$47,286.13							$47,286.13
#56						$2,792,142.00		$2,792,142.00
#57	$1,366.30							$1,366.30
#58	$34,472.11							$34,472.11
#59	$45,922.78							$45,922.78
#60	$11,256.99							$11,256.99
Castagna # 10	$6,028.75							$6,028.75
Miller # 5	$36,378.68							$36,378.68
#61						$2,083,235.00		$2,083,235.00
Miller #6	$19,898.53							$19,898.53
#62	$45,774.60							$45,774.60

7/26/2005

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Baseball Stadium Project

Requisition	Engineering	Gill Stadium	Rule 58 Gill	City Gill	Land Acquisition	New Stadium	Legal Bonding	Total
#63	$125,996.32							$125,996.32
#64	$9,861.46							$9,861.46
#65	$1,425.52							$1,425.52
#66						$1,608,878.00		$1,608,878.00
Castagna # 11	$5,183.75							$5,183.75
# 67 A	$10,801.51	$188,884.80	($35,704.11)	$114,436.82				$278,419.02
# 67 B		$9,167.00						$9,167.00
# 68	$40,079.78							$40,079.78
Miller # 7	$8,057.78							$8,057.78
# 69	$5,602.10							$5,602.10
# 70	$39,177.96							$39,177.96
# 71	$13,874.23							$13,874.23
# 72	$10,015.78							$10,015.78
Castagna # 12	$3,770.00							$3,770.00
# 73						$1,251,114.00		$1,251,114.00
Castagna # 13	$6,881.74							$6,881.74
Miller # 8	$1,368.40							$1,368.40
# 74	$27,487.68							$27,487.68
#75						$2,814,141.00		$2,814,141.00
Miller # 9	$375.50							$375.50
# 76	$23,103.72							$23,103.72
#77	$109,086.40							$109,086.40
#78	$8,163.75							$8,163.75
#79	$1,625.77							$1,625.77
#80	$2,446.14							$2,446.14
Castagna # 14	$6,240.00							$6,240.00
#81	$2,107.60							$2,107.60
#82						$2,301,888.00		$2,301,888.00
P .R .& C.				$1,090.00				$1,090.00
Miller # 10	$25.00							$25.00
Castagna # 15	$5,843.00							$5,843.00
#83	$23,405.71							$23,405.71
#84						$380,041.00		$380,041.00
Miller # 11	$1,550.01							$1,550.01
#85	$7,743.75							$7,743.75
Over payment		($9,167.00)						($9,167.00)
#86	$14,649.56							$14,649.56
Castagna # 16	$2,095.42							$2,095.42
#87	$38,178.71							$38,178.71
#88	$15,579.38							$15,579.38
#89	$1,665.20							$1,665.20
Miller # 12	$1,376.26							$1,376.26
Castagna # 17	$1,673.75							$1,673.75
Fisher Cats				$2,174.99				$2,174.99
Totals	**$4,354,362.57**	**$3,475,363.00**	**$674,637.00**	**$849,139.99**	**$1,143,915.00**	**$18,050,001.00**	**$323,927.18**	**$28,871,345.74**

7/26/2005