

Wynn Resort in Everett

Monitoring of Project Construction and Licensee Requirements 205 CMR 135

Quarterly Report Massachusetts Gaming Commission as of September 30, 2015



Monitoring of Project Construction and Licensee Requirements

Quarterly Report as of September 30, 2015

1.0 Project at a Glance

The Wynn Resort in Everett (the “Project”) is an approximately \$1.7 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 as soon as necessary approvals are received.

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.

Wynn is currently preparing for the remediation of the contaminated soils on the Project Site and has completed all pre-characterization work. Wynn solicited contractor proposals to execute this work in August 2015, and selected Charter Contracting Company, LLC, a Massachusetts limited liability company, as its contractor in September 2015. Wynn anticipates that remediation will begin in October 2015 and will take approximately 4 months to complete.

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").

2.0 Cost of Construction and Capitalization of Gaming Licensee

Pursuant to 205 CMR 135.02(5)(a) and (b), please see [Appendix 1](#) 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.

3.0 Design and Construction Contracts

Pursuant to 205 CMR 135.02(5)(c), please see [Appendix 2](#) for a list of all design and construction contracts executed for the quarter ending September 30, 2015 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 in anticipation of the remediation of the Project Site, wetlands delineation, vegetation classifications, and various other data gathering activities on and off 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 provides for the establishment of a “Regional Working Group” to be lead by MassDOT for the purpose of assessing and developing long-term transportation improvements that can 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 MGC. Following the receipt of the Secretary's Certificate, Wynn has 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.

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 have entered into a Memorandum of Agreement regarding Project specific schedule and fees for the Project (the "Fast Track Agreement"). Pursuant to the terms of the Fast Track Agreement, MassDEP and Wynn agreed upon an appropriate permit application fee and alternative schedule for timely action related to Wynn's Chapter 91 License Application. Based on this schedule, the comment period for Wynn's Chapter 91 License Application began on September 9, 2015 and will conclude on October 9, 2015. On September 24, 2015, MassDEP held a public meeting at Everett City Hall for purposes of receiving comments on Wynn's Chapter 91 License Application. The meeting was well attended and the comments received were all positive.

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.

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 [Appendix 3](#) for an updated permits chart and all documents and information listed in 205 CMR 120.01: *Permitting Requirements*.

4.2 Site Remediation

Wynn has completed the field investigation related to the remediation 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 will be 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.

Wynn and GZA GeoEnvironmental, Inc., the Licensed Site Professional ("LSP") for the 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. Prior to the commencement of the remediation pursuant to the RAM plan, Wynn has agreed to hold public meetings in Everett and Charlestown for the purpose of informing the public regarding the remediation.

4.3 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. A design team was selected in September 2015 and Wynn anticipates retaining the selected design team by the end of October. Once retained, that team will immediately start with site surveys and concept design.

On a separate track, 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%.

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.

4.4 Design

The design and engineering of the Project continues to progress. Wynn anticipates having the plans for the foundation and parking structure ready for permit review this fall. As set forth in its SSFEIR, Wynn has reduced the number of parking levels for the parking structure to three and the number of parking spaces to 2,936. The full project documents for the parking structure are scheduled to be complete by the end of 2015.

The hotel tower consists of 629 guestrooms on 21 floors making up approximately 724,500 square feet. The design team has completed design development and expects to complete full permit review documents by the end of November 2015.

The podium schematic design is complete and Wynn expects to complete full permit review documents by February 2016.

The site and maritime design is progressing through design development.

4.5 Site Preparation

On September 1, 2015, Wynn entered into an agreement with Cashman Dredging and Marine Contractors, LLC for general site clean-up, fencing and signage. This site work is nearly complete.

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 Appendix 5 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 Massachusetts Gaming Commission.

Appendix 1

Cost of Construction and Capitalization

As of September 30, 2015

Reference 205 CMR 135.02(5)(a) and (b)

Please see attached letter.



October 19, 2015

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 September 30, 2015, 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:

(US\$ thousands)

Component	Cost Incurred as of Sept. 30, 2015	Estimated Remaining Cost	Total Estimated Cost
Construction / on-site development	\$ -	\$ 1,063,043	\$ 1,063,043
Design and engineering	14,262	82,536	96,798
Site preparation	3,730	99,495	103,225
Off-Site Improvements	590	44,664	45,254
Land acquisition	48,225	48,586	96,811
Pre-opening	15,231	72,485	87,716
Owner FF&E	-	126,167	126,167
Total	\$ 82,037	\$ 1,536,977	\$ 1,619,014

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' Annual Report on Form 10-K for the year ended December 31, 2014, filed with the Securities and Exchange Commission (the "SEC") on March 2, 2015, and Wynn Resorts' Quarterly Report on Form 10-Q for the quarter ended June 30, 2015, filed with the SEC on August 7, 2015, which are 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.

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

Appendix 2

Design and Construction Contracts

As of September 30, 2015

Reference 205 CMR 135.02(5)(c)

Vendor/Contractor	Date	Services	MGC Status
Arup USA, Inc.	12/10/14	Fire Protection Consulting	NGV102
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
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	In progress.
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
Fort Point Associates, Inc.	12/30/14	Planning and Environmental Consulting	NGV075
Gilbane Building Company	01/24/14	Preconstruction Consulting Services	NGV035
GZA GeoEnvironmental, Inc.	11/12/14	Geotechnical and Environmental Services	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
	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	10/08/13	Mechanical Engineers	Subcontract
Jacobs Consultants Inc.	12/04/14	Executive Architect	NGV181
Lifescapes International, Inc.	02/03/15	Landscape Architect	NGV151
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
Vanasse & Associates, Inc.	02/06/15	Supplemental Final Environmental Impact Report - Transportation	NGV066
Vicente Wolf Associates	05/22/15	Design Consultant – F&B	NGV283

Appendix 3

Permits

As of September 30, 2015

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	<u>Building</u> : Submitted October 1, 2015 <u>Cranes</u> : Anticipated January 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	<u>Project</u> : Submitted September 15, 2015	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	<u>Project</u> : Submitted September 15, 2015 <u>Remediation</u> : Anticipated December 2015	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.
U.S. Army Corps of Engineers (ACOE) Massachusetts General Permit issued January 10, 21 2010, modified November 13, 2012; pursuant to 33 CFR Part 330	Massachusetts General Permit (GP) Category 2	N/A	Projects authorized under the current GP, which expires on January 20, 2015, that are under construction or under contract have until January 20, 2016 to complete the activity under the terms and conditions of this GP.

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)
<p>U.S. Environmental Protection Agency (EPA)</p> <p>Federal Clean Water Act Section 402(p); 33 USC s. 1342(p); 40 CFR 122.26; NPDES Construction General Permit, Effective February 16, 2012</p>	<p>National Pollutant Discharge Elimination System (NPDES) Construction General Permit (CGP) NOI (for stormwater management)</p>	<p><u>On-site:</u> Anticipated October 2015</p> <p><u>Off-Site:</u> Anticipated June 2016</p>	<p>Decision time for CGP and RGP: effective 14 days after NOI submittal to and acknowledged by EPA. When the CGP expires on February 16, 2017, those activities covered by the CGP will likely have to file a NOI under the new CGP.</p>
<p>U.S. Environmental Protection Agency (EPA)</p> <p>Federal Clean Water Act Section 402(a), 33 USC s. 1342(a); 40 CFR 122.28; 314 CMR 4.00; NPDES Remediation General Permit, NPDES Permit No. MAG910000, Effective September 10, 2010</p>	<p>NPDES Remediation General Permit (RGP) (for construction dewatering)</p>	<p>TBD</p>	<p>When the RGP expires on September 10, 2015, those activities covered by the RGP will likely have to file a NOI under the new RGP.</p>
State			
<p>Executive Office of Energy and Environmental Affairs</p> <p>Massachusetts Environmental Policy Act; MGL c. 30 ss. 61-62I; 301 CMR 11.00</p>	<p>Massachusetts Environmental Policy Act (MEPA) Review</p>	<p><u>Project:</u> Certificate on EENF received 11/26/13</p> <p>Certificate on DEIR received 2/21/14</p> <p>Certificate on FEIR received 8/15/14</p> <p>Certificate on SFEIR received 4/03/15</p> <p>Certificate on SSFEIR received 8/28/15</p> <p><u>Sediment Remediation:</u> Filing anticipated November 2015</p>	<p>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.</p> <p>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.</p> <p>Secretary determines whether a subsequent filing is required. MEPA review is complete if no further filings are required.</p>

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)
Executive Office of Energy and Environmental Affairs MGL c. 21A ss. 2 and 4A; 301 CMR 23.00	Municipal Harbor Plan	Submitted on 10/16/13 Approved on 2/10/14	After publication of 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. The Secretary's MHP decision provides an expiration date, after which Plan approval can be renewed for a comparable period pursuant to review procedures in 301 CMR 23.00. Alternatively, a Plan can be extended by the Secretary on request for up to one year.
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	Per 310 CMR 9.11(2)(b)4., standard target MassDEP timeline for license issuance (for projects also undergoing EIR review) is 180 days following FEIR Certificate. (Note: a pending regulatory amendment, if finalized, may shorten this time by approximately 30 days.)
Massachusetts Department of Environmental Protection (MassDEP) MGL c. 91 ss. 12-14; 310 CMR 9.00	Chapter 91 Waterways License	<u>Project:</u> Submitted August 19, 2015 <u>Sediment Remediation:</u> Anticipated December 2015	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.
MassDEP MGL c. 21 s. 43; 314 CMR 7.00	Sewer Connection/ Extension Permit	Not required	The permit is effective for a stated fixed term that shall not exceed 5 years.
MassDEP MGL c. 111 ss. 142A-142E; 310 CMR 7.09	Notification of Construction and Demolition	Anticipated October 2015	Effective 10 working days after filing of notification

<p>MassDEP</p> <p>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)</p>	<p>Water Quality Certification (401)</p>	<p><u>Project</u>: September 8, 2015</p> <p><u>Remediation</u>: Anticipated November 2015</p>	<p>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.</p>
<p>MassDEP</p> <p>MGL c. 131 s. 40; 310 CMR 10.00</p>	<p>Wetlands Superseding Order of Conditions</p>	<p>Only in event of appeal of Order of Conditions issued by Everett Conservation Commission</p>	<p>Per 310 CMR 10.05 (7)(f) issued within 70 days of request for superseding action (unless MassDEP requests additional information).</p>
<p>MassDEP Bureau of Waste Site Cleanup/Massachusetts Contingency Plan (MCP)</p> <p>MGL c. 21E; 310 CMR 40.000</p>	<p>(Submittals by Licensed Site Professional on behalf of Site Owner - do not need DEP approval)</p>	<p><u>Landside Remediation</u>: Draft RAM Plan provided to DEP in May 2015; PIP process underway</p> <p><u>Waterside Remediation</u>: Anticipated Fall 2015</p>	<p>Agency decision time frame N/A under MCP privatized program.</p>
<p>Massachusetts Water Resources Authority (MWRA)</p> <p>Chapter 372 of the Acts of 1984, s. 8(m); 360 CMR 10.000</p>	<p>Section 8(m) Permit (to cross or construct within an MWRA easement)</p>	<p>Anticipated January 2016</p>	
<p>Massachusetts Office of Coastal Zone Coastal Zone Management (CZM)</p> <p>301 CMR 20.00, M.G.L. c. 21A, §§2 and 4A</p> <p>Coastal Zone Management Act of 1972, 16 U.S.C. 1451 et seq., 15 CFR §§ 923 and 930</p>	<p>Federal Consistency Certification</p>	<p><u>Project</u>: Anticipated November 2015</p> <p><u>Remediation</u>: Anticipated January 2016</p>	
<p>Massachusetts Historical Commission (MHC)</p> <p>MGL c. 9 ss. 26 et seq.; 950 CMR 71.00</p>	<p>Review of project relative to potential effects on State Register historic/ archaeological resources.</p>	<p>Review Completed</p>	<p>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.</p>
<p>Board of Underwater Archaeological Resources (BUAR)</p> <p>M.G.L. c. 6, ss. 179 and 180; 312 CMR 2.00</p>	<p>Review of waterside activities</p>	<p>Review Completed</p>	

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)
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	Public Hearing December 2015	
Massachusetts Department of Transportation (MassDOT) MGL c. 161A s. 5(b)	MBTA Land Disposition and Easement Agreements	Anticipated Fall 2015	
Local			
City of Boston (Off-site Roadway) Public Improvement Commission (PIC) Boston Transportation Department (BTD) Revised Ordinances of City of Boston of 1961, Ch.21, Sect. 36	Approvals	Filed January 30, 2015	

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)
<p>Everett Planning Board</p> <p>M.G.L. 40A, as amended, and Everett Zoning Ordinance, Section 28A, Resort Casino Overly District (RCOD) in Lower Broadway Economic Development District (LBEDD)</p>	<p>Site Plan Review</p>	<p>Submitted May 11, 2015; Approval anticipated October 2015</p>	<p>Site Plan Review decisions shall be issued within 180 calendar days after filing of a completed application. Everett Zoning Ordinance, Sec. 28A(10)(B)(iii).</p> <p>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).</p>
<p>Everett Conservation Commission</p> <p>Everett City Charter, c. 2, Article III, Division 7, Section 2-252 M.G.L. c. 131 §40; 310 CMR 10.00</p>	<p>Wetlands Order of Conditions</p>	<p><u>Project</u>: August 2015; Order of Conditions issued September 24, 2015</p> <p><u>Landside Remediation</u>: Complete</p> <p><u>Sediment Remediation</u>: Anticipated December 2015</p>	<p>Decision time (about 42 days plus duration of public hearing which may consist of more than one ConComm meeting):</p> <ul style="list-style-type: none"> - A public hearing must be held within 21 days of receiving NOI. - Orders of Conditions issued within 21 days of the close of the public hearing. <p>Orders of Conditions are valid for 3 years unless extended.</p>
<p>Everett Fire Department</p> <p>Rev. Ordinance 1976, Pt.2, Ch.7, §33</p> <p>Everett City Charter, Chapter 8, Article I, §2-252</p> <p>M.G.L. c. 148 §10A</p>	<p>Review of Plans Fire Suppression System Installation Fuel Storage Permit LP Gas Storage Permit Underground Storage Tank Removal Permit (Commercial)</p>	<p>TBD</p>	
<p>Everett Health Department</p> <p>M.G.L. c. 140</p>	<p>Food Establishment Permit Application</p>	<p>TBD</p>	<p>Permits are annual, and expire May 31st of each year</p>
<p>Everett Licensing Commission</p> <p>Victualler License: M.G.L. c. 140</p>	<p>Alcohol License Common Victualler License</p>	<p>TBD</p>	

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)
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 <ul style="list-style-type: none"> • Plumbing • Gas • Electrical • Wire • Trench • Mechanical • Foundation 	TBD	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	<u>Sediment Remediation:</u> Anticipated December 2015	

Appendix 5

**Project Construction Workforce:
Women, Minority, Veteran Participation
As of September 30, 2015**

Reference 205 CMR 135.02(5)(e)

As of September 30th, 2015, 542.5 person-hours of work was completed on the Project Site, with 17 workers on site over the course of four weeks (work began in early September). These work hours represent a small fraction of overall pre-construction work.

	# of Workers	Participation to Date (% of workforce hours)	Goal (% of workforce hours)
Minority	4	11.1%	15.3%
Female	1	2.9%	6.9%
Veteran	--	0.0%	3.0%

LOCAL TRADE UNION	Project to Date (PTD) Total Hours	MINORITY		FEMALE		VETERAN	
		PTD Hours	PTD Percentage	PTD Hours	PTD Percentage	PTD Hours	PTD Percentage
Laborers Local 22	366.5	60.0	16.4%	16.0	4%	-	0%
Local 103 I.B.E.W.	16.0	-	0.0%	-	0%	-	0%
Operating Engineers Local 4	160.0	-	0.0%	-	0%	-	0%
	542.5	60.0	11.1%	16.00	2.9%	-	0.0%

**Contracts and Payments to Minority, Women and
Veteran Business Enterprises for Construction Phase**
As of September 30, 2015

Reference 205 CMR 135.02(5)(f)

As of September 30th, 2015, Wynn had awarded \$191,795 in construction contracts for site clearing, preparation, and fencing work, including subcontracts for one MBE, two WBEs, and one VBE. Construction work began the first week of September.

	# Diverse Contractors Engaged*	Contract Value (\$)	% Construction Contracts Awarded to Date	% Goal	Paid to Date (\$)
MBE	1	10,525	5.5%	5.0%	--
WBE	2	42,808	22.3%	5.4%	--
VBE	1	1,050	0.5%	1.0%	--
TOTAL	12	\$54,383	28.3%	11.4%	\$ --

*Note that all diverse contractors are sub-contractors to Cashman Marine & Dredging.

**Contracts and Payments to Minority, Women and
Veteran Business Enterprises for Design Phase
As of September 30, 2015**

Reference 205 CMR 135.02(5)(f)

As of September 30th, 2015, Wynn had awarded \$50,474,843 in qualified design contracts, including contracts to eight MBEs, three WBEs, and one VBE.

	# Diverse Consultants Engaged*	Contract Value (\$)	% Total Design Contracts	% Goal	Paid to Date (\$)
MBE	8	2,605,749	6.8%	7.9%	1,339,721
WBE	3	619,500	2.1%	10.0%	127,168
VBE	1	3,165,000	6.3%	1.0%	1,140,587
TOTAL	12	\$7,686,900	15.2%	18.9%	\$2,607,476

*Note that 6 MBEs and 2 WBEs are sub-consultants to Wynn's consultants.