

RESOLUTION NO. 2021-11
OF THE
JACKSON HOLE AIRPORT BOARD
RE: CMAR Subcontractor Procurement Waiver
Entry Vestibule Project
August 18, 2021

The Jackson Hole Airport Board (the "Board"), a body corporate, organized under the laws of Wyoming, finds that:

WHEREAS, the Board is the operator and proprietor of the Jackson Hole Airport (the "Airport") and is authorized to enter into contracts to construct facilities for the efficient operation of the Airport, pursuant to W.S. §10-5-101, *et seq*;

WHEREAS, the Board is undertaking a series of separate but interrelated projects to remodel the Airport Terminal Building, including its restaurants and gift shop, passenger screening area, airline ticket counters, holdroom, restrooms and airline and airport administrative offices, a portion of which is federally funded;

WHEREAS, one of these interrelated projects relates to construction of the secure-side entry vestibule of the Terminal Building (the "Project");

WHEREAS, in connection the Project and other related projects, the Board entered into a contract with Wadman Corporation as a construction manager at risk ("CMAR") as authorized by W.S. §16-6-707(a);

WHEREAS, W.S. §16-6-707(c) provides that a CMAR shall comply with the residency and preference requirements imposed by law, W.S. §16-6-1001(a)(1) provides that the CMAR shall award to responsible Wyoming resident contractors not less than 70% of the work covered in its contract, and if that cannot be accomplished the governing body shall approve a waiver based on one or more factors enumerated in such statute;

WHEREAS, invitations for subcontractor bids for the Project were issued and advertised under nine (9) different subcontract schedules, and bids were opened on February 1, 2021;

WHEREAS, the low bidders for three (3) of the schedules were Wyoming resident subcontractors and their bids collectively total \$81,894, which is approximately 66% of the total of low subcontractor bids of \$123,293 for the Project;

WHEREAS, for the other six (6) subcontracting schedules, no Wyoming residents submitted bids (for Demolition, Doors & Frames, Metal, Auto Door, Painting and Fire Sprinkler); and

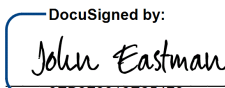
WHEREAS, W.S. §16-6-1001(a)(1)(c)(iv) provides that a waiver may be granted when there were insufficient Wyoming contractors submitting bids to make the 70% requirement; and

NOW THEREFORE, in open meeting and on motion made, seconded and unanimously adopted, the Jackson Hole Airport Board hereby resolves as follows:

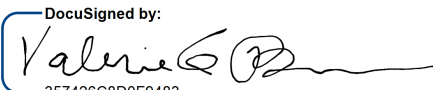
1. A copy of the subcontract bid tabulation for the Project, indicating the amount of the bids in each of the nine (9) subcontract schedules, and the residence status of each subcontractor submitting bids, is attached hereto and incorporated by reference as **Exhibit A**.
2. For six (6) of the subcontractor schedules, **Exhibit A** establishes that there were no Wyoming contractors submitting bids, and therefore insufficient resident subcontractors submitting bids to make the 70% requirement.
3. Pursuant to W.S. §16-6-1001(a)(i), the Airport Board therefore approves a waiver from the requirements of W.S. §16-6-1001 with respect to such six (6) subcontractor schedules for this Project, as described on the attached **Exhibit A**.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the Jackson Hole Airport Board this 18st day of August 2021.

JACKSON HOLE AIRPORT BOARD

By: 
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John Eastman, President

Attest:

By: 
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Valerie Brown, Secretary