

**RESOLUTION NO. 2021-02
OF THE
JACKSON HOLE AIRPORT BOARD**

**RE: CMAR Subcontractor Procurement Waiver
Exit Lane Project
February 17, 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 project to modify the Airport Terminal Building passenger exit lane from the ramp (the "Project"), and in connection with the Project and other related projects, the Board has 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, and W.S. §16-6-1001 provides that the CMAR shall award to responsible Wyoming resident contractors not less than 70% of the work covered by the CMAR's 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 under nine (9) different subcontract schedules, for Demolition, Reclaimed Wood, Metals, Doors & Frames, Flooring, Painting, Fire Sprinkler, Mechanical and Electrical;

WHEREAS, the low bidders for three (3) of the schedules, Flooring, Mechanical and Electrical, were Wyoming residentsubcontractors and their bids collectively total \$81,849, which is approximately 66.4% of the total low bids of \$123,245 on the Project;

WHEREAS, for the other six (6) subcontracting schedules no Wyoming residents submitted bids;

WHEREAS, no low bid for any of the subcontractor bids received for the Project was in excess of \$35,000; and

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

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

1. There were insufficient Wyoming contractors submitting bids to make the seventy percent (70%) requirement with respect to the Project.

2. A copy of the subcontract bid tabulation, indicating the amount of the subcontract bids and the residence status of each subcontractor submitting bids is attached hereto as **Exhibit A**.

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 this Project.

Upon motion duly made and seconded, the foregoing Resolution was adopted by the Jackson Hole Airport Board this 17th day of February 2021.

JACKSON HOLE AIRPORT BOARD

DocuSigned by:
John Eastman
By: _____
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John Eastman, President

Attest:

DocuSigned by:
Valerie Brown
By: _____
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Valerie Brown, Secretary