



Owen Lindblom, President
Lewis Barnum, Vice President
Curtis Burdette, Secretary/Treasurer
Luke Malyurek, Member
Adrian Gerrits, Member

Northeast Wyoming Regional Airport Board Agenda
4 p.m. Thursday, September 15, 2022
General Aviation Facility
2000 Airport Road Building #16

- A. 4:00 P.M. Meeting Called To Order - Pledge Of Allegiance
- B. Consent Agenda Items For Consideration

Documents:

[AUGUST 2022.PDF](#)
[SEPTEMBER 2022 ACCOUNTS PAYABLE SUMMARY REPORT.PDF](#)

- C. 4:05 P.M. Director's Report - Todd Chatfield

Documents:

[DIRECTORS REPORT SEPTEMBER 2022.PDF](#)

- D. 4:10 P.M. Engineer's Report - Morrison Maierle - Pat Stetson

Documents:

[GCC MONTHLY ENGINEERS REPORT 09.15.2022.PDF](#)

- E. 4:20 P.M. Consider Putting Out A Request For Proposal For Fixed Base Operations - Director Chatfield

- F. 4:35 P.M. Task Order No. 9 - Morrison Maierle Inc.

Documents:

[TASK ORDER 9 - PFC APPLICATION.PDF](#)

G. 4:40 P.M. State Grant In Aid, Project AGC034A - Director Chatfield

Documents:

[AGC034A PAVEMENT MARKIN EQUIPMENT.PDF](#)

H. 5:00 P.M. Adjourn

Note: The next Airport Board meeting is scheduled for Wednesday, October 19, 2022 at 4 p.m. at the GA terminal building. Agenda items for consideration must be approved by the Airport Director no later than the Thursday prior to the board meeting.

**Regular Meeting of the Northeast Wyoming Regional Airport Board
August 17, 2022**

Airport Board President Lindblom called the meeting to order at 4:00 p.m. Members present were Mr. Barnum, and Mr. Malyurek, and Mr. Burdette.

Meeting Called to Order and Pledge of Allegiance

Approve Consent Agenda:

Motion by Mr. Burdette, second by Mr. Malyurek to approve the Consent Agenda, including the Accounts Payable Report, and the July 20, 2022, Airport Board Minutes as presented. Motion carried.

Director's Report – Todd Chatfield:

Mr. Chatfield presented the following items to the Airport Board.

- Passenger Statistics – The airport had 4,233 passengers go through the airport in July. Making the year total 28,354 total passengers. The airport was at 24,736 at the same time in 2021. However, in 2021 we had a total of 5,546 passengers making July of this year a twenty-four percent decrease from 2021.
- Administration Office Closure – The Administration office will be closed on September 21, 22, and 23 as Shelly, Ron, and Todd will be at the WAC conference in Pinedale. Since Gillette will be hosting the conference in 2023, Todd feels the administrative staff being present at this year's conference will assist in gaining knowledge of what is required for when Gillette will be the host. A sign will be posted on the administration door directing people to call the operations phone if assistance is needed.
- Chamber of Commerce Mega Mixer –The airport will be at the Gillette Chamber of Commerce Mega Mixer on September 20th from 4 to 7 pm. Please plan on attending and stopping by the booth.
- Wings and Wheels – Just a reminder that our Wings and Wheels event will be on August 20th, from 11 am to 4 pm. The board members are invited attend and enjoy the day with us.
- Next airport board meeting – The next meeting will be at the new Fixed Based Operator Building 2000 Airport Road Building 16, tentatively set for September 15, 2022, at 4 pm.

September Board Meeting Date Change – Director Chatfield:

The WAC conference is scheduled to be held during the September board meeting and therefore this meeting will need to be rescheduled. After discussion the meeting has been

rescheduled to 4:00 p.m. on September 15, 2022, at the new General Aviation building.

Engineers Report – Pat Stetson:

Mr. Pat Stetson of Morrison and Maierle presented the Engineer’s Report to the Airport Board.

- 2021 General Aviation Terminal:
The funding for this project is through AIP 47 Grant - \$3,010,742.00 and AIP 50 Grant - \$300,000. The Notice of Award for Van Ewing Construction (VEC) with a Notice to Proceed was given on August 16, 2021.

The terminal is complete, and a temporary certificate of occupancy was issued on July 12, 2022. Once lease negotiations have been settled the tenant will move into the new GA Terminal. Additionally, the project is still under suspended work until Van Ewing can begin the demolition on the existing building. When the existing building has been demolished the seeding will be completed on that site as well as the new site.

- SPCC
Task Order 4 – 100% GCC CARES
The SPCC has been submitted to Airport Staff for review. Some changes on Fuel Farm upgrades and some Flightline Fuel Truck changes need to be edited.
- Rehabilitate RW 16/34 Study
Task Order 5 – 80% State 20% GCC PFC.

The runway design is slotted for 2024 with construction in 2025.

- SRE Midsized Loader
Task Order 6 – 90% State 10% GCC

Bid opening on July 28, 2022, with one bid received in the amount of \$342,930.00 (90% State Grant and 10% Local PFC) from Wyoming Machinery Company for a CAT 938M Loader with Snow Wolf QuatroPlowHD 170” (14’2”) Auto Wing Angle Plow.

A letter of recommendation is attached which will need board concurrence. Once approved or rejected, Todd will submit a letter to the State with the board’s decision. The Notice of Award will follow the States concurrence.

- Terminal Generator
Task Order 7 – 100% FAA CRSSA

Main Terminal – 450kW NG generator for the main terminal to fit the needs of the existing chiller.

Pricing was from March 1, 2022, and we are seeing a substantial price increase as well as a substantial lead time since these costs were quoted. Lead times are around 68 weeks.

GA Terminal (New) – MMI designed an 80kW generator. Natural gas would be preferred.

- Airport Sewer Lift Station
Task Order 8

Morrison Maierle has prepared a Scope of Work and Task Order for Design, Bid and Construction to upgrade the Airport Sewer Lift Station. The Scope and Task Order has been submitted to the board for review and approval.

- WACIP
The WACIP updates will be submitted to WYDOT in September and the board will be updated with any changes.

Scope of Work and Task Order No. 8 for the Sewer Lift Station – Pat Stetson

Mr. Stetson presented the Scope of Work and Task Order No. 8 for the Sewer Lift Station project to the Airport Board for their review and approval. **Mr. Burdette moved to approve the Scope of Work and Task Order No. 8 for the Airport Sewer Lift Station as presented, second by Mr. Barnum. Motion carried.**

SRE Loader Bid Recommendation – Pat Stetson:

Mr. Stetson presented the SRE Loader bid results and recommendation to the Airport Board for their review and approval. The bids were opened on July 28, 2022, and one bid was received from Wyoming Machinery Company with a total bid amount of \$342,930.00. It is the recommendation of Morrison and Maierle to accept the low bidder, Wyoming Machinery in the amount of \$342,930.00 as presented as the bid was under the Engineer's Estimate, but over the allocated funds. The State has agreed to provide the additional funds to cover that overage. **Mr. Burdette moved to approve the Engineer's Recommendation of awarding Schedule 1 low bidder to Wyoming Machinery Company for \$342,930.00 as presented, second by Mr. Malyurek. Motion carried.**

PFC Application – Pat Stetson:

Mr. Stetson informed the board that they will be submitting a new PFC application as all the projects on the current application are complete or substantially complete.

Executive Session – Appointment/Engagement of Professional:

At 4:40 p.m. Mr. Malyurek moved the Airport Board enter an Executive Session to discuss Appointment/ Engagement of Professional, second by Mr. Barnum. Motion carried.

At 6:00 p.m. a motion was made by Mr. Malyurek to adjourn the Executive Session and return to the regular board meeting, second by Mr. Burdette. Motion carried.

Adjourn

There being no further business before the Airport Board a motion for adjournment was called at 6:00p.m. **Motion by Mr. Burdette to adjourn the meeting, second by Mr. Barnum. Motion carried.**

Respectfully Submitted,

Curtis Burdette, Secretary/Treasurer

Owen Lindblom, President

DRAFT

September 2022 Accounts Payable Summary Report

INVOICE DATE	INVOICE NUMBER	VENDOR NAME	INVOICE DESCRIPTION	GROSS AMOUNT
09/06/2022	312/300029/AUG22	City of Gillette	1400 W. LAKEWAY ROAD	44.02
08/15/2022	2812839	Contractor's Supply Inc.	CONCRETE PATCH	170.36
08/18/2022	174878	Slattery Enterprises Inc.	FUEL FARM PORTA POTTY	143.00
09/01/2022	267799	CC Chamber of Commerce	MEMBERSHIP DIRECTORY AND MAP	1,000.00
08/18/2022	268097	CC Chamber of Commerce	LUNCHEON SERIES TICKET	150.00
09/13/2022	222-4414	Bighorn Hydraulics Inc.	HOSE ASSEMBLY	145.35
08/04/2022	3603312	Sundance Times Inc.	WINGS AND WHEELS ADV	162.50
06/09/2022	3603268	Sundance Times Inc.	JUNE 2022 ADV	325.00
09/08/2022	1308/AUG22	Powder River Energy CORP	NORTHEAST WYOMING REGIONAL AIRPORT	12,541.07
08/31/2022	INV628210	L.N. Curtis & Sons	GATE VALVE	339.98
09/01/2022	4050110T020/AUG22	Waste Connections of Wyoming	30201020207001	824.20
08/03/2022	301419104	Douglas Budget LTD Partnership	WINGS AND WHEELS ADV	150.00
08/03/2022	301419096	Douglas Budget LTD Partnership	AUGUST 2022 ADV	300.00
08/17/2022	301419279	Douglas Budget LTD Partnership	AUGUST 2022 ADV	150.00
08/29/2022	262951731001	ODP Business Solutions LLC	SUGGESTION BOX	50.99
08/29/2022	262946965001	ODP Business Solutions LLC	POST-ITS KEYBOARD WRIST PAD AND DRAWING BOX	38.24
08/31/2022	IN-1220846207	Legend Communications of Wyoming LLC	AUGUST 2022 ADVERTISING	308.43
07/27/2022	761-57202	Bridgestone Americas Inc.	KODIAK TIRES	6,880.00
08/23/2022	23489765	4imprint Inc.	LOGO ENGRAVED PENS	218.22
08/16/2022	26268079	Hawkins Inc.	CHLORINE AND CYLINDERS	436.75
08/15/2022	26263701	Hawkins Inc.	CHLORINE AND CYLINDERS	20.00
09/10/2022	0016186091022/SEP22	Charter Communications	8313300720016186	266.12
08/14/2022	0016194081422/AUG22	Charter Communications	8313300720016194	216.53
08/22/2022	15137	That Embroidery Place & Design LLC	SHIRTS FOR WINGS AND WHEELS	250.50
09/09/2022	INV-9236	AdBay.Com Inc.	SEPTEMBER 2023 ACCOUNT MNG /GOOGLE AD PCK	2,350.00
08/31/2022	PINV0695929	Source Management Inc.	BOARD CHAIRS	2,295.49
08/31/2022	2022-780	Water Guy LLC	AUGUST 2022 SERVICE AND BACTERIA SAMPLE	682.00
08/31/2022	22080105	Keyhole Broadcasting LLC	AUGUST 2022 ADV.	156.00
08/31/2022	22080106	Keyhole Broadcasting LLC	AUGUST 2022 ADV.	96.00
09/05/2022	US1042459	OAG Aviation Worldwide LLC	SEPTEMBER 2023 WEB AND FIDS	577.25
08/17/2022	35653370	Norco Inc.	HAND SOAP	10.93
07/20/2022	266156797	Bomgaars Supply Inc.	WATER	2.99
07/23/2022	266158874	Bomgaars Supply Inc.	REFRIGERANT	26.37
08/10/2022	288731	Serton Publishing Co.Inc.	WINGS AND WHEELS ADV	202.50
08/24/2022	289296	Serton Publishing Co.Inc.	AUGUST 2022 ADV	202.50
08/31/2022	289770	Serton Publishing Co.Inc.	AUGUST 2022 ADV	319.00
09/07/2022	23102196	Black Hills Energy	NORTHEAST WYOMING REGIONAL AIRPORT	1,480.52
08/31/2022	10776	Powder River Examiner LLC	AUGUST 2022 ADV	120.00

September 2022 Accounts Payable Summary Report

08/04/202212022	Lisa A. Levasseur	WINGS AND WHEELS ADV	45.00
08/26/202210004197	Laerie Inc.	ILS EQUIPMENT CALIBRATION	589.94
09/08/202264526	Menard Inc.	FENCING PLIERS, STAPLES, LETTER PUNCH	47.89
08/19/202262975	Menard Inc.	30 AMP/125 VOLT RV OUTLET	9.99
08/18/202262881	Menard Inc.	RATCHET TIE DOWN PK	29.98
08/22/20221512	Tami Waldner LLC	WINGS AND WHEELS CATERING	190.00
08/26/20223316180748	Pb Global Financial Services	POSTAGE MACHINE LEASE	142.53
07/31/2022971-1	Bethesda Christian Broadcasting	JULY 2022 ADV	330.00
07/31/2022902-1	Bethesda Christian Broadcasting	JULY 2022 ADV	100.00
09/13/202249382	Action Lock and Key LLC	DUPLICATE KEYS	11.97
09/10/2022509914/1760	Record Distributing LLC	MISC VEHICLE SUPPLIES	6.73
09/09/2022509519	Record Distributing LLC	MISC VEHICLE SUPPLIES	163.88
08/29/2022316	Wyoming Airport Coalition	WAC FALL CONF REG - BESEL	156.84
			<hr/>
			35,477.56

Directors Report

September 15, 2022, Airport Board Meeting

- Passenger Statistics – The airport had 3,968 passengers go through the airport in August. Making the year total 32,322 total passengers.
- Administration Office Closure – The Administration office will be closed on September 21, 22, and 23 as Shelly, Ron, and I will be at the WAC conference in Pinedale. Since Gillette will be hosting the conference in 2023, I feel the three of us need to be present at this year's conference to ensure we know what is required for when Gillette will be the host. A sign will be posted on the administration door directing people to call the operations phone for assistance.
- Chamber of Commerce Mega Mixer –The airport will be at the Gillette Chamber of Commerce Mega Mixer on September 20 from 4 to 7 pm. Please plan on attending and stopping by the booth.
- Wings and Wheels – The estimate for the total number of people who attended the event was four hundred. We will have a date picked before the first of the year that we plan on holding this event next year. We have received good feedback from all who attended and suggestions for improving it for next year. Better signage and more advertising are at the top of our list. We also hope to have more of the aircraft on the field participate.
- Next airport board meeting – The next meeting will be a joint meeting with the County Commissioners at the new Fixed Based Operator Building 2000 Airport Road building 16, on October 19, 2022, at 4 pm.

ENGINEER'S REPORT

Northeast Wyoming Regional Airport Board Update
September 15, 2022



2021 General Aviation Terminal – FAA AIP 47, AIP 50; WYDOT AGC003A

Task Order 3

AIP 47 Grant - \$3,010,742.00 ; AIP 50 Grant - \$300,000

Notice of Award for Van Ewing Construction (VEC) with a Notice to Proceed date of August 16, 2021

Project is **still under suspended work** until Van Ewing can begin the demolition of the existing building. A temporary Certificate of Occupancy was issued Tuesday, 7/12/22.

SPCC

Task Order 4 – 100% GCC CARES

Submitted to Airport Staff, some changes on Fuel Farm upgrades and some Flightline's Fuel Truck changes need to be edited.

Rehabilitate RW 16/34 Study – WYDOT AGC011

Task Order 5 – 80% State 20% GCC PFC

Runway design is slotted for 2024 with construction in 2025. Morrison-Maierle has reached out to a materials testing company to perform some nondestructive testing on the concrete for soundness, and to perform a geotechnical investigation.

SRE Midsized Loader – WYDOT AGC002

Task Order 6

Bid Results \$342,930.00 - (90% State, Grant); (10% Local, PFC's)

Opened one bid on 7/28. Bid received from Wyoming Machinery Company for a CAT 938M Loader with a SnowWolf QuattroPlowHD 170" Auto Wing Angle Plow.

County Commissioners approved the contract and the signed contract along with Notice to Proceed was sent to Wyoming Machinery Company.

Terminal Generator

Task Order 7

Main Terminal – Looking towards a 450kW generator for the main terminal to fit the needs of the existing chiller.

450kw NG - \$290,500*

*Pricing was from March 1, 2022. We are seeing a substantial price increase as well as a substantial lead time since these costs were quoted. Lead times are around 68 weeks.

GA Terminal (New) – MMI designed an 80kW generator. Natural gas would be preferred. We are also working on a plan to use the old terminal building 35kW generator for an Emergence Backup incase prices dictate the direction of the project.

Airport Sewer Lift Station

Task Order 8

Morrison-Maierle is working on a 50% design to be submitted for County review by the end of the month.

WACIP

WACIP updates were submitted to WYDOT before the September 14th deadline. Attached is a copy of the updated WACIP

PFC Application

Morrison-Maierle has Task Order 9 for board consideration. This is to prepare and apply for passenger facility charge funds to cover the airport's portion on upcoming projects listed in the attached summary.

Rehabilitate GA Apron

Morrison-Maierle will have a Task Order for the October Board meeting for next year's Acquire SRE – Dedicated Broom project. Cost of the total project is expected to be around \$2 Million using FAA Bipartisan Infrastructure Law (BIL) Funds.

Acquire SRE – Dedicated Broom

Morrison-Maierle will have a Task Order for the October Board meeting for next year's Acquire SRE – Dedicated Broom project. Cost of the total project is expected to be around \$1 Million using FAA Entitlement Funds.

FAA Bipartisan Infrastructure Law (BIL) Funds for Terminals

Morrison-Maierle will be applying for these funds for upgrades to the Main Terminal.

Exhibit A – Task Order No.: Nine (9)

For Master Agreement between the Owner, Northeast Wyoming Regional Airport And the Engineer, Morrison-Maierle

Task Order No.: Nine (9)

In accordance with the Master Agreement for Professional Airport Engineering Services for the Northeast Wyoming Regional Airport between **Owner** and **Engineer** dated May 15, 2019 (Agreement), **Owner** and **Engineer** agree as follows:

Section A1 - SPECIFIC PROJECT DATA

A1.01 Effective Date of Task Order: September 15, 2022

A1.02 Project Title: 2022 PFC Application

A1.03 Project Description: This project will consist of securing professional PFC consultant service. The scope of these services will include review of the existing PFC program at Northeast Wyoming Regional Airport, and preparation of a new 2022 PFC application.

A1.04 Funding: PFC Funds

Section A2 - SERVICES OF ENGINEER

2.01 *The specific services to be provided or furnished by Engineer under this Task Order are the services (and related terms and conditions) set forth in the following sections of the Master Agreement, such sections being hereby incorporated by reference:*

Design and Construction Administration of Airport Improvement Projects

- Phase III Final Design Engineering for the Project (Master Agreement Section 2.01 B.)

A2.02 Basic Services

The ENGINEER agrees to provide normal professional engineering and planning services in connection with the Project as set forth below:

Section A3 – OWNER’S RESPONSIBILITY

The provisions of **Section 3 Owner’s Responsibilities** from the Master Agreement are hereby incorporated by reference.

The following SPONSOR’s responsibilities related directly to this project are added to this Task Order:

Section A4 - TIMES FOR RENDERING SERVICES

<u>Phase</u>	<u>Completion Date</u>
Phase III –Final Design Engineering	January 2023

Section A5 - PAYMENTS TO ENGINEER

A5.01 Effective Rates for this Task Order

- A. The approved federal overhead rate in effect on the date of this Task Order is 65.83%.
- B. Per Diem, Subsistence and Transportation rate shall be as set forth in the Federal Travel Regulations.
- C.

A5.02. Summary of Total Compensation

The total compensation for services identified under this Task Order is estimated to be \$ 8,000 based on the following assumed distribution:

Phase	Method of Payment	Estimated Compensation
<i>Phase I – Programming & Pre-Design Activities</i>	Lump Sum	\$
Phase II – Preliminary Design Services	Lump Sum	\$
Phase III – Final Design Services	Lump Sum	\$8,000
Phase IV – Assistance in the Bidding Process	Cost Plus Fixed Fee Direct Labor, Payroll & Overhead Reimbursable Expenses Subconsultant Costs Estimated Total Cost Fixed Fee Total Estimated Compensation	\$0.00 \$0.00 <u>\$0.00</u> \$0.00 <u>\$0.00</u> \$0.00 \$
Phase V - Construction Phase Services	Cost Plus Fixed Fee Direct Labor, Payroll & Overhead Reimbursable Expenses Subconsultant Costs Estimated Total Cost Fixed Fee Total Estimated Compensation	\$0.00 \$0.00 <u>\$0.00</u> \$0.00 <u>\$0.00</u> \$0.00 \$
Phase VI – Project Closeout Services	Lump Sum	\$
TOTAL ESTIMATED COMPENSATION THIS TASK ORDER		\$8,000

Section A6 - CONSULTANTS:

None.

Section A7- OTHER MODIFICATIONS TO MASTER AGREEMENT:

None.

Section A8 - ATTACHMENTS:

- A. Exhibit A – Engineering Budget & Scope of Work

Section A9 - DOCUMENTS INCORPORATED BY REFERENCE

- A. Master Agreement Dated May 15, 2019
- B. Exhibit B – Duties, Responsibilities, and Limitations of Authority of Resident Engineer (RE) or Resident Project Representative (RPR)
- C. Exhibit C – Notice of Acceptability of Work
- D. Exhibit D - Required Contract Provisions for Airport Improvement Program and for Obligated Sponsors

Section A10 - APPROVAL AND ACCEPTANCE:

A10.01 Approval and Acceptance of this Task Order, including the attachments listed above, shall incorporate this document as part of the Master Agreement. Engineer is authorized to begin performance of Programming and Pre-Design Activities on the Project on (May 15, 2019), which date is confirmed upon receipt of a copy of this Task Order signed by **Owner**.

The Effective Date of this Task Order is as written in Section A1.01 above.

MORRISON-MAIERLE (ENGINEER)

NORTHEAST WYOMING REGIONAL AIRPORT (OWNER)

Signature Date

Signature Date

Scott T. Bell, P.E.
Name

Owen Lindbloom
Name

Vice President
Title

Airport Board, President
Title

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Tim Wick, P.E.
Name

Todd Chatfield, C.M.
Name

Sr. Airport Engineer, Project Manager
Title

Airport Director
Title

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Wyoming Airport Improvement Program Certificate of State Grant-in-Aid

WYOMING DEPARTMENT OF TRANSPORTATION, AERONAUTICS DIVISION
5300 Bishop Boulevard, Cheyenne, WY 82009-3340

The Administrator of the Wyoming Department of Transportation, Aeronautics Division, (hereinafter referred to as the "Division,") does hereby certify that a Grant-in-Aid of state funds for State Project No. AGC034A to CAMPBELL CO (hereinafter referred to as the "Sponsor") has been approved by the Wyoming Aeronautics Commission (hereinafter referred to as the "WAC"), in accordance with Wyoming Statutes §§ 10-3-401 and 10-3-402, for improvements at Gillette - Northeast Wyoming Regional Airport. The WAC is authorized, as a body, to make Grants-in-Aid from state funds for construction and development of Wyoming airports. The Division is the administrative branch for actions taken by the WAC.

The Division will reimburse the Sponsor for a portion of the actual costs incurred in completing said airport construction and development up to a maximum of \$36,000.00, or at a rate of Eighty percent (80.00%) of eligible costs, whichever is the lesser.

The Sponsor's minimum share of this project is \$9,000.00, or at a rate of Twenty percent (20.00%) of eligible costs.

The description of work to be accomplished is as follows:

Acquire Pavement Marking Equipment and associated work

It is understood by both the WAC and the Sponsor hereto that the participation by the State of Wyoming in this project is contingent upon all of the work listed in the above description of work being performed or caused to be performed by the Sponsor. No item of work shall be added or omitted from this description of work without specific written consent from the WAC in the form of an amendment to the existing grant.

The WAC reserves the right to cancel this Grant if acceptable progress is not undertaken within one hundred eighty (180) days of the date of the Grant, at the WAC's sole discretion.

Each payment obligation of the Division is conditioned upon the availability of government funds which are appropriated or allocated for the payment of this obligation. If funds are not allocated and available to complete this project, this Agreement may be terminated by the Division. The Division will notify the Sponsor at the earliest possible time should this event occur. No penalty shall accrue to the Division in the event this provision is exercised, and the Division will not be obligated or liable for any future payments due or for any damages as a result of termination under this section.

This Grant was approved by the WAC as a component of the Wyoming Airport Capital Improvement Program as set forth under Wyoming Statute § 10-3-401 et seq.

Each party to this agreement shall be responsible for any liability arising from its own conduct. Neither party agrees to insure, defend, or indemnify the other. The State, its agents, employees and contractors, will be responsible for any percentage of fault that may be attributable to each pursuant to law. The State of Wyoming, the Division, and the WAC do not waive sovereign immunity by entering into this agreement and the Sponsor does not waive governmental immunity, and each specifically retains all immunities and defenses available to them as sovereigns or governmental entities pursuant to Wyoming Statute ' 1-39-101, et seq., and all other applicable law. Designations of venue, choice of law, enforcement actions, and similar provisions shall not be construed as a waiver of sovereign immunity. The parties agree that any ambiguity in this Grant shall not be strictly construed, either against or for either party, except that any ambiguity as to immunity shall be construed in favor of immunity.

In consideration of, and by accepting, funding from the WAC, the Sponsor agrees to the following terms and conditions. These terms and conditions shall remain in full force and effect throughout the useful life of the facilities developed and equipment or land acquired unless there is prior written approval from the Division. Useful life is generally accepted to be a period of twenty (20) years from the date of acceptance of a grant offer. However, in the case of land acquisition, these terms and conditions apply in perpetuity. Failure to comply could result in the WAC pursuing the return of state funds and/or withholding of future funds.

1. State funds awarded through the grant must be used to benefit the public.
2. The Sponsor agrees to operate the airport in accordance with the Division’s policies and procedures, and in a safe and efficient manner.
3. Projects will be completed in accordance with contract documents; local codes, rules and regulations; the Division's policies and procedures; and the approved scope.
4. The project must maintain consistency with local plans and consider local interests.
5. Supervision of the construction will be performed actively on-site by a trained project manager/inspector with appropriate and relevant experience.
6. The Sponsor agrees to have a written contractual agreement with the contractor performing work related to the grant.
7. Professional services pertaining to the execution of the grant will be selected via a qualifications-based process that has been pre-approved by the Division.
8. The Sponsor will not permit any person or entity the exclusive right to use airport facilities funded with state funds.
9. The Sponsor will develop and encourage compatible land use around the airport, including acquiring and protecting runway protection zones, in accordance with the approved Airport Layout Plan, to assure that current and future airport airspace is protected.
10. The Sponsor must maintain accurate records of all labor, equipment, and materials for projects funded by the WAC. The Sponsor may be subject to monitoring activities by the Wyoming Department of Transportation, including on-site visits, review of supporting documents, and limited scope audits. The Sponsor shall also permit Division authorized representatives to examine the books, documents, papers, records and accounts of the Sponsor pertaining to the project. The Sponsor shall keep audit reports and audit documents on file for a minimum of three (3) years after the grant is closed.
11. Permit the WAC, or its designee, to use the material prepared in connection with the grant for purposes of record keeping, studies, and other informational purposes.
12. Provide written notification and receive written approval from the WAC prior to the disposition of any airport land purchased with WAC funds. The WAC may require return of state funds used to purchase the property, adjusted to current appraised value.
13. Secure and maintain insurance or otherwise protect against all perils, all equipment, buildings, structures and contents thereof, and other properties purchased with state funds, in accordance with Wyoming Statute 9-2-1016(b)(xi), (xii), & (xiii).

Sponsor’s Representative

**This Grant-in-Aid is duly executed on authority of
the Wyoming Aeronautics Commission**

Title

Date

Aeronautics Administrator

Date