



METROPOLITAN TOPEKA AIRPORT AUTHORITY
 TOPEKA REGIONAL | BILLARD AIRPORT
 AIRPORT & BUSINESS CENTER

Board of Directors

**Metropolitan Topeka Airport Authority
 June 2, 2023**

Special Meeting conducted via ZOOM..... 10:00 AM

Chairwoman Stubbs brought the special meeting of the MTAA Board of Directors to order at 10:00 AM with Board members participating in the ZOOM meeting as follows: Brian Armstrong, Sam Sutton, Joseph Ledbetter and Mike Munson. Also identified as attending via ZOOM were:

- Dale Mueller, WSP USA, Inc.
- Sam Stallbaumer, WSP USA, Inc.
- Timothy Resner of Frieden & Forbes, LP – Legal Counsel to the Board

Staff members in attendance:

- Eric Johnson
- Cheryl Trobough
- Terry Poley

Item 1. Notice.

Chairwoman Stubbs inquired if everyone who requested notification had been notified of this meeting. **Ms. Trobough replied that notifications were sent.**

Item 2. Adopt the Agenda.

Chairwoman Stubbs asked for a motion to adopt the Agenda as presented. **Mr. Ledbetter made a motion to adopt the Agenda as presented. Mr. Munson seconded the motion. Motion carried.**

Item 3. Review and Discussion on Competitive Sealed Bids Received for Construction of Snow Removal Equipment (SRE) Building at Topeka Regional Airport.

Mr. Johnson reported that four bids were received for the SRE Building construction project and opened on May 24, 2023. WSP completed the bid analysis, checking the bids for mathematical errors and responsiveness. Errors were found within all four bids. After discussions with the FAA, it was determined that there was not a solid responsive bidder on this project.

Ms. Stubbs asked Mr. Johnson to clarify the timeline for the SRE Building project. Mr. Johnson stated that with the funding coming from the CARES Act grant, the timelines are very tight with having a 240 calendar-day construction period. Construction has to be finished and all of the bills paid by June 1, 2024.

Mr. Ledbetter asked why the project was brought to the Board so late in that timeline. Mr. Johnson responded that this project has been in the scope of work since the beginning, but as the other projects (TOP Terminal Building, FOE Passenger Boarding Bridge, & FOE Fuel Farm) have exceeded the expected costs, the SRE Building has been changed and modified a couple of different times based upon remaining budget within the CARES Act funding.

Mr. Ledbetter cited Bldg. #625 as a possibility in lieu of constructing a new building. Mr. Johnson replied that #625 is not bid enough to store all of the equipment.

Item 4. Executive Session

Chairwoman Stubbs asked for a motion to adjourn to Executive Session.

Mr. Armstrong moved that the meeting be recessed for the purpose of an Executive Session, pursuant to the Kansas Open Meeting Laws. The justification for this Executive Session is the need to preserve attorney-client confidentiality in the discussion of contract bids received for the SRE building with MTAA legal counsel. Mr. Armstrong stated that the Executive Session will be for a period not to exceed twenty (20) minutes beginning at 10:13 AM and this meeting shall reconvene at 10:33 AM. The Executive Session is to include Eric Johnson, Dale Mueller and Sam Stallbaumer. Mr. Ledbetter seconded the motion. Motion carried.

The meeting reconvened at 10:33 AM.

Item 5. Consideration of Action on Bids Received for Construction of Snow Removal Equipment (SRE) Building at Topeka Regional Airport.

Chairwoman Stubbs asked if there was any further discussion concerning the bids received.

Mr. Armstrong posed a question to Dale Mueller on how much time is necessary to re-advertise for bids. Mr. Mueller responded that he is comfortable that all of the documents can be ready for re-bid by Tuesday, June 6 to allow for a 14-day bidding period. Mr. Ledbetter expressed his opinion that a three-week window to bid would allow contractors time to have a better understanding of the project, provided that another pre-bid conference is held.

Chairwoman Stubbs stated her concern of whether delaying an additional week before bid opening would jeopardize the receipt of funding. Mr. Mueller stated that a bid opening of June 26 would put the 240 calendar-day construction period starting with notice-to-proceed on or about September 1 and making the construction completed date of April 28, 2024.

Mr. Armstrong made a motion to reject all bids received and opened on May 24, 2023 for the construction of the SRE building with a summary communication of the reason for rejection to be sent to all bidders; re-advertise the project for bids, lowering the contractor percentage to 25% as allowed in the CARES Act funding and FAA guidelines, with bids to be publicly opened on June 26, 2024. Mr. Sutton seconded the motion. Motion carried.

Adjournment

Mr. Ledbetter made the motion to adjourn. Mr. Sutton seconded the motion and the meeting was adjourned at 10:54 AM.

These official minutes were approved by the Board of Directors on June 20, 2023.



Samuel W. Sutton, Secretary