

**PROCUREMENT RESOLUTION OF  
THE LITTLE ROCK MUNICIPAL AIRPORT COMMISSION**

**NOW THEREFORE, BE IT RESOLVED BY THE LITTLE ROCK MUNICIPAL AIRPORT COMMISSION (COMMISSION):**

**Section 1. Authority of Executive Director**

The Executive Director or his/her authorized representative shall have the exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for public purposes in and for Bill & Hillary Clinton National Airport ("Airport"), and to make all necessary contracts for work, labor, or services to be performed, or materials or other necessary things to be furnished for the benefit of the Airport in carrying out any work or undertaking of a public nature therein for all budgeted items approved by the Commission. All unbudgeted purchases or contracts for Seventy-Five Thousand dollars (\$75,000.00) or more per annum shall first be reviewed by the Lease Committee and then forwarded to the entire Commission for approval.

**Section 2. Competitive Quotes, Bids & Proposals**

- A. Where the amount of the expenditure for any purchase or contract authorized in Section 1 is less than Five thousand dollars (\$5,000.00), the Executive Director, or his/her authorized representative, shall use their best efforts to determine the best value. Where the amount of the expenditure is Five thousand dollars (\$5,000.00) or more but less than Seventy-Five thousand dollars (\$75,000.00) per annum, written quotes shall be taken to determine the lowest responsible and responsive quote. The Executive Director, or his/her designee, is authorized, at his/her sole discretion, to accept, reject, and/or negotiate with any and all vendors in the best interest of the Airport.
  
- B.
  1. Where the amount of expenditure of any purchase or contract authorized in Section 1 is Seventy-Five thousand dollars (\$75,000.00) or more per annum, the Executive Director, or his/her authorized representative, shall invite competitive bidding thereon by legal advertisement published one (1) time or as required by law in any local daily newspaper or on the Airport website. Bids received pursuant to the advertisement shall be opened not less than seven (7) days or typically more than thirty (30) days following the advertising date of invitation to bid unless the Executive Director or his/her authorized representative authorizes an increase in the maximum number of days the bid shall be open due to the complex nature of the solicitation.
  
  2. When the use of competitive bidding is determined not to be feasible, the Executive Director, or his/her authorized representative, may invite

competitive proposals thereof by legal advertisement published one (1) time or as required by law in any local daily newspaper or on the Airport website. Proposals received pursuant to the advertisement shall be opened not less than seven (7) days or typically more than thirty (30) days following the advertising date of invitation unless the Executive Director or his/her authorized representative authorizes an increase in the maximum number of days the proposal shall be open due to the complex nature of the solicitation.

- C. In the event the total price to be awarded on any contract or purchase is less than Seventy-Five thousand dollars (\$75,000.00) per annum, the Executive Director, or his/her authorized representative, shall be authorized to award the contract or purchase without transmitting the bid or proposal to the Commission.
- D. In the event the total price of the lowest responsible and responsive bid or proposal is Seventy-Five thousand dollars (\$75,000.00) or more, per annum, the Executive Director, or his/her authorized representative, shall transmit to the Commission all bids or proposals received thereon and the Commission may authorize the purchase or contract to the lowest responsible and responsive bidder or through competitive proposals as allowed by law.
- E. No single asset owned by the Airport shall be sold or exchanged without competitive bidding unless the Executive Director, or his/her authorized representative, shall certify in writing that, in his/her opinion, the fair market value of such property is less than Twenty-five thousand dollars (\$25,000.00). The Commission shall be advised before the sale of any asset valued over Twenty-Five Thousand dollars (\$25,000.00).

The Executive Director shall have the authority to direct the sale of Airport assets that have been identified for disposal or replacement where the residual value is determined to be below the threshold of Twenty-Five thousand dollars (\$25,000.00). Airport Staff are permitted to purchase these assets provided that; (1) the market value of the asset(s) can be established, is verifiable, and documented, and the asset is sold for no less than the market value; and (2) that the process by which the asset(s) are sold is fully documented. All records associated with any asset disposal process shall be maintained by the Finance Department.

- F. The Commission or the Executive Director and his/her authorized representative reserve the right to reject any and all bids or proposals, to waive any formalities and/or technicalities in any bid or proposal, or to solicit new bids or proposals or to accept any bid or proposal which is deemed to be more advantageous to the Airport.

- G. The Commission, by Resolution or by vote on an Action Item may approve staff recommendation and/or waive the requirement of competitive bidding in exceptional situations where such procedure is not feasible (for example, but not limited to, sole source vendors, and/or service providers, cooperative purchasing agreements, and the State contract list that has been previously approved by the Commission.)
- H. Vendors which provide products, support or services that have been chosen and approved by the Commission, that are protected by patent, or in which a competitive alternative is not available, shall be maintained on a Sole Source Vendor List. The Executive Director, or his/her designee, will present this list annually to the Commission for approval. The Sole Source Vendor List shall also include cooperative purchasing agreements which have competitively selected products and services available to the Commission through the City of Little Rock, the State of Arkansas, U. S. Federal Government Agencies, and other governmental purchasing alliances.

**Section 3. Selection of Professional Services**

- A. As required by State law, the Commission shall competitively select professional services based on qualifications and other relevant evaluation criteria other than price or cost.
- B. Professional Services are defined as those required by Arkansas Code, all architectural, engineering, legal, and land surveying services done for or on behalf of the Commission, and all services declared to be a professional service if done on behalf of the Commission, including but not limited to the following:
  - 1. Accounting and Audit services.
  - 2. Bond or underwriting counsel services.
  - 3. Construction management services.
  - 4. Financial advisory services.
  - 5. Information system services consultants.
  - 6. Lobbying services.
  - 7. Political consultant services.
  - 8. Professional consultant services.
  - 9. Environmental services.
  - 10. Executive recruitment services.
  - 11. Employee benefit plan consultant services.
  - 12. Property and casualty insurance consultant.
  - 13. Air Service Development consultant
  - 14. Marketing Media consultants
  - 15. Property appraisal services
  - 16. Energy conservation services

17. Pest and Wildlife control services, and;

Any other appropriate service that the Commission may from time to time declare to be a professional service because cost or price bidding, is found to be impractical, unfeasible, or, if based solely upon price, would result in any outcome that would not meet the best interest of the Airport.

- C. It is the policy of the Commission to competitively select professional services as referenced above, and to negotiate contracts for such services on the basis of demonstrated competence and qualifications for the type of professional services required provided that the services are rendered at fair and reasonable prices.
- D. The Executive Director is authorized to award professional service contracts in an amount less than Seventy-Five thousand Dollars (\$75,000.00) per annum for all professional services excluding general counsel lobbyists, annual financial audit, special architect and engineer projects (outside of on-call services), and the recruitment of the Executive Director. All professional services contracts of Seventy-Five thousand dollars (\$75,000.00) or more per annum shall be approved by the Commission.
- E. In the event the professional services contract to be awarded is Seventy-Five Thousand dollars (\$75,000.00) or more per annum, the following competitive process shall be followed:
  - 1. The Executive Director or his/her authorized representative will cause to be advertised in a newspaper of general circulation or on the Airport website, a notice that the Commission has a need to contract for a particular professional service and shall invite all interested parties to submit a statement of their qualifications and other relevant information based on the evaluation criteria specifically developed for the proposed services to be provided.
  - 2. The competitive selection for general counsel, lobbyists, annual financial audit, special architect and engineer projects (outside of on-call services), and the recruitment of the Executive Director shall be performed by a Review Committee comprised of members of the Commission. The Executive Director shall invite all members of the Commission to participate on the Review Committee and shall establish the Review Committee after polling the Commission members for participation. If fewer than

three (3) members of the Commission wish to participate on the Review Committee, the Review Committee will be comprised of the Lease/Consultant Selection Committee. The Executive Director and airport staff will provide information and input to either committee.

3. The Review Committee shall evaluate all statements of qualifications and other submittals and may conduct interviews with firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then may select therefrom in order of preference, based on criteria drafted and published by the Executive Director, up to three (3) firms deemed to be the most highly qualified to provide the services required.
4. The Review Committee shall recommend their selection preference to the entire Commission for consideration and approval.
5. The competitive selection for all other professional services shall be performed by a Selection Panel comprised of members of the Airport Staff and established by the Executive Director. The Executive Director shall establish the qualifications and evaluation criteria necessary for the specific services to be provided.
6. For any professional service contracts in excess of Seventy-Five thousand dollars (\$75,000.00) per annum, the Executive Director will send the Selection Panel's recommended selection preference to the Lease and Consultant Selection Committee as an action item for consideration and approval. If approved by the Lease and Consultant Selection Committee, the item will be placed on the Commission's agenda for consideration and approval.
7. The Commission shall by Resolution or Commission action item authorize the Executive Director, or his/her authorized representative, to then negotiate a contract with the highest qualified firm for the services to be rendered, at compensation which the Executive Director, or his/her authorized representative, determines is fair and reasonable to the Airport, subject to the budget approved by the Commission. In making such determination, the Executive Director, or his/her

authorized representative, shall take into account the scope, complexity, and professional nature of the services to be rendered.

8. Should the Executive Director, or his/her authorized representative, be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price determined to be fair and reasonable to the Executive Director, negotiations with that firm shall be formally terminated. The Executive Director, or his/her authorized representative, may then either undertake negotiations with the next most qualified firm or terminate the selection process and begin to solicit new responses.

#### **Section 4. Change Orders**

The Executive Director, or his/her authorized representative, is authorized to approve change orders under the following conditions:

- A. Contract Time – Change orders that add or subtract time (contract days) to a contract with no negative operational impacts to the Airport and no additional cost; or
- B. Contract Amount – Change orders where the cost to demobilize and remobilize a project exceeds the value of the change order, or change orders that do not exceed the total budget for that project including contingency, or
- C. Work Stoppage – Change orders that will prevent work stoppage of a project if no immediate action is taken prior to the next regularly scheduled Commission meeting.
- D. The Executive Director shall report all change orders of Seventy-Five thousand dollars (\$75,000.00) or more to the Commission.

#### **Section 5: Advertisements**

- A. The Executive Director shall have the authority to approve advertising expenses without the prior approval of the Commission in an amount not to exceed Seventy-Five thousand dollars (\$75,000.00) per expenditure. With the exception of advertising reimbursements to an airline for air service development, human resources and employee recruitment, procurement activities, construction advertisement and advertising to obtain bids for projects, all other advertising expenses in excess of Seventy-Five thousand dollars (\$75,000.00) require the approval of the full Commission.

- B. The Commission shall approve any purchases of any school related advertisements.
- C. The Commission shall approve all purchases of tables or more than four (4) tickets for local functions.

**Section 6. Conflict Determination and Resolution**

In the event any situation should arise where the Executive Director, or any Airport Staff member, believes that there may be a conflict of interest with respect to any contract or purchase of any kind, that individual should contact Airport Counsel for disclosure. Airport Counsel will review the issue and provide a written opinion to the employee with a copy to the full Commission. The opinion shall include a recommendation as to how to proceed in a manner that resolves the conflict or any appearance of a conflict.

**Section 7. Emergency Authority**

The Executive Director, or his/her authorized representative, is authorized to declare an emergency in response to any incident and/or situation at the Airport. In the event that an emergency Commission meeting cannot be convened, the Executive Director, or his/her authorized representative, is further authorized to taken any/all appropriate actions to respond to and resolve any emergency.

At the conclusion of the emergency, the Executive Director, or his/her authorized representative, will make a full report to the Commission as soon as possible detailing all necessary actions taken to resolve the emergency.

PASSED THIS 20<sup>th</sup> DAY OF November, 2024

Little Rock Municipal Airport Commission

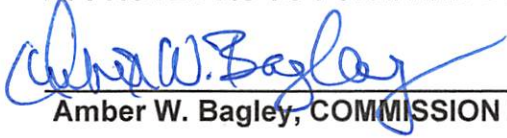
By: 

Bill Walker, Chairman

By: 

Tiffany O'Guinn, Secretary

APPROVED AS TO FORM AND CONTENT BY:



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Amber W. Bagley, COMMISSION COUNSEL