

Resolution No. 21-25

Approving and Adopting the Fifth Edition of the Contracting Manual

WHEREAS, In May 2015, the Board approved the issuance of the current Fourth Edition, Revision 2 (Fourth Edition) of the Contracting Manual to incorporate comments and suggestions resulting from a Department of Transportation's Office of Inspector General organization-wide audit of the Airports Authority;

WHEREAS, Staff recognized the need to undertake a strategic and comprehensive review and, with guidance and input from members of the Board and external consultants, performed a complete review of the language, procedures, and requirements in the current Fourth Edition, resulting in the new draft version of the Fifth Edition of the Contracting Manual;

WHEREAS, This new draft version of the Fifth Edition of the Contracting Manual incorporates changes to the document's structure, enhances articulation of Airports Authority policy, and contains procedures to enhance procurement efficiency;

WHEREAS, This new draft version was presented to the Business Administration Committee for consideration at its October 20, 2021, meeting;

WHEREAS, The Business Administration Committee has reviewed the new draft version of the Fifth Edition and recommended to the Board of Directors that it formally approve and adopt it as the Fifth Edition of the Contracting Manual; now, therefore, be it

RESOLVED, That the Board approves and adopts the Fifth Edition of the Contracting Manual as presented for its consideration on November 17, 2021, and as it may be modified by the President and Chief Executive pursuant to Paragraph 2 of this resolution;



2. That the President and Chief Executive Officer is authorized and directed to publish the Fifth Edition of the Contracting Manual in the form presented to the Board on November 17, 2021, with such modifications as are determined by the President and Chief Executive Officer to be necessary or desirable to address errors in grammar, spelling, punctuation, and format and similar non-substantive matters, and as are made prior to January 1, 2022;

3. That the Fifth Edition of the Contracting Manual shall be effective on January 1, 2022;

4. That the Fifth Edition of the Contracting Manual shall apply to all Airports Authority solicitations issued, and other procurement actions initiated, on or after January 1, 2022, and to contracts that are executed on the basis of and following these solicitations and procurement actions; that the Fifth Edition shall not apply to solicitations or other procurement actions initiated before and ongoing as of January 1, 2022, which shall continue to be governed by the Fourth Edition, but shall apply to contracts executed on the basis of and following such solicitations and procurement actions; and that the Fifth Edition shall apply to contracts in effect on January 1, 2022, that were executed on the basis of and following a solicitation or other procurement action undertaken pursuant to a prior edition of the Contract Manual, except to the extent application of the Fifth Edition to any such contract would diminish, enlarge or otherwise alter a contractual right or obligation of any party to the contract, in which case the Fourth Edition of the Contracting Manual shall apply to and govern the contract to the extent necessary to avoid such alteration of right or obligation.

Adopted: November 17, 2021

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