

REGULAR MEETING OF THE BOARD OF COMMISSIONERS, MEMPHIS-SHELBY  
COUNTY AIRPORT AUTHORITY (MSCAA) March 18, 2021

CALL TO ORDER

***Board Meeting provided via ZOOM Webcast to Airport Authority Staff and the Public.***

APPROVAL OF BOARD MEETING MINUTES: ***February 18 , 2021***

**Resolutions for Approval This Month**

Approval of Contract - 4225 Airways Boulevard Roof Replacement - Ark Roofing Company, Inc.

Approval of Agreement – Negotiate and Execute a New Lease with Boingo Wireless, Inc.

**Division Reports**

TREASURER and PROPERTIES REPORTS

Forrest Artz, Vice President of Finance and Administration/CFO

OPERATIONS REPORT

Terry Blue, Vice President of Operations

INFORMATION ITEMS

- New Website Presentation

NEXT BOARD MEETING – ***April 15, 2021***

RESOLUTION

WHEREAS, pursuant to public advertisement, bids for roofing replacement for the Memphis-Shelby County Airport Authority (“Airport Authority”) were received as follows:

REQUEST FOR BIDS  
4225 AIRWAYS ROOF REPLACEMENT  
FOR MEMPHIS-SHELBY COUNTY AIRPORT AUTHORITY  
Received March 1, 2021

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Bidder	Roof Areas A - F	Contingency Items	Total Bid
A & B Construction Co., Inc.	\$271,986.12	\$36,450.00	\$308,436.12
Ark Roofing Company, Inc.	\$146,497.85	\$26,750.00	\$173,247.85
Carroll’s Roofing & Construction, LLC	\$272,531.25	\$40,580.00	\$313,111.25
Medford Roofing, Inc.	\$263,000.00	\$26,000.00	\$289,000.00

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and,

WHEREAS, the property located at 4225 Airways is commonly known as the Airport Project Center, it is currently used for MSCAA team meetings and houses our construction project management team; and,

WHEREAS, the Airport Authority obtained ownership of the property in the 1990s, and, notwithstanding ongoing repairs, the building retains much of the original roofing system; and,

WHEREAS, based on the above and the evaluation of our Open End Designer, Renaissance Group, it has been determined that the roof is approaching the end of its useful life; and,

WHEREAS, Renaissance Group prepared the specifications included within the Request for Bids documents; and,

WHEREAS, the entire roof is in need of replacement; and,

WHEREAS, due to the spectrum of different roofing systems, the roof was sectored into Roof Areas A through F for the bidding process; and,

WHEREAS, Roof Areas A through F consist of, but are not limited to, tearing off and replacing approximately 20,000 sq. ft. of existing roofing material, including 60 mil TPO roofing and architectural shingles; removing and replacing rotten wood trim, fascia boards, and deck boards; installing new metal trim; repairing areas damaged by moisture; sealing all pipe penetrations; and repairing and/or replacing plumbing drains; and,

WHEREAS, the necessity of some repairs cannot be confirmed until the existing roof system is removed, and therefore, estimated quantities of Contingency Items were bid as unit prices for (1) repair of wood decking, (2) wire brushing and painting deck, (3) overlaying with like metal decking, and (4) removal and replacement of steel decking; and,

WHEREAS, the bids were evaluated according to established criteria; and,

WHEREAS, Ark Roofing Company, Inc., was the lowest and most responsive bidder; and,

WHEREAS, in furtherance of its Small Business Participation Program, the Airport Authority determined that only certified Small Business Enterprises would be eligible to submit bids for this project; and,

WHEREAS, Airport Authority Management recommends that an overall project contingency budget of \$17,324.79 (10%), on top of bidder Contingency Items above, be established, resulting in an estimated total project construction budget amount of

\$190,572.64; and,

WHEREAS, Ark Roofing has successfully completed other roofing projects for the Airport Authority; and,

WHEREAS, Airport Authority Management recommends approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Memphis-Shelby County Airport Authority, that the President and CEO or his designee is hereby authorized to award the contract to Ark Roofing Company, Inc., as herein described, with costs to be paid from the Airport Authority's annual operating funds or any other funds as identified by the CFO.

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## RESOLUTION

WHEREAS, by Resolution #13-4640, dated July 23, 2013, the Board of Commissioners of the Memphis-Shelby County Airport Authority (“Airport Authority”) approved award of a lease agreement to Boingo Wireless, Inc. (“Boingo”), for the Wireless Fidelity and Distributed Antenna Systems; and,

WHEREAS, a lease agreement was executed with Boingo with an initial term commencing on January 1, 2014; and,

WHEREAS, the term of the initial lease agreement was for a period of seven (7) years with three (3) additional renewal periods of one (1) year each; and,

WHEREAS, the initial lease reserved the Authority the right to agree to additional Renewal Terms as it so desires; and,

WHEREAS, the Airport Authority activated the first renewal period in late 2020, and the lease agreement is therefore effective until December 31, 2021; and,

WHEREAS, under the revenue sharing plan of the original lease agreement, Boingo agreed to pay the Airport Authority an eighty-thousand-dollar (\$80,000.00) minimum annual guarantee or a forty percent (40%) share of the gross revenue, whichever is greater, from its operation of the systems; and,

WHEREAS, due to the advancements in wireless cellular networks and wireless area network (WAN) technology requiring significant hardware and infrastructure upgrades, and opportunities to add additional wireless cellular carriers to the Boingo neutral hosted distributed antennae system (DAS), it is in the best interests of the Airport Authority to sign a new lease agreement with Boingo; and,

WHEREAS, with the imminent opening of the Modernized B Concourse in 2021, significant investment will need to be made by Boingo; and,

WHEREAS, the term of the new lease agreement will supersede the original agreement and will be for an initial period of seven (7) years with three (3) additional renewal periods of one (1) year each, beginning in 2021; and,

WHEREAS, a new lease agreement must be negotiated, and negotiation will include analysis of, and compliance with, a potential Airport Concessionaire Disadvantaged Business Enterprise (“ACDBE”) goal, as determined by the Authority’s Business Diversity Development department; and,

WHEREAS, Airport Authority Management recommends approval;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Memphis-Shelby County Airport Authority, that the President and CEO or his designee is hereby authorized to negotiate and execute a new lease agreement with Boingo Wireless, Inc., in accordance with this Resolution.

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