

WYOMING DEPARTMENT OF TRANSPORTATION
AERONAUTICS DIVISION
5300 Bishop Blvd.
CHEYENNE, WYOMING 82009-3340

CERTIFICATE OF STATE GRANT-IN-AID

The Administrator of the Wyoming Department of Transportation, Aeronautics Division, (hereinafter referred to as the "Aeronautics Division,") does hereby certify that a Grant-in-Aid of state funds for **State Project XXX-XXX** and **State Grant XXXX** to **XXXXXXXXXXXX** (hereinafter referred to as the "Sponsor") has been approved by the Wyoming Aeronautics Commission (hereinafter referred to as the "Commission") in accordance with Wyoming Statutes §§ 10-3-401 and 10-3-402 for improvements at the **XXXXXXXXXXXX Airport**. The Commission is authorized, as a body, to make Grants-in-Aid from state funds for construction and development of Wyoming airports. The Aeronautics Division is the administrative branch for actions taken by the Commission.

FUNDS:

The Aeronautics 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 **\$ 0,000.00**, or at a rate of **three percent (3%)** of eligible costs not paid or reimbursed by federal funds, whichever is the lesser.

The Sponsor's minimum share of this project is **\$0,000.00**, or at a rate of **two percent (2%)** of eligible costs not paid or reimbursed by federal funds.

The description of work to be accomplished is as follows:

Enter description of work

It is understood by both the Commission 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 Commission in the form of an amendment to the existing grant.

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

This grant was approved by the Commission as a component of the Wyoming Airport Capital Improvement Program Budget as set forth under Wyo. Stat. Ann. § 10-3-401 *et seq.*

If applicable:

FAA (Federal Aviation Administration) Project #: **3-56-00XX-XX**
Airport Improvement Program (AIP)
CFDA #20.106
FAA Award Year: **200X**

SPONSOR'S ASSURANCES

In consideration of, and by accepting, funding from the Aeronautics Division, the Sponsor agrees to the following terms and conditions, which shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired, but not to exceed a period of twenty (20) years from the date of acceptance of a grant offer:

1. Operate and maintain the airport to serve the public in a safe and efficient manner.
2. Refuse to permit exclusive rights to any person or organization.
3. Carry out projects in accordance with local, state, and federal laws, policies, standards and guidelines, unless otherwise approved in writing by the Commission.
4. Continually strive to make the airport economically self-sufficient and structure appropriate fees to make the airport as self-sustaining as possible.
5. Expend all revenues generated by the airport for capital improvement, operating costs, marketing, and other airport related expenditures.
6. Provide notification prior to disposing of assets purchased using grant funds. Assets are defined as those with commercial or exchange value of two thousand dollars (\$2000) or more.
7. Provide written notification to the Commission prior to disposition of airport land, when the land is shown on the current "Exhibit A". In addition, obtain Commission written approval prior to disposition of airport land purchased with Commission funds. The Commission may require return of state funds used to purchase the property, adjusted to current appraised value
8. Take all steps necessary to recover state funds spent fraudulently or misused in any manner.
9. Maintain consistency with local plans, consider local interests, and conduct public hearings, when needed.
10. Maintain a current Aeronautics Division accepted Airport Layout Plan (ALP) and Exhibit "A" Property Map.
11. Follow the airport's Pavement Management Plan developed in conjunction with Aeronautics Division.
12. Provide documentation for and maintain 5-year Wyoming Aviation Capital Improvement Program (WACIP).
13. Acquire and protect runway protection zones.
14. Develop and encourage compatible land uses in accordance with the airport's approved Airport Layout Plan, to assure that current and future airspace is protected.
15. Complete project in accordance with approved scope, plans, specifications, and schedules. The Commission may require return of state funds for projects not completed in accordance with the approved scope.
16. Maintain accurate records of all labor, equipment, and materials for projects funded by the Commission.
17. Provide project records requested by the Aeronautics Division.
18. Permit authority for the Commission, or its designee, to use the material prepared in connection with this grant for purposes of record keeping, studies, and other informational needs.
19. Have a written contractual agreement with the contractor performing work pertaining to the airport improvement.
20. Provide competent technical supervision at the construction site.
21. Use qualifications-based criteria for professional consultant selection.
22. Release the Aeronautics Division from any obligation to pay for the project unless the Grant-In-Aid Certificate has been signed and accepted.
23. Utilize equipment purchased with Commission funds only for airport business and visibly mark the equipment as airport property.
24. Agree to additional assurances when attached to the Certificate of State Grant-In-Aid.
25. Permit Aeronautics Division, FAA, the Comptroller General of the United States and the Secretary of the United States Department of Transportation, or their authorized representatives, to inspect projects and all relevant project data and records as requested. The Sponsor shall also permit the above-named persons to examine the books, records and accounts of the recipient pertaining to the project. Sponsors that expend \$500,000.00 or more during a fiscal year in federal financial assistance are required to obtain an OMB Circular A-133 audit. The type of audit required may depend upon the type of organizational structure appropriate to the Sponsor. Nonetheless, audit requirements shall comply with OMB Circular A-133. The Sponsor shall keep audit reports on file for three years from their issuance. Sponsors are specifically directed to, and are required to follow when federal funding is involved, 49 CFR Parts 18e and 26 for Disadvantaged Business Enterprise Requirements.

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 Aeronautics Division, and the Commission 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 Wyo. Stat. § 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 Contract shall not be strictly construed, either against or for either party, except that any ambiguity as to sovereign immunity shall be construed in favor of sovereign immunity.

Sponsor's Representative

Title

Date

Attest

Title

Date

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

Aeronautics Administrator

Date