

STATE OF SOUTH DAKOTA
TRANSPORTATION COMMISSION

REQUEST FOR STATE BOARD WAIVER
PURSUANT TO SDCL 3-23-3

Date: May 22, 2024

Name of Board Member or Former Board Member: **Ron Rosenboom**

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

West River Foundation and various contractors and subcontractors on construction projects, including projects for the South Dakota Department of Transportation (DOT).

b) Board Member's role in the contract

I am the executive director of West River Foundation and a member of the South Dakota Transportation Commission. The South Dakota Transportation Commission awards contracts for DOT construction projects.

c) Purpose and objective of the contract

West River Foundation owns land near Interstate 90 Exit 32. Occasionally, contractors and subcontractors on highway construction projects (including projects for DOT) request permission to use the vacant land owned by West River Foundation to store materials and equipment. These requests occur after the Transportation Commission has made its decisions on project bid awards. West River Foundation allows contractors and subcontractors to use its land, so long as the contractors and subcontractors include West River Foundation as an insured on the insurance coverage for their operations and leave the property in a neat and workmanlike manner. Neither I nor West River Foundation receive any compensation or other consideration for allowing the use of the foundation's land.

d) Consideration or benefit conferred or agreed to be conferred upon each party

No consideration or benefit is conferred on me or West River Foundation.

e) Duration of the contract

The use of the foundation's land is typically in effect during construction of the projects.

Signature of Requesting Party: 

Date 5-23-2024