

**MINUTES OF THE REGULAR TRANSPORTATION COMMISSION MEETING
HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM
OKLAHOMA CITY, OKLAHOMA**

DATE: Monday, March 3, 2008
TIME: 11:05 a.m.
PLACE: Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 3rd day of March, 2008, at the hour of 11:05 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, OK.

Present: Carlisle Mabrey Member
James H. Dunegan Vice Chairman
Jackie Cooper Member
Bruce Benbrook Member
Brad Burgess Member

Presiding: James H. Dunegan - Vice Chairman

Absent: Dan Overland
Loyd Benson
Guy Berry

The agenda for this Commission Meeting was posted at or before 4:00 p.m. on Wednesday, February 27, 2008, prior to the meeting. The notification was placed in the display case in the lobby of the ODOT Building and on the glass doors on the north side of the ODOT Building, and sent to the Secretary of State in accordance with 25 O.S. Section 311.

The following items were presented and approved as written at the Regular Transportation Commission meeting of March 3, 2008. For those items amended, deferred or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Dunegan recognized Secretary Phil Tomlinson who introduced our very special guest, Congresswoman Mary Fallin. She sits on numerous committees, including Transportation and Infrastructure, Natural Resources and Small Business; also, Subcommittees on Water and Power, Contracting and Technology, Regulations, Health Care and Trade, Aviation and Highways and Transit. Congresswoman Fallin pointed out that about 26 percent of Oklahoma's bridges are rated as structurally deficient, and said she is sponsoring legislation to allow states to retain a larger share of federal tax revenue that is used on transportation issues.

ITEM TO BE PRESENTED BY THE SECRETARY TO THE COMMISSION

28. Approval of the Minutes of the Special Commission Meeting of February 4, 2008

ACTION: Benbrook moved and Burgess seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

29. Speed Zone Modifications - Mr. Smart
Cherokee County, along SH-51, City of Tahlequah (City concurrence)
30. Land Sales - Mr. Bell
- a) Choctaw County - approximately 950 feet north of the intersection of US-271 and SH-109, south of Hugo
 - b) Canadian County - at the intersection of US-81 and EW 100 section line road, north of El Reno
 - c) Oklahoma County - southeast corner of I-35 and Southeast 66th Street in the City of Oklahoma City
31. Programming of At-Grade Railroad Crossing Safety Projects
- a) Creek County - construction funding for a signal/surface project in Sapulpa
 - b) Grady County - construction funding for a signal/surface project near Chickasha
 - c) Kingfisher County - construction funding for a signal/surface project near Kingfisher
 - d) Mayes County - construction funding for a signal/surface project near Pryor
 - e) Noble County - construction funding for a signal/surface project in Perry
 - f) Nowata County - construction funding for a signal/surface project near Coffeyville
 - g) Oklahoma County - construction funding for a signal project in Oklahoma City
 - h) Oklahoma County - construction funding for a signal project in Oklahoma City
 - i) Pittsburg County - construction funding for a signal/surface project near McAlester
 - j) Pittsburg County - construction funding for signal project near McAlester
 - k) Rogers County - construction funding for a signal/surface project near Claremore
 - l) Grady County - construction funding for a signal project near Rush Springs
32. County Bridge and Road Improvement Fund Force Account Projects - Mr. Sheffert
- a) Caddo County - bridge over Stinking Creek south and east of the SH-73/SH-152 junction
 - b) Garfield County - bridge over Black Bear Creek west and south of the US-64/SH-74 junction
 - c) Harper County - bridge over an unnamed creek west and south of Selman on NS-195
 - d) Harper County - bridge over an unnamed creek north and west of Buffalo on NS-184
 - e) Kay County - bridge over Wolf Creek east and south of Newkirk
 - f) Love County - road project on county road EW-203 west of I-35 on the Love/Carter county line
 - g) Woods County - bridge over an unknown creek south of Dacoma on NS-250
33. Statewide - Certification of County Road Mileages - Mr. Adams

Title 69, O.S. 2002, Section 316, requires that the Transportation Commission annually certify to the Tax Commission the county road mileage of each county in Oklahoma as it existed on the first day of January each year. These mileages constitute a part of a formula used by the Tax Commission to distribute road user revenues among the counties.

ACTION: Mabrey moved and Cooper seconded that the Consent Docket be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess

NAYS:

ABSENT: Overland, Benson and Berry

END OF CONSENT DOCKET

ITEMS TO BE PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb

34. Programming Item

a) Caddo County - Commission District V

The Department requests approval to program a project to repair a reinforced concrete box (RCB) located on the I-40 frontage road east of the Custer county line. The estimated cost for this project is \$250,000.00 and is scheduled to be ready for FFY 2009 letting. The construction, right-of-way and utility phases associated with this project are reimbursable with ER funds.

ACTION: Mabrey moved and Cooper seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

35. Engineering Contract

a) Custer County - Commission District V (E.C. 1161)

EST, Inc., has been selected to do stream and wetland mitigation for the North Branch of Quartermaster Creek associated with reconstruction of SH-34 from SH-47 south. The negotiated fees total \$128,500.00. Multiple projects within this extent are included in the 8 Year Construction Work Plan with the first scheduled let date in FFY 2008. The total estimates for construction of these projects are \$13,019,819.00.

b) Osage County - Commission District VIII (E.C. 1166)

Smith Roberts Baldischwiler, LLC, has been selected to perform survey data collection to be used in the development of the US-60 project, east of the US-60/SH-99 junction, extending to east of the US-60/SH-35 junction. The negotiated fees total \$410,000.00. Multiple projects within this extent are included in the 8 Year Construction Work Plan with the first scheduled let date in FFY 2011. The total estimates for construction of these projects are \$16,110,752.00.

c) Tulsa County - Commission District VIII (E.C. 1169)

Craig & Keithline, Inc., has been selected to perform a feasibility study that will be an assessment of the traffic movement and operation on SH-97 from 2nd Street to Morrow Road in Sand Springs, including the operation of ramps at the SH-97/US-412 interchange. The negotiated fees total \$220,000.00.

ACTION: Benbrook moved and Cooper seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

36. Supplemental Engineering Contracts

a) Statewide (All Districts) - Hydraulics/Hydrology Services

The Department selected nine (9) consultants to provide hydraulics/hydrology analysis and reports at locations statewide. In support of the Department's staff, the firms are in need of supplemental agreements in order to continue providing services.

The nine (9) consultants are as follows:

- E.C. 1096A - Meshek & Associates, Inc.
- E.C. 1096B - Utley & Associates, Inc.
- E.C. 1096C - Cobb Engineering Company
- E.C. 1096D - Huitt-Zollars
- E.C. 1096E - Professional Engineering Consultants, LLC
- E.C. 1096F - High Plains Technical Services, Inc.
- E.C. 1096G - Crafton Tull & Associates, Inc.
- E.C. 1096H - Holloway Updike & Bellen, Inc.
- E.C. 1096J - The Benham Companies, LLC

The total not to exceed amount of these supplemental contracts is \$525,000.00. This brings the total Hydraulics/Hydrology contract amounts, including these supplements, to \$975,000.00.

ACTION: Mabrey moved and Burgess seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

ITEMS TO BE PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

37. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final April 2008
- c) Tentative May 2008 Bid Opening
- d) Tentative June 2008 Bid Opening

ACTION: Mabrey moved and Cooper seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

ITEMS TO BE PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

38. Change Orders - Cumulative Total - \$50,000.00 or Less - **Information Only**

- a) Atoka County - US-69 - SSR-103N(084)SR / 23951(04), \$4,063.11
- b) Beckham County - Co. Rd. - BRO-NBIL(105)CO / 22033(04), \$4,806.00
- c) Bryan County - US-69 - SSR-107N(133)SR / 24656(04), \$382.36
- d) Cleveland County - Ct. St. - STP-114B(136)AG / 21979(04), \$44,285.41
- e) Cleveland County - Ct. St. - STP-114B(137)AG/BPMY-114B(144)3B / 22022(04), \$46,331.28
- f) Coal County - SH-31 - BRFY-115C(035)BF/SAB-162C(146)BF / 21770(04)#1, \$5,000.00
- g) Coal County - SH-31 - BRFY-115C(035)BF/SAB-162C(146)BF / 21770(04)#2, \$4,500.00
- h) Craig County - US-60 - MC-118N(062) / 22325(04), \$3,016.25
- i) Creek County - Co. Rd. - BRF-119C(109)CO / 21216(04), \$960.44
- j) Delaware County - Co. Rd. - BRO-121D(69)CO / 20667(04), \$5,199.75

- k) Garfield County - SH-74 - CMC-124C(088) / 23704(04), \$21,800.79
- l) Grant County - Co. Rd. - BRF-127C(049)CO / 20376(04), \$2,827.32
- m) Grant County - Co. Rd. - BRO-127D(081)CO / 22655(04), \$10,809.61
- n) Harper County - US-283 - BRFY-130B(063)BF / 20944(04), \$900.00 Underrun
- o) Kingfisher County - SH-33 - E-SAP-137B(079) / 25430(04), \$21,600.00
- p) Latimer County - Co. Rd. - BRF-139C(047)CO / 21012(04), \$83.59
- q) Logan County - IS-35 - SSP-142A(129)SS / 24085(04)#1, \$19,500.00
- r) Logan County - IS-35 - SSP-142A(129)SS / 24085(04)#2, \$17,724.12
- s) Mayes County - US-69 - NHY-13N(095)TR / 22356(04), \$2,015.20
- t) Mayes County - US-412 - MC-149N(097) / 23373(04), \$14,340.03
- u) McClain County - IS-35 - IMG-0035-2(293)090 TR / 23072(04), \$19,380.00
- v) McIntosh County - SH-72 - SSR-146C(095)SR / 24361(04), \$980.00 Underrun
- w) Murray County - US-177 - STPY-150B(042) / 20262(04), \$8,400.75
- x) Muskogee County - IS-40 - IMY-0040-6(334)276 HP / 20238(04), \$0.00
- y) Noble County - Ct. St. - STP-152B(067)UR / 20489(05), \$4,461.64
- z) Oklahoma County - IS-40 - IMG-44-1(50)114 TR / 16858(06), \$4,815.00
- aa) Oklahoma County - IS-40 - OKCY-XTWN(002)HP / 17428(21), \$12,915.38
- bb) Oklahoma County - Co.Rd. - STP-155C(385)AG / 20456(04), \$7,287.06
- cc) Oklahoma County - Ct.St. - STPG-155F(420)AG / 21129(04), \$35.00 Underrun
- dd) Ottawa County - Co. Rd. - BRO-158D(054)CO / 20744(04), \$27,649.44
- ee) Ottawa County - US-69 - STPY-158A(084)TR / 22060(04), \$275.00
- ff) Payne County - Co. Rd. - BRO-160D(075)(89)CO / 19135(04), \$438.45
- gg) Pittsburgh County - Co. Rd. - BRO-161D(040)CO / 17495(04), \$12,889.15
- hh) Pittsburgh County - US-69 - NHY-013N(113)3R / 23900(04)#2, \$11,342.90
- ii) Pittsburgh County - US-69 - NHY-013N(113)3R / 23900(04)#3, \$1,609.04
- jj) Pontotoc County - SH-19 - SAB-062B(272)BF / 15112(04)#4, \$44,000.00
- kk) Pontotoc County - SH-19 - SAB-062B(272)BF / 15112(04)#5, \$5.77 Underrun
- ll) Pottawatomie County - Co. Rd. - BRO-163D(120)CO / 20093(04), \$714.24
- mm) Rogers County - SH-88 - STPY-166C(71) / 18887(04)#3, \$7,360.00
- nn) Rogers County - SH-88 - STPY-166C(71) / 18887(04)#4, \$500.00
- oo) Seminole County - SH-56 - SSR-167C(133)SR / 24019(04), \$2,916.44
- pp) Stephens County - SH-53 - SAB-169C(122)BF / 23233(04), \$9,352.42
- qq) Stephens County - SH-7 - SBR-169N(121)SB / 23471(04), \$29,548.89
- rr) Tulsa County - Ct. St. - STP-172B(34)UR / 17022(04), \$51,066.60 Underrun

39. Change Orders - Cumulative Total Greater Than \$50,000.00

- a) Caddo County - US-62 - BRFY-108B(132) / 20259(07), \$41,378.68
- b) Canadian County - SH-66 - BRFY-09B(316) / 15110(04), \$398,073.88
- c) Canadian County - IS-40 - IMY-040-4(407)137 / 21846(04), \$173,252.00
- d) Cleveland County - Ct. St. - STP-114B(018)(046)AG / 17069(04), \$7,200.00
- e) Cleveland County - Ct. St. - STP-114B(43)AG / 18206(04)#6, \$10,520.00
- f) Cleveland County - Ct. St. - STP-114B(43)AG / 18206(04)#7, \$12,981.00
- g) Hughes County - US-270 - BRFY-132B(057) / 20265(04)#7, \$5,576.16
- h) Hughes County - US-270 - BRFY-132B(057) / 20265(04)#8, \$4,269.70
- i) Hughes County - US-270 - BRFY-132B(057) / 20265(04)#10, \$3,636.74
- j) Love County - IS-35 - IMY-35-1(107)017 IR / 14959(04), \$14,410.11 Underrun
- k) Marshall County - US-70 - SBR-148C(062)SB / 24490(04), \$70,368.92
- l) Noble County - IS-35 - IMY-35-4(195)199 / 20246(04), \$0.00
- m) Noble County - US-64 - SBR-152N(109)SB / 23545(04), \$3.66 Underrun
- n) Oklahoma County - IS-40 - IMY-040-4(395)140 / 08400(08), \$74,730.00
- o) Oklahoma County - IS-235 - ACIM-NHIY-235-1(092)003GB / 09033(23), \$20,868.18 Underrun
- p) Oklahoma County - Ct. St. - STP-155A(283)AG / 19312(04), \$32,778.24
- q) Oklahoma County - Co. Rd. - BRO-155D(472)CO / 22127(04), \$13,860.75
- r) Payne County - SH-51 - BRFY-160A(110)/STPY-160A(149) / 20875(04), \$14,603.12
- s) Pottawatomie County - SH-18 - STPY-63B(371) / 05859(04), \$641,821.24
- t) Pottawatomie County - IS-40 - BRIY-40-5(383)178 / 20880(04)#3, \$39,009.41
- u) Pottawatomie County - IS-40 - BRIY-40-5(383)178 / 20880(04)#10, \$24,524.40

- v) Pottawatomie County - US-270 - BRFY-163A(158) / 21745(04), \$138,595.60
- w) Pushmataha County - US-271 - SBR-164B(104)SB / 24043(04), \$37,869.70
- x) Seminole County - SH-56 - IMY-040-5(374)212 / 20292(04), \$1,733.64
- y) Tulsa County - US-75 - BPMY-121C(095)3B / 23568(04), \$55,213.80
- z) Washington County - US-60 - CMC-174A(052) / 24007(04), \$59,820.00
- aa) Woodward County - US-183 - NHY-017N(053) / 17457(10), \$83,347.45

ACTION: Benbrook moved and Mabrey seconded that the Items be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
 NAYS:
 ABSENT: Overland, Benson and Berry

REQUEST TO UNILATERALLY FINALIZE CONTRACT - Mr. Evans

- 40. Wagoner County - Tri-F Corrosion Control Company - Bridge painting on SH-16 over the Verdigris River north of Muskogee county line - \$-0-

ACTION: Benbrook moved and Cooper seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
 NAYS:
 ABSENT: Overland, Benson and Berry

ITEM TO BE PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt

- 41. Awards

February 21, 2008 - Regular Letting

ACTION: Mabrey moved and Benbrook seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
 NAYS:
 ABSENT: Overland, Benson and Berry

ITEM TO BE PRESENTED ON BEHALF OF THE OFFICE OF GENERAL COUNSEL - Mr. Surrent

- 42. Addition to the Industrial Access Road Program

Pushmataha County - The City of Antlers has requested an industrial access project for a new ethanol plant in the Antlers Industrial Park. The City of Antlers is investing approximately \$400,000.00 in the new facility, which will create 5 new full-time jobs. The Department's participation in the project shall not exceed \$75,000.00.

ACTION: Burgess moved and Benbrook seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
 NAYS:
 ABSENT: Overland, Benson and Berry

ITEM TO BE PRESENTED BY THE DIRECTOR FINANCE AND ADMINISTRATION - Mr. Patterson

Note: Ms. Chelley Hilmes, Comptroller, presented the following item.

- 43. Permanent Rulemaking Action

Revision of Contractor pre-qualification standards and procedures. Upon approval, the rule will be filed with the legislature and the Governor for further action pursuant to the Administrative Procedures Act.

ACTION: Mabrey moved and Cooper seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

ITEM TO BE PRESENTED BY THE DIRECTOR FINANCE AND ADMINISTRATION - Mr. Patterson

Note: Ms. Chelley Hilmes, Comptroller, presented the following item.

44. FY 2008 Budget Revisions

- a) Director of Finance/Administration requests to transfer \$7.5 million from Federal Aid Projects to Engineering Contracts for construction management services.
- b) Director of Finance/Administration requests an increase of \$2.0 million for Engineering Contracts to utilize receipts from local subdivisions.

ACTION: Benbrook moved and Cooper seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Cooper, Dunegan, Benbrook and Burgess
NAYS:
ABSENT: Overland, Benson and Berry

ITEM TO BE PRESENTED BY THE DIRECTOR - Mr. Ridley

45. Director's Report

Director Ridley discussed various House and Senate bills relating to transportation funding, pointing out that passage of these bills will help our future plans relating to our 8 Year Construction Work Program. He stated that HB 2551 would remove the growth trigger on ROADS funds, HB 3342 would raise the cap to \$500 million on the ROADS fund and stop the diversion of motor vehicle funds, SB 1141 would increase appropriations to the ROADS fund from \$70 million to \$120 million beginning June 30, 2009, and SB 1396 supports removing the growth trigger on the ROADS Funds, lifting the cap to \$500 million and moving the motor vehicle fees to roads. He also discussed ramifications of lack of additional funding.

Information only; no Commission action necessary.

There being no further business, the meeting **adjourned** at 11:42 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of March 3, 2008

James H. Dunegan - Vice Chairman

Carlisle Mabrey, III

(Seal)