

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

DATE: Monday, October 5, 2009
TIME: 11:00 a.m.
PLACE: Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 5th day of October, 2009, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

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

Absent: Dan Overland Chairman

Presiding: James H. Dunegan Vice Chairman Chairman

The agenda for this Commission Meeting was posted at or before 1:00 p.m. on Monday, September 28, 2009, prior to the meeting. The notification was posted on the Atrium Informational Monitor in the ODOT Building, 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 October 5, 2009. For those items amended, deferred or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Vice Chairman Dunegan introduced our guests Ms. Jeanette Nance, representing the Governor's Office and Derrick Sparks and Caleb Bennett representing U.S. Congresswoman Mary Fallin's office.

Secretary Ridley introduced Mr. Gregory Pringle who is ODOT's new Division Administrator for Civil Rights. Mr. Pringle comes to us from the Department of Rehabilitation Services.

PRESENTED BY THE SECRETARY TO THE COMMISSION

136. Approval of the Minutes of the Regular Transportation Commission Meeting of September 8, 2009

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

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

137. **Land Sales - Mr. Bell**

a) Washington County - City of Bartlesville

Along the south side of West Frank Phillips Boulevard, between SH-123 and Sunset Boulevard

138. **Disclosure of Acquisition of Right-Of-Way from an ODOT Employee - Mr. Harms**
- a) Grady County - SH-39 from the junction of US-62/US-277, extending east 4.0 miles to just east of Alex
139. **Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds - Mr. Kyle**
- a) Alfalfa County - SH-45/8 - signal surface near Carmen with the Burlington Northern Santa Fe Railway Company
 - b) Alfalfa County - SH-45 - signal surface near Goltry with the Burlington Northern Santa Fe Railway Company
 - c) Noble County - NS-3310 - signal surface near Morrison with the Burlington Northern Santa Fe Railway Company
 - d) Pawnee County - NS-3450 - signal surface near Pawnee with the Burlington Northern Santa Fe Railway Company
 - e) Tulsa County - South 145th West Avenue - signal surface near Sand Springs with the Burlington Northern Santa Fe Railway Company
140. **Requests for County Bridge and Road Improvement Fund Force Account Projects - Mr. Sheffert**
- a) Atoka County - bridge and approaches over unnamed creek south and west of Caney
 - b) Atoka County - bridge and approaches over unnamed creek west and south of Caney
 - c) Atoka County - road resurfacing project south of Atoka
 - d) Atoka County - road resurfacing project east of Atoka
 - e) Cimarron County - road project on EW-20 west of Wheelers beginning at NS-02 and extending east to NS-04
 - f) Cimarron County - road project on NS-23 west and north of Boise City beginning at SH-325 extending north to EW-17
 - g) Cimarron County - road project on NS-43 north and east of Keyes at EW-10 extending north to EW-08
 - h) Cimarron County - bridge and approaches on NS-23 over an unnamed creek south and east of the US-64/US-385 junction
 - i) Cimarron County - bridge and approaches on EW-21 south and east of the US-64/SH-171 junction
 - j) Creek County - bridge and approaches on county road over Childress Creek north and west of Kiefer
 - k) Garfield County - bridge and approaches on county road EW-36 over and unnamed creek south and east of Kremlin
 - l) Harper County - bridge and approaches on County Road NS-202 over an unnamed creek north, east and north of Selman

- m) Harper County - bridge and approaches on county road EW-07 over and unnamed creek north of US-64 and east of NS-184
- n) Harper County - bridge and approaches on county road EW-05 over an unnamed creek north of US-64 and east of NS-182
- o) Osage County - road project on Prue Road from Osage Intersection
- p) Osage County - road project on Lynn Avenue (old Highway 99) in Pawhuska from US-60/SH-99 south
- q) Stephens County - bridge and approaches on EW171 over tributary to Bear Creek north and west of the junction of US-81/SH-7E east of Lehigh
- r) Stephens County - bridge and approaches on EW-179 over Walker Creek north and west of US-81/SH-53 junction in Comanche
- s) Texas County - road project on NS-77 beginning at EW-33 and extending north to EW-31
- t) Woodward County - bridge and approaches on county road EW-051 over an unnamed creek east of Sharon
- u) Woodward County - bridge and approaches on county road NS-210 over Sand Creek east and north of Sharon

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

END OF CONSENT DOCKET

ITEM PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb

141. Engineering Contract

- a) Statewide - All Districts - Bridge Hydrology and Hydraulics Demand Service Contracts (EC-1235A through EC-1235F)

The Department has selected six (6) consulting firms to support the Department staff to provide engineering services for Bridge Hydrology and Hydraulics.

The following consulting firms were selected:

EC 1235A	Meshek & Associates, Inc.
EC 1235B	Painter & Associated Consultants
EC 1235C	Poe & Associates, Inc.
EC 1235D	Professional Engineering Consultants, PA
EC 1235E	The Benham Companies, LLC
EC 1235F	Utley & Associates, LLC

The aggregate total for these task-driven contracts will not exceed \$900,000.00. Funding will be with 80% federal funds and 20% soft match credit.

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

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

142. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final November 2009
- c) Tentative December 2009 Bid Opening
- d) Tentative January 2010 Bid Opening

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

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

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

- a) Beckham County - IS-40 - IMY-40-1(085)020 / 24221(05), \$38,355.95
- b) Beckham County - IS-40B - HSIPY-105A(175)TR / 26055(04)#1, \$0.02 Underrun
- c) Beckham County - IS-40B - HSIPY-105A(175)TR / 26055(04)#2, \$4,981.87
- d) Bryan County - US-70 - ACNHY-022N(87)(88)GB / 18847(04), \$7,235.20
- e) Bryan County - US-70 - NHY-022N(182)RW / 18847(17), \$4,915.00
- f) Canadian County - IS-40 - BPMY-NBIP(392)3B / 24397(05), \$2,200.00
- g) Cleveland County - Ct.St. - STP-114B(163)AG/IMY-35-2(298)112TR / 23071(04), \$2,278.96
- h) Cleveland County - Ct.St. - STP-114B(218)AG / 25548(04), \$2,146.00
- i) Craig County - US-60 - BRFY-018N(009)DC / 16229(04), \$29,835.00
- j) Garvin County - IS-35 - IM-STIM(010) / 20970(06), \$18,543.00
- k) Garvin County - Co. Rd. - BRF-STIM(208)CO / 22614(04), \$22,635.60
- l) Garvin County - SH-76 - STP-STIM(156)3R / 26294(04), \$19,723.28
- m) Hughes County - SH-31 - STPY-132C(121)3R / 25954(04)#2, \$23,882.49
- n) Hughes County - SH -31 - STPY-132C(121)3R / 25954(04)#3, \$13,082.00
- o) Jefferson County - US-81 - CMC-134N(075) / 25948(04), \$940.79
- p) Johnston County - SH-7D - SBR-135C(101)SB / 24517(04), \$5,201.21
- q) McCurtain County - Co. Rd. - STP-145C(089)MS / 19140(05), \$21,840.00 Underrun
- r) Okfuskee County - SH-99A - STPY-154C(092) / 23211(04), \$42,865.02
- s) Oklahoma County - Ct.St. - STP-155C(387)AG / 20474(04), \$8,672.50
- t) Pottawatomie County - Co. Rd. - BRF-163C(105)CO / 19695(04), \$5,322.92 Underrun
- u) Pottawatomie County - SH-9 - STPY-163C(219)3R / 24630(04), \$11,406.03
- v) Pushmataha County - US-271 - BRFY-164B(062)HP / 21017(04), \$7,770.00
- w) Pushmataha County - US-271 - BRFY-164C(096) / 23200(04), \$3,150.00
- x) Pushmataha County - US-271 - SSP-164C(097)SS / 23201(04), \$5,601.94
- y) Rogers County - SH-266 - STP-STIM(180)3R/NH-STIM(88)3R / 26284(04), \$585.00
- z) Seminole County - SH-56 - STPY-167C(158)3R / 25840(04), \$300.00
- aa) Sequoyah County - US-59 - CIP-168N(193)IP / 25926(04), \$2,008.95
- bb) Texas County - US-54 - NHY-008N(068) / 20312(09), \$32,393.20 Underrun
- cc) Tulsa County - Ct.St. - STP-172B(443)(445)IG/STPG-172B(444)(446)IG / 18429(06),
\$4,738.05
- dd) Tulsa County - IS-244 - BHIY-0244-2(472)096 / 24583(04), \$39,764.69
- ee) Tulsa County - IS-44 - IMG-44-2(465)230TR/IMG-244-2(466)00TR/NHY-30N(62)TR /

25081(04), \$48,800.00

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

- a) Canadian County - US-81 - NHY-011N(017) / 12544(12), \$3,750.00
- b) Cherokee County - SH-82 - STPY-011C(341)SS / 10010(04), \$1,063,222.00
- c) Cleveland County - IS-35 - IM-NHIY-35-3(108)119/IMY-35-3(240)119 / 00292(17),
\$22,224.20
- d) Cleveland County - Ct.St. - IMY-035-2(292)116 / 15392(07), \$65,489.80
- e) Cleveland County - Ct.St. - STP-114B(140)AG / 22138(04), \$9,292.40 Underrun
- f) Custer County - SH-34 - STPY-120B(050) / 18779(04), \$332,712.66
- g) Custer County - IS-40 - IMY-040-2(130)061 / 20253(04), \$27,804.20
- h) Delaware County - US-59 - STPY-021B(273) / 15015(04), \$151,378.95 Underrun
- i) Garvin County - IS-35 - IM-STIM(010) / 20970(06)#4, \$181,407.04
- j) Garvin County - IS-35 - IM-STIM(010) / 20970(06)#5, \$128.92 Underrun
- k) Grady County - US-62 - STPY-26B(232) / 02070(05), \$13,232.27
- l) Greer County - SH-6 - STPY-128B(006) / 10101(07), \$5,331.00
- m) Mayes County - US-69 - BRFY-013N(083)SS / 20893(04), \$130,528.60
- n) Noble County - US-64 - SBR-152C(148)(149)SB / 24525(04), \$6,714.65
- o) Noble County - SH-15 - BHFY-152C(154) / 24748(05), \$6,326.52
- p) Oklahoma County - IS-40 - OKCY-XTWN(007)TI/OKCY-XTWN(008)HP / 17428(26)#6,
\$430,000.00
- q) Oklahoma County - IS-40 - OKCY-XTWN(007)TI/OKCY-XTWN(008)HP / 17428(26)#7,
\$29,395.08
- r) Oklahoma County - IS-40 - OKCY-XTWN(055)SG / 17428(66), \$39,117.22
- s) Oklahoma County - IS-44 - IMY-44-1(111)123 3R / 26032(04)#1, \$138,161.16
- t) Oklahoma County - IS-44 - IMY-44-1(111)123 3R / 26032(04)#2, \$87,956.12
- u) Payne County - Ct.St. - STP-160B(18)(125)UR / 17030(04), \$67,739.94
- v) Pittsburg County - US-69 - NHY-013N(104)HP / 22845(04), \$181,833.63
- w) Pittsburg County - SH-31 - BRFY-161C(182)(181)(183) / 23195(04), \$74,137.45
- x) Seminole County - SH-99 - NHY-012N(019) / 13020(04), \$47,231.58
- y) Seminole County - SH-56 - STPY-167C(129) / 23213(04), \$1,468.48 Underrun
- z) Tulsa County - US-75 - NHY-014N(069) / 24154(04), \$170,062.40

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

ITEM PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt

145. Awards

- a) September 17, 2009 - Regular Letting
- b) October 1, 2009 - Special Letting

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

PRESENTED BY THE DIRECTOR - Mr. Ridley

146. Director's Report

Secretary Ridley introduced Director of Operations Mr. Gary Evans who gave an update on the Americans with Disabilities Act (ADA) compliance projects. Stimulus funds are being used to help small communities across the State. A listing of these communities was distributed to Commission members.

Mr. David Streb, Director of Engineering, provided an update on the Transportation Investment Generating Economic Recovery (TIGER) Grant applications. These included:

- a) Tulsa County - I-244 replacing deficient bridges over the Arkansas River
- b) Rogers County - grade separation project through Claremore
- c) Freight rail line from Shawnee to Oklahoma City

Ms. Linda Koenig, Planning and Research Division, headed up preparation of these grant applications. The deadline for submitting these applications was September 15, 2009.

Oklahoma is located in the South Central High-Speed Rail Corridor, which is San Antonio/Fort Worth/Oklahoma City/Tulsa. The current Administration has made \$8.2 billion available for this high-speed rail program. The *Heartland Flyer* currently runs from Oklahoma City to Fort Worth, and a part of our application included improvements to the *Heartland Flyer* rail line. The top speed is currently 79 miles per hour and with improvements it is hoped that the maximum speed will be increased to 90 miles per hour. There is also a provision in this application to provide a double track between Oklahoma City and Norman to hopefully relieve some congestion issues with the BNSF line. The key issue is that back in 2002 a fairly extensive amount of engineering was done to put a true high-speed rail between Oklahoma City and Tulsa. Our proposal calls for a high-speed rail 75 miles long following the Turner Turnpike, operating at 150 miles per hour.

Mr. Johnson Bridgewater, Rail Programs Division, headed up preparation of this grant application. The High-Speed Rail application was due by October 2, 2009.

Information concerning the status of the stimulus projects (ARRA funds) was distributed to the Commission.

Information only; no Commission action required.

Meeting adjourned at 11:35 a.m.

Approval of Minutes of the Regular Transportation Commission Meeting of October 5, 2009.

James H. Dunegan - Vice Chairman

Carlisle Mabrey, III - Member

(Seal)