

**MINUTES OF THE REGULAR TRANSPORTATION COMMISSION MEETING
HELD IN THE O.D.O.T. BUILDING COMMISSION MEETING ROOM
OKLAHOMA CITY, OKLAHOMA**

BE IT REMEMBERED that on Monday, the 5th day of April, 2004, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, OK.

Present:	James H. Dunegan	Vice Chairman
	Carlisle Mabrey	Member
	Larry R. Wade	Member
	Brad Burgess	Member
	Guy Berry	Member

Vice Chairman James H. Dunegan presiding

Absent:	Jackie Cooper	Member
	Dan Overland	Chairman
	Jack Begley	Secretary

The agenda for this Commission Meeting was posted at or before 3:30 p.m. on Wednesday, March 31, 2004, prior to the meeting. Said 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 Transportation Commission meeting of April 5, 2004. For those items amended, deferred or rejected those notations were also made. Action taken by the Commission is noted here on these sheets.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

49. Approval of the Minutes of the Regular Commission Meeting of March 1, 2004

ACTION: Berry moved and Burgess seconded; that the Commission approve the Minutes as written and distributed.
MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

50. a) Presentation of the Governor's Safety Awards - Governor Brad Henry
b) Declaration of Work Zone Awareness Week in Oklahoma - presentation of proclamation by Governor Brad Henry

Note: Due to Governor Henry not being able to attend this Commission meeting, presentation of the Governor's Safety Awards will be held at the next regular meeting of the Transportation Commission on May 3, 2004.

Mark Musser, Agency Liaison and Public Policy Specialist, presented the Proclamation issued by the Governor's office designating the week of April 4-10, 2004, as "Work Zone Awareness Week."

No action necessary; information only.

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

51. Change Orders of \$10,000.00 or Less - Mr. Raymond
- a) Adair County - SH-100 - MGSY-101C(57)(58)3R / 20592(04), \$7,750.00 Underrun
 - b) Beckham County - IS-40 - MC-105N(70) / 20350(04), \$3,284.50
 - c) Canadian County - US-81 - NHY-11N(18) / 12544(13), \$2,230.00
 - d) Canadian County - IS-40 - SAP-109N(76) / 20672(04), \$259.15
 - e) Carter County - US-70 - NHY-022N(079) / 17006(10), \$10.64 Underrun
 - f) Cotton County - I-44 - IMY-44-1(40)000 / 16327(04) #4, \$2,348.08
 - g) Cotton County - I-44 - IMY-44-1(40)000 / 16327(04) #6, \$3,416.00
 - h) Creek County - SH-67 - CIP-119C(53)IP / 18730(04), \$153,561.92 Underrun
 - i) Harper County - US-183 - CIP-130C(44)IP / 18972(04), \$0.00
 - j) Kingfisher County - SH-3 - NHY-17N(159)3R / 20695(04), \$7,200.00
 - k) Logan County - Indust. - SAP-142D(44) / 18185(04), \$7,590.00
 - l) Love County - SH-32 - MC-143C(54) / 20568(04), \$750.00
 - m) Major County - US-412 - NHY-019N(78) / 17358(04), \$4,252.61
 - n) Oklahoma County - IS-44 - IMY-44-1(51)117/IMY-44-1(66)000 / 18383(04), \$2,282.24
 - o) Okmulgee County - Co. Rd. - BRO-156D(030)CO / 17756(04), \$5,474.00
 - p) Tillman County - Ct. St. - STP-171B(30)UR / 17032(04), \$4,565.07
 - q) Tulsa County - Ct. St. - STP-172B(33)UR / 17028(04), \$2,484.33
52. Traffic Control Improvement Project - Mr. Smart
- a) Cherokee County - traffic signal interconnect system along US-62 (Rayne Street and SH-51) and installation of communication cable in the City of Tahlequah
 - b) Grady County - traffic signal installation at intersection of US-81 and Walton Drive in the City of Chickasha
 - c) Tulsa County - installation of guardrail along US 412 at the I-244/US-412 junction in the City of Tulsa
53. Speed Zones (Mr. Smart)
- a) Seminole County - three locations along SH-99
 - b) Canadian County , Cities of El Reno, Yukon and Oklahoma City (Cities Concurrence) - along SH-66
 - c) Creek County at three locations along SH-33
54. Logo Signing Program (Mr. Miller)
- a) Requesting contract approval of Oklahoma Logos, LLC to administer the Logo Sign Program in Oklahoma. The terms of this contract allow the Department the option of up to three additional five-year extensions unless terminated by either the Department or the contractor.
55. Land Sales (Mr. Bell)
- a) Woodward County - sale of excess land on US-412 in the Town of Woodward
56. Certification of County Road Mileage (Ms. Sullivan)
- a) Annual certification of county road mileages to Tax Commission
57. Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds for At-Grade Railroad Crossing Safety Project(s) (Mr. Kyle)
- a) LeFlore County - Signal/Surface project with Kansas City Southern Railway Company (\$225,000 federal funds, \$6,000 railroad funds and \$19,000 other funds, totaling \$250,000).

58. County Bridge and Road Improvement Fund Force Account Projects (Mr. Khatib)

- a) Beaver County - bridge over Crooked Creek, west of Gate and north of US-64
- b) Haskell County - bridge over King's Creek, southeast of Whitefield
- c) Haskell County - bridge over McChire Creek, south of SH-9 and east of SH-71
- d) Kiowa County - county road from SH-9 in Hobart in preparation for STP-138C(029)(036)CO
- e) Rogers County - county road repair

ACTION: Wade moved and Berry seconded; that the Commission approve the items as presented.

MOTION: Carried by the following vote:

AYES: Dunegan, Mabrey, Wade, Burgess and Berry

NAYS:

ABSENT: Cooper, Overland and Begley

END OF CONSENT DOCKET

ITEMS PRESENTED BY THE ASSISTANT DIRECTOR - PRE-CONSTRUCTION - Mr. Streb

59. Programming Items

- a) Cleveland County - Commission District III

The Department requests approval to program a repair project on the Robinson Street bridge over I-35 in Norman. The party responsible for the damage is known.

The estimated cost of this project is \$20,000 utilizing the annual state funds set aside for Bridge Division for similar projects. This project can be ready for a July 2004 letting.

ACTION: Berry moved and Mabrey seconded; that the Commission approve the item as presented.

MOTION: Carried by the following vote:

AYES: Dunegan, Mabrey, Wade, Burgess and Berry

NAYS:

ABSENT: Cooper, Overland and Begley

60. Engineering Contracts

- a) Commission District III - Cleveland and Pottawatomie Counties (E.C. 886)

CH2M Hill, Inc., has been selected to prepare final environmental documents and engineering studies for the SH-9 Corridor from 84th Avenue Southeast in the City of Norman, extending east to the junction of US-177 at Tecumseh Road in Cleveland and Pottawatomie Counties. Funding will be 80% federal with 20% soft match credit.

- b) Commission District VII - Grady County (E.C. 980)

Carroll Surveying Services, LLC has been selected from the list of pre-qualified firms to collect and provide land surveying services for SH-39 in Grady County. This project is currently scheduled in the 8 Year Construction Work Plan in federal fiscal year 2007. The negotiated fee for this contract is \$117,500 with 80% federal funds and 20% soft match credit.

- c) Commission District IV - Oklahoma County

Poe & Associates has been selected to prepare final design plans for the I-40 Crosstown center section, from around Shartel to the vicinity of Byers Avenue. Poe & Associates will perform all engineering and drafting services, as well as geotechnical studies. This project is in the STIP and ACOG TIP. This project is not in the 8 Year Construction Work Plan due to the magnitude of the project, and the current use of the earmarked funds from Congress in TEA-21. Negotiated fees for final design plans total \$4,999,500.

d) Commission District IV - Oklahoma County

Carter::Burgess, Inc., has been selected to prepare final design plans for the I-40 Crosstown Riverside Section, from the vicinity of Pennsylvania Avenue to the vicinity of Shartel Avenue. Carter::Burgess will perform all engineering and drafting services, as well as geotechnical studies. This project is in the STIP and ACOG TIP. This project is not in the 8Year Construction Work Plan due to the magnitude of the project, and the current use of earmarked funds from Congress in TEA-21. Negotiated fees for final design plans total \$1,780,000.

ACTION: Berry moved and Burgess seconded; that the Commission approve items a) through d) as presented.

MOTION: Carried by the following vote:

AYES: Dunegan, Mabrey, Wade, Burgess and Berry

NAYS:

ABSENT: Cooper, Overland and Begley

61. Supplemental Engineering Contracts

a) Custer County - Commission District V (E.C. 572 Supplemental No. 1)

Clowers Engineering Company was previously selected to prepare final construction plans to upgrade US-183 at I-40 in Clinton. This supplemental agreement requests additional design services involves improving the existing outlet for the storm sewer system. The agreed adjusted engineering fee for this supplement is \$4,350. The total engineering contract cost, including supplement No. 1, to \$768,350. Funding is 80% federal funds and 20% soft match credit.

b) Tulsa County - Commission District VIII (E.C. 573 Supplemental No. 2)

HUB & Garver (now Holloway, Updike and Bellen) has been selected to prepare final construction plans to upgrade US-64 in Bixby. This supplemental agreement is requested for additional work involving roadway widening, traffic signals, lighting and additional field survey. The agreed adjusted engineering fee for this supplement is \$101,900. The total engineering contract cost, including supplementals, is \$755,900. Funding is 80% federal funds and 20% soft match credit.

c) Statewide - All Districts Supplemental No.1 (E.C. 831, E.C. 853, E.C. 854, E.C. 855, E.C. 857)

The Transportation Commission has previously authorized several consulting firms to provide geotechnical investigations and engineering services upon demand in support of the ODOT staff.

A one-year renewal contract is needed for the following firms:

1. Burgess Engineering & Testing
2. MACTEC Engineering and Consulting, Inc.
3. PSI (Professional Service Ind., Inc.
4. Terracon Consulting Engineers & Scientists
5. EST (Engineering Services & Testing, Inc.)

The aggregate not to exceed amount for these renewals is \$1,250,000, and work will proceed as contracts dictate. Funding will be state or federal funds with soft match credit, in accordance with the requirements and eligibility of the associated transportation improvement projects.

ACTION: Mabrey moved and Wade seconded; that the Commission approve items a) through c) as presented.
MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

62. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final May 2004 Bid Opening
- c) Tentative June 2004 Bid Opening
- d) Tentative July 2004 Bid Opening

ACTION: Berry moved and Mabrey seconded; that the Commission approve the items as presented.
MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

63. Change Orders Greater Than \$10,000.00 (Mr. Raymond)

- a) Alfalfa County - US-64 -STPY-2C(230) /15032(04), \$120,855.00
- b) Carter County - Ct. St. - STP-10C(301)UR / 09216(04), \$48,822.40
- c) Cleveland County - Co. Rd. - BRF-114C(25)CO / 17420(04), \$28,329.93
- d) Comanche County - US-62 - CIP-116B(62)IP / 19396(04), \$11,746.10
- e) Custer County- IS-40 - IMY-40-3(56)076IR / 12687(04), \$90,605.88 No Additional Funds Required
- f) Grady County - SH-17 - MC-126C(69) / 20373(04), \$22,243.00
- g) Greer County - SH-6 - STPY-28B(134) / 15023(04), \$195,031.00
- h) Haskell County - SH-31/SH-2 - MC-131B(47) / 20374(04), \$15,119.55
- i) Jefferson County - US-70 - STPY-34B(144) / 09246(04), \$69,180.47
- j) Kingfisher County - Various - NHY-17N(102)/BRFY-11N(48)(50)/BRFY-142C(67)/IMY-35-4(183)186 / 18016(05), \$88,371.24
- k) Logan County - SH-33 - EMC-142B(095) / 21298(04), \$12,998.70
- l) Logan County - SH-33 - STPY-142B(74) / 09266(06), \$99,985.60
- m) McClain County - IS-35 - IMG-35-2(281)55TR / 20190(04), \$20,055.00
- n) McClain County - SH-9 - STPY-144B(18) / 17227(04), \$137,606.26
- o) McIntosh County - IS-40 - IMY-40-6(285)246IR / 19562(04), \$12,063.63
- p) Oklahoma County - SH-74 - CIP-155C(102)IP / 16999(04), \$93,301.68
- q) Oklahoma County - IS-40 - IMG-40-5(371)157TR / 19856(05), \$39,011.30
- r) Oklahoma County - Ct. St. - STP-155B(125)AG / 17144(04), \$32,230.80
- s) Oklahoma County - Ct. St. - STP-155B(194)AG/STP-55B(966)AG / 17750(04), \$277,964.93
- t) Oklahoma County - Ct. St. - STP-155C(40)AG / 15934(04), \$54,615.07
- u) Pittsburg County - Ct. St. - STP-161F(36)UR / 17025(04), \$50,310.30
- v) Pottawatomie County - US-270 - BRFY-63B(412) / 12323(04), \$28,776.38
- w) Texas County - SH-95 - BRFY-70C(183) / 10480(04), \$16,994.59
- x) Woodward County - US-270 - NHY-17N(157) / 17457(07), \$25,382.55 No Additional Funds Required

ACTION: Mabrey moved and Berry seconded; that the Commission approve all items as presented.

MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Stewart

64. Awards

ACTION: Berry moved and Mabrey seconded that; the Commission approve the Awards as presented.
MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

ITEMS PRESENTED BY THE ASSISTANT DIRECTOR - OPERATIONS - Mr. Fuller

65. Request to Terminate a Dormant Contract

- a) The contract with Wagnon Shale Pit & Excavating was completed in January 16, 2002. An overpayment was made to the contractor; however, deduction of this overpayment was not applied until the final estimate. The contractor has not returned the final estimate they received in January, 2002; the contractor's bonding company reimbursed the Department for the overpayment; therefore, the amount due is \$0.00. Under the provisions of 61. O.S. § 137 this contract is to be terminated.

ACTION: Mabrey moved and Berry seconded that; the Commission approve the request as presented.
MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

ITEM PRESENTED BY THE ASSISTANT DIRECTOR - ADMINISTRATION - Mr. Mayberry

66. Amendment to Commission Rules

- a) Chapter 1. Administrative Operations. The purpose of this proposed rule is to expedite settlement of claims for damage to Department facilities on estimates of \$2,500 or less.

ACTION: Burgess moved and Wade seconded; that the Commission approve the item as presented.
MOTION: Carried by the following vote:
AYES: Dunegan, Mabrey, Wade, Burgess and Berry
NAYS:
ABSENT: Cooper, Overland and Begley

Vice Chairman Dunegan, speaking on behalf of the Department and the Commission, expressed appreciation to Commissioner Larry Wade for his work this past year as Transportation Commissioner. Mr. Wade is leaving the Commission to serve on the OU Board of Regents.

Meeting adjourned at 11:34 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of April 5, 2004.

Dan Overland, Chairman

Jack Begley, Secretary

(SEAL)