

**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 Tuesday, the 7th day of September, 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:	Dan Overland	Chairman
	James Dunegan	Vice Chairman
	Carlisle Mabrey	Member
	Loyd Benson	Member
	Brad Burgess	Member
	Guy Berry	Member
Absent:	Jackie Cooper	Member

Chairman Dan Overland presiding

The agenda for this Commission Meeting was posted at or before 11:00 a.m. on Friday, September 3, 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 September 7, 2004. For those items amended, deferred or rejected those notations were also made. Action taken by the Commission is noted here on these sheets.

Prior to opening the business meeting, Chairman Overland introduced Senator Richard Lerblance (Senate District 7) and Representative Ray Miller (House District 15), and thanked them for being in attendance at our Transportation Commission Meeting.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

139. Approval of the Minutes of the Regular Commission Meeting of August 2, 2004

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

140. Introduction of Tribal Advisory Board Members

Chairman Overland introduced Ben Chaney (Muscogee Creek Nation) who is Chairman of the Tribal Advisory Board and, Mr. Chaney introduced Ray Ball (Kaw Nation), James Battese (Miami Nation) and Mike Talley (Chickasaw Nation). Chairman Overland thanked the members of the Board for being in attendance at our Transportation Commission Meeting.

Note: No Commission action necessary.

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

141. Change Orders of \$10,000.00 or Less - Mr. Raymond

- a) Carter County - Ct. St.- STP-10C(301)UR / 09216(04), \$.00
- b) Cleveland County - US-77- BHFY-114B(102) / 20278(04), \$2,750.00
- c) Cleveland County - Ct. St. -STP-14B(421)AG / 15891(04), \$9,115.16
- d) Custer County - US-183 - NHY-9N(13) /BRFY-9N(14) / 09276(04), \$9,523.90
- e) Delaware County - US-59 - BRFY-21B(257) / 10442(04), \$.00
- f) Garvin County - SH-19 - STPY-125C(069) / 18774(04), \$10.00
- g) Kay County - US-177 - MA-STPY-36B(259) / 00422(05), \$10,000.00
- h) Logan County - SH-33 - BRFY-42B(235) / 06351(04), \$8,110.85
- i) McClain County - US-62 - STPY- 144C(61)TR / 20222(04), \$2,112.02
- j) McCurtain County - Co. Br. - BRF-145C(51)CO / 18812(04), \$9,348.00
- k) McCurtain County - US-259 - MC-145A(116)Pts. 1-3 / 20629(04), \$2,233.72
- l) McIntosh County - IS-40 - IMY-0040-6(210)259 / 06308(04), \$6,588.00
- m) Muskogee County - US-64 - STPY-51C(404) / 14994(04), \$7,720.00
- n) Okfuskee County - US-62 - MC-141C(110)/MC-154C(60) / 20562(04), \$5,372.35
- o) Tulsa County - US-75 - NHY-14N(37) / 12938(08), \$600.00
- p) Tulsa County - US-169 - NHY-30N(006) / 11031(04), \$3,838.08

142. Traffic Control Improvement Project - Mr. Smart

- a) Bryan County - installation of school zone message signs on US-70 near the Bokchito School District
- b) Bryan County - traffic signal interconnect, upgrade and intersection modifications to five (5) intersections along US-70, in the City of Durant
- c) Pittsburg County - traffic signal at the intersection of US-69 and Peaceable Road in the City of McAlester
- d) Payne County - change in traffic control at the intersection of SH-51 and Fairgrounds Road near the City of Stillwater

143. Speed Zone Revision - Mr. Smart

- a) Creek County - along SH-51

144. Land Sales - Mr. Bell

- a) Stephens County - ½ mile south of the intersection of SH-7 and the Duncan By-Pass, City of Duncan (Parcel 22)
- b) Stephens County - at the intersection of the Duncan By-Pass and the Industrial Spur, City of Duncan (Parcel 26)
- c) Stephens County - at the intersection of the Duncan By-Pass and the Industrial Spur, City of Duncan (Parcel 27)
- d) Tulsa County - East 16th Street South and South Cincinnati Place at the southeast quadrant of I-444 Inter-Dispersal Loop, City of Tulsa
- e) Oklahoma County - West side of I-235, from south of Harrison Avenue, to just south of NE 1st Street, City of Oklahoma City

145. Disclosure of Acquisition of Right-Of-Way from an ODOT employee - Mr. Harms

- a) Seminole County - purchase of 3.343 acres of permanent right-of-way on SH-99 from the Effie Faye Estate Land Allotment #2246. ODOT employee Eric Roberts is an heir to this Estate.

Note: Information only; no action required.

- b) Pottawatomie County - purchase of 1.95 acres of permanent right-of-way on SH-18 from ODOT employee Kathy Robbins.

Note: Item 145. b) will be deferred to the October, 2004, Transportation Commission Meeting.

146. Programming of Federal Railroad Crossing Safety Funds - Section 130, Title 23 Funds for At-Grade Railroad Crossing Safety Projects - Mr. Kyle

- a) Canadian County - Signal/surface project in El Reno with the Union Pacific Railroad Company (Total \$245,000 - \$220,500 federal funds, \$7,200 railroad funds and \$17,300 other funds)
- b) Grady County - Signal/surface project near Marlow with the Union Pacific Railroad Company (Total \$270,000 - \$243,000 federal funds, \$9,000 railroad funds and \$18,000 other funds)
- c) Grady County - signal/surface project near Pocasset with the Union Pacific Railroad Company (Total \$246,000 - \$221,400 federal funds, \$6,300 railroad funds and \$18,300 other funds)
- d) McIntosh County - Signal project near Checotah with the Union Pacific Railroad Company (Total \$195,000 - \$175,500 federal funds and \$19,500 other funds)
- e) Muskogee County - Signal/surface project in Muskogee with the Union Pacific Railroad Company (Total \$265,500 - \$238,950 federal funds, \$6,750 railroad funds and \$19,800 other funds)
- f) Rogers County - Signal/surface project near Inola with the Union Pacific Railroad Company (Total \$213,500 - \$192,150 federal funds, \$6,350 railroad funds and \$15,000 other funds)

147. County Bridge and Road Improvement Fund Force Account Projects - Mr. Khatib

- a) Beckham County - county bridge over Sadler Creek, 5.0 miles east and 2.4 miles north of Carter. (\$35,000 100% CBRI funds)
- b) Craig County - repair drainage structure on county road approximately 2.0 miles south and 2.9 miles east of Blue Jacket. (\$35,000 100% CBRI funds)
- c)
 - 1) Haskell County - county bridge on EW 115 at NS 448.4. (Estimate \$50,000 100% CBRI funds)
 - 2) Haskell County - county bridge on EW 123 at NS 449.9. (Estimate \$70,000 100% CBRI funds)
 - 3) Haskell County - county bridge on EW 125 at NS 454.0. (Estimate \$86,000 100% CBRI funds)
 - 4) Haskell County - county bridge on NS 444 at EW 131.5 over Turkey Creek. (Estimate \$90,000 100% CBRI funds)
 - 5) Haskell County - county bridge on EW 125 at NS 436.8 over Elk Creek. (Estimate \$95,000 100% CBRI funds)
- d) Kiowa County - county bridge over an unnamed creek, 1.0 mile north and 3.5 miles east of Snyder. (\$35,000 100% CBRI funds)
- e) Oklahoma County - county bridge over Crooked Oak Creek on Reno Avenue, 0.9 miles east of Eastern, Oklahoma City. (\$45,000 100% CBRI funds)

148. State Highway System Revision - Ms. Sullivan

- a) Canadian County - Remove from the State Highway System a portion of SH-92, beginning at I-40 in Yukon and extending north on Garth Brooks Boulevard 1.47 miles to SH-66 (Main Street). Public Removal Hearing was held August 5, 2004.
- b) Canadian County - Remove from the State Highway System SH-66 Frontage Road, beginning at the junction of Mustang Road and Lakeshore Drive in Yukon, extending west approximately 0.85 mile. Public Removal Hearing was held August 5, 2004.

ACTION: Berry moved and Mabrey seconded that the Commission approve the Consent Docket as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Overland, Benson, Burgess and Berry

NAYS:
ABSENT: Jackie Cooper

END OF CONSENT DOCKET

ITEM PRESENTED ON BEHALF OF THE PLANNING AND RESEARCH DIVISION - Ms. Borelli

149. Statewide Transportation Improvement Program

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

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

150. Programming - Bridge Repair Project (Mr. Taylor)

- a) Beckham County - The Department requests approval to program a project to repair vehicle impact and fire damage to the westbound I-40 bridge over Randall Road in Beckham County. The estimated repair cost is \$100,000; the party responsible for the damage is known.

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

151. Engineering Contracts

- a) Commission District I - Wagoner County (E.C. 915)

Professional Engineering Consultants of Tulsa has been selected to prepare final design plans for the reconstruction of SH-72 from just north of Oak Street in Coweta to the SH-51 junction. Negotiated fees total \$396,200. Total estimate for construction of this project is \$2,200,000. This project is in the 8 Year Construction Plan with a scheduled letting date of March, 2008. Funding will be 80% federal funds and 20% soft match credit.

- b) Commission District IV - Payne County (E.C. 917)

MacArthur Associated Consultants, Ltd., of Oklahoma City has been selected to prepare final design plans for the project on I-35 at mile post 172.7, extending north to mile post 179.5, north of the Payne/Noble County line. It is anticipated that this project will be constructed as two (2) separate construction projects, the I-35 pavement rehabilitation and the interchange at I-35/SH-51. Negotiated fees total \$303,300. Total estimate for the rehabilitation construction project is \$6,000,000, and the interchange construction project is \$1,800,000. This project is in the 8 Year Construction Work Plan with a scheduled letting date of September, 2006. Funding will be 90% federal funds and 10% soft match credit.

- c) Commission District VII - Caddo County (E.C. 919)

Grossman & Keith Engineering Co., Inc., of Oklahoma City has been selected to prepare final design plans for alignment of SH-19 west of SH-8. Negotiated fees total \$370,000. Total estimate for construction of this project is \$2,000,000. This project is in the 8 Year Construction

Work Plan with a scheduled letting date of October, 2005. Funding will be 80% federal funds and 20% soft match credit.

d) Commission District VII - Caddo County (E.C. 920)

White Engineering Associates, Inc., of Oklahoma City has been selected to prepare final design plans for the reconstruction of two (2) bridges and two (2) reinforced concrete box culverts north of the Town of Apache at the US-62/US-281 junction. Negotiated fees total \$510,600. Total estimate for construction of this project is \$3,910,000. This project is in the 8 Year Construction Work Plan with a scheduled letting date of August, 2005. Funding will be 80% federal funds and 20% soft match credit.

e) Commission District VII - Comanche County (E.C. 921)

Triad Design Group of Oklahoma City has been selected to prepare final design plans for the project located on US-277 from the Town of Elgin, extending north through the Town of Fletcher to just south of the Caddo County line. Negotiated fees total \$241,600. Total estimate for construction of this project is \$3,306,894. This project is in the 8 Year Construction Work Plan with a scheduled letting date of March, 2008. Funding will be 80% federal funds and 20% soft match credit.

f) Commission District VII - Murray County (E.C. 922)

Garver Engineers, LLC, of Tulsa has been selected to prepare final design plans for the construction of US-177 widening and resurfacing from the Carter County line north five (5) miles. Negotiated fees total \$179,000. Total estimate for construction of this project is \$3,184,692. This project is in the 8 Year construction Work Plan with a scheduled letting date of May, 2006. Funding will be 80% federal funds and 20% soft match credit.

g) Commission District IV - Kay County (E.C. 925)

Tetra Tech FHC has been selected to provide services in support of Department Staff for design analysis, preparation of construction plans and survey in the development of the Tourist Information Center in Kay County. The total not to exceed amount for this contract is \$320,000. Funding will be 80% federal funds and 20% soft match credit.

h) Commission District VII - Love County (E.C. 938)

Poe & Associates, Inc., has been selected from a list of pre-qualified firms to collect and provide surveying services for I-35 in Love County from milepost 0.2 ± to milepost 3.2. This survey information is required for a project that is scheduled in the 8 Year Construction Work Plan in FY 2004. The total not to exceed amount for this contract is \$45,000. Funding will be 80% federal and 20% soft match credit.

ACTION: Berry moved and Burgess seconded that the items be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Overland, Benson, Burgess and Berry

NAYS:

ABSENT: Jackie Cooper

152. Supplemental Engineering Contracts

a) Commission District V - Dewey County (E.C. 125G Supplement No. 1)

The Transportation Commission previously authorized Cobb Engineering Company to prepare final design plans for the roadway and bridge projects within the US-270/SH-3 corridor. This supplemental agreement is to provide additional survey and geotech work needed for this project.

Adjusted engineering fees for this additional work total \$17,400. This project is in the 8 Year Construction Work Plan in FY 2006.

Note: Mr. Streb requested that this item be deleted at this time. The item was not acted on by the Commission.

ITEMS PRESENTED ON BEHALF OF THE DIRECTOR'S OFFICE - Mr. Surrent

153. Addition to the Industrial Access Road Program

- a) Pittsburg County - The City of McAlester is requesting approval for an industrial access project for the Steven W. Taylor Industrial Park. The Department's participation shall not exceed \$450,000.

ACTION: Benson moved and Berry seconded that item 153. a) be approved as presented. It is noted that item 153. b) in the Addendum was considered at this time and carried by the same vote.

MOTION Carried by the following vote:

AYES: Mabrey, Dunegan, Overland, Benson, Burgess and Berry

NAYS:

ABSENT: Jackie Cooper

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

154. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final October 2004 Bid Opening
- c) Tentative November 2004 Bid Opening
- d) Tentative December 2004 Bid Opening

ACTION: Berry moved and Mabrey seconded that the items be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Overland, Benson, Burgess and Berry

NAYS:

ABSENT: Jackie Cooper

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

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

- a) Beckham County - IS-40 - IMY-40-2(115)033 / 10814(04), \$154,099.00
- b) Caddo County - US-281 - STPY-8B(310)(313) / 06159(11), \$175,553.65
- c) Canadian County - IS-40 - IMY-40-4(382)124 / 19571(04) #2, \$48,398.80
- d) Canadian County - IS- 40 - IMY-40-4(382)124 / 19571(04) #3, \$245,900.00
- e) Cotton County - I-44 - IMY-44-1(40)000 / 16327(04), \$21,437.42
- f) Creek County - SH-99 - STPY-119B(94)3R / 20702(04) #1, \$19,798.32
- g) Creek County - SH-99 - STPY-119B(94)3R / 20702(04) #2, \$42,821.25
- h) Custer County - US-183 - NHY-9N(13)/BRFY-9N(14) / 09276(04), \$10,287.26
- i) Garfield County - US-81 - STPY-124A(09)TR / 16769(04), \$42,639.33
- j) Grant County - Co. Br. - BRO-127D(37)CO / 18872(04), \$27,003.26
- k) Grant County - US-81 - EMC-127C(055) / 21509(04), \$50,416.67
- l) Kay County - IS-35 - IMY-35-4(151)209 / 12671(04), \$59,200.00
- m) Kay County - US-177 - STPY-136B(002) / 00422(13), \$249,526.20
- n) Logan County - SH-33 - STPY-142B(74) / 09266(06), \$94,170.88
- o) Murray County - US-177 - CIP-150B(27)IP / 19393(04), \$15,537.98
- p) Nowata County - Co.Rd. - BRF-153C(22)CO/BRO-174D(20)CO, \$10,536.85

- q) Ottawa County - SH-125 - CIP-158C(007)IP / 16992(04), \$50,805.00
- r) Ottawa County - US-59 - STPY-58C(239) / 10675(04), \$48,144.00
- s) Pontotoc County - SH-48 - EMC-162C(113) / 21504(04), \$66,700.00
- t) Pottawatomie County - US-270 - BRFY-63B(412) / 12323(04), \$46,520.28
- u) Rogers County - US-169 - NHY-30N(008) / 09487(04)#1, \$403,589.20
- v) Rogers County - US-169 - NHY-30N(008) / 09487(04)#2, \$17,930.10
- w) Stephens County - SH-7 - CIP-169N(009)IP / 17005(04), \$33,415.71
- x) Tulsa County - SH-11 - STPY-172A(251)3R / 21234(04)#2, \$38,400.00
- y) Tulsa County - SH-11 - STPY-172A(251)3R / 21234(04)#3, \$13,125.40
- z) Tulsa County - SH-11 - STPY-172A(251)3R / 21234(04)#4, \$28,152.76
- aa) Tulsa County - SH-11 - STPY-172A(251)3R / 21234(04)#5, \$300,000.00

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

ITEM PRESENTED BY DIRECTOR - Mr. Ridley

156. Emergency Declarations

- a) Bryan County - River Road bridge over US-69/US-75, 0.7 mile north of Oklahoma Texas State line.

Note: No action necessary; information only.

ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Stewart

157. Awards

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

ITEMS PRESENTED BY ASSISTANT DIRECTOR - ADMINISTRATION - Mr. Mayberry

158. Statewide Highway namings requiring suspension of the Commission Rules

- a) The Oklahoma Administrative Code (OAC) provides that, "... part of a state highway system may be considered for dedication in honor of individuals" Persons proposed to be so honored shall have been deceased not less than five years prior to consideration.

Commission approval of Item a) is recommended. Please vote now on suspending the rules.

- b) In accordance with House Concurrent Resolution 1051, the Department has been directed to designate US-70 from the intersection of US-183 east to the intersection of US-81 as the "Trooper Nikky Green Memorial Highway" in Cotton County, Division 7.

Note: Mr. Mayberry requested that items 158. a) and 158. b) be deferred to the October, 2004. Transportation Commission Meeting.

ITEMS PRESENTED BY THE ASSISTANT DIRECTOR - FISCAL AND PROGRAMS - Mr. Patterson

159. Interstate 40 Crosstown Project

- a) The AD Finance is requesting a budget increase of \$48,600,000 to continue the I-40 Crosstown project. This increase will be funded with unbudgeted federal revenue designated for this project.

ACTION: Berry moved and Benson seconded that the item be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Overland, Benson, Burgess and Berry

NAYS:

ABSENT: Jackie Cooper

160. Settlement

- a) On March 1, 2004, Shandella Woodyard was eastbound on I-40 at the intersection of I-35 northbound in Oklahoma City when she collided with the barrier wall attenuator. United Casualty Insurance Company of America holds the insurance in this case and the policy has a \$10,000 limit for property damage. The total cost to repair the attenuator was \$15,208.44, with United Casualty proposing a settlement of \$10,000, the policy limit held by the insured. Title 69, Section 1002 of the Oklahoma Statutes provides the Transportation Commission with the authority to settle claims which it may have against any person for damages to facilities belonging to the Department.

ACTION: Burgess moved and Benson seconded that the item be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Overland, Benson, Burgess and Berry

NAYS:

ABSENT: Jackie Cooper

Meeting adjourned at 11:34 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of September 7, 2004

Dan Overland, Chairman

James H. Dunegan, Vice Chairman

(Seal)