

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

BE IT REMEMBERED that on Monday, the 11th day of October, 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 Dunegan	Vice Chairman
	Carlisle Mabrey	Member
	Jackie Cooper	Member
	Brad Burgess	Member
	Guy Berry	Member
Absent:	Dan Overland	Chairman
	Loyd Benson	Member

Vice Chairman Jim Dunegan presiding

The agenda for the Regular Commission Meeting was posted at or before 11:00 a.m. on Tuesday, September 28, 2004, prior to the meeting. The notification was placed in the display case in the lobby of the ODOT Building and on the glass doors at the main entrance of the ODOT Building, and sent to the Secretary of State in accordance with 25 O.S. Section 311.

On September 30, 2004, it was learned that a quorum could not be present for the Regular Commission Meeting scheduled for October 4, 2004. Notice of Cancellation of the Regular Meeting was posted on September 30, 2004, in the display case in the lobby of the ODOT Building and on the glass doors at the main entrance of the ODOT Building, and sent to the Secretary of State in accordance with 25 O.S. Section 311.

On October 1, 2004, the Chairman directed that a Special Meeting be scheduled for October 11, 2004. Notice of the Special Meeting of the Transportation Commission scheduled for October 11, 2004, was posted in the lobby of the ODOT Building and on the glass door at the main entrance 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 Special Transportation Commission meeting of October 11, 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**

161. Approval of the Minutes of the Regular Commission Meeting of September 7, 2004

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

162. EMSA Community Spirit Award to be presented to Andy Penney, Regulatory Services Division, Oklahoma City Central Office (Division IX)

Director Ridley introduced Andy Penney and his mother Mrs. Gordon Penney. Andy Penney was

presented the EMSA Community Spirit Award for his assistance at the time of a traffic accident on I-44 in Oklahoma City.

Note: No Commission action necessary; information only..

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

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

- a) Alfalfa County - US-64.- STPY-2C(230) /15032(04), \$2,500.00
- b) Carter County - IS-35 - IMY-35-1(101)038 IR / 12665(04), \$4,200.00
- c) Cherokee County - US-62 - STPY-111A(59)TR / 20465(04), \$2,446.64
- d) Choctaw County - Co.Br. - BRO-112D(35)CO / 18703(04), \$1,062.14
- e) Cleveland County - SH-9 - BRFY-14B(321) / 06346(04), \$6,174.24
- f) Cotton County - SH-53/SH-5 - MC-117B(34) / 21387(04), \$1,323.00
- g) Creek County - SH-33 - MGSY-19B(265)/MGEY-119B(30) / 09261(04), \$24,390.50 Underrun
- h) Custer County - Co. Br. - BRO-120D(67)CO / 19767(04), \$355.77
- i) Delaware County - US-59 - BRFY-21B(257) / 10442(04), \$2,900.00
- j) Grant County - US-60 - STPY-27B(235) / 00418(04), \$1,000.00
- k) Hughes County - US-75 - MC-132B(62) / 20638(04), \$2,842.00
- l) Kingfisher County - SH-3 - NHY-17N(158)3R / 20694(04), \$5,351.52
- m) LeFlore County - Co.Br. - BRF-140C(52)(92)CO / 17776(04), \$1,592.00 No Additional Funds
- n) LeFlore County - US-59 - STPY-140A(01) / 11694(08) #4, \$9,979.75 No Additional Funds
- o) LeFlore County - US-59 - STPY-140A(01) / 11694(08) #5, \$3,100.00 No Additional Funds
- p) Major County - US-412 - NHY-019N(78) / 17358(04), \$1,000.00 Underrun
- q) Mayes County - Co.Br. - CB-149C(26)/CR-149C(27) / 17390(04), \$1,149.00
- r) McClain County - IS-35 - IMG-35-2(281)55 TR / 20190(04), \$8,191.95
- s) McClain County - SH-9 - STPY-144B(18) / 17227(04), \$2,100.00
- t) McClain County - US-62 - STPY-144C(61) TR / 20222(04), \$540.00
- u) Noble County - Co.Rd. - BRO-152D(48)CO/BRO-160D(76)CO / 20072(04), \$6,113.10
- v) Okfuskee County - SH-27 - MC-154C(63) / 20627(04), \$450.00
- w) Oklahoma County - IS-35 - IMY-35-3(248)128 / 02689(12), \$4,719.00
- x) Oklahoma County - SH-74 - STPG-155C(401)TR / 20716(04), \$2,944.76
- y) Okmulgee County - IS-40 - IMG-40-6(336)233 TR / 20549(04), \$1,968.68
- z) Payne County - US-177 - RABA-OQ16(001)RA/RABA-OQ16(008)RA / 18976(04), \$2,175.95
- aa) Pottawatomie County - SH-18 - BHFFY-163B(111) / 05859(21), \$171.63
- bb) Rogers County - SH-266 - STPY-166C(115) / 20279(04), \$8,109.50
- cc) Seminole County - IS-40 - IMC-167N(84) / 20448(04), \$6,285.77
- dd) Tulsa County - SH-11 - STPY-172A(251)3R / 21234(04), \$8,189.17
- ee) Woodward County - US-412 - NHY-19N(10) / 10061(04), \$6,120.00

164. Traffic Control Improvement Project - Mr. Smart

- a) Okmulgee County - change in traffic control at the I-40 Bus./US-75 Bus/US-62 Bus. and Dewey Bartlett Road intersection in the City of Henryetta
- b) Cleveland, McClain and Oklahoma Counties - replacement of existing highway signs along I-44 from the H. E. Bailey Turnpike to the I-240 interchange in Divisions III and IV
- c) Delaware County - change in traffic control at the intersection of SH-127 and 14<sup>th</sup> Street in the City of Jay

165. Speed Zone Revision - Mr. Smart

- a) Noble County - along US-177 (Otoe-Missouria Tribal Council concurrence)

166. Land Sales - Mr. Bell

- a) Oklahoma County - SH-66 east of Westminster Road in Arcadia

b) Wagoner County - SH 51 west of US-69 in the City of Wagoner

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

a) Pottawatomie County - purchase of 1.95 acres of permanent right-of-way, 0.01 acres of temporary construction easement and 0.01 acres of perpetual utility easement on SH-18 from ODOT employee Kathy Robbins.

Note: Information only; no action required.

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

a) Cherokee County - bridge over Mill Creek, south and west of Zeb. (\$35,000 100% CBRI funds).

b) Dewey County - bridge over Kizer Creek, north and east of SH-34/US-60 junction. (\$72,000 100% CBRI funds).

c) Kingfisher County - bridge over Clear Creek, east and north of Okarche. (\$30,600 100% CBRI funds).

d) Lincoln County - bridge over an unnamed creek, south and west of US-62/SH-18 junction in Meeker. (\$50,000 100% CBRI funds).

e) Tillman County - bridge over Jack Creek, north and east of Loveland. (\$72,000 100% CBRI funds).

169. State Highway System Revision - Ms. Sullivan

a) Okmulgee County- relocation of SH-56 west of Okmulgee. A public removal hearing was held September 13, 2004.

b) Oklahoma County - removal of SH-3A in Oklahoma City. A public removal hearing was held September 13, 2004.

c) Major County - relocation of US-412, US-60 and SH-8. A public removal hearing was held September 10, 2004.

d) Alfalfa County - relocation of US-64, SH-58 and SH-8 north of Cherokee. A public removal hearing was held September 10, 2004.

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

MOTION: Carried by the following vote:

AYES: Mabrey, Cooper, Dunegan, Burgess and Berry

NAYS:

ABSENT: Overland and Benson

#### END OF CONSENT DOCKET

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

**170. Programming - Bridge Repair Project**

a) Oklahoma County - The Department requests approval to program a project to repair vehicle impact damage to the I-40 Crosstown Expressway bridge over the Walker Avenue ramp. The estimated repair cost is \$20,000; the party responsible for the damage is unknown.

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

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

**171. Engineering Contracts**

a) Statewide - Environmental Manual (E.C. 937)

Parsons, Brinckerhoff, Quade and Douglas, Inc., has been selected to produce an Environmental Process and Procedures Manual for the Oklahoma Department of Transportation. Approved total fee is \$200,000; the Federal Highway Administration has secured \$200,000 additional funds for the development of this manual.

b) Commission District I - Wagoner County (E.C. 891)

C. H. Guernsey and Company has been selected to prepare Environmental Assessment Engineering Studies and Design Services for the upgrade of SH-51 from Wagoner to Tahlequah. The negotiated fee is \$488,500. This project is in the 8 Year Construction Work Plan with a scheduled letting date of FFY2010 for the bridge and approaches. Funding will be 80% federal funds and 20% soft match credit.

c) Commission District II - Atoka County (E.C. 916)

FBS Engineering has been selected to prepare final design plans for the realignment of SH-3 at Muddy Boggy Creek Bridge. The negotiated fee is \$233,000. This project is in the 8 Year Construction Work Plan with a scheduled letting date of January 2009. Funding will be 80% federal funds and 20% soft match credit.

d) Commission District VI - Harper County (E.C. 918)

Cobb Engineering has been selected to prepare final design plans for the reconstruction of US-283 north of the US-283/US-270 junction. The negotiated fee is \$206,400. This project is in the 8 Year Construction Work Plan with a scheduled letting date in 2009. Funding will be 80% federal funds and 20% soft match credit.

e) Commission District VIII - Craig County (E.C. 923)

Poe & Associates, Inc., has been selected to prepare construction plans for the replacement of the US-60 bridge over Bull Creek. The negotiated fee is \$319,000. This project is in the 8 Year Construction Work Plan with a scheduled letting date for June, 2008. Funding will be 90% federal and 10% soft match credit.

f) Commission District VIII - Delaware County (E.C. 924)

Tetra Tech FHC has been selected to prepare construction plans for replacement of the SH-127 bridge over Drowning Creek. The negotiated fee is \$175,200. This project is in the 8 Year Construction Work Plan with a scheduled letting date for March, 2008. Funding will be 80% federal funds and 20% soft match credit.

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

**172. 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 \$26,600. This project is in the 8 Year Construction Work Plan in FFY2006.

- b) Lincoln County - Commission District III (E.C. 866 Supplement No. 1)

The Transportation Commission previously authorized Garver Engineers, LLC, to prepare final design plans for the roadway and bridge projects within the SH-18 over the Deep Fork River Area. This supplement is to develop plans for the surcharge and wick drain system. Adjusted engineering fees for this additional work total \$13,400. The total cost of engineering fees is \$213,400. Funding will be 80% federal funds and 20% soft match credit.

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

**ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins**

173. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final November 2004 Bid Opening
- c) Tentative December 2004 Bid Opening
- d) Tentative January 2005 Bid Opening

Note: At this point Director Ridley made comments concerning the status of federal funding for the remainder of 2004.

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

**ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond**

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

- a) Alfalfa County - US-64 - STPY-2C(230) / 15032(04), \$65,394.60
- b) Beckham County - Co.Br. - BRO-105D(63)CO / 19839(04), \$22,640.00
- c) Cotton County - SH-53/SH-5 - MC-117B(34) / 21387(04), \$21,900.00
- d) Creek County - SH-33 - MSGY-19B(265)/MGEY-119B(30)/BRFY-119B(31) / 09261(04), \$117,370.62
- e) Kingfisher County - SH-51 - BRFFY-37C(145) / 11474(04), \$36,580.30
- f) Noble County - Co.Rd. - BRO-152D(48)CO/BRO-160D(76)CO / 20072(04), \$16,720.00
- g) Okfuskee County - Co.Br. - BRF-154C(40)CO / 19406(04), \$24,080.00
- h) Oklahoma County - SH-3 - CMC-155N(428)(429) / 21251(04), \$117,499.52
- i) Oklahoma County - Ct.ST. - STP-155B(326)AG / 19787(04), \$26,698.63
- j) Ottawa County - Co.Br. - BRO-158D(006)CO / 16717(04), \$54,726.58
- k) Pottawatomie County - US-177 - STPY-163B(145)3R / 21092(04), \$99,035.89

- l) Pushmataha County - US-271 - EMC-164B(74) / 21661(04), \$79,589.00
- m) Tulsa County - US-169 - NHY-30N(41) / 11031(12), \$22,428.00
- n) Tulsa County - SH-11 - STPY-172A(251)3R / 21234(04), \$280,758.00
- o) Washington County - SH-123 - MC-174C(029) / 21388(04), \$28,073.42

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

**ITEM PRESENTED BY ASSISTANT DIRECTOR - Mr. Fuller**

175. Settlement of Disputed Claim

- a) Major County - Contractor's claim in the amount of \$500,000.

A claim in Logan County for a disputed quantity of excavation was discussed during mediation of the Major County claim; it was determined that Logan County had no entitlement and was not considered during this mediation. Commissioner Burgess asked for clarification of which county was involved in subject settlement. Mr. Fuller explained that the Major County project is all that is involved in this settlement.

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

**ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Stewart**

176. Awards

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

**Note: Please refer to attached Addendum for Item No. 177.**

**Meeting adjourned at 11:24 a.m.**

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Approval of the Minutes of the Special Commission Meeting of October 11, 2004

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James H. Dunegan, Vice Chairman

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Guy L. Berry, Commissioner District VIII

(Seal)