

**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 7th day of February, 2005, 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
	Jackie Cooper	Member
	Loyd Benson	Member
	Bruce Benbrook	Member
	Brad Burgess	Member
	Guy Berry	Member

Chairman Dan Overland presiding

The agenda for this Commission Meeting was posted at or before 11:00 a.m. on Tuesday, February 1, 2005, 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 Transportation Commission meeting of February 7, 2005. For those items amended, deferred or rejected those notations were also made. Action taken by the Commission is noted here on these sheets.

**ITEM TO BE PRESENTED BY THE SECRETARY TO THE COMMISSION**

17. Approval of the Minutes of the Regular Commission Meeting of December 6, 2004

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

18. Approval of the Minutes of the Special Commission Meeting of January 10, 2005

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

19. ACPA's 2004 "Excellence in Concrete Pavement" awards

Mr. Brent Burwell of the Oklahoma/Arkansas Chapter of the American Concrete Pavement Association presented awards to ODOT employees in Division I Sallisaw Residency for the State Roads Category, and Division IV El Reno Residency for the Overlays Category. Division III Purcell Residency received honorable mention as a finalist in the Municipal Streets and Intersections Category.

Note: No Commission action required.

**CONSENT DOCKET TO BE PRESENTED BY COMMISSION CHAIRMAN**

20. Change Orders of \$10,000.00 or Less (Mr. Raymond)

- a) Cleveland County - US-77 - BHFY-114B(102) / 20278(04), \$64,572.42 Underrun
- b) Cleveland County - SH-9 - BRFY-14B(321) / 06346(04), \$8,912.69
- c) Cleveland County - IS-35 - STPIG-35-2(283)108 TR / 20668(04), \$2,500.00
- d) Cleveland County - SH-77H - STPY-114A(56)TR / 18555(04), \$7,078.38
- e) Latimer County - SH-1 - EMC-139C(058) / 21783(04), \$5,088.00
- f) McClain County - SH-9 - IMY-35-2(269)107 / 19076(04), \$40,260.00 Underrun
- g) McClain County - US-62 - STPY-44C(303) / 09268(04), \$704.88 Underrun
  
- h) Murray County - SH-7 - MC-150N(48) / 20372(04), \$9,233.61
- i) Okfuskee County - Co.Br. - BRF-154C(40)CO / 19406(04), \$2,500.97
- j) Oklahoma County - US-77 - SAP-155N(431)(435) / 21279(04), \$867.00
- k) Payne County - SH-51 - STPY-160B(59) / 16998(12), \$24,991.65 Underrun

21. Traffic Control Improvement Project (Mr. Smart)

- a) Pushmataha County - a request has been received from the Division II Engineer and the Nashoba School District to develop a project for the installation of school zone message signs with flashing beacons along SH-144. The Nashoba School District will be responsible for operation and maintenance of the system.

22. Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds for At-Grade Railroad Crossing Safety Projects (Mr. Kyle)

- a) Creek County - signal/surface project in Sapulpa with Burlington Northern Santa Fe Railway Company.
- b) Ellis County - signal/surface project near Shattuck with the Burlington Northern Santa Fe Railway Company.
- c) Kiowa County - SH-9 surface project in Hobart with the Farmrail System, Inc.
- d) Pottawatomie County - SH-18 signal project in Shawnee with the Burlington Northern Santa Fe Railway Company.
- e) Tulsa County - signal/surface project near Sand Springs with the Burlington Northern Santa Fe Railway Company.

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

- a) Caddo County - county bridge replacement over Stinking Creek south and west of the SH-37/SH-152 junction.

ACTION: Benbrook moved and Benson seconded that the Commission approve the Consent Docket as presented.

MOTION: Carried by the following vote:

AYES: Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT: Commissioner Mabrey

**END OF CONSENT DOCKET**

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

**24. Programming Items**

- a) Oklahoma County - Commission District IV

Approval is requested to program a repair project caused by vehicle impact damage to the 63<sup>rd</sup> Street bridge over US-77 (Broadway Extension). Estimated cost of repairs is \$35,000.00; this project is scheduled for a May 2005 letting.

- b) Oklahoma County - Commission District IV

approval is requested to program a project caused by vehicle impact damage to the two I-40 bridges over Anderson Road. Estimated cost of repairs is \$204,000.00; this project is scheduled for a May 2005 letting.

- c) Statewide

The Department has completed the proposed Bridge Preventative Maintenance Program Work Plan. Lettings will be in FFY 2005 and are all funded with 80% federal funds (HBRRP) with a 20% soft match credit.

ACTION: Dunegan moved and Cooper seconded that the Commission approve the items as presented.

MOTION: Carried by the following vote:

AYES: Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT: Commissioner Mabrey

**25. Engineering Contracts**

- a) Payne County - Commission District IV (E.C. 940)

The Department has selected CH2M Hill, Inc., to prepare environmental studies, roadway designs and ground and aerial survey from Knipe Street to Freeman Street through Perkins on US-177. A construction project in this corridor is in the 8 Year Construction Work Plan with a scheduled letting date of FFY 2006. The total estimate for construction of this project is \$1,600,000.00. Funding will be 80% federal funds and 20% soft match credit.

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

MOTION: Carried by the following vote:

AYES: Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT: Commissioner Mabrey

**26. Supplemental Engineering Contracts**

- a) Tulsa County - Commission District VIII (E.C. 646, Supplement No. 1)

Poe & Associates, Inc., was previously authorized to prepare operational analysis and conduct engineering studies for I-44 from Riverside Drive to west of Yale Avenue in Tulsa. This supplement is for additional work required to complete the engineering studies, and adjusted engineering fees are \$62,882.00. This brings the total engineering contract cost, including supplementals, to \$1,791,882.00. Funding will be with 90% federal funds and 10% soft match credit.

- b) Beckham County - Commission District V (E.C. 614, Supplement No. 4)

Consoer Townsend Envirodyne Engineers, Inc., (CTE) was previously authorized to prepare final design plans to upgrade SH-6. The Department requested CTE to revise the proposed surfacing design, and these savings allowed for a savings of approximately \$121,000.00. Adjusted engineering fees total \$26,000.00, which brings the total engineering contract cost to \$635,400.00. The final surfacing phase is in the 8 Year Construction Work Plan with a scheduled letting date of 2005. The total estimate for all construction phases of this project is \$10,455,502.00. Funding will be 80% federal funds and 20% soft match credit.

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

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

27. Lettings

- a) Deletions and Additions to the Bid Openings  
b) Final March 2005 Bid Opening  
c) Tentative April 2005 Bid Opening  
d) Tentative May 2005 Bid Opening

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

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

28. Change Orders Greater Than \$10,000.00

- a) Canadian County - SH-4 - CMC-109B(82) / 21175(04), \$25,529.68  
b) Canadian County - IS-40 - IMY-40-4(382)124 / 19571(04), \$265,037.50  
c) Cleveland County - IS-35 - IMY-35-2(278)108 / 19885(04), \$48,937.34  
d) Grady County - US-62 - STPY-26B(232) / 02070(05), \$13,360.25  
e) Kay County - IS-35 - IMG-35-4(203)213 TR / 21156(04), \$32,860.00  
f) Kay County - US-177 - STPY-136B(002) / 00422(13), \$68,495.33  
g) LeFlore County - US-271 - STPY-40A(425) / 15001(04), \$60,873.21  
h) Oklahoma County - Ct.St. - STPG-155F(321)AG / 19763(04), \$123,261.15  
i) Sequoyah County - SH-101 - BRFY-68C(236) / 12310(04), \$18,500.00

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

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

29. Certification Acceptance

Approval is requested for additional appropriations necessary to fund work added by change orders to this Certification Acceptance project (STP-172A(080)IG, 17306(04) - Tulsa County) under contract by the City of Tulsa. This project was advertised, let awarded and administered by the City of Tulsa.

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

**ITEM TO BE PRESENTED BY THE ASSISTANT DIRECTOR - OPERATIONS - Mr. Fuller**

30. Settlement of Claims

- a) Custer County - Right-of-Way clearance on US-183 from I-40 extending north to I-40B in Clinton (\$7,000.00).
- b) LeFlore County - grade and drain, bridge and surface on US-271 beginning just west of the KCS Railroad in Spiro extending east to Coffee Creek Road.

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

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

31. Awards

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

**ITEM TO BE PRESENTED BY THE ASSISTANT DIRECTOR - ADMINISTRATION - Mr. Mayberry**

32. Amendment to the Commission Rules

**Subchapter 9. Permitting of oversize, overweight and special combination vehicles**  
730:30-9-15 Movements of oversize and/or overweight vehicles during a life threatening emergency

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

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

33. FY2005 Budget Revisions

- a) Local Government Division requests an increase of \$3,000,000.00 to the County Equipment fund. Carryover from prior year budgets will fund this increase.
- b) Transit Division is requesting an increase of \$143,000.00 to the Public Transit program. Carryover from prior year budgets will provide this increase.

ACTION: Dunegan moved and Cooper seconded that the items be approved as presented.

MOTION: Carried by the following vote:

AYES: Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT: Commissioner Mabrey

Chairman Overland asked Director Ridley to give a status report of State Question No. 723, Initiative Petition Number 378. Director Ridley stated that just under 289,063 signatures had been received and certified by the Office of the Secretary of State. Chairman Overland questioned the impact of State Question 723 on ODOT. Director Ridley explained that, if approved by a vote of the people, current gas and diesel tax revenues would be placed in a trust fund and that the money could not be used for anything other than Transportation use. Further, that new funds could only be used for construction of bridges and highways. An oversight board of responsible state leaders would also be created that would insure that the monies will be spent as outlined by the changes in the constitution. Chairman Overland asked if we had a breakdown of how the monies would be spent. Director Ridley stated that he would come back to the Commission by the next meeting with a report of revenue generated by the state question. However, it would be at least 60 to 75 days before we could bring to the Commission a comprehensive transportation plan for the expenditures of the new revenues.

**Meeting adjourned at 11:37 a.m.**

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Approval of the Minutes of the Regular Transportation Commission Meeting of February 7, 2005

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Dan Overland, Chairman

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James H. Dunegan, Vice Chairman

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