

**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 March, 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
	Carlisle Mabrey	Member
	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 Wednesday, February 23, 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 March 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 PRESENTED BY THE SECRETARY TO THE COMMISSION

34. Approval of the Minutes of the Regular Commission Meeting of February 7, 2005.

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

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

- a) Caddo County - US-281 - STPY-169H(92) / 21318(04), \$609.47
- b) Carter County - Ct.St. - STP-10C(301)UR / 09216(04), \$1,155.90
- c) Comanche County - IS-44 - BPMIY-44-1(82)044 3B / 21202(04), \$1,337.93
- d) Comanche County - SH-07 - MGESTPY-16B(282) / 11792(04), \$1,672.88
- e) Garfield County - US-64 - MC-124N(57)Pt.1,2 / 21463(04), \$3,274.91
- f) Garfield County - US-81 - STPY-124A(09)TR / 16769(04), \$1,700.00
- g) Harmon County - SH-9 - MC-129C(25)Pt.1,2 / 21462(04), \$2,687.89
- h) Jefferson County - US-70 - STPY-34B(144) / 09246(04), \$2,324.37
- i) LeFlore County - SH-63 - EMC-140C(126) / 22114(04), \$8,999.64
- j) Logan County - SH-156 - MC-136C(87) / MC-142C(89)(90)/MC-160B(115)/MC-152C(61)/21122(04), \$2,716.11

- k) Oklahoma County - Ct.St. - STP-155B(326)AG / 19787(04), \$3,767.50
- l) Pushmataha County - SH-3 - NHY-17N(136) / 20249(07), \$6,348.00
- m) Texas County - SH-136 - BHFY-170C(095)/BHFY-176C(54) / 20840(05), \$8,568.55
- n) Tulsa County - IS-244 - IMG-244-2(413)004 TR / 19963(04), \$3,920.00
- o) Tulsa County - US-169 - NHY-30N(42) / 11031(13), \$7,585.00

36. Traffic Control Improvement Project (Mr. Smart)

- a) Canadian County - installation of traffic signal at the intersection of SH-92 (Cemetery Road) and West Reno Avenue in the City of Oklahoma City
- b) Oklahoma County - traffic signal installation at three (3) intersections along the I-35 frontage roads in the City of Edmond
- c) Kingfisher County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along US-81 and SH-3
- d) Kingfisher County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along US-81
- e) Kingfisher County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along US-81
- f) Logan County - installation of raised pavement marker replacement lenses along I-35
- g) Noble and Kay Counties - installation of centerline rumble strips along US-177
- h) Beckham County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along I-40
- i) Blaine County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along US-270, US-281, SH-3, SH-33 and SH-8 in the Town of Watonga
- j) Tulsa County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along US-64/US-412
- k) Tulsa County - installation of thermoplastic pavement markings and raised pavement marker replacement lenses along US-64/US-412

37. Land Sales (Mr. Bell)

- a) Stephens County - 660 feet north of the intersection of Osage Road and the Duncan by-pass in the City of Duncan

38. Certification of County Road Mileages (Ms. Sullivan)

- a) Annual certification of county road mileages to Tax Commission

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

- a) Garfield County - signal/surface project in Enid with the Farmrail System, Inc.
- b) Garfield County - signal/surface project in Enid with the BNSF Railway Company
- c) Johnston County - signal/surface project near Mill Creek with the BNSF Railway Company
- d) Kay County - signal project near Newkirk with the BNSF Railway Company
- e) Wagoner County - signal/surface project in Coweta with the Union Pacific Railroad Company

40. County Bridge and Road Improvement Fund Force Account Projects (Mr. Scott)

- a) Latimer County - county bridge replacement project - Red Oak
- b) Lincoln County - county bridge replacement west and north of the junction of SH-105 and US-177
- c) Major County - county bridge replacement east and south of the SH-58/SH-8 junction - Fairview
- d) Major County - county bridge replacement south and east of US-60/SH-8 junction - Fairview
- e) Major County - county bridge replacement west and north of US-60-SH-8 junction - Fairview
- f) Major County - county bridge replacement north and west of US-60/SH-8 junction - Fairview

- g) Roger Mills County - county bridge replacement east and north of Strong City

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

END OF CONSENT DOCKET

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

41. Programming Items

- a) Division III - Bridge Preventative Maintenance Program

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. The projects are included in the \$5,000,000 earmarked for such usage in FFY 2005.

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

42. Engineering Contracts

- a) Pottawatomie County - Commission District III

Engineering Services and Testing, Inc., has been selected to prepare construction plans for replacement of the US-270 bridges and approaches at two locations in Shawnee. Negotiated fees total \$526,000.00. 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 \$5,643,880. Funding will be with 80% federal funds and 20% soft match credit.

QUESTION: Secretary Tomlinson asked Mr. Streb if there was Indian Tribal participation on these two projects in Shawnee. Mr. Streb said that he would check on this, and later responded that the Kickapoo and Sac and Fox tribes would be participating after making application for funds through the Bureau of Indian Affairs (BIA). When is farther along in the design process the Tribes will be able to make the BIA.

ODOT

application to

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

43. Supplemental Engineering Contracts

- a) Oklahoma County - Commission District IV (E.C. 569 Supplement No. 4)

Triad Design Group was previously authorized to complete engineering conceptual/functional plans for upgrading SH-74 from Memorial Road in Oklahoma City, extending north to SH-33 in Logan County. Adjusted engineering fees total \$745,000. This brings the total engineering contract cost, including supplementals, to \$3,232,823.35. The estimate for construction of this project is \$65,149,250. This project is in the 8 Year Construction Work Plan in FFY 2006. Funding will be 80% federal funds and 20% soft match credit.

- b) Craig & Keithline, Inc., was previously authorized to prepare final design plans for I-44 from west of Yale Avenue to Darlington Avenue. Adjusted engineering fees total \$35,000. This brings the total engineering contract cost, including supplementals, to \$1,274,000. The estimate for construction of this project is \$21,179,664. This project is in the 8 Year Construction Work Plan in FFY 2006. Funding will be 90% federal funds and 10% soft match credit.

- c) Beckham County - Commission District V (E.C. 896 Supplement No. 1)

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Engineering Services & Testing, Inc., was previously authorized to prepare final design plans the I-40 Business District (I-40B) through Elk City. Adjusted survey fees are \$32,000. This the total engineering contract cost to \$348,000. The estimate for construction of this project is \$3,500,000. This project is in the 8 Year Construction Work Plan in FFY 2008. Funding will be with 80% federal funds and 20% soft match credit.

- d) Oklahoma County - Commission District IV (E.C. 851 Supplement No. 1)

MacArthur Associated Consultants was approved in November 2003 to serve as the project management consultant for the I-40 Crosstown Expressway Project. Negotiated fees to extend duration and compensation are \$1,500,000, bringing the total not to exceed amount to \$3,400,000. Funding for this project is 100% federal funds. This project currently uses only earmarked funds from Congress in TEA 21 and various special appropriations.

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

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

44. Addition to Industrial Access Road Program

- a) The City of Henryetta is requesting approval for an industrial access project for Pro-Street Frameworks. The City and Pro-Street Frameworks are investing approximately \$1,000,000 in the new facility. The City will be responsible for the initiation, construction and completion of all work associated with the project. The cost of the project shall not exceed **\$122,625**.

Note: Mr. Kent Pharaoh, former Transportation Commissioner and now City Manager of the City of Henryetta, was introduced by Chairman Overland. Mr. Pharaoh expressed his appreciation to the Commission and the Department for considering the industrial access road request of the City of Henryetta.

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

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

45. Lettings

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

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

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

46. Change Orders Greater Than \$10,000.00

- a) Canadian County - IS-40 - IMY-40-4(382)124 / 19571(04), \$99,832.40
- b) Canadian County - US-81 - NHY-11N(004)/BRFY-11N(005) / 05173(08), \$349,000.00
- c) Canadian County - US-81 - NHY-11N(10) / 12544(05), \$98,090.90
- d) Carter County - IS-35 - IMY-35-1(100)031 / 12664(04), \$80,000.00
- e) Custer County - IS-40 - IM-BRIY-40-3(57)085 / 17108(04)#6, \$93,880.98
- f) Custer County - IS-40 - IM-BRIY-40-3(57)085 / 17108(04)#7, \$101,548.31
- g) Kay County - US-177 - STPY-136B(002) / 00422(13), \$36,337.45
- h) Logan County - SH-33 - BRFY-42B(235) / 06351(04), \$149,179.71
- i) Logan County - Ind.Rd. - SAP-142D(44) / 18185(04), \$234,166.75
- j) Major County - US-412 - CIP-147N(27)(44)IP / 17359(04), \$21,405.39
- k) Mayes County - Co.Rd. - STP-149C(44)CO / 18728(04), \$586,213.15
- l) Oklahoma County - IS-44 - NHG-025N(004)TR / 20441(04), \$65,121.50
- m) Oklahoma County - SH-66 - STPY-152H(52) / 19656(05), \$28,894.21
- n) Okmulgee County - US-75 - MC-156N(90) / 21471(04), \$48,125.00
- o) Okmulgee County - Ct.St. - STP-156B(049)UR / 18946(04), \$25,986.46
- p) Washington County - US-60 - E-SAP-174N(035) / 21970(05), \$96,250.00
- q) Washington County - US-75 - NHY-14N(30) / 20193(04), \$150,000.00

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

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

47. Settlement of Claim

- a) Various Locations in Division IV (Kingfisher/Logan/Noble/and Canadian Counties - bridge painting. Monoko, Inc., \$48,026.00

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

48. Settlement of Disputed Judgment

- a) Caddo County, Division VII - Riteway Construction Company, subcontractor for Broce Construction, \$\$87,300
- aa) Garvin County, Division III - Riteway Construction Company, subcontractor for Broce Construction, \$857,700

Note: Mr. Benson moved that the Commission table Item 48. a) and aa). This Item will be deferred to the April 2005 as a result of the following Action:

ACTION: Benson moved and Benbrook seconded that the Commission defer Item 48. a) and aa) to the April 2005 meeting.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT:

ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Stewart

49. Awards

- a) February 24, 2005, Letting
- b) March 3, 2005, Letting

ACTION: Berry moved and Benbrook seconded that the Commission approve Item 49. a) and b) as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT:

- c) March 3, 2005, Emergency Letting - SH-88 over Dog Creek in Rogers County

Note: Information only; no Commission action necessary.

49. Cancellation of Award (Addendum)

- d) Bridge painting and repair projects at various locations in Division II

ACTION: Benson moved and Berry seconded that the Commission cancel this award.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT:

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

50. FY2005 Budget Revisions

- a) AD Finance is requesting a transfer of \$4,750,000 to Engineering Contracts from Federal Aid Construction.

b) AD Finance requests to increase Right of Way projects by \$3,000,000. Carryover from prior year budgets will provide this increase.

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

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

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

ITEM PRESENTED BY THE DIRECTOR - Mr. Ridley

52. Emergency Declaration - Bridge in Rogers County, SH-88 over Dog Creek

Emergency repairs are needed to strengthen the deck and railing for bridge No. 10005 in Rogers County to provide a factor of safety, and to maintain the structural capacity at an acceptable level to the driving public. Division VIII forces have lowered the posting to a 15-ton posting. The estimated cost of combined stabilization and repairs is \$35,000. It is expected that the emergency repair contract will be awarded on Thursday, March 3, 2005.

Note: Information only; no Commission action necessary. This emergency declaration was discussed after Item No. 48.

53. Financial Impact of State Question 723 (creation of "Oklahoma Bridge and Highway Trust Fund") on the Department of Transportation.

Director Ridley presented graphs illustrating the influx of monies to ODOT resulting from passage of State Question 723 and the creation of the "Oklahoma Bridge and Highway Trust Fund." He will later come back to the Commission and present figures illustrating ODOT's financial condition if we do not receive additional funding.

Director Ridley had stated at our February meeting that in 60-75 days he would bring to the Commission a comprehensive transportation plan for the expenditures of the new revenues. He stated today that in retrospect 90 days would be a more realistic length of time for preparation of this plan, and that it will be presented when it is completed.

Note: Information only; no Commission action necessary.

Meeting adjourned at 11:43 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of March 7, 2005.

Dan Overland, Chairman

James H. Dunegan, Vice Chairman

(Seal)