

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

DATE: Tuesday, September 6, 2005
TIME: 11:00 a.m.
PLACE: Commission Meeting Room,
ODOT Building

BE IT REMEMBERED that on Tuesday, the 6th day of September, 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
	Guy Berry	Member
	Jackie Cooper	Member
	Loyd Benson	Member
	Bruce Benbrook	Member
	Brad Burgess	Member

Absent: Carlisle Mabrey

Chairman Dan Overland presiding

The agenda for this Commission Meeting was posted at or before 11:00 a.m. on Friday, August 26, 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 September 6, 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 CHIEF ENGINEER - Mr. Fuller

Mr. Jack Stewart's Retirement - Mr. Stewart was presented a brick from Historic Route 66, and received many good wishes for this new chapter in his life.

Announcement of Mr. Randle White as the new Division Engineer for Division VIII, replacing Mr. Gary Evans.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

133. Approval of the Minutes of the Regular Commission Meeting of August 1, 2005

ACTION: Berry moved and Benbrook 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: Carlisle Mabrey

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

- a) Canadian County - SH-11- BHFY-11N(63)(64)(65)/BHFY-127C(51)/BPMIY-40-4(402)131 3B/ BHFY-142C(83)/BHFY-160A(106)(107) /BHFY-160B(105)(108) /BPMY-160A(118)3B/BPMIY-40 -4(402)131 3B /20853(05), \$6,458.33
- b) Carter County - US-70 - NHY-022N(079) / 17006(10), \$.00
- c) Custer County - Co. Rd. - BRO-120D(78)CO / 20380(04), \$2,576.89
- d) Garfield County - Co. Br. - BRO-124D(31)CO / 19022(04), \$628.71
- e) Hughes County - Co. Rd. - BRO-132D(65)CO / 20774(04) / \$5,800.00
- f) Kay County - Co. Rd. - BRO-136D(78)CO / 20589(04), \$581.75 Underrun
- g) LeFlore County - US-59 - DSB-40A(424) / 11952(04), \$103,870.06 Underrun
- h) Logan County - Ind. Rd. - SAP-142D(44) / 18185(04), \$6,839.00 Underrun
- l) McClain County - IS-35 - BHIIY-35-2(249)094/IMY-35-2(251)104/BHIIY-35-2(253)096/ BHIIY-35-2(258)092 / 17978(05), \$1,590.00 Underrun
- j) McClain County - SH-9 - IMY-35-2(269)107 / 19076(04), \$7,076.50
- k) Noble County - IS-35 - NHIIY-35-4(196)177 / 20247(04), \$9,766.28
- l) Nowata County - Co.Rd. - BRF-153C(22)CO/BRO-174D(20)CO / 20154(04), \$3,482.36
- m) Oklahoma County - I-44 - IMG-44-1(74)123TR / 20550(04), \$1,580.06
- n) Rogers County - SH-66 - STPG-166A(143)TR / 21587(04), \$368.75
- o) Rogers County - SH-66 - STPY-166A(125)TR / 20718(04), \$2,600.00
- p) Tulsa County - US-169 - ACBHFY-30N(027)GB/NHY-30N(34) / 11031(07), \$.00
- q) Washita County - Co. Rd. - BRO-175D(049)CO / 20387(04), \$4,234.00
- r) Washita County - IS-40 - IMY-40-2(127)45 / 19574(04), \$580.00

135. Traffic Control Improvement Project (Mr. Smart)

- a) Tulsa County - US-75, beginning 0.75 mile north of the Creek Turnpike extending north to the I-244 junction
- b) Rogers County - SH-66 and Lowry Road in the City of Claremore (preemption and interconnect with the BNSF Railroad crossing)
- c) Washington County - SH-123 (Hensley Boulevard) and Johnstone Avenue in Bartlesville

136. Land Sales (Mr. Bell)

- a) Oklahoma County - south side of NE 1st Street, between Stiles Avenue and Central Avenue in Oklahoma City

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

- a) Blaine County - surface project at two locations on SH-3/SH-33 in Watonga

138. County Bridge and Road Improvement Fund Force Account Projects (Mr. Johnson)

- a) Kingfisher County - bridge on county road EW-88 over an unnamed creek north and east of Okarche
- b) Kiowa County - bridge on county road EW-162 over East Otter Creek north and west of the US-183/US-62 junction south of Snyder
- c) Major County - bridge project on county road NS-270 over Hoyle Creek east and south of the US-60/SH-58 junction in Ringwood

- d) Major County - bridge project on county road NS264 over an unnamed creek west and north of the US-60/SH-58 junction in Ringwood
- e) Tillman County - bridge project on county road EW-185 over an unnamed creek, south and west of Frederick
- f) Woods County - road project on county road EW-22 beginning at SH-14 extending east to Avard

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

END OF CONSENT DOCKET

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

139. Programming Item - Mitigation Banking

- a) Statewide - All Commission Districts

The Department requests approval to program a project in support of the Wetland Mitigation Banking initiative. Mitigation Banks are utilized to offset any permanent loss of wetland areas due to unavoidable impacts as a result of transportation improvement projects. The estimated cost of the project is \$1,500,000.00 utilizing 80% federal-aid funds and 20% soft match credit. This project is expected to utilize FFY 2005 funding.

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

140. Engineering Contract

- a) Statewide - All Districts - Aerial Photography - E.C. 1017

Aerial Data Services, Inc., has been selected to perform aerial photography services statewide. The total amount requested for the Aerial Photography Demand Services Contract is \$200,000 with 80% federal funds and 20% soft match credit.

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

141. Supplemental Engineering Contracts

- a) Oklahoma County - Commission District IV (E.C. 415, Supplement No. 2)

The services of Poe and Associates, Inc., will be utilized by the Department to prepare functional plans for upgrading the I-35/I-240 Interchange. A supplemental agreement is needed to evaluate the alternative designs to the Pole Road ramp access project submitted by the Crossroads Mall owners, in comparison to the completed functional design plans. Adjusted engineering fees for this supplement are \$90,000.00. The total engineering contract cost, including supplementals, is \$499,000.00. Right-of-Way authorization is scheduled for September 2005. Funding will be 90% federal funds and 10% state funds.

- b) Seminole County - Commission District III (E.C. 610G, Supplement No. 4)

Wilson & Company Engineers was previously authorized to prepare final construction plans for SH-99 from 0.5 mile south of I-40 extending south 4.6 miles in Seminole County. A supplemental agreement has been negotiated to update the construction documents to bring the project into compliance with current Department and AASHTO guidelines. Adjusted engineering fees total \$11,700.00. The total engineering contract cost, including this supplement, is \$590,700.00. This project is in the 8 Year Construction Work Plan with a scheduled letting date in FFY 2006. Funding will be 80% federal funds and 20% soft match credit.

- c) Adair County - Commission District I (E.C. 582, Supplement No. 1)

White Engineering Associates, Inc., was previously authorized to prepare final design plans for the bridge and approaches over the Illinois River north of Watts on US-59. Design modifications to the original bridge plans are required in order to meet the Department's current design requirements. Adjusted engineering fees total \$29,000.00. The total engineering contract cost, including this supplement, is \$246,000.00. This project is in the 8 Year Construction Work Plan with a scheduled letting date in FFY 2006. Funding will be 80% federal funds and 20% soft match credit.

ACTION: Benbrook 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: Carlisle Mabrey

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

142. Additions to Industrial Access Road Program

- a) Garfield County - City of Enid - \$300,000.00
b) Rogers County - Claremore Industrial Development Authority - \$137,000.00

ACTION: Burgess 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: Carlisle Mabrey

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

143. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final October 2005 Bid Opening
- c) Tentative November 2005 Bid Opening

ACTION: Dunegan moved and Burgess 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: Carlisle Mabrey

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

144. Change Orders Greater Than \$10,000.00

- a) Blaine County - US-270 - NHY-10N(008) / 12556(07), \$35,502.37
- b) Canadian County - IS-40 - IMY-40-4(366)138 / 17809(04), \$16,302.20
- c) Canadian County - US-81 - NHY-11N(004)/BRFY-11N(005) / 05173(08), \$193,712.00
- d) Cherokee County - SH-10 - STPY-101C(64)3R/STPY-111C(77)3R / 21957(04), \$10,391.41
- e) Cleveland County - IS-35 - IM-NHIY-35-3(108)119/IMY-35-3(240)119 / 00292(17), \$41,262.00
- f) Johnston County - SH-1 - CIP-135C(12)(13)IP / 16924(05), \$109,515.81 No additional funds required
- g) LeFlore County - US-59 - STPY-40A(421) / 11694(04), \$123,035.27 No additional funds required
- h) Major County - Co. Rd. - STP-147C(81)CO / 19808(04), \$24,264.67
- l) McClain County - IS-35 - BHIY-35-2(249)094/IMY-35-2(251)104/BHIY-35-2(253)096 /BHIY-35-2(258)092 / 17978(05), \$10,527.98
- j) McIntosh County - IS-40 - IMY-40-6(286)253 / 19563(04), \$79,829.59
- k) Oklahoma County - IS-35 - IMG-35-3(280)133TR/IMG-35-3(281)137TR/IMG-35-3(282)126 TR / 21157(04), \$91,469.45
- l) Oklahoma County - SH-152 - MGSY-155A(002)(171) / 00095(08), \$61,733.28
- m) Oklahoma County - IS-44 - NHG-025N(004)TR / 20441(04), \$78,155.00
- n) Pawnee County - Co. Br. - BRF-159C(31)CO / 19959(04), \$10,440.00
- o) Pontotoc County - SH-3W - BRFY-162B(089) / 18775(08), \$13,098.75
- p) Seminole County - US-377 - NHY-12N(93)3R / 21961(04), \$23,785.02

File Note: Mr. Raymond explained that investigation of Change Order Item 144.f) revealed an error reported in the "Supplemental Agreement Amount" section of the table on the lower portion of the Agenda Item. The Commission approved a lump sum settlement of a disputed claim at the December 1, 2003, Transportation Commission Meeting (see attached Item No. 190 presented to the Commission on December 1, 2003, and a copy of minutes of subject meeting, page 5, indicating action of the Commission). Change Order Nos. 3 and 5 were a result of that Commission action and should have been shown as zeroes in that section of the table. Revised Agenda Item No. 144.f) is attached indicating a revision date of September 6, 2005.

ITEM PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

145. Settlement of Disputed Claim

- a) Canadian County - grade, drain, surface and bridge on US-81 from 6.6 km south of I-40, extending north to I-40. Western Plains Construction Company - \$30,000.00

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

NOTE: Next items are recorded in the order presented to the Commission.

ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Pajoh

148. Awards

- a) Letting - August 18, 2005 - Emergency (McCurtain County)
- b) Letting - August 18, 2005 - Regular
- c) Letting - August 19, 2005 - Emergency (Tulsa County)

ACTION: Berry moved and Benbrook 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: Carlisle Mabrey

ITEM PRESENTED BY THE CHIEF ENGINEER - Mr. Fuller

150. See attached Addendum

ITEMS PRESENTED BY THE DIRECTOR - Mr. Ridley

147. Emergency Declaration - Tulsa County - bridge on I-244 over Mingo Road 6.4 miles east of the I-244 junction (Bridge No. 16976)

The subject bridge has been damaged by an over-height vehicle (dump truck) traveling north on Mingo Road. Division VIII forces have restricted traffic on the outside lane of the eastbound I-244 bridge, which is part of the ramp going from I-244 eastbound to US-169 southbound. Due to heavy congestion on I-244, it is critical that traffic be restored on the ramp as soon as possible. An emergency project needs to be done to repair the damage, provide a factor of safety and to restore the structural capacity of this bridge at an acceptable level to the driving public. Division VIII forces do not have the capability of repairing this bridge in a timely manner.

Note: This item presented for information only; no Commission action necessary.

146. Emergency Declaration - McCurtain County - bridge on US-70 over Mountain Fork River (Bridge No. 10964)

The subject bridge has extensive damage due to metal fatigue. An emergency project needs to be done to repair the deck, fatigue cracks, provide a factor of safety and to maintain the structural capacity at an acceptable level to the driving public. Division II forces do not have the capability of repairing this bridge in a timely manner.

Note: This item presented for information only; no Commission action necessary.

ITEM PRESENTED BY THE DIRECTOR - Mr. Ridley

149. a) Federal and State Funding Update

Note: This item presented for information only; no Commission action necessary.

No discussion this date.

Meeting adjourned at 11:35 a.m.

Approval of Minutes of the Regular Transportation Commission Meeting of September 6, 2005

Dan Overland, Chairman

James H. Dunegan, Vice Chairman

(Seal)