

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

DATE: Monday, March 6, 2006
TIME: 11:00 a.m.
PLACE: Commission Meeting Room,
ODOT Building

BE IT REMEMBERED that on Monday, the 6th day of March, 2006, 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.

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|----------|------------------|---------------|
| Present: | James H. Dunegan | Vice Chairman |
| | Jackie Cooper | Member |
| | Bruce Benbrook | Member |
| | Loyd Benson | Member |
| | Brad Burgess | Member |
| | Guy Berry | Member |

Presiding: Vice Chairman James H. Dunegan

Absent: Carlisle Mabrey
Dan Overland

The agenda for this Commission Meeting was posted at or before 10:00 a.m. on Thursday, March 2, 2006, 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 Regular Transportation Commission meeting of March 6, 2006. 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 Special Commission Meeting of February 13, 2006

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

35. Award - 2005 State Charitable Campaign (Mr. Ridley)

Director Ridley introduced Nancy Graham-Owens who presented the State Charitable Campaign Trophy for 2005 to ODOT and the Commission. The trophy is presented to the agency achieving the largest percentage increase in contributions to the Campaign. The trophy will be on display in our lobby through 2005.

Information only; no Commission action necessary.

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

- a) Blaine County - Co. Rd. - BRO-106D(45)CO / 20121(04), \$759.38
- b) Cleveland County - IS-35 - IMY-35-3(285)118 / 00292(49), \$.00
- c) Comanche County - Ct. St. - STP-116B(45) / 18488(04), \$.00
- d) Creek County - US-75 - STPY-172H(275) / 22086(04), \$5,576.39
- e) Custer County - SH-54 - EMC-120C(99) / 21508(04), \$2,259.90
- f) Greer County - SH-6 - STPY-128B(009) / 15023(08), \$6,710.80
- g) Kay County - Co. Rd. - BRO-136D(78)CO / 20589(04), \$3,458.98
- h) Lincoln County - US-377 - NHY-12N(86) / 18965(04), \$5,933.68
- i) Logan County - SH-33 - BRFY-42B(238) / 12307(04), \$1,575.00
- j) McClain County - IS-35 - BHIY-35-2(249)094/IMY-35-2(251)104/BHIY-35-2(253)096 / 17978(05), \$7,058.23
- k) McClain County - IS-35 - IMC-144C(090) / 22163(04), \$1,800.00
- l) Osage County - Co. Rd. - BRO-157D(045)CO / 20155(04), \$500.00
- m) Pontotoc County - SH-3W - STPY-162B(111)3R / 21226(04), \$5,189.73 Underrun
- n) Pontotoc County - SH-66 - STPY-162H(105) / 19652(05), \$9,420.00
- o) Pushmataha County - SH-3 - NHY-17N(136) / 20249(07), \$9,975.00
- p) Tulsa County - US-75 - NHG-14N(44)TR / 21399(04), \$3,945.47
- q) Woodward County - SH-50 -MC-177C(63)Pt.1,2 / MC-177N(64) / 22087(04), \$1,195.00

37. Traffic Control Improvement Projects (Mr. Smart)

- a) Cherokee County - installation of thermoplastic pavement markings, raised pavement markers and raised pavement marker replacement lenses along US-62 in Cherokee County.
- b) Bryan County - installation of thermoplastic pavement markings, raised pavement markers and raised pavement marker replacement lenses along US-69/75 in Bryan County.
- c) Kay County - installation of thermoplastic pavement markings along US-77 and US-60B in the City of Ponca City.
- d) Oklahoma County - installation of thermoplastic pavement markings, raised pavement markers and raised pavement marker replacement lenses along I-44.
- e) Woodward County - installation of thermoplastic pavement markings along US-183, US-412, SH-34 and SH-15 in the City of Woodward.
- f) Tulsa County - installation of thermoplastic pavement markings, raised pavement markers, and raised pavement marker replacement lenses along US-75 in the City of Tulsa.

38. Speed Zone Revisions (Mr. Smart)

- a) Wagoner County - beginning at a point 0.57 mile south of SH-51B; extending north 1.29 miles to a point 0.72 mile north of SH-51B, along US-69.
- b) McClain County - along US-62 - City of Blanchard (City concurrence)

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

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

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

- a) Woods County - signal/surface project near Avard with the BNSF Railway Company.
- b) Woods County - corridor project near Dacoma with the BNSF Railway Company.
- c) Woodward County - corridor project near Tangier with the BNSF Railway Company.

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

- a) Beaver County - resurface county road beginning 3 miles south of US-412, extending north.
- b) Beaver County - resurface county road beginning 7 miles east and 3 miles north of US-64/US-83 intersection in Turpin, extending north 3 miles
- c) Beaver County - resurface county road beginning 11 miles west and 4 miles south of Slapout, extending north 4 miles
- d) Cherokee County - county bridge over tributary of Illinois River, near Sparrow Hawk Primitive area
- e) Haskell County - county bridge over San Bois Creek, 3.5 south and 4.5 east of Stigler
- f) Kiowa County - county bridge project over Deep Red Creek east of Snyder on EW-162
- g) Tillman County - county bridge project over an unnamed creek north and east of Loveland on EW-180

ACTION: Benbrook moved and Benson seconded that the Consent Docket be approved as presented.

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mabrey and Overland

END OF CONSENT DOCKET

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

42. Programming - Bridge Repair Project

- a) Oklahoma County - Commission District IV

The Department requests approval to program a project to repair damage to I-44 westbound over the Belle Isle bridge and the ramp bridge to Northwest Expressway in Oklahoma City. The estimated cost to repair the vehicle impact damage is \$30,000.00, utilizing state funds. This project is scheduled for a July 2006 letting. The party responsible for the damage is known.

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

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mabrey and Overland

43. Engineering Contracts

- a) Wagoner County - Commission District I - (E.C. 1011B)

Bucher, Willis & Ratliff Corporation has been selected to prepare construction plans for improvements of existing lanes on SH-51 from just east of the Verdigris River to Wagoner, including bridge and approach roadway replacement project over Billy Creek. The negotiated fee for preparation of these construction plans is \$332,000.00. The first construction project in this corridor is in the 8 Year Construction Work Plan with a scheduled letting date of FFY 2008. The total estimate for construction of this project is \$4,800,000.00. Funding will be 80% federal funds and 20% soft match credit.

b) Hughes County - Commission District III (E.C. 1013)

Holloway, Updike and Bellen of Muskogee has been selected to perform design services for improvements to SH-48 from the junction of SH-9 north. The negotiated fee for these design services is \$155,000.00. A construction project is included in the 8 Year Construction Work plan with a scheduled letting date of FFY 2008. The total estimate for construction of this project is \$1,258,400.00. Funding will be 80% federal funds and 20% soft match credit.

c) Seminole County - Commission District III (E.C. 1014)

C. H. Guernsey and Company of Oklahoma City has been selected to perform design services for developing replacement plans for SH-56 over I-40. The negotiated fee for these design services is \$133,000.00. A construction project is included in the 8 Year Construction Work Plan with a scheduled letting date of FFY 2007. The total estimate for construction of this project is \$2,466,500.00. Funding will be 90% federal funds and 10% soft match credit.

d) Blaine County - Commission District V (E.C.1038)

Cobb Engineering Company has been selected to prepare constructions plans for improvements of existing lanes on US-281/US-270 from 1 mile south of the SH-33 junction in Watonga. The negotiated fee for preparation of these plans is \$731,000.00. A construction project in this corridor is in the 8 Year Construction Work Plan with a scheduled letting date of FFY 2011. The total estimate for construction of this project is \$13,911,000.00. Funding will be 80% federal funds and 20% soft match credit.

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

44. Supplemental Engineering Contracts

a) Washita County - Commission District V (E.C. 577, Supplement No. 7)

Tetra Tech FHC was previously authorized to prepare final construction plans to upgrade US-183 from US-62 north, to just north of SH-152. Adjusted fees for additional engineering services total \$42,370.00. For this particular corridor the total engineering contract cost, including supplementals, is \$4,557,677.00. Supporting project phases (2) in Cordell are included in the 8 Year Construction Work Plan with the first phase of construction scheduled for letting in FFY 2006. The estimate for both phases of construction is \$13,700,000.00. Funding will be 80% federal funds and 20% soft match credit.

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

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

45. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final April 2006 Bid Opening
- c) Tentative May 2006 Bid Opening

d) Tentative June 2006 Bid Opening

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

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

46. Change Orders Greater Than \$10,000.00

- a) Choctaw County - US-70 - ACNHY-22N(008)GB / 15002(04), \$30,767.25
- b) Custer County - IS-40 - IMY-040-3(067)082 / 20241(04), \$71,972.00
- c) Garfield County - Ct. St. - STPY-124B(53)MS / 21340(04), \$87,987.99
- d) Kay County - US-60 - NHG-018N(42)(43)TR / 22057(04), \$92,689.09
- e) Kiowa County - US-183 - ACNHY-09N(90)GB/ACBHFY-9N(66)GB / 16063(13), \$62,740.00
- f) McIntosh County - IS-40 - IMY-040-6(210)259 / 06308(04), \$19,160.68
- g) Oklahoma County - Ct. St. - STP-155B(326)AG / 19787(04), \$102,212.94
- h) Oklahoma County - SH-3 - STPG-155A(446)TR/STPY-155A(447)TR / 21588(04), \$27,233.23
- i) Sequoyah County - US-59 - ACBRFY-168A(46)GB/ACSTPY-168A(59)GB /12530(07), \$10,350.26
- j) Sequoyah County - SH-100 - STPY-168C(110) / 20282(04), \$61,950.00
- k) Tulsa County - US-75 - NHY-14N(48) / 12938(04), \$430,000.00

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

ITEM PRESENTED BY THE ASS'T CHIEF ENGINEER/DIRECTOR - OPERATIONS - Mr. Evans

47. Settlement of Claim

- a) McCurtain County - PbX Corporation - \$10,029.50

Approval is requested for payment of a settlement of a Contractor's claim for additional compensation on the emergency bridge repair project on US-70 over Mountain Fork River.

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

ITEMS PRESENTED BY THE DIRECTOR - Mr. Ridley

48. Emergency Declarations

- a) Okmulgee County - bridge on US-62 and US-75 over Deep Fork Creek Overflow, north of US-266 Junction

The subject bridge was inspected by Division I and the Bridge Division on Tuesday, February 14, 2006. Division I has posted the bridge with a 20-ton load limit and restricted the traffic to one lane in the center

portion of the bridge. Department forces do not have the capability to make repairs to this bridge. An emergency project needs to be done to repair the bridge and to maintain the structural capacity at an acceptable level to the driving public.

In accordance with Title 61 Oklahoma Statutes section 130 and Commission Rule 730:1-5-1, I hereby declare that an emergency exists for the safety of the traveling public, and authorize the Department to issue an emergency contract to a qualified contractor. The Department has scheduled an emergency letting for March 2, 2006, to take bids on this project and award the repair project. The estimated cost of the repair is \$310,000.00. The Department will report on the award of this emergency repair contract in the March 2006 meeting of the Commission.

b) Emergency Declaration - Sequoyah County - County bridge over I-40, east of US-59 junction

The bridge was inspected by Department forces on February 3, 2006, for over-height vehicle damage. Damage to the bridge could possibly be repaired by flame straightening; however, a great deal of experience would be required to perform this procedure. After inspection and assessment of all damages, Division I forces closed the county road. An emergency project needs to be done to repair the bridge and to maintain the structural capacity to an acceptable level to the driving public.

In accordance with Title 61 Oklahoma Statutes Section 130 and Commission Rule 730:1-5-1, I hereby declare that an emergency exists for the safety of the traveling public and authorize the Department to issue an emergency contract to contract with International Straightening, Inc. The estimated cost of the repair project is \$65,000.00.

Director Ridley commented that Item 48.b) above would probably be a Programming item and not necessarily be declared an emergency.

Note: No Commission action necessary; information only.

ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt

49. Awards

- a) Regular Letting - February 16, 2006
- b) Special Letting - March 2, 2006 - City Streets (City of Shawnee, Pottawatomie County)
- c) Emergency Letting - March 2, 2006 - information only. (Discussed in Item 48a) above).

ACTION: Benbrook moved and Berry seconded that the Items a) and b) be approved as presented.

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mabrey and Overland

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

50. FY 2006 Budget Revisions

- a) Local Government Division requests an increase of \$500,000.00 to the Park Roads budget.
- b) Request to increase budgeted line items, i.e., Engineering Contracts, Planning Contracts, Federal Aid Construction and County Road and Bridge, for additional federal funding available for State FY 2006 - \$93,090,364.00.

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

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

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

51. Permanent Rulemaking Action - Oklahoma Administrative Code (OAC) Title 730. Department of Transportation, Chapter 40. Railroads, Subchapter 5. Railroad Modernization Program.

The proposed rules are briefly outlined below:

Subchapter 5. Railroad Modernization Program

730:40-5-1 Purpose and authority
730:40-5-2 Definitions
730:40-5-3 Requirements and criteria
730:40-5-4 Railroad modernization program application

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

ITEM PRESENTED BY THE DIRECTOR OF AUDITS - Mr. Parker

52. Transportation Commission Audit Committee

a) Approval and Adoption of Transportation Commission Audit Committee Charter

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

ITEM PRESENTED BY THE DIRECTOR - Mr. Ridley

53. Director's Report

The Director discussed the "one time monies" proposed in the Governor's Transportation funding plan and also the recent supplemental funding bill. Along with the annualization of the CIP Debt Service, the Governor proposed a "one time" \$100 million for bridge replacement, with \$50 million going to ODOT and \$50 million going to the counties. The current supplemental funding bill proposes \$100 million for on-system bridges and \$25 million for bridges in the counties. Initially and as a matter of priority, load-posted bridges will be targeted for replacement if such one time funding becomes available. Our belief is that \$100 M can replace/rehabilitate between 30-35 bridges. Data is being gathered on a group of structures that we have not already reviewed, and the first round of Requests for Proposals (RFPs) will be going out for related Engineering Services in April 2006.

Information only; no Commission action necessary.

Meeting adjourned at 11:27 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of March 6, 2006

James H. Dunegan - Vice Chairman

Guy Berry - Member

(Seal)