

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

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

BE IT REMEMBERED that on Monday, the 11th day of September, 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.

Present:	Carlisle Mabrey	Member
	James H. Dunegan	Vice Chairman
	Jackie Cooper	Member
	Bruce Benbrook	Member
	Brad Burgess	Member
	Guy Berry	Member

Presiding: Chairman Dan Overland

Absent: Mr. Benson

The agenda for this Commission Meeting was posted at or before 6:00 p.m. on Thursday, September 7, 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 Special Transportation Commission meeting of September 11, 2006. For those items amended, deferred or rejected those notations were also made. Action taken by the Commission is noted here on these sheets.

Secretary Tomlinson called attention to flags being flown at half mast, and asked that we observe a moment of silence to remember the thousands of people who died as a result of the terrorist attack on our nation on September 11, 2001.

Secretary Tomlinson introduced our guests Representative Ray Miller, representing District 15 - Checotah area, Representative R. C. Pruett, representing District 19 - Hughes area, and Senator Richard Lerblance, representing District 7 - McAlester area. Secretary Tomlinson expressed appreciation to these legislators for their efforts in helping ODOT secure funding for transportation projects. Also present was Mr. Gary Corino, Division Administrator - Federal Highway Administration.

ITEM TO BE PRESENTED BY THE SECRETARY TO THE COMMISSION

150. Approval of the Minutes Regular Commission Meeting of August 7, 2006

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

151. Presentation of the 2006 Director's Pavement Improvement Awards - Director Ridley

Director Ridley introduced Ms. Ginger McGovern who heads up our Pavement Management efforts, and developed this program to insure a competitive spirit within the eight field divisions. Ms. McGovern stated that Pavement smoothness data has been collected since 2001. Two cycles of data collection covering the entire state system (12,263 miles) have been completed. Ms. McGovern announced that the 2nd Place winner had a 4.6% improvement in ride quality and 1st place had a 5% improvement in ride quality. Winners are:

2nd Place - Division VII
1st Place - Division IV

CONSENT DOCKET TO BE PRESENTED BY COMMISSION CHAIRMAN

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

- a) Alfalfa County - Co.Rd. - STP-002C(064)CO / 15479(04), \$.00 No Add'l Funds Required
- b) Alfalfa County - US-64 - STPY-2C(230) / 15032(04), \$4,165.92
- c) Choctaw County - US-70 - ACNHY-22N(75)(76)GB/BRFY-22N(108) / 18851(04), \$7,803.21
- d) Cleveland County - IS-35 - BHIY-35-2(260)106 / 17997(05), \$193.05
- e) Cleveland County - Ct. St. - STP-114B(51)AG / 18214(04), \$625.00
- f) Comanche County - SH-49 - SAP-116D(132) / 22906(04), \$2,200.00
- g) Custer County - IS-40 - IM-BRIY-40-3(57)085 / 17108(04), \$3,645.29
- h) Garvin County - IS-35 - IMC-125N(132) / 23031(04), \$9,202.96
- i) Harper County - Co. Rd. - BRO-130D(072)CO / 21261(04), \$175.00
- j) Hughes County - Co. Rd. - BRO-132D(65)CO / 20774(04), \$2,672.83
- k) Hughes County - SH-1 - STPY-32B(185) / 12542(04), \$3,452.90 Underrun
- l) Jefferson County - US-70 - STPY-134B(28) / 19394(04), \$29,659.75 Underrun
- m) Jefferson County - US-70 - STPY-34B(144) / 09246(04), \$7,455.55
- n) Lincoln County - SH-18 - BRFY-141C(101) / 20242(04), \$4,367.34
- o) McClain County - US-62 - STPY-144C(89) / 21974(04), \$.00 No Add'l Funds Required
- p) Okfuskee County - US-75 - SBR-154A(084)SB / 22727(04), \$3,110.38
- q) Oklahoma County - Ct. St. - STP-55B(770)AG / 13962(04), \$11,372.77 Underrun
- r) Pittsburg County - US-69 - SAP-161N(167) / 23030(04), \$7,407.54
- s) Pittsburg County - SH-9A - SBR-161A(160)SB / 22725(04), \$298.72
- t) Seminole County - SH-3E - MC-167C(110) / 22471(04), \$1,933.40

153. Traffic Control Improvement Projects (Mr. Smart)

- a) Rogers County - upgrade and interconnect traffic signals at three (3) intersections along SH-66 in Claremore which includes:
 - 1. SH-66 and West Will Rogers Boulevard
 - 2. SH-66 and West Patti Page Boulevard
 - 3. SH-66 and West 1st Street
- b) Washington County - installation of traffic signal system at the intersection of US-75 (Washington Boulevard) and Southport/Camelot Drive in Bartlesville.
- c) Pontotoc County - installation of thermoplastic pavement markings along SH-3, beginning south of the US-377/SH-99 junction, extending southeast to the Coal County line.

154. Speed Zones (Mr. Smart)

- a) Lincoln County - along US-62 (Rural)
- b) Canadian County - City of Yukon - along SH-66 (City Concurrence)
- c) Kay County - along SH-156 (Ranch Road)

155. Land Sales (Mr. Bell)

- a) LeFlore County - north of the intersection of US-59 and SH-31 on the north side of Panama
- b) LeFlore County - southeast corner of US-59 and SH-112 on the north side of the City of Poteau
- c) Woodward County - north side of US-412 between 6th Street North and 5th Street North in the City of Woodward

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

- a) Garfield County - corridor project near Carrier with the BNSF Railway Company
- b) Rogers County - corridor project in Oologah with the Union Pacific Railroad Company
- c) Rogers County - signal/surface project near Foyil with the BNSF Railway Company

Note: Chairman Overland called on Representative R. C. Pruett and asked him for comments on Agenda Item 157.a) following. Representative Pruett thanked the Commission and stated that transportation is such a big part of our State's commerce, and that he is very pleased that this McCurtain County project outlined below is moving forward.

157. a) County Road Improvement Revolving Fund - Advance Funding Program (Mr. Johnson)

McCurtain County - McCurtain County Commissioners have requested advance funding from the County Bridge and Road Improvement Fund to finance a county road project between Battiest and Pickens (HPP-646(007)HP

b) County Bridge and Road Improvement Fund Force Account Projects

- 1) Atoka County - bridge over Crooked Creek north of SH-3 on Center Point Road (Project No. CB-103D(083)
- 2) Beaver County - bridge over an unnamed creek north and east of intersection of US-83/US-412 at Bryan's corner (Project No. CB-104D(047)
- 3) Beaver County - bridge over an unnamed creek north and east of intersection of US-83/US412 at Bryan's corner (Project No. CB-104D(048)
- 4) Cherokee County - surfacing of county road northeast of Tahlequah (part of old SH-82) (Project No. CR-111D(103)
- 5) Cherokee County - surfacing of county road northeast of Tahlequah (Project No. CR-111D(104)
- 6) Delaware County - county road beginning at the Missouri state line, extending north then west (Project No. CR-121C(096)
- 7) Kay County - bridge project over Wolf Creek east and south of Newkirk (Project No. CB-136D(128)
- 8) Kay County - bridge over a tributary to Spring Creek south and west of Newkirk (Project No. CB-136D(129)
- 9) McIntosh County - resurface county road beginning north of Pierce, extending east (Project No. CR-146C(087)
- 10) Noble County - bridge over an unnamed creek west and south of the US-77/SH-164 junction (Project No. CB152D(101)
- 11) Oklahoma County - bridge north of NE 50th and Dodds (Project No. CB-155D(517)

- 12) Ottawa County - county bridge on 2nd Street in Afton - 2 blocks west of Main Street (Project No. CB-158D(112))
- 13) Woods County - bridge over unnamed creek, east and north of Camp Houston (Project No. CB-176D(087))
- 14) Woods County - bridge over an unnamed creek, north and east of Teagarden (Project No. CB-176D(091))
- 15) Woods County - bridge over Greenleaf Creek, north and west of Corn (Project No. CB-176D(105))

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

END OF CONSENT DOCKET

ITEM TO BE PRESENTED ON BEHALF OF THE PLANNING AND RESEARCH DIVISION - Ms. Borelli

- 158. Statewide Transportation Improvement Program (STIP)

The STIP is a federally approved, financially constrained document which consists of projects for the 2007-2010 time period included in the approved FFY 2006 - 2013 Construction Work Plan, adopted by the Commission February 13, 2006.

Note: Ms. Borelli pointed out that the STIP had been revised to include our Statewide Load Posted Bridge Program.

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

ITEM TO BE PRESENTED TO BE PRESENTED BY THE ASST CHIEF ENGINEER-DIRECTOR OF PRECONSTRUCTION - Mr. Streb

- 159. Programming

Division VII - State Bridge Rehabilitation Program

The Department has completed a portion of the proposed State Bridge Rehabilitation (SBR) Program Work Plan. Projects listed below are to be let in FFY 2007, funded with State funds:

- a) Stephens County - SH-7, Little Beaver Creek Overflow
- b) Stephens County - SH-7, Hell Creek

The projects are included in the \$20,000,000.00 earmarked for such usage in the State FY 2007.

ACTION: Benbrook moved and Burgess seconded that the Item be approved as

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

160. Engineering Contract

a) Statewide (E.C. 1070)

The Department has selected PBS&J to assist with the development and implementation of the Oklahoma Pollutant Discharge Elimination System (OPDES) program, relevant ODEQ permitting and other stormwater services. The negotiated fee is \$400,000.00. Funding will be 80% federal funds and 20% soft match credit.

b) Statewide (E.C. 1071)

The Department has selected Tetra Tech FHC to assist in the coordination, development and documentation of the Department's Strategic Highway Safety Plan. The negotiated fee is \$444,000.00. This work is to be completed by October 1, 2007. Funding will be 80% federal funds and 20% soft match credit.

c) Tulsa County - Commission District VIII (E.C. 1000A, 1000B and 1000C)

The Department has selected three consultants to provide the design for the critical Riverside to Yale Section of I-44 in Tulsa. The selected consultants and project segments are as follows:

- Poe & Associates, Inc. - I-44 - Arkansas River to east of the Peoria Avenue Interchange
- The Benham Companies, LLC - I-44 and Lewis Avenue Interchange
- Craig & Keithline, Inc. - I-44 -west of Harvard Avenue to west of Yale Avenue

The total of these contracts is \$6,598,760.00, and will be funded with 90% federal funds and 10% soft match credit.

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

161. Supplemental Engineering Contracts

a) Statewide - All Commission Districts (E.C. 1010, Supplement No. 1)

The following six (6) consulting firms were authorized to produce final construction plans for bridge rehabilitation work at multiple locations in each of the eight (8) Field Divisions.

1. The Benham Companies, LLC
2. Cobb Engineering Company
3. Engineering Services and Testing, Inc.
4. FBS Engineers, Inc.
5. Tetra Tech FHC
6. White Engineering Associates, Inc.

This supplemental agreement is for extending these contracts for an additional one-year time period. The aggregate not-to-exceed amount for these six (6) contracts is to be increased by \$1,500,000.00. This brings the total aggregate engineering contract cost, including supplementals, to \$3,000,000.00.

Funding will be with State Bridge Rehabilitation (SBR) funds.

b) Wagoner County - Commission District 1 (E.C. 891, Supplement No. 1)

C. H. Guernsey & Company was previously authorized to prepare complete environmental assessment engineering studies and design services for the upgrade of SH-51 from Wagoner to Tahlequah. The negotiated fee for additional engineering services is \$50,840.00. This brings the total engineering contract cost, including supplementals, to \$539,340.00. A construction project in this corridor is in the 8 Year Construction Work Plan, with a scheduled letting date of FFY 2010. The estimated construction cost for the bridge and approaches, including the adjoining roadway project, is \$14,625,140.00. Funding will be 80% federal funds and 20% soft match credit.

c) Tulsa County - Commission District VIII (E.C. 447, Supplement No. 3)

Craig & Keithline, Inc., was previously authorized to make the necessary investigations and prepare detailed final construction plans for the two (2) interchanges on the Broken Arrow Expressway, at I-44 and at US-169. This supplemental agreement is for additional preliminary investigations, an Access Justification report and CORSIM traffic modeling for the three (3) expressway to expressway interchanges in Tulsa. Adjusted engineering fees for this supplement total \$745,125.00. The total engineering contract cost, including supplementals, is \$1,462,625.00. Funding will be 90% federal funds and 10% soft match credit.

d) Oklahoma County - Commission District IV (E.C. 852, Supplement No. 2)

Poe and Associates was previously authorized to provide design plans for the center section of the alignment of the I-40 Crosstown Expressway. This supplement is for modification of the design contract for the center section of the alignment. Adjusted engineering fees total \$964,553.00. The current contract amount is \$5,580,300.00. The total cost for the I-40 Crosstown Expressway project is \$360,000,000.00. Funding for this project is 100% federal funds.

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

ITEM TO BE PRESENTED ON BEHALF OF THE DIRECTOR'S OFFICE - Mr. Surret

162. **Addition** to the Industrial Access Road Program

a) The City of El Reno has requested an industrial access road project for Nomac Drilling and MidCon (Chesapeake Energy). The Department's participation shall not exceed \$255,000.00.

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

Note: At this time Senator Lerblance addressed the Commission and stated that the Health and Wellness Center for Haskell County was a combination of efforts by the City of Stigler, Haskell County, the Choctaw Nation and several other public entities who have invested over

\$1,500,000.00 in the facilities at the Center. He thanked the Commission for their consideration on this project.

Representative Miller also addressed the Commission and stated that 20 new full-time jobs have been created and many more jobs can be expected at the Health and Wellness Center. He thanked the Commission for their consideration on this project.

- b) The City of Stigler has requested an industrial access road project for the Stigler Health and Wellness Center. The Department's participation shall not exceed \$93,600.00.

ACTION: Mabrey moved and Dunegan seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Benson

Amendment to the Lake Access Road Program

- c) Item 97 A of the June 6, 2005, Transportation Commission Meeting Agenda

Commission District V - Greer County - Quartz Mountain State Lodge. The Department's participation in the project is estimated at \$360,000.00.

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

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Benson

ITEMS TO BE PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins (Presented by Mr. Patterson)

163. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final October 2006 Bid Opening
- c) Tentative November 2006 Bid Opening
- d) Tentative December 2006 Bid Opening

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

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Benson

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

164. Change Orders Greater Than \$10,000.00

- a) Beaver County - US-83 - STPY-4B(170) / 14972(04)#4, \$89,787.60
- b) Beaver County - US-83 - STPY-4B(170) / 14972(04)#5, \$126,221.86
- c) Caddo County - SH-19 - BRFY-NBIP(243)/BHFY-NBIP(309)(311)(314)(346)

- 3B / 20845(04), \$58,785.58
- * d) Haskell County - SH-9 - CIP-131B(19)IP / 16756(09), \$91,541.17
- e) Hughes County - SH-27 - MC-132C(85)/IMC-154N(79) / 22440(04), \$14,984.55
- f) Kay County - SH-11 - BRFY-136C(67) / 20248(04), \$27,559.71
- g) Kiowa County - SH-44 - SAB-138C(37)BF / 18777(04), \$13,941.99
- h) Murray County - SH-7 - STPY-21N(17)TR / 17706(04), \$10,434.23
- l) Oklahoma County - IS-35 - IMG-35-3(275)128 TR / 20440(04), \$53,686.61
- j) Oklahoma County - IS-35 - ITSY-QT8(008)DC/ITSY-QT80(24)IT / 19854(04), \$75,026.84
- ** k) Oklahoma County - IS-40 - OKCY-XTWN(034)HP / 17428(20), \$842,760.00
- l) Roger Mills County - SH-47 - SBR-165C(70)(71)SB / 22733(04), \$43,298.07

Note: * Defer action
 ** This change order is reflected on the summary list in error and does not have an Agenda Item in the packet. Item 164.k) is for the Roger Mills County SH-47 project.

ACTION: Berry moved and Burgess seconded that the Items be approved, noting deferral of Item 164.d) and correction of Item 164.k).

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Benson

ITEMS TO BE PRESENTED BY THE ASST CHIEF ENGINEER-DIRECTOR OF OPERATIONS - Mr. Evans

165. Settlement of Claim

- a) Haskell County - SH-9 beginning at Stigler and extending east
 Glover Construction Company, Inc. - \$226,800.00

Note: After discussing specifics of Item 165.a), along with Item 164.d) above, it was decided to defer action of the recommendation in Item 165.a)

ITEMS TO PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt

166. Awards

- a) Regular Letting - August 17, 2006

Note: Call Order No. 440 is deferred for a period not to exceed ninety (90) days to allow the City of Oklahoma City time to deposit their portion of the project funds required.

- b) Special Letting August 29, 2006 (SSR and MC's in Seminole and Pottawatomie Counties)

ACTION: Benbrook moved and Overland seconded that the Items be approved as presented, noting deferral of Call Order No 440 discussed above.

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Benson

ITEM TO BE PRESENTED BY THE DIRECTOR - ADMINISTRATION - Mr. Gatz

167. Emergency Rulemaking - Oklahoma Administrative Code, Title 730

a) County Improvement for Roads and Bridges Program

Mr. Gatz and Mr. Ridley discussed the merits of this Rule and clarified the question of projects crossing county lines and state lines. The Department will be working with the County Advisory Board and the eight Circuit Engineering Districts to come up with a 5-year construction work plan which will be presented to the Commission in the next few months. Commissioner Berry questioned if the money could be used in conjunction with other funds, including grants, for a particular project. Mr. Gatz stated that the counties could take advantage of many funding opportunities as a result of this action. Commissioner Benbrook pointed out that this would be an excellent opportunity for the cities and counties to work together on many projects.

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

ITEM TO BE PRESENTED BY THE DIRECTOR - FINANCE - Mr. Patterson

168. FY 2007 Budget Revisions

a) Director-Finance requests to increase the following areas of the Department for the legislative mandated employee pay raise of 5%:

Highway	\$3,937,355.00
Transit	13,306.00
Rail	20,374.00
Waterways	4,494.00
Total	\$3,975,529.00

b) Chief Engineer/Deputy Director requests to increase the Maintenance Program by \$3,000,000.00, and Depreciable Equipment by \$3,600,000.00. Unbudgeted revenues will fund this increase.

c) Director-Finance requests to increase Rail Projects by \$3,500,000.00. Ubudgeted local participation and rail carryover will fund this increase.

d) Director-Operations requests to transfer \$18,400.00 from Communication Equipment to B-Projects for the land required to erect a radio tower to service Division VI headquarters.

e) Director-Finance requests to increase the following budgeted line items for the additional federal funding available for state FY 2007:

Engineering Contracts	\$ 3,562,806.00
Planning Contracts	17,166,258.00
Federal Aid Projects	80,126,223.00
County Bridge and Road	12,903,222.00
Rail Safety Crossings	5,665,242.00

Total \$ 119,423,751.00

- f) Director-Finance is requesting to increase Public Transit by \$1,900,000.00. This will reflect the legislative intent to transfer funding from the State Transportation Fund.

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

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Benson

ITEM TO BE PRESENTED BY THE DIRECTOR - Mr. Ridley

169. Director's Report

Director Ridley presented an update on current projects, including our load-posted bridge program, resulting from passage of House Bill 1176. He pointed out that this funding paid off our existing debt and that we have incurred no new debt, that the 137 load-posted bridges will be replaced or re-built in the next 6 years and that passage of this Bill changed the funding of transportation forever.

Information only; no Commission action necessary.

Meeting adjourned 11:55 a.m.