

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

**DATE:** Monday, October 2, 2006  
**TIME:** 11:00 a.m.  
**PLACE:** Commission Meeting Room,  
ODOT Building

BE IT REMEMBERED that on Monday, the 2nd day of October, 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:	Dan Overland	Chairman
	James H. Dunegan	Vice Chairman
	Jackie Cooper	Member
	Loyd Benson	Member
	Brad Burgess	Member
	Guy Berry	Member

Presiding: Chairman Dan Overland

Absent: Mr. Mabrey  
Mr. Benbrook

The agenda for this Commission Meeting was posted at or before 8:00 a.m. on Friday, September 29, 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 October 2, 2006. For those items amended, deferred or rejected those notations were also made. Action taken by the Commission is noted here on these sheets.

Chairman Dan Overland introduced our guests Mr. Hardy Watkins who is Director of the Department of Tourism, and Mr. Gary Corino, Division Administrator of the Federal Highway Administration.

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

170. Approval of the Minutes Special Commission Meeting of September 11, 2006

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

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

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

- a) Canadian County - IS-40 - BRFY-152C(099) / 22974(04), \$6,000.00
- b) Cleveland County - Pk. Rd. - SAP-114D(160) / 23041(04), \$3,700.00
- c) Cleveland County - SH-37 - SSR-114C(167)SR/SSR-144C(93)(107)Pt.1,2 SR / 23356(04), \$9,625.00

- d) Cleveland County - Ct. St. - STP-114B(070)AG / 19678(04), \$2,447.50
- e) Coal County - SH-3 - SBR-115A(041)SB / 22925(04), \$8,624.04
- f) Dewey County - Co. Rd. - BRO-122D(40)CO / 21410(04), \$1,800.00
- g) Ellis County - SH-46 - SBR-123C(042)SB / 22736(04), \$1,772.00
- h) Garfield County - SH-74 - SBR-124C(078)SB / 22928(04), \$2,180.52
- l) Garfield County - Ct. St. - STPY-124B(53)MS / 21340(04), \$350.00
- j) Greer County - SH-6 - STPY-128B(009) / 15023(08), \$9,077.95
- k) Hughes County - SH-9 - BRFY-32C(184) / 12326(04), \$2,716.50
- l) Hughes County - Co. Rd. - BRO-132D(64)CO / 20773(04), \$9,855.00
- m) Kay County - IS-35 - IMY-035-4(168)222 / 15593(04), \$6,720.00
- n) Kingfisher County - SH-51 - MC-137C(61) / 22444(04), \$877.64
- o) Love County - Co. Rd. - BHF-143C(64)CO / 21354(04), \$6,619.07
- p) Love County - IS-35 - IMY-35-1(107)017IR / 14959(04), \$5,156.00
- q) Love County - IS-35 - IMY-35-1(125)000/BRIY-35-1(133)(134)008 / 19576(04), \$34,438.31 Underrun
- r) Love County - Co.Rd. - SBR-143N(74)SB / 22739(04), \$1,408.00
- s) McClain County - IS-35 - SAP-144N(98) / 22841(04), \$414.00
- t) McClain County - SH-9 - STPY-144B(18) / 17227(04), \$8,861.12
- u) McClain County - US-62 - STPY-144C(89) / 21974(04) #2, \$3,000.00
- v) McClain County - US-62 - STPY-144C(89) / 21974(04) #4, \$.00
- w) Noble County - Ct. St. - STP-152B(50)UR / 20489(04), \$8,485.00
- x) Oklahoma County - Ct. St. - STP-155A(197)AG / 17828(04), \$5,970.00 Underrun
- y) Seminole County - SH-99 - NHY-12N(100)(101)3R / 22635(04), \$38.30 Underrun
- z) Tulsa County - US-169 - SAP-172N(285) / 22559(04), \$1,844.02

172. Traffic Control Improvement Projects (Mr. Smart)

- a) Cherokee County - installation of traffic signal system at the intersection of SH-51 and Stick Ross Mountain Road in Tahlequah
- b) Wagoner County - installation of a traffic signal system at the intersection of SH-51 and 111<sup>th</sup> Street in Coweta
- c) Wagoner County - installation of a traffic signal system at the intersection of SH-51 and 121<sup>st</sup> Street in Coweta
- d) Mayes County - installation of a traffic signal system at the intersection of SH-20 and SH-82 in Salina
- e) Oklahoma County - change in traffic control at the intersection of SH-74 and 220<sup>th</sup> Street (Coffee Creek Road) from a two-way to a four-way stop in Oklahoma County

173. Land Sales (Mr. Bell)

- a) Tulsa County - along the east side of US-75 from 71<sup>st</sup> Street West to South 81<sup>st</sup> Street West. Agreement for exchange of work and materials would be between ODOT and Tulsa Hills, LLC.

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

- a) Okmulgee County - signal project near Beggs with the BNSF Railway Company
- b) Okmulgee County - signal/surface project near Beggs with the BNSF Railway Company
- c) Ottawa County - signal project near Miami (Mushroom Road) with the BNSF Railway Company
- d) Woods County - signal/surface project near Belva with the BNSF Railway Company

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

- a) Cherokee County - county road (Indian Road) beginning at N-451.4/E-0800 extending southwesterly for 2.0 miles (west side of Tenkiller Lake)

- b) Cleveland County - resurface county road NS-327 (180<sup>th</sup> Avenue) beginning at EW-132/NS-327 extending 1.0 mile north to EW-131; 2.0 miles east and 2.0 miles south of Needmore
- c) Cleveland County - resurface county road NS-327 (180<sup>th</sup> Avenue) beginning at EW-1331/NS-327 extending 1.0 mile north to EW-130; 2.0 miles east and 1.0 mile south of Needmore
- d) Grant County - bridge on EW-22 over an unnamed creek, 0.3 mile north and 0.6 mile west of Lamont
- e) Oklahoma County - bridge on EW-104 (NE 36<sup>th</sup>) over an unnamed creek 0.4 mile east of NS-328 (Harrah Road)
- f) Osage County - bridge on D-0243 (LB May Drive) over Mud Creek South of Pawhuska

176. State Highway System Revision (Ms. Sullivan)

- a) Seminole County - Relocation of SH-99 and US-377 in the City of Seminole. A Public Removal Hearing was held September 20, 2006, in compliance with state law.

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

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Mabrey and Mr. Benbrook

**END OF CONSENT DOCKET**

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

**Note:** Mr. Tim Tegeler made presentation

177. Engineering Contract

- a) Oklahoma County - Commission District IV (E.C. 1060)

Poe & Associates, Inc., was selected to complete construction plans for reconstruction of the I-35/I-240 Interchange in Oklahoma City. The negotiated fees for these services is not to exceed \$6,152,800.00. The total estimate for the four (4) phases of construction for this project is \$87,619,975.00. The contract will be funded with 90% federal funds and 10% soft match credit.

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

MOTION: Carried by the following vote:

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

NAYS:

ABSENT: Mr. Mabrey and Mr. Benbrook

178. Supplemental Engineering Contracts

- a) Tulsa County - Commission District VIII (E.C. 941, Supplement No. 1)

BKL, Inc., was previously authorized to perform noise analysis studies and provide final sound barrier wall designs for improvements along US-169 between Mingo Road and Memorial Drive in Tulsa. This supplemental agreement is for labor and materials necessary to conduct two public meetings concerning this project. The adjusted engineering fees for this supplement total \$17,250.00. The total

engineering contract cost, including supplementals, is \$304,150.00.

- b) Bryan County - Commission District II (E.C. 122G, Supplement No. 2)

Triad Design Group was previously authorized to prepare both conceptual studies and final design plans for the proposed bypass around the City of Durant on US-70. This supplemental agreement is for additional work required to expedite preparation of construction plans in English units, and development of roadway and bridge plans for projects along US-70. Adjusted engineering fees total \$961,000.00. The total engineering contract cost, including supplementals, is \$3,248,100.00. Projects are currently scheduled in the 8 Year Construction Work Plan, with an estimated improvement value of \$36,404,707.00.

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

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

179. Lettings

- a) Deletions and Additions to the Bid Openings  
b) Final November 2006 Bid Opening  
c) Tentative December 2006 Bid Opening  
d) Tentative January 2007 Bid Opening

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

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

180. Change Orders Greater Than \$10,000.00

- a) Beckham County - IS-40 - IMY-40-1(74)025/IBR-105N(108)IB / 20296(04), \$22,387.00  
b) Cleveland County - IS-35 - IMY-35-2(216)116 / 15392(04), \$18,619.14  
c) Kiowa County - US-183 - ACNHY-9N(90)GB/ACBHFY-9N(66)GB / 16063(13), \$13,650.00  
d) Kiowa County - US-183 - NHY-9N(047) / 16063(19), \$40,023.92  
e) LeFlore County - SH-128 - BRFY-40C(356) / 08916(04), \$153,750.00  
f) McClain County - SH-9 - STPY-144B(18) / 17227(04), \$79,123.60  
g) McClain County - US-62 - STPY-144C(89) / 21974(04), \$81,373.95  
h) Oklahoma County - SH-74 - BRFY-55C(660) / 06320(04), \$19,407.18  
i) Oklahoma County - IS-40 - E-SAP-155N(520) / 22970(04), \$21,634.40  
j) Oklahoma County - IS-40 - EMC-155N(567) / 23583(04), \$36,500.00  
k) Oklahoma County - IS-240 - IMY-240-1(351)000/IMY-240-1(352)010 / 19507(04), \$111,728.40  
l) Oklahoma County - SH-152 - MGSY-155A(002)(171) / 00095(08), \$15,527.33  
m) Oklahoma County - IS-40 - OKCY-XTWN(034)HP / 17428(20), \$292,135.00  
n) Payne County - US-177 - RABA-0Q16(001)(008)RA / 18976(04), \$25,361.51  
o) Payne County - Ct. St. - STP-160B(18)(125)UR / 17030(04), \$44,438.71  
p) Pontotoc County - SH-3W - BRFY-162B(089) / 18775(08), \$35,921.80  
q) Pontotoc County - SH-99 - CMAY-21N(005) / 10164(17), \$74,008.68

- r) Pottawatomie County - SH-18 - STPY-63B(371) / 05859(04), \$61,636.26
- s) Roger Mills County - SH-47 - SBR-165C(70)(71)SB / 22733(04) #2, \$77,028.62
- t) Roger Mills County - SH-47 - SBR-165C(70)(71)SB / 22733(04) #3, \$18,490.31
- u) Rogers County - US-412 - NHY-19N(99)3R / 22714(04), \$21,800.00
- v) Seminole County - SH-99 - NHY-12N(005) / 10165(04), \$29,568.35
- w) Stephens County - SH-7 - CIP-169N(10)(18)IP / 17005(05), \$11,342.98
- x) Tulsa County - US-64 - NHG-19N(84)/NHY-19N(96) / 21467(04), \$24,826.80
- y) Tulsa County - US-75 - NHY-14N(48) / 12938(04), \$72,683.61

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

**ITEM PRESENTED BY THE STATE CONSTRUCTION ENGINEER - Mr. Raymond**

181. Change Order Approval Process

- a) Implementation of the Delegation of Change Order Approval Authority as allowed by State Statute and Commission Rule

Effective with the December 2006 Commission Meeting the Delegation of Change Order Approval Authority will be implemented. Use of this Delegated Approval Authority will allow for a more timely finalization of contracts.

Information only; no Commission action necessary.

**ITEM PRESENTED BY THE ASST CHIEF ENGINEER- DIRECTOR OF OPERATIONS - Mr. Evans**

182. Settlement of Claim

- a) Payne County - C-P Integrated Services, Inc. - \$191,303.67

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

**ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt**

183. Awards

- a) Deferral from August 17, 2006 - Regular Letting

**Note:** Call Order No. 440, which was deferred at the August 17, 2006, Regular Letting is now awarded to the low bidder.

- b) Regular Letting - September 21, 2006

**Note:** The decision for either award or rejection of Call Order No. 020 from the September 21, 2006 Regular Letting is deferred to a future Commission meeting, in accordance with State Statutes. The written agenda item was amended at the Commission Meeting. (Please see attached)

ACTION: Benson moved and Berry seconded that Item 183.a) be approved as presented, and that Item 183.b) be approved as amended.

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

**ITEM PRESENTED BY - Mr. Ridley**

184. Emergency Declaration

- a) Washington County - US-60 over US-75, 3.7 miles east of the Osage County line

Commissioner Cooper asked if the party responsible for damaging the bridge was known. The Department does know the name of the responsible party.

Information only; no Commission action necessary.

**ITEM PRESENTED BY THE DIRECTOR - Mr. Ridley**

185. Director's Report

Director Ridley discussed the 2007 Centennial Celebration and stated that, "We are very pleased to be a part of the Centennial celebrations. It is a great way to showcase the celebration across Oklahoma, and to symbolize what our transportation system has meant to the progress of the state." Commemorative signs fabricated by ODOT and bearing the Centennial logo will be placed at strategic locations across the state.

Reports were distributed on the condition of our Interstate System. Director Ridley stated that the reports indicate that our condition and performance rating has changed from 54% to 71% of our roads being in good condition in just the last four years.

Director Watkins of the Department of Tourism stated that our Centennial celebration is the number one event for our Nation during 2007. He went on to discuss Oklahoma's Tourism Information Centers. He pointed out that our State Information Centers reflect and help to maintain our State's image.

Director Ridley asked Secretary Tomlinson to give an update on the Heartland Flyer. The good news about the Heartland Flyer is that an agreement has been reached between Oklahoma and Texas which will provide future funding for the Heartland Flyer. Mr. Dean Schirf, of the Oklahoma City Chamber of Commerce, is present. He, and Mr. Jack Mildren former Lt. Governor of Oklahoma, were very instrumental in helping to secure funding for the passenger train.

Information only; no Commission action necessary.

**Meeting adjourned at 11:32 a.m.**

Approval of the Minutes of the Regular Meeting of October 2, 2006

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Dan Overland - Chairman

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James H. Dunegan - Vice Chairman

(Seal)