

**MINUTES OF THE REGULAR TRANSPORTATION COMMISSION MEETING  
HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM  
OKLAHOMA CITY, OKLAHOMA**

**DATE:** Monday, March 5, 2007  
**TIME:** 11:00 a.m.  
**PLACE:** Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 5th day of March, 2007, 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
	Carlisle Mabrey	Member
	James H. Dunegan	Vice Chairman
	Jackie Cooper	Member
	Loyd Benson	Member
	Bruce Benbrook	Member
	Brad Burgess	Member
	Guy Berry	Member

Presiding: Chairman Dan Overland

The agenda for this Commission Meeting was posted at or before 9:00 a.m. on Thursday, March 1, 2007, 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 5, 2007. For those items amended, deferred or rejected those notations were also made. Action taken by the Commission is noted here on these sheets.

Chairman Overland opened the meeting and introduced Mr. Jim Hazeldine who is with the Oklahoma Turnpike Authority.

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

29. Approval of the Minutes of the Regular Commission Meeting of February 6,2007

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

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

30-I. Traffic Control Improvement Projects - Mr. Smart

- a) Atoka County - installation of overhead School Zone message signs with flashing beacons on US-69/US-75 near the Tushka public school district.
- b) Pottawatomie County - installation of a traffic signal at the intersection of SH-102 and SH-270 in the City of McLoud.
- c) Payne County - installation of a traffic signal at the intersection of SH-33 (Main Street) and

- d) a proposed driveway for Wal-Mart, approximately one-half mile east of the City of Cushing Harper and Beaver Counties - Upgrade of flashing intersection control beacons at the following locations: US-270/US-283; US-412/SH-23; US-83/US-412.
- e) Tulsa County - replacement of signing along I-44 and I-244 in Tulsa
- f) Washington County - Replacement of signing along US-75 and US-60 in the City of Bartlesville

30-S. Speed Zones

- a) Pontotoc County - along SH-19, City of Pickett and Rural
- b) Pontotoc County - along SH-3W, beginning at the Pottawatomie County Line

31. Land Sales - Mr. Bell

- a) Pontotoc County - approximately 6 miles north of Ada on the new alignment of SH-99
- b) Rogers County - approximately 600 feet south of the intersection of new SH-66 and old SH-66 in Claremore
- c) Wagoner County - on a county road approximately 3 miles south of the City of Wagoner and ½ mile west of US-69

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

- a) Kay County - signal project near Newkirk with the BNSF Railway Company
- b) Sequoyah County - signal/surface project at Sallisaw with the Kansas City Southern Railway Company

33. County Road Improvement Revolving Fund - Advance Funding Program - Mr. Johnson

- a) Kay County Commissioners have requested advance funding from the County Bridge and Road Improvement (CBRI) fund in the amount of \$958,000.00 for resurfacing county road EW-22.5 (north side of US-77/177), extending north 1.5 miles to EW-21 (Highland Avenue), then east on EW-21 approximately 1.5 miles (west of Ponca City)

34. Requests for County Bridge and Road Improvement Fund Force Account Projects - Mr. Johnson

- a) Cherokee County - 2.0 miles west and 1.7 miles south of Keys
- b) Garfield County - 1.50 miles south and 1.9 miles east of the junction of US-64/SH-74 on EW-44
- c) Kay County - 7.5 miles east and 1.7 miles north of the I-35/US-60 junction on NS-325
- d) McClain County - 6 miles east and 1.8 miles north of Byars
- e) McClain County - 3.0 miles south and 1.5 miles east of Criner
- f) McClain County - 1.0 mile south and 2.6 miles west of Cole
- g) Pontotoc County - 0.3 mile south and 4.0 mile west of Pickett
- h) Roger Mills County - 1.0 mile south and 4.2 miles west of SH-34/SH-73 junction on EW -102
- i) Roger Mills County - 5.4 miles east and 3.0 miles north of Strong City
- j) Sequoyah County - 2.0 miles south and 3.7 miles west of Sallisaw (Drake Road)
- k) Tulsa County - on 76<sup>th</sup> Street North, 0.1 mile east of Mingo Road
- l) Tulsa County - on 76<sup>th</sup> Street North, 0.5 mile east of Memorial Drive
- m) Washita County - 2.0 miles south and 0.4 mile west of Cowden on EW-121
- n) Woods County - 1.0 mile south and 0.1 mile east of US-281/SH-11 junction on EW-9
- o) Woods County - 3.0 miles east and 0.1 mile north of the US-281/SGH-11 junction on NS-248
- p) Woods County - 6.0 miles west and 9.5 miles south of the US-281/US-64 junction on NS-238
- q) Woods County - 6.4 miles south, 5.5 miles east and 1.8 miles south of Hopeton
- r) Woods County - 4.0 miles west and 3.1 miles south of Avard on NS-233

35. Statewide - Certification of County Road Mileages - Ms. Sullivan

Title 69, O.S. 2002, Section 316, requires that the Transportation Commission annually certify to the Tax Commission the county road mileage of each county as of the first day of January each year.

ACTION: Benbrook moved and Berry seconded that the Consent Docket Items be approved as presented, noting revision in Item 30-S  
MOTION: Carried by the following vote:  
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
NAYS:  
ABSENT:

**END OF CONSENT DOCKET**

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

At this time Mr. Streb introduced Ms. Ernestine Mbroh and announced that she is our new Director of Safe Routes to Schools. Ms. Mbroh has extensive transportation experience, including Traffic Engineering, Roadway Design, Enhancements and the last six years as a Contract Administrator in the Project Management Division. Safe Routes to Schools is a new federal program with set aside funds and is for the purpose of encouraging safe travel to schools.

36. Programming Item - Bridge Repair Project

The Department requests approval to program a project to repair vehicle impact damage to the SH-152 eastbound bridge over Portland Avenue in Oklahoma City. The estimated cost to repair the vehicle damage is \$25,000.00 utilizing State funds. This project is scheduled for a May 2007 letting. The party responsible for the damage is known.

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

37. Engineering Supplements

a) Statewide - County Bridge Standards (E.C. 880, Supplemental No. 1)

Engineering Services & Testing, Inc., was previously selected to prepare complete county bridge standards in accordance with the AASHTO Load and Resistance Factor Design (LRFD) Bridge Design specifications. A secondary set of standards, or "guide", will be prepared to provide direction to county officials constructing force account type bridges. Negotiated fees total \$600,000.00. Funding will be 80% federal funds with 20% soft match credit. The total contract cost, including this supplement, is \$1,200,000.00.

b) Pittsburg County - Commission District II (E.C. 529, Supplemental No. 3)

Craig & Keithline, Inc., was previously authorized to prepare environmental documents and functional plans for the US-69 corridor from the new Comanche Interchange north of McAlester to the Indian Nation Turnpike, and to prepare final design plans for the interchanges at Hereford and Comanche

on US-69. Adjusted engineering fees for this additional work total \$163,000.00. This brings the total contract cost, including this supplement, to \$2,635,500.00. Funding will be 80% federal funds and 20% soft match credit. The total estimate for construction of this project is \$17,100,000.00. Project activities are currently scheduled in the 8 Year Construction Work Plan with construction scheduled in FFY 2012.

c) Beckham County - Commission District V (E.C. 896, Supplemental No. 2)

Engineering Services & Testing, Inc., was previously authorized to prepare final design plans for the I-40 business district (I-40B) through Elk City. This supplemental agreement is for re-designing the storm sewer to construct the main trunk line under the driving lanes. Adjusted engineering fees for this additional work total \$53,500.00. This bring the total contract cost, including this supplemental, to \$401,500.00. Funding will be 80% federal funds and 20% soft match credit. The total estimate for construction of this project is \$7,193,363.00. Construction is currently scheduled in the 8 Year Construction Work Plan scheduled in FFY 2011.

ACTION: Burgess moved and Mabrey 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:

38. Statewide - Load Posted Bridge Program - Engineering Contracts -

**Note:** The following item was presented by Mr. Allen, Assistant Bridge Division Engineer

The Department has selected multiple engineering consulting firms to develop final construction plans for bridges in the Load Posted Bridge Program. Please see Agenda Item No.38 (narrative) for listing of consulting firms and the negotiated not-to-exceed fees.

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

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

39. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final April 2007 Bid Opening
- c) Tentative May 2007 Bid Opening
- d) Tentative June 2007 Bid Opening

ACTION: Benbrook moved and Dunegan 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:

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

40. Change Orders - Cumulative Total - \$50,000.00 or Less - **Information Only** (Mr. Raymond)

- a) Bryan County - US-75 - HSIPY-107N(106)TR / 22960(04), \$0.00

- b) Carter County - SH-53 - BRFY-10C(308) / 13411(04), \$600.00
- c) Carter County - IS-35 - IMY-35-1(127)024 / 20276(04), \$9,541.35
- d) Cherokee County - Pk. Rd. - SAP-111D(101) / 23501(04), \$847.77
- e) Ellis County - Co.Rd. - STP-123C(029)CO / 20221(04), \$5,018.02 Underrun
- f) Garvin County - Co. Rd. - BRO-125D(104)CO / 20749(04), \$1,280.47
- g) Harmon County - Co. Rd. - BRO-129D(26)CO / 21488(04), \$700.00
- h) Hughes County - SH-9 - BRFY-32C(184) / 12326(04), \$692.82
- i) Kiowa County - Co. Rd. - STP-138C(100)(101)CO / 22689(04), \$46.50 Underrun
- j) LeFlore County - SH-112 - BPMY-140C(128)3B/BPMY-148(47)3B/BPMY164B(77)(78)(79) / 22279(04), \$22.50
- k) Lincoln County - US-62 - BRFY-141C(007) / 10159(13), \$16,852.56
- l) Lincoln County - SH-99 - NHY-12N(102)3R / 22637(04), \$300.03
- m) McCurtain County - Co. Rd. - HPP-646(007)HP / 17426(04), \$5,000.00
- n) Oklahoma County - Ct. St. - BRO-155D(449)CO / 21662(04), \$9,388.33 Underrun
- o) Pottawatomie County - SH-39 - MC-163C(199)Pt.1 / 23360(04), \$19,265.78
- p) Pottawatomie County - SH-39 - MC-163C(199)Pt.2 / 23360(05), \$11,914.72
- q) Sequoyah County - US-59 - ACBRFY-168A(46)GB/ACSTPY-168A(59)GB / 12530(07), \$12,788.38
- r) Woodward County - US-183 - NHY-17N(53) / 17457(10), \$19,539.80

41. Change Orders - Cumulative Total Greater Than \$50,000.00 (Mr. Raymond)

- a) Cleveland County - Ct. St. - STP-114B(43)AG / 18206(04), \$52,278.50
- b) Logan County - SH-33 - BRFY-42B(238) / 12307(04), \$6,214.56
- c) McClain County - IS-35 - SBR-144N(111)SB / 23459(04), \$1,500.00
- d) McIntosh County - IS-40 - IMY-40-6(210)259 / 06308(04), \$23,856.43 No Add'l Funds Required
- e) Oklahoma County - SH-152 - STPY-155A(408) / 00095(13), \$117,007.38
- f) Oklahoma County - IS-40 - OKCY-XTWN(034)HP / 17428(20), \$21,655.30 Underrun
- g) Oklahoma County - IS-40 - HPPIY-1690-0(003)HP / 17430(06), \$95,906.14
- h) Osage County - US-60 - BRFY-18N(10)/NHY-18N(36) / 16230(04), \$53,550.00
- i) Payne County - IS-35 - IMY-35-4(200)170 / 20323(04), \$2,145.00 Underrun
- j) Pottawatomie County - SH-18 - STPY-63B(371) / 05859(04)#3, \$100,768.76
- k) Pottawatomie County - SH-18 - STPY-63B(371) / 05859(04)#4, \$119,927.50
- l) Wagoner County - SH-51 - STP-173B(56)IG/STPG-173B(95)IG / 18434(04), \$216,037.00

ACTION: Benson 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 BY ASST CHIEF ENGINEER/DIRECTOR OF OPERATIONS - Mr. Evans**

**Note:** The following Item was presented by Mr. Raymond, Construction Engineer

42. Settlement of Claim

Right-of-Way clearance for realignment of approximately 4 miles of the I-40 Crosstown between I-44 and I-235 in Oklahoma City - M & M Wrecking, Inc., ( \$198,906.42). Revision indicates a settlement amount of \$163,669.40. (Please see attached Revised Settlement).

ACTION: Berry moved and Dunegan seconded that the Item be approved, noting the change in settlement amount.  
 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. Schmitt**

43. Awards

**Note:** Item 43.b) is presented first and Item 43.a) is presented second.

b) March 1, 2007 - Special Letting (Tourist Information Center in Beckham County)

It is recommended that Call Order #20 be awarded to the low bidder.

a) February 15, 2007 - Regular Letting

It is recommended that Call Order #350 be awarded to the low bidder, subject to concurrence of the Federal Highway Administration. Other Items referred to by Call Order were awarded to the low bidders.

Note: Call Order #430 is being presented separately.

ACTION: Benbrook moved and Berry seconded that the Items be approved as presented, noting that Call Order #430 is being presented separately.

MOTION: Carried by the following vote:

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

NAYS:

ABSENT:

General Counsel Norman Hill presented information relating to Call Order #430 and the contract dispute with Glover Construction. (Please see attached).

George Raymond, Construction Engineer, presented a summary of the status of seven contracts with Glover Construction. (Please see attached).

In view of information stated above, the Department recommends that Call Order #430 from the February 15, 2007, Regular Letting be awarded to Job Construction Company.

ACTION: Benson moved and Dunegan seconded that Call Order #430 be awarded to J.O.B. Construction Company as recommended by the Department.

MOTION: Carried by the following vote:

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

NAYS:

ABSENT:

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

44. Permanent Rulemaking Action

County Improvements for Roads and Bridges Program

It is noted that Emergency Rules concerning this Program were presented to the Commission at the August 2006 Commission Meeting.

ACTION: Berry moved and Cooper seconded that the Item 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 DIRECTOR - FINANCE - Mr. Patterson**

**Note:** The following Item was presented by Mrs. Hilmes, Comptroller

45. FY 2007 Budget Revisions

Director Finance requests to increase Industrial Access by \$1,000,000.00. Unbudgeted revenue will fund this increase.

ACTION: Benbrook moved and Berry seconded that the Item 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 DIRECTOR - Mr. Ridley**

46. Director's Report

Director Ridley updated the Commission on House Bill 1176 and the county portion of this Bill. The Department's plan for the County Program will be presented to the Commission in April or May.

Commissioner Berry questioned if ODOT officials go to location and evaluate new projects. Director Ridley said that our engineers routinely check projects that are submitted. These projects are carefully checked to determine worth of the project, determine if engineering estimates are within the scope of the project, etc.

Chairman Overland questioned if there were projects that cross county boundaries. Director Ridley said that corridor projects have been submitted that could link communities. He went on to say that three factors are considered on county projects: 1. Bridges, 2. Intersections (blind) and 3. Roadway section that connect county districts.

No Commission action necessary; **information only** .

Adjourned 11:33 a.m.

Approval of the Minutes of the Transportation Commission Meeting of March 5, 2007

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Dan Overland - Chairman

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James H. Dunegan - Vice Chairman

(Seal)