

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

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

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

Presiding: Dan Overland

The agenda for this Commission Meeting was posted at or before 5:00 p.m. on Thursday, October 25, 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 November 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 Secretary Phil Tomlinson. Secretary Tomlinson introduced Jeannette Nance, representing the Governor's office, and Gary Corino, Division Administrator for the Federal Highway Administration.

ITEM TO BE PRESENTED BY THE SECRETARY TO THE COMMISSION

169. Approval of the Minutes of the Special Commission Meeting of October 8, 2007

ACTION: Benbrook moved and Benson 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 TO BE PRESENTED BY COMMISSION CHAIRMAN

170. Traffic Control Improvement Projects - Mr. Smart

- a) Cleveland County - installation of pavement markings, raised pavement markers and raised pavement marker replacement lenses along various highways in Cleveland County.
- b) Canadian County - request for a traffic signal upgrade with intersection modifications at the intersection of SH-152 and SH-4 (Sara Road), and a new traffic signal installation on SH-152

at the entrance to an existing development and a proposed development in the City of Mustang. The City of Mustang will be responsible for the operation and maintenance of the traffic signal systems upon completion of the construction.

- c) Canadian County - installation of pavement markings, raised pavement markers and raised pavement marker replacement lenses along various highways in Canadian County.
 - d) Tulsa County - installation of pavement markings, raised pavement markers and raised pavement marker replacement lenses along various highways in Tulsa County.
171. Speed Zone Revisions - Mr. Smart
- a) LeFlore County - along US-271/SH-9 in the Town of Spiro
172. Land Sales - Mr. Bell
- a) LeFlore County - southwest corner of the intersection of US-59 (Poteau By-Pass) and Pleasant Valley Road in the City of Poteau (part of parcel 9)
 - b) Oklahoma County - 200 feet north of the intersection of SE 59th Street and South High Avenue in the City of Oklahoma City (part of parcel 33)
173. Requests for County Bridge and Road Improvement Fund Force Account Projects - Mr. Johnson
- a) Adair County - bridge over Baron Fork Creek, south of SH-62 in Christie
 - b) Adair County - bridge over Caney Creek, located east and south of SH-51 and county line
 - c) Bryan County - bridge over unnamed creek, south and west of Achille
 - d) Delaware County - resurfacing county road beginning at the junction of NS459.5 and the Ottawa County line
 - e) Kingfisher County - bridge over an unnamed creek at Loyal on EW-66
 - f) Major County - bridge over an unnamed creek north of Meno on NS-271
 - g) Roger Mills County - bridge over Turkey Creek at Durham on EW-85
 - h) Rogers County - bridge over unnamed creek north and west of the US-169/SH-88 junction
 - i) Texas County - resurface county road on EW-15
 - j) Woods County - bridge over unnamed creek at Capron on NS-251
 - k) Woods County - bridge over Sand Creek east and north of the US-281/SH-45 junction on NS-245
174. Requests for County Bridge and County Road Improvement Fund Force Account Projects - **Emergency Flood Damage** - Mr. Johnson
- a) Kiowa, Harper and Woods Counties

Formal requests for access to CBRI funds for emergency repairs related to flood damage to the County transportation system have been filed by above listed counties. The counties will be limited

to the unencumbered balance of their CBRI accounts. Advanced financing will not be available for this program.

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

END OF CONSENT DOCKET

ITEMS TO BE PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb

175. Programming Item - Bridge Repair Projects

a) Kay County - Commission District IV

The Department requests approval to program a project to repair vehicle impact damage to the US-177 bridge over US-60 in Kay County. The estimated cost to repair the bridge is \$35,000.00. This project is scheduled for a February 2008 letting and will use annual State funds set aside for Bridge Division. The party responsible for the damage is unknown.

b) Oklahoma County - Commission District IV

The Department requests approval to program a project to repair vehicle damage to the Pole Road bridge over eastbound I-240 in Oklahoma County. The estimated cost to repair the bridge is \$35,000.00. This project is scheduled for a February 2008 letting and will use the annual State funds set aside for Bridge Division. The party responsible for the damage is unknown.

ACTION: Dunegan moved and Cooper 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:

176. Engineering Contracts

a) Adair County - Commission District I (EC-1132)

Engineering Services and Testing, Inc., has been selected to perform design services on US-59, two miles north of Westville, extending north 4.95 miles. Negotiated fees total \$887,000.00. The project is in the 8 Year Construction Work Plan with a scheduled let date in FFY 2010. The total estimate for construction of the construction contract for this project is \$19,232,300.00. This contract will be funded with 80% federal funds and 20% soft match funds.

b) Alfalfa County - Commission District VI (EC-1135)

Smith Roberts Baldischwiler, LLC has been selected to perform design services on US-64, located east of the Woods/Alfalfa County line, extending to the eastern side of the Town of

Ingersoll. This design will be split into two (2) separate construction contracts; one for bridge replacement and one for roadway improvements. Negotiated fees total \$817,900.00. The first project is in the 8 Year Construction Work Plan with a scheduled let date in FFY 2012. The total estimate for construction of this project is \$4,000,000.00. This contract will be funded with 80% federal funds and 20% soft match funds.

c) Major County - Commission District VI (EC-1136)

Garver Engineers, LLC has been selected to perform design services for construction of the bridge on US-281 over Griever Creek. Negotiated fees total \$466,000.00. The project is in the 8 Year Construction Work Plan with a scheduled let date in FFY 2011. The total estimate for construction of this project is \$3,225,000.00. This contract will be funded with 80% federal funds and 20% soft match funds.

d) Woods County - Commission District VI (EC-1137)

BKL, Inc., has been selected to perform design services for the replacement of the SH-50 bridge over Houston Creek, south of the US-64 junction. Negotiated fees total \$183,000.00. The project is in the 8 Year Construction Work Plan with a scheduled let date in FFY 2013. The total estimate for construction of the construction contract for this project is \$2,200,000.00. This contract will be funded with 80% federal funds and 20% soft match funds.

e) Cotton County - Commission District VII (EC-1139)

Chiang - Patel & Yerby has been selected to perform design services to improve SH-36 from I-44 to US-70. This project will construct a new two-lane facility, allowing for a future four-lane section. Negotiated fees total \$586,300.00. The project is in the 8 Year Construction Work Plan with a scheduled let date in FFY 2014. The total estimate for construction of this project is \$4,560,000.00. This contract will be funded with 80% federal funds and 20% soft match funds.

f) Statewide (All Districts) - On-System Bridge Inspections (EC-1147)

Four (4) consulting firms have been selected to perform on-system bridge inspections for multiple bridge locations throughout the State. Inspections will be performed in accordance with National Bridge Inspections Standards (NBIS). The following firms were selected:

1. Cobb Engineering Company
2. Engineering Services and Testing, Inc.
3. BWR
4. Wingfield Engineering, LLC

These contracts will remain in effect for an initial one-year time period and may be renewed for an additional year, based upon need and satisfactory performance. The aggregate not to exceed amount for these four contracts if \$1,000,000.00. Funding for these contracts will be 80% federal funds and 20% soft match funds.

ACTION: Benson moved and Benbrook 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:

177. Supplemental Engineering Contracts

a) Osage County - Commission District VIII (EC-1063, Supplement No. 1)

Garver Engineers, LLC was selected to prepare final design plans for the construction of US-60 over Sand Creek. It was discovered that two additional bridge class culverts are located within the project corridor south of Sand Creek. Additional survey will be needed in order to conduct a hydraulic study to determine the type or types of replacements needed. Negotiated fees total \$34,950.00. The total engineering contract cost, including this supplement, totals \$508,450.00. A construction project in this corridor is in the 8 Year Construction Work Plan with a scheduled letting date of FFY 2009.

b) Statewide (All Districts) - Fracture Critical Bridge Inspections (EC-1095A and EC-1095C, Supplement No. 1)

BWR and EST, Inc., were previously selected to perform fracture critical bridge inspections at various locations over the State. This supplemental request includes the rental of specialized equipment and the labor to inspect additional on-system fracture critical bridges. Contract supplemental fees are as follows:

EC-1095A, Supplement No. 1, not to exceed \$130,000.00 (BWR)
EC-1095C, Supplement No. 1, not to exceed \$178,000.00 (EST, Inc.)

The total fracture critical inspections contracts costs for these two consultants, including these supplementals, is \$743,000.00. Funding will be 80% federal funds and 20% soft match funds.

c) State (All Districts) - Truss Bridge Inspections (EC-1006A and EC-1006B, Supplement No. 1)

Cobb Engineering Company and BWR were selected to perform truss bridge inspections for multiple bridge locations throughout the State. These supplemental requests are for additional inspections not included in the original contract. Contract supplemental fees are as follows:

EC-1006A, Supplement No. 1, not to exceed \$150,000.00 (Cobb)
EC-1006B, Supplement No. 1, not to exceed \$195,000.00 (BWR)

The total truss bridge inspections contracts costs for these two consultants, including these supplementals, is \$1,845,000.00. Funding will be 80% federal funds and 20% soft match funds.

d) Statewide (All Districts) - Hazardous Waste Investigations (EC-1111)

Enercon, Cardinal and Red River have been selected to perform hazardous waste investigations to assist in the preparation of the environmental documents for the 8 Year Construction Work Plan. Additional workload has resulted in the need to supplement these contracts. The negotiated fees are as follows:

Enercon Services, Inc.	\$100,000.00
Cardinal Engineering, Inc.	\$100,000.00
Red River Environmental Laboratory & Consulting Co.	\$ 50,000.00

This brings the total contract costs to:

Enercon Services, Inc.	\$200,000.00
Cardinal Engineering, Inc.	\$200,000.00
Red River Environmental Laboratory & Consulting Co.	\$100,000.00

Funding will be 100% state funds

- e) Statewide (All Districts) - Bridge Redecking and Rehabilitation (EC-1146)

The Department previously selected eight (8) consulting engineers to produce design plans for bridge rehabilitation for multiple locations throughout the eight (8) field divisions in support of ODOT staff. Additional workload necessitates the need to supplement these contracts. The consulting firms are:

- | | | | |
|----|-------------------|----|----------------------------------|
| 1. | Poe & Associates | 2. | EST, Inc. |
| 3. | White Engineering | 4. | Cobb Engineering |
| 5. | Garver Engineers | 6. | MacArthur Associated Consultants |
| 7. | BKL, Inc. | 8. | FBS, Inc. |

The supplemental aggregate not to exceed amount for these eight (8) contracts is \$800,000.00. The total engineering contract cost, including supplementals, is \$2,800,000.00.

ACTION: Benbrook moved and Burgess 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 TO BE PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

- 178. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Tentative January 2008 Bid Opening
- c) Tentative February 2008 Bid Opening

ACTION: Dunegan 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:

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

- 179. Change Orders - Cumulative Total - \$50,000.00 or Less - **Information Only**

- a) Atoka County - US-69 - SSR-103N(084)SR / 23951(04), \$7,139.90
- b) Bryan County - US-70 - NHY-22N(164)RW / 16744(21), \$5,769.23
- c) Caddo County - IS-40 - IMY-40-3(065)086 / 20251(04), \$4,850.00
- d) Caddo County - US-281 - SBR-108B(152)SB / 23463(04), \$3,827.75
- e) Caddo County - US-281 - SBR-108B(153)SB / 23464(04), \$3,351.00
- f) Choctaw County - US-70 - ACBRFY-22N(68)/ACBRFY-22N(111)GB / 18849(04), \$18,372.96
- g) Craig County - US-60 - MC-118N(062) / 22325(04), \$31,390.00
- h) Grady County - US-81 - BHFY-11N(62) / 20846(05), \$7,121.20
- i) Grant County - Co. Rd. - STP-127D(057)CO / 21676(04), \$0.00
- j) Greer County - Co. Rd. - STP-128C(049)CO / 19348(04), \$462.00
- k) Harper County - US-64 - BRFY-130B(042) / 18868(04)#1, \$6,000.00
- l) Harper County - US-64 - BRFY-130B(042) / 18868(04)#2, \$2,986.05
- m) Haskell County - SH-9 - BRFY-031B(219) / 15113(04), \$56.09 Underrun
- n) Hughes County - US-270 - BRFY-132B(057) / 20265(04), \$4,197.63
- o) Kay County - Co. Rd. - CR-136C(126) / 23594(04), \$0.27 Underrun

- p) Kiowa County - SH-44 - BRFY-138C(57) / 20274(04), \$4,000.00
- q) McClain County - IS-35 - SSR-144N(116)SR / 24018(04), \$10,404.89
- r) McIntosh County - US-62 - BRFY-151C(161) / 23105(04), \$442.11
- s) Okfuskee County - Co. Rd. - STP-154C(048)CO / 20076(04), \$3,200.00
- t) Oklahoma County - IS-35 - ITSU-0QT8(004)DC / 19848(04), \$7,590.50
- u) Oklahoma County - Ct. St. - STP-155B(419)AG / 21128(04), \$6,017.50
- v) Oklahoma County - IS-40 - E-SAP-155N(633) / 24924(04), \$15,000.00
- w) Pontotoc County - SH-99 - BRFY-062B(231) / 05346(04), \$8,936.58
- x) Pushmataha County - US-271 - SBR-164B(104)SB / 24043(04), \$33,963.84
- y) Rogers County - SH-88 - SAB-166B(158)BF / 21921(04), \$2,100.00
- z) Stephens County - SH-53 - STPY-NBIP(241)/BHFY-NBIP(238)(312)/BRFY-NBIP(239)/STPY-117C(18) / 19460(04), \$10,288.00
- aa) Wagoner County - Co. Rd. - BRO-173D(091)CO / 21257(04), \$7,033.97
- bb) Wagoner County - Co. Rd. - SAP-173D(121) / 23559(04), \$46,207.98
- cc) Washington County - Co. Rd. - BRO-174D(23)CO / 19997(04), \$28,377.00
- dd) Woods County - US-64 - BRFY-176C(53)/BPMY-102C(79)3B/BHFY-147B(85)/BPMY-19N(93)3B/BPMY-176B(81)(82)(83)3B/BPMY-17N(178)3B/BPMY-177C(67)(68)3B / 22288(04), \$35,536.74
- ee) Woods County - Pk. Rd. - SAP-176D(100) / 23500(04), \$24,748.59

180. Change Orders - Cumulative Total Greater Than \$50,000.00

- a) Beaver County - US-83 - STPY-4B(170) / 14972(04), \$0.20
- b) Beckham County - Ct. St. - STP-105B(085)UR / 21322(04), \$187,981.56
- c) Beckham County - SH-30 - MC-105C(129)Pt.1,2 SR /SSR-105C(130)Pt.1,2 SR/MC-165B(75) / 23348(04), \$149,733.79
- d) Beckham County - IS-40 - E-SAP-105N(162) / 25007(04), \$118,250.00
- e) Caddo County - US-277 - STPY-108C(83) / 20232(04), \$107,012.00
- f) Caddo County - US-281 - SBR-108B(154)SB / 23465(04), \$5,440.50
- g) Cleveland County - IS-35 - IM-NHIY-35-3(108)119/IMY-35-3(240)119 / 00292(17), \$45,858.68
- h) Cleveland County - Ct. St. - STP-114B(132)AG/STPG-114B(164)AG / 21534(04), \$46,785.00
- i) Creek County - US-75A - SAB-119A(116)BF / 21907(04), \$5,100.00
- j) Custer County - IS-40 - IMY-040-2(130)061 / 20253(04), \$90,029.32
- k) Grady County - US-81 - E-SAP-126N(132) / 24969(04), \$96,996.00
- l) Latimer County - SH-2 - STPY-139B(075)/STPY-164C(101)/BHFY-161C(190) / 23846(05), \$63,724.53
- m) Muskogee County - SH-100 - BRFY-151C(134)MS/BRFY-151B(135)MS/BRIY-40-6(350)290MS/BHIY-40-6(341)290/BRFY-173B(103)MS / 22165(04), \$137,700.00
- n) Oklahoma County - IS-40 - IMY-40-4(332)144 / 08400(04), \$43,537.32
- o) Oklahoma County - IS-235 - ACIM-NHIY-235-1(092)003GB / 09033(23), \$314,989.28
- p) Oklahoma County - IS-40 - HPPIY-1690-0(007)000 HP / 17428(10), \$3,400.00
- q) Oklahoma County - Ct. St. - STP-155A(197)AG / 17828(04), \$27,009.10
- r) Oklahoma County - Ct. St. - STP-155B(366)AG / 20156(04), \$160,000.00
- s) Payne County - US-177 - RABA-0Q16(001)(008)RA / 18976(04), \$564,993.54
- t) Pottawatomie County - SH-18 - STPY-63B(371) / 05859(04), \$12,797.50
- u) Pottawatomie County - IS-40 - BRIY-40-5(383)178 / 20880(04), \$4,923.95
- v) Seminole County - SH-99 - NHY-12N(77) / 13020(07), \$5,625.20
- w) Seminole County - Co. Rd. - STP-167C(60)CO / 19342(04), \$38,171.86 Underrun
- x) Sequoyah County - US-59 - ACSTPY-168A(023)GB / 16952(04), \$583,193.25
- y) Tulsa County - SH-20 - STPY-72B(421) / 09482(04), \$195,781.00
- z) Tulsa County - Ct. St. - STP-172B(108)IG / 17760(04), \$27,136.37

ACTION: Mabrey 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:

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

181. Settlement of Claims

a) Pottawatomie County - Division III

Settlement of claim for termination of contract in the amount of \$89,000.00. The contract was for bridge repair on I-40 (westbound bridge) over SH-9A, and was terminated by the Department after the pre-work conference was held and prior to commencement of construction.

ACTION: Benbrook moved and Benson 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:

b) Payne County - Division IV

Settlement of claim in the amount of \$456,674.12 for additional costs incurred for increased costs of materials due to delays beyond their control. The contract is for a project on SH-33 east of Cushing.

ACTION: Mabrey moved and Benson 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 TO PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt

182. Awards

a) October 18, 2007 - Regular Letting

ACTION: Benbrook moved and Benson 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 TO BE PRESENTED BY THE DIRECTOR - Mr. Ridley

183. Emergency Bridge Repair Project

Kingfisher County - bridge on SH-33 over Uncle John's Creek. Estimated cost of the repair project is \$150,000.00.

Information only; no Commission action necessary.

184. Director's Report

Director Ridley reported that we have eight deck truss bridges on ODOT's system and one on the

Oklahoma Turnpike Authority's (OTA) system. We have sixty-four fracture critical bridges on ODOT's highway system. All inspections were completed by October 30, 2007, on deck truss bridges and fracture critical bridges with no surprises that require immediate attention.

Commissioner Benbrook questioned if these bridge inspections will be ongoing. Mr. Fuller explained the timeliness of these inspections and said they were definitely ongoing.

Chairman Overland inquired as to what would happen if any problems were discovered during inspections, and Mr. Fuller replied that immediate action would be taken to protect our driving public.

Director Ridley stated that our Agency will wait to write its annual 8-Year Construction Work Plan until after the State Equalization Board meets to certify anticipated state revenues in February, 2008. House Bill 1176, approved in 2006, increases in ODOT funding are tied to a 3 percent increase in state revenue.

Information only; no Commission action necessary.

Meeting adjourned 11:33 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of November 5, 2007

Dan Overland - Chairman

James H. Dunegan - Vice Chairman

(Seal)