

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

**DATE:** Monday, January 5, 2009  
**TIME:** 11:00 a.m.  
**PLACE:** Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 5th day of January, 2009, at the hour of 11:10 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

Present:	Carlisle Mabrey	Member
	James H. Dunegan	Vice Chairman
	Jackie Cooper	Member
	Loyd Benson	Member
	Bruce Benbrook	Member
	Brad Burgess	Member
	Guy Berry	Member
Presiding:	James H. Dunegan	Vice Chairman
Absent:	Dan Overland	

The agenda for this Commission Meeting was posted at or before 10:45 a.m. on Wednesday, December 24, 2008, prior to the meeting. The notification was posted on the Atrium Informational Monitor in the ODOT Building, 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 January 5, 2009. For those items amended, deferred or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Dunegan opened our meeting and recognized special guests Senator John Sparks (D) - District 16, Representative Wallace Collins (D) - District 45, Representative Scott Martin (R) - District 46, Representative Guy Liebmann (R) - District 82 and Sean O'Leary, Director of Norman Public Works Authority. Also, Secretary of Commerce Natalie Shirley was present.

**OKLAHOMA'S SITE LOCATION PROFESSIONALS - Chairman Overland/Ms. Shirley**

1. Salute to ODOT for Outstanding Support of Oklahoma's Economic Development Programs

Secretary Shirley presented a plaque to the Commission and complimented ODOT for supporting Oklahoma's Economic Development Programs.

**AWARDS CONCRETE PAVEMENT ASSOCIATION - Mr. Ridley/Mr. Burwell**

2. ODOT wins two awards at the American Concrete Pavement Association's 19<sup>th</sup> Annual "Excellence in Concrete Pavement" awards

Gold Medal - Division IV

Accepting the award for Division IV was Casey Shell - ODOT's Perry Office

Silver Medal - Division VII

Accepting the award for Division VII was Bob Rose - ODOT's Duncan Office

At this time Representative Bill Nations enters the meeting and is recognized.

**ITEM PRESENTED BY THE SECRETARY TO COMMISSION**

3. Approval of the Minutes of the Regular Transportation Commission Meeting of December 8, 2008

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

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

4. Traffic Control Improvement Projects - Mr. Smart

- a) Creek County - Commission District VIII - change traffic control at the intersection of Dewey Street (SH-66) and Walnut Street in the City of Sapulpa (Resolution from City)
- b) Oklahoma County - Commission District IV - replacement of overhead and ground-mounted signs along I-40 from the Fort Smith junction east to the Oklahoma/Pottawatomie County line
- c) Oklahoma County - Commission District IV - replacement of overhead and ground-mounted signs along SH-74 from Northwest 39<sup>th</sup> Street north to the Kilpatrick Turnpike
- d) Oklahoma County - Commission District IV - replacement of overhead and ground-mounted signs along I-235 from the Dallas junction north to Northeast 23<sup>rd</sup> Street in Oklahoma City
- e) Tulsa County - Commission District VIII - replacement of overhead and ground-mounted signs along SH-11 from the junction of I-244 west to the junction of US-75
- f) Tulsa County - Commission District VIII - replacement of overhead and ground-mounted signs along US-169 from 66<sup>th</sup> Street North in Owasso north to 146<sup>th</sup> Street North

5. Land Sales - Mr. Bell

- a) Pontotoc County - approximately three miles southeast of Ada on SH-3
- b) Pontotoc County - approximately 1.5 miles west of Stonewall on SH-3
- c) Pontotoc County - approximately 1.25 miles west of Stonewall on SH-3

6. Requests for County Bridge and Road Improvement Fund Force Account Projects - Mr. Sheffert

- a) Alfalfa County bridge and approaches on NS-254 over an unnamed creek west and north of the SH-11/SH-64 junction
- b) Alfalfa County - bridge and approaches on EW-19 over an unnamed creek west and south of Cherokee

- c) Alfalfa County - bridge and approaches on EW-38 over an unnamed creek south and east of McWillie
- d) Beaver County - bridge and approaches on EW-16 over an unnamed creek south and east of Beaver
- e) Delaware County - county road on EW-320 from S-20 to S-515
- f) Kay County - bridge and approaches on EW-17 over Thompson Creek south and west of the I-35/SH-11 junction
- g) Rogers County - bridge over Dog Creek - NS 422 Sawyer Road south of US-66 and north of SH-28
- h) Woodward County - bridge and approaches on NS-216 over Bent Creek east and south of Mutual

7. State Highway System Revision - Ms. McGovern

Garfield County - removal of US-64 Business in Enid. A Public Removal Hearing was held March 25, 2003.

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

**END OF CONSENT DOCKET**

**ITEM PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb**

8. Engineering Contracts

- a) Statewide (All Districts) - Wetland Mitigation Proposals Contracts (EC-1229A and B)

The Department has selected Kelinfelder Central, Inc., and Enercon Services, Inc., to develop Wetland Mitigation Proposals for various projects over the State. The total, not to exceed, amount of these contracts is \$600,000.00. Funding will be 80% federal funds and 20% soft match credit.

- b) Statewide (All Districts) - Inspections of Post-Tensioning Ducts (Box Girders) (EC-1213A and B)

The Department has selected BWR and URS for in-depth, hands-on inspections of 37 post-tensioned bridges on the State Highway System. The total, not to exceed, amount of these contracts is \$2,250,000.00.

- c) Nowata County - Commission District VIII (EC-1230)

The Department has selected Enercon Services, Inc., to develop a Wetland Mitigation Bank. The total, not to exceed, amount of this service is \$300,000.00. Funding will be 80% federal funds and 20% soft match credit.

ACTION: Benbrook moved and Mabrey seconded that the Items be approved as presented.

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

9. Engineering Contract Supplements

- a) Statewide (All Districts) - Fracture Critical Bridge Inspections (EC-1095B, Supplemental No. 2)

Tetra Tech FHC was previously authorized to perform fracture critical bridge inspections. This supplemental request is for the increased costs of snooper equipment, traffic control equipment and additional crew hours. The total, not to exceed, amount of this supplemental request is \$91,000.00. The total contract cost, including this supplement, is \$561,000.00. Funding will be 80% federal funds and 20% soft match credit.

- b) Statewide (All Districts) - Fracture Critical Bridge Inspections (EC-1095C, Supplemental No. 3)

EST, Inc., was previously authorized to perform fracture critical bridge inspections. This supplement is requested due to an oversight of estimating costs for fracture critical bridge inspections on bridges that were not previously inspected. The total, not to exceed, amount of this supplemental request is \$37,000.00. The total contract cost, including this supplement, is \$500,000.00. Funding will be 80% federal funds and 20% soft match credit.

- c) Rogers County - Commission District VIII - (EC-119G, Supplement No. 3)

Alexander Engineering Company, Inc., was previously authorized to provide design engineering services for improvements to SH-88 from Claremore to Inola. Due to necessary changes to complete the design plans, a supplement is required. The total, not to exceed, amount of this supplemental request is \$18,500.00. The total contract cost, including this supplement, is \$767,000.00. Funding will be 80% federal funds and 20% soft match credit.

- d) Oklahoma County - Commission District IV - I-40 Crosstown Expressway Project Management (EC-851, Supplemental No. 5)

Mac Arthur Associated Consultants were approved to serve as Project Management Consultants for the I-40 Crosstown Expressway at the November, 2003, Commission meeting. This agenda item is requesting a modification to the project management contract to extend the time and compensation. The total, not to exceed, amount of this supplement is \$950,000.00. The total contract cost, including this supplement, is \$8,215,000.00. This project is included in the 8 Year Construction Work Plan with construction projects scheduled from 2009 through 2010.

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

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

10. Lettings

- a) Deletions and Additions to the Bid Openings  
b) Final February 2009  
c) Tentative March 2009 Bid Opening

d) Tentative April 2009 Bid Opening

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

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

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

- a) Beckham County - Co. Rd. - BRO-105D(111)CO / 22553(04), \$600.00
- b) Blaine County - Co. Rd. - BRO-106D(071)CO / 22310(04), \$3,394.80
- c) Cherokee County - Co. Rd. - STP-111C(118)CO / 24539(04), \$390.00 Underrun
- d) Cleveland County - Ct. St. - STP-114B(50)AG / 18213(04), \$27,386.57
- e) Coal County - SH-48 - STPY-115C(59)(60) / 23204(04)#1, \$7,040.00
- f) Coal County - SH-48 - STPY-115C(59)(60) / 23204(04)#2, \$2,870.17 Underrun
- g) Custer County - SH-54 - SBR-120B(147)SB / 24636(04), \$9,519.75
- h) Garvin County - IS-35 - IMY-35-2(265)74/BHIY-35-2(267)70/IMY-40-5(359)211/BHFIY-125C(82) / 18003(05)#1, \$9,278.40
- i) Garvin County - IS-35 - IMY-35-2(265)74/BHIY-35-2(267)70/IMY-40-5(359)211/BHFIY-125C(82) / 18003(05)#2, \$1,015.00
- j) Greer County - Co. Rd. - BRO-128D(058)CO / 21650(04), \$1,822.50
- k) Harper County - US-283 - BRFY-130B(063)BF / 20944(04), \$17,780.00
- l) Kiowa County - SH-9 - SAB-138B(71)(84)BF / 20933(04), \$2,200.50
- m) Love County - IS-35 - SEC1702-143N(071)HP / 22161(07), \$1,116.95 Underrun
- n) Muskogee County - SH-10 - E-SBR-151C(187)SB / 26071(04), \$45,000.00
- o) Muskogee County - IS-40 - EMC-151N(188) / 26126(04), \$40,000.00
- p) Okfuskee County - SH-56 - BRFY-154C(073)BF / 21792(04), \$2,000.00
- q) Okfuskee County - Ct. St. - SEC117-154E(109)SG / 24940(04), \$18,881.57
- r) Oklahoma County - Ct. St. - STP-155B(481)AG / 22231(04), \$22,720.40
- s) Oklahoma County - Ct. St. - STPG-155C(563)AG / 23517(04), \$8,295.25
- t) Rogers County - SH-66 - SAB-066C(305)BF / 13400(04), \$4,361.09
- u) Rogers County - SH-88 - STPY-166C(71) / 18887(04)#7, \$180.00 Underrun
- v) Rogers County - SH-88 - STPY-166C(71) / 18887(04)#8, \$131,586.52 Underrun
- w) Rogers County - SH-266 - STPY-166C(173) / 22800(04), \$5,881.66
- x) Washita County - Co. Rd. - BRO-175D(064)CO / 22361(04), \$3,807.78

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

- a) Creek County - SH-66 - STPY-019A(314)BF / 10157(04), \$111,639.89
- b) Garvin County - Co. Rd. - BRO-125D(144)CO / 23642(04), \$57,918.37
- c) Hughes County - US-75 - STPY-132B(108)(109)(110)3R / 24714(04) #1, \$363,551.03
- d) Hughes County - US-75 - STPY-132B(108)(109)(110)3R / 24714(04)#2, \$227,564.59
- e) Johnston County - Co. Rd. - STP-135C(058)CI / 21610(04), \$368,116.87
- f) Kay County - Co. Rd. - STP-136C(164)CO / 25107(04), \$127,528.88
- g) LeFlore County - US-271 - NHY-33N(001)/BRFY-033N(002) / 11395(04), \$99,859.33
- h) Lincoln County - SH-99 - NHY-012N(104)SP / 12539(30), \$184,906.97
- i) McClain County - US-62 - STPY-044B(319) / 13574(04)#7, \$29,820.00
- j) McClain County - US-62 - STPY-44B(319) / 13574(04)#8, \$8,199.80
- k) McClain County - IS-35 - IMG-035-2(293)090 TR / 23072(04), \$5,416.30
- l) Muskogee County - US-69 - MC-151N(180) / 25365(04), \$570.60
- m) Muskogee County - SH-10 - E-SBR-151C(187)SB / 26071(04), \$50,400.00
- n) Oklahoma County - IS-40 - OKCY-XTWN(055)SG / 17428(66), \$949,500.00
- o) Oklahoma County - Ct. St. - STP-155B(419)AG / 21128(04), \$20,857.25
- p) Pittsburg County - US-69 - ITSY-QT80(39)IT/STPG-161A(188)TR / 21032(05), \$65,540.00

- q) Pontotoc County - SH-19 - SAB-062B(272)BF / 15112(04), \$30,718.50
- r) Rogers County - US-169 - NHY-30N(008) / 09487(04), \$243,723.25
- s) Rogers County - SH-66 - SAB-066C(305)BF / 13400(04), \$208,633.10
- t) Rogers County - SH-88 - STPY-166C(71) / 18887(04), \$381,090.05
- u) Texas County - US-54 - NHY-08N(077) / 25577(04), \$127,814.24
- v) Tulsa County - US-64 - NHG-19N(84)TR/NHY-19N(96) / 21467(04), \$36,375.08
- w) Tulsa County - US-64 - STP-172B(258)IG / 21555(04), \$507.02 Underrun
- x) Tulsa County - SH-51 - SBR-172A(405)(406)(407)(408)(411)(412)SB / 25437(04)#1, \$373,900.00
- y) Tulsa County - SH-51 - SBR-172A(405)(406)(407)(408)(411)(412)SB / 25437(04)#2, \$190,054.02
- z) Woods County - US-64 - BRFY-176B(069)BF / 20949(04), \$268,734.63

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

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

13. Awards

December 18, 2008 - Special Letting (I-35 Cleveland County)

Representative Scott Martin, Representative Bill Nations, Senator John Sparks, Representative Wallace Collins, Representative Guy Liebmann and Sean O’Leary expressed their appreciation for the efforts of ODOT personnel who have worked on the many projects in progress and completed in the Norman area.

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

**ITEM PRESENTED BY THE DIRECTOR OF FINANCE AND ADMINISTRATION - Mr. Patterson**

14. Permanent Rulemaking Action to the Oklahoma Administrative Code, Title 730, Department of Transportation

Chapter 30. Highway Design  
 Subchapter 5. Consulting Engineer Services  
 730:30-5-1 (Amended)

This rule is critical to the modernization of the Department’s business practices, brings related policy into step with the statute and insures continuity in the 8 Year Construction Work Plan.

ACTION: Commissioner Benson moved and Commissioner Burgess seconded that Item 14 be amended to include the following language as a part of Subchapter 5, 730:30-5-1:

- (e) The Oklahoma Transportation Commission must approve each obligation of funds for engineering and planning work prior to contract execution.

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

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

15. Director's Report

Director Ridley discussed the economic stimulus package proposed by the new Administration in Washington, D. C. He stated that our personnel have screened our projects and selected projects not requiring the purchase of additional right-of-way, no extensive work to relocate utilities and no environmental impact concerns to prepare for the possibility of receiving this economic stimulus package. Our intent is to have the list of projects completed as far as design is concerned, so that when the new Administration is in place and the legislature does provide an economic stimulus package we will be ready to proceed with our projects. If Oklahoma does receive this stimulus package, there is a possibility that we will have an emergency Commission Meeting in the month of March.

**Information only; no Commission action required.**

**Adjourned 12:07 p.m.**

Approval of the Minutes of the January 5, 2009, Regular Transportation Commission Meeting

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James H., Dunegan - Vice Chairman

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Carlisle Mabrey - Member

(Seal)