

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING

HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM OKLAHOMA CITY, OKLAHOMA

BE IT REMEMBERED that on Monday the 3rd day of September, 2019, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

NOTICE of the schedule of regular meetings of the Oklahoma Department of Transportation for the calendar year 2019 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in a prominent public view at or before 11:00 a.m. on Thursday, August 29, 2019 prior to the meeting, on the Atrium Informational Monitor in the ODOT building, and on the glass doors on the north side of the ODOT Building in accordance with Oklahoma Open Meeting Act, 25 O.S. Section 311.

ITEMS PRESENTED BY COMMISSION CHAIRMAN

CALL TO ORDER: Mr. Gene McKown called the meeting to order at 11:01 a.m.

ROLL CALL:

Present:	Bob Coburn	Member
	James Grimsley	Member
	T.W. Shannon	Secretary
	David Dyson	Member
	Steve LaForge	Member
	Bob Peterson	Vice-Chairman
	Gene McKown	Chairman
Absent:	Don Freymiller	
	Bobby Alexander	
Presiding:	Gene McKown	

The following items were presented and approved as written at the Transportation Commission meeting of September 3, 2019. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner McKown thanked everyone for coming and introduced Special Guests: Representative Denise Crosswhite Hader and Baylee Williams, from Governor Stitt's Office. We really do appreciate everybody coming and participating in our Commission Meeting.

Chairman McKown then recognized Secretary/Director Gatz for some announcements and presentations.

ANNOUNCEMENTS AND PRESENTATIONS

Secretary Gatz said the Department was recently honored with an award from the American Association of State Highway and Transportation Officials Standing Committee on Transportation Communications. A photo of the Skydance Bridge over the I-40 Crosstown in Oklahoma City taken by Sieana Mackiewicz from our Visual Studio's office earned first place in the Annual TransComm Skills Contest. The bridge was lit in orange lights, as part of our Work Zone Awareness Campaign this past spring, and honored the 61 ODOT workers killed in the line of duty in the agency's history. Accepting the award were Sieana, Office Services Video Specialist Eric Leslie, and Chairman McKown.

Secretary Gatz said I have another recognition and we will do 1 more photo. Recently an ODOT publication won the "2019 Notable Document Award" from the Legislative Research Librarians Committee of the National Conference of State Legislatures. This was for our book called "Bridging The Mighty Red", Red River Crossings Between Oklahoma and Texas, which chronicles the history of the Red River and the various crossings from Native American Trails, to ferries, to the modern highway system. The book was prepared through our cultural and natural resources program as part of mitigation efforts for recent bridge replacements at the Red River on State Highway 78 in Division II and State Highway 79 in Division VII. This was one of 14 winners nationwide in this competition. Accepting the award was Program Director Scott Sundermeyer, Environmental Programs Division Engineer Siv Sundaram, and Commissioners Grimsley and LaForge.

Secretary Gatz said there are copies of the book on the horseshoe for the Commissioners; and this is a really nice document and something that we can be really, really proud of.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

119. Approval of the Minutes of the Transportation Commission Meeting of August 5, 2019

ACTION: Peterson moved and Coburn seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, Dyson, LaForge, Peterson and McKown
NAYES: None
ABSTAIN: None
ABSENT: Freymiller and Alexander

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

120. Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds - Mr. Schwennesen

a) McCurtain County – Commission District II

Texas, Oklahoma & Eastern rail lines: Construction funding for the installation of new Yield signs, reflective metal strips and fasteners at 27 locations in McCurtain County, ODOT Division 2. Total cost is \$4,772.38

b) Multiple Counties – Commission District VIII

South Kansas & Oklahoma rail lines: Construction funding for the installation of new Crossbuck Sign assemblies with Yield signs and break-away posts at 17 locations in Rogers, Tulsa and Washington Counties in ODOT Division VIII. Total cost is \$37,142.55

c) Multiple Counties – Commission Districts III, IV, V, VII & VIII

Stillwater Central, Hollis & Eastern rail lines: Construction funding for the installation of new Crossbuck Sign assemblies with Yield signs and break-away posts at 85 locations throughout, Lincoln County, ODOT Division III, Canadian, Oklahoma and Payne Counties, ODOT Division IV, Jackson County, ODOT Division V, Caddo, Comanche and Grady Counties, ODOT Division VII, as well as Pawnee, Creek and Tulsa Counties, ODOT Division VIII. The improvements on all of the routes operated by the Stillwater Central in Oklahoma. Total cost is \$176,553.30

d) Leflore County – Commission District II

Kansas City Southern rail line: additional funding for boring, rock, and a retaining wall necessary to facilitate the completion of a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms, and two 56' concrete crossing surfaces at SH-128 in Leflore County, ODOT Division II. The funding originally authorized by the OTC was \$668,991 and the additional authorization being requested is \$109,262.65. Total project cost increases to \$778,253.65

121. Speed Zone Revisions – Mr. Pendley

Rogers County – District VIII – various locations along SH-88 in the Town of Inola

122. Land Sales – Mr. Phillips

- a) Lincoln County – District III – Land Sale – located at NW corner of US-62 and Adam Road east of Harrah - \$26,200.00
- b) Mayes County - District VIII – Land Sale - located along the east side of SH-82 south of Langley - \$100.00
- c) Tulsa County – District VIII – Land Sale – located at NW corner of SH-97 and E. 34th Street South in Sand Springs - \$50,300.00

123. Memorial Highway and Bridge Designations - Ms. Smith

ACTION: Coburn moved and Dyson seconded that the Consent Docket be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon McKown, Dyson, LaForge and Peterson
NAYES: None
ABSENT: Freymiller and Alexander

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

124. Programming Items

- a) LeFlore County – District II - a project to repair vehicle impact damage to US-271 over Fourche Maline Creek located at 26 miles North of Pushmataha County line in LeFlore County - \$45,000 - Party responsible for the damage is known.
- b) Cleveland County – District III - a project to repair fire damage and vehicle impact damage to US-77 SB over I-35 NB located at the intersection of US-77 SB and I-35 in Cleveland County - \$150,000 - Party responsible for the damage is known.

ACTION: Coburn moved and Shannon seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, McKown, Dyson, LaForge, and Peterson
NAYES: None
ABSENT: Freymiller and Alexander

125. Engineering Contracts

a) Statewide – All Districts - On-Demand Airborne LiDAR Mapping

CI-2095A	Bearing Tree Land Survey
CI-2095B	Quantum Spatial, Inc.

The total aggregate not to exceed amount for these two (2) contracts is \$1,500,000.00

b) Statewide – All Districts – Creation of Low-Distortion Projections (LDPs) for the State of Oklahoma

CI-2097	Half Associates, Inc.	\$119,705.00
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c) Statewide – All Districts - On-Demand Environmental Services for Local Government Projects

CI-2101A	Able Consulting, LLC
CI-2101B	CC Environmental
CI-2101C	C.H. Guernsey & Co.
CI-2101D	CP&Y, Inc.
CI-2101E	Cox McLain Environmental Consulting, Inc.
CI-2101F	Garver, LLC
CI-2101G	Kleinfelder, Inc.
CI-2101H	Olsson Associates

The aggregate not to exceed amount for these eight (8) contracts is \$2,400,000.00

d) Statewide – All Districts - On-Demand Biological Assessment and Studies, Monitoring, and Surveys of Threatened and Endangered Species, Bald Eagle and Migratory Birds

CI-2102A	Blackbird Environmental, LLC
CI-2102B	Cox McLain Environmental Consulting, Inc.
CI-2102C	Garver, LLC
CI-2102D	HDR Engineering, Inc.
CI-2102E	Olsson Associates

The aggregate not to exceed amount for these five (5) contracts is \$1,250,000.00

e) Statewide – All Districts – Architectural Services and Preparation of Building Construction Plans

CI-2106	CEC Corporation	\$3,000,000.00
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f) Johnston County – Commission District III – to prepare construction plans for SH-22 over Unnamed Creek

CI-2115	Tetra Tech, Inc.	\$274,436.00
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g) Lincoln County – Commission District III – to prepare construction plans for US-177; From 1 mile south of SH-40A, extend north 5.0 miles to junction SH-105

CI-2116	Atkins North America, Inc.	\$619,978.00
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h) Garfield County – Commission District IV – to provide preliminary engineering and prepare construction plans for US-412; From Garland, extend east 6.0 miles to the US-64 junction

CI-2118	Triad Design Group, Inc.	\$659,570.00
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- c) Canadian County – Commission District IV – this supplement is for additional engineering to develop final construction plans for US-281 over the South Canadian River at the Caddo County Line

EC-1408A Supplement 2 CP&Y, Inc. \$403,048.19

NOTE: Commissioner Shannon asked what causes the increase in these supplements.

Mr. Tegeler said typically if we have something that changes in their contract that's outside the scope of the contract, then we will sit down and negotiate that scope and change in fee. Sometimes there are other requests that come up; like part **b)**, we needed additional surveys, so we allowed them to go ahead and get the additional surveys.

ACTION: Coburn moved and Peterson seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, McKown, Dyson, LaForge, and Peterson
NAYES: None
ABSENT: Freymiller and Alexander

ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

127. Change Orders with Cumulative Total of \$75,000.00 or Less – Information Only

- a) Beckham County - Co. Rd. - STP-205D(075)CI / 30694(04), \$5,368.56, 1.19%
- b) Cherokee County - SH-51 - STP-011C(345) / 10437(04), \$2.23, -0.00% Underrun
- c) Comanche County - US-62 - HSIP-216N(068)TR / 33077(04), \$225.00, 0.16%
- d) Craig County - SH-10 - ACSTP-218C(054)SS / 27069(04), \$3,488.64, 0.07%
- e) Garvin County - Co. Rd. - STP-225C(071)CI / 31426(04), \$812.00, 0.06%
- f) Hughes County - SH-9 - STP-232C(059)PM / 28939(04), \$39,001.88, 1.56%
- g) Kingfisher County - Co. Rd. - ACSTP-237D(045)CI / 28437(04), \$8,609.92, 1.16%
- h) Logan County - SH-51 - STP-242C(057)(058)SS / 27099(04), \$12,285.00, 0.28%
- i) Marshall County - Co. Rd. - CIRB-248D(040)RB / 29988(04), \$56,474.08, 7.12%
- j) McIntosh County - Co. Rd. - STP-246C(030)CI / 29374(04), \$2,640.00, 0.24%
- k) Murray County - Co. Rd. - CIRB-250C(021)RB / 29397(04), \$11,830.00, 1.10%
- l) Murray County - SH-7 - TAP-250D(022)TP / SSP-250N(018)PM / 33320(04), \$0.00, 0.00%
- m) Okfuskee County - I-40/US-75 - SAP-254N(042) / SAP-232B(060) / 33324(04), \$535.86, 0.56%
- n) Oklahoma County - Ct. St. - STP-255E(475)AG / 30193(04), \$13,380.00, 0.22%
- o) Oklahoma County - Ct. St. - STP-255D(442)AG / 31527(04), \$4,479.00, 0.44%
- p) Oklahoma County - Co. Rd. - STP-255C(464)CB / 32592(04), \$2,275.35, 0.57%
- q) Payne County - US-177 - HSIPG-260N(060)AD / 32952(04), \$4,727.67, 0.95%
- r) Payne County - Ct. St. - TAP-260D(033)TP / 33011(04), \$2,385.19, 0.17%
- s) Pittsburg County - US-69 - STP-207F(082)3B / 33717(04), \$51,970.50, 8.49%
- t) Tulsa County - US-64 - ACNHPP-272N(200)SS / 28884(04), \$4,754.55, 0.16%
- u) Tulsa County - Ct. St. - TAP-272E(233)IG / 33035(04), \$2,695.00, 0.49%
- v) Wagoner County - Co. Rd. - ACSTP-273C(048)CI / 28504(04), \$25,650.00, 1.74%

128. Change Orders with Cumulative Total Greater than \$75,000.00

- a) Blaine County - SH-51 - STP-206C(053)PM / 27950(04), \$7,278.58, 0.22%
- b) Caddo County - SH-58 - ACSTP-208C(048)(053)SS / STP-208C(049)SS / 27039(04), \$9,297.75, 0.07%
- c) Canadian County - Ct. St. - TAP-255A(334)AG / 31441(04), \$72,682.95, 9.31%
- d) Carter County - SH-53 - ACSTP-110C(189)(192)SS / 24104(04), \$172,500.00, 2.21%
- e) Cleveland County - SH-9 - SSP-114N(099)SS / 20266(04), \$15,817.15, 0.16%

- f) Delaware County - SH-85 - STP-121C(097)SS / 24147(04), \$307,737.47, 5.38%
- g) Dewey County - US-183 - ACNHPP-122N(052)PM / 06377(14), \$201,186.69, 4.93%
- h) Dewey County - US-270 - NHPP-222N(027) / 17671(34) #12, \$170,279.14, 2.14%
- i) Dewey County - US-270 - NHPP-222N(027) / 17671(34) #13, \$292,139.69, 3.68%
- j) Hughes County - SH-9 - STP-232C(059)PM / 28939(04), \$51,921.60, 2.08%
- k) Johnston County - SH-99 - ACSTP-135B(086)SS / 23268(04), \$56,632.17, -0.51% Underrun
- l) Lincoln County - SH-105 - ACSTP-241C(044)SS / 27060(04), \$27,967.90, 1.59%
- m) Logan County - SH-33 - ACSTP-242C(046)SS / 21860(04), \$1,899.98, 0.01%
- n) Marshall County - Co. Rd. - CIRB-248D(041)RB / 32355(04), \$90,576.00, 9.64%
- o) McIntosh County - US-69 - NHPP-246N(027) / 29755(04), \$1,158,915.80, 4.73%
- p) Oklahoma County - Ct. St. - STP-255B(360)AG / 30326(04), \$184,810.56, 4.18%
- q) Tulsa County - US-169 - NHPP-272N(242)3P / 31357(04), \$3,644.58, 0.18%
- r) Tulsa County - I-444 - ACNHPP-4440(006)SS / 31881(04), \$52,190.89, 0.75%
- s) Washington County - US-75 - NHPP-274N(022)PM / 32692(04), \$45,066.85, 6.64%
- t) Washita County - SH-55 - STP-275C(044)PM / 27902(04), \$52,664.05, 2.15%
- u) Washita County - I-40 - ACNHPP-4000-(057)PM / 27935(04), \$478,000.00, 5.62%
- v) Washita County - Co. Rd. - SBR-4000(036)SB / 31783(04) #2, \$42,019.18, 2.88%
- w) Washita County - Co. Rd. - SBR-4000(036)SB / 31783(04) #3, \$717.39, 0.05%

NOTE: Commissioner Peterson asked on part r) what is false work and jacking pay. I am not familiar with that nomenclature.

Mr. Leonard said that this was a bridge repair project; and “false work jacking” is supporting the existing structure while we do work on it. It’s like a post-tensioned bridge, like out there on I-235; and whenever you work those joints over, you have to support them somehow while you’re working on those joints.

ACTION: Coburn moved and Dyson seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Shannon, McKown, Dyson, LaForge, and Peterson
 NAYES: None
 ABSENT: Freymiller and Alexander

ITEMS PRESENTED BY THE DIRECTOR OF FINANCE & ADMINISTRATION – Ms. Hilmes

Item No. 129 was presented by Ms. Dawn Sullivan

129. Lettings

- a) Final November, 2019 Proposed Bid Opening
- b) Tentative January, 2020 Proposed Bid Opening

ACTION: LaForge moved and Shannon seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Shannon, McKown, Dyson, LaForge, and Peterson
 NAYES: None
 ABSENT: Freymiller and Alexander

ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

130. Awards

August 22, 2019 – Regular Letting

ACTION: Coburn moved and Dyson seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, McKown, Dyson, LaForge, and Peterson
NAYES: None
ABSENT: Freymiller and Alexander

ITEMS PRESENTED BY THE DIRECTOR – Mr. Gatz

131. Director's Report

Secretary Gatz said even though Chelley Hilmes couldn't be here today; I wanted to pass along that Chelley is going to join us as part of our Executive Staff, as the Director of Finance and Administration and our Chief Financial Officer. So we will do this a little bit more formally when Chelley is able to rejoin us at the next Commission Meeting; but I wanted you to be aware that she is going to join us at the Executive Staff table.

I want to thank you for your participation in the 8 Year Rebalancing Process. I know it's often very difficult to find time in your schedule to sit down with us, but I really appreciate each of you taking the time. I felt like the meetings that we've had to this point and the discussion to this point has been exceptional. I look forward to putting the finishing touches on the plan and having that for your consideration at the October meeting. The October meeting will be on October 14th, so that is a little bit different than the 1st Monday meeting that we normally would have. So that will be the 2nd Monday of the month; and even though that is Columbus Day, the State Offices will be open.

We had a Reason Foundation report that came out recently that had some information in it that was a little bit concerning for the Department. We took a look at it and are struggling to some extent to understand what that report looked at and the context in which it was presented. Sometimes the reports and the publications that come out over the course of a year can be a little bit challenging to interpret. And sometimes the reports have some serious deficiencies that don't necessarily correspond with the things that we talk about. Such as Structurally Deficient Bridges being one of our target performance metrics that we're uniquely focused on and our data that we collect here didn't match with the data in the report. So reconciling that can be difficult from time to time; but I just wanted to make you aware that we don't necessarily agree with all of the assertions that were released in that report.

To give you a little bit of an update on our Office of Mobility and Public Transit, we continue our efforts to stand up that new office in accordance with the requirements of statute. We are working right now to bring all of our transit providers and stakeholders together to identify shared goals, objectives and performance metrics for the first Oklahoma Public Transit Policy Plan and to discuss how the Department's new Office of Mobility and the Public Transit can help address the identified needs. I'll have another report for you on at the October Commission Meeting; and I will continue to give you periodic updates until we get that office to the point where we feel like it's established and moving forward.

We got good news last week when USDOT announced we were one of the recipients chosen for the new Competitive Highway Bridge Program Grants. These Grants are targeted towards rural and less populous states. Oklahoma's submission was 1 of 20 projects selected to receive federal funding. The grant that we received is for 3.5 million to help replace 34 smaller county bridges in Grant County bundled together in 1 project. These are structurally deficient bridges and many of them are old wooden structures, which require very specialized attention when it comes to bridge inspections. Grant County has a low population but a really extensive county road system and the highest number of structurally deficient bridges of any county. This grant is going to help Grant County reduce that number and we really appreciate working with their 3 County Commissioners, and the support that we received from our Congressional Delegation; especially Senator Inhofe. His input and insight into grant programs like this is invaluable to us and we really appreciate that.

One of the items today that you approved was related to producing architectural plans and engineering site plans for our Ports of Entry projects; along with other projects that might come up where we need those services during the year. As Mr. Tegeler alluded to, we are working very closely with the Department of Public Safety and the Corporation Commission to prepare, in order of priority, for our Ports of Entry. Our next focus is going to be on Highway 69. Highway 69 is a very important transportation corridor in the State of Oklahoma. It carries a very high volume of truck traffic, and we will be looking at a Port of Entry down at Colbert on Highway 69. So this will help us move and advance that project forward in our preparations to build the next one.

And again, that requires close coordination with the DPS and the Corporation Commission to make sure that we are prepared to staff and operate that facility once it is constructed; these conversations are ongoing. The Ports of Entry are absolutely one of our best tools for protecting our investment in our transportation infrastructure by helping monitor the trucks on the road, whether they are legally loaded; but in addition to highway safety and the inspection services that are performed at those locations by the Department of Public Safety to make sure that the trucks being operated out there, are in good service and in good operating condition.

Information Only: No Commission action required.

ITEM PRESENTED BY COMMISSION CHAIRMAN

132. Adjournment Motion

ACTION: Peterson moved and Coburn seconded that the Meeting be adjourned.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, McKown, Dyson, LaForge and Peterson
NAYES: None
ABSENT: Freymiller and Alexander

Meeting adjourned at 11:34 a.m.

Approval of the Minutes of the Transportation Commission Meeting September 3, 2019.

Gene McKown - Chairman

Bob Peterson - Vice Chairman