

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING

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

BE IT REMEMBERED that on Monday the 4th day of November, 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, October 31, 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 11:00 a.m.

ROLL CALL:

Present:	Gene McKown	Chairman
	James Grimsley	Member
	T.W. Shannon	Secretary
	Don Freymiller	Member
	David Dyson	Member
	Bobby Alexander	Member
	Steve LaForge	Member
	Bob Peterson	Vice-Chairman
	Bob Coburn	Member
Absent:	None	
Presiding:	Gene McKown	

The following items were presented and approved as written at the Transportation Commission meeting of November 4, 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 Ronny Johns, Bobby Stem from AOGC, Gary Ridley and Mike Patterson, former Secretaries of Transportation. We really do appreciate everybody coming and participating in our Commission Meeting.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

150. Approval of the Minutes of the Transportation Commission Meeting of October 14, 2019

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

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

Multiple Counties – Commission Districts II, III & IV

Arkansas-Oklahoma Railroad rail lines: Construction funding for the installation of new railroad Crossbuck signs and Yield signs which includes the installation of breakaway sign posts at 90 locations throughout Latimer, LeFlore, and Pittsburg Counties in ODOT Division 2, Pottawatomie County in ODOT Division 3, and Oklahoma County in ODOT Division 4. Total cost is \$201,734.10

152. State Highway System Revisions – Mr. Swift

A) Removal of US-70B between US-70/US-271/Indian Nation Turnpike and US-70

B) Removal of US-271B between US-70/US-271 and US-70B City of Hugo

Choctaw County – District II

This item is necessitated by the City of Hugo's request for removal of US-70B and US-271B through the City of Hugo in Choctaw County.

Remove from the State Highway System, a 4.80 mile stretch of roadway, known as US-70B, beginning at the intersection of US-70 and US-271 to the intersection of US-70. Also remove from the State Highway System, a 1.53 mile stretch of roadway, known as US-271B, beginning at the intersection of US-70 and US-271 to the intersection of US-70B. These portions of US-70B and US-271B will be transferred to the appropriate local jurisdiction for further maintenance or abandonment. In accordance with state law, a Public Removal Hearing was held August 29, 2019 at the City of Hugo City Hall in Hugo, OK.

This revision will become effective upon approval by the State Transportation Commission, completion of new construction and completion of certification by the Division II Engineer that the proposed removed roadways meet mandated criteria.

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

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

153. Programming Item

Cleveland County – District III – to program a project to repair vehicle impact damage to Indian Hills Road over I-35, located 7.4 miles north McClain County Line in Cleveland County - \$50,000 - Party responsible for the damage is unknown.

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

154. Engineering Contract Supplements

- a) Statewide – All Districts – this supplement is to increase funding for On-Demand Land Surveying Services

CI-2085A	Supplement 2	Carroll Surveying & Mapping, LLC
CI-2085B	Supplement 3	CEC Corporation
CI-2085C	Supplement 2	Frontier Land Surveying, LLC
CI-2085D	Supplement 2	Heartland Surveying & Mapping, PLLC
CI-2085E	Supplement 2	Keystone Engineering & Land Surveying
CI-2085F	Supplement 2	White Hawk Engineering and Design, LLC

The total aggregate increase for these supplement contracts is \$1,800,000.00

- b) Kay County – District IV – this supplement is for additional engineering to develop final construction plans for SH-11 over abandoned railroad, 0.63 miles east of US-177 junction

EC-1841	Supplement 1	Atkins North America, Inc.	\$73,014.00
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- c) Custer County - District V – this supplement is for additional engineering to develop final construction plans for SH-33 reconstruct pavement beginning 0.37 miles east of SH-47 and extending east 0.67 miles in the City of Thomas

EC-1843	Supplement 2	Atkins North America, Inc.	\$138,227.00
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- d) Custer County - District V - this supplement is for additional preliminary engineering studies for I-40 interchange and intersection modification at Exit 65, I-40B west junction in Clinton

EC-1962	Supplement 2	Garver, LLC	\$673,147.00
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ACTION: Shannon moved and Dyson seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, McKown, Dyson, Alexander, LaForge, and Peterson

NAYES: None

ABSENT: None

ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

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

- a) Cleveland County - Ct. St. - STPG-214C(003)AG / 28889(04), \$57,286.00, -9.89% Underrun
- b) Coal County - US-75 - SSR-215N(029)SR / 33413(04), \$254.76, -0.04% Underrun
- c) Cotton County - US-277 - ACSTP-217C(029)SS / 28036(04), \$6,270.83, 0.08%
- d) Craig County - SH-10 - ACSTP-218C(054)SS / 27069(04), \$1,688.03, 0.04%
- e) Creek County - Co. Rd. - STP-119D(131)CI / 22752(04), \$9,470.00, 1.08%
- f) Garvin County - US-77 - STP-125A(190)PM / 27566(04), \$64,437.13, 0.94%
- g) Garvin County - SH-17A - NHPPI-225N(001)SS / 29110(04), \$9,246.90, 0.43%
- h) Grady County - Co. Rd. - CIRB-226D(071)RB / 28471(04), \$3,901.59, 0.44%
- i) Jefferson County - SH-79 - STP-234B(014)SS / 27977(04), \$62,208.17, 0.56%
- j) Kiowa County - SH-6 - STP-038B(232)SS / 15027(04), \$38,072.71, 0.19%
- k) Kiowa County - SH-19 - STP-238C(045)(046)SS / 27904(04), \$40,381.39, 1.94%
- l) Marshall County - Co. Rd. - STP-248C(038)CO / 32354(04), \$8,236.51, 0.67%
- m) Murray County - Co. Rd. - CIRB-250C(021)RB / 29397(04), \$4,099.20, 0.38%
- n) Nowata County - US-60 - NHPP-253N(042)(043)PM / 27012(05) #1, \$94,440.04, -1.13% Underrun
- o) Nowata County - US-60 - NHPP-253N(042)(043)PM / 27012(05) #2, \$3,538.20, 0.04%
- p) Oklahoma County - I-235 - NHPPI-2350-(009)PM / 09033(27), \$24,133.76, 0.02%

- q) Oklahoma County - Ct. St. - STP-255C(343)AG / 30277(04), \$41,689.00, 0.35%
- r) Oklahoma County - I-40 - NHPPI-3500-(062)SS / 30444(06), \$20,183.06, 0.40%
- s) Oklahoma County - I-35 FRONTAGE ROAD - TAP-255D(327)AG / 31434(04), \$19,484.05, 4.25%
- t) Oklahoma County - Ct. St. - STP-255D(442)AG / 31527(04), \$20,489.60, 2.00%
- u) Osage County - SH-99 - SSP-157B(101)SS / 24261(04), \$34,894.54, 0.52%
- v) Osage County - Co. Rd. - CIRB-257D(064)RB / 30704(04), \$9,005.29, 0.99%
- w) Payne County - US-177 - HSIPG-260N(060)AD / 32952(04), \$55,235.83, 11.08%
- x) Payne County - Ct. St. - TAP-260D(033)TP / 33011(04), \$20,912.40, 1.45%
- y) Pittsburg County - SH-113 - SBR-261N(082)(081)SB / 31143(04), \$40,000.00, 5.03%
- z) Pontotoc County - Co. Rd. - CIRB-262C(048)RB / 31252(04), \$61,563.60, -1.11% Underrun
- aa) Pontotoc County - SH-48 - SSR-262B(051)SR / 33753(04), \$74,932.40, 9.53%
- bb) Seminole County - SH-56 - STP-267C(045)SS / 28911(04), \$9,051.87, 0.30%
- cc) Seminole County - US-270 - STP-267A(074)3P / 33329(04) #3, \$31,718.88, 3.24%
- dd) Seminole County - US-270 - STP-267A(074)3P / 33329(04) #4, \$1,768.07, 0.18%
- ee) Stephens County - US-81 - SSP-269F(052)PM / 27928(04), \$6,562.00, 14.60%
- ff) Tulsa County - US-169 RAMPS - HSIP-272N(255)PM / 32702(04), \$10,905.00, 1.90%
- gg) Washington County - US-60 - SBR-274N(014)SB / 29825(04), \$40,646.21, 1.55%

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

- a) Beckham County - Co. Rd. - CIRB-105C(157)RB / 24839(04), \$56,202.21, 0.83%
- b) Caddo County - SH-58 - ACSTP-208C(048)(053)SS / STP-208C(049)SS / 27039(04), \$209,031.71, 1.56%
- c) Canadian County - SH-3 - NHPP-209N(066)3P / 33736(04), \$117,688.71, 2.77%
- d) Comanche County - Ct. St. - STP-116B(137)MS / 23410(04), \$95,726.00, 1.15%
- e) Comanche County - Ct. St. - STP-116B(137)MS / 23410(04), \$76,992.30, 0.93%
- f) Cotton County - Co. Rd. - ERSTP-217C(021)ER / 32035(08), \$26,906.01, 3.14%
- g) Creek County - Co. Rd. - CIRB-219C(058)RB / 29408(04), \$53,696.12, 2.93%
- h) Garvin County - US-77 - STP-125A(190)PM / 27566(04) #3, \$73,295.75, 1.07%
- i) Garvin County - US-77 - STP-125A(190)PM / 27566(04) #4, \$41,206.94, 0.60%
- j) Grady County - US-81 - SBR-226N(062)SB / 31311(04), \$94,465.71, 2.67%
- k) Harper County - Co. Rd. - STP-230C(020)CI / 29347(04), \$130,356.61, 4.58%
- l) Hughes County - SH-9 - STP-232C(059)PM / 28939(04), \$316,793.48, 12.68%
- m) Kingfisher County - US-81 - NHPP-237N(041)SS / 29842(04), \$3,069.60, 0.09%
- n) Lincoln County - US-62 - STP-241C(052)SS / 28925(04), \$50,639.72, 3.34%
- o) Logan County - US-77 - STP-242C(055)PM / 27103(04), \$3,697.50, 0.07%
- p) Love County - Co. Rd. - CIRB-143C(091)RB / 25447(04), \$16,850.00, 0.26%
- q) Major County - US-60 - ACNHPP-247N(018)SS / 27009(04), \$2,596.38, 0.03%
- r) Noble County - Co. Rd. - ACSTP-252C(043)CI / 31189(04), \$67,114.01, 4.22%
- s) Okfuskee County - SH-48 - STP-254C(035) / 28919(04), \$99,344.71, 2.91%
- t) Oklahoma County - Ct. St. - OKC-XTWN(078)SS / ACNHPP-XTWN(079)SS / 17428(88) #18, \$25,028.10, 0.10%
- u) Oklahoma County - Ct. St. - OKC-XTWN(078)SS / ACNHPP-XTWN(079)SS / 17428(88) #28, \$14,456.51, 0.06%
- v) Oklahoma County - Ct. St. - STP-255B(360)AG / 30326(04), \$3,550.00, 0.08%
- w) Pawnee County - US-64 - STP-159C(077)SS / 24323(04), \$19,439.84, 0.21%
- x) Pittsburg County - Co. Rd. - CIRB-261C(075)RB / 32356(04), \$92,164.46, 4.31%
- y) Pontotoc County - SH-48 - SSR-262B(051)SR / 33753(04), \$360,543.88, 45.83%
- z) Seminole County - SH-99 - NHPP-267N(062)PM / 23289(10), \$99,983.60, 1.03%
- aa) Seminole County - SH-56 - STP-267C(045)SS / 28911(04), \$99,957.59, 3.36%
- bb) Stephens County - SH-29 - STP-169B(134)PM / 24412(04), \$145,130.66, 1.16%
- cc) Stephens County - Co. Rd. - CIRB-269C(002)RB / 27847(04), \$42,647.57, 0.89%
- dd) Tulsa County - SH-20 - SBR-272A(162)SB / 30598(04), \$38,363.64, 2.51%
- ee) Tulsa County - I-444 - ACNHPP-4440(006)SS / 31881(04), \$5,787.49, 0.08%
- ff) Washington County - US-60 - SBR-274N(014)SB / 29825(04), \$90,000.00, 3.44%
- gg) Washita County - SH-152 - STP-275C(043)PM / 27001(04), \$126,176.22, 5.56%

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

ITEMS PRESENTED BY THE DIRECTOR OF FINANCE & ADMINISTRATION

157. Lettings – Ms. Hilmes

- a) Final January, 2020 Proposed Bid Opening
- b) Tentative February, 2020 Proposed Bid Opening
- c) Tentative March, 2020 Proposed Bid Opening

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

158. Settlement for Damages to State Property – Ms. Williams

Jose Capuchino – Murray County - \$7,230.17

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

ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

159. Awards

October 17, 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, Freymiller, McKown, Dyson, Alexander, LaForge, and Peterson
NAYES: None
ABSENT: None

ITEMS PRESENTED BY THE DIRECTOR – Mr. Gatz

160. Declaration of Emergency

District VIII – Mayes County - Bridge repairs for bridge over Spavinaw Creek located 12.2 miles NE junction SH-82 - \$500,000.00

Information Only: No Commission action required.

NOTE: Secretary Gatz read the Declaration of Emergency into the record; however the bid process yielded a bid amount that was in excess of my authority. So now we need Commission approval to award repairs for this bridge; we have to vote on Addendum Item No. 163. Mr. Delce has the recommendation for award of this item.

NOTE: Addendum Item No. 163 was presented by Office Engineer, Mr. Delce at this time.

163. Emergency Bid Opening – October 31, 2019

Emergency Bridge Repair Project No. EMC-249B(055)ES in Mayes County - District VIII - SH-20 Bridge over Spavinaw Creek

NOTE: Mr. Delce read his recommendation of award into the record. The Engineer's estimate for the project was \$661,875. The low bid submitted by Manhattan Road and Bridge was \$978,000. The low bid exceeds the ODOT Director's authority for approval. The bid has been reviewed by the Department and has been deemed to be reasonable and appropriate for the scope of work. The Department therefore brings this item to the Commission with a recommendation that the low bid be awarded.

ACTION: Peterson moved and Coburn seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, McKown, Dyson, Alexander, LaForge, and Peterson

NAYES: None

ABSENT: None

161. Director's Report

Secretary Gatz said I want to highlight 2 pieces of traffic legislation that went into effect November 1st. Senate Bill 89 expanded Oklahoma's current "Move Over" law to require all drivers on multi-lane highways to change lanes when approaching a vehicle stopped on the side of the road with flashing lights on. This law updates prior legislation that required motorists to move over for first responders, law enforcement, and now it basically applies to all vehicles if they're displaying their flashing lights. I think the traveling public in most instances tries to provide that latitude, but it wasn't a bad idea to go ahead and put this into the Motor Vehicle Code and update that statute. And that's what this does, and that is in effect now.

The second law is House Bill 1071, which authorized potential speed limit increases on rural interstates and turnpikes, and again that went into effect on November 1st. It does not mandate those speed limit increases. Both ODOT and the Oklahoma Turnpike Authority are performing required studies to consider speed limit changes as outlined by statute, and the studies include elements of design such as roadway geometry, sight distances, traffic volumes, accident studies, and really what the traffic is doing out there on those facilities right now. Again, those studies are ongoing; we expect those to complete sometime after the first of the year. The Department will complete our analysis, our Traffic Engineers will bring back some recommendations, and as always we are very mindful of the safety of the traveling public. That is our #1 priority and we are going to take a really hard look at the speed studies that we are doing out there on the highways, to make sure that before we bring our recommendations forward to the Commission, that it makes sense from a public safety standpoint. And we expect that to happen sometime after the first of the year. We started those studies in advance of November 1st, so we didn't wait for the law to go into effect. That work is ongoing, but the numbers will have to be crunched, and we are really going to take a hard look at making sure that we are doing something that's safe.

The Department recently hosted the 2-Day Oklahoma Bike Summit here in our ODOT Commission Room. It really was focused on bike and pedestrian advocates and bringing them together with our engineers and planners to really advocate and understand the safety needs out there of all different modes of transportation. We had a good group, had a large contingent in attendance and I had the opportunity to visit with them during the lunch hour. That interaction is critical to the Department's decision making, as you might imagine, something that is a primary focus of our 8 Year Construction Work Plan is adding shoulders to rural 2-Lane highways that don't have shoulders. That initiative benefits not only the safety of vehicles, but it also adds a safety aspect for bicyclists that might be riding in those areas. So that investment strategy is helpful in many cases. Special guests at that meeting included Lt. Governor, Matt Pinnell, and the Executive Director of the League of American Bicyclists, Bill Nesper. And, again, I had the opportunity to visit with them, got some good

feedback, and that was kind of a historically significant event for the Department to have hosted that type of a meeting.

Lastly, we recently had a groundbreaking on the new Gilcrease Expressway in Tulsa. That project is a partnership between the ODOT, Oklahoma Turnpike Authority, City of Tulsa, INCOG, Tulsa County, INCOG, the metropolitan planning area there in the Tulsa area, and the Federal Highway Administration. This project there on the west side of Tulsa is a very, very important transportation corridor that will connect US Highway 412 South to Interstate 44 across the Arkansas River and across a pretty significant floodplain. The construction aspects of the project are pretty difficult. There are 22 bridge structures that will have to be constructed in that 5-mile segment. So this was another critical step in transportation investment that was made possible by leveraging resources across a lot of different Governmental Entities. So this is really proud moment for the Department to be a part of that, and a proud moment for the State of Oklahoma, certainly the Tulsa area, to move forward on a critical transportation improvement.

With that, I would be happy to answer any questions that the Commission might have.

Information Only: No Commission action required.

ITEM TO BE PRESENTED BY COMMISSION CHAIRMAN

162. Adjournment Motion

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

Meeting adjourned at 11:19 a.m.

Approval of the Minutes of the Transportation Commission Meeting November 4, 2019.

Gene McKown - Chairman

Bob Peterson - Vice Chairman