

# MINUTES FOR THE TRANSPORTATION COMMISSION MEETING OCTOBER 4, 2021

MINUTES OF THE COMMISSION MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, WAS HELD OCTOBER 4, 2021 IN THE COMMISSION MEETING ROOM OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, 200 NE 21<sup>ST</sup> STREET, OKLAHOMA CITY, OK 73105

Notice of the schedule of regular meetings of the Oklahoma Department of Transportation for the calendar year 2021 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in a prominent public view on the website of the Oklahoma Department of Transportation, [www.ok.gov/odot](http://www.ok.gov/odot), and on the glass doors on the north side of the ODOT Building twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and legal holidays, in accordance with Oklahoma Open Meeting Act, 25 O.S. Section 311.

## ITEMS PRESENTED BY COMMISSION CHAIRMAN

**CALL TO ORDER:** Mr. Dyson called the meeting to order at 11:00 a.m.

**ROLL CALL:**

<b>Present:</b>	TW Shannon	Secretary
	Bob Coburn	Member
	James Grimsley	Member
	David Dyson	Member
	Bobby Alexander	Member
	Steve LaForge	Member
<b>Absent:</b>	Gene McKown	
	Don Freymiller	
	Bob Peterson	
<b>Presiding:</b>	David Dyson	

The following items were presented and approved as written at the Transportation Commission meeting October 4, 2021. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Dyson thanked everyone for coming and introduced Special Guests: Representative Lonnie Sims, Representative Denise Crosswhite-Hader, Bobby Stem, Executive Director of the Association of Oklahoma General Contractors and Mike Patterson, former Secretary of Transportation. We really do appreciate everybody coming and participating in our Commission Meeting.

## ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

### **134. Approval of the Minutes of the Transportation Commission Meeting of September 7, 2021**

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

## CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

### **135. Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds - Mr. Schwennesen**

**a) Noble County – Commission District IV**

Near Marland, Construction funding for a signal, surface and drainage project which includes the installation of pedestal mounted flashing lights with gates, a 32' concrete crossing surface, a 40' concrete pipe West of tracks and a 100' concrete pipe East of the track at CR E0320 and the BNSF's mainline. Total cost is \$759,307.00

**136. Land Sales – Mr. Phillips**

- a) Bryan County – District II – located at the SW corner of the US-75 northbound off-ramp at its intersection with Platter Road (North 3660 Road), approximately 1.88 miles northeasterly of its intersection with SH-91 on the north side of the Town of Colbert, OK - \$511.00
- b) Pontotoc County – District III – located along the southerly side of SH-19, approximately 4.83 miles westerly of its intersection with SH-3W on the west side of Ada, OK - \$18,713.00
- c) Rogers County – District VIII – located along the northwesterly side of SH-66, approximately 1.16 miles northeasterly of the US-412 intersection in the City of Catoosa, OK - \$22,522.00

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

**END OF CONSENT DOCKET**

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**ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler**

**137. Engineering Contracts**

- a) Statewide – All Districts – On-Demand Geotechnical Investigations

CI-2336A	Burgess Engineering and Testing, Inc.
CI-2336B	EST, Inc.
CI-2336C	Kleinfelder, Inc.
CI-2336D	Midwest Engineering and Testing Corp.
CI-2336E	Olsson, Inc.
CI-2336F	Professional Service Industries, Inc.
CI-2336G	Standard Testing & Engineering, LLC
CI-2336H	Terracon Consultants, Inc.

Total Aggregate Not to Exceed Amount for these six (8) contracts is \$2,000,000.00

- b) McCurtain county – District II to provide preliminary engineering and prepare construction plans for US-259: from 6.25 miles north of junction SH-3, extending north 6.0 miles.

CI-2342A	Freese and Nichols, Inc.	\$704,800.00
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ACTION: Grimsley moved and Coburn seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Shannon, Dyson, Alexander and LaForge  
NAYES: None  
ABSENT: Freymiller, McKown and Peterson

### 138. Engineering Contract Supplements

- a) Oklahoma County – District IV – this supplement is for additional engineering to develop final construction plans for I-40: eastbound and westbound bridges over I-44, 5.3 miles east of the Canadian County line (“K” Interchange)

EC-1394P Supplement 7 Poe & Associates, Inc. \$118,995.00

- b) Oklahoma County – District IV – this supplement is for additional engineering to develop final construction plans for I-40: eastbound and westbound bridges over MacArthur Boulevard, Meridian Avenue and Portland Avenue

EC-1457B Supplement 3 Poe & Associates, Inc. \$1,170,062.00

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

### ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. McIntosh

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

- a) Alfalfa County - Co. Rd. - STP-202C(037)CI / 31769(04), \$37,142.39, 1.37%  
b) Atoka County - SH-3B - STP-203C(074)AD / 34379(04), \$2,200.40, 0.50%  
c) Blaine County - ROMAN NOSE LODGE - STP-106E(125)EH / TAP-206E(058)TP / TAP-206E(059)TP / 28830(04), #1, \$12,755.88, 0.76%  
d) Blaine County - ROMAN NOSE LODGE - STP-106E(125)EH / TAP-206E(058)TP / TAP-206E(059)TP / 28830(04), #2, \$36,714.13, 2.18%  
e) Bryan County - US-69 - BSAP-207N(012)FM / BSAP-207C(102)FM / SSP-013N(182)PM / 25909(17), \$12,784.07, 0.07%  
f) Caddo County - SH-8 - STP-208C(084)RW / 24418(07), \$3,000.00, 4.13%  
g) Caddo County - SH-19 - SBR-208C(071)SB / 30381(04), \$52,864.64, 3.83%  
h) Canadian County - I-40 - NHPPI-209N-(078)PM / 30715(04), \$17,488.63, 0.12%  
i) Canadian County - Ct. St. - TAP-209E(079)AG / 33282(04), \$0.00, 0.00%  
j) Cherokee County - US-62 - HISPG-211B(018)TR / 31680(04), \$15,071.89, 3.47%  
k) Cotton County - SH-5 - STP-217B(051)PM / 29573(04), \$64,000.00, 5.95%  
l) Craig County - US-59 - STP-118B(080)SS / 24115(04), \$5,985.50, 0.12%  
m) Craig County - SH-82 - STP-218C(037)SS / 27089(04), \$25,186.30, 0.68%  
n) Garfield County - SH-132 - SSP-224C(070)PM / 29482(04), \$5,166.00, 0.60%  
o) Garfield County - Co. Rd. - STP-224C(077)CI / 32843(04), \$23,680.00, 0.63%  
p) Grady County - US-62 - NHPP-126N(187)PM / 28182(04), \$55,453.85, 0.45%  
q) Grady County - US-81 - HSIPG-226N(067)TR / 33478(04), \$17,328.00, 1.10%  
r) Haskell County - SH-9 - HSIPG-231B(040)AD / 32838(04), \$7,382.30, 1.71%  
s) LeFlore County - SH-63 - SBR-240C(074)SB / 30431(04), \$31,207.50, 3.53%  
t) Lincoln County - SH-66B - STP-241C(059)PM / 28034(04), \$8,629.20, 0.36%  
u) Lincoln County - Co. Rd. - STP-241D(063)CI / 29267(04), \$17,182.60, 2.04%  
v) Love County - Co. Rd. - NHPPI-3500-(061)PM / 30365(04), \$4,400.00, 0.15%  
w) Major County - US-60 - SBR-247N(022)SB / 33390(04), \$67,594.62, 2.42%  
x) McIntosh County - Co. Rd. - CIRB-146C(101)RB / 25103(04), \$2,357.64, 0.11%  
y) McIntosh County - US-266 - SSR-246C(024)(025)SR / 29750(06), \$13,996.50, 0.71%  
z) McIntosh County - US-266 - STP-246C(047)AD / 32839(04), \$11,320.03, 3.30%  
aa) Muskogee County - I-40 - SSP-251C(116)PM / SBR-4000(107)SB / 33440(04), \$0.00, 0.00%  
bb) Noble County - I-35 - NHPPI-3500(111)PM / 33862(04), \$32,357.12, 0.85%  
cc) Oklahoma County - I-240 FRONTAGE ROAD - TAP-255N(331)AG / 31438(04), \$8,438.89, 1.34%  
dd) Pontotoc County - SH-99 - STP-162B(192)PM / 23286(07), \$1,500.00, 0.04%  
ee) Roger Mills County - SH-30/SH-33 - SSR-265C(021)(022)SR / 32739(04), \$7,427.57, 0.12%  
ff) Rogers County - SH-20 - STP-266B(081)PM / 27031(04), \$157,192.47, -0.36% Underrun  
gg) Seminole County - US-270 - STP-267B(075)RW / 21006(16), \$17,500.00, 6.39%  
hh) Sequoyah County - Co. Rd. - CIRB-168C(190)RB / 25434(04), \$9,760.00, 0.39%  
ii) Texas County - Co. Rd. - CIRB-270C(038)RB / STP-270C(037)CI / 28465(11), \$6,820.00, 0.12%

- jj) Tulsa County - Ct. St. - STP-272C(261)CI / 32203(04), \$23,014.95, 1.08%
- kk) Tulsa County - Ct. St. - NHPP-272N(283)IG / 33959(04), \$60,435.28, 2.02%
- ll) Washita County - I-40 - NHPPI-4000(084)PM / 27935(05), \$48,187.67, 0.63%

**140. Change Orders with Cumulative Total Greater than \$75,000.00 – Mr. McIntosh**

- a) Canadian County - US-81 (I-40B) - NHPP-209N(051)SS / 27004(04), #9, \$12,630.00, 0.13%
- b) Canadian County - US-81 (I-40B) - NHPP-209N(051)SS / 27004(04), #11, \$0.00, 0.00%
- c) Canadian County - US-81 (I-40B) - NHPP-209N(051)SS / 27004(04), #12, \$300.00, 0.00%
- d) Canadian County - US-81 (I-40B) - NHPP-209N(051)SS / 27004(04), #13, \$10,000.00, 0.10%
- e) Canadian County - SH-3 - SBR-209N(060)SB / 31031(04), \$15,798.03, 0.61%
- f) Cleveland County - Ct. St. - STP-214B(091)AG / 30606(04), \$18,533.99, 1.26%
- g) Coal County - SH-43 - STP-215C(017)SS / 29541(04), \$77,807.34, 3.62%
- h) Creek County - SH-66 - HSIP-119C(160)PM / 24132(04), \$25,441.88, 0.76%
- i) Latimer County - Co. Rd. - STP-239C(026)CI / 31231(04), \$2,009.82, 0.19%
- j) LeFlore County - US-259 - SSR-240N(084)SR / 33857(04), \$88,237.54, 2.71%
- k) Logan County - US-77 - STP-242C(055)PM / 27103(04), \$0.00, 0.00%
- l) McClain County - I-35 - NHPPI-3500(094)PM / 31045(04), \$103,046.40, 0.84%
- m) McCurtain County - US-70 - NHPP-016N(014)(015)3P / 33392(04), \$491,094.50, 21.10%
- n) Muskogee County - US-62/SH-10 - ACSTP-251B(058)SS / 27956(04), \$71,206.20, 1.36%
- o) Okfuskee County - Co. Rd. - STP-154D(099)CI / 23957(04), \$112,520.00, 14.27%
- p) Oklahoma County - Ct. St. - STP-255B(360)AG / 30326(04), \$13,043.59, 0.30%
- q) Osage County - US-60 - NHPP-257N(060)SS / 29587(04), \$109,063.57, 4.70%
- r) Ottawa County - SH-125 - STP-258C(065)PM / 27016(04), \$82,011.36, 3.04%
- s) Ottawa County - SH-125 - STP-258B(045)PM / 28871(04), \$13,447.66, 0.43%
- t) Pushmataha County - US-271 - STP-264B(076)PM / 27026(04), \$3,300.00, 0.12%
- u) Sequoyah County - US-64 - STP-268C(074)3P / 33833(04), \$127,088.57, 11.00%
- v) Stephens County - Co. Rd. - CIRB-269C(002)RB / 27847(04), \$14,102.66, 0.29%
- w) Stephens County - Ct. St. - TAP-269E(061)TP / 32982(04), \$155,493.35, 14.11%
- x) Texas County - SH-136 - STP-170C(123)SS / STP-170C(127)PM / 24241(04), #4, \$16,500.00, 0.09%
- y) Texas County - SH-136 - STP-170C(123)SS / STP-170C(127)PM / 24241(04), #5, \$63,059.76, 0.35%
- z) Tulsa County - Ct. St. - STP-272B(278)CI / 30703(04), \$56,245.50, 1.95%
- aa) Woodward County - Ct. St. - ACSTP-277C(043)UR / ACSTP-277D(044)UR / TAP-277D(041)TP / 29799(04), \$2,500.00, 0.03%

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

**ITEMS PRESENTED BY THE COMPTROLLER DIVISION**

**141. Proposed Bid Openings – Mr. Hackney, Project Funding Manager**

- a) Tentative January, 2022 Proposed Bid Opening
- b) Tentative February, 2022 Proposed Bid Opening

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

**ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce**

**142. Awards**

September 16, 2021 – Regular Letting

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

**ITEMS PRESENTED BY THE PROJECT MANAGEMENT DIVISION – Mr. Nguyen**

**143. Asset Preservation Plan**

The Department has completed the proposed Asset Preservation Plan with consideration for the critical needs of Oklahoma’s transportation infrastructure and the financial constraint mandated by the projected Federal and State funding availability. The Work Plan is balanced by District within the budgetary limitations of State fiscal years 2022 through 2025. The encompassed projects have been defined, validated and included in accordance with the transportation needs and priorities of the State.

**Information Only:** No Commission action required.

**144. 8-Year Construction Work Plan**

The Department has completed the proposed 8-Year Construction Work Plan with consideration for the critical needs of Oklahoma’s transportation infrastructure and the financial constraint mandated by the projected Federal and State funding availability. The Work Plan is balanced by District within the budgetary limitations of Federal fiscal years 2022 through 2029. The encompassed projects have been defined, validated and included in accordance with the transportation needs and priorities of the State.

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

**ITEM PRESENTED BY THE DIRECTOR – Mr. Gatz**

**145. Director’s Report**

Secretary Gatz thanked the Commissioners for their consideration and approval of the Department’s 8-Year Construction Work Plan. That is one of our benchmark documents that helps us progress improvements out on the highway system; and it helps make sure that we are preparing our projects and following through with our projects. It is an arduous process that we go through annually and it begins with funding projections, at both the state and federal levels. He thanked the Governor and the Legislature for the FY 2022 budget; our state funding improved significantly. We were looking at a \$180 Million takedown, but the Legislature stepped up and helped to make sure we had a consistent long-term investment at the state funding level. Today our CWP represents about 50% state funding and 50% federal funding. This is so much better than when we did our first CWP in 2003 that was pretty much 100% federally funded, because we had no state revenues to invest in construction. That is commitment over the long term from our Legislature and Governors, because that’s where it all begins. On the other side of that is our federal funding, as of right now we don’t have a 5 Year authorized highway bill; over the weekend Congress did sign a Continuing Resolution that will keep our federal funding going through the end of October. We are closely monitoring those discussions in Washington for the highway bill, and is confident/optimistic that Congress will be able to pass a long-term reauthorization of the federal surface transportation program.

The CWP includes projects to address 685 bridges to maintain Oklahoma's "Top 10" status for bridge conditions and nearly 2,206 miles of highway to improve pavement conditions; rural, 2-lane highways and urban interchanges. He commended the Commissioners, all the ODOT Staff and District Engineers that helped get this plan together and made sure we were focusing on the right improvements

*Commissioner Grimsley expressed that he is a big supporter of the 8-Year Construction Work Plan. He never realized the enormity of the transportation challenges until he joined the Commission. He felt that this CWP is a very positive plan and supports it fully.*

The Department has participated in several interim studies, and closely watching as they could have a direct impact on the Department. They are as follows:

- The need for additional interchanges along the Indian Nations Turnpike and the positive impact they could have on the surrounding communities and businesses.
- The Department's 8-year Construction Work Plan, with a particular focus in District II.
- I-244 through the Greenwood Community in Tulsa, with attention on overcoming barriers created by interstate highways.
- The development of Advanced Air Mobility systems in Oklahoma and the infrastructure required to support them.
- Methods to eliminate Structurally Deficient County Bridges
- State Procurement practices and procedure.
- The possibility of implementing a market-based pay scale and a merit-based pay for performance system for State Employees to aid recruitment and retainment.

ODOT is continuing our safety campaign "Make Safety Stick - Everybody Click". This month's emphasis will be on seatbelt usage; with the holidays rapidly approaching we all need to be aware of this. He spoke on several driver safety issues, but lack of seatbelt use and speeding are contributing to an increase in roadway fatalities in Oklahoma. **He noted that the black/white Speed Limit signs are posted for good clear dry conditions, and that most accidents happen in inclement weather conditions. Please slow down if it is raining or snowing!** He then showed a video of the new Public Service Announcement (PSA) encouraging drivers to buckle up.

He then updated the Commission on our Modernization efforts; we are currently working on a report for the ODOT and OTA Commission. We will present a "Master Services Agreement" between ODOT and OTA at the November Commission Meeting.

*Commissioner Grimsley commented that technology is a double edge sword; while it allows for safety in automobiles; but it also causes distracted driving (i.e. cellphones). And as a society we somehow need to make people aware that we can't tolerate this anymore, it is costing us in more ways than one.*

**Information Only:** No Commission action required.

## **ITEM PRESENTED BY COMMISSION CHAIRMAN**

### **146. Adjournment Motion**

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

**Meeting adjourned at 11:36 a.m.**

Approval of the Minutes of the Transportation Commission Meeting October 4, 2021.

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Gene McKown – Chairman

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Bob Peterson – Vice Chairman