

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING NOVEMBER 1, 2021

MINUTES OF THE COMMISSION MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, WAS HELD NOVEMBER 1, 2021 IN THE COMMISSION MEETING ROOM OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, 200 NE 21ST 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, 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. McKown called the meeting to order at 11:00 a.m.

ROLL CALL:

Present:	Gene McKown	Chairman
	Bob Peterson	Vice Chairman
	Bob Coburn	Member
	James Grimsley	Member
	Don Freymiller	Member
	David Dyson	Member
	Bobby Alexander	Member
	Steve LaForge	Member
Absent:	TW Shannon	
Presiding:	Gene McKown	

The following items were presented and approved as written at the Transportation Commission meeting November 1, 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 McKown thanked everyone for coming and introduced Special Guest: Bobby Stem, Executive Director of the Association of Oklahoma General Contractors. We really do appreciate everybody coming and participating in our Commission Meeting.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

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

ACTION: Grimsley moved and Dyson seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: McKown, Coburn, Grimsley, Freymiller, Dyson, Alexander and LaForge
ABSTAIN: Peterson
ABSENT: Shannon

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

148. Land Sales – Mr. Phillips

- a) Pontotoc County – District III – located on the west side of SH-1 / SH-3E / SH-99 / US-377 interchange North of Ada, OK - \$191,513.00
- b) Pontotoc County – District III – located on the east side of SH-1 / SH-3 / SH-99 interchange North of Ada, OK - \$36,113.00
- c) Tulsa County – District VIII – located along the south side of I-44, at the southeast corner of South Madison Avenue and East Skelly Drive in the City of Tulsa, OK - \$19,200.00

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

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

149. Programming Item

Tulsa County – District VIII – a project to repair vehicle impact damage to US-75 over 41st St., located 11 miles north junction SH-67, Tulsa County - \$40,000 – Party responsible for the damage is known.

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

150. Engineering Contracts

- a) Adair County – District I - to prepare construction plans for US-59: from approximately 200 feet north of Shell Branch Creek, north approximately 4.8 miles to Westville

CI-2341B MKEC Engineering, Inc. \$1,035,893.00

- b) Cherokee County – District I - to prepare construction plans for SH-80: from junction SH-251A, north approximately 0.5 miles.

CI-2339 Guy Engineering Services, Inc. \$731,386.00

- c) Haskell County – District I - to prepare construction plans for SH-9: from 1.0 mile east of SH-2 junction, east 4.0 miles

CI-2340 MacArthur Associated Consultants \$1,130,164.00

- d) Choctaw County – District II - to prepare construction plans for US-70: beginning 11.5 miles east of the Bryan County line, extending east 0.3 miles

CI-2342B	Meshek & Associates, LLC	\$492,301.00
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- e) Garvin County – District III - to prepare construction plans for SH-76: over Unnamed Creek, approximately 4.8 miles north of Carter County line

CI-2343A	MKEC Engineering, Inc.	\$178,555.00
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- f) Lincoln County - District III - to prepare construction plans for SH-66: from SH-102, east to US-177

CI-2341A	CEC Corporation	\$767,385.00
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- g) Seminole County – District III - to prepare construction plans for SH-59: over Unnamed Creek, approximately 9.1 miles east of SH-99

CI-2343C	CP&Y, Inc.	\$244,875.00
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ACTION: Grimsley moved and Freymiller seconded that the Items be approved as presented.
 MOTION: Carried by the following vote:
 AYES: McKown, Coburn, Grimsley, Freymiller, Dyson, Alexander, LaForge and Peterson
 NAYES: None
 ABSENT: Shannon

151. Engineering Contract Supplements

- a) Statewide – All Districts – On-Demand State Bridge Rehabilitation

CI-2293A	Supplement 1	EST, Inc.
CI-2293B	Supplement 1	H.W. Lochner, Inc.
CI-2293C	Supplement 1	Jacobs Engineering Group. Inc.
CI-2293D	Supplement 1	MKEC Engineering, Inc.
CI-2293E	Supplement 1	Purkeypile Engineering, LLC
CI-2293F	Supplement 1	Rhombic, LLC

Total aggregate increase for these 6 contract supplements is \$1,500,000.00

- b) Grant County – District IV – this supplement is for additional engineering to develop final construction plans for US-60: from US-81, extending east 9.1 miles

CI-2268A	Supplement 1	Atkins North America, Inc.	\$16,000.00
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ACTION: Peterson moved and Dyson seconded that the Items be approved as presented.
 MOTION: Carried by the following vote:
 AYES: McKown, Coburn, Grimsley, Freymiller, Dyson, Alexander, LaForge and Peterson
 NAYES: None
 ABSENT: Shannon

ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

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

- a) Blaine County - US-270 - NHPP-CRRS(013)PM / 34414(04), \$14,500.00, 0.41%
- b) Caddo County - Co. Rd. - STP-208B(089)CI / 30214(04), \$2,566.61, 0.20%
- c) Caddo County - Co. Rd. - STP-208B(097)CI / 33680(04), \$52,503.40, 6.28%
- d) Cherokee County - Co. Rd. - CIRB-111C(119)RB / 24824(04), \$1,868.37, 0.05%
- e) Cherokee County - SH-51 - ACSTP-211B(023)SS / 27038(04), \$45,306.95, 1.89%
- f) Cleveland County - US-77 - STP-114C(111)SS / 20997(04), \$7,573.68, 0.07%
- g) Coal County - US-75 - NHPP-215N(028)PM / 29731(04), \$15,281.18, 2.05%
- h) Creek County - SH-66 - NHPP-219N(084)3P / 33368(04), \$39,600.00, 2.87%
- i) Delaware County - Co. Rd. - STP-221D(048)CI / 29897(04), \$10,939.90, 1.07%
- j) Garvin County - I-35 - NHPPI-3500-(086)PM / 20970(08), \$43,170.40, 0.22%
- k) Garvin County - SH-19 - STP-225B(081)PM / 27830(04), \$23,161.99, 1.18%
- l) Grady County - SH-37 - STP-126C(063) / 20301(04), \$16,560.00, 0.14%
- m) Grady County - US-81 - SSP-226N(088)SS / 24428(20), \$23,191.41, -3.32% Underrun
- n) Johnston County - SH-48 - STP-235C(054)PM / 31049(04), \$50,905.74, 12.02%
- o) Johnston County - Co. Rd. - STP-235C(052)CI / 32331(04), \$73,091.48, 5.68%
- p) Kay County - I-35 - NHPPI-CRRS(001)PM / 35291(04), \$833.50, -0.01% Underrun
- q) Lincoln County - SH-18 - STP-241C(071)(076)3P / 33340(04), \$58,306.10, 1.94%
- r) Mayes County - SH-82 - SSR-249C(063)SR / 33377(04), \$21,415.42, 1.41%
- s) McIntosh County - I-40 - ACNHPPI-4000(029)SS / 26289(04), \$4,376.12, 0.03%
- t) McIntosh County - SH-52 - STP-246C(042)PM / 28973(04), \$19,360.00, 0.47%
- u) McIntosh County - US-266 - SSR-246C(024)(025)SR / 29750(06), \$3.11, -0.00% Underrun
- v) Nowata County - SH-10 - SBR-253C(046)SB / 31364(04), \$7,780.98, 1.50%
- w) Oklahoma County - Ct. St. - STP-155E(919)EH / 28817(04), \$4,175.68, 0.62%
- x) Pontotoc County - US-62 - SSP-262C(063)PM / 22973(19), \$2,400.00, 2.54%
- y) Seminole County - US-270 - NHPP-267N(088)AD / 32968(04), \$49,545.72, 8.02%
- z) Stephens County - SH-53 - STP-269C(080)PM / 30362(04), \$9,000.00, 0.19%
- aa) Tulsa County - Ct. St. - STP-272B(258)IG / 30742(04), #1, \$20,920.00, 0.24%
- bb) Tulsa County - Ct. St. - STP-272B(258)IG / 30742(04), #2, \$6,731.03, 0.08%
- cc) Tulsa County - US-75 - SBR-014N(111)SB / 32729(04), \$5,917.00, 0.62%
- dd) Tulsa County - I-244 - SBR-2440(032)SB / 34312(04), \$30,000.00, 16.88%
- ee) Washington County - US-75 - NHPP-014N(102)PM / 23170(11), \$4,243.38, 1.93%
- ff) Woods County - US-281 - STP-276B(039)AD / 33410(04), \$35.80, -0.01% Underrun

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

- a) Beckham County - SH-6 - STP-205B(076)PM / ACNHPPI-4000(061)PM / 30998(04), \$3,799.50, 0.01%
- b) Bryan County - US-69 - NHPP-207N(085)FP / 31855(04), \$100,000.00, 0.07%
- c) Craig County - US-59 - STP-118B(080)SS / 24115(04), \$324,270.59, 6.43%
- d) Custer County - SH-33 - SSP-220B(064)SS / 28772(04), \$25,809.61, 0.37%
- e) Dewey County - US-270 - NHPP-017N(258)PM / 17671(41), \$625,000.00, 2.95%
- f) Garvin County - US-77 - STP-125A(190)PM / 27566(04), \$297,500.00, 4.34%
- g) Garvin County - I-35 - SBR-125N(201)SB / 28184(04), \$340,874.43, 9.68%
- h) Kay County - SH-11 - SBR-236N(052)(053)SB / 29491(05), \$44,820.41, 0.85%
- i) Kiowa County - US-183 - SSR-271B(070)SR / 34395(04), \$19,428.00, 0.42%
- j) Logan County - SH-51 - STP-242C(057)(058)SS / 27099(04), \$2,321.60, 0.05%
- k) Mayes County - SH-28 - SSP-249C(049)(052)SS / 31884(05), \$142,073.37, 1.03%
- l) McClain County - I-35 - NHPPI-0035(297)SS / 23283(04), \$54,216.66, 1.13%
- m) McCurtain County - US-70 - NHPP-016N(014)(015)3P / 33392(04), #2, \$60,354.73, 2.59%
- n) McCurtain County - US-70 - NHPP-016N(014)(015)3P / 33392(04), #3, \$48,609.35, 2.09%
- o) Oklahoma County - I-240 - NHPPI-0240-1(358)004SS / 09032(17), \$121,314.07, 1.14%
- p) Oklahoma County - I-235 - NHPPI-2350-(009)PM / 09033(27), \$724,508.43, 0.72%
- q) Oklahoma County - I-40 - NHPPI-0040-5(394)129SS / NHPPI-4000-(095)PM / 23310(04), \$300,000.00, 0.40%
- r) Oklahoma County - SH-66 - SBR-155A(874)SB / 27586(04), \$149,244.22, 4.23%
- s) Oklahoma County - I-44 - NHPPI-4400-(037)(039)(040)(041)(042)(043) / 31006(04), #11, \$54,878.20, 0.20%

- t) Oklahoma County - I-44 - NHPPI-4400-(037)(039)(040)(041)(042)(043) / 31006(04), #12, \$0.01, 0.00%
- u) Oklahoma County - Co. Rd. - STP-255D(506)CO / 32884(04), \$99,914.05, 9.99%
- v) Okmulgee County - I-40 - NHPPI-4000-(005)SS / HSIPIG-0040-6(380)238TR / 27970(04), \$355,849.23, 2.28%
- w) Pittsburg County - US-69 - NHPP-261N(084)PM / 14999(09), \$270,000.00, 0.84%
- x) Pittsburg County - US-69 - SSP-261N(092)PM / 34341(04), \$181,588.00, 1.71%
- y) Rogers County - SH-20 - STP-266N(094)PM / 34222(04), #1, \$97,395.43, 2.11%
- z) Rogers County - SH-20 - STP-266N(094)PM / 34222(04), #2, \$103,939.25, 2.26%
- aa) Seminole County - US-270 - STP-167B(122)PM / 21006(07), \$53,380.03, 0.45%
- bb) Stephens County - Ct. St. - TAP-269E(061)TP / 32982(04), \$1,040.00, 0.09%
- cc) Tulsa County - Ct. St. - STP-172B(398)(399)(456)IG / 25211(04), \$40,526.14, 0.38%
- dd) Washita County - I-40 - NHPPI-4000(084)PM / 27935(05), \$249,050.00, 3.25%

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

ITEMS PRESENTED BY THE COMPTROLLER DIVISION

154. Proposed Bid Openings – Mr. Hackney, Project Funding Manager

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

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

155. Settlement for Damages to State Property – Ms. Hilmes

- a) Mr. Criscione – Canadian County - \$2,903.56
- b) Ms. Greenwood – Oklahoma County - \$261.34
- c) Mr. Barraza-Cordova – Noble County - \$343.60

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

156. Fiscal Year 2022 Budget Revisions – Ms. Hilmes

- a) Request to the increase the federal share of Capital Outlays utilizing federal carryover funds:

Federal Aid Construction	\$261,018,103
Federal Aid City Projects	29,100,000
County Program	15,900,000
Rail Program	<u>7,300,000</u>
Total	\$313,318,103

b) Request to increase the state share of Capital Outlays utilizing state carryover funds:

Engineering Contracts	\$15,380,000
Right of Way	7,470,000
Federal Aid Construction	4,310,000
Asset Preservation	<u>7,420,000</u>
	\$34,580,000

c) Request to increase the federal share of Capital Outlays utilizing federal carryover one-time funds:

CRRSAA Highway Construction	\$141,469,208
CRRSAA City Projects	15,813,461
CARES Act Transit Projects	3,253,600
FHWA Bridgeport Grant	<u>22,000,000</u>
	\$182,536,269

d) Request to increase the Right of Way Program by \$90,000,000 re-budgeting prior year reserves for existing Right of Way/Utilities projects.

e) Request to increase the Lake and Industrial Access Program by \$8,225,000 utilizing state carryover funds.

f) Request to increase the County Improvement for Roads and Bridges Program by \$31,000,000 utilizing CIRB carryover Funds.

g) Request to increase the County Equipment Program by \$2,355,357 utilizing state carryover funds.

h) Request to increase the Transit Program by \$487,184 utilizing state carryover funds.

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

ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

157. Awards

a) Deferral from the September 16, 2021 Regular Bid Opening

b) October 14, 2021 Regular Bid Opening

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

ITEMS PRESENTED BY THE DIRECTOR – Mr. Gatz

158. Interagency Agreement with the Oklahoma Turnpike Authority for Shared Personnel Resource Services

The Department requests the Commission authorize the Shared Services Interagency Agreement with the Oklahoma Turnpike Authority (Authority). The purpose of the Agreement is to coordinate and leverage personnel resources of the Department and of the Authority in the performance of their respective transportation infrastructure responsibilities. Pursuant to this Agreement, the Department and the Authority shall each document shared personnel resource time, project details and expenses associated with work performed. Based on that accounting, each agency shall be responsible for its pro-rata share of the actual cost of the work performed for the agency.

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

159. Director's Report

Secretary Gatz stated the Commissioners should have received an email prior to the Commission Meeting with an update on our Modernization efforts. It is pretty comprehensive information and talks about where we are at with our Modernization initiative and how we are making progress. He said the purpose of Modernization is to make sure that in the Transportation Cabinet we are reducing our duplications of effort to the extent that we can. We are leveraging the resources that are available within the Cabinet and trying to make sure that we are operating as efficiently as possible. Modernization is a long-term initiative that in all due consideration we are ever going to be done with; because we are going to try to get into the mode of always looking for the next better way to do things, and never losing sight of that vision for the future. So, we will provide you with a monthly update in a report format similar to what I sent you this month. We will do a better job of summarizing the activities of the previous month, and what we expect to occur in the coming months.

Chairman McKown commented that the Modernization report was very good; and wanted to show his appreciation for all of the hard work that went into preparing that report.

Secretary Gatz thanked the Chairman for his acknowledgment of all the hard work that has gone into the Modernization effort. It has taken a lot of resources within the Department, the Turnpike Authority and Aeronautics Commission that have gone above and beyond what would be their normal duties to participate in, and be a part of that.

He updated the Commission on our federal funding status; Congress has approved a Continuing Resolution that will preserve federal transportation funding through December 3rd. He commented that a long-term bill is desperately needed to help State DOT's fund projects into the new year. We are grateful for the foresight they had to provide an extension and carry us through the month of November; but it will get increasingly challenging to conduct business from one short-term extension to the next, because we receive only a portion of funding whenever Congress does an extension.

Also, Congress is continuing their ongoing debate on the larger federal infrastructure bill which will include highway funding; we are still monitoring this situation and will continue to update you.

OMES recently hosted a State Supplier Exp at the new OKC Convention Center. It was the first event of its kind, lots of state employees and vendors were in attendance; and it was deemed a great success.

The Department is continuing our safety campaign "Make Safety Stick - Everybody Click". This month's emphasis will be on being prepared for winter time travel. Before traveling, check the weather forecast, be sure to have a full tank of gas, and have a winter survival kit in your vehicle i.e., flashlights, bottled water and blankets. Also, while traveling, the best safety advice I can give is to be sure to buckle your seat belt. A simple act of buckling your seatbelt can be the difference of walking away from an accident, or having a severe injury, or worst case, a fatality. So please encourage everybody to buckle up if you are traveling the highway system.

In closing, the Director said the Department is going to do a long overdue Market Study for Employees' salaries. Our #1 resource are the folks that work for us and it is time that we start improving working conditions here and pay is a big part of that. We hope to have this ready to go by January 1st.

Commissioner Grimsley asked if there was room for us to improve in terms of winterization, i.e., sensing and observation capabilities. I'm thinking ahead in terms of smart highways and a lot of the future initiatives.

Secretary Gatz answered, absolutely, I think we are going to see technologies continue to develop around that improvement; you look at some of the travel applications like Waze which is a crowd sourced information, you are going to get pretty up-to-date conditional information just from that. We also use a statewide weather information system, and it's good; but it's not as good as it will be. And then our ITS space and realm are always developing and we are seeing advancements there. Our "Drive Oklahoma" app gives traveling public access to everything from snowplow cameras to travel conditions. I think there are things happening in the technological advancement space right now that are going to continue to be game changers for us. One of the challenges right now, even though I really appreciate the technological advancement in the world of driver assist technologies, like lane departure, adaptive speed control, auto braking; however, they don't deal with inclement weather very well yet. So, Commissioner, I appreciate your question, and absolutely, I think there will always be rooms for those types of advancements.

Commissioner Grimsley said he would be interested in hearing how this kind of information is ingested, is there is an operation center; what's the approach, I would love to see a presentation and maybe have a little more in-depth discussion about this.

Secretary Gatz said that he would love to provide a presentation to the Commission about this subject.

Commissioner Alexander suggested since we are having the debates in Washington, please keep in contacts with our Contractors/Vendors and let them know in advance that some projects might be slowed.

Secretary Gatz said we stay in very close communication with the contractors; not only on the job site, but through Bobby Stem at the AOGC.

Information Only: No Commission action required.

ITEM PRESENTED BY COMMISSION CHAIRMAN

160. Adjournment Motion

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

Meeting adjourned at 11:31 a.m.

Approval of the Minutes of the Transportation Commission Meeting November 1, 2021.

Gene McKown - Chairman

Bob Peterson – Vice Chairman