

## MINUTES OF THE TRANSPORTATION COMMISSION MEETING DECEMBER 5, 2022

MINUTES OF THE COMMISSION MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, WAS HELD DECEMBER 5, 2022 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 2022 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. McKown called the meeting to order at 11:00 a.m.

**ROLL CALL:**

<b>Present:</b>	Gene McKown	Chairman
	Bob Peterson	Vice Chairman
	Bob Coburn	Member
	James Grimsley	Secretary
	TW Shannon	Member
	Don Freymiller	Member
	David Dyson	Member
	Bobby Alexander	Member
	Steve LaForge	Member
<b>Absent:</b>	None	
<b>Presiding:</b>	Gene McKown	

The following items were presented and approved as written at the Transportation Commission meeting December 5, 2022. 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: Bobby Stem, Executive Director of the Association of Oklahoma General Contractors, and former Secretary of Transportation, Mike Patterson. We really do appreciate everybody coming and participating in our Commission Meeting.

Chairman McKown recognized Secretary Gatz for an announcement.

I am honored to present the Pharaoh Award; as you may know, the Pharaoh Award is a partnership award between ODOT and the Association of Oklahoma General Contractors for the best constructed bridge in the State of Oklahoma for the previous year. The winner of the 2022 Pharaoh Award this year is the Division 8 Sand Springs Residency, for the bridge construction at SH-99 over the Caney River in Osage County. This is a well-constructed bridge built by Sherwood Construction and designed by PEC. This is an exceptional project for ODOT that we are very proud of.

Secretary Gatz then recognized Sarah Penn, General Counsel who is going to present some Governor Commendations.

Ms. Penn thanked them for allowing her the opportunity to present the Governor's Commendations, on behalf of some of our HR staff, who worked diligently, over the past 2 years, to implement BrightPath, which is one of the largest digital-transformation efforts in state history. This required input and time and effort of all our HR staff; but in particular, 4 of those people received commendations for their work. I would like to have the following people come forward and be recognized:

Keith Stout – Operations Manager

Elizabeth Blais – Talent Manager

Melissa Jolly – HR Specialist

Carrie Stiefel – HR Specialist

Thank you for your service to the State of Oklahoma

Secretary Gatz added emphasis to the Governor's Commendations by thanking the Team, because the folks that received the commendation did exceptional work as part of that Bright Path implementation; but without the efforts of all of our managers and all the folks that work out there, that are entering information into this system, we would not have been successful as we were. So again, congratulations for the commendations, and we very much appreciate the efforts of all of the transportation cabinet performers and personnel. So, thank you very much!

#### **ITEMS PRESENTED BY THE SECRETARY TO THE COMMISSION**

##### **164. Approval of the Minutes of the Transportation Commission Meeting of November 7, 2022**

ACTION: Dyson moved and Alexander 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  
ABSTAIN: None  
ABSENT: None

#### **CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

##### **165. Safety Improvement Projects – Ms. January**

###### **Commission District VIII – Creek County - Change in Traffic Control in the City of Sapulpa**

We have received a request from the City of Sapulpa for the installation of traffic signal at the intersection of SH-117 & 49<sup>th</sup> W Ave in the City of Sapulpa.

##### **166. Land Sales – Mr. Phillips**

- a) Bryan County – District II – located along the east side of US-69, approximately 3 miles northeast of the US-69 & US-70 intersection in Durant, OK - \$4,000.00
- b) Lincoln County – District III – located along the west side of SH-99, approximately 1.00 mile south of the SH-99 & I-44 intersection in Stroud, OK – \$5,600.00
- c) Pottawatomie County – District III - located along the east side of SH-99, approximately 3.60 miles southeast of the US-62 & SH-99 intersection in Prague, OK - \$21,000.00

ACTION: Shannon moved and Peterson 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**

**167. Engineering Contracts**

a) Statewide – All Districts - On-Demand NEVI Grant Management

CI-2418	HNTB Corporation	\$1,000,000.00
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b) Garvin County – District III – to provide preliminary engineering for SH-29: from S. Howell Avenue in Wynnewood, east 4.3 miles

CI-2401	C. H. Guernsey & Company	\$967,765.00
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c) Oklahoma County – District IV – to provide preliminary engineering for I-35: from I-40/I-35 junction, extending south approximately 9 miles to 4<sup>th</sup> Street in Moore

CI-2389	Poe & Associates, Inc.	\$1,000,000.00
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**NOTE:** *Commissioner Peterson asked on Item 167 a) is the NEVI Grant our money, or are we getting a grant to give a grant.*

Mr. Tegeler explained that we are getting a grant, the money is coming from the Feds and into our pocketbook to be internally spent.

ACTION: Freymiller 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

**168. Engineering Contract Supplements**

a) Statewide – All Districts – On-Demand Engineering Services

CI-2294A	Supplement 4	Atkins North America, Inc.
CI-2294B	Supplement 1	Cowan Group Engineering, LLC
CI-2294C	Supplement 1	Garver, LLC
CI-2294D	Supplement 1	Smith Roberts Baldischwiler, LLC
CI-2294E	Supplement 2	TEIM Design, PLLC
CI-2294F	Supplement 1	Tetra Tech, Inc.

Total Aggregate increase for these Contract supplements is \$1,500,000.00

- b) Seminole County - District III – this supplement is for additional engineering to develop final construction plans for US-270: from 1.0 miles southeast of SH-270A in Seminole, east to “Y” at US-270B west of Wewoka

EC-1468B      Supplement 6      Tetra Tech, Inc.      \$45,465.00

- c) Caddo County – District VII – this supplement is for additional engineering to develop final construction plans for SH-58: from 6.0 miles north of SH-152, extending north 5.0 miles

CI-2374D      Supplement 2      Meshek & Associates, LLC      \$116,571.00

- d) Grady County – District VII – this supplement is for additional engineering to develop final construction plans for SH-4: at Fox Lane (EW 122), 2.24 miles north of I-44

CI-2270A      Supplement 1      CEC Corporation      \$896,570.00

- e) Osage County – District VIII – this supplement is for additional engineering to develop final construction plans for SH-20: from SH-99 in Hominy, east 5.0 miles

EC-1463C      Supplement 3      Craig & Keithline, Inc.      \$21,509.00

- f) Tulsa County – District VIII – this supplement is for additional engineering to develop final construction plans for SH-97: (Wilson Ave.) Morrow Road to West 2<sup>nd</sup> Street

EC-1362      Supplement 6      Craig & Keithline, Inc.      \$6,150.00

**NOTE:** *Commissioner Peterson asked on Item 168 b) it said it was going to let in federal fiscal year 2022, has that concluded.*

Mr. Tegeler answered yes, I believe it was in August.

ACTION: Peterson moved and Freymiller 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**

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

- a) Adair County - I-40 - SSP-251F(123)PM / 30651(06), \$50,546.10, 24.17%
- b) Adair County - SH-100 - SSR-201C(044)SR / 33831(04), \$1,456.00, 0.31%
- c) Atoka County - SH-3 - NHPP-017N(281)3P / 29877(04), \$3,856.00, -0.19% Underrun
- d) Caddo County - City Street - TAP-208F(105)TP / STP-208B(079)AD / 33892(04), \$24,974.95, 3.11%
- e) Custer County - I-40 - NHPPI-4000-(150)PM / 30999(04), \$1,152.00, 0.07%
- f) Grady County - US-81 - NHPP-226N(103)3P / 35187(04), \$12,272.73, 0.51%
- g) Latimer County - County Road - CIRB-239C(037)RB / 31233(04), \$11,607.64, 0.23%
- h) Latimer County - SH-1 - SBR-239C(038)SB / 33397(04), \$35,445.00, 8.75%
- i) Lincoln County - SH-99 - NHPP-012N(111)(109)3P / SSR-012N(110)SR / 33764(04), \$36,649.34, 0.39%
- j) Lincoln County - US-62 - TAP-241F(074)TP / 34111(04), \$21,653.88, 4.03%
- k) McIntosh County - US-69 - NHPP-019N(175)PM / 30572(04), \$3.70, -0.00% Underrun
- l) Pawnee County - SH-99 - STP-259B(064)PM / 29690(04), \$1,170.48, 0.10%

- m) Sequoyah County - I-40 - NHPPI-4000-(127)PM / 29721(04), \$17,021.76, 0.21%
- n) Stephens County - DUNCAN BYPASS - SSP-269N(097)PM / 34250(07), \$66,903.05, 3.62%
- o) Tulsa County - City Street - NHPPI-4440-(008)PM / 31083(04), \$1,477.24, 0.06%
- p) Tulsa County - US-169 - SSP-272F(306)SS / 31944(08), \$27,904.85, 1.77%
- q) Tulsa County - I-44 - STP-272F(276)3B / 34157(04), \$51,021.50, 4.87%
- r) Washita County - SH-44 - STP-275C(072)PM / 29517(04), \$40,000.00, 1.60%
- s) Woods County - US-64 - STP-CRRS(011)PM / 31766(04), \$67,716.42, 3.98%

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

- a) Beckham County - I-40 - NHPPI-4000-(098)PM / 31001(04), \$1,083.50, 0.01%
- b) Cleveland County - SH-9 - STP-214B(103)PM / 20266(11), \$1,599,684.75, 10.14%
- c) Cleveland County - County Road - CIRB-214C(105)RB / 31129(04), \$206,250.00, 4.90%
- d) Comanche County - I-44 - SBR-4400(080)SB / 33890(04), \$785.00, 0.02%
- e) Custer County - I-40B - NHPP-220N(074)PM / 30331(04), \$139,317.92, 1.85%
- f) Dewey County - US-270 - NHPP-017N(258)PM / 17671(41), \$825,000.00, 3.89%
- g) Ellis County - US-60 - SSR-223C(024)(025)SR / 33910(04), \$130,545.81, 3.64%
- h) Kay County - I-35 - NHPPI-3500-(101)PM / 29845(04), \$12,545.01, 0.12%
- i) Kiowa County - SH-44 - STP-238B(082)3P / 35591(04), \$205,612.79, 8.61%
- j) Leflore County - US-270 - STP-240B(093)PM / 28005(07), \$80,229.29, 1.36%
- k) Lincoln County - County Road - CIRB-241C(081)RB / 32370(04), \$28,388.09, 0.75%
- l) Logan County - SH-33 - STP-242B(098)PM / 26996(04), \$212,774.84, 2.14%
- m) Love County - I-35 - SSP-3500(126)PM / 31896(04), \$45,359.00, 0.40%
- n) McClain County - I-35 - NHPPI-0035(297)SS / 23283(04), \$344,748.11, 7.19%
- o) McCurtain County - US-259 - SSP-245N(068)(071)PM / 34333(07), \$93,883.38, 3.00%
- p) Osage County - US-60 - NHPP-257N(085)PM / 24233(04), \$316,695.52, 1.06%
- q) Seminole County - SH-3E - SBR-9595(004)SB / 29595(04), \$11,184.25, 0.51%
- r) Texas County - SH-136 - STP-270C(041)PM / 24241(07), \$6.00, -0.00% Underrun
- s) Tulsa County - BIXBY EAST FRY TRAIL - TAP-272F(341)IG / 33040(04), \$155,575.10, 11.98%
- t) Tulsa County - I-44 - SBR-4400(072)SB / 34661(04), \$23,841.00, 0.89%
- u) Woods County - US-64 - STP-CRRS(011)PM / 31766(04), \$35,000.00, 2.06%
- v) Woodward County - County Road - CIRB-177C(113)RB / 27407(04), \$497,153.70, -7.84% Underrun

**NOTE:** *Commissioner Grimsley asked if we could start putting the total dollar amount of change orders somewhere on the summary sheet.*

Mr. Leonard answered that we probably could, and he would check on it for him.

- ACTION: LaForge 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

**ITEMS PRESENTED BY THE COMPTROLLER DIVISION**

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

- a) Final January, 2023 Proposed Bid Opening
- b) Tentative February, 2023 Proposed Bid Opening
- c) Tentative March, 2023 Proposed Bid Opening

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

**ITEM PRESENTED BY THE DIRECTOR OF FINANCE**

**172. Authority to Enter into Agreements for TIFIA Two Lane – Ms. Hilmes**

This request for authorization is to support the TIFIA Loan Agreement to be entered into by the Oklahoma Capitol Improvement Authority (OCIA) and the U.S. Department of Transportation (USDOT) pursuant to Title 73 Oklahoma Statutes 2021, Section 350.1, and the Resolution adopted by OCIA on September 8, 2021 as amended and restated by the OCIA Board on April 12, 2022. Debt service on the associated TIFIA Note (the second under the Resolution) will be payable from and secured by increased payments to OCIA from the Oklahoma Department of Transportation (ODOT) pursuant to that certain Lease Agreement for Use and Possession between OCIA and ODOT dated May 27, 2022, as contemplated by the Resolution (Lease Agreement). ODOT, through the Director of ODOT, requests authorization to negotiate the terms and conditions of, and to execute and deliver a direct agreement between ODOT, OCIA and USDOT to provide certain assurances and agreements with respect to the Lease Agreement and the transactions contemplated thereby and such other documents, agreements and certifications as may be necessary or required in connection with any of the foregoing financing agreements.

**NOTE:** *Commissioner Grimsley commented that he comes from a District with a lot of 2-lane problems. He thanked Ms. Hilmes for this much needed agreement.*

ACTION: Peterson moved and Freymiller 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**

**173. Awards**

November 17, 2022 – Regular 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, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson  
NAYES: None  
ABSENT: None

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

**174. Director's Report**

Secretary Gatz thanked the Commission for their consideration of several significant projects that are going to definitely have an impact on our transportation system. The projects are:

- SH-66 widen, resurface, bridge, grade, drain and surface project east of I-35 between Post Road & Westminster Road in Edmond. It will certainly enhance the safety in the Route 66 corridor and be completed before the 2026 Centennial Celebration. It's a \$31 million project and estimated to start in Spring 2023 and complete in 2025. One lane open in each direction at all times during construction.
- I-40 ITS (Road Weather Information Systems) from the Texas state line to the Arkansas state line. The cameras are about every 30 miles along the I-40 corridor at bridges to measure pavement surface condition, as well as the temperature 2 inches below the road surface and is especially focused on bridges. It also measures precipitation and wind speed. The cameras at each location captures images of the road conditions every 10 minutes and are part of the [www.okroads.org](http://www.okroads.org) inclement weather road conditions map. This is the 2<sup>nd</sup> phase of a larger Road Weather Information System deployment project; the 1<sup>st</sup> phase was in 2018 on I-35. This very important technology that helps us make good decisions, not just with inclement weather, but in particular, when we have those wintertime events, that it's extremely important for us to know exactly when we experienced freezing conditions at the pavement level. This is a \$1.3 million project and work on this is expected to start in early 2023 and finish sometime next summer. Not tremendous traffic impacts, other than some potential, periodic lane closures.
- ITS (CCTV installation) of 11 new traffic camera locations, that will be installed in Cleveland, McClain, Oklahoma, and Canadian counties. These cameras will be part of the [www.oktraffic.org](http://www.oktraffic.org); and DRIVE Oklahoma Mobile App. This is a \$1.7 million project estimated to begin early 2023 and completed by summer 2023.
- US-77/Broadway Extension, asphalt resurfacing project from Memorial Road extending north in Edmond. This is about a \$9 million project estimated to begin early 2023 and anticipated completion by fall 2023. There will be nighttime lane closures and impacts to driveways along the business route But Division 4 has done a good job of getting out ahead of this, and talking to business owners, and certainly opening solid lines of communication back with the community. Motorists can also expect some rough-pavement conditions in the area as we progress the project. We will do our best to have night work, where that's possible, to minimize traffic disruptions. So again, just want the public to be aware of that.
- I-40 asphalt resurfacing 3.5 miles near Webbers Falls, in Muskogee and Sequoyah County. It is about a \$4 million project and there will be some lane closures and will certainly cause traffic problems.

We are continuing with our Safety Campaign; and this month's emphasis will be on wearing your seatbelt, especially with all the holiday traveling. The Director presented a PSA about the Work Zone Safe Program that prepares teen drivers on how to navigate work zones safely. This

Secretary Gatz reminded Commissioners that beginning with 2023 we are going to start having 2 bid lettings per month. This will provide contractors with more opportunities to competitively bid on projects each month.

**NOTE:** *Commissioner Grimsley commented about the ITS & Weather Modernization stuff. Just for the benefit of the Commission, a couple of years ago our Legislature passed a pretty innovative bill (the Advanced Mobility Pilot Program Act). And part of that encapsulates where we have the emerging aviation side, and we have the emerging ground transportation side, actually kind of working side by side. So, I think it would be beneficial in the future if we had a presentation about the assets that we do have, i.e., fiber, dark fiber, spectrum, those things that come into play for ITS, but also are going to be really important for all the emerging transportation and stuff in the future. Oklahoma was one of the 1<sup>st</sup> states to enact that type of legislation and several states, including Texas modeled what we did. This is something that we have the potential to be a leader; so, if we could have a presentation in the future on the assets that we have, I think it will be very useful to us.*

*And then secondly, I've said it before, but the Social Media Campaign on remembering and the Memorials on the Work Zone Safety is very compelling because it does put a face and it makes it very personal. District by district, you see the impact, and it's staggering when you see over a year, the anniversaries of these horrible accidents and tragedies that happened. So, I think it's a very important campaign that ODOT does; and it's something to be mindful of if you're on social media, to watch that. It has an effect! Thank you.*

Secretary Gatz said, thank you Commissioner; and for the Advanced Mobility Advisory Council, we absolutely will make that happen, because we need to understand opportunities to leverage these resources that we have. And certainly, these weather-information systems are critical to our unmanned aerial systems in the future, along with that bandwidth that you're talking about. So, we will absolutely make that happen.

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

**ITEM PRESENTED BY COMMISSION CHAIRMAN**

**175. Adjournment Motion**

ACTION: Dyson moved and Coburn 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 11:38 a.m.**



Approval of the Minutes of the Transportation Commission Meeting December 5, 2022.



*Gene McKown*

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Gene McKown - Chairman

*Bob Peterson*

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Bob Peterson – Vice Chairman