

# MINUTES OF THE TRANSPORTATION COMMISSION MEETING FEBRUARY 6, 2023

MINUTES OF THE COMMISSION MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, WAS HELD FEBRUARY 6, 2023 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 2023 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. Grimsley called the meeting to order at 11:02 a.m.

**ROLL CALL:**

<b>Present:</b>	Bob Peterson	Vice Chairman (Virtual)
	Bob Coburn	Member
	James Grimsley	Secretary
	TW Shannon	Member (Virtual)
	David Dyson	Member
	Bobby Alexander	Member
	Steve LaForge	Member
<b>Absent:</b>	Don Freymiller	
	Michael Junk	
<b>Presiding:</b>	James Grimsley	

The following items were presented and approved as written at the Transportation Commission meeting February 6, 2023. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Grimsley recognized Secretary Gatz for an announcement.

Secretary Gatz acknowledged the resignation of former Transportation Commission Chairman, Gene McKown. The Department very much appreciates his service to the Transportation Commission and to ODOT. Along with that announcement he recognized Michael Junk as the new Governor's appointee for our At-Large Commissioner. Michael has a wealth of transportation knowledge and we really look forward to him joining the Commission. He could not be here today due to previous commitments, but he will attend the March meeting.

## ITEMS PRESENTED BY THE SECRETARY TO THE COMMISSION

### 13. Approval of the Minutes of the Transportation Commission Meeting of January 9, 2023

**ACTION:** Dyson moved and Alexander seconded that the Minutes be approved as presented.  
**MOTION:** Carried by the following vote:  
**AYES:** Coburn, Grimsley, Dyson, Alexander and LaForge  
**NO VOTES:** Shannon (ineligible) and Peterson (inaudible)  
**NAYES:** None  
**ABSTAIN:** None  
**ABSENT:** Freymiller and Junk

**NOTE:** Due to technical difficulties Commissioner Peterson's audio wasn't connected; after Agenda Item 20 his audio was restored.

Commissioner Shannon was unable to attend in person at the last minute and agenda notice didn't reflect virtual attendance, therefore he was ineligible to vote.

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

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

**a) Oklahoma County – Commission District VI**

In Jones, Construction funding for a signal and surface project which includes the installation of pedestal mounted flashing lights with gates and a 32' concrete crossing surfaces at the intersection of 4<sup>th</sup> Street with SLWC's mainline. Total cost is \$324,819.00

**15. Modification of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds - Mr. Schwennesen**

a) Washita County – Sentinel – JP34640(14) – FMRC - \$8,560.00 – 1.55%

b) Tulsa County – Tulsa – JP33960(28) – BNSF- \$762,539.00 – 250.4%

**16. Speed Zone Revisions - Ms. January**

**a) Commission District I – One Location**

1. Muskogee County – Along US-64 including the Town of Webbers Falls for 8.55 miles

**b) Commission District II – One Location**

1. LeFlore and Pushmataha County – Along US-271 including the Town of Albion for 20.93 miles

**c) Commission District III – Two Locations**

1. Garvin County – Along SH-29 including the Town of Elmore City for 21.69 miles
2. Garvin County – Along SH-74 including the Town of Elmore City for 21.30 miles

**d) Commission District IV – One Location**

1. Garfield and Kingfisher Counties – Along SH-132 including the Town of Drummond for 18.94 miles.

**e) Commission District VII – Two Locations**

1. Cotton County – Along rural US-70 for 7.03 miles
2. Jefferson County – Along SH-32 including the Town of Ryan for 1.08 miles

**17. Safety Improvement Projects - Ms. January**

**a) Installation of School Zone – Commission Districts III, VII, & VIII**

1. Pottawatomie County – District III - One location along SH-59B, in the Town of Macomb, to include school zone advanced warning signs with flashing beacons, and pavement marking improvements.
2. Carter County – District VII - One location along US-70A, in the City of Wilson, to include school zone advanced warning signs with flashing beacons, and pavement marking improvements.
3. Murray County – District VII - One location along SH-7, in the City of Sulphur, to include school zone advanced warning signs with flashing beacons, and pavement marking improvements.
4. Stephens County – District VII - One location along SH-53 in the City of Comanche, to include 2 sets of Rectangular Rapid Flashing Beacons (RRFBs), and pavement marking improvements.
5. Creek County – District VIII - One location along SH-66 / SH-117A, in the City of Sapulpa, to include school zone advanced warning signs with flashing beacons, and pavement marking improvements.

The equipment is estimated to cost \$44,000.00

**18. Land Sales – Mr. Phillips**

- a) Bryan County – District II – located at the northwest quadrant of the US-70 and US-69 & 75 interchange on the south side of Durant, OK - \$75,001.00
- b) Choctaw County – District II – located on the west side of US-271, approximately 500 feet north of SH-109 and 2.80 miles south of US-70 in Hugo, OK - \$18,000.00
- c) Pottawatomie County – District III – located on the west side of SH-18, approximately 4.25 miles north of the I-40 and SH-18 interchange - \$600.00
- d) Custer County – District V – located on the south side of SH-33 and on the west side of Custer City, OK - \$3,003.33
- e) Washington County – District VIII - located on the north side of US-60, approximately 4.75 miles east of the US-60/75 intersection in Bartlesville, OK (Part of Parcel 16) - \$6,750.00
- f) Washington County – District VIII – located on the north side of US-60, approximately 4.75 miles east of the US-60/75 intersection in Bartlesville, OK (Part of Parcel 19) - \$32,000.00

**19. State Highway System Revisions – Mr. Planteen**

- a) Removal of Shields Blvd. Ramp in Moore and transference to the City of Moore

**20. Disclosure of Acquisition of Right-of-Way from an ODOT Employee – Mr. Blackwell**

Pottawatomie County – State Job No. 23288(05), SSP-163B(194)RW, Parcel No. 46.0, owned by Robert D. Gregg, ODOT Employee

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

ACTION: Coburn moved and Alexander seconded that the Consent Docket be approved as presented;  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Dyson, Alexander and LaForge  
NO VOTES: Shannon (ineligible) and Peterson (inaudible)  
NAYES: None  
ABSENT: Freymiller and Junk

**END OF CONSENT DOCKET**

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

**21. Engineering Contracts**

**a) Statewide – All Districts – Off-System Truss and Fracture Critical Bridge Inspections**

CI-2415A	Burgess & Niple, Inc.
CI-2415B	CONSOR Engineers, LLC

Total Aggregate Not to Exceed Amount for these two (2) contracts is \$3,525,330.00

**b) Statewide – All Districts – On-System Truss and Fracture Critical Bridge Inspections**

CI-2416	Burgess & Niple, Inc.	\$1,602,900.00
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**c) Beaver County – District VI - to prepare construction plans for US-64: beginning approximately 6.0 miles west of junction US-270, extending east approximately 6 miles (thru Forgan). Project includes adding shoulders and new surface to an existing 2-lane rural highway.**

CI-2404C	Walter P. Moore and Associates, Inc	\$902,500.00
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**d) Cimarron County – District VI – LLC to prepare construction plans for US-287: beginning approximately 13.28 miles north of Van Buren Street in Boise City, extending north approximately 4.5 miles. Project includes adding shoulders and new surface to an existing 2-lane rural highway.**

CI-2405A	Cowan Group Engineering, LLC	\$609,250.00
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**e) Woodward County – District VI – to prepare construction plans for SH-34: beginning at the junction of US-60 in Vici, extending north approximately 8.0 miles, and SH-34: beginning approximately 8.0 miles north of junction US-60, extending north approximately 4.2 miles. Project includes adding shoulders and new surface to an existing 2-lane rural highway.**

CI-2406A	Smith Roberts Baldischwiler, LLC	\$2,289,168.00
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**f) Grady County – District VII – to prepare construction plans for SH-4: from the H.E. Bailey Turnpike, north 5.26 miles to SH-37. Project includes adding shoulders, 2 additional lanes and new surface to an existing 2-lane rural highway for a 4-lane divided highway.**

CI-2405B	CEC Corporation	\$1,588,290.00
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- g)** Grady County – District VII – to prepare construction plans for SH-92: from US-62, extending north 5 miles to County Road E1310 and SH-92: from County Road E1310, extending north 5.4 miles to Section Line E1260. Project includes adding shoulders and new surface to an existing 2-lane rural highway.

CI-2406B	TEIM Design, PLLC	\$2,454,360.00
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- h)** Mayes County – District VIII – to provide preliminary engineering and prepare construction plans for SH-412B: at US-412 junction. Project includes adding on and off ramps to an existing at grade intersection for a new fully controlled access interchange.

CI-2440	Garver, LLC	\$3,500,000.00
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ACTION: Dyson moved and Coburn seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Coburn, Dyson, Alexander, LaForge and Peterson  
NO VOTES: Shannon (ineligible)  
NAYES: None  
ABSENT: Freymiller and Junk

**22. Engineering Contract Supplements**

- a)** Statewide – All District – On-Demand Bridge Assessment

CI-2381A	Supplement 1	Burgess & Niple, Inc.
CI-2381B	Supplement 1	CONSOR Engineers, LLC
CI-2381C	Supplement 1	H W Lochner, Inc.
CI-2381D	Supplement 1	Walter P. Moore and Associates, Inc.

The total aggregate increase for these Contract supplements is \$1,000,000.00

- b)** Cherokee County – District I – this supplement is for additional engineering to develop final construction plans for SH-51 from Hulbert, east approximately 7.5 miles to Tahlequah. Project includes adding shoulders and new surface to an existing 2-lane rural highway.

EC-1914	Supplement 1	Tetra Tech, Inc.	\$47,100.00
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- c)** Haskell County – District I – this supplement is for additional engineering to develop final construction plans for SH-71: over Longtown Creek, from 1.15 miles north of Pittsburg County line, north 0.3 miles. Project includes replacing several inadequate cross drain pipes with a new bridge structure.

CI-2261A	Supplement 3	CONSORS Engineers, LLC	\$69,050.00
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- d)** Muskogee County – District I – this supplement is for final construction plans for US-62/SH-16/US-64/SH-72 intersection (bridge over SH-72). Project includes adding a bridge and modifying the intersection due to high accident counts.

CI-2264A	Supplement 2	MKEC Engineering, Inc.	\$15,500.00
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- e) Atoka County – District II – this supplement is for additional engineering to develop final construction plans for US-69: from 12 miles north of the Bryan County line, extending north approximately 2.5 miles thru Tushka. Project includes adding a center turn lane to an existing 4-lane urban highway.

CI-2222E Supplement 3 HNTB Corporation \$69,200.00

- f) Oklahoma County – District IV – this supplement is for additional engineering to develop final construction plans for I-35: over Waterloo Road at the Logan County line. Project includes replacing a functionally obsolete bridge, increase traffic capacity and improve safety with a new interchange.

EC-1500N Supplement 6 Garver, LLC \$271,547.00

- g) Tulsa County – District VIII – this supplement is for additional engineering to develop final construction plans for US-75: over 81st Street South, northbound and southbound, 7 miles north of junction US-75/SH-67. Project includes modifying existing interchange to increase capacity and improve safety.

EC-1847 Supplement 4 Benham Design, LLC \$1,170,275.00

- h) Tulsa County – District VIII – this supplement is for additional engineering to develop final construction plans for I-44/US-75: interchange reconstruction from I-244 thru the Arkansas River (Work Packages #2 and #5). Project includes multiple safety and operational improvements.

CI-2123A Supplement 3 Benham Design, LLC \$1,917,111.00

- i) Tulsa County – District VIII – this supplement is for additional engineering to develop final construction plans for I-44/US-75: interchange reconstruction from I-244 thru the Arkansas River (Work Package #3). Project includes multiple safety and operational improvements.

CI-2123B Supplement 5 Poe & Associates, Inc. \$543,400.00

ACTION: Peterson moved and Coburn seconded that the Item be approved as presented.  
 MOTION: Carried by the following vote:  
 AYES: Coburn, Dyson, Alexander, LaForge and Peterson  
 NO VOTE: Shannon (ineligible)  
 NAYES: None  
 ABSENT: Freymiller and Junk

**ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard**

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

- a) Bryan County - SH-78 - STP-207C(105)PM / 24088(04), \$15,418.72, 0.16%
- b) Choctaw County - County Road - STP-212D(065)CI / 32893(04), \$17,408.50, 1.71%
- c) Cleveland County - City Street - TAP-214E(102)AG / 33271(04), \$65,740.57, 6.46%
- d) Craig County - SH-10 - SSR-218C(103)(102)SR / 34294(04), \$51,636.03, 1.75%
- e) Creek County - SH-66 - SSR-219N(095)SR / 35451(04), \$58,058.04, 2.29%
- f) Custer County - County Road - STP-120B(059)UR / STP-220B(087)UR / 19411(04), \$76,522.68, -1.19% Underrun
- g) Garfield County - US-81 - SSP-011N(114)SB / 33748(04), \$71,325.55, 9.26%
- h) Garvin County - US-77 - STP-225C(085)PM / 29544(04), \$2,480.00, 0.05%
- i) Garvin County - City Street - TAP-225F(101)TP / 34116(04), \$2,628.96, 1.33%
- j) Hughes County - US-75 - STP-232B(062)PM / 29545(04), \$66,548.23, 3.63%
- k) Jackson County - US-62 - SBR-020N(051)SB / 34757(04), \$4,940.00, 0.28%
- l) Jefferson County - SH-89 - STP-234C(053)AD / 32946(04), \$16,882.60, 6.46%

- m) Johnston County - SH-7 - STP-235C(053)PM / 29561(04), \$312.34, 0.03%
- n) Johnston County - SH-48 - STP-235C(055)PM / 31052(04), \$23,375.00, -2.77% Underrun
- o) Kay County - I-35 - NHPPI-3500-(072)PM / 24432(14), \$62,568.07, 0.65%
- p) McCurtain County - SH-3 - NHPP-245N(006)PM / 24409(04), \$63,801.21, 0.33%
- q) McCurtain County - County Road - STP-245C(070)CI / 29962(04), \$33,498.26, 2.26%
- r) McCurtain County - County Road - STP-245C(065)CI / 31276(04), \$6,938.64, 0.29%
- s) Muskogee County - US-62 - NHPP-251N(117)PM / SBR-251B(121)SB / 30416(04), \$19,837.54, 0.03%
- t) Muskogee County - County Road - STP-251D(136)CI / 33053(04), \$0.00, 0.00%
- u) Oklahoma County - I-35 - NHPPI-3500-(132)FP / 29844(04), \$21.37, -0.00% Underrun
- v) Oklahoma County - PALMER LOOP TRAIL - TAP-255D(326)AG / 31433(04), \$6,772.45, 3.16%
- w) Oklahoma County - City Street - STP-255D(479)AG / 33124(04), #2, \$6,000.00, 0.22%
- x) Oklahoma County - City Street - STP-255D(479)AG / 33124(04), #3, \$6,900.00, 0.25%
- y) Oklahoma County - City Street - STP-255B(550)AG / 34166(04), \$24,948.00, 0.23%
- z) Okmulgee County - US-62 / US-75 - EMC-256N(071)ES / 35467(04), \$2,000.00, 0.16%
- aa) Ottawa County - SH-69A - STP-258B(089)PM / 32698(04), \$8,154.08, 0.22%
- bb) Ottawa County - County Road - CIRB-258D(071)RB / CIRB-258C(072)RB / 33563(04), \$19,241.81, 0.89%
- cc) Pittsburg County - County Road - STP-161D(198)CI / 23886(04), \$14,029.99, 3.15%
- dd) Pontotoc County - County Road - STP-262C(043)CI / 28571(08), \$29,451.38, 2.64%
- ee) Seminole County - SH-99A - MC-267C(095)MD / 35796(04), \$7,701.69, 1.44%
- ff) Sequoyah County - SH-101 - STP-268C(084)PM / 29780(04), \$9,456.25, 0.24%
- gg) Tillman County - SH-36 - STP-271C(077)PM / 31061(04), \$39,000.00, 1.18%

Total amount of presented Change Orders: \$633,759.86

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

- a) Atoka County - US-69 - SSP-013N(202)PM / 34366(04), \$143,125.00, 3.77%
- b) Blaine County - SH-3 - NHPP-017N(261)PM / 27913(11), \$143,187.87, 1.24%
- c) Bryan County - US-69 - BSAP-207N(012)FM / BSAP-207C(102)FM / SSP-013N(182)PM / 25909(17), \$4,050.00, 0.02%
- d) Canadian County - US-281 - STP-109B(154)PM / 26360(04), \$108,668.00, 0.32%
- e) Cleveland County - SH-9 - STP-214B(103)PM / 20266(11), #7, \$209,431.40, 1.33%
- f) Cleveland County - SH-9 - STP-214B(103)PM / 20266(11), #8, \$98,943.24, 0.63%
- g) Ellis County - SH-15 - NHPP-019N(118)PM / 26497(04), \$80,881.03, 1.26%
- h) Ellis County - County Road - STP-223D(022)CI / 31128(04), \$9,049.70, 1.32%
- i) Grady County - SH-37 - STP-126C(063) / 20301(04), \$495,691.51, 4.21%
- j) Harmon County - SH-30 - STP-229C(017)PM / 31825(04), \$76,867.02, 3.96%
- k) Hughes County - US-75 - STP-232B(062)PM / 29545(04), \$44,695.88, 2.44%
- l) Johnston County - SH-7 - STP-235C(037)PM / 29666(04), \$45,417.12, 2.61%
- m) Kingfisher County - SH-51 - STP-237C(034)PM / 27945(04), \$28,198.60, 0.23%
- n) Lincoln County - SH-66 - STP-241C(073)PM / 27947(04), \$16,250.00, 0.23%
- o) Logan County - SH-33 - STP-242B(098)PM / 26996(04), \$618,738.33, 6.21%
- p) Logan County - SH-74 - STP-242C(102)3P / 34327(04), \$127,656.76, 4.33%
- q) Love County - I-35 - NHPPI-3500-(081)PM / 19576(05), \$13,449.18, 0.04%
- r) McClain County - SH-59 - STP-244C(072)PM / 29459(04), \$72,938.26, 2.11%
- s) McClain County - I-35 - NHPPI-3500(094)PM / 31045(04), \$120,500.00, 0.98%
- t) Nowata County - US-169 - NHPP-030N(079)PM / 28892(04), #2, \$0.00, 0.00%
- u) Nowata County - US-169 - NHPP-030N(079)PM / 28892(04), #3, \$329,837.52, 6.25%
- v) Okfuskee County - SH-27 - SSR-254C(056)SR / 33767(04), \$23,645.44, 1.92%
- w) Oklahoma County - I-235 - NHPPI-2350-(009)PM / 09033(27), \$45,373.00, 0.04%
- x) Oklahoma County - I-40 - NHPPI-0040-5(394)129SS / NHPPI-4000-(095)PM / 23310(04), \$1,200,000.00, 1.60%
- y) Osage County - SH-99 - STP-257B(089)(088)3P / 33785(04), \$203,808.51, 8.93%

- z) Ottawa County - US-60 - STP-258B(084)PM / 29687(04), \$70,335.08, 1.83%
- aa) Pittsburg County - US-69 - NHPP-261N(084)PM / 14999(09), \$12,225.00, 0.04%
- bb) Pittsburg County - SH-31 - STP-161C(205)PM / 24331(04), \$82,200.00, 1.00%
- cc) Pittsburg County - US-69 - SSP-261N(092)PM / 34341(04), \$641,522.09, -6.06% Underrun
- dd) Pottawatomie County - SH-39 - STP-163B(212)SS / 24240(07), \$85,275.95, 1.23%
- ee) Seminole County - SH-3E - SBR-9595(004)SB / 29595(04), \$229.00, 0.01%
- ff) Tillman County - SH-36 - STP-271C(077)PM / 31061(04), \$92,029.51, 2.77%
- gg) Tulsa County - SH-20 - STP-172B(360)SS / 24346(04), \$429,443.08, 2.78%
- hh) Tulsa County - I-444 - NHPPI-4440(009)PM / SBR-014N(112)SB / 28899(04), #5, \$192,180.87, 0.74%
- ii) Tulsa County - I-444 - NHPPI-4440(009)PM / SBR-014N(112)SB / 28899(04), #6, \$109,341.26, -0.42% Underrun
- jj) Tulsa County - County Road - CIRB-272D(303)CO / 33566(04), \$45,147.02, 2.33%
- kk) Tulsa County - City Street - STP-272B(297)IG / 33958(04), \$3,104.88, 0.18%
- ll) Woodward County - US-183 - NHPP-017N(206)(256)PM / 17457(54), \$55,902.70, 0.27%

Total amount of presented Change Orders: \$4,577,613.11

ACTION: LaForge moved and Coburn seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Dyson, Alexander, LaForge and Peterson  
NO VOTE: Shannon (ineligible)  
NAYES: None  
ABSENT: Freymiller and Junk

**ITEMS PRESENTED BY THE COMPTROLLER DIVISION**

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

- a) Final March, 2023 Proposed Bid Opening
- b) Tentative April, 2023 Proposed Bid Opening
- c) Tentative May, 2023 Proposed Bid Opening

ACTION: Alexander moved and Dyson seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Dyson, Alexander, LaForge and Peterson  
NO VOTE: Shannon (ineligible)  
NAYES: None  
ABSENT: Freymiller and Junk

**ITEMS PRESENTED BY THE DIRECTOR OF OPERATIONS – Mr. Davis**

**26. Declaration of Emergency Bridge Repair Project**

McClain County – District III – I-35 SB & NB Bridges over SH-39 near the City of Purcell - \$750,000.00

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

**ITEMS PRESENTED BY GENERAL COUNSEL DIVISION - Ms. Endres**

**27. Amendments to Department Administrative Rules as required pursuant to the Administrative Procedures Act, 75 O.S. §303**



- a) Approval to Add New Chapter 50. Size and Weight Permit Rules; OAC Rules 730:50-1-1 through 730:50-9-1 with Attached Appendix A
- b) Approval to Revoke the OAC Rule No.: 730:1-5-5. Collection of damage claims
- c) Approval to Revoke Rules, OAC Rule No.: 730:30-9-2 through 730:30-9-16 and Appendices C, D & E
- d) Approval to Revoke the Highway Construction Materials Technician Certification Board Rules, Title 318, Chapter 1, OAC Rule No.: 318-1-1-1 through 318-1-1-6; Title 318, Chapter 10, OAC Rule No. 318:10-1-1 through 318:10-1-11; and Title 318 Chapter 20, OAC Rule No. 318:20-1-1 through 318:20-1-16
- e) Approval to Amend the OAC Rule No.: 730:1-5-2. Personnel policies
- f) Approval to Amend the OAC Rule No.: 730:30-3-2. Standard specifications
- g) Approval to Amend the OAC Rule No.: 730:35-1-4. Maintenance responsibilities and 730:35-7-3. Traffic control responsibilities,
- h) Approval to Amend the OAC Rules No.: 730:35-13-1. Freeway Signage Supplement Guide Signs; 730:35-13-2. Criteria and limitations for traffic generator signs; 730:35-13-3. Traffic generators that do not normally warrant signing; and 730:35-13-4. Tourist Oriented directional signs (TODS) with revoked Appendices D, E & F
- i) Approval to Amend the OAC Rule No.: 730: 45-1-3. Administration and 730:45-1-4. Use of funds

The rules requested for approval are referenced and located in the Commission Materials associated with this Agenda Item.

**Note:** *Commissioner Grimsley suggested when we present this type of item in the future, that we please give them the information at least 10 days prior to the meeting.*

Ms. Endres answered, "Yes we will do that".

ACTION: Dyson moved and Alexander seconded that the Item be approved as presented.  
 MOTION: Carried by the following vote:  
 AYES: Coburn, Grimsley, Dyson, Alexander, LaForge and Peterson  
 NO VOTE: Shannon (ineligible)  
 NAYES: None  
 ABSENT: Freymiller and Junk

**ITEMS PRESENTED BY LOCAL GOVERNMENT DIVISION ENGINEER – Ms. Williams**

**28. Request for Final Approval of the County Designation Order for FY-2023**

In accordance with Title 69 O.S. § 636.3 Subsection B this Designation Order is prepared for use by the County Road Machinery & Equipment Revolving Fund and has been approved by the Department of Transportation County Advisory Board (CAB)

ACTION: LaForge moved and Coburn seconded that the Item be approved as presented.  
 MOTION: Carried by the following vote:  
 AYES: Coburn, Grimsley, Dyson, Alexander, LaForge and Peterson  
 NO VOTES: Shannon (ineligible)  
 NAYES: None  
 ABSENT: Freymiller and Junk

**29. Municipal Road Drilling Activity Revolving Fund**

House Bill 3037 was recently signed into law creating the Municipal Road Drilling Activity Revolving Fund. This legislation provides funding assistance to municipalities with populations less than 15,000 who have experienced roadway damage due to increased oilfield activities.

After reviewing requests for participation in funding, the Department recommends award of the Municipal Road Drilling Activity Funds totaling \$5,000,000. This award will assist 15 cities to repair or replace 16.67 miles of municipal roadways.

**Note:** *Commissioner Alexander asked what 15 cities were selected.*

Ms. Williams said they were, Atoka, Newcastle, Purcell, Wayne, Crescent, Kingfisher, Piedmont, Ripley, Canute, Burns Flat, Jet, Cherokee, Tuttle, Marlow and Drumwright.

ACTION: LaForge moved and Coburn seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Dyson, Alexander, LaForge and Peterson  
NO VOTE: Shannon (ineligible)  
NAYES: None  
ABSENT: Freymiller and Junk

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

**30. Awards**

- a) Deferral from December 22, 2022 Bid Opening
- b) January 12, 2023 – Regular Bid Opening
- c) January 19, 2023 – Regular Bid Opening

ACTION: LaForge moved and Coburn seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Dyson, Alexander, LaForge and Peterson  
NO VOTE: Shannon (ineligible)  
NAYES: None  
ABSENT: Freymiller and Junk

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

**31. Director’s Report**

Secretary Gatz apologized for some of the technical difficulties this morning. These are challenges we all need to get used to; and we will continue our work to make sure that we can accommodate these needs when they do arise.

Shawn talked about the Emergency Bridge Project on I-35, I don’t have a lot to add, but I would like to ask that the industry be attentive to the 14-foot legal load height. And if you exceed the legal load height limitation, please secure the proper permits, pay attention to the proper maps and be extremely careful out there. We are having too many hits and not every bridge that we have is a 17-foot-tall interstate bridge. Many of them are posted below 15 feet; so, I stress once again to the industry please help out, pay attention and be extremely careful when traveling our highways with something that is even near the 14-foot limit. Thanks to everybody that was involved in that emergency project, because we delivered that repair very quickly and a job well done by all.

He thanked the Commission for awarding several important projects today:

- *I-235 off Broadway is the final phase in the interchange at I-44 and I-235. This \$22 million project won't have much of an impact on the mainline traffic flows, but it is reconnecting and certainly improving the direct connections in the areas of Lincoln Boulevard and 63rd Street. It will start early summer of 2023; and we expect it to be wrapped up by late summer of 2024*
- *\$24 million pavement rehabilitation project on I-40 between Maple Road in Canadian County and I-40 Business in El Reno. Traffic will be narrowed to 1 lane each direction for duration of the project. It is expected to begin in late spring/early summer 2023, and anticipated completion by winter 2023.*
- *\$13 million reconstruction and widening of SH-4 between SH-66 and Wagner Road in Yukon. This is the 2<sup>nd</sup> of 3 phases that ultimately widens and reconstructs SH-4 between SH-66 and SH-3/NW Expressway. Project also includes improvements to Wagner Road in partnership with the City of Yukon.*
- *1.7 million reconstruction project of the 1<sup>st</sup> Street on-ramp to I-244 on the west leg of the IDL in downtown Tulsa. The ramp helps filter people out of downtown Tulsa in the evening rush hour and this once structurally deficient bridge, carries an AADT of 2,200. This project could be disruptive to traffic.*

The Department was a recipient of a \$85 million National Infrastructure Project Assistance (Mega) Grant to help fund projects related to improvements of the I-44 and US-75 interchange. This was 1 of 9 that was awarded across the country; and this is the largest transportation grant Oklahoma has been awarded in its history. This grant will help fund 3 phases of already scheduled construction projects around the interchange. Certainly, the Commission recognizes we are experiencing some inflationary pressures and challenges on our construction contracts; and grants like this help us keep everything on schedule and balanced in that 8 Year Construction Work Plan.

*He presented to the Commission a ODOT year end review video, to give us a chance to reflect back on the accomplishments of 2022.*

Secretary Gatz highlighted some of the major projects that we are extremely proud of, 1 being the improvements on Highway 69 in Calera, we are making good progress towards getting that project wrapped up. It is really looking nice and it's going to accomplish everything that we had hoped. The 8 Year Construction Work Plan, in particular this year, has the largest investment ever in putting shelters on rural 2-lane highways. This is something we are very proud of, and something that we have got to continue. It's something we got to be diligent and meet our performance metrics as related, just like we have done on our bridges. We look forward to continuing that work and certainly thank the Commission for your continued support.

He acknowledged and thanked the hard work performed by our personnel during last week's winter storm. There were 22,400 man-hours logged, 17,700 tons of salt and sand mix and 661,000 gallons of brine in pre-treating efforts. We appreciate the effort that they put forth to make sure that the public can travel as safely as we can possibly make it.

He talked about a Fair Miles pilot program, this is a result of HB 1712 that legislation passed in 2021, Oklahoma is exploring a pay-per-mile alternative to the current declining fuel tax, and this pilot program will allow us to see how this would work. This is an important step to provide funding in the future for our highway system. ODOT will have to submit a report on this by end of December to the Legislature.

The Department is continuing our safety campaign, and this month's emphasis will be on common driver errors such as speeding, distracted driving, driving under the influence and main thing is to **buckle your seatbelt!**

**Note:** *Commissioner Grimsley had a couple of requests. He wanted to get a briefing at next month's meeting about the State's Open Meetings Act, what are our specific requirements with the blended virtual/in-person meeting.*

Secretary Gatz said we won't wait until the next Commission Meeting; we will put a briefing out to you all by the next meeting.

*Commissioner Grimsley thanked him for that. He then stated he is intrigued by the Fair Usage Act and spent a lot of time reading about motor fuel taxes, and the differences between states. I would like to have more of a discussion about that, because it is very fascinating to me. If we start to do direct miles it opens up some interesting 4<sup>th</sup> amendment. I think it would be good to have a discussion about are there potential ways that we can provide those protections to make sure that we don't disincentivize participation and those type of things. Mainly how the funding mechanism works and where our funding comes from; and I think it's important to people to realize how this is diminishing now.*

Secretary Gatz answered, "Certainly, motor fuel tax is a key component and the really interesting thing is Oklahoma's tax rate is 45<sup>th</sup> lowest in the country". There are some reasons behind that which are worth talking about, so Commissioner we would love to give you a briefing on it.

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

### **ITEM PRESENTED BY COMMISSION CHAIRMAN**

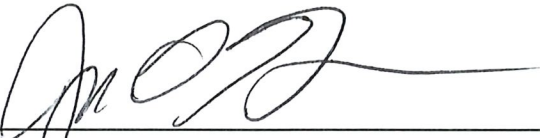
#### **32. Adjournment Motion**

ACTION: Shannon moved and Dyson seconded that the Meeting be adjourned.  
MOTION: Carried by the following vote:  
AYES: Coburn, Grimsley, Freymiller, Dyson, Alexander, LaForge and Peterson  
NO VOTE: Shannon (ineligible)  
NAYES: None  
ABSENT: McKown

**Meeting adjourned at 11:59 a.m.**

Approval of the Minutes of the Transportation Commission Meeting February 6, 2023.



  
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James Grimsley – Secretary

  
\_\_\_\_\_  
Bob Peterson – Vice Chairman