MINUTES FOR THE TRANSPORTATION COMMISSION MEETING JANUARY 11, 2021

MINUTES OF THE VIRTUAL MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, HELD JANUARY 11, 2021 VIA IN-PERSON AND BY VIDEO TELECONFERENCE PURSUANT TO THE OKLAHOMA OPEN MEETING ACT, RECORDED AND AUDIO LIVESTREAMED FROM 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.

Commissioners joined the meeting some by video teleconference and some in-person.

Special Note: The public access was monitored by ODOT to ensure that if the audio connection was lost or interrupted, the meeting would be stopped and not resumed until an audio connection was restored.

ITEMS PRESENTED BY COMMISSION CHAIRMAN

CALL TO ORDER: Mr. McKown called the meeting to order at 11:01 a.m.

ROLL CALL: Present: Gene McKown Chairman

TW Shannon Secretary

Bob Coburn Member (virtual)

James Grimsley Member

Don Freymiller Member (virtual)
David Dyson Member (virtual)

Bobby Alexander Member Steve LaForge Member

Bob Peterson Vice-Chairman (virtual)

Absent: None

Presiding: Gene McKown

The following items were presented and approved as written at the Transportation Commission meeting January 11, 2021. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Chairman McKown recognized Secretary Gatz for some comments.

Secretary Gatz said the Transportation family in Oklahoma suffered a significant loss. Cecil Davis was an ODOT legacy employee of 37 years. He also was the father of Shawn Davis, our Direction or Operations. Cecil was instrumental in the construction of many projects across the State of Oklahoma, including much of the interstate system that we know today. He was one of the nicest people you would ever meet; and one of the best construction minds that I've ever seen in transportation. Cecil was really a critical and important part of Oklahoma's transportation system and the development of it. He retired in the mid-90's, but one of the most significant things that he contributed was when the Arkansas River Bridge over I-40 was knocked down by the barge, he came out of retirement to help us get that bridge reconstructed, and get traffic back on I-40. So, our thoughts and prayers go out to Shawn and his family; but I wanted to recognize Cecil for the important part of Transportation in Oklahoma that he represented.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

1. Approval of the Minutes of the Transportation Commission Meeting of December 7, 2020

ACTION: Shannon moved and Freymiller seconded that the Minutes be approved as presented.

MOTION: Carried by the following vote:

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

ABSTAIN: None ABSENT: None

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

Kiowa County - District V

Near Snyder, Construction funding for a Signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at the intersection of SH-54 with the Stillwater Central Railroad mainline. Total cost is \$262,921.00

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

Canadian County - District IV - Yukon - SH-4/Mustang Road - JP33075(04) - Stillwater Central Railroad - \$5,568.67 - 18.63%

4. Land Sales - Mr. Phillips

- a) Marshall County District II located approximately 0.5 mile south of the SH-99/US-70 intersection in Madill, OK \$1,110.00
- **b)** Creek County District VIII located at the NE corner of the intersection of 16th Street and US-75-A in Mounds, OK \$1,800.00

ACTION: Dyson moved and Coburn seconded that the Consent Docket be approved as presented.

MOTION: Carried by the following vote:

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

INAUDIBLE: Alexander NAYES: None ABSENT: None

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING - Mr. Tegeler

5. Programming Item

Oklahoma County – District IV - a project to repair vehicle impact damage to NW 36th Street over I-44, located 3.3 miles north of I-40 - \$50,000 - Party responsible for the damage is known.

ACTION: Freymiller moved and Shannon seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

6. Engineering Contracts

a) Cherokee County – District I - to prepare construction plans for SH-82: beginning 1.4 miles north of US-62/SH-51 junction, north approximately 6.5 miles (Phase 1) and SH-82: beginning 1.4 miles north of US-62/SH-51 junction, north approximately 6.5 miles (Phase 2)

CI-2114 Garver, LLC \$1,144,132.00

b) Haskell County – District I - to prepare construction plans for SH-71: from 1.15 miles north of Pittsburg County Line, north 0.3 miles.

CI-2261A CONSOR Engineers, LLC \$460,335.00

c) McIntosh County - District I - to prepare construction plans for US-69: from McIntosh/Muskogee County Line, south 2.5 miles

CI-2266A Crafton Tull and Associates, Inc. \$228,083.00

d) Okmulgee County – District I - to prepare construction plans for US-75: from 3 miles south of US-62E, north 3 miles (northbound) & from 1 mile south of US-62E, north 1 mile (southbound)

CI-2266C Halff Associates, Inc. \$326,700.00

e) Sequoyah County – District I - to provide preliminary engineering and prepare construction plans for I-40: from 0.15 miles east of mile post 299 to 0.35 miles east of Dwight Mission Road

CI-2266B Guy Engineering Services, Inc. \$649,325.00

f) Wagoner County - District I - to prepare construction plans for SH-51: intersection modification at mile post 2.20 (91st street south)

CI-2220A Meshek and Associates, LLC \$292,457.00

g) Muskogee County – District I - to prepare construction plans for US-64/SH-16/US-64/SH-72 intersection (bridge over SH-72)

CI-2264A MKEC Engineering, Inc. \$557,518.00

h) Bryan County – District II - to prepare construction plans for US-69 northbound and southbound over West Arkansas Street, K.R.R. and Main Street, 3.77 & 3.88 miles north of junction US-69 Business

CI-2261D MKEC Engineering, Inc. \$1,026,995.00

 i) Choctaw County – District II - to prepare construction plans for US-70: beginning at junction SH-209, extending east 5.76 miles to McCurtain County Line

CI-2264B Olsson, Inc. \$1,227,300.00

 j) Cleveland County – District III - to prepare construction plans for SH-9: beginning at 156th street north in Norman, east approximately 4.0 miles to Pecan Creek Bridge (near Pottawatomie County Line)

CI-2264C EST, Inc. \$1,491,639.00

k) Garvin County - District III - to prepare construction plans for SH-145: over I-35

CI-2223E MacArthur Associated Consultants, LLC

 Pottawatomie County – District III - to prepare construction plans for SH-39 over Unnamed Creeks, 2.0 miles east of junction US-177

CI-2261B EST, Inc. \$772,900.00

\$412.545.00

m) Beckham County – District V - to prepare construction plans for SH-152: beginning on the east side of the SH-30 junction and extending east 4.1 miles

CI-2269A Cowan Group Engineering, LLC \$611,380.00

n) Beaver County – District VI - to prepare construction plans for US-64 beginning at junction US-64/US-83, extending east 6.0 miles

CI-2268B MacArthur Associated Consultants, LLC \$650,740.00

 O) Comanche County – District VII - to prepare construction plans for US-62: from 82nd street in Lawton, east to I-44

CI-2267 Freese & Nichols, Inc. \$779,900.00

p) Stephens County – District VII - to provide preliminary engineering and prepare construction plans for the Duncan Bypass: interchange construction at Elk Avenue

CI-2265 Olsson, Inc. \$378,945.00

q) Craig County – District VIII - to prepare construction plans for Intersection at US-60 & SH-82

CI-2220B Atkins North America, Inc. \$213,560.00

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

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

NOTE: Commissioner Peterson asked if these contracts are competitively bid; or are these awards where you pick the consultant that is the best qualified.

Mr. Tegeler said that we shortlist and interview them; this is a qualifications-based selection. We go through the list and look at their qualifications, shortlist accordingly to the projects, then interview them and pick the best one qualified for that project.

Commissioner Coburn asked the status of the information he requested a few months agon on Engineering Contract process.

Mr. Tegeler replied that he has the information ready and will email it to him this afternoon.

7. Engineering Contract Supplements

a) Seminole County – District III – this supplement is for additional engineering to develop final construction plans for SH-99: from 3.05 miles south of US-270, south 4.0 miles (new parallel lanes & resurface existing lanes) and SH-99: from 7.05 miles south of US-270, south 4.0 miles (new parallel lanes & resurface existing lanes)

CI-2070 Supplement 4 Benham Design, LLC

\$140,040.50

b) Oklahoma County - District IV - this supplement is for additional engineering to develop final construction plans for I-35: Frontage Road modifications from Memorial Road to SH-66

CI-2120 Supplement 1 Poe and Associates, Inc.

\$1,597,156.00

c) Custer County – District V - this supplement is for additional engineering to develop final construction plans for SH-54, beginning 1.8 miles north of the I-40 junction and extend north 5.0 miles.

EC-1376A Supplement 9

Atkins North America, Inc.

\$33,900.00

ACTION: Dyson moved and Freymiller seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER - Mr. Leonard

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

- a) Carter County Co. Rd. STP-210D(070)CI / 30468(04), \$42,197.40, -4.62% Underrun
- b) Custer County SH-33 MC-220F(073)MD / 34771(04), \$1,375.00, 0.07%
- c) Harmon County Co. Rd. CIRB-229C(016)RB / 28710(04), \$51,565.88, 0.81%
- d) Hughes County Co. Rd. STP-232C(041)CI / 28575(04), \$8,273.20, 0.26%
- e) Jackson County SH-5 STP-233C(038)PM / 27919(04), \$850.00, 0.04%
- f) Kay County Ct. St. TAP-236N(063)TP / 33000(04), \$2,969.50, 0.39%
- g) Kay County Ct. St. STP-236B(062)UR / 33687(04), \$5,280.00, 0.36%
- h) Kingfisher County US-81/SH-33 STP-237B(049)PM / 30445(04), \$50,000.00, 4.00%
- i) Lincoln County SH-66B STP-241C(059)PM / 28034(04), \$26,744.40, 1.13%
- j) Logan County SH-74 SSR-242C(083)SR / 33810(04), \$10,178.58, 0.76%
- k) Love County I-35 HSIPIG-3500-(014)IT / 31603(04), \$28,394.15, 4.52%
- Marshall County Co. Rd. STP-248D(044)CI / 29305(04), \$110,972.91, -16.80% Underrun
- m) Murray County SH-7 WB SBR-3500(080)SB / 31309(04), \$330.00, 0.02%
- n) Muskogee County SH-72 SBR-251C(096)SB / 32723(04), \$11,248.72, 0.63%
- o) Muskogee County SH-165 SSR-251N(099)SR / 32787(04), \$5.50, -0.00% Underrun
- p) Oklahoma County I-44 NHPPI-4400-(037)PM / NHPPI-4400-(039)PM / NHPPI-4400- (040)PM / NHPPI-4400- (041)PM / NHPPI-4400-(042)PM / NHPPI-4400-(043)PM / 31006(04), \$38,896.41, 0.32%
- q) Osage County SH-123 STP-257C(071)3P / 31942(04), \$5,500.00, 0.34%
- r) Ottawa County SH-125 STP-258C(065)PM / 27016(04), \$52,037.48, 1.93%
- s) Payne County I-35 E-SAP-3500(088)ES / 34596(04), \$6,819.84, 1.06%
- t) Pittsburg County Co. Rd. STP-261D(083)CI / 29996(04), \$9,432.99, 1.25%
- u) Pontotoc County US-377 SSP-262B(041)SS / 23285(08), \$668.80, 0.23%
- v) Pontotoc County SH-99 STP-162B(207)SS / 23286(10), \$19,558.67, 0.32%
- w) Sequoyah County I-40 MC-268C(070) / 34713(04), \$31,798.00, 4.64%
- x) Tulsa County Ct. St. ACNHPPI-2440-(017)FP / 28859(04), \$37.673.23, 0.72%

- y) Tulsa County Ct. St. STP-272B(277)IG / 29326(04), \$39,816.26, 0.47%
- z) Tulsa County Ct. St. TAP-272D(280)IG / 31620(04), \$24,177.62, 4.84%
- aa) Tulsa County Ct. St. TAP-272E(282)IG / 33039(04), \$1.43, -0.00% Underrun

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

- a) Cimarron County US-64 NHPP-034N(001)PM / 20941(04), #6, \$34,924.67, 0.32%
- b) Cimarron County US-64 NHPP-034N(001)PM / 20941(04), #7, \$48,000.00, 0.44%
- c) Cleveland County Ct. St. STP-214C(080)AG / 29289(04), \$16,930.88, 0.61%
- d) Cleveland County Ct. St. STP-214B(091)AG / 30606(04), \$95,660.13, 6.49%
- e) Comanche County Ct. St. STP-116B(137)MS / 23410(04), \$28,566.71, 0.34%
- f) Garvin County Co. Rd. CIRB-225C(073)RB / CIRB-225C(074)RB / 27848(04), \$44,719.07, 0.88%
- g) Haskell County Co. Rd. CIRB-231C(040)RB / 28499(04), \$166,677.88, 2.22%
- h) Haskell County SH-2 STP-231B(042)PM / 31195(04), \$85,130.36, 6.81%
- i) Jefferson County SH-79 STP-234B(014)SS / 27977(04), \$63,185.60, 0.57%
- j) Kiowa County SH-44 STP-275C(035)SS / ACSTP-238C(037)SS / 28999(04), \$3,986.15, 0.12%
- k) Logan County Co. Rd. STP-242C(070)AG / 32641(04), \$1,489,390.67, 47.19%
- McClain County I-35/CNTY RD NHPPI-3500-(074)PM / 27220(04), \$13,459.84, 0.15%
- m) Murray County SH-7 TAP-250D(022)TP / SSP-250N(018)PM / 33320(04), \$79,748.50, 2.27%
- n) Oklahoma County I-235 NHPPI-2350-(009)PM / 09033(27), \$51,846.00, 0.05%
- o) Oklahoma County I-44 NHPPI-4400-(037)PM / NHPPI-4400-(039)PM / NHPPI-4400- (040)PM / NHPPI-4400-(041)PM / NHPPI-4400-(042)PM / NHPPI-4400-(043)PM / 31006(04), \$50,000.00, 0.18%
- p) Oklahoma County SH-66 TAP-255C(490)TP / NHPP-255N(489)EH / 32984(04), \$106,294.75, 3.04% Underrun
- **q)** Osage County US-60 SBR-257N(080)SB / 32732(04), \$24,146.85, 1.96%
- r) Rogers County US-412/SH-88/S4200RD SSP-266N(056)SS / 23170(10), \$141,220.10, 1.85%
- s) Stephens County SH-29 STP-169B(134)PM / 24412(04), \$10, \$1,030.38, 0.01%
- t) Stephens County SH-29 STP-169B(134)PM / 24412(04), #11, \$59,690.97, 0.48%
- u) Tillman County US-70 STP-271C(067)PM / 29514(04), #3, \$28,435.82, 0.89%
- v) Tillman County US-70 STP-271C(067)PM / 29514(04), #4, \$90,000.00, 2.81%
- w) Tulsa County US-64 STP-272C(202) / 27937(04), \$97,295.34, 2.49%
- x) Tulsa County Ct. St. STP-272B(278)CI / 30703(04), \$378.47, 0.01%
- y) Washita County US-183 MC-009N(102)MD / 34770(04), \$142,312.03, 9.47%

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

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

NOTE: Commissioner Peterson asked what Sub-Committee reviews the Change Orders.

Mr. Leonard said the "Operations and Administration Committee" with Commissioners, McKown, LaForge and Coburn

ITEMS PRESENTED BY THE COMPTROLLER DIVISION

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

- a) Final March, 2021 Proposed Bid Opening
- b) Tentative April, 2021 Proposed Bid Opening
- c) Tentative May, 2021 Proposed Bid Opening

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

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

ITEMS PRESENTED BY THE DIRECTOR OF FINANCE AND ADMINISTRATION;

11. Damages to State Property – Ms. Hilmes

a) Mr. Hernandez - Cleveland County - \$247.40

b) Mr. Pappan – Kay County - \$695.07

ACTION: Freymiller moved and Shannon seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

ITEM PRESENTED BY LOCAL GOVERNMENT DIVISION ENGINEER - Ms. Williams

12. Request for Final Approval of the County Designation Order for FY-2021

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, Freymiller, Shannon, McKown, Dyson, Alexander, LaForge and Peterson

NAYES: None ABSENT: None

ITEM PRESENTED BY THE DIRECTOR - Mr. Gatz

13. Director's Report

Secretary Gatz reported at the end of 2020 we saw some activity at the federal level with Congress and their approval of the Consolidated Appropriations Act of 2021. That Appropriations Act included the reauthorization of the Federal Transportation Program and will fully fund the Federal Government through September 30, 2021. This bill also included a COVID-19 relief package which provides approximately \$157 million dollars for Oklahoma Transportation. These funds will be used to fund much needed projects statewide. We have had a pretty challenging winter and the Department will have to put more of our resources into managing the snow and ice. This impacts our ability to do our maintenance activities in the spring, we would rather put those dollars into asphalt and taking care of the highway system; but we will be forced to invest more of this in salt and sand, and other activities that go along with managing snow and ice. So, I expect we will try to prop up our Asset Preservation Program a little bit with some of the corona relief dollars. We will also make sure that we go back into the 8 Year Construction Work Plan and find projects that are ready to go there and accelerate those projects forward

Congress also passed the Water Resources Development Act (WRDA) of 2020. This will improve the State's partnership with the US Army Corps of Engineers on waterway projects that. This could result in work on the McClellan-Kerr Arkansas River navigational system which helps Oklahoma move heavy freight. This does not

provide additional funds, but allows us the flexibility to better compete for funds and be reimbursed for water projects. It also helps the Corps of Engineers here in Oklahoma access assistance to repair and restore commerce on waterways faster after disasters like the 2019 floods that we experienced. So, we are excited about the passage of the WRDA Act and most significantly, the fact that we were able to get a final budget for Federal Fiscal Year 2021.

Also, at the federal level a bill has been signed that creates the Route 66 Centennial Commission Act. This will provide consistency and planning for the entire route in preparation for the centennial celebration of US Route 66's 100th Anniversary coming in 2026. We are already actively engaged in planning for the 2026 centennial celebration here in the state; and working closely with Lt. Governor, Matt Pinnell in his efforts to make 2026 special as we recognize the 100th anniversary of that facility.

The latest news on the state budget is that while we are not in great shape, but we are better off than originally projected. So far, we are only down 6.6% from last year. We are obviously still being significantly affected by COVID-19, but Oklahoma is continuing to manage our way through challenges very well.

The State Legislature had their Organizational Day; and ODOT will be meeting with the Legislators for appropriation and budget discussions in preparation for the upcoming session that begins February 1st. The Senate Transportation Committee have been appointed along with their Committee Chairs.

Our transportation modernization initiative is ongoing; that includes our activities to really take a hard look at the organization of not just the Department of Transportation, but the Aeronautics Commission and the Turnpike Authority across the Transportation Cabinet. Our consultant, Guidehouse, has been doing a really intensive review of the current state of our operations in all 3 of the cabinet agencies. They are completing that analysis now; we are about to transition into a phase that will yield some recommendations for organizational improvement for the future. We are still on schedule and that activity will continue through the spring into the summer. The Commission will start to see more detail coming from us as we begin to make and implement some of those changes.

(Secretary Gatz showed a year end video to summarize the outstanding job and accomplishments ODOT has done during 2020)

He thanked the Commissioners for their willingness to be a part of Transportation in Oklahoma. He thanked the Department Staff, all of our contractor partners and consulting partners that really have done a great job during the 2020 COVID challenge; and that help us deliver the type of quality transportation system that Oklahomans deserve. He said, 2020 was not without its challenges on many different fronts and we will all remember 2020 as awful. But I will tell you also that it's been nothing short of amazing what the State of Oklahoma, what the Department of Transportation has been able to accomplish during 2020 in some extremely challenging circumstances. So again, congratulations to all that were a part of getting us into 2021; and we look forward to a brighter future!

Information Only: No Commission action required.

ITEM PRESENTED BY COMMISSION CHAIRMAN

14. Adjournment Motion

ACTION: LaForge moved and Shannon seconded that the Meeting be adjourned.

MOTION: Carried by the following vote:

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

NAYES: None ABSENT: None

Meeting adjourned at 11:39 a.m.

Approval of the Minutes of the Transportation Co	ommission Meeting January 11, 2021.
	Gene McKown – Chairman
	Bob Peterson – Vice Chairman