MINUTES FOR THE TRANSPORTATION COMMISSION MEETING MARCH 1, 2021

MINUTES OF THE VIRTUAL MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, HELD MARCH 1, 2021 VIA BY VIDEO TELECONFERENCE ONLY PURSUANT TO THE OKLAHOMA OPEN MEETING ACT, AS AMENDED BY SENATE BILL 1031, 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 by video teleconference.

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 11:05 a.m.

ROLL CALL: Present: Gene McKown Chairman

TW Shannon Secretary
Bob Coburn Member
James Grimsley Member
Don Freymiller Member
David Dyson Member
Bobby Alexander Member
Steve LaForge Member

Bob Peterson Vice-Chairman

Absent: None

Presiding: Gene McKown

The following items were presented and approved as written at the Transportation Commission meeting March 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.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

28. Approval of the Minutes of the Special Transportation Commission Meeting of February 16, 2021

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

MOTION: Carried by the following vote:

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

INAUDIBLE: Shannon ABSTAIN: None ABSENT: None

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

a) Custer County - Commission District V

In Weatherford, Construction funding for a Signal and Surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and four 48- foot concrete crossing surfaces at the intersection of Custer Street with the Farmrail Company mainline. Total cost is \$515.616.00

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

a) Adair County - District 1 - Stilwell - E-0810 - JP32589(83) - KSC - \$16,099.70 - 5.77%

31. Speed Zone Revisions – Mr. Pendley

a) Alfalfa and Woods Counties - District VI - at the following locations:

- 1. Along SH-8 in Alfalfa County including the Town of Burlington
- 2. Along SH 11 in Rural Alfalfa & Woods Counties

32. Land Sale - Mr. Phillips

a) Carter County – District VII – located along the south side of SH-53, approximately 1.19 miles west of I-35 - \$213,000.00

ACTION: LaForge moved and Alexander seconded that the Consent Docket be approved as presented.

MOTION: Carried by the following vote:

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

INAUDIBLE: Shannon NAYES: None ABSENT: None

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING - Mr. Tegeler

33. Engineering Contracts

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

CI-2293A EST, Inc.

CI-2293B H.W. Lochner, Inc.

CI-2293C Jacobs Engineering Group, Inc.
CI-2293D MKEC Engineering, Inc.
CI-2293E Purkeypile Engineering, LLC

CI-2293F Rhombic, LLC

Total Aggregate Not to Exceed Amount for these (6) six contracts is \$1,500,000.00

b) Statewide – All Districts – On-System Bridge Inspections.

CI-2298A Burgess and Niple, Inc. CI-2298B CEC Corporation

CI-2298C CONSOR Engineers, LLC

CI-2298D

Guy Engineering Services, Inc.

Total Aggregate Not to Exceed Amount for these (4) contracts is \$1,200,000.00

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

CI-2299A Burgess and Niple, Inc.
CI-2299B CONSOR Engineers, LLC

Total Aggregate Not to Exceed Amount for these (2) contracts is \$4,688,539.00

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

CI-2300 Burgess and Niple, Inc. \$2,046,229.00

e) Statewide - All Districts - On-Demand ADA Improvements

CI-2301A Atkins North America, Inc.
CI-2301B Cowan Group Engineering
CI-2301C Kimley-Horn and Associates, Inc.
CI-2301D Parkhill, Smith & Cooper, Inc.
(DBA Cardinal Engineering)
CI-2301E R.L. Shears Company, PC
CI-2301F Smith Roberts Baldischwiler, LLC

Total Aggregate Not to Exceed Amount for these (6) contracts is \$1,500,000.00

f) Noble County – District IV - to prepare construction plans for US-177: from 6.0 miles north of US-64, extending north 0.5 miles.

CI-2264E Aguirre & Fields, LP \$349,862.00

g) Mayes County – District VIII - to provide preliminary engineering and prepare construction plans for SH-20 from 0.75 miles north of Salina, north approximately 7.25 miles.

CI-2263B HNTB Corporation \$472,000.00

ACTION: Alexander 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

34. Engineering Contract Supplement

Rogers County – District VIII – this supplement is for additional engineering to develop final construction plans for SH-20: realignment from Southhaven Road, extending east approximately 1.4 miles to King Road

EC-1897 Supplement 2 Garver, LLC \$28,255.00

ACTION: Grimsley 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 CONSTRUCTION DIVISION ENGINEER - Mr. Leonard

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

- a) Atoka County SH-7 STP-203C(073)PM / 24066(07), \$4.75, -0.00% Underrun
- **b)** Atoka County US-69 NHPP-013N(170)PM / 28947(04), \$4.26, 0.00%
- c) Bryan County US-69 NHPP-207N(085)FP / 31855(04), #4, \$83,693.49, -0.05% Underrun
- d) Bryan County US-69 NHPP-207N(085)FP / 31855(04), #5, \$60,602.66, 0.04%
- e) Carter County SH-53 STP-210C(066)PM / 24104(0. 7), \$6,213.07, 0.04%
- f) Cherokee County US-62/SH-10 STP-211B(038)3P / 32790(04), \$0.02, -0.00% Underrun
- g) Coal County US-75/SH-3 NHPP-215N(028)PM / 29731(04), \$20,921.00, 2.81%
- h) Craig County SH-10 ACSTP-218C(054)SS / 27069(04), \$8,939.70, 0.19%
- i) Custer County I-40 ON RAMP NHPPI-4000-(078)PM / 27911(08), \$17,140.00, 0.72%
- j) Garvin County US-77 STP-225C(086)PM / 29667(04), \$37,228.89, 1.07%
- k) Jefferson County Co. Rd. CIRB-234C(045)RB / 29914(04), \$213,317.16, -3.56% Underrun
- l) Love County SH-32 STP-243C(032)PM / 29576(04), \$15,271.64, 0.23%
- m) Major County Co. Rd. STP-247C(026)CI / 31771(04), \$10,144.00, 1.57%
- n) McIntosh County US-69 NHPP-019N(175)PM / 30572(04), \$44,887.50, 0.14%
- o) Murray County Co. Rd. STP-250D(027)CI / 29391(04), \$1,647.20, 0.17%
- p) Muskogee County US-62 ACSTP-151C(198) / 26287(04), \$10,552.80, 0.27%
- q) Muskogee County Co. Rd. CIRB-251C(095)RB / 29383(04), \$2,252.50, 0.18%
- r) Okfuskee County SH-62 ACHSIPG-254C(039)AD / TAP-254D(038)TP / 32966(04), \$15,366.10, 1.61%
- s) Osage County SH-123 STP-257C(071)3P / 31942(04), \$15,030.72, 0.93%
- t) Pittsburg County SH-31 EB SBR-261B(090)SB / 29738(04), #3, \$6,000.00, 0.28%
- u) Pittsburg County SH-31 EB SBR-261B(090)SB / 29738(04), #4, \$18,831.00, 0.89%
- v) Sequoyah County I-40 NHPPI-4000-(076)PM / NHPPI-4000-(075)PM / SBR-4000(080)SB / 28988(04), #2, \$17,116.02, 0.05%
- **w)** Sequoyah County I-40 NHPPI-4000-(076)PM / NHPPI-4000-(075)PM / SBR- 4000(080)SB / 28988(04), #4, \$11,828.85, 0.03%
- x) Tulsa County SH-20 STP-172B(360)SS / 24346(04), \$22,492.40, 0.15%
- y) Tulsa County Ct. St. TAP-272D(279)IG / 31619(04), \$345.25, 0.54%
- z) Tulsa County Ct. St. STP-272C(261)CI / 32203(04), \$27,070.74, 1.27%
- aa) Tulsa County I-44 NHPPI-4400(054)PM / NHPPI-4400(077)PM / 33788(04), \$90.83, 0.00%
- **bb)** Tulsa County I-244 SSP-272N(295)PM / 34487(04), \$57,966.49, 1.06%
- cc) Woods County US-64 STP-276B(029)PM / 27922(04), \$9,182.46, 0.38%
- dd) Woods County Co. Rd. CIRB-276D(044)RB / 29782(04), \$14,110.13, 2.31%
- **ee)** Woods County SH-8/SH-11 SSR-202C(043)SR / SSR-276C(040)SR / 32755(04), \$8,821.58, 0.56%

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

- a) Beckham County I-40B NHPP-205N(086)PM / 27900(04), #1, \$167,848.24, 3.55%
- b) Beckham County I-40B NHPP-205N(086)PM / 27900(04), #2, \$31,490.19, 0.67%
- c) Beckham County SH-6 STP-205B(076)PM / ACNHPPI-4000(061)PM / 30998(04), #15, \$2,018.81, 0.01%
- **d)** Beckham County SH-6 STP-205B(076)PM / ACNHPPI-4000(061)PM / 30998(04), #16, \$203,639.14, 0.71%
- e) Beckham County SH-6 STP-205B(076)PM / ACNHPPI-4000(061)PM / 30998(04), #17, \$76,648.80, 0.27%
- f) Beckham County SH-6 STP-205B(076)PM / ACNHPPI-4000(061)PM / 30998(04), #18, \$79,808.04, 0.28%
- **g)** Beckham County SH-6 STP-205B(076)PM / ACNHPPI-4000(061)PM / 30998(04), #19, \$65,591.00, 0.23%
- h) Cleveland County Ct. St. NHPPI-3500(065) / 32155(04), \$6,499.68, 0.06%
- i) Coal County Co. Rd. STP-215D(031)CI / 30665(04), \$75,290.09, 13.57%
- j) Custer County SH-33 SSP-220B(064)SS / 28772(04), \$56,187.27, 0.81%
- k) Dewey County US-270 NHPP-017N(258)PM / 17671(41), \$150,402.99, 0.71%
- Johnston County Co. Rd. STP-235C(020)CI / 28574(04), \$19,339.73, 0.44%
- m) Johnston County SH-7 STP-235C(037)PM / 29666(04), \$99,924.16, 5.73%
- n) Johnston County SH-22/SH-99 STP-235C(038)PM / 31841(04), \$80,317.08, 1.19%

- o) Major County US-60 ACNHPP-247N(018)SS / 27009(04), \$11,561.26, 0.15%
- p) Mayes County SH-28 SSP-249C(049)SS / SSP-249C(052)SS / 31884(05), \$19,823.76, 0.14%
- **q)** McClain County US-77 ACNHPP-244N(052)SS / 27946(04), \$34,777.28, 0.10%
- r) Nowata County US-60 NHPP-253N(042)PM / NHPP-253N(043)PM / 27012(05), \$44,109.30, 0.53%
- s) Pottawatomie County I-40 NHPPI-4000(096)3P / NHPPI-4000(097)3P / 33336(04), \$222,791.61, -3.76% Underrun
- t) Pushmataha County US-271 STP 264B(076)PM / 27026(04), \$152,657.00, 5.64%
- **u)** Pushmataha County US-271 SBR-264B(065)SB / SBR-264B(066)SB / 30433(04), \$60,431.98, 3.52%
- v) Stephens County US-81 ACNHPP-011N(100)SS / 20316(04), \$3,104.83, -0.02% Underrun
- w) Stephens County SH-29 STP-169B(134)PM / 24412(04), #12, \$24,748.00, 0.20%
- x) Stephens County SH-29 STP-169B(134)PM / 24412(04), #13, \$15,617.52, 0.13%
- y) Stephens County SH-53 STP-269C(049)SS / 27966(04), \$34,292.90, 2.13%
- **z)** Tulsa County SH-51 NHPP-272N(205)PM / SSP-272N(206)PM / 11477(04), \$63,738.40, 0.50%
- aa) Tulsa County SH-20 STP-172B(360)SS / 24346(04), \$1,121,141.52, 7.26%
- **bb)** Tulsa County Ct. St. STP-172B(400)IG / 25212(04), \$20,136.61, 0.33%
- **cc)** Tulsa County SH-11 NHPPI-2440-(018)PM / NHPP-272N(245)PM / 29076(04), \$1,375.00, 0.02%
- dd) Tulsa County Ct. St. TAP-272E(294)CO / 33019(04), \$413,790.80, 22.40%
- ee) Tulsa County I-244 SSP-272N(295)PM / 34487(04), \$57,543.03, 1.05%
- ff) Washington County US-75 SBR-274N(021)SB / 31369(04), \$122,320.60, 2.80%
- gg) Woodward County Co. Rd. CIRB-177C(113)RB / 27407(04), \$306,672.48, 4.84%

ACTION: LaForge moved and Alexander 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 COMPTROLLER DIVISION

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

- a) Final May, 2021 Proposed Bid Opening
- **b)** Tentative June, 2021 Proposed Bid Opening
- c) Tentative July, 2021 Proposed Bid Opening

ACTION: Coburn 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 THE OFFICE ENGINEER - Mr. Delce

38. Awards

February 18, 2021 – Regular Letting

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 COORDINATOR OF EXECUTIVE ADMINISTRATION- Ms. Moore

39. Amendments to Department Administrative Rules

Approval to Amend the OAC Rule No.: 730:35-9-5 Design and Construction Standards

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

NOTE: Addendum Item No. 42 was added to Docket and presented at this time.

ADDENDUM - ITEM PRESENTED BY THE DIRECTOR - Mr. Gatz

42. Declaration of Emergency

Emergency Repair for US-169 under SH-266 (46th N) Repair of Pavement Failure Northbound and Southbound Center lane, Outside Lane and Shoulders – Tulsa County – District VIII - \$1,000,000.00

ACTION: Coburn moved and LaForge 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

40. Director's Report

Secretary Gatz recognized Special Guest, Baylee Williams the Governor's Policy Transportation Liaison.

He announced that Ms. Ernestine Mbroh, our Division Manager for our Office of Mobility and Public Transit, is retiring from the Department after 30 years of service. She has served the Agency in many capacities like enhancements, Contract Administration, Civil Rights, Safe Routes to Schools, and has been an important part of our transit operations. She led the Department during a time of major changes in the Transit Division. She was very instrumental in the development and implementation of the Oklahoma City Streetcar Program. We very much appreciate Ernestine's service and thank her for everything that she's done for the State of Oklahoma; especially in the area of Transit.

You just approved an emergency project to address a pavement failure on US-169 In Tulsa County which was caused by the recent weather events. We have dealt with 9 weather events this winter and we will continue seeing the impact to our roads and bridges. To give you an idea the magnitude of the recent winter storms, pretty much statewide, we utilized 103,000 total man hours, and have used 55,000 tons of material (salt and sand mix). Thus far, our preliminary total cost estimate for the Department of Transportation is around \$9 million dollars. We expect that to increase a little bit as we get some more invoices coming in for materials and for contractor assistance, from where our contracting partners helped us manage our way through these storms. Such a monumental effort, everybody did a wonderful job, but it still comes at a significant cost in resources in order to manage your way through an event like that.

On the pavement condition front, there's no real way for us to try to quantify the damage that is going to be done, but it will take a heavy toll on our maintenance budgets. I really want to stress the importance of sustained funding for pavement improvements and asset preservation over the longer term. It takes a tremendous budgetary commitment to be able to accomplish the types of improvements that are going to be necessary. We ask that the traveling public be patient with us while we work our way through these really difficult winter conditions, we have struggled with over the last 6 months.

Commissioner Coburn and I discussed a few weeks back about electric vehicles and what the state of electric vehicle utilization is in the Oklahoma region. The usage of electric vehicles on our system is constantly increasing, and the electric vehicle industry projects that nearly half of the passenger fleet could be electric powered by 2040. In fact, General Motors said they are going to phase out their internal combustion engines in their vehicles by 2035. So, we need to take action now at the state level, to make sure that we've got some mechanism in place to start having the electric vehicles contribute to our infrastructure. The Legislature is working on several bills to ensure that electric vehicles will be active participants in funding for our infrastructure. The measures vary from a registration fee to actually calculating a tax based on an electric-togasoline conversion. We have got some time to make adjustments to it, because we won't get it exactly right the first time through; but we need to do something now, and that's really important to us as we see this continue to develop. Certainly, Commissioner Freymiller and Commissioner Peterson have a much better perspective than I, on trucking. When you are talking about over the road trucking, I think that may be slower in developing; but I'd certainly love to hear your perspective commissioners, if you'd like to offer comments related.

Commissioner Peterson said I drive a Tesla and enjoy it. In terms of our truck fleet, our Wall Street Analyst report talks about in 20 years that perhaps 50% of the Class A trucks, which Commissioner Freymiller and I operate, will be over the road electric; and it will require a charging network that has not been built yet. There are electric Class A trucks being used today for short trips where you end back at your terminal where you can recharge. Those trucks are very expensive and really only work with subsidies, the State of California is very aggressive with that, particularly around the ports.

Commissioner Grimsley said in aviation we are dealing with similar issues with the electrification of flight. That has compounded with the fact that we have had a pretty severe hit to the aviation trust fund this year because of a drop in commercial aviation. So, I think this is another area where we are seeing a whole lot of overlapping convergence between aerial and ground-based systems for transportation and some of the similar challenges. And like Commissioner Peterson, I drive a plug-in hybrid, and I enjoy the benefits of not buying as much gas, but I do realize that we are not paying as much tax, so this is a problem that's looming sooner versus later; and I think it's the time to be looking at it.

Commissioner Freymiller I think the long-haul electric over the road trucks is further down the road like 10-20 years.

Secretary Gatz thanked the Commissioners for their perspectives. This is something we are watching very closely and working with the policymakers in the Legislature to try to offer some ideas and some insight as to what other states are doing. There are some really good pieces of legislation moving over there and we are going to participate and monitor those closely; and I'll keep you posted as that continues to develop.

The Transportation Organizational Modernization Initiative continues. We have recently completed our current state analysis report and I will provide a copy for you today. We, ODOT, OTA and the Aeronautics Commission are going to move forward with a couple of their recommended initiatives quickly; and that all is synthesized in the report. We have got some employee town hall meetings scheduled in the month of March and we are going to engage and try to answer questions directly that our folks might have about these. I want to talk a little bit about something that's coming out as part of the organizational modernization, and that is ODOT and OTA's combined letting. We are going to let our contracts together now, and that's very intuitive and something we feel like is going to work very well. The current state analysis talks a little bit about areas where the Transportation Cabinet, not just ODOT, but the whole cabinet, has opportunities to enhance our efficiencies and operations and maybe come up with some new ideas about how we can do business that will carry us into the future. We are taking a very comprehensive approach and I will keep you posted about our ideas of how we can better our Transportation Cabinet for the future.

The federal INFRA grants are currently open for application. ODOT has selected the following 3 projects to submit for consideration: I-40 widening in Oklahoma City, the next phase of I-44/US-75 interchange in Tulsa and US-81 realignment in Chickasha.

ODOT's safety awareness campaign, "Make Safety Stick – Everybody Click" is ongoing. In February we focused on the impact that engineering has on safety and during March we will be focusing on seatbelt usage. A seat belt is your primary mechanism to protect yourself in the event of an accident. A safety belt can turn an accident that would have resulted in a severe injury, or potentially, a fatality, into something that you might walk away from. Oklahoma ranks near the bottom nationally for seat belt usage and that has to change. We are looking forward to a year-long safety message encompassed within that program; and our folks are doing a good job putting it together.

Information Only: No Commission action required.

Ms. Riddle reported that ODOT had been monitoring the public audio connection; and it was reported that the public audio connection has been maintained throughout the meeting.

ITEM PRESENTED BY COMMISSION CHAIRMAN

41. Adjournment Motion

ACTION: Shannon moved and Coburn 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 11:47 a.m.

Approval of the Minutes of the Transportation Commission Meeting March 1, 2021.	
	Gene McKown – Chairman
	Bob Peterson – Vice Chairman