

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING

MAY 4, 2020

MINUTES OF THE VIRTUAL MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, HELD MAY 4, 2020 VIA VIDEO TELECONFERENCE ONLY PURSUANT TO THE OKLAHOMA OPEN MEETING ACT, AS AMENDED BY SENATE BILL 661, 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 2020 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. Gene McKown called the meeting to order at 11:07 a.m.

ROLL CALL:

Present:	Gene McKown	Chairman
	Bob Coburn	Member
	James Grimsley	Member
	T.W. Shannon	Secretary
	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 of April 6, 2020. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

ANNOUNCEMENTS AND PRESENTATIONS

Secretary Gatz declared May 15-22, 2020 as Work Zone Awareness Week in Oklahoma. He said transportation is a 24/7 operation; and ODOT and OTA want to thank drivers for using the Oklahoma Standard to look out for each other on and off the road. This year's Work Zone Safety Awareness theme is "*Safe Work Zones for All: We Can Do It Together!*" And it's kicking off on May 15th, which is also National Defense Transportation Day; which recognizes the men and women who work in the transportation industry and who contribute to the well-being and defense of the nation. He said that 95 people, including 4 ODOT Workers have been killed in highway and turnpike work zones in the past 5 years. By the height of the summer driving

season, we anticipate that more than 250 highway work zones will be active statewide. That means we need motorists to be more vigilant than ever before when behind the wheel by wearing their seat-belt, slowing down, and putting away their phones and other distractions. We are honored that Governor Kevin Stitt named May 15th through the 22nd Work Zone Safety Awareness Week in Oklahoma to highlight the need to protect workers and motorists alike. He then read the "Governor's Proclamation" into the record.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

53. Approval of the Minutes of the Transportation Commission Meeting of April 6, 2020

ACTION: Peterson moved and Shannon 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
NAYES: None
ABSTAIN: None
ABSENT: None

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

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

a) LeFlore County – Commission District II

In Poteau, Construction funding for a Signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at Williams Lane, with the Kansas City Southern Railway mainline. Total cost is \$265,000.00

b) Tulsa County – Commission District VIII

In Tulsa, Construction funding for a Railroad/Traffic Signal Preemption project at the intersection of Southwest Boulevard and South 33rd West Avenue, with the BNSF Railway Company main line. Total cost is \$331,630.00

55. Land Sales – Mr. Phillips

Tulsa County - District VIII – located along the west side of US-169, between E 156th Street North and North 4040 Road in Collinsville, Oklahoma - \$4,050.00

56. Certification of County Road Mileages – Mr. Swift

Statewide – All Districts – Title 69, O.S. Section 316, requires that the Transportation Commission annually certify to the Tax Commission the county road mileage of each county in Oklahoma as it existed on the first day of January each year.

ACTION: Coburn moved and Shannon 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

ITEM PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

57. Engineering Contract Supplements

- a) Adair County – District I – this supplement is for additional engineering to develop final construction plans for SH-100: From 3 miles north of Cherokee County Line east 5 miles

EC-1959A Supplement 5 Atkins North America, Inc. \$100,000.00

- b) Dewey County – District V – This supplement is for additional engineering to develop final construction plans for US-270: From 5.4 miles south of SH-51 east junction and extending southeast 3.0 miles and US-270: From 8.4 miles southeast 5.0 miles

EC-1332B Supplement 2 Jacobs Engineering Group, Inc. \$474,694.00

- c) Dewey & Blaine Counties – District V – This supplement is for additional engineering to develop final construction plans for US-270: From 6.35 miles northwest of SH-58 junction, extending southeast 6.55 miles

EC-1459A Supplement 3 CEC Corporation \$112,672.00

ACTION: Freymiller moved and Shannon seconded that the Items 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

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

- a) Choctaw County - Co. Rd. - STP-212C(043)CI / 29965(04), \$9,000.00, 1.29%
- b) Cleveland County - Ct. St. - STP-214B(068)(069)AG / 29300(04), \$0.10, -0.00% Underrun
- c) Comanche County - I-44 - STP-216F(082)PM / 28782(05), \$10,290.97, 1.77%
- d) Creek County - Co. Rd. - STP-219D(056)CI / 29407(04), \$5,900.00, 0.48%
- e) Custer County - Co. Rd. - STP-220C(067)CI / 30696(04), \$5,207.10, 0.63%
- f) Garfield County - US-64 - NHPP-224N(054)SS / 27965(04), \$10,682.20, 0.61%
- g) Garvin County - I-35 - SBR-125N(201)SB / 28184(04), \$33,120.00, 0.94%
- h) Grady County - Co. Rd. - CIRB-226C(085)RB / 30462(04), \$73,356.61, 7.93%
- i) Haskell County - SH-31- STPY-231C(030)(029)3P / 30417(04), \$29,966.86, 2.10%
- j) Jackson County - SH-5 - STP-233C(038)PM / 27919(04), \$22,675.67, 0.94%
- k) Kay County - Co. Rd. - CIRB-136C(162)RB / 25085(04), \$2,507.10, 0.08%
- l) Marshall County - Co. Rd. - CIRB-248D(040)RB / 29988(04), \$142.38, 0.02%
- m) Oklahoma County - I-44 - NHPPI-4400-(034)SS / 28855(04), \$8,513.54, 0.14%
- n) Oklahoma County - Ct. St. - STPG-255F(482)AG / 33739(04), \$11,583.95, 2.76%
- o) Oklahoma County - I-40 - NHPPI-4000-(082)3P / 33777(04), \$3,000.00, 0.21%
- p) Oklahoma County - I-35 - STP-255F(501)3B / 34180(04), \$2,000.00, 0.25%
- q) Ottawa County - Co. Rd. - CIRB-258D(049)RB / 30710(04), \$208.00, 0.02%
- r) Pawnee County - Co. Rd. - STP-259D(051)CI / 31180(04), \$0.06, -0.00% Underrun
- s) Seminole County - SH-9 - STPY-167C(102) / 21845(04), \$34,100.00, 0.98%
- t) Stephens County - SH-53 - STP-269C(057)PM / 27967(04), \$68,994.16, 1.47%
- u) Texas County - US-54 - STP-270F(035)3B / 33657(04), \$1,500.58, 0.44%
- v) Tulsa County - Ct. St. - STP-272B(277)IG / 29326(04), \$6,811.83, 0.08%
- w) Tulsa County - I-44 - NHPPI-4400(058)PM / 29693(04), \$5,445.00, 0.05%

- x) Tulsa County - Ct. St. - NHPPI-2440-(016)PM / 30596(04), \$63,330.00, 1.54%
- y) Tulsa County - US-169 - E-SAP-4400(060)ES / 34229(05), \$12,290.95, 2.09%
- z) Washita County - SH-44 - SBR-275C(048)SB / 29278(04), \$68,707.80, 6.78%
- aa) Woodward County - SH-34 - STP-277B(045)PM / 29449(08), \$19,871.32, 2.82%
- bb) Woodward County - Ct. St. - ACSTP-277C(043)UR / ACSTP-277D(044)UR / TAP-277D(041)TP / 29799(04), \$29,061.18, 0.34%

NOTE: *Commissioner Peterson asked what a diaphragm is.*

Mr. Leonard explained that a diaphragm on a bridge, is the element that runs between the beams and keeps them stable.

Commissioner Peterson commented that when possible, he would like to personally be shown a bridge diaphragm.

Mr. Leonard said that we can make that happen.

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

- a) Atoka County - COUNTY ROAD - CIRB-203C(068)RB / 31192(04), \$148,410.00, 9.14%
- b) Cleveland County - SH-9 - ACSTP-114B(206)PM / 24760(04), \$2,714.32, 0.05%
- c) Cleveland County - Ct. St. - NHPPI-3500(065) / 32155(04), \$17,656.94, -0.16% Underrun
- d) Cleveland County - SH-37 - SBR-214C(086)SB / 33414(04), \$11,722.85, 0.62%
- e) Craig County - SH-2 - NHPP-218N(033)PM / 21904(04), \$22,907.14, 0.22%
- f) Creek County - SH-51 - ACSTP-219B(047)SS / 27071(04), \$245,697.76, 3.34%
- g) Garfield County - Ct. St. - STP-224B(052)(053)UR / 17020(05), \$255,107.25, 5.52%
- h) Kingfisher County - US-81 - NHPP-237N(019)SS / 27980(04), \$115,742.35, 1.35%
- i) Latimer County - US-270 - ACSTP-139B(049)SS / 20922(04) #3, \$492,878.78, 9.00%
- j) Latimer County - US-270 - ACSTP-139B(049)SS / 20922(04) #4, \$372,338.93, 6.80%
- k) Lincoln County - US-62 - STP-241C(060)3P / 28202(04), \$0.00, 0.00%
- l) Logan County - US-77 - STP-242C(055)PM / 27103(04), \$95,141.87, 1.75%
- m) McClain County - I-35 - NHPPI-3500-(077)PM / 29734(04), \$351,241.85, 2.11%
- n) Murray County - SH-7 - TAP-250D(022)TP / SSP-250N(018)PM / 33320(04) #3, \$80,950.00, 2.30%
- o) Murray County - SH-7 - TAP-250D(022)TP / SSP-250N(018)PM / 33320(04) #4, \$90,399.00, 2.57%
- p) Nowata County - Co. Rd. - STP-253D(045)CI / 30494(04), \$77,129.79, 9.43%
- q) Okfuskee County - US-62 - STP-254C(040)SS / 27963(04), \$4,740.00, 0.19%
- r) Oklahoma County - I-235 - NHPPI-2350-(009)PM / 09033(27), \$61,159.00, 0.06%
- s) Oklahoma County - Ct. St. - OKC-XTWN(078)SS / ACNHPPI-XTWN(079)SS / 17428(88), \$190,270.85, 0.73%
- t) Oklahoma County - I-35 - NHPPI-3500-(066)FP / 27897(04), \$12,711.79, 0.04%
- u) Oklahoma County - Ct. St. - STP-255B(455)AG / 31521(04), \$308,368.58, -14.20% Underrun
- v) Oklahoma County - Ct. St. - STP-255N(496)AG / 31546(04), \$94,013.28, 3.66%
- w) Oklahoma County - SH-3 - NHPP-017N(252)3P / 32091(04) #4, \$58,477.13, 0.96%
- x) Oklahoma County - SH-3 - NHPP-017N(252)3P / 32091(04) #6, \$2,161.50, 0.04%
- y) Seminole County - US-270 - STP-167B(122)PM / 21006(07), \$62,944.50, 0.53%
- z) Seminole County - US-270 - NHPP-267N(004)SS / 29109(04), \$69,281.54, 3.33%
- aa) Stephens County - SH-29 - STP-169B(134)PM / 24412(04), \$5,582.79, -0.04% Underrun
- bb) Texas County - US-54 - NHPP-008N(059)(090)FP / 20947(04) #1, \$258,906.25, 2.18%
- cc) Texas County - US-54 - NHPP-008N(059)(090)FP / 20947(04) #2, \$1,650.00, 0.01%
- dd) Tillman County - US-183 - SSR-271B(062)SR / 33435(04), \$75,945.00, 1.78%
- ee) Tulsa County - I-44 - ACNHPPI-4400-(438)SS / 21899(04), \$2,255.00, 0.01%
- ff) Tulsa County - I-44 - SSP-4400(033)PM / SSP-272N(183)PM / 31938(05), \$112,500.00, 3.17%
- gg) Washita County - I-40 - ACNHPPI-4000-(057)PM / 27935(04), \$138,174.75, 1.63%

- hh) Woodward County - Co. Rd. - CIRB-177C(113)RB / 27407(04), \$77,838.11, 1.23%
- ii) Woodward County - Ct. St. - ACSTP-277C(043)UR / ACSTP-277D(044)UR / TAP-277D(041)TP / 29799(04), \$46,153.71, 0.54%

NOTE: *Commissioner Freymiller said on **Item 59 u)** it has an overrun of \$308,000, I read the explanation and it's basically about concrete, and I don't understand. You don't usually see that size of an overrun; was the bidding bad or estimation bad? Can you please explain?*

Mr. Leonard said this was a pavement rehab project; and our designers do their best to get a reasonable estimate for the quantities that's going to be replaced. But inevitably, we'll get out there and we may run into some additional areas that had not been identified.

Commissioner Freymiller said so the Commission approved an estimate that was way higher.

Mr. Leonard said that is correct and these pavement rehab projects are kind of like bridge rehab jobs. You really don't know what you are going to get into, until you get out there and get everything exposed.

Commissioner Freymiller said that is a high underrun, a 14% underrun; I've just not seen that before.

Mr. Leonard said yeah, we normally hit it a little bit closer than that; but 14%, yes, that's quite an underrun.

ACTION: LaForge moved and Shannon seconded that the Items 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 DIRECTOR OF FINANCE & ADMINISTRATION

60. Proposed Bid Openings – Mr. Hackney

- a) Final July, 2020 Proposed Bid Opening
- b) Tentative August, 2020 Proposed Bid Opening
- c) Tentative September, 2020 Proposed Bid Opening

ACTION: Shannon moved and Peterson seconded that the Items 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

61. Awards

April 16, 2020 – Regular Letting

ACTION: Peterson moved and LaForge seconded that the Items 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

62. Director's Report

The first item I have is the Structurally Deficient Bridge update. As we do each April, ODOT has submitted our annual Bridge Conditions Report to the Federal Highway Administration. We're very encouraged by the continued progress we've been able to make on structurally deficient bridges on the highway system. This year our number decreased to 86 out of our 6,800 bridges at the end of calendar year 2019. So we continue to make good headway with our Structurally Deficient Bridge issue; but it is important to remember that we still have many needs out there on the highway system that we're staying focused on. Our investment strategy is to continue to stay focused on bridge infrastructure as we go forward; because we still have more than 1,000 bridges out there on the highway system that are more than 80 years old. We have got to continue to be diligent; we have got to continue to make good investments in our bridge infrastructure and manage the new condition that we've got here, where we've lowered our number significantly from the time that we were ranked 49th in the country for worst bridge infrastructure. So we're really proud, but we want to continue to maintain diligence as we go forward.

On the COVID-19 front, the Department has continued to operate at a very high level of efficiency during the COVID-19 pandemic and are now working to normalize operations in accordance with the Open Up and Recover Safely (OURS) plan of Governor Stitt. We're going to align our operations closely with the phasing that's outlined in the OURS Plan and begin to bring our folks back into their normal duty stations.

We have reported on some decreased traffic volumes over the last month; volumes are still certainly down, at times, more than 30%. However we are seeing those traffic volumes now begin to tick back up slightly and are optimistic that, as we continue our work on making sure that we continue to flatten the COVID-19 curve, that those traffic volumes will continue to pick back up as things normalize.

On the transit front, public transit nationwide has been affected, as ridership has dropped considerably and many transit providers reduced or temporarily halted service. Fortunately, the Federal CARES Act has provided some federal funding assistance to the rural, urban and tribal transit systems. The Department will continue our work with our transit partners to make sure that we are moving those resources forward as expeditiously as possible to keep those very important operations running.

The I-235 weekend closure update from this past weekend; we saw the successful installation of bridge beams over I-235 for the future I-235/US-77 flyover ramp to westbound I-44. The Contractor made the most of the weekend closure by tackling several other items like paving, striping, dirt moving, and cleaning up the site. The \$105 million I-235 and I-44 interchange project is on schedule for estimated completion by summer of 2021. So we're very appreciative of the efforts of the Contractor out on this particular project. They had a really successful operation over the weekend, and we were actually able to get traffic flowing back on I-235 a little early.

The Department is no stranger to extreme weather in Oklahoma. In April, we had snow in the panhandle and we had flooding and deadly tornadoes in southern Oklahoma. ODOT Crews in Division 2 responded specifically to the tornadoes in the Madill area, clearing debris from SH-99C. And I want to tell you that with COVID-19 and the health emergency that we are experiencing, a weather-related emergency on top of that! I want to tell you that our crews responded without hesitation and carried out their duties in Division 2 and all across the State of Oklahoma during those extreme weather events very admirably. The Crews in Division 7 also responded to flooding and storm damage during that same event on the highway system.

I want to advise the Commission that Kevin Bloss, our Division 3 Engineer, is retiring from ODOT at the end of May after 34 years of service. His career includes working in Division 3, Division 2, Central Office Maintenance Division where he managed the disaster relief, improved asset management systems, beautification and helped start modernizing our fleet and maintenance facilities. He became the Division 3 Engineer in Ada in 2015 and helped deliver some of the largest, most high-profile projects in ODOT history, including completing the widening of I-35 in Norman and building the new Purcell-Lexington Bridge. We certainly want to thank Kevin for his service. It's a little bit unusual to be in a virtual environment recognizing Kevin for his service; but we will invite him back when we can convene in the Commission Room for a little bit

more formal presentation in the future. But again, I wanted to acknowledge his retirement and certainly thank him for his service to the Department, to the State of Oklahoma, and to the Nation.

Some additional summer driving reminders for the month of May are: "Secure Your Load Month" and we join law enforcement in reminding drivers of their responsibility to properly load and tie down what they're transporting. Unsecured loads don't only cause litter and debris on the highway; they can cause severe crashes with injuries and crashes with tragic consequences. So we want to remind everybody, chain your loads down, strap them down, use a tarp where it's necessary; be safe in your travels and please be mindful of the safety of the folks that are out on the highways with you.

May is also "Motorcycle Safety Month", and with nice weather we know more bikes will be on the roads. Share the road and watch for bikers, especially in work zones where there is no room for error. With that Mr. Chairman, I would be happy to answer any questions that the Commission might have of me.

Information Only: No Commission action required.

NOTE: *Commissioner Peterson asked if he thought the June 1st meeting would be held virtually.*

Secretary Gatz said, I will make that decision across the month of May; but at this point, I would tell you to plan for another virtual meeting as a matter of business. But if things look favorable, we will try to conduct that meeting in person.

Chairman McKown asked if we have achieved a "Top 10" position with the bridge number.

Secretary Gatz said the ranking won't be out until later this summer; but my expectation is that we are going to crack into the "Top 10" this year with the reduction that we saw in 2019. And you can rest assured that we are going to be very proud of that; and work very hard to make sure it stays that way!

Commissioner Freymiller asked if the "Certification of County Road Mileages" Item is done every year and if we see big mileage changes come from that.

Secretary Gatz said the Department is statutorily charged with certifying those mileages each year. And typically, we don't see a huge change in the mileage, but there always is some change. As you might imagine, even in the counties, there are subdivisions that are developed that potentially can add mileage to the county road system. So there are always a few ups and downs; and sometimes we find some errors in the measurements. So the numbers won't be identical to last year's, but they'll be pretty close; and normally, we don't see dramatic swings in the mileages that are measured.

Commissioner Freymiller asked if that was a costly item for ODOT to do every year.

Secretary Gatz said, no, it is just a matter of business, Commissioner. The Department has long had that statutory charge; and in our efforts to manage the highway system and partner with the counties, this is just part of our normal business practice.

Commissioner Alexander asked what our deficient bridge numbers were approximately 10 years ago.

Secretary Gatz said back in the 2010 time period, and I'm going to be close, I may not be exact, but we had in the range of 700 structurally deficient bridges then. If you turn the clock back to our high in 2004, we had 1,168 structurally deficient bridges on the highway system, and that was when we ranked 49th in the country for worst bridges. So we've made tremendous progress since then; and now that we are where we are at; and I want to emphasize that, even though we've made this good progress, we have to continue to invest in our bridge infrastructure; because we've got a lot of bridges out there that are 80 years old or older. But we also have a lot of bridges that are just outside the range of structural deficiency on the bridge inspection program, that we have to continue to take care of and have a plan to make sure that they don't become structurally deficient. But to your point, Commissioner, we've really made good progress, and a lot of that's happened across the last 10 years.

Commissioner Alexander said, "Yes Sir, and I would like to say, thank you to our Legislature for supporting us on this project; I know it's been a tough deal and it's going to be tough going forward, but we really appreciate your help".

Secretary Gatz said, "Thank you for that acknowledgment Commissioner; without the Legislature and support of the Governors, the additional revenues that have come to transportation, we could not have made that progress without their support".

Commissioner Alexander said I also want to thank ODOT and our Construction Partners for their efforts on getting our structurally deficient bridge numbers down.

Secretary Gatz thanked Commissioner Alexander for his comments.

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 TO BE PRESENTED BY COMMISSION CHAIRMAN

63. 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 11:42 a.m.

Approval of the Minutes of the Transportation Commission Meeting May 4, 2020.

Gene McKown - Chairman

Bob Peterson - Vice Chairman