

**MINUTES OF THE REGULAR TRANSPORTATION COMMISSION MEETING
HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM
OKLAHOMA CITY, OKLAHOMA**

DATE: Monday, October 6, 2008
TIME: 11:00 a.m.
PLACE: Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 6th day of October, 2008, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, OK.

Present:	Carlisle Mabrey	Member
	James H. Dunegan	Vice Chairman
	Loyd Benson	Member
	Bruce Benbrook	Member
	Brad Burgess	Member
	Guy Berry	Member
Presiding:	James H. Dunegan	Vice Chairman
Absent:	Jackie Cooper	
	Dan Overland	

The agenda for this Commission Meeting was posted at or before 8:45 a.m. on Thursday, October 2, 2008, prior to the meeting. The notification was posted on the Atrium Informational Monitor in the ODOT Building, on the glass doors on the north side of the ODOT Building and sent to the Secretary of State in accordance with 25 O.S. Section 311.

The following items were presented and approved as written at the Regular Transportation Commission meeting of October 6, 2008. 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

152. Approval of the Minutes of the Regular Commission Meeting of September 8, 2008

ACTION: Berry moved and Benson seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

153. Approval of the Minutes of the Special Commission Meeting of September 19, 2008

ACTION: Benson moved and Benbrook seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

154. Land Sales - Mr. Bell

a) Logan County - Commission District IV

Intersection of SH-33 and North Douglas Boulevard, east of the City of Guthrie

b) Tulsa County - Commission District VIII

Intersection of US-169 and North 143rd East Avenue, northeast of Collinsville

155. Requests for County Bridge and Road Improvement Fund Force Account Projects - Mr. Sheffert

a) Canadian County - bridge over unnamed creek south and west of Calumet

b) Ellis County - bridge on county road over Buzzard Creek west and north of Harmon Creek

c) Ellis County - bridge on county road over Rock Creek west and north of Arnett

d) Grant County - bridge on county road over unnamed creek south and east of Manchester

e) Grant County - bridge on county road over unnamed creek west and north of Jefferson

f) Kingfisher County - bridge on county road over Little Turkey Creek south and east of the SH-51/US-81 junction

g) McIntosh County - bridge over low-water crossing at Mill Creek south and west of Raiford

h) McIntosh County - bridge over low-water crossing at Gar Creek south and west of Lenna

i) McIntosh County - bridge over low-water crossing at Gravel Creek west and north of Hitchita

ACTION: Burgess moved and Benson seconded that the Items be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT: Cooper and Overland

END OF CONSENT DOCKET

ITEM PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb

156. Engineering Contracts

a) Statewide (All Districts) - On-System Fracture Critical Bridge Inspections (EC 1210)

The Department has selected four (4) consultants to provide the inspections for the fracture critical bridges on the State Highway System. The consultants are as follows:

EC 1210A - BWR
EC 1210B - TranSystems
EC 1210C - Burgess & Niple, Inc.
EC 1210D - Cobb Engineering Company

The aggregate, not to exceed, amount for these four contracts is \$2,100,000.00. Funding will be 80% federal funds and 20% soft match credit.

b) Statewide (All Districts) - On-System Truss Bridge Inspections (EC 1211)

The Department has selected three (3) consultants to provide the inspections for the truss bridges on the State Highway System. The consultants are as follows:

EC 1211A - BWR
EC 1211B - TranSystems
EC 1211C - Burgess & Niple, Inc.

The aggregate, not to exceed, amount for these three contracts is \$1,425,000.00. Funding will be 80% federal funds and 20% soft match credit.

c) Statewide (All Districts) - Environmental Studies Contracts (EC 1217)

The Department selected eight (8) consultants to provide environmental studies statewide. The companies selected are as follows:

EC 1217A	Able Consulting
EC 1217B	The Benham Companies, LLC
EC 1217C	Carter::Burgess
EC 1217D	Chiang - Patel and Yerby
EC 1217E	Cobb Engineering Company
EC 1217F	Garver Engineers, LLC
EC 1217G	PBS&J
EC 1217H	URS Corporation

The aggregate, not to exceed, amount for these eight contracts is \$4,000,000.00. Funding will be 80% federal funds and 20% soft match credit.

d) Love County - Commission District VII (EC 1164)

The Department has selected Cobb Engineering Company to perform preliminary engineering services on SH-32 beginning at SH-96. At this time the Department is moving forward with the environmental clearance and an engineering study supporting the NEPA document. Negotiated fees total \$185,000.00. Funding will be 80% federal funds and 20% soft match credit. Construction projects are included in the 8 Year Construction Work Plan with the first scheduled let date in FFY 2011. The combined total estimate for construction of these projects is approximately \$14,450,000.00.

e) Stephens and Comanche Counties - Commission District VII (EC 1165)

The Department has selected BWR to perform environmental studies for two projects described as follows:

1. Stephens County - SH-53 east of the Cotton County line
2. Comanche County - US-277 from the US-62 junction at Porter Hill, extending east to I-44 in Elgin

Negotiated fees total \$100,000.00. Funding will be 80% federal funds and 20% soft match credit. Construction projects are included in the 8 Year Construction Work Plan with the first scheduled let date in FFY 2012. The combined total estimate for construction of these projects is approximately \$12,300,000.00.

ACTION: Benbrook moved and Benson seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

157. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final November 2008
- c) Tentative January 2009 Bid Opening

ACTION: Burgess moved and Mabrey seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

158. Change Orders - Cumulative Total - \$50,000.00 or Less - **Information Only**

- a) Adair County - US-59 - BRFY-101A(010)BF/SAB-21C(212)BF/STPY-101A(12) / 16631(04), \$43,263.98
- b) Alfalfa County - Co. Rd. - BRF-102C(065)CO / 20705(04), \$47,729.88
- c) Atoka County - Co. Rd. - BRO-103D(59)CO / 21103(04), \$562.96
- d) Atoka County - SH-7 - SAB-103C(068)BF / 21727(04), \$2,975.00
- e) Atoka County - US-69 - NHG-013N(102)(103)TR / 22832(04), \$8,727.49 Underrun
- f) Beaver County - SH-23 - SSR-104C(057)SR / 24494(04), \$30,880.85
- g) Blaine County - Co. Rd. - BRO-106D(071)CO / 22310(04), \$5,702.88
- h) Blaine County - SH-6 - BRFY-120C(117) / 23249(04), \$12,785.75
- i) Bryan County - US-70 - ACNHY-022N(116)GB / 16744(13), \$33,177.84
- j) Carter County - US-70 - STPY-110B(201)RW / 09247(13), \$0.00
- k) Cimarron County - Pk. Rd. - SAP-113D(061) / 25279(04), \$19,370.80
- l) Comanche County - Co. Rd. - BRO-116D(080)CO / 20008(04), \$3,179.92
- m) Creek County - Co. Rd. - BRF-119C(109)CO / 21216(04), \$1,911.69
- n) Custer County - IS-40 - IMG-040-2(136)065 TR / 24028(04), \$24,637.73
- o) Hughes County - US-270 - SBR-132A(093)SB / 23470(04), \$11,112.48
- p) LeFlore County - Co. Rd. - BRO-140D(091)CO / 19684(04)#1, \$8,334.50
- q) LeFlore County - Co. Rd. - BRO-140D(091)CO / 19684(04)#2, \$4,524.00
- r) Love County - IS-35 - IMG-035-1(146)013 TR / 24141(04), \$6,600.00
- s) Mayes County - Co. Rd. - BRF-149C(38)CO / 18141(04), \$0.12 Underrun
- t) Oklahoma County - IS-40 - OKCY-XTWN(014)HP / 17428(33), \$10,612.61
- u) Oklahoma County - IS-40 - SSP-155N(604)SS / 24081(04), \$3,425.00
- v) Oklahoma County - IS-35 - IMG-035-3(295)135 TR / 24149(04), \$3,914.23
- w) Okmulgee County - IS-40 - SSR-156N(148)SR / 25362(04), \$6,071.46
- x) Osage County - Co. Rd. - BRO-157D(069)CO - 22159(04), \$10,800.00
- y) Ottawa County - US-59 - SAB-158C(80)BF / 21919(04), \$25,382.38
- z) Ottawa County - SH-10 - STPY-158A(089) / 22562(04), \$743.73

- aa) Payne County - Co. Rd. - BRF-160C(141)CO / 22177(04), \$375.00
- bb) Pittsburg County - Co. Rd. - BRO-161D(120)(122)CO / 21085(04), \$22,592.19
- cc) Pittsburg County - Pk. Rd. - SAP-161D(213) / 25278(04), \$28,561.94
- dd) Sequoyah County - US-59 - ACNHY-033N(011)GB / 17670(04), \$0.00
- ee) Texas County - SH-95 - MC-170C(145) / 25694(04), \$19,545.30
- ff) Tulsa County - Ct. St. - STP-172A(210)IG / 19690(04), \$12,800.00
- gg) Tulsa County - US-75 - BPMY-172N(372)3B / 24401(04), \$25,975.15
- hh) Tulsa County - US-169 - SSR-172N(374)SR / 24534(04), \$223,317.95 Underrun
- ii) Wagoner County - Co. Rd. - BRO-173D(091)CO / 21257(04), \$763.49
- jj) Wagoner County - Ct. St. - STP-173C(099)CO / 22029(04), \$16,443.24
- kk) Wagoner County - SH-51 - HSIPY-173A(123)TR / 23837(04), \$803.50
- ll) Washita County - US-183 - ACNHY-09N(082)GB / 17126(08), \$3,594.50

159. Change Orders - Cumulative Total Greater Than \$50,000.00

- a) Adair County - US-59 - BRFY-101A(010)BF/SAB-21C(212)BF/STPY-101A(12) / 16631(04), \$46,688.60
- b) Beckham County - SH-6 - STPY-105B(010) / 14969(19), \$165,032.50
- c) Caddo County - IS-40 - IMY-40-3(065)086 / 20251(04), \$138,727.76
- d) Canadian County - US-81 - NHY-011N(017) / 12544(12), \$76,625.80
- e) Canadian County - Ct. St. - STP-109D(081) / 21171(04), \$198,000.00
- f) Choctaw County - US-70 - ACBRFY-22N(68)/ACBRFY-22N(111)GB / 18849(04), \$35,227.44
- g) Coal County - SH-31 - BRFY-115C(035)BF/SAB-162C(146)BF / 21770(04), \$123,500.00
- h) Comanche County - Ct. St. - STP-116B(125)MS / 18489(05), \$267,038.88
- i) Comanche County - US-277 - STPY-116C(081)SS / 20235(04), \$559,092.83
- j) Dewey County - US-270 - NHY-017N(068) / 17671(04)#3, \$58,160.04
- k) Dewey County - US-270 - NHY-017N(068) / 17671(04)#4, \$4,520.25
- l) Dewey County - US-270 - NHY-017N(068) / 17671(04)#5, \$0.28 Underrun
- m) Harper County - Co. Rd. - BHO-130D(084)CO / 21774(04), \$24,200.00
- n) Hughes County - US-270 - BRFY-132B(057) / 20265(04), \$82,909.60
- o) Kay County - IS-35 - STPY-136E(127)EH / 20340(06), \$160,267.10
- p) Lincoln County - SH-99 - NHY-012N(104)SP / 12539(30), \$349,001.57
- q) McClain County - US-62 - STPY-044B(319) / 13574(04), \$86,878.48
- r) McClain County - IS-35 - IMG-035-2(293)090 TR / 23072(04), \$10,873.20
- s) Muskogee County - US-64 - STPY-51C(404) / 14994(04), \$126,989.05
- t) Muskogee County - US-64 - BRFY-151C(005) / 14994(11), \$53,044.60
- u) Oklahoma County - IS-235 - ACIM-NHIY-235-1(092)003 GB / 09033(23), \$35,513.25
- v) Oklahoma County - IS-40 - OKCY-XTWN(002)HP / 17428(21), \$9,143.01
- w) Oklahoma County - IS-40 - OKCY-XTWN(010)TI / 17428(29), \$495,070.12
- x) Oklahoma County - IS-40 - OKCY-XTWN(055)SG / 17428(66), \$203,824.80
- y) Oklahoma County - Co. Rd. - STP-155C(385)AG / 20456(04), \$539.20
- z) Oklahoma County - IS-44 - IMG-044-1(100)119 TR / 23382(04), \$83,038.29
- aa) Oklahoma County - IS-44 - IMY-044-1(108)119 3R / 24876(04), \$121,500.00
- bb) Ottawa County - US-59 - SAB-158C(80)BF / 21919(04), \$28,977.28
- cc) Payne County - IS-35 - IMY-035-4(221)166 3R / 24877(04), \$259,993.48
- dd) Pittsburg County - US-69 - NHY-013N(104)HP / 22845(04), \$17,936.00
- ee) Pottawatomie County - SH-18 - STPY-63B(371) / 05859(04), \$26,633.21
- ff) Rogers County - SH-66 - STPG-166C(142) / 21577(04), \$16,435.18
- gg) Seminole County - SH-56 - IMY-040-5(374)212 / 20292(04), \$3,468.33
- hh) Seminole County - SH-56 - STPY-167C(148)(149)3R / 24931(05), \$537,939.37
- ii) Texas County - US-54 - NHY-08N(075)(76)3R / 24935(04), \$273,892.89
- jj) Tulsa County - SH-20 - STPY-072B(421) / 09482(04), \$90,506.74
- kk) Tulsa County - US-75 - NHY-14N(48) / 12938(04), \$23,300.54
- ll) Tulsa County - US-64 - NHG-19N(84)TR/NHY-19(96) / 21467(04), \$132,813.98
- mm) Tulsa County - SH-51 - HSIPG-172A(303)TR / 22957(04), \$4,082.38
- nn) Washita County - US-183 - ACNHY-09N(082)GB / 17126(08), \$38,990.74

ACTION: Benbrook moved and Benson seconded that the Items be approved as presented.

MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

ITEM PRESENTED BY THE DIRECTOR OF OPERATIONS - Mr. Evans

160. Settlement of Claims

- a) Canadian County - Plains Bridge Contracting of Oklahoma, LLC - \$270,022.44

ACTION: Berry moved and Burgess seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

- b) McClain County - RMD Holdings, LTD, dba Nationwide Fence & Supply Company - \$318,141.45

ACTION: Benbrook moved and Berry seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

ITEM PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt

161. Awards

At this time Director Ridley was recognized. He discussed the following emergency bridge repair project (Item No. 164 listed below) in Muskogee County:

- b) September 25, 2008 - Emergency Letting - Bridge repair (SH-10 - Muskogee County)

Information only; no Commission action required for Item No. 161.b).

- a) September 18, 2008 - Regular Letting

Commissioner Mabrey questioned the rejection of Call Orders 440 and 560. Brian Schmitt responded that Call Order 440, which was a bridge project on SH-7 over the Blue River, was received 30% over the estimate. It is felt that possibly better competition and consequently better bids will be received if we re-let it in January or February since there are not as many competing bridge projects on these lettings. Call Order 560 is a bridge project on a county road and it came in at 2.4 times the estimate. We will check our estimate and take another look at the scope of the project since obviously numerous changes will be necessary to make this project affordable. Commissioner Mabrey requested that Mr. Schmitt report back to him on these two rejections so the Commission can judge the wisdom of their decisions.

ACTION: Benbrook moved and Berry seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
NAYS:
ABSENT: Cooper and Overland

ITEMS PRESENTED BY THE DIRECTOR OF FINANCE/ADMINISTRATION - Mr. Patterson

162. FY 2009 Budget Revisions

- a) Director of Finance/Administration requests to increase certain budgeted line items for the federal funding available for state FY 2009 - \$140,037,610.00
- b) General Counsel requests an increase of \$1,227,366.00 in the Weigh Station Revolving Fund. This increase will be funded using prior year carryover.

ACTION: Berry moved and Burgess seconded that the Items be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
 NAYS:
 ABSENT: Cooper and Overland

INTRODUCTION BY MR. RIDLEY/PRESENTED BY MR. SANDERS

Commissioner Dunegan recognized Director Ridley who discussed the 8 Year Construction Work Plan.

Director Ridley discussed the many unknowns in planning our highway and bridge projects for 8 years. He pointed out that because of escalating costs of raw materials we will necessarily have to make adjustments to our program. The uncertainty in funding, both state and federal, will also impact the program. The program will be evaluated next year.

Director Ridley introduced Mr. Ray Sanders who is Manager of the Project Management Division, pointing out his dedication and loyalty to the Department.

163. Presentation of 8 Year Construction Work Plan - FFY 2009 - 2016

ACTON: Benbrook moved and Berry seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Mabrey, Dunegan, Benson, Benbrook, Burgess and Berry
 NAYS:
 ABSENT: Cooper and Overland

PRESENTED BY THE DIRECTOR - Mr. Ridley

164. Emergency Declaration

Muskogee County - bridge repair project for SH-10 over Manard Bayou - \$350,000.00. **(Item No. 164 is discussed above).**

Information only; no Commission action required for Item No. 164.

165. Director's Report

Director Ridley introduced Mr. John Greiner and announced that today is his last Commission Meeting. Mr. Geiner said he has always enjoyed working with Transportation, and that highways and bridges are the most visible evidence of our tax dollars at work. Mr. Greiner is leaving the Daily Oklahoman.

Secretary Tomlinson asked the Director the total dollar value of our 8 Year Construction Program. He responded that the Program totals a little over \$3.8 billion, pointing out that approximately 60% is federal funds and 40% is state.

Commissioner Dunegan questioned accomplishments of the Department's construction program in the last few years. Director Ridley stated that we will look at what we have done the last 2-3 years and possibly report back at the next Commission Meeting.

Secretary Tomlinson recognized former Secretary of Transportation Neal McCaleb, and stated that he has been a big part of the Department's recent successes with our State Legislature.

Information only; no Commission action required.

Meeting adjourned at 11:39 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of October 6, 2008

James H. Dunegan - Vice Chairman

Carlisle Mabrey, III - Member

(Seal)