

**MINUTES FOR THE SPECIAL TRANSPORTATION COMMISSION MEETING  
HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM  
OKLAHOMA CITY, OKLAHOMA**

BE IT REMEMBERED that on Monday the 8th day of October, 2012, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

NOTICE of the schedule of regular meetings of the Oklahoma Department of Transportation for the calendar year 2012 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in a prominent public view at or before 11:00 a.m. on Thursday, October 4, 2012, prior to the meeting, on the Atrium Informational Monitor in the ODOT building, and on the glass doors on the north side of the ODOT Building in accordance with Oklahoma Open Meeting Act, 25 O.S. Section 311.

**ITEMS PRESENTED BY COMMISSION CHAIRMAN**

**CALL TO ORDER:** Mr. Greg Love called the meeting to order at 11:00 a.m.

**ROLL CALL:**

<b>Present:</b>	John Fidler	Member
	David Burrage	Vice-Chairman
	Dan Overland	Member
	Greg Love	Chairman
	Todd Huckabay	Secretary
	Bobby Alexander	Member
	Pete Regan	Member
<b>Absent:</b>	Brad Burgess	
<b>Presiding:</b>	Greg Love	

The following items were presented and approved as written at the Transportation Commission meeting of October 8, 2012. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

**ITEMS PRESENTED BY COMMISSION CHAIRMAN**

Call to Order

Roll Call – Commission Secretary

**ANNOUNCEMENTS & PRESENTATIONS**

**State ownership of rail line transfers to Union Pacific after 30-Year-Lease-Purchase Agreement**

Commissioner Love called upon Secretary of Transportation, Mr. Gary Ridley for announcements and presentations. Mr. Ridley stated that this is really a great day for ODOT and asked, Director of Engineering, Mr. David Streb to come and explain why this presentation is such a great day for ODOT and others.

Mr. Streb stated that 30 years ago our ODOT forefathers put together a plan to preserve a rail corridor. He commented that many times we question plans done by our forefathers, but today, I can say that I am honored to be a part of this plan which proved to be a good one for ODOT and the Railroad. Mr. Streb asked Acting Rail Division Manager, Mr. John Dougherty to come explain the plan and make the presentation.

Mr. Dougherty stated that 30 years ago ODOT purchased a rail corridor following the bankruptcy of Chicago, Rock Island and Pacific Railroad Company in 1982. ODOT's purchase of the railroad preserved the crucial rail corridor that links Enid, El Reno, Oklahoma City, Chickasha, Duncan and Lawton until it could be returned to the private sector. Union Pacific recently paid its final installment on the \$35 million owed for the rail line. He introduced the following employees of the Union Pacific Railroad in Omaha, Nebraska: Mr. Tony Love, Assistant Vice-President of Real Estate, Mr. Mark Mendenhall, Manager of Real Estate and Clint Schelbitzki, Director of Public Affairs. He also introduced 2 former ODOT Rail Employees who were involved in the lease-purchase agreement 30 years ago, Max Carter of Edmond and Joe Kyle, recently retired Rail Division Manager. Mr. Dougherty asked Mr. Ridley and Tony Love to come and sign the Agreement finalizing the transfer of 351 miles of rail line to Union Pacific.

Mr. Tony Love stated, "We really appreciate the State of Oklahoma and the Department of Transportation for having the foresight to preserve these lines." He added that, without the partnership with ODOT, replicating the same rail corridor today would be very difficult for his company. As a token of his appreciation he presented, Mr. Ridley a "Union Pacific Partnership Coin".

#### **ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION**

##### **136. Approval of the Minutes of the Transportation Commission Meeting of September 10, 2012**

ACTION: Burrage moved and Overland seconded that the Minutes be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

#### **CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

##### **137. Programming of Federal Railroad Crossing Safety Funds--Section 130 Title 23 Funds – Mr. Dougherty**

Blaine County - District V – surface project for the installation of three 48' full depth concrete surfaces at SH-51 in Okeene with the Grainbelt Corporation mainline

##### **138. Traffic Control Improvement Projects – Mr. Smart**

- a) Comanche County - District VII - installation of approximately 4.5 miles of longitudinal cable barrier along SH-7
- b) Grady County – District VII – installation of school zone speed limit signs and school zone advanced warning signs with flashing beacons in the town of Rush Springs

##### **139. Speed Zone Revision – Mr. Smart**

Cherokee County - District I – various locations along SH-82

ACTION: Fidler moved and Alexander seconded that the Consent Docket be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

**END OF CONSENT DOCKET**

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**ITEMS PRESENTED BY THE DIRECTOR OF ENGINEERING – Mr. Streb**

**140. Engineering Contract**

Atoka County – District II – Preliminary engineering services for US-75 from the Jct. of US-69 extending west 2.5 miles

EC-1409A - \$210,000.00 – Cobb Engineering Company

ACTION: Overland moved and Huckabay seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

**141. Engineering Contract Supplements**

a) Major County - District VI – Additional engineering to develop the plans using the “3R” criteria for US-412, east of Jct. US-281

EC-1239 - Supplemental No. 3 - \$337,900.00 – Garver, LLC

b) Statewide – All Districts – Bridge & Approach at SH-51 over Baron Fork, Eldon Creek, Fourteen Mile Creek and SH-100 over Dry Creek

EC-1360A - Supplemental No. 1 - \$67,340.00 – Garver, LLC

c) Statewide – All Districts – Bridge and Approach at US-77 over the Washita River

EC-1360G - Supplemental No. 1 - \$55,900.00 – Cobb Engineering Company

d) Statewide – All Districts – Additional funds to complete the Design and NEPA phase for 53 Projects that contain the replacement of 61 structurally deficient bridges and 65 total bridges

EC-1394 – Supplementals No. 1 and 2 - \$8,170,000.00 – 19 Consulting Firms

ACTION: Fidler moved and Overland seconded that the Items be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

**ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER – Mr. Adkins**

**142. Lettings**

- a) Deletions and Additions to the Bid Openings
- b) Final December 2012 Bid Opening
- c) Tentative January 2013 Bid Opening
- d) Tentative February 2013 Bid Opening

ACTION: Burrage moved and Regan seconded that the Items be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

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

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

- a) Alfalfa County – SH-8 – BRFY-102C(093) / 23272(04), \$2,640.00
- b) Beaver County – US-64 – STPY-104B(073)3P / 27576(04), \$19,185.18
- c) Blaine County – Co. Rd. – ERSTP-106C(092)(099)(110)ER / 25453(05), \$0.00
- d) Canadian County – Co. Rd. – STP-109C(159)CI / 26646(04), \$15,404.00
- e) Choctaw County – US-271 – HSIPY-112A(097)TR / 28462(04), \$8,980.86
- f) Cimarron County – US-385 – MC-213C(002) / 29248(04), \$2,373.96
- g) Craig County – Ct. St. – STP-118C(074)UR / 23910(04), \$6,048.12
- h) Garfield County – US-60 – BRFY-124A(083) / 23300(04), \$0.00
- i) Garvin County – IS-35 – IMY-035-2(323)055 3P / 25980(04), \$12,067.00 Underrun
- j) Johnston County – SH-99 – STPY-135B(130)(131)3P / 28218(04), \$24,635.65
- k) Kiowa County – Co. Rd. – BRO-NBIL(174)CI / 26972(04)#2, \$1,600.00
- l) Kiowa County – Co. Rd. – BRO-NBIL(174)CI / 26972(04)#3, \$10,813.45
- m) Kiowa County – US-183 – SSR-138A(182)SR / 28134(04), \$1,309.92
- n) Lincoln County – SH-66 – BRFY-141C(049) / 17226(17), \$30,000.00
- o) Lincoln County – Co. Rd. – CIRB-241C(004)RB / 29330(04)#1, \$18,883.93
- p) Lincoln County – Co. Rd. – CIRB-241C(004)RB / 29330(04)#2, \$23,100.00
- q) Major County – SH-8 – SBR-147C(131)(140)SB / 24793(04), \$6,000.00
- r) Major County – Co. Rd. – BRO-147D(145)CI / 25831(04), \$36,942.16
- s) Muskogee County – IS-40 – IMY-040-6(376)288 3P / 29020(04), \$291.97
- t) Muskogee County – US-64 – STPY-151C(247)3P / 29021(04), \$0.50 Underrun
- u) Okfuskee County – Co. Rd. – BRF-154C(100)CI / 23958(04), \$800.00
- v) Oklahoma County – IS-35 – SAP-141A(201)/IMG-035-3(297)138TR/IMG-044-2(471)223TR / 25000(04), \$7,437.45
- w) Okmulgee County – IS-40 – BTOP-256N(001) / 28128(35), \$48,893.90
- x) Seminole County – SH-9 – BRFY-167C(088) / 21005(04), \$7,199.98
- y) Stephens County – IS-35 – BRFY-169C(189) / 23125(08), \$4,845.91
- z) Stephens County – Co. Rd. – BRO-169D(168)CI / 26846(04), \$7,290.00 Underrun
- aa) Woods County – Co. Rd. – BRF-176C(121)CI / 24196(04), \$5,550.00

**144. Change Orders – Cumulative Totals Greater Than \$50,000.00**

- a) Cleveland County – Ct. St. – HSIPIY-114A(242)TR / 26474(04), \$94,701.55
- b) Coal County – US-75 – BTOP-203N(002) / 28128(51), \$24,000.00
- c) Creek County – Co. Rd. – STP-119C(122)IG / 22145(04), \$61,316.20
- d) Garfield County – SH-15 – BRFY-052C(204)/BRFY-124C(045) / 20855(04), \$56,585.66 Underrun
- e) Garfield County – Ct. St. – STP-124B(079)UR / 23086(04), \$1,567.96
- f) Lincoln County – SH-66 – BRFY-141C(049) / 17226(17), \$32,824.94
- g) McClain County – US-62 – STPY-044B(319) / 13574(04), \$91,116.26
- h) McClain County – SH-39 – STPY-144C(121) / 24142(04), \$51,105.59
- i) McIntosh County – Co. Rd. – CIRB-146C(100)RB / 25102(04), \$14,805.00
- j) Muskogee County – US-62 – SBR-151A(229)SB / 27994(04), \$76,215.04
- k) Oklahoma County – IS-235 – IMY-235-1(103)005IP / 09033(40)#8, \$243,500.00
- l) Oklahoma County – IS-235 – IMY-235-1(103)005IP / 09033(40)#11, \$165,808.13
- m) Oklahoma County – IS-40 – OKCY-XTWN(003)TI / 17428(22), \$237,499.55
- n) Oklahoma County – IS-40 – SEC115-155N(826)SG/ACOKCY-XTWN(073)TE/OKCY-XTWN(004)TI / 17428(23), \$44,465.25
- o) Oklahoma County – IS-40 – SEC115-155N(806)SG/IMY-040-4(432)152SS/OKCY-XTWN(015)TI / 17428(32), \$55,574.40
- p) Oklahoma County – Ct. St. – STP-155A(691)AG / 26119(04), \$42,211.76
- q) Oklahoma County – IS-40 – SBR-155N(837)SB / 28308(04), \$159,920.50
- r) Oklahoma County – Ct. St. – CMC-255A(062) / 29266(04), \$65,848.25
- s) Osage County – US-60 – NHY-018N(060)3P / 28270(04), \$65,657.45
- t) Pittsburg County – US-69 – NHY-013N(131)3P / 26296(07), \$14,059.26
- u) Pottawatomie County – SH-9 – STPY-163B(357)SG / 28041(04), \$16.40 Underrun
- v) Pottawatomie County – SH-18 – STPY-163A(355)3P / 28206(04), \$1,122.05
- w) Pottawatomie County – IS-40 – HSIPIG-40-5(418)186TR / 28464(04), \$11,569.27
- x) Roger Mills County – SH-33 – BRFY-165C(059) / 21702(04), \$34,237.82
- y) Seminole County – SH-99 – NHY-012N(019) / 13020(04), \$293,018.16
- z) Sequoyah County – SH-10 – SBR-168C(210)SB / 27993(04), \$83,851.99

ACTION: Overland moved and Burrage seconded that the Items be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

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

**145. Awards**

September 20, 2012 – Regular Letting

ACTION: Burrage moved and Fidler seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

**ITEM PRESENTED BY DIRECTOR OF INTERNAL AUDITS – Mr. Parker**

**146. Oklahoma Department of Transportation Audit Committee Charter**

ACTION: Regan moved and Huckabay seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

**ITEM PRESENTED BY THE SECRETARY OF TRANSPORTATION – Mr. Ridley**

**147. Director’s Report**

Mr. Ridley talked about public-private-partnerships and commented that, “Union Pacific and ODOT have had a partnership for some 30 years to ensure that business can function freely and be able to move good and products through the state.” He stated that sometimes state governments can make bad decisions, and sometimes they make good ones. A prime example of a good decision is the partnership we made with Union Pacific 30 years ago; and “A lot of states wish they would have done the same thing as Oklahoma did in securing these corridors.”

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

**ITEM PRESENTED BY COMMISSION CHAIRMAN**

**148. Adjournment Motion**

ACTION: Burrage moved and Alexander seconded that the Meeting be adjourned.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Regan  
NAYES: None  
ABSENT: Burgess

**Meeting adjourned at 11:25 a.m.**

Approval of the Minutes of the Transportation Commission Meeting of October 8, 2012.

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Greg Love - Chairman

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David Burrage – Vice-Chairman

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