

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING NOVEMBER 2, 2020

MINUTES OF THE VIRTUAL MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, HELD NOVEMBER 2, 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 11:01 a.m.

ROLL CALL:

Present:	Gene McKown	Chairman
	Bob Coburn	Member
	James Grimsley	Member
	Don Freymiller	Member
	David Dyson	Member
	Bobby Alexander	Member
	Steve LaForge	Member
	Bob Peterson	Vice-Chairman
Absent:	T.W. Shannon	
Presiding:	Gene McKown	

The following items were presented and approved as written at the Transportation Commission meeting November 2, 2020. 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 recognized Special Guest: Representative Denise Crosswhite-Hader who is attending the Commission Meeting in the room with us. We have some really important recognitions this morning. First, our wonderful Deputy Director, Dawn Sullivan has been named "Woman of the Year" by the Women in Transportation in the Oklahoma Chapter. I would like to recognize President, Rhonda Dudeck to join us for the acknowledgement of this award.

Ms. Dudeck explained that WTS is an international organization dedicated to building the future of transportation through global advancement of women. The WTS mission is to attract, sustain, connect, and advance women's careers to strengthen the transportation industry. The WTS vision is for equity and access for Women in Transportation. The WTS Oklahoma Chapter was founded in May 2016 with the encouragement and support of Secretary Mike Patterson. Dawn is a founding member, and we are honored to recognize her as our 2020 "Woman of the Year".

Ms. Sullivan said, "It's an honor to be nominated and awarded this from my peers in transportation, thank you so much, I appreciate it!"

Secretary Gatz recognized Chief Financial Officer, Chelley Hilmes for an announcement.

Ms. Hilmes announced that Christy Barron was chosen as the new Comptroller. She comes to us from the City of Midwest City, where she's worked as a Treasurer and Finance Director since 2016. Prior to her time there she served as a State Auditor in Inspector's Office for 9 years with positions in the Quality Assurance Division and the State Agency Audit Division. Please join me in a warm welcome for Christy.

Ms. Barron said, "I just want to say hi, thank you, and I'm happy to be here.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

134. Approval of the Minutes of the Transportation Commission Meeting of October 5, 2020

ACTION: Peterson moved and Coburn seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
ABSTAIN: None
ABSENT: Shannon

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

135. Speed Zone Revisions – Mr. Pendley

a) Multiple Counties – District II

1. Pittsburg County – various locations along SH-31 including the City of Krebs
2. Bryan County – various locations along US-70 including Unincorporated Community of Blue
3. Choctaw County – various locations along US-70 including the Town of Fort Towson
4. Pittsburg County – various locations along US-270 including the City of Haileyville

b) Multiple Counties - District III

1. Okfuskee & Hughes Counties – various locations along SH-48 including the Town of Beardon
2. McClain County – various locations along SH-74 including the City of Purcell
3. Garvin County – various locations along US-77 including the City of Pauls Valley
4. Garvin County – various locations along SH-19 including the City of Pauls Valley

c) Multiple Counties - District VIII

1. Tulsa & Washington Counties – various locations along SH-11 including the City of Skiatook

136. Safety Improvement Projects - Mr. Pendley

- a) LeFlore County – District II - Traffic Signal Replacement and Railroad Preemption at the intersections of US-59/US-270 with Avenue C and SH-128 in the City of Heavener - \$325,000
- b) Atoka County – District II - Traffic Signal Replacement and Coordination Project along US-69/75 in the City of Atoka at the intersections of Redbud Lane, State Highway 3/7 (13th Street), and Court Street - \$850,000

137. Land Sales – Mr. Phillips

- a) Okmulgee County – District I – located on the east side of US-75 at the NE & SE corners of US-75 and E. Main Street in Henryetta, OK - \$186,250.00
- b) Logan County – District IV – located on the east side of I-35 at the former Guthrie Rest Area south of Guthrie, OK - \$100,600.00

ACTION: Dyson moved and Alexander seconded that the Consent Docket be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

138. Engineering Contracts

- a) Statewide – All Districts – On-Demand Public Involvement Services (CI-2251)

CI-2251A	Blanton and Associates, Inc.
CI-2251B	Garver, LLC
CI-2251C	Poe and Associates, Inc.

The aggregate not to exceed amount for these three (3) contracts is \$750,000.00

- b) Cherokee County – District I - to prepare construction plans for SH-82: from 2.57 miles south of SH-82C junction, north 6 miles

CI-2219A	BKL, Inc.	\$703,690.00
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- c) Coal County – District III - to prepare construction plans for US-75: Over Black Creek, begin 6.25 miles north of SH-3

CI-2223D	HNTB Corporation	\$291,115.00
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- d) Johnston County – District III - to prepare construction plans for SH-48: from Atoka County Line, north 7.37 miles to SH-48A

CI-2219B	H.W. Lochner, Inc.	\$632,465.00
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- e) Johnston County – District III - to prepare construction plans for SH-99: from 0.61 miles north of SH-22, north 5.31 miles
- | | | |
|----------|--------------------------------------|--------------|
| CI-2219C | Grossman & Keith Engineering Company | \$574,772.00 |
|----------|--------------------------------------|--------------|
- f) Canadian County – District IV - to prepare construction plans for I-40: Country Club Road over I-40, 2 miles west of US-81
- | | | |
|----------|--------------|--------------|
| CI-2223F | Olsson, Inc. | \$664,240.00 |
|----------|--------------|--------------|
- g) Grant County – District IV - to prepare construction plans for SH-132: Over unnamed Creek, 0.35 miles north of US-64 junction
- | | | |
|----------|------------------------------------|--------------|
| CI-2223J | Walter P. Moore & Associates, Inc. | \$125,600.00 |
|----------|------------------------------------|--------------|
- h) Kay County – District IV - to prepare construction plans for SH-11: from US-77, east 7.0 miles towards Kaw City
- | | | |
|----------|------------------------|--------------|
| CI-2222F | MKEC Engineering, Inc. | \$956,735.00 |
|----------|------------------------|--------------|
- i) Texas County – District VI - to prepare construction plans for SH-94: over the Beaver River, 3.1 miles north of junction SH-94/SH-3
- | | | |
|----------|-----------------|--------------|
| CI-2223B | CEC Corporation | \$473,484.50 |
|----------|-----------------|--------------|
- j) Comanche County – District VII - to prepare construction plans for US-277: from just east of the northbound H.E. Bailey Turnpike off ramp east 0.4 miles to the US-277/SH-17 intersection
- | | | |
|----------|-------------------|--------------|
| CI-2222G | TEIM Design, PLLC | \$268,600.00 |
|----------|-------------------|--------------|
- k) Creek County – District VIII - to prepare construction plans for SH-16: over Sand Creek, 0.7 miles east of the SH-48/SH-16 junction
- | | | |
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| CI-2223G | TEIM Design, PLLC | \$281,250.00 |
|----------|-------------------|--------------|
- l) Rogers County – District VIII - to prepare construction plans for SH-66: over Bird Creek (northbound) & road under, 3.68 miles north of I-44
- | | | |
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| CI-2223H | Tetra Tech, Inc. | \$597,800.00 |
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ACTION: Freymiller moved and Peterson seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

139. Engineering Contract Supplements

- a) LeFlore County - District II – this supplement is for additional engineering to develop final construction plans for US-59: from Sunset Corners extending west approximately 5.0 miles
- | | | | |
|---------|--------------|--------------------------|--------------|
| EC-1327 | Supplement 3 | Poe and Associates, Inc. | \$983,027.00 |
|---------|--------------|--------------------------|--------------|

- b) Cleveland County – District III – this supplement is for additional engineering to develop final construction plans for SH-9: from 108th Ave East, east to 156th Ave East (south) in Norman

CI-2010 Supplement 1 H.W. Lochner, Inc. \$162,990.00

ACTION: Dyson moved and Alexander seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

ITEMS PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

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

- a) Canadian County - Co. Rd. - STP-209C(071)CI / 31181(04), \$1,595.00, 0.11%
- b) Carter County - SH-53 - STP-210C(066)PM / 24104(07), \$43,065.40, 0.25%
- c) Cimarron County - Co. Rd. - STP-213C(026)CI / 31774(04), \$88,950.78, -4.16% Underrun
- d) Coal County - Co. Rd. - STP-215D(031)CI / 30665(04), \$74,502.80, 7.32%
- e) Custer County - I-40 ON RAMP - NHPPI-4000-(078)PM / 27911(08), #1, \$6,025.80, 0.25%
- f) Custer County - I-40 ON RAMP - NHPPI-4000-(078)PM / 27911(08), #2, \$2,376.00, 0.10%
- g) Custer County - SH-73 - SBR-220C(066)SB / 31793(04), \$1,476.30, 0.15%
- h) Garfield County - US-60 - SBR-224N(066)SB / 32771(04), \$18,601.95, 2.77%
- i) Garvin County - Co. Rd. - CIRB-225C(073)RB / CIRB-225C(074)RB / 27848(04), \$39,662.63, 0.78%
- j) Haskell County - Co. Rd. - CIRB-231C(040)RB / 28499(04), #1, \$18,738.00, 0.25%
- k) Haskell County - Co. Rd. - CIRB-231C(040)RB / 28499(04), #3, \$12,668.96, 0.17%
- l) Jefferson County - Co. Rd. - STP-234D(046)CI / 29368(04), \$5,155.62, 0.70%
- m) Jefferson County - Co. Rd. - CIRB-234C(045)RB / 29914(04), \$54,632.41, 0.91%
- n) LeFlore County - US-271 - STP-240N(079)PM / 31289(04), \$20,400.00, 1.21%
- o) Major County - US-412 - SSP-019N(136)PM / 27005(10), \$45,596.61, 41.58%
- p) Marshall County - SH-199 - SSP-248F(051)PM / 23145(09), \$74,990.00, 34.24%
- q) Muskogee County - Co. Rd. - CIRB-251C(095)RB / 29383(04), \$10,612.69, 0.86%
- r) Okfuskee County - SH-62 - ACHSIPG-254C(039)AD / TAP-254D(038)TP / 32966(04), \$0.00, 0.00%
- s) Oklahoma County - SH-77H - SBR-255N(517)SB / 27107(04), \$0.00, 0.00%
- t) Ottawa County - US-60 - SSP-158B(119)PM / 24273(04), \$6,695.00, 0.18%
- u) Pittsburg County - US-69 - SSP-261N(092)PM / 34341(04), \$21,200.00, 0.20%
- v) Tulsa County - I-44 - NHPPI-4400(058)PM / 29693(04), \$6,187.50, 0.06%

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

- a) Caddo County - SH-58 - STP-208C(052)SS / 24092(04), \$11,883.08, 0.22%
- b) Choctaw County - Co. Rd. - STP-212C(043)CI / 29965(04), \$31,862.54, 4.56%
- c) Cimarron County - US-64 - NHPP-034N(001)PM / 20941(04), #3, \$7,499.25, 0.07%
- d) Cimarron County - US-64 - NHPP-034N(001)PM / 20941(04), #5, \$48,000.00, 0.44%
- e) Garfield County - US-60 - STP-224B(058)SS / STP-224B(059)SS / 27981(04), \$901,937.24, 5.15%
- f) Logan County - US-77 - STP-242C(055)PM / 27103(04), \$28,972.74, 0.53%
- g) Love County - Co. Rd. - CIRB-243C(031)RB / 31411(04), \$24,375.00, 1.71%
- h) Marshall County - SH-199 - SSP-248F(051)PM / 23145(09), \$47,951.66, 21.89%
- i) Mayes County - Co. Rd. - STP-249C(053)CI / 31161(04), \$21,549.14, 0.61%
- j) McClain County - I-35 - NHPPI-3500-(077)PM / 29734(04), \$99,750.63, 0.60%
- k) Okfuskee County - US-62 - STP-254C(040)SS / 27963(04), \$6,312.37, 0.25%
- l) Oklahoma County - Ct. St. - OKC-XTWN(006)SS / OKC-XTWN(048)SS / 17428(60), \$41,571.69, 0.10%
- m) Oklahoma County - I-40 - ACNHPPI-0040-5(382) / ACNHPPI-4000-(047) / 20324(04), \$930,167.50, 1.30%

- n) Oklahoma County - SH-66 - TAP-255C(490)TP / NHPP-255N(489)EH / 32984(04), \$21,396.42, 0.61%
- o) Oklahoma County - Ct. St. - STPG-255F(483)AG / 33344(04), \$105,500.05, 17.05%
- p) Okmulgee County - US-75A - ACSTP-156C(136)SS / 24369(04), \$146,687.36, 0.90%
- q) Texas County - US-54 - NHPP-008N(059)FP / NHPP-008N(090)FP / 20947(04), \$150,487.56, -1.26% Underrun
- r) Tillman County - US-70 - STP-271C(067)PM / 29514(04), \$90,000.00, 2.81%
- s) Tulsa County - Ct. St. - STP-172B(400)IG / 25212(04), \$653,718.12, 10.64%
- t) Tulsa County - Ct. St. - STP-272B(278)CI / 30703(04), \$34,366.90, 1.19%

ACTION: LaForge moved and Coburn seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
 NAYES: None
 ABSENT: Shannon

ITEMS PRESENTED BY THE COMPTROLLER DIVISION

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

- a) Final January, 2021 Proposed Bid Opening
- b) Tentative February, 2021 Proposed Bid Opening
- c) Tentative March, 2021 Proposed Bid Opening

ACTION: Dyson moved and Coburn seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
 NAYES: None
 ABSENT: Shannon

143. Settlement for Damages to State Property – Ms. Hilmes

Mr. Banks – Seminole County - \$578.93

ACTION: Alexander moved and Coburn seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
 NAYES: None
 ABSENT: Shannon

144. Fiscal Year 2020 Budget Revisions – Ms. Hilmes

- a) Request to the increase the federal share of Capital Outlays for the carryover of federal revenue:

Federal Aid Construction	\$ 104,400,000
Federal Aid City Projects	39,300,000
County Program	<u>15,900,000</u>
Total	\$ 159,600,000

b) Request to increase the state share of Capital Outlays for carryover of state funding:

Engineering Contracts	\$21,300,000
Right of Way	7,450,000
Federal Aid Construction	83,550,000
State Aid Construction	17,550,000
Asset Preservation	<u>3,867,000</u>
Total	\$133,717,000

c) Request to increase the Maintenance Program by \$11,071,110 for carryover of state funding.

d) Request to re-budget prior year reserves of \$90,000,000 into SFY2021 for existing Right of Way/Utilities projects.

e) Request to increase County Improvement for Roads and Bridges by \$25,065,062 for carryover of CIRB funds.

ACTION: Coburn moved and Alexander seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

145. Awards

October 15, 2020 – Regular Letting

ACTION: Dyson moved and LaForge seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

ITEM PRESENTED BY THE DIRECTOR OF OPERATIONS – Mr. Davis

146. Special Crossing Permit Request for Industrial Use

District II - Junction of US-70 Bypass and Fabral Road in Idabel, Oklahoma in McCurtain County

ACTION: Coburn moved and Alexander seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

ITEM PRESENTED BY THE DIRECTOR – Mr. Gatz

147. Director’s Report

Secretary Gatz said I want to congratulate Dawn Sullivan again on being named “2020 Woman of the Year” by the Women in Transportation. She has given so much to transportation in Oklahoma across the course of her career, and we are really proud of her recognition.

I'd also take the opportunity to talk a little bit about the winter storm that we had last week and the efforts that our folks put forth to try to make sure that the traveling public is safe. Those efforts really started months ago with getting the equipment ready to be able to fight a winter storm like this, and this one came a little bit early. They got busy about the Friday before last weekend and went out and did some pretreating and preparation, and stayed on shift throughout that storm. We had crews out 24/7 throughout the entire time that we were experiencing freezing precipitation, and then in cleanup operations across the state. So the men and women that are out there on the front lines during that time period are asked to perform a tremendous service to the State of Oklahoma, and they give of themselves willingly to accomplish that. I want to recognize them, because while they're out taking care of the traveling public on the highways, meanwhile they've got families at home; they've got tree damage at home, power outages and everything else that they're having to deal with on the back side of their operations that they're out performing on behalf of the traveling public. These guys take care of that business and do it extremely well, I want to thank them and their families, in particular, for sharing them with us and allowing them to perform that service for the State of Oklahoma. To give you an idea, there was a time when we had almost 600 trucks out across the State of Oklahoma. During that 3-day time period, our crews put out over 10,000 tons of salt and sand and about 23,000 gallons of brine mixture to try to help keep the roads from freezing so quickly. They worked thousands and thousands of hours out there across the highway system; we are extremely proud of the work that they did; and I don't know what we would do without them. I want to extend a big thank you to them and all of the folks that continue to conduct the business of the Department of Transportation, both in our office buildings and across the State of Oklahoma during some really challenging conditions. Hopefully, everybody's power gets back on as soon as possible. The utility companies are doing tremendous work out there, and we're really appreciative of the work that they're accomplishing.

This morning, you considered and awarded some contracts for sidewalks, trails, and streetscape projects, and city streets across the state from Antlers to Checotah, Elmore City, Freedom, Guthrie, here in Oklahoma City, in Seminole, and Waynoka, so really, in all parts of the state. And we don't talk a lot about those types of projects in some occasions, but they're really, really important for our downtown areas to make sure that we've got safe routes to get to school and also in providing Americans with Disabilities Act infrastructure improvements. So thank you for your consideration and award to those contracts.

On the federal funding front, we are still operating under a Continuing Resolution that will carry us through December 11th. The Congress is going to have to come back after this election and decide what the rest of the budgetary year is going to look like at the federal level. So we will be monitoring this very closely.

We are also working to finalize the update of the 8 Year Construction Work Plan for 2021-2028. We are going to complete our Rebalance Meetings with several of you across the month of November. We will have that plan ready for your consideration at the Commission Meeting on December 7th.

We currently have Oklahoma's first draft for the Oklahoma Public Transit Policy Plan, out for public comment. Until November 21st. As you recall this was a requirement of the Department by HB1365 and really begins to look at what our public transit policy needs are going to be for the foreseeable future, and how we're going to try to act to address those needs. It should be ready for your approval by the Commission at the December Commission Meeting.

An update on the Organizational Modernization Initiative continues. We have an employee survey sent out today with a completion date of November 13th. It's a critical component of our modernization efforts to really provide a clear understanding of how staff is supporting and preparing to manage organizational change across the Department. All employees are encouraged to participate in this survey.

To give an update on the COVID-19, we continue to manage our business exceptionally well. We all have COVID fatigue, but our employees continue to do a great job of taking care of business and taking care of the traveling public, even in the challenge that COVID presents.

The December Transportation Commission meeting will be an in-person meeting; since the exception to the Open Meetings Act allowing all virtual public meeting expires on November 15, 2020. We are working on a plan to be able to conduct that meeting safely from the ODOT Central Office Building. We are going to follow social distancing and mask protocols, manage our numbers and public attendance. This allows for members of the Commission to participate virtually so long as a quorum of the Commission is present in person at the ODOT Building. We will provide more information on the form and format of that meeting in the coming days and weeks in preparation. But I would appreciate your consideration to participate in the December Commission Meeting in person

I would be happy to answer any questions that any of the Commissioners might have of me.

Information Only: No Commission action required.

ITEM PRESENTED BY COMMISSION CHAIRMAN

148. Adjournment Motion

ACTION: LaForge moved and Coburn seconded that the Meeting be adjourned.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Freymiller, McKown, Dyson, Alexander, LaForge and Peterson
NAYES: None
ABSENT: Shannon

Meeting adjourned at 11:35 p.m.

Gene McKown – Chairman

Bob Peterson – Vice Chairman

The Oklahoma Department of Transportation (ODOT) ensures that no person or groups of persons shall, on the grounds of race, color, sex, religion, national origin, age, disability, retaliation or genetic information, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all programs, services, or activities administered by ODOT, its recipients, sub-recipients, and contractors. To request an accommodation please contact the ADA Coordinator at 405-521-4140 or the Oklahoma Relay Service at 1-800-722-0353. If you have any ADA or Title VI questions email ODOT-ada-titlevi@odot.org.