

MINUTES OF THE TRANSPORTATION COMMISSION MEETING January 8, 2024

MINUTES OF THE COMMISSION MEETING OF THE OKLAHOMA DEPARTMENT OF TRANSPORTATION, HELD JANUARY 8, 2024, IN THE COMMISSION MEETING ROOM OF 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 2023 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.

ITEMS PRESENTED BY COMMISSION CHAIRMAN

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

The following items were presented and approved as written at the Transportation Commission meeting on January 8, 2024.

<u>ROLL CALL:</u>	Present:	Bob Peterson	Chairman
		David Dyson	Vice-Chairman
		Bob Coburn	Secretary
		Michael Junk	Member
		TW Shannon	Member
		Don Freymiller	Member
		Bobby Alexander	Member
		James Grimsley	Member
	Absent:	Steve LaForge	Member
	Presiding:	Bob Peterson	

Chairman Peterson thanked everyone for coming and recognized Bobby Stem, Executive Director of Association of Oklahoma General Contractors (AOGC).

ITEMS TO BE PRESENTED BY COMMISSION CHAIRMAN

Call to Order

Roll Call – Commission Secretary

ANNOUNCEMENTS AND PRESENTATIONS

District VIII Engineer Announcement, Trapper Parks – Mr. Davis

Chief of Right-of-Way Announcement, Ken Phillips – Mr. Johnson

Environmental Excellence awarded to ODOT Monarch Program – Mr. Johnson

American Concrete Pavement Association (ACPA) Pavement Awards – Mr. Burwell

ITEM TO BE PRESENTED BY THE SECRETARY TO THE COMMISSION

1. Approval of the Minutes of the Transportation Commission Meeting of December 4, 2023

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

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Freymiller, Dyson, Junk, Peterson

ABSTAIN: Shannon, Alexander

ABSENT: LaForge

CONSENT DOCKET TO BE PRESENTED BY COMMISSION CHAIRMAN

2. Safety Improvement Projects – Ms. January

a) District III – Johnston County – Mannsville US-177 School Zone – \$8,000.00

b) District III – McClain County – Newcastle SH-76 Gradual Stepdown School Zone – \$24,000.00

c) District VII – Stephens County – Marlow US-81 School Zone & Rectangular Rapid Flashing Beacons (RRFB) – \$16,000.00

d) District VIII – Tulsa County – Collinsville SH-20 Advanced Flashers – \$12,500.00

3. Speed Zone Revisions – Ms. January

a) District III – Hughes County – Along SH-1 including the Town of Calvin for 5.43 miles

b) District III – Hughes County – Along US-270 including the Town of Calvin for 10.51 miles

c) District III – McClain County – Along US-62 including the City of Newcastle for 7.14 miles

d) District III – McClain County – Along SH-130 including the City of Newcastle for 3.00 miles

4. Change in Traffic Control – Ms. January

a) District III – Lincoln County, City of Chandler – Traffic signal to all-way stop, intersection of SH-18 (SH-66) & 9th Street

5. Land Sales – Mr. Phillips

a) District I – Sequoyah County– \$37,320.00

b) District VII – Stephens County – \$23,000.00

ACTION: Grimsley moved and Freymiller seconded that the Consent Docket be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson

ABSTAIN:

ABSENT: LaForge

END OF CONSENT DOCKET

ITEMS TO BE PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

6. Engineering Contracts

a) All Districts – Statewide – Provide On-Demand Mobile LiDAR Mapping

CI-2469A Bearing Tree Land Surveying, LLC

CI-2469B CEC Corporation

Total of two (2) contracts not to exceed \$500,000.00

b) All Districts – Statewide – Provide On-Demand Project Reconnaissance Data Collection

CI-2472A BKL, Inc.

CI-2472B CEC Corporation

CI-2472C CP&Y, Inc. DBA STV Infrastructure

CI-2472D Garver, LLC

CI-2472E Half Associates, Inc.

CI-2472F Olsson, Inc.

CI-2472G Poe & Associates, Inc.

CI-2472H Professional Engineering Consultants, P.A.

CI-2472I TEIM Design, PLLC

CI-2472J Walter P. Moore and Associates, Inc.

Total of ten (10) contracts not to exceed \$2,500,000.00

c) All Districts – Statewide – Provide On-Demand Grant Writing and Coordination

CI-2475A CP&Y, Inc. DBA STV Infrastructure

CI-2475B Garver, LLC

CI-2475C High Street Consulting Group, LLC

CI-2475D HNTB Corporation

CI-2475E Jacobs Engineering Group, Inc.

CI-2475F Kimley-Horn and Associates, Inc.

Total of six (6) contracts not to exceed \$1,500,000.00

d) All Districts – Statewide – Provide Construction Staking Manual Preparation

CI-2476 Half Associates, Inc

\$500,000.00

e) District III – Garvin County – Prepare construction plans for I-35
CI-2449A Olsson, Inc. \$1,401,956.00

f) District VIII – Tulsa County – Prepare construction plans for US-75
CI-2450C Hudson Prince Engineering & Inspection, PLLC \$1,921,125.00

ACTION: Alexander moved and Shannon seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson

ABSTAIN:

ABSENT: LaForge

7. Engineering Contract Supplements

a) All Districts – Statewide – Supplement 2 for On-System Bridge Standards
EC-1513A CP&Y, Inc. DBA STV Infrastructure \$100,000.00

b) District I – Sequoyah County – Supplement 3 for final construction plans for SH-10A
EC-1915 Triad Design Group, Inc. \$42,900.00

c) District VII – Stephens County – Supplement 5 for final construction plans for SH-29
EC-1619B Smith Roberts Baldischwiler, LLC \$380,500.00

ACTION: Shannon moved and Dyson seconded that the Item be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson

ABSTAIN:

ABSENT: LaForge

ITEMS TO BE PRESENTED BY CONSTRUCTION DIVISION ENGINEER – Mr. Leonard

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

a) Caddo County - City Street - TAP-208F(105)TP / STP-208B(079)AD / 33892(04), \$31,515.11,
3.92%

b) Canadian County - City Street - SBR-4000(143)SB / 33421(04), \$38,500.00, 3.05%

c) Cotton County - SH-5 - STP-217C(049)PM / 28804(04), \$12,825.00, 0.10%

d) Custer County - I-40 - NHPPI-4000-(193)3B / 36440(04), \$2,130.00, 0.26%

e) Ellis County - SH-15 - NHPP-223N(014)FP / 29674(04), \$0.00, 0.00%

f) Grady County - US-81 - MC-011N(115)ES / 36351(04), \$51,572.38, 30.70%

g) Leflore County - US-59 - SSP-240F(105)PM / 23145(17), \$46,054.41, 3.62%

h) Murray County - I-35 - NHPPI-3500-(128)PM / 31891(04), \$35,087.30, 0.56%

i) Muskogee County - I-40 - NHPPI-4000-(180)PM / 32102(04), \$100.20, -0.00% Underrun

j) Muskogee County - County Road - CIRB-251D(156)RB / 33054(04), \$629.76, -0.07% Underrun

k) Muskogee County - US-62B - NHPP-251N(139)PM / 35735(04), \$3,353.55, 0.49%

l) Okfuskee County - SH-48 - SBR-254C(061)SB / 34286(04), \$30,665.75, 1.40%

- m) Pawnee County - SH-18 - STP-259B(066)PM / 29692(04), \$100,168.50, -1.98% Underrun
 - n) Payne County - County Road - CIRB-160C(184)RB / 25445(04), \$21,330.80, 0.46%
 - o) Payne County - SH-18 - STP-260B(075)PM / 29837(04), \$176,410.25, -1.83% Underrun
 - p) Pittsburg County - US-270 - STP-261C(117)UR / 35365(04), \$37,192.50, 0.78%
 - q) Pontotoc County - CLEET FACILITY - OAP-262E(085) / 36456(04), \$7.25, -0.00% Underrun
 - r) Pottawatomie County - US-177 - STP-263B(098)3P / 35105(04), \$16,841.48, 1.73%
 - s) Sequoyah County - I-40 - SSP-249F(078)PM / 35163(04), \$108,211.46, -9.86% Underrun
 - t) Tulsa County - City Street - STP-272B(272)IG / 31550(04), \$25,700.00, 0.51%
 - u) Tulsa County - SH-97 - STP-272B(368)AD / 32896(04), \$8,806.20, 0.55%
 - v) Wagoner County - SH-51 - STP-273B(081)3P / 34370(04), \$35,710.12, 2.11%
- Total of Change Orders: \$11,757.18

9. Change Orders with Cumulative Total Greater than \$75,000 - Mr. Leonard

- a) Bryan County - US-69 - NHPP-207N(085)FP / 31855(04), #17, \$408,378.00, 0.27%
- b) Bryan County - US-69 - NHPP-207N(085)FP / 31855(04), #20, \$32,032.00, 0.02%
- c) Caddo County - SH-9 - STP-108B(166)PM / 24094(04), \$736,811.64, -3.51% Underrun
- d) Canadian County - City Street - SBR-4000(143)SB / 33421(04), \$35,093.03, 2.78%
- e) Canadian County - I-40 - NHPPI-4000-(182)PM / 34305(04), \$50,000.00, 0.22%
- f) Choctaw County - US-271 - NHPP-014N(128)PM / 30394(04), \$138,500.64, 0.70%
- g) Custer County - US-183 - NHPPI-4000-(184)PM / 31696(04), \$9,372.33, 0.10%
- h) Custer County - SH-73 - STP-220C(090)(089)3P / 35146(05), #2, \$18,037.15, 0.41%
- i) Custer County - SH-73 - STP-220C(090)(089)3P / 35146(05), #3, \$34,457.00, 0.78%
- j) Dewey County - US-270 - NHPP-017N(077)PM / 17671(13), \$2,029.50, 0.02%
- k) Garvin County - I-35 - NHPPI-3500-(134)PM / 30390(04), \$204.95, -0.00% Underrun
- l) Grady County - US-62 - NHPP-126N(187)PM / 28182(04), \$17,270.00, 0.14%
- m) Kay County - I-35 - STP-236F(103)3B / 35403(04), \$67,166.50, 12.57%
- n) Kay County - US-60 - SSP-136N(154)PM / NHPP-018N(085)PM / 35675(04), \$85,579.20, 0.41%
- o) Kingfisher County - SH-51 - STP-237C(034)PM / 27945(04), \$17,250.00, 0.14%
- p) Major County - SH-8 - STP-047B(111)SS / 12569(04), \$3,960.00, 0.03%
- q) Marshall County - SH-32 - STP-248C(035)PM / 28006(07), \$573,626.44, 7.73%
- r) McClain County - City Street - TAP-244D(083)TP / 32995(04), \$1,550.54, 0.05%
- s) McClain County - SH-9 - NHPP-244N(088)3P / 34348(04), \$15,267.46, 0.70%
- t) McIntosh County - US-69 - NHPP-013N(186)3P / 33834(04), \$338,241.10, 15.81%
- u) Murray County - I-35 - SBR-3500(123)SB / 33888(04), \$46,352.56, 3.15%
- v) Oklahoma County - I-44 - NHPPI-4400-(108)PM / 09033(28), #3, \$24,561.79, -0.11% Underrun
- w) Oklahoma County - I-44 - NHPPI-4400-(108)PM / 09033(28), #4, \$16,505.00, 0.08%
- x) Oklahoma County - I-40 - NHPPI-4000-(126)(156)PM / 28992(04), #8, \$350,224.91, 0.22%

- y) Oklahoma County - I-40 - NHPPI-4000-(126)(156)PM / 28992(04), #9, \$152,148.40, 0.10%
- z) Ottawa County - SH-125 - STP-258B(079)PM / 29689(04), \$50,326.96, 0.79%
- aa) Payne County - SH-33 - NHPP-260N(055)(054)PM / 28983(04), \$59,542.16, 0.31%
- bb) Pottawatomie County - SH-102 - STP-163C(328)PM / 21788(07), #9, \$60,384.09, 0.57%
- cc) Pottawatomie County - SH-102 - STP-163C(328)PM / 21788(07), #10, \$61,845.17, 0.58%
- dd) Rogers County - I-44 - NHPPI-0044-2(422)238 / 20315(04), \$31,886.68, 0.16%
- ee) Seminole County - US-270 - STP-167B(122)PM / 21006(07), \$207,862.14, 1.76%
- ff) Sequoyah County - I-40 - NHPPI-4000-(248)FP / NHPPI-4000-(064)PM / 10618(07), \$476,391.03, 1.12%
- gg) Stephens County - SH-29 - STP-169B(134)PM / 24412(04), \$237,915.27, -1.91% Underrun
- hh) Tulsa County - SH-97 - STP-172B(461)PM / 26505(04), #1, \$114,283.40, 0.43%
- ii) Tulsa County - SH-97 - STP-172B(461)PM / 26505(04), #2, \$16,748.80, 0.06%
- jj) Tulsa County - I-244 - NHPPI-2440-(041)PM / 31077(04), \$147,406.56, 5.73%
- kk) Tulsa County - City Street - STP-272F(367)IG / 33955(04), \$42,779.50, 0.53%
- ll) Washita County - US-183 - NHPP-009N(061)PM / 17669(04), \$5,733.92, 0.03%

Total of Change Orders: \$2,688,738.52

ACTION: Grimsley moved and Freymiller seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson
 ABSTAIN:
 ABSENT: LaForge

ITEMS TO BE PRESENTED BY GENERAL COUNSEL

10. Industrial Access Program – Ms. Wheeler

- a) District V, Beckham County – NTE \$835,000.00
- b) District II, Pittsburg County – NTE \$300,000.00

ACTION: Grimsley moved and Coburn seconded that the Item be approved as presented.
 MOTION: Carried by the following vote:
 AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson
 ABSTAIN:
 ABSENT: LaForge

ITEMS TO BE PRESENTED BY DIRECTOR OF OPERATIONS

11. Extend the Suspension of Commission Prequalification Rule Okla. Admin. Code §730:25-3-1(o) – Statewide – Mr. Davis

At the July 2023 Transportation Commission meeting, agenda item 109 initially suspended Prequalification Rule 730:25-3-1(o) for a period of six (6) months with the intention that the rule be reinstated.

ODOT staff will be requesting a two-month extension of the suspended rule because, after analysis and review, staff has proposed changes to the Prequalification Rule 730:25-3-1 to provide a more business-friendly approach while still maintaining the integrity of the prequalification and requalification process.

Staff recommends that the Commission extend the suspension of Rule 730:25-3-1(o) for a period of two (2) additional months.

ACTION: Grimsley moved and Dyson seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson
ABSTAIN:
ABSENT: LaForge

ITEMS TO BE PRESENTED BY GENERAL COUNSEL

12. Proposed Administrative Agency Rules – Ms. Penn

- a) Okla. Admin. Code § 730:25-3-1. Prequalification
- b) Okla. Admin. Code § 730:25-5-7. Highway Construction Materials Technician Certification
- c) Okla. Admin. Code § 730:35-7-3. Traffic Control Responsibilities

ACTION: Grimsley moved and Alexander seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson
ABSTAIN:
ABSENT: LaForge

ITEM TO BE PRESENTED BY THE COMPTROLLER DIVISION

13. Proposed Bid Openings – Ms. Bryant

- a) Final February, 2024 Proposed Bid Opening
- b) Tentative March, 2024 Proposed Bid Opening
- c) Tentative April 2024 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, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson
ABSTAIN:
ABSENT: LaForge

ITEMS TO BE PRESENTED BY GENERAL COUNSEL

**14. Executive Session – Periodic Review and/or Consideration and Adoption, Modification, Recommendation, or other action related to the employment including evaluation and terms and conditions, of Tim J. Gatz, Executive Director, Oklahoma Department of Transportation
Executive Session Pursuant to 25 Okla. Stat. § 307(B)(1) – Ms. Penn**

a) Begin Executive Session – Vote

ACTION: Freymiller moved and Coburn seconded the motion to begin executive session be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson

ABSTAIN:

ABSENT: LaForge

b) End Executive Session (if an Executive Session is held) – Vote

ACTION: Grimsley moved and Alexander seconded the motion to end executive session be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson

ABSTAIN:

ABSENT: LaForge

c) Proposed Motion(s), if any action is to be taken, on the items discussed in Executive Session - Vote

ACTION: Dyson moved and Alexander seconded the motion that the salary of ODOT Executive Director be increased to \$245,000.00 be approved as presented.

MOTION: Carried by the following vote:

AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson

ABSTAIN:

ABSENT: LaForge

The Commission expressed their gratitude towards Secretary Gatz and thanked him for his exceptional service to the State of Oklahoma.

ITEM TO BE PRESENTED BY THE DIRECTOR – Mr. Gatz

15. Director's Report – Information Only

Secretary Gatz began his report by thanking the Commission for their consideration during the Executive Session and expressed the pride in his duty to the State of Oklahoma, and the importance of support and partnerships.

Secretary Gatz continued his report by thanking the Commission for their support in the market study implementation and thanked Dawn Sullivan, Brian Taylor and ODOT's Human Resources Division for

their part in the implementation and review. Gatz informed the Commission of the last market study, done in January 2022, based on research and analysis from 2021. The current market study was prepared by Ernst & Young, and a salary survey performed by American Association for State Transportation and Highway Officials (AASHTO) provided a good measure on the job market. Gatz continued by stating the market study implementation is not performance based, but strictly to keep pace with the market. The market minimum is 3%, and the approximate maximum is 14%.

In regard to federal funding, Secretary Gatz updated the Commission on the Continuing Resolution that will expire January 19th. It is believed that Congress has a budget agreement, and legislation will need to be passed, specifically in Transportation, Housing and Urban Development appropriations bill. Gatz is confident that full appropriations will be received for the current fiscal year and is encouraged with the progress made thus far.

Secretary Gatz announced the Department's first Electric Vehicle, manufactured by Canoo in Oklahoma City. The vehicle will go to Jared Schwennesen in Multimodal, who leads the National Electric Vehicle Infrastructure Investment Initiatives. The Department will use the vehicle as an opportunity to help advocate for a broader utilization of EVs across the state.

Secretary Gatz began his project updates by addressing the traveling public with a resurfacing and bridge replacement project on US-69 in Wagoner County. The project will be slightly disruptive to traffic with one lane reductions and is expected to be completed spring 2025.

Secretary Gatz continued the project updates with the bridge replacement project on US-287 in Cimarron County. Secretary Gatz thanked the traveling public for their patience during construction. Weather permitting, all lanes of the bridge can be open by the end of the month and upon that completion, pavement work will commence with an optimistic completion of summer 2024.

In another project update, Secretary Gatz updated the Commission on US-169 and I-244 bridge replacement in Tulsa that began in March 2023. Gatz added that northbound 169 to westbound I-244 remain narrowed to one lane, there will be some night and weekend closures as the old bridge is demolished. Completion date is expected to be Spring of this year. Gatz expressed the extreme importance of the connector in the Tulsa Metropolitan area and part of the Department's ongoing efforts to ensure the bridge infrastructure remains in good shape.

Secretary Gatz closed his report with winter weather safety. He addressed the traveling public in recommending the Drive Oklahoma app, have a safety kit prepared that includes extra cell phone batteries, food, water, extra blankets and to ensure vehicles are in good operating condition and to adjust speed accordingly with inclement weather. Gatz continued by stating ODOT is continuously prepared for inclement weather with 537 salt trucks statewide, approximately 1,500 personnel, 500 pieces of additional equipment if needed and salt/sand sheds are stocked up, ready for winter weather. The traveling public needs to be aware of salt trucks, and to stay back at least 300 feet. Gatz expressed how proud he is of ODOT personnel, who go above and beyond in service of the taxpayers of this state.

Commissioner Grimsley commended ODOT for their work on the Highway 39 shoulders and the safety of the corridor will improve immensely.

No Commission action required

ITEM TO BE PRESENTED BY COMMISSION CHAIRMAN

16. Adjournment Motion

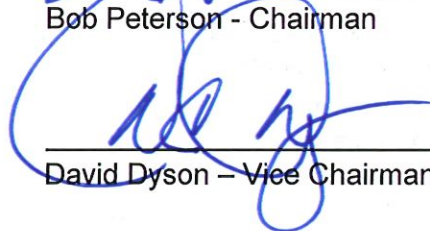
ACTION: Shannon moved and Peterson seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Coburn, Grimsley, Shannon, Freymiller, Dyson, Alexander, Junk, Peterson
ABSTAIN:
ABSENT: LaForge

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.

Approval of the Minutes of the Transportation Commission Meeting December 4, 2023.



Bob Peterson - Chairman



David Dyson – Vice Chairman