

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

**DATE:** Monday, September 8, 2008  
**TIME:** 11:00 a.m.  
**PLACE:** Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 8th day of September, 2008, at the hour of 11:04 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
	Jackie Cooper	Member
	Dan Overland	Chairman
	Loyd Benson	Member
	Bruce Benbrook	Member
	Guy Berry	Member
Presiding:	Dan Overland	Chairman
Absent:	Brad Burgess	

The agenda for this Commission Meeting was posted at or before 10:30 a.m. on Friday, September 5, 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 September 8, 2008. For those items amended, deferred or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Overland opened the meeting and recognized Secretary Tomlinson who introduced our special guests Jeff Wilson, representing Senator Jim Inhofe's office and Greg Treat from Senator Tom Coburn's office.

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

133. Approval of the Minutes of the Special Commission Meeting of August 12, 2008

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

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

134. Traffic Signal Installations - Mr. Smart

a) Beckham County - Commission District V

Request from the Division V Engineer and Beckham County for installation of a traffic signal system

at the intersection of I-40 Business and Merritt Road. Beckham County will be responsible for the operation and maintenance of the traffic signal system upon completion of construction.

b) Murray County - Commission District VII

Request from the Division VII Engineer and the City of Sulphur for the installation of a traffic signal system at the intersection of SH-7 (West Broadway Street) and Cooper Memorial Road. The City of Sulphur will be responsible for the operation and maintenance of the traffic signal system upon completion of the construction.

135. Programming of At-Grade Railroad Crossing Safety Projects - Mr. Kyle

a) Ellis County - Commission District VI

Signal/Surface project near Goodwin with the Burlington Northern Sante Fe Railway Company

b) Murray County - Commission District VII

Signal project near Scullin with the Burlington Northern Sante Fe Railway Company

c) Creek County - Commission District VIII

Signal/Surface project near Mannford with the Burlington Northern Sante Fe Railway Company

ACTION: Benson moved and Dunegan seconded that the Consent Docket be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook and Berry

NAYS:

ABSENT: Burgess

#### END OF CONSENT DOCKET

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**Note:** At this time Chairman Overland explained that we would be deviating from our regular Agenda, and turned the meeting over to Director Ridley.

Director Ridley stated that he had received word from U.S. Secretary of Transportation Mary Peters on Friday of a possible shortfall in the Highway Trust Fund. This fund could reach a zero balance by the end of next week. Director Ridley explained the impact of this news on our highway projects. He stated that we will immediately suspend the purchase of right-of-way, but will continue with any relocation plans in progress. The Director went on to explain tentative plans for current projects. Due to the seriousness of this issue, please note the impact on the following items presented to the Commission:

#### **ITEM PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb**

136. **Statewide**

The Department has selected Parsons Brinckerhoff Americas, Inc., for the purpose of developing the 2010-2035 Statewide Intermodal Transportation Plan (also known as the Long Range Plan) and proposes to enter into an engineering contract in the amount, not to exceed, \$983,493.00.

**Note:** Item **withdrawn**.

**ITEM PRESENTED BY DIRECTOR OF SAFE ROUTES TO SCHOOLS PROGRAM - Ms. Mbroh**

137. **Statewide**

The Department's Safe Routes to Schools (SRTS) Program was authorized by Congress as part of the August 2005 SAFETEA-LU re-authorization bill. The Department has selected Bucher, Willis & Ratliff Corporation (BWR) to provide infrastructure related services in support of ODOT staff. The total, not to exceed, amount of the contract is \$250,000.00. Funding will be 80% federal funds and 20% soft match credit.

**Note:** Item **withdrawn**.

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

138. Engineering Contracts

a) Statewide (All Districts) - Bridge Overload Permit Studies (EC-1214)

The Department has selected Grossman & Keith to review overload truck permit requests to ensure the loads can safely pass over the highway bridges. Coordination is required with ODOT and the Department of Public Safety. The total, not to exceed, amount of the contract is \$500,000.00. Funding will be 100% state funds.

b) Statewide (All Districts) - Off-System Truss and Fracture Critical Bridge Inspections (EC-1215)

The Department has selected six (6) consultants to provide Off-System Truss and Fracture Critical Inspections statewide. Inspections will be in accordance with National Bridge Inspections Standards (NBIS).

The selected firms are as follows:

EC-1215A	Burgess & Niple, Inc.
EC-1215B	BWR, Inc.
EC-1215C	TranSystems Corporation
EC-1215D	Tetra Tech
EC-1215E	Cobb Engineering Company
EC-1215F	EST, Inc.

The aggregate, not to exceed, amount for these six contracts is \$4,400,000.00. Funding will be 80% federal funds and 20% soft match credit.

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

139. Supplemental Engineering Contracts

a) Oklahoma County - Commission District IV (EC-417, Supplement No. 7)

The Benham Companies, LLC, were previously authorized to prepare plans to upgrade the Broadway Extension (US-77) to a six-lane facility from NE 63<sup>rd</sup> Street to Memorial Road. This supplemental agreement is for design modifications to the Memorial Road Interchange construction plans. The total, not to exceed, amount of this supplement is \$102,000.00. The total for this contract, including

this supplement, is \$4,656,500.00. The total estimate for construction of the interchange is \$27,982,058.00. Funding will be 100% state funds and will utilize the Division IV CIP Budget.

b) Oklahoma County - Commission District IV (EC-1144, Supplement No. 2)

Tetra Tech was previously authorized to perform comprehensive efforts to address contaminated materials encountered within the I-40 Crosstown Expressway realignment corridor. This supplemental agreement is to extend the funding for this contract. The adjusted, not to exceed, fees total \$1,400,000.00. The total engineering contract cost, including supplements, is \$3,000,000.00. The I-40 Crosstown Realignment project is in the 8 Year Construction Work Plan in FFY 2008, FFY 2009 and FFY 2010. Funding will be a combination of federal earmark funds and formula federal funds.

c) Tulsa County - Commission District VIII (EC-1000A, Supplement No. 1)

Poe & Associates, Inc., was previously authorized to develop final construction plans for I-44, Arkansas River to east of the Peoria Avenue interchange. This supplement is for additional detail work. The total, not to exceed, amount of this supplemental contract is \$615,600.00. The total engineering contract cost, including this supplement, is \$3,399,500.00. The total estimate for construction of these projects is \$85,000,000.00. Multiple construction projects in this corridor are included in the 8 Year Construction Work Plan with a scheduled letting date in FFY 2008. Funding will be 90% federal funds and 10% soft match credit.

**Note:** Item 139.c) above is **deferred**.

d) Tulsa County - Commission District VIII (EC-1000C, Supplement No. 1)

Craig & Keithline, Inc., was previously authorized to provide engineering services and construction plans for the improvements on I-44 at Harvard Avenue in Tulsa. This supplement is for additional engineering services. The total, not to exceed, amount of this supplemental contract is \$135,000.00. The total engineering contract, including this supplement, is \$2,461,260.00. The total estimate for construction of this project is \$45,000,000.00. A construction project in this corridor is in the 8 Year Construction Work Plan with a scheduled letting date of FFY 2009. Funding will be 90% federal funds and 10% soft match credit.

**Note:** Item 139.d) above is **deferred**.

e) McClain County - Commission District III (EC-647, Supplement No. 3)

Triad Design Group was previously authorized to provide engineering services for the Interchange at I-35 and SH-9 West. Due to the continuing change of traffic patterns near this location, it is necessary to supplement this contract to complete a final design study with conceptual plans for this interchange. The total, not to exceed, amount of this supplemental contract is \$100,000.00. The total engineering contract, including this supplement, is \$743,600.00. The total estimate for construction of this interchange is \$13,900,000.00. Funding will be 90% federal funds and 10% soft match credit.

**ACTION:** Benbrook moved and Benson seconded that Items 139. a), b) and e) be approved as presented, noting deferral of Items 139. c) and 139. d).

**MOTION:** Carried by the following vote:

**AYES:** Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook and Berry

**NAYS:**

**ABSENT:** Burgess

**ITEMS PRESENTED ON BEHALF OF GENERAL COUNSEL - Mr. Surrett**

140. Additions to the Industrial Access Road Program

a) Kay County - Commission District IV

The City of Ponca City has requested an industrial access project for the Ponca City Airport Industrial Park. The Park is experiencing growth from many of the industries, including a \$7,700,000.00 expansion by Mertz Manufacturing, which will create 50 new full-time jobs. The Department's participation in the project shall not exceed \$500,000.00.

b) Kingfisher County - Commission District IV

The Kingfisher County Commissioners are requesting approval for an industrial access road for Falcon Rigs. Falcon Rigs has invested almost \$1,500,000.00 in an expansion and created 70 new full-time jobs. The Department participation shall not exceed \$200,000.00.

c) Custer County - Commission District V

The Custer County Commissioners are requesting approval for an industrial access project for Ventura Refining & Transmission. Ventura has invested over \$37,000,000.00 to acquire the old Barrett Refinery in Thomas and bring it back into operational order, and also created 50 new full-time jobs. The Department's participation shall not exceed \$400,000.00.

d) LeFlore County - Commission District II

The City of Poteau is requesting approval for an industrial access project for Tiger Truck. Tiger has invested over \$10,000,000.00 in the new facility and created over 200 new full-time jobs. The Department's participation shall not exceed \$275,000.00.

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

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

141. Lettings

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

**Note:** Commissioner Benson left the meeting at this time (11:39 a.m.) and did not vote on this Item.

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

**ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond**

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

- a) Beckham County - Co. Rd. - BRO-105D(111)CO / 22553(04), \$218.00

- b) Bryan County - US-69 - HSIPY-107N(110)TR / 22960(05), \$37,675.00
- c) Caddo County - SH-19 - BRFY-108C(125)(128) / 21713(04), \$47,692.62
- d) Canadian County - Ct. St. - STP-109D(081)AG / 21171(04)#2, \$9,937.95
- e) Canadian County - Ct. St. - STP-109D(081)AG / 21171(04)#3, \$35,777.75
- f) Carter County - Co. Rd. - BRO-110D(135)CO / 21772(04), \$258.62
- g) Carter County - IS-35 - BHFY-110A(184) / 24075(04), \$3,441.83
- h) Cimarron County - SH-171 - SAB-113C(029)BF / 21721(04), \$3,100.00
- i) Cleveland County - Ct. St. - STPY-014B(378) / 14391(04), \$1,645.05
- j) Comanche County - US-277 - STPY-116C(081)SS / 20235(04), \$31,679.20 Underrun
- k) Creek County - Co. Rd. - TCSP-2001(002)DC / 18992(04), \$7,890.00
- l) Creek County - Co. Rd. - BRF-119C(109)CO / 21216(04), \$2,956.68
- m) Custer County - IS-40B - BHFY-120A(118) / 20802(05), \$3,990.63
- n) Garfield County - US-412 - NHY-019N(070) / 12545(05), \$3,892.50
- o) Grant County - Co. Rd. - BRF-127C(085)CO / 22892(04), \$1,400.00
- p) Harper County - Co. Rd. - BHO-130D(084)CO / 21774(04), \$4,995.92
- q) Harper County - US-270 - SBR-130N(121)SB/SBR-177N(88) / 24471(04), \$600.00
- r) Haskell County - SH-9 - BRFY-031B(219) / 15113(04), \$1,799.47
- s) Kay County - IS-35 - IMG-035-4(212)222TR / 24084(04), \$5,610.00
- t) Latimer County - SH-2 - BRFY-139B(062) / 23142(04), \$9,000.00
- u) Lincoln County - Co. Rd. - BRO-141D(139)CO / 21642(04), \$19,029.80
- v) Love County - IS-35 - SEC1702-143N(071)HP / 22161(07), \$7,429.81
- w) Major County - Co. Rd. - STP-147C(087)CO/BRF-147C(098)CO / 21310(04)#2, \$5,201.82  
Underrun
- x) Major County - Co. Rd. - STP-147C(087)CO/BRF-147C(098)CO / 21310(04)#3, \$44,138.53
- y) Major County - US-60 - MC-147A(124) / 24259(04), \$30,356.35
- z) McClain County - US-62 - STPY-044B(319) / 13574(04), \$30,625.92
- aa) McCurtain County - SH-37 - MC-145C(175) / 25590(04), \$44,905.88
- bb) Murray County - US-77 - SBR-150N(063)SB / 22740(04), \$34,806.56
- cc) Muskogee County - US-69 - MC-151N(180) / 25365(04), \$47,813.70
- dd) Okfuskee County - Co. Rd. - STP-154C(048)CO / 20076(04), \$6,754.50
- ee) Oklahoma County - Co. Rd. - STP-155C(385)AG / 20456(04), \$4,866.20
- ff) Oklahoma County - US-62 - STPG-155C(533)AG / 23088(04), \$1,170.00
- gg) Rogers County - SH-266 - STPY-166C(173) / 22800(04), \$9,988.80
- hh) Sequoyah County - IS-40 - SSR-168N(188)SR / 25364(04), \$0.37
- ii) Texas County - SH-95 - SAB-170A(102)BF / 21725(04), \$2,905.15
- jj) Tulsa County - US-75 - BPMY-172N(372)3B / 24401(04), \$9,750.00
- kk) Tulsa County - US-169 - SSR-172N(374)SR / 24534(04), \$49,000.00
- ll) Tulsa County - IS-244 - IMY-244-2(463)004 MS / 24720(04), \$8,700.00
- mm) Tulsa County - IS-244 - SAP-172A(395) / 25034(04), \$13,500.00
- nn) Woods County - US-281 - STPY-176B(028) / 17458(10), \$15,077.93 Underrun
- oo) Woods County - Co. Rd. - BRF-176C(047)CO / 18990(04), \$0.00
- pp) Woods County - US-64 - BRFY-176B(069)BF / 20949(04), \$6,437.38
- qq) Woods County - US-64 - BRFY-176B(072) / 20950(04), \$5,250.00

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

- a) Alfalfa County - SH-11 - SSR-102C(131)(133)SR/SSR-176C(142)SR / 24847(04), \$190,000.00
- b) Beckham County - IS-40 - STPY-105E(138)EH / 23783(04), \$44,068.05
- c) Bryan County - US-69 - NHY-013N(117)3R / 24790(04), \$108,762.73
- d) Canadian County - Ct. St. - STP-109D(081)AG / 21171(04), \$21,473.35
- e) Carter County - IS-35 - IMY-35-1(127)024 / 20276(04), \$144,910.66
- f) Cleveland County - Ct. St. - STP-114C(175)AG / 23615(04), \$51,913.85
- g) Coal County - US-75 - SSR-115N(067)SR / 24590(04), \$21,535.52
- h) Custer County - SH-73 - STPY-120C(159) 3R / 24938(04), \$209,337.00
- i) Hughes County - US-270 - BRFY-132B(057) / 20265(04)#13, \$2,500.00
- j) Hughes County - US-270 - BRFY-132B(057) / 20265(04)#14, \$2,237.81 Underrun
- k) LeFlore County - US-271 - STPY-40A(420) / 11396(04), \$4,530.81 Underrun
- l) Logan County - SH-74 - SBR-142C(122)SB / 23221(04)#3, \$12,533.96

- m) Logan County - SH-74 - SBR-142C(122)SB / 23221(04)#4, \$65.74
- n) Love County - IS-35 - IMY-35-1(125)000/BRIY-35-1(133)(134)008 / 19576(04), \$181,562.51
- o) McClain County - US-62 - STPY-044B(319) / 13574(04), \$226,081.46
- p) McClain County - IS-35 - IMG-035-2(293)090 TR / 23072(04), \$37,248.00 Underrun
- q) McClain County - SH-59 - BRFY-144C(105) / 23281(04), \$6,478.81
- r) McIntosh County - US-69 - NHY-013N(118)3R / 24363(04)#1, \$82,278.01
- s) McIntosh County - US-69 - NHY-013N(118)3R / 24363(04)#2, \$157,012.55
- t) Marshall County - US-70 - SBR-148C(062)SB / 24490(04), \$16,917.42
- u) Muskogee County - US-64 - BRFY-151C(104) / 20142(04), \$376,830.67
- v) Noble County - US-77 - SAB-52C(194)BF/SAB-152C(111)BF / 12317(04)#3, \$605,860.41
- w) Noble County - US-77 - SAB-52C(194)BF/SAB-152C(111)BF / 12317(04)#4, \$9,600.00
- x) Oklahoma County - SH-152 - STPY-155A(408) / 00095(13), \$6,680.66 Underrun
- y) Oklahoma County - Ct. St. - STP-155B(366)AG / 20156(04), \$23,306.30
- z) Payne County - IS-35 - IMY-35-4(194)172/BRIY-35-4(202)174 / 20245(04)#7, \$28,665.63
- aa) Payne County - IS-35 - IMY-35-4(194)172/BRIY-35-4(202)174 / 20245(04)#8, \$360,000.00
- bb) Payne County - SH-33 - STPY-160B(97) / 20272(04) / \$486,177.00
- cc) Payne County - SH-51 - BRFY-160A(110)/STPY-160A(149) / 20875(04), \$275,000.00
- dd) Pottawatomie County - IS-40 - IMY-040-5(402)192 / 19797(05), \$207,915.00
- ee) Stephens County - SH-7 - NHY-021N(047)3R / 24937(04), \$91,688.10
- ff) Tulsa County - US-75 - NHY-14N(062) / 23169(04), \$71,147.88

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

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

144. Awards

August 21, 2008 - Regular Letting

Mr. Schmitt stated that the Department is not recommending award of any projects. He stated that we are recommending rejection of call order No. 605. Deferral is recommended for all remaining call orders.

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

**INTRODUCTION BY MR. RIDLEY/PRESENTED BY MR. SANDERS**

145. Presentation of 8 Year Construction Work Plan

**Note:** Item **withdrawn**.

**PRESENTED BY THE DIRECTOR - Mr. Ridley**

146. Director's Report

**Note:** Item presented above.

**Information only;** no Commission action necessary.

**Meeting adjourned at 11:41 a.m.**

Approval of Minutes of the Regular Transportation Commission Meeting of September 8, 2008

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Dan Overland - Chairman

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James H. Dunegan - Vice Chairman

(Seal)