

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

BE IT REMEMBERED that on Monday the 9th day of December, 2013, 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 2013 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, December 5, 2013, 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
	Brad Burgess	Member
	Pete Regan	Member
<b>Absent:</b>	None	
<b>Presiding:</b>	Greg Love	

The following items were presented and approved as written at the Transportation Commission meeting of December 9, 2013. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

**ANNOUNCEMENTS & PRESENTATIONS**

Mr. Love introduced special guests, Ivan Marrero from the Federal Highway Administration and Senator Larry Boggs.

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

**164. Approval of the Minutes of the Transportation Commission Meeting of November 4, 2013**

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

**Director Patterson requested that Item 166 be removed from the Consent Docket because the Department would like to make a formal presentation on this item.**

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

**165. Traffic Control Improvement Projects – Mr. Smart**

- a) Statewide – All Districts - installation of transverse rumble strips to improve curve signage in approximately 100 locations along various curves
- b) Garfield County - District IV – installation of School Zone Flashers on SH-74 in the town of Covington
- c) Oklahoma County – District IV – installation of approximately 4.80 miles of longitudinal cable barrier along SH-152 beginning at approximately 0.60 miles west of Council Road and extending east 4.80 to approximately 0.20 miles west of the I-44/SH-152 interchange
- d) Beckham County – District V – installation of guardrail/cable barrier in various locations

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

**END OF CONSENT DOCKET**

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**ITEM REMOVED FROM CONSENT DOCKET AND PRESENTED BY CHIEF OF R-O-W & UTILITIES – Mr. Harms**

**166. Disclosure of acquisition of right-of-way from Greg Love Chairman of the Oklahoma Transportation Commission**

Oklahoma County – On I-40, extending from mile marker 165 to 167, includes the modification of the I-40/I-240 merge and diverge

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

**ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler**

**167. Programming Item**

- a) Kay County – District IV – repair vehicle impact damage to bridge at US-177 over US-60 located 3.6 miles east of I-35 - \$500,000 – Party responsible for damage is unknown
- b) Muskogee County – District I – repair vehicle impact damage to bridge at US-64 over SH-165 located at the junction of US-64B - \$120,000 – Party responsible for damage is known

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

**168. Engineering Contracts**

- a) McClain County – District III – Preliminary engineering services and preparation of construction plans (Bridges & Approaches) for US-77 over South Canadian River & Railroad in Purcell  
EC-1456 Garver, LLC \$1,024,095
- b) Oklahoma County – District IV – Preliminary engineering services and preparation of construction plans (Bridges & Approaches) for I-40: E/W Bound Bridges over MacArthur Blvd., Meridian Avenue and Portland Avenue  
EC-1457A Poe & Associates \$888,340
- c) Tulsa County – District VIII – Preliminary engineering services and preparation of construction plans (Bridges & Approaches) for US-169 Bird Creek and Overflows  
EC-1461 EST, Inc. \$1,036,100
- d) Osage County – District VIII – Preliminary engineering services and preparation of construction plans (Widen & Resurface) for SH-20 from SH-99 in Hominy, East 5 miles  
EC-1463C Craig & Keithline, Inc. \$468,260
- e) Pawnee County – District VIII – Preliminary engineering services and preparation of construction plans (Widen & Resurface) for US-64 from approximately 4.2 miles East of SH-18 East 2.3 miles  
EC-1463A Professional Engineering Consultants, P.A. \$438,060
- f) Pawnee County – District VIII – Preliminary engineering services and preparation of construction plans (Grade, Drain & Surface) for US-64 from junction SH-18 North, extend South to SH-18 South  
EC-1463B Smith, Roberts Baldischwiler, LLC \$275,080
- g) Pawnee County – District VIII – Preliminary engineering services and preparation of construction plans (Grade, Drain & Surface) for US-64 from junction SH-18 East 4.2 miles  
EC -1463E Cobb Engineering Company \$426,980

- h) Tulsa County – District VIII – Preliminary engineering services and preparation of construction plans (Bridges & Approaches) for US-64 Snake Creek approximately 10.4 miles South of the Creek Turnpike

EC-1463G      Atkins North America, Inc.      \$443,420

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

**169. Engineering Contract Supplements**

- a) Statewide – All Districts – State Bridge Rehabilitation – final design plans

EC-1421A – Nicholls Consulting PLLC – Supplement 1	\$500,000.00
EC-1421B – H.W. Lochner Inc. – Supplement 2	\$500,000.00
EC-1421C – Cobb Engineering Company – Supplement 1	\$500,000.00
EC-1421D – SAIC, LLC – Supplement 1	\$500,000.00
EC-1421E – EST, Inc. – Supplement 1	\$500,000.00
EC-1421F - Frankfurt-Short-Bruza Assoc. P.C.- Supplement 1	\$500,000.00

Total Not to Exceed Amount      \$3,000,000.00

- b) Comanche County – District VII – I-44 Bridge – additional engineering services

EC-1379 – Supplement 1 - \$28,900 – White Engineering & Associates, Inc.

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

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

**170. Lettings**

- a) Final February 2014 Bid Opening  
b) Tentative March 2014 Bid Opening  
c) Tentative April 2014 Bid Opening

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

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

**171. Change Orders with Cumulative Total of \$50,000.00 or Less – Information Only**

- a) Adair County – Co. Rd. – CIRB-101C(076)RB / 24830(04), \$35,160.85 Underrun
- b) Caddo County – Co. Rd. – STP-108D(300)CI / 28409(04), \$15,375.00
- c) Cleveland County – SH-9 – SAP-214C(017) / 29907(04), \$10,938.00
- d) Cotton County – SH-36 – STPY-117C(057) / 24114(04), \$37,863.67
- e) Creek County – Co. Rd. – STP-STIM(275)IG / 22350(04), \$6,252.00
- f) Garfield County – US-60 – BRFY-124A(083) / 23300(04), \$2,000.00
- g) Grady County – SH-37 – BRFY-126C(082) / 20960(04), \$17,628.39
- h) Jackson County – Ct. St. – STP-133B(019)SG/TCSB-233B(011)SG / 17014(04), \$870.20 Underrun
- i) Jefferson County – SH-5 – MC-234C(003) / 29193(04), \$1,103.28
- j) Kay County – US-60 – SSR-136N(206)SR / 27606(04), \$4.32 Underrun
- k) Lincoln County – SH-18 – SSR-141C(178)(179)SR / 24501(04), \$5,290.50 Underrun
- l) Mayes County – SH-28 – BRFY-149C(079) / 21910(04), \$859.04
- m) Mayes County – US-69 – NHY-013N(158)3P / 29091(04), \$22,689.76
- n) Murray County – SH-7 – HSIPG-250A(001)TR / 29273(04), \$4,714.25
- o) Muskogee County – US-62 – SSR-151A(233)SR / 28275(04), \$37,623.61
- p) Noble County – US-64 – STPY-152B(174) / 20311(09), \$1,440.00
- q) Nowata County – SH-10 – SBR-253C(001)SB / 29058(04), \$25,800.00
- r) Okfuskee County – IS-40 – HSIPG-0040-5(406)216TR / 26268(04), \$36,755.00
- s) Oklahoma County – Ct. St. – SSP-255N(138)SS / 29859(04), \$28,000.00 Underrun
- t) Oklahoma County – US-77 – SAP-255N(169) / 30264(04), \$191.96
- u) Osage County – SH-123 – SBR-257C(006)(007)SB / 29232(04), \$6,318.57 Underrun
- v) Ottawa County – Co. Rd. – STP-158D(193)CO / 28476(04), \$29,645.06
- w) Payne County – Co. Rd. – BRO-160D(143)CI / 22342(04), \$1,500.00
- x) Payne County – SH-108 – STPY-260C(004)3P / 29197(04), \$3,500.00
- y) Pittsburg County – Co. Rd. – SBR-261N(003)SB / 28918(04), \$2,902.00
- z) Seminole County – Ct. St. – STPY-267E(015)SG / 23533(06), \$23,366.22
- aa) Stephens County – SH-7 – BRFY-169C(190) / 20952(05), \$8,565.34
- bb) Wagoner County – US-69 – NHPPG-273N(005) / 27109(04)#1, \$136.60 Underrun
- cc) Wagoner County – US-69 – NHPPG-273N(005) / 27109(04)#2, \$0.00

**172. Change Orders with Cumulative Total Greater than \$50,000.00**

- a) Atoka County – SH-3 – BRFY-103A(089)SS / 20306(04), \$10,508.15
- b) Caddo County – SH-152 – STPY-008B(308)SS / 01817(04), \$57,541.91
- c) Canadian County – IS-40 – BTOP-109E(191) / 28128(13), \$55,850.52
- d) Comanche County – Ct. St. – STP-116B(138)MS / 23411(04), \$36,985.11
- e) Cotton County – SH-53 – BRFY-117B(046)SS / 23229(04), \$7,739.36
- f) Custer County – SH-34 – SSP-120B(076)SS / 18779(09), \$141,081.92
- g) Custer County – SH-33 – SSP-120B(124)SS/SBR-120B(178)SB/SBR-220B(007)SB / 24133(04)#1, \$69,535.03
- h) Custer County – SH-33 – SSP-120B(124)SS/SBR-120B(178)SB/SBR-220B(007)SB / 24133(04)#2, \$35,859.40
- i) Delaware County – SH-10 – BRFY-021C(256) / 10441(04), \$9,929.47
- j) Garvin County – SH-74 – SSP-125C(180)SS / 27134(04), \$1,000.00 Underrun
- k) Kiowa County – US-183 – NHY-009N(055) / 16063(28), \$3,027.49
- l) Logan County – SH-33 – MC-242A(004) / 29891(04), \$19,180.02
- m) Oklahoma County – IS-44 – IMY-0044-1(060)127 / 09033(13), \$720,805.47
- n) Oklahoma County – IS-40 – SBR-255N(014)SB / 29086(04), \$47,265.82

- o) Oklahoma County – SH-74 – SSP-255C(151)SS / 30218(04), \$600,000.00
- p) Rogers County – IS-44 – IM-NHIY-0044-2(419)239HP / 20290(04), \$19,202.90
- q) Rogers County – IS-44 – IMY-0044-2(437) / 21898(04)#5, \$15,692.13 Underrun
- r) Rogers County – IS-44 – IMY-0044-2(437) / 21898(04)#6, \$27,747.06
- s) Tulsa County – US-75 – NHY-014N(019)SS / 17387(04), \$193,720.85
- t) Woodward County – SH-3 – NHY-017N(057) / 17457(14), \$27,346.10

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

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

**173. Termination of Construction Contract**

Oklahoma County – District IV – Bridge painting on SH-152 over Newcastle Road, 1.4 miles west of I-44

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

**ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson**

**174. Emergency Bridge Repair Project**

LeFlore County – District II – Bridge on US-271 over an abandoned rail line approximately 1.59 miles south of US-270

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

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

**175. Awards**

- a) Cancellation of Award – SSP-158C(128)SS/SSP-158C(131)SS in Ottawa County
- b) Deferral from October 17, 2013 Regular Letting - SSP-222N(013)RW in Dewey County
- c) November 21, 2013 - Regular Letting

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

**ITEM PRESENTED BY THE COMPTROLLER – Ms. Hilmes**

**176. Fiscal Year 2014 Budget Revisions**

- a) Rail Programs Division requests to increase state rail projects by \$2,500,000 based on updated rail lease revenue estimates and carryover of prior year revenues to the Railroad Maintenance Revolving Fund
- b) Request to transfer \$10,000,000 from Highway Construction to Engineering Contracts

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

**ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson**

**177. Director's Report**

Director Patterson commended the ODOT employees for their hard work and long hours they put in during the last snow/ice storm. He said they did a great job in trying to keep the roads clear, but sometimes it's hard to stay ahead of Mother Nature.

He commented that two of the contracts that the Commission had just approved, is for the third Port of entry weigh and inspection station being built on I-40 in Sequoyah County near the Arkansas border. The previous two that were built was in Beckham County and Kay County.

Director Patterson updated the commission on the agency's plans for future construction projects, considering the low balance in the federal government's Highway Trust Fund, which provides reimbursement to states for highway construction projects. With federal reimbursement in jeopardy, ODOT could be forced to delay engineering and construction projects in the 2014-2021 Eight-year Construction Work Plan. He stated, "In the coming weeks, ODOT will be making a plan for how to handle our bid lettings in 2014. It would not be prudent to continue to put projects on the street if the Highway Trust Fund's cash balance doesn't improve. We're hopeful that Congress will step in with a solution that will provide the necessary cash in the federal Highway Trust Fund to support the federal transportation authorization, MAP-21, and allow us to continue our Eight-year Construction Work Plan."

Director Patterson informed the commissioners that the 3 brochures they had at their desk, is information that he hands out to everyone when he speaks at a public events/meetings. The brochures are: 1) Fiscal & Organizations Strategy; 2) Update on Oklahoma Bridges and Highways; and 3) Waterways.

He briefed commissioners on ODOT's support of the McClellan-Kerr Arkansas River Navigation System in eastern Oklahoma, a 445 mile freight corridor that includes the state's two public ports, the Port of Catoosa and Port of Muskogee. These ports are a connector route to the Mississippi River and help move goods and other resources through our state. Since 2000, we have invested \$417 million in highway and bridge improvements within 10 miles of the Port of Catoosa and nearly \$66 million within 10 miles of the Port of Muskogee. In the 2014-2021 Construction Work Plan we have an additional \$200 million in projects for the Port of Catoosa, and an additional \$55 million in projects for the Port of Muskogee. He stated that he just wanted the commissioners to have this more detailed information about ODOT.

He updated the commissioners on two of ODOT's significant projects; he stated that we are always being asked when these projects will be completed. The first one is in Tulsa County, I-44, Riverside to Yale; it should be completed in Fall 2014. This total project is costing us around \$400 million. The second one is in Oklahoma County I-235, Broadway Extension and I-44; we are only on the first segment of this very complex project. However, we are 2 months ahead of schedule, but it will still be a while before we complete this project. Each intersection at this area carries around 200,000 vehicles a day; and it makes it very difficult to complete it quickly when you are trying to work around that much traffic.

**NOTE:** *Commissioner Burrage asked if any of the projects they approved today, or any of the projects in the past few months would be in danger of not being done due to lack of funding.*

*Director Patterson responded that once a project is awarded, we are going to do everything in our power to complete those projects. We know that one of the hardest things to do is to shut down an on-going project. Do we have enough cash, that is one thing we are going to sit down and look at, and I will be able to advise you better on this at the next commission meeting.*

*Commissioner Burgess complimented the Department on the additional information that they provided this year. Over the years it has gotten better and better; and this information today is excellent.*

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

#### **ITEM PRESENTED BY COMMISSION CHAIRMAN**

##### **178. Adjournment Motion**

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

**Meeting adjourned at 11:46 a.m.**



Approval of the Minutes of the Transportation Commission Meeting of December 9, 2013.

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Greg Love – Chairman

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David Burrage - Vice Chairman