

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

BE IT REMEMBERED that on Monday the 5th day of May, 2014, 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 2014 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, May 1, 2014, 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 11:04 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 May 5, 2014. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

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

**56. Approval of the Minutes of the Special Transportation Commission Meeting of April 7, 2014**

**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 Burgess  
**ABSTAIN:** Regan  
**NAYES:** None  
**ABSENT:** None

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

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

- a) Grady County – District VII - installation of school zone advance warning signs with flashing beacons on SH-19C in the town of Alex
- b) Caddo County - Grady County – District VII - installation of a traffic signal system at the intersection of US-281 and Hinton Blvd., in the town of Hinton
- c) Various Counties - District I - installation of multi-polymer pavement markings at various locations
- d) Various Counties – District V - installation of multi-polymer pavement markings at various locations
- e) Various Counties – District II – installation of multi-polymer pavement markings at various locations

***NOTE: Item 57.e) above is deferred.***

### **58. Land Sales – Mr. Johnson**

- a) Woodward County – District VI – Land Sale – on the north side of Oklahoma Avenue (US-412) between 5<sup>th</sup> Street and 3<sup>rd</sup> Street in the City of Woodward (Parcel 10)
- b) Woodward County – District VI – Land Sale – on the north side of Oklahoma Avenue (US-412) between 5<sup>th</sup> Street and 3<sup>rd</sup> Street in the City of Woodward (Parcel 12)

### **59. Certification of County Road Mileages – Mr. Ooten**

Statewide – All Districts – Title 69, O.S. 2002, Section 316, requires that the Transportation Commission annually certify to the Tax Commission the county road mileage of each county in Oklahoma as it existed on the first day of January each year.

ACTION: Fidler moved and Burrage seconded that the Consent Docket be approved as presented noting deferral of Item 57.e).

. 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 PRESENTED BY CHIEF OF R-O-W & UTILITIES – Mr. Harms**

### **60. Disclosure of acquisition of right-of-way from a former Oklahoma Department of Transportation (ODOT) Employee, Jerry L. Mann and wife, Mary E. Mann**

Grady County – On SH-39, from approximately 3.6 miles East of US-62 extending East approximately 3.0 miles

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

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

**61. Engineering Contract**

- a) Statewide – All Districts - to provide On-Demand Aerial LiDAR Mapping  
EC-1496 – Quantum Spatial - \$250,000
- b) Statewide – All Districts - to provide shop drawing review and engineering services upon demand  
EC-1482A – AIA Engineers Ltd. - \$250,000  
EC-1482B – MKEC Engineering Consultants Inc. - \$250,000
- c) Adair County – District I – to provide preliminary engineering services and prepare construction plans for SH-51 over Mulberry Hollow, 6.6 miles SE of Cherokee C/L  
EC-1466 – Holloway, Updike & Bellen - \$486,025
- d) Muskogee County – District I – to provide preliminary engineering services and prepare construction plans on US-266 from the McIntosh C/L, east 2.93 miles to SH-2 (Includes Bennett Creek Bridge)  
EC-1464 – Cabbiness Engineering LLC - \$473,600
- e) Marshall County – District II – to provide preliminary engineering services and prepare construction plans for SH-99/US-377 over Lake Texoma (Willis Bridge)  
EC-1467 – White Engineering Company - \$808,200
- f) Kingfisher County – District IV – to provide preliminary engineering services and prepare construction plans for US-81  
EC-1473 – Cabbiness Engineering LLC - \$402,750
- g) Harmon County – District V – to provide preliminary engineering services and prepare construction plans for SH-30 over Salt Fork of Red River  
EC-1474 – Triad Design Group - \$498,620
- h) Multiple Counties - District VI – to provide preliminary engineering services in preparation of constructions plans for Design Survey for six projects – Aggregate Total \$550,000  
EC-1497C – CEC Corporation (Cobb)  
EC-1497D – EST Inc.  
EC-1497B – Carroll Surveying Service  
EC-1497A – Lemke Land Surveying  
EC-1497F – White Hawk Engineering & Design  
EC-1497E – Poe & Associates Inc.

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

**62. Engineering Contract Supplements**

- a) Sequoyah County – District I - additional engineering services to develop final design plans for US-59 from US-64 and Bridge Replacement of US-59 over Hog Creek  
EC-1324 – Supplemental No. 2 – Crafton Tull & Associates Inc. - \$13,100
- b) Pittsburg County – District II – additional engineering services to develop final design plans for US-69 corridor  
EC-529 - Supplemental No. 6 – Craig & Keithline Inc. - \$150,700
- c) Garvin & Pottawatomie Counties – District III – additional engineering services to develop final design plans for SH-74 over Unknown Creek and SH-102 over North Canadian River  
EC-1269D - Supplemental No. 1 – MacArthur Associated Consultants LLC - \$27,348

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

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

**63. Lettings**

- a) Final July 2014 Bid Opening
- b) Tentative August 2014 Bid Opening
- c) Tentative September 2014 Bid Opening

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, Burgess and Regan  
NAYES: None  
ABSENT: None

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

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

- a) Atoka County – SH-3 – BRFY-203C(003) / 23144(09), \$17,842.31
- b) Beaver County – Co. Rd. – CIRB-104C(061)RB / 24837(04), \$20,200.00
- c) Bryan County – US-70 – NHPPY-207N(010)(011) / 18847(08), \$26,499.00
- d) Caddo County – Co. Rd. – STP-108D(300)CI / 28409(04), \$800.00
- e) Custer County – SH-33 – SBR-120C(198)(199)(200)SB / 28930(05), \$100,305.54  
Underrun
- f) Garfield County – US-412 – SBR-224N(005)SB / 29833(04), \$6,057.56
- g) Kiowa County – SH-54 – STPY-138C(131)(134) / 23400(04), \$929.50
- h) LeFlore County – US-271 – SSR-140N(210)SR / 27551(04), \$47,512.90
- i) Lincoln County – SH-18 – SSP-141C(157)SS / 23280(04), \$28,257.59
- j) Mayes County – SH-82 – STPY-149C(082)SS / 21911(04), \$5,500.00
- k) Mayes County – Co. Rd. – CIRB-149D(123)RB / 25416(04), \$2,251.48
- l) Mayes County – Co. Rd. – CIRB-149D(128)RB / 25638(04), \$22,222.59

- m) Muskogee County – IS-40 – HSIPIG-0040-6(379)282TR / 29187(04), \$0.33 Underrun
- n) Noble County – US-64 – STPY-152B(174) / 20311(09), \$2.74
- o) Ottawa County – US-69 – BRFY-158B(071) / 21916(04), \$26,005.56 Underrun
- p) Payne County – SH-33 – STPY-160B(102)SS / 20331(04), \$1,914.00
- q) Pittsburg County – US-270 – BTOP-261B(002) / 28128(46), \$14,000.00
- r) Pittsburg County – Co. Rd. – CIRB-261D(018)RB / 29993(04), \$33,500.00 Underrun
- s) Pontotoc County – Co. Rd. – STP-162C(180)CI / 25473(04), \$6,075.68
- t) Pottawatomie County – US-270B – STPY-263B(006)3P / 29430(04), \$3,070.49
- u) Pottawatomie County – US-270 – SAP-263B(014) / 30319(04), \$11,812.50
- v) Pushmataha County – US-271 – BRFY-164C(149) / 26235(04), \$21,557.24
- w) Rogers County – SH-66 – SSP-166N(179)SS / 23160(04), \$1,980.00
- x) Rogers County – Co. Rd. – BRF-166C(219)CI / 25744(04), \$2,685.00 Underrun
- y) Seminole County – SH-3E – NHPPY-267N(016) / 29451(04), \$39,601.28
- z) Tulsa County – Co. Rd. – BRO-172D(598)CO / 15860(04), \$23,617.56
- aa) Tulsa County – IS-44 – STPY-272F(040) / 23185(10), \$36,812.80
- bb) Tulsa County – Ct. St. – STP-172A(462)IG / 26599(04), \$19,800.00
- cc) Tulsa County – Ct. St. – SBR-272A(004)SB / 29051(04), \$6,528.46
- dd) Tulsa County – Ct. St. – SAP-272N(043) / 30263(04), \$12,824.98
- ee) Tulsa County – IS-44 – STPY-272C(045)3B / 30279(05), \$39,985.48
- ff) Woods County – US-281 – STPY-176B(096)SS / 23278(04), \$7,200.00

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

- a) Canadian County – IS-40 – IMY-0040-4(436)/IMY-0040-4(435)138/SBR-109N(182)SB / 24424(07), \$140,000.00
- b) Cleveland County – Ct. St. – IM-0035-2(307)111MS / 25922(04), \$18,234.95
- c) Cleveland County – Co. Rd. – STP-155B(655)AG/STP-114B(249)AG / 26803(04)#7, \$7,550.66
- d) Cleveland County – Co. Rd. – STP-155B(655)AG/STP-114B(249)AG / 26803(04)#8, \$13,670.69
- e) Comanche County – SH-7 – STP-STIM(037) / 10439(07), \$17,500.00
- f) Craig County – US-60 – BRFY-018N(009)DC / 16229(04), \$4,781.09
- g) Craig County – SH-66 – STPY-118C(096)SS / 24183(04), \$31,012.53
- h) Custer County – US-183 – NHY-009N(019)SS / 09278(04), \$3,190.00
- i) Custer County – SH-54 – BRFY-120C(086)(089) / 20804(04), \$3,855.56
- j) Delaware County – SH-10 – BRFY-021C(256) / 10441(04), \$13,236.00
- k) Grant County – Co. Rd. – CIRB-127C(137)RB / 24946(04), \$53,643.08
- l) Harmon County – SH-5 – STPY-129C(030)SS/STPY-133C(078)(081)SS / 24208(04), \$59,542.91
- m) Kay County – IS-35 – HSIPIG-0035-4(234)215TR / 26265(04), \$63,469.97
- n) Oklahoma County – IS-44 – IMY-0044-1(060)127 / 09033(13)#3, \$36,386.56
- o) Oklahoma County – IS-44 – IMY-0044-1(060)127 / 09033(13)#4, \$100,000.00
- p) Oklahoma County – IS-44 – IMY-0044-1(060)127 / 09033(13)#5, \$9,212.50
- q) Oklahoma County – IS-44 – IMY-0044-1(060)127 / 09033(13)#6, \$93,153.73
- r) Oklahoma County – IS-40 – SBR-255N(014)SB / 29086(04)#10, \$24,970.00
- s) Oklahoma County – IS-40 – SBR-255N(014)SB / 29086(04)#11, \$50,136.92
- t) Payne County – US-177 – STPY-160B(103)SS/STPY-160B(135) / 20332(04), \$4,000.00
- u) Pontotoc County – SH-3W – STPY-162B(092)JP / 20309(04), \$249,500.00
- v) Rogers County – SH-66 – STPY-NBIP(465) / 20926(04), \$3,462.17
- w) Rogers County – SH-66 – STPY-166C(260) / 27091(04), \$90,000.00
- x) Tulsa County – IS-44 – IM-NHIY-0044-2(494)229 / 06374(82)#8, \$147,391.38
- y) Tulsa County – IS-44 – IM-NHIY-0044-2(494)229 / 06374(82)#9, \$20,383.77

z) Tulsa County – US-75 – NHY-014N(019)SS / 17387(04), \$4,968.00

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

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

**66. Awards**

April 17, 2014 – Regular Letting

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

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

**67. Director's Report**

Director Patterson announced that our Chief Engineer, Casey Shell, is a Hall of Famer. He congratulated Mr. Shell for his induction into the Arkansas Academy of Civil Engineering.

Director Patterson also highlighted a federal transportation funding proposal recently submitted to Congress by President Obama. The reauthorization measure would provide more than \$300 billion for surface transportation programs over a three-year period, including increased funding for highways and public transit. Without action by lawmakers in Washington, DC, the Highway Trust Fund is expected to become insolvent sometime this summer or fall, which would affect federal reimbursement on hundreds of highway projects in Oklahoma. He said, "While we don't know if Congress will pass a reauthorization this year, I feel comfortable that the dialogue is at least taking place on how to solve the nation's transportation issues".

**NOTE:** *Commissioner Burgess asked Director Patterson to give an update on the Lexington/Purcell Bridge.*

Director Patterson reported to Commissioners that we recently announced some additional repairs to the Purcell/Lexington bridge on US-77/SH-39. Some more cracks found on bridge beams in mid-April have added to the work that must be completed before the bridge can reopen. Despite the additional work, ODOT is still aiming for its goal to open the bridge to traffic by mid-June.

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

**NOTE:** *Commissioner Love announced at 11:20 a.m. that the meeting would recess for 10 minutes. He said the next portion of the meeting was about the sale of a Rail Line, and if you have no interest in this Item please don't return so we can have enough seating available to the interested parties.*

**Commissioner Love called the meeting back to order at 11:30 a.m.**

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

### **68. Consideration of Sale of Sooner Subdivision Rail Line**

Director, Mike Patterson introduced members of the Selection and Evaluation Committee that was made up of 5 cabinet secretaries: Jim Reese, Secretary of Agriculture, Michael Teague, Secretary of Energy, and the Chairman of the Committee, Larry Parman, Secretary of Commerce. He stated that other members of this group that couldn't attend today were: Preston Doerflinger, Secretary of Finance and Gary Ridley, Secretary of Transportation. He said this team was created last year in accordance to SB584 which modified the procedure for sale of a short line railroad. SB584 provided the agency with a prescriptive method to liquidate ownership of rail assets. The prescriptive method includes, the 5 cabinet secretaries, the timelines for the agency to follow in issuance of request for proposals, evaluations of proposals which have led up to this meeting.

Mr. Patterson introduced some other people that assisted the Committee: Eric Hocky, ODOT's Rail Attorney, from the Attorney General's Office, Kim Heaton and David Kenney.

Mr. Patterson briefed the Commissioners about the history of the Sooner Sub Rail Line and how we arrived at this point. He said the Stillwater Central Railroad is the current operator of the Sooner Sub, a 97.5 mile stretch of railroad line the State has owned for the past 16 years. He said when ODOT started acquiring abandoned rail lines back in the early 1980's, the Commission in 1991 adopted a policy that provided some guidance to the Department on what we planned to do with these rail lines. The policy states, "It is the intent of the Commission that lines of railroad acquired by the Department be operated by private carrier and where feasible be returned to the private sector and reinstated to the ad valorem tax rolls at the earliest practical time after resumption of economical and continuing rail services". So that passage right there explains how we got to this point of selling the Sooner Sub Rail Line; because it is ODOT's intent to return rail lines back to the private sector. Over the last few months, the Selection Committee reviewed proposals from four companies as well as the option to keep the rail line under state ownership. He called upon the Selection Committee Chairman, Larry Parman to come and present their findings and recommendation.

Chairman, Larry Parman, representing the Selection Committee of five cabinet secretaries, presented Commissioners with a recommendation for sale of the state-owned Sooner Sub Rail Line that runs between Sapulpa and Midwest City. He stated, "Our mission was to evaluate proposals received by the Oklahoma Department of Transportation concerning the Sooner Sub Rail Line and bring our recommendation to the Commission; we have completed the work required by law and we have achieved our mission; therefore after a unanimous vote, the Committee respectfully recommends that the Sooner Sub Line be sold, and be sold to Stillwater Central Railroad". The \$75 million deal will close in July and includes financial commitments from Stillwater Central Railroad for enhanced rail access to energy infrastructure in Cushing, track improvements that will allow faster train speeds and development of a six-month trial run of passenger rail service within the next five years.

**NOTE:** *The Commissioners asked numerous questions and engaged in a lengthy discussion with Mr. Parman.*

State Representative, Richard Morrissette addressed the Commission. He explained that selling the Sooner Sub Rail Line was not in the best interest of the State. He said this rail line is an asset that will accumulate in value over time, and it will only increase in value. He urged the Commissioners to vote, "No" to the sale of the Sooner Sub Rail Line.

ACTION: Burrage moved and Burgess seconded that the Sooner Sub Rail Line be sold to Stillwater Central Railroad as recommended by the 5 Cabinet Secretaries Selection Committee.  
MOTION: Carried by the following vote:  
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, Burgess and Regan  
NAYES: None  
ABSENT: None

**NOTE:** *Director Patterson stated that in keeping to the terms of the sale, he delivered a "Letter of Acceptance" to Representatives of the Stillwater Central Railroad.*

**ITEM PRESENTED BY COMMISSION CHAIRMAN**

**69. Adjournment Motion**

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

**Meeting adjourned at 12:40 p.m.**



Approval of the Minutes of the Transportation Commission Meeting of May 5, 2014.

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Greg Love – Chairman

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David Burrage - Vice Chairman