

# MINUTES FOR THE TRANSPORTATION COMMISSION MEETING

## HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM OKLAHOMA CITY, OKLAHOMA

BE IT REMEMBERED that on Monday the 3<sup>rd</sup>, February, 2020, 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 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 at or before 11:00 a.m. on Thursday, January 31, 2020 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. Gene McKown called the meeting to order at 11:00 a.m.

**ROLL CALL:**

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

The following items were presented and approved as written at the Transportation Commission meeting of February 3, 2020. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner McKown thanked everyone for coming and introduced Special Guests: Bobby Stem, John Cox from TRUST, Lori Peterson, Executive Director and General Counsel of Oklahoma Railroad Association and Mike Patterson, former Secretary of Transportation. We really do appreciate everybody coming and participating in our Commission Meeting. He then recognized Secretary/Director Tim Gatz for some announcements and presentations.

### ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

#### **14. Approval of the Minutes of the Transportation Commission Meeting of January 6, 2020**

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

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

**15. Safety Improvement Project – Mr. Pendley**

Canadian County – District IV – for an intersection modification at SH-66 and Banner Road - \$450,000.00

**16. Land Sales – Mr. Phillips**

- a) Oklahoma County – District IV – located along the north side of I-44 between Grand Blvd. and MLK Avenue in Oklahoma City - \$3,790.92
- b) Grady County - District VII – located at the intersection of new US-62 & old US-62, approximately 13 miles southwesterly of Blanchard - \$22,000.00

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

**END OF CONSENT DOCKET**

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

**17. Engineering Contracts**

**a) Statewide – All Districts – Off-System Bridge Inspections**

CI-2105A	Burgess & Niple, Inc.
CI-2105B	CEC Corporation
CI-2105C	CONSOR Engineers, LLC
CI-2105D	EST, Inc.
CI-2105E	Garver, LLC
CI-2105F	Guy Engineering Services, Inc.
CI-2105G	H.W. Lochner, Inc.
CI-2105H	Kimley-Horn and Associates, Inc.
CI-2105I	MKEC Engineering, Inc.
CI-2105J	Olsson Associates
CI-2105K	Walter P. Moore and Associates, Inc.

The aggregate not to exceed amount for these eleven (11) contracts is \$6,685,428.63

**b) Statewide – All Districts – Off-System Bridge Inspections**

CI-2170C	CED 2
CI-2171C	CED 3
CI-2172C	CED 4
CI-2173C	CED 7
CI-2174C	CED 8

The aggregate not to exceed amount for these five (5) agreements is \$2,938,130.62

**NOTE:** Commissioner Peterson asked on Item 17 b) what or who is CED.

Mr. Tegeler said they are our Circuit Engineering Districts; and they are a smaller group of folks that do Off-System Bridge Inspections.

- c) Muskogee County – District I – to prepare construction plans for SH-100: Bridge over Arkansas River at the Muskogee/Sequoyah County Line

CI-2143 White Engineering Associates, Inc.

Total Not to Exceed Amount \$1,126,793.00

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

**18. Engineering Contract Supplements**

- a) Statewide – All Districts – this supplement is to increase funding for Off-System Bridge Inspections

EC-1925H Supplement 3 Kimley-Horn and Associates \$118,000.00

- b) Muskogee County – District I – this supplement is for additional engineering to develop final construction plans for US-69 beginning 0.1 miles north of US-64 E (Peak Blvd) extending north 2.5 miles

EC-1576 Supplement 2 Holloway Updike and Bellen, Inc. \$250,000.00

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

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

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

- a) Atoka County - Co. Rd. - STP-203D(069)CI / 29923(04), \$39,645.47, 7.69%
- b) Blaine County - SH-51A - SBR-206B(060)SB / 31789(04), \$2,805.00, 0.32%
- c) Caddo County - SH-152 - SBR-208C(057)SB / 32931(04), \$39,754.71, 1.20%
- d) Caddo County - US-281 - STP-208B(064)3P / 33453(04), \$13,500.00, 1.54%
- e) Canadian County - SH-3 - SBR-209N(060)SB / 31031(04) #1, \$19,413.00, 0.75%
- f) Canadian County - SH-3 - SBR-209N(060)SB / 31031(04) #3, \$8,540.00, 0.33%
- g) Carter County - Co. Rd. - CIRB-110C(205)RB / 24819(04), \$35,600.00, 0.48%
- h) Carter County - Ct. St. - TAP-210E(067)TP / 32977(04), \$43,606.74, 5.56%
- i) Cherokee County - SH-51 - STP-011C(345) / 10437(04), \$57,783.30, -0.60% Underrun
- j) Cleveland County - Ct. St. - STP-214B(091)AG / 30606(04) #1, \$724.80, 0.05%
- k) Cleveland County - Ct. St. - STP-214B(091)AG / 30606(04) #2, \$17,093.10, 1.16%
- l) Comanche County - Co. Rd. - SBR-4400(038)SB / 32795(04), \$6,764.59, 1.97%
- m) Creek County - SH-99 - SBR-219N(060)SB / 30599(04), \$1,172.16, 0.07%
- n) Custer County - I-40 - SSP-4000(067)PM / 29523(04), \$39,750.00, 2.59%
- o) Garvin County - I-35 - SBR-3500(076)SB / 29608(04), \$15,604.89, 2.56%
- p) Garvin County - I-35 - NHPPI-3500-(051)SS / 31840(04), \$31,910.16, 1.14%
- q) Grady County - US-277 - MC-226C(082) / 34071(04), \$10,000.00, 1.68%
- r) Johnston County - SH-48A - STP-235C(035)PM / 31380(04), \$74,859.34, 6.92%
- s) Kay County - Co. Rd. - STP-236D(059)CI / 31845(04), \$4,786.20, -0.88% Underrun
- t) Kiowa County - SH-6 - STP-038B(232)SS / 15027(04), \$5,005.00, 0.02%
- u) Lincoln County - SH-66 - SBR-241C(012)SB / 29567(04), \$23,938.40, 4.78%

- v) Oklahoma County - Ct. St. - STPG-255A(459)AG / 31568(04), \$49.45, 0.06%
- w) Oklahoma County - I-44 - STP-255F(473)3B / 33616(04) #3, \$1,550.00, 0.38%
- x) Oklahoma County - I-44 - STP-255F(473)3B / 33616(04) #4, \$6,522.20, 1.59%
- y) Okmulgee County - Co. Rd. - STP-256C(044)CI / 31193(04), \$2,600.00, 0.16%
- z) Pawnee County - US-412 - NHPP-256N(037) / 30321(04), \$126,580.85, -10.73% Underrun
- aa) Pottawatomie County - SH-3E - STP-263C(066)PM / 28922(04), \$71,360.00, 2.77%
- bb) Sequoyah County - US-64 - SSR-268C(054)(057)SR / 32055(04), \$14,438.30, 0.59%
- cc) Tulsa County - I-244 - SSP-272F(268)SS / 30318(09), \$57,877.14, 3.89%
- dd) Tulsa County - Ct. St. - TAP-272E(233)IG / 33035(04), \$132,672.60, -24.10% Underrun
- ee) Tulsa County - US-75 - STP-272F(252)3B / 33577(04), \$24,562.54, 2.40%
- ff) Washington County - US-75 - SBR-274N(021)SB / 31369(04), \$945.00, 0.02%

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

- a) Beckham County - SH-6 - STP-205B(076)PM / ACNHPI-4000(061)PM / 30998(04), \$45,282.00, 0.16%
- b) Caddo County - SH-152 - SBR-208C(057)SB / 32931(04), \$44,223.74, 1.33%
- c) Canadian County - I-40 - IMY-0040-4(436) / IMY-0040-4(435)138 / SBR-109N(182)SB / 24424(07), \$8,132.36, 0.02%
- d) Cleveland County - SH-9 - STP-114B(108)SS / 20266(07), \$24,924.94, 0.13%
- e) Coal County - US-75 - NHPP-215N(014)SS / 20317(04), \$54,167.50, 2.70%
- f) Cotton County - US-277 - ACSTP-217C(029)SS / 28036(04), \$87,973.31, 1.13%
- g) Craig County - SH-2 - NHPP-218N(033)PM / 21904(04), \$131,813.44, 1.25%
- h) Creek County - US-75A - ACSTP-219C(033)SS / 27075(04), \$90,250.00, 1.12%
- i) Ellis County - SH-15 - NHPP-223N(011) / 24223(04), \$365,684.30, 4.90%
- j) Garvin County - SH-74 - ACSTP-225C(049)SS / 28000(04), \$8,355.58, 0.16%
- k) Garvin County - I-35 - SSP-3500(071)PM / 29111(04), \$4,279.00, 0.19%
- l) Garvin County - I-35 - NHPPIY-225N-(045) / 29564(04), \$28,125.04, 1.24%
- m) Greer County - SH-6 - ACSTP-128B(008)SS / 15023(07), \$193,669.03, 2.03%
- n) Kingfisher County - US-81 - NHPP-237N(019)SS / 27980(04), \$86,205.41, 1.00%
- o) Kiowa County - SH-6 - STP-038B(232)SS / 15027(04), \$71,339.73, 0.35%
- p) McClain County - SH-37 - SSR-244C(063)SR / 32763(04), \$5,276.72, 0.44%
- q) McCurtain County - SH-3 - NHPP-245N(053)PM / 24219(08), \$43,052.20, 0.87%
- r) McIntosh County - US-69 - NHPP-246N(027) / 29755(04) #10, \$57,449.46, 0.23%
- s) McIntosh County - US-69 - NHPP-246N(027) / 29755(04) #11, \$2.00, -0.00% Underrun
- t) Muskogee County - US-62 - STP-251B(087)PM / 29714(04), \$55,484.02, 2.71%
- u) Okfuskee County - US-62 - STP-254C(040)SS / 27963(04), \$254,750.80, 10.11%
- v) Oklahoma County - I-235 - NHPPI-2350-(009)PM / 09033(27), \$135,340.50, 0.13%
- w) Oklahoma County - I-35 - NHPPI-3500-(066)FP / 27897(04), \$83,892.47, 0.29%
- x) Pawnee County - US-64 - STP-159C(077)SS / 24323(04), \$49,919.58, 0.53%
- y) Rogers County - US-412 - SSP-266N(056)SS / 23170(10), \$237,944.95, 3.11%
- z) Seminole County - SH-99 - NHPP-267N(062)PM / 23289(10) #5, \$18,222.56, 0.19%
- aa) Seminole County - SH-99 - NHPP-267N(062)PM / 23289(10) #6, \$11,352.60, 0.12%
- bb) Tillman County - US-183 - SSR-271B(062)SR / 33435(04), \$143,300.00, 3.36%
- cc) Tulsa County - I-444 - NHPPI-4440-(005)(007)PM / 28900(04), \$902,636.49, 3.74%
- dd) Tulsa County - SH-20 - SBR-272A(162)SB / 30598(04), \$27,333.67, 1.79%
- ee) Washington County - US-75 - NHPP-274N(022)PM / 32692(04), \$912.05, -0.13% Underrun

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

## **ITEMS PRESENTED BY THE DIRECTOR OF FINANCE & ADMINISTRATION**

### **21. Proposed Bid Openings – Mr. Hackney**

- a) Final April, 2020 Proposed Bid Opening
- b) Tentative May, 2020 Proposed Bid Opening
- c) Tentative June, 2020 Proposed Bid Opening

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

### **22. Settlement for Damages to State Property – Ms. Williams**

- a) Chad Blankenship – Tulsa County - \$1,051.38
- b) Lynette Sleed – Tulsa County - \$36.61

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

## **ITEMS PRESENTED BY THE COORDINATOR OF EXECUTIVE ADMINISTRATION - Ms. Moore**

### **23. Amendments to Department Administrative Rules**

- a) Approval to Revoke the OAC Rule No.: 730:1-3-6 Election of the Director
- b) Approval to Amend the OAC Rule No.: 730: 1-5-1 Power and Duties of Director
- c) Approval to Amend the OAC Rule No.: 730: 45-1-2 Authority for Public Transportation Project Development Assistance

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

## **ITEM PRESENTED BY LOCAL GOVERNMENT DIVISION ENGINEER – Ms. Williams**

### **24. Request for Final Approval of the County Designation Order for FY-2020**

In accordance with Title 69 O.S. § 636.3 Subsection B) this Designation Order is prepared for use by the County Road Machinery & Equipment Revolving Fund and has been approved by the Department of Transportation County Advisory Board (CAB)

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

## **ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce**

### **25. Awards**

January 16, 2020 – Regular Letting

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

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

### **26. Director's Report**

Secretary of Transportation and ODOT Executive Director, Tim Gatz said we are continuing to make good progress on our Transit Plan and on the online Public Survey that we have out right now. ODOT has been hosting regional stakeholder meetings with transit providers and users, with 2 more meetings scheduled for February 6<sup>th</sup> in Ponca City and February 10<sup>th</sup> in Woodward. The survey and information about the meetings can be found at [www.oktransitplan.org](http://www.oktransitplan.org). The survey will be available online until March 4<sup>th</sup>. And we want any Oklahoman that's interested in transit to be able to participate in that survey. "Our public transit survey is available and we want everyone's feedback, whether in rural or urban areas, to help us develop the transit plan." Secretary Gatz said. "This is all to better understand who is using transit, where and why they're traveling and what we can work on with transit providers to enhance the level of service they're providing." So we are really excited about the development of the plan, and thus far in the process, all is going well.

He also noted that ODOT is seeking the public's feedback on 2 proposed interstate projects: I-44 and US-75 interchange reconstruction in Tulsa and I-35 reconstruction between the I-40 "Fort Smith Junction" and I-44 in Oklahoma City. Information about these projects and public input opportunities can be found at [www.odot.org](http://www.odot.org) by clicking Programs and Projects and then Public Hearings and Meetings. We are hoping to get public participation for the 2 major, very much needed interstate projects both in Tulsa and Oklahoma City. They're going to have significant impacts on the traveling public.

We had a meeting in Tulsa on January 30<sup>th</sup>; it was related to the first phase of the widening of Interstate 44 west of the Arkansas River and the reconstruction of the I-40 US-75 interchange. Again, this is a significant undertaking in Tulsa in the I-40 corridor. That segment that is west of the river is the oldest segment of interstate that we have in Oklahoma; and it is definitely in need of some work. The interchange with US-75 has a lot of operational issues and doesn't move traffic very well; so it is a priority for the Department. We're about to undertake the first phase of what will be a multi-phase, multi-year project.

We have a meeting coming up on February 18<sup>th</sup> here in Oklahoma City that's an opportunity for the public to learn about plans to work on Interstate 35 between the Fort Smith Junction, I-40 and I-35 junction, and the I-44 Junction to the north, just north of 63rd Street. And in that segment, it has operational issues also, it is under capacity. It still has sections of it that are 4 lanes; and we will be looking at potentially widening those to 6 lanes. So again this is another opportunity for the public to participate.

The off Broadway closure that we had over the weekend at the Interstate 235 and I-44 went extremely well. First and foremost, I want to thank the public for their patience with us while we closed that interstate. That's something the Department does not take lightly; anytime you close interchanges, it presents extreme challenges for the public, but it was necessary. We closed it Friday night and opened it back up early this morning. We were able to accomplish all of the work that we needed to get done. Primarily, that was related to hanging beams in that area that are on one of the flyover ramps. Allen Contracting is the Contractor, and they had a tremendous plan working with their subcontractor American Bridge. They executed it really, really well and overcame a few challenges during the course of that work; but those beams are up!

To give you a little bit of an understanding of the magnitude of that operation, each one of those beam connections has 500 bolts that have to be bolted into place. So again, that is to the credit of the Contractor and the help that they provide us in a well-executed plan. So we thank them for that work, and again thank the public for their patience because that is a significant project. That won't be the last time that we have to close that interchange to get to the end, but this one went very well.

Secretary Elaine Chao, Secretary of Transportation in the USDOT, announced that she has an initiative to fight human trafficking across this country. Human trafficking is something that is a problem of tremendous magnitude in the United States. Oklahoma has signed on to the Secretary's initiative. We are going to work with her to enhance our employees' understanding of human trafficking issues; and enhance their ability to watch for trouble signs out there as they perform their daily duties. So we along with the Oklahoma Turnpike Authority are joining the USDOT's "Transportation Leaders again Human Trafficking" initiative. That brings us together as partners in the transportation industry; and we are going to use our resources and try to provide whatever assistance that we can. So again, human trafficking is a major problem; it affects lives and people, and we are going to do everything we can to be paying attention!

Also, we received notice of federal funding availability from USDOT related to federal grants through the competitive Infrastructure for Rebuilding America (INFRA) Program. They announced that we have got the opportunity to apply for the next round of these grants, which there's estimated to be about \$900 million dollars available for projects that advance regional and national economic goals, and a portion (25%) of the total amount awarded must be allocated to rural projects. Oklahoma has been successful in seeking federal grants in recent years, with an INFRA grant in 2018 being awarded to ODOT for the planned reconstruction of I-44 west of the Arkansas River in Tulsa. That grant allowed us to accelerate that work and do even more than we originally had planned. These proposals were announced last week, and we are working diligently to prepare some candidate projects that will be submitted on behalf of Oklahoma.

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

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

#### **27. Adjournment Motion**

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

**Meeting adjourned at 11:22 a.m.**

Approval of the Minutes of the Transportation Commission Meeting February 3, 2020.

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Gene McKown - Chairman

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Bob Peterson - Vice Chairman