



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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May 6, 2009

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
JEFFERSON CITY, MISSOURI, ON WEDNESDAY, MAY 6, 2009**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, May 6, 2009, at the Department of Transportation Building, 105 West Capitol, Jefferson City, Missouri. Mike Kehoe, Chairman, called the meeting to order at 11:00 a.m. The following Commissioners were present at the meeting location: Mike Kehoe, David A. Gach, Rudolph E. Farber, Grace M. Nichols, Lloyd J. Carmichael, and Duane S. Michie.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Pete Rahn, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission were present on Wednesday, May 6, 2009.

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*"Department" or "MoDOT" herein refers to Missouri Department of Transportation.
"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.*

-- CLOSED MEETING --

VOTE TO CLOSE MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

Upon motion duly made and seconded to convene in closed session, the Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Kehoe, Aye
Commissioner Gach, Aye
Commissioner Farber, Aye
Commissioner Nichols, Aye
Commissioner Carmichael, Aye
Commissioner Michie, Aye

The Commission met in closed session from 9 a.m. until 11 a.m.

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-- OPEN MEETING --

LLOYD J. CARMICHAEL QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On March 9, 2009, Governor Jeremiah (Jay) Nixon appointed Lloyd J. (Joe) Carmichael of Springfield to the Missouri Highways and Transportation Commission for a term ending March 1, 2015, or until his successor is duly appointed and qualified. Mr. Carmichael will take the position held by vice chair James B. Anderson whose term expired.

The Senate confirmed Mr. Carmichael's appointment on April 2, 2009. He was duly sworn on May 5, 2009, in the Missouri Department of Transportation headquarters office in Jefferson City by Supreme Court Judge Michael A. Wolff.

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COMMISSION COMMITTEE REORGANIZATION

Chairman Kehoe made the following appointments to the Commission committees/board:

Legislative Committee - Commissioners Kehoe and Carmichael, Co-chairs.
All Commission members serve on this committee.

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APPROVAL OF MINUTES

Upon motion by Commissioner Michie, seconded by Commissioner Farber, the Commission unanimously approved the minutes of the regularly scheduled meetings held on March 4, and April 1, 2009, the special meeting minutes of March 19, 2009, and the electronic ballot minutes of April 22, 2009. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

Consent Agenda Process

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, the staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by the staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

Consideration of May 6, 2009, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Michie, seconded by Commissioner Farber, the consent agenda items were unanimously approved by a quorum of Commission members present.

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COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees. The following committee reports were made during the May 6, 2009, meeting.

Audit Committee – Commissioner Farber stated there was no report.

Legislative Committee – Commissioner Kehoe reported that there are eight days left in the legislative session. Jay Wunderlich and the Governmental Relations division have done a great job of tracking and keeping up with the action at the Capitol. Proposals that are done or close to being done include the removal of stalled and abandoned vehicles, highlighting the importance of the Missouri River as a viable mode of transportation, and increasing the number of design/build projects that MoDOT may construct. Two safety issues did not turn out as the Commission and Department would prefer. These issues include the failure of the primary safety belt proposal and the passage of the helmet repeal proposal. Jay Wunderlich will present a legislative wrap up at the June meeting. Commissioner Kehoe expressed appreciation for the Commission making an effort to visit with legislators at the Capitol.

Missouri Transportation Finance Corporation – Commissioner Gach reported that the Board met on May 5, 2009. At this meeting officers were elected, and Commissioner Gach will continue as President of the Board. Commissioner Gach noted that Don Ransom was elected to serve as the new at large board member. The budget for 2010 was approved as well as two loans totaling \$1,093,000. The next meeting is scheduled for August 4, 2009.

MoDOT and Patrol Employees Retirement System – Commissioner Kehoe reported that the Board met on April 30, 2009. The board continues to monitor the investments. Like other retirement systems, the market has been very volatile but has settled down a little bit and April shows positive returns. The automated system implementation continues to make progress and will be a great benefit for retirees; the process is slightly behind schedule with an estimated completion date of December 2009.

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DIRECTOR'S REPORT

During the May 6, 2009, Commission meeting, Director Pete Rahn provided the following report:

Revenues – Ten months into the fiscal year revenues are \$46 million under actual collections from last year. The department anticipated that 2009 would be a down year, however, this is a significant amount. The good news is the construction program has been coming in so much under the budgeted amount that it will help offset the decline in revenues.

Economic Stimulus Projects – The department completed its first project on route 265 near Branson, this was an overlay project. Currently MoDOT has twelve active projects, FHWA has obligated 113 projects and \$220 million in American Recovery and Reinvestment Act funds for Missouri. The department is close to obligating fifty percent of the discretionary funds by the June 30, 2009 deadline.

MoDOT Leadership positions – Two positions within the department have been elevated to Director positions that will be joining the Senior Management Team. Lester Woods is the Director of External Civil Rights and David Williams is the acting Director of Equal Opportunity and Diversity Division.

MTFC Award – The Missouri Transportation Finance Corporation received the certificate of achievement for excellence in financial reporting by the Governmental Finance Officers Association of the United States and Canada.

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DELEGATION REPRESENTING THE JEFFERSON CITY AREA CHAMBER OF COMMERCE, THE CITY OF JEFFERSON, COLE COUNTY, AND CAPITOL AREA METROPOLITAN PLANNING ORGANIZATION (CAMPO)

On behalf of the Jefferson City Area Chamber of Commerce (Chamber), Jefferson City, Cole County and CAMPO, Randy Allen, President/CEO Jefferson City Area Chamber of Commerce stated that these organizations are partners with MoDOT and are ready to assist MoDOT to improve Missouri’s transportation system. Mr. Allen recognized and commended the accomplishments of the department including bringing eighty-three percent of Missouri’s most traveled roads up to good condition, ranking fifth best roads in the nation by the trucking industry, and a reduction in traffic fatalities. Mr. Allen thanked the department for assistance with enhancement projects including the pedestrian bridge over the Missouri River to connect the Katy Trail to the Capitol, riverfront access, greenway projects, airport improvements, transit assistance, and Amtrak improvements.

During his presentation, Mr. Allen highlighted the priority projects for the area including:

- (1) Access to the prison redevelopment site with an interchange at Lafayette Street and US 50/63.
- (2) Four lanes for Highway 50. The Chamber coordinated an effort with communities along the Highway 50 corridor to fund a study showing the advantages of improving the roadway to a four-lane facility.
- (3) Interstate 54. The Chamber has a long-range goal to get an interstate to Jefferson City. Missouri is one of only five states whose Capitol city is not connected by an interstate.
- (4) Highway 50 and Route 179 interchange improvements. This will improve safety and capacity and is being funded by the American Recovery and Reinvestment Act.

(5) A new interchange for a new St. Mary's Health Center along Route 179. Although construction of the new hospital has been delayed, plans to build the infrastructure need to continue.

Mr. Allen also highlighted local priorities that include enhancement projects, and improvements for the local airport and transit systems. He also offered to facilitate discussion on port, truck, and rail issues.

The Commission thanked the Chamber for their presentation and for their continued cooperative working relationship with the city, county, metropolitan planning organization, and the department.

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MISSOURI DEPARTMENT OF TRANSPORTATION PROPOSED FISCAL YEAR 2010 BUDGET

On behalf of the Director, Roberta Broeker, Chief Financial Officer, presented the Fiscal Year 2010 budget in the amount of \$2.88 billion. The focus for the Fiscal Year 2010 budget is:

- Maximize funding for maintenance and the STIP.
- Advocate for additional funding for multimodal programs. The department is funded like a highway department even though MoDOT is a transportation department. The department must advocate at the Capitol and with planning partners to acquire more funds for other modes of transportation.
- Limit growth in operating categories to the fiscal year 2009 budget levels.
- Continue pay plans at \$3.7 million.

Ms. Broeker estimates receipts for Fiscal Year 2010 at \$2.81 billion. This number may be a little lower when she returns requesting approval of the budget in June. One reason for potentially lower receipts is due to declining fuel taxes, licenses and fees, and sales taxes. The biggest category of receipts, federal funds, is a problematic category to predict at this time because SAFETEA-LU expires in September 2009, and federal funds are down from what was expected.

Ms. Broeker reviewed receipts from a trend standpoint. The trend shows that state receipts are down, and federal funds are down. The areas that have grown are the categories for the American Recovery and

Reinvestment Act (ARRA) and bond proceeds. For Fiscal Year 2010 bond proceeds, the department has the final issuance of Amendment 3 bonds and possibly GARVEE bonds to sell for the Safe and Sound Program.

The disbursement request for Fiscal Year 2010 is \$2.88 billion and is technically the biggest budget for the department, however, that total is artificially inflated because of ARRA projects and the Safe and Sound program. Were it not for ARRA and Safe and Sound, this budget request would be dramatically smaller. Ms. Broeker reviewed the request for the various budget categories.

The largest category is for program delivery at \$2 billion, and puts as many dollars as possible on the road. The next largest category is for system management at \$496 million, this pays for the maintenance and repair of roads. The fleet, facilities and information systems are the next category at \$115 million, which is a lot of money but is critical to the performance of the department's responsibilities. Multimodal is about \$102 million for aviation, ports, transit, and rail. The administration category is kept as low as possible at two percent of the budget or \$55 million.

The major changes in the budget since the commission approved the legislative budget in September include:

- Addition of ARRA.
- Addition of Safe and Sound project costs.
- Reduction of petroleum products and light trucks.
- Multimodal funding request of \$107 million but is only expected to receive \$80 million, and also received an additional \$22 million in ARRA projects.

Ms. Broeker concluded her presentation stating that she will return in June requesting approval of the final budget for Fiscal Year 2010. The Commission thanked Ms. Broeker for her presentation. The Commission will review the information presented by Ms. Broeker and take action thereon at its June 3, 2009 meeting.

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DRAFT 2010 – 2014 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

On behalf of the Director, Kevin Keith, Chief Engineer, presented the 2010 – 2014 draft Statewide Transportation Improvement Program (STIP). The STIP represents \$6.5 billion worth of work; there are three parts to the STIP: (1) local programs totaling \$.66 billion, (2) multimodal programs totaling \$.96 billion, and (3) highways and bridges totaling \$4.91 billion.

Mr. Keith explained to the Commission that the reasons why the department prepares a STIP is that it is required by law, it provides direction during the next five years, and it is a commitment to the public for specific projects. The department prepares the STIP with public involvement in the planning process.

According to Mr. Keith the STIP is a good news/bad news story. The good news for this STIP include:

- Receipt of \$788 million for economic stimulus projects under the American Recovery and Reinvestment Act.
- Completion of every project from Amendment 3.
- All of the Safe and Sound bridge projects will be underway.
- The department will have achieved the outcome of Better Roads and Brighter Future through the completion of the Smooth Roads Initiative.
- The New Mississippi River Bridge will be under contract.
- The department will start to do more work on the minor roads.

The bad news for this STIP include:

- We are in a period of declining state revenue, which the state has not seen for thirty years.
- There are federal trust fund problems and a new federal authorization is due, it is unknown what action Congress will take to address these issues.
- Not starting any new major corridor projects that aren't funded by Amendment 3 or ARRA.

- Mainly taking care of the system by 2012.

As a safety net, the department did not program all funds that are estimated to be available. Due to the uncertainty of future funding for transportation, approximately \$1.2 billion has not been committed to specific projects. When the department has a better sense on where state revenues are going and what will happen with the federal program, additional projects will be programmed. In the meantime, the department will continue to monitor the decline state revenue, and provide input on reauthorization of the federal transportation act. Any changes in transportation funding will have a big impact on the direction of the STIP.

The draft 2010-2014 STIP will be made available for public comment from May 6 through June 5, 2009. The department will collect the comments received and recommend action. Any changes will be presented to the Commission at its July 8, 2009 meeting when the Commission will consider the recommendation.

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CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS

On behalf of the Director, Dave Nichols, Director of Program Delivery, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Mr. Nichols recommended (1) Award of contracts to the lowest responsive and responsible bidders for bids received on the April 24, 2009 letting, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. (2) Rejection of bids received on Calls 406 and 407 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction, as noted in Table II below. (3) Recommend the Commission declare the bid of Ecklekamp Excavating, Inc. on Call 601 as irregular due to the submittal of a non-standard bid bond. (4) Call 605 has funding by Duke Development, City of Chesterfield, and St. Louis County. St. Louis County requires concurrence in the award, and the department has received their concurrence. (5) Call 701 has funding by the City of Aurora and requires

concurrence from the City; the department has received that concurrence. (6) The City of St. Charles opened bids on February 5, 2009 for intersection improvements at First Capitol Drive and Clay Street. The City awarded the project on April 28, 2009 to the low bid of L. Krupp Construction, Inc. MoDOT is funding \$290,050 for this project. It is recommended the Commission concur in award of this project. (7) The City of St. Louis opened bids on March 24, 2009 for signal improvements at 7th Street and Interstate 55. The City sent the letter of intent to award on April 27, 2009 to the low bid of Midwest Mudjacking & Construction Co., Inc. MoDOT is funding \$200,000 for this project. It is recommended the Commission concur in award of this project.

Table I
Award of Contracts
April 24, 2009, Bid Opening

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	36	DeKalb	J1P0919	\$460,925.65	\$328.00	Vance Brothers, Inc.	Type II Microsurfacing and Fog Seal Shoulders
	6	Daviess	J1P2173		656.00		
104	O	Atchison	J1S2009F	1,540,148.83	144.00	Herzog Contracting Corp.	Thin-Lift Overlay (Surface Leveling)
	111	Atchison	J1S2009G		144.00		
	59	Atchison	J1S2009M		200.00		
105*	Various	Andrew, Audrain, Caldwell, Callaway, Carroll, Clark	J2S2009B CD	5,937,492.30	0	Hall Brothers Recycling & Reclamation, Inc.	Cold-in-Place Recycling or Hot-in Place Recycling
201	TT, F, W, M	Carroll, Howard, Saline	J2B0801D	891,028.25	144.00	Widel, Inc.	Safe and Sound Bridge Deck Replacements
202	240 & Alt 240	Howard	J3S2009D	1,047,263.30	144.00	APAC-Missouri, Inc.	Thin Lift Overlay (Surface Leveling) of Mainline and Construction of Shoulders
203	Bus 36	Linn	J1S2009B	1,390,770.27	144.00	Chester Bross Const. Co./ C. B. Equipment Inc.	Thin Lift Overlay (Surface Leveling)
	190	Livingston	J1S2009P		2,144.00		Thin Lift Overlay (Surface Leveling & BP-1)
204	A	Randolph	J1S2009Q	1,689,379.34	144.00	Chester	Thin Lift Overlay

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
	151	Monroe, Shelby	J1S3009B		144.00	Bross Const. Co./ C. B. Equipment Inc.	(Surface Leveling)
301	15	Audrain, Monroe	J3S2009E	2,227,837.13	144.00	APAC-Missouri, Inc.	Thin Lift Overlay (BP-1) and Shoulder Improvements
401	2	Cass, Johnson	J1S3009E	1,418,852.93	144.00	Hilty Quarries, Inc.	Thin Lift Overlay (Surface Leveling)
	52	Henry	J1S3009G		144.00		
	52	Bates	J1S3009O		144.00		
	52	St. Clair	J1S3009P		144.00		
402	N	Henry	J4B0801G	631,977.40	1,918.08	Chester Bross Const. Co./ C. B. Equipment, Inc.	Bridge Rehabilitation
	B	Cass	J4B0802C		0		
404	45	Platte	J1S3009C	985,975.59	144.00	Ideker, Inc.	Thin Lift Overlay (Surface Leveling)
	Rte 273, SP 92	Platte	J3S2009F		656.00		Resurfacing with BP-2
405	131	Johnson	J3S2009H	1,209,709.66	656.00	Hilty Quarries, Inc.	Resurfacing with BP-2 and Add Shoulders
501	C	Cole	J5M0055	102,641.00	144.00	Gerstner Electric Inc.	Replace Traffic Signals
502	70	Boone, Callaway, Cooper, Jackson, Lafayette, Montgomery	J5I2166	121,121.21	0	Collins & Hermann, Inc.	Install Guardrail Near Dynamic Message Boards
503	5	Camden	J5P0913	968,765.51	656.00	APAC-Missouri, Inc.	Resurfacing with BP-1
504	C	Cole, Moniteau, Morgan	J3S2009I	2,054,872.83	656.00	Jefferson Asphalt Company	Grading and Thin Lift Overlay (Surface Leveling)
505	Z	Boone	J1S3009K	1,117,581.98	144.00	APAC-Missouri, Inc.	Thin-Lift Overlay (Surface Leveling)
	70 OR SE	Boone	J1S3009N		144.00		
506	17	Cole, Miller	J1S3009L	1,333,369.67	144.00	APAC-Missouri, Inc.	Thin-Lift Overlay (Surface Leveling)
	87	Moniteau	J1S3009M		144.00		
507	7	Benton	J5P0866	8,923,396.80	288.00	APAC-Missouri,	Rehabilitate Two Bridges

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
	83	Benton	J5P0888		144.00	Inc.	Rehabilitate Bridge
	65	Benton	J5P0889		144.00		Rehabilitate Bridge
601	PP	Franklin	J6B0801C	235,116.00	0	HBI Construction, LLC	Bridge Rehabilitation, Grading & Resurfacing
602	70	St. Louis	J6I1956	390,475.00	656.00	Pace Construction Company, LLC	Pavement Repair, Coldmill, Resurface Shoulders with BP-1
603	47	Franklin	J6P2091	446,145.85	656.00	N. B. West Contracting Company	Optional Bid Pavement (PCCP or Superpave) to Add Left Turn Lanes
604	70, 170	St. Louis	J6I2001	905,861.42	36,572.00	Gerstner Electric, Inc.	Lighting Facilities Reconstruction & New High Mast Lighting Installations
605**	40-61	St. Louis	J6P2147	1,498,432.89	1,547.28	Gershenson Construction Co. Inc.	Optional Pavement for WB Exit Ramp, EB Entrance Ramp, Widen, Add Roundabout, Lighting and Signing
608	44	Franklin	J6I2017	2,453,805.80	800.00	N. B. West Contracting Company	Resurface with Type C UBAWS, Coldmilling & Pavement Repair
609	61-67	St. Louis	J6S2133	1,224,033.46	656.00	R. V. Wagner Inc.	Curb Ramp Replacement, Drainage, and Traffic Signal Upgrades
701***	39	Lawrence	J7P0852	205,000.00	656.00	Hartman and Company, Inc.	Traffic Signals and Intersection Improvements
702	WW	Vernon	J7B0801F	268,416.00	0	Boone Construction Co.	Bridge Rehabilitation
703	Various	Dade, Jasper	J7B0801E	656,614.01	0	West Plains Bridge & Grading LLC	Bridge Superstructure Replacements
7A4	71	Barton	J7P0797C	7,349,098.49	800.00	Brauer Excavating	Grading, Alternate Bid Pavement

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
			J7P0797D		656.00	Company	(Superpave or PCCP) and Bridge – Concrete Girder
7B4	71	Bates	J7P0590	5,096,727.01	656.00	Hilty Quarries, Inc.	Grading, Drainage, Alternate Bid Pavement (Superpave or PCCP) and Bridges – Concrete Girders
7C4	71	Barton	J7P0589	4,516,427.03	656.00	APAC-Missouri, Inc.	Grading, Alternate Bid Pavement (Superpave or PCCP) and Bridge – Concrete Girders
705	54	Vernon	J7P2159	93,406.42	984.00	James H. Drew Corporation	Signal Improvements
706	43	Barton, Vernon	J7M0019	1,247,253.15	656.00	Blevins Asphalt Construction Company, Inc.	Thin-Lift Overlay (Surface Leveling)
801	Various	Christian, Greene	J8P0856	400,000.00	0	Collins & Hermann, Inc.	On-Call Guardrail Repair and Replacement
	Various	Christian, Dallas, Douglas, Greene, Hickory, Laclede	J8P0857				On-Call Guardrail and Guard Cable Repair and Replacement
802	13	Stone	J8P0886D	873,479.42	656.00	Leo Journagan Construction Co., Inc.	Diamond Grind Driving Lanes, Fog Seal Shoulders and Install Rumble Strip
	160	Christian	J8P0886E		656.00		Diamond Grind and Pave Shoulders with BP-1
803	744	Greene	J8P0879B	872,260.01	656.00	Leo Journagan Construction Co., Inc.	Coldmill, Resurface with Superpave, Diamond Grind
804	H	Greene	J1S4009F	2,342,916.82	144.00	Leo Journagan Construction Co., Inc.	Resurfacing with BP-1
		Greene, Polk	J3S2009O		144.00		Bridge Rehabilitation, Resurfacing with BP-1, Grading & Add Shoulders

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
806	EE	Greene	J1S3009W	1,061,231.86	144.00	APAC-Missouri, Inc.	Resurface with BP-1, Thin-Lift Overlay with Surface Leveling
	266	Greene	J1S4009B		144.00		Resurface with BP-1
	AB	Greene	J1S4009C		144.00		Resurface with BP-2
	215	Polk	J1S4009E		144.00		Thin-Lift Overlay (Surface Leveling)
807	PP/FF	Webster	J1S3009X	366,572.74	144.00	Leo Journagan Construction Co., Inc.	Thin-Lift Overlay (Surface Leveling)
	K	Webster	J1S3009Y		144.00		
	B	Webster	J1S3009Z		144.00		
901	44	Phelps	J9I2166	11,128,718.41	656.00	Iron Mountain Trap Rock Co./DBA Iron Mountain Const. Service	Full Depth Pavement (PCCP or Superpave), Alternate Resurfacing (Unbonded Concrete or Superpave) & Coldmilling
902	17	Howell, Texas	J1S4009G	1,426,811.69	144.00	Pace Construction Company, LLC	Thin-Lift Overlay (Surface Leveling)
		Howell	J1S4009I		144.00		
903	KK & TT	Iron, Reynolds	J9S0609	984,040.20	144.00	Pace Construction Company, LLC	Thin-Lift Overlay (Surface Leveling)
904	44	Crawford	J9I2168	897,514.58	328.00	Interstate Improvement, Inc.	Full Depth Concrete Pavement Repair, Diamond Grinding and Underseal/ Cross-Stitch on West Bound Lanes
905	21	Iron, Washington	J3S2009P	4,034,650.00	144.00	Pace Construction Company, LLC	Resurfacing with Bituminous Pavement (BP-2)
	51	Bollinger, Perry	J3S2009Q		144.00		Coldmilling and Resurfacing with Bituminous Pavement (BP-1)
906	J	Carter	J9S2176	508,609.95	144.00	Pace Construction Company, LLC	Thin-Lift Overlay (Surface Leveling)

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
X01	Various	Bollinger, New Madrid	J0B0801G	1,120,978.35	0	Penzel Construction Company, Inc.	Bridge Rehabilitation
X02	55	Pemiscot	J0I2171	16,085,635.96	656.00	Chester Bross Const. Co./C. B. Equipment Inc.	Alternate Overlay (Superpave or PCCP)
X03	47	St. Francois	J1S4009J	626,982.73	144.00	Lead Belt Materials Company, Inc.	Thin-Lift Overlay (Surface Leveling)
	47	St. Francois	J1S4009K		144.00		
	H	Perry	J1S4009R		144.00		
X04	D	Pemiscot	J1S4009O	945,991.86	144.00	G & M Concrete & Asphalt Co., Inc.	Thin-Lift Overlay (Surface Leveling)
	164	Pemiscot	J1S4009P		144.00		
	DD	Pemiscot	J1S4009Q		144.00		
X05	62	Mississippi	J1S4009N	323,080.25	144.00	Apex Paving Co.	Thin-Lift Overlay (Surface Leveling)
			TOTAL	\$104,639,397.01	\$63,765.36		

* Call 105 – Only one section was considered for award/reject.

** Call 605 – Funding by Duke Development \$374,608, City of Chesterfield \$187,304, and St. Louis County \$187,304.

*** Call 701 – Funding by City of Aurora \$102,500.

**Table II
Rejection of Bids
April 24, 2009, Bid Opening**

Call No.	Route	County	Job No.	Description
406	Various	Clay, Jackson, Lafayette, Platte	J2I2161F	On-Call Asphalt Pavement Repair
407	Various	Cass, Clay, Jackson, Platte	J4I1854	On-Call Asphalt Pavement Repair

Commission Consideration and Action

After consideration, and upon motion by Commissioner Michie, seconded by Commissioner Gach, the

Commission took the following action:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on the April 24, 2009 bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected the bids received on Calls 406 and 407 as noted in Table II above, because they were considered excessive.
3. Declared the bid of Ecklekamp Excavating, Inc. on call 601 as irregular due to the submittal of a non-standard bid bond.
4. Noted receipt of concurrence on Call 605 by St. Louis County.
5. Noted receipt of concurrence on Call 701 by the City of Aurora.

6. Concurred in the award by the City of St. Charles awarded to the lowest bidder, L. Krupp Construction, Inc., for intersection improvements at First Capitol Drive and Clay Street.
7. Concurred in the award by the City of St. Louis to the low bid of Midwest Mudjacking & Construction Co., Inc. for signal improvements at 7th Street and Interstate 55.

In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, Chief Financial Officer, or the Director of Program Delivery may execute the contracts awarded above.

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REQUEST FOR APPROVAL OF DESIGN OF HIGHWAYS

**Route I-435 & I-70 Interchange
Jackson County
Job No. J4I1597
Public Hearing Held April 20, 2009**

The proposed improvements include the construction of a new half-diamond interchange at US 40 and I-435, replacement of the Blue Ridge Cutoff Bridge over I-70, adding an additional eastbound and westbound lane to I-70 thru the limits of the interchange, construction of a collector-distributor route for eastbound I-70 traffic to the Blue Ridge Cutoff Interchange, modification of the existing Route 40/31st Street ramp intersections, and removal of the existing ramp access at the Manchester Trafficway Interchange. The pavement on I-70 will consist of twelve-foot lanes and eight foot to 10-foot shoulder widths where possible. The project will have fully controlled right of way access. Traffic will be maintained on existing I-70 and I-435 during construction. The project is 2.2 miles in length on I-70 and 1.7 miles in length on I-435.

Ms. Beth Wright, District 4 Engineer, recommended approval of the design of the proposed improvements as presented at the public hearing.

After full consideration of the favorable and adverse economic, social and environmental effects of the recommended designs, the Commission via approval of the Consent Agenda unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendation.

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RATIFICATION AND APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the approval of the Chief Engineer of the following right of way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
St. Charles	364	J6U1028B	September 13, 2006 9 th & 10 th Amended
Taney	76	J8P0799	*

* In accordance with the Engineering Policy Guide 129.1.1.7 and 129.1.3 for projects that impact fewer than 5 parcels Commission approval is not required.

In accordance with Section 227.050 RSMo, the Commission via approval of the Consent Agenda, approved the right of way plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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REPORT AND RECOMMENDATION REGARDING NOTICE OF PROPOSED PERMANENT AND EMERGENCY AMENDED RULEMAKING – BREATH ALCOHOL IGNITION INTERLOCK DEVICE CERTIFICATION AND OPERATIONAL REQUIREMENTS

On behalf of the Director, Leanna Depue, Highway Safety Director, presented to the Commission notice of proposed permanent amended and emergency administrative rules 7 CSR 60-2, Breath Alcohol Ignition Interlock Device Certification and Operational Requirements, which will correct references to the Highway Safety Division and Department, rule definitions, and will update standards and specifications for the breath alcohol ignition interlock program to use new technology to ensure reliability and increase public safety. The emergency rulemaking is required to implement changes to the ignition interlock laws pursuant to Truly Agreed to and Finally Passed Senate Bills 930 and 947, which will become effective on July 1, 2009. Ms. Depue recommended approval of the proposed permanent amended and emergency rulemaking for filing with the Small Business Regulatory Fairness Board, the Joint Committee on Administrative Rules, and the Office of the

Secretary of State. She further recommended the Director, Chief Engineer, or Chief Financial Officer be authorized to execute any document appropriate and necessary for initiating this rulemaking process.

Via approval of the consent agenda, the Commission unanimously approved the rulemaking recommendations.

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DISPOSAL OF EXCESS PROPERTY, ROUTE 5, CAMDEN COUNTY, EXCESS PARCEL NUMBER E5-0490

On behalf of the Director, Roger Schwartz, District 5 Engineer, recommended conveyance of 7.9 acres located south of Route 5 and East of Lake Front Road 5-32, Sunrise Beach, to Gregory D. William for the consideration of \$231,000.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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CHANGE IN ACCESS, BREAK IN ACCESS, ROUTE 61, ST. LOUIS COUNTY

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended approval of a request from FJB, LLC, to construct a 113-foot entrance centered at the easterly right of way line of Route 61, opposite Station 969+36.50. The proposed entrance is a non-arterial connection constructed to accommodate a commercial development and will not provide traffic relief to the state system; therefore, the request does not comply with the Commission's action of February 13, 1997, and Commission approval of the proposal is needed to proceed.

Via approval of the consent agenda, the Commission unanimously approved the request of FJB, LLC as described above. FJB, LLC will deed to the Commission their remaining rights of direct access to Route 61, except for the proposed break in access and an existing sixty foot right in/right out only entrance centered at the

easterly right of way line opposite Station 974+90.50. FJB, LLC shall also provide geometric improvements along Route 61 consisting of: Widen Route 61 along the east side of the roadway to provide for left turn lanes in both directions between East Concord and the commercial entrance centered at Station 965+81 on the westerly right of way line of Route 61, Lengthen the existing left turn lane on Route 61 south of East Concord from 175 feet to 225 feet, Extend the median along Route 61 north of East Concord to the commercial entrance centered at Station 965+81 on the westerly right of way line of Route 61, and Provide reimbursement in the amount of \$33,243 for optimization on the system from Mueller Road to Barracksview.

Via approval of the consent agenda, the Commission unanimously approved the request of FJB, LLC as described above with \$96,750 compensation due to Commission for the change in addition to the \$33,243 for optimization on the system.

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**CHANGE IN ACCESS, BREAK IN ACCESS,
NORTH OUTER ROAD I-70, WARREN COUNTY**

On behalf of the Director, Paula Gough, District 3 Engineer, recommended approval of a request from John Dyer, to construct a thirty-six foot entrance centered at the northerly easterly right of way line of North Outer Road I-70, opposite Station 705+00. The proposed entrance is a non-arterial connection constructed to accommodate a commercial development and will not provide traffic relief to the state system; therefore, the request does not comply with the Commission’s action of February 13, 1997, and Commission approval of the proposal is needed to proceed.

Via approval of the consent agenda, the Commission unanimously approved the request of John Dyer, as described above with \$2,500 compensation due to the Commission for the change.

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--- REPORTS ---

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, March 31, 2009**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2009 monthly financial report for the period ending March 31, 2009, with budget and prior year comparisons.

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FINANCIAL ACCOUNTABILITY REPORT - QUARTERLY REPORT

Deborah S. Rickard, Controller, provided to the Commission the written Quarterly Financial Accountability Report for the period ended March 31, 2009.

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DESIGN/BRIDGE ENGINEERING CONSULTANTS – QUARTERLY REPORT

Dave Nichols, Director of Program Delivery, provided to the Commission the Design/Bridge Engineering Consultants Report as of March 31, 2009. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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