



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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May 14, 2008

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**MINUTES OF REGULARLY SCHEDULED MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
SUNRISE BEACH, MISSOURI, ON WEDNESDAY, MAY 14, 2008**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, May 14, 2008, at the Porto Cima Yacht Club, 133 Clubhouse Drive, Sunrise Beach, Missouri. The meeting was called to order at 10:09 a.m. by James B. Anderson, Vice Chairman. The following Commissioners were present: James B. Anderson, David A. Gach, Mike Kehoe, Grace Nichols, and Rudolph E. Farber. Chairman Duane S. Michie was absent.

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 Linda K. Conner, Senior Executive Assistant to the Commission were present on Wednesday, May 14, 2008.

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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 Vice-Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Anderson, Aye
Commissioner Gach, Aye
Commissioner Kehoe, Aye
Commissioner Farber, Aye
Commissioner Nichols, Aye

The Commission met in closed session from 8:30 a.m. until 10:00 a.m.

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-- OPEN MEETING --

GRACE M. NICHOLS QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On March 17, 2008, Governor Matt Blunt appointed Grace M. Nichols of St. Charles to the Missouri Highways and Transportation Commission for a term ending March 1, 2013, or until her successor is duly appointed and qualified. Mrs. Nichols will fill the position held by Commissioner Bill McKenna whose term expired.

The Senate confirmed Mrs. Nichols' appointment on April 16, 2008. She was duly sworn on May 13, 2008, in the Missouri Department of Transportation headquarters office in Jefferson City by Supreme Court Judge Michael A. Wolff.

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APPROVAL OF MINUTES

Upon motion by Commissioner Gach, seconded by Commissioner Kehoe, the Commission unanimously approved the minutes of the regularly scheduled meeting held on April 9, 2008. The Vice Chairman and Senior Executive Assistant 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 14, 2008, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Farber, seconded by Commissioner Kehoe, the consent agenda items were unanimously approved by a quorum of Commission members present, except that Commissioner Gach abstained from voting on the following: “Ratification and Approval of Right of Way Plans for Condemnation, Buchanan County, Route 169”.

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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 14, 2008, meeting.

Audit Committee – Commissioner Farber stated that there was no report.

Legislative Committee – Commissioner Kehoe reported that with just a couple of days left in this legislative session it is a very exciting time. This year will be known as the year for multimodal, MoDOT was able to secure funding for rail and ports that was not imaginable at the beginning of the 2008 session. A better update will be given at the June meeting after the completion of the session.

Missouri Transportation Finance Corporation – Commissioner Gach reported that the Corporation met on May 13, 2008. The corporation had an election of officers for fiscal year 2009: Commissioner Gach was elected President and Brian Weiler was elected Vice President. S. Lee Kling was elected to succeed himself on the MTFC Board of Directors for a two-year term expiring in June 2010. The Board members approved the 2009 Budget. Williams Keepers, LLC, was approved for the first one-year renewal to perform the 2008 fiscal year audit of the Corporation.

MoDOT and Patrol Employees Retirement System – Commissioner Kehoe reported that the MoDOT and Patrol Employees Retirement System Board of Trustees met on May 13, 2008. The Search Committee is developing a “short-list” of candidates to be interviewed for the position of Executive Director of MPERS. The financial markets remain volatile, but appears to be stabilizing. The investment portfolio generated a healthy 2.4 percent return for the month of April. The Pension Administration System Project is 54 percent complete and has an expected completion date of August 2009.

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DIRECTOR'S REPORT

During the May 14, 2008, Commission meeting, Director Pete Rahn provided the following report:

Informational – On May 28, 2008 in Kansas City, Kansas Department of Transportation (KDOT) and MoDOT are jointly hosting two members of the National Surface Transportation Policy and Revenue Study Commission. This is the group that spent two years looking at the circumstances of transportation within the United States. The Vice Chairman and another member will have a public discussion of their report at the meeting. This should prove to be a very energized discussion about the national needs of transportation as well as what is occurring here within our two states.

AASHTO – The spring AASHTO Board meeting was held in Branson. Going into the meeting MoDOT had two goals. One was to show off Missouri to as many people who had not been here and two was to make the members leave with a wow. Both of these goals were achieved with the Branson meeting having record attendance and at the end of the meeting all fifty states in unison actually stated WOW. It was a great meeting.

Tracker – Missouri is being recognized as one of the leading states in the nation for a performance management system that is truly on the leading edge. The conversation at the national level is one that says the next transportation bill is going to have to be performance focused and results based. That is language almost directly out of MoDOT's mission. It provides a level of accountability and transparency that is unsurpassed in Missouri and within other DOT's. The tracker is available to the public at www.modot.mo.gov, press the Tracker Performance Measures button.

Shane Peck – Shane Peck and our planning forces have created a video, an animation of how dedicated truck lanes would actually function. There seems to be interest and concern as to how these dedicated truck lanes would actually function in the real world. MoDOT has created an animated model of how that would operate and it is posted on You Tube. As of yesterday we've exceeded 5,700 viewings in just three weeks. This far exceeds any viewings or the number of people MoDOT could reach if we were just going through a traditional public meeting process. This is a new realm for MoDOT to be operating in. We can now post numerous videos explaining MoDOT's concepts whether it is our shared four lane, dedicated truck lanes or even policy statements. MoDOT is doing as much as possible to help share the message of how things work and this is a great tool for us.

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DELEGATION REPRESENTING THE LAKE OF THE OZARKS COMMUNITY BRIDGE CORPORATION

Joe Roeger, Treasurer of the Bridge Corporation, welcomed the Commission on behalf of the entire Lake community and the Community Bridge Corporation. He introduced some of the other board members present at the meeting.

Mr. Roeger shared the story of the community bridge from the beginning. The community bridge was a cooperative effort all the way down to the legislation. MoDOT was very much involved, in fact, he recognized a past district engineer, Jim Toft, who passed away in October 2001. It was Jim's research, guidance, and leadership to the Community Bridge Board and to MoDOT that was the reason for the bridge going forward from the early days and he lived long enough to see the bridge constructed and opened in May 1998.

In 1990 Missouri legislature passed the Transportation Corporation (TC) act and also the Transportation Development Districts (TDD). There are 136 TDD's in the state and only 12 TC's. The Community Bridge is the only self sustaining TC. The bridge generates its own revenue so this is the first TC and the only self-sustaining one.

The Lake area needed a bridge. In 1992 after the legislation was passed Warren Donaldson, Joe Jaeger, and Joe Roeger made an application for a Transportation Corporation. Mr. Roeger spoke about Joe Jaeger. His involvement predates 1992. He assisted MoDOT in efforts to pass the enabling legislation in 1990. Mr. Jaeger has been the captain and guiding light; he is the first and only chairman and president. He will be retiring at the end of the month and his leadership is going to be deeply missed. Mr. Roeger thanked Mr. Jaeger for a job well done.

In 1994 a cooperative agreement was entered into between MoDOT and the Bridge Corporation. The TC would build the bridge structure and the toll facility and MoDOT would construct the approach ways on each side. In 1998, two years after the bridge was started, the bridge

was complete.

The bridge reduces a thirty to fifty-four mile drive around the lake into a ten-mile route across the lake, connecting its eastern and western shores. The west side of the lake is catching up with the east side and a lot of that has to do with the Community Bridge. In ten years over twelve million cars have crossed the bridge. The future of the bridge, the way it is programmed and the statute reads, the debt will be retired in 2026 and at that time the bridge system is conveyed to the state and passage is free.

Commissioner Anderson thanked the Community Bridge Corporation and the Commission was honored to be a part of the celebration of the ten-year anniversary of the Community Bridge.

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DELEGATION REPRESENTING THE LAKE OF THE OZARKS COUNCIL OF LOCAL GOVERNMENTS

Ron Lee, Lake of the Ozarks Council of Local Governments, discussed the business of the Lake. The Lake area is a major tourist destination that creates taxes, economic opportunities and employment for local residents as well as state citizens. The business model and major product is the distribution of people. Since the Lake is in the people product business, the distribution through Missouri roads has been the past, present, and redesign of the current road system to better distribute and enlarge the product base in a more effectual and safer manner.

The Lake will bring in \$2.8 billion in business sales. There are seven million people within 150-mile radius from the Lake and 126 million within a 500 hundred-mile radius of Missouri. There's more than a billion dollars in personal income to the state citizens that is connected to the Lake's recreational activities. To keep economic growth going Highway 5 needs to be expanded and improved.

Redesigning and building a new Highway 5 would prevent 636 accidents per year. The current three-year span is four times the state average on deaths and over two times the state average with regard to disabling injuries from accidents. Bridges are functional deficient due to lack of shoulders, improper entrances and exits. During long weekends the area has the fourth largest population in the state of Missouri. The intersection of Highways 5 and 7 is 73 percent beyond capacity going south and 32 percent going north on numerous weekends.

Lake of the Ozarks Transportation Committee (LOTAC) has worked with MoDOT to combine and authorize a divided four lane to an alternate four-lane with a segment being a super two. That will save the taxpayers \$97 million and still provide growth and safety for at least fifteen years. With the rebuilding of Highway 5, retail sales, property tax, and jobs will all increase. It will also change the death and disabling figures to below the regional average. Mr. Lee reiterated that the real request is for MoDOT to put Highway 5 on the scoping and design projects for 2009-2013.

Commissioner Anderson thanked Mr. Lee and the Lake of the Ozarks Council of Local Governments and stressed the department's appreciation of the partnership with them.

Director Rahn also thanked the Council for their partnership and working relationship. He also wanted to discuss the increase in tax revenues that Mr. Lee discussed. Those increases in revenue will go to entities other than MoDOT and transportation. It does produce revenue to the state but no income to MoDOT with the way that we are funded. MoDOT is aware that investments and transportation are great investments that support and drive economic development, but none of that revenue comes back into transportation as a result of these improvements.

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DELEGATION REPRESENTING THE LAKE AREA CHAMBER OF COMMERCE

Bev Thomas, Camden County Commissioner, thanked the Commission for being here to help celebrate the tenth anniversary of the Community Bridge. With the new road construction, who would have guessed back in the fall of 2000 that we would have come so far, so much has happened in the span of one decade to transform our future at the Lake of the Ozarks. Your investment has much to do with this momentum. She then introduced Joe Loth, Treasurer, Lake Area Chamber of Commerce.

Mr. Loth spoke to the Commission about the investment that the state makes in highways and bridges that is a central and key factor in their economic momentum. The overview of what is called the boom at the Lake of Ozarks is already started in anticipation of the new mobility and safety of Highway 5 and 54 Expressway. Even before the roadways are complete there is a good return on your investments for your highway dollars here at the Lake. Mr. Loth thanked MoDOT and the Commission for their confidence in the past that the investments that were made in the area would produce a good return for Missourians. The challenge ahead is to provide the infrastructure, particularly highways and bridges that will allow the ability to manage the growth so that the area can maximize the prosperity while protecting the quality of life and enjoyment of this wonderful gem in the heart of Missouri.

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DELEGATION REPRESENTING LAKE OF THE OZARKS TRANSPORTATION COUNCIL (LOTIC)

Jim Herfurth, Chairman, Lake of the Ozarks Transportation Council, also would like to see this general fund money come back to the highway department as some kind of formula as a percentage of economic development. MoDOT is going to have a \$300 million investment here in

the Lake of the Ozarks with a new US 54 Highway and a new Missouri 5 South that will serve the needs of Camdenton and Osage Beach for decades into the future. A window of opportunity exists in the next two years to control our own destiny by electing to cost-share financially with MoDOT to accelerate presently unfunded projects that are critical to managing growth in the next decade, and beyond. Mr. Herfurth stated he didn't realize before he got in the highway business as a volunteer that it is really hard to get people to agree where a highway should be, much less where the funds are coming from or what priority comes into play.

Projects not presently funded by MoDOT include: Missouri 5 north of Niangua Bridge to Gravois Mills, New Missouri 42 East from Missouri 5 to the Community Bridge and New Missouri 42 connection east of US 54 Highway. LOTC is looking at cost-sharing possibilities to accelerate these projects. There is a need for a Camden County Transportation Corporation to develop consensus on major highway corridors and other long-term projects that need financial help.

Build Missouri 5 North one-step at a time. A new plan is needed for north Missouri 5 because of action by Sunrise Beach and MoDOT and the lack of one hundred percent State funding to build the original corridor. Cost-sharing with MoDOT can keep Missouri 5 moving north in Camden County by building a shared four lane from the Niangua Bridge to Route F in Sunrise Beach. This is a place that we are interested in partnering with MoDOT.

Mr. Herfurth voiced concern over the change in the law with regard to Transportation Development Districts (TDD). The change in the law occurred last year and it gave property owners one vote for each acre of ground involved in the proposed TDD. The concern in a county wide TDD vote would be the magnitude of the landowners' votes. MoDOT has been instrumental in helping to get the law changed, which is still hopeful with the end of the legislative session on Friday, May 16, 2008.

Commissioner Anderson thanked Mr. Herfurth for the longstanding leadership in transportation.

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DELEGATION REPRESENTING THE CITY OF OSAGE BEACH

Mayor Penny Lyons, Mayor of Osage Beach, thanked the Commission for the opportunity to speak with them. The City of Osage Beach is pleased with the cooperation they have received from MoDOT on the 54 Expressway Project. She shared numerous areas that were of special interest. MoDOT assisted with the coordination of a signalized intersection on both Lighthouse/Red Bud Road, and Passover Road. MoDOT also assisted with the coordination of the reconstruction of Passover Road into a four-lane roadway from the Expressway to Wilson Drive and relocating an existing signalized intersection at Zebra Road. MoDOT provided ideas to the City’s Engineer for a Transportation Master Plan. Also, MoDOT worked with the City to ensure that the water and sewer utility relocates were handled easily and efficiently and that was not an easy project. Most of the sewer lines are under pressure and there isn’t a grid system like some cities have.

Mayor Lyons also shared how the City and MoDOT worked together to ensure that several interchanges remained in the Expressway plans, such as Jeffries Road and the Broadwater/Case interchange. MoDOT is currently working with the City and several property owners on the Double Diamond interchange at Nichols Road. Private property owners are donating over \$2 million worth of property in the center of Osage Beach that is how important and vital the community feels about this. These private property owners that want to see these interchanges, particularly the one on Nichols, which is for the hospital access.

Mayor Lyons wanted the Commission to understand that the City of Osage Beach and the Lake area in general appreciates not only the funds but also the cooperation of MoDOT and its

employees. The area is booming and has become a retail destination for the whole Lake area not just Osage Beach. The City appreciates the efforts of MoDOT and hopes that it can continue into the future.

Commissioner Anderson thanked the city for their partnership with MoDOT and recognized Mayor Lyons for her leadership in the progress and development.

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MISSOURI DEPARTMENT OF TRANSPORTATION PROPOSED FISCAL YEAR 2009 BUDGET

On behalf of the Director, Roberta Broeker, Chief Financial Officer, presented the proposed Fiscal Year 2009 budget in the amount of \$2,455,348,000. Of that amount, \$1.7 billion is for construction and \$439 million is for maintenance. Ms. Broeker explained that the budget process started in May 2007. This proposed budget is about \$55 million lower than the appropriations request that the Commission approved last September. Primarily, there are two reasons for that: the lettings occur and projects come in consistently less than planned thus the payout is lower and those funds are factored back into these budget numbers to the tune of about \$35 million; the rest of the difference is the ambitious multimodal requests to the appropriations committee that didn't gain any traction at all and didn't get approval was about \$20 million.

The Budget Philosophy has established the following four Fiscal Year 2009 budget goals:

1. Cap most operating categories at Fiscal Year 2008 budget levels.
2. Devote funding to construction and maintenance programs.
3. Provide flexibility to districts and divisions.
4. Pay plans at \$4 million.

Ms. Broeker noted that the State revenues are estimated to increase \$57 million, or five percent, over the amount budgeted for fiscal year 2008. The increase includes \$38 million of

additional Amendment 3 sales tax revenue. The remaining increase is based on relatively low growth expectations on core revenues. Federal funding under the Federal Highway Act is authorized through September 30, 2009, however, the amount from the Federal Trust Fund in subsequent years is uncertain. Federal reimbursements are expected to increase by four percent.

Director Rahn pointed out that we are assuming that Congress is going to fix the shortfall that will occur for Federal Fiscal Year 2009. If they don't act, it would accelerate a 35 to 40 percent decline in Federal funds. If the federal funds do not materialize, this would be a potential loss of \$200 million a year.

Ms. Broeker reminded the Commission of where MoDOT stood on Amendment 3 bonding. The first bond issuance under Amendment 3 was Fiscal Year 2006 it was \$370 million, Fiscal Year 2007 was \$830 million, and Fiscal Year 2008 was \$541 million. The last Amendment 3 issuance will be in Fiscal Year 2010 which is currently set at \$360 million if the course continues in the issuing variable rate debt which will allow us to have that degree of capacity.

Ms. Broeker reviewed the categories of the budget. The biggest portion is the construction program which has 70 percent of the budget, the maintenance program is the next largest with 18 percent. This past year's winter combined with the increasing fuel prices has taken a huge hit on the maintenance budget. Fleet, Facilities, and Information Systems have a five percent portion of the budget with Multimodal at three percent and Administration at two percent.

Ms. Broeker pointed out the differences of the proposed budget and the one that MoDOT operated under in Fiscal Year 2008. There is an increase of six percent in fringe benefits, of which \$3 million is an increase in workers' compensation. Last year with the great results in driving down the workers' compensation claims, the money was built up so we really figured that number low to use up some of those funds. This year the contribution will be about \$5 million which is up \$3

million from last year. This should be, a more realistic figure going forward. This also included a \$2 million increase for retiree's medical insurance costs

This year's budget is the second largest ever. If something doesn't happen in funding, the trend downward will obviously continue.

The Commission commended Mr. Broeker for the great material and presentation.

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DRAFT 2009-2013 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

On behalf of the Director, Kevin Keith, Chief Engineer, presented the draft 2009-2013 Statewide Transportation Improvement Program (STIP). The program totaled \$5.78 billion for the five-year period: \$4.35 billion for highways and bridges (662 projects); \$0.79 billion for other modes; and \$0.64 billion for sub-allocated programs for local agencies. The proposed STIP is a transition STIP due to the transition from being able to build major projects in the first three years to taking care of the existing system in the years 2012 and 2013.

Mr. Keith explained that the draft 2009-2013 transportation program includes \$300 million in new construction projects because lower than expected interest rates provided additional Amendment 3 bonding capacity. The \$140 million bonded amount, combined with state savings from using practical design on projects and local matching funds, allows MoDOT to tackle these new projects over the next five years.

Mr. Keith also explained that it has been a good year for Multimodal transportation programs in Missouri, however the funding is one year at a time. The rail program has made great progress with proposed track enhancements. There were also \$6.6 million in port improvements for the coming fiscal year.

The draft 2009-2013 STIP is available to the public for the required 45-day comment period. The final STIP will be brought back to the Commission in July for final approval.

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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 April 25, 2008, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. It is also recommended that the bid from Fred M. Luth and Sons, Inc. be declared non-responsive on Call 601 due to not providing a bid guaranty by the time of letting. (2) Also note call 605 has funding by the City of Washington and requires concurrence in award. The Department received concurrence from the City. (3) Ratify the award of an emergency project that was let and awarded on Wednesday, April 23, 2008, for pavement treatment on Interstate 44 in St. Louis County.

**Table I
Award of Contracts
April 25, 2008, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	48	Andrew	J1L1000B	\$1,034,813.91	\$0	Herzog Contracting Corp.	Thin-Lift Overlay (SL)
	M	Nodaway	J1L1000C				
102	A	Caldwell	J1L0900B	909,375.90	0	Norris Asphalt Paving Co.	Thin-Lift Overlay (SL)
	M	Caldwell, Daviess	J1L0900C				
201	6	Sullivan	J2P0768D	843,345.30	644.00	Boone Construction Co.	Bridge Replacement with a Concrete Girder Structure
202	24	Carroll	J2P0417	317,977.96	0	Widel, Inc.	Replace Bridge with Triple Box Culvert
203*	65	Livingston	J2P2146	398,670.34	3,500.00	APAC-Missouri,	Intersection Paving and Install Signals

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
	190	Livingston	J2S2153		0	Inc.	Extend Right Turn Lane
301	Various	District 3 Area	J3M0044	102,808.00	0	Superior Rail System, LLC	On Call Guardcable Repair
302	Various	District 3 Area	J3M0045	168,086.00	0	Superior Rail System, LLC	On Call Guardrail Repair
303	54	Audrain	J3P0664	4,596,400.00	984.00	Pace Construction Company, LLC	Grading and Paving for Intersection Improvements
	54	Audrain	J3P0727		328.00		Resurfacing with BP-1 and Superpave
	54	Pike	J3P0733		656.00		Resurfacing with BP-1 and Superpave
401	F	Jackson	J4S1060	5,128,426.01	656.00	Radmacher Brothers Excavating Co., Inc.	Alternate Bid Paving (PCCP or Superpave), Drainage & Signals
402	92	Clay	J4P1883	884,636.42	1,710.00	Emery Sapp & Sons, Inc.	Grading, Drainage and Optional Paving to Construct a Roundabout
403	Various	Clay, Jackson, Platte	J4P2236B	209,641.80	0	Twin Traffic Marking Corporation	Interstate Gap Striping
601	270/100	St. Louis	J6I1951	104,681.15	216.00	N. B. West Contracting Company	Pipe Replacement at Two Disconnected Sections
603	70 NOR	St. Charles	J6I2155	154,741.00	2,984.00	Gerstner Electric Inc.	Install Traffic Signal and Fiber Interconnect System
605 **	100	Franklin	J6P1004	21,126,324.42	25,600.72	Millstone Bangert, Inc.	Grading, Alternate Pavement (Superpave or PCCP), Bridge Rehab and Widening , & Bridge (Concrete Girder)
702	44	Districts 7, 8 & 9	J4P2236G	659,342.93	0	America's Parking Remarketing, Inc.	Interstate Gap Striping
			J4P2236H				
			J4P2236J				
			J4P2236K				
801	Various	District 8 Area	J8I0870	364,359.00	0	Superior Rail System, LLC	On-Call Guardrail Repair
			J8P0874				On-Call Guardrail/Guardcable Repair
802	32	Polk	J8P0885D	672,014.15	656.00	APAC-Missouri, Inc.	Coldmilling and Resurfacing with Superpave
803	CC	Christian	J8P0878B	1,448,742.96	656.00	Leo Journagan Construction Co., Inc.	Coldmill and Resurface with Superpave
	14	Christian	J8P0878C		656.00		

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
804	65	Benton, Hickory	J8P0843B	2,307,678.68	656.00	Leo Journagan Construction Co., Inc.	Resurface with Superpave
805	44	Webster	J8I0837	10,853,573.23	817.80	Emery Sapp & Sons, Inc.	Construct Welcome Center
X01	60	New Madrid, Scott, Stoddard	J0P0989	2,696,000.00	328.00	Lake Asphalt Paving & Construction, LLC	Resurfacing with Superpave
Total:				54,981,639.16	\$41,048.52		

* Call 203 – Job #J2P2146, Funding by City of Chillicothe \$173,600.33 and Job #J2S2153, Funding by City of Chillicothe & Chillicothe R2 School District \$12,579.00.

** Call 605 – Funding by City of Washington \$10,563,162.21.

Commission Consideration and Action

After consideration, and upon motion by Commissioner Kehoe, seconded by Commissioner Farber, the Commission unanimously took the following action:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on April 25, 2008, as recommended and noted in Table I above. Declared the bid from Fred M. Luth and Sons, Inc. as non-responsive on Call 601 due to not providing a bid guaranty by the time of letting.
2. Awarded Call 605, project J6P1004, Route 100, Franklin County. The City of Washington has concurred in award of this project.
3. Ratified the award of an emergency project, for pavement treatment on Interstate 44 in St. Louis County. Ed Hassinger, District 6 Engineer, awarded this project on April 23, 2008.

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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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>
Buchanan	169	J1P0852	September 13, 2006
Jefferson	MM	J6S2027	June 13, 2007
Ste. Genevieve	61	J0P0673	August 8, 2007

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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REQUEST FOR APPROVAL OF DESIGN OF HIGHWAYS

**Route 744 (Kearney Street), Greene County
Job No. J8S0919
Public Hearing Held December 6, 2007**

The proposed improvement consists of widening Route 744 (Kearney Street) from just west of the Route 65 Interchange to Le Compte Road, east of the Route 65 Interchange. The roadway will consist of five 12’ lanes with 8’ shoulders. The project will have partial controlled access right of way. Traffic will be maintained over the existing roadway during construction. This project is 0.7 mile in length.

Mr. Kirk Juranas, District 8 Engineer, recommended approval of the design of the proposed improvement as presented at the public hearing.

**Route Y, Stoddard County
Job No. J0S0963
Public Hearing Held February 20, 2008**

The proposed improvement consists of widening, resurfacing and curve realignment. The roadway will consist of two 11’ lanes and 2’ paved shoulders. The project will have normal access right of way. Traffic will be maintained on the existing roadway or on bypasses or

detours throughout the course of the project. This project is 2.3 miles in length.

Mr. Mark Shelton, District 10 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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CITY OF BRANSON WEST, STATE TRANSPORTATION ASSISTANCE REVOLVING FUND LOAN REQUEST

On behalf of the Director, Brian Weiler, Multimodal Operations Director, and Brenda Morris, Resource Management Director, recommended approval of a State Transportation Assistance Revolving (STAR) Fund loan to the City of Branson West.

The City of Branson West requested a direct loan of \$1,100,000 from the STAR Fund to build three ten-unit nested T-hangers at the new Branson West Municipal Airport, which is currently under construction. Hanger construction is scheduled to begin June 2008 and be completed by October 2008.

The proposed terms are for a loan in the amount of \$775,000 at an interest rate of 3.08 percent. This amount is about 88 percent of the total cost of the project. The City is aware that only \$775,000 is available and they have other internal sources for funding the difference.

Via approval of the consent agenda, the Commission approved the loan to the City of Branson West. The Commission further authorized the Director or Multimodal Operations Director to execute the related loan documents, subject to approval as to form by the Chief Counsel's Office.

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**THE PLATTE VALLEY PLAZA TRANSPORTATION DEVELOPMENT DISTRICT,
CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR**

On behalf of the Director, Beth Wright, District 4 Engineer, advised the Commission that in response to a petition filed by Mannrose Investment, L.L.C., WB Fourteen, L.L.C. and DJ Real Estate Investments, LLC, on October 17, 2006, the Circuit Court of Platte County established the Platte Valley Plaza Transportation Development District (TDD) as a political subdivision on March 9, 2007. The project consists of the construction of a traffic signal on Route 92 and improvements to the I-29 exit ramp, onto Route 92. The Commission does not own any real property within the proposed TDD and has no financial participation in the project.

In keeping with Sections 238.220(3) and 238.225(1), RSMo, the Commission, via approval of the consent agenda, (1) found the construction of a traffic signal on Route 92 and improvements to the I-29 exit ramp, onto Route 92 a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions in the plans and specifications required by the Commission and subject to the TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project, and (2) appointed the District 4 Engineer, or her designee, as the Commission advisor to the Platte Valley Plaza TDD board of directors. In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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**HIGHWAY 63 TRANSPORTATION CORPORATION,
APPOINTMENT OF BOARD MEMBERS**

On behalf of the Director, Dan Niec, District 2 Engineer, conveyed the following recommendations of the Highway 63 Transportation Corporation as it pertains to membership on

that board: Appoint Laura Guy, Don Crosby, Dwight Hart, Harriett Beard, Everett Ruby. The five new appointees will serve a three-year term expiring July 2011. These five replace members whose terms have expired

Via approval of the consent agenda, the Commission unanimously approved the appointments to the Highway 63 Transportation Corporation Board of Directors as recommended and noted above.

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**WESTSIDE INTERMODAL TRANSPORTATION CORPORATION,
REAPPOINTMENT AND APPOINTMENT OF BOARD MEMBERS**

On behalf of the Director, Beth Wright, District 4 Engineer, conveyed the following recommendation of the Westside Intermodal Transportation Corporation Board of Directors as it pertains to membership on that board:

- Reappoint B.E. Peek and W.F. Somervell for six-year terms, which will expire December 26, 2013.
- Appoint J.L. Raffety to fill the unexpired portion of the six-year term held by W. P. Meriwether, which is set to expire December 26, 2009.
- Appoint C.A. Roberts to fill the unexpired portion of the six-year term held by S.B. Curtright, which is set to expire December 26, 2009.
- Appoint S.W. Bailiff and B.B. Bump to fill two vacancies effective December 27, 2005 for six-year terms, expiring December 26, 2011.

Via approval of the consent agenda, the Commission unanimously approved the reappointment and appointments to the Westside Intermodal Transportation Corporation Board of Directors as recommended and noted above.

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**KCT INTERMODAL TRANSPORTATION CORPORATION,
REAPPOINTMENT AND APPOINTMENT OF BOARD MEMBERS**

On behalf of the Director, Beth Wright, District 4 Engineer, conveyed the following recommendation of the KCT Intermodal Transportation Corporation Board of Directors as it pertained to membership on that board:

- Reappoint B.E. Peek for a six-year term effective June 27, 2006, expiring June 27, 2012.
- Reappoint W. F. Somervell for a six-year term, expiring June 27, 2014.
- Appoint J.L. Raffety to fill the unexpired portion of the six-year term held by W. P. Meriwether, which is set to expire June 27, 2010.
- Appoint C.A. Roberts to fill the unexpired portion of the six-year term held by S.B. Curtright, which is set to expire June 27, 2010.
- Appoint S.W. Bailiff to fill the remaining vacancy for a six-year term, expiring June 27, 2012.
- Appoint B.B. Bump to fill the unexpired portion of the six-year term held by R.M. Scoggins, which is set to expire June 27, 2008 and reappoint B.B. Bump for a six-year term, expiring June 27, 2014.

Via approval of the consent agenda, the Commission unanimously approved the reappointments and appointments to the KCT Intermodal Transportation Corporation Board of Directors as recommended and noted above.

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**DISPOSAL OF EXCESS PROPERTY, LEWIS COUNTY,
MITIGATION LAND, EXCESS PARCEL NUMBER E3-0361**

On behalf of the Director, Paula Gough, District 3 Engineer, recommended conveyance of 12.70 acres to the Gregory Drainage District in exchange for a permanent levee tax abatement of all MHTC property located within the drainage district and an agreement to preserve the property's culturally significant features

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 32, ST. FRANCOIS COUNTY**

On behalf of the Director, Mark Shelton, District 10 Engineer, recommended approval of a request from the Harvest Christian Centre, to construct a forty-foot entrance centered at the northerly right of way line of Route 32, opposite Station 362+60. 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 the Harvest Christian Centre, as described above with \$900 compensation due 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, 2008**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2008 monthly financial report for the period ending March 31, 2008, 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, 2008.

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DESIGN/BRIDGE ENGINEERING CONSULTANTS

Dave Nichols, Director of Program Delivery, provided to the Commission the Design/Bridge Engineering Consultants Report as of March 31, 2008. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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**DELEGATION OF AUTHORITY FOR EXECUTION OF DOCUMENTS,
OPERATING BUDGET APPROPRIATIONS**

In keeping with the Commission's delegation of authority for specific staff members to execute documents in keeping with its approved budget, and in keeping with the Commission's desire to be apprised of all single purchases over \$200,000, Beth Ring, General Services Director, submitted a report showing the purchase orders issued and contracts executed that exceeded \$200,000 in the third quarter of Fiscal Year 2008.

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

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