



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

**TABLE OF CONTENTS**

**June 6, 2008**

<b>VOTE TO CLOSE MEETING</b> -----	3
<b>COMMISSION/DIRECTOR ITEMS</b>	
Meeting Minutes -----	3
Consent Agenda -----	4
Appointment of Committee/Board Members and Chairs -----	4
Commission Committees and Commission Related Boards -----	5
Director’s Report -----	5
<b>PUBLIC PRESENTATIONS</b>	
City of Washington on Local Needs -----	6
<b>BUSINESS ISSUES</b>	
Safe and Sound Bridge Improvement Program, Ratification of Limited Notice to Proceed and Authorization to Execute Agreement -----	8
Missouri Department of Transportation’s Proposed Fiscal Year 2009 Budget -----	10
2008 Legislative Session Wrap-Up -----	13
Medical and Life Insurance Plan: Medical Plan Claims and Customer Service And Provider Network Administrative Services Contract -----	16
Fiscal Year 2008 Budget Amendment -----	17
<b>STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM</b>	
Consideration of Bids on Federal-Aid and State Projects -----	17
2008-2012 Statewide Transportation Improvement Program, 2008 Amendment -----	24
Request for Approval of Location and/or Design -----	25
Ratification and Approval of Right of Way Plans for Condemnation -----	25
<b>PROPERTY ACQUISITION AND CONVEYANCES</b>	
Change in Access, Break in Access, Route 141, St. Louis County -----	26
Report and Recommendation Regarding Property, 4th & Cherry Maintenance Facility, Jackson County -----	26

**REPORTS**

Financial – Budget – Reports

Year-to-Date Financial Report, April 30, 2008 ----- 28

Contractor Performance Report ----- 28

**MINUTES OF REGULARLY SCHEDULED MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN  
WASHINGTON, MISSOURI, ON FRIDAY, JUNE 6, 2008**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Friday, June 6, 2008, at the Washington City Hall, 405 Jefferson Street, Washington, Missouri. The meeting was called to order at 9:36 a.m. by Duane S. Michie, Chairman. The following Commissioners were present: Duane S. Michie, James B. Anderson, David A. Gach, Mike Kehoe, Grace Nichols, and Rudolph E. Farber.

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.

\* \* \* \* \*

\* \* \* \* \*

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 Friday, June 6, 2008.

\* \* \* \* \*

*"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 Michie, Aye  
Commissioner Anderson, Aye  
Commissioner Gach, Aye  
Commissioner Kehoe, Aye  
Commissioner Farber, Aye  
Commissioner Nichols, Aye

The Commission met in closed session from 8:00 a.m. until 9:25 a.m.

\* \* \* \* \*

**-- OPEN MEETING --**

**APPROVAL OF MINUTES**

Upon motion by Commissioner Kehoe, seconded by Commissioner Gach, the Commission unanimously approved the minutes of the regularly scheduled meeting held on May 14, 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.

\* \* \* \* \*

## **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 June 6, 2008, Consent Agenda**

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

\* \* \* \* \*

## **APPOINTMENT OF COMMITTEE/BOARD MEMBERS AND CHAIRS**

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

- Audit Committee** - Commissioner Farber (Chair)  
Commissioner Kehoe  
Commissioner Nichols
- Legislative Committee** - Commissioners Anderson and Kehoe, Co-chairmen.  
All Commission members serve on this committee.

**Missouri Transportation Finance Corporation** - Commissioner Gach (Chair)  
Commissioner Farber  
Commissioner Nichols

\* \* \* \* \*

## **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 June 6, 2008, meeting.

**Audit Committee** – Commissioner Farber stated there was no report. The Audit Committee will meet in July 2008.

**Legislative Committee** – Commissioner Kehoe stated that Jay Wunderlich would report the updates later in the meeting.

**Missouri Transportation Finance Corporation** – Commissioner Gach stated there was no report.

**MoDOT and Patrol Employees Retirement System** – Commissioner Kehoe reported that the MoDOT and Patrol Employees Retirement System Board of Trustees would meet on June 12 for a special meeting to review the two candidates for the position of Executive Director of MPERS.

\* \* \* \* \*

## **DIRECTOR'S REPORT**

During the June 6, 2008, Commission meeting, Director Pete Rahn provided the following report:

**Team MoDOT** – Director Rahn spoke to the Commission about how pleased he was with “Team MoDOT” and at every level of the department, especially with the performance in bringing good value on time and within budget. He stated that it was possibly the best report he could give. There is, however, always room for improvement because no matter how good we are we can always do better.

**House Highway and Transit Sub-Committee** – Director Rahn shared with the Commission that he testified June 5, before a House Committee on the importance of the next transportation funding bill. He told the Committee the nation's highways are wearing out fast, costs are escalating, and other countries are surpassing us in infrastructure investment, so Congress must invest strongly in transportation to keep our nation moving forward. The House Committee wants to tackle the

upcoming bill, but lacks consensus on its direction, or how to pay for it. Missouri currently receives about \$800 million a year in federal funding from the bill.

\* \* \* \* \*

## **CITY OF WASHINGTON ON LOCAL NEEDS**

Jim Briggs, City Administrator, City of Washington, welcomed the Commission on behalf of the Mayor's office and the City Council. He shared some of the history that the city has had with MoDOT and how great the working relationship has been between the two. In 1995 the area formed the Washington Area Transportation Committee that was under the direction of then Mayor Hillermann, the committee included the Area Engineer from MoDOT as part of that group and that really enhanced the working relationship in the Washington area. The success of the partnership is evident in the various roadway projects that have been completed, as well as other non-roadway projects; including the airport expansion at the current airport, which became a regional airport with a new 5,000-foot runway and the old Depot building that is used for the Amtrak stops.

The largest project between MoDOT and the city is the Route 100 project. The first phase of the project came in on time and under budget and the ground breaking for the second phase is scheduled for tomorrow. The second phase of the Route 100 project is estimated to cost \$40 million of which half of those funds are from local revenue sources. Mr. Briggs stated after the completion of the Route 100 Phase II project, the city would like to look at extending Route 100 west to Potter Road, where some traffic congestion issues are occurring. This area is the industrial base at the west end of the community and has over 2,000 employees there at any given time, which puts a burden on the transportation system to the west.

Mr. Briggs shared the desires of the City of Washington and the neighboring towns to the south to possibly create a Transportation Development District to make improvements on Route 47 to connect Washington, Union, and possibly even St. Clair over to Interstate 44. There is also a

minor road in MoDOT's system, Route A, which carries over 10,000 cars a day as it approaches Washington. This is the old farm to market type road, very curvy, no shoulders, and 11 or 12-foot lanes that needs improvement. Adding improvements to the shoulders, possibly a turn lane, or adding a center lane would help with the safety of that roadway.

Mr. Briggs thanked MoDOT staff for all of their assistance with the numerous projects completed and looks forward to the projects of the future. He then introduced Bob Zick, Chairman, Missouri Highway 47 Bridge Committee.

Mr. Zick welcomed the Commission on behalf of the Highway 47 Bridge Committee and thanked them for their interest in the bridge. He shared numerous photos, which showed some of the concerns with the bridge. The Committee is asking for help and input and at some point they are going to need some serious money. Mr. Zick stressed that the Committee is willing to help in any way whether it is testifying before the House or Senate Committees or helping to educate the Missouri citizens how crucial the state infrastructure is. He then introduced the attending bridge committee members.

The Commission was given the timeline of the bridge. The plans and estimates were completed in 1927. Actually, President Roosevelt approved a couple pieces of legislation in June 1934, to allow for a federal loan and grant for the bridge, about two months later construction began. Now roughly 70 years later, the bridge needs some work and MoDOT funded a Missouri Transportation Investment Analysis Study that was very detailed. Out of that study came a locally preferred alternative, and that was to replace the bridge immediately to the east of our current bridge in a fashion very similar to what was done in Hermann.

After the August 1, 2007, tragic incident in Minneapolis, which claimed 13 lives and 121 injuries, it forced the Committee to think about looking further at the infrastructure. Shortly

thereafter the Highway 47 Bridge was inspected and was closed for a couple of days for structural repairs. The Highway 47 Bridge Committee was formed a month later to get something done about the bridge. The Committee has a goal, a safe bridge in ten years. They propose four lanes of traffic with a bike/pedestrian path. Mr. Zick stated if the only way to get the bridge built is to do a toll bridge, then lets get it tolled and built. The Commission questioned Mr. Zick about the current bridge having been originally a toll bridge. Mr. Zick confirmed that the bridge was a toll bridge and was repaid as of 1951 when passage became free.

Commissioner Anderson spoke about the May Commission meeting that was held at the Lake of the Ozarks, where they were celebrating their ten-year anniversary of their toll bridge.

Director Rahn informed Mr. Zick that the Lake of the Ozarks toll bridge was done through creating a Transportation Corporation. MoDOT wants the same thing the Committee wants and that is safe bridges. This bridge is safe for travel, however, it is clearly on a path to needing something done, along with a lot of other bridges in the same circumstances. There are 55 bridges over the Missouri and Mississippi Rivers and Lakes that are major bridges like this one. It is estimated if the bridges are rebuilt as necessary in the state, the price tag would be \$7 billion. If the bridges are kept in satisfactory condition and not replaced, the price would be \$3-\$5 million over the next ten years just to rehabilitate them. The willingness to cost share makes this bridge stand out.

Mr. Zick responded that they would be willing to help educate the citizens and voters in this state so the infrastructures can be taken care of.

\* \* \* \* \*

**SAFE AND SOUND BRIDGE IMPROVEMENT PROGRAM, RATIFICATION OF LIMITED NOTICE TO PROCEED AND AUTHORIZATION TO EXECUTE AGREEMENT**

Director Pete Rahn reminded the Commission that at the December 2007 meeting, the Commission approved the selection of the Missouri Bridge Partners as the apparent best value for

the Safe and Sound Bridge Program, wherein 802 bridges statewide will be reconstructed or rehabilitated within a five-year period. These bridges are all in structurally deficient condition; these are condition three and four bridges that are on a path to being closed if they are not addressed sometime in the near future. This program is very bold, the first of its kind in the nation. Since that selection by the Commission, we have entered into limited negotiations, as permitted, with Missouri Bridge Partners to come to an ultimate contract. Since the selection in December, there have been credit market disruptions and that has caused further complications as the negotiations were conducted.

Director Rahn requested of the Commission to ratify MoDOT's entering into a limited notice to proceed and authorize execution of an agreement that allows Missouri Bridge Partners to initiate design and site exploration for this project for a total cost not to exceed \$10 million. The reason this is necessary is that while we have agreed at a high level to the major components of this program, there is still wordsmithing to be completed in this contractual document that will be several hundred pages long. In order to replace bridges this calendar year, the engineering and site exploration activity has to take place. There is a slight chance that we may not reach full agreement on the contract, however, we feel it is worth undertaking the design and site exploration because the work product of that effort would be used and owned by MoDOT in some other means in addressing these bridges if there is not an ultimate contract settlement. So the limited notice to proceed does not represent an activity that we ourselves would not have to undertake if we were to build these bridges under the traditional approach.

Chairman Michie stated the interesting thing about Missouri is the fact that there is 1,100 miles of inland waterways, one of the largest scopes of inland waterways in the nation. Along with those waterways are approximately 10,000 bridges across the state making Missouri very unique in

dealing with this as an issue.

Commissioner Farber moved approval of the recommendation as presented by Pete Rahn, with exception of two bridges, numbered Z0210 and J0454, in Newton County, those two he abstained from voting on. Commissioner Kehoe seconded the motion. Commissioner Gach abstained from voting on bridge number A0024 in Buchanan County. The motion was unanimously approved.

\* \* \* \* \*

## **MISSOURI DEPARTMENT OF TRANSPORTATION'S PROPOSED FISCAL YEAR 2009 BUDGET**

On behalf of the Director, Roberta Broecker, Chief Financial Officer, presented the Fiscal Year 2009 proposed budget of \$2.47 billion as shown in Table I below and recommended approval thereof.

The budget reflects MoDOT's financial outlook for receipts and disbursements for Fiscal Year 2009 based on the department's August 2007 forecast. Under the forecast assumptions, disbursements are anticipated to exceed receipts in Fiscal Year 2009. The deficit will be funded from existing cash reserves.

State revenues are estimated to increase \$64 million, or five percent over the amount budgeted for Fiscal Year 2008. The increase includes \$38 million of additional Amendment 3 sales tax revenue and \$7 million of additional general revenue for port and rail capital improvement projects. 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 \$34 million, or four percent. The expected bond proceeds of \$148 million in fiscal year 2009 are from the inaugural grant anticipation revenue vehicle (GARVEE) bonds.

These funds will provide cash necessary for eligible federal projects such as the new I-64 project in St. Louis.

The proposed Fiscal Year 2009 budget is \$2.47 billion. Of that money, \$1.7 billion is for construction and \$449 million is for maintenance. Personal services and fringe benefits total \$471 million, a \$23 million increase from Fiscal Year 2008. The personal services increase is due to the three percent cost-of-living increase and the pay plans, which include money for job studies, career ladder and equity pay increase, and performance based pay. The approximate eight percent fringe benefit increase is primarily due to increasing medical insurance premiums, a \$3 million increase in workers' compensation costs based on actuarial estimates and an additional \$10 per month in deferred compensation match resulting in an increase of \$630,000.

After discussion, and upon motion by Commissioner Kehoe, seconded by Commissioner Gach, the Commission approved the Fiscal Year 2009 Budget as noted in the table below. Revisions to the Fiscal Year 2009 Budget will be presented to the Commission quarterly.

Table I  
Fiscal Year 2009 Budget  
(Dollars in Thousands)

	<b>Fiscal Year 2009 Budget Request</b>
<b>Receipts</b>	
State Receipts	\$1,322,158
Less Motor Carrier Refunds	(30,200)
Less Miscellaneous Refunds	<u>(12,755)</u>
Net State Receipts	1,279,203
Federal Reimbursement	955,526
Bond Proceeds	<u>148,401</u>
<b>Total Receipts</b>	<b><u>2,383,130</u></b>
<b>Disbursements</b>	
Administration	53,205
Maintenance	448,718
Motor Carrier	8,116
Motorist Assistance	3,744
Highway Safety	38,259
Construction	
Operations	166,406
Contractor Payments	1,165,811
Design and Bridge Consultant Payments	20,000
Accelerated Program (Reimbursements)	8,860
Right of Way	40,000
Federal Pass-Through	110,172
Debt Service on Bonds	<u>216,020</u>
Total Construction	1,727,269
Fleet, Facilities and Information Systems	
Fleet and Other	63,270
Capital Improvements	12,700
Information Systems	<u>39,030</u>
Total Fleet, Facilities and Information Systems	115,000
Multimodal	79,581
Mississippi River Parkway Commission	50
<b>Total MoDOT Disbursements</b>	<b><u>2,473,942</u></b>
Other State Agencies	<u>217,074</u>
<b>Total for MoDOT and Other State Agencies</b>	<b><u>2,691,016</u></b>
<b>Receipts Over (Under) Disbursements*</b>	<b><u>\$ (307,886)</u></b>

\* \* \* \* \*

## **2008 LEGISLATIVE SESSION WRAP-UP**

On behalf of the Director, Jay Wunderlich, Governmental Relations Director, and Brian Weiler, Multimodal Operations Director, shared the overall results of the 2008 Legislative Session.

The Increased Criminal Penalties to Protect Highway Workers was a proposal to change the law to add highway workers under a provision in the law that defines public service workers. This would have increased the current penalty from a Class C, which is five years in jail, to a Class B, which is ten years in jail. There was a good debate, but the legislators challenged MoDOT stating that the penalties have increased for years to change people's behaviors yet they didn't feel that it would change the public's driving habits. After researching this further, it was discovered that after the Aggravated of Endangerment of a Highway Worker that was passed in 2006, from August 2006 through January 2008 under that law, 26 tickets have been issued with only nine being found guilty. Mr. Wunderlich told the Commission that the department would work to educate prosecutors and law enforcement officers so that they can do a better job of protecting the highway workers, both MoDOT individuals and contractors.

Mr. Wunderlich reported the Automated Enforcement in Work Zones was seeking approval for MoDOT to set up in work zones and take photographs of speeding vehicles in work zones. This issue follows closely along the red light cameras, which left our friends in the legislator uncomfortable. MoDOT needs to do more work with our contracting friends and safety advocates and study this issue, and then bring it back as a proposal that everyone can support next session.

The Unified Carrier Registration issue is one that has been around for the last two years and this was the last year that there was an opportunity to pass this. This issue did away with the single state registration system and instead created a Unified Carrier Registration Program, which will

accommodate the commercial motor vehicles. This will allow them to get their license, registration, and pay their taxes or fees, all at one stop. The passage of this issue means that Missouri taxpayer's dollars will be able to stay here in the State of Missouri, which equals approximately \$2.3 million annually.

Brian Weiler reported on the great news on the Multimodal side. The current fiscal year funding for multimodal programs is \$22.6 million and the Commission approved an expansion request last fall for \$35 million additional. It was a good session in multimodal, \$39.3 million for Fiscal Year 2009, which is a 74 percent increase. This was a team victory for multimodal and MoDOT. Mr. Weiler thanked the Commission for the extra phone calls and meeting attendances this session.

Public transportation, which is an area with great need, is the area with the least increase. No increases for general public transportation operating assistance for the 35 transit providers in the state. The specialized providers, the 200 or so not-for-profit, received a \$500,000 increase in funding, about a 17 percent increase for a total of \$3.5 million.

Ports did well this last session, \$4 million was requested in port capital and the actual amount received was \$6.65 million. This represents more capital funding that MoDOT has received in one year than the last ten years for port capital combined. These funds will help with the ten projects that will be completed over the next year.

Passenger rail service did receive operating assistance to continue the twice-daily service between St. Louis and Kansas City. The operating assistance alone is not working. The growing freight line congestion on this line is causing on-time performance to be bad, and the ridership is stagnant. The rail service received \$5 million from the general revenue funding to work with the host railroad, Union Pacific, to start working to expand the capacity on this line and relieving some

of the bottlenecks. This should allow the trains to flow freer and improve the on-time performance. There are still funding issues to help alleviate operating a passenger service on a busy freight corridor. There is a new federal program that generates \$30 million to help states like Missouri with the passenger and freight issues. Mr. Weiler told the Commission that he and Director Rahn are going to Washington, DC in a couple of weeks to hand deliver MoDOT's application to the head of the Federal Railroad Administration for the new Federal Program.

Aviation was not a designated legislative priority last September, because this was not a concept at that time. The proposal and airline service proposal not only passed, it actually became the transportation bill for the session. The aviation programs are funded out of the dedicated state aviation trust fund, which is currently capped at \$6 million. The passed bill will grow to \$10 million and opens up a new category of grant programs for MoDOT that has never been available before in airline service development.

Mr. Wunderlich than discussed the truly agreed to and finally passed proposals for the session. One Call, House Bill 1779, the two items that made this attractive for MoDOT were that MoDOT will have a seat at the Board of Directors of One Call and MoDOT would be the state's largest property owner on this board.

Senate Bill 930 had various parts including (1) Ignition Interlock -- the changes to this law were administrative and allows the judges to keep this responsibility or it can become the responsibility of the Department of Revenue; (2) Electronic Bid -- allow bids through electronic means; (3) Annual Bid Bonds -- allow contractors to post one annual bid bond verses numerous bid bonds on numerous proposals; (4) Eight different highway namings occurred, one of them is a section of I-55 in Jefferson County; this was named after Jeff McBride who is a fallen MoDOT employee.

Other problematic proposals that failed included the helmet repeal, fuel tax exemption for school buses, expanding definition for signs and fuel tax holiday. There was one, however, that passed, increased truck weight, specifically livestock haulers. This specific piece of legislation will help a pork processing plant in St. Joseph get their hogs from other states.

The Commission thanked Mr. Wunderlich, his staff, and Mr. Weiler for all of their hard work this year.

\* \* \* \* \*

**MEDICAL AND LIFE INSURANCE PLAN: MEDICAL PLAN CLAIMS AND CUSTOMER SERVICE AND PROVIDER NETWORK ADMINISTRATIVE SERVICES CONTRACT**

On behalf of the Director, Jeff Padgett, Chairman – Medical and Life Insurance Plan Board of Trustees, recommended change in the administrative services for customer service claims and network administration. There were eight bids received, five of those proposed the same network as is currently in place so there was no difference in discounts. Ultimately, the consideration for overall savings was the most important and in comparing those 2007 claims cost and the administration cost the savings will amount to about \$4.3 million with the change in carrier.

The Medical and Life Insurance Plan Board of Trustees’ recommendation is that the Commission authorize the Director, Chief Engineer, or Chief Financial Officer to sign the agreement with Coventry Health Care/GHP pending approval as to form by the Chief Counsel’s Office.

After discussion, and upon motion by Commissioner Kehoe, seconded by Commissioner Anderson, the Commission approved the administrative services for customer service claims and network administration as noted above. Commissioner Farber abstained from the vote due to his involvement with the Freeman Neosho Hospital Board.

\* \* \* \* \*

## **FISCAL YEAR 2008 BUDGET AMENDMENT**

On behalf of the Director, Brenda Morris, Resource Management Director, recommended approval of adjustments to the fiscal year 2008 budget. The adjustments represent transfers between appropriations to address changing priorities and provide greater flexibility to districts in funding program priorities. In addition, Ms. Morris also recommended an increase of \$447,000 for the Accelerated Program. The increased funding will be from existing balances in the State Road Fund. The amended budget for Fiscal Year 2008 is \$2,386,483,000.

Via approval of the consent agenda, the Commission unanimously approved the adjustments and amendments to the Fiscal Year 2008 budget as noted above.

\* \* \* \* \*

## **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 May 23, 2008, 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 613 and 620, as noted in Table II below due to the bids being excessive per Section 102.15 of the Missouri Standard Specifications for Highway Construction. (3) It is also recommended that the bids received from Leath & Sons, Inc. on Calls 203, 402, and 411, as irregular due to Leath & Sons not having a valid bid bond per Section 102.8 and 102.9 of the Missouri Standard Specifications for Highway Construction. It is also recommended the bid received from Meyer Electric Company, Inc. on Call 203 as non-responsive due to Meyer Electric not incorporating an

addendum per Section 102.8 of the Missouri Standard Specification for Highway Construction. It is also recommended that the bid of Gershenson's Construction Co., Inc. on Call 615 as non-responsive due to errors in Gershenson's electronic bid per Section 102.8 of the Missouri Standard Specification for Highway Construction. (4) Ratify the award of an emergency project that was let and awarded by Dave Nichols on Thursday, May 29, 2008, as noted in Table III below, for a slide repair on Route 79 in Pike County. (5) Also note the City of O'Fallon awarded project J6I2146, for Route 70 Outer Road, St. Charles County, on May 28, 2008, as noted in Table III below, to Gaines Construction, Inc. MoDOT's funding is \$1.4 million. It was recommended the Commission concur in the award of this project. (6) In response to the recent market volatility for steel products the following projects were awarded by fax ballot on May 28, 2008: Calls 41A, 601, 804, 805, 902, and X01. The following project was rejected: Call 410. The awards and rejection were recorded in the minutes of the fax ballot meeting.

**Table I**  
**Award of Contracts**  
**May 23, 2008, Bid Opening**

<b>Call No.</b>	<b>Route</b>	<b>County</b>	<b>Job No.</b>	<b>Bid Amount</b>	<b>Non-Contractual Costs</b>	<b>Contractor</b>	<b>Description</b>
101	169	Buchanan, Clinton	J1P0965	\$762,549.80	\$0	Vance Brothers, Inc.	Microsurfacing with Full Depth Pavement Repair
102	Various	Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess	J1P1032	289,125.00	0	Superior Rail System, LLC	On-call Guardrail and Guard Cable Repair
201	63	Adair, Schuyler	J2P0778	5,642,242.62	656.00	W. L. Miller Company	Resurfacing with BP-1 and Superpave
202	36	Linn	J2P2150	480,747.04	144.00	APAC-Missouri, Inc.	Full Depth Pavement Repair
203	65, 24	Carroll	J2P2154	99,691.41	0	Mar-Jim Contracting, LLC	Install Interchange Lighting
401	Various	Cass, Lafayette	J4S1856	317,848.00	0	Comanche Construction, Inc.	Bridge Deck Repair and Epoxy Polymer Concrete Overlay

<b>Call No.</b>	<b>Route</b>	<b>County</b>	<b>Job No.</b>	<b>Bid Amount</b>	<b>Non-Contractual Costs</b>	<b>Contractor</b>	<b>Description</b>
402*	70	Jackson	J4I2210	381,075.30	656.00	Emery Sapp & Sons, Inc.	Widen Ramp and Add Signals
403	P	Lafayette	J4M0202	4,828,521.07	0	APAC-Missouri, Inc.	Resurfacing with Bit Pavement
	24	Lafayette	J4P2020		144.00		Grading, Full Depth Pavement Repair and Resurfacing with BP-1
404	Various	Cass, Clay	J4P1908	470,051.65	0	Collins & Hermann, Inc.	On-Call Guardrail and Guard Cable Repair
405	Various	Cass, Clay, Jackson, Platte	J4P1911	797,912.41	0	Collins & Hermann, Inc.	On-Call Guardrail and Guard Cable Repair
406	210	Ray	J0P2149B	63,988.31	0	Penhall Company	Install Edgeline Rumble Strips
407	45	Platte	J4P1808	372,753.93	656.00	Superior Bowen Asphalt Company, LLC	Resurfacing with Bituminous Pavement (BP-1)
409	Bus 10	Ray	J4L0600H	370,566.26	144.00	Ideker, Inc.	Thin-Lift Overlay (SL)
411	78	Jackson	J4M0203	67,105.64	0	Mark One Electric Co., Inc.	Install Emergency Fire Station Signal
412	D	Cass, Jackson	J4S2246	3,152,177.02	2,656.00	Clarkson Construction Company	Pavement Rehabilitation – Alternate Bid Pavement (PCC or Superpave)
501	65	Pettis	J5P0934	4,335,778.54	328.00	APAC-Missouri, Inc.	Resurfacing the Southbound Lanes with BP-1 and Superpave
			J5P0952		328.00		Resurfacing the Northbound Lanes with BP-1 and Superpave
602	N	Franklin	J6L0800F	432,637.60	0	N. B. West Contracting Company	Thin-Lift Overlay
	44 NOR	Franklin	J6L0800G				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
604	67	St. Louis	J6S2060	768,750.30	12,100.00	T.G.B., Inc.	Signal Networking System Installations
			J6S2109		4,656.00		Signal Reconstruction
605	Various	Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6P2113	491,247.00	0	Gerstner Electric Inc.	Replace Existing Signal Heads
			J6P2225				Replace Existing Pedestrian Heads
606	67	St. Louis	J6P1828	7,716,070.31	656.00	All Type Excavating Inc./DBA L. Krupp Construction, Inc.	Optional Pavement and Drainage
			J6P1829		656.00		Cold Mill, Resurfacing with Superpave, Curb & Gutter, and Traffic Signals
			J6Q2037G		0		Replace Traffic Signal Controllers, Fiber Optic Cable, Pullboxes
607	30	St. Louis	J6S2117	306,375.00	1,000.00	Gerstner Electric	Install Traffic Signals & Widen With Optional Pavement
608	D	St. Charles	J6S2119	399,700.00	0	Pace Construction Company, LLC	Shoulder Widening (A2 Shoulders)
610	HH	St. Louis	J6S2151	1,420,836.84	656.00	Fred Weber, Inc.	Cold Mill & Resurface with Superpave
611	BA	St. Louis	J6S1367	919,300.00	144.00	Pace Construction Company, LLC	Grading and Resurfacing with Bituminous Pavement (BP-1)
612	44	St. Louis	J6I1804	1,868,500.00	432.00	Pace Construction Company, LLC	Coldmilling, Resurfacing with Superpave and Pavement Repair along the North Outer Road
614	K, N, 64, 170, & 370	St. Charles, St. Louis	J6Q1833	4,672,048.43	1,417,010.00	Gerstner Electric, Inc.	Intelligent Transportation Systems Installation

<b>Call No.</b>	<b>Route</b>	<b>County</b>	<b>Job No.</b>	<b>Bid Amount</b>	<b>Non-Contractual Costs</b>	<b>Contractor</b>	<b>Description</b>
615**	70	St. Charles	J6I1999	528,286.13	432.00	Kozeny-Wagner, Inc.	Widening with Optional Pavement (Superpave or PCCP) and Traffic Signals
616	Various	Crawford, Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6M0126	292,793.01	0	Collins & Hermann, Inc.	On Call Guardcable Repair
618	44	St. Louis	J6I2208	1,889,094.20	0	All Type Excavating Inc./DBA L. Krupp Construction, Inc.	Pavement Repair and Replacement (PCCP)
619	64	St. Louis	J6I2152	746,000.00	0	Pace Construction Company, LLC	Resurfacing with Superpave, Cold Milling, Diamond Grinding, Pavement Repair
621	H	St. Louis City	J6P2128	636,000.00	656.00	Pace Construction Company, LLC	Resurfacing with Ultrathin Bonded Wearing Surface, Type C, and Modified Cold Milling
623	AC	St. Louis	J6S2174	402,999.00	13,990.00	Gerstner Electric Inc.	Reconstruct Existing Traffic Signals
624	A	Jefferson	J6S2177	184,047.00	0	Gerstner Electric Inc.	Reconstruct Traffic Signals & Islands
627	Various	Crawford, Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6M0127	314,314.90	0	Collins & Hermann, Inc.	On Call Fence Repair
628	270 OR, 64 OR	St. Louis	J6L0900C	400,600.00	0	Pace Construction Company, LLC	Thin-Lift Overlay
629	T	Franklin, St. Louis	J6L0900D	1,356,587.87	656.00	N. B. West Contracting Company	Thin-Lift Overlay
701	13	St. Clair	J7P0861	358,486.18	144.00	James H. Drew Corporation	Lighting, Signals, Signing
			J7P0870		144.00		

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
702	44	Jasper	J7I2153	131,354.49	656.00	Blevin's Asphalt Construction Company, Inc.	Resurface WBL of I-44 with Type C UBAWS
703	54	Vernon	J7P0877	142,296.11	984.00	James H. Drew Corporation	Upgrade Traffic Signal Equipment
704	44	Jasper, Lawrence, Newton	J7M0015	509,932.67	0	Collins & Hermann, Inc.	On-Call Guardrail/Guard Cable Maintenance & Repair on I-44
	Various	Barry, Barton, Bates, Cedar, Dade, Jasper	J7M0016				On-Call Guardrail Maintenance & Repair on Non-Interstate Routes
705	13	St. Clair	J7P0871	709,079.83	144.00	Hilty Quarries, Inc.	Upgrading, Drainage, Optional Pavement, Lighting (Upgrade from a Type 2 to Type 4 Median Opening)
801	44	Greene	J8I2160	59,690.00	0	Mar-Jim Contracting, LLC	Guardrail Improvements at Six Disconnected Section
802	160	Greene	J8P0879C	821,057.07	656.00	APAC-Missouri, Inc.	Diamond Grinding & Shoulder Improvement
803	54	Hickory, St. Clair	J8P0886B	5,150,089.49	656.00	APAC-Missouri, Inc.	Grading, Resurfacing and Construct Shoulder
901	60	Howell, Texas	J9P0579	1,629,924.37	656.00	Chester Bross Const. Co./C.B. Equipment Inc.	Cold Mill and Resurfacing with Superpave in Three Disconnected Sections
X02	55	New Madrid	J0I2156	738,187.50	656.00	Apex Paving Co.	Resurfacing with Superpave and Alternate Pavement Undersealing
				<b>\$58,428,419.30</b>	<b>\$1,463,452.00</b>		

\* Call 402 – Funding by the City of Blue Springs 100%.

\*\* Call 615 – 100% Funding by the City of Wentzville.

**Table II**  
**Rejection of Bids**  
**May 23, 2008, Bid Opening**

Call No.	Route	County	Job No.	Description
613	270	St. Louis	J6I2116	Flush Median Inlets and Pipes
620	Various	Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6I2144	Raised Pavement Marker Lens Replacement

**Table III**  
**Special Awards**

Call No.	Route	County	Job No.	Bid Amount	Contractor	Description
301	79	Pike	J3P2157	\$229,417.59	Boone Construction Co.	Slide Repair
	70 OR	St. Charles	J6I2146	6,237,438.23	Gaines Construction, Inc.	Phase I of Guthrie Road Grad Separation

**Commission Consideration and Action**

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

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on May 23, 2008, 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 613 and 620, as noted in Table II above, because they were considered excessive.
3. Rejected the bids received from Leath & Sons, Inc. on Calls 203, 402, and 411, as irregular due to Leath & Sons not having a valid bid bond. Rejected the bid received from Meyer Electric Company, Inc. on Call 203 as non-responsive due to Meyer Electric not incorporating an addendum. Rejected the bid of Gershenson's Construction Co., Inc. on Call 615 as non-responsive due to errors in Gershenson's electronic bid.
4. Ratified the award of an emergency project, for slide repair on Route 79 in Pike County. Dave Nichols awarded the bid as noted in Table III above on Thursday, May 29, 2008.
5. Awarded project J6I2146, Route 70 Outer Road, St. Charles County. The City of O'Fallon awarded this project on May 28, 2008 as noted above in Table III, MoDOT's funding is \$1.4 million.
6. Awarded/rejected via fax ballot on May 28, 2008; Calls 41A, 410, 601, 804, 805, 902, and X01. The awards and rejection are recorded in the minutes of the fax ballot meeting.

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.

\* \* \* \* \*

**2008-2012 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM,  
2008 AMENDMENT**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that seven new projects totaling \$6,051,000 be added to the Highway and Bridge Construction Schedule of the 2008-2012 Statewide Transportation Improvement Program (STIP), as noted in the tabulation below.

**Highway and Bridge Construction Schedule**

<b>County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year</b>	<b>Contract Estimate (Dollars in Thousands)</b>
McDonald J7P2151	71	Safety improvements from 0.2 mile north of Bus. 71/Wolf Den Road to 0.7 mile south of Bus. 71/Wolf Den Road.	2009	\$265
Greene J8S0919	744	Capacity improvements between Rte. 65 and LeCompte Avenue.	2009	2,021
Greene J8S2152	744	Rehabilitate Kearney Street bridge over Rte. 65.	2009	469
Pulaski J9I2148	44	Bridge expansion joint repairs on I-44 bridges. Project includes bridge numbers A3061 EBL, A3061 WBL, A3062 EBL, A3062 WBL, and A3053 EBL.	2009	860
Scott J0S2163	W	Replace bridge P099 over ditch 35, 1.8 miles east of Rte. P.	2009	367
Stoddard J0S0963	Y	Widen and resurface pavement from Rte. 25 to Union Pacific Railroad crossing.	2009	1,889
			Total:	\$5,871

**Multimodal Operations**

<b>County</b>	<b>Location</b>	<b>District</b>	<b>Description of Location/Improvement</b>	<b>Requested Additional Funds (Dollars in Thousands)</b>
Wayne	Piedmont	10	Repair damaged electrical and navigation systems at Piedmont airport.	\$180

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2008-2012 STIP as noted in the tabulation above.

\* \* \* \* \*

**REQUEST FOR APPROVAL OF LOCATION AND DESIGN OF HIGHWAYS**

Ed Hassinger, District 6 Engineer, recommended approval of the location and design of the proposed improvement as presented at the public hearing.

**Route 30, St. Louis County  
(Route 21 Intersection)  
Job No. J6S2054  
Public Hearing Held April 8, 2008**

The proposed improvement provides for the addition of turn lanes at the intersection of Route 30 (Gravois Road) and Route 21 (Tesson Ferry Road). Eleven (11) foot lane widths are included in the improvement. The project will have partial controlled access right of way. Traffic will be maintained over the existing roadway during construction. This project is 0.2 mile in length.

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.

\* \* \* \* \*

**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>
Jefferson	I-55	J6I1416	Fewer than 5 Parcels
Taney	65	J8P0798	Fewer than 5 Parcels

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.

\* \* \* \* \*

**CHANGE IN ACCESS, BREAK IN ACCESS,  
ROUTE 141, ST. LOUIS COUNTY**

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended approval of a request from Thirty and 141, L.P., to construct a thirty-foot right-in/right-out only entrance centered at the westerly right of way line of Route 141, opposite Station 57+28.76. 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 Thirty and 141, L.P., as described above with \$2,500 compensation due to the Commission for the change.

\* \* \* \* \*

**REPORT AND RECOMMENDATION REGARDING PROPERTY, 4<sup>TH</sup> & CHERRY  
MAINTENANCE FACILITY, JACKSON COUNTY**

On behalf of the Director, Beth Wright, District 4 Engineer, recommended approval of a property exchange agreement wherein MoDOT would convey its 4<sup>th</sup> & Cherry maintenance facility (1.96 acres and improvements), Jackson County, to Land Clearance for Redevelopment Authority (LCRA), in exchange for a new site of four acres and \$1,264,000 for the construction of a new facility. The exchange agreement and subsequent conveyance will be contingent on the satisfactory

completion of a Phase II cleanup and receiving a no further action (NFA) letter regarding the replacement site from LCRA.

Via approval of the consent agenda, the Commission unanimously approved the property exchange described above and authorized the Director, Chief Engineer, or Chief Financial Officer to execute the agreement, subject to Chief Counsel's Office approval as to form.

\* \* \* \* \*

**--- REPORTS ---**

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, April 30, 2008**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2008 monthly financial report for the period ending April 30, 2008, with budget and prior year comparisons.

\* \* \* \* \*

**CONTRACTOR PERFORMANCE REPORT**

Dave Ahlvers, State Construction and Materials Engineer, presented the annual contractor performance report for 2007. Performance summaries were mailed to the contractors the week of May 19, 2008.

\* \* \* \* \*

\* \* \* \* \*

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

\* \* \* \* \*