



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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July 1, 2010

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
ST. JOSEPH, MISSOURI, THURSDAY, JULY 1, 2010**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Thursday, July 1, 2010, at the Missouri Western State University, 4525 Downs Drive, St. Joseph, Missouri. Rudolph E. Farber, Chairman, called the meeting to order at 10:15 a.m. The following Commissioners were present at the meeting location: Rudolph E. Farber, David A. Gach, Grace M. Nichols, Lloyd J. Carmichael, and Stephen R. Miller. Commissioner Kenneth H. Suelthaus was appointed by the Governor on June 1, 2010, later the appointment was rescinded on June 24, 2010, and Mr. Suelthaus was present at the meeting. 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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Kevin Keith, Interim Director/Chief Engineer of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission were present on Thursday, July 1, 2010.

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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 Farber, Aye
Commissioner Gach, Aye
Commissioner Nichols, Aye
Commissioner Carmichael, Aye
Commissioner Miller, Aye

The Commission met in closed session from 8:00 a.m. until 10:00 a.m. and from 12:30 p.m. until 2:15 p.m.

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-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Gach, seconded by Commissioner Nichols, the Commission unanimously approved the minutes of the regularly scheduled meeting held on April 7, 2010. 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 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 July 1, 2010, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Nichols seconded by Commissioner Gach, 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 July 1, 2010, meeting.

Audit Committee – Commissioner Nichols stated there was no report.

Legislative Committee – Commissioner Miller reported Governor Nixon called for a special legislative session in July to discuss two issues. One issue is related to a tax credit for Ford Motor Company, the other issue was related to the state pension plans of MOSERS and MPERS. In addition, Commissioner Miller explained the United States Army Corps of Engineers held meetings regarding the use of the Missouri River. Commissioner Miller provided testimony at the recent Corps of Engineers hearing in Kansas City to encourage consistent river flows to improve transportation on the Missouri River.

Director Search Committee – Chairman Farber reported the Commission established a Director's Search Committee which has been working actively to reach its goal of hiring a new Director by December 1, 2010. Chairman Farber reported the Commission is pleased with the participation and resumes received. The chairman encouraged anyone interested in the position to apply.

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

MoDOT and Patrol Employees Retirement System – Chairman Farber reported the retirement board met on June 23, 2010, to conduct strategic planning, evaluate the board and the executive director, and review their fiduciary responsibilities. The chairman stated on June 24, 2010, the retirement board met and welcomed Kevin Keith, Interim Director to the board. The retirement board also voted for the first time to purchase directors and officers liability as well as employer practices liability insurance and fiduciary liability insurance for trustees. The board approved the fiscal year 2011 budget. The board also certified election of new members of the board: Sue Cox is the MoDOT employee member elected by active MoDOT employees, Major Bret Johnson was elected by the patrol active employees, Bob Sfreddo was re-elected to represent retired MoDOT employees, and Roger Stotlemeyer was elected to represent retired patrol members. The board authorized the executive director to select a government relations consultant and voted to support the spirit of pension reform expressed in Senate Bill 1 that is being considered in the Special Legislative Session. The chairman noted the pension fund is approximately \$700 million underfunded.

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INTERIM DIRECTOR’S REPORT

During the July 1, 2010, Commission meeting Interim Director/Chief Engineer, Kevin Keith, provided the following report:

Update on flooding. There are flooding problems throughout Missouri particularly in the Northwest and Northeast. The department has responded well, however; the bridge on Highway 24 over the Grand River is closed and the department let an emergency contract to repair the bridge. The department continues to monitor both the Mississippi and Missouri Rivers which remain at high water levels.

Mississippi Valley Conference. The AASHTO meeting of the Midwestern states will be held in Des Moines, Iowa later in July. The important discussion at this meeting will be the Midwest’s reaction and

position on Congressman Oberstar's proposed reauthorization bill. The department hopes to gain a sense of the national direction for transportation reauthorization.

Out of state travel. The Office of Administration recently restricted out of state travel for state employees. Although, this restriction does not apply to MoDOT, on June 15, 2010, the department implemented an out of state travel slow down to reduce the number of people traveling and require the Chief Financial Officer or Interim Director review any out of state travel requests.

Safe and Sound Bridge Improvement Program update. It has been about one year since the department started the Safe and Sound program. To date, 161 bridges have been completed, and there are currently 51 structures under construction. The progress is excellent and the contractor is able to build the bridges faster than the 45 days promised in the contract.

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UPDATE ON STATEWIDE EFFORTS TO PROMOTE MISSOURI HIGHWAY 36 "THE WAY OF AMERICAN GENIUS"

Marci Bennett, Executive Director of the St. Joseph Convention & Visitors Bureau, and M. Elaine Justus, Community Relations Manager for District 1, presented information about Highway 36 "The Way of American Genius". Ms. Justus presented the Commission with the history of the highway from when it was referred to as the Pikes Peak Ocean to Ocean Highway to the present day US 36 designation. Ms. Bennett explained the creation of a Heritage Alliance to recognize the character and history of the Highway 36 region and to promote economic development in the region. "The Way of American Genius" highlights not only the personalities of General John J. Pershing, Mark Twain, J.C. Penney, Walt Disney, and Jesse James, but also historically significant developments of the Pony Express in St. Joseph and "The Home of Sliced Bread" in Chillicothe. The Way of American Genius region incorporates the entire Highway 36 corridor across the state and the area 36 miles north and south of the corridor. Promoting The Heritage Alliance has been a true partnership of the communities along

the route, plus government agencies which include MoDOT, Department of Tourism, Department of Conservation, Department of Natural Resources, and each Regional Planning Commission. Ms. Bennett shared plans the Heritage Alliance has for the future development of the corridor to include visitors centers, enhanced interpretation of the route for guided and self-guided tours, and the designation of US 36 as a scenic byway. Chairman Farber thanked Ms. Justus and Ms. Bennett for their presentation.

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UPDATE ON LOCAL PARTNERING TO ACHIEVE REGIONAL GOALS AND COMPLETE MAJOR PROJECTS

Ted Allison, President and CEO of St. Joseph Area Chamber of Commerce, Bruce Woody, Director of Public Works and Transportation of the City of St. Joseph, and Brad Lau, Senior Vice President-Economic Development of St. Joseph Area Chamber of Commerce, presented an update on local partnering efforts to accomplish major projects in the region. Mr. Allison started the presentation with an example of successful partnerships in the development of the Mitchell Woods Business Park. This industrial park was an investment that created jobs for the area and wouldn't have been possible without the partnership with MoDOT to improve the two major roads to the industrial park. Another example of partnering was presented with the recently developed Eastowne Business Park and MoDOT's design that improved an extension of Route AC to the industrial park.

Mr. Woody, who also serves on the metropolitan planning organization that serves Andrew and Buchanan counties in Missouri and Johnson County in Kansas, reviewed three major projects for the region. (1) Cook Road project will increase capacity and improve connectivity for bicycle and pedestrian facilities. (2) Alabama grade separation project will construct a grade separated railroad crossing at King Hill and Stockyards Expressway. (3) Intersection of I-29 and US 169, a single point interchange will reduce congestion. In addition to these projects the region wants to create a seamless

transportation system for all users and will design projects to consider sidewalk connectivity, public transportation, and bicycle routes.

Mr. Lau explained the Port Facility in St. Joseph was opened in 2002, to transfer products to support area businesses. Mr. Lau described recent and planned improvements to the roads near the port and how that will improve economic development for the region. In 2008, a concrete drive was built at one entrance to the port, another concrete entrance will be built at the other end of the port. In addition, intersection improvements on Highway 759 at Stockyards Expressway, a truck staging area, new overlay of Highway 759 and traffic signalization will improve traffic for the port. Chairman Farber thanked the delegation for their presentation.

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SUCSESSES & CHALLENGES IN NORTHWEST MISSOURI

On behalf of the Interim Director, Tony McGaughy, Assistant District 1 Engineer, presented a review of the successes and challenges for the Northwest District. A major success for the district was the ability to complete three major bridge projects. Missouri has over 200 major bridges with a life expectancy of 100 years and the state should be replacing two bridges per year, and is not quite averaging one bridge per year. For Northwest Missouri to accomplish three major bridge projects recently is an accomplishment. The Amelia Earhart Bridge on US 59 between Atchison, Kansas and St. Joseph, Missouri is a total bridge replacement and a joint project with the Kansas Department of Transportation. This bridge is a vital link between the two communities and will be completed in 2011, for \$59.4 million. The Brownville Bridge is one of two key access points across the Missouri River between Northwest Missouri and Southeast Nebraska and also connects Nebraska to the I-29 corridor. This project is a bridge rehabilitation that is funded by the American Recovery and Reinvestment Act and will be completed in December 2011, for \$8 million. Rulo Bridge is another access point between

Northwest Missouri and Southeast Nebraska on Highway 159. This project will be let by the Nebraska Department of Transportation later in July.

Northwest Missouri receives the benefit of the majority of the bridge improvements from the Safe and Sound program. Currently, the district will have 155 bridges improved or replaced, and has completed 28 bridges to date. The district has an aggressive schedule to complete eighty percent of the district Safe and Sound projects by 2011. The district can also claim the speedy success of fastest bridge replacement with a 22 day closure on Route KK in Buchanan County.

Additional successes that are examples of how to achieve the goal of the Five Year Direction include the response to the Christmas Blizzard of 2009, building consolidations, reassignment of personnel from divisions, and sharing resources. Mr. McGaughy expressed appreciation to the five districts that helped the Northwest District during the Christmas Blizzard. Not only did the department coordinate limited resources and break down district borders, but dedicated MoDOT employees gave up their holiday and time with their family to work during this major snow event. The district consolidated three maintenance buildings that reduced utility and maintenance costs, and improved the efficiency of the crews by having more people and equipment in one facility. Personnel whose work load has diminished have moved to other divisions to help those groups meet their tangible results and remain productive employees for the department. District 1 developed a partnership with District 4 and helped acquire right-of-way for sixteen projects, plus design work for forty-two additional projects. Accomplishing the design work with MoDOT staff saved the department approximately \$7 million.

District 1 faces many challenges including meeting the goals of the Five Year Direction. A problem specific to Northwest Missouri are the development of wind farms that are great for the economy and environmentally friendly, but very hard on minor roads. The large loads of rock and concrete that are necessary to build a windmill require large truck traffic on minor roads that were not

built for the heavy loads. The department continues to work with the communities and wind farms to keep the minor roads open and safe for travel. Chairman Farber thanked Mr. McGaughy for his presentation.

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DELIVERING TRANSPORTATION SOLUTIONS “BETTER, FASTER, AND CHEAPER”

On behalf of the Interim Director, Dave Nichols, Director of Program Delivery, presented how the department is delivering transportation solutions better, faster, and cheaper. Mr. Nichols explained that Missouri has the seventh largest highway system in the United States but is only ranked 42nd in revenue per mile. This means Missouri has a very large highway system and does not have enough money to fund all the needs across the state of Missouri. However, MoDOT has had a change in culture that has helped deliver \$9 billion worth of work and saved \$390 million in contract awards alone. These changes have occurred through practicality, competition, and innovation.

The practical changes include shifting the philosophy from following all the standard specifications to getting an end product that meets a certain type of performance. The department developed performance specifications that allow the contractor more control over how the project is built and allows the department to focus on the end product. Another significant culture change has been practical design. Using practical design, the engineers think about the needs and purpose of the project and create a good, not great, solution that customers can use. The department also allows flexibility so that staff can think outside of the box to incorporate the right solution for a project. Being practical helps the department deliver more transportation projects.

Improving competition has created savings and increased flexibility on projects. Methods that have helped improve competition include: alternate bidding, alternate technical concept, add alternate bidding, job order contracting, design-build, letting management, bid rejection, and industry

relationships. An example of alternate bidding allows a contractor to choose which material to bid for a project, for example pavement type can be alternately bid as either asphalt or concrete; or pipe can be alternately bid as metal, concrete, or polyethylene. An alternate technical concept is used in larger projects or design build projects, for example the foundations for the new Mississippi River Bridge alternate technical concepts were submitted that lowered the contractor's bids. An add alternate project will have a base item, and then additional sections of work can be added on and bid by the contractor. This method provides flexibility for the contractor and helps the department maximize the budget for projects. Job order contracting is a new tool used for preventative maintenance work where the department establishes the base price per unit and the contractor adds their mobilization and multiplier factors and they bid a set price for a range of quantities. Whether it is pavement repair or guard rail replacement if the volume is small the contractor gets a little bit higher price per unit than they would if it were a large volume. Design-build has been a successful procurement and delivery process in Missouri for I-64 in St. Louis and the kcICON bridge in Kansas City that allows the contractor to use any design criteria approved by FHWA anywhere in the country with some review by the department to make sure it meets the climate issues in Missouri. Letting management is a strategic approach to packaging projects and timing the letting to allow more contractors to bid. The bid rejection process is a positive process that creates respect in the industry because they know MoDOT and the Commission review bids very closely and will not accept bids that are not responsive. Department staff have a professional relationship with industry partners including contractors, suppliers, and vendors; and these good relationships have helped the industry and department work together to build projects.

The use of innovation created savings and helps build better projects more quickly. Some of the innovations the department uses include: value engineering, value engineering change proposal, performance management, solutions at work, and new technologies. Value engineering is a practice that

has been around for a while but staff have taken it up a notch to bring the best value out of a project in the pre-design phase. The value engineering change proposal occurs after a project has been awarded and a contractor will present an idea and offer splitting the savings between the contractor and the department. This process has been very successful and has saved over \$6 million in value engineering change proposals. Solutions at work is a tool that helps the department share best practices around the state and create more savings on projects. Through Organizational Results Division, the department evaluates new technologies brought to them by suppliers and vendors, the department will test the new technology and sometimes it works and sometimes it doesn't but the department learns from it and moves on.

Mr. Nichols concluded his presentation by stating the department is very proud of what it is doing and that is delivering projects better, faster, and cheaper, and expressed appreciation for the great MoDOT team. Chairman Farber thanked Mr. Nichols for his presentation; Commissioner Miller thanked Mr. Nichols and staff for being open to new ideas and trying out new ways of doing things, and especially for the good relationships that have been built with the industry.

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CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS

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 bidders for bids received on the June 18, 2010 letting, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. (2) Reject Calls 202 and X01, as noted in

Table II below, due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction. (3) Reject the following bids: K & D Moor, Inc. for Calls 605 & 607, Mussleman and Hall Contractors, LLC for Call 403, and Amcon Municipal Concrete, LLC for Call 607, and be declared as non-responsive, per Section 102.9 of the Missouri Standard Specifications for Highway Construction, due to not providing a bid guaranty with their bid. (4) Ratify the award of an emergency project that was let and awarded on June 22, 2010 to repair two bents on the Route 24 Bridge over the Grand River in Carroll and Chariton Counties near Brunswick, as noted in Table III below.

**Table I
Award of Contracts
June 18, 2010, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	169	Buchanan	J1P2189, J1P2196	\$1,188,973.52		Ideker, Inc.	Resurface Roadway with Type A UBAWS
201*	63	Adair	J2P0483I	7,492,478.20		C. J. Moyna & Sons, Inc.	Alternate Pavement (Superpave or PCCP), Grading, Drainage
401	O, 13	Lafayette	J4B0801N	1,280,327.00		Lehman Construction, LLC	Bridge Rehabilitation on Two Bridges
501	50, PP, 5 OR	Cole, Moniteau	J5P0912	1,132,685.90		Jefferson Asphalt Company	Resurfacing with BP-1
601**	364/ 94	St. Charles	J6U1028B	24,488,236.57		Fred Weber, Inc.	Grading, Alt Bid Pavement (Superpave or PCCP) & Bridges
602	I-44	St. Louis	J6I2299	704,841.75		All Type Excavating Inc./ DBA L. Krupp Construction, Inc.	Coldmill, Diamond Grinding, Pavement Repair and Concrete Traffic Barrier
603	40	St. Louis	J6P1884	5,278,882.98		St. Louis Bridge Construction Company	Bridge Rehabilitation
	40/ 61	St. Louis	J6P1900				
	I-64/ 40	St. Louis	J6P1901				
	40	St. Louis	J6P1977				
604	370	St. Charles	J6P1943	709,854.00		Concrete Strategies, LLC	Rehabilitate Three Bridges
605	100	St. Louis City	J6P2280	291,617.76		N. B. Contracting Company	ADA and Signal Facility Improvements

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
608	Various	Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6M0151	565,565.56		Collins & Hermann, Inc.	On-Call Guard Cable Repair
609	Various	Crawford, Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6M0152	561,165.56		Collins & Hermann, Inc.	On Call Fence Repair
701	71	Jasper	J7P0842F	4,135,871.08		Leo Journagan Construction Co., Inc.	Add Alternate Resurfacing with Superpave and BP-1
901	I-44	Crawford	J9I2153	1,322,681.64		Magruder Paving, LLC	Resurfacing with Superpave
			SUB-TOTAL	\$49,153,181.52			
On-Call and Job Order Contracting Pavement Repair							
403	Various	Clay, Henry, Johnson, Lafayette, Platte, Ray	J4P2301	151,720.00		Vance Brothers, Inc.	On-Call Microsurfacing
606	Various	Jefferson, Franklin, St. Charles, St. Louis, St. Louis City	J6M0150	546,575.00		N. B. West Contracting Company	On-Call Non-Interstate Asphalt Repair – Job Order Contract
607	Various	Franklin, Jefferson, St. Charles, St. Louis, St. Louis City	J6M0150B	588,625.00		Concrete Strategies, LLC	On Call Non-Interstate Concrete Repair – Job Order Contract
			SUB-TOTAL	\$1,286,920.00			
			TOTAL	\$50,440,101.52			

* Call 201 – Funding by City of Kirksville \$7,500,000 for Kirksville Bypass Corridor.

** Call 601 – Alternate Paving Project Funding by the City of St. Peters and St. Charles County \$3,787,000.

Table II
Rejection of Bids
June 18, 2010, Bid Opening

Call No.	Route	County	Job No.	Description
202	63	Adair, Macon	J2M0035	Fog Sealing, Crack Sealing, and Minor Pothole Patching
X01	91	Bollinger	J0P2206	Bridge Rail Replacement

**Table III
Emergency Project
June 22, 2010, Special Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
201	24	Carroll/ Chariton	J2M0036	\$2,097,000.00	0	St. Louis Bridge Construction Company	Bridge Rehabilitation

Commission Consideration and Action

After consideration, and upon motion by Commissioner Nichols, seconded by Commissioner Carmichael, the Commission took the following action:

1. Awarded contracts to the lowest responsive bidders for bids received on the June 18, 2010 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 202 and X01, as noted in Table II above, because they were considered excessive.
3. Declared the bids of K & D Moor, Inc. on Calls 605 and 607, Mussleman and Hall Contractors, LLC for Call 403, and Amcon Municipal Concrete, LLC for Call 607 as non-responsive.
4. Ratified the emergency letting and award of Call 201 on June 22, 2010 to rehabilitate the Route 24 Bridge over the Grand River in Carroll and Chariton Counties, as noted in Table III above.

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. Commissioner Miller abstained from voting on Call 701; Commissioner Gach abstained from voting on Call 101.

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2011 – 2015 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

On behalf of Interim Director, Machelle Watkins, Director of Transportation Planning, presented the 2011-2015 Statewide Transportation Improvement Program (STIP). The STIP is a five-year list of all the projects for the department, and is required by federal and state law.

The STIP was revised since the draft was presented to the Commission in May to take into consideration the department's Five Year Direction to honor our commitments, keep major roads at eighty-five percent good condition, improve minor roads, hold our own on bridges, and provide outstanding customer service. Ms. Watkins reviewed the construction program cliff the department is facing, with the highest years of funding in 2009 and 2010 due to additional funding from the American Recovery and Reinvestment Act, the Safe and Sound Bridge Improvement Program, and the New Mississippi River Bridge. Ms. Watkins explained the construction program is going from a \$1.3 billion program to about \$480 million by 2015. That is the amount of funding necessary to simply maintain the state's transportation system, and is the driving force for implementation of the Five Year Direction.

The STIP is developed using an extensive public involvement process called the Planning Framework Process. MoDOT staff works year round with Regional Planning Commissions, Metropolitan Planning Organizations, local elected officials, and the public to identify transportation needs throughout the state. Then those needs are prioritized for further consideration and ultimately determine the highest priorities recommended for programming in the STIP. The 2011-2015 STIP is a culmination of the past year's work with our partners.

In addition, the department presents the draft STIP to the public for a comment period that began on May 5 and concluded on June 4, 2010. Each comment received has been responded to and shared with the planning partners. The department received a total of 101 comments. Of those comments, fifty-five were supportive of a specific project that was in the STIP. Ten comments suggested additional

funding for transit, public transportation, and passenger rail; nine indicated they would like specific improvements on a specific route; eight suggested options for additional funding or a different funding distribution for consideration; five thanked the department for their customer service and offered additional ways to get public involvement; four requested improved signing and striping on specific routes; three acknowledged the financial situation the department is facing and was supportive of the department taking care of the system; three recommended more bicycle and pedestrian accommodations; three suggested improvements for maintaining the right of way; and one requested information for a major project in the central district.

The STIP consists of three funded program areas: local programs at \$680 million, multimodal program at \$970 million, and highways and bridges at \$4 billion. Local programs include: \$259 million for the Surface Transportation Program that provides flexible funds for large urban areas, \$101 million for the Off-System Bridge program that funds improvements on county bridges; \$101 million for Congestion Mitigation and Air Quality Program that funds air quality improvement in the Kansas City and St. Louis regions; \$71 million for the Enhancement Program that funds welcome centers, bicycle and pedestrian accommodations, and landscaping improvements; \$150 million for the State Planning and Research Program, Safe Routes to School, Highway Safety Rail Crossing Improvement Program, and Recreational Trails.

The multimodal program includes funding for rail, waterways, aviation, and transit. For rail there is programmed \$270 million; however, it does not include the \$31 million high speed rail grant that was received earlier this year but does include an application for a competitive grant for \$150 million for high speed rail. This programmed amount also requires the continuation by the state legislature for operating support of the state Amtrak service. For waterways there is programmed \$18 million, no state port capital funds were appropriated last year but a list of projects is ready and could be

pursued if additional funds were made available. The aviation program has suffered over the last couple of years with a fifty percent reduction in funds. As a result, no additional aviation projects were included in this STIP, and some project timelines were adjusted to ensure project delivery. The transit program receives \$486 million, of which \$310 million are federal funds that pass through the department to the Kansas City, St. Louis, and Springfield areas for their transit systems.

The highway and bridge improvement program had the most adjustments to get aligned with the Five Year Direction. Each district developed a pavement plan that is an across the board look at available resources and the condition of the system. Projects that were identified in the process were added to the final STIP.

In comparing the draft STIP to the final STIP, the draft STIP had eighty-seven percent of the first three years programmed, compared to the final STIP which has ninety-six percent of the first three years programmed. In the draft STIP there were 572 projects, in the final STIP there are 834 projects. The draft STIP program amount was \$2.8 billion; the final STIP program amount is \$3.2 billion.

Ms. Watkins recommended the Commission approve the 2011-2015 STIP; certify to the Federal Highway Administration and the Federal Transit Administration that the transportation planning process used in the development of the STIP complies with the requirements listed in 23 CFR 450.218(a) and 23 CFR 450.334(a); delegate to the Chief Engineer the authority to approve the addition of scoping projects, hardship right of way purchases and emergency projects; and to delegate to the Chief Engineer authority to approve fiscally constrained revisions to project phases, location, improvements, state fiscal year of delivery, and project splits or incorporations. After further discussion and consideration, and upon motion by Commissioner Carmichael, seconded by Commissioner Nichols, the Commission unanimously approved the 2011-2015 STIP, as recommended by Ms. Watkins.

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REQUEST FOR APPROVAL OF DESIGN OF HIGHWAYS

**Route 63, Howell County
From Route 160 to Mustion Creek Bridge
Job No. J9P2177
Public Hearing Held May 18, 2010**

The proposed improvement provides for the widening of Route 63 to complete a four-lane undivided roadway. Route 63 will consist of four 11-foot or 12-foot lanes with a center turn lane on portions and six foot shoulders. The project will have controlled access right of way. Existing Route 63 will remain open to traffic during construction. The project is 3.3 miles in length.

Mr. Tom Stehn, District 9 Engineer, recommended approval of design as presented at the public hearing.

**Route 34, Bollinger County
0.6 Mile West of Route ZZ to 1.8 Mile East of Route ZZ
Job Nos. J0P0922 and J0P2210
Public Hearing Held May 27, 2010**

The proposed improvements provide for grading, paving and bridge construction on Route 34. Route 34 will consist of two 11-foot lanes and six foot shoulders. This project will have normal access right of way. Route 34 will remain open to traffic during construction. The project is 2.4 miles 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.

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**LAKE OF THE OZARKS COMMUNITY BRIDGE TRANSPORTATION CORPORATION,
REAPPOINTMENT OF BOARD MEMBERS**

On behalf of the Interim Director, Roger Schwartze, District 5 Engineer, conveyed the following recommendation of the Lake of the Ozarks Community Bridge Transportation Corporation Board of Directors as it pertains to membership on that board:

- Reappoint Mike Page and James Werner for six-year terms beginning April 30, 2010 and ending April 30, 2016.

Via approval of the consent agenda, the Commission unanimously approved the reappointments to the Lake of the Ozarks Community Bridge Transportation Corporation Board of Directors as recommended and noted above.

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REPORT AND RECOMMENDATION REGARDING NOTICE OF PROPOSED AND RESCINDED RULEMAKING, REST AREAS

On behalf of the Interim Director, Don Hillis, Director of System Management, presented to the Commission a proposal to rescind the existing rules and propose new rules 7 CSR 10-16.010, that outline the procedures for publishers to use vending machines to distribute publications at Commission rest and recreation areas. Mr. Hillis recommended approval of the proposed and rescinded rulemaking for filing with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the Missouri Register. It was also recommended the Interim Director or Chief Financial Officer be authorized to execute any document appropriate and necessary to initiate this rulemaking process.

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

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DISPOSAL OF EXCESS PROPERTY

In keeping with the Commission's October 11, 2006 Delegation of Authority policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission to a governmental entity at no cost or exchange interest in land must be approved by specific Commission action. The following sale is to a governmental entity.

Route 60, Howell County, Excess Parcel Number E9-0218

On behalf of the Interim Director, Tom Stehn, District 9 Engineer, recommended conveyance of 0.426 acre of land located in Howell County on the south side of Route 60, near the intersection of Park Road and 5th Street to the City of Mountain View for consideration of \$1.00.

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, AUTHORITY TO APPROVE BREAKS IN ACCESS, ROUTE J, JOHNSON COUNTY

On behalf of the Interim Director, Beth Wright, District 4 Engineer, recommended approval of breaks in limited access on a 1.25 mile section of Route J starting at Station 680+65 extending to the south to Station 746+77. Route J was originally the main entrance to the Whiteman Air Force Base and limited access right of way was acquired to protect the traffic flow entering and exiting the base. Currently, Route 23 serves as the main entrance. Limited access is no longer required along Route J since it is a supplementary access to Whiteman. The possible proposed break in access for a driveway that serves a single development and does not connect to an arterial street system is not provided for in the commission policy 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 for the break in access as described above with compensation due the Commission for enhancement value.

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-- REPORTS --

The Commission received the following written reports.

**FINANCIAL – BUDGET - REPORTS
YEAR-TO-DATE FINANCIAL REPORT, MAY 31, 2010**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2010 monthly financial report for the period ending May 31, 2010, with budget and prior year comparisons.

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DEBT MANAGEMENT REPORT

Brenda Morris, Resource Management Director, provided to the Commission an update on Missouri Highways and Transportation Commission (MHTC) outstanding debt. The report was for the period ending June 30, 2010.

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

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