



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**December 1, 2006**

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN  
KANSAS CITY, MISSOURI, ON FRIDAY, DECEMBER 1, 2006**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Friday, December 1, 2006, at the Sheraton Suites, Country Club Plaza, 770 W. 47<sup>th</sup> Street, Kansas City, Missouri. The meeting was called to order at 9:30 a.m. by Bill McKenna, Chairman. The following Commissioners were present at the meeting location: James B. Anderson, Mike Kehoe, and David A. Gach. Commissioner Duane S. Michie joined the meeting via telephone conference. Vice-Chairman Marjorie B. Schramm 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 Mari Ann Winters, Secretary to the Commission, were present on Friday, December 1, 2006.

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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.

Immediately prior to closing its meeting at 8:00 a.m., and upon motion duly made and seconded to convene in closed session, the Chairman asked for a voice vote of the members.

The vote was as follows:

Commissioner McKenna, Aye  
Commissioner Michie, Aye  
Commissioner Anderson, Aye  
Commissioner Kehoe, Aye  
Commissioner Gach, Aye

whereupon the Commission closed its meeting. At approximately 9:30 a.m. the Commission adjourned its closed meeting and convened its open meeting.

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**-- OPEN MEETING --**

**MEETING MINUTES**

The Secretary to the Commission reported that the minutes for the November 17, 2006, were not complete; therefore, the minutes of the November 17, 2006, meeting will be considered by the Commission at its meeting on January 10, 2007.

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## **CONSENT AGENDA**

### **Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure the 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 noncontroversial 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 December 1, 2006, Consent Agenda**

Upon motion by Commissioner Anderson, seconded by Commissioner Michie, all items on the consent agenda were unanimously approved.

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## **REPORTS OF 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. None of

the committees or boards had met since the November 17, 2006, Commission meeting.

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**DIRECTOR'S REPORT**

During the December 1, 2006, Commission meeting, the Director reported that a study, which included actual data from trucks traveling on roadways before and after the Smooth Roads Initiative improvements, found a notable increase in fuel efficiency as a result of the smoother driving surfaces.

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**PUBLIC COMMENTS,  
GREATER KANSAS CITY CHAMBER OF COMMERCE**

On behalf of the Greater Kansas City Chamber of Commerce, Mr. Mathew Bowen, vice chairman, Surface Transportation Committee, reported that the Chamber continues to support a comprehensive multi-modal transportation system that includes highways, bridges, transit, rails, and waterways. He voiced the Chamber's support of MoDOT's recently announced 800 Bridge Improvement Program, MoDOT's efforts to enact a primary safety belt law, and the I-29/I-35 design-build project. Mr. Bowen reported that as a result of recent voter approval of a proposal calling for a light rail system in Kansas City, the Chamber would be partnering with the Mid-America Regional Council to develop a regional transit plan.

Mr. Bowen commended Beth Wright, District Engineer, District 4, for her work, specifically citing her efforts to enhance communication with the business community.

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**PUBLIC COMMENTS,  
MID-AMERICA REGIONAL COUNCIL**

Mr. David Warm, Executive Director, Mid-America Regional Council, reported that the governmental entities in the Kansas City area have formed partnerships to ensure that the region moves forward with a unified voice. He cited the following three examples where these partnerships contributed to improvements in the transportation system:

1. New Missouri River Crossing – Mr. Warm commended Beth Wright, District Engineer; Brian Kidwell, I-29/I-35 Design-Build Project Director; and other MoDOT staff members for being attentive to community concerns and diligently working to ensure that those concerns are addressed in the decision-making process. He commended the staff’s efforts to develop a process for handling differing points of view regarding issues such as whether the new bridge should accommodate bicycle and pedestrian traffic. He praised the staff’s efforts to stay attentive to community needs and interests. Mr. Warm urged the Commission to continue to empower the district staff with the flexibility needed to respond to community concerns.
2. Public Transit – Mr. Warm reported that Kansas City had been working diligently to create a modern public transit system for the metropolitan area. Related to that effort, Kansas City voters recently approved an initiative petition allowing money to be raised on a regional basis for public transit. Mr. Warm said Kansas City would most likely be asking MoDOT to accommodate transit systems as it prepares design plans for future transportation projects in the Kansas City area. In addition, he said Kansas City might seek the Commission’s assistance with the Kansas City transit plan endeavor.
3. Destination Safe Coalition – Mr. Warm reported that MoDOT had been an outstanding partner with MARC, the Kansas Department of Transportation, and the State Highway Patrol units in both Missouri and Kansas in the Destination Safe Coalition efforts. He noted that Destination Safe Coalition is a broad group of stakeholders and constituencies of public and private interests who are collaborating on driver safety. He said with MoDOT support, some modest, but important, resources had been made available for non-conventional public education and outreach efforts. He expressed appreciation for MoDOT’s strong support of primary safety belt legislation and its efforts to increase awareness of this issue. He advised that primary safety belt legislation had been on MARC’s legislative agenda for several years, and he expressed the hope that the General Assembly would enact such a measure in 2007.

Mr. Warm thanked the Commission for its leadership and for being an effective transportation partner.

The Commission expressed appreciation for Mr. Warm's comments and commended Mr. Warm, the MARC staff, and the Kansas City area for their example and leadership role in developing collaborative, inclusive, relationships.

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**PUBLIC COMMENTS,  
NORTHLAND REGIONAL CHAMBER OF COMMERCE**

Mr. Ed Ford, Chairman of the Planning and Development Committee of the Northland Regional Chamber of Commerce cited transportation projects in the Northland area that are currently under way or ready for implementation. He said many of those projects, including the new Missouri River crossing, represented good collaboration between MoDOT, the Greater Kansas City Chamber of Commerce, the Mid-America Regional Council (MARC), the Northland Regional Chamber of Commerce, and the Missouri River Crossing Committee.

Mr. Ford expressed concern that the project to widen Chouteau Trafficway from two lanes to four lanes was falling behind schedule due to right-of-way acquisition issues. He asked for MoDOT's help in fulfilling the local area vision for Chouteau Trafficway to be a 21<sup>st</sup> Century parkway.

Mr. Ford reported that the Northland area continues to grow both in population and development, resulting in the need for new and updated transportation facilities. He presented a list of 2007 highway improvement priorities of the Northland Regional Chamber of Commerce, and he briefly discussed the top three:

1. Improvements to the Tiffany Springs Parkway and I-29 Interchange.
2. Construction of an interchange at Route 169 and Northeast 96<sup>th</sup> Street.
3. Enhancements to North Oak Trafficway (Route 283) from 32<sup>nd</sup> Street to Vivion Road (Route 69), including construction funds.

Commissioners Anderson commended the delegation for taking a regional view in developing its priorities. Commissioner Kehoe expressed appreciation to Mr. Ford for his well-developed presentation.

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**PUBLIC COMMENTS,  
KANSAS CITY AREA TRANSPORTATION AUTHORITY**

Mr. Mark Huffer, General Manager for the Kansas City Area Transportation Authority (KCATA), advised the Commission that KCATA is a regional transportation provider for the Kansas City area. It provides in excess of 50,000 trips per day to citizens living in ten communities in both Missouri in Kansas. KCATA operates approximately 300 buses, employs 850 people, and has a \$75 million annual budget.

Mr. Huffer reported that Missouri is one of only a few states in the nation that offers some form of public transit in every county. He noted that St. Louis operates one of the best light rail systems in the country, Springfield has an outstanding bus system, OATS offers outstanding service in rural Missouri, and Kansas City has taken the lead in medium-sized bus operations.

Mr. Huffer reported that even though the demand for public transportation is increasing as the population ages and grows, funding to continue operations at the current level has become an annual struggle and the biggest single issue for most public transportation providers.

Mr. Huffer reported that Missouri was one of only few states that, until 1996, provided no financial support for public transportation. He said the state's investment in public transportation grew to a high of \$8.3 million (statewide) in 1999 and then fell to the current level of \$3.1 million. He stated that even though Missouri has two of the largest urban areas in the nation, it ranks 34<sup>th</sup> per capita in its investment in public transportation. He expressed appreciation for the Commission's support of MoDOT's proposed budget request, which included \$9 million for public transportation.

Mr. Huffer reported that Kansas City voters had approved a 27-mile light rail plan for Kansas City, which was not supported by KCATA or the Greater Kansas City Chamber of Commerce. He said the plan presents some challenges because part of the tax currently being used to operate buses was redirected to light rail. He said the plan also presents some opportunities in that the ballot measure assumed significant, albeit unidentified, federal and state investments.

Mr. Huffer advised the Commission that KCATA's Bus Rapid Transit Project was an outstanding success. The project operates in the Main Street Corridor and provides real-time information at bus stops, allowing bus riders to have accurate information on bus arrivals and departures. He reported that the Federal Transit Administration had cited the project as a national example of a cost-effective transit operation.

Commissioner Anderson commended Mr. Huffer and others in the Kansas City area for pursuing the recently enacted light rail initiative as an opportunity, in spite of the fact that it will provide significant challenges. He emphasized that the General Assembly is ultimately responsible for decisions related to funding for public transportation, and he encouraged

Mr. Huffer to ensure that all members of the Kansas City area legislative delegation are thoroughly briefed on this issue.

Chairman McKenna said that he frequently witnesses the misconception that state highway user fees (motor fuel tax) can be used for public transportation, but it cannot. Funding for public transportation must be budgeted from General Revenue.

Chairman McKenna commended Mr. Huffer on his well-organized and informative presentation.

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**PUBLIC COMMENTS,  
SIERRA CLUB, MISSOURI ADVANCE PLANNING PROCESS**

Mr. Ron McLinden, co-chair, Missouri Transportation Committee, Sierra Club, advised the Commission that he felt MoDOT was focusing its efforts, as they pertained to both the I-29/I-35 design-build project and the Missouri Advance Planning (MAP) Program, too heavily on highways rather than taking a more comprehensive approach that would include all modes of travel. He felt that the MAP long-range program should fully explore all transportation modal choices and make a strong case for a more comprehensive approach to transportation without regard to existing funding. He stated that the Sierra Club believes that consumption of fossil fuels must be reduced; this reduction, he said, could be accomplished through greater use of more energy-efficient transportation modes. He stated that Missouri's transportation system should rely more heavily on rail for movement of freight and people, more heavily on transit for local trips, and more heavily on cycling and walking for community-wide travel.

Mr. McLinden asked the Commission to direct the MoDOT staff to present a long-range plan that is balanced and that lays the groundwork for legislation and voter approval of funding for a future multi-modal transportation system.

Commissioner Anderson acknowledged that the Commission has a responsibility in the transportation planning process; however, he emphasized that it is the Commission's desire for the long-range plan to be generated at the local level and ultimately culminate in a plan that reflects the vision of Missouri citizenry.

Mr. McLinden clarified that his desire was for the final MAP document to fully reflect the broad range of perspectives that were brought forth during the planning process. He acknowledged that MoDOT's primary business today involves highways, but he felt that identifying the relevant issues pertaining to other modes of transportation would result in the first step toward MoDOT becoming a total transportation department.

The Chairman thanked Mr. McLinden for his presentation.

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**ADMINISTRATIVE RULES – NOTICE OF PROPOSED AMENDED RULEMAKING,  
7 CSR 10-10.010 AND 10-10.030 THROUGH 10-10.090, CONTRACTOR  
PERFORMANCE RATING TO DETERMINE RESPONSIBILITY**

On behalf of the Director, Dave Ahlvers, State Construction and Materials Engineer, presented proposed amended rulemaking for 7 CSR 10-10.010 and 7 CSR 10-10.030 through 10-10.090. The proposed amendments will update and clarify administrative rules regarding MoDOT's contractor performance ratings used to determine that contractors are responsible and, therefore, eligible to continue bidding on state road and bridge projects.

The amendment proposes to do the following:

1. Restructure the contractor performance committee as a three-person committee consisting of the Director of Program Delivery, as chair, the State Construction and Materials Engineer, and the administrator of the contractor performance rating system.
2. Measure applicable performance ratings equally, rather than assigning importance factors.

3. Describe the procedures for MoDOT to provide notice and maintain records of contractor performance ratings.
4. Prior to reinstatement of disqualified contractors, require written evidence from the disqualified contractors that changes have been made to correct deficiencies.
5. Allow the Chief Engineer to terminate a contractor's probationary status upon proof of evaluation error or previous deficiency correction.

After consideration, the Commission, via approval of the consent agenda, unanimously authorized the Secretary to the Commission to file the notice of proposed rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, or Chief Financial Officer to execute documents to initiate the rulemaking process.

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#### **I-29/I-35 PASEO BRIDGE DESIGN-BUILD PROJECT**

On behalf of the Director, Brian Kidwell, kcICON (I-29/I-35 Paseo Bridge) Project Director, advised the Commission that the four-mile kcICON project extends from North Kansas City in Clay County, across the Missouri River, and terminates in Jackson County at the northeast corner of the Kansas City downtown loop.

Mr. Kidwell pointed out that MoDOT is committed to quality construction and a quality communication effort. He outlined MoDOT's project goals, which included significant public involvement. To assist in the public involvement process, a 12-member community advisory committee was formed to work closely with the MoDOT staff on this project.

Mr. Kidwell reported that the public comment period on the final Environmental Impact Statement (EIS) would conclude on December 18, 2006. MoDOT will then submit responses to the public comments to the Federal Highway Administration (FHWA). Following FHWA

review and concurrence with MoDOT's responses, it will issue a Record of Decision (ROD) reflecting that MoDOT has addressed the environmental impacts. This Record of Decision will allow MoDOT to move to the contractor qualification process, wherein the qualifications of interested teams will be reviewed. Those found to be qualified will be sent preliminary request for proposals.

Mr. Kidwell anticipated that MoDOT would be in a position to recommend award of a contract to an interested contractor team in late summer 2007. He stated that the staff is committed to staying within the \$245 million budget for the project and to completing the project on or before October 31, 2011.

Mr. Daniel Serda, chairman of the 12-person community advisory committee, reported that the committee represents more than 260 downtown businesses, property owners, and non-profit organizations. Its members represent Kansas City, North Kansas City, and other public and private organizations. He said while each member officially represents a specific contingency, most of them also represent a broad range of public interests and concerns. The members are from different professions and geographic areas; most are active in various civic initiatives.

Mr. Serda advised the Commission that Kansas City's downtown redevelopment venture is exhibiting success as citizens return to the downtown area to live, and businesses remain in, or return to, the downtown area. He said the Northland area continues to grow at a rapid pace, with new redevelopment plans being contemplated in North Kansas City, Parkville, and Riverside. Mr. Serda pointed out that growth in both the Kansas City downtown area and the Northland area highlight the need to provide balanced transportation facilities to move people and goods between the urban area and the new suburban areas north of the Missouri River.

Mr. Serda said the advisory committee and MoDOT had spent a considerable amount of time defining the committee's role and responsibilities. He stated that it was important for the advisory committee to have input into the critical decision-making process, and he commended District Engineer Beth Wright and Project Director Brian Kidwell for taking the committee's feedback seriously. He expressed the hope that the community advisory committee model would be replicated on future MoDOT projects, and ultimately serve as a national model for public involvement.

Commissioner Anderson commended Mr. Serda and other advisory committee members for generously giving their time to ensure community satisfaction with this major transportation project. He stated his belief that identifying community issues early in the project development process results in a more successful finished product.

Director Rahn noted that while design-build projects are new to Missouri, they are not new to the country. He said, however, that the opportunity for public input is different from the opportunity for public input on traditional highway improvements. He noted that MoDOT has been innovative in its approach to design-build projects, and it had used that innovation to incorporate public involvement at critical decision-making points.

Director Rahn noted that voter approval of Amendment 3 in 2004 provided the opportunity to undertake major, complex projects, such as the kcICON project, in one phase, which can be accomplished more quickly and uniformly than projects accomplished through multiple phases. Addressing the entire corridor as one project also provides the opportunity to define a theme that will reflect the community's image and direction.

Director Rahn said he was very pleased with the staff's commitment to respond to meet the desires of the community to the extent possible within the project's budgetary limits. He said

while involvement of the advisory committee is generally not a part of the design-build process, he was pleased with MoDOT's diligent efforts in this regard. Director Rahn announced that in keeping with MoDOT's desire to consider public involvement in its critical decision-making, it would be setting aside 20 points in the contract award process for architectural style and would empower the advisory committee with the responsibility to award those points. He noted that empowering the committee with this responsibility demonstrated faith and cooperation.

In response to an inquiry from Chairman McKenna, Director Rahn reported that MoDOT would be using the same process to increase the number of economically disadvantaged regional citizens on the contractor's workforce as was used for the design-build project in St. Louis, including retaining Julie Cunningham, Executive Director, National Conference of National Minority Transportation Officials, to facilitate meetings of the various interests in the project.

Chairman McKenna thanked the MoDOT staff and Mr. Serda for their presentations.

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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 recommendation pertaining to bids received during the past month.

### **Award of Contracts November 17, 2006, Bid Opening**

Mr. Nichols recommended awards be made to the lowest responsive and responsible bidders noted in Table I below, and he recommended rejection of Call No X01, as noted in Table II below due to the bid being considered excessive.

**Table I  
Award of Contracts  
November 17, 2006, 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	36	Buchanan	J1P0924	\$901,352.15	\$0	Herzog Contracting Corp.	Resurfacing with Superpave on West Bound Lanes
102	111	Holt	J1L0700E	915,983.33	0	Herzog Contracting Corp.	Thin-Lift Overlay (SL)
	T	Andrew	J1L0700G				
	59	Holt	J1L0700H				
103	A	Atchison	J1L0700I	437,449.67	0	Herzog Contracting Corp.	Thin-Lift Overlay (SL)
	D	Atchison	J1L0700J				
104	E	Buchanan	J1L0600A	859,960.40	0	Herzog Contracting Corp.	Thin-Lift Overlay (SL)
	F	Clay/ Clinton	J1L0600D				Thin-Lift Overlay (BP-1)
	116	Clinton	J1L0700A				Plant Mix Bituminous Surface Leveling Course (SL)
201	36	Linn/ Livingston	J2P0733	21,760,444.64	0	APAC-Missouri, Inc.	Base Widening, Alternate Pavement and Bridge Rehabilitations
401	10/ 210	Ray	J4P1943	349,801.70	512.00	Columbia Curb & Gutter Co.	Optional Paving to Add Turn lanes at Brashears Road, & Rumble Strip Installation
402	Bus 13	Henry	J4X1316	445,962.13	656.00	Capital Electric Line Builders Inc.	Install Signals and Video Detection System
403	A	Ray	J4S1884	79,580.90	144.00	B.R.S. Construction	Grading for Ditch Repair
501	17	Miller	J5P0533/ J5P0534	3,625,980.17	794.40	Emery Sapp & Sons Inc.	Grading, Optional Pavement and Bridge Concrete Girder
502	54	Camden	J5P0910	129,932.00	3,500.00	Gerstner Electric Inc.	Signal Installation
503	50	Osage	J5P0832	2,787,336.48	0	Lake Asphalt Paving & Construction, LLC	Coldmilling, Resurfacing and Optional Pavement Widening
504	O	Morgan	J5L0700C	367,940.60	0	APAC-Missouri, Inc.	Thin-Lift Overlay (BP-1)
	MM	Camden	J5L0700D				Thin-Lift Overlay (BP-1)
	TT	Camden	J5L0700E				Thin-Lift Overlay (BP-2)
505	W	Boone	J5L0700G	267,253.60	0	APAC-Missouri, Inc.	Thin-Lift Overlay (BP-2)
506	M	Cooper	J5L0700M	817,179.88	0	APAC-Missouri, Inc.	Thin-Lift Overlay (SL)
	N	Cooper	J5L0700N				Thin-Lift Overlay (SL)
	5	Cooper	J5L0700P				Thin-Lift Overlay (BP-2)
	BB	Cooper	J5L0700R				Thin-Lift Overlay (SL)
507	135	Morgan	J5L0700B	643,272.12	0	APAC-Missouri, Inc.	Seal Coat and Fog Seal
	A	Boone	J5L0700I				
	H	Boone	J5L0700J				
	AB	Boone	J5L0700K				
	135	Cooper	J5L0700Q				
508	19	Gasconade	J5L0700X	203,293.88	0	N.B. West Contracting Company	Seal Coat and Fog Seal

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
602	444	St. Louis City	J6I1893	488,280.85	72.00	Gaines Construction, Inc.	Grading, Drainage & Optional Pavement to Improve Turning Radius & Widen
901	63	Texas	J9P0529	2,197,699.22	4,084.48	Gaines Construction, Inc.	Optional PCC or Superpave, Bridge Rehabilitation and Intersection Improvements
902	17	Pulaski/Texas	J9L0600F	1,605,446.25	0	Lake Asphalt Paving & Construction, LLC	Thin-Lift Overlay (SL)
<b>Totals</b>				\$38,884,149.97	\$9,762.88		

**Table II  
Rejection of Bids  
November 17, 2006**

Call No.	Route	County	Project No.	Description
X01	61/ 114	New Madrid/Scott	J0P0961	Coldmilling & Resurfacing with Bituminous Pavement (BP-1)

**Concurrence in Award of Contract**

Mr. Nichols recommended concurrence with the City of Washington and the State of Illinois in the award of the contracts noted in Table III below.

**Table III  
Concurrence in Award of Contract  
Bids Received on October 31, 2006 by City of Washington and  
Bids Received on October 27, 2006 by the State of Illinois**

Route	County	Job No.	Bid Amount	Contractor	Description
100	Franklin	J6P1004C*	\$816,715.49	L. Krupp Construction, Inc.	Grading, Resurfacing with BP-1 and Bridge Improvements
24	Marion	J3P0751**	\$211,150.00	Midwest Foundation Corporation	Quincy Bayview Bridge Scour Repair

\* The City of Washington is responsible for 100% of project as a portion of the 50/50 cost share for the Route 100 corridor.

\*\*MoDOT is responsible for 50% of the project cost, \$105,575.00.

**Commission Consideration and Action**

After consideration and upon motion by Commissioner Michie, seconded by Commissioner Kehoe, the Commission took the following actions:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on November 17, 2006, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected all bids on Call No. X01, as noted in Table II above.
3. Concurred in the award of contracts to the lowest responsive and responsible bidders as noted in Table III above.

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

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**2007-2011 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, 2007 AMENDMENTS**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that four right-of-way and construction projects totaling \$11,668,000 be added to the Highway and Bridge Construction Schedule of the 2007-2011 Statewide Transportation Improvement Program (STIP), as noted in the tabulations below.

**Highway and Bridge Construction Schedule**

County	Route	Job No.	Description of Location/Improvement
Saline	41 Spur(Main Street)	2S0785	Mill and resurface roadway and 4-foot aggregate shoulders. Relinquish roadway to Arrow Rock from Route 41 to First Street. Funding provided by District Enhancement funds. \$251,000
Monroe	107	3S0768B	Reconstruction of bent 4, and spans 3-4 and 4-5 of bridge A3798 over Mark Twain Lake. Funding provided by Contingency Funds. \$2,591,000
Franklin	50	6P2075	Widen from two lanes to five lanes from south of Rte. 47 to east of Denmark Road. Funding provided by Cost-Share Program, East West Gateway STP Funds, CMAQ funds, and City of Union Funds \$5,906,000
Jasper	FF	7S0770	Right of way acquisition for intersection improvements at Main Street in Joplin. Funding provided by the City of Joplin. \$2,920,000

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommended additions to the 2007-2011 STIP.

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**ROADWAY DESIGN APPROVAL**

On behalf of the Director, Roger Schwartz, District 5 Engineer, recommended approval of the design of the following project as presented on the preliminary plans and exhibits shown to the public at the October 25, 2006, hearing.

**Route 763, Boone County  
Job No. J5U0675  
Hearing Held February 24, 2004, and October 25, 2006**

This proposed improvement involves grading and paving to widen the roadway to four 12-foot lanes with 7-foot shoulders with a raised median island. This project will have partially controlled access right of way. Traffic will be maintained over the existing roadway during construction. This project 2.8 miles in length.

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

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**RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS FOR  
CONDEMNATION**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the Chief Engineer's approval 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>
Shannon/Carter	60	J9P0359B	July 8, 2005
Webster	38	J8S0820	April 12, 2006
Jefferson	21	J6P0876I	May 5, 2000

In accordance with Section 227.050 RSMo 2000, as amended, 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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**FINANCIAL, BOND FINANCING PROGRAM,  
SENIOR LIEN REFUNDING STATE ROAD BONDS**

On behalf of the Director, Roberta Broeker, Chief Financial Officer, recalled action taken by the Commission on November 3, 2006, authorizing the staff to refund senior bonds that had been issued in 2000 through 2003 and resell the bonds to take advantage of more favorable interest rates. In keeping with that action, she reported that senior bonds were resold on November 29, 2006, and as a result she reported a present value (discounted back to today's money value) savings of \$19.9 million. The estimated \$2 million annual savings will occur every year between now and 2022 when the bonds are paid off.

Ms. Broeker expressed appreciation to Public Financial Management; MoDOT's financial advisor; Bank of America, the senior manager on the sale; and Kirk Boyer, Ben Reeser, Amy Binkley, and John Cauwenberg, MoDOT staff members who worked on the bond sale transaction.

\* \* \* \* \*

**--- REPORTS ---**

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, OCTOBER 31, 2006**

Deborah S. Rickard, Controller, presented the Fiscal Year 2007 monthly financial report for the period ending October 31, 2006, with budget and prior year comparisons.

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**FINANCIAL – BUDGET - REPORTS  
QUARTERLY FINANCIAL REPORT, FIRST QUARTER FISCAL YEAR 2007**

In keeping with Section 226.040.1 of the Revised Statutes of Missouri, Deborah S. Rickard, Controller, presented the First Quarter Financial Report for Fiscal Year 2007 (period ended September 30, 2006).

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

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