



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

TABLE OF CONTENTS

December 12, 2007

VOTE TO CLOSE MEETING	3
 COMMISSION/DIRECTOR ITEMS	
Meeting Minutes	3
Consent Agenda	4
Commission Committees and Commission Related Boards	5
Director's Report	6
 PUBLIC PRESENTATIONS	
Transportation in Southern Missouri	7
Overview and Recap of Statewide Transportation Tour	9
Rout 67 - Past, Present and Future	10
Completing the Route 67 Corridor	11
 BUSINESS ISSUES	
Prequalification of Investment Banking Firms	12
 PUBLIC COMMENTS	
Public Comment on Working With MoDOT	13
 POLICIES/ADMINISTRATIVE RULES	
Report and Recommendation Regarding Orders of Rulemaking for Household Goods Movers	13
 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM	
Consideration of Bids on Federal-Aid and State Projects	14
2008 - 2012 Statewide Transportation Improvement Program, 2008 Amendment	17
Roadway Design Approval	18
Ratification of Approval of Right of Way Plans for Condemnation	19
 PROPERTY ACQUISITION AND CONVEYANCES	
Acquisition of Right of Way from a Commissioner, Buchanan County, Route 169, Parcels 1 and 2	19

REPORTS

Financial – Budget – Reports

Year-to-Date Financial Report, October 31, 2007 -----	21
Financial Accountability Report - Quarterly Report -----	21

**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
POPLAR BLUFF, MISSOURI, ON WEDNESDAY, DECEMBER 12, 2007**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, December 12, 2007, at the Black River Coliseum, 301 S. Fifth Street, Poplar Bluff, Missouri. James B. Anderson, Chairman, called the meeting to order at 9:00 a.m. The following Commissioners were present: James B Anderson, Duane S. Michie, Mike Kehoe, and Rudolph E. Farber. Commissioner David A. Gach participated via teleconference. Commissioner Bill McKenna 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.

* * * * *

* * * * *

Pete Rahn, Director of the Missouri Department of Transportation participated via teleconference; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission were present on Wednesday, December 12, 2007.

* * * * *

*"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 Anderson, Aye
Commissioner Michie, Aye
Commissioner Gach, Aye - *Via teleconference*
Commissioner Kehoe, Aye
Commissioner Farber, Aye

The Commission met in closed session from 7:30 a.m. until 9:00 a.m.

* * * * *

-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Michie, seconded by Commissioner Kehoe, the Commission unanimously approved the minutes of the regularly scheduled meetings held on October 17, 2007, November 13, 2007, and November 14, 2007. 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.

* * * * *

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 December 12, 2007, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Farber, seconded by Commissioner Michie, the consent agenda items were unanimously approved by a quorum of Commission members present, except that Commissioner Gach abstained from voting on the following: "Acquisition of Right of Way from a Commissioner, Buchanan County, Route 169, Parcels 1 and 2".

* * * * *

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 December 18, 2007, meeting.

Audit Committee – Commissioner Michie stated there was no report.

Legislative Committee – Commissioner Kehoe reported that since December 1, 2007 when bill filing started, over twenty bills have been filed that will need to be monitored by MoDOT. In January, the Commission will meet in Jefferson City to be available to the elected officials and look forward to working with the legislature when session starts on January 9, 2007. On December 13, 2007 MTD and MoDOT are cosponsoring a funding seminar in Jefferson City. On January 24, 2008 in Jefferson City there will be the Annual Transportation Conference cosponsored by MoDOT, Farm Bureau, Missouri State Highway Patrol, and the Missouri Chamber. Commissioner Kehoe acknowledged Speaker Rod Jetton and thanked him for his recent tour of the state to raise awareness about transportation needs in Missouri.

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

MoDOT and Patrol Employees Retirement System – Commissioner Michie stated that the Board had a meeting on November 28, 2007. The Board, which has about \$1.8 billion in investments, has a high level of anticipation with what is happening with sub prime lending and its impact on the market. The value of the retirement account is down about 1.3%, which sounds like a lot until compared to what is happening in the market, it is not as bad as anticipated. The Board has had a great run on investment returns over the last several years and will have to ride out this downturn in the market. Part of the Board meeting included a review by the certified public accountant, Williams Keepers. The Board received an unqualified opinion on the audit of the retirement systems books and operations. An unqualified opinion is the best rating for an audit of this kind. The Board has started implementation of a new pension administration system with a Spring of 2009 completion estimate. There is a quality control committee made up of members of the Highway Patrol and MoDOT to work with retirement staff to keep tabs on the process of implementing the new system and provide oversight to ensure that the system is working. There are a total of 17,000 members in the retirement system from both MoDOT and the Highway Patrol, so it is an awesome responsibility, and a new pension administration system will help the Board offer the best service to the system members. As a part of House Committee Substitute for Senate Bill 127 passed during the 2007 legislative session, a retiree from the Missouri State Highway Patrol is being added as a member of the Board. Retired Colonel Roger Stotlemeyer is the new Board member. The Board also approved the hiring of an executive search firm, Grant Cooper of St. Louis. This is the same firm that worked with the Commission and MoDOT to find Pete Rahn from New Mexico. Hiring an executive search firm will help the

Board find the best candidates for an Executive Director for the retirement system.

* * * * *

DIRECTOR'S REPORT

During the December 12, 2007, Commission meeting, Director Pete Rahn provided the following report via teleconference:

Missouri Quality Award. The Excellence in Missouri Foundation announced that MoDOT was a recipient of the Missouri Quality Award in November. This is a major recognition of the efforts that MoDOT has made in improving processes and being responsive to customers and taxpayers of the state. This award is recognition that MoDOT is performing on par with other organizations that have received this award in the past including major corporations such as Sprint, Anheuser-Busch, and Boeing. This is an honor for MoDOT to be recognized by the Excellence in Missouri Foundation with the Missouri Quality Award and demonstrates the progress the department has made and the results the department has delivered. MoDOT is proud and grateful for that recognition.

Chairman Anderson commented that affirmation from the Excellence in Missouri Foundation to MoDOT is a tremendous accomplishment and achievement that started with the leadership that Director Rahn provides and continues with the 6,300 members of Team MoDOT that make it happen each and every day.

Speaker Rod Jetton's tour. Director Rahn recognized Speaker Rod Jetton, House District 156, for taking the time out of the representative's schedule to travel the state of Missouri and talk about the progress of MoDOT and the leadership that the representative is showing on the critical issue of transportation for the state. It is a huge plus for MoDOT, and the

department is grateful for the Speaker making this tour, demonstrating leadership, and being a friend in the legislature the past few years.

Emergency replacement of Jefferson Street Bridge in Jefferson City. Director Rahn provided a report on the emergency replacement of the Jefferson Street Bridge over U.S. 54 in Jefferson City. This bridge was damaged as a result of an accident involving a tanker truck carrying 8,000 gallons of fuel that exploded and burned near the bridge. The heat from the fire caused severe damage to the bridge. The department undertook emergency replacement of the bridge with the goal of replacing it in an unreasonably fast amount of time. A number of new approaches were taken to ensure the rapid replacement. One of the new approaches taken included MoDOT ordering the materials, such as the girders, prior to selection of a contractor. By having the necessary materials ready for the contractor, the contractor would be able to go immediately to work. The weather has been terrible to work in, but despite the bad weather the contractor has done a great job of getting this bridge replaced quickly. Commissioner Kehoe stated how pleased the community has been with the quick bridge replacement. Chairman Anderson stated appreciation for Roger Schwartze, District 5 Engineer, and his teams in the district office for making the quick bridge replacement happen.

* * * * *

TRANSPORTATION IN SOUTHERN MISSOURI

Lloyd Smith, Chief of Staff for Congresswoman Jo Ann Emerson, The Honorable Ellen Brandom, State Representative District 160, and The Honorable Mike Marshall, Mayor of Sikeston, gave a public presentation regarding a new Mississippi River Bridge in Mississippi County. Mr. Smith started the presentation thanking the Commission for progress on four-laning Highway 60, as it has saved lives and improved commerce in the area; and for the tremendous

partnership between MoDOT and the Route 67 Corporation that will soon result in a four-lane highway from St. Louis to almost the Arkansas state line. Mr. Smith stated that his primary purpose for speaking today was to ask the Commission to direct MoDOT to find the most economical and environmentally effective corridor in southeast Missouri for a new Mississippi River Bridge. Mr. Smith stated that the Delta Regional Authority would be receiving \$100,000 per year in federal funds over a five-year period for this in depth study, but that five years is too long for the study. Mr. Smith requested the study be expedited and that the department assist with identifying a unique funding mechanism for the bridge. Mr. Smith stated that Representative Brandom had yielded her time to Mayor Mike Marshall to speak in more detail about the need for a new bridge.

Mayor Marshall reminded the Commission of his presentation about this bridge last year and the economic benefits it would provide the region and the state. The Mayor then reviewed the history and some facts of the current structure. The bridge was built in 1929 and has a twenty-foot wide bridge deck and a sufficiency rating of 18. This is the lowest rating of the 10 lowest ratings of bridges crossing the Mississippi River from New Orleans to Minneapolis. The Mayor explained that the southeast region of Missouri is working with their counterparts in Kentucky to form a bi-state transportation commission to explore the possibility of a toll bridge. The Mayor stated it is known that a toll will not pay for the whole project but could pay for a significant portion of the project. Similar to Mr. Smith's request, the Mayor also expressed the need to expedite the necessary studies.

Commissioner Michie inquired about the partnership with Missouri and Kentucky and the recent change in administration with Kentucky. Mr. Smith responded that they intend to work with the new Kentucky administration to ensure that this project is a priority for Kentucky

as well as Missouri. Mayor Marshall stated that he has been working with the business community in Kentucky to develop grassroots support for the project. Chairman Anderson inquired about the desire to expedite the study and whether that desire has been expressed to the Delta Regional Authority. Mr. Smith responded that a formal request is being made to the Delta Regional Authority, as well as seeking other sources of funding to be directed to MoDOT to accelerate the studies. Chairman Anderson and Commissioner Michie expressed appreciation for the presentation and Congresswoman Emerson's support of transportation in Missouri.

* * * * *

OVERVIEW AND RECAP OF STATEWIDE TRANSPORTATION TOUR

Speaker Rod Jetton, House Representative District 156, provided a brief report about his statewide transportation tour. As the Speaker traveled around the state he saw the completion of many four lane corridors across the state in rural areas including: Highway 60, Highway 67, Highway 36, Highway 71, and Highway 63. In the urban areas many projects are taking place including work on Highway 141, Highway 160, and a New Highway 64 in St. Louis, and improvements to the triangle in Kansas City.

Speaker Jetton said that he likes to hear the phrases "on time", "early", and "under budget" about MoDOT projects. He discussed how employee morale has improved as these accomplishments take place and they are able to use these phrases regularly.

In the past Speaker Jetton said he was probably one of the biggest critics of MoDOT, but today he is here to congratulate the Commission and MoDOT because it is a new day on our highways. The Speaker expressed appreciation for MoDOT saving 161 lives and leading the nation in reducing fatalities on roads.

The Speaker said that he investigated the Missouri Quality Award and learned that it was a legitimate award for efficiency and organization. The Speaker stated that it is amazing for MoDOT to have received this award because it is only the second time in state history for a state agency to win the award. Receipt of this award is an indicator that MoDOT is using the taxpayers money the way it should be used and that the department is efficient.

The Speaker also stated approval of MoDOT having the third lowest administrative cost per mile of highways in our nation. This is an indicator that money is being spent on bridges and roads which is what the people want.

Chairman Anderson thanked the Speaker for his presentation and stated that his past criticisms were constructive, and that the Commission and the Department did listen and was able to respond. The Chairman expressed appreciation for the Speaker taking the time to travel the state and for the Speaker's knowledge and passion for transportation.

* * * * *

ROUTE 67 - PAST, PRESENT, AND FUTURE

Dr. Tom Lawson, Route 67 Corporation Chairman, discussed how the Route 67 Corporation began and what is currently taking place to complete the four-lane corridor from Fredericktown to just south of Poplar Bluff. Dr. Lawson expressed appreciation for Scott Vaughn, the former Mayor for getting the corporation and project started. Dr. Lawson stated that this is the longest distance of any project, and is an example for the state in how to work with a state agency to get something done that has been needed for a long time. Dr. Lawson stated that MoDOT staff have been true partners throughout the process. Dr. Lawson recalled how Butler County resoundingly defeated a statewide tax for transportation, and then a short while later passed a tax increase for this local road project by over two-thirds approval.

Presently, work is underway on three of the five sections of the project. The remaining two sections will be let for bid in early 2008 and all work will be underway in 2008. Dr. Lawson expressed appreciation for all of the district staff who have worked on this project from engineering, to acquiring right of way, to even the soil testing crew and land survey team. Dr. Lawson reviewed the completion of two bridges and the near completion of Wappappello Bridge all along this corridor. Dr. Lawson encouraged everyone to drive this corridor now to see the work underway and in the future when the work is completed.

Chairman Anderson thanked Dr. Lawson for his presentation and for his leadership on this project.

* * * * *

COMPLETING THE ROUTE 67 CORRIDOR

Don House, Former Arkansas State Representative, made a presentation expressing his desire to complete the four-laning of Route 67 through Arkansas and the last portion of southern Missouri. Mr. House stated that he is preparing for the 2009 legislative session in Arkansas to finalize plans for the redevelopment of Highway 67. Mr. House commended the Commission and the Route 67 Corporation for their accomplishment in getting a significant portion of Route 67 four-laned. Mr. House stated it isn't a matter of if the project will happen in Arkansas, but when and how. Mr. House stated that redevelopment of the corridor will allow north Arkansas and southern Missouri to grow to their potential as a major economic corridor for years to come.

Arkansas is exploring funding options including a federal earmark for the project, a portion of the Arkansas severance tax, and other revenue sources. Arkansas is also going to need to come up with two or three alternatives for the highway because current plans are for a four-lane interstate, which would take a long time to build to the state line.

Chairman Anderson inquired whether one of the options under consideration is a self-taxation regional transportation authority. Mr. House stated that is one option being explored, the concern is that it is such a rural area with a limited population it may be difficult to establish an adequate taxing district. Mr. Michie expressed concerns about building Route 67 to interstate standards in Arkansas versus a four-lane highway. Chairman Anderson stated that the Commission is working with their counter-part Jonathon Barnett on the Arkansas Highway Commission with this project and expressed appreciation for Mr. House's presentation.

* * * * *

PREQUALIFICATION OF INVESTMENT BANKING FIRMS

On behalf of the Director, Roberta Broeker, Chief Financial Officer, reported the current contract to provide investment-banking services for the Commission's state road bonds expired. Because the Commission intends to issue at least two more series of state road bonds over the next three years, a pool of eligible firms need to be pre-qualified to provide investment banking services. For each future state road bond issuance, a team will be selected from the eligible pool and the Commission will contract with specific firms to form the investment banking team.

Ms. Broeker recommended the Commission approve the following pre-qualified state road bond investment banking team: Banc of America Securities, Bear Stearns, Citi, Edward Jones, George K. Baum, Loop Capital Markets, Merrill Lynch, Morgan Stanley, RBC Capital Markets, Stifel Nicolaus, Valdes and Moreno, and Wachovia. Ms. Broeker also recommended the Commission authorize the Director, Chief Engineer or Chief Financial Officer to select the investment banking team from the approved eligibility list for future issuances.

Upon motion by Commissioner Michie, seconded by Commissioner Kehoe, the Commission unanimously approved the recommendation presented by Ms. Broeker.

* * * * *

PUBLIC COMMENT ON WORKING WITH MODOT

Ben Dyer, District Director for Senator Claire McCaskill expressed appreciation to the Commission and MoDOT. Although Senator McCaskill has a diverse background in service to the state, she did not go to Washington D.C. pretending to know everything there is to know about transportation. Instead, she has relied extensively on MoDOT for expertise and their opinions on various transportation matters. Senator McCaskill and staff have enjoyed working with and have relied upon MoDOT staff, and look forward to continuing to develop this relationship. Senator McCaskill hopes this partnership with MoDOT will be long and fruitful.

Chairman Anderson thanked Mr. Dyer for his comments and leadership and commitment to partner with the department.

* * * * *

ADMINISTRATIVE RULES – ORDER OF RULEMAKING FOR HOUSEHOLD GOODS MOVERS

On behalf of the Director, Jan Skouby, Motor Carrier Services Director, reminded the Commission that it authorized the filing and publication of the notice of proposed rulemaking, containing proposed administrative rules, amendments, and rescissions for 4 CSR 265-6.020, 7 CSR 265-10.015, 7 CSR 265-10.050, 7 CSR 265-10.080 and 7 CSR 265-10.120, Household Goods Mover Operations, at the Commission meeting held on September 12, 2007. This rulemaking was published in the *Missouri Register* on October 15, 2007, and no comments were received during the thirty days following the publication. Ms. Skouby recommended approval of the final orders of rulemaking and authorization for the Commission Secretary to file the final rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. She further recommended the Director, Chief Engineer, or Chief Financial Officer be

authorized to execute any document appropriate and necessary to complete this final rulemaking process.

Via approval of the consent agenda, the Commission, by unanimous vote of all members present, approved the recommendation.

* * * * *

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 November 30, 2007, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. (2) Rejection of the bid received on Call 405, as noted in Table II below because the bid was considered excessive. (3) Also note call 901 is being awarded to APAC Missouri, Inc., the second lowest bidder. Lake Asphalt and Paving Construction LLC was the low bidder on calls 901 and X01, but specified a maximum monetary amount of bid opening of \$4 million. It was to the Commission's benefit to award to Lake Asphalt on call X01 and award call 901 to APAC Missouri. (4) Also note on call 805, which is route 266 in Greene County, a cost share project with the City of Springfield and a third party concurrence is required. The City of Springfield has concurred in the award for call 805. (5) Ratify an emergency bridge project advertised on November 30, 2007 for December 5, 2007 special letting to replace Jefferson Street Bridge over U.S. 54. MoDOT received 6 bids on the project and Chief Engineer, Kevin Keith, awarded the bid as an emergency project to Pace Construction Company.

**Table I
Award of Contracts
November 30, 2007, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	136	Gentry	J1P1035	\$149,278.41	\$0	Vance Brothers, Inc.	Microsurfacing
102	6	Daviess	J1P0950	1,148,357.81	656.00	Herzog Contracting Corp.	Resurface driving lanes with Superpave and shoulders with BP-1
201	63	Macon/ Randolph	J2P0770	2,148,371.85	656.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Diamond Grinding & Optional Bid Pavement
202	63	Randolph	J2P0771	9,769,580.61	400.00	APAC-Missouri, Inc.	Hot-in-Place Recycling and Resurfacing the Southbound Lanes with Superpave and BP-1
		Adair/ Macon	J2P0773		800.00		Hot-in-Place Recycling, Resurfacing with Superpave and BP-1 and Replace Bridge Deck
203	70	Saline	J2I2147	187,260.80	144.00	Progressive Contractors Incorporated	Replacement of Expansion Joints at Bents No. 4, 7, & 10
301	79	Lincoln	J3P0789	1,285,199.37	656.00	G & M Concrete & Asphalt Co., Inc.	Resurfacing with Bituminous Pavement (BP-1)
401	435	Platte	J4I1335	3,529,815.74	656.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Ultra-Thin Bonded Wearing Surface Overlay on Mainline, BP-3 Overlay on Shoulders, and Full Depth Pavement Repair
	29	Platte	J4I1662B		0		Coldmilling and Resurfacing with Superpave and BP-1
	D	Platte	J4S1974		800.00		Full Depth Pavement Repair and Bridge Deck Rehabilitation
402	29	Platte	J4I1662C	3,162,868.19	0	APAC-Missouri, Inc.	Redeck three Bridges and Rehabilitate one Bride
403	70	Jackson	J4I1402	9,264,133.38	804.50	APAC-Kansas, Inc. Kansas City Division	Alternate Pavement (PCCP or Superpave), Bridge Replacement (Alternate Bid), and three MSE Walls
404	70	Lafayette	J4I2004	348,971.89	144.00	Chester Bross Const. Co./C. B. Equipment, Inc.	Ultrathin Bonded Wearing Surface Overlay and Full Depth Pavement Repair
406	71	Jackson	J4P1829	2,582,378.22	0	APAC-Kansas, Inc., Kansas City Division	Full Depth Pavement Repair
	71 O Rds.	Jackson	J4P1849		656.00		Ultrathin Bonded Asphalt Wearing Surface
	71	Jackson	J4P2007		656.00		Ultrathin Bonded Asphalt Wearing Surface
502	70	Callaway	J5I2147	16,540.00	0	Aplex, Inc.	Fence installation

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
601	340	St. Louis	J6S2162	118,940.00	0	Gerstner Electric, Inc.	Traffic Signals - Optical Pre-Emption Detection System
801*	Various	Christian/Greene/Taney	J8P0915	275,000.00	0	APAC-Missouri, Inc.	On Call Asphalt Pavement Repair
	Various	Christian/Greene	J8P0916				
802**	5 & 44	Laclede	J8P0918	75,000.00	0	Willard Asphalt Paving, Inc.	On Call Asphalt Pavement Repair
803***	44 & 60	Webster	J8P0917	150,000.00	0	APAC-Missouri, Inc.	On Call Asphalt Pavement Repair
804	65	Dallas/Greene	J8P0591	19,716,630.94	3,054.00	Emery Sapp & Sons, Inc.	Grading, Drainage and Alternate Bid Pavement Superpave or PCCP (Southbound Lanes)
			J8P0844		0		
805****	Airport Blvd.	Greene	J8S0795	11,889,618.21	1,904.04	APAC - Missouri, Inc.	Grading, Alternate Bid Pavement (Superpave or PCCP), & Bridge - Plate Girder
	266	Greene	J8S0851		1,882.68		
901	34	Reynolds	J9L0700L	1,776,501.34	0	APAC-Missouri, Inc.	Resurfacing with Bituminous Pavement (BP-1) and Shoulder Construction
X01	53	Butler/Dunklin	J0P0826 B	3,779,277.90	656.00	Lake Asphalt Paving & Construction, LLC	Widening and Alternate Resurfacing with BP-1 or Cold-in-Place Recycling
X02*****	67	Butler/Wayne	J0P0930	15,781,795.05	656.00	Progressive Contractors Incorporated	Grading, Drainage, Alternate Bid Pavement (Superpave or PCCP), and Optional Pavement
				\$87,155,519.71	\$15,181.22		

* Call 801 - Max payout per contract is \$275,000; contract totals shown reflect value of work.

** Call 802 - Max payout per contract is \$75,000; Contract totals shown reflect value of work.

*** Call 803 - Max payout per contract is \$150,000; Contract totals shown reflect value of work.

**** Call 805 - Job J8S0795 Funding by City of Springfield \$4,100,000.

***** Call X02 - Apparent second low is actual low bid due to Pavement Life Cycle Cost Adjustment.

**Table II
Rejection of Bids
November 30, 2007, Bid Opening**

Call No.	Route	County	Job No.	Description
405	71, 150	Jackson	J4P1429 J4P2205	Grading Alternate Bid Pavement and Bridges Water Main Relocation

Commission Consideration and Action

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

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on November 30, 2007, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected the bid received on Call 405, as noted in Table II above, because it was considered excessive.
3. Noted call 901 awarded to APAC Missouri, Inc., the second lowest bidder. Lake Asphalt and Paving Construction LLC was the low bidder on calls 901 and X01, but specified a maximum monetary amount of bid opening of \$4 million. It was to the Commission's benefit to award to Lake Asphalt on call X01 and award call 901 to APAC Missouri.
4. Noted on call 805, which is route 266 in Greene County, a cost share project with the City of Springfield and a third party concurrence is required. The City of Springfield has concurred in the award for call 805.
5. Ratified an emergency bridge project advertised on November 30, 2007 for December 5, 2007 special letting to replace Jefferson Street Bridge over Highway 54. MoDOT received 6 bids on the project and Chief Engineer, Kevin Keith, awarded the bid as an emergency project to Pace Construction Company.

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, Mabelle Watkins, Director of Transportation Planning, recommended that six new projects totaling \$8,481,000 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

County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year	Contract Estimate
Shelby J3P0510	15	Right of way to replace bridge over Messner Creek 0.7 mile south of Rte. M. Project involves bridge H589R.	2008 RW	\$4,000
Clay J4P1883	92	Right of way for intersection improvement at Commercial Street in Smithville.	2008 RW	\$4,000
Jackson J4I2210	70	Interchange improvements westbound at Woods Chapel Road in Blue Springs. Project to be paid for by the City of Blue Springs.	2008	\$245,000
Jackson J4P2225	150	Installation of water line from Rte. 71 to Lumpkins Fork Creek. Project to be paid for by the City of Kansas City.	2008	\$4,000,000
St. Charles J6I2146	70	Payment for the I-70 north outer road reconstruction at the Lake St. Louis interchange/Gutherie Road extension. MoDOT's contribution is \$1.4 million to the City of O'Fallon (STP-7302(611)).	2008	\$1,400,000
St. Charles J6U1028O	364	Payback to FHWA for the right of way revolving fund loan for Page Avenue Phase 2 and 3 (Rte. 40 at Rte. N to Rte. 94 to Jungs Station Road).	2008	\$2,828,000
			TOTAL:	\$8,481,000

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 DESIGN OF HIGHWAYS

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended approval of the design of the following project as presented at the public hearing.

**Route P, Jefferson County
Between Route A and Route 110
Job No. J6S1904
Public Hearing Held September 18, 2007**

The proposed improvement provides for the replacement of twenty-five existing drainage pipes and box culverts at various locations. No new right of way will be acquired. Construction on Route P will include scheduled closures at the individual pipe

replacement locations and be reopened to traffic at the end of each workday. This project is 8.6 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.

* * * * *

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 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>
Moniteau	50	J5P0631A	August 12, 2005
Franklin	I-44	J6I0735D	September 13, 2006
Dallas	65	J8P0833	February 7, 2007

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

* * * * *

ACQUISITION OF RIGHT OF WAY FROM A COMMISSIONER, BUCHANAN COUNTY, ROUTE 169, PARCELS 1 AND 2

On behalf of the Director, Don Wichern, District 1 Engineer, reminded the Commission that in keeping with Commission policy, the offer to acquire property from a Commissioner must be approved by specific Commission action. In order to proceed with J1P0852, Route 169, Buchanan County, Mr. Wichern requested authority to:

- Make an offer of just compensation for two parcels; Parcel 1 from David and Theresa Gach and Parcel 2 from GET, LLC, in which David Gach is an officer.
 - Parcel 1: Consists of an offer of \$328,667 for 39,163 square feet of right of way and 13,064 square feet in three temporary easements and \$13,384 (\$1,316 and \$12,068) for two uneconomic remnants of 1,754 square feet and 3,218 square feet.
 - Parcel 2: Consists of an offer of \$15,571 for 1,018 square feet of right of way and 3,968 square feet in two temporary easements.

Via approval of the consent agenda, the Commission unanimously approved the request.

* * * * *

--- REPORTS ---

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, OCTOBER 31, 2007**

Deborah S. Rickard, Controller, presented the Fiscal Year 2008 monthly financial report for the period ending October 31, 2007, with budget and prior year comparisons.

* * * * *

FINANCIAL ACCOUNTABILITY REPORT – QUARTERLY REPORT

Deborah S. Rickard, Controller, presented the written Quarterly Financial Accountability Report for the period ended September 30, 2007.

* * * * *

* * * * *

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

* * * * *