



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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April 6, 2011

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING IN JEFFERSON CITY,
MISSOURI, WEDNESDAY, APRIL 6, 2011**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, April 6, 2011, at the Transportation Building, 105 West Capitol, Jefferson City, Missouri. Grace M. Nichols, Chair, called the meeting to order at 10:30 a.m. The following Commissioners were present: Grace M. Nichols, Rudolph E. Farber, David A. Gach, Lloyd J. Carmichael, Stephen R. Miller, and Kenneth H. Suelthaus.

The meeting was 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, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission were present on Wednesday, April 6, 2011.

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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 Chair called for a voice vote of the members. The vote was as follows:

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

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

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-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Farber, seconded by Commissioner Gach, the Commission unanimously approved the minutes of the Regular Meeting held March 2, 2011. The Chair 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, 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 April 6, 2011, Consent Agenda

The resolutions for Roger Schwartze and David Yates were removed and acted on separately as recorded in the minutes. Upon motion by Commissioner Gach, seconded by Commissioner Suelthaus, the remaining consent agenda items were unanimously approved by a quorum of Commission members present.

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COMMISSION REORGANIZATION

Chair Nichols reappointed committee and board members to the positions as follows:

Audit Committee - Commissioner Nichols as chair and Commissioners Gach and Suelthaus reappointed to serve on the committee.

Legislative Committee – the Commission as a whole will continue to serve on this committee and Commissioners Carmichael and Miller were reappointed as co-chairs.

Missouri Transportation Finance Corporation – Commissioner Gach was reappointed as chair of this board, and Commissioners Nichols and Miller were reappointed to serve on the board.

MoDOT and Patrol Employees Retirement System – Commissioners Farber, Carmichael, and Suelthaus will continue to serve on this board.

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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 April 6, 2011, meeting.

Audit Committee – Commissioner Nichols reported the Audit Committee met on April 5, 2011, with the external auditing firm, BKD. The committee discussed with the external auditor the upcoming financial audit, including the scope and approach for the financial statements audit. Section 21.795.3 RSMo and the Commission's bond covenants require an audit of the department's financial statements. The results of the audit will be presented to the Commission later this year. The Committee also

reviewed two internal audit reports and concurred with the recommendations made in the following audits (1) review of federal compliance requirements for MoDOT's Highway Safety division, and (2) review of construction contract administration in Districts 3 and 10. The Committee also approved the fiscal year 2012 internal and external audit plans.

Legislative Committee – Commissioner Miller reported although the department does not have a formal legislative agenda for this session, there are several proposals the department is working on that have advanced this session. One of those proposals removes mandatory binding arbitration for MoDOT in tort claims, this statutory change could save the department about \$2 million a year. The other proposal would modify the DWI law to conform with federal requirements and avoid any penalty on highway safety funds. Although the department's budget request for fiscal year 2012 is making its way through the legislature intact due to the constitutional protection of revenues for highways and bridges, the budget request for operating funds for Amtrak is not as protected and is under scrutiny. The state is facing a general revenue shortfall and the legislature will have to make \$500 million in budget cuts, Amtrak is funded with general revenue and is facing budget cuts along with many other state funded programs.

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

MoDOT and Patrol Employees' Retirement System – Commissioner Farber stated there was no report.

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DIRECTOR'S REPORT

During the April 6, 2011, Commission meeting the Director, Kevin Keith, provided the following report:

Federal update. Director Keith reported on his recent trip to Washington D.C. to visit with Missouri's Congressional delegation, the U.S. Chamber of Commerce, and the U.S. Department of Transportation about federal transportation reauthorization. During these visits, Director Keith also discussed the American Recovery and Reinvestment Act (ARRA) funds redistribution and what can be done to make the department eligible for the redistribution.

Innovations Challenge. On March 29, 2011, the department held its annual Innovations Challenge. This event recognizes and rewards the best department innovations for field operations.

Innovations are judged on cost savings, convenience and ease of use, impact on the Five-Year Direction, and implementation. District winners receive \$75 per person or a maximum of \$450 per team, and statewide winners earn \$425 per person or a maximum of \$1,550 per team. In addition, the statewide winner earns an extra \$10,000 for their district budget for additional work on roads and bridges in their district. Director Keith shared a video presentation summarizing the 2011 showcase.

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CHIEF ENGINEER NAMED

Director Kevin Keith announced that Dave Nichols had been selected as the Chief Engineer, effective March 4, 2011 replacing Kevin Keith who became Director on November 4, 2010.

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MISSOURI INTERCITY PASSENGER RAIL PROGRAM UPDATE

On behalf of the Director, Brian Weiler, Multimodal Operations Director, reviewed with the Commission the recent success of passenger rail service in Missouri. Missouri is celebrating thirty-one years of state supported passenger rail service between Kansas City and St. Louis. A partnership approach with Union Pacific, Amtrak, and MoDOT that focused on customer service has led to a significant increase in on time performance, ridership, and customer satisfaction.

Additionally, the department developed a corridor improvement plan to improve passenger rail service between Kansas City and St. Louis. Missouri applied for and received \$37 million in American Recovery and Reinvestment Act (ARRA) funds for rail capital projects outlined in the plan for this corridor. There have been delays in reaching an agreement with Union Pacific, Federal Railroad Administration (FRA), MoDOT, and Amtrak for the \$37 million worth of rail capital projects. Recently, the department and Union Pacific came to an agreement on performance standards, and final approval is needed from FRA and Amtrak. Once approved, the largest project will construct a second

rail bridge over the Osage River in Cole County. Building this bridge will eliminate a major bottleneck and improve both passenger and freight rail movement.

Recently, the FRA announced a \$2.4 billion federal grant opportunity for passenger rail projects around the country. MoDOT was aggressive and submitted 14 applications for \$1 billion in passenger rail projects. These projects are grouped in three categories: (1) Removing bottlenecks to expand freight and passenger rail service on the existing route between Kansas City and St. Louis. These projects total \$300 million and will add sidings, crossovers, and a second track along portions of the corridor. (2) Develop a new high speed rail corridor between St. Louis and Kansas City with train speeds between 110 and 125 miles per hour. This would be a sealed corridor without grade crossings that would significantly reduce travel time between cities. (3) Multistate application for modern and fuel efficient train equipment. Missouri, along with Wisconsin, Michigan, and Illinois jointly applied for a \$100 million grant for new train equipment.

Mr. Weiler concluded his presentation by thanking staff who helped prepare the applications, and explained to the Commission the department does not know when the FRA will announce the recipients of the grant program. Director Keith acknowledged Governor Jay Nixon for his leadership in taking this bold step and his support for applying for federal funds for passenger rail in Missouri. Commissioner Carmichael thanked Mr. Weiler for his presentation and acknowledged that it is hard to do bold things quickly and expressed appreciation for staff's hard work.

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MODOT'S MAJOR BRIDGES

On behalf of the Director, Dennis Heckman, State Bridge Engineer, presented an overview of MoDOT's major bridges. A major bridge is any structure greater than 1,000 feet in length. There are 212 major bridges in Missouri. Fifty-three of the major bridges are over the Missouri or Mississippi

Rivers; many of the major bridges do not cross bodies of water but are part of major interchanges. There are thirty-five major bridges that Missouri shares with six other states.

Major bridges are a significant asset of Missouri's transportation system. The deck area of the major bridges is the part of the bridge that you drive on and can see, and is equal to about 500 acres of bridge deck statewide. To replace all 212 major bridges would cost about \$7 billion. The average age of bridges is about thirty-three years, which is in line with the national average. However, there are several bridges that are over seventy-five years old. All bridges are inspected regularly to ensure they are properly maintained and are safe for travel. With proper maintenance a bridge can last 100 years.

Mr. Heckman explained if you have 200 bridges and they last 100 years, then two bridges a year will need to be replaced. The department has made some progress with replacing ten major bridges over the past ten years; this is very good with the limited resources available. Some examples of recent bridge replacements include bridges at Waverly, Lexington, Hermann, Tuscumbia, and the new Christopher Bond Bridge in Kansas City. The department tries to have at least one bridge in each of the three stages of a project: environmental, design, and construction. Currently, there are three major bridges under construction: Mississippi River Bridge in St. Louis; Missouri River Bridge at Rulo, Nebraska; and the Missouri River Bridge at Atchison, Kansas. There are three major bridges currently in the design phase: Blanchette Bridge over the Missouri River at St. Charles, Hurricane Deck Bridge over Lake of the Ozarks, and the Daniel Boone Bridge over the Missouri River at Chesterfield. One major bridge is in the environmental phase, the Missouri River Bridge at Washington.

Through innovation the department was able to improve two bridges for the cost of replacing one. The department closed the Missouri River bridges in Glasgow and Miami for one year to remove the superstructure, reuse the piers, and put a new bridge on top. These projects extended the life of the bridges by fifty years.

Mr. Heckman concluded his presentation by stating while progress is being made, there are challenges ahead. There are fifteen major bridges that need to be replaced and five need major rehabilitation in the next ten years. The estimated cost for the twenty projects is \$750 million. It is a constant effort between districts and divisions to prioritize the work and get as much done as possible. Commissioner Nichols thanked Mr. Heckman for his presentation.

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2011 WORK ZONE AWARENESS CAMPAIGN

On behalf of the Director, Dave Nichols, Chief Engineer, presented the department's 2011 Work Zone Awareness Campaign to the Commission. Mr. Nichols explained the beginning of April is the start of the construction season and the national kick off for work zone awareness. MoDOT's theme this year is "Don't Barrel Through Work Zones". The department is proud of the reduction of fatalities on roads; however, the trend for work zone fatalities continues to go up yet the number of work zones has remained the same. This trend is not acceptable and must be reversed. The 2011 Work Zone Awareness Campaign uses education, outreach, enforcement, increased work zone management, and innovative technology to ensure safe travel in highway work zones.

The key triggers for work zone accidents are: driver inattention, improper lane changes, driving too fast for the conditions, failure to yield, and following too close. All of these triggers are related to driver behavior. In order to reach the driver, and hopefully influence their behavior, many education and outreach efforts are underway. The department is using media and social networking tools such as gas pump toppers, pamphlets, internet and radio ads, as well as a new character called Barrel Bob. Barrel Bob is made out of orange and white striped barrels and cones that are used in construction work zones and is eleven feet tall. He gets your attention not only when you drive by him on the road, but as he travels around the state and posts news of his travels on Facebook and Twitter.

It is the department's responsibility to carefully prepare a traffic management plan as the project is designed. Being strategic in traffic management at the beginning of the project ensures work zones are planned and coordinated well. This construction season, the department will not have customers experience a delay or stoppage in traffic without advance notification.

Some of the innovative methods the department will implement for work zones in 2011 is managing mobile work zones with dynamic message boards and traffic management centers. The traffic management center will monitor the roads where road work is occurring and notify the contractor or MoDOT to get off the road and let the congestion clear before getting back to work. Customers have commented about the challenge of driving through work zones at night. The department will use sequential lights and other tools to improve visibility in night-time work zones.

Law enforcement always plays a key role in keeping work zones safe. MoDOT continues to fund additional hours for increased law enforcement. MoDOT, contractors, and the public appreciate the partnership that MoDOT and law enforcement have, which has improved safety in work zones.

Mr. Nichols concluded his presentation asking Missourians to be alert and don't barrel through work zones. Commissioner Nichols thanked Mr. Nichols for his presentation.

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CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS

On behalf of the Director, Kathy Harvey, State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Ms. Harvey recommended (1) Award of contracts to the lowest responsive bidders for bids received on the March 18, 2011 letting, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. (2) Reject the bids received on Call 101, as

noted in Table II below, due to excessive bids, per Section 102.15 of Missouri Standard Specifications.

(3) Declare the bid of Gansner Excavating & Grading, LLC for Call 602 as non-responsive, per Section 102.9 of the Missouri Standard Specifications for Highway Construction, due to not providing a bid guaranty. (4) Ratify the emergency award of Call 601, job J6S2370, Route 109, St. Louis County, as noted in Table III below. The project was let and awarded on March 11, 2011 by Ed Hassinger, District 6 Engineer, to make slide repairs and stabilization of the slope. (5) The City of Blue Springs opened bids on February 15, 2011 for intersection improvements on Route 7, Jackson County. The low bidder is Miles Excavating, Inc., \$4,946,763.27, MoDOT's portion of cost is \$2,958,002.49. The City of Blue Springs requests the Commission's concurrence. (6) Declare the bid by Leath & Sons, Inc. for Call 405 from the February 18, 2011 bid letting as irregular, per Section 102 of the Missouri Standard Specifications for Highway Construction, due to failing to have a fully responsive questionnaire on file. (7) Reject the bids received on Call 405 for the February 18, 2011 bid letting, per Section 102.15 of Missouri Standard Specification due to excessive bids, as noted in Table IV below.

**Table I
Award of Contracts
March 18, 2011, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
102	111	Holt, Atchison	J1L1200B	\$1,177,884.17	\$144.00	Herzog Contracting Corp.	Thin-Lift Overlay
	C	Atchison	J1L1200C		144.00		
103	T	Nodaway	J1L1200F	437,303.86	144.00	Herzog Contracting Corp.	Thin-Lift Overlay
	CC	Nodaway	J1L1200E		144.00		
	U	Nodaway	J1L1200D		144.00		
104	Various	Harrison, DeKalb, & Gentry	J1M0078	2,085,319.92	432.00	Norris Asphalt Paving Co.	Thin-Lift Overlay w/two Add Alternates
	69	Clinton	J1M0077		144.00		Thin-Lift Overlay
	33	Clinton, DeKalb	J1L1200G		144.00		Thin-Lift Overlay
201	36	Linn, Livingston	J2L1111I	477,072.65	0	Chester Bross Const. Co./C. B. Equipment Inc.	Coldmill and Resurface

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
301	79	Pike	J3P2177	2,039,459.40	0	Kolb Grading, LLC	Grading & Alternate Paving
302	Various	Monroe, Audrain	J3B0801G	1,583,619.70	0	Emery Sapp & Sons, Inc.	Bridge Deck Replacements
303	Bus. 136	Scotland	J3B0801H	187,993.20	0	Phillips Grading & Construction, Inc.	Alternate Bid (Fill in under existing bridge or remove bridge)
304	47	Warren	J3P0513	973,852.75	512.00	Chester Bross Const. Co./C. B. Equipment Inc.	Bridge Replacement and Resurfacing
306	61	Lewis	J3P2180B	186,268.92	0	PCI Roads, LLC	Bridge Rehabilitation on Three Bridges
	24	Marion	J3P2180C				Bridge Rehabilitation
307	79, 61	Lincoln	J3P2171B	322,477.07	0	PCI Roads, LLC	Bridge Rehabilitation on Two Bridges
402	24	Lafayette	J4B0801O	1,877,729.00	0	L. G. Barcus and Sons, Inc.	Bridge Deck Replacements
403	V	Jackson	J4P2329	1,877,771.70	656.00	APAC-Kansas, Inc., Kansas City Division	Resurfacing and Add Shoulders
404	13	Johnson	J4P2184	1,506,313.80	144.00	Chester Bross Const. Co./C. B. Equipment Inc.	Thin-Lift Overlay and Pavement Repair
	13	Henry	J4P2345		656.00		Thin-Lift Overlay
501	CRD 521	Osage	J5P0951C	459,964.20	0	Enviro Control, LLC	Replace Low Water Crossing (Stream Mitigation)
601	I-270	St. Louis	J6I2082	3,992,225.95	0	L. F. Krupp Construction, Inc. DBA	Full Depth Pavement Repair and Resurfacing
	I-270	St. Louis	J6I2010B		2,624.00	Krupp Construction	Coldmill and Resurface
	I-70	St. Louis	J6P2367C		0		Optional Paving
602	I-55	Jefferson	J6B0801H	4,585,867.91	1,312.00	Gershenson Construction Co., Inc.	Bridge Replacement
603	340	St. Louis	J6P2363	381,300.00	1,312.00	Pace Construction Company, LLC	Thin-Lift Overlay and ADA Improvements
604	185	Franklin	J6M0172	482,503.70	144.00	N. B. West Contracting Company	Resurfacing
701	Y	Dade	J7S2167	5,030,139.15	656.00	Phillips Grading & Construction Inc.	Bridge Deck Replacement, Add Alternate Resurfacing
702	112	Barry	J7S2195	589,137.73	0	Hutchens Construction Co.	Thin-Lift Overlay and Add Shoulders

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
703	71	Vernon	J7B0801I	4,595,284.45	656.00	APAC-Missouri, Inc.	Bridge Replacements of Two Bridges
801	O	Stone, Christian	J8M0096	923,719.02	144.00	APAC-Missouri, Inc.	Thin-Lift Overlay
	M	Christian	J8S2251		144.00		
	174	Greene	J8S2282B		144.00		
	P	Greene	J8S2298		72.00		
	P	Christian	J8S2299		72.00		
	B	Greene	J8S2362		144.00		
802	J	Taney	J8L1111F	1,620,412.54	360.00	Leo Journagan Construction Co., Inc.	Thin-Lift Overlay
	UU	Stone	J8S2301		144.00		
	JJ	Stone	J8S2302		144.00		
	86	Stone, Taney	J8S2300		216.00		
	JJ	Taney	J8M0091		144.00		
803	I-44 N	Webster	J8S2295	1,781,586.00	72.00	Leo Journagan Construction Co., Inc.	Thin-Lift Overlay
	A	Webster	J8L1111H		144.00		
	D	Greene	J8S2369		144.00		
	FF	Webster	J8M0098		144.00		
	I-44 N	Greene	J8S2296		72.00		
	W	Webster	J8S2308		144.00		
804	W	Ozark	J8S2305	1,857,800.00	144.00	Pace Construction Company, LLC	Thin-Lift Overlay
	J	Ozark	J8S2304		144.00		
	160	Ozark	J8P2303		144.00		
805	76	Taney, Douglas	J8P2309	1,441,890.91	144.00	APAC-Missouri, Inc.	Thin-Lift Overlay
806	65	Greene	J8P0605F	4,078,999.96	444.00	Archer Western Contractors, LTD	Sound Walls
807	13	Stone	J8P2188	11,540,563.04	6,619.40	Leo Journagan Construction Co., Inc.	Grading, Alternate Paving and Two Bridges
X01	25	Dunklin, Stoddard	J0P0941	2,137,298.89	0	Magruder Paving LLC	Full Depth Pavement Repair and Thin-Lift Overlay
X02	25	Cape Girardeau	J0S2222	1,312,000.00	144.00	Pace Construction Company, LLC	Coldmill and Resurface
X03	55	New Madrid	J0M0051	134,944.18	0	Lappe Cement Finishing, Inc.	Convert Rest Area to Truck Parking Only
			TOTAL:	61,678,703.77	\$20,343.40		

**Table II
Rejection of Bids
March 18, 2011, Bid Opening**

Call No.	Route	County	Job No.	Description
101	A, VV	Nodaway	J1B0801K	Bridge Deck Replacements

Table III
Ratification of Award of Contracts
March 11, 2011, Bid Opening and Award

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
601	109	St. Louis	J6S2370	\$818,304.90		L. F. Krupp Construction, Inc. DBA Krupp Construction	Pavement Slide Repair and Slope Stabilization

Table IV
Rejection of Bids
February 18, 2011, Bid Opening

Call No.	Route	County	Job No.	Description
405	169	Clay	J4U1314C	Bin Wall Rehabilitation Test Project

Commission Consideration and Action

After consideration, and upon motion by Commissioner Farber, seconded by Commissioner Gach, the Commission took the following action with the abstentions noted below:

1. Awarded contracts to the lowest responsive bidders for bids received on the February 18, 2011 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 Call 101, as noted in Table II above, because they were considered excessive.
3. Declared the bid of Gansner Excavating & Grading, LLC on Call 602 as non-responsive.
4. Ratified the emergency letting and award of Call 601 on March 11, 2011 to repair the pavement and stabilize the slope on Route 109 in St. Louis County due to a roadway slide, as noted in Table III above.
5. Concurred with the City of Blue Springs for the intersection improvements on Route 7 in Jackson County.
6. Declared the bid of Leath & Sons, Inc. on Call 405 from February 18, 2011 as irregular.
7. Rejected the bids received on Call 405, from the February 18, 2011 bid letting, as noted above in Table IV, because they were considered excessive.

In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, or the Chief Financial Officer may execute the contracts awarded above. Commissioner Carmichael abstained from calls 803 and 806. Commissioner Miller abstained from calls 102, 103, 302, 802, 803 and 807. Commissioner Farber abstained from call 806.

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REQUEST FOR APPROVAL OF LOCATION AND DESIGN OF HIGHWAYS

Route 179, Cole County Interchange Between Route C and Edgewood Drive Job No. J5S0906 Public Hearing Held March 8, 2011

This proposed improvement provides a new interchange on Route 179 between Route C and Edgewood Drive in Cole County. The improvement will provide access for the new St. Mary's Hospital. Route 179 consists of four twelve-foot lanes with ten-foot shoulders. Route 179 will have fully controlled access right of way. Route 179 will be closed to through traffic to construct the interchange bridge. The project is 0.7 mile in length.

Roger Schwartze, District 5 Engineer, recommended approval of the location and design as presented at the public hearing.

Route I-55, Jefferson County At the Route M Interchange Job No. J6I1010H Public Hearing Held March 9, 2011 On-Line Public Meetings Held March 9-15, 2011

This proposed improvement provides for the addition of a northbound exit ramp from I-55 to Route M, the addition of an entrance (loop) ramp from eastbound Route M to northbound I-55 and the removal of the existing northbound ramp from I-55 to Route M. This project will have partially controlled access right of way. The existing roadways will remain open to traffic during staged construction. The project is 1.2 miles in length.

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

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

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RESOLUTION EXPRESSING APPRECIATION TO THE SCHRAMM FAMILY FOR MARJORIE B. (MARGE) SCHRAMM'S OUTSTANDING SERVICE TO THE STATE OF MISSOURI

The Commission, via approval of the consent agenda, unanimously approved the following resolution:

WHEREAS, Marjorie B. Schramm was appointed to the Missouri Highways and Transportation Commission by Governor Mel Carnahan on May 11, 2000, and served an extended term of seven years; and

WHEREAS, Commissioner Schramm served as Vice Chairman from March 2004 until March 2005, as Chairman of the Commission from March 2005 until March 2006, and as Vice Chairman from March 2006 until March 2007; and

WHEREAS, Commissioner Schramm brought to the Commission a distinguished background in public service and, as a result, unique knowledge of highway and transportation issues, astute understanding of public funding and fiduciary responsibility, and respect for the perspectives and input of Missouri's diverse populace; and

WHEREAS, during her tenure on the Commission, Commissioner Schramm performed her duties with extraordinary professionalism, integrity, dignity, and the desire for her actions to reflect the best interest of all Missourians; and

WHEREAS, Commissioner Schramm's expertise in the development of sound public policy coupled with her humility in resolving complex civic challenges gained her well-known and well-deserved recognition as a great public servant and esteemed statesman; and

WHEREAS, Commissioner Schramm passed away on March 17, 2011; and

WHEREAS, Commissioner Schramm was a devoted wife, mother, and grandmother who resided in Kirkwood, Missouri with her husband Wally; and

WHEREAS, Commissioner Schramm's legacy of civic engagement will live on through the people she inspired; and

NOW, THEREFORE, BE IT RESOLVED that the Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to the family of Commissioner Schramm for her outstanding service to the State of Missouri.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the family of Commissioner Schramm so they will have a permanent record of the high esteem and affection in which she is held by the members of the Missouri Highways and Transportation Commission and MoDOT staff.

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**RESOLUTION EXPRESSING APPRECIATION TO ROGER SCHWARTZE FOR
OUTSTANDING SERVICE TO THE STATE OF MISSOURI**

Upon motion by Commissioner Suelthaus, seconded by Commissioner Carmichael, the Commission unanimously approved the following resolution:

WHEREAS, Roger Schwartze began his distinguished career with the Missouri Department of Transportation on June 1, 1977, and will be retiring on May 1, 2011 after 34 years of service to the people of Missouri; and

WHEREAS, he served in a variety of capacities in four districts and three divisions including the Springfield District, Southwest District, Kansas City District, Central District, Maintenance Division, Construction Division, and Bridge Division, moving through increasingly responsible assignments culminating in his promotion as District Engineer; and

WHEREAS, his engineering knowledge and leadership ability brought him recognition and success as many major transportation projects were brought to fruition, one of the most notable being the first project in the nation as a result of the American Recovery and Reinvestment Act of 2009, this project replaced the Osage River bridge at Tuscumbia. Mr. Schwartz ensured successful completion of the project under the gaze of both a national and international audience; and

WHEREAS, in his capacity as District Engineer has led his team of professionals to greatly improve safety and traffic flow along highways in central Missouri. Some of the most notable projects include improvements to U.S. 54 around Eldon and the Lake of the Ozarks, construction of a new four-lane extension of Highway 179 around Jefferson City, relocating and widening U.S. 50 from St. Martins to California, widening U.S. 65 in Benton County, building the first shared-four lane highway in Missouri on Route 5 south of Camdenton; and

WHEREAS, throughout his career, Mr. Schwartz served zealously, unselfishly, and tirelessly on behalf of the Department of Transportation and the state of Missouri as evidenced by his work in November 2007, when a fiery tanker crash on eastbound U.S. 54 significantly damaged and closed the Jefferson Street Bridge in Jefferson City. In only thirty-seven days, plans were created, the project was bid and awarded, and the bridge was built during severe winter weather and reopened to traffic. Every step of the way, Mr. Schwartz ensured MoDOT specifications and safety standards were met; and

WHEREAS, his expertise, integrity, fairness, and thoughtful consideration of others have earned him the respect, admiration, and friendship of department employees and the public he served; and

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Roger Schwartze for his service to the citizens of Missouri.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Roger Schwartze so he will know of the high esteem and affection in which he is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation staff.

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RESOLUTION EXPRESSING APPRECIATION TO DAVID YATES FOR OUTSTANDING SERVICE TO THE STATE OF MISSOURI

Upon motion by Commissioner Farber, seconded by Commissioner Gach, the Commission unanimously approved the following resolution:

WHEREAS, David Yates began his long, varied, and distinguished career in the national asphalt pavement industry and business community in 1965, and his experience merited acceptance and respect throughout the state; and

WHEREAS, Mr. Yates became the Executive Director of the Missouri Asphalt Pavement Association on September 1, 1999 and served in that capacity for eleven years; and

WHEREAS, Mr. Yates has been a tremendous liaison between the Missouri Department of Transportation and the pavement industry; and

WHEREAS, Mr. Yates performed his duties with the highest degree of integrity, innovation, and passion for the asphalt pavement industry; and he was always willing to listen to other's views, and committed to improving the condition of Missouri's roads; and

WHEREAS, Mr. Yates was instrumental in providing projects of great value for the citizens of Missouri through his superior skill in the development of specifications that encouraged innovation in

using new technologies and recycled materials in asphalt and through his pioneering contributions in the development of MoDOT's alternate bid process; and

WHEREAS, Mr. Yates was a leader of the industry that helped deliver MoDOT's Smooth Roads Initiative which improved the condition of Missouri's major roads and satisfaction of Missouri's traveling citizens; and

WHEREAS, Mr. Yates valued and befriended MoDOT employees, working closely with them to improve processes and break down bureaucracies to improve Missouri's roads; and

WHEREAS, Mr. Yates generously gave of his time to contribute to the betterment of Missouri's transportation system; and

WHEREAS, Mr. Yates recognized the importance of caring for public safety employees and their families, by supporting charitable efforts including the 10-33 Benevolent Fund; and

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to David Yates for his service to the citizens of Missouri.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to David Yates so he will know of the high esteem in which he is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation staff.

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FISCAL YEAR 2011 BUDGET AMENDMENT

On behalf of the Director, Brenda Morris, Resource Management Director, recommended approval of an increase to disbursements of \$62.3 million. The budget increases will be funded from existing cash balances in the State Road Fund.

In addition, Ms. Morris recommended adjustments for transfers between appropriations to address changing priorities and provide greater flexibility to districts and divisions in funding program priorities. The amended budget for fiscal year 2011 is \$2,956,183,000.

Via approval of the consent agenda, the Commission unanimously approved the amendments and adjustments to the fiscal year 2011 budget as noted above.

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KCT INTERMODAL TRANSPORTATION CORPORATION, APPOINTMENT OF A BOARD MEMBER

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

- Appoint D. K. Barnes to fill the unexpired portion of the six-year term held by S. K. Keller, which is set to expire June 27, 2016.

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

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WESTSIDE INTERMODAL TRANSPORTATION CORPORATION, APPOINTMENT OF A BOARD MEMBER

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

- Appoint D. K. Barnes to fill the unexpired portion of the six-year term held by S. K. Keller, which is set to expire December 26, 2015.

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

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DISPOSAL OF EXCESS PROPERTY

In keeping with the Commission’s Delegation of Authority for Approval and Execution of Documents Policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised values of \$200,000 or more must be approved by specific Commission action.

ROUTE I-29/35 & GUINOTTE AVENUE, JACKSON COUNTY, EXCESS PARCEL NUMBERS E4-0621, E4-0622, AND E4-0623

On behalf of the Director, Kelly Lucas, Right of Way Director, recommended conveyance of 2.84 acres of land located along I-29/35 and Guinotte Avenue in Kansas City, Missouri to BMLP, LLC, for the consideration of \$700,000.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

ROUTE I-270 & HANLEY ROAD, ST. LOUIS COUNTY, EXCESS PARCEL NUMBER E6-5815

On behalf of the Director, Kelly Lucas, Right of Way Director, recommended conveyance of 2.83 acres of land located in the southeast quadrant of the Pershall Road and Hanley Road intersection, immediately south of the I-270 overpass in Hazelwood, to Union Electric Company d/b/a Ameren Missouri for the consideration of \$725,000.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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-- REPORTS --

The Commission received the following written reports.

**FINANCIAL – BUDGET - REPORTS
YEAR-TO-DATE FINANCIAL REPORT, February 28, 2011**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2011 monthly financial report for the period ended February 28, 2011, with budget and prior year comparisons.

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**MEDICAL AND LIFE INSURANCE PLAN: MISSOURI DEPARTMENT OF
TRANSPORTATION AND MISSOURI STATE HIGHWAY PATROL MEDICAL AND LIFE
INSURANCE PLAN REPORT**

Mr. Jeff Padgett, Director of Risk and Benefits Management and Chairman-Medical and Life Insurance Plan Board of Trustees, presented reports on the financial and claims status of the Medical and Life Insurance Plan covering the period from July through December 2010 and for the most recent five calendar years. The report indicated that the number of claims continues to increase, which was primarily attributable to increased utilization. The Medical and Life Insurance Plan Board of Trustees continues to closely monitor increases in utilization, and the balance of the premium stabilization reserve. Contributions have increased over the past five years. The Commission paid the entire amount for the contribution increase from 2005 through 2007. In calendar years 2008 through 2010 the employee and retiree contribution increased as well.

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**2011 EDITION OF THE MISSOURI STANDARD SPECIFICATIONS FOR HIGHWAY
CONSTRUCTION**

On behalf of the Director, Dave Nichols, Chief Engineer, presented the 2011 Edition of the Missouri Standard Specifications for Highway Construction. The specification book is a necessary tool for administering construction contracts. The 2011 publication includes additional performance

specifications beyond the 2004 publication. MoDOT collaborates with industry partners in researching, writing, and revising specifications for use on road and bridge projects. Once published, the specification book is continually evaluated, revised and updated when needed. Each revision is proposed by the Engineering Policy Administrator, by way of a balloting approval process, to the Director of System Management, Chief Engineer, and the Federal Highway Administration. The 2011 edition of the specifications book will be included in road and bridge contracts after May 1, 2011.

The cost to provide the 2011 publication is approximately \$50,000 and is contained in the operating budget. The cost is offset through the sale of the books at \$10 each. For the 2004 publication, approximately 4,900 books were sold. This is the last printed publication of the *Missouri Standard Specifications for Highway Construction*; all future versions of this publication will only be available electronically.

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

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The Mission of the Missouri Highways and Transportation Commission is to:

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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