



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN JEFFERSON CITY,  
MISSOURI, TUESDAY, APRIL 2, 2013**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Tuesday, April 2, 2013, at the Missouri Department of Transportation Building, 105 West Capitol Avenue, Jefferson City, Missouri. Lloyd J. Carmichael, Chairman, called the meeting to order at 11:00 a.m. The following Commissioners were present: Stephen R. Miller, Grace M. Nichols, Rudolph E. Farber, and Kenneth H. Suelthaus. On February 2, 2012, Governor Nixon withdrew the appointment of Commissioner Joseph J. Hunt; at the time of the April 2, 2013, meeting, a replacement had not been appointed.

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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Dave Nichols, Interim 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 Tuesday, April 2, 2013.

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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(1) – Legal actions and attorney-client privileged communications.
2. Section 610.021(3), (13) – Personnel administration regarding particular employees.
3. Section 610.021(11), (12) – Competitive bidding specs, sealed bids, or negotiated contracts.
4. Section 610.021(14), 610.010(6) – Matters protected from disclosure by law – deliberative decision-making process.

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

The Commission met in closed session from 8:30 a.m. until 11:00 a.m. Closed session reconvened at 1:30 p.m. and adjourned at 2:45 p.m.

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**-- OPEN MEETING --**

**ANNUAL FORMER COMMISSIONER'S LUNCHEON**

The Annual Former Commissioner's Luncheon was held on Monday, April 1, 2013, at the Missouri Department of Transportation, 105 West Capitol Avenue, Jefferson City, Missouri. The following current Commissioners were present: Lloyd J. Carmichael, Stephen R. Miller, Rudolph E. Farber, Grace M. Nichols, and Kenneth H. Suelthaus.

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**APPROVAL OF MINUTES**

Upon motion by Commissioner Nichols, seconded by Commissioner Farber, the Commission unanimously approved the minutes of the special meeting held February 26, 2013, and the regular meeting held March 6, 2013. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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**CONSENT AGENDA**

**Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, 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 of 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 2, 2013, Consent Agenda**

The consent agenda item titled “Report and Recommendation Regarding Notice of Amended Proposed Rulemaking – Outdoor Advertising” was removed from the consent agenda. Upon motion by Commissioner Farber, seconded by Commissioner Nichols, the remaining consent agenda items were unanimously approved by a quorum of Commission members present.

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**INTERIM DIRECTOR - DAVE NICHOLS APPOINTED**

The Commission appointed Dave Nichols, Chief Engineer, to serve as the Interim MoDOT Director until a new Director is in place. This appointment was effective March 21, 2013.

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**COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS**

The Commission has two standing 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 and board reports were made during the April 2, 2013, meeting.

**Audit Committee** – Commissioner Suelthaus stated there was no report.

**Legislative Committee** – Commissioner Miller reported that Senator Kehoe’s transportation funding bill, SJR 16, which establishes a temporary one-cent general sales and use tax for 10 years, passed the Senate by a vote of 24 to 10 on March 14, 2013. The joint resolution now awaits deliberation in the

House. Commissioner Miller stated all indications are that a majority of legislators support allowing Missourians to vote on the proposal.

**Missouri Transportation Finance Corporation** – Commissioner Nichols stated Don Ransom resigned in February 2013, from the MTFC board. Mr. Ransom’s term expires June 30, 2013. Commissioner Nichols reported Former Commissioner, Duane Michie, has expressed his willingness to serve on the board. She recommended the Commission approve the election of Duane Michie to the MTFC Board of Directors for the remainder of Don Ransom’s two-year term expiring on June 30, 2013, and also elect Duane Michie to serve a two-year term beginning on July 1, 2013 and expiring on June 30, 2015. Upon motion by Commissioner Farber, seconded by Commissioner Suelthaus, the Commission unanimously approved the recommendation.

**MoDOT and Patrol Employees’ Retirement System** – Commissioner Farber reported Major Bret Johnson and Commissioner Carmichael were unanimously selected to continue serving in their positions of Chair and Vice Chair, respectively, on the Board. The board thanked Sue Feltrop, for her service on the board and noted there will be a special election to fill the vacancy of the active MoDOT employee representative, due to her retirement. He advised the Commission the board will likely assume a reduced rate of return on investments, which is following the national trend of pension funds that have reduced their assumed rate of return due to current economics and future expectations. As a result of this change in projections, there will likely be additional expense associated with the Commission’s pension obligation.

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## **INTERIM DIRECTOR’S REPORT**

During the April 2, 2013, Commission meeting, Interim Director Dave Nichols provided the following report:

**Pothole Patrol** – Interim Director Nichols explained the department launched the statewide pothole patrol effort on March 18, 2013, to engage customers to help the department quickly identify and repair potholes during the transition from winter to spring. The districts have been challenged to fix the potholes within 24 hours and are competing to see who can repair the greatest number of potholes through April 15, 2013.

**MoDOT’s 100<sup>th</sup> Celebration** – Interim Director Nichols reported MoDOT is celebrating its 100 years of service to Missouri for the remainder of 2013. Governor Nixon recognized the centennial with a

proclamation and employees celebrated with a MoDOT birthday party on March 25, 2013. The State Highway Department was established on March 22, 1913. Commissioner Suelthaus stated he was proud to be serving on the Commission during MoDOT's centennial year.

**Community Service Award** – Interim Director Nichols reported External Civil Rights Director, Lester Woods, recently received an award from the Columbia Chapter of the NAACP. Mr. Woods was given the President's Award for outstanding community service through his work to stop youth violence.

**MoDOT Website** – Interim Director Nichols showed the Commission the department's redesigned website that debuted on March 28, 2013, to give it a fresh look and make it more user-friendly.

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## **DEVELOPMENT OF MODOT SAFETY CULTURE**

Eileen Rackers, State Traffic and Highway Safety Engineer, reported to the Commission a summary of MoDOT's efforts to develop an organizational culture of safety to keep its employees, partners, and customers safe, and to reduce the number of work related accidents and injuries. MoDOT has put a strong emphasis on the safety of its employees, partners, and customers over the past several years; however, the department realized it could do more. In 2011, teams of department employees began working to develop a culture of safety for the organization with a zero injury philosophy. The department facilitated the shift to a focused culture of safety by employee communication, and key safety messages:

- I'm Safe
- What I Use Is Safe
- Where I Am Is Safe
- My Customers Are Safe
- So We Go Home Safe

Leadership embraced the vision, supports the message, and is committed to the ongoing process.

To convey the key message of "I'm Safe," the department implemented daily morning safety discussions between supervisors and employees, leadership conducts operation safety reviews to identify safety issues and discuss safety with employees, enhanced personal and operational safety training,

changed policies and procedures that now require head, eye, and face protection, and developed a new series of employee testimonial videos that encourage safety conversations.

To implement “What I Use Is Safe,” the department developed a new program, called Gear Up, to help new maintenance employees become a part of the MoDOT team and embrace the safety culture. This program has three parts; the new employee is immediately provided orientation and basic safety and equipment training, the next part is the structured on the job training program, the new part is the just in time training where the employee training is timed to ensure immediate classroom and on-the-job training coincides with the seasonal work actually being performed.

Through outreach and education the department will convey the message “Where I Am Is Safe.” With events such as Work Zone Awareness week scheduled for April 15 – 19, 2013, where the public and staff are reminded to be safe in work zones. Additionally, this year MoDOT will honor its fallen workers with its first MoDOT Day of Remembrance on September 19, 2013. This date is significant as it is close to the date of the accident that recently took the life of MoDOT employee, Clifton Scott. This event will be held on the third Thursday of every September in the future.

MoDOT has taken several actions to ensure “My Customers Are Safe,” including adoption of Missouri’s Blueprint to Save More Lives. This strategic plan describes how the State of Missouri will reduce fatalities and serious injuries through a partnership approach that includes enforcement, education, engineering, emergency medical services, technology, and public policy. The goal of the third blueprint introduced in October 2012, is 700 or fewer fatalities by 2016. Through recent equipment upgrades the department has improved safety and visibility in the three most vulnerable operations: striping, patching, and sweeping. The department is focusing federal safety funds on roadway improvements that represent the highest and most severe crash types: run off the road, crashes in curves, and intersection related crashes. Safety improvements include adding two-foot shoulders and edge-line rumble stripes; improving curves using rumble strips, improving friction, super elevation, and

installing interactive warning devices; and improving rural expressway intersections by using innovative designs such as j turns and off set left and right turn lanes. A new development for the department is an effort to work with five counties that have over half of the local road fatalities and serious injuries. The department and the county will work together to develop a strategic plan to reduce fatalities and serious injuries and is an opportunity to make a significant impact.

Ms. Rackers concluded her presentation by stating it is MoDOT's responsibility to continually work to improve the department's processes and equipment, and using the best practices and technology at its disposal to keep its employees, partners, and customers safe.

Chairman Carmichael thanked Ms. Rackers for her presentation and noted that safety is an important part of the department's culture and is included in the tangible results and value statements as well as the mission statement. The Commission and the department should always remember safety is our number one priority.

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#### **HUMAN RESOURCES AND EQUAL OPPORTUNITY AND DIVERSITY DIVISIONS UPDATE ON STAFFING, DIVERSITY, AND INCLUSION EFFORTS**

Micki Knudsen, Human Resources Director, reported on the department's significant staffing, diversity, and inclusion efforts being taken to close staffing gaps following the Bolder Five-Year Direction. Ms. Knudsen reviewed the steps that had been taken regarding staffing beginning in May 2011; the department suspended external hiring as part of the staffing reduction component of the Bolder Five-Year Direction (BFYD). Under the BFYD the department committed as an organization to reducing full time staff by 1,200 employees. After the plan was adopted in June 2011, the department kicked off the staffing implementation process and began a competitive selection process. That process took about one year, and by June 2012, the department took the step of moving as many employees as were willing and could perform the job safely, about 130 employees, into maintenance. Unfortunately,

after the department reconfigured to the new plan and moved as many staff as possible into maintenance, it was still necessary to do some layoffs; that process took place in November 2012.

After having exceeded its overall staffing reduction goal in June 2012, it was critical for MoDOT to plan for the next step of staffing to bring on new employees where there are gaps in staffing. Presented with the challenge of being understaffed in maintenance prior to the onset of winter, in the fall of 2012, MoDOT began staffing in maintenance by hiring seasonal maintenance workers and emergency equipment operators to help close that gap through the winter. After going through the layoff step, MoDOT began staffing full time positions initially in the maintenance area. Because MoDOT had done so much outreach and conducted Commercial Driver's License (CDL) training, a great pool of applicants was available. MoDOT was able to move a number of the seasonal employees into full time maintenance positions to start to close the gap in maintenance, and also opened up external hiring and began recruiting from the outside for full time maintenance positions. The department has implemented a job hiring process to facilitate the recruitment and rapid hiring of quality maintenance workers by advertising for multiple positions on a district-wide, regional, or county basis rather than advertising individual job postings. Hiring teams pre-screen applicants and interview with a maintenance pool listing being compiled by district, region, or county. This enables the department to make offers of employment as soon as vacancies arise using the pool of pre-screened candidates.

In January 2013, the department began advertising for vacancies in non-maintenance positions. The department is committed to providing outstanding customer service, and it is necessary to be at targeted staffing levels to ensure MoDOT can successfully deliver its mission. The department is now fully staffed in the area of "boots on the ground" maintenance workers, but is 164 full time equivalents (FTEs) short in administration, program delivery, and operations. This significant hiring need presents an opportunity for MoDOT to capitalize on its diversity and inclusion efforts to ensure progress is made in these areas. Ms. Knudsen noted it would take a few months to close these gaps.

Rudy Nickens, Equal Opportunity and Diversity Director, reported on the significant efforts being taken in the areas of diversity and inclusion at MoDOT. He said during the implementation of the BFYD the focus has been in the areas of accountability, mentoring, and education. The department faced two challenges during the BFYD in regard to its diversity and inclusion efforts. The first was continuing to maintain a presence among prospective minority and female applicants with no job opportunities currently available in the department. The second was to create an inclusive work environment in order to retain the existing workforce.

MoDOT continues to have a presence at events and with organizations to reach a diverse audience and promote the department's commitment to being an equal employment opportunity employer. Additionally, a CDL partnership program was developed to improve community economic standing by providing work-skill programs that would increase the diverse applicant pool. This free program allowed participants to use department resources such as trainers and equipment to receive a CDL upon successful completion of the program. The program was offered in St. Louis and Kansas City. Between the two cities, over 200 participants completed the program with a Class B CDL. St. Louis had 89 participants complete the program and hired 41 minorities and five females. Kansas City had 115 participants and hired 22 minorities and four women. Springfield recently kicked off this program in January 2013, with its first class scheduled in March 2013.

With respect to MoDOT's current workforce, as of December 31, 2012, at 9.66 percent, minority employment continues to fall below the Missouri availability of 13.72 percent. In regard to females employed, the department is above the Missouri availability of 17.43 percent with a current workforce of 19.60 percent.

In order to retain the current workforce, the department continued to promote the Mentoring Program to employees as a means of professional development. Employees are made aware of this program through a monthly newsletter, flyers, and presentations made throughout the state.

Additionally, an initiative was kicked off in Central Office pairing members of Senior Management with a minority or female mentee. This effort is currently in the process of being replicated in the districts.

To emphasize a commitment to diversity and inclusion, a diversity competency was added to the MoDOT Appraisal and Performance System (MAPS) form. The department held a record number of diversity education events (84) with almost 6,000 participants. This was made possible in part due to the creation of department Inclusion Trainers. These individuals were selected from around the state to assist with providing diversity messages to employees. Also, each district committed to hosting a diversity and inclusion conference for employees. Additional diversity events were held ranging in topics covering disability, Muslims, Black History, and race.

Chairman Carmichael thanked Ms. Knudsen and Mr. Nickens for their presentation and expressed his appreciation for having those strategies in place to help the department to ultimately achieve the goal of a diverse and inclusive workforce.

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### **ROCK PORT WELCOME CENTER LEED CERTIFICATION**

Don Wichern, Northwest District Engineer, provided some background information on what led to the department constructing its first building that is a Leadership in Energy and Environmental Design (LEED) certified facility – the new Rock Port Welcome Center. In January 2005 the department presented to the Commission a plan to upgrade the rest areas to welcome centers. At that time the department had 36 facilities on 19 sites. These facilities were built in the 1970s and 1980s and did not meet department standards for clean, convenient, and safe rest areas. Additionally, most sites were too small for the amount of truck parking the department wanted to provide. The Commission committed twenty-five percent of enhancement funds to help fund the plan to convert the rest areas to welcome centers. Starting in 2006 the department used a phased approach to implement the plan replacing about two or three facilities a year. At the July 2010 Environmental Steering Committee meeting, leadership

challenged staff to design an environmental show stopper using innovative alternative energy ideas for the Rock Port Welcome Center. Staff took this challenge a step further and pursued the department's first Leadership in Energy and Environmental Design (LEED) certified facility, achieving Silver certification from the U.S. Green Building Council.

This was MoDOT's first effort at sustainable building design and implementation of the LEED certification process. The LEED certification process provides a framework for design, construction, operation, and maintenance of a facility from start to finish and for the life of the building as well as the site such as the parking area, drainage and landscaping. LEED certified buildings are designed to conserve energy and water, reduce waste, be healthier for occupants, and educate the public on energy conservation.

Some of the design features that scored points to achieve the LEED certification addressed energy and water conservation. The new Rock Port Welcome Center building includes energy-efficient lighting with occupancy sensors, a hot water circulator, low-volume toilet fixtures with flush sensors, and temperature-controlled vending machines.

Another benefit of a LEED certified facility is the positive impact on the immediate community, both during construction and after the building was opened to the public. These "good neighbor" efforts include reduced land disturbance by using the existing rest area site and native grass and landscaping that require less water usage, which helped score points in the areas of land and water conservation.

For credit with waste reduction, Mr. Wichern explained the old concrete parking lot was broken up and recycled on site. The old parking lot material was reused as base rock for parking lot and general fill material. The department was able to recycle many doors and windows along with concrete and asphalt pavement. A total of 3,771 tons, or 99.76 percent of the old site material was recycled.

The LEED process also encouraged use of local and regional materials. This project had a requirement of over 30 percent regional materials, such as the concrete block, brick, and a certain percentage of material, had to be manufactured within a 500 miles radius of the project site.

To make the facility healthier for the occupants, the project used low Volatile Organic Compound (VOC) materials. Additionally, at the end of the project, a system was used to remove all of the air, and flush the system of any contaminants, ensuring clean air for the building occupants.

The department worked with Missouri Western State University and Northwest Missouri State University to design educational displays that have been placed throughout the building. This aided the effort to educate travelers who pass through the facility on energy conservation and illustrates MoDOT's commitment to being environmentally responsible.

MoDOT's first ever LEED certified facility was constructed for \$5.1 million, which included eighty percent federal enhancement funds and twenty percent matching funds from MoDOT. The cost to achieve LEED silver certification was \$185,045. Construction took place from August 2011 through June 2012. In March 2013, MoDOT was recognized and awarded with this prestigious award of LEED certification - silver status for the Rock Port Welcome Center. Chairman Carmichael thanked Mr. Wichern for his presentation and achievement of the LEED Certification, a very worthwhile project that gets the department into an area we have not been before.

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## **FINANCIAL FORECAST UPDATE**

Roberta Broeker, Chief Financial Officer, updated the Commission on MoDOT's financial forecast to estimate future revenues and disbursements. The forecast is the basis for the budget and the funding targets provided to planning partners and MoDOT staff to select projects for the Statewide Transportation Improvement Program. The financial forecast includes the various components of state revenue, including motor fuel tax, motor vehicle sales and use tax, and motor vehicle registration and

driver's license fees. Federal funding is estimated at levels established in Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21). Also included are the redirected savings from the Bolder Five-Year Direction, which extended the department's ability to match federal funds.

The current transportation bill, MAP-21, was signed into law by President Obama on July 6, 2012. MAP-21 funds surface transportation programs for federal Fiscal Years 2013 and 2014. The funding is \$71 million less per year than what was provided in the previous transportation bill, Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). MAP-21 funding requires General Revenue transfers of \$16.6 billion into the Highway Trust Fund to fund even at the reduced level. Also, federal revenues, which are primarily derived from federal motor fuel taxes, are declining, as people drive more fuel-efficient vehicles. Absent a long term bill, the projected level of federal funds is \$870 million per year, which includes about \$148 million that is suballocated to local entities.

State revenues are projected to increase by about \$5 million per year, which is less than one percent annually. Unfortunately, a \$5 million per year increase does not keep pace with the growing costs that include the cost of materials to build transportation projects, retirement system allocations, and health care expenditures. Motor fuel tax is projected to decline one percent annually, motor vehicle sales and use tax is projected to grow at about 2.4 percent annually, and motor vehicle registration and driver's license fees is projected to grow about one percent annually. Growth in the two revenue sources offsets the declining motor fuel tax revenues.

A significant component of MoDOT's revenues is federal funds. To use federal funds, MoDOT has to provide matching funds from state or local sources. For most federal funding categories, the required match is 20 percent. To the extent MoDOT is unable to provide the match, MoDOT will lose federal funding. Ms. Broeker explained the financial forecast assumed relatively flat state and federal

revenues. Without a new source of state revenue of approximately \$156 million per year, MoDOT will not be able to match federal funds in 2019.

MoDOT is currently using advance construction credits to match federal funds. Advance construction is a Federal Highway Administration financing technique that allows states to initiate a project using non-federal funds (for example, Amendment 3 bond proceeds) and claim reimbursement in later years when additional federal funds are apportioned to states. Without advance construction, MoDOT would be unable to match federal funds now. Through the advance construction tool and savings from the implementation of the Bolder Five-Year Direction, the department is able to match federal funds through 2018. Starting in 2019, MoDOT will not be able to match federal funds without a new source of state revenue.

Ms. Broeker reviewed four categories of expenditures: debt service, other state agencies, operating costs, and the construction program. Under the category of operating costs, Ms. Broeker reported the Bolder Five-Year Direction decreased personal service and fringe budget amounts from \$450 million in Fiscal Year 2010 to \$417 million in Fiscal Year 2012, which is a \$34 million decrease. The expense and equipment budget amounts decreased from \$345 million in Fiscal Year 2010 to \$261 million in Fiscal Year 2014 and assumed no growth from Fiscal Year 2015 to Fiscal Year 2022.

Ms. Broeker noted projected other state agency costs are rising from \$234 million in Fiscal Year 2014 to \$249 million in Fiscal Year 2018, mainly due to personal services and fringe benefits. Department of Revenue is appropriated a portion of road and bridge funds to cover the cost to collect taxes and fees. The amount the Department of Revenue receives is limited to three percent of collections, or about \$18 million per year. The Missouri State Highway Patrol (MSHP) is appropriated a portion of road and bridge funds to enforce motor vehicle laws; the Governor's recommendation for MSHP appropriated funds is \$246 million, which is more than the forecasted amount of \$213 million. Additionally, the forecasted amount for MSHP expense and equipment was \$34 million and the

Governor's recommendation is \$38 million. The MSHP capital improvements forecast was for \$2 million whereas the Governor's recommendation is \$14 million. If the MSHP were to spend the full amount in the Governor's recommendations, this would decrease the funds available to MoDOT.

Chairman Carmichael expressed appreciation to Ms. Broeker for her presentation and the department's ability to continue to do an excellent job with less revenue.

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## **ON THE MOVE**

Dave Nichols, Interim Director, updated the Commission on the On the Move initiative that kicked off in January 2013, to update the department's 20-year transportation plan and to capture the vision that Missourians have for their transportation system. To date, On the Move has conducted twelve listening sessions that have been attended by a diverse group of 450 persons. While the listening session locations have represented differing regional interests, the three common themes that have emerged so far are to maintain the department's current system of roads and bridges, and address congestion issues with appropriate highway upgrades; invest more money in other modal choices; and continue to fund economic development opportunities. In December, nearly 200 MoDOT ambassadors were trained to deliver the key messages of the On the Move initiative. These ambassadors are now embarking on a mobile tour that will be held to solicit additional input from Missourians. It is designed to reach every county in the state, and will use eight "wrapped" vehicles as a reinforcement of the On the Move brand and as a conversation starter. The mobile tour will be completed in July 2013. Another method of outreach is the On the Move website at [www.missourionthemove.org](http://www.missourionthemove.org). This website is receiving a lot of public comments and serves as another way to engage and educate the public about transportation in Missouri. On the Move will develop a list of the projects Missourians wish to see over the next 20 years. Many of those will be the projects that could be delivered with additional revenue

that would be made available by a temporary 10-year one percent general sales and use tax dedicated for transportation purposes.

Following the completion of the listening sessions and mobile tours, a draft long range transportation plan will be prepared later this summer and presented to the Commission for further consideration. Chairman Carmichael thanked Interim Director Nichols for the update and stressed the importance of the On the Move initiative, saying the public outreach effort is a great opportunity for the public to tell us what they want in their transportation system. He stated transportation is a unique public policy issue, you can't opt out, every day we all need to use the transportation system in some way, and it's important for MoDOT to know what the public wants.

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**REPORT AND RECOMMENDATION REGARDING NOTICE OF AMENDED PROPOSED RULEMAKING – OUTDOOR ADVERTISING**

On behalf of the Interim Director, Kelly Lucas, Right of Way Director, explained the General Assembly enacted in 2012, Truly Agreed and Finally Passed House Bill 1402, which requires the Commission to promulgate rules regarding outdoor advertising and the use of digital signs.

Staff proposed rule changes to 7 CSR10-6.010 through 7 CSR 10-6.090. These rules were developed in partnership with the Federal Highway Administration, and with input from the Department of Public Safety, Missouri State Highway Patrol, Missouri Department of Economic Development, Missouri Department of Natural Resources, Missouri Department of Conservation, Missouri Farm Bureau, Missouri Municipal League, Missouri Outdoor Advertising Association, Scenic Missouri, Missouri Night Sky Protection, and the Sierra Club.

Commissioner Miller requested this item be pulled from the consent agenda for further consideration and discussion. He noted staff recommended the Commission authorize the Secretary to the Commission to file the notice of the proposed rulemaking with the Joint Committee on

Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*. He indicated he would like to have the benefit of an outside traffic safety expert's report before the Commission takes up the staff recommendation on this proposed rulemaking. Upon the motion of Commissioner Miller, seconded by Commissioner Nichols, the Commission unanimously tabled this agenda item, and directed staff to obtain an external traffic study to review the proposed rules and recommend to the Commission appropriate criteria to implement those provisions of the legislation that allow the Commission discretion.

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### **FISCAL YEAR 2013 BUDGET AMENDMENT**

On behalf of the Interim Director, Brenda Morris, Financial Services Director, recommended increasing receipts \$283,000 and disbursement \$24.1 million for the Fiscal Year 2013 budget. Ms. Morris also recommended transfers between operating budget categories to address changing priorities and provide greater flexibility to districts and divisions in funding program priorities.

Via approval of the consent agenda, the Commission unanimously approved the Fiscal Year 2013 budget amendment described above.

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### **CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS**

On behalf of the Interim Director, Eric Schroeter, Assistant State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month. He noted Calls A01, D03, G03, H01 and H03 have local funding, as noted in Table I below, and the department received all of the necessary concurrences.

Mr. Schroeter recommended (1) Award of contracts to the lowest responsive bidders for bids received at the March 22, 2013, letting, as recommended and noted in Table I below. (2) Rejection of bids received on Call H04, as noted in Table II below, due to the bids being excessive per Section

102.15(a) of the Missouri Standard Specifications for Highway Construction. (3) Concurrence in award of contract to the lowest responsive bidders for bids received at the special April 1, 2013, letting, as recommended and noted in Table III below.

**Table I  
Award of Contracts  
March 22, 2013, 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>
A01 *	85	Gentry	J1S0877	\$1,787,107.59	\$0.00	Strait-Line Construction USA, Inc.	Grading, Drainage, Paving & ADA Improvements
	Bus. 136	Gentry	J1S2198				Thin Lift Overlay (BP), ADA Improvements
A02	69	Dekalb, Clinton	J1P2214	\$1,651,699.26	\$0.00	Ideker, Inc.	Coldmilling, Resurfacing (SP)
	Bus. 35	Clinton	J1S2153				Resurfacing (SP), Shoulders (BP)
	33		J1L1300B				Thin Lift Overlay (SL)
	Bus. 36	Dekalb	J1L1300C				
A03	169	Buchanan, Clinton	J1P2215	\$3,560,824.45	\$0.00	Ideker, Inc.	Resurfacing (BP), Add Shoulders
A04	35	Various	J2I2165E	\$325,500.00	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Job Order Contracting - Asphalt Pavement Repair
B01	Z	Lincoln	J3S0788	\$84,922.88	\$0.00	X-L Contracting, Inc.	Streambank Stabilization
B03	156	Knox	J3S0445	\$899,874.15	\$0.00	Bleigh Construction Company	Bridge Replacement
B04	70	Montgomery, Warren	J2I2165J	\$546,250.00	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Job Order Contracting - Asphalt Pavement Repair
B05	Various	Various	J3P2228D	\$337,200.00	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Job Order Contracting - Asphalt Pavement Repair
C01	35	Jackson	J4I2012	\$29,269,884.83	\$0.00	Clarkson Construction	Bridge Redeck
			J4I2277				Rehabilitation of 4

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
						Company	Bridges, Bridge Redeck
C02	210	Ray	J3S3013	\$262,478.61	\$0.00	APAC-Kansas, Inc., Kansas City Division	Resurface (SP), Shoulders (BP)
C03	70	Various	J2I2165H	\$267,500.00	\$0.00	APAC-Missouri, Inc.	Job Order Contracting - Asphalt Pavement Repair
C04	50	Johnson	J3P3019	\$2,229,537.27	\$0.00	APAC-Missouri, Inc.	Coldmill, Resurface Bridge Deck (SL)
	Various		J3S3016				Thin Lift Overlay (SL)
		Johnson, Pettis	J3S3015				Thin Lift Overlay (SL & UBAWS)
C05	HH	Pettis	J3S3017	\$614,971.71	\$0.00	APAC-Missouri, Inc.	Thin Lift Overlay (SL)
C06	20	Saline	J3S3018	\$656,080.67	\$0.00	APAC-Missouri, Inc.	Thin Lift Overlay (SL)
C07	13	Lafayette	J3P3012	\$1,676,458.97	\$0.00	Ideker, Inc.	Resurfacing (SP), Add Shoulders and ADA Improvements
C08	2	Cass, Johnson	J4S3031	\$1,685,365.09	\$0.00	Ideker, Inc.	Thin Lift Overlay (SL), Add Shoulders
C09	35	Jackson	J4I3016	\$2,127,042.10	\$0.00	Pyramid Contractors, Inc.	Grading, Drainage, Paving and Replace Bridge
C10	E	Platte	J4S2361	\$1,271,204.65	\$0.00	Pyramid Contractors, Inc.	Grading, Paving, Bridge Replacement, MSE Walls
C11	70 South Outer Road	Lafayette	J3S3014	\$388,878.01	\$0.00	Don Schnieders Excavating Company, Inc.	Bridge Redeck
D01	5	Laclede	J8P2285	\$2,233,889.19	\$0.00	APAC-Missouri, Inc.	Grading, Paving and 2 Bridge Replacements
D02	54	Camden, Miller	J5P3019	\$87,615.92	\$0.00	Superior Rail System, LLC	Sign Replacement
D03 **	V	Phelps	J5S3014	\$477,877.21	\$0.00	Lamke Trenching & Excavating, Inc.	Grading, Drainage, Paving to Add Turn Lanes
D04	28	Pulaski, Maries	J5P3018	\$941,759.80	\$0.00	Missouri Petroleum Products Company, LLC	Seal Coat
	AA	Cooper	J5S3024				
	C	Morgan, Cole, Moniteau	J5S3023				
	E	Cole	J5S3021				
	T	Moniteau	J5S3022				
	U	Cole	J5S3020				
	V	Cole, Moniteau	J5S3025				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D05	70	Various	J2I2165I	\$272,500.00	\$0.00	APAC-Missouri, Inc.	Job Order Contracting - Asphalt Pavement Repair
D06	44	Various	J2I2165Q	\$476,525.00	\$0.00	N. B. West Contracting Company	Job Order Contracting - Asphalt Pavement Repair
D07	44	Various	J2I2165R	\$176,925.00	\$0.00	N. B. West Contracting Company	Job Order Contracting - Concrete Pavement Repair
F01	Various	Jefferson	J6Q2038	\$2,055,628.84	\$522,500.00	Gerstner Electric, Inc.	ITS Expansion, UPS Installation
F02	109	St. Louis	J6S2198B	\$557,075.70	\$0.00	Kozeny-Wagner, Inc.	Grading, Paving and Retaining Wall for Slide Correction
F03	340	St. Louis	J6P2349B	\$573,001.91	\$0.00	Lamke Trenching & Excavating, Inc.	ADA Improvements
F04	B & 180	St. Louis	J6S2229	\$1,087,970.00	\$0.00	N. B. West Contracting Company	Resurface, Optional Overlay, Microsurface, Drainage and ADA
F05	Various	Jefferson, Franklin	J6I3005	\$437,400.00	\$0.00	Collins & Hermann, Inc.	Job Order Contracting - Guardrail Repair
F06	Various	St. Charles	J6I3011	\$299,000.00	\$0.00	Collins & Hermann, Inc.	Job Order Contracting - Guardrail Repair
F07	Various	St. Louis, St. Louis City	J6I3012	\$1,132,600.00	\$0.00	Collins & Hermann, Inc.	Job Order Contracting - Guardrail Repair
G01	T	Benton	J5S2180	\$719,039.40	\$0.00	APAC-Missouri, Inc.	Bridge Redeck
G02	44	Lawrence	J7M0255	\$182,935.00	\$0.00	Hartman and Company, Inc.	Convert Rest Area to Truck Parking
G03 ***	Business Loop 44	Greene	J8M0251	\$695,974.85	\$0.00	APAC-Missouri, Inc.	ADA Improvements, MSE Wall
			J8P2230				Grading, Drainage, Paving to Add Turn Lanes, Resurfacing
G04	125 & D	Greene	J8S3018	\$1,289,050.68	\$0.00	APAC-Missouri, Inc.	Thin Lift Overlay (BP), Add Shoulders
G05	44	Webster	J2I2165P	\$122,000.00	\$0.00	Willard Asphalt Paving, Inc.	Job Order Contracting - Asphalt Pavement Repair
H01 ****	67	Butler	J0P2273B	\$1,206,122.40	\$0.00	Robertson Contractors, Inc.	Bridge Replacement
H02	61	New Madrid	J0S2287	\$4,880,000.00	\$0.00	Pace Construction Company, LLC	Thin Lift Overlay (BP), Shoulders
		Scott	J0S2286				
H03 ****	Various	Butler	J9S3016	\$49,542.50	\$0.00	Fronabarger Concreters, Inc.	Pavement Replacement
H05	55/57	Various	J2I2165S	\$114,375.00	\$0.00	Fronabarger Concreters, Inc.	Job Order Contracting - Concrete Pavement Repair
H06	55/57	Various	J2I2165T	\$150,937.50	\$0.00	Apex Paving Co.	Job Order Contracting - Asphalt Pavement

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
							Repair
H07	55/155	New Madrid, Pemiscot	J2I2165U	\$114,375.00	\$0.00	Fronabarger Concreters, Inc.	Job Order Contracting - Concrete Pavement Repair
H08	55/155	New Madrid, Pemiscot	J2I2165V	\$172,187.50	\$0.00	Apex Paving Co.	Job Order Contracting - Asphalt Pavement Repair
			<b>TOTAL:</b>	<b>\$70,149,088.64</b>	<b>\$522,500.00</b>		

- \* Call A01 – Funding by the City of Albany – \$158,563.51
- \*\* Call D03 – Funding by the City of Rolla – \$350,000.00
- \*\*\* Call G03 – Funding by the City of Springfield - \$245,000.00 (J8P2230)  
Funding by the City Utilities of Springfield - \$25,000.00 (J8P2230)  
Funding by the City of Springfield - \$141,534.90 (J8M0251)
- \*\*\*\* Call H01 – Funding by the City of Poplar Bluff - \$603,061.20
- \*\*\*\*\* Call H03 – Funding by the City of Poplar Bluff – \$14,000.00

**Table II**  
**Rejection of Bids**  
**March 22, 2013, Bid Opening**

Call No.	Route	County	Job No.	Description
H04	Various	Various	J0I2233	Striping Contract

**Table III**  
**Award of Contracts**  
**April 1, 2013, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D01	63	Boone	J5P3079	\$599,996.00	\$0.00	Boone Construction Co.	Slide Repair and Rock Embankment Removal
			<b>TOTAL:</b>	<b>\$599,996.00</b>	<b>\$0.00</b>		

Commissioner Farber stated he was disappointed to learn that MoDOT would not be conducting a letting in April 2013, noting that this situation is occurring all too frequently with the downturn in the construction budget. MoDOT is becoming a maintenance-only organization and he expressed concern that is really not what the public wants. He shared his optimism that the legislature will pass a joint resolution that will give Missourians the chance to vote on additional revenues for transportation.

## **Commission Consideration and Action**

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

1. Awarded contracts to the lowest responsive bidders for bids received on the March 22, 2013, 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 H04, as noted in Table II above, because they were considered excessive.
3. Concurred in the award of the contract to the lowest responsive bidders for bids received on the special April 1, 2013 bid opening, as recommended and noted in Table III above. Non-contractual costs for these projects are shown on the above tabulation.

Commissioner Carmichael abstained from voting on Call G05. Commissioner Miller abstained from voting on Calls C01, F05, F06, and F07. Commissioner Farber abstained from voting on Call G02. Commissioner Suelthaus abstained from voting on Call H02. In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, or Chief Financial Officer may execute the contracts awarded above.

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## **2013 – 2017 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, 2013 AMENDMENT**

On behalf of the Interim Director, Mabelle Watkins, Transportation Planning Director, recommended additions or modifications to four projects to the 2013-2017 Statewide Transportation Improvement Program (STIP) that was approved in July 2012, as noted in the tabulations below.

### **2013 – 2017 STIP Highway and Bridge Construction Schedule April Amendments Project Added or Modified**

<b>District County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year and Change by Type</b>	<b>Change in Construction and Right of Way Funds (Dollars in Thousands)</b>	<b>Change in Engineering Funds (Dollars in Thousands)</b>
CD Callaway J5P3078	54	Safety improvements from west of Route FF to east of County Road 148.	2013 RW 2014 CN	\$1,471	\$220
SL St. Charles J6U1028	MO 364	Cost share design/build project for Page Avenue extension from Mid Rivers Mall Drive to I-64 (Route 40/61).	2013 RW 2014 CN	\$10,965	\$0
SL St. Charles J6U1028Z	MO 364	Payback, which will be included as part of MoDOT's contribution on project J6U1028, to City of O'Fallon for right of way on Page Avenue Phase 2.	2016 CN	-\$2,250	\$0
SL St. Louis J6I3056	64	Interchange and bridge improvements on I-64 at Chesterfield Parkway West.	2013 RW	\$100	\$30
			<b>TOTAL:</b>	<b>\$10,286</b>	<b>\$250</b>

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2013 – 2017 STIP as noted in the tabulations above.

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

**Route 47, Warren County  
1.4 miles south of Route CC to 0.7 mile north of Route N  
Job No. J3P2156  
Public Hearing Held October 30, 2012  
On-Line Public Hearing – October 29 – November 19, 2012**

This proposed improvement relocates 0.7 miles of Route 47 in an area known locally as “Hopewell Hill”. The proposed design will have two 11-foot lanes and four-foot wide paved shoulders. The project will have normal access right of way. Route 47 will remain open to traffic with one lane flagger control during the majority of construction. Route 47 will be closed for approximately three weeks to complete construction. During the closure period traffic will be detoured onto adjacent state routes. The project is 0.7 mile in length.

On behalf of the Interim Director, Paula Gough, Northeast District Engineer, recommended approval of the location and design of the modified version of preferred alignment presented at the public hearing. The modifications to the preferred alignment were made to address comments received 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 location and design would best serve the interest of the public and approved the recommendation.

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**CONSIDERATION OF EXCESS PROPERTY DISPOSAL – ROUTE 65 IN PETTIS COUNTY, EXCESS PARCEL E4-0712**

In keeping with the Commission’s April 3, 2012, Delegation of Authority 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 or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Interim Director, Dan Niec, Kansas City District Engineer, recommended conveyance of 0.66 acre of property located at 1501 West 32<sup>nd</sup> Street in Sedalia that once served as the Sedalia Resident Engineer’s facility, to MWCK Investments, LLC for a consideration of \$230,000.

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.

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

Jeff Padgett, Risk and Benefits Management Director, provided financial and claims data reports for the period July 2012 through December 2012, and for the most recent five calendar years, to update the Commission on the cost and utilization of the Medical and Life Insurance Plan. The report indicates that the claims and administrative expenses exceeded total revenue by approximately \$1.8 million during the second half of calendar year 2012, with the excess borne by the premium stabilization reserve. This is consistent with the plan to spend down a portion of the stabilization reserve. Prescription drug plan claims decreased by approximately 3.3 percent in calendar year 2012, compared to 2011. Contributions have increased 7.5 percent from 2008 through 2012; however, they have decreased since 2011. The decrease in medical and prescription claims between calendar year 2011 and 2012 is due to the decrease in plan participants.

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**A BOLDER FIVE-YEAR DIRECTION REPORT**

Dave Nichols, Interim Director, provided to the Commission the monthly update of the Bolder Five-Year Direction. On June 8, 2011, the Commission approved the Bolder Five-Year Direction which will reduce staff by nearly 1,200 employees, close 131 facilities, and reduce MoDOT's fleet by more than 740 units.

As of February 28, 2013, there has been a reduction of 1,408 salaried positions since February 28, 2010. The target of 5,106 employees has been reached. However, MoDOT remains understaffed in "boots on the ground" maintenance positions as well as in certain areas of Administration, Program Delivery, and Operations. Hiring of permanent maintenance employees began

November 1, 2012 to close the gap. Some other vacant positions have been filled since February 1, 2013, and others are posted. MoDOT conveyed 69 facilities, terminated five leases, entered into a long-term lease on five facilities, and eliminated 586 pieces of equipment, with an additional 144 pieces of equipment taken out of service. As of February 28, 2013, the department realized a total savings of \$356 million.

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**FINANCIAL – BUDGET – REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING FEBRUARY 28, 2013**

Brenda Morris, Financial Services Director, provided to the Commission the Fiscal Year 2013 monthly financial report for the period ended February 28, 2013, with budget and prior year comparisons.

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**CONSULTANT SERVICES CONTRACT REPORT**

Kathy Harvey, State Design Engineer, provided to the Commission the report of consultant contracts executed in the month of February 2013, for both engineering and non-engineering related projects. The department utilizes consultants to efficiently manage workload and provide specialized expertise to supplement and support department staff. Expenditures for consultant services are funded from the Commission approved Statewide Transportation Improvement Program and MoDOT Operating Budget. Four engineering consultant services contracts were executed in February 2013, for a total cost of \$1,001,798. A total of six non-engineering consultant contracts were executed in February 2013, for a total cost of \$571,437.

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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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