



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN KIRKSVILLE,
MISSOURI, WEDNESDAY, JUNE 5, 2013**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, June 5, 2013, at Truman State University, Student Union Conference Room 3200, 100 East Normal, Kirksville, Missouri. Lloyd J. Carmichael, Chairman, called the meeting to order at 1:00 p.m. The following Commissioners were present: Stephen R. Miller, Kenneth H. Suelthaus, Kelley M. Martin, and Gregg C. Smith. On February 2, 2012, Governor Nixon withdrew the appointment of Commissioner Joseph J. Hunt; at the time of the June 5, 2013, meeting, a replacement had not been appointed.

The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

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Dave Nichols, 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, June 5, 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 Suelthaus, Aye
Commissioner Martin, Aye
Commissioner Smith, Aye

The Commission met in closed session from 9:00 a.m. until 12:00 p.m.

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-- OPEN MEETING --

COMMISSION WORKSHOP

The Commission held a workshop on Tuesday, June 4, 2013, at Truman State University, Student Union Conference Room 3000, 100 East Normal, Kirksville, Missouri. The following Commissioners were present: Lloyd J. Carmichael, Kenneth H. Suelthaus, and Kelley M. Martin. Commissioner Gregg C. Smith was absent. This was an educational workshop to inform the most recently appointed Commissioners about the department's budget and bidding processes.

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KELLEY M. MARTIN QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On June 3, 2013, Governor Jeremiah (Jay) Nixon appointed Kelley M. Martin of Kansas City to the Missouri Highways and Transportation Commission for a term ending March 1, 2019, or until his successor is duly appointed and qualified. Mr. Martin will take the position held by Commissioner Rudolph E. Farber whose term expired. Mr. Martin was duly sworn on June 4, 2013, at the Adair County Courthouse in Kirksville by Circuit Judge Russell Steele.

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GREGG C. SMITH QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On June 3, 2013, Governor Jeremiah (Jay) Nixon appointed Gregg C. Smith of Clinton to the Missouri Highways and Transportation Commission for a term ending March 1, 2019, or until his successor is duly appointed and qualified. Mr. Smith will take the position held by Commissioner Grace M. Nichols whose term expired. Mr. Smith was duly sworn on June 5, 2013, at Truman State University in Kirksville by Senior Judge Joyce Otten.

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APPROVAL OF MINUTES

Upon motion by Commissioner Miller, seconded by Commissioner Suelthaus, the Commission unanimously approved the minutes of the regular meeting held May 1, 2013 and the special meetings held April 30, 2013 and May 24, 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 June 5, 2013, Consent Agenda

The consent agenda item titled “National Highway System – Outdoor Advertising” was removed from the consent agenda. Upon motion by Commissioner Suelthaus, seconded by Commissioner

Martin, the remaining consent agenda items were unanimously approved by a quorum of Commission members present.

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ED HASSINGER SELECTED AS CHIEF ENGINEER

Dave Nichols, Director, reported to the Commission that Ed Hassinger, St. Louis District Engineer, was selected as the Chief Engineer. Mr. Hassinger's employment was effective June 1, 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 June 5, 2013, meeting.

Audit Committee – Commissioner Suelthaus reported the committee reviewed and accepted an internal audit report concerning expenditures with no adverse findings. The Audit Committee also reviewed the internal and external audit plans for fiscal year 2014, and noted there will be a meeting in the near future with new external auditor RubinBrown about the fiscal year 2013 audit.

Legislative Committee – Commissioner Miller deferred the committees report due to the agenda item related to the conclusion of the legislative session on May 17, 2013.

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

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

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DIRECTOR'S REPORT

During the June 5, 2013, Commission meeting, Director Dave Nichols provided the following report:

Rough Weather – Director Nichols stated it has been a tough spring for extreme weather, and the last few weeks have brought more wind damage and flooding. Director Nichols said as of the morning of the meeting, 117 state roads were closed due to high water. MoDOT forces continue to give great customer service by helping with clean up, and by helping customers find alternate routes.

Bridge Collapse – Director Nichols discussed the freight train collision that happened near Rockview, Missouri in the Southeast District during the early morning hours of May 25, 2013. The derailment hit the bridge that carries Route M over the tracks and brought the bridge down. There were no fatalities, but there were several injuries, with some of those injured from two vehicles that were on the bridge at the time of the collapse. Director Nichols thanked District Engineer Mark Shelton, Assistant District Engineer Matt Seiler, State Bridge Engineer Dennis Heckman, and Assistant District Maintenance Engineer Ed Hess for their swift and effective leadership. Within hours of the event, MoDOT had a consultant on board to design a new bridge. The estimated cost to replace is \$3 million; the department is working with the railroads to recoup the cost of replacement. Work should begin around July 1, 2013 and be completed by September 2013.

Team MoDOT – Director Nichols reiterated his pride in Team MoDOT for the outstanding work they continue to do and noted that late-season snow storms delayed getting started on normal spring activities. Yet despite those late-winter events and all the rain that followed, unbelievable progress was made in re-striping roads and getting the first mowing completed in time for the Memorial Day holiday.

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PRESENTATION BY SCENIC MISSOURI

John Regenbogen, Executive Director, discussed regulating digital billboards to protect public safety as Scenic Missouri is a coalition of residents dedicated to preserving and enhancing the scenic character of Missouri's communities and countryside. Mr. Regenbogen referenced the report "*Safety Impacts of the Emerging Digital Display Technology for Outdoor Advertising Signs*" that included guidance and recommendations for public officials. The report consisted of an exhaustive literature review that included over forty studies from 1983 to 2009 and concluded roadside digital advertising attracts drivers' eyes away from the roadway. Mr. Regenbogen also referenced seven more recent research reports including the 2012 study conducted by the Swedish government of a pilot digital

billboard program in Stockholm, and the 2011 peer-review Canadian study that found a causal connection between video billboards and accidents.

Mr. Regenbogen stated the 2009 AASHTO report did not recommend blanket prohibition of digital billboards, but provided guidance to minimize negative safety impacts. Scenic Missouri believes motorists should not be subjected to: overly bright or glaring digital billboards, no more than one digital billboard in view at a time, no more than one ad copy change, nor digital billboards located near interchanges, intersections, or other decision and action points. Mr. Regenbogen recommended the proposed outdoor advertising regulations be revised to address the following: no digital billboards within 1,000 feet of interchanges or intersections; no more than one ad copy change visible by motorists using either a formula based on sight distance to the digital billboard divided by the speed limit or a standard of 30 to 60 second dwell time; no more than one digital billboard visible at a time from either side of the road; and brightness level of 280 candelas per square meter. Mr. Regenbogen believes these recommendations strike a rational and meaningful balance of allowing digital billboards while safeguarding public safety.

Chairman Carmichael thanked Mr. Regenbogen for his presentation.

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PRESENTATION BY THE MISSOURI OUTDOOR ADVERTISING ASSOCIATION

Bill May, Executive Director, provided a history and overview of billboards in Missouri and also provided a summary of traffic safety studies that have been conducted over the past ten years. The Missouri Outdoor Advertising Association (MOAA) is a trade association that promotes and protects the right to advertise on Missouri's highways and is made up of advertising companies, businesses who are dependent on outdoor advertising, industry supplies, and supporters.

Mr. May stated in 1999 and 2002, the Missouri legislature substantially tightened the regulation for outdoor advertising in Missouri, which included statutory language directing MoDOT to allow new

technology in Missouri including digital signs. This was to allow the industry to meet a growing demand from the business community as the number of existing signs declined; the number of off-premise commercial signs has declined from about 11,500 down to less than 9,000.

Mr. May reported that after MoDOT consulted with the Federal Highway Administration (FHWA), the department adopted rules that prohibited any movement or animation on digital signs; required that the message change instantly; and displayed messages remain static for at least eight seconds. The FHWA subsequently adopted Missouri's electronic sign regulations in its recommendation of rules for states that allow digital signs.

Mr. May noted that last year the Missouri legislature passed House Bill 1402, which allowed MoDOT to relocate signs displaced by road construction and allowed new technology on additional signs. As a condition to signing House Bill 1402, the Governor's Office required language requiring the department to examine its rules for digital and electronic signs. Mr. May said the department subsequently consulted with FHWA, other state departments of transportation, and experts while drafting proposed changes to the existing rules for the new technology. New recommendations from FHWA also encourage states to consider reasonable regulations on the light output of digital billboards.

In his review of the different methods of measuring light emitted from digital signs, Mr. May explained MOAA prefers the proposed rules be modified to allow a standard light output of .3 foot candles above ambient light. He also expressed the association's concerns about the delay in implementing administrative rules which has also delayed installation of digital signs creating a negative economic impact.

Mr. May provided handouts on the safety studies, a news article about digital billboards, current state criteria pertaining to digital billboard brightness, and a list of cities that have adopted model or close to model foot candles (brightness) regulations. While reviewing a list of the most recent eleven

scientific safety studies Mr. May noted they all contained the same conclusion that the researchers were unable to find any direct threat to traffic safety from either digital or conventional billboards.

Mr. May closed his presentation by providing positive examples of digital billboards such as allowing advertisement for more businesses on fewer signs, participation in the Amber Alert program, and displaying emergency information in cases of natural disaster.

Following inquiry from Commissioners Miller and Suelthaus, Chairman Carmichael thanked Mr. May for his presentation and requested Kelly Lucas, Right of Way Director, provide a status update on the digital billboard study requested by the Commission. Ms. Lucas stated the department has received a draft report and expects the final report within the next week.

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PRESENTATION BY THE HIGHWAY 63 TRANSPORTATION CORPORATION

Harriett Beard, President, and Elsie Gaber, Past President, presented the Commission with the Highway 63 Transportation Corporation's final payment of \$696,498 on the cost-share project that included upgrading Highway 63 between Macon and Kirksville to a four-lane highway. The Highway 63 Transportation Corporation formed in 2000 with the mission to facilitate the addition of two lanes of Highway 63 between Macon and Kirksville. In 2002, voters in Adair and Macon counties approved a one-half percent sales tax to facilitate the construction of twenty-three miles. The project cost was \$35.5 million, and the Corporation's contribution was \$11.5 million. Although the Corporation successfully completed its mission with the final payment to the Commission, plans are underway to continue to improve Highway 63 in Missouri and Iowa. The section of the corridor from Kirksville to Ottumwa, Iowa needs to be improved to a four lane facility to connect the Capitols of Missouri and Iowa. In Missouri, there remains a twenty-five mile two-lane segment of Highway 63 from south of Kirksville to the Iowa state line. Ms. Beard stated the current improvements have benefited Missouri and the

expansion of Highway 63 north will continue to positively impact the economy of the state and the nation.

Chairman Carmichael thanked Ms. Beard and Ms. Gaber for their passion and their leadership in transportation. He commented if more citizens were out there doing what Ms. Beard and Ms. Gaber have been doing we wouldn't have any transportation funding issues.

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PUBLIC COMMENT – APPRECIATION FOR TRANSPORTATION LEADERSHIP

The Honorable Nate Walker, Missouri House of Representatives was pleased to report on the evolution of the department that he has been able to witness over time. From a department that would respond negatively to requests for assistance to a department that works with state and local leaders to address transportation needs. This has been due to the leadership provided by the Commission. Additionally, Representative Walker paid special tribute to Harriet Beard for her strength and leadership to improve transportation for the community she serves.

CONSTRUCTION AND MATERIALS DIVISION

David Ahlvers, State Construction and Materials Engineer, provided an overview of the Construction and Materials (CM) Division with a focus on the research section and their accomplishments. There are several components to the CM Division including the chemical laboratory, contract administration, field offices, geotechnical section, physical laboratory, and research section. The division on average completes approximately 450 projects each year. The research section administers contracts, provides Local Technical Assistance Program (LTAP) funding, researches new products, and coordinates with the Federal Highway Administration (FHWA) on Every Day Counts initiatives.

Research helps the department identify and implement innovation that results in savings for the department. Geotechnical research was completed to reduce the length of piling for bridge foundations, with a fiscal year 2013 estimated savings of over \$800,000. The use of LED lights in traffic signals are estimated to saving \$240,000 annually; and the recent use of the diverging diamond design at interchanges has improved safety while saving money by keeping the interchange in the same footprint as the previous interchange and therefore not requiring the purchase of additional right of way. Currently, research is underway on pavement preservation, self-consolidating concrete and high volume fly ash concrete, recycled concrete, and foreign trade zones.

Another innovation that the department will begin implementing soon is the use of quality management on construction projects. The quality management philosophy holds the contractor accountable for day to day quality management and MoDOT's staff performs a quality assurance role through targeted audits. Quality management was successfully used in MoDOT's design build projects and was recently approved by the Federal Highway Administration for MoDOT's design-bid-build construction projects.

Chairman Carmichael noted the department is known throughout the country for its innovation and research leads to innovation, he also expressed appreciation for Mr. Ahlvers for his presentation and encouraged him to keep up the good work!

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2013 LEGISLATIVE SESSION WRAP-UP

Jay Wunderlich, Governmental Relations Director, reported on the results of the 2013 legislative session. He noted the General Assembly filed 1,591 bills this session and 164 were truly agreed and finally passed and now wait for the Governor's action. The Governor has until June 30 to act on appropriation bills as they will go into effect on July, and the remaining bills will be effective on August 28 unless they have an emergency clause with a different effective date. One proposal that passed

included the Uniform Commercial Driver’s License Act that restricts the use of cellphones and texting by commercial drivers while operating a commercial motor vehicle. Passage of this legislation implements a federal mandate and allows MoDOT to continue receiving \$30 million from the federal government.

The department was also successful in receiving additional general revenue funding for other modes of transportation.

There was one omnibus highway and bridge naming bill that included twelve different designations, including one that names the new Mississippi River Bridge in St. Louis the “Stan Musial Bridge.” Illinois, however, has not yet taken the same action. A section of I-70 in Kansas City will be named the Clifton B. Scott Memorial Highway, in honor of the MoDOT employee who died in the line of duty in September 2012.

Mr. Wunderlich noted proposals that did not pass included increasing weight limits on roads, the repeal of the all-rider motorcycle helmet law, and the temporary one-cent general sales/use tax dedicated for transportation purposes.

Chairman Carmichael thanked Mr. Wunderlich for his presentation and for his tireless efforts to promote legislation that would provide additional funding for transportation in Missouri.

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MISSOURI DEPARTMENT OF TRANSPORTATION PROPOSED FISCAL YEAR 2014 BUDGET

On behalf of the Director, Roberta Broeker, Chief Financial Officer, presented the \$2.06 billion operating budget for fiscal year 2014, which is \$288 million less than last year. She noted that in Fiscal Year 2014 the department is budgeting about \$100 million less in revenues and a lot of that is due to gas taxes. Most of the revenue MoDOT receives is through state gas tax of 17 cents per gallon and federal gas tax of 18.4 cents per gallon; however that is a declining source of revenue. People are driving less

and using more efficient cars, additionally the gas tax has not been raised in 20 years, however, and cost of construction continues to rise.

Although it is the smallest budget since fiscal year 2005, Ms. Broeker informed the Commission that the Statewide Transportation Improvement Program (STIP) will have a \$700 million construction program, which is \$100 million more than had been anticipated a year ago, thanks to cost-saving measures achieved by successfully implementing the Bolder Five-Year Direction. Ms. Broeker reported the budget also includes a \$500 cost of living adjustment for each MoDOT employee starting on January 1, 2014. Accordingly, only \$250 per employee is included in the fiscal year 2014 budget request. The costs of living adjustment along with the finalization of the estimated appropriations and the multimodal budget, travel cuts, and the inclusion of the St. Charles Bike/Pedestrian Feasibility study are the only changes since the draft budget was presented to the Commission on May 1, 2013.

The key investments for the Fiscal Year 2014 budget are:

- Program Delivery - \$1.348 billion
- System Management - \$454 million
- Multimodal - \$129 million
- Fleet, Facilities, and Information Systems - \$77 million
- Administration - \$50 million
- Other State Agencies - \$261 million

Following discussion, and upon motion by Commissioner Miller, seconded by Commissioner Smith, the Commission unanimously approved the Fiscal Year 2014 Budget as noted in the table below. Any necessary revisions to the fiscal year 2014 budget will be presented to the Commission by request for a budget amendment. The Commission also authorized the expenditures in accordance with the Commission's April 3, 2012 Delegation of Authority and Execution of Documents policy.



Fiscal Year 2011-2013 Summary and Fiscal Year 2014 Budget Request

(Dollars in Thousands)

| | <u>Fiscal Year 2011 Actual</u> | <u>Fiscal Year 2012 Actual</u> | <u>Fiscal Year 2013 Budget as Amended</u> | <u>Fiscal Year 2014 Budget Request</u> |
|---|--|--|---|--|
| Receipts | | | | |
| State Receipts | \$ 1,260,375 | \$ 1,271,152 | \$ 1,255,415 | \$ 1,240,875 |
| Less Motor Carrier Refunds | (25,728) | (22,249) | (30,025) | (30,025) |
| Less Miscellaneous Refunds | (11,578) | (11,601) | (12,755) | (13,255) |
| Net State Receipts | <u>1,223,069</u> | <u>1,237,302</u> | <u>1,212,635</u> | <u>1,197,595</u> |
| Federal Reimbursement | 1,398,920 | 931,711 | 1,087,191 | 998,431 |
| Federal Reimbursement-ARRA | 247,130 | 91,894 | 37,449 | 36,417 |
| Total Receipts | <u>2,869,119</u> | <u>2,260,907</u> | <u>2,337,275</u> | <u>2,232,443</u> |
| Disbursements | | | | |
| Administration | 48,844 | 46,857 | 48,393 | 49,847 |
| System Management | | | | |
| Maintenance Operations ¹ | 463,563 | 424,249 | 418,293 | 428,854 |
| Motor Carrier Services | 6,498 | 5,813 | 6,241 | 6,719 |
| Highway Safety | <u>17,149</u> | <u>24,861</u> | <u>43,019</u> | <u>17,980</u> |
| Total System Management | 487,210 | 454,923 | 467,553 | 453,553 |
| Program Delivery | | | | |
| Construction Operations ¹ | 157,899 | 135,571 | 138,935 | 121,017 |
| Contractor Payments ² | 1,155,384 | 1,071,485 | 978,492 | 719,223 |
| Design and Bridge Consultant Payments | 15,950 | 14,662 | 20,000 | 20,000 |
| Accelerated Program (Reimbursements) | 20,325 | 5,462 | 18,413 | 17,590 |
| Right of Way | 18,134 | 36,601 | 43,500 | 20,000 |
| Federal Pass-Through ² | 181,603 | 173,603 | 157,220 | 157,900 |
| Debt Service on Bonds | <u>283,497</u> | <u>273,576</u> | <u>290,829</u> | <u>292,820</u> |
| Total Program Delivery | 1,832,792 | 1,710,960 | 1,647,389 | 1,348,550 |
| Fleet, Facilities and Information Systems | | | | |
| Operations ¹ | 33,213 | 28,941 | 30,664 | 27,886 |
| Capital Improvements Investments | 10,061 | 6,919 | 8,748 | 7,200 |
| Information Systems Investments | 27,028 | 14,384 | 20,000 | 20,000 |
| Fleet Investments | <u>26,670</u> | <u>19,866</u> | <u>22,663</u> | <u>22,150</u> |
| Total Fleet, Facilities and Information Systems | 96,972 | 70,110 | 82,075 | 77,236 |
| Multimodal ² | <u>67,520</u> | <u>64,093</u> | <u>100,959</u> | <u>129,021</u> |
| Total MoDOT Disbursements | <u>2,533,338</u> | <u>2,346,943</u> | <u>2,346,369</u> | <u>2,058,207</u> |
| Disbursements by Other State Agencies ³ | <u>226,253</u> | <u>240,576</u> | <u>247,546</u> | <u>261,280</u> |
| Total Disbursements for MoDOT and Other State Agencies | <u>2,759,591</u> | <u>2,587,519</u> | <u>2,593,915</u> | <u>2,319,487</u> |
| Receipts Over (Under) Disbursements⁴ | <u>\$ 109,528</u> | <u>\$ (326,612)</u> | <u>\$ (256,640)</u> | <u>\$ (87,044)</u> |

¹ Operations include personal services, fringe benefits and expense and equipment.

² The fiscal year 2014 budget request includes disbursements for the American Recovery and Reinvestment Act of 2009 (ARRA) for Contractor Payments, Federal Pass-Through and Rail Program.

³ Fiscal year 2014 budget request is the Truly Agreed and Finally Passed. Fiscal year 2013 amended budget is Truly Agreed and Finally Passed appropriations adjusted for decreases/increases throughout the fiscal year.

⁴ Existing cash balances will fund the excess of disbursements over receipts.

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STATE OF THE NORTHEAST DISTRICT

Paula Gough, Northeast District Engineer, provided an overview on the importance of living MoDOT values in maintaining the transportation system and delivering transportation improvements in the Northeast District. Ms. Gough also provided details on the response to recent winter storms and flood events such as planning and preparation for weather events and incident response; the importance of safety of our employees and the traveling public during incident response; being one team by sharing staff and equipment across the district and with other districts; and being bold by utilizing contractor resources to supplement MoDOT’s winter snow removal efforts.

Ms. Gough reported the Northeast District eliminated special crews, which allows MoDOT employees to be one team and develop their skills and become well-rounded in all areas including striping, bridge deck repair, concrete replacement, and structural signs. Ms. Gough recognized efforts underway so employees may continue to improve and introduced Robert Cole, Robert Hunnold, Gavin Poe and Todd Smith who recently completed the “Leading from Where You Are” leadership class for maintenance crew leaders.

Chairman Carmichael thanked Ms. Gough for her presentation.

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FISCAL YEAR 2013 BUDGET AMENDMENT

On behalf of the Director, Brenda Morris, Financial Services Director, recommended increasing receipts \$74.3 and disbursements \$97.2 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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HIGHWAY 63 TRANSPORTATION CORPORATION, APPOINTMENT OF BOARD MEMBERS

On behalf of the Director, Paula Gough, Northeast District Engineer, conveyed the following recommendation of Highway 63 Transportation Corporation Board of Directors as it pertains to the membership on that board:

- Appoint Tim Peters to fill the expired term held by David Ramsey beginning July 1, 2013 and expiring June 30, 2016.
- Appoint Jeff Lindquist to fill the expired term held by Donald Crabtree beginning July 1, 2013 and expiring June 30, 2016.
- Appoint Melanie Smith to fill the expired term held by Norman Belitz beginning July 1, 2013 and expiring June 30, 2016.
- Appoint Dale Bagley to fill the expired term held by Allan Muncy beginning July 1, 2013 and expiring June 30, 2016.
- Reappoint Tony Askew to fill a three-year term beginning July 1, 2013 and expiring June 30, 2016.

Via approval of the consent agenda, the Commission unanimously approved the appointment to the Highway 63 Transportation Corporation Board of Directors as recommended and noted above.

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MEDICAL AND LIFE INSURANCE PLAN: APPROVAL OF PLAN ADMINISTRATOR RECOMMENDATION

On behalf of the Director, Jeff Padgett, Director of Risk and Benefits Management, shared the recommendation of the Medical and Life Insurance Plan Board of Trustees to approve a contract with Coventry Health Care for administrative services for a period of three years, with two one-year extension periods available, to provide administrative services beginning January 1, 2014.

Via approval of the consent agenda, the Commission unanimously approved the recommendation from Jeff Padgett and the Medical and Life Insurance Plan Board of Trustees and authorized the

Director, Chief Engineer, or Chief Financial Officer to execute said contract, pending Chief Counsel's approval as to form of the contract.

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NATIONAL HIGHWAY SYSTEM – OUTDOOR ADVERTISING

On behalf of the Director, Kelly Lucas, Right of Way Director, explained the federal transportation reauthorization act, Moving Ahead for Progress in the 21st Century (MAP 21), adds 662 centerline miles to the National Highway System (NHS).

Staff proposed, and received the Federal Highway Administration – Missouri Division concurrence, to designate the enhanced NHS as part of the state's Primary System for the purpose of outdoor advertising control.

Commissioner Miller requested this item be pulled from the consent agenda for further consideration and discussion. He noted staff are currently working with an outside traffic safety expert and would like time to review the final report before the Commission takes up the staff recommendation on the additional centerline miles to the NHS. Chairman Carmichael tabled this agenda item for the July Commission meeting.

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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. She noted Calls B05, C01, C03, F04, and H02 have local funding, as noted in Table I below, and the department received all of the necessary concurrences.

Ms. Harvey recommended (1) Award of contracts to the lowest responsive bidders for bids received at the May 17, 2013, letting, as recommended and noted in Table I below. (2) Declare the bid from Vee-Jay Cement Contracting Co, Inc. for Call F04 as non-responsive per Section 102.7 of the Missouri

Standard Specifications for Highway Construction due to not completing bids in accordance with the bidding documents.

**Table I
Award of Contracts
May 17, 2013, Bid Opening**

| Call No. | Route | County | Job No. | Bid Amount | Non-Contractual Costs | Contractor | Description |
|-----------------|--------------|---------------|----------------|-------------------|------------------------------|---------------------------------|--|
| B01 | 3 | Randolph | J2P2224 | \$369,992.19 | \$0.00 | Boone Construction Co. | ADA Improvements |
| B02 | AA | Montgomery | J3S2230 | \$49,860.35 | \$0.00 | T.S. Banze Construction, Inc. | ADA Improvements |
| B03 | K | Shelby | J3S2229 | \$41,792.10 | \$0.00 | T.S. Banze Construction, Inc. | ADA Improvements |
| B04 | B | Lewis | J3S2160 | \$785,964.50 | \$0.00 | Magruder Construction Co., Inc. | Bridge Replacement |
| B05* | 63 | Adair | J2P3016 | \$136,882.90 | \$0.00 | W. L. Miller Company | Paving, Grading, & Drainage for New Median Opening |
| B06 | Various | Various | J2I3034 | \$261,750.00 | \$0.00 | James H. Drew Corporation | Job Order Contracting - Guard Cable Repair |
| B07 | Various | Various | J2P3033 | \$140,805.00 | \$0.00 | James H. Drew Corporation | Job Order Contracting - Guardrail Repair |
| C01** | 435 | Jackson | J4I3001 | \$1,021,782.26 | \$0.00 | Engineered Systems Company, LLC | Construct Bicycle/Pedestrian Bridge |
| C02 | 92 | Platte | J4P2152 | \$3,499,587.13 | \$0.00 | APAC-Missouri, Inc. | Paving, Grading, & Drainage and Bridge Replacement |
| C03*** | F | Jackson | J4P2267 | \$8,564,227.49 | \$1,411.68 | Lehman Construction, LLC | Alt. Paving, Grading, Drainage, ADA Improvements |
| C04 | Various | Various | J3P3020 | \$127,657.00 | \$0.00 | Mill Valley Construction, Inc. | Rehabilitation of 4 Bridges |
| C05 | Various | Various | J4I3033 | \$450,000.00 | \$0.00 | Collins & Hermann, Inc. | Job Order Contracting - Fence Repair |
| D01 | F | Laclede | J8S2403 | \$1,295,663.00 | \$0.00 | Lehman Construction, LLC | Bridge Redeck |
| | N | | J8S2404 | | | | |
| F01 | A | Jefferson | J6M0253 | \$332,000.00 | \$0.00 | Pace Construction Company, LLC | Coldmilling and Resurfacing (SP) |

| | | | | | | | |
|--------------|---------|----------------|---------------|------------------------|-------------------|-----------------------------------|---|
| F02 | Z | St. Charles | J6S2322 | \$2,288,732.60 | \$0.00 | Magruder Paving, LLC | Thin Lift Overlay (BP), Add Shoulders & Drainage |
| F03 | H | St. Charles | J6S3010C | \$338,335.00 | \$0.00 | N. B. West Contracting Company | Thin-Lift Overlay (SL) |
| F04 **** | 109 | St. Louis | J6S2046B | \$5,372,000.00 | \$0.00 | J. M. Marschuetz Construction Co. | Alt Paving, Grading and Drainage for Roundabout |
| | | | J6S2046C | | | | Alt Paving, Grading and Drainage for Widening to Add Lanes |
| | | | J6S2046D | | | | Grading, Drainage and Paving to Extend Pond Grover Loop Rd. |
| F05 | W | Jefferson | J6S2207 | \$6,952,229.49 | \$107.92 | J.H. Berra Construction Co., Inc. | Alt. Paving, Alt. Retaining Wall, Grading & Drainage |
| | PP | | J6S3021 | | \$0.00 | | Seal Coat, Add Shoulders |
| F06 | D | St. Charles | J6S3018 | \$5,277,577.73 | \$0.00 | L. F. Krupp Construction, Inc. | Coldmill, Resurface (BP), Add Shldr and Curve Correction |
| | DD | | J6S2310B | | | | Thin Lift Overlay (BP), Add Shoulders and Curve Correction |
| | D | | J6S2192C | | | | |
| G01 | 65 | Christian | J8P2161 | \$181,658.75 | \$0.00 | APAC-Missouri, Inc. | Bridge Rehabilitation |
| G02 | 65 | Christian | J8P2156 | \$2,995,000.00 | \$0.00 | Pace Construction Company, LLC | Paving, Grading, Drainage, and Bridge Replacement |
| H01 | D & E | Cape Girardeau | J9S3017 | \$115,214.30 | \$0.00 | Fronabarger Concreters, Inc. | ADA Improvements |
| H02 ***** | Various | Various | J9P3022 | \$580,000.00 | \$0.00 | RL Persons Construction, Inc. | ADA Improvements |
| H03 | Various | Various | J7S3019 | \$86,578.60 | \$0.00 | James H. Drew Corporation | Signage for Trans-America Bike Trail |
| | | | J9S3026 | | | | |
| H04 | 55 & 60 | Various | J9P3009B | \$219,547.00 | \$0.00 | Big River Resources Corp. | Guardrail Improvements |
| H05 | Various | Various | J9P3009 | \$257,985.00 | \$0.00 | James H. Drew Corporation | Job Order Contracting - Guardrail/Guard Cable Repair |
| | | | TOTAL: | \$41,742,822.39 | \$1,519.60 | | |

* Call B05 – Funding by Admire Evergreen LC, Steve’s Highway 63 Mini Storage and Custer’s Ceramic Shop – \$16,700.00

** Call C01 – Funding by the City of Kansas City – \$1,021,782.26

*** Call C03 – Funding by the City of Oak Grove - \$4,838,402.87

**** Call F04 – Funding by the City of Wildwood - \$4,335,046.58 (J6S2046C)

Funding by the City of Wildwood - \$4649,828.70 (J6S2046D)

***** Call H02 – Funding by the City of Malden – \$7,500.00

Commission Consideration and Action

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

1. Awarded contracts to the lowest responsive bidders for bids received on the May 7, 2013, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Declared the bids from Vee-Jay Cement Contracting Co, Inc. for Call F04 as non-responsive due to not completing bids in accordance with the bidding documents.
3. Authorized the Director, Chief Engineer, or Chief Financial Officer to execute the contracts awarded above.

Commissioner Miller abstained from voting on Call C05. Commissioner Suelthaus abstained from voting on Calls F01 and G02.

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

On behalf of the Interim Director, Michelle Teel, Multimodal Operations Director, recommended addition of one project to the 2013-2017 Statewide Transportation Improvement Program (STIP) that was approved in July 2012, as noted in the tabulation below.

**2013 – 2017 STIP
Highway and Bridge Construction Schedule
June Amendments
Project Added**

| District County Job No. | Description of Improvement/Location | Tentative Award State Fiscal Year and Change by Type | Change in Project Funds (Dollars in Thousands) |
|-------------------------------|--|---|---|
| KC Jackson | Kansas City Port improvements, building demolition and operations. | 2013 | \$303 |
| | | TOTAL: | \$303 |

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

* * * * *

REQUEST FOR APPROVAL OF LOCATION AND DESIGN OF HIGHWAYS

**Intersection of Route 60 and Route J/NN in Greene County and new lanes
On Route 60 from west of County Road 193 to east of County Road 205**

**Job No. J8P0683D
Public Hearing Held April 16, 2013**

The proposed improvement provides an interchange on Route 60 to replace the current at-grade crossing and construct new lanes on Route 60. The proposed ramp width is 14-foot lanes with a four-foot inside shoulder and an eight-foot outside shoulder. The project will have fully controlled access right of way. Traffic will be handled on the existing route during construction. This project is 1.8 miles in length.

On behalf of the Director, Rebecca Baltz, Southwest District Engineer, recommended approval of the location and design 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 designs would best serve the interest of the public and approved the recommendation.

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CHANGE IN ACCESS - BREAK IN ACCESS, ROUTE A IN ST. CHARLES COUNTY

On behalf of the Director, Ed Hassinger, St. Louis District Engineer, recommended approval of a request from St. Charles County to construct a 40-foot entrance centered at the easterly right of way line of Route A at Station 167+78.67 for a new connector road to East Pitman Avenue. The break will be a non-arterial connection and will not provide traffic relief to the state system. A review by the department indicated allowing the entrance would improve the connectivity of the road network in the

area, improve access to the surrounding parcels, and provide traffic relief in the area of the I-70 and US 40-61 interchange, while not impeding the safety and traffic flow along Route A.

Via approval of the consent agenda, the Commission unanimously approved the request of the St. Charles County, as described above with \$1.00 compensation due the Commission for the break in access.

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-- REPORTS --

The Commission received the following written reports.

A BOLDER FIVE-YEAR DIRECTION REPORT

Dave Nichols, 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 April 30, 2013, there has been a reduction of 1,354 salaried positions since February 28, 2010. The target of 5,106 employees has been reached. However, MoDOT remains understaffed 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 has vacated 123 facilities. Of that total, 84 facilities have been conveyed, which includes the termination of five leases and the establishment of long-term leases with other parties for five facilities. The department has eliminated 620 pieces of equipment, with an additional 128 pieces of equipment taken out of service. As of April 30, 2013, the department realized a total savings of \$358 million.

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**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING APRIL 30, 2013**

Brenda Morris, Financial Services Director, provided to the Commission the Fiscal Year 2013 monthly financial report for the period ended April 30, 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 April 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. Twelve engineering consultant services contracts were executed in April 2013, for a total cost of \$7,193,007. A total of three non-engineering consultant contracts were executed in April 2013, for a total cost of \$6,597,692.

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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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