



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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**MINUTES OF THE HIGHWAYS AND TRANSPORTATION COMMISSION
SPECIAL MEETING HELD IN JEFFERSON CITY, MISSOURI,
WEDNESDAY, JUNE 11, 2014**

A special meeting of the Missouri Highways and Transportation Commission was held on Wednesday, June 11, 2014, via teleconference and at the Missouri Department of Transportation Building, 105 West Capitol Avenue, Jefferson City, Missouri. Stephen R. Miller, Chairman, called the meeting to order at 1:45 p.m. The following Commissioners were present via teleconference: Lloyd J. Carmichael, Kenneth H. Suelthaus, and Gregg C. Smith.

On February 6, 2014, Governor Nixon withdrew the appointment of Commissioner Kelley M. Martin; at the time of the June 11, 2014 meeting, a replacement had not been appointed. On May 6, 2014, Governor Nixon withdrew the appointment of Commissioner Bryan T. Scott; at the time of the June 11, 2014 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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Ed Hassinger, Chief Engineer 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 11, 2014.

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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(11), (12) – Competitive bidding specifications, sealed bids, or negotiated contracts.

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 Miller, Aye
Commissioner Carmichael, Aye
Commissioner Suelthaus, Aye
Commissioner Smith, Aye

The Commission met in closed session on Wednesday, June 11, 2014 from 1:00 p.m. until 1:45 p.m.

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-- OPEN MEETING --

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 11, 2014, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Suelthaus, seconded by Commissioner Smith, the consent agenda items were unanimously approved by a quorum of Commission members present.

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CONSTITUTIONAL AMENDMENT 7 REQUIRED PROJECT LIST

Chairman Miller explained that the Commission has not formally met as a Commission since HJR 68 passed the General Assembly in May 2014, which was later placed on the August 5, 2014 ballot by the Governor, and as part of the process, has now been designated as Constitutional Amendment 7 by the Secretary of State.

On behalf of the Director, Ed Hassinger, Chief Engineer, explained that Constitutional Amendment 7 requires the Commission approve a list of projects that would be funded by the measure. The purpose of Constitutional Amendment 7 is to provide additional funding for transportation. The measure is a temporary $\frac{3}{4}$ cent sales tax for ten years. The measure also places restrictions for the 10 year period including no state fuel tax increase, and no toll roads. It is estimated the measure will provide revenue of \$5.4 billion over ten years for any transportation purpose, and ten percent is to be shared with cities and counties.

Mr. Hassinger explained the development of this project list is the culmination of significant outreach and feedback from Missourians all across the state. From the annual Statewide Transportation Improvement Program to the Blue Ribbon Citizen's Committee on Missouri's Transportation Needs and last year's On the Move long range planning effort, MoDOT has been listening to Missourians' wants and needs for several years. The feedback from On the Move has provided the backbone for the list of projects in each region.

Since January 2014, MoDOT worked with planning partners and other transportation stakeholders to develop a prioritization process for determining a list of projects to be delivered with the additional revenues. Each region of the state developed a list of recommended projects based on input from planning partners, community leaders, business leaders, modal partners, and the public.

Mr. Hassinger presented a draft project list for the Commission's consideration. He explained there will be a public comment period starting on June 13, 2014 at noon that will continue through June

20, 2014, which will allow the department time to gather and take into consideration the public comments as the final project list is prepared. Vice-Chairman Carmichael expressed concern over the public having enough time to review and comment on the proposed project list. Following discussion, Chairman Miller directed the public comment period be extended to July 3, 2014, to allow more time for the department to receive and respond to public comments regarding the proposed project list. Mr. Hassinger agreed with the direction stating stakeholders and staff will use the time to hold more public meetings around the state to ensure every Missourian has an opportunity to provide feedback on the proposed project list. Mr. Hassinger explained the final project list will be presented to the Commission at its July 9, 2014 meeting.

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REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING – ORGANIZATION RULE

On behalf of the Director, Micki Knudsen, Human Resources Director, presented the final orders of rulemaking, 7 CSR 10-1.010, Description, Organization, and Information. She explained this administrative rule outlines the department’s organizational structure, and should be consistent with the department’s current business practices.

On February 11, 2014, the Commission approved and authorized staff to file proposed new and rescinded administrative rules regarding Title 7 CSR 10-1.010, Description, Organization, and Information. After Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of Secretary of State, who published the proposed rules in the *Missouri Register* for public comment. The public had from March 17, 2014 through April 16, 2014, to submit comments in support of or in opposition to the notice of proposed new and rescinded rulemaking. No comments were received during the public comment period.

The following is a summary of the significant changes to the rule: (1) revise MoDOT’s responsibilities to include accommodation for non-motorized transportation; (2) revise general

management job titles and responsibilities to reflect how the department conducts business; (3) revise the number, names, and descriptions of divisions to reflect changes made to the organizational structure; (4) revise the number and names of districts, and update the counties associated with each district; and (5) update the district offices' contact information.

The department supports this final order of rulemaking to update the department's organizational structure to depict its current business practices. After consideration, the Commission, via approval of the consent agenda, unanimously approved the final orders to complete the rulemaking, authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to finalize the rulemaking process.

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CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS

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

Mr. Schroeter recommended (1) Award of contracts to the lowest responsive bidders for bids received at the May 23, 2014, letting, as recommended and noted in Table I below. (2) Rejection of bids received on Calls C15, D02, H02, and H04 as noted in Table II below, due to the bids being excessive per Section 102.15 of the Missouri Standard Specifications for Highway Construction. (3) Concurrence in award of contracts, as recommended and noted in Table III below.

**Table I
Award of Contracts
May 23, 2014, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	H	Andrew	J1P2219D	\$247,175.48	\$0.00	Mega Industries Corporation	ADA Improvements
A02	Various	Various	J1P3007	\$287,000.00	\$0.00	Superior Rail System, LLC	JOC - Guardrail and Guard Cable Repair
A03	229	Buchanan	J1I3033	\$2,134,581.88	\$0.00	Widel, Inc.	Bridge Rehabilitation (8 Bridges)
B01	63	Randolph	J2P2226B	\$2,182,603.50	\$0.00	APAC-Missouri, Inc.	Grading, and Pavement
		Boone	J5P2233				Intersection Improvements
B02	70	Montgomery	J2M0260	\$398,505.90	\$0.00	APAC-Missouri, Inc.	Bridge Rehabilitation
	Various	Pike, Lincoln, Marion, Montgomery	J2P3067				Bridge Rehabilitation (5 Bridges)
B03*	61	Lincoln	J2S3008	\$669,795.98	\$0.00	R. V. Wagner, Inc.	Grading, Pedestrian Bridge, and ADA Improvements
B05	16	Lewis	J2S3053	\$633,993.70	\$0.00	BRS Construction, LLC	ADA Improvements
			J2S3054				
B06	Various	Pike, Ralls, Marion	J9P2264E	\$515,668.00	\$0.00	James H. Drew Corporation	Guardrail Replacement
C01	Various	Various	J2I2166F	\$1,135,000.00	\$0.00	Superior Bowen Asphalt Company, LLC	JOC - Asphalt Pavement Repair - Interstate
C02	Various	Various	J2I2166G	\$1,017,500.00	\$0.00	R.A. Knapp Construction, Inc.	JOC - Concrete Pavement Repair - Interstate
C04	Various	Saline, Pettis	J3S3039	\$4,522,794.62	\$0.00	APAC-Missouri, Inc.	Resurface and ADA Improvements
	T	Pettis	J3S3043				Resurface
C06**	49	Cass	J4P1475	\$13,686,266.48	\$0.00	Lehman Construction, LLC	Grading, Pavement and Bridge
C07	Various	Various	J4P2309	\$1,456,910.00	\$0.00	Collins & Hermann, Inc.	JOC - Guardrail and Guard Cable Repair
C08	Various	Various	J4P2310	\$400,500.00	\$0.00	Superior Rail System, LLC	JOC - Guardrail and Guard Cable Repair
C09	Various	Various	J4P2363	\$401,800.00	\$0.00	Superior Bowen Asphalt Company, LLC	JOC - Asphalt Pavement Repair
C11	152	Clay	J4P3096H	\$653,595.60	\$0.00	Emery Sapp & Sons, Inc.	Grading and Pavement
C12	29	Platte	J4P3096I	\$226,879.38	\$0.00	Leavenworth Excavating & Equipment Company, Inc.	Grading and Pavement
C13	Various	Jackson, Clay	J4Q2269B	\$1,349,925.58	\$19,000.00	Capital Electric Line Builders, Inc.	ITS Improvements

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D01	AA	Camden	J5M0260	\$280,125.37	\$0.00	APAC-Missouri, Inc.	Resurface
D03	Various	Various	J5P3002	\$425,000.00	\$0.00	Superior Rail System, LLC	JOC - Guardrail and Guard Cable Repair
D04***	19	Gasconade	J5P3006	\$892,818.88	\$124.56	Rolla Asphalt, LLC	Grading, Pavement and Add Shoulders
D05	63 & 54	Phelps, Camden	J5P3057	\$962,228.11	\$0.00	Lehman Construction, LLC	Pavement and ADA Improvements, with 1 Add
D06*** *	B	Boone	J5S2186	\$881,239.00	\$0.00	APAC-Missouri, Inc.	Bridge Replacement
D07	Various	Various	J9P2239	\$510,000.00	\$0.00	Collins & Hermann, Inc.	JOC - Guardrail and Guard Cable Repair
D08	19	Dent, Crawford	J5M0262	\$634,132.67	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Seal Coat
F01	170	St. Louis	J6I2382	\$5,599,999.00	\$0.00	N.B. West Contracting Company	Resurface
F03	Various	Various	J6I3003	\$619,990.00	\$0.00	Freedom Fence, LLC	JOC - Guard Cable Repair
F04	Various	Various	J6I3004	\$325,240.00	\$0.00	Freedom Fence, LLC	JOC - Fence Repair
F05	I-270 OR	St. Louis	J6P2376	\$1,033,201.12	\$3,000.00	L. F. Krupp Construction, Inc. dba Krupp Construction	Grading, Pavement and Signals
F06	141	St. Louis	J6P3016	\$7,050,709.57	\$0.00	Millstone Weber, LLC	Pavement, Coldmill, and Resurface
			J6U0807C				
F07	100	St. Louis	J6S2085	\$15,548,000.68	\$0.00	L. F. Krupp Construction, Inc. dba Krupp Construction	Coldmill, Resurface, and ADA Improvements
			J6S2429				ADA Improvements, Lighting and Signals with 4 Add
F08	W	Jefferson	J6S2207B	\$3,726,000.00	\$0.00	N.B. West Contracting Company	Grading and Pavement
			J6S2207C				Resurface
F09	E	Franklin, Gasconade	J6S3010H	\$879,000.00	\$0.00	N.B. West Contracting Company	Resurface
G01*** **	49 OR	Bates	J7I0797B	\$192,570.60	\$0.00	Midwest Heavy Construction, LLC	Grading and Pavement
G02*** ***	P	Henry	J7S3016	\$631,331.78	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Full Depth Reclamation and Resurface

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
G03	76	Stone	J8P2419	\$2,401,241.51	\$15,000.00	H.R. Quadri Contractors, LLC	Grading and Pavement
G04****	13	Greene	J8P3042	\$2,140,521.48	\$0.00	Hartman and Company, Inc.	Grading and Pavement
H03	160	Ripley, Butler	J9P2222	\$7,325,834.65	\$8,719.08	H.R. Quadri Contractors, LLC	Grading, Pavement, Resurface and Bridge
H05****	60	Stoddard	J9P3095	\$552,977.08	\$0.00	Lappe Cement Finishing, Inc.	Pavement and Intersection Improvements
H06****	114	Stoddard	J9S3054	\$3,253,105.49	\$0.00	Apex Paving Co.	Resurface and Add Shoulders
H07****	61	New Madrid	J9S3085	\$764,221.76	\$0.00	Lappe Cement Finishing, Inc.	Grading, Pavement and Signals
H08	160	Howell, Texas	J9M0267	\$451,753.60	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Seal Coat
H09	Various	Ozark, Taney, Iron, Howell	J9M0268	\$1,194,855.01	\$0.00	Innovative Roadway Solutions, LLC	Surface Sealing Treatment
H10	Various	Cape Girardeau, Mississippi, Perry, Scott, Ste. Genevieve, Stoddard	J9M0269	\$1,449,730.54	\$0.00	Innovative Roadway Solutions, LLC	Surface Sealing Treatment
			TOTAL:	\$91,646,324.00	\$45,843.64		

- * Call B03 – Funding by City of Troy – \$36,000.00
- Funding by Lincoln County School District R-III – \$36,000.00
- ** Call C06 – Funding by the Highway 71/291 TDD – \$8,686,266.46
- *** Call D04 – Funding by the City of Owensville – \$525,527.00
- **** Call D06 – Funding by Strategic Highway Research Program – \$200,000.00
- ***** Call G01 – Funding by City of Adrian – \$25,000.00
- ***** Call G02 – Funding by Kansas City Power & Light Co. – \$315,665.89
- ***** Call G04 – Funding by City of Springfield – \$1,070,260.74
- ***** Call H05 – Funding by County of Stoddard – \$63,000.00
- ***** Call H06 – Funding by City of Dexter – \$107,000.00
- ***** Call H07 – Funding by City of Sikeston – \$382,110.88

Table II
Rejection of Bids
May 23, 2014, Bid Opening

Call No.	Route	County	Job No.	Description
C15	A	Clay	J4S3048	Resurface and Add Shoulders
D02	5	Camden	J5P2187	Grading, Pavement, and Resurface
H02	14	Douglas	J8S2460	Resurface
			J8S2464	Pavement and ADA Improvements
H04	Various	Various	J9P2264H	Guardrail Improvements

**Table III
Concurrence of Awards**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D09*	70	Callaway	J5M0263	\$74,912.49	\$0.00	Logan Excavating, LLC	Slide and Culvert Repair
-- **	1	Clay	J4S3077	\$2,022,999.00	\$0.00	Kissick Construction Co. Inc.	Bridge Replacement

* Emergency project was added to May 23, 2014 letting and awarded by Ed Hassinger, Chief Engineer.

** Project was let by North Kansas City Special Road District on April 14, 2014. MoDOT share – \$250,000.00

Commission Consideration and Action

After consideration, and upon motion by Commissioner Suelthaus, seconded by Commissioner Smith, 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 23, 2014, 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 Calls C15, D02, H02, and H04, as noted in Table II above, because they were considered excessive.
3. Concurred in the award of the contracts, as recommended and noted in Table III above. Non-contractual costs for these projects are shown on the above tabulation.
4. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Miller abstained from voting on Calls C01, C07, C09, C11, C13, D07, H02, and H04. Commissioner Carmichael abstained from voting on Calls C01, C02, C07, C08, C09, D07. Commissioner Suelthaus abstained from voting on Calls F03 and F04. Commissioner Smith abstained from voting on calls D03 and D07.

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CONSIDERATION OF PROPOSALS FOR ROUTE 60 ROGERSVILLE FREEWAY, GREENE AND WEBSTER COUNTIES, DESIGN-BUILD PROJECT

Becky Baltz, Southwest District Engineer, and Sean Matlock, Project Director, described the project that will convert Route 60 from an expressway to a freeway between Farm Road 241 in Greene County to Chicory Road in Webster County. An expressway is a road that has at grade public road intersections and driveways compared to a freeway that has controlled access through grade-separated interchanges and no driveway accesses. This project will improve safety by eliminating several signalized intersections and replacing with a safer controlled access roadway.

Project Goals

The goal of the design-build project is to construct as much road and bridge work as possible for the best price possible. The design-build team established project goals early in the process.

These goals include:

- Deliver the project within the programmed budget of \$35 million. The budget includes design build contract of \$27 million plus approximately \$8 million for right of way acquisition, utilities, add alternates, and stipend.
- Convert Highway 60 to a freeway between County Road 241 and west of Chicory Road providing two points of controlled access near Farm Road 253 and at Route B/Route VV.
- Engage stakeholders and the community to successfully develop and deliver the project while minimizing impacts.
- Impress our customers through innovative traffic control solutions that conveniently and efficiently move drivers through the project during and after construction in safe manner.
- Create a new model for purchasing right-of-way on a design-build project.
- Complete the project by December 2016.

Procurement Process

By Commission action on October 2, 2013, the Commission approved the use of design-build for the Route 60 Rogersville Freeway in Greene and Webster Counties. Since then, MoDOT's design-build team has been working through the procurement process. Four teams were prequalified in January 2014 to compete for the contract. The Request for Proposals was issued in February 2014. The four teams

submitted their final proposals by April 14, 2014. The MoDOT design-build team reviewed and evaluated the proposals. The four teams that submitted proposals include:

- ESS Team - Emery Sapp & Sons, Inc. in association with Parsons Transportation Group, Inc. with Olsson Associates, TSI Engineering, Inc., Shaffer & Hines, Inc.
- Kiewit Team - Kiewit Infrastructure Company with Crawford, Murphy & Tilley, Inc. and George Butler Associates, Inc.
- Ozark Regional Road Constructors (ORRC) - which included Radmacher Brothers Excavating Company, Inc., with Reynolds, Smith & Hills, Inc. and CFS Engineers. It also includes Palmerton & Parrish, Inc., TREKK Design Group LLC, and Hg Consult, Inc.
- Rogersville Constructors - Iron Mountain Construction Services with Millstone Bangert, Inc. and Burns & McDonnell. It also includes Civil Design, Inc., Kivindy Engineering Services, and Geotechnology, Inc.

Evaluation

The items that were evaluated by the MoDOT design-build team included Project Definition (50 points available), maintenance of traffic (10 points available), completion schedule (10 points available), safety (10 points available), and right of way impact (10 points). Mr. Matlock provided a summary of the scoring for each category and the total points awarded to each are outlined below.

- Rogersville Constructors – 67.8 points
- ESS Team – 73.5 points
- Kiewit Team – 78.1 points
- ORRC – 82.9 points

Commission Consideration and Action

Mr. Matlock recommended the ORRC as the best value proposer. The strength of their proposal was their project definition which included geometrics, corridor mobility, pavements, and structures and provided the most improvements for the \$27 million design-build contract. Their proposal included:

- At the west end of the project:
 - Two-way outer road from County Road 249 to County Road 243.
 - Third bridge over US 60 at County Road 247.
 - One-way outer road with right-in/right-out access to Business Route 60 and Jamestown Boulevard.

- At the County Road 253 Interchange
 - Improvements to County Road 253 from the interchange to Center Street/Business Route 60.
 - County Road 253 over Route 60.
 - Control traffic with roundabouts.
 - One-way outer road on north side of Route 60.
 - Two-way outer road on south side of Route 60 with access to Jamestown development.
- At the Route B/Route VV interchange
 - US 60 over Route B/Route VV.
 - Reconstruct Johnstown Drive.
 - Dog-bone style interchange that allows connection to Red Bud Street.
 - Access to County Road 253 interchange via one-way outer road on north side and two-way outer road on south side.
- At the east end of the project
 - Pavement overlay of Red Bud Street.
 - Left turn lane and right turn lane at Chicory Road/Industry Road.
 - Left turn lane and right turn lane at Peck Hollow Road/White Oak Road.

Chairman Miller thanked Mr. Matlock for his presentation and the MoDOT design-build team for their work on this project to date.

After consideration, Commissioner Smith moved that the Commission adopt staff recommendations to approve the ORRC design-build team for submitting the best value proposal for the Route 60 Rogersville Freeway design-build project; authorize the director, chief engineer, chief financial officer, or their designee to negotiate and execute a contract with ORRC subject to approval as to form by the Chief Counsel's Office; and authorize payment of the agreed stipend of \$145,000 to the three unsuccessful proposing teams. This motion was seconded by Commissioner Suelthaus. The Commission unanimously approved the motion.

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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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