



**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,
WEDNESDAY, FEBRUARY 1, 2017**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, February 1, 2017, at 105 West Capitol, Jefferson City, Missouri. Gregg C. Smith, Chairman, called the meeting to order at 11:00 a.m. The following Commissioners were present: Michael B. Pace, Michael T. Waters, Jr., Mary E. Nelson, and John W. Briscoe.

On January 30, 2017 Governor Eric Greitens withdrew the appointment of Commissioner Edward D. Hillhouse; at the time of the February 1, 2017 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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Patrick McKenna, 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, February 1, 2017.

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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.

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 Smith, Aye
Commissioner Pace, Aye
Commissioner Waters, Aye
Commissioner Nelson, Aye
Commissioner Briscoe, Aye

The Commission met in closed session on Wednesday, February 1, 2017 at 9:00 a.m. and adjourned at 11:00 a.m.

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-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Waters, seconded by Commissioner Briscoe, the Commission unanimously approved the minutes of the regular meeting held January 4, 2017. 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 February 1, 2017, Consent Agenda

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

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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 February 1, 2017, meeting.

Audit Committee – Commissioner Waters stated as the department prepares for the annual audit process, a request is being sent across the state for ideas or suggestions to be included in the audit that will start in July.

Legislative Committee – Commissioner Pace reported the department has been involved in committee hearings and numerous informal meetings that have taken place in the Capitol discussing transportation issues ranging from the budget, to tolling I-70, to outlining the information contained in the “Citizen Guide to Transportation Funding”.

The Director is scheduled to present the department's annual Accountability Report to the Joint Committee on Transportation Oversight on February 2, 2017. This report is required by state law. Included in the report is a copy of the department's comprehensive financial information, detailed explanation of the methods used to select construction projects, a listing of future projects, and so much more. This report is available on MoDOT's website.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith reported that the Board met on February 1, 2017, and approved one loan totaling \$660,779 to the City of Republic for city street improvements addressing capacity and safety issues. The next MTFC meeting will be in May.

MoDOT and Patrol Employees' Retirement System – Commissioner Pace stated there was no report this month.

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DIRECTOR'S REPORT

During the February 1, 2017, Commission meeting, Director Patrick McKenna provided the following report:

Recognition - Director McKenna recognized Tony McGaughy, Acting Northwest District Engineer, who will be retiring at the end of February. The Director read into the record the Commission resolution recognizing Mr. McGaughy for his outstanding service to the state of Missouri.

Winter Operations - Director McKenna reported on the ice storm that swept through Missouri January 13 through January 15, 2017. MoDOT crews statewide worked a little more than 100,000 hours and used almost 40,000 tons of salt from Thursday night through the day on Sunday. The department's five-year average for a full winter effort is nearly 570,000 hours and almost 140,000 tons of salt. Ice is the hardest to fight and a lot of salt had to be used as the storm came in waves and the temperatures hovered at the freezing mark for three days. The Director said that he and Governor Greitens were proud of MoDOT for the work they accomplished to keep the traveling public safe throughout this storm.

Accountability and Transparency – The Director explained he will present the annual Accountability Report to the Joint Committee on Transportation Oversight, as required by law. This is an annual opportunity to give MoDOT's annual report. It will also give the Director an opportunity to share with the legislative body the Citizen's Guide on Transportation Funding. The Director has also presented at the House Budget and Senate Appropriations Committees, and will have more of those hearings to attend.

Executive Orders - Governor Greitens issued several Executive Orders including Executive Order 17-03 that calls for a moratorium on setting new rules and regulations, and to review all existing regulations. The Director announced MoDOT will comply with the Executive Orders, regardless of the notion that constitutional authority might exist to the contrary, the direction for this organization is that an extremely high hurdle would need to exist to operate to the contrary. Exceptions would be made in writing only by the Director and in consultation with the Governor's Office. Assistant Chief Engineer, Kathy Harvey, is leading MoDOT's regulatory review, and expects that it will take the entire time allotted in the Executive Order through May 31, 2018, to review the more than 200 rules for which MoDOT is responsible. The experts in each division who are responsible for their rules will be conducting the reviews, but the ultimate rulemaking authority rests with the Commission.

Introduction – Director McKenna introduced Michael DeMers as the department’s Innovative Partnerships and Alternative Funding Director. Mr. DeMers joins team MoDOT with experience from the Arizona department of transportation where he led the state’s automated and connected vehicle freight and rail planning and economic development efforts. He has also worked as a consultant with Parsons Brinkerhoff in New York City where he worked with state departments of transportation on port, transit and other modes of transportation.

Commissioner Waters commended MoDOT for their ability to keep the roads open and safe for travel. Commissioner Nelson complimented the department for the resources available on MoDOT’s website which help schools, businesses and individuals decide where and how to travel during a weather event. Commissioner Pace commended the communications division for their efforts to share information and respond to the thousands of customer calls during this ice storm event.

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PUBLIC COMMENT – LICENSE PLATES

Representative Glen Kolkmeyer (R-Odessa) reported at the request of the Missouri Historical Society, he filed a proposal for a new license plate that will commemorate the bicentennial of the State of Missouri. A committee that included Director McKenna, met around the state at four public meetings to decide on a design for the new license plate. He explained in a collaborative effort the Missouri Vocational Enterprise prepared some sample license plates that the Missouri State Highway Patrol was able to road test and make recommendations on a design that would work best for enforcement. The committee then selected a plate design that the Missouri Historical Society is preparing for a formal announcement at the Capitol in the near future. He wanted to share this information with the Commission so they were aware of the announcement and requested they attend if possible.

Chairman Smith stated he appreciated the invitation and looks forward to seeing the new license plate design.

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MISSOURI PORT AUTHORITY ASSOCIATION

Mandi Brink, President of the Missouri Port Authority Association, presented to the Commission about what public investment generates in economic return at port authorities. She explained there are 1,000 miles of riverfront between the Missouri and Mississippi Rivers, and along those riverbanks there are 14 public ports, 1 tri-state port commission, 2 ferries, and numerous other private facilities. Ports give Missouri businesses a logistical advantage over other states. Movement of goods by water is often the lowest cost method of transportation.

Each port in Missouri is different and at a different stage in its development. Some ports are in the process of purchasing land, others have a little bit of infrastructure and are trying to start moving goods through their ports, while others may look to be fully developed but are ready to move to the next phase of development.

Port facilities are like industrial parks where billions of dollars' worth of goods are transferred from one mode of transportation to another. Most effective facilities are those that are capable of transferring those commodities between barge, railcar and truck. In 2016, Missouri's ports moved 3.9 million tons of freight which included chemicals, food, wood products, coal, scrap, fertilizers, petroleum, and more. Missouri's ports employ 422 direct jobs at the facilities and hundreds of indirect jobs. The two public funded ferries on the Mississippi River carry over 23,000 vehicles and 54,000 passengers annually. These ferries are a vital transportation link especially if an earthquake were to occur that damaged the Mississippi River bridges, the ferries would be the only way to cross the river.

Public infrastructure attracts private investment and creates economic opportunities both short-term and long-term. For every dollar a port receives from the state, that port receives \$9 in private investment in return.

The Missouri Port Authority Association meets annually to prioritize project needs. The ports describe the project as well as whether or not any jobs are attached to the project to everyone present

and then the projects are ranked. The ports are the experts and want to do their due diligence with the taxpayer's dollars when selecting projects and this process ensures that happens.

Additionally, this open partnership among all of the ports has been beneficial in building relationships with legislators as they appreciate the association speaking as one strong voice at the Capitol on behalf of the ports and ferries.

Ports rely on an annual appropriation of funds from general revenue. Last year waterways received \$12.4 million in the budget; however, after three rounds of withholds, two from Governor Nixon and one from Governor Greitens, ports now have just a little over \$4 million left in the budget. If the remaining funds are not re-appropriated this year, the goal is to make sure that all of the projects on this year's list become the next fiscal years' funding priority.

When asked what the ports long term needs are, the association developed a five year plan that included just under \$84 million worth of needs. As the association continues its work to plan for port improvements, this five year plan will be updated.

Ms. Brink concluded ports are going to help not only the local area near the port, but the overall economy of the State of Missouri.

Commissioner Briscoe thanked Ms. Brink for her presentation and noted investment in ports is important because it is the most economical and environmentally friendly way to carry freight and it takes trucks off of our highways. Commissioner Pace inquired about the ports capital improvement projects list and it was explained that there is an 80/20 match, where the ports pay for twenty percent of the cost of the project and state funds pay the remaining eighty percent. Commissioner Waters commended the association for their work in maintaining a statewide perspective when prioritizing port projects. Director McKenna noted it would take twenty-one years for Missouri to fund the \$84 million worth of project needs if funding is maintained at the present level. He stated he did not think the State of Missouri has twenty-one years to wait to make these improvements to keep industries competitive

and for the impact that the movement of freight on the river takes stress off of the roads and bridges. This is another example of a critical transportation need in Missouri.

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REPORT REGARDING OVERALL DBE GOAL, CONSTRUCTION WORKFORCE PILOT PROGRAM AND DBE SUPPORTIVE SERVICES

On behalf of the Director, Lester Woods, External Civil Rights Director, reviewed with the Commission the programs the External Civil Rights division is responsible for which include the federal disadvantaged business enterprise program, federal on-the-job training program, contractor compliance, Title VI, and ADA compliance. Mr. Woods stated it takes each of these programs working together to successfully create a workforce that is inclusive of all the citizens of Missouri in the areas in which MoDOT works. He then explained this presentation would focus on three specific programs: disadvantaged business enterprise, construction workforce, and supportive services.

MoDOT is required to have a certified disadvantaged business enterprise program (DBE). This program is responsible for ensuring that minority and woman-owned businesses have opportunities to compete and work on federal aid projects. A firm needs to meet the criteria of being at least 51 percent owner of the firm, their personal net worth is lower than \$1.32 million, and their business size cap is below \$23.98 million to potentially be qualified as a DBE. First task for MoDOT staff is to ensure that minorities and women, who apply to participate in the DBE program, make it through the certification. In addition, MoDOT is part of the Missouri Regional Certification Committee (MRCC) that is a collaborative effort of Lambert Airport Authority, Metro St. Louis, Kansas City Area Transportation Authority, and the City of Kansas City. Any DBE firm that is certified by an organization in the MRCC is certified by all of the agencies in the MRCC. There are currently 1,400 DBE firms statewide that can participate on any of MoDOT's federal aid projects.

The External Civil Rights division is responsible for reviewing projects or contracts to establish DBE goals, ensure compliance and/or a commercial useful function of those DBE firms participating on those projects. MoDOT must have an availability and disparity study to operate a federal DBE program. The most recent study that occurred in 2012 determined there were 20.51 percent of minority and women owned businesses that could participate on federal aid projects. This number was then applied to a formula provided by federal regulation to establish a goal that is approved by the Federal Highway Administration. MoDOT's statewide DBE goal is 15.38 percent. Once the goal is established every project is reviewed to determine what percentage of that project should go toward DBE participation. A number of factors are reviewed to determine DBE participation on a project, including the project location, type of work that is included on the project, and the amount of ready, willing and able DBE firms that can participate in that geographical area.

Mr. Woods then provided an update about the DBE program beginning with the recent completion of a new availability and disparity study. The results of the new study indicate the availability has increased to 20.51 percent minority and woman-owned businesses that are ready, willing, and able to perform work in the state of Missouri. Mr. Woods proudly reported that increase is due in part to the department's supportive services program to increase the capacity of DBE firms to perform work for MoDOT. He explained the department is prepared to move forward with establishing a new DBE goal of 15.38 percent statewide. The department has received approval of the new goal from the Federal Highway Administration. MoDOT is also ready to implement the new methodology according to the federal rules on race-neutral items that include developing a small business enterprise program. Mr. Woods explained the department has some work to do to meet the new goal of 15.38 percent, as projects close out that were completed prior to the current goal. Year to date for the first three quarters of the 2016 federal fiscal year, MoDOT has used 11.63 percent DBE on projects.

The department also pays attention to the breakdown of minority and women business participation on the closed projects. When reviewing federal fiscal years 2014, 2015, and the first three quarters of 2016, MoDOT has a combined participation of 24 percent minority business and 76 percent non-minority business.

The next program that Mr. Woods discussed is the construction work force program. The United States Department of Labor requires workforce goals on federal-aid construction projects. MoDOT has not been able to meet the workforce goals that were desired so the department established a construction workforce pilot program to be more intentional about meeting the workforce goals on projects. The workforce includes employees of the prime contractors as well as the subcontractors and DBE firms. This program requires the contractor to monitor and track work force goals and report monthly. It also requires a good faith effort by the contractor to insure they have a diversified workforce to meet the work force goals per project. Additionally, the program includes incentives for the contractors to participate and consequences if good faith efforts are not met. The department is currently tracking 60 projects and there has been almost 1 million workforce hours reported. As of October 31, 2016 the department has accomplished 13.2 percent minority utilization on those projects and 5.1 percent female utilization. The female workforce goal is 5.9 percent, and the minority workforce goal is established by county, but in St. Louis it is 14.6 percent and in Kansas City it is 12.6 percent. He noted while the department is doing pretty well with meeting its goals, there is still room for improvement. He noted the department is currently working to determine how to move forward with tracking workforce participation, and is currently using a phased in approach toward ultimately tracking all projects across the state.

The final area he reviewed is the supportive services programs for DBE firms and on-the-job training. Mr. Woods explained MoDOT has a DBE supportive services program available to assist small, minority and woman-owned businesses in Missouri to increase their participation in MoDOT

contracting through assessing strengths of the firm and its leadership, building the firm's capacity, and making available tools for growth and/or diversification. Some specific areas of assistance provided include accounting, bidding, bonding and insurance, business law, collaboration, and estimating. The department has hired two consultants to assist with performing these services, George Phillips and Associates from the St. Louis area and Bellweather from the Kansas City area. The flagship of the supportive services is a ten-week entrepreneurship training program. The department has trained over 160 firms who work in the areas of heavy construction, civil engineering, as well as administrative services. Additionally, firms that participated in the program have experienced a 13 percent increase in their work, not only from MoDOT but other local public and private organizations.

The on-the-job (OJT) support and services program is to prepare minorities and women for exposure and participation on federal aid projects. Missouri is one of eight states that was awarded a "Ladders of Opportunity" grant from the Federal Highway Administration. This \$400,000 grant will fund pre-apprenticeship training programs to prepare individuals to do work with prime and sub-contractors.

Mr. Woods concluded his presentation with a report about the department's next steps to continue to evaluate individual projects to strive to hit the statewide DBE goal of 15.38 percent, continue with the construction workforce program, and continue with the DBE and OJT supportive services that are essential in helping minority businesses and individuals do more work and get into the business of the highway construction industry.

Commissioner Waters thanked Mr. Woods for his presentation and inquired how Missouri compares with other states. Mr. Woods responded that Missouri is a national leader and with the success of the DBE and workforce goals on the Interstate 64 project, developed the Missouri Model that the USDOT touts as a model for other states to implement. Commissioner Nelson expressed concern about the ability of the department to meet the ambitious goals and wanted to make certain the

department is partnering with other entities who are promoting small businesses. Mr. Woods responded the department works closely with the MRCC and the USDOT as well as other entities around the state to capitalize on providing assistance to DBEs.

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2018-2022 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM DEVELOPMENT

On behalf of the Director, Machelles Watkins, Transportation Planning Director, reviewed with the Commission how the Statewide Improvement Program (STIP) is developed. She reviewed what programs are included in it, how the funds are distributed, and who the department partners with to prioritize and program projects. The STIP is a state and federally required document that includes all modes of transportation. It includes environmental work, right-of-way, and construction that will occur over the next five years. It is MoDOT's commitment to Missourians for projects and programs that will be delivered during that timeframe. MoDOT chooses to include other modes of transportation even though highways and bridges is all that is required. Inclusion of all modes provides a comprehensive transportation plan for the State of Missouri. When developing the STIP the department keeps the goals of Missourians in mind. The citizens want MoDOT to take care of the system, keep travelers safe, invest in projects that grow jobs and spur economic development, and give Missourians better transportation choices. MoDOT focuses on these goals as it works with partners to prioritize projects.

The STIP is comprised of three program areas: highway and bridge, multimodal, and local programs. The highway and bridge portion represents 80 percent of the STIP, while the multimodal and local programs represent about 10 percent each.

The process by which the highway and bridge portion of the STIP is developed is through a regionally based planning and project development process, which means the regions prioritize and determine what goes into the program. The department uses the Commission approved funding distribution to distribute funds to the regions based on safety, taking care of the system, and flexible

funds. The distribution is based on objective factors that include size of bridges, mileage of roadways, travel that takes place on the roads, accidents, population, and employment. The department then works with its planning partners which include nine metropolitan planning organizations (MPO) and nineteen regional planning commissions (RPC). These planning organizations each have a transportation advisory committee (TAC) that is made up of local elected officials and regional leaders. Each TAC is responsible for keeping a list of transportation needs in the region, and identifying what the transportation priorities are within their boundaries. The district takes the funding that is distributed to them and will work with the planning partners in their region, which usually includes several MPOs and RPCs. The district will begin to develop a program that matches the available funds in terms of safety funds, taking care of the system funds, and flexible funds to the priorities provided by the planning partners. The result of those efforts then roll up into the STIP that is brought to the Commission for approval.

The local program section of the STIP includes a variety of sources of funds that are administered by MoDOT but are prioritized by local entities. The Surface Transportation Block Grant and Transportation Alternatives programs are allocated from the Federal Highway Administration to the large MPOs in Kansas City, St. Louis, and Springfield. Those MPOs are responsible for prioritization of programing choices with those funds. The Congestion Mitigation and Air Quality funds come to the state to address air quality issues and are distributed to the regions that have struggled with air quality, primarily Kansas City and St. Louis, and again those MPOs are responsible for prioritization of programing choices with those funds. The Off-System Bridge Replacement and Rehabilitation funds are distributed to the counties based on square footage of deficient bridges; the counties are responsible for prioritizing and programing those funds. The Federal Lands Access funds are administered by MoDOT and decisions about use of these funds are made through a team comprised of local, MoDOT, and federal representatives. There are recreational trail funds that are distributed to the state but go directly

to the Department of Natural Resources who is responsible for the prioritization and programing of these funds. Ms. Watkins summarized the majority of funds for local programs go directly to local entities that are responsible for prioritizing and programming the funds.

The multimodal program includes transit, aviation, rail, waterways, and freight programs. MoDOT administers two state and three federal transit programs. The state transit assistance program helps offset some of the operating capital costs of mass transit. The Missouri Elderly and Handicap Transportation Assistance Program (MEHTAP) helps offset some of the operating costs for the not-for-profit agencies to provide transportation services for the elderly and disabled. The Federal Transit Administration (FTA) has a bus and bus facilities grant program that MoDOT coordinates with the Missouri Public Transit Association to distribute the funds. The FTA also has an Enhanced Mobility of Seniors and Individuals with Disabilities grant that MoDOT administers to help not-for-profit agencies who provide transportation services to these populations. The FTA also provides rural transit program grants that MoDOT administers.

The aviation portion of the multimodal program includes funding from federal and state resources. Aviation trust funds are available to the large commercial airports as well as the 121 publicly owned public-use airports. In addition, MoDOT is one of ten states that participate in a state block grant program, where the department administers federal aviation improvement funds.

MoDOT coordinates and administers the highway and rail crossing safety program whose purpose is to improve highway and rail grade crossings throughout the state. Missouri has about 3,800 highway and rail crossings in the state, and approximately half have active warning devices. Funds to address these rail crossings are available from the Federal Highway Administration Surface Transportation Program safety funds and the state's Grade Crossing Safety Account. The rail program also includes funding for passenger rail. There is no dedicated funding source for passenger rail so Amtrak relies on annual appropriations from general revenue each year.

A waterways program is included in the multimodal portion of the STIP. This includes administrative and capital improvements for the state's 14 public port authorities. Funding is through an annual appropriation from the state transportation fund. Projects are selected through a prioritization process with the Missouri Port Authority Association. MoDOT also provides ferryboat operating assistance from the state road fund for two ferryboat operations, the New Bourbon and Mississippi County ferryboats that operate on the Mississippi River.

The freight program provides funding to assist public, private and not-for-profit organizations with non-roadway capital improvements that improve efficient movement of freight. Funding is provided through an annual appropriation of state transportation funds.

Ms. Watkins then reviewed the timeline for preparing the STIP which began in the summer of 2016. After the financial forecast was updated in January 2017, the department developed the STIP distribution for the districts who are now finalizing estimates on projects being considered for the program. In March 2017 the statewide planning partner meeting will take place to review the financial forecast as well as guidance for the STIP planning. The districts will finalize their programs based on planning partner input in March. Those programs will culminate in the draft STIP in April that will be brought to the Commission in May. A thirty day public comment period will take place, and then MoDOT will return to the Commission with the final STIP for approval. Following Commission approval the department will submit the STIP to the Federal Highway Administration and the Federal Transit Administration for their approval. The department works in all program areas to ensure that planning partners are involved in the transportation decision making and that the STIP is truly reflective of the priorities expressed by the regions.

Commissioner Pace thanked Ms. Watkins for her presentation and expressed his concern about being able to deliver all of the expectations the public wants.

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RESOLUTION EXPRESSING APPRECIATION TO TONY MCGAUGHY FOR OUTSTANDING SERVICE TO THE STATE OF MISSOURI

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

WHEREAS, Anthony “Tony” J. McGaughy began his distinguished career with the Missouri Department of Transportation on January 1, 1984, and will be retiring on February 28, 2017, after more than 33 years of service to the State of Missouri; and

WHEREAS, Tony McGaughy served in a variety of capacities beginning as a Construction Inspector then moving through increasingly responsible assignments of Highway Designer, Senior Highway Designer, Transportation Project Designer, Transportation Project Manager, Project Development Engineer, and Assistant District Engineer in the former District One culminating in his career with MoDOT as Acting District Engineer with the Northwest District; and

WHEREAS, his engineering knowledge and skill brought him much success with the completion of many significant transportation projects. Beginning with inspection of construction work on the iconic double-deck bridge on Interstate 229 in St. Joseph, Missouri. This structure is unique to Missouri as one of only two such bridges in the state. He worked on the project that four-laned U.S. Route 36 across the Northwest District using an innovative technology with the installation of the first mechanically stabilized earth (MSE) wall; and

WHEREAS, throughout his career, Tony McGaughy served admirably, diligently, tirelessly, and collaboratively on behalf of the Department of Transportation and the State of Missouri, as evidenced by his ability to establish and maintain excellent relations with organizations in Missouri for the betterment of Missouri’s transportation system delivering improvements that led to economic development for the region. In partnership with a consultant, Tony led the project that expanded Route AC / Riverside Road which led to development of an industrial area for the City of St. Joseph spurring economic activity for the region; and

WHEREAS, in his service to the Missouri Department of Transportation, Tony McGaughy was a passionate safety advocate. His focus on safety of highway workers is evidenced by his unyielding leadership in promotion of being safe at work by using the proper safety equipment and procedures so that employees can go home safe every day. He is a leader who implemented the behavior based safety program in the Northwest District, embracing a process that encourages openness and trust in an effort to improve safety in the workplace. His compassion for the traveling public is evidenced through his implementation of engineering solutions including shouldering of Route 116 in Clinton County and guardrail installation along Route 371 in Buchanan County so the traveling public may return home safe every day; and

WHEREAS, Tony McGaughy believed in finding ways to build projects and conduct work efficiently and for less cost. Tony led the practical design effort for the district and saved taxpayers tens of thousands of dollars, which allowed the district to build projects better, faster and cheaper so more projects could be built. As a result of Tony’s forward thinking and the district’s circumstances, the former District One was the first district to embrace and implement practical design, long before it

became vogue. Tony volunteered to lead the former District One efforts in the Quality Improvement and First Pass programs that encouraged efficiency throughout MoDOT. He embraced the new approach to teamwork and led dozens of teams as a facilitator thus ensuring the department's change in culture in the district that led to MoDOT working together as one team; and

WHEREAS, in 2014 the State of Missouri sought ways to fund transportation and Tony became an ambassador for "On the Move," a statewide educational outreach that informed and encouraged Missourians to support transportation funding in Missouri. Tony ensured the Northwest District covered the second highest number of miles of meeting coverage in the state which ultimately resulted in more county support for Amendment 7 than any other district in the state; and

WHEREAS, Tony McGaughy's interest in and concern for others endeared him to his co-workers and friends, his keen sense of humor would brighten any occasion, and his knowledge of the department and the district made him a valuable resource that many relied upon; all of these character traits were essential as he coached and mentored many leaders of the department; and

WHEREAS, his work ethic, integrity, expertise and caring for others have earned him the respect, admiration, and friendship of department employees and the public he served; and

WHEREAS, Tony McGaughy's loyalty and dedication to the Missouri Department of Transportation was surpassed only by his love for his family;

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Anthony J. McGaughy for his service to the citizens of Missouri and extends to him best wishes for his future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Anthony J. McGaughy so he will have a permanent record of the high esteem in which he is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation staff.

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CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Nicole Hood, 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.

Ms. Hood recommended (1) award of contracts to the lowest responsive bidders for bids received at the January 20, 2017, letting, as recommended and noted in Table I below.

**Table I
Award of Contracts
January 20, 2017, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	71	Nodaway	J1P3056B	\$204,846.00	\$0.00	Extreme Sandblasting and Painting, Inc.	Bridge Painting
	U		J1S0623B				
	JJ		J1S3057B				
	FF		J1S3090B				
A02	6	Sullivan	J1P3155	\$659,470.60	\$0.00	Above And Below Contracting, LLC	Slide Repair
	5		J1P3155B				
B01	61	Lincoln, Pike	J2P3116	\$3,648,839.92	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Coldmill and Resurface
B02	168	Marion	J2S3114	\$1,485,837.30	\$0.00	Lehman Construction, LLC	Bridge Replacement
B03	P	Ralls	J2S3115	\$567,943.65	\$0.00	Boone Construction Co.	Bridge Replacement
C01	I-49	Cass	J4P2360	\$4,821,699.46	\$0.00	Capital Paving & Construction, LLC	2 Bridge Rehabilitation
C03	291	Jackson	J4P3128	\$2,775,655.48	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurface and Intersection Improvements
C04*	291	Clay	J4P3166	\$301,522.10	\$3,000.00	Mega Industries Corporation	Intersection Improvements
C05	Colbern Road	Jackson	J4S3131	\$5,132,259.68	\$0.00	Clarkson Construction Company	2 Bridge Deck Replacements
C07	7	Jackson	J4S3134	\$1,098,157.34	\$0.00	Clarkson Construction Company	Bridge Redeck
C08	Raytown Road	Jackson	J4S3135	\$1,911,824.40	\$0.00	Clarkson Construction Company	Bridge Rehabilitation
D01	52	Miller	J5P3102	\$1,184,003.90	\$7,000.00	Widel, Inc.	Bridge Rehabilitation
D02	50	Gasconade	J5P3164	\$399,544.00	\$0.00	Lehman Construction, LLC	Scour Repair
D03	19	Crawford	J5S3040	\$1,925,513.93	\$0.00	Lehman Construction, LLC	Grading, Pavement and Bridge Replacement
	M		J5S3143				
D04	O, UU	Callaway	J5S3058	\$649,777.77	\$0.00	Widel, Inc.	2 Bridge Deck Replacements
D05	B	Cooper	J5S3145	\$506,275.50	\$0.00	Widel, Inc.	Bridge Redeck
F01	141	St Louis	J6M0261	\$453,255.50	\$0.00	St. Louis Bridge Construction Company	Bridge Rehabilitation
F02	364	St. Charles	J6P3135	\$1,111,111.11	\$0.00	Collins & Hermann, Inc.	Guardrail and Guard Cable
F03	Various	St. Louis	J6S2179	\$1,422,175.00	\$30,000.00	Gerstner Electric, Inc.	Intersection Improvements
G01	171	Jasper	J7P2228E	\$2,165,356.83	\$0.00	Capital Paving & Construction, LLC	Bridge Replacement
G02	BB	Webster	J7P2228J	\$752,258.95	\$0.00	Lehman Construction, LLC	Bridge Replacement

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
G03	43	Newton	J7P2228K	\$576,417.33	\$0.00	Boone Construction Co.	Bridge Replacement
G04	Various	Various	J7P3166	\$1,449,690.49	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
	H	Greene	J8S3090				
G05	H	Greene	J8S0556	\$654,475.80	\$0.00	Lehman Construction, LLC	Bridge Replacement
H01	19	Shannon	J9P0438	\$2,868,552.90	\$0.00	Lehman Construction, LLC	Bridge Replacement
H02	51	Bollinger	J9P3043	\$4,054,638.20	\$138.40	Penzel Construction Company, Inc.	1 Bridge Replacement
			J9S3042				
	ZZ	Dunklin	J9S3152				
	J	Stoddard	J9S3149				
	Z		J9S3148				
	H		J9S3145				
	U	New Madrid	J9S3034				
	WW		J9S3146				
F	J9S3147						
H04	H	Perry	J9S3166	\$998,388.62	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurface and Add Shoulders
H05	K	Bollinger, Perry	J9S3173	\$786,000.00	\$0.00	Pace Construction Company	Resurface
	A	Ste. Genevieve	J9S3176				
	OR 55	Perry	J9S3178				
			TOTAL:	\$44,565,491.76	\$40,138.40		

* Call C01 – Funding by Tax Increment Financing Commission of Kansas City – \$150,761.05.

Commission Consideration and Action

After consideration, and upon motion by Commissioner Waters, seconded by Commissioner Pace the Commission took the following action there were no abstentions to note:

1. Awarded contracts to the lowest responsive bidders for bids received on the January 20, 2017, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

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RATIFICATION AND APPROVAL OF PLANS FOR CONDEMNATION

On behalf of the Director, Eric Schroeter, State Design Engineer, recommended the Commission ratify and approve the following detailed project plans, approved by the Chief Engineer, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>
Pike	54	J3P2209B

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

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-- REPORTS --

The Commission received the following written reports.

PLANNING AND ENVIRONMENTAL STUDIES

At the request of the Commission, and on behalf of the Director, Eric Schroeter, State Design Engineer, presented a report regarding planning and environmental studies. The report stated in May 2016, the department issued new guidelines for conducting planning and environmental studies. The guidelines indicate that once asset management goals are met and funding remains, districts can work with partners to prioritize and program planning, environmental or design work. MoDOT's most recent asset management plan indicates that some districts will be able to maintain their existing systems at their current conditions, while having some funds remaining to address other regional priorities. As a result, regions of the state will want to pursue planning and environmental studies for priorities within their boundaries.

Consequently, the department requires planning and environmental studies must be a demonstrated regional planning priority. Prior to approving an environmental or planning study, the Federal Highway Administration (FHWA) requires the construction for the given project to be included in the region's long range transportation plan. Furthermore, the construction for the project must be obligated within ten years or the federal funds used for the study must be repaid. Districts that fund a planning or environmental study must commit to fund and program the construction of the projects prior to the final approval of the study by FHWA. For this reason, districts should only undertake studies for projects they anticipate funding in the next ten years. If a local or private entity proposes to provide funding for a study, they must also commit to funding the construction of the project in the next ten years prior to FHWA approval of the study documents.

In the past, MoDOT has completed many planning and environmental studies that have not progressed to become funded projects. The department included with the report a list of about 50 planning and environmental studies which have not been constructed.

MoDOT has given careful consideration to the need to provide a balance between taking care of the existing system and being prepared to deliver strategic major projects should additional transportation funds be made available. Planning and environmental studies are important to defining the purpose and need of a project, identifying and evaluating the possible design alternatives to meet that need, and providing opportunities for early public and partner involvement in the project decision-making process. Planning and environmental studies can require several years to complete and must be finalized in order to identify the specific project to be estimated, designed and constructed.

The department included with the report maps of planning and environmental studies that are in different stages of the process currently. The report explained the various environmental records that may need to be prepared for a project, how long it takes to complete the environmental process, and an approximate cost for each type of environmental document that is prepared.

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AUDITS AND INVESTIGATIONS' ANNUAL REPORT

Bill Rogers, Director of Audits and Investigations, provided to the Commission the Audits and Investigations 2016 Annual Report.

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FINANCIAL – BUDGET – REPORTS YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING DECEMBER 31, 2016

Brenda Morris, Financial Services Director, submitted a written financial report for fiscal year to date December 31, 2016, with budget and prior year comparisons.

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CONSULTANT SERVICES CONTRACT REPORT

Eric Schroeter, State Design Engineer, submitted a written report of consultant contracts executed in the month of December 2016, 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. There were 195 active contracts held by individual engineering consultant firms prior to December 1, 2016. Four engineering consultant services contracts were executed in December 2016, for a total of \$315,828. There were six non-engineering consultant contracts executed in December 2016, for a total cost of \$114,639.

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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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