



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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April 11, 2007

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
JEFFERSON CITY, MISSOURI, ON WEDNESDAY, APRIL 11, 2007**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, April 11, 2007, in Jefferson City, Missouri. The meeting was called to order at 10:00 a.m. by James B. Anderson, Chairman. The following Commissioners were present: Duane S. Michie, Vice Chairman, Mike Kehoe, David A. Gach, and Bill McKenna. Commissioner Marjorie B. Schramm was absent.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Pete Rahn, Director of the Missouri Department of Transportation, Rich Tiemeyer, Chief Counsel for the Commission, and Mari Ann Winters, Secretary to the Commission, were present on Wednesday, April 11, 2007.

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*"Department" or "MoDOT" herein refers to Missouri Department of Transportation.
"Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.*

-- CLOSED MEETING --

VOTE TO CLOSE MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo., including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

Immediately prior to closing its meeting at 8:30 a.m., and upon motion duly made and seconded to convene in closed session, the Chairman asked for a voice vote of the members.

The vote was as follows:

Commissioner Anderson, Aye
Commissioner Michie, Aye
Commissioner Gach, Aye
Commissioner Kehoe, Aye
Commissioner McKenna, Aye

whereupon the Commission closed its meeting.

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-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Michie, seconded by Commissioner Gach, the Commission unanimously approved the minutes of the regularly scheduled meeting held on March 13, 2007, with corrections. 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 the Commission members are well informed on issues requiring their action, the staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by the staff to be of a routine or noncontroversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

Consideration of April 11, 2007, Consent Agenda

Consent Agenda Item 6, "Fiscal Year 2007 Financial Audit Services Contract," was removed from the consent agenda for discussion. The staff withdrew its request for approval of location and design of Job No. J4P1708, Route 71, Cass County, under Consent Agenda Item 4. Upon motion by Commissioner McKenna, seconded by Commissioner Gach, all remaining items on the consent agenda were unanimously approved.

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REPORTS OF COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees. The following committee reports were made during the April 11, 2007, meeting.

Legislative Committee - Commissioner McKenna reported that Senate Transportation Committee Chair Bill Stouffer and House Transportation Committee Chair Neal St. Onge had introduced separate bills related to increased funding for transportation. He expressed appreciation for their recognition of the need for increased funding and their desire, as reflected by these bills, to begin discussions on this issue. In addition, he noted that MoDOT would partner with the Joint Committee on Transportation Oversight to conduct a public forum on transportation funding options, which will include presentations by nationally recognized panelists.

Commissioner McKenna provided a status report on other legislative initiatives desired by the Commission, and specifically noted that House Bill 90, the primary seat belt proposal, had been debated in the House and was laid over until such time as the sponsor and floor leader are ready to continue that debate.

MoDOT and Patrol Employees' Retirement System - Commissioner Michie reported that even with the unusual drop in the stock market in February 2007, the investment returns of the MoDOT and Patrol Employees' Retirement System remain well above the benchmark for acceptable performance. He advised the Commission that the new automation system project is proceeding on schedule and that the Board of Directors had authorized an additional staff member to assist the investment officer.

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DIRECTOR'S REPORT

During the April 11, 2007, Commission meeting, Director Pete Rahn provided the following report:

Work Zone Safety - Director Rahn commended the efforts of MoDOT's Community Relations Division for its communication efforts pertaining to work zone safety. He expressed gratitude to corporations, local governmental units, and civic organizations for assisting in this effort by using orange lighting on their buildings and amenities in an effort to call attention to this critical issue.

Funding - Director Rahn said he was encouraged by the legislation introduced by the Senate and House Transportation Chairmen pertaining to revenue enhancements that would allow MoDOT to further invest in Missouri's transportation infrastructure. He said he was pleased that community and governmental leaders have become well versed on transportation needs and available revenues.

Ranking Missouri Roads Relative to Other States - Director Rahn alerted the Commission to the fact that national rankings of road conditions generally lag current conditions by two to three years; therefore, he said the national rankings that will be reported in the media this summer will actually reflect conditions as they existed in 2005. He stated, however, that as a result of the huge amount of work accomplished on Missouri's roads in the past two years, an internal assessment of the current condition of Missouri's roads compared to other states with available data found that Missouri would rank ninth best in the nation. In prior years, Missouri ranked third worst in the nation.

Chairman Anderson commended the hard work of Team MoDOT and the support of Missouri citizens for the remarkable improvement in the condition of Missouri's roadways.

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**ADMINISTRATIVE RULES – FINAL ORDER OF RULEMAKING,
7 CSR 10-10.010 AND 7 CSR 10-10.030 THROUGH 10-10.090, CONTRACTOR
PERFORMANCE RATING TO DETERMINE RESPONSIBILITY**

On behalf of the Director, Dave Ahlvers, State Construction and Materials Engineer, reminded the Commission that at its December 1, 2006, meeting, the Commission authorized the filing and publication of the notice of proposed amended rulemaking for 7 CSR 10-10.010 and 7 CSR 10-10.030 through 10-10.090, Contractor Performance Rating to Determine Responsibility. The amended rules were published in the *Missouri Register* on January 16, 2007, and no comments were received during the 30-day public comment period. Mr. Ahlvers recommended approval of the final order of rulemaking and requested authorization for the Secretary to the Commission to file the final rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. He further recommended that the Director, Chief Engineer, or Chief Financial Officer be authorized to execute any document appropriate and necessary for completing this final rulemaking process.

The Commission, by unanimous vote of all members present, approved the recommendations.

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**PUBLIC PRESENTATION, DELEGATION FROM
JEFFERSON CITY AREA CHAMBER OF COMMERCE, CITY OF JEFFERSON,
AND COLE COUNTY**

On behalf of the Jefferson City Area Chamber of Commerce, the City of Jefferson, and Cole County, Randy Allen, President and CEO of the Jefferson City Area Chamber of Commerce, expressed appreciation to the Commission and MoDOT staff for past and current forward-thinking programs, such as the Safe and Sound Bridge Program, the Better Roads/Brighter Future Program, and the I-64 Design/Build project in St. Louis.

Mr. Allen advised the Commission that the Jefferson City/Cole County area is also very interested in modes of transportation other than highways, including transit, its Greenway project, and the project to extend the Katy Trail to the Capitol. He reported that the local community had retained a consultant to identify alternate methods to access Adrian's Island.

Mr. Allen said the city and county continue to receive positive voter approval of initiatives for transportation improvements. The latest initiatives involved thoroughfare projects, including transportation infrastructure related to the prison redevelopment project.

Mr. Allen highlighted the following transportation priorities for the Jefferson City/Cole County area.

Route 50 - Four-lane upgrade from St. Martins to Sedalia - Construction has begun on the section of this project extending from St. Martins to east of California. A seven-mile section around California is currently programmed for construction in 2009. No improvements are programmed for the 35-mile section of two-lane roadway extending from California to Sedalia.

Route 50 - Intersection with City View Drive - This improvement will be accomplished through a joint project with a developer, the city, and the state.

Route 50 - Intersection at Lafayette Street and access to prison redevelopment area - MoDOT, the City of Jefferson, and Cole County are sharing in the cost of an environmental impact statement that will look at both the need for access to the prison redevelopment site and congestion on the Rex Whitton Expressway (Route 50/63) in Jefferson City.

Mr. Allen said there was corridor-wide interest in developing an Interstate route that would extend from Hannibal, through Jefferson City, to I-44 at Lebanon. He noted that Chamber representatives had spoken with Missouri's Congressional delegation about this long-term proposal, and they had expressed agreement with the concept.

Mr. Allen referred to legislative proposals that involve construction of Interstate Routes 70 and 44. He recommended the Commission upgrade Route 50 to four lanes across the state prior to pursuing major reconstruction of those routes to provide an alternate means for transporting both freight and people. He reported that interested communities along the Route 50 corridor have agreed to join MoDOT in funding a study to explore the economic and safety implications associated with reconstruction of the entire I-70 corridor.

Mr. Allen acknowledged the need for additional funding for transportation, and he pledged the chamber's assistance in working toward such an effort.

The Commission thanked the Chamber for the presentation and the continued cooperative working relationship between the City of Jefferson, Cole County, and MoDOT.

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CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS

On behalf of the Director, Dave Nichols, Director of Program Delivery, presented the following recommendations pertaining to bids received during the past month.

Mr. Nichols recommended (1) award of contracts to the lowest responsive and responsible bidders noted in Table I below, which includes award of Call 101 to the second low bidder, Progressive Contractors, Inc., (2) ratification of award of an emergency contract to the lowest responsive and responsible bidder noted in Table II below, and (3) rejection of the single bid received on Call 606 because it was considered excessive (Table III). Mr. Nichols explained that Cramer and Associates, Inc., which was low bidder on both Calls 101 and 103, had limited the monetary amount of work it would accept from the March 30, 2007, bid letting. Therefore, in determining the greatest value to the Commission, the staff recommended award of Call 103 to Cramer and Associates, Inc., and award of Call 101 to the second low bidder, Progressive Contractors, Inc. Mr. Nichols further reported that concurrence had been received from the Kansas Department of Transportation pertaining to Call 101, Job Nos. J1P0971 and J1P1008, Route 36, Buchanan County.

**Table I
Award of Contracts
March 30, 2007, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
*101	229	Buchanan	J1I0968	\$4,444,769.70	0	Progressive Contractors Incorporated	Replace Bridge Expansion Joints and Safety Barrier Curbs
	229		J1I0969		0		Replace Bridge Expansion Joints and Safety Barrier Curbs
	229		J1I0972		0		Replace Bridge Expansion Joints and Safety Barrier Curbs
	36		J1P0970		0		Replace Bridge Expansion Joints
	36		J1P0971		0		Replace Bridge Expansion Joints and Painting of Structural Steel
	36		J1P1008		10,112.00		Replace Bridge Expansion Joints and Painting of Structural Steel

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
102	YY	Buchanan	J1S0941	158,581.49	0	Herzog Contracting Corp.	Coldmill and Resurface with Superpave
103	H YY	Buchanan	J1S0860 J1U0572	922,051.45	0	Cramer and Associates, Inc.	Replace Bridge Deck
104	136	Atchison	J1P0942	643,156.10	656.00	U.S. Asphalt Co.	Coldmilling and Resurfacing with Superpave
106	69	Harrison	J1P0940	266,205.79	656.00	Ideker Inc.	Coldmilling and Resurfacing with Superpave and BP-1
201	129	Linn	J2S0340	518,300.95	656.00	Columbia Curb & Gutter Co.	Bridge Deck Replacement
202	5	Chariton	J2P0723	914,798.15	0	APAC-Missouri, Inc.	Grading, Optional Pavement and Bridge Concrete Girder
301	61	Marion	J3P0704	5,848,120.52	328.00	Chester Bross Const. CO./C.B. Equipment Inc.	Resurfacing with BP-1 & Superpave
			J3P0730		328.00		Bridge Rehabilitation and Resurfacing the Southbound Lanes with BP-1 & Superpave
			J3P0731		328.00		Resurfacing the Northbound Lanes with BP-1 & Superpave
302	54	Audrain, Pike	J3P0687	2,639,951.72	656.00	Chester Bross Const. CO./C.B. Equipment Inc.	Coldmilling and Paving with Optional Surface
401	58	Cass	J4P1488	743,775.90	678.08	Boone Construction Co.	Bridge Replacement
402	92	Clay	J4P1795	2,104,923.25	656.00	Ideker Inc.	Resurfacing with Bituminous Pavement (BP-1 and Superpave)
	169		J4P1807		656.00		Resurfacing with Bituminous Pavement (BP-2 and BP-3)
	33		J4S1825		984.00		Grading and Paving with Bituminous Pavement (BP-2 and BP-3)
403	131	Johnson	J4S0957	376,499.80	0	Boone Construction Co.	Optional Bid Pavement PCC or Bituminous Pavement and Bridge – Concrete Girder
404	169	Clay	J4P1918	2,633,583.90	1,312.00	Comanche Construction, Inc.	Rehabilitate 16 Bridges
501	VAR	Benton, Boone, Callaway, Camden, Cole, Cooper	J5M0044	175,175.70	0	Collins & Hermann Inc.	On-Call Guardrail Repair
	I-70	Boone, Callaway, Cooper, Saline	J5M0045				On-Call Guard Cable Repair

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
502	OO	Miller	J5S0615	747,988.21	0	Don Schnieders Excavating Company, Inc.	Bridge Deck Replacement
	Y	Boone	J5S0847		584.00		
504	54	Camden	J5P0921	1,403,120.69	656.00	APAC- Missouri, Inc.	Resurfacing with Bituminous Pavement (Superpave and Ultrathin Bonded Wearing Surface)
			J5P0946		656.00		Grading and Optional Pavement
505	B	Callaway	J5S0503	327,962.60	14.24	Boone Construction Co.	Bridge Deck Replacement
506	T	Moniteau	J5S0730	377,150.65	0	Don Schnieders Excavating Company, Inc.	Bridge Deck Replacement
507	U	Cole	J5S0603	177,706.40	0	Boone Construction Co.	Bridge Replacement – Optional Structure, and Optional Pavement
508	50	Gasconade, Osage	J5P0868	4,630,287.03	0	APAC- Missouri, Inc.	Grading, Optional Bid PCC or Superpave (Widening) and Resurfacing with Superpave
		Gasconade	J5P0948				Shoulder Stabilization and Resurfacing with Superpave
601	B	Jefferson	J6S1991	211,147.71	72.00	N.B. West Contracting Company	Optional Bid PCC or Bituminous Pavement to Extend Right Turn Lane
602	N	St. Charles	J6S1826	1,298,120.86	815.60	J. M. Marschuetz Construction Co.	Grading, Drainage and Optional Pavement – Superpave or PCCP
603	170	St. Louis	J6I1933	2,043,480.86	656.00	St. Louis Bridge Construction Company	Ramp Widening with Optional Pavement, Bridge Widening-Steel Girder and Bridge Rehabilitation
604	70 (EB)	St. Charles	J6I1936	3,770,373.23	706.00	Gaines Construction, Inc.	Grading, Optional Bid Pavement PCC or Superpave and Bridge – Steel Girder
607	231	St. Louis	J6I1687	7,153,163.04	1,312.00	St. Louis Bridge Construction Company	Drainage, Alternate Bid Pavement PCC or Superpave and Bridge – Steel Girder
701	249	Jasper	J7U0436	4,346,937.93	656.00	Leo Journagan Construction Co., Inc.	Alternate Paving – Superpave or PCCP- Lighting and Signing
**702	54	Vernon	J7P0826	283,038.55	144.00	APAC- Missouri, Inc.	Optional Pavement Widening for Right Turn Bay, Paved Shoulders (BP- 1) & Resurfacing (BP-1) on Route T
801	76	Taney	J8P0824	1,225,677.50	984.00	VHP Enterprises, Inc.	Bridge Rehabilitation – Cleaning and Painting of Structural Steel, and Epoxy Concrete Overlay
	160		J8P0825		656.00		Bridge Rehabilitation – Cleaning and Painting Structural Steel

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
802	413	Greene	J8S0818	609,988.28	512.00	West Plains Bridge & Grading LLC	Bridge Deck Replacement
803	65	Greene	J8P0570	16,689,405.98	512.00	Emery Sapp & Sons Inc.	Grading, Drainage, Alternate Bid Pavement PCC or Bituminous Pavement (Superpave) and Bridges – Concrete Girder
	65 – NBL		J8P0832		1,312.00		Diamond Grind, Pavement Repair, Fog Seal Shoulders
901	DD	Crawford	J9L0700B	516,683.72	0	Lake Asphalt Paving & Construction, LLC	Thin-Lift Overlay (SL)
	ZZ		J9M0067				Resurface (BP-1), Coldmill
902	63	Phelps	J9P0545	5,706,954.71	656.00	Leo Journagan Construction Co., Inc.	Resurfacing with Superpave with the Addition of Climbing/Passing Lanes and Bridge Rehabilitation
X01	57	Mississippi	J0I0973	10,494,252.22	656.00	Flynn Company Inc.	Grading, Drainage and Alternate Bid P.C.C Unbounded Overlay and Superpave
X02	67	Madison	J0P0828B	7,794,742.91	656.00	Chester Bross Const. CO./C.B. Equipment Inc.	Resurface (BP-1), Shoulders, & Guardrail
		Wayne	J0P0877B		656.00		
				\$92,198,077.50	\$30,877.92		

* Funding by Kansas DOT on Projects J1P0971 and J1P1008 - \$557,958.85

** Funding by Prairie Pride, Inc. - \$99,038.55

**Table II
Ratification of Award of Contract -- March 14, 2007 Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Contractor	Description
501	Various	Boone, Cole	J5S0978	\$61,108.00	Wales Contracting, Inc.	Sidewalk retrofit at various locations in District 5.

**Table III
Rejection of Bids
March 30, 2007, Bid Opening**

Call No.	Route	County	Job No.	Description
606	64	St. Louis City	J6M0113	Bridge Cleaning

Commission Consideration and Action

After consideration, and upon motion by Commissioner Michie, seconded by Commissioner McKenna, the Commission unanimously took the following actions:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on March 30, 2007, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulations.
2. Ratified action taken by the Chief Engineer in the award of the emergency contract shown in Table II above.

3. Rejected the single bid received on Call No. 606, as noted in Table III above, because it was considered excessive.

In keeping with the Commission’s Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, Chief Financial Officer, or the Director of Program Delivery may execute the contracts awarded above.

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2007-2011 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENTS

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that twelve right-of-way and construction projects totaling \$20,167,000 be added to the Highway and Bridge Construction Schedule of the 2007-2011 Statewide Transportation Improvement Program (STIP), as noted in the tabulation below. The amendments proposed will insure timely execution of cost participation projects, address safety and congestion concerns, and improve bridge conditions.

Highway and Bridge Construction Schedule

County	Route	Job No.	Tentative Award State Fiscal Year	Description of Location/Improvement
Montgomery	70	3I0767	2008	Replace expansion joints on bridge over Loutre River. \$103,000
Clay	69	4P2000	2007	Relocate water line under pavement from Highland to North Oak. \$2,275,000
Boone	63	5P0907	2008	Construct interchange at Gans Road. \$8,661,000
Boone	63	5P0907B	2008	Grading, drainage and paving for Gans Road and Ponderosa Road. \$5,879,000
Camden	5	5P0592E	2007	Demolition and asbestos removal of structures 0.2 mile south of new relocated Rte. 5 and Rte. 7 junction. \$12,000
Camden	54	5P0309I	2007	Demolition of structure(s) and asbestos removal at various locations along the Osage Beach Expressway. \$102,000

County	Route	Job No.	Tentative Award State Fiscal Year	Description of Location/Improvement
Various	Various	6P2132	2008	On call work zone enforcement on various routes. \$150,000
Newton	44	7I0812	2007	Improve lighting at interchange with Rte. 43 (Hearnes Boulevard) at Rte. 86 in Joplin \$256,000
Christian	14	8P0588F	2007 RW	Improve interchange capacity at Rte. 65 in Ozark. \$300,000
Dallas	65	8P0833B	2007	Resurface existing lanes from south of Buffalo to Foose. \$893,000
Laclede	5	8P0854B	2008	Provide pedestrian accommodations at the Route 5 (Jefferson Avenue) and Washington Avenue/Vance Road intersection. \$25,000
Wayne	67	0P0931E	2008	Clear and grub to relocate utilities from .1 mile north of Frazier Creek to 1.6 miles south of Rte. F. \$1,311,000

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2007-2011 STIP as noted in the tabulation above.

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RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the Chief Engineer’s approval of the following right-of-way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
Camden	54	J5P0648B	June 2, 2004
Grundy	6	J2U0474	January 3, 2001
Iron	N	J9S0421	July 8, 2005

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

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ROADWAY DESIGN APPROVAL

On behalf of the Director, the respective District Engineers recommended approval of the designs of the following projects as presented on the preliminary plans and exhibits shown to the public at the noted hearings.

**Route 150, Jackson County
From Route 71 to Route 291
Job No. J4U1130
Hearing Held February 27, 2007**

This 7.3-mile proposed improvement consists of widening Route 150 from two lanes to a four-lane undivided roadway from Route 71 west to Route 291. The lanes will be 11 feet wide with curb and gutter. The proposed improvement will be constructed under traffic with temporary intersection and lane closures. Adequate signing will be provided to control traffic flow in the area and will be augmented through efforts to advise motorists of the traffic situation.

**Route D, New Madrid County
1.0 mile east of Route E to 0.5 mile west of Route MM
Job No. J0S0349
Hearing Held January 10, 2007**

This 0.4-mile proposed improvement will replace the existing bridge over Drainage Ditch No. 251 and make minor improvements to the bridge over Drainage Ditch No. 4. The new bridge over Drainage Ditch No. 251 will have two 11-foot lanes and 3-foot shoulders on existing alignment. Existing Route D will be closed at the project site during construction with a detour over other state routes. Adequate signing will be provided to control traffic flow in the area and will be augmented through efforts to advise motorists of the traffic situation.

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 designs would best serve the interest of the public and approved the recommendations.

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ROADWAY LOCATION AND DESIGN APPROVAL

On behalf of the Director, Mark Shelton, District 10 Engineer, recommended approval of the location and design of the following project as presented on the preliminary plans and exhibits shown to the public at the noted hearing. The staff will attempt to minimize the impact to property owners, where possible, through the design process.

**Route 72, Cape Girardeau County
1.0 mile East of Route B to 0.1 miles West of Route 34
Job No. JOP0887
Hearing Held February 22, 2007**

This 9.4-mile proposed improvement consists of widening, resurfacing and paving the shoulders of Route 72. The proposed improvement will include two 12-foot lanes and 6-foot shoulders. Traffic will be maintained on the existing roadway during construction. Adequate signing will be provided to control traffic flow in the area and will be augmented through communication efforts to advise motorists of the traffic situation.

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

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MISSOURI ADVANCE PLANNING, LONG-RANGE TRANSPORTATION PLAN

On behalf of the Director, Machelles Watkins, Transportation Planning Director, and Eric Curtit, Long-Range Transportation Planning Coordinator, reviewed the process used in developing a new long-range transportation plan. The long-range transportation plan covers a 20-year period and is updated every three to five years.

MoDOT staff talked to many Missourians and transportation partners in an effort to identify citizen expectations regarding the state highway system. The expectations in the prior plan centered on roadway conditions; the current expectations focus on how well the

transportation system functions. Mr. Curtit concluded that this change in focus most likely resulted from the roadway improvements made by MoDOT in the past two years. In addition, the staff analyzed the changes in the state's demographics. As a result, the staff determined there was an \$18 billion (stated in 2007 dollars) gap between meeting customers' expectations and available revenue.

Ms. Watkins reported that the citizens recognized the need for additional funding to meet the expectations, but they wanted the gap to be filled through innovative methods and strategies rather than an increase in taxes or fees.

Ms. Watkins noted that current funding would limit future improvements to taking care of the existing transportation system and making limited safety improvements. The MoDOT staff will continue to work with its planning partners to identify various programs that could be accomplished with various levels of funding.

Commissioner Michie encouraged the staff to include the movement of freight in its long-range planning efforts because imports and exports continue to increase at a dramatic rate. He suggested the MoDOT staff consider designating an individual within the organization to specialize in the freight movement.

Director Rahn commended the staff involved with preparation of the long-range transportation plan for their diligent efforts to involve the public in critical transportation decisions.

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WORK ZONE AWARENESS

On behalf of the Director, Kevin Keith, Chief Engineer, reported on recent efforts by MoDOT's Community Relations staff to heighten awareness of safety in work zones. In

addition to the communication effort, MoDOT continues to actively manage work zones and train both MoDOT and contractor employees in work zone management practices. Mr. Keith reviewed several initiatives undertaken by MoDOT to increase work zone safety, including permanent message boards on Interstate Routes 70 and 44 to communicate real time information, posting appropriate speed limits in work zones, performing work during times when traffic volumes are the lowest, closing roads to accomplish improvements quickly, and increasing law enforcement in work zones where traffic volumes are high.

Mr. Keith reported that 124 MoDOT employees have been killed in the line of duty.

The Commission expressed concern about employee safety and encouraged the management staff to continue its focus in this area.

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HUMAN RESOURCES ANNUAL REPORT

On behalf of the Director, Micki Knudsen, Human Resources Director, and Brenda Treadwell-Martin, Equal Opportunity Director, presented an annual report pertaining to human resources.

Ms. Knudsen said a new initiative in her office focuses on employee use of annual leave, sick leave, and unpaid leave. She said this focus has resulted in a reduction in the use of leave without pay and sick leave. She anticipated even further reductions in these areas in 2007.

Ms. Knudsen reported that during the past year, major improvements have been made to the Human Resources portion of MoDOT's website to better market the benefits of working for Team MoDOT. The improvements include video clips from employees and an on-line employment application.

Ms. Knudsen stated that during the past year, the Human Resources staff had completed a job evaluation of the field maintenance positions. As a part of this process, she and other members of her staff traveled throughout the state to meet personally with the employees who are responsible for the maintenance of Missouri highways.

Ms. Treadwell-Martin advised the Commission that in determining whether MoDOT has availed itself of the opportunities that result from a diverse workforce, she compares the percentage of females and minorities in various job positions with the percentage of females and minorities qualified for such position in Missouri population. As a result, Ms. Treadwell-Martin reported that MoDOT had exceeded the percentage of availability for females, but is lagging behind in its employment of minorities, with only 7.94 percent minorities in the workplace compared to 12.2 percent availability. She discussed the strategies being used to increase the percentage of minorities employed within MoDOT.

Mr. Jason Williams, chairman of the Employees Advisory Council, reported that the top three accomplishments for the council during the previous year were installation of computers in the maintenance buildings so employees could access MoDOT policies, job opportunities, and other information; revisions in the Share Leave Program to increase employee participation; and authority from the Governor to lower flags to half-staff at all MoDOT facilities in the unfortunate event of an on-the-job employee fatality.

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**MEMORANDUM OF UNDERSTANDING,
INTERNATIONAL UNION OF OPERATING ENGINEERS**

On behalf of the Director, Micki Knudsen, Human Resources Director, recommended approval of a Memorandum of Understanding with Local 148 of the International Union of Operating Engineers. This documents serves as the foundation for MoDOT and the union to

address labor issues and will supersede the memorandum of understanding that expired on May 12, 2006.

Ms. Knudsen reported that significant changes from the previous memorandum of understanding include (1) Local 148, rather than Missouri Branch, being the certified bargaining unit representative; (2) eliminating, where possible, routine roadway surface maintenance work on the Interstate system on Fridays during the summer months; (3) review of the grievance procedure in the first year of the memorandum of understanding and quarterly meetings with the union to discuss potential changes; (4) semi-annual meetings between MoDOT's Human Resources Director and union employees to discuss any issues of concern.

Ms. Knudsen reported that MoDOT staff had already agreed to modify the grievance procedure to allow members of the certified bargaining unit to have a union representative present at the first step of the grievance process.

Via approval of the consent agenda, the Commission unanimously approved the recommendation and authorized the Director, Chief Engineer, or Chief Financial Officer to execute the memorandum of understanding, which will become effective April 11, 2007.

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FISCAL YEAR 2007 FINANCIAL AUDIT

On behalf of the Director, Deborah Rickard, Controller, recommended approval of a Second Supplement Agreement with BKD, LLP, to conduct the Fiscal Year 2007 audit of MoDOT's financial statements. The auditing firm agreed to conduct the audit for the same price as the previous year: a fixed fee of \$240,000 plus out of pocket expenses up to \$25,000. Ms. Rickard felt that the independent auditor had been able to waive cost increases due to (1) MoDOT staff implementation of new accounting principles prior to the audit, (2) MoDOT

auditing staff providing requested assistance to BKD; (3) MoDOT staff initiative in preparing and formatting the financial report, thereby allowing the independent auditor to review the document rather than taking additional time to prepare it.

Upon motion by Commissioner Michie, seconded by Commissioner Gach, the Commission unanimously approved the recommendation and authorized the Director, Chief Engineer, or Chief Financial Officer to execute the contract document, subject to approval as to form by the Chief Counsel's Office.

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FISCAL YEAR 2007 BUDGET AMENDMENT

On behalf of the Director, Kirk Boyer, Resource Management Director, recommended the Fiscal Year 2007 budget be increased by \$38,790,991 for a total of \$2,502,372,170. Approval of this recommendation will permit the expenditure of available funding for aviation, rail, and transit programs. The funding sources are federal reimbursements, the Aviation Trust Fund, and the Grade Crossing Safety Account.

Via approval of the consent agenda, the Commission unanimously approved the recommendation.

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STONE RIDGE TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF PROJECT AND APPOINTMENT OF ADVISOR

On behalf of the Director, Roger Schwartze, District 5 Engineer, and Kirk Boyer, Resource Management Director, advised the Commission that in response to a petition filed by the City of Jefferson and Land Investments, Inc., the Court, on September 12, 2006, established the Stone Ridge Transportation Development District (TDD) as a political subdivision for the

purpose of constructing a new collector roadway connecting businesses in the TDD to Missouri Boulevard (Business Route 50). Business Route 50 is part of the state highway system and, therefore under the jurisdiction of the Commission. The Commission does not own any real property within the proposed TDD and has no financial participation in the project.

In keeping with Sections 238.220(3) and 238.225(1), RSMo, the Commission via approval of the consent agenda, (1) found that the improvements to Business Route 50 on the state system (construction of a traffic signal and other required improvements at the intersection of Business Route 50 and the collector roadway) are a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions in the plans and specifications required by the Commission and subject to the TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project, and (2) appointed the District 5 Engineer, or his designee, as the Commission advisor to the Stone Ridge TDD's board of directors. In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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**DISPOSAL OF PROPERTY EXCEEDING \$200,000,
87TH STREET MAINTENANCE FACILITY, JACKSON COUNTY**

On behalf of the Director, Beth Wright, District 4 Engineer, recommended approval of a property exchange agreement wherein MoDOT would convey its 87th Street maintenance complex (10.67 acres and improvements), Jackson County, to Oxford Acquisitions, LLC, in exchange for a new maintenance facility on a 10.8-acre site located at 9700 Marion Park Drive. The new facility would be constructed in keeping with MoDOT specifications and other allowances specified in the request for proposal, e.g., moving costs and furniture.

Via approval of the consent agenda, the Commission unanimously approved the property exchange described above and authorized the Director, Chief Engineer, or Chief Financial Officer to execute the agreement, subject to Chief Counsel's Office approval as to form.

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--- REPORTS ---

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, FEBRUARY 28, 2007**

Deborah S. Rickard, Controller, presented the Fiscal Year 2007 monthly financial report for the period ending February 28, 2007, with budget and prior year comparisons.

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

Jeff Padgett, Manager of Employee Benefits, presented an update to the Commission on the cost and utilization of the Medical and Life Insurance Plan. This report is provided on a semi-annual basis in compliance with the guidelines that established the Medical and Life Insurance Plan.

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DESIGN/BRIDGE ENGINEERING CONSULTANTS

Dave Nichols, Director of Project Development, presented the Design/Bridge Engineering Consultants Report as of February 28, 2007. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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

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