



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

TABLE OF CONTENTS

May 4, 2022

COMMISSION/DIRECTOR ITEMS

Approval of Minutes..... 4
 Consent Agenda..... 4
 Commission Committees and Commission Related Boards 5
 Director’s Report 6

PUBLIC PRESENTATIONS

Presentation by the Missouri Soybeans Association: Infrastructure and Missouri Farmers 7

PUBLIC COMMENTS

Concerns about Public Meetings and Transportation 8

MODOT PRESENTATIONS

2023-2027 Draft Statewide Transportation Improvement program (STIP) 9
 Innovations Challenge Showcase presentation..... 12
 MoDOT Cyber Security..... 13

ADMINISTRATIVE RULES / POLICIES

Proposed Amended Rulemaking – Breath Alcohol Ignition Interlock Device Certification and
 Operational Requirements 15
 Proposed Rescinded and Readopted Rulemaking – Driver-Improvement Program 16

BUSINESS ISSUES

Medical and Life Insurance Plan: RE-Appointment of Board Member..... 17

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

Consideration of Bids for Transportation Improvements 17
 Approval of Plans for Condemnation 21
 Request for Approval of Location and Design on Highways..... 21

REPORTS

Contractor Performance Report 23
 Financial Accountability Report – Quarterly Report..... 23
 MoDOT Briefing Report 23
 Financial - Budget - Reports – Year-to-Date, Financial Report Period Ending March 31, 2022..... 24
 Consultant Services Contract Report..... 24

**MINUTES OF THE REGULARLY SCHEDULED
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING
HELD IN JEFFERSON CITY, MISSOURI,
WEDNESDAY, MAY 4, 2022**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, May 4, 2022, at the Missouri Department of Transportation, 105 W. Capitol Avenue, Jefferson City, Missouri. Robert G. Brinkmann, P.E., Chair, called the meeting to order at 10:00 a.m. The following Commissioners were present: John W. Briscoe, Gregg C. Smith, Michael T. Waters, Jr., Terry L. Ecker, and W. Dustin Boatwright, P.E.

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, May 4, 2022.

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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.*

-- OPEN MEETING --

COMMISSION/DIRECTOR ITEMS

APPROVAL OF MINUTES

Upon motion by Commissioner Smith, seconded by Commissioner Waters, the Commission unanimously approved the minutes of the regular meeting held on April 6, 2022, and special meeting held on April 5, 2022. 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 May 4, 2022, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Waters, seconded by Commissioner Briscoe, 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 Chairman also serves on the Missouri Coalition for Roadway Safety Executive Committee. The following committee and board reports were made during the May 4, 2022, meeting.

Audit Committee – Commissioner Brinkmann stated there was no report. The next audit committee meeting is scheduled for June 6, 2022.

Legislative Committee – Commissioner Briscoe noted the General Assembly is entering its last few days of the 2022 legislative session. This week, the legislature is debating the state's fiscal year 2023 budget, once Truly Agreed to and Finally Passed, the proposed budget will be sent to the Governor for his consideration for signage into law.

On the legislative front, the department has worked closely with the Hands-Free Missouri Coalition to advocate for hands-free legislation this session. While such a proposal is unlikely to pass with only two weeks remaining in the session, the department is pleased with the progress that has been achieved. This legislative priority received public hearings in both the House and the Senate, with the Senate proposal being voted out of committee and placed on the calendar for the first time. Discussion with legislators revealed that most legislators support reducing phone use while behind the wheel. This places the department and Commission in a good position to hit the ground running next session.

Commissioner Briscoe stated a more in-depth legislative report will be provided highlighting those proposals that passed or failed during the legislative session at the next Commission meeting.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith shared that the board met on May 4, 2022, and approved a loan to the City of St. Peters totaling \$7,500,000 to construct

additional ramps for the Route 370 and Salt River Road interchange. The board elected officers and approved the fiscal year 2023 budget. The next MTFC meeting will be in August 2022.

MoDOT and Patrol Employees' Retirement System (MPERS) – Commissioner Boatwright reported the board met April 29, 2022, for a strategic planning workshop. The next board meeting will be June 16, 2022.

Missouri Coalition for Roadway Safety Executive Committee – Commissioner Brinkmann explained during last month's Missouri Coalition for Roadway Safety Executive Committee meeting there were several presentations and good discussion on the highway safety issues facing Missouri and the country.

The Commission also participated in a distracted driving awareness event held at the Capitol on April 6 following last month's commission meeting. This event was organized by AAA and the Hands-Free Missouri Coalition, and Commissioner Brinkmann expressed appreciation to both of these organizations for their ongoing support and their commitment to creating safer roadways. Commissioner Brinkmann also thanked Adrienne Siddens and Stephany Bening, who have each courageously shared their personal stories involving distracted driving.

To date in 2022, fatalities are down three percent in Missouri, and the month of April experienced a twenty-six percent decrease compared to last year. There are 47 counties that have experienced zero fatalities so far this year. These counties are a promising reminder there can be days, weeks, months, and even years in which zero fatalities is possible.

Finally, May is Motorcycle Awareness Month. As such, the department is reminding all drivers to put down their phones and look twice for motorcycles. In addition, the department encourages all motorcyclists to ride safe and always wear a helmet.

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DIRECTOR'S REPORT

During the May 4, 2022, Commission meeting, Director Patrick McKenna provided the following report:

Supply Chain Task Force Update – Director McKenna co-chairs the Governor's Supply Chain Task Force along with Dr. Mardy Leathers from Missouri's Department of Higher Education. The task force's final meeting across the state will be held at the department's Hannibal District office on Thursday, May 5, 2022. The task force began its research in January and has held meetings in Jefferson City as well as district locations across the state. Presentations have included information on the challenges of hiring truck drivers and warehouse operators to riverway and port bottlenecks to the needs of the railroads, air cargo, and economic development needs. A draft report should be available for public review by June and a final report is due to the Governor by the end of June. Director McKenna noted his appreciation for the great dialogue shared at these meetings and hope to provide some good recommendations on ways the state can help this issue.

AASHTO Safety Committee – Director McKenna reported on attending the AASHTO Safety Committee Meeting with Chief Safety and Operations Officer Becky Allmeroth. Director McKenna stated it was an honor to serve as the chair of this important committee. Nationally AASHTO is working on the issues that challenge every state especially the increase in highway fatalities and driver distraction. Missouri's Buckle Up Phone Down (BUPD) campaign continues to grow in support and is used by many other states with

nearly 20 states using it in some form. National Highway Traffic Safety Administration is piloting the BUPD campaign in two urban areas so it may study its effectiveness for a future nationwide implementation.

Innovations Challenge – Director McKenna thanked the commissioners who were able to attend the annual Innovations Challenge April 14. The Innovations Challenge coordinator, Ms. Backues gave a full report on the event and this year’s winners. Additionally, Director McKenna shared his amazement with the creativity, passion, and dedication MoDOT employees have to solve problems shown each year. It is one of the best events of the year and he hopes those who were able attend learned a lot from employees as they showed off their innovations. He also explained there were other states in attendance who plan to implement a similar program with their department of transportation.

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PUBLIC PRESENTATIONS

PRESENTATION BY THE MISSOURI SOYBEANS ASSOCIATION: INFRASTRUCTURE AND MISSOURI FARMERS

Matt Amick, Director of Biofuels and New Uses for the Missouri Soybeans Association, shared the Missouri Soybean Association’s (MSA) vision, empowering Missouri soybean farmers through innovation.

Transportation infrastructure is critical to Missouri farmers. MSA supports a strong and efficient transportation network and has been a partner in recent efforts to expand the motor fuel tax to improve infrastructure. As a member of the Soy Transportation Coalition (STC), MSA wants to continue to partner with state and local entities to improve highways and rural roads. Mr. Amick expressed his appreciation to the department and the Commission for their continued work and efforts.

MSA is made up of two associations, Missouri Soybean Association and Missouri Soybean Merchandising Council. A farmer led organization to get soybeans from the field to the end user in a very safe and efficient way. This includes waterway infrastructure as well as highways because soybeans are exported on both modes of transportation. These organizations conduct research, promote, and educate on soybeans. They also develop policy and advocate for the farmers and the soybean industry.

A strong investment in research can lead to a strong return. Investment in innovations include two of Missouri’s biggest discoveries – biodiesel and SOYLEIC soybeans. Biodiesel is a drop-in replacement to petroleum diesel which is better for the environment, made in Missouri and supports local farmers. MoDOT has been using B20 (20% biodiesel, 80% diesel) from April-October for well over a decade. He thanked MoDOT for their support and wanted to gauge support for using B5 (5% biodiesel, 95% diesel) during the colder months of November-March in all MoDOT’s fleet.

He explained the MSA is part of the Soy Transportation Coalition. This coalition prepared a report on twenty rural bridge repair and replacement innovations and the MSA is working with their local public agency contacts to disseminate that information. One example of this was shared where railroad flat cars can be used as a bridge in rural areas, this is a cost-effective approach and are quick and easy to install and can carry loads in excess of weight limits.

There are many soy-based products, which can be used on roads and bridges to extend the life and preserve those pavements as well as provide sustainable, non-toxic solutions. These products include soy-based asphalt rejuvenators and sealants, concrete sealants, tires, dust suppressants and oils. MSA wants to partner with MoDOT to increase the usage of these products.

Commissioner Waters noted the rail car bridges are interesting and was wondering if it had been used in Missouri yet. Chief Engineer Hassinger indicated that counties have used those for some of their smaller bridges.

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PUBLIC COMMENTS

CONCERNS ABOUT PUBLIC MEETINGS AND TRANSPORTATION

Arnie Dienoff, a concerned citizen, expressed his concern that the Missouri Transportation Finance Corporation meetings do not allow a public comment period during its meetings. He believes this disenfranchises the citizens of Missouri. He expressed his displeasure regarding the release of meeting materials. He expressed his displeasure about the Commission filing suit in Cole County seeking

clarification of the Commission's constitutional authority. He expressed his concern regarding department vacancies and salaries.

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MODOT PRESENTATIONS

2023-2027 DRAFT STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

On behalf of the Director, Eric Curtit, Transportation Planning Director, presented the 2023-2027 Draft Statewide Transportation Improvement Program (STIP) which is developed in unison with the budget and financial forecast. Mr. Curtit explained the STIP is MoDOT's proposed list of transportation projects for the next five years. This document describes how transportation dollars are being invested and represents MoDOT's commitment to Missourians.

For fiscal year 2023, the highways and bridges program comprise sixty-four percent of funding and totals \$1.6 billion. The operations and maintenance portion of the program is about \$567 million. While including the maintenance and operations plan is not a requirement, it does provide the citizens of Missouri a comprehensive view of the total investment in Missouri's transportation system. Mr. Curtit reported the local and other programs are funded at \$220 million. Local and other programs receive federal funds for large flexible urban funding, county bridge programs, air quality, transportation alternatives, and the recreational trail programs. Finally, the draft STIP also provides \$132 million for multimodal programs and includes funding for all modes including transit, aviation, rail, waterways, and freight.

The STIP maintains a focus on asset management and was developed in coordination with the department's asset management plan. Missourians have expressed their top priority is to maintain roads and bridges in their current condition. Missouri's transportation system is comprised of 34,000 miles of roadway and over 10,400 bridges. Roads are classified into three categories. The first category is major roads, which include the interstates and roads designated as part of the National Highway System, for a

total of 5,500 miles, and carry seventy-six percent of all the travel and are at ninety-one percent good condition. The second category includes minor roads that carry more than 400 vehicles a day represent about 17,500 miles of roadway and are in eighty-one percent good condition. The low volume roads carry less than 400 vehicles a day, carry two percent of traffic, account for about 11,000 miles of roadway, and are in seventy percent good condition. Mr. Curtit explained the major roads and minor roads are funded and programmed in the STIP. The STIP also provides for bridge maintenance on the low volume minor roads, but typically, the pavements on low volume minor roads are maintained through the operating budget. However, the Commission directed the department to use STIP funds to address the disparity of low volume road condition. The asset management deficit program of about \$128 million is directed to improve those conditions. The asset management deficit program includes STIP jobs with STIP funds as well as M jobs with operations funds.

He noted the STIP was developed in collaboration with many partners including the regional planning commissions, metropolitan planning organizations, local elected officials, and many others. Objective data is used to distribute funds to the districts who work side-by-side with the planning partners to identify needs and prioritize projects that are included in the draft STIP being presented today. The amount of funds available to distribute in the construction program is \$1.3 billion. Of that amount \$58 million is distributed for safety related projects, \$756 million is distributed for asset management projects, and \$555 million is distributed for system improvements. Safety funds are distributed based on fatalities and serious injuries. Asset management funds are distributed based on highway travel, bridge size, and highway miles. The remaining funds, system improvement funding, is distributed based on population, employment, and highway travel.

Mr. Curtit reported on the changes for the 2023-2027 draft STIP. There were 767 projects added to the draft STIP; 707 of those are asset management, which are aimed at keeping the roadways and bridges at the condition levels that they are at currently. Thirty projects are categorized as system

improvement projects, and thirty other projects, which include emergency response and intelligent transportation systems, on-call work zone enforcement, and payback projects. The multimodal program added forty-eight projects: ten in aviation, eighteen in rail, fifteen in waterways, and five in freight. There were twenty-four projects deleted from the STIP. Those projects were either no longer deemed a priority by the public, incorporated into another project, or was a root project from which other projects were split. The multimodal program deleted four projects, two in aviation, one in rail, and one in transit. Totals for this STIP include 1,789 construction projects, 421 scoping jobs, 113 transit projects, 45 aviation projects, 95 railroad projects, and 16 waterways projects.

Normally, the next step in the process is for the department to conduct a public comment period for the draft STIP, then the department will collect the comments received and recommend action, noting any changes to the draft STIP. The final STIP is then presented to the Commission for consideration and approval following the public comment period. However, this year there are several items that the legislature is considering that could affect the department's budget. To proceed with the STIP the department must know if it will have a balanced budget. The department needs to wait for the end of the legislative session prior to proceeding with the STIP process. At this time the department is simply providing this update and informing the Commission it hopes to return in a couple of weeks seeking approval to proceed with the public comment period. Commissioner Smith noted this is one of the most important decisions the Commission makes each year, and it is wise to wait to make sure we have the resources in place. Commissioner Waters noted he hopes the STIP can proceed soon as it is the largest STIP the department has ever presented. He recalled when he started on the Commission the construction program was only \$325 million and to be able to program \$1.8 billion is tremendously exciting!

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INNOVATIONS CHALLENGE SHOWCASE PRESENTATION

On behalf of the Director, Kelly Backues, Transportation Planning Specialist, presented a report on this year's Innovations Challenge Showcase. A quick overview of the program since its inception was shared including a brief history of the Innovations Challenge and Showcase. MoDOT's core values of Safety, Service, and Stability are supported by the Innovations Challenge.

Since its inception in 2007, the Innovations Challenge has generated innovations that have become best practices. Over the years the challenge has evolved. It began as a tool and equipment challenge in the districts as a way to share and promote ideas for MoDOT's employees to do their jobs safely and more efficiently. In 2013, the challenge was broadened to all areas of MoDOT and included the categories of projects and productivity. These new categories vastly enhanced the program and provided all employees the opportunity to join in competition.

The Innovations Challenge currently bestows sixteen awards. Four winners come from each of the three categories: tools and equipment, productivity, and projects. Three Director's awards are presented, one each for safety, service, and stability. There is one Dickson People's Choice award named for Jim Dickson who was the Innovations Challenge coordinator since its inception in 2007; he retired in 2018.

For an innovation to advance to the statewide showcase, it must win the first challenge round either at a district or central office. A local panel of experts from each district and central office select the top 18 from each district and central office to advance to the second round. During the second round, each district and central office coordinator rate the innovations to narrow the list down from 144 first round winners to 60 innovations for further consideration in the second round. Those 60 innovations are then considered at the statewide showcase.

This year the showcase was back to an in-person event and was held that the Mizzou Hearnes Center Fieldhouse. Ms. Backues then shared the 2022 top category winners. In Productivity, MMS Work

Plan Progress and Budget was submitted by the Maintenance Division. In Projects, Simple for Dead, Continuous for Live Bridge Design Methodology was submitted by the Northeast District. In Tools and Equipment, Blade Saver was submitted by the Central District. The Director's award for Safety was for the Rotating Herbicide Rack from the Southeast District. The Director's Award for Service was for the CFA Tangent Retaining Wall and Displaced Left Turn from the St. Louis District. The Director's Award for Stability was for the Virtual Showcase from the Transportation Planning Division. The 2022 Dickson People's Choice Award was for the Tire Steps from the Southwest District.

Identifying and evaluating innovative efforts will continue to be a significant factor in the achievement of MoDOT's mission. The innovations showcase was acknowledged for promoting creativity and ingenuity across the department and driving MoDOT's continual improvement. Commissioner Waters thanked Ms. Backues for her presentation and expressed his appreciation for employees who continue to come up with new and creative ways to do their work better, safer, and more cost-effective.

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MODOT CYBER SECURITY

On behalf of the Director, Beth Ring, Information Systems Director, provided to the Commission an overview of cyber security, the impact to MoDOT, and measures the Information Systems Division takes to mitigate risks. Two major concerns if there were to be a breach of the system is loss of data or ransomware. Ransomware is when a criminal gains access to your network, they encrypt your data and demand you pay a fee to unencrypt it. In 2021, there have been 6 groups that breached the systems of 292 organizations. These organizations demanded millions and several companies had to pay.

There has been growth in cyber breaches. MoDOT has seen a lot of attacks. For the month of March 2022, the Office of Administration blocked more than 2.2 billion attacks at the firewall. MoDOT's cyber security office investigated 75 events at MoDOT. MoDOT's email system blocked more than 4,700 malicious emails in the third quarter of fiscal year 2022.

Cyber security efforts reflect MoDOT core values. Under safety, the division is working to keep the department free from danger or threat when keeping the department's information technology secure. Under service, the division is accountable for safeguarding assets and providing quality service. Under stability, the division ensures technical resources and data are available for the department.

There are three categories at the department that could be threatened: people, places, and assets. The division works with employees, partners, and citizens who need to access the information in our systems. The division works with the people to make sure they are using strong passwords, multi-factor authentication, and are educated regarding potential threats. The department's workforce is located at the office, in the field, and at home. Some of the tools that are used to protect the places where people work include threat awareness tools, monitoring countries of origin, leverage secure virtual private networks, and collaboration with the Office of Cyber Security at the Office of Administration. The assets of the department include data, equipment, applications, and code. The division protects the assets by controlling permissions on files including tools like Azure information protection (AIP) and data loss prevention (DLP), frequent patching to update software and the operating systems, management of mobile devices including phones and laptops, and scans applications to look for vulnerabilities in applications.

What is the division doing to move forward? The department is going to conduct an external security assessment, which is like ethical hacking where staff try to breach apps and identify gaps and show the department how to remediate it. This may lead to policy development or changes and encrypting endpoint devices. This effort should lead to better oversight of the network as the cyber landscape evolves.

Commissioner Ecker thanked Ms. Ring and Mr. Volkart for their presentation and for their efforts to protect the department's information systems. Commissioner Waters requested the Commission be updated more frequently on cyber security.

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ADMINISTRATIVE RULES / POLICIES

REPORT AND RECOMMENDATION REGARDING PROPOSED AMENDED RULEMAKING – BREATH ALCOHOL IGNITION INTERLOCK DEVICE CERTIFICATION AND OPERATIONAL REQUIREMENTS

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented to the Commission proposed changes to administrative rules 7 CSR 60-2.010-.060, Breath Alcohol Ignition Interlock Device Certification and Operational Requirements. These rules are proposed for amendments and are intended to change the standards and specifications for the Ignition Interlock Device Program to ensure integrity of the program. The rule changes also include technical corrections, device approval modifications, and language changes. Under Section 536.175 RSMo, the Commission is required to review each of its rules in the *Code of State Regulations*, as a result of this review, these rule changes are being proposed for consideration.

The public will have an opportunity to submit comments in support of or in opposition to the proposed amendments. All comments received from the public will be considered and summarized in the final orders of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed amended rulemaking is necessary to carry out the purposes of Sections 302.440 – 302.462, RSMo, that grant the Commission’s rulemaking authority, and authorized the Secretary to the Commission to file the notices of proposed amended 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, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Engineer to execute documents to initiate the rulemaking process.

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REPORT AND RECOMMENDATION REGARDING PROPOSED RESCINDED AND READOPTED RULEMAKING – DRIVER-IMPROVEMENT PROGRAM

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented to the Commission proposed changes to administrative rule 7 CSR 60-3.010, Driver-Improvement Program. This rule is proposed for rescission and readoption to update the division title and correctly refer to the “designee” as the entity responsible for administering the program and maintaining all documentation required under the rule. Under Section 536.175 RSMo, the Commission is required to review each of its rules in the *Code of State Regulations*. As a result of this review, this rule change is being proposed for consideration.

The public will have an opportunity to submit comments in support of or in opposition to the proposed rescission and readoption. All comments received from the public will be considered and summarized in the final order of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed rescinded and readopted rulemaking is necessary to carry out the purposes of Section 302.178, RSMo, that grants the Commission’s rulemaking authority, and authorized the Secretary to the Commission to file the notices of proposed rescission and the noticed of proposed rules 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, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Engineer to execute documents to initiate the rulemaking process.

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BUSINESS ISSUES

MEDICAL AND LIFE INSURANCE PLAN: RE-APPOINTMENT OF BOARD MEMBER

The Commission established and approved guidelines for a self-insured Medical and Life Insurance Plan for employees of the Department and the State Highway Patrol on November 9, 1977. The guidelines established a board of trustees to manage the operations of the Plan. Potential board members, and the board chairman, are recommended by either the Department Director or the State Highway Patrol Superintendent and are subject to Commission approval.

On behalf of the Director, Ashley Halford, Medical and Life Insurance Plan Board Chairman, recommended approval of the re-appointment of Holly Haarmann as a Missouri State Highway Patrol active employee, for a term ending May 2028 or until a successor is named. Ms. Haarmann has served as an active employee representative since May 2017, and has been recommended by Colonel Eric Olsson, Missouri State Highway Patrol Superintendent.

Via approval of the consent agenda, the Commission unanimously approved the re-appointment of Ms. Haarmann as a Missouri State Highway Patrol active employee representative, for a term ending May 2028 or until a successor is named.

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STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Kenny Voss, 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.

Mr. Voss recommended: (1) Award of contracts to the lowest responsive bidders for bids received at the April 15, 2022, letting, as recommended, and noted in Table I below; (2) Rejection of Calls B01 and H01 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway

Construction as noted in Table II below; (3) Declare Fronabarger Concreters, Inc. as non-responsive per Section 102.2 of the Missouri Standard Specifications for Highway Construction on calls H02 and H09.

**Table I
Award of Contracts
April 15, 2022, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	I-35	Various	J1I3389	\$802,500.00	\$0.00	Herzog Contracting Corp.	Job Order Contract for Asphalt Pavement Repair
A02	29, 229	Various	J1I3390	\$802,500.00	\$0.00	Herzog Contracting Corp.	Job Order Contract for Asphalt Pavement Repair
A03	65, 24	Carroll	J1P3275	\$6,123,090.85	\$0.00	Capital Paving & Construction, LLC	7 Bridge Rehabilitations
B02	149	Macon	J2MAMD07	\$2,406,259.05	\$0.00	Emery Sapp & Sons, Inc.	Resurface
	OO		J2MAMD15				
B03	61	Ralls	J2P3360	\$845,250.00	\$0.00	Steel City Contractors, LLC	Bridge Painting
	54	Pike	J2P3260				
	A	Various	J2S3344				
B04	C	Randolph	J2S3267	\$685,846.13	\$0.00	S & A Equipment & Builders, LLC	ADA Improvements
	Z		J2S3269				
B05	EE	Randolph	J2S3268	\$746,312.25	\$0.00	S & A Equipment & Builders, LLC	ADA Improvements
B07	C	Scotland	J2S3319	\$1,043,218.10	\$0.00	Bleigh Construction Company	Bridge Replacement
C01	50	Johnson	J3P3211	\$544,665.19	\$0.00	Cale Seymour Construction, LLC	Slide Repair and Drainage
C02	1	Clay	J4S3343	\$1,651,413.81	\$0.00	Ideker, Inc.	Coldmill and Resurface
D01	I-44	Various	J5I3580	\$365,049.25	\$0.00	N.B. West Contracting Company	Job Order Contract for Asphalt Pavement Repair
D02	I-70	Various	J5I3581	\$0.00	\$0.00	No bidders	Job Order Contract for Asphalt Pavement Repair
D03	I-44	Various	J5I3582	\$263,528.08	\$0.00	N.B. West Contracting Company	Job Order Contract for Concrete Pavement Repair

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D04	I-70	Various	J5I3583	\$248,839.17	\$0.00	Lamke Trenching & Excavating, Inc.	Job Order Contract for Concrete Pavement Repair
D05	I-44	Various	JCD0001	\$1,230,324.62	\$0.00	TraMar Contracting, Inc.	Pavement Marking
			JSL0002				
F01	I-44	St Louis	J6I3489	\$8,459,000.00	\$0.00	KCI Construction Company	2 Bridge Rehabilitations
F03	P	St Louis	J6S3273	\$7,172,777.00	\$10,000.00	Pace Construction Company	Coldmill, Resurface and ADA Improvements
F04	Various	Various	JSL0001	\$574,938.26	\$0.00	Parking Lot Maintenance, LLC	Fixed Price Variable Scope for Crack Filling
F05	I-70	Various	JCD0002	\$872,498.44	\$0.00	TraMar Contracting, Inc.	Pavement Marking
		St Louis	JSL0003				
G02	86	Taney	J7S3194	\$66,488,000.00	\$32.56	American Bridge Company	Bridge Replacement
G03	N	Henry	J7S3549	\$186,870.90	\$0.00	E & C Bridge, LLC	Bridge Rehabilitation
H02	I-55, I-57, I-155	Various	J9I3619	\$0.00	\$0.00	No bidders	Job Order Contract for Asphalt Pavement Repair
H03	Various	Various	J9P3625	\$564,000.00	\$0.00	Collins & Hermann, Inc.	Job Order Contract for Guardrail and Guard Cable
H04	Various	Various	J9P3626	\$2,397,500.00	\$0.00	Collins & Hermann, Inc.	Job Order Contract for Guardrail and Guard Cable
H05	Various	Various	J9P3649	\$1,470,893.00	\$0.00	Koch Electric, Inc.	Lighting and Intersection Improvements
H06	51	Perry	J9P3737	\$1,583,521.50	\$0.00	Lappe Cement Finishing, Inc.	Grading and Pavement
H07	60	Various	J9P3836	\$983,807.50	\$0.00	H.R. Quadri Contractors, LLC	Slope Repair
H08	Various	Various	J9S3861	\$1,107,598.50	\$0.00	Road Runner Safety Services, Inc.	Sign Installations
H09	AB	Cape Girardeau	JSEM0003	\$206,931.53	\$0.00	C-Hill Civil Contractors, Inc.	Pavement Repair

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
H10	60, 67	Various	JSE0001	\$1,675,856.42	\$0.00	TraMar Contracting, Inc.	Pavement Marking
			TOTAL:	\$111,502,989.55	\$10,032.56		

**Table II
Rejection of Bids
April 15, 2022, Bid Opening**

Call No.	Route	County	Job No.	Description
B01	A	Schuyler	J2MAMD02	Resurface
	M	Scotland	J2MAMD09	
	W	Scotland	J2MAMD11	
H01	I-55, I-57	Various	J9I3618	Asphalt Pavement Repair

Commission Consideration and Action

After consideration, and upon motion by Commissioner Briscoe, seconded by Commissioner Boatwright, the Commission took the following action with abstentions listed below.

1. Awarded contracts to the lowest responsive bidders for bids received at the April 15, 2022, bid opening, as recommended, and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected Calls B01 and H01 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction as noted in Table II above.
3. Declared Fronabarger Concreters, Inc. as non-responsive on calls H02 and H09 per section 102.2 of the Missouri Standard Specifications for Highway Construction.
4. Authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Briscoe abstained from Call B03. Commissioner Brinkmann abstained from Calls D05, F04, F05, D03, D04, F01. Commissioner Boatwright abstained from Calls H01 and H10.

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APPROVAL OF PLANS FOR CONDEMNATION

On behalf of the Director, Travis Koestner, State Design Engineer, recommended the Commission approve the following detailed project plans, approved by the Chief Engineer, for filing as necessary for the condemnation of right of way.

<u>County</u>	<u>Route</u>	<u>Job Number</u>
Nodaway	46	J1S3258
St. Charles	N	J6S3312

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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REQUEST FOR APPROVAL OF LOCATION AND DESIGN ON HIGHWAYS

**Route I-70, St. Charles County
Job No. J6I0624
Virtual Public Hearing Held March 22, 2022
Online Public Comments Received Until April 5, 2022**

The proposed improvement includes relocating I-70 slightly to the southwest, adding lanes and replacing the existing Norfolk Southern Railroad bridge over I-70. The project will have fully controlled access right of way along I-70 and normal access right of way along outer roads. The roadway will remain open to traffic during construction. Traffic will be maintained by staged construction. Two lanes of traffic will be maintained in each direction on I-70 except for limited lane closures during off-peak hours. Temporary closures of the exit and entrance ramps at Route Z and Wentzville Parkway may be necessary. The project is 1.591 miles in length.

On behalf of the Director, Thomas Blair, St. Louis District Engineer, recommended approval of the location and design as presented at the public hearing.

After full consideration of the favorable and adverse economic, social and environmental effects of the recommended designs, the Commission via approval of the consent agenda unanimously found and

determined the recommended location and design would best serve the interest of the public and approved the recommendation.

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-- REPORTS --

REPORTS

The Commission received the following written reports.

CONTRACTOR PERFORMANCE REPORT

On behalf of the Director, David Ahlvers, State Construction and Materials Engineer, presented the annual contractor performance report for 2021. Project performance evaluations were completed by the resident engineers and provided to the contractors for review and comment. Performance summaries will be mailed to the contractors the week of May 9, 2022. Pursuant to 7 CSR 10-10.070, Procedure for Annual Rating of Contractors, no contractors are being placed on probation as a result of the 2021 performance ratings. Contractors receiving the top ratings for the 2021 construction season will be recognized with a plaque.

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FINANCIAL ACCOUNTABILITY REPORT – QUARTERLY REPORT

On behalf of the Director, Todd Grosvenor, Financial Services Director, provided to the Commission the written Quarterly Financial Accountability Report for the period ending March 31, 2022.

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MODOT BRIEFING REPORT

Patrick McKenna, Director, provided to the Commission the written monthly Issue Briefs that are sent from the department to the Governor since the previous MoDOT Briefing Report. There were no briefing reports for the past month.

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FINANCIAL - BUDGET - REPORTS – YEAR-TO-DATE, FINANCIAL REPORT PERIOD ENDING MARCH 31, 2022

Todd Grosvenor, Financial Services Director, submitted a written financial report for fiscal year to date March 31, 2022, with budget and prior year comparisons.

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CONSULTANT SERVICES CONTRACT REPORT

Travis Koestner, State Design Engineer, submitted a written report of consultant contracts executed in the month of March 2022, 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 380 active contracts held by individual engineering consultant firms prior to March 1, 2022. Twenty-two engineering consultant services contracts were executed in March 2022, for a total of \$7,760,678. There were zero non-engineering consultant contracts executed in March 2022.

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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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