



**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, APRIL 4, 2018**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, April 4, 2018, at the Department of Transportation building, 105 West Capitol, Jefferson City, Missouri. Gregg C. Smith, Chairman, called the meeting to order at 10:30 a.m. The following Commissioners were present: Michael B. Pace, Michael T. Waters, Jr., John W. Briscoe, Terry L. Ecker, and Robert G. Brinkmann.

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, April 4, 2018.

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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 Briscoe, Aye
Commissioner Ecker, Aye
Commissioner Brinkmann, Aye

The Commission met in closed session on Tuesday, April 3, 2018 at 4:00 p.m. and recessed at 5:20 p.m., then reconvened on Wednesday, April 4, 2018 at 8:45 a.m. and adjourned at 10:15 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, 2018. 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 April 4, 2018, 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 April 4, 2018, meeting.

Audit Committee – Commissioner Waters stated there is no report; the committee will meet next in June.

Legislative Committee – Commissioner Pace reported with less than twenty-seven legislative days remaining in this year's session, both chambers of the legislature are actively pursuing the passage of a fiscal year 2019 budget. Also, two of the Commission's legislative initiatives for 2018 are still moving through the process. The first initiative, surrounding safety, is prohibiting use of hand-held electronic wireless communication devices while driving. The department has been successful in working with elected officials to introduce eleven different House and Senate proposals that would prohibit all drivers from using any handheld electronic wireless communication devices, and continues to hold out hope that one of the legislative proposals may receive favorable legislative action in the remaining days of session. The second proposal is automated and driver-assistive connected vehicle technologies that would allow vehicle-to-vehicle technology and partial vehicle automation resulting in greater fuel savings and safety features when trucks are operating in tandem for long distance travel.

Finally, funding continues to be discussed in both chambers and information from the 21st Century Missouri Transportation System Task Force and the department's *Citizens Guide to Transportation Funding in Missouri* are resources for the House Transportation Committee and the Senate who have begun the debate for determining the best solution for addressing our state's infrastructure needs.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith stated there is no report; the board will meet next in May.

MoDOT and Patrol Employees’ Retirement System – Commissioner Pace stated that there is no report today. The next meeting is tentatively set for April 26, 2018.

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DIRECTOR’S REPORT

During the April 4, 2018, Commission meeting, Director Patrick McKenna provided the following report:

Emergency Services – Director McKenna recognized Chris Engelbrecht, Emergency Management Liaison, for his recent work in a spontaneous statewide tornado drill and for his role in ensuring the department is prepared when emergencies occur. The director explained the department has emergency operation centers at each district as well as a statewide emergency operation center at central office.

DOMInno – Director McKenna explained the department will hold its annual Design Operations Maintenance and Innovation (DOMInno) meeting and showcase in Springfield next week. At the showcase department employees demonstrate the innovations they have developed to do their work better, faster, cheaper, and safer. The innovations are judged and the very best are selected and recognized. Many of the innovations are implemented statewide. The director noted that there are other states that either have implemented or want to implement similar programs. He stated it is rewarding to see the creative and engaged employees proudly serving their role as a public servant that wisely uses tax payer money while making their jobs safer.

Performance Development – The department is transitioning away from the MoDOT accountability and performance system (MAPS) toward a new approach that will focus on helping each employee perform their best every day through regular conversation with their supervisors. This effort combines performance management and employee development. It also aligns with what is taking place across state government.

Comprehensive Bridge Inspection Program – Director McKenna commended the department for the spectacular review of the department’s bridge inspection program by the Federal Highway Administration. The department was lauded for being compliant on 22 out of 23 metrics and

substantially compliant on the other. He recognized Dave Koenig, Bridge Management Engineer, and Dennis Heckman, State Bridge Engineer, for leading the effort. He reported the department has some full time bridge inspectors who are part of the Bridge Maintenance team and there are also part time bridge inspectors that come from the districts and other divisions who conduct the bridge inspections on Missouri's ageing structures.

Recognition of Governmental Relations Team – Director McKenna commended the Governmental Relations team for their work in tracking numerous legislative proposals that impact transportation, as well as being so responsive to the numerous requests from legislators, staff, and constituents. They are able to take very technical information and translate it into meaningful information that responds to the individual's concern or inquiry.

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2018 WORK ZONE SAFETY AWARENESS CAMPAIGN

On behalf of the Director, Nicole Hood, State Highway Safety and Traffic Engineer, reported this year's Work Zone Safety campaign will emphasize educating the public to put their phones down in work zones, using more law enforcement within work zones, and reducing fatalities with new innovations for work zone equipment. She explained that the national Work Zone Awareness week is April 9 – 13, and is the time to remind motorists as the construction season begins that they need to use caution and watch for highway workers and crews on the roads. Through the week there will be several work zone awareness events across the state and at district offices. Everyone at MoDOT is encouraged to wear orange on Monday, April 9, to promote work zone safety awareness.

The top five contributing circumstances for work zone crashes in 2017 were distracted/inattentive driving, following too close, driving too fast for conditions, substance impairment, and improper lane usage. Unfortunately, work zone fatalities are on the rise, nationwide a work zone crash occurs about every five minutes. In 2017, thirteen people were killed in work zone crashes on state system routes and an additional three were killed on local system routes.

Ms. Hood introduced three speakers who shared their close calls while working on Missouri's roads. Justin Sundell, a Senior Maintenance Worker from the Salem maintenance facility, described a work zone where he was flagging on Highway 68 with proper signage in place and good sight distance both directions. As traffic was stopped a vehicle approached with a distracted driver who locked up his brakes as he sped upon the stopped traffic, nearly causing a serious crash. As the driver drove past Mr. Sundell he angrily accused him of not having any signs posted. The driver missed every single sign in the work zone. Mr. Sundell encouraged everyone to take the pledge to buckle up and put their phone down. Randy Basand, Safety Manager for Pace Construction, described a work zone crash that occurred injuring a construction worker. Due to inattention the driver drove into the work zone to avoid stopped traffic and hit a piece of equipment that then hit a construction worker. As a result of the crash, the construction worker not only suffered a broken leg, but will be off work for several weeks trying to support a family on workers compensation. Captain John Hotz, Director of Public Information and Education Division of the Missouri State Highway Patrol, explained how a law enforcement presence gets the drivers' attention in work zones and encourages them to slow down. He reminded everyone that the people working in work zones are moms, dads, brothers, sisters, husbands, wives, and grandparents, remember that they have people they want to come home to everyday after work just like we all do.

The department is taking several steps to improve awareness of work zones. This year's Work Zone Awareness Week key external message will be "Buckle Up Phone Down." In slow moving maintenance operations, MoDOT will continue to emphasize the Move Over Law requiring motorists to move over one lane or slow down to give highway workers room to work. In addition, MoDOT will work with law enforcement and its contractors to develop work zone plans for each project, paying special attention to managing the queue especially on high speed rural interstates and divided highways. MoDOT will partner with law enforcement to slow traffic down in work zones and provide warning at the approach to work zone queues. Safety and visibility of MoDOT's slow moving operations such as

patching, striping and sweeping will continue to be a focus. MoDOT continues to develop and test new work zone equipment to protect workers and drivers in work zones.

Chairman Smith commended the department for its efforts to improve safety for workers on Missouri's roads. He encouraged everyone to slow down and move over, plus to take the pledge to buckle and put their phones down.

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DRAFT LONG RANGE TRANSPORTATION PLAN

On behalf of the Director, Ben Reeser, Assistant Transportation Planning Director, explained the department prepares a long range transportation plan in response to federal requirements, but also because it sets the strategic vision across the state for transportation infrastructure investments. He described the plan as having two documents, one is the executive summary and the other is the technical memorandum. Mr. Reeser highlighted select portions of the plan and the areas that were updated since the last plan was approved in 2014.

Mr. Reeser explained in the past meetings were held around the state to have public interaction with the department when updating the plan. This time MoDOT used an online tool called MetroQuest to engage over 7,700 Missourians that were spread over the entire state. Missourians could respond to the survey on their mobile devices at a time that was convenient for them. As a result of using this survey tool, MoDOT received over 5,300 comments on goals and priorities. Additionally, planning partners were involved in the update process and played a significant role in engaging Missourians. The department was very pleased with the level of response in using this new engagement method.

The survey asked responders if the four goals from the 2014 plan still made sense and if there was anything missing. As a result, the four goals were confirmed and one new goal arose to address congestion and reliability. The five goals of the plan are listed below.

- Take care of the transportation system and services we enjoy today

- Keep all travelers safe, no matter the mode of transportation
- Invest in projects that spur economic growth and create jobs
- Give Missourians better transportation choices
- Improve reliability and reduce congestion on Missouri’s transportation system

These goals will help the department find balance between all of the different needs across the state.

This plan for the first time addresses emerging technology. In 2014 connected and autonomous vehicles were not readily available, that is changing as smarter cars and trucks roll off the assembly line today. Looking twenty years in the future, the potential impact of connected and autonomous vehicles on safety could be significant. The department has engaged industry, stakeholders, and car manufacturers to help MoDOT be properly positioned so the state can take advantage of safer roads, and more efficient use of roads and the transportation system. By adding this to the plan, the department is preparing to be nimble as an agency to respond to emerging technology in transportation.

The long range transportation plan also aligns with the Citizens Guide to Transportation Funding. It includes the funding buckets, capturing the \$825 million per year of unfunded needs that exist in Missouri. There continues to be more needs than transportation funding that is available to address those needs.

The department will provide an opportunity for additional input from Missourians during the public comment period from April 4, 2018 through May 3, 2018. The department will capture the comments received and make revisions if necessary before bringing the final long range transportation plan to the Commission for approval at the June 6, 2018 meeting. Commissioners Waters and Pace commended the department for including the emerging technology section of the plan, as change is coming and technology evolves rapidly. Commissioner Brinkmann commended the department for preparing the plan and noted the tremendous interest there is from Missourians who want more from their transportation system.

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FISCAL YEAR 2018 BUDGET AMENDMENT

On behalf of the Director, Brenda Morris, Financial Services Director, recommended increasing disbursements \$2.5 million for the fiscal year 2018 budget. Ms. Morris also recommended transfers between operating budget categories to address changing priorities and provide greater flexibility to districts and divisions in funding program priorities.

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THE LIND-LITZ TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR

On behalf of the Director, Tom Blair, St. Louis District Engineer, advised the Commission that in response to a petition filed by Shriners Hospitals for Children, on September 20, 2017, the Circuit Court of St. Louis County established the Lind-Litz Transportation Development District (TDD) as a new political subdivision on January 12, 2018. The proposed project includes construction of internal circulation roads, access roads and parking facilities, improvements to the intersections of Route 61/67 (Lindbergh Boulevard)/Litzinger Road and Route 61/67 (Lindbergh Boulevard)/Clayton Road and other improvements to Route 61/67 (Lindbergh Boulevard). Route 61/67 (Lindbergh Boulevard) is part of the state highways and transportation system and, therefore, under the jurisdiction of the Commission.

In keeping with Sections 238.220.4 and 238.225.1, RSMo, the Commission via approval of the consent agenda, (1) appointed the St. Louis District Engineer, or his (her) designee, as the Commission advisor to the Lind-Litz TDD board of directors, and (2) found the improvements to the area noted above, to be a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions on 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.

In keeping with the Commission's Execution of Documents Policy and Financial-Project Funding and Financing Alternative Policy, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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THE SOUTH K TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR

On behalf of the Director, Mark Shelton, Southeast District Engineer, advised the Commission that in response to a petition filed by South K, Inc. and Rhodes Development Co., LLC, on October 13, 2017, the Circuit Court of Cape Girardeau County established the South K Transportation Development District (TDD) as a new political subdivision on December 27, 2017. The proposed project includes relocation, reconstruction, improvements and extension of entrances located on Route 61 (South Kingshighway); realignment, reconstruction, improvements and extension of Route K (William Street); construction and improvements of entrances on Route K (William Street); and reconstruction and improvements to the parking lot. Route 61 and Route K are part of the state highways and transportation system and, therefore, under the jurisdiction of the Commission.

In keeping with Sections 238.220.4 and 238.225.1, RSMo, the Commission via approval of the consent agenda, (1) appointed the Southeast District Engineer, or his designee, as the Commission advisor to the South K TDD board of directors, and (2) found the improvements to the area noted above, to be a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions on 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. In keeping with the Commission's Execution of Documents Policy and Financial-Project Funding and Financing

Alternative Policy, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING – DESIGN-BUILD PROJECT CONTRACTS

On behalf of the Director, Eric Schroeter, State Design Engineer, presented the final orders of rulemaking for 7 CSR 10-24.010 through 7 CSR 10-24.330, Design-Build Project Contracts. The department reviewed and recommended changes to the rules to comply with the requirements of Executive Order 17-03. At the December 1, 2017 meeting, the Commission authorized the filing and publication of the proposed amended rules 7 CSR 10-24.010 through 7 CSR 10-24.330, Design-Build Project Contracts. After Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of the Secretary of State, who published the amended rules in the *Missouri Register* for public comment. The public had from January 16, 2018 to February 15, 2018, to submit comments in support of or in opposition to the notice of amended rulemaking. No comments were received during the public comment period.

The following is a summary of the significant changes to the rule. These rules are being amended to remove obsolete definitions and expand the definition of design-build to include additional project delivery methods, such as design-build-operate, design-build maintain, design-build-operate-maintain, design-build finance, design-build-finance-operate-maintain, engineer-procure-construct and other contracts that have services in addition to design and construction. The rules were revised to update current practices in the area of design-build contracting, eliminate provisions redundant with state law, and remove unnecessary restrictive language and provisions, and other changes.

The department supports this final order of rulemaking for Design-Build Project Contracts. After consideration, the Commission via approval of the consent agenda, unanimously approved the

final order of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to complete the final rulemaking process.

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REPORT AND RECOMMENDATION REGARDING PROPOSED AMENDED RULEMAKING – STATE TRANSPORTATION ASSISTANCE REVOLVING FUND

On behalf of the Director, Brenda Morris, Financial Services Director, presented to the Commission proposed amended administrative rulemaking 7 CSR 10-3.010 through 7 CSR 10-3.030 regarding State Transportation Assistance Revolving Fund. The proposed amendments to the rules remove unnecessary restrictive language, and clarify and update the review and approval process for loan applications. Under Executive Order 17-03, 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 proposed for consideration.

The public will have an opportunity to submit comments in support of or in opposition to the proposed amended rulemaking. All comments received from the public will be considered and summarized in the order or 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 section 226.191 RSMo, that grants the Commission’s rule authority, authorized the Secretary to the Commission to file the notice 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, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to initiate the rulemaking process.

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CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Eric Schroeter, State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month. He noted Calls D03, F01, and F09 have local funding, as noted in Table I below, and the department received all of the necessary concurrences.

Mr. Schroeter recommended (1) Award of contracts to the lowest responsive bidders for bids received at the March 16, 2018, letting, as recommended and noted in Table I below. (2) Rejection of bids received on Call D07 due to excessive bids per Section 102.15 of the Missouri Standard Specifications for Highway Construction and noted in Table II below. (3) Award Call F01 contingent upon receipt of funds from the City of O’Fallon that is due to be received in the next thirty days and noted in Table I below. (4) Ratify the Chief Engineer’s concurrence in award of a project that was let by Illinois Department of Transportation (DOT) on March 9, 2018, for navigation light repair on the I-57 bi-state bridge and noted in Table III below.

**Table I
Award of Contracts
March 16, 2018, Bid Opening**

| Call No. | Route | County | Job No. | Bid Amount | Non-Contractual Costs | Contractor | Description |
|-----------------|--------------|--|----------------|-------------------|------------------------------|--------------------------|--|
| A01 | I-29 | Andrew, Atchison, Holt | J0I3004B | \$300,875.00 | \$0.00 | Herzog Contracting Corp. | Job Order Contract for Asphalt Pavement Repair |
| A02 | I-29, I-229 | Andrew, Buchanan, Platte | J0I3004C | \$275,875.00 | \$0.00 | Herzog Contracting Corp. | Job Order Contract for Asphalt Pavement Repair |
| A03 | I-35 | Daviess, Harrison | J0I3004D | \$300,875.00 | \$0.00 | Herzog Contracting Corp. | Job Order Contract for Asphalt Pavement Repair |
| A04 | I-35 | Caldwell, Clay, Clinton, Daviess, Dekalb | J0I3004E | \$275,875.00 | \$0.00 | Herzog Contracting Corp. | Job Order Contract for Asphalt Pavement Repair |

| Call No. | Route | County | Job No. | Bid Amount | Non-Contractual Costs | Contractor | Description |
|-----------------|--------------|---------------|----------------|-------------------|------------------------------|--------------------------------------|------------------------|
| A05 | 136 | Putnam | J1P3067 | \$2,744,673.95 | \$249.12 | Boone Construction Co. | Bridge Replacement |
| | | | J2P2186 | | \$166.08 | | |
| A06 | 13 | Daviess | J1S0579 | \$1,236,765.62 | \$0.00 | L. G. Barcus and Sons, Inc. | Bridge Replacement |
| A07 | 116 | Clinton | J1S3125 | \$312,834.95 | \$91.20 | Capital Paving & Construction, LLC | Culvert replacement |
| B01 | 151 | Shelby | J2P3059B | \$1,697,453.02 | \$0.00 | Bleigh Construction Company | Bridge Replacement |
| | | | J2S3123 | | | | |
| B02 | 94 | Montgomery | J2P3059D | \$643,388.82 | \$0.00 | Capital Paving & Construction, LLC | Bridge rehabilitation |
| B03 | J | Audrain | J2S3004 | \$706,030.96 | \$0.00 | Widel, Inc. | Bridge Replacement |
| B04 | Y | Clark | J2S3122 | \$843,473.50 | \$0.00 | Bleigh Construction Company | Bridge Replacement |
| C01 | I-70 | Lafayette | J3I3010 | \$6,599,927.74 | \$0.00 | Phillips Hardy, Inc. | 3 Bridge Replacements |
| C02 | 65 | Pettis | J3P3086 | \$4,736,631.07 | \$0.00 | Magruder Paving, LLC | Coldmill and Resurface |
| C03 | OO, M | Johnson | J3S3071 | \$1,745,942.51 | \$0.00 | Capital Paving & Construction, LLC | Resurface |
| C04 | I-70 | Jackson | J4M0259 | \$91,773.00 | \$0.00 | Millgoal Enterprises II, LLC | Mowing |
| C05 | Various | Jackson | J4P3163 | \$193,767.25 | \$0.00 | Capital Electric Line Builders, Inc. | Signal Improvements |
| C06 | 169 | Clay, Jackson | J4S3085B | \$5,676,587.57 | \$0.00 | Clarkson Construction Company | Bridge rehabilitation |
| C07 | DD | Clay | J4S3220 | \$1,570,259.55 | \$0.00 | L. G. Barcus and Sons, Inc. | Bridge Replacement |
| D01 | OR 44 | Pulaski | J5M0277 | \$103,954.55 | \$0.00 | N.B. West Contracting Company | Culvert replacement |

| Call No. | Route | County | Job No. | Bid Amount | Non-Contractual Costs | Contractor | Description |
|-------------|--------------------------|---|----------|-----------------|-----------------------|--|---|
| D02 D03* | E, B | Callaway, Montgomery | J5S3187 | \$2,010,973.66 | \$0.00 | Chester Bross Construction Company/C.B. Equipment, Inc. | Resurface |
| | CR 245, Old Hwy 54 | Callaway | J5O3309 | | | | |
| D06 | TT, AW | Pulaski, Texas | J5S3307 | \$567,797.23 | \$0.00 | Willard Asphalt Paving, Inc. | Resurface |
| F01** | I-70 | St Charles | J6I2418 | \$12,880,353.72 | \$366,000.00 | Millstone Weber, LLC | Grading, Paving and Bridge |
| F02 | Various | Franklin, Jefferson | J0I3004L | \$724,200.00 | \$0.00 | N.B. West Contracting Company | Job Order Contract for Asphalt Pavement Repair |
| F03 | Various | St Charles, St Louis, St Louis City | J0I3004M | \$983,680.00 | \$0.00 | N.B. West Contracting Company | Job Order Contract for Asphalt Pavement Repair |
| F04 | 70/270 | St Louis | J6I3166 | \$1,429,744.90 | \$0.00 | J. M. Marschuetz Construction Co. | Pavement Repair |
| F05 | BL 44 | Franklin | J6M0265 | \$180,545.00 | \$0.00 | R. V. Wagner, Inc. | Culvert Repair |
| F06 | 21 | Jefferson | J6P0876R | \$275,514.00 | \$0.00 | J. M. Marschuetz Construction Co. | Grading and Drainage |
| F07 | Various | Various | J6P3198 | \$1,519,625.00 | \$0.00 | N.B. West Contracting Company | Job Order Contract for Asphalt Pavement Repair |
| F08 | 231 | St Louis | J6S3220 | \$732,665.00 | \$24,400.00 | Gerstner Electric, Inc. | Signal Improvements and ADA Improvements |
| F09*** | 67 | St Louis | J6S3238 | \$972,259.00 | \$0.00 | Gerstner Electric, Inc. | Signal Improvements |
| F10 | 67 | St Louis | J6S3250 | \$954,500.00 | \$0.00 | Pace Construction Company | Intersection Improvements |
| | AC | | J6S3249 | | | | Pavement Improvements |
| F11 | I-64 | St Louis City | J6I3111 | \$2,967,142.40 | \$0.00 | N.B. West Contracting Company | Coldmill and Resurface |
| F12 | 30 | Jefferson | J6S3160 | \$2,174,689.45 | \$0.00 | Microsurfacing Contractors, LLC | Microsurfacing |
| G01 | 59 | McDonald | J7M0261 | \$46,238.00 | \$0.00 | Branco Enterprises, Inc. | Drainage Improvements |

| Call No. | Route | County | Job No. | Bid Amount | Non-Contractual Costs | Contractor | Description |
|----------|--------------|-------------------------|---------------|------------------------|-----------------------|-------------------------------|--------------------------------|
| G02 | 65 | Greene | J8P3080B | \$6,371,363.31 | \$0.00 | Millstone Weber, LLC | Pavement Improvements |
| | | | J8P3079C | | | | Guardrail Replacement |
| | | | J8P2293 | | | | Bridge Replacement |
| | LP44, Bus 65 | | J8S3061 | | | | Resurface and ADA Improvements |
| H01 | 14 | Various | J0S3018J | \$270,415.80 | \$0.00 | RL Persons Construction, Inc. | ADA Improvements |
| H03 | HH | Wayne | J9S3217 | \$1,729,700.00 | \$0.00 | Pace Construction Company | Bridge Deck Rehabilitation |
| | Z | | J9S3283 | | | | Bridge Replacement |
| H04 | BB | Howell, Shannon | J9S3235 | \$865,000.00 | \$0.00 | Pace Construction Company | Resurface |
| | E | | J9S3342 | | | | |
| H05 | 80 | Mississippi, New Madrid | J9S3253 | \$2,017,835.52 | \$0.00 | Magruder Paving, LLC | Resurface and Add Shoulder |
| | | Mississippi | J9S3254 | | | | Resurface |
| H06 | ZZ | Bollinger | J9S3284 | \$569,243.76 | \$0.00 | Widel, Inc. | Bridge rehabilitation |
| H07 | D | Cape Girardeau | J9S3335 | \$878,640.39 | \$0.00 | Apex Paving Co. | Resurface and Add Shoulder |
| | PP | | J9S3334 | | | | |
| H08 | F | Pemiscot | J9S3321 | \$1,817,001.48 | \$0.00 | Apex Paving Co. | Resurface |
| | J | | J9S3320 | | | | |
| | O | | J9S3322 | | | | |
| | Z | | J9S3456 | | | | |
| | | | TOTAL: | \$72,996,091.68 | \$390,906.40 | | |

- * Call D03 – Funding by Callaway County – \$114,470.00.
- ** Call F01 – Funding by City of O’Fallon – \$9,432,681.00.
- *** Call F09 – Funding by City of Creve Coeur – \$53,482.00.

**Table II
Rejection of Bids
March 16, 2018, Bid Opening**

| Call No. | Route | County | Job No. | Description |
|----------|-------|--------|---------|---|
| D07 | 763 | Boone | J5S3159 | Coldmill, Resurface, & ADA Improvements |

**Table III
Ratification of Award of Contracts
March 9, 2018, Bid Opening**

| Route | County | Job No. | Bid Amount | Department's Costs | Contractor | Description |
|--------------|---------------|----------------|---------------------|---------------------------|----------------------|--------------------------------|
| I-57 | Mississippi | J9I3099 | \$435,061.53 | \$217,530.77 | Brown Electric, Inc. | Repairs to navigational lights |
| | | TOTAL: | \$435,061.53 | \$217,530.77 | | |

Commission Consideration and Action

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

1. Awarded contracts to the lowest responsive bidders for bids received on the March 16, 2018, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected bids received on Call D07 due to excessive bids per Section 102.15 of the Missouri Standard Specifications for Highway Construction and noted in Table II above.
3. Award Call F01 contingent upon receipt of funds from the City of O'Fallon that is due to be received in the next thirty days.
4. Ratify the Chief Engineer's concurrence in award of a project that was let by Illinois DOT on March 9, 2018, for navigation light repair on the I-57 bi-state bridge and noted in Table III above.
5. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Pace abstained from Calls H01 and H04. Commissioner Brinkmann abstained from Call F09.

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REQUEST FOR APPROVAL OF LOCATION AND/OR DESIGN OF HIGHWAYS

**Route 21, Jefferson County
Job No. J6P3242
Public Hearing Held February 1, 2018**

The proposed improvements include the addition of a southbound left turn lane at each of the locations which will be done by widening existing Route 21 and replacing the existing shoulders. All entrances along the widened areas will be reconstructed and the road will be resurfaced and restriped. Guardrail will be added on southbound Route 21 at Hilltop/MacKenzie Ridge Road and northbound at Lowry Lane. The project will have normal access right of way. Traffic will be shifted several times during construction which will allow at least one lane of Route 21 traffic to remain open at all times. Traffic will be managed using flagger control when there is only one lane open. The majority of the work will be done during off-peak hours. Adequate signing will be provided to control traffic flow in the area and will be augmented through public information and outreach efforts to advise motorists of this traffic situation. The project is 0.7 miles in length.

On behalf of the Director, Tom 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 designs would best serve the interest of the public and approved the recommendation.

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**Route FF, Newton County
Job No. J7P3187C
Public Hearing Held November 14, 2017**

The proposed improvement provides for improving the intersection at Connecticut Street. The project will also improve ADA access at the intersection. The project will have controlled access right of way. During construction traffic will be maintained over Route FF. Any lane closures will occur at night during non-peak traffic times. The project is 0.2 mile in length.

On behalf of the Director, Travis Koestner, Southwest 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 designs would best serve the interest of the public and approved the recommendation.

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**Route D, Jasper County
Job No. J7S0518
Public Hearing Held February 8, 2018**

The proposed improvement provides for replacing the existing bridge T0425 over Center Creek. The new bridge will be constructed at the existing bridge's location and will consist of two 12 foot lanes with 8 foot shoulders, widening the roadway from 22 feet to 40 feet. The project will have normal access right of way. During construction Route D will be closed. A detour will be signed over Routes 171, 43 and 96. The project is 0.3 mile in length.

On behalf of the Director, Travis Koestner, Southwest 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 designs would best serve the interest of the public and approved the recommendation.

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**Route 49, Iron County
Job No. J9P3129
Public Hearing Held February 1, 2018**

The proposed improvement provides a new bridge over Big Creek on Route 49 in Iron County. The new structure will be placed on new alignment just to the west of the existing structure. The new alignment will improve the curve at the north end of the bridge and the intersection of Route F with Route 49. The project will have normal access right of way. Adequate signing will be provided to control traffic flow in the area and will be augmented through public information and outreach efforts to advise motorists of this traffic situation. The existing bridge structure will remain open while the new bridge is being constructed. The project is 0.4 mile in length.

On behalf of the Director, Tom 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 designs would best serve the interest of the public and approved the recommendation.

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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.

| County | Route | Job Number |
|---------------|--------------|-------------------|
| Wayne | 67 | J9P3501 |

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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CONSIDERATION OF DISPOSAL OF EXCESS PROPERTY, ROUTE I-64 IN ST. LOUIS CITY, EXCESS PARCEL NUMBER E6-256640

In keeping with the Commission’s November 7, 2013, policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Director, Tom Blair, St. Louis District Engineer, recommended conveyance of 1.74 acres of land located southeast of I-64 and Kingshighway Boulevard in St. Louis City, to Forest West Properties for a consideration of \$2,120,000.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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CONSIDERATION OF DISPOSAL OF EXCESS PROPERTY, LOOP 44 AND ROUTE 744 IN GREENE COUNTY, EXCESS PARCEL NUMBER E8-89724

In keeping with the Commission's November 7, 2013, policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Director, Travis Koestner, Southwest District Engineer, recommended conveyance of 2.91 acres of land located southeast of the Loop 44 (North Glenstone Avenue) and Route 744 (East Kearney Street) interchange in the City of Springfield, to Kum & Go, LLC. for a consideration of \$1,913,834.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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CONSIDERATION OF DISPOSAL OF EXCESS PROPERTY, 1501 MALCOLM MOSBY DRIVE IN NEOSHO, EXCESS PARCEL NUMBER SW-0300

In keeping with the Commission's November 7, 2013, policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Director, Travis Koestner, Southwest District Engineer, recommended conveyance of 7.81 acres of land located at 1501 Malcolm Mosby Drive in Neosho, to KAMO Electric Cooperative, Inc. for a consideration of \$290,000.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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-- **REPORTS** --

The Commission received the following written reports.

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

Jeff Padgett, Risk and Benefits Management Director, provided financial and claims data reports for the period July 2017 through December 2017, and for the most recent five calendar years, to update the Commission on the cost and utilization of the Medical and Life Insurance Plan. Medical claims have increased 11 percent when compared to calendar year 2016 and prescription claims have decreased by 1.4 percent. There has been a decrease of 1.2 percent of total claims expense when compared to 2016, but pharmacy spending increased over 44 percent from 2013, which is attributable to the specialty drug category. The total operating revenues increased over 11 percent, which can be attributed to the increase in medical premiums in 2017 and an increase in Medicare reimbursement. There was an increase of 24 percent in the overall net position.

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REPORT REGARDING EXECUTIVE ORDER 17-03 ADMINISTRATIVE RULE REVIEW PROCESS UPDATE

Kathy Harvey, Assistant Chief Engineer, submitted a report that provides a status update on administrative rules. By enacting Section 536.175 RSMo, the general assembly required state agencies to periodically review their administrative rules and repeal those rules that are obsolete or unnecessary and amend those rules to reduce regulatory burdens on individuals, businesses, or political subdivisions or eliminate unnecessary paperwork. MoDOT started its periodic administrative rule review process as required by law on July 1, 2016, and had prepared amendments and rescissions deemed necessary in order to complete the report to the Secretary of State that was submitted on June 30, 2017.

On January 10, 2017, Governor Eric Greitens issued Executive Order 17-03 that requires all state agencies to review all of its rules in the Code of State Regulations and to provide a report to the

Governor by May 31, 2018. The executive order stated Missouri government has codified an excessive amount of administrative rules and Missouri citizens and businesses deserve efficient, effective and necessary rules but that such rules should not reduce jobs, limit innovation, or impose costs far in excess of the rule's benefits. It says rules that are ineffective, unnecessary or unduly burdensome must be repealed to attract businesses to Missouri and encourage job growth. The executive order prohibits the Commission from putting proposed new rules, or amended current rules, for notice and comment until approved by the Governor's Office. The executive order requires the Commission to review all of its rules and provides a list of items the department must consider during this review process.

As a result of the Governor's executive order all rulemaking was temporarily suspended until February 28, 2017. The rule review process under the Governor's executive order is separate from and in addition to the Section 536.175 RSMo periodic rule review process and report. Consequently, the continual review of administrative rules led to the Commission's desire for a better understanding of where each rule is at in the review and rulemaking process. This report was prepared in response to the Commission's request and provides a summary of the status of administrative rules currently under review and in the rulemaking process.

As of April 4, 2018, no rules were presented to the Commission for impetus approval. One set of rules are being reviewed with stakeholders: Procurement of Supplies. One set of rules are waiting for the Governor's office review and approval: State Transportation Assistance Revolving Fund. One set of rules have received Commission approval for filing: State Transportation Assistance Revolving Fund. Three sets of rules were filed with the Secretary of State and Joint Committee on Administrative Rules: Ignition Interlock, Railroad, and Transportation Corporations. Three sets of rules are in the public comment period: Plant Collection, Rest Areas, and Traffic Regulation. One set of rules recently completed the public comment period: Disadvantaged Business Enterprise. Additionally, one set of rules were approved for filing final orders of rulemaking: Design-Build. Final Orders were filed with

the Joint Committee on Administrative Rules for two sets of rules: Uniform Relocation Assistance and Utility Private Line Location and Relocation. Final Orders were filed with the Secretary of State for: Contractor Disqualification, David's Law, Organizational, Scenic Byways, Supplemental Guide Signs, and Transportation (Transit) rules. Two sets of rules were published in the Code of State Regulations: Junkyard and Outdoor Advertising.

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**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING FEBRUARY 28, 2018**

Brenda Morris, Financial Services Director, submitted a written financial report for fiscal year to date February 28, 2018, 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 February 2018, 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 341 active contracts held by individual engineering consultant firms prior to February 1, 2018. Three engineering consultant services contracts were executed in February, 2018, for a total of \$511,977. There were three non-engineering consultant contracts executed in February 2018, for a total cost of \$198,808.

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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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