



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN CAMDENTON, MISSOURI,
FRIDAY, NOVEMBER 2, 2018**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Friday, November 2, 2018, at the Old Kinderhook, 678 Old Kinderhook Drive, Camdenton, Missouri. Gregg C. Smith, Chairman, called the meeting to order at 8:30 a.m. The following Commissioners were present: Michael B. Pace, John W. Briscoe, Terry L. Ecker, and Robert G. Brinkmann, P.E. Michael T. Waters, Jr. was absent.

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 Friday, November 2, 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 Thursday, November 1, 2018, at 2:00 p.m. and adjourned at 3:45 p.m.

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-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Briscoe, seconded by Commissioner Ecker, the Commission unanimously approved the minutes of the regular meeting held August 1, 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 November 2, 2018, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Brinkmann, 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 following committee and board reports were made during the November 2, 2018, meeting.

Audit Committee – Commissioner Brinkmann reported the Audit Committee met on November 1, 2018, with the external auditors from BKD. The auditors presented the Fiscal Year 2018 Comprehensive Annual Financial Report including the independent audit report. Mr. Brinkmann was pleased to report the department received its nineteenth consecutive unmodified (clean) opinion. The committee also reviewed one internal audit report of the Disadvantaged Business Enterprise Program and the Commercially Useful Function Determination.

Legislative Committee – Commissioner Pace reported there is no formal legislative committee report for this month, however, he wished to encourage all eligible voters to exercise their right to vote on November 6. During this election cycle, voters will have the opportunity to select candidates to serve in office from the state, local, and federal levels and to vote on several ballot initiatives that could change our state's Constitution and existing laws. One measure that will impact the way the Commission and MoDOT conducts its business as a state agency is Proposition D. Proposition D, if passed by Missouri voters, could grow the state's road fund to allow the Highway Patrol to continue to administer the traffic and safety laws of this state and allow MoDOT the opportunity to do more with increased funding in terms of taking care of our aging and existing infrastructure system. Thanks to the Governor and Lt. Governor for crisscrossing the state in support of Prop D. There's been an incredible amount of work done to involve lots of people at many levels. Now it's time to see what the people have heard, and what their wishes are. He encouraged everyone to do their duty and vote.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith stated there was no report. The next meeting will be held February 2019.

MoDOT and Patrol Employees' Retirement System – Commissioner Briscoe stated there was no report. The next meeting will be held on November 29, 2018.

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DIRECTOR'S REPORT

During the November 2, 2018, Commission meeting, Director Patrick McKenna provided the following report:

Veteran's Day Celebration – On November 13, MoDOT will be celebrating Veterans Day honoring employees who have served in the military and protected our freedom as Americans.

Winter Operations – The department is preparing for snow. On November 7, the department will conduct its annual statewide winter operations drill to prepare for the upcoming winter weather season. Every effort is made to assure employees are prepared and ready to clear or treat state routes in the event of winter weather. The drill, in conjunction with winter operations skills training, allows MoDOT to test the readiness of its workforce and equipment. There is a detailed winter operations plan and the trucks drive set routes that allow efficient work that makes the most of the department's limited resources. The drill is an opportunity to measure the snowplow circuit and will improve anticipated response times when an actual snowfall occurs.

Seatbelt Usage – The 2018 Missouri Seat Belt Usage Survey final report, conducted by the Missouri Safety Center and University of Central Missouri, shows that Missouri's overall seat belt usage is up to 87.1 percent – a 3.1 percent increase from 84.0 percent in 2017. The latest national average for seat belt usage is 89.7 percent. With 61 percent of Missouri's traffic crash fatalities involving an unbelted driver or passenger, this increase could result in many lives saved. The report showed that vehicle passengers and females were more commonly belted, and that occupants of sport utility vehicles and minivans also had a higher rate of seat belt usage, at 87.8 percent and 85.3 percent. Pickup truck drivers and passengers had the lowest usage rate at 71.1 percent. Missouri is one of only 15 states that have only a secondary seat belt law. Fifty-eight Missouri cities and two counties have adopted their own primary seat belt ordinances to protect their citizens. The Commission and department continue to push for a primary enforcement law with the General Assembly to help increase seat belt usage.

Human Trafficking - A few months ago MoDOT joined with other departments of transportation in a pledge against human trafficking. The department promised to educate employees on this serious issue and has fulfilled that pledge. Working with the highway patrol, a video was produced and shared with employees either as part of their Stand Up for Safety day or at a fall meeting. The Director shared an abbreviated version of the video.

Bridge over Bull Shoals Lake - In October construction of a new bridge on Route 76 over Bull Shoals Lake in the Southwest District was completed. A local photographer contacted the department with a desire to video the demolition of the old bridge. Working closely with the department's Resident Engineer to shoot this video, the photographer used multiple cameras and a drone to capture the old bridge demolition. The Director played the video of the bridge demolition.

Buckle Up Phone Down Day – October 19 was the second annual Buckle Up Phone Down Day (BUPD), and about 500 people signed up to take the challenge. The Governor issued a proclamation and stumped for the cause while he was in St. Louis that day, which made St. Louis television news. Activities ranged from handing out black and gold foam thumbs with the BUPD logo on the Mizzou campus to providing styrofoam cup kits to schools to use to spell out BUPD in their fences. High school football teams, bands, cheer squads, and student councils continue to keep the challenge alive by videotaping their support and challenging other schools. The Director commended the Communications and Highway Safety teams for their continued work to promote the BUPD campaign. Governor Parson also appeared in a "Pass it on" video that the Director displayed.

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WELCOMING REMARKS

Mayor John McNabb, Mayor of Camdenton, shared very brief remarks welcoming everyone to Camdenton and the area of the Lake of the Ozarks. He also encouraged everyone to enjoy many of the great recreational activities in the lake area. Chairman Smith thanked the mayor for his comments and for hosting the Commission in his community.

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LAKE OF THE OZARKS COMMUNITY BRIDGE

Joe Roeger, Board of Directors of the Lake of the Ozarks Community Bridge, reported on the occasion of the toll bridge's 20th anniversary. He said during its history, some 25 million vehicles have crossed the bridge that was made possible by the creation of the state's first transportation corporation in 1992. The bridge was built with \$40.1 million in revenue bonds, private contributions of right of way, and \$5 million in state funds that paid for construction of the bridge approaches. The bridge dramatically changed travel times around the Lake of the Ozarks and also has led to economic development in the Shawnee Bend area. Mr. Roeger reported the transportation corporation reorganized and refinanced its debt structure and became a transportation development district in 2012. The organization is on target for a debt-free transfer of the bridge to the state in 2026. Mr. Roeger explained he anticipates traffic to increase on routes MM, TT, and F when the bridge is free. He is working with the local transportation advisory committee to prioritize improvements to these routes. Commissioner Brinkmann thanked Mr. Roeger for his presentation and for maintaining the good condition the bridge appeared to be in currently.

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ROUTE 5 NORTH-SOUTH ARTERIAL STUDY

Steve Prange, Crawford, Murphy & Tilly, updated the Commissioners on a study his firm is conducting for the City of Lebanon to reduce congestion and improve safety on Route 5 through the community. Mr. Prange explained that Laclede County has had significant population growth over the past ten years. With that growth come challenges. One of those challenges has been the increase in traffic on the Highway 5 corridor through the City of Lebanon. The city is currently studying the preferred alignment for a bypass, but would like for the new roadway to be connected to the existing Route 5 north of town and connect to I-44 at the 130 mile marker. This bypass will relieve congestion, improve safety, and accommodate economic growth. While much work needs to be done to come up with an accurate cost for the project rough estimates are about \$18.2 million. The future project is currently unfunded, but the community is exploring options of using its local transportation sales tax and the Commission's cost share program; additionally, the county, special road district, and department of economic development are supportive. The project schedule will complete the feasibility study in early 2019, then preliminary engineering and environmental assessment from 2019 through 2020, then hopefully begin right-of-way acquisition in the summer of 2020 with construction from 2021 through 2022. Commissioner Pace expressed his concern about the local businesses that would be impacted by less business traffic if a bypass were to be built. Mr. Prange explained that issue is included as part of the study for this project.

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PUBLIC COMMENT – CONGESTION AND THE NEED FOR ROADWAY IMPROVEMENTS

Jeff Hancock, City Administrator for the City of Camdenton, stated that all roads lead to Camdenton. He highlighted congestion problems on Highway 54 eastbound when traveling from Kansas City. He expressed his concern about traffic traveling from Chicago to Camdenton on Highway 54 westbound, with approximately 40,000 vehicles per day there is concern regarding the hill from Linn

Creek coming up to Camdenton. Commissioner Pace inquired where these projects rank with the regional planning commission. Mr. Hancock explained they are thirteenth and fourteenth on the list. Commissioner Smith asked what was number one. Mr. Hancock replied the improvements to Routes MM and TT near the toll bridge are the top priority for the regional planning commission. He then reminded the Commission of his concerns regarding congestion at the Lake of the Ozarks and the need for improvements.

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MODOT'S CONSTRUCTION PROGRAM

On behalf of the Director, Dave Ahlvers, State Construction and Materials Engineer, shared a snapshot of the department's construction program in 2018. He explained the department has \$1.33 billion under contract for 422 projects. These projects are being completed by 104 prime contractors who use 265 sub-contractors to help them complete the projects. When the construction projects are awarded by the Commission they are assigned to a project office. There are 29 resident engineers, 506 district employees, and three design-build offices that work on these projects. These employees administer the projects, conduct inspections and testing, and take care of the documentation and recommendations for payment. The Construction and Materials Division office includes 74 employees who assist with these projects as well. The division includes a certificated lab for testing materials, employees who provide technical support, a research unit, as well employees who work on pavement, design, and geo-technical areas.

The department is proud of its ability to deliver projects on time and within budget. For fiscal year 2018, 93 percent of the projects were completed on time and 1.2 percent over the award amount. Each year the department budgets about 2 percent per year for overruns on contracts and the department stayed below the allotted overruns.

Mr. Ahlvers described the department's goal of zero work zone and worker fatalities. While a challenging goal, it is obtainable. In the past a leading cause of work zone fatalities was due to traffic backing up beyond the work zone queue. To address this problem, the department moved work zone signs further out to notify travelers of a backup. In addition, the department began to use law enforcement presence in work zones. As a result, fatalities reduced from a high of 25 fatalities in 2005 to an average of 8 fatalities for each of the past five years. However, in 2017 there was a rise in fatalities to double digits and alerted the department there is a new challenge, distracted driving. The department is using temporary rumbles and audible alerts in the work zones in an effort to get people to look up from their phones as they enter work zones.

The department has developed strong relationships with industry partners. Through quarterly meetings with asphalt producers, concrete paving association, limestone producers, and the Association of General Contractors, improvements have been made in how the department constructs its projects. For example, when the department made a change, it generated a lot of waste in aggregate production. These meetings led to opportunities to discuss changes in gradation that did not affect quality but reduced the material producers waste and led to the department using the waste material as manufactured sand in some projects. These conversations with industry partners lead to better construction and implementation of innovations. Another benefit of these regular meetings has led to an improved ability to resolve issues, over the last five years only two contractor claims were made.

Mr. Ahlvers described the department's efforts to be environmentally responsible when constructing its projects. As a result of the completion of the terms of a consent decree with the U.S. Environmental Protection Agency, the department implemented best practices to reduce erosion on projects. In 2018, the Department of Natural Resources did not issue any notice of violation letters or warnings. In addition, MoDOT uses 1 million tons of recycled materials in pavement annually. The

recycled materials include recycled pavement, shingles, and tire rubber. The department also recycles bridge steel and concrete pavement.

The department developed a workforce pilot to improve diversity on construction projects; this will help reach the goal to have a workforce that resembles the communities within which the projects are constructed. There have been 153 projects that used the workforce pilot where 13.8 percent were minority and 5.7 percent were female workers. These percentages compare well with industry availability.

There are also innovations the department is exploring for future use. This includes intelligent compaction, thermal imaging, electronic tickets, roller compacted concrete, autonomous truck-mounted attenuators, and drones. Through these innovations the department will continue to improve its paving, worker safety, and efficiency.

Commissioner Brinkmann commended the department for its ability to do so much with such limited funding. Director McKenna praised the employees who work on the construction program for their efficiency in completing a lot of projects.

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FISCAL YEAR 2018 COMPREHENSIVE ANNUAL FINANCIAL REPORT, INCLUDING INDEPENDENT AUDIT REPORT

On behalf of the Director, Brenda Morris, Financial Services Director, Kim Hamm, CPA and Kristen Bright, CPA of BKD, LLP, presented the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2018 including the Independent Audit Report. State law requires an annual audit of MoDOT's financial statements be performed by an independent certified public accountant. MoDOT believes preparing the CAFR demonstrates the highest level of public accountability. Ms. Morris explained while the Financial Services Division is responsible for preparing the CAFR, the results that are presented in the report are based upon a department wide effort. Ms. Morris reported for the

nineteenth consecutive year, MoDOT received an unmodified (clean) opinion. An unmodified opinion is issued when auditors can state that financial statements conform, in all material respects, to all reporting requirements.

Ms. Morris stated the introductory section provides general information on MoDOT's structure, services, and operating environment and a statistical section that provides financial and demographic trend information useful in assessing MoDOT's economic condition. The management discussion and analysis section of the CAFR provides a good overview of the financial activity of the last year and the statistical section provides comparative information. An item discussed in the management discussion and analysis section is the department's financial health based on information presented in the financial statements. The department's net position in fiscal year 2018 increased by almost \$154 million or 0.6 percent when compared to fiscal year 2017. This increase is slightly less than last year due to the implementation of the new accounting standard that increased liabilities. Ms. Morris reminded the Commission in 2015 the full pension liability was added to the financial statements. This year a new accounting standard required the full liability of other post-employment benefits (OPEB) be added to the financial statements. The OPEB liability is the amount that will be owed in the future for medical plan premiums for retirees and totals \$776.2 million; this is an increase of \$346 million. Prior financial statements only included a portion of the OPEB liability that was reported at \$430.2 million. The full unfunded liability for both pensions and OPEB are now included in the financial statement which is a move to better transparency. The increase in liabilities was offset some by the increase in assets. The largest increase in assets is in capital assets which includes infrastructure. As projects are completed, the value of capital assets grows. Net capital assets grew \$302.8 million compared to fiscal year 2017.

Kim Hamm, CPA, reviewed with the Commission the results of the audit of the CAFR for the year ended June 30, 2018. She explained the CAFR is a large comprehensive report, and the auditor's opinion covers the financial statements. Included in the financial statements is the independent auditor's

report which is the unmodified (clean) opinion on the financial statements. The auditor's opinion states the financial statements are free from any material misstatement and presented in accordance with generally accepted accounting principles. Ms. Hamm indicated the auditor's opinion on internal control and compliance over the financial reporting process is included in the last two pages of the CAFR, and there is no opinion rendered there. Ms. Hamm praised the professional and competent Financial Services Division staff and other areas of MoDOT for their assistance and cooperation during the audit process.

Ms. Morris recommended the Commission accept the Fiscal Year 2018 CAFR and Independent Audit Report as presented. Commissioner Ecker commended staff for the work it took to accomplish this nineteenth consecutive clean report. After consideration and upon motion by Commissioner Pace, seconded by Commissioner Ecker, the Commission unanimously accepted the Fiscal Year 2018 Comprehensive Annual Financial Report and Independent Audit Report as presented.

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REGISTERED APPRENTICESHIP PROGRAM

On behalf of the Director, Carrie Allen, Assistant Human Resources Director, announced that MoDOT is officially registered as having an apprenticeship program with the Department of Labor. Neil Perry, Missouri State Director for the U.S. Department and Office of Apprenticeship, thanked the department for registering an apprenticeship program. MoDOT is going to help Missouri maintain its status as a national leader of workforce development.

Ms. Allen explained that an apprenticeship program provides employees with on-the-job training and related classroom instruction while earning wages. In January 2019, the department will go live with an apprenticeship program for the MoDOT maintenance worker. The apprenticeship program will be divided in two programs; the first two years will follow an employee as they progress from maintenance worker to intermediate maintenance worker. The next part of the program aligns with the

employee's progression from intermediate maintenance worker to senior maintenance worker. While not all employees will be automatically enrolled, all maintenance worker employees will be eligible for the program; they will have to submit an application and complete their six-month probationary period.

The apprenticeship program will use the training that has already been developed for the maintenance worker series. This program recognizes the quality training programs the department already had developed and provides great benefit for minimal effort by using the tools and resources available today.

This program benefits both the department and the employees. The benefit of this program includes being able to address the department's workforce challenges, being able to fill hard to fill positions, being able to increase the diversity of talent pools, and address high turnover. Additionally, for the veterans that are in the maintenance workforce, once they enroll in the apprenticeship program they may qualify for the GI bill and receive an additional monthly stipend in addition to the wages they earn from MoDOT. This will help the department with its recruiting and retention of veterans. With the need for skilled workers increasing, apprenticeship programs are viewed as a competitive advantage for employers.

In February, a presentation was made to the Commission providing an update on MoDOT's workforce expressing the department's concerns regarding recruiting and retaining employees. An apprenticeship program was identified as one tactic to address workforce concerns. Additionally, Governor Parson has stated his administration is dedicated to workforce development. At the end of October, MoDOT's apprenticeship program was registered with the Department of Labor and in January 2019, MoDOT's apprenticeship program will be implemented. The next phase of the program will include the opportunity for employees to earn college credit for the training they receive on the job, as well as classroom and technical training opportunities. This effort is under development as MoDOT

partners with community colleges and trade schools seeking their evaluation of the apprenticeship program to determine what credit hours may be offered.

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REGIONAL PLANNING MEETINGS

On behalf of the Director, Machelles Watkins, Transportation Planning Director, reported for about the past fifteen years the state has benefited from a regional decision-making process to develop the Statewide Transportation Improvement Program (STIP). This is referred to as the planning framework process, but it is really about MoDOT staff sitting side-by-side with regional planning commissions and metropolitan planning organizations to identify needs and prioritize projects for inclusion in the STIP.

Throughout October, public meetings were held with planning partners and transportation stakeholders in each of the seven districts for a general discussion of the current condition of the transportation system, how MoDOT currently spends its resources to take care of existing assets, and how additional funding resulting from Proposition D could best be used for regional priorities, if voters approve the measure in November. The meetings provided the groundwork for the development of the next Statewide Transportation Improvement Program (STIP) that will set MoDOT's construction commitments for 2020-2024. The 2020-2024 STIP will be presented to the Commission in May 2019. The seven regional meetings took place at St. Louis, Jefferson City, St. Joseph, Springfield, Shelbina, Poplar Bluff, and Kansas City.

Ms. Watkins explained there are some tough decisions that lie ahead with the work underway to match up available resources with priorities for inclusion in the STIP. Proposition D, if passed, would allow the department to do more and address more of those priorities.

Commissioner Ecker noted it was encouraging to see the regional planning partners working on their priorities at these meetings. He also inquired what the next steps will be after the general election

next week. Ms. Watkins replied the next step in the process is the department will present an updated financial forecast to the Commission in January which outlines the resources available for the STIP.

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COMMISSION POLICY REVIEW – EXECUTION OF DOCUMENTS CATEGORY

Following a comprehensive review of all Commission policies on November 7, 2013, the Commission formally compiled and adopted the Commission policies that the department currently operates under today. Since this initial action some policies have been updated as necessary. As part of the Commission’s desire to periodically review Commission policies, the department and Commission have conducted a thorough review of the policies in the EXECUTION OF DOCUMENTS Category. As a result of this review process recommendations were made to reaffirm with updates for the policy in the Execution of Documents category. On behalf of the Director, Pamela J. Harlan, Secretary to the Commission, recommended the EXECUTION OF DOCUMENTS category of policies be revised as indicated with the green text for new language and the red strikethrough text for deleted language as follows:

Category: EXECUTION OF DOCUMENTS
Subcategory:

EXECUTION OF DOCUMENTS

General Provisions

The Commission recognizes the need to expeditiously complete business transactions with contractors, vendors, and others providing goods and services and, therefore, delegate’s authority for execution of contractual documents within its policies. However, all such delegations for execution of documents must be in keeping with the following:

1. **Unique, Sensitive, and/or Potentially Controversial Transactions:** Notwithstanding the delegation of authority for approval and execution of documents within the MHTC Policies, all unique, sensitive, and/or potentially controversial transactions will be submitted to the Commission.
2. **Budget and Transportation Program Compliance:** The documents executed via the authority delegated within the MHTC Policies must not incur costs beyond those contemplated by the Commission-approved Statewide Transportation Improvement Program (STIP) and/or the MoDOT Operating Budget. The budget and STIP must be in compliance with the Commission’s Debt Management Policy.
3. **Delegation of Authority for Execution of Documents:**
 - a. **Documents Related to Specific Commission Action** - The Director, Chief Engineer, Chief Financial Officer, and Assistant Chief Engineer (any one) are authorized to execute contracts on behalf of the

Missouri Highways and Transportation Commission related to actions specifically taken by the Commission, except those involving the conveyance of property rights, which, in compliance with Section 227.290.(1) RSMo-2000, must be executed by the Chair or Vice Chair.

- b. Documents Related to Authority Delegated in MHTC Policies** - The Director, Chief Engineer, Chief Financial Officer, and Assistant Chief Engineer are each authorized to approve and execute documents and expend funds on behalf of the Missouri Highways and Transportation Commission subject to the provisions therein.
- 4. **Authority extended to Division Heads' and District Engineers' Immediate Assistants:** In those areas within the MHTC Policies where a Division head or District Engineer is authorized to execute documents and expend funds, like authority is extended to the respective Division head's assistant(s), Assistant District Engineers, and Assistants to the District Engineer.
- 5. **Approval as to Form/Attestation/Seal/Facsimile Signature:** All documents executed on behalf of the Commission shall be approved as to form by the Chief Counsel or an authorized Assistant Counsel, executed by an authorized Commission representative, and attested to by the Secretary who shall affix the official seal of the Missouri Highways and Transportation Commission; however, (1) documents that are on the Chief Counsel's Office's approved list of contract forms provided there are no deviations from the form, and (2) documents that are prepared by outside parties and are identified on the Chief Counsel's Office list of approved nonstandard forms may be executed by the authorized Commission representative without approval as to form, attestation, or affixing the seal. The Secretary is authorized to place a facsimile signature on all copies of documents when the original bears the signature of the person authorized to execute the document.
- 6. **Electronic Signature:** The signatures and seal of the Commission that are authorized to be affixed to all documents pursuant to the Execution of Documents policy, may be affixed by facsimile or electronic means to said documents for purposes only of executing and attesting to these documents as authorized herein. Furthermore, the Commission delegates authority to the Secretary to establish procedures and directives necessary to implement execution of documents pursuant to this Execution of Documents Policy via electronic signatures in accordance with what is acceptable and allowed by Missouri law.

Specific Subjects and Documents

The Commission delegates authority for approval and/or execution of documents throughout its policies. In those cases where the Commission has delegated its authority for approval and/or execution of specific documents or documents related to a specific subject, please refer to the respective subject. For example, see "Highways – Traffic Control" for policies related to signs.

Effective Date: January 8, 2014 November 2, 2018
Supersedes Policy Dated: November 7, 2013 January 8, 2014
Last Reaffirmed:
Date of Origin: February 11, 1958 – Comprehensive List of Documents; November 7, 2013 – Comprehensive Policy Review. January 8, 2014 added authority for electronic signature. November 2, 2018 minor update of citation and division reference.

Via approval of the consent agenda, the Commission unanimously approved the policy revisions described above.

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THE KCT INTERMODAL TRANSPORTATION CORPORATION, DISSOLUTION OF CORPORATION

On December 4, 1997, the Commission authorized the creation of the KCT Intermodal Transportation Corporation (Corporation) pursuant to and in accordance with the Missouri Transportation Corporation Act. On August 18, 1998, the Commission, the Corporation, and the Kansas City Terminal Railway Company entered into a Cooperative Agreement under which the Commission agreed to authorize the Corporation to: accelerate the funding, design, acquisition of right-of-way, construction, and operation of a two-lane railroad bridge to effectuate a grade separation of three at-grade rail crossings in the Blue Valley (Sheffield) Industrial District northwest of the Interstate 435 and Route 24 interchange. The facilities are owned by the member railroads of the Kansas City Terminal Railway Company, off the State Highway System. The Commission further authorized the Corporation to fix, establish, maintain and collect tolls, fees, rates and charges for the use of the project, as well as produce revenues sufficient to pay the costs of operation and maintenance of the project; pay the principal and interest on the bonds; and provide reasonable and adequate reserves for the protection and benefit of the project. The two-lane railroad bridge was open to traffic in July 2000. All work has been completed in regard to the original charge of the Corporation and no assets or liabilities could be found.

On behalf of the Director, Brian Kidwell, Kansas City District Engineer, recommended approval of the KCT Intermodal Transportation Corporation’s request to dissolve, require the Corporation to take the necessary action to dissolve, receive a Certificate of Dissolution from the Secretary of State, and provide a copy of said certification to the Commission. Via approval of the consent agenda, the Commission unanimously approved the request to dissolve the KCT Intermodal Transportation Corporation, require the Corporation to take the necessary action to dissolve, receive a Certificate of Dissolution from the Secretary of State, and provide a copy of said certification to the Commission.

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2019-2023 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT

On behalf of the Director, Ed Hassinger, Chief Engineer, requested approval to revise the 2019-2023 Statewide Transportation Improvement Program (STIP) that was approved in July 2018, for the implementation of thirteen projects, as noted in the tabulations below.

**2019 – 2023 STIP
Highway and Bridge Construction Schedule
November Amendment
Project Changes**

District County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Construction and Right of Way Funds (Dollars in Thousands)	Change in Engineering Funds (Dollars in Thousands)
NW Holt J1I3293	IS 29	Bridge repairs on county road bridge (Beagle Road) over I-29 near Craig. Project involves bridge A2707.	2019 CN	\$153	\$21
NW Sullivan J1P3294	MO 6	Pavement preservation treatment from Green City to Green Castle.	2020 CN	\$93	\$16
KC Jackson J4S3085	US 169	Bridge improvements over the Missouri River, 3.1 miles south of Route 9 and 0.1 mile north of I-70. Partnership between MoDOT and Kansas City for bridges A4649 and A4646. <i>* Contingent upon the execution of the cost participation agreement.</i>	2020 CN 2020 RW	\$53,056	\$0
KC Platte J4I3200	MO 92	Realignment of ramps, grading, drainage, signing, bike and pedestrian facilities and traffic signal upgrade at I-29 in Platte City. Project involves bridge A4170.	2021 CN 2020 RW	\$7,366	\$1,131
KC Various J4P3387	Various	Sign and truss replacement at various locations in the urban Kansas City District.	2019 CN	\$204	\$0
CD Osage J5P3375	US 50	Pavement resurfacing from 4th Street to 12th Street in Linn.	2019 CN	\$358	\$83
SL Jefferson J6S3401	MO 109	Adding turn lanes, signals, and upgrade pedestrian facilities to comply with ADA Transition Plan at Route FF and Route W near Eureka.	2021 CN	\$1,372	\$105

District County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Construction and Right of Way Funds (Dollars in Thousands)	Change in Engineering Funds (Dollars in Thousands)
SL St. Charles J6S3408	OR 70	Construct roundabout at Lake St. Louis and Veterans Memorial Parkway intersections of Veterans Memorial Parkway, I-70 westbound ramps, and Lake St. Louis Boulevard.	2021 CN 2020 RW	\$1,855	\$493
SL St. Louis J6S1718B	MO 100	Pedestrian and streetscape enhancements along Route 100 and pedestrian tunnel under Route 100 at Mary Drive from Bremerton Road to Black Creek.	2021 CN 2019 RW	\$10,609	\$695
SL St. Louis J6S1718C	MO 100	Pedestrian and streetscape enhancements along Route 100 from Route 61/67 (Kirkwood Road) to west of Kenmore Drive.	2021 CN 2019 RW	\$2,250	\$167
SL St. Louis J6S3141D	MO 109	Construction of roundabout at Main Street in Wildwood.	2019 CN	\$1,722	\$121
SW Barry J7P3375	MO 37	Add turn lane from Dairy Street to Route 60. Project involves bridge H0792.	2019 CN 2019 RW	\$503	\$6
SW Greene J8S3078	OR 65	Upgrade sidewalk to comply with the ADA Transition Plan at various locations of Eastgate Avenue, Ingram Mill Road, Route YY (Division Street), Route 13 (Kansas Expressway) in Springfield and Route Z in Willard.	2019 CN	\$150	\$8
			TOTAL:	\$79,691	\$2,846

Via approval of the consent agenda, the Commission unanimously approved the amendment to the 2019 – 2023 STIP as noted in the tabulations above. Commissioner Brinkmann abstained from voting on Job Number J6S1718, Route 100 in St. Louis County.

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EMERGENCY PROJECT DESIGNATION AND AWARD OF AVIATION TRUST FUNDS FOR REPAIRS AT ROSECRANS MEMORIAL AIRPORT

The City of St. Joseph has requested \$30,750 in emergency funding to cover the cost to repair a major pavement blowup on Runway 17/35 that occurred on July 6, 2018. This pavement blowup, caused by excessive heat, required the city to shut down the airport until repairs were completed. The city completed this work in July 2018 in order to reopen the airport as soon as possible. Pursuant to section 305.230.5 RSMo, prior to awarding a grant for emergency repairs and reimbursing the city, the Commission must designate the project an emergency and approve the use of State Aviation Trust Funds for the project.

On behalf of the Director, Michelle Teel, Multimodal Operations Director, recommended the Commission, designate the major pavement blowup on Runway 17/35 that occurred on July 6, 2018 as a natural emergency that resulted in the closure of the runway thereby requiring immediate repairs. She also requested the Commission approve the use of State Aviation Trust Funds to be made immediately available to pay for these necessary repairs pursuant to section 305.230.5 RSMo. Ms. Teel also recommended the Commission delegate authority so that any contract for such repairs shall be authorized to be executed by the Director, Chief Engineer, or Multimodal Operations Director, subject to approval as to form by the Chief Counsel’s Office.

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

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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.

Mr. Schroeter recommended (1) award of contracts to the lowest responsive bidders for bids received at the October 19, 2018, letting, as recommended and noted in Table I below; and (2) concur in award to the lowest responsive bidder for the bids received by the City of Desloge at the September 13, 2018, letting, as recommended and noted in Table II below.

**Table I
Award of Contracts
October 19, 2018, Bid Opening**

Call No.	Route	Counties	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	I-35	Harrison	J113017	\$4,984,999.46	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Coldmill and Resurface
A02	139	Sullivan	J2S2176	\$681,823.70	\$0.00	Widel, Inc.	Bridge Replacement
B01	36	Marion	J2P3128	\$5,498,037.43	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurface
	36		J2P3129				Coldmill, Resurface and Bridge Rehabilitation
	I-72		J2I3096				Resurface and Diamond Grinding
B02	24, 61	Marion	J2P3127	\$6,870,635.74	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Coldmill and Resurface
B04	136	Schuyler	J2P3190	\$1,205,240.23	\$0.00	W. L. Miller Company	Seal Coat
	3	Randolph	J2P3191				
	15	Monroe, Shelby	J2P3185				
B05	E	Lincoln	J2S3192	\$483,360.94	\$0.00	Missouri Petroleum Products Company	Seal Coat
	H		J2S3193				
B06	94	Montgomery	J5S3049B	\$602,706.42	\$0.00	Magruder Paving, LLC	Resurface
C01	70	Lafayette	J3I3047	\$8,509,726.46	\$0.00	Magruder Paving, LLC	Coldmill and Resurface

Call No.	Route	Counties	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
C03	Various	Various	J4P3228	\$749,990.66	\$0.00	Streetwise, Inc.	Pavement Marking
C04	92	Clay	J4P3235	\$540,850.43	\$0.00	Amino Bros. Co., Inc.	ADA Improvements
C05	BB	Johnson	J3S3140	\$1,601,600.90	\$0.00	Vance Brothers, Inc.	Seal Coat
	DD	Johnson	J3S3129				
	WW	Johnson	J3S141				
	M	Ray	J3S3131				
	Y	Ray	J3S3139				
	O	Lafayette	J3S3138				
	20	Lafayette	J3S3130				
	E	Pettis	J3S3142				
C06	A	Ray	J3S3133	\$1,092,447.82	\$0.00	Capital Paving & Construction, LLC	Resurface
	U	Lafayette	J3S3132				
	M		J3S3134				
D02	87	Howard	J5P3258	\$4,039,403.13	\$0.00	Magruder Paving, LLC	Resurface
D06	OR 44	Laclede	J5S3256	\$1,458,241.58	\$0.00	Willard Asphalt Paving, Inc.	Resurface
D07	50 OR	Cole	J5S3311	\$5,563,549.11	\$0.00	Capital Paving & Construction, LLC	Coldmill and Resurface
	C	Cole, Moniteau, Morgan	J5S3259				Microsurface and Resurface
D08	Various	Pulaski	J5S3269	\$2,211,295.94	\$0.00	Willard Asphalt Paving, Inc.	Coldmill and Resurface
D09	87	Cooper, Moniteau	J5S3286	\$2,308,968.99	\$0.00	Microsurfacing Contractors, LLC	Microsurface
F01	I-44	St Louis	J6M0268	\$615,184.15	\$0.00	Concrete Strategies, LLC	Bridge Rehabilitation
	I-70	St Louis City	J6M0269				
F02	370	St Charles	J6P2325	\$1,857,856.64	\$0.00	Concrete Strategies, LLC	Bridge Rehabilitation
F03	141	St Louis	J6P3180	\$7,050,000.00	\$0.00	KCI Construction Company	Coldmill and Resurface
			J6P3200				9 Bridge Rehabilitations
F04	Various	Various	J6Q3171E	\$994,321.69	\$64,776.44	Gerstner Electric, Inc.	ITS Improvements
F05	I-70, I-170, I-55	Various	J6I3384	\$987,654.32	\$0.00	Collins & Hermann, Inc.	Signing Improvements
G01	54, LP49	Vernon	J7P3132	\$1,643,061.92	\$0.00	Emery Sapp & Sons, Inc.	Resurface
G02	249	Jasper	J7P3139	\$6,169,952.79	\$0.00	Blevins Asphalt Construction Company, Inc.	Coldmill and Resurface
	LP49	Jasper,	J7S3116				
		Newton	J7S3117				

Call No.	Route	Counties	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
G03	F, Z	Greene	J7S3141	\$1,145,845.12	\$0.00	Blevins Asphalt Construction Company, Inc.	Coldmill and Resurface
	Z		J8S3083				Resurface
G04	PP	Polk	J7S3169	\$1,422,957.00	\$0.00	Emery Sapp & Sons, Inc.	Bridge Rehabilitation
G05	BUS 65	Christian	J8P3101	\$4,788,154.00	\$325.00	Hartman and Company, Inc.	Pavement and ADA Improvements
			J8P3088C				Intersection Improvements
G06	OR 65	Greene	J8S3085	\$1,173,898.65	\$0.00	Leo Journagan Construction Co., Inc.	Coldmill and Resurface
	YY		J8S3082				Resurface and Add Shoulder
H01	49	Iron	J9P3129	\$2,102,126.57	\$0.00	Robertson Contractors, Inc.	Bridge Replacement
H02	60	Howell, Shannon	J9P3196	\$4,055,057.00	\$0.00	APAC-Central, Inc.	Coldmill and Resurface
		Howell	J9P3202				Resurface
H03	B	New Madrid, Pemiscot	J9S3273	\$1,515,000.00	\$0.00	Pace Construction Company	Resurface
	YY	New Madrid	J9S3259				
TOTAL:				\$83,923,948.79	\$65,426.44		

**Table II
Concurrence in Award
September 13, 2018, City of Desloge Bid Opening**

Route	Counties	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
8	St. Francois	J9P301	\$4,182,687.25		NB West Contracting Co.	Pavement Improvements

Commission Consideration and Action

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

1. Awarded contracts to the lowest responsive bidders for bids received at the October 19, 2018, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.

2. Concurred in award of contract to the lowest responsive bidder for bids received by the City of Desloge at the September 13, 2018, bid opening, as recommended and noted in Table II above.
3. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Smith abstained from Call G02. Commissioner Briscoe abstained from Call B01.

Commissioner Brinkmann abstained from Calls F03 and F05.

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REQUEST FOR APPROVAL OF LOCATION AND/OR DESIGN OF HIGHWAYS

Route 571, Jasper County
Job No. J7P3187I
Public Hearing Held September 13, 2018
Online Hearing Held September 13, 2018 – September 27, 2018

The proposed improvement provides for the intersection improvement by constructing a roundabout at the existing five-legged intersection. The roundabout will be 180 feet in diameter with a 20-foot driving lane. The Route 571 approach will consist of two 12-foot lanes and a 14-foot two-way left-turn lane. The city street approaches will consist of two 12-foot lanes. Shoulders throughout the project will consist of curb and gutter and a minimum of five foot sidewalks. The project will have partial controlled access right of way. Traffic will be maintained along Route 571 during construction. The project is 0.1 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 environment effects of the recommended designs, the Commission via approval of the consent agenda found and determined the recommended location and design 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 approve the following detailed project plans, approved by the Chief Engineer, for filing as necessary for the condemnation of right of way.

County	Route	Job Number
Clay	MO 291	J4P3203
Clay	Kansas Street	J4S3299

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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DISPOSAL OF EXCESS PROPERTY, I-64 AND 22ND STREET IN ST. LOUIS CITY

In keeping with the Commission’s 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 that the Commission execute an Option Agreement with the Land Clearance Redevelopment Authority Holdings Corporation for the City of St. Louis (LCRAHC). The Option Agreement would authorize the LCRAHC to purchase the real property within an 18-month period for fair market value.

The LCRAHC has requested a commitment from the Commission the land will be available for purchase to accomplish a development project in the City of St. Louis. The property is located in the northeast quadrant of Interstate 64 and 22nd Street in the City of St. Louis. The property contains approximately 30 acres; the exact acreage will be determined by a survey. The purchase price will be

the fair market value of the property as determined by a certified appraiser. The conveyance will be by quitclaim deed releasing any and all interest the Commission has in the property.

Via approval of the consent agenda, the Commission unanimously authorized the option agreement with the Land Clearance Redevelopment Authority Holdings Corporation for the City of St. Louis (LCRAHC).

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-- REPORTS --

The Commission received the following written reports.

U.S. ENVIRONMENTAL PROTECTION AGENCY CONSENT DECREE TERMINATION

On behalf of the Director, Eric Schroeter, State Design Engineer, reported on the termination of a consent decree with the U.S. Environmental Protection Agency (EPA). The Commission entered into a consent decree on July 20, 2015, with the EPA over alleged violations of MoDOT's storm water permit under the Clean Water Act. The stipulated term of the consent decree was three years. The consent decree was officially terminated on September 13, 2018, following a termination request to the United States and subsequent court action. The final report on compliance under the consent decree for the three year period resulted in 15 violations totaling \$9,250 in penalties. Through the termination request process, the United States required a payment of \$5,000 to satisfy the violation balance owed for all penalties.

Going forward, MoDOT intends to continue to comply with all the requirements of the Clean Water Act (CWA) and Missouri's Clean Water Law. Using best practices learned from the consent decree, MoDOT will continue to be an advocate for compliance with environmental regulations and strive to preserve Missouri's water-ways. The department will continue with its efforts to comply through the continued use of an electronic database that allows for tracking and notification of inspections and deficiency corrections. Additionally, engaging the contracting community through training will continue. This training provided education regarding land disturbance compliance and created a more receptive and engaged environment. Over the past three years, 1,345 MoDOT employees and 755 contractor employees were trained. Continuing the conversation regarding land disturbance was helpful at venues like the AGC Coop meeting, DOMInno, and the Sustainability Lab. The department is working with Missouri Department of Natural Resources to develop a new statewide land disturbance permit that will include the new federal requirements for land disturbance compliance.

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

Ed Hassinger, 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 November 2, 2018, no rules were presented to the Commission for impetus approval, nor for Governor's Office review and approval, nor for Commission approval, nor filed with the Secretary of State and Joint Committee on Administrative Rules, nor for a public comment period, nor for Commission approval of Final Orders. Final Orders were filed with the Secretary of State for one set of rules: Procurement of Supplies. One set of rules were published in the Missouri Register: Financial Assistance (State Transportation Assistance Revolving Fund). No rules were published in the Code of State Regulations. Three sets of rules became effective: Ignition Interlock, Railroad, and Transportation Corporations.

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**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING SEPTEMBER 30, 2018**

Brenda Morris, Financial Services Director, submitted a written financial report for fiscal year to date September 30, 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 September 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 380 active contracts held by individual engineering consultant firms prior to September 1,

2018. Eleven engineering consultant services contracts were executed in September 2018, for a total of \$2,822,997. There were no non-engineering consultant contracts executed in September 2018.

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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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