



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**MINUTES OF THE REGULARLY SCHEDULED  
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING  
HELD VIA VIDEO CONFERENCE AND IN JEFFERSON CITY, MISSOURI,  
WEDNESDAY, MAY 6, 2020**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, May 6, 2020, via video conference and at Missouri Department of Transportation, 105 W. Capitol Ave, Jefferson City, Missouri. John W. Briscoe, Chair, called the meeting to order at 2:30 p.m. The following Commissioners were present via video conference: Gregg C. Smith, Michael T. Waters, Jr., Terry L. Ecker, and Robert G. Brinkmann, P.E. Commissioner Pace tendered his letter of resignation to Governor Parson stating his resignation would be effective on March 6, 2020; at the time of the May 6, 2020 meeting, a replacement had not been appointed.

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

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Patrick McKenna, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, May 6, 2020.

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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 Briscoe, Aye  
Commissioner Waters, Aye  
Commissioner Smith, Aye  
Commissioner Ecker, Aye  
Commissioner Brinkmann, Aye

The Commission met in closed session on Wednesday, May 6, 2020, at 9:30 a.m. and adjourned at 11:15 a.m.

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**-- OPEN MEETING --**

**COMMISSION/DIRECTOR ITEMS**

**APPROVAL OF MINUTES**

Upon motion by Commissioner Waters, seconded by Commissioner Smith, the Commission unanimously approved the minutes of the regular meeting held on April 1, 2020, and Special Meeting on March 3, 2020. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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**CONSENT AGENDA**

**Consent Agenda Process**

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

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

## Consideration of May 6, 2020, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Smith, 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 May 6, 2020, meeting.

**Audit Committee** – Commissioner Waters stated there was no report, the next meeting will be in June.

**Legislative Committee** – Commissioner Waters reported on April 27, 2020, the Missouri General Assembly reconvened for the remaining three weeks of the 2020 legislative session. As everyone is aware, the legislature has been in recess for several weeks practicing social distancing during the continued nationwide threat of COVID-19. During these last several days of session, the leaders of both the Missouri House and Senate have taken every precaution necessary to lessen the possible impacts of the virus and to remain safe while in session. Since they returned to the Capitol on April 27, their primary focus has been working on the drafting and eventual passage of a fiscal year 2021 budget. As can be imagined, the financial and economic forecasts for the next fiscal year look completely different today than it did before the impact of COVID-19. This change in financial data and information will impact the state's next year budget in terms of what state-administered projects will continue to be in operation versus those programs which may be cut in order to balance the state's budget. Per Missouri's Constitution, the legislature has until May 8 to pass a fiscal year 2021 budget. Session is scheduled to adjourn May 15. There are about 110 different legislative proposals that have crossed from one chamber into another. Two of those proposals that are most likely to receive some time for floor debate will include a national pharmaceutical drug monitoring program and changes to current law on how the boundaries for House, Senate, and Congressional districts will be drawn as a result of the 2020 Census survey. Next month's report will include the legislative wrap-up.

**Missouri Transportation Finance Corporation (MTFC)** – Commissioner Smith reported the board approved one loan totaling \$8,871,000 to the City of Poplar Bluff for the reconstruction of Route 67 to a divided, multi-lane interstate highway facility from Route 160 south to County Road 338. The board elected officers and approved the fiscal year 2021 budget. The next MTFC meeting will be in August.

**MoDOT and Patrol Employees’ Retirement System (MPERS)** – Commissioner Briscoe reported an MPERS board meeting was held on April 24. The governance committee shared a report reviewing policies and sought direction on hiring a consultant to review board governance. Investment performance was reported along with the impact of COVID-19 on the markets. The executive director reported on remote operations and seminars. The next board meeting is scheduled for June 18.

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## **DIRECTOR’S REPORT**

During the May 6, 2020, Commission meeting, Director McKenna provided the following report:

**Public Service Recognition Week** – The Director reported this week is the national observance of Public Service Recognition Week. MoDOT’s employees have had a lot of changes due to the COVID-19 Pandemic and were able to execute very quickly to implement and enforce social distancing while keeping most services operating for the citizens of the state. Currently about thirty percent of the workforce is in telework status and they are producing and getting the job done. Director McKenna thanked team MoDOT for the work they are doing. He also recognized all state agencies who are working together to respond to the challenges presented by the virus. He stated it is fitting to recognize public service in the state of Missouri for all state employees throughout state government.

**Buckle Up Phone Down Challenge** – The department has been working to promote the Buckle Up Phone Down Challenge (BUPD) nationally. Director McKenna shared a recent podcast produced by the Association of General Contractors of Missouri (AGC-MO) where Len Toenjes, AGC-MO President, interviewed Nicole Hood, State Highway Safety and Traffic Engineer, about the BUPD program. MoDOT’s communications team paired the podcast with graphics and produced a video that was shared. Director McKenna thanked Mr. Toenjes and the association for their long productive partnership and for their early participation and continued promotion of the BUPD program.

**COVID-19 Impact on Transportation Funding** – The world is responding to an outbreak of a respiratory disease caused by a new coronavirus that was first detected in many locations internationally and has spread to the United States. The disease the virus causes has been named coronavirus disease 2019 or COVID-19. Because COVID-19 is considered a serious public health risk, stay at home orders

have been issued around the world. The stay at home orders have led to the complete or partial closure of businesses and government. The closure has severely impacted the economy and the revenues that government entities receive. As a result of this pandemic, transportation funds are expected to decline. Traffic reductions have occurred; there is reduced use of transit, rail, and airlines. The anticipated loss of revenues will impact the department's planning process as well as its budget. Normally the department would be bringing an updated Statewide Transportation Improvement Program to the Commission in May, however due to the uncertainty, that effort is being deferred. The department will continue with the program currently in place until there is a greater understanding of the significance and duration of the impact COVID-19 will have on transportation revenues. The department has been and will continue to communicate and work with transportation industry partners around the state.

Director McKenna reported at the national level, departments of transportation around the country are experiencing revenue losses. He co-authored a letter with AASHTO to congressional leaders explaining departments of transportation will be experiencing a minimum of a thirty percent reduction in revenues over the next eighteen months, or \$49.95 billion. The letter requested a backstop for state transportation revenue from Congress. It is a critical need to have a revenue backstop in a CARES act bill that is separate from the infrastructure reauthorization. The backstop funding would need flexibility to fund operations and maintenance, as well as construction and delivery of projects. Funds would be apportioned based on the state's share of federal formula funds under the FAST Act. The letter also requested that federal funds from the 2020 FAST Act be one hundred percent federal share for projects. There is tremendous concern that states, including Missouri, are not going to be able to match the federal funds that are to be appropriated through the FAST Act. Another element of flexibility is being sought to waive obligation limitations for discretionary grants such as the BUILD and INFRA grants, extending deadlines for one year. Mr. McKenna thanked the Commission for the support of the department's participation in national associations such as AASHTO as they are proving to be very valuable in these trying times.

**MPERS** – Director McKenna reported on recent legislative activity regarding the MoDOT and Patrol Retirement System (MPERS) to reduce Commission membership on the MPERS board of trustees. He explained the Commission has three members that serve on the board as well as the Director, one elected employee representative, and one retiree representative. The Highway Patrol has the Colonel, one elected employee representative, and one retiree representative on the board. He noted the board membership mirrors the MPERS plan membership: two-thirds MoDOT members and one-third Highway Patrol members.

The Director advised there are broader issues of concern. The Commission are the stewards of the State Road Fund and are also fiduciaries on the MPERS Board. He noted his concern about the costs associated with the plan, in particular the management fees paid to private equity firms. Additionally, the operating costs for the retirement system are out of line with the size of the system. Costs are the one area that can be controlled, and the Director will continue to do what he can to keep the conversation on cost reduction moving forward. He reported there is another unwise financial effort underway to have the MPERS Board borrow money to invest, and he will continue to advocate against that effort.

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## **MODOT PRESENTATIONS**

### **STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM UPDATE**

On behalf of the Director, Eric Curtit, Transportation Planning Director, presented the annual update to the Statewide Transportation Improvement Program (STIP). He reminded the Commission that the STIP is the Commission and MoDOT's commitment to Missourians to accomplish transportation projects. It specifies the projects to be developed and/or delivered during the five-year STIP horizon and is the culmination of a year's work with planning partners, and others, to identify projects critical to addressing Missouri's transportation needs.

In January, the financial forecast was presented, which had \$4.9 billion of contractor awards available for fiscal years 2021 through 2025. From this forecast, through January, February, and March, MoDOT Districts, Central Office, and planning partners worked to populate a draft 2021-2025 STIP update. The results of the work would have added 492 new projects to the current STIP, totaling \$1.4 billion. The financial forecast was used to develop the draft STIP update based on anticipated available amounts for construction awards.

The Commission last amended the STIP in March 2020. The revised STIP contains a total of 896 projects for a total cost estimated at \$2.9 billion for fiscal years 2021 through 2024. The department fully programs the first three years of the STIP. For fiscal year 2021 there are 519 projects programmed totaling

\$1.227 billion. For fiscal year 2022 there are 322 projects programmed totaling \$1.070 billion. For fiscal year 2023 there are 119 projects programmed totaling \$0.361 billion.

Then later in March, the world changed. COVID-19 brought about uncertainty with regard to the financial forecast and many other issues facing Missouri's transportation system. Transportation revenue impacts in the United States remain unknown. Additionally, there is uncertainty about the duration of these potential revenue impacts. Missouri knows traffic volumes are down about thirty-five percent and this will undoubtedly have an impact on transportation revenues and the financial forecast. AASHTO is predicting a nationwide thirty percent decline in transportation revenues for eighteen months. None of this could have been foreseen.

Due to the uncertainty caused by COVID-19, the department proposed to wait and continue to operate under the current STIP. Mr. Curtit noted the department is in a good position to push the pause button, momentarily. This will allow the situation to be carefully monitored meanwhile continuing to operate under the current 2020-2024 STIP. Fortunately, there is an agile STIP amendment process in place that will allow any critical actions to be addressed if needed. While normally, the proposed draft STIP for 2021-2025 would be presented for the Commission's consideration, at this time, the department is recommending a cautious approach with careful monitoring of the situation as future impacts stemming from the pandemic are evaluated.

Therefore, there will be no update to the STIP for consideration in July. The department will continue using the approved 2020-2024 STIP for fiscal year 2021. All changes or additions will be accomplished through the normal amendment process on a monthly basis, or as needed. This will give the department and Commission the opportunity to monitor the potential transportation revenue impacts from the pandemic.

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## **UPDATE ON MODOT'S COVID-19 PANDEMIC RESPONSE**

On behalf of the Director, Chris Engelbrecht, Chief Safety and Operations Officer, and Steve Meystrik, Human Resources Director, presented an overview of MoDOT's Pandemic Response Structure and information specific to the department's COVID-19 pandemic response. At the onset of the COVID-19 pandemic in Missouri, MoDOT activated its Pandemic Disease Response Plan and Continuity of Operations Plan (COOP). The COOP provides guidance to MoDOT personnel for maintaining the department's capability to fulfill its assigned mission-critical functions during all contingencies – and in so doing provides for employees' safety and well-being. MoDOT's pandemic response team and incident management team have been communicating routinely to ensure a coordinated response to the public, government partners, and employees regarding situations, issues, and needs related to the COVID-19 pandemic.

Mr. Englebrecht reviewed MoDOT's pandemic response structure with the Commission. He explained it is based on the Department of Homeland Security's National Incident Management System or NIMS. NIMS provides a framework to efficiently respond to and recover from disaster events of all types. NIMS provides a standardized organizational structure to manage events. The incident commander role is at the top of the structure and has the responsibility for overall management of the incident, including the development of objectives and approving the incident action plan for each operational period. MoDOT is currently on day forty-nine of the COVID-19 pandemic response and operational period number nineteen. This position is guided by the Director's Office and the pandemic response team. The pandemic response team role is to anticipate impacts to MoDOT operations, determine policy direction, and assist with the development of strategies to manage the effects of the pandemic. Below the incident commander there are command staff from the areas of Safety and Health (State Safety Coordinator), Information Officer (Communications Division), Employee Support (Human Resources Division), and Liaison Office (Emergency Management Coordinator). Additionally, there are four

sections represented: Operations Section (maintenance, traffic, and motor carrier services), Planning Section (emergency response and traffic), Logistics Section (General Services and Information Services), and Finance/Administrative Section (Financial Services).

Mr. Englebrecht described guidance tools that were developed to assist with decision making during this event. These guidance tools ensure consistency within all districts and divisions of MoDOT when implementing the rules established for state agencies by the Office of Administration. These are decision trees to help guide employees and supervisors through a potential exposure, time reporting, and leave management issues that arise as a result of the pandemic. These decision trees help manage the risks of a potential outbreak within MoDOT facilities and allows internal contact tracing to prevent further spread between employees.

Mr. Meystrik explained the department reports daily on team health. This report is shared with the Governor and state department leaders to guide them in their decision-making, workforce planning, and communications. At MoDOT, there are approximately 3,100 employees working from their normal work location, and over 1,500 employees working from home. These employees have done an outstanding job of getting work done while practicing social distancing and taking other necessary precautions to ensure the health and safety themselves and others. Overall, the department has maintained a ninety percent productivity level during the COVID-19 pandemic and service to the citizens of Missouri.

Since MoDOT is a provider of critical services to the public and as such it maintains an Incident Response Plan and conducts training and drills to ensure the ability as an enterprise to keep Missouri interstates, roads, and bridges always open to travel. MoDOT has used a variety of tools and methods to ensure employees who are able to work remotely are able to do so without interruption to service and operations. MoDOT has provided guidance and supplies to mission-critical employees who are not able to work from home to ensure their continued safety and health while remaining in their normal places of work. MoDOT implemented a COVID-19 information portal available to all employees containing

resources, guidance, and tools necessary to ensure an organized and consistent department response. Department employees were also provided an email address allowing them to communicate directly with MoDOT's incident command team regarding specific questions or issues regarding COVID-19. MoDOT has successfully kept employees safely working within its facilities or from remote locations, while also ensuring paid leave options were appropriately and consistently utilized when in the best interest of employees and the department. MoDOT has successfully continued to provide uninterrupted service and performance of mission-critical functions during the COVID-19 pandemic.

Commissioner Brinkmann commended MoDOT employees for their continued work and to establish the emergency response, guidance tools, and safe practices in such a short period of time. Commissioner Ecker noted the phenomenal response by the pandemic response team, responding to crisis is second nature for MoDOT and this is another case of where the great employees of MoDOT do a superb job!

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#### **WORK ZONE AWARENESS WEEK UPDATE**

On behalf of the Director, Nicole Hood, Highway Safety and Traffic Engineer, explained it is that time of year again when there are more orange cones, barrels, and signs on the roadways. Typically, MoDOT has over 20,000 work zones across the state every year. This includes construction as well as maintenance operations. Even with COVID-19 contractors are out there working and maintenance operations are continuing.

Ms. Hood noted although traffic volumes are down considerably, traffic speeds are up unfortunately. This means it is even more important to advocate for highway safety. MoDOT will be reminding drivers to watch out for highway workers on the roads. National Work Zone Awareness Week was April 20-24. During that week the department promoted safety messages through news releases, social media, and short videos.

It is not just MoDOT lives on the line, for the past few years all Missouri work zone deaths have been travelers. She shared a short video emphasizing the loss of 18 travelers lives in work zones and the need to bring that number to zero. Since 2015, there have been 64 people who were killed and 3,685 who were injured in work zone crashes. The majority of these crashes occurred on straight stretches of road under clear conditions. There is no doubt that human behavior is to blame.

Distracted driving and speeding continue to be leading causes of crashes in Missouri. Ms. Hood shared a short video to remind drivers to buckle up and put their phone down. Safety is in your hands, a simple but important message. It is disheartening to know that in 2019, sixty-four percent of people killed in crashes were unbuckled. A seat belt is the best defense in any crash.

Work zone safety is about more than just the statistics, it's about the people who have been impacted. MoDOT has had 19 people killed in the line of duty since 2000. Highway workers are also family members, neighbors, friends, and people who simply want to make it home safe every day. Last year there were 39 crashes that hit MoDOT's truck mounted attenuators (TMA). To date, there have been 21 TMA crashes, putting the department on pace for more than doubling last year's crash total. Each of these crashes impacts people, people who are driving and people who are working. Mark Fresen is a retired MoDOT employee from the St. Louis District who shared his story of surviving a work zone crash. The accident occurred in a work zone in 2009 in the St. Louis District. He was driving the TMA truck, and the truck was hit while the TMA was missed. His injuries led to being in the hospital for over a year. This accident affected his family and coworkers. He urged everyone to slow down and give the crews a brake.

MoDOT strives to innovate and find ways to take away some of the danger that employees are faced with year after year. Ms. Hood shared an update on the progress of implementing some of the innovations. She reported the autonomous TMA's completed the closed-road testing at the Sedalia fairgrounds. Next there will be 250 consecutive hours of live road testing. Last year the live road testing

had some issues with the satellite and GPS coordinates that have been addressed. Unfortunately, due to COVID-19 social distancing guidelines the testing is unable to proceed as the testing requires two people in the truck cab and the required distance cannot be maintained inside the cab. The automated flaggers place the person in the flagging operation safely inside a vehicle rather than standing beside the road. From within the vehicle the operator can alert drivers to either stop, slow down, or proceed through the work zone. The procurement process resulted in an improved innovation from the industry and the department is looking forward to using these devices in work zones. Another work zone safety improvement is predictive analytics. The department will use predictive analytics on the I-270 design/build project in the St. Louis District. This is the first time to use this method in a work zone. The goal of this effort is to use live and historic data to predict certain occurrences. Using that prediction, the department can communicate to the public, law enforcement, and emergency medical services about high risk areas that the traveling public can divert and avoid and so that law enforcement and emergency medical services can be strategically located. This effort should help reduce crashes, improve travel times, and increase reliability.

Commissioner Smith acknowledged the attention from the media across the state for work zone awareness week. He expressed his appreciation for the added exposure for the Buckle Up Phone Down campaign. He encouraged everyone to listen to Mr. Fresen and slow down, buckle up, and be aware.

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## **ADMINISTRATIVE RULES/POLICIES**

### **COMMISSION POLICY REVISION – FINANCIAL-BUDGET-OPERATING BUDGET**

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. The department sought clarification of authority that has been delegated to manage the department's operating

budget. The modifications are noted in green text for new language. The world is responding to an outbreak of a respiratory disease caused by a new coronavirus that was first detected in many locations internationally and has spread to the United States. The disease the virus causes has been named coronavirus disease 2019 or COVID19. Because COVID-19 is considered a serious public health risk, stay at home orders have been issued around the world. The stay at home orders have led to the complete or partial closure of businesses that are considered non-essential, while essential businesses continue to operate. The closure has severely impacted the economy and the revenues that government entities receive. As a result of this pandemic, the funds that the Missouri Department of Transportation receives are anticipated to decline significantly. In anticipation of the revenue decline, the department is closely reviewing many of its expenditures, contracts, and requests for proposals to ensure it can continue to provide basic transportation services to the citizens of Missouri and the traveling public. The proposed policy revision will assist with that effort.

On behalf of the Director, Pamela Harlan, Secretary to the Commission, recommended the FINANCIAL-BUDGET-OPERATING BUDGET policy be revised as indicated with the green text for new language:

<b>Category:</b>	<b>Financial</b>
<b>Subcategory:</b>	<b>Budget</b>
<b>Sub-Subcategory:</b>	<b>Operating Budget</b>

#### **OPERATING BUDGET**

The Commission shall approve the Operating Budget by operating budget category. (The operating budget categories shown on the budget are Administration; System Management; Program Delivery; Fleet, Facilities, and Information Systems; and Multimodal.) In accordance with Article IV, Section 30(b) of the Missouri Constitution, the Commission has the sole discretion to spend moneys in the State Road Funds. All other state and federal fund disbursements shall be approved by the Commission but subject to federal appropriation or appropriation by the Missouri General Assembly.

#### **Delegation of Contingent Authority**

The Director may approve the operating budget and/or amendments to it, after consultation with the Commission Chair, or the Vice-Chair if the Chair is unavailable, effective whenever the Commission lacks sufficient members for a statutory quorum of members, or the Commission has less than six statutory members and the incapacity of a member contributes to the Commission being unable to achieve a statutory quorum, for a regular monthly or specially scheduled meeting due to delays in the appointment and confirmation process for Commission members. This delegation of contingent authority exercised by the Director shall be subject to ratification by the Commission at the next regular monthly meeting a statutory quorum is attained.

**Executive Committee**

For purposes of this policy the term Executive Committee includes the individuals who fill the positions of Director, Deputy Director/Chief Engineer, Assistant Chief Engineer, Chief Safety and Operations Officer, Chief Administrative Officer, and Chief Financial Officer.

**Expenditures within Operating Budget Categories**

The Director and/or the Chief Financial Officer have the authority to ensure the department is a good steward of the funds available in the Commission approved Operating Budget. This authorization may occasionally require, regardless of the authority delegated to staff, review and rejection of bids and quotes, expenditure of funds, and contracts or agreements.

In those cases where other provisions within the MHTC Policies may be in conflict with this section, the other provisions will prevail. A member of the Executive Committee, Chief Counsel, Division Heads and District Engineers may approve bids and quotes, expend funds and execute agreements and contracts up to the operating budget category in the Commission-approved Operating Budget LIMITED TO the amounts noted below:

- a. **Greater than \$100,000** - All single transactions greater than \$100,000 shall be approved by a member of the Executive Committee.
- b. **\$100,000 or Less** – A member of the Executive Committee, and, subject to their respective areas, the Chief Counsel, Division Heads, and District Engineers, (any one) are authorized to approve single transactions of \$100,000 or less. These staff members may delegate authority to others under their supervision to approve bids and quotes, expend funds and execute agreements and contracts in an amount not to exceed \$100,000 per transaction. Such delegation must be by written advisory from the staff members noted above to the Financial Services Director for the Central Office employees or to the manager responsible for processing district invoices for district employees.

Effective Date: February 6, 2019  
 Supersedes Policy Dated: May 16, 2014  
 Last Reaffirmed:  
 Date of Origin: October 6, 1995

Related Commission Minutes: July 7, 1995–Performance Based Budget; October 6, 1995-Purchasing and Contract Authority; January 8, 1999; April 7, 2000; June 14, 2006; September 13, 2006; January 12, 2011-EOD; April 3, 2012-EOD; Paragraph C; November 7, 2013 – Comprehensive Policy Review; May 16, 2014-added contingent authority; February 6, 2019-comprehensive review; [May 6, 2020-add provision to authorize rejection of expenditures.](#)

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

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**RESOLUTIONS**

**RESOLUTION EXPRESSING APPRECIATION TO MICHAELENE “MICKI” KNUDSEN FOR HER MANY ACHIEVEMENTS AND ACCOMPLISHMENTS**

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

**WHEREAS**, Micki Knudsen began her career with the Missouri Department of Transportation on July 12, 1993, and served the people of Missouri with distinction for over twenty-six years; and

**WHEREAS**, Ms. Knudsen moved through increasingly responsible assignments culminating in her appointment to Chief Administrative Officer; and

**WHEREAS**, during her tenure, Ms. Knudsen performed her duties with dignity, integrity, fairness, and a

genuine compassion for the best interests of MoDOT employees, without regard to their area of residence or station in life; and

**WHEREAS**, Ms. Knudsen is well-known and respected by those in human resources and her counterparts in other state agencies. Through her leadership, MoDOT modeled the way for employees to work remotely, employee development, and employee onboarding; and

**WHEREAS**, she was not afraid of hard decisions or actions if it was the right thing to do. This was evidenced through her leadership as MoDOT went through the Five Year Direction, followed by the Bolder Five Year Direction, as well as implementation of pay for performance, and the separation of the highway credit unions. Micki led MoDOT with as much compassion and caring as humanly possibly through the department's most difficult restructuring in 2011, the Bolder Five Year Direction, that reduced MoDOT facilities by 124 including the reduction of three district offices, reduced fleet and equipment by more than 750 units, and reduced the number of employees by approximately 1,200, in order to redirect the savings from the reductions to roads and bridges; and

**WHEREAS**, Ms. Knudsen embodied the values of the organization and provided a moral compass for the department as it navigated both good and challenging times. When department leaders are called upon to make serious decisions, they often reflect "what would Micki do?" to help shepherd them. Micki always strived to strike the right balance between what was required by the law and what was right and fair for MoDOT employees; and

**WHEREAS**, Ms. Knudsen's outstanding legal and human resources expertise coupled with her leadership abilities, evolved into her being a trusted advisor of Commission members, directors, members of management and staff throughout her career. The Commission is grateful for her wise counsel during three comprehensive director searches; and

**WHEREAS**, Micki Knudsen recognized the importance of balancing family and career and is a loving wife to John, and devoted mother to Everett while performing her job duties with compassion, dedication, and pride;

**NOW, THEREFORE, LET IT BE RESOLVED** that the Missouri Highways and Transportation Commission convey to Michaelene Knudsen its appreciation for unselfishly giving her personal time, talent, and energy to further the department of transportation in Missouri and extend to her best wishes in her future endeavors.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Ms. Knudsen so she will have a permanent record of the high esteem and affection in which she is held by the members of the Missouri Highways and Transportation Commission and Department of Transportation staff.

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**RESOLUTION EXPRESSING APPRECIATION TO SHARON MONROE FOR HER MANY ACHIEVEMENTS AND ACCOMPLISHMENTS**

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

**WHEREAS**, Sharon Monroe is retiring from the Missouri Department of Transportation with more than forty-six years of service to the people of Missouri; and

**WHEREAS**, Sharon Monroe began her distinguished career with the State Highway Department/Missouri Department of Transportation on March 1, 1974 as a secretary in the Maintenance division. Ms. Monroe was promoted to the position of Senior Secretary in the Director's office on March 1, 1975. She later became the Senior Executive Assistant to the Director on August 1, 2005; and

**WHEREAS**, Ms. Monroe was a professional at administering several different activities and getting all the pieces of a puzzle to come together. When approached with a request Sharon immediately began to process the right tactics and the appropriate people to involve. Ms. Monroe has the keenest of insight in how to handle the most difficult situations; and

**WHEREAS**, throughout her career with the department, Sharon was a mentor to many who through her kindness, positive attitude, respect, and ability to connect with people influenced how MoDOT's employees interacted with each other as well as the traveling public and transportation industry; and

**WHEREAS**, Sharon was continually interested in, and focused on, the development and well-being of department employees, never seeking praise or recognition for herself, but delighting in praise and recognition of others, and

**WHEREAS**, she responded to all requests by providing timely information and education, in a professional, courteous, and friendly manner. Her patience is unrivaled, and she has the unique ability to convert angry customers into transportation advocates;

**WHEREAS**, Sharon is a faithful servant who through her speech and actions is able to share God's grace and peace with those around her; and

**WHEREAS**, Sharon's zest for life is evident through her ability to share her contagious joy and infectious laughter when telling stories about herself, family or friends; and

**WHEREAS**, her expertise, integrity, fairness and thoughtful consideration of others have earned her the respect, admiration, and friendship of MoDOT employees and the public she served; and

**WHEREAS**, Sharon Monroe recognized the importance of balancing family and career and is a loving wife to Keith, devoted mother to Amber and Adam, and proud grandmother of Dawson, Ava, Miles, Memphis, Rowan, Mason, and Mila while performing her job duties with compassion, dedication, and pride;

**NOW, THEREFORE, LET IT BE RESOLVED** that the Missouri Highways and Transportation Commission convey to Sharon Monroe its appreciation of her contributions to the Missouri Department of Transportation and service to the citizens of Missouri and extend to her best wishes in her future endeavors.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Sharon Monroe so she will have a permanent record of the high esteem in which she is held by the members of the Missouri Highways and Transportation Commission and Missouri Department of Transportation staff.

\* \* \* \* \*

## **BUSINESS ISSUES**

### **THE CREEKSIDE TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR**

On behalf of the Director, David Silvester, Kansas City District Engineer advised the commission that in response to a petition filed on April 1, 2019, with the Circuit Court of Platte County by Parkville Development 140, LLC, Hoambecker Properties, LLC, Parkville Development 38, LLC, Parkville Development VVI, LLC, and the City of Parkville the court established the Creekside Transportation Development District (TDD) as a political subdivision on August 2, 2019. The proposed transportation project includes construction, reconstruction, installation, repair and maintenance of the following: (a) public streets, access roads, signage, parking, pedestrian walkways and crossings, intersections, utilities and any similar or related improvements within the District boundary; (b) lane widening, construction of new on and off ramps for access to/from I-435 and Route 45; (c) traffic signal improvements and related improvements near the intersection of I-435 and Route 45 and other areas as may be required; (d) land acquisition, landscaping, public utilities, streetlights, professional consultants, engineering, financing, and interest costs associated with public involvement; and (e) start-up, ongoing operating and other eligible transportation development costs authorized under the Act.

Route 45 and I-435 are part of the state highways and transportation system and, therefore, under the jurisdiction of the Commission. The Commission does not own any real property and no state roadway is located within the TDD boundaries.

In keeping with Sections 238.220.4 and 238.225.1, RSMo, the Commission via approval of the consent agenda, (1) appointed the Kansas City District Engineer, or his designee, as the Commission advisor to the Creekside TDD board of directors, and (2) found the upgrades 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 Alternatives – Transportation Development Districts Policy, any member of the Executive Committee may execute the related agreements.

\* \* \* \* \*

**STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)**

**CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS**

On behalf of the Director, Travis Koestner, 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 Call G02 has local funding, as noted in Table I below, and the department received all the necessary concurrences.

Mr. Koestner recommended: (1) Award of contracts to the lowest responsive bidders for bids received at the April 17, 2020, letting, as recommended and noted in Table I below. (2) Rejection of Calls B01, C01, and C02 due to excessive bids per Section 102.15 of the Missouri Standard Specifications for Highway Construction, as noted in Table II below.

**Table I  
Award of Bids  
April 17, 2020, Bid Opening**

<b>Call No.</b>	<b>Route</b>	<b>Counties</b>	<b>Job No.</b>	<b>Bid Amount</b>	<b>Non-Contractual Costs</b>	<b>Contractor</b>	<b>Description</b>
A01	I-29, I-229	Various	J0I3006B	\$498,919.55	\$0.00	Herzog Contracting Corp.	Job Order Contract for Asphalt Pavement Repairs
A02	I-35	Various	J0I3006D	\$498,919.55	\$0.00	Herzog Contracting Corp.	Job Order Contract for Asphalt Pavement Repairs
A04	36	Various	J1P3298	\$520,517.80	\$0.00	Herzog Contracting Corp.	Job Order Contract for Asphalt Pavement Repairs
C03	Various	Various	J4P3266	\$4,099,005.37	\$0.00	Comanche Construction, Inc.	Bridge Rehabilitation
C04	Various	Various	J4Q3397	\$2,707,770.22	\$3,800.00	Capital Electric Line Builders, Inc.	ITS Improvements

C05	Various	Various	J4S3294	\$965,424.35	\$0.00	Capital Electric Line Builders, Inc.	Signal Improvements
D01	Various	Boone	J5P3427	\$881,012.00	\$0.00	Meyer Electric Company, Inc.	Fiber Interconnect
D02^	EE	Howard	J5S3248	\$452,753.10	\$0.00	Widel, Inc.	Bridge Deck Replacement
F01	I-55	Jefferson	J6I3389	\$3,069,184.45	\$5,000.00	Gershenson Construction Co., Inc.	Grading and Pavement
F02	I-44	Franklin	J6I3506	\$1,243,422.00	\$0.00	Phillips Hardy, Inc.	Rock Removal
G01	I-44	Various	J7I3343	\$304,373.15	\$0.00	James H. Drew Corporation	Sign Installation
		Greene	J8I3146				
G02*	571	Jasper	J7P3187I	\$2,895,425.00	\$1,000.00	Hartman and Company, Inc.	Intersection Improvements
			J7S3269		\$0.00		Coldmill and Resurface
			J7S3284		\$0.00		ADA Improvements
H01	Various	Various	J0I3006T	\$676,687.50	\$0.00	Emery Sapp & Sons, Inc.	Job Order Contract for Asphalt Pavement Repairs
H02	Various	Various	J0I3006U	\$243,125.00	\$0.00	Fronabarger Concreters, Inc.	Job Order Contract for Concrete Pavement Repairs
H03	I-155	Pemiscot	J9I3572	\$603,739.80	\$0.00	Koch Electric, Inc.	Light Installation
	I-55, I-57	Scott, Mississippi	J9I3559				
H04	Various	Various	J9P3578	\$1,745,700.00	\$0.00	Collins & Hermann, Inc.	Job Order Contract for Guard Cable and Guardrail Repairs
H05	Various	Various	J9P3578B	\$309,000.00	\$0.00	Collins & Hermann, Inc.	Job Order Contract for Guard Cable and Guardrail Repairs
			<b>TOTAL:</b>	<b>\$21,714,978.84</b>	<b>\$9,800.00</b>		

^Focus on Bridges Program

\*Call G02 – Funding by City of Carthage (J7P3187I) – \$593,922.45  
Funding by City of Carthage (J7S3284) – \$58,000.00

**Table II  
Rejection of Bids  
April 17, 2020, Bid Opening**

Call No.	Route	County	Job No.	Description
B01	136	Schuyler	J2P3222	ADA Improvements
			J2P3224	
	M	Macon	J2P3221	
C01	131	Lafayette, Johnson	J3S3083	Resurface and Add Shoulders
C02	Y	Pettis	J3S3137	Coldmill and Resurface

**Commission Consideration and Action**

After consideration, and upon motion by Commissioner Smith, 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 April 17, 2020 bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Awarded Call G02 contingent upon concurrence in award from the City of Carthage.
3. Rejection of Calls B01, C01 and C02 due to excessive bids per Section 102.15 of the Missouri Standard Specifications for Highway Construction in Table II above.
4. Authorized the Director, Deputy Director / Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Brinkmann abstained from voting on Calls F01 and F02.

\* \* \* \* \*

**APPROVAL OF PLANS FOR CONDEMNATION**

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

<u>County</u>	<u>Route</u>	<u>Job Number</u>
Clay	MO 92	J4P3213

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

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**REQUEST FOR APPROVAL OF LOCATION AND/OR DESIGN OF HIGHWAYS**

**Interstate 270, St. Louis County  
Job No. J613020B  
Public Hearing on March 12, 2020 – Cancelled (COVID-19)  
Online Hearing Held March 12-26, 2020**

The proposed improvements will reconstruct interchanges at US 67 (North Lindbergh Boulevard), Route N (New Florissant Road), Washington Street/Elizabeth Avenue, West Florissant Road, Route AC (New Halls Ferry Road), Old Halls Ferry Road, Route 367 (Lewis and Clark Boulevard), and Bellefontaine Road; add an additional driving lane in both directions on I-270 from US 67 (North Lindbergh Boulevard) to Route 367 (Lewis and Clark Boulevard); rehabilitate existing I-270 and Dunn and Pershall Road pavement; improve accessibility for bicyclists and pedestrians with a multi-use path from Lindbergh Boulevard to Breezy Point Lane along Dunn Road and from Hanley Road/Graham Road to Old Halls Ferry Road along Pershall Road; improve safety with an updated outer road system that includes removal of all existing cross over slip ramps by converting Dunn Road and Pershall Road to a one-way outer road system from Hanley Road/Graham Road to Old Halls Ferry Road and adding roundabouts west of Hanley Road/Graham Road and west of Bellefontaine Road along Dunn Road; install signal updates and replacements; remove and replace all bridges from Lindbergh Boulevard through Old Halls Ferry Road (with the exception of the I-270 bridge over Hanley Road/Graham Road and the bridges within the I-170/I-270 interchange which remain in-place) and add a new bridge connection between Pershall Road and Dunn Road east of Old Halls Ferry Road; improve pavement and shoulders along I-170 southbound from Nyflot Avenue to Frost Avenue to support a third lane of traffic. The project will have normal access right of way. Various long-term road closures are necessary for replacement of bridges over I-270 at Washington St./Elizabeth Avenue, W. Florissant Avenue, and Old Halls Ferry Road. Various weekend closures of I-270 are necessary for demolition of bridges at US 67 (North Lindbergh Boulevard.), Washington Street/Elizabeth Avenue, W. Florissant Avenue, and Old Halls Ferry Road. Various off-peak lane closures of I-270 will be required, but three thru-lanes of traffic will be maintained during all peak hours. Various ramp and lane closures along the outer roads will also be required. The project is 8.583 miles in length.

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

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

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**-- REPORTS --**

**REPORTS**

The Commission received the following written reports.

**CONTRACTOR PERFORMANCE REPORT**

On behalf of the Director, David Ahlvers, State Construction and Materials Engineer, presented the annual contractor performance report for 2019. Project performance evaluations were completed by the resident engineers and provided to the contractors for review and comment. Performance summaries will be mailed to the contractors the week of May 11, 2020. Pursuant to 7 CSR 10-10.070, Procedure for Annual Rating of Contractors, no contractors are being placed on probation as a result of the 2019 performance ratings. Contractors receiving the top ratings for the 2019 construction season will be recognized at the MoDOT/AGC Coop meeting in the fall of 2020.

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**FINANCIAL ACCOUNTABILITY REPORT – QUARTERLY REPORT**

On behalf of the Director, Todd Grosvenor, Financial Services Director, provided to the Commission the written Quarterly Financial Accountability Report for the period ending March 31, 2020.

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**MODOT BRIEFING REPORT**

Patrick McKenna, Director, provided to the Commission the written monthly Issue Briefs that are sent from the department to the Governor since the previous MoDOT Briefing Report. There was one briefing report for the past month.

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**FINANCIAL – BUDGET – REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING MARCH 31, 2020**

Todd Grosvenor, Financial Services Director, submitted a written financial report for fiscal year to date March 31, 2020 with budget and prior year comparisons.

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**CONSULTANT SERVICES CONTRACT REPORT**

Travis Koestner, State Design Engineer, submitted a written report of consultant contracts executed in the month of March 2020, 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 399 active contracts held by individual engineering consultant firms prior to March 1, 2020. Twenty-three engineering consultant services contracts were executed in March 2020, for a total of \$10,256,229.00. There were no new non-engineering consultant contracts executed in March 2020.

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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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