



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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**MINUTES OF THE REGULARLY SCHEDULED
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING
HELD IN KANSAS CITY, MISSOURI,
WEDNESDAY, DECEMBER 4, 2024**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, December 4, 2024, at Marriott Downtown, Bernie Moten A&B, 200 West 12th Street, Kansas City, Missouri, and was available via live stream. W. Dustin Boatwright, P.E., Chair, called the meeting to order at 9:00 a.m. The following Commissioners were present: Gregg C. Smith, Warren K. Erdman, Francis G. Slay, and Daniel J. Hegeman. Ann Marie Baker was present via WebEx.

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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Ed Hassinger, Director of the Missouri Department of Transportation; Terri Parker, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, December 4, 2024.

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

-- OPEN MEETING --

COMMISSION/DIRECTOR ITEMS

APPROVAL OF MINUTES

Upon motion by Commissioner Erdman, seconded by Commissioner Smith, a quorum of Commission members present approved the minutes of the regular meeting held on November 8, 2024, and the special meeting held on November 7, 2024. 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 December 4, 2024, Consent Agenda

Consent agenda item Number 5, Commission Policy Revision – Commission Funding Allocation Policy Revisions was pulled for later consideration. Upon motion by Commissioner Smith, seconded by Commissioner Slay, the remaining 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. A Commissioner also serves on the Missouri Coalition for Roadway Safety Executive Committee. The following committee and board reports were made during the December 4, 2024, meeting.

Audit Committee – Commissioner Slay stated there was no report this month and the next Audit Committee meeting is scheduled for March 5, 2025.

Legislative Committee – Commissioner Erdman reported the first day for pre-filing legislation for the 2025 session of the Missouri General Assembly was December 2. The department has not identified any specific proposals that may negatively impact transportation. MoDOT staff will continue to educate elected officials on the Commission’s 2025 legislative agenda and policy positions. Governmental Relations expects to see progress on the Safer Access for Everyone on the Roadways (SAFER) document, which outlines several different safety measures that could be addressed with legislative action. MoDOT will also work on raising awareness of the costs associated with trash removal along the state highway system and possible legislative options that can be considered to help reduce this burden. The first regular session of the 103rd General Assembly begins at noon on January 8. Commissioner Erdman thanked Chairman Boatwright for his continued support for the “Coffee with the Commission”. He reported the Commission contacted every House and Senate member in the area of the state where meetings were being held to invite them to stop by and visit with the commission members prior to every Commission meeting. These visits allowed the Commission to develop relationships with elected officials closer to their home districts. With the pending retirement of Jay Wunderlich, Commissioner Erdman shared his gratitude for Mr. Wunderlich’s remarkable service and wished him all the best.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith reported the MTFC Board held a meeting on November 12, 2024. The board accepted the Fiscal Year 2024 Financial Statement Audit presented by Williams Keepers LLC. This was the twenty-eighth consecutive clean audit for the MTFC. The board received its sixteenth certificate of achievement from the Government Finance Officers Association for excellence in financial reporting. The next MTFC meeting will be held February 5, 2025.

MoDOT and Patrol Employees’ Retirement System (MPERS) – Commissioner Erdman reported the board met on November 21, 2024. At this meeting the board approved the 2025 meeting schedule; they also approved an upgrade of the pension administration system. The board received the Fiscal Year 2024 audit report and an unmodified, or clean, opinion.

Missouri Coalition for Roadway Safety Executive Committee – Commissioner Boatwright reported as of December 1, there have been 845 traffic fatalities in Missouri this year. While the final reports are still coming in for Thanksgiving weekend, preliminary data indicates there were five fatalities over the holiday period compared to nine last year. As the end of 2024 is approaching, the state is positioned to see an overall decrease in traffic fatalities for the second year in a row.

This week marked the beginning of pre-filing for proposed legislation in the Missouri General Assembly. The Commission and the Coalition continue to promote a number of public policy measures the state should consider to improve the state of highway safety in Missouri. The SAFER document outlines more than a dozen measures the state could take to save lives, such as enhancing current car seat requirements and strengthening the graduated driver’s license program for new drivers. The Commission is hopeful several of these items will be taken up for discussion during the 2025 session.

Finally, the Coalition has begun the process of updating the state’s strategic highway safety plan. This plan outlines the primary areas in which the state and Coalition partners should focus their energies and resources in order to have the greatest impact on highway safety. The current emphasis areas include seat belt use, distracted driving, excessive speeds, and impaired driving. Approximately seventy-five people from dozens of partner organizations attended the kickoff meeting, and the group will continue to meet in the coming months before preparing a draft plan for comment. The plan is set to be completed and made available to the public by October 1, 2025.

Commissioner Boatwright concluded his comments by reminding everyone to buckle up and put down the phone.

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DIRECTOR’S REPORT

During the December 4, 2024, Commission meeting, Director Ed Hassinger provided the following report:

Industry Meeting – Director Hassinger noted the Statewide Transportation Improvement Program (STIP) approved by commission in July represents Missouri’s largest number of projects and dollar value of projects to be put under contract over the next five years. MoDOT and industry partners in engineering design and construction have an enormous task of accomplishing these projects. Two weeks ago, the department invited industry members to join MoDOT leadership for an update on the upcoming major projects across the state. Details were shared about major project schedules, scope, and budget. The presentations were recorded and are available on MoDOT’s website along with the handouts for anyone

who could not attend in person. Information was presented on the timing of each of the contracts for the Improve I-70 project. Information was also shared on the progress on the Forward 44 planning study and the schedule for the first construction projects in Springfield and Joplin to balance in between I-70 projects. Details were shared on every project worth more than \$25 million included in the five-year STIP. Staff sought industry partner feedback on the schedule and the timing of projects.

Kansas City Cost Share Project – Director Hassinger reported earlier this week, the cost-share committee met to review proposed projects. Since the Commission meeting was in Kansas City, Director Hassinger highlighted a major project from the area that was approved for cost-share funds. The downtown Kansas City South Loop Project was approved for a 50/50 cost-share, with \$31.6 million from the Cost-Share Program matched with \$31.6 million of local funds.

The proposed project will support the City’s proposed structural deck over a four-block section of Interstate 670 in downtown Kansas City by replacing the retaining walls along the north and south sides of I-670, replacing all pavements along I-670 from Broadway to Grand, replacing drainage systems under I-670 from Broadway to Grand, and the Walnut Street bridge. Upon completion of this work, MoDOT will continue to be responsible for the I-670 pavement, striping, and signage. The City of Kansas City will be the future owner of the bridges at Baltimore Avenue, Walnut Street, and Grand Boulevard, along with maintenance of the new walls, the revised drainage system on I-670, and the new tunnel items.

Director Hassinger noted this is an exciting development for the City of Kansas City, and MoDOT will share more on this later in the meeting.

The Commission and department look forward to working with the City of Kansas City to get all the agreements signed and moving forward with this project. It will lay the foundation for the future South Loop Project creating a sustainable urban park over I-670.

Director’s Advisory Council Update – Mr. Hassinger reported over the last three weeks as the new Director of MoDOT, he has begun the process of forming a new Director’s Advisory Council. The council will include representatives of the department’s key stakeholders including key elected officials, local planning partners, the MoDOT contractor community, state and local economic development, and others critical to delivering the transportation improvements. Efforts will focus on review of MoDOT’s organization to strengthen its commitment to several key areas of continuous improvement critical to project delivery success and operations. Letters have been sent to a wide variety of stakeholders informing them of this council and asking for them to provide suggestions for members on the council. Director Hassinger noted he has received a lot of input already and will work with the Commission to narrow a group down to a couple of dozen. The goal is to have this group in place and have a first meeting in early 2025.

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PUBLIC COMMENTS

CONCERNS ABOUT ACCESS AT HIGHWAY 50 AND HIGHWAY 7 IN JACKSON COUNTY

Don Rosenberger presented several comments to the Commission. He noted there is concern with the intersection of Highway 50 and Highway 7 in Jackson County. He noted how much growth has

happened in the area in the past ten years and originally it was rural with low density traffic. He noted that some of the surrounding roads are 20 or 21 feet wide and cannot handle heavy trucks or extra equipment.

Mr. Rosenberger thanked the Commission for their service and appreciated the staff that had worked with on the issue over the past 14 months. Mr. Rosenberger's concern is the access related to a project in the works at this intersection. He wanted to note that the right of way that has been there for over 75 years can stay intact for businesses and residents in the area. Mr. Rosenberger feels that the plans submitted to MoDOT deny access in the area due to the proposed right-in, right-out entrance being proposed. He provided historical information on the area and intersection, and also some additional information on other crossroads and intersections in the area. Mr. Rosenberger feels that his business will be denied access with the new development and provided some proposals of how to maintain access. He also addressed safety on the cross overs in the area.

Commissioner Boatwright thanked Mr. Rosenberger for his presentation and bringing his concerns to the Commission. He encouraged Mr. Rosenberger to continue working with the Kansas City District.

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APPRECIATION FOR PARTNERSHIP ON LOCAL PROJECTS

Brian Platt, City Manager for the City of Kansas City, thanked the Commission for their work and appreciated their partnership, specifically on the South Loop Project. Mr. Platt noted that the cost share funding is crucial to the project and does not happen without the Commission's involvement, creativity, and leadership along with the Kansas City District staff. He noted this is a complicated project but has the opportunity to be transformative for the community. He thanked the Commission for their support of this project and looks forward to seeing them at future groundbreaking and ribbon cutting ceremonies.

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PUBLIC PRESENTATIONS

MID-AMERICA REGIONAL COUNCIL (MARC)

Ron Achelpohl, Director of Transportation and Environment, welcomed the Commission to the Kansas City region, and thanked them for working together with Mid-America Regional Council (MARC) to successfully accomplish projects. MARC serves two states and nine counties, which now officially includes Ray County. This area includes 119 cities and 2.2 million people. MARC provides a forum for the region to work together to advance social, economic, and environmental progress. MARC's role in transportation is to bring together state and local transportation stakeholders and decision makers to develop regional plans including the long-range transportation plan for the region and to develop the region's Transportation Improvement Program.

Mr. Achelpohl noted he was a MoDOT employee before going to MARC and holds the Commission and MoDOT in high regards. He commended the Commission for their selection of Director Hassinger, who is a great fit for the position. Mr. Achelpohl also praised Kansas City District Engineer Chris Redline; James Pflum, Project Director; and the MoDOT team, along with the City of Kansas City, Burns and McDonald, HNTB, and Massman Clarkson for completing the new Buck O'Neil Bridge project on time and on budget. Mr. Achelpohl noted it was a privilege to serve an early role in the planning and funding of the project and it is a tangible and durable example of the power of partnerships. What began as an obsolete and deteriorating structure on the state system with limited funding available to do much more than replace it in kind, concluded with partners working together to come up with a solution that provided the new bridge that provides many opportunities for the community as it serves motorists, pedestrians, and bicyclists in the region for decades to come.

Mr. Achepohl highlighted the funding crisis over the last couple of years, and how the planning agencies around the state really had to work together to address this funding crisis, which came about because of the opportunity of new funding in the Bipartisan Infrastructure Law (BIL) / Infrastructure

Investment and Jobs Act (IIJA) that created a situation where funding for the states was being redistributed every summer. He noted that not every state was able to use all of their allocation for the discretionary programs in the bill at the rate needed to preserve the obligation authority. This was also at the same time as local governments and others were coming out of the pandemic, which created a lot of new obstacles for delivering federal aid projects such as staff shortages at the local and state level. Planning partners were trying to make sure they were drawing down the unobligated balances of these federal funds that allowed MoDOT to have access to more redistributed funds that came about every summer, and partners around the state were able to meet or exceed the targets that had been set for obligation. Regarding funding in the Kansas City area, MARC was able to obligate about 128% of their annual appropriation and is making a difference in drawing down unobligated balances and putting the state in a better position to compete for those funds in the future. He noted they look forward to continuing to work with MoDOT staff on improvements and innovations in the local public agency project delivery program to make sure that partners are able to regularly draw balances down and spend funds without extraordinary efforts that have had to take over the last couple of years to deliver.

Mr. Achepohl noted MARC and MoDOT are working together on a number of other planning efforts, and MARC is in the process of completing the update to the connected KC 2050 Metropolitan Transportation Plan. This is a document that will guide investment in the in the region for the next 25 years; it is an important foundational planning document that is part of the metropolitan planning process. He stated they will also be updating and adopting a new Transportation Improvement Program (TIP) that will commit federal funds through 2030 in the Kansas City metro area.

MARC, MoDOT, and other partners in the region are working together with KC 2026 to support the transportation planning and operations for the upcoming World Cup games that will be in the region in 553 days. MARC is also working to complete an update to the region's Freight Transportation plan and the region's comprehensive transportation safety action plan. He noted this time the planning organization

is doing it in partnership with the Pioneer Trails Regional Planning Commission, so the entire Kansas City district is involved updating the two studies; they are also working with MoDOT, the City of Kansas City, and other partners on corridor and environmental studies. Mr. Achepohl noted all are important planning efforts that inform planning partners of the priorities. These efforts also help to identify unfunded needs in the Kansas City area.

Mr. Achepohl concluded by stating all of this work will continue to build and enhance partnerships, between MARC and MoDOT. Commissioner Erdman thanked Mr. Achepohl for his presentation and noted that Mr. Achepohl is one of those unsung heroes of Kansas City who is behind the scenes making things happen and deserves recognition. Commissioner Erdman also noted the department prepares a five-year Statewide Transportation Improvement Program (STIP) with the assistance of local governments and planning organizations such as MARC, which is essential to future success.

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MODOT PRESENTATIONS

UPDATE FROM MODOT'S KANSAS CITY DISTRICT

On behalf of the Director, Chris Redline, Kansas City District Engineer, described the district with some statistics including the district has 9 counties with a population of 1.33 million. While the district has just over 3,000 state highway miles, the district maintains almost 8,000 lane miles. The district also works closely with the two planning organizations and includes very rural aspects and highly urban aspects within the district.

Mr. Redline requested a moment of silence for fallen coworker Jay Bone, who was killed on September 24, 2024. He thanked the Missouri State Highway Patrol as they were instrumental in helping staff that witnessed this tragedy, met with district staff two days later and utilized their defense program, and were outstanding partners.

The Kansas City District has 529 employees, with an additional 101 vacancies currently. Those vacancies are primarily in the urban operations area. The district still has a maintenance facility closed in the West Bottoms, as that building has consolidated with the Stadium North facility. The district, like the rest of the state, continues to work on filling vacancies and speeding up the hiring process. Mr. Redline displayed a picture from an event celebrating the department's veterans, who had the opportunity to go to Whiteman Air Force base for a tour and view the A10 Warthog, which is being phased out.

Mr. Redline provided the current bridge and pavement conditions in the district:

- 3,262 lane miles major routes – 88 percent good
- 3,154 lane miles minor routes – 73 percent good
- 1,285 lane miles low volume roads – 87 percent good
- 1,426 bridges – 64 are in poor condition.

He also provided a safety update. He reported the district had 25 injuries in the district. The truck mounted attenuators (TMAs) were struck 5 times in the district, which is down 11 from this time last year. Mr. Redline noted staff has more advanced warning, and they are also upgrading sign boards to be more visible. There were 9 incidents when backing up. There were 21 employees with strains or sprains. The district has 156 fatalities on its roadways to date.

Regarding the district's litter and operations efforts, the district contracted operations for about \$3.5 million on litter and debris removal. There are several initiatives to help with the unsheltered and homeless populations; included in that cost is the human compassion component where people actually attempt to get the unsheltered into services to try to help them get on a path to a better way of life, which is really unique and a model for the country. The number of homeless calls peaked in 2022, but since then the homeless calls are plummeting which shows that efforts are paying off and our customers are seeing it as well. Similarly on litter, calls peaked in 2021. The trend line is going down fortunately, and staff keep seeing a reduction in litter calls. Mr. Redline played a video of a trash truck dropping debris while driving down the road, and noted there are hundreds of these trucks driving around the metro area every day,

making many trips a day. If trash trucks are continually dropping trash while driving, it dirties the highways really quickly. The district has a three-prong approach to try to prevent litter: education, enforcement, and one-on-one engagement. Last year, Mr. Redline sent letters to approximately 60 to 70 haulers explaining that MoDOT spends upwards of \$14 million every single year to pick up trash. He reminded haulers of their legal obligations, required by law, to secure their loads. He also discussed the importance of quality tarping, and how containment is critical for the unloaded trucks too because trucks do not get completely empty when dumping. Mr. Redline thanked the Patrol for their partnership for enforcement efforts that focused on landfills and transfer stations all across the metro area, even out in Sedalia. The Patrol has conducted five operations since June and inspected 147 trucks; there were 222 violations and 41 of those were load securement violations. Mr. Redline noted he recently received an email from a customer who is very passionate about litter and thanked the department for litter and debris.

Mr. Redline highlighted a few taking care of the system projects: the rehab of the I-435 bridges over Raytown Road near the stadiums; upgrading the old segmented barrier north of the downtown airport to a monolithic solid concrete barrier which is safer for the public. The Route 92 bridge was damaged by a vehicle strike. The district kept the Route 92 bridge open to very limited traffic until school was out of session, repaired it before school re-opened. He also highlighted the opening of the Buck O'Neil bridge, a \$220 million project, which opened to all traffic on November 26. The Improve I-70 Kansas City project was awarded to Clarkson-Radmacher Joint Venture LLC and is a \$237 million project that goes from downtown to just west of I-435, and includes repairing or rehabilitating 15 bridges, adding a lane going eastbound, and making improvements to the Jackson and Benton curve. The South Loop Project is a partnership with numerous entities to build a sustainable urban park over I-670 linking adjacent communities and creates a more sustainable downtown with a commitment to prioritize pedestrians, cyclists, and multimodal transportation.

Mr. Redline echoed Mr. Achepohl's comments about being heavily engaged with different committees and parties around the region, including KC 2026, for the World Cup. There will be a Fan Fest at the World War I Memorial, which is an absolutely great venue, but getting to and from the venue is going to be a challenge. The region will host four to six matches total including a quarterfinal. Construction and maintenance work will be scheduled around the World Cup activities in the district in June and July of 2026.

Mr. Redline concluded his presentation by acknowledging his outstanding staff for their great work. Commissioner Smith noted Mr. Redline's tremendous efforts on litter removal and appreciated the effects of his outreach. Commissioner Hegeman echoed Commissioner Smith's comments on litter removal. He commended Mr. Redline and his staff on the Route 92 bridge in Platte City, delivered a great project in a timely manner. Commissioner Erdman noted the success the department is experiencing such as the Buck O'Neil bridge project being on schedule and on budget. He also commended staff for their tremendous work with the unsheltered along with litter removal.

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COST SHARE

On behalf of the Director, Todd Grosvenor, Financial Services Director, presented a summary of the cost share program. Mr. Grosvenor explained the purpose of the cost share program is to build partnerships with local entities to pool efforts and resources to deliver state highway and bridge projects. He explained there is great demand for transportation projects beyond asset management projects.

Mr. Grosvenor described how the commission recognized there was a need to set aside resources to share in the cost of projects that will benefit the taxpayers and help the department improve transportation with its limited resources. MoDOT currently administers two cost share programs: the MoDOT Cost Share Program and the Governor's Transportation Cost Share Program. Both of these programs build partnerships with local entities to pool efforts and resources to deliver highway and bridge

projects. When a local entity chooses to participate in the cost share program, they submit an application that includes the project location, project scope and need, along with project estimates. Projects must be on the state highway system. There is a minimum cost for the project of \$200,000. There are different aspects of a transportation project that are eligible for funding including the design, any right of way, utility relocation, construction, and construction inspection. When a local entity submits its application, they are agreeing to provide the local match of fifty percent of the project cost. For the economic development portion of funds, those projects can be funded at a higher ratio, and some of those may be up to one hundred percent cost share program funds.

Mr. Grosvernor provided information about the current cost share program. Sponsors can submit cost share applications three times a year: June, September, and December. The applications are developed with guidance from the district that help with the project scope; estimated costs; ensuring support of the local planning organization; and that the project is on the state highway system. The applications are reviewed and ranked by a team of staff from Financial Services, Transportation Planning, Highway Safety and Traffic, Design, Maintenance, Chief Counsel's Office, and also the Department of Economic Development. Experts from each of those sections review the applications very thoroughly and rank the projects by transportation need, public benefit, economic development, and the applicant share of the total project cost. The applications are presented to the cost share committee for consideration; the committee consists of MoDOT's Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, and two members selected by the director, which are currently the Chief Administrative Officer and Governmental Relations Director. If the application is approved by the committee, the 50/50 cost share projects are presented to the Commission for approval via a Statewide Transportation Improvement Program (STIP) Amendment on the consent agenda. The economic development projects are presented to the Commission as a regular or a consent agenda item and then if approved, a STIP Amendment is presented to the Commission at a later meeting. The cost share program has been very successful over the last two decades

and has leveraged local cash for every dollar that has been set aside for the cost share program. Since 2004, the program delivered almost \$1.8 billion of highway and bridge projects in the state of Missouri.

Mr. Grosvenor noted how the program has evolved over time. From 2004 to 2011, the Cost Share Program was \$30 million a year. It grew to \$35 million in 2012 and up to \$45 million in 2013. On January 8, 2014, the Commission suspended the Cost Share Program due to declining transportation funding. Thankfully, on January 4, 2017, the Commission was able to reinstate the Cost Share Program and made available \$10 million in fiscal year 2018 and \$15 million in fiscal year 2019. Funding increased to \$25 million in fiscal year 2020 and increased \$5 million per year until 2024. When the Commission reinstated the cost share program in 2017, ten percent of the cost share program funds were set aside for economic development projects. On March 3, 2021, the Commission increased the economic development portion of cost share funds from ten to twenty percent beginning in fiscal year 2024 and modified the policy so the Commission may also select economic development projects in coordination with the Department of Economic Development. He further explained that cost share funds are made available the same way the STIP is funded; years one, two and three are funded at 100 percent, and years four and five are funded at 50 percent. Any money that is not programmed remains in the cost share program; it does not leave the program.

Mr. Grosvenor explained the department administers the Governor's Transportation Cost Share Program, which uses the same application and review process as the MoDOT cost share program. The differences though are there are just two rounds of funding for this funding source, and since it is not state road funds the applications could be for any public road or bridge project satisfying a transportation need. The applications are limited to the construction applications and are ranked by economic impact, applicant share of total project cost, transportation need, public benefit, and project readiness. Round one, or the 2019 legislative year, funding was approved for \$50 million of General Revenue and CARES Act funds. The department had 17 projects approved with a total estimated cost of \$117 million, meaning \$67 million

was contributed by partners to deliver those projects. Fifty percent of the funding was allocated to the projects on state routes and forty-three percent was allocated for local routes. Of those 17 projects, 11 are complete, 4 are in construction, and 2 are in the design phase. There currently is \$16 million that has not been spent yet and any remaining balances of the General Revenue funds has to be reappropriated by the General Assembly. Round Two, which came in the 2022 legislative year, was \$75 million funded from the Budget Stabilization Fund. The department had 28 projects approved with a total estimated cost of \$176 million, meaning \$101 million was contributed by local entities. Fifty-three percent of the funding went to projects on state routes and the remaining forty-seven percent was applied to local routes. Of those 28 projects, 2 are complete, 10 are in construction, and 16 are in the design phase. There is currently \$63 million remaining to be spent and any remaining balances of the General Revenue funds has to be reappropriated by the General Assembly.

The Commission thanked Mr. Grosvenor for his presentation and noted that collaborating with local entities is a great partnership and can move projects forward ahead of schedule. There is more than just the financial value in the cost share program. The department gets to jointly solve transportation problems with local entities and strengthen those relationships.

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BUILDING SAFER ROADWAYS

On behalf of the Director, Jon Nelson, State Highway Safety and Traffic Engineer, updated the Commission on the progress of the ongoing mission to provide a transportation system that is safe. MoDOT's mission is to provide a world-class transportation system that is safe, innovative, reliable, and dedicated to a prosperous Missouri. While a number of external factors impact safety of the system, MoDOT is uniquely positioned to provide safety features on many roadways that can prevent or minimize the impact of crashes.

Mr. Nelson highlighted safety programs, activities, and public awareness campaigns like Buckle Up Phone Down (BUPD), which reminds all drivers about the responsibility to use the highway system in a safe manner. The Missouri Coalition for Roadway Safety (MCRS) provides opportunities for MoDOT staff and highway safety partners to engage Missourians every day with the message of highway safety from school activities and community events to public service announcements and educational programs. While these behavioral programs are a critical component to improving highway safety in Missouri, they represent only a portion of the work MoDOT is doing to provide a safe transportation system

MoDOT is also investing millions of dollars every year through the state with the Statewide Transportation Improvement Program (STIP) to build infrastructure improvements that are designed to prevent, mitigate, or minimize the consequences of these unsafe driving behaviors. Through hundreds of projects in the STIP over the past several years, efforts are underway that are saving lives and reducing serious injuries. Mr. Nelson noted that MoDOT receives federal funds every year that are designated for infrastructure safety improvements; these funds cannot be used for everyday asset management needs such as pavement resurfacing or bridge deck repair, they must be used on improvements that specifically address a demonstrated safety need or proactively mitigate a crash risk. There are a number of improvements that can qualify for this funding but some of the more well-known treatments are median guard cable, paved shoulders, rumble stripes, geometric improvements, and safer intersection designs. For decades the department has been utilizing these funds to enhance safety on thousands of miles of roads in Missouri beginning with Federal Fiscal Year 2022. Mr. Nelson reported the amount of federal safety funding made available to the states increased as a result of the Bipartisan Infrastructure Law (BIL) / Infrastructure Investment and Jobs Act (IIJA) and Missouri currently receives around \$78 million a year, which is specifically designated for infrastructure improvements to reduce serious crashes.

Mr. Nelson provided a brief history on safety funding in Missouri. Over the past decade, the Commission and department have made progress in ensuring safety funds are being used on transportation

projects. Under the Fixing America's Surface Transportation (FAST) Act, Missouri received anywhere from \$56 to \$59 million each year in federal safety funds from 2017 to 2020. Only \$25 million of those safety funds were being distributed to the districts for programming improvements in the STIP. While there were multiple reasons for this, the biggest reason was that at that time there was less overall transportation funding available in the state, therefore, the vast majority of MoDOT's construction program was focused on taking care of the system. Over time, the Commission elected to increase the distribution of safety funds from \$25 million to \$35 million, narrowing the gap between the amount of federal safety funds received and the amount made available to the districts for programming. Mr. Nelson commented the districts have really taken full advantage and made sure that those additional funds were put to work by including safety improvements on more projects. Years later when the Bipartisan Infrastructure Law (BIL) replaced the FAST Act, the amount of federal safety funding made available to the states increased significantly and once again the Commission elected to increase the safety fund distribution. By 2028, Missouri will receive approximately \$78 million in federal safety funds or \$20 million more than the current distribution. Therefore, a decision today to fully distribute the safety funds beginning in Fiscal Year 2028 would represent another significant step forward in the safety program and ensuring that safety improvements remain a core component of the STIP for years to come.

Mr. Nelson stated that as funding for safety has evolved over time, so has the process by which safety is analyzed. Historically safety analysis has been predominantly reactive in nature, that is focusing on locations with the most number of crashes. Today new data sets, new tools, and new processes enable MoDOT to become much more proactive in the ability to address safety. He noted that it does not mean the department can predict where a crash is going to occur or when a crash might happen, but staff can generally predict the typical behaviors and the type of risk factors that often contribute to a crash. More specifically, it has been identified that these crashes usually occur when one vehicle leaves its lane of travel or when one road user impedes the normal lawful movement of another road user, such as one

vehicle pulling out in front of another. It is also known most severe crashes often include higher levels of speed and thus more energy, so as a result the opportunity to improve safety is no longer reserved just for projects at locations with a high number of crashes. Such locations are still great candidates for safety improvements, but so are other locations. In short, most projects offer some opportunity to consider ways that safety of the system can be improved.

MoDOT implemented the Safety Assessment For Every Roadway (SAFER) tool about two years ago that utilizes dozens of questions for project teams to consider. SAFER seeks to look at projects from a variety of perspectives such as intersection design, roadway visibility, pedestrian accommodations, and roadside safety. The philosophy is every project is an opportunity to improve safety of the system, therefore, staff want to make sure the right questions are being asked with the right people to consider how the project might be best suited for safety improvements. Mr. Nelson noted SAFER is not intended to change the primary purpose or the overall scope of the project; a bridge replacement is still a bridge replacement, a resurfacing job is still a resurfacing job. But while that roadway is being improved, there are things that make sense to include to proactively address safety with the safety funds that that have been made available to Missouri. It is a tool for creating a conversation on every project to consider how MoDOT might take that opportunity to not only build a good project, but to also make the system safer in the process. When this occurs across, hundreds of projects in the STIP are impacted in meaningful ways.

Mr. Nelson presented a few big picture results of the SAFER document after just a couple of years of usage. From the 2023-2027 STIP to the 2025-2029 STIP, the percentage of projects including measurable safety improvements increased from 28 percent to 50 percent. For projects considered new capital projects, the increase is even greater from 16 percent to 67 percent. While the districts were already doing a great job programming safety funds in the STIP, they have included a 33 percent increase in the overall amount of funding of safety improvements programmed. It is not solely about the number of projects that include safety or how many dollars are invested in safety, more importantly are the expected

impacts of these improvements. He stated it is estimated that the safety improvements programmed in the first three years of the current STIP will save more than 200 lives over the lifetime of those improvements. Nearly 1,000 serious injuries are expected to be prevented during that same time frame. These estimates are based on nationally recognized models and methods for quantifying the impacts of proven safety countermeasures. By using these tools, MoDOT can better understand not only the real-world impacts that should be expected but also how to measure the return on investment in ways that were not possible in the past. It is estimated that for every \$1 programmed in the first three years of the current STIP, Missouri will see a \$10 return in the societal safety benefits at the end of the day. The ability to track, quantify, and evaluate safety improvements provides a greater level of accountability and also more confidence when using safety funds on projects. Ultimately, the department is positioned better now than ever before to maximize the return on investment for safety funds and has the opportunity to make an even bigger commitment to safety. Mr. Nelson remarked that MoDOT has a record construction program over the next five years, and with this monumental program comes the opportunity to include even more safety improvements going forward and extend the safety benefits to more roads by virtue of more projects, ultimately saving even more lives on the state's roadways.

Mr. Nelson commended the work of staff to provide a positive impact by continually considering ways to build and maintain a transportation system that is safe for all users and extended his appreciation to hard work to achieve such impactful results over the last several years. He thanked the Commission and department leadership for their ongoing commitment to safety.

Commissioner Smith thanked Mr. Nelson for his presentation. He shared appreciation for the program the team is using to significantly increase the amount of improvements in MoDOT's designs that are focused on safety aspects. With increased speeds and driver inattention, it is important to do all that can be done through engineering to have safety countermeasures.

* * * * *

MODOT ANNUAL REPORT 2024

On behalf of the Director, Eric Schroeter, Assistant Chief Engineer, shared the department's annual report with the Commission. Mr. Schroeter explained the Missouri Department of Transportation's Annual Report is a collection of five comprehensive documents which include the Year in Review, the Citizen's Guide to Transportation Funding, the MoDOT Results Document, the Financial Snapshot, and the Annual Comprehensive Financial Report. MoDOT's Year in Review looks back on the highlights of the year, from the completion of major projects to national awards won by the department. The department delivers this report in December and the Director will formally present the annual report to the Joint Committee on Transportation Oversight in February 2025.

Mr. Schroeter began on a somber note acknowledging the loss of Jay Bone, a maintenance employee who was killed while working on a road with a maintenance crew. It is a monumental tragedy, but the department is vigilant to keep working toward this never happening again.

Mr. Schroeter reviewed the highlights of 2024 including the Commission's approval of the fiscal year 2025 to 2029 Statewide Transportation Improvement Program (STIP) totaling a \$14.6 billion investment. The largest program to date that will make huge improvements that will take care of the system. He acknowledged the crucial work by the Governor and General Assembly to invest more money into the system, and their trust in the Commission and department to get these projects completed. He noted some key projects including the Buck O'Neil bridge and the opening of the Lance Corporal Leon Deraps I-70 Missouri River Rocheport Bridge. The bridge is another monumental improvement that coincides with all of the improvements that make improving I-70 possible. He stated the funding to improve I-70 was received in a short amount of time, there is already one project being paved, one large section was just awarded last month, and in a few weeks, teams will be short-listed for another project. I-70 has been talked about and studied for decades, and it is MoDOT's responsibility to make sure it does not take decades to re-build.

The Citizen's Guide serves as the core document of the Accountability Report. The document is updated each year through a collaborative effort by Financial Services, Transportation Planning, Communications, and others. The Citizen's Guide reports transportation funding totals over \$4 billion from many sources including state, federal, and bond proceeds. These funds are then distributed to not only MoDOT but also cities, counties, other state agencies, and to make debt payments.

The Citizen's Guide helps educate legislators, partners, and the general public on the challenges faced by the department. One of the challenges the department faces is employee turnover that significantly impacts MoDOT's productivity. In fiscal year 2024, approximately 650 employees left employment with the department. While this is much improved compared to 900 departures in fiscal year 2022, turnover costs exceeded \$48 million for the year. This document now also documents the loss of labor hours as a result of these departures. Improvement in the reduced departures can be attributed to recent actions regarding employee salaries including the market adjustment and cost of living adjustment increases. The department continues to struggle in the areas of maintenance positions and equipment technicians.

The Citizen's Guide gives comparisons of Missouri to surrounding states and details where the state stands nationally in terms of system size and revenue. Missouri has the seventh largest system in the United States but ranks 48th in revenue per mile. This helps illustrate where Missouri is with transportation funding compared to the rest of the country. An example of how the document helps people understand the situation and challenges when it comes to the value of the department's operations budget is how it describes the vast majority of the state's system is maintained by MoDOT's own workforce. Last year, MoDOT invested \$690 million in the operations budget. Operations includes services such as repairing and sealing pavement, winter operations, bridge maintenance, striping, traffic signals and signs, and mowing and litter pick up.

Finally, one of the most important messages shared by the Citizen's Guide addresses unfunded needs. There are no shortage of transportation needs across the state. In fact, Missouri has \$1.1 billion in unfunded high priority annual transportation needs. In Summer 2024, Missouri regional planning partners assisted the department in prioritizing \$4.4 billion in road and bridge unfunded project needs in three tiers. Tier one includes \$474 million and includes project needs that could be accomplished in the time frame of the current five-year STIP. These projects have more refined estimates. Tier two totals \$1.9 billion and includes project needs beyond the current STIP timeframe with broader estimates. Tier three includes \$1.96 billion of project needs also beyond the current STIP timeframe with even broader estimates. In addition, staff worked with the planning partners to identify \$1 billion in multimodal needs.

Mr. Schroeter then explained the Financial Snapshot document provides answers to frequently asked questions regarding MoDOT's finances. The first section is titled transportation funding. It provides historical five-year revenue and expenditure tables, overviews of federal aid and bonding programs, and revenues shared with local governments. He noted the Snapshot includes key statistics: there are 4.3 million licensed drivers in Missouri, and 4.2 billion gallons of fuel purchased last year. There are 3.7 million passenger cars, 1.5 million trucks, 16,332 recreational vehicles, 23,522 buses, and 138,747 motorcycles licensed in Missouri. Interesting information to know about the users of Missouri's transportation system.

Mr. Schroeter then described how the MoDOT Results document helps citizens and partners understand how MoDOT delivers results through accountability, innovations, and efficiency. The publication shows the department delivers these measurable results while being good stewards of the state's transportation dollars. It shares this information under the three pillars of the organization: Safety, Service, and Stability. In the last 17 years, reinvestment in safety enhancements resulted in an estimated 1,048 lives saved. In the last 10 years MoDOT completed 4,099 projects totaling \$9.7 billion worth of

work completed on time and on budget. MoDOT has documented more than \$5.7 billion in one-time or on-going savings.

Commissioner Hegeman thanked Mr. Schroeter for the overview of the Annual Report. He stated the annual report is so helpful and so easy for the citizens to review the summary of all the work and funds that are spent to improve the state's transportation system.

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RESOLUTIONS

RESOLUTION EXPRESSING APPRECIATION TO JAY WUNDERLICH FOR OUTSTANDING SERVICE TO THE STATE OF MISSOURI

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

WHEREAS, James K. (Jay) Wunderlich joined the Missouri Department of Transportation on June 19, 2000, as Governmental Relations Director, and will culminate his distinguished career in retirement on January 1, 2025, after more than 24 years of service to the department; and

WHEREAS, Jay Wunderlich, a second generation MoDOT employee, brought a distinguished background in public service to the department, along with unique knowledge of transportation policy, astute understanding of public funding and fiduciary responsibility, and deep respect for the perspectives of Missouri's diverse populace; and

WHEREAS, throughout his career, Jay Wunderlich served admirably, diligently, tirelessly, and collaboratively on behalf of the Department of Transportation and the State of Missouri. His efforts were instrumental in forging strong relationships with individuals and organizations to improve Missouri's transportation system, as evidenced by the successful passage of Senate Bill 262 in 2021 to raise the motor fuel tax for the first time in twenty-five years; and

WHEREAS, Jay Wunderlich's calm and effective leadership under pressure made him a trusted resource for many. He consistently demonstrated his imperturbability through the countless hours spent at legislative hearings, tirelessly responding to legislative inquiries, and defending the department's actions with elected officials; and

WHEREAS, throughout his career, Jay Wunderlich demonstrated and shared MoDOT spirit through his compassion and caring for all department employees, his keen wit that could lighten the mood at just the right time, and his willingness to listen. We will always remember the grin worthy groan inducing jokes he shared routinely; and

WHEREAS, Jay Wunderlich's expertise in the development of sound public policy coupled with his humility in resolving complex civic challenges gained his well-known and well-deserved recognition as a great public servant and esteemed statesman; and

WHEREAS, his work ethic, integrity, expertise, and caring for others have earned him the respect, admiration, and friendship of department employees and the public he served, leaving a lasting impact on Missouri's transportation system; and

WHEREAS, he recognized the importance of balancing family and career and serving as a devoted husband to Janet, while he performed his job duties with compassion, dedication, and pride; and

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Congressman Graves, for the work he has performed for the citizens of Missouri.

BE IT FURTHER RESOLVED that the Missouri Highways and Transportation Commission does hereby public express its appreciation and gratitude to Jay Wunderlich for his service to the citizens of Missouri.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Jay Wunderlich so he will know of the high esteem and affection in which he is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation staff.

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ADMINISTRATIVE RULES/POLICIES

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

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented to the Commission proposed emergency administrative rule and proposed amended administrative rule changes to 7 CSR 60-2.010 and 7 CSR 60-2.030, Breath Alcohol Ignition Interlock Device Certification and Operational Requirements. Changes to the rule are being made to amend the definition of a temporary lockout in 7 CSR 60-2.010 that would reduce the number of failed breath samples that shall result in a temporary lockout of the motor vehicle from three (3) failed attempts to two (2) failed attempts within a ten (10) minute period to be consistent with current language for a temporary lockout in 7 CSR 60-2.030. Also, 7 CSR 60-2.030 is proposed for amendment to clarify the requirement that the ignition interlock manufacturer shall report as a violation in the event of two (2) temporary lockout occurrences within a 30-day period.

The department supports this notice of proposed emergency and amended rulemaking. The public will have an opportunity to submit comments in support of or in opposition to the proposed amended rulemaking. All comments received from the public will be considered and summarized in the order of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed emergency and amended rulemakings are necessary to carry out the purposes of Sections 302.440 through 302.462, RSMo, that grant the Commission’s rulemaking authority, and authorized the Secretary to the Commission to file the notice of proposed emergency and amended rules with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Officer to execute the documents necessary to initiate the rulemaking process.

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REPORT AND RECOMMENDATION REGARDING PROPOSED AMENDED RULEMAKING – CONTRACTOR PREQUALIFICATIONS

On behalf of the Director, Eric Schroeter, Assistant Chief Engineer, and Terri Parker, Chief Counsel, presented to the Commission proposed changes to administrative rule 7 CSR 10-15, Contractor Prequalification. This rule is proposed for amendment to (1) provide clarity by removing who the law doesn’t pertain to; (2) streamline and simplify the process by combining forms and making them electronic; (3) verify correct information annually for contractors with awarded contracts in the previous twelve months, and, if not awarded a contract, requiring an updated form be submitted, but not a full form every year; and (4) acknowledge the contractor can obtain insurance if awarded a contract but not requiring certification of insurance at the time of prequalification because insurance is contract specific now. Changes to the rule are being made to clarify, simplify, and streamline the process of contractor

prequalification. Incorporating these changes will make the rule more easily understood and current with the electronic means of doing business.

The department supports this notice of proposed emergency and amended rulemaking. The public will have an opportunity to submit comments in support of or in opposition to the proposed amended rulemaking. All comments received from the public will be considered and summarized in the order of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed amended rulemaking is necessary to carry out the purposes of Sections 226.130 and 227.105, RSMo, that grant the Commission’s rulemaking authority, and authorized the Secretary to the Commission to file the notice of proposed amended rule with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Officer to execute the documents necessary to initiate the rulemaking process.

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**REPORT AND RECOMMENDATION REGARDING FINAL ORDER OF RULEMAKING –
OVERSIZE AND OVERWEIGHT PERMITS**

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented to the Commission the final order of rulemaking for administrative rule 7 CSR 10-25.020 Motor Carrier Operations- Oversize and Overweight (OSOW) Permit. This rule was proposed for amendment to reduce barriers for the OSOW transportation industry while preserving a risk averse priority to highway safety.

At the August 7, 2024, Commission meeting, the Commission authorized the filing and publication of the proposed amended rule 7 CSR 10-25.020 Motor Carrier Operations-Oversize and Overweight Permit. Following Commission approval, staff filed these rules with the Joint Committee on

Administrative Rules (JCAR) and the Office of the Secretary of State (SOS), who published the proposed amended rule in the *Missouri Register* for public comment. The public had from September 16, 2024, to October 15, 2024, to submit comments in support of or in opposition to the notice of amended rulemaking. One public comment of support was received. This comment suggested one revision that was included in the final order of rulemaking, additionally a comment was made about relaxing curfew travel restrictions that was not included in this rulemaking.

The department supports this final order of rulemaking for Motor Carrier Operations – OSOW Permit. After consideration, the Commission, via approval of the consent agenda, unanimously approved the final order of rulemaking and authorized the Secretary to the Commission to file the final order of rulemaking with JCAR and SOS, and authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Engineer to execute documents to complete the final rulemaking process.

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COMMISSION POLICY REVISION – COMMISSION FUNDING ALLOCATION POLICY REVISIONS

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. In addition to the Commission’s periodic review, there are occasions where a policy may need to be updated. The department is revising this policy to update outdated language and add new program language on the federally sub-allocated pass-through funds, add freight to the non-highway transportation agencies list, remove references to prior fiscal years, and update the distribution for cost-sharing projects and safety projects.

On behalf of the Director, Llans Taylor, Transportation Planning Director, recommended the STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM-Funding Allocation policy be revised

as indicated with green text for new language and red strike through text for deleted language, purple for text that was moved, and blue strikethrough for text that was deleted and moved.

Category: STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM
Subcategory: Funding Allocation

STIP FUNDING ALLOCATION

After soliciting significant public involvement into its funding allocation process in 2003, the Commission approved a policy for distribution of funds available for road and bridge improvements. This decision is the financial basis upon which the Five-Year Statewide Transportation Improvement Program is prepared.

Of the total funds available for road and bridge improvements in the Statewide Transportation Improvement Program (STIP), allocation will be in keeping with the following process:

- Step 1: Deduct federally sub-allocated pass-through funds designated for specific purposes, including the following:
- Off-System Bridge Replacement and Rehabilitation Program (BRO) - Maintain replacement and rehabilitation funding for bridges not on the state road system, as mandated in the current federal transportation act.
 - ~~Large Urban~~ Surface Transportation Block Grant Program - Large Urban (STPBG-U) – Large Cities – Maintain funding for Kansas City, St. Louis, and Springfield, as mandated in the current federal transportation act.
 - Congestion Mitigation and Air Quality (CMAQ) Program - Distribute Missouri’s estimated minimum guarantee of CMAQ funds to St. Louis and Kansas City based upon population. Distribute remaining CMAQ funds to the area(s) not meeting federal air quality requirements. This distribution will use the same demographics included in apportioning the federal CMAQ funds to Missouri.
 - Carbon Reduction Program – Large Urban (CRP-U) – Funding for projects that reduce transportation emissions.
 - Transportation Alternatives Program – Allocate all funds to the local program for a competitive process.
 - Recreational Trails Program – This program provides funding for developing and maintaining motorized and non-motorized recreational trails as mandated in the current federal transportation act. This program is administered by the Department of Natural Resources.
- Step 2: Deduct funding for non-highway transportation agencies (aviation, railways, transit, freight, and waterways) appropriated by the state legislature for the designated purposes and federal funds. This funding cannot be used for roads and bridges.
- Step 3: Deduct the financing cost for projects accelerated through bond financing, including debt service relative to Amendment 3. Excludes GARVEE bonds.
- Step 4: ~~Beginning in Fiscal Year 2022,~~ Deduct engineering budget.
- Step 5: Deduct specific funding sources, such as federal Open Container safety funds, federal Transportation Alternatives (statewide) funds, and other uniquely distributed funds.
- Step 6: Deduct \$45 million annually until 2028, then beginning in 2028 and thereafter, deduct \$30 million annually for cost-sharing projects statewide. ~~in 2021, \$35 million in 2022, \$40 million in 2023, \$45 million in 2024 and annually thereafter.~~
- Step 7: Deduct funding contributed by partnering agencies. Includes project funding from cities, counties, or other state agencies, and federal earmarked funds.

Step 8: Deduct project savings and adjustments. Includes project cost savings or overruns, ~~and adjustments for engineering costs.~~

Step 9: Deduct \$25 million per year for an Asset Management Deficit Program.

Of the remaining funds available for road and bridge improvements:

Step 1: ~~In Fiscal Year 2022, allocate \$29 million for Safety Projects. Distribute \$27 million based on a three-year average of the number of fatalities and serious injuries on the state highway system. Allocate \$2 million for statewide safety initiatives.~~

~~Beginning in~~ Fiscal Year 2023 ~~through Fiscal Year 2027 and every year thereafter~~, allocate \$58 million for Safety Projects. Distribute \$27 million based on a three-year average of the number of fatalities and serious injuries on the state highway system. Allocate \$31 million for statewide safety initiatives.

~~Beginning in Fiscal Year 2023 and every year thereafter, allocate \$58 million for Safety Projects. Distribute \$27 million based on a three-year average of the number of fatalities and serious injuries on the state highway system. Allocate \$31 million for statewide safety initiatives.~~ Beginning in Fiscal Year 2028, distribute all available Highway Safety Improvement Program (HSIP) funds to the districts, less any statewide initiatives, for Safety Projects based on a three-year average of the number of fatalities and serious injuries on the state highway system.

Step 2: ~~In fiscal year 2022 and every year thereafter, a~~ Allocate funds to Asset Management. The Asset Management allocation amount is based on needs identified in MoDOT's Asset Management Plan and will be reviewed and updated, if necessary, annually. These amounts will include inflation consistent with MoDOT's Asset Management Plan. The allocation is distributed as follows:

- Major Bridges (bridges 1000 feet or greater in length)
- Asset Management – Remaining asset management total distributed based on formulas that average:
 - Percent of total Vehicles Miles Traveled (VMT) on the National Highway System and remaining arterials.
 - Percent of square feet of typical state bridge deck (bridges less than 1000 feet in length) on the total state system.
 - Percent of total lane miles of National Highway System and remaining arterials.

Step 3: ~~In Fiscal Year 2022 and every year thereafter, a~~ Allocate remaining funds to System Improvements. Funds must be first used to meet asset management goals, and then remaining funds may be used for other priorities.

Distribution based on the average of:

- Percent of total population.
- Percent of total employment.
- Percent of total VMT on the National Highway System and remaining arterials.

Effective Date: ~~June 2, 2022~~ December 4, 2024
Supersedes Policy Dated: ~~January 5, 2022~~ June 2, 2022
Last Reaffirmed:
Date of Origin: January 10, 2003

Related Commission Minutes: January 10, 2003; June 2, 2004; February 7, 2006; February 4, 2011; March 1, 2012; November 7, 2013 – Comprehensive Policy Review; February 3, 2016, July 7, 2016, January 4, 2017, January 4, 2018; February 6, 2019; March 3, 2021, ~~January 5, 2022, June 2, 2022.~~

(February 4, 2011- Increased base level funding for cost share from \$30M to \$35M and added a variable amount component with savings generated from debt service associated with refinanced bonds and with redirected internal operating budget cost savings).

(March 1, 2012 – Beginning in Fiscal Year 2013, increased base level funding for cost share from \$35M to \$45M and added a variable amount generated from prior project savings for Fiscal Years 2013 through 2015.)

(February 3, 2016 Beginning in fiscal year 2017, increase funding for the safety category from \$25 million to \$35 million annually, with \$3 million allocated to statewide safety initiatives and the remaining \$32 million distributed to districts. Eliminate the major projects and emerging needs funding category and allow all remaining funds to be distributed in the flexible funding category. Revise the Transportation Alternatives funding from 75 percent allocated for

local programs and 25 percent allocated for MoDOT statewide usage, to 50 percent for local programs and 50 percent for MoDOT statewide usage.)

(July 7, 2016, Eliminated the sub-allocation of federal funds for the STP-U and BRM programs. These programs are no longer required by federal law. Technical correction to the Transportation Alternatives Program to better reflect the February 3, 2016, changes.)

(January 4, 2017, Created an Asset Management Deficit Program at \$10 million per year, starting in Fiscal Year 2018. Re-activated the suspended Cost Share Program at \$10 million starting in Fiscal Year 2018, \$15 million in Fiscal Year 2019, and increasing to \$25 million in Fiscal Year 2020 and thereafter.)

(January 4, 2018, Increased Cost Share Program funding to \$30 million in fiscal year 2021, \$35 million in 2022, \$40 million in 2023, \$45 million in 2024 and annually thereafter. Updated distribution method for Safety Projects by distributing \$32 million in fiscal year 2019 and 2020 based on three-year average crash rate and distributing \$32 million in fiscal year 2021 and every year thereafter based on a three-year average of the number of fatalities and serious injuries on the state highway system.)

(February 6, 2019 – creates a deduction for engineering, reduces the safety projects by the amount of engineering that was part of the original allocation construction funding for safety remains the same, changes the term accident to crash, creates the Asset Management Category that will replace the TCOS category in FY 2022, creates the System Improvement Category that will replace the Flexible Funds category in FY2022.)

(March 3, 2021 – removed the sunset on the asset management deficit program.)

(January 5, 2022 – increased asset management deficit funding to \$25 million annually, increased safety funding to \$58 million annually, increased Large Urban Surface Transportation Program funding to \$73 million per year, increased the percentage allocated to local programs under the Transportation Alternatives Program to 59 percent, clean up to remove references to past fiscal years funding that is no longer applicable.)

(June 2, 2022 – changed the TAP allocation so all funds go to the local program for a competitive process; removed the dollar amounts listed for BRO, STP-U, and Recreational Trails programs and referenced as mandated in the current federal transportation act; removed Rail/Highway Crossing, Highway Planning & Research, and Metropolitan Planning programs from the listed allocations because those programs are not allocated through the STIP, but rather are administered by the department.)

(December 4, 2024 – changed terminology for Large Urban Surface Transportation Program (STP-U) to the updated Surface Transportation Block Grant Program (STBG-U), added the new Carbon Reduction Program – Large Urban (CRP-U), added freight to the non-highway transportation agencies, clean up language to remove references to past fiscal years funding that are no longer applicable and outdated language, and beginning in Fiscal Year 2028, changed cost share program to allocate \$30 million annually. Beginning in Fiscal Year 2028, distribute all available Highway Safety Improvement Program (HSIP) funds to the districts.)

This item was pulled from the consent agenda for additional discussion and consideration.

Following discussion, and upon motion by Commissioner Smith, seconded by Commissioner Erdman, the

Commission unanimously approved the policy revisions described above.

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STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Kenny Voss, State Design Engineer, presented the following recommendations pertaining to bids received on federal aid and state highway and bridge projects during the past month. He noted Calls D02, D09, D10, F10, G02, and G3A have local funding, as noted in Table I below, and the department received all the necessary concurrences.

Mr. Voss recommended: (1) award of contracts to the lowest responsive bidders for bids received at the November 15, 2024, letting, as recommended, and noted in Table I below; (2) rejection of Calls D08 and H07 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction as noted in Table II below; (3) award of contract to the lowest responsive bidders for bids received at the November 27, 2024, special letting, as recommended, and noted in Table III below; and (4) declare the bid of Phillips Hardy, Inc. for Call A01 and Hardy Construction, LLC for Call A03 in the Northwest District from the October 18, 2024 Letting as non-responsive per Section 103.2.2 of the Missouri Standard Specification for Highway Construction, and award Calls A01 and A03 to the next lowest responsive bidder as noted in Table IV below.

**Table I
Award of Contracts
November 15, 2024, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	169, M, B	Gentry, Worth	JNW0009	\$2,392,811.47	\$0.00	Capital Paving & Construction, LLC	3 Bridge Deck Replacements
A02	6, N	Daviess, Harrison	JNW0112	\$2,438,950.78	\$0.00	Capital Paving & Construction, LLC	2 Bridge Deck Replacements
B02	K	Audrain	J2S3314	\$2,059,156.87	\$0.00	E & C Bridge, LLC	Bridge Replacement
	ZZ	Montgomery	J2S3195				
C01	DD	Clay	JKU0071	\$1,803,798.52	\$0.00	Ideker, Inc.	Resurface
	F	Ray	JKU0418				
	T		J3S3191				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
C02	58, 2, 7, 71, A, O	Cass	J4P3268D	\$2,198,635.65	\$0.00	Ti-Zack Concrete, LLC	ADA Improvements
C04	I-29	Clay	JKU0059	\$1,649,777.43	\$0.00	Superior Bowen Asphalt Company, LLC	Coldmill and Resurface
C06	Various	Jackson	JKU0116	\$995,167.54	\$0.00	Gerstner Electric, Inc.	Lighting
C07	Various	Cass, Clay, Jackson, Platte, Ray	JKU0389	\$678,760.70	\$0.00	Mar-Jim Contracting, LLC	Sign Replacements
C08	F, AA, O, W, EE, 127	Johnson, Lafayette, Pettis, Saline	JST0107	\$7,355,777.72	\$0.00	Capital Paving & Construction, LLC	Resurface
D02 *	19	Gasconade	JCD0045	\$17,924,443.33	\$510.00	Emery Sapp & Sons, Inc.	Resurface
	50	Osage	J5P3574				Signalized Intersection and ADA Improvement
	50	Gasconade	JCD0044				Coldmill and Resurface
D03	C, PP, HH	Laclede	JCD0048	\$1,936,246.58	\$0.00	Willard Asphalt Paving, Inc.	Resurface
D05	179	Moniteau	JCD0115	\$1,098,248.50	\$0.00	E & C Bridge, LLC	Bridge Deck Replacement
	U		JCD0057				
D06	54/HH	Callaway, Crawford	JCD0058	\$371,586.00	\$0.00	Southern Coatings of Tarpon Springs, LLC	3 Bridge Paintings
D07	Various	Phelps, Pulaski	JCD0085	\$3,651,571.92	\$0.00	Capital Paving & Construction, LLC	Resurface
D09 **	K, J	Dent, Shannon	J5S3564	\$1,899,000.00	\$0.00	Pace Construction Company, LLC	Resurface
D10 ***	CC, T	Phelps	JCD0086	\$999,659.95	\$0.00	Capital Paving & Construction, LLC	Resurface
D4A	179	Cooper, Moniteau	JCD0051	\$672,200.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
	Y	Boone, Callaway	JCD0068				
D4B	I-70 OR	Boone	JCD0054				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
F01	I-64	St Charles, St Louis	J6I3538	\$16,858,440.06	\$0.00	Millstone Weber, LLC	Bridge Rehabilitation and Painting
F02	I-70	St Louis	J6I3571	\$7,654,600.00	\$35,000.00	Southern Road & Bridge, LLC	12 Bridge Paintings
F03	21	St Louis	J6S3283	\$21,862,451.99	\$105,354.00	N.B. West Contracting Company	Coldmill, Resurface, Signals, ADA Improvements, and 2 Bridge Rehabilitations
F04	O, F, NN	Franklin, Jefferson	JSL0034	\$6,144,207.05	\$0.00	Emery Sapp & Sons, Inc.	Coldmill and Resurface
F05	340	St Louis	JSL0076	\$4,812,715.00	\$0.00	Pace Construction Company, LLC	Coldmill, Resurface and ADA Improvements
F06	I-170	St Louis	JSL0125	\$139,949.61	\$0.00	STF, LLC dba Traffic Control Company	Pavement Marking
F07	Various	Jefferson, St Charles, St Louis	JSL0143	\$1,827,659.25	\$0.00	AAD Contracting, Inc.	Fixed Price Variable Scope for Bridge Deck Sealing
F08	Various	St Charles, St Louis	JSL0177	\$105,829.00	\$0.00	Gerstner Electric, Inc.	Replace High Mast Luminaires
F09	M	Franklin	JST0098	\$248,777.00	\$0.00	Pace Construction Company, LLC	Resurface
F10 ****	109	St Louis	JSL0077	\$4,100,000.00	\$0.00	Pace Construction Company, LLC	Coldmill, Resurface and ADA Improvements
	BA		JSL0080				Coldmill and Resurface
G02 *****	CC	Christian	J8S0736F	\$5,750,000.00	\$0.00	KCI Construction Company	Roundabout and ADA Improvements
			JSU0216				Add lanes and ADA Improvements
G04	160	Barton, Dade	JSR0042	\$8,360,162.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Resurface and ADA Improvements
	160	Barton	JSR0163				Coldmill and Resurface
	97	Dade, Lawrence	JSR0164				Resurface

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
G05	13	Stone	JSR0094	\$1,598,000.00	\$0.00	Capital Paving & Construction, LLC	Roundabout
G06	Various	Barry, Barton, Jasper, Lawrence, Stone	JSR0296	\$1,895,350.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
G10	60	Barry, Newton	JSR0095	\$9,700,000.00	\$0.00	Capital Paving & Construction, LLC	Intersection Improvements
G11	AB, UU, C, B, O, HH, DD	Dallas, Hickory, Polk	JST0111	\$4,122,757.79	\$0.00	APAC-Central, Inc.	Resurface
G3A and G3B *****	125	Greene	J8S3238	\$6,240,000.00	\$0.00	Hartman and Company, Inc.	Roundabout
	CC	Webster	JSRM0039				Barrier Repair
G7A and G7B	A	St Clair	JSR0296B	\$767,602.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
	MM	Benton	JSR0296C				
H01	21	Iron	J9P3548	\$4,412,323.37	\$0.00	H.R. Quadri Contractors, LLC	Resurface
H02	62	Dunklin	J9P3667	\$2,653,959.40	\$0.00	Apex Paving Co.	Resurface
H03	14	Douglas, Howell	J9P3701	\$2,150,000.00	\$0.00	Pace Construction Company, LLC	Resurface
H04	67	St Francois	JSE0002	\$10,996,050.14	\$0.00	Magruder Paving, LLC	Coldmill and Resurface
H05	95	Douglas	JSE0020	\$807,000.00	\$0.00	Pace Construction Company, LLC	Resurface
H06	158	Butler	JSE0115	\$841,097.60	\$0.00	Joe's Bridge & Grading, Inc.	Bridge Replacement
H08	61	New Madrid	J9S3516	\$6,627,631.21	\$0.00	Apex Paving Co.	Coldmill and Resurface
H09	60	Wright	JSEM0070	\$59,519.97	\$0.00	Emery Sapp & Sons, Inc.	Pavement Grooving
			TOTAL:	\$180,861,875.40	\$140,864.00		

- * Call D02 – Funding by City of Linn – \$91,348.68 (JCD0044)
- ** Call D09 – Funding by City of Salem – \$72,594.22
- *** Call D10 – Funding by City of Newburg – \$12,851.00
- **** Call F10 – Funding by City of Wildwood – \$99,975.00 (JSL0077)
- ***** Call G02 – Funding by City of Nixa – \$2,209,059.51 (JSU0216)
- ***** Call G3A – Funding by City of Strafford – \$292,533.80

Table II
Rejection of Bids
November 15, 2024, Bid Opening

Call No.	Route	County	Job No.	Description
D08	I-44	Pulaski	JCD0111	Pavement Widening
			JCD0112	
H07	67	Wayne	JSE0198	Bridge Rehabilitation

Table III
Award of Contract
November 27, 2024, Special Bid Opening

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
C09	I-70	Saline	JST0016B	\$5,297,067.00	\$0.00	Capital Paving & Construction, LLC	2 Bridge Replacements
TOTAL:				\$5,297,067.00	\$0.00		

Table IV
Award of Contract
October 18, 2024, Bid Opening

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	B, DD, H	Andrew, Buchanan	JNW0008	\$1,819,810.43	\$0.00	Capital Paving & Construction, LLC	3 Bridge Deck Replacements
A03	F, 59, T	Atchison, Holt	JNW0111	\$3,676,772.07	\$0.00	Emery Sapp & Sons, Inc.	3 Bridge Deck Replacements
TOTAL:				\$5,496,582.50	\$0.00		

Commission Consideration and Action

After consideration, and upon motion by Commissioner Smith, seconded by Commissioner Erdman, the Commission took the following action with abstentions noted below.

1. Awarded contracts to the lowest responsive bidders for bids received at the November 15, 2024, bid opening, as recommended, and noted in Table I above. Non-contractual costs for these projects are shown in the above tabulation.

2. Rejected Calls D08 and H07 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction as noted in Table II above.
3. Awarded contract to the lowest responsive bidder for bids received at the November 27, 2024, special letting, as recommended, and noted in Table III above.
4. Declared the bid of Phillips Hardy, Inc. for Call A01 and Hardy Construction, LLC for Call A03 in the Northwest District from the October 18, 2024, Letting, as non-responsive per Section 103.2.2 of the Missouri Standard Specification for Highway Construction, and awarded Calls A01 and A03 to the next lowest responsive bidder as noted in Table IV below.

Commissioner Erdman abstained from Calls C02, C08, G10, and G7A. Commissioner Smith abstained from Calls G11 and G7B. Commissioner Baker abstained from Call D02.

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APPROVAL OF PLANS FOR CONDEMNATION

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

<u>County</u>	<u>Route</u>	<u>Job Number</u>
Franklin	KK	J6S3619
Greene	D	J8S3133
Greene	D	J8S3153

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 them to be filed as necessary for the condemnation of right of way.

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REQUEST FOR APPROVAL OF LOCATION AND/OR DESIGN ON HIGHWAYS

**Route 67 (Future I-57), Butler County
From County Road 338 to Arkansas State Line
Job No. J9P3661
Public Hearing Held September 10, 2024
Public Comments Received Until October 10, 2024**

This proposed improvement will provide a new four-lane US 67 on new alignment from County Road 352 to the Arkansas State Line, convert the existing US 67 pavement into an east outer road, construct new segments for a west outer road, construct an interchange at Route 142 in Neelyville and at State Line Road, construct an overpass at County Road 350 and an underpass at County Road 270. The project will have fully controlled access right of way. The roadway will remain open to traffic during construction. The project is 7.50 miles in length.

On behalf of the Director, Mark Croarkin, Southeast 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 designs, the Commission via approval of the consent agenda unanimously found and determined the recommended location and designs would best serve the interest of the public and approved the recommendation.

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PROPERTY ACQUISITION AND CONVEYANCES

CONSIDERATION OF EXCESS PROPERTY DISPOSAL, ROUTE 61 IN CAPE GIRARDEAU COUNTY, EXCESS PARCEL NUMBER SE-274056

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, Mark Croarkin, Southeast District Engineer, recommended conveyance of 3.66 acres of excess property located on the north side of Route 61 and 0.35 mile west of Route 61 and I-55 Interchange in the City of Jackson, to RBC Investments, LLC for a consideration of \$630,000.

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

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REPORTS

The Commission received the following written reports.

FINANCIAL ACCOUNTABILITY REPORT – QUARTERLY REPORT

Todd Grosvenor, Financial Services Director, provided the Commission the written Quarterly Financial Accountability Report for the period ending September 30, 2024.

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MODOT BRIEFING REPORT

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

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MISSOURI DEPARTMENT OF TRANSPORTATION FINANCIAL REPORT – FISCAL YEAR 2025

Todd Grosvenor, Financial Services Director, submitted a written financial report for fiscal year to date October 31, 2024, with budget and prior year comparisons.

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CONSULTANT SERVICES CONTRACT REPORT

Kenny Voss, State Design Engineer, submitted a written report of consultant contracts executed in the month of October 2024, 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 730 active contracts held by individual engineering consultant firms prior to November 1, 2024. Twelve engineering

consultant services contracts were executed in October 2024, for a total of \$10,236,516. There were no non-engineering consultant contracts executed in October 2024.

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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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