



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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March 4, 2009

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**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
JEFFERSON CITY, MISSOURI, ON WEDNESDAY, MARCH 4, 2009**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, March 4, 2009, at the Department of Transportation Building, 105 West Capitol, Jefferson City, Missouri. Duane S. Michie, Chairman, called the meeting to order at 10:30 a. m. The following Commissioners were present at the meeting location: Duane S. Michie, James B. Anderson, Mike Kehoe, David A. Gach, Rudolph E. Farber, and Grace M. Nichols.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Pete Rahn, 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, March 4, 2009.

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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(11), (12) – Specifications for competitive bidding, sealed bids, or negotiated contracts.
2. Section 610.021(1) – Legal actions and attorney-client privileged communications.
3. Section 610.021(3), (13) – Personnel administration regarding particular employees.

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 Michie, Aye
Commissioner Anderson, Aye
Commissioner Kehoe, Aye
Commissioner Gach, Aye
Commissioner Farber, Aye
Commissioner Nichols, Aye

The Commission met in closed session from 8:00 a.m. until 10:30 a.m.

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-- OPEN MEETING --

ELECTION OF CHAIR AND VICE CHAIR

In keeping with Section 226.0303(2) of the Revised Statutes of Missouri, Commissioners Anderson and Michie requested to be excused from duty as chair and vice chair. Subsequently, Commissioner Anderson nominated Commissioner Kehoe to serve as Chairman and Commissioner Gach to serve as Vice Chairman until March 1, 2010, at which time Commissioner Gach will

assume the position of Chairman and Commissioner Kehoe will assume the position of Vice Chairman. Commissioner Farber seconded the nomination, and it was approved unanimously.

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APPROVAL OF MINUTES

Upon motion by Commissioner Michie, seconded by Commissioner Anderson, the Commission unanimously approved the minutes of the regularly scheduled meeting held on February 4, 2009, and the special meeting held on February 17, 2009. 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, the 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 on the Commission meeting agenda. Those items considered by the 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 March 4, 2009, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Anderson, seconded by Commissioner Gach, 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 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 reports were made during the March 4, 2009, meeting.

Audit Committee – Commissioner Farber stated there was no report.

Legislative Committee – Commissioner Kehoe reported that today is the Primary Safety Belt Rally at the Capitol. People from around the state as well as MoDOT employees are coming in today and we feel a sense of momentum in support of a primary safety belt law. The department is doing a great job of bringing faces and people to this issue. Senate Bill 88, which contains the incident management proposal, has passed the Senate and is on the way to the House. The waterways resolutions, HCR 17 and SCR 5, are gaining support. Budget hearings have been ongoing and Roberta Broeker and Brian Weiler have been educating our officials on the importance of funding all modes of transportation. There are many bills filed and making their way through the legislative process that affect transportation and Jay Wunderlich has done a good job keeping track of those for the Commission and the Department. Commissioner Anderson reported that unfortunately there is an attempt to repeal the motorcycle helmet law. Commissioner Kehoe also reported that the design build proposal is moving and will give the department some flexibility. Commissioner Michie stated that the waterways resolution would continue to raise awareness with the Coast Guard and Corps of Engineers on the importance of maintaining a river level that will permit the movement of freight on the river and increase transportation options.

Missouri Transportation Finance Corporation – Commissioner Gach stated there was no report.

MoDOT and Patrol Employees Retirement System – Commissioner Kehoe reported that there was a Board meeting on February 26, 2009. MPERS is like other statewide retirement systems; all retirement systems are facing losses as the market continues to be tough. The board continues to manage the plan and ensure that benefits continue to be paid to retirees. Management tools that are being explored are actuaries and consultants who will help the Board move the plan forward by reviewing investments, strategies and indexes.

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DIRECTOR'S REPORT

During the March 4, 2009, Commission meeting, Director Pete Rahn provided the following report:

State Funding – State revenues continue to be down from the department's projections. This will create quite a hole in the budget if it continues on its current trend. Automobile sales are not doing well, which is critical because one half of the motor vehicle sales tax funds the Amendment 3 bonding program. To date the department is able to manage through these issues, however, if the trend continues it is going to create a circumstance that will have to be addressed.

Employee meetings – Director Rahn reported that he started holding employee meetings around the state. He has been to Districts 3, 6, and 7. Unfortunately, he had to shorten his visit with District 5 due to the American Recovery and Reinvestment Act ground breaking at the Tuscumbia Bridge. At these meetings, employees are raising concerns about the department's current financial status and future funding levels the department is facing and how that will affect their ability to maintain Missouri's 32,000-mile system and other modes of transportation. Director Rahn reported he is pleased with the sense of responsibility the employees have and how the department's mission is taking precedence over their personal concerns about pay, benefits, and retirement.

Recognition – District 6 Engineer, Ed Hassinger, is in Washington, D.C. today to make a presentation to the Council on Minority Transportation Officials (COMTO). COMTO has recognized MoDOT's on the job-training program as a national model that involves minorities in highway projects. It is very encouraging to have found a model that can be replicated around the country and help minority employees find new construction careers.

Federal Funding – Director Rahn reported that U.S. Department of Transportation Secretary LaHood reported that President Obama’s administration does not support a gas tax increase nor vehicle miles traveled tax or research of that type of tax. This means that the administration is taking off the table increasing existing and exploring future sources of paying for transportation. This puts the burden of funding for transportation on states. This is a concern because transportation operates as a system and needs to be funded as a system at a national level. Chairman Anderson inquired about a new federal highway reauthorization. Director Rahn responded that the administration plans to introduce a reauthorization in May. There is concern that the transportation trust fund will be eliminated, which will make transportation go through the annual appropriation process and fight for general fund revenues. This will affect the stability of transportation programs that have historically been funded in six-year cycles.

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PRESENTATION BY ST. LOUIS COUNTY

Garry Earls discussed with the Commission the partnership the county has developed with MoDOT. The partnership to build the new I-64 helped find ways to get people around during construction of the project. This highway will be the main street of St. Louis County and the center of their economy. The partnership worked well for the project at the intersection of Dorsett Road and 270, the county participated in a cost share, and job opportunities are being developed as Edward Jones expands their business.

The next opportunity to continue this partnership is to finish Highway 141. This project will put 560 people to work and will impact 21,000 jobs in St. Louis County and the region. This project supports \$20 billion in economic development over the next twenty years. This project also provides improved mobility, safety, and regional connectivity.

Working together this project can be built. Funding for the project comes from several sources including: \$20 million from the suballocated funds from the American Reinvestment and Recovery Act, \$40 million commitment from the county and two cities, and approximately \$70 million from MoDOT.

Director Rahn inquired about the economic return from completing this road and Mr. Earls explained that the numbers he used came from an economic study that was conducted in 2007. Commissioner Michie expressed appreciation for the county's partnership in transportation and thanked him for his presentation.

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ECONOMIC RECOVERY ACT

Director Pete Rahn explained the process of preparing for a potential economic stimulus bill that eventually passed as the American Recovery and Reinvestment Act (ARRA). The department started planning in November 2008 following the election of President Barack Obama. The department determined, with Commission concurrence, that Congress would adopt a stimulus plan. The department estimated that the stimulus plan would include about \$25 billion for the nations highways and bridges, and calculated that approximately \$510 million would come to Missouri. The department was aware of discussions about the speed that Congress would want transportation projects started, estimates were for programs of ninety to one hundred eighty days. With this limited information staff developed a list of 34 projects in December 2008. This list included projects that could occur in that short period of time for the estimated funds. The list was released in full disclosure, and the department stated work would continue with the planning partners to further refine the list.

In January 2009 the department met with the planning partners and developed a pool of projects worth \$967 million. This was more money than the department expected to receive, and this list was also shared with the public. The department's initial assumptions turned out to be pretty accurate and the projects that had been working through the system have become further refined as the department worked with the planning partners.

On February 17, 2009, President Obama signed the American Recovery and Reinvestment Act into law. Immediately after the President signed the bill, the Commission held a special meeting to approve the initial four projects to be completed under the ARRA in Missouri. Since then, staff have been evaluating the law and applying it to the pool of projects identified with the planning partners, and move some of the projects from the pool into a construction program for recommendation to the Commission. One of the issues being addressed is that the law recommends the funds be applied in two areas (1) regions that are economically depressed, and (2) create jobs and economic development. This requires a delicate balance of ensuring a good mix of projects that address both economically distressed areas as well as creating jobs and economic development.

The ARRA also suballocates \$93 million to the three Metropolitan Planning Organizations (MPOs). The MPOs are in the large urban areas of Kansas City, St. Louis, and Springfield. This suballocation goes directly to the MPOs to allocate on their own, and they have one year to obligate the suballocations.

There are two additional requirements that a certain percentage of funds are distributed for projects in communities with a population of: (1) five thousand to two hundred thousand, and (2) less than five thousand. This is a level of allocation and direction from federal government that the department has not dealt with before.

The direction from Congress has clearly been they want the projects delivered as quickly as possible. The department has one hundred twenty days to obligate fifty percent of the ARRA funds. The remaining fifty percent must be obligated within one year. All of the ARRA funds must be expended within three years. There is a callback provision in the bill, funds not spent within three years will be returned to the federal government. There is also a redistribution provision of the bill; funds not obligated in one hundred twenty days will be redistributed to states that have obligated their funds. Missouri wants to be in the category that receives funds redistributed from other states that have not managed to perform.

Balancing all of the requirements and recommendations of the law along with the Commission's policy on funding allocation creates a number of tiers and a matrix that is extremely complicated. As soon as staff evaluation is complete and a list of projects is developed that meets the various tests, the department will have a recommendation for the Commission at a special meeting. The department's intention is to perform at a level that is superior to the rest of the nation. Projects will be out, awarded, and under construction and Missourians will be put to work.

Commissioners Anderson and Michie inquired about the amount of money the department is receiving from ARRA compared to the amount of transportation needs, and the false sense of security that ARRA funds will address all of Missouri's transportation needs. Director Rahn responded that the department will receive \$525 million in economic stimulus funds to allocate to \$31 billion worth of needs. While \$525 million is a lot of money, it represents about only one third of the department's annual construction program of the past several years. Commissioners Kehoe and Nichols stated it is important for people to understand that projects under the ARRA will put people to work.

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MoDOT TRACKER UPDATE

On behalf of the Director, Mara Campbell, Organizational Results Director, presented the department's performance measurement system called Tracker. The department has a mission statement, which is the direction; values that are the playing field, and tangible results are what the customer expects. The mission, values, and tangible results are used to develop strategies and performance indicators at the statewide, district/division, and individual levels that help the department be accountable for the tangible results. Mrs. Campbell reported on three items.

- (1) All divisions and districts have published their own tracker, called D-Trackers. D-Trackers are used to make day-to-day business decisions. Every performance indicator reviewed at the local level rolls up to a statewide metric. The D-Tracker contains very detailed metrics that show performance trends, which can be addressed before it reaches the statewide level.
- (2) Everyone is conducting their own local review; divisions and districts emulate the Tracker review meetings for their D-Tracker review meetings. Performance measurement isn't easy, and it is a challenge to think about performance measures, but these reviews help staff at local levels forecast future performance, and make good day-to-day business decisions. These reviews help motivate staff to levels beyond what was expected.
- (3) Created a new look for the Tracker. The department took some bold steps to help the Tracker be a better communication tool. It has a fresh new look with graphic design that emulates a magazine style. Currently the charts are being updated to better communicate the results. The updated Tracker will be a venue to communicate with transportation partners.

The next steps for Tracker include, continued refinement of the publication, review benchmarks to ensure we are world class and compare to the best performers, and sharing performance measure best practices so they may be deployed statewide to increase performance.

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REPORT ON MHTC ASSESSMENT SURVEY

On behalf of the Commission, Duane Michie presented the results of the self-assessment survey and Kevin Keith presented the results of the staff assessment of the Commission. Commissioner Michie reported that this was the second year the Commission completed the self-assessment survey. The self-assessment surveys the strengths of the Commission as well as the areas for improvement. The survey inquires into four areas: (1) working strategically, (2) being responsible to the citizens of Missouri, (3) working together to move in the same direction, and (4) working to improve the Commission. Commissioners rated themselves as doing significantly better at balancing overall transportation needs, collaborating with local and state governments, and participating in MoDOT events.

Mr. Keith stated that the Commission didn't have to conduct the survey, but they did because they want to improve. Staff was given an opportunity to assess the Commission's performance as well. The great news is that both the Commission and staff agree that the Commission is a high-performing and productive organization. Just like the Commission's scores, the staff scores went up. Last year a weakness of the Commission was their presence at MoDOT events, however, that has been turned around to a strength this year. As advocates for transportation, Commission presence is important. On behalf of the department, Mr. Keith thanked the Commission for their increased participation. Staff appreciates the statewide perspective; the Commission does a great job of representing the state as whole rather than six different locations. The Commission's encouragement and support of other modes of transportation is important and the department has been able to make progress in this area because the Commission was willing to go out and support all modes. The only concern expressed by staff was the loss of Commissioners Michie and Anderson as their terms on

the Commission expire. It will be a challenge to maintain the positive dynamic that has developed over the past several years among the commissioners and between the Commission and staff, as two new commissioners are appointed. Mr. Keith stated the Commission has been doing a fabulous job overall and expressed his appreciation.

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PUBLIC COMMENT ON HIGHWAY 141

Jim Jacoby with Progress 64 West expressed support of finishing Highway 141. Progress 64 West is an organization that supports civic improvement. Mr. Jacoby stated that when it comes to the Highway 141 project there are many benefits economically, however it is the connectivity that makes this a great project as well. This highway will connect St. Charles and St. Louis counties as well as many connected roadways in the area.

Mr. Jacoby made reference to past presentations from Director Rahn about the “Perfect Storm” in reference to transportation funding issues. The Highway 141 project developed at a time of a positive Perfect Storm. St. Louis County and two cities are willing to contribute \$60 million to the project. That kind of opportunity doesn’t happen very often. In addition, there is tremendous potential to save money on highway construction during these tough economic times because many contractors need work.

Mr. Jacoby stated his appreciation for the Commission and the department. Mr. Jacoby commented that he is getting more for his tax dollars than he ever has before. He also stated that he doesn’t like taxes any more than anyone else, but transportation is the one place he would vote to increase taxes because the state needs it and the department and the Commission know how to spend it efficiently and effectively.

Commissioner Kehoe thanked him for his presentation and support.

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FISCAL YEAR 2009 BUDGET AMENDMENT

On behalf of the Director, Brenda Morris, Resource Management Director, recommended approval of adjustments to the fiscal year 2009 budget. The adjustments represent transfers between appropriations to address changing priorities and provide greater flexibility to districts and divisions in funding program priorities. In addition, Ms. Morris recommended an increase of \$55 million, \$10 million for design and bridge consultant payments and \$45 million for right of way, both in preparation for the Economic Recovery Act. The increased funding will be from existing balances in the State Road Fund. The amended budget for fiscal year 2009 is \$2,579,222,000.

Via approval of the consent agenda, the Commission unanimously approved the adjustments and amendments to the fiscal year 2009 budget as noted above.

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CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS

On behalf of the Director, Dave Nichols, Director of Program Delivery, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Mr. Nichols recommended (1) Award of contracts to the lowest responsive and responsible bidders for bids received on the February 20, 2009 letting, as recommended and noted in Table I below.

Non-contractual costs for these projects are shown on the below tabulation. (2) Recommend the bid received from Sharp Excavating, LLC on Call 303 be declared as irregular due to a non-standard bid bond per Section 102.9 of the Missouri Standard Specifications for Highway Construction. (3) It is also recommended the bids of S & S Lawn, Inc. on Calls 405 and 407 be declared as irregular due to a computation error of the bid items per Section 102.8.1 of the Missouri Standard Specifications for

Highway Construction. (4) Call 701 has funding by the City of Joplin, Joplin Special Road District, and the City of Neosho and requires concurrence in award from each entity. The Cities of Joplin, Neosho and the Joplin Special Road District have all concurred in the award and it is recommended that the Commission concur in award of this project. (5) Call 803 has funding by the Dallas County Commission and requires concurrence in award. The Dallas County Commission has concurred and it is recommended that the Commission concur in award of this project.

Table I
Award of Contracts
February 20, 2009, Bid Opening

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	Various	Atchison, Nodaway	J1B0801C	\$785,419.69	\$0	A. M. Cohron & Son, Inc.	Replace Three Bridge Decks
102	136	Atchison	J1P0742B	2,686,683.04	656.00	Herzog Contracting Corp.	Coldmilling and Resurfacing with BP-1
	136	Atchison	J1P0742D		0		Coldmilling and Resurfacing with BP-1
	59	Atchison	J1P1006		0		Grading and Optional Pavement (Bituminous Pavement or Concrete Pavement) to Improve Intersection
201	41	Carroll, Saline	J2P0755	14,838,238.82	0	Occi, Inc.	Bridge Superstructure Replacement
202	240	Saline	J1S2009O	2,211,154.70	144.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Thin Lift Overlay (Surface Leveling)
	41	Saline	J1S2009R		144.00		
	41, 202	Carroll, Saline	J3S2009B		144.00		
203	156	Macon	J1S2009C	2,033,056.32	144.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Thin Lift Overlay (Surface Leveling)
	136	Putnam, Schuyler	J1S2009D		144.00		Thin Lift Overlay (Surface Leveling)
	202	Schuyler	J1S2009N		144.00		Thin Lift Overlay (Surface Leveling)
	D	Macon	J1S4009S		0		Thin Lift Overlay (BP-2)

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
206	127,YY	Saline	J2B0801C	1,250,343.30	0	Phillips Grading & Construction Inc.	Replace Three Bridge Decks
301	61, 27	Clark	J3P0728	3,488,269.18	984.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Optional Resurfacing (Superpave or Unbonded Concrete Overlay)
302	24, 61	Lewis, Marion	J3P0773	4,317,536.03	984.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Optional Resurfacing (Superpave or Unbonded Concrete Overlay)
303	54	Audrain	J3P2170	169,770.33	984.00	J. C. Industries, Inc.	Grading and Paving to Add Right Turn Lane
304	C, E	Lewis, Monroe	J3B0801E	864,000.00	0	Pace Construction Company, LLC	Replace Two Bridge Decks
305	J	Ralls	J1S2009T	1,597,771.09	72.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Thin Lift Overlay (Surface Leveling)
	EE	Ralls	J1S2009U		144.00		
	W	Monroe, Ralls	J1S2009V		144.00		
	W	Marion	J1S2009W		144.00		
	J	Ralls	J3L1000B		72.00		
401	Various	Clay, Jackson, Platte	J4P1852	1,622,847.58	288.00	Comanche Construction, Inc.	Bridge Deck Repair & Epoxy Polymer Overlay
402	D	Cass	J4S2146	1,495,394.15	656.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Resurfacing with Bituminous Pavement (BP-2)
	Y	Cass	J4S2245		656.00		Coldmilling, Full Depth Reclamation and Resurfacing with Bituminous Pavement (BP-1)
403	291	Jackson	J4P1835	1,970,756.83	0	Chester Bross Const. Co./C.B. Equipment, Inc.	Coldmilling & Resurfacing with Superpave
	78	Jackson	J4S1839		656.00		Coldmilling & Resurfacing with Superpave and BP-2
	MO 7	Cass, Jackson	J4S1841		328.00		Grading and Paving with Superpave
404	92	Platte	J4P1925	1,870,393.19	656.00	Ideker, Inc.	Coldmilling & Optional Resurfacing (UBAWS or SP095)
			J4P1925B		0		
			J4P2176		656.00		

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
405	71	Jackson	J4M0207	232,674.00	0	Stirling Lawn, Inc.	Contract Mowing and Landscaping
406	E	Jackson	J4S1865	169,526.82	656.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Thin-Lift Overlay (SL)
407	71	Jackson	J4M0206	29,280.00	0	H & H Mowing and Landscaping, LLC	Contract Mowing
408	I-70	Lafayette	J4I2261	6,861,496.47	656.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Resurfacing with Superpave and BP-1
409	I-29	Clay, Platte	J4I1979	11,799,262.94	1,312.00	Ideker, Inc.	Ultrathin Bonded Wearing Surface Overlay (Type C) with Optional Base Course (HIP or Mill and Fill)
411	A	Clinton	J1S2009H	1,663,853.32	144.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Thin-Lift Overlay (Surface Leveling)
	C	Ray	J1S3009D		144.00		
	69	Clay	J1S3009F		144.00		
	FF	Lafayette	J1S3009H		144.00		
	M	Ray	J1S3009I		144.00		
501	54	Camden	J5P0953	3,416,285.54	656.00	Leo Journagan Construction Co., Inc.	Optional Base Course (Cold-in-Place Recycle or Mill and Fill) and Resurfacing with Superpave
502	163	Boone	J5S0897	599,340.55	656.00	Lehman Construction, LLC	Optional Bid Pavement (PCCP or Superpave) to Widen and Add Right Turn Lane
503	50	Pettis	J5P0869	6,739,873.19	328.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Optional Resurfacing (Unbonded Concrete Overlay or Superpave) on the Westbound Lanes
			J5P0919		328.00		Optional Resurfacing (Unbonded Concrete Overlay or Superpave) on the Eastbound Lanes

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
			J5P0940		0		Install Right Turn Lane and Install Rumble Strips
504	E, HH, & D	Callaway, Moniteau, Morgan	J5B0801E	997,978.10	0	Don Schnieders Excavating Company, Inc.	Replace Three Bridge Decks
	M	Cooper	J5B0801G				Bridge Superstructure Replacement with Precast Prestressed Concrete Voided Slab Beam Spans
506	I-70	Cooper	J5I2154	7,612,021.52	400.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Coldmilling & Resurfacing with Superpave
507	28	Maries, Pulaski	J1S3009J	829,288.29	0	Willard Asphalt Paving, Inc.	Thin-Lift Overlay (Surface Leveling)
601	44	St. Louis	J6I1881	3,409,521.67	144.00	Concrete Strategies, LLC	Bridge Rehabilitation and Optional Pavement (7" PCCP or 8" BP-1)
			J6I1979		656.00		Bridge Deck Replacement and Optional Pavement (7" PCCP or 8" BP-1)
602	Various	Jefferson, St. Louis, St. Louis City	J6I2170	896,625.38	0	Concrete Strategies, LLC	On Call Bridge Deck Repair, Epoxy Polymer Overlay Repair on 56 Bridges
603	55	St. Louis City	J6I1890	2,699,827.30	0	Concrete Strategies, LLC	Rehabilitation of Seven Overpasses
			J6I1894				Bridge Rehabilitation
604	70	St. Louis	J6M0133C	30,760.00	0	Millgoal Enterprises II, LLC	Contract Mowing & Litter Removal
605	70	St. Louis	J6M0133D	38,948.00	0	Millgoal Enterprises II, LLC	Contract Mowing & Litter Removal
606	141	St. Louis	J6M0133E	60,788.00	0	Malone's Landscaping LLC	Contract Mowing & Litter Removal
607	70	St. Charles	J6M0133F	49,434.00	0	Millgoal Enterprises II, LLC	Contract Mowing & Litter Removal

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
608	70	St. Charles	J6M0133G	65,912.00	0	Millgoal Enterprises II, LLC	Contract Mowing & Litter Removal
701*	60	Newton	J7O2164	2,026,019.25	0	APAC-Missouri, Inc.	PCCP & Bituminous Pavement to Connect Howard Bush Drive and High Street
	60	Newton	J7P0849		0		Traffic Signals at New Intersection
	FF	Jasper	J7S0770		1,360.80		Traffic Signals, Resurface with Superpave, Optional Pavement Widening
	43	Newton	J7S2148		711.76		Optional Pavement and Traffic Signals
703	K	Vernon	J1S3009Q	2,743,223.20	144.00	Leo Journagan Construction Co., Inc.	Thin-Lift Overlay (Surface Leveling)
	W	Vernon	J1S3009S		144.00		Thin-Lift Overlay (Surface Leveling)
	BB	Vernon	J1S3009T		144.00		Thin-Lift Overlay (Surface Leveling)
	P	Jasper	J1S3009U		144.00		Thin-Lift Overlay (Surface Leveling)
	JJ	Jasper	J1S3009V		144.00		Thin-Lift Overlay (Surface Leveling)
	86	Newton	J3S2009M		656.00		1" Resurfacing with BP-2, New 2' Shoulders
	MO 86	Barry	J3S2009N		656.00		1" Resurfacing with BP-2, New 2' Shoulders
704	39	Barry, Lawrence	J1S3009R	793,535.13	144.00	Leo Journagan Construction Co., Inc.	Thin-Lift Overlay (Surface Leveling)
	265	Stone, Taney	J1S4009D		144.00		Thin-Lift Overlay (BP-2)
801**	60	Greene	J8P0683C	57,102,059.71	410,312.00	Archer Western Contractors, LTD.	US-60/US-65 Interchange: US-60 and Flyover Ramps to US-65, Alt. Pavement (PCCP or Superpave)
			J8P0897		0		US-60/US-65 Interchange: Remove & Replace NB US-65 Bridge over US-60; Replace & Raise US-65 Bridge

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
			J8P0898		0		US-60/US-65 Interchange: Bridge Rehab & Replacement on US-60 over James River
802	86	Stone, Taney,	J8P2176	226,941.78	0	Mar-Jim Contracting, LLC	Guardrail Replacement
	14	Christian	J8P2189				
803***	73	Dallas	J8L0800B	1,079,635.04	0	Leo Journagan Construction Co., Inc.	Coldmilling and Resurfacing with BP-1
			J8S0853		1,312.00		Grading, Alternate Pavement PCCP or Superpave and Box Culvert
804	65	Taney	J8P0798B	27,789.50	0	Dirt Benders Inc.	Demolition of Gas Station (Rapid Robert's) in Branson
901	44	Pulaski	J9I0603	5,175,496.74	2,256.00	Chester Bross Const. Co./C.B. Equipment, Inc.	Grading and Resurfacing with Superpave on Eastbound Lanes
		Phelps, Pulaski	J9I2156		0		Resurface with Superpave on the Eastbound Lanes
902	17	Pulaski	J9P0468	4,224,334.00	1,157.84	Robertson Contractors, Inc.	Grading, Drainage, Optional Paving, and Replacement of Three Bridges with Concrete I-Girder Structures
903	142	Ripley	J1S4009H	763,654.95	144.00	Pace Construction Company, LLC	Thin-Lift Overlay (Surface Leveling)
904	32	Dent	J9P0561	1,072,758.15	2,085.94	H. R. Quadri Contractors, LLC	Grading, Optional Pavement (BP-1 or PCCP) and Resurfacing Shoulders with (BP-1)
X01	177, N	St. Francois, Ste. Genevieve	J0B0801E	659,934.90	0	Robertson Contractors, Inc.	Replace Two Bridge Decks
X02	M	Butler	J1S4009L	634,519.76	144.00	Pace Construction Company, LLC	Thin-Lift Overlay (Surface Leveling)
	142	Butler	J1S4009M		144.00		
			TOTAL	\$165,934,233.45	\$437,404.34		

* Call 701 – Funding by the City of Joplin \$587,882.88, by Joplin Special Road District \$136,243.85, and City of Neosho \$383,792.84.
** Call 801 – Funding by the City of Springfield \$100,000 and BNSF Railroad \$725,750.90.
***Call 803 – Funding by Dallas County Commission \$405,421.20.

Commission Consideration and Action

After consideration, and upon motion by Commissioner Michie, seconded by Commissioner Anderson, the Commission took the following action:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on the February 20, 2009 bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. The bid received from Sharp Excavating, LLC on Call 303 was declared irregular due to not having a valid bid bond per Section 102.9 of the Missouri Standard Specifications for Highway Construction.
3. The bids received from S & S Lawn, Inc. on Calls 405 and 407 were declared as irregular due to a computation error of the bid items per Section 102.8.1 of the Missouri Standard Specifications for Highway Construction.
4. Call 701 has been concurred by the City of Joplin, City of Neosho and Joplin Special Road District and the Commission concurred.
5. Call 803 has been concurred by the Dallas County Commission and the Commission concurred with this project.

Commissioner Farber abstained from voting on Call No. 701. In keeping with the Commission’s Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, Chief Financial Officer, or the Director of Program Delivery may execute the contracts awarded above.

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2009-2013 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, 2009 AMENDMENT

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that twenty-eight new or revised projects totaling \$51,197,000 be added to the Highway and Bridge Construction Schedule of the 2009-2013 Statewide Transportation Improvement Program (STIP), as noted in the tabulations below.

**Highway and Bridge Construction Schedule
Right of Way and Construction Added or Accelerated**

County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year	Contract Estimate (Dollars in Thousands)
Caldwell J1B0801H	A	Bridge rehabilitation on Rte. A over Dead Oak Creek, Rte. 116 over North Mud Creek and Rte. N over Mud Creek. Project involves bridge A1785, A1468, N0536. Part of the Safe and Sound program.	2010 CN New	\$810
Various J2P1979	Various	Milling and rumble strips in the edgelines of various major routes in various counties in District 2. Funded by Open Container Funds.	2009 CN New	428
Various J3P1979	Various	Milling and rumble strips in the edgelines of various major routes in various counties in District 3. Funded by Open Container Funds.	2009 CN New	479
Henry J4B0801H	7	Bridge rehabilitation on Rte. 7 over Deer Creek, Fields Creek overflow, Fields Creek, Big Creek overflow, and Big River. Project involves bridges A1663, A3698, A3699, A3832 and A3702. Part of the Safe and Sound program.	2010 CN New	6,412
Platte J4P2148B	45	Improvements to the bridge and approach over Bear Creek near Iatan. Project involves bridge K0491. Funded by District STIP funds.	2009 CN New	1,302
Camden J5P2159	5	Widen to three lanes to improve capacity from Rte. F north approximately 0.9 mile in Sunrise Beach. Cost share project with the City of Sunrise Beach. Initial funding by City. Payback \$424,000 from cost share program with 5P2159Z in SFY 2012.	2010 CN New	848
Camden J5P2159Z	5	Payback from the cost share program to City of Sunrise Beach for acceleration of 5P2159.	2012 CN New	424
Various J5P1979	Various	Milling and rumble strips in the edgelines of various major routes in various counties in District 5. Funded by Open Container Funds.	2009 CN New	469
Franklin J6B0801L	C	Bridge rehabilitation on Rte. C over Boeuf Creek. Project involves bridge A0273. Accelerated from 2010 SFY. Part of the Safe and Sound program.	2009 CN New	857
St. Louis J6I2252	270	Add a right turn lane at the intersection of northbound I-270 and eastbound Rte. 180. Maximum CMAQ funding - \$253,600. \$131,000 funded by District STIP funds.	2010 CN New	385
St. Louis J6I1830B	270	Replace bridge and rebuild interchange at Dorsett Road. Cost-share project with St. Louis County, Dept. of Econ. Dev., City of Maryland Heights, and MoDOT Econ. Dev. SAFETEA-LU below the line earmark - \$1.44 million. (MO 093)	2009 CN Accelerated	13,949

County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year	Contract Estimate (Dollars in Thousands)
St. Louis J6I2253	44 OR	Expand existing park and ride facility at Rte. 141. Maximum CMAQ funds \$160,000. \$47,000 funded by District STIP funds.	2010 CN New	207
St. Louis City J6I1248	64	Add ramps and auxiliary lanes at Tower Grove Avenue and replace Newstead Avenue, Tower Grove Avenue and Taylor Avenue bridges from Kingshighway Boulevard to Boyle Avenue. Includes bridges L668R1, K465R1 and K466R2. Cost share project with Washington University Medical Center. \$4 million in 2012 and \$4 million in 2013. \$8 million maximum from cost share. \$7.4 million from WUMC.	2012 RW 2013 CN New	14,837
St. Clair J7B0801G	B	Bridge rehabilitation over Monegaw Creek and Little Monegaw Creek. Project involves bridges A3643 and A3642. Part of the Safe and Sound program.	2010 CN New	1,787
Greene J8P0791	60	Right of way to improve interchange safety and capacity at James River Freeway and National Avenue in Springfield. Funded by District STIP funds.	2009 RW New	850
Greene J8P2194	160	Geometric improvements and signal at Jackson Street in Willard. Cost participation project with the City of Willard, Willard R-2 School District and Greene County. \$125,439 from Willard. \$295,561 from available District STIP funds.	2009 CN New	421
Taney J8P0799	76	Right of way to construct roundabout and new bridge over Lake Taneycomo. Funded by District STIP funds.	2009 RW New	750
Webster J8P2206	60 OR	Thin pavement treatment on Rte. 60 outer roads, Burlington and Blue Bird Lane, 3 miles east of Fordland. Funded by District STIP funds.	2009 CN New	97
Dent J9P2172	19	Asphalt overlay of Rte. 19 (near and through Salem) from Rte. 68 to Rte. B. This project is part of District's Minor Road Program utilizing funds to be transferred from District Operations budget.	2009 CN New	430
Howell J9P2170	BU 63	Asphalt overlay of Bus. 63 (Willow Springs) from south of Rte. 60/63 North to north of Rte. 60/63 South. This project is part of District's Minor Road Program utilizing funds to be transferred from District Operations budget.	2009 CN New	260
Iron J9P2173	21	Asphalt overlay of Rte. 21 from Rte. E to Rte. 49. This project is part of District's Minor Road Program utilizing funds to be transferred from District Operations budget.	2009 CN New	449
Iron/Reynolds J9S0609	KK/TT	Asphalt overlay from Rte. 32 to Rte. TT (on Rte. KK) and from Rte. KK to Rte. 72 (on Rte. TT). Funding from Forest Highway Program.	2009 CN New	1,025
Newton J9Q2165D	44	Installation of video equipment along I-44 in Newton County. Funded by Traffic Division and District 7 Traffic.	2010 CN New	463

County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year	Contract Estimate (Dollars in Thousands)
Phelps J9S2174	E	Asphalt overlay on Rte. E from Rte. HH to north of I-44 (Rolla). This project is part of District's Minor Road Program utilizing funds to be transferred from District Operations budget.	2009 CN New	62
Pulaski J9P2169	17	Asphalt overlay on Rte. 17 from north of Miller County Line to Bus. Loop 44. This project is part of District's Minor Road Program utilizing funds to be transferred from District Operations budget.	2009 CN New	679
Texas J9P2171	BU 60	Asphalt overlay of Bus. 60 (Cabool) from east of Rte. 181 to Rte. 63. This project is part of District's Minor Road Program utilizing funds to be transferred from District Operations budget.	2009 CN New	101
St. Francois JOB0801C	8	Bridge rehabilitation on Rte. 8 over Big River. Project involves bridge L0216. Part of the Safe and Sound program.	2010 CN New	1,359
Various J0P1979	Various	Milling and rumble strips in the edgelines of various major routes in various counties in District 10. Funded by Open Container Funds.	2009 CN New	1,057
			Total:	\$51,197

Via approval of the consent agenda, the Commission approved the amendments to the 2009-2013 STIP as noted in the tabulation above.

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RATIFICATION AND APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the approval of the Chief Engineer of the following right of way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
Jackson	150	J4U1130	January 14, 2009
Platte	45	J4U1108B	October 1, 2008
City of St. Louis	I-70	J6I0984	December 5, 2008
St. Louis	30	J6S2054	June 6, 2008

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

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REPORT AND RECOMMENDATION REGARDING ORDERS OF RULEMAKING, TECHNICIAN CERTIFICATION PROGRAM

On behalf of the Director, David Ahlvers, State Construction and Materials Engineer, reminded the Commission that they authorized the filing and publication of the notice of proposed rulemaking, containing a proposed amendment for administrative rules 7 CSR 10-23.010, 7 CSR 10-23.020, and 7 CSR 10-23.030, which will update the Technician Certification Program, at the Commission meeting held on November 7, 2008. This rulemaking was published in the *Missouri Register* on December 15, 2008, and MHTC did not receive any comments during the thirty-day comment period following the publication. Therefore Mr. Ahlvers recommended approval of the final order of rulemaking and authorization for the Commission Secretary to file the final rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. He further recommended that the Director, Chief Engineer, or Chief Financial Officer be authorized to execute any document appropriate and necessary to complete this final rulemaking process.

Via approval of the consent agenda, the Commission unanimously approved the recommendations.

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WENTZVILLE PARKWAY TRANSPORTATION CORPORATION, REAPPOINTMENT AND APPOINTMENT OF BOARD MEMBERS

On behalf of the Director, Ed Hassinger, District 6 Engineer, conveyed the following recommendation of the Wentzville Parkway Transportation Corporation Board of Directors as it pertains to membership on that board:

- Reappoint Bill Kral for a six-year term effective February 28, 2009, expiring February 28, 2015.
- Reappoint Amy Althen-Goeppner for a six-year term effective February 28, 2009, expiring February 28, 2015.
- Reappoint John Luby for a six-year term effective February 28, 2009, expiring February 28, 2015.
- Appoint David Wenner to fill the unexpired portion of the six-year term held by Greg Spalding, which is set to expire February 28, 2011.

Via approval of the consent agenda, the Commission unanimously approved the reappointments and appointments to the Wentzville Parkway Transportation Corporation Board of Directors as recommended and noted above.

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--- REPORTS ---

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, January 31, 2009**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2009 monthly financial report for the period ending January 31, 2009, with budget and prior year comparisons.

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**DELEGATION OF AUTHORITY FOR EXECUTION OF DOCUMENTS,
OPERATING BUDGET APPROPRIATIONS**

In keeping with the Commission's delegation of authority for specific staff members to execute documents in keeping with its approved budget, and in keeping with the Commission's desire to be apprised of all single purchases over \$200,000, Beth Ring, General Services Director, submitted a report showing the purchase orders issued and contracts executed that exceeded \$200,000 in the second quarter of Fiscal Year 2009.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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