



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

TABLE OF CONTENTS

March 13, 2007

VOTE TO CLOSE MEETING	3
 COMMISSION/DIRECTOR ITEMS	
Election of Chairman and Vice Chairman	3
Meeting Minutes	4
Consent Agenda	4
Reports of Commission Committees and Commission Related Boards	5
Director's Report	5
Resolution Expressing Appreciation to Roger Brown for Service on the Missouri Department of Transportation's Pavement Design and Type Selection Team	6
 POLICIES/ADMINISTRATIVE RULES	
Administrative Rules - Notice of Proposed Amended Rulemaking, 7 CSR 265-9, Rail Fixed Guideway Systems	7
Administrative Rules - Notice of Proposed Amended Rulemaking, 7 CSR 10.4.020, Relocation Assistance Program.....	8
 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM	
Consideration of Bids on Federal-Aid and State Projects	9
2007-2011 Statewide Transportation Improvement Program Amendments	13
Ratification of Approval of Right of Way Plans for Condemnation	14
Roadway Location and Design Approval	15
 BUSINESS ISSUES	
Alternate Bidding for Pavements.....	15
Chip Seal Performance Challenge.....	17
Winter Operations Update.....	18
Renewal of Pavement Marking Contract	19
 INNOVATIVE FINANCE	
Spindler Transportation Development District	19
Eureka South I-44 Transportation Development District	20
Shoppes at Hilltop Transportation Development District	21
 PROPERTY ACQUISITIONS AND CONVEYANCES	
Disposal of Property Exceeding \$200,000	22

REPORTS

Financial – Budget – Reports

Year-to-Date Financial Report, January 31, 2007 ----- 24

Delegation of Authority for Execution of Documents,
Operating Budget Appropriations, Single Purchases exceeding \$200,000----- 24

**MINUTES OF REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
JEFFERSON CITY, MISSOURI, ON TUESDAY, MARCH 13, 2007**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Tuesday, March 13, 2007, in Jefferson City, Missouri. The meeting was called to order at 9:30 a.m. by Bill McKenna, Chairman. The following Commissioners were present: Duane S. Michie, James B. Anderson, Mike Kehoe, and David A. Gach. Vice-Chairman Marjorie B. Schramm was absent.

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 Mari Ann Winters, Secretary to the Commission, were present on Tuesday, March 13, 2007.

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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.

Immediately prior to closing its meeting at 8:00 a.m., and upon motion duly made and seconded to convene in closed session, the Chairman asked for a voice vote of the members.

The vote was as follows:

Commissioner McKenna, Aye
Commissioner Michie, Aye
Commissioner Anderson, Aye
Commissioner Kehoe, Aye
Commissioner Gach, Aye

whereupon the Commission closed its meeting. At 9:30 a.m. the Commission recessed its closed meeting, held its open meeting, returned to closed meeting at 11:00 a.m., and adjourned its closed meeting at noon.

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-- OPEN MEETING --

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

In keeping with Section 226.030(2) of the Revised Statutes of Missouri, Commissioner Gach nominated Commissioner Anderson to serve as Chairman and Commissioner Michie to serve as Vice Chairman until March 1, 2008, at which time Commissioner Michie will assume

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

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APPROVAL OF MINUTES

Upon motion by Commissioner Michie, seconded by Commissioner Gach, the Commission unanimously approved the minutes of the regularly scheduled meeting held on February 7, 2007. 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 the 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 noncontroversial 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 13, 2007, Consent Agenda

Upon motion by Commissioner Michie, seconded by Commissioner Kehoe, all items on the consent agenda were unanimously approved.

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REPORTS OF 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 13, 2007, meeting.

Legislative Committee - Commissioner McKenna provided a status report on each of the Commission's legislative priorities. He noted that House Bill 90, which allows law enforcement to stop motorists solely for the purpose of not complying with Missouri's laws pertaining to the use of safety belts, is scheduled for debate in the House when the legislature returns from spring recess (week of March 26, 2007).

MoDOT and Patrol Employees' Retirement System - Commissioner Michie reported that the MoDOT and Patrol Retirement System Board of Trustees had authorized the purchase of a new automation system from Levi, Ray & Shoup to maintain member records. The total cost of implementation (over a 24-month period) will be \$2,999,200. The Board further directed that a project oversight committee comprised of MoDOT and State Highway Patrol staff be formed to ensure the project is completed in keeping with the firm's proposal.

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DIRECTOR'S REPORT

During the March 13, 2007, Commission meeting, Director Pete Rahn provided the following report:

Response to Sidewalk Falling from Bridge - Director Rahn reported that on March 1, 2007, a 69-foot sidewalk fell from a bridge on Delor Street onto I-55, St. Louis City. He explained that the bridge had been recently inspected and found to be in good condition. Deterioration, which caused the sidewalk to fall, occurred underneath the concrete and, therefore, could not be detected through the normal bridge inspection process. Because of the potential damage or harm that could result from this type of incident, the staff pursued the issue as if all bridges of like design would experience failures and, therefore, immediately solicited bids to remedy the problem. As a result, within ten days of the incident, contractors began corrective measures.

Mr. Rahn said the staff suspected that the same bridge design had been used in other states; therefore, MoDOT had shared information about the incident with the Federal Highway Administration, which allowed that agency to issue a nationwide advisory.

Employee Lost Workdays - Director Rahn reported that MoDOT's continuing focus on safety resulted in no lost workdays during February.

Primary Safety Belt Legislative Proposal - Director Rahn expressed appreciation for the tremendous media support for primary safety belt legislation in Missouri.

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**RESOLUTION EXPRESSING APPRECIATION TO ROGER BROWN
FOR SERVICE ON THE MISSOURI DEPARTMENT OF TRANSPORTATION'S
PAVEMENT DESIGN AND TYPE SELECTION TEAM**

The Commission unanimously adopted the following Resolution and presented it to Mr. Roger Brown.

WHEREAS, Mr. Roger Brown of Pace Construction Company, St. Louis, Missouri, volunteered to be a member of the Pavement Design and Type Selection Team in November of 2002, and served until December 31, 2006; and

WHEREAS, Mr. Brown served on three previous pavement design and type selection process reviews, dating back to 1996; and

WHEREAS, Mr. Brown brought to the Pavement Design and Type Selection Team a long, varied, and distinguished background in the national hot mix asphalt, aggregate, and business-community, which merited acceptance and respect throughout the state; and

WHEREAS, Mr. Brown performed his duties with the highest degree of integrity, innovation, passion for the hot mix asphalt industry, willingness to listen to other's views, and commitment to improving the condition of Missouri's roads; and

WHEREAS, Mr. Brown carefully considered all actions taken by the Pavement Design and Type Selection Team with a genuine desire to act in the best interest of all Missourians; and

WHEREAS, Mr. Brown listened intently to the views of his associates and presented his perspective clearly, objectively, and with passion and respect; and

WHEREAS, Mr. Brown displayed a superior skill for finding innovations in using new technologies and recycled materials in hot mix asphalt; and

WHEREAS, Mr. Brown valued and befriended MoDOT employees, working closely with them to improve processes and to break down bureaucracies to improve Missouri's roads; and

WHEREAS, Mr. Brown generously gave of his personal time to contribute to the betterment of Missouri's transportation system;

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

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Mr. Brown so he will have a permanent record of the high esteem and affection in which he is held by the members of the Missouri Highways and Transportation Commission and MoDOT staff.

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**ADMINISTRATIVE RULES – NOTICE OF PROPOSED AMENDED RULEMAKING,
7 CSR 265-9, RAIL FIXED GUIDEWAY SYSTEMS**

On behalf of the Director, Brian Weiler, Director of Multimodal Operations, explained that Administrative Rule 7 CSR 265-9, Rail Fixed Guideway Systems, outlines the Department's regulatory authority over the Metrolink light rail system in St. Louis. He noted that the Federal Transit Administration had recently made changes in the definitions and procedures pertaining to light rail safety. In order for Missouri's Administrative Rule to be in compliance with the changes, Mr. Weiler presented proposed rulemaking to amend the light rail rules that govern the operation of the Metrolink system in St. Louis, and he recommended they be filed with the Joint

Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*.

After consideration, the Commission, via approval of the consent agenda, unanimously authorized the Secretary to the Commission to file the notice of the proposed rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, or Chief Financial Officer to execute documents to initiate the rulemaking process.

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**ADMINISTRATIVE RULES – NOTICE OF PROPOSED AMENDED RULEMAKING,
7 CSR 10-4.020, RELOCATION ASSISTANCE PROGRAM**

On behalf of the Director, Terry Sampson, Right of Way Director, explained that Administrative Rule 7 CSR 10-4.20, Relocation Assistance Program, incorporates, by reference, the Department's relocation assistance practices required by the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the Code of Federal Regulations, and state eminent domain laws, as amended. He presented proposed amended rulemaking incorporating the 2006 edition of the Department's Relocation Assistance Program Manual and recommended it be filed with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*. The 2006 edition is more comprehensive, includes a section regarding functional replacement, and incorporates other minor revisions intended to be more informative and helpful to readers of the manual.

After consideration, the Commission, via approval of the consent agenda, unanimously authorized the Secretary to the Commission to file the notice of the proposed rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State for

publication in the *Missouri Register*, and authorized the Director, Chief Engineer, or Chief Financial Officer to execute documents to initiate the rulemaking process.

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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 during the past month.

Mr. Nichols recommended (1) awards be made to the lowest responsive and responsible bidders noted in Table I below, (2) the single bid received on Call 307 be rejected because it was considered excessive, (3) concur with the City of Washington in the award of the contract noted in Table III, and (4) ratify action taken by the Chief Engineer in awarding the emergency contracts noted in Table IV.

**Table I
Award of Contracts
February 23, 2007, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	E	Daviess	J1S0870	\$1,184,638.00	\$0	L. G. Barcus and Sons Inc.	Replace Bridge Deck
	69	Daviess	J1S0872				
	W	DeKalb	J1S0873				
	EE	DeKalb	J1S0932				
102	35	Harrison	J1I0966	12,922,971.17	1,312.00	Chester Bross Const. Co./C.B. Equipment Inc.	Hot In-Place Recycling, Paving and Bridge Rehabilitation
201	41 Spur	Saline	J2S0785	138,387.37	0	APAC-Missouri, Inc.	Coldmill & Resurface with Bituminous Pavement (BP-1)
202	36	Livingston	J2P0751	2,550,086.07	800.00	Norris Asphalt Paving Co.	Resurface Lanes with Superpave and Shoulders with BP-1
301	J	Monroe	J3S0479	456,142.60	0	Bleigh Construction Company	Optional Pavement and Bridge – Concrete Girder
302	E	Montgomery	J3S0488	598,859.60	0	Lehman Construction, L.L.C.	Bridge Rehabilitation
303	D	Lincoln	J3S0466	398,868.60	0	Bleigh Construction Company	Optional Pavement and Bridge – Concrete Girder

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
304	C	Monroe	J3S0478	524,999.06	148.39	Widel, Inc.	Grading, Optional Pavement, and Bridge Concrete I-Girder
305	O	Pike	J3S0499	328,380.25	0	Bleigh Construction Company	Grading, Optional Pavement and Alternate Bridge Structure
306	61	Pike, Ralls	J3P0501	1,789,086.25	656.00	Bleigh Construction Company	Grading, Optional Pavement and Bridge Concrete Girder
401	45	Platte	J4P1871	2,661,324.31	144.00	Superior Bowen Asphalt Company, LLC	Pavement Repair
	9	Clay	J4S1385		600.00		Grading and Resurfacing with BP-1 and Superpave
	9	Platte	J4S1824		656.00		Ultrathin Bonded Asphaltic Wearing Surface
402	13	Henry/Johnson	J4P1796	3,453,552.80	0	Hilty Quarries Inc.	Resurface Shoulders and Thin Lift Overlay (BP-1)
		Johnson	J4P1797				
403	40	Jackson	J4S1826	749,866.35	656.00	Chester Bross Const. CO/C.B. Equipment Inc.	Resurface with BP-2 and BP-3
404	A	Cass	J4L0700E	3,304,362.97	0	Lake Asphalt Paving & Construction, LLC	Thin-Lift Overlay (SL)
	2		J4P1794		656.00		Grading and Resurfacing
	7		J4S1792		656.00		Thin-Lift Overlay (SL) & (BP-2)
405	71	Jackson	J4M0182	299,037.57	0	Accent Landscape, Inc.	Mowing and Landscape Maintenance
406	150	Jackson	J4U1129	6,889,519.66	720.79	APAC-Kansas, Inc.	Grading, Resurfacing with Superpave (West End), Optional Pavement (East End) and Bridge – Steel Girder
501	Z	Cooper	J5L0700O	424,247.11	0	APAC-Missouri, Inc.	Thin-Lift Overlay (SL)
	DD	Cooper, Saline	J5L0700S				Thin-Lift Overlay (BP-2)
	135	Morgan	J5L0700Z				Seal Coat and Fog Seal
502	D	Osage	J5S0551	580,344.60	10.68	Don Schnieders Excavating Company, Inc.	Grading, Optional Pavement and Bridge Rehabilitation
503	H	Gasconade	J5S0792	465,767.91	0	Muenks Brothers Construction Co.	Grading, Optional Pavement and Bridge Replacement
504	U	Cooper	J5S0521	435,591.50	0	Lehman Construction, L.L.C.	Grading, Optional Pavement and Replace Bridge Deck
			J5S0858				
505	70	Cooper	J5M0046	1,257,043.10	328.00	Chester Bross Const. CO/C.B. Equipment Inc.	Coldmilling and Resurfacing the Eastbound Lane with Superpave

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
601	270	St. Louis	J6I1688	6,152,270.01	6,432.26	Kozeny-Wagner, Inc.	Grading, Optional Pavement and Alternate Bridge Replacement
*602	185	Franklin	J6S1850	8,508,041.54	2418.67	Don Schnieders Excavating Company, Inc.	Grading, Drainage, Alternate Bid Pavement and Bridge - Steel Girder
603	44	St. Louis City	J6I1970	37,016.25	656.00	Byrne & Jones Enterprises, Inc./DBA Byrne & Jones Constr.	Widen Left Turn Radius with Optional Pavement
801	14	Christian	J8P0781	263,375.66	0	Leo Journagan Construction Co. Inc.	Resurfacing with Superpave
802	PK RDS.	Benton	J5L07TRU	4,084,063.02	0	Leo Journagan Construction Co., Inc	Thin-Lift Overlay (BP-1)
	54	Camden, Hickory	J8P0794		656.00		Grading and Widening with Superpave
901	E	Maries, Phelps	J9L0600I	312,257.01	0	Jefferson Asphalt Company	Thin-Lift Overlay (SL)
X01	67	Wayne	J0P0931A	9,897,956.90	0	Robertson Contractors, Inc.	Bridge (New 4 Lane), Grading
X02	61, 114	New Madrid, Scott	J0P0961	1,217,668.50	1,312.00	Apex Paving Co.	Coldmilling and Resurfacing with Bituminous Pavement (BP-1)
X03	67	Butler	J0P0925	2,934,000.00	656.00	Pace Construction Company, LLC	Pavement Surface Correction and Resurfacing with Bituminous Pavement (BP-1 & Base)
X04	I-55	Pemiscot	J0M0023	553,902.00	0	Big River Resources Corp.	Slide Repair
				\$75,373,627.74	\$19,474.79		

* Funding by City of Sullivan - \$4,254,020.77

**Table II
Rejection of Bids
February 23, 2007 Bid Opening**

Call No.	Route	County	Job No.	Description
307	AA	Clark	J3S0653	Grading, Optional Pavement and Bridge Deck Replacement

**Table III
Projects Let by Others - February 23, 2007**

Route	County	Job No.	Bid Amount	Contractor	Description
100	Franklin	J6P1004B	\$6,168,000.00	Pace Construction Co., LLC	Grading, drainage, pavement widening, retaining walls, signals and lighting City's portion of 50/50 cost share for the Route 100 corridor.

* Project let by City of Washington. City of Washington is responsible for 100% of project.

**Table IV
Emergency Bid Opening
March 9, 2007 Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Contractor	Description
401	Various	Jackson	J4S1999	\$221,689.95	Progressive Contractors, Inc.	Sidewalk retrofit on bridges. Various locations within D4
601	Various	St. Louis City	J6S2143	590,220.00	Gershenson Construction Co., Inc.	Sidewalk Retrofit on bridges. Various locations in D6

Commission Consideration and Action

After consideration, and upon motion by Commissioner McKenna, seconded by Commissioner Kehoe, the Commission unanimously took the following actions:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on February 23, 2007, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected the single bid received on Call No. 307, as noted in Table II above, because it was considered excessive.
3. Concurred with the City of Washington in the award of the contract noted in Table III above.
4. Ratified action taken by the Chief Engineer in the award of the emergency contracts shown in Table IV above.

Chairman Anderson abstained from voting on Call No. 801, and Commissioner Kehoe abstained from voting on Call No. 601. In keeping with the Commission’s Delegation of Authority to Execute Documents, the Director, Chief Engineer, Chief Financial Officer, or the Director of Program Delivery may execute the contracts awarded above. In addition, the Director of System Management and respective District Engineer may execute contracts pertaining to emergency work, such as those noted in Table IV.

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2007-2011 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENTS

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that thirteen right-of-way and construction projects totaling \$25,029,000 be added to the Highway and Bridge Construction Schedule of the 2007-2011 Statewide Transportation Improvement Program (STIP), as noted in the tabulation below. The amendments proposed will insure timely execution of cost participation projects, address safety and congestion concerns, and improve bridge conditions.

Highway and Bridge Construction Schedule

County	Route	Job No.	Description of Location/Improvement
Nodaway	FF	1S0908	Section 14 Streambank Protection at the south fork Clear Creek, 3.0 miles north of Route 71, near Burlington Junction. MoDOT to acquire right of way. \$7,000
Cole	50/63	5P0844B	Local project associated with a cost share project at City View Drive interchange in eastern Jefferson City. 100% funded by others. \$5,119,000
Various	Various	5Q0974	For a supplemental agreement for Rural Intelligent Transportation Systems (ITS) innovative technologies in various locations. To be funded by Central Office Traffic Division and federal earmarks. \$6,150,000
Jefferson	OR 55	6I2050	Add 27 parking spaces, fencing, and lighting to existing commuter lot at the McNutt Street interchange on the east side of the west outer road in Herculaneum. Partial CMAQ funding (\$161,000). Remainder to be paid from district funds. \$187,000
St. Charles	70	6I2051	Add an auxiliary lane on I-70 eastbound from T.R. Hughes to Route 79. Partial CMAQ funding (\$1,020,000). Remainder to be paid from district funds. \$1,275,000
St. Charles	70	6I2052	Add an auxiliary lane on I-70 eastbound from Route K/M to T.R. Hughes. Partial CMAQ funding (\$954,000). Remainder to be paid from district funds. \$1,224,000
St. Louis	70	6I2106	Restripe existing roadway to provide 4 lanes in each direction from I-270 to I-170. \$3,468,000
St. Louis/St. Louis City	44	6I2107	Restripe existing roadway to provide 5 lanes in each direction from I-270 to Grand Avenue. \$1,988,000
Jefferson	55	6I2108	Installation of median guard cable from Route 61 to Route M. Funding from Statewide Safety Program (\$608,000) and Citizens for Safe Medians (\$55,000) \$663,000
St. Charles	70	6I2076	Repairs to bridge on Fairground Road over I-70 \$150,000

County	Route	Job No.	Description of Location/Improvement
St. Louis	Allenton/Six Flags Road at I-44	6S2057	Construct a new commuter lot at Allenton/Six Flags Road and I-44 Interchange. Partial CMAQ funding (\$240,000). Remainder to be paid from district funds. \$404,000
Newton	60	7P0865	Repair bridge over Shoal Creek 2.8 miles east of Routes M and W. \$395,000
Pemiscot	155	0I0976	Structural steel painting on Mississippi River bridge. Tennessee will award project in June 2007 and will request MHTC concurrence. MoDOT payback of 50% of construction costs in fiscal year 2009. \$3,999,000
		Total:	\$25,029,000

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2007-2011 STIP as noted in the tabulation above.

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RATIFICATION OF APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the Chief Engineer's approval 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	I-470	J4I1641B	September 13, 2006
Jackson	24	J4P1364	February 8, 2006
Polk	13	J8P0592	October 19, 1999 (5 th Amended)
Franklin	185	J6S1850	May 11, 2005 (2 nd Amended)
St. Louis	30	J6S1784	Fewer than 5 parcels.

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 right of way condemnation.

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ROADWAY LOCATION AND DESIGN APPROVAL

On behalf of the Director, Ed Hassinger, District Engineer, District 6, recommended approval of the location and design of the following projects as presented on the preliminary plans and exhibits shown to the public at the noted hearing with modifications noted below, if any.

**Route BB, Jefferson County
Various Locations Between Route 30 and Route 21
Job No. J6S1783, J6S1888, J6S1911
Hearing Held August 30, 2006**

The proposed improvements provide for the replacement of various drainage structures (J6S1783), relocation of a section of Route BB at Old Baker School Lane (J6S1888), and improvements to the Sand Creek Bridge (J6S1911). This project will have normal access right of way. Existing Route BB will be closed for a short period of time during construction at the Sand Creek Bridge using other state routes as detours. Other short-term road closures will be necessary to replace the various drainage structures. This project is 9.3 miles in length.

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

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ALTERNATE BIDDING FOR PAVEMENTS

On behalf of the Director, Dave Nichols, Director of Program Delivery, reminded the Commission that approximately five years ago, MoDOT had worked closely with representatives of the asphalt industry, concrete industry, and the Federal Highway Administration to develop a pavement design and type selection process. As a result, alternate bidding, was implemented. Mr. Nichols noted that alternate bidding (contractor selection of either asphalt or concrete) gives

both the asphalt and concrete industries the best opportunity to compete and also provides Missourians with the best value for dollars spent.

Mr. Nichols said in an effort to ensure that the process being used was fair to both industries and to ensure that enhancements to the process had not been overlooked, MoDOT had retained The Transtec Group from Austin, Texas, to review the alternate bidding process and provide an independent analysis thereof. Following extensive interviews with representatives of the asphalt industry, the concrete industry, the Federal Highway Administration, and the MoDOT staff, the Transtec Group determined that MoDOT had exercised great care and diligence in developing the alternate bidding process and concluded that MoDOT was moving in the right direction with this effort.

The Transtec Group report further found that MoDOT had “developed a balanced, innovative program that could serve as a national model for other highway agencies throughout the nation and beyond.”

Mr. Nichols said since implementing the alternate bidding process, there had been 25 percent more bidders resulting in an estimated 9 to 10 percent decrease in costs. He pointed out that the staff continues to meet quarterly with representatives of the asphalt and concrete industries and related partners in an effort to refine the process as needed.

The Commission commended the staff for its innovation and for being inclusive and open as it developed the pavement design and type selection process. The Commission further encouraged the staff to be vigilant about evaluating the performance of the pavement types under differing conditions and over extended periods of time.

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CHIP SEAL PERFORMANCE CHALLENGE

On behalf of the Director, Don Hillis, Director of System Management, reported that in an effort to find a cost-effective means to maintain minor roads, MoDOT had initiated a Chip Seal Performance Challenge. This initiative challenged MoDOT maintenance teams to develop a high quality, low-cost chip seal process that could be used throughout the state.

Mr. Hillis explained that the project submittals were evaluated by a six-member team, with three of the members being from private industry, one from MoDOT's Community Relations Division, one from MoDOT's Construction and Materials Division, and one from MoDOT's Maintenance Division. The 13 projects submitted were evaluated using the following criteria: 45 percent on cost, 30 percent on quality, 15 percent on appearance, and 10 percent on claims.

Winners of the challenge included a team from District 7 for a project on Route 126 in Barton County and a team from District 4 for a project on Route C in Clay County. Honorable mention was awarded to a team from District 10 for a project on Route C, Madison County, and a team from District 3 for a project on Route E, Lincoln County.

Mr. Hillis said the processes used for the winning projects will eliminate the negative stigma previously associated with chip seal applications, such as broken windshields and oil on vehicles. He emphasized that cost analysis found that the winning projects completed by MoDOT forces were accomplished at significantly less cost than would have been accomplished through contracting the work.

Mr. Hillis stated that the best practices developed by the winning teams would be shared with all districts; however, the competition will continue in order to give MoDOT forces an opportunity to even further refine the chip seal process.

Director Rahn commended the employees for their innovation and desire to develop a high quality product at the lowest possible cost. He noted that the two winning teams were awarded \$5,000 each to share among the team members. Those receiving honorable mention received \$2,500 each to share among the team members. Director Rahn emphasized that the knowledge gained through the Chip Seal Challenge cost less, and would likely be of greater benefit, than would have been received had the staff retained an outside vendor to develop such a process.

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WINTER OPERATIONS UPDATE

On behalf of the Director, Don Hillis, Director of System Management, reported on the winter maintenance operations. He noted that the severity of the storms necessitated around-the-clock efforts over extended periods of time. As a result of ice storms, debris had to be removed from the roadways and roadsides.

Mr. Hillis reported on the equipment used to clear the roadways and commended the MoDOT forces for their initiative and innovation in developing specialized equipment and methods to accomplish their mission. He noted that the severity of the storms led to process changes that improved communications within MoDOT, with emergency forces, and with the public.

Mr. Hillis said the road clearing efforts resulting in an expenditure of \$35 million, which includes labor, materials, and equipment, compared to an average cost of \$27 million for winter road clearing operations.

Mr. Hillis reported that MoDOT is working cooperatively with the cities and counties to remove debris from the rights-of-way. Since the areas involved were declared disaster areas by

the President, the Federal Emergency Management Agency (FEMA) will reimburse MoDOT for 75 percent of its cost to remove the debris.

The Commission expressed appreciation to Team MoDOT for its positive and persistent effort to address the adverse conditions created by the winter storms.

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RENEWAL OF PAVEMENT MARKING CONTRACT

On behalf of the Director, Don Hillis, Director of System Management, recommended approval of a five-year contract with 3M in the estimated amount of \$5,320,000 for the purchase and installation of 3M's 380 pavement marking tape, which is a sole source product. The contract also provides for the installation warranty of Type 2 pavement markings on the major divided highways included in the Better Roads, Brighter Future Program. The contract allows price adjustments in years three, four, and five based on a federal government price index.

Via approval of the consent agenda, the Commission unanimously approved the recommendation, and authorized the Director, Chief Engineer, or Chief Financial Officer to execute the contract and to approve amendments to the contract that may be warranted during the contract period. The initial contract and future contract supplements are subject to Chief Counsel's Office approval as to form.

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SPINDLER TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF PROJECT AND APPOINTMENT OF ADVISOR

On behalf of the Director, Matt Seiler, Acting District 8 Engineer, and Kirk Boyer, Resource Management Director, advised the Commission that in response to a petition filed by JAK Spindler, LLC, the Court, on February 7, 2007, established the Spindler Transportation

Development District (TDD) as a political subdivision for the purpose of extending the right- and left-turn lanes at Route 60 and Route K, in Seymour. Route 60 is part of the state highway system and, therefore, under the jurisdiction of the Commission. The Commission does not own any real property within the proposed Transportation Development District.

In keeping with Sections 238.220(3) and 238.225(1), RSMo, the Commission, via approval of the consent agenda, (1) found that the improvements to Route 60 are a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions in the plans and specifications required by the Commission and subject to the TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project, and (2) appointed the District 8 District Engineer or his designee as the Commission advisor to the Spindler TDD's board of directors. In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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**EUREKA SOUTH I-44 TRANSPORTATION DEVELOPMENT DISTRICT,
CONSIDERATION OF PROJECT AND APPOINTMENT OF ADVISOR**

On behalf of the Director, Ed Hassinger, District 6 Engineer, and Kirk Boyer, Resource Management Director, advised the Commission that in response to a petition filed by the City of Eureka and JBA Eureka, LLC, the Court, on October 19, 2006, established the Eureka South I-44 Transportation Development District as a political subdivision for the purpose of constructing an overpass connecting the Allenton Six Flags interchange and the redevelopment project, which includes installation of traffic signals on Business I-44 and the I-44 exit ramps. Business I-44 and I-44 are part of the state highway system and, therefore, under the jurisdiction of the

Commission. The Commission does not own any real property within the proposed Transportation Development District.

In keeping with Sections 238.220(3) and 238.225(1), RSMo, the Commission, via approval of the consent agenda, (1) found that the improvements to Business I-44 and the I-44 exit ramps are a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions in the plans and specifications required by the Commission and subject to the TDD entering into mutually satisfactory agreement with the Commission regarding development and future maintenance of the project, and (2) appointed the District 6 Engineer or his designee as the Commission advisor to the Eureka South I-44 TDD's board of directors. In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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**SHOPPES AT HILLTOP TRANSPORTATION DEVELOPMENT DISTRICT,
CONSIDERATION OF PROJECT AND APPOINTMENT OF ADVISOR**

On behalf of the Director, Ed Hassinger, District 6 Engineer, and Kirk Boyer, Resource Management Director, advised the Commission that in response to a petition filed by St. Louis County by Eureka Meramec, LLC, the Court, on February 6, 2007, established the Shoppes at Hilltop Transportation Development District (TDD) as a political subdivision for the purpose of relocating Meramec Boulevard and constructing the necessary improvements at Fifth Street, Hilltop Village Center Drive, and Meramec Boulevard in Eureka. Fifth Street is a part of the state highway system and, therefore, under the jurisdiction of the Commission. The Commission does not own any real property within the proposed Transportation Development District;

however, the project includes construction and installation of a traffic signal at the new intersection of relocated Meramec Boulevard and Fifth Street.

In keeping with Sections 238.220(3) and 238.225(1), RSMo, the Commission, via approval of the consent agenda, (1) found that the improvements to Fifth Street are a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions in the plans and specifications required by the Commission and subject to the TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project, and (2) appointed the District 6 Engineer or his designee as the Commission advisor to the Shoppes at Hilltop TDD's board of directors. In keeping with the Commission's Delegation of Authority to Execute Documents, the Director, Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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DISPOSAL OF PROPERTY EXCEEDING \$200,000

In keeping with the Commission's June 14, 2006, 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. The following proposed sales exceed \$200,000.

Excess Parcels E6-0954, E6-0955, E6-0956, E6-0957, and E6-0958, Route 141/100, St. Louis County

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended conveyance of five parcels (Excess Parcel E6-0954, E6-0955, E6-0956, E6-0957, and E6-0958) totaling 141,961 square feet adjacent to Route 141, St. Louis County, to Pace-Acquisitions, LLC, for the fair market value of \$1,419,610. Excess Parcels E6-0957 and E6-0958 were previously

conveyed to the City of Manchester by quitclaim deed dated August 22, 2003, with a restriction that the tracts be used for a municipal building. The city ultimately selected a different location for the building site and, therefore, ownership of these parcels reverted to the Commission.

Excess Parcel E9-0168, Willow Springs Garage/Project Office Site, Howell County

On behalf of the Director, Tom Stehn, District 9 Engineer, reported the former Willow Springs Garage/Project Office site (Parcel E9-0168), which contains 10.22 acres and improvements, was advertised for sale, and offered to the public at an auction. As a result, he recommended the parcel and improvements thereon be sold to the City of Willow Springs for \$375,000.

Via approval of the consent agenda, the Commission unanimously approved the sale of the excess parcels as noted above.

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--- REPORTS ---

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, JANUARY 31, 2007**

Deborah S. Rickard, Controller, presented the Fiscal Year 2007 monthly financial report for the period ending January 31, 2007, 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, Roberta Broeker, Chief Financial Officer, submitted a report showing the purchase orders issued and contracts executed that exceeded \$200,000 in the second quarter of Fiscal Year 2007.

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

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