



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

TABLE OF CONTENTS

December 2, 2009

VOTE TO CLOSE MEETING	3
COMMISSION/DIRECTOR ITEMS	
Consent Agenda	4
Commission Committees and Commission Related Boards	5
Directors Report	5
PUBLIC PRESENTATIONS	
St. Charles County	6
St. Louis Regional Chamber and Growth Association	7
Shoulders for Safety	8
I-64 Workforce Advisory Committee	9
St. Louis Black Leadership Roundtable	11
MOKAN	12
NAACP	13
PUBLIC COMMENTS	
Climate Change and Public Policy	14
Lincoln County Highway Improvements	15
MODOT PRESENTATIONS	
The New I-64 Project Update	16
The New Mississippi River Bridge Project Update	17
STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM	
Consideration of Bids on Federal-Aid and State Projects	18
2010 – 2014 Statewide Transportation Improvement Program, 2010 Amendment	22
Request for Approval of Location and/or Design	24
Ratification and Approval of Right of Way Plans for Condemnation	24
BUSINESS ISSUES	
Resolution Expressing Appreciation to Richard E. Hrabko for Outstanding Service to the State of Missouri	25

PROPERTY ACQUISITION AND CONVEYANCES

Disposal of Excess Property, Route 170 & Route 340 (Olive),
St. Louis County, Excess Parcel Number E6-1013 ----- 26

REPORTS

Financial Report – Year-to-Date, Period Ending October 31, 2009 ----- 27
Financial Accountability Report, Quarterly Report ----- 27
Delegation of Authority for Execution of Documents, Operating Budget ----- 27

**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN
ST. CHARLES, MISSOURI, ON WEDNESDAY, DECEMBER 2, 2009**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, December 2, 2009, at the Office of St. Charles County Executive, Council Chambers, 100 North Third Street, St. Charles, Missouri. David A. Gach, Chairman, called the meeting to order at 9:00 a.m. The following Commissioners were present at the meeting location: David A. Gach, Rudolph E. Farber, Grace M. Nichols, Stephen R. Miller, Lloyd J. Carmichael, and Duane S. Michie.

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.

* * * * *

* * * * *

Rich Tiemeyer, Chief Counsel for the Commission and Pamela J. Harlan, Secretary to the Commission were present on Wednesday, November 4, 2009. Pete Rahn, Director of the Missouri Department of Transportation, was absent.

* * * * *

*“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 Gach, Aye
Commissioner Farber, Aye
Commissioner Nichols, Aye
Commissioner Carmichael, Aye
Commissioner Miller, Aye
Commissioner Michie, Aye

The Commission met in closed session from 7:30 a.m. until 9:00 a.m.

* * * * *

-- OPEN MEETING --

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 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 2, 2009, Consent Agenda

Consent agenda item 1, “Resolution Expressing Appreciation to Richard E. Hrabko for Outstanding Service to the State of Missouri”; was removed by Commissioner Gach from the Consent Agenda for presentation to Mr. Hrabko. Following presentation of the resolution, upon motion by Commissioner Michie, seconded by Commissioner Nichols the consent agenda items were unanimously approved by a quorum of Commission members present.

* * * * *

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 December 2, 2009, meeting.

Audit Committee – Commissioner Farber stated there was no report.

Legislative Committee – Commissioner Miller reported on November 23, 2009, Director Pete Rahn presented MoDOT's Annual Accountability report to the Joint Committee on Transportation Oversight. During his presentation, Director Rahn reviewed many of the department's successes and the need for resources so the department can continue in its efforts to improve Missouri's transportation system. Commissioner Miller also reported on December 1, 2009 legislators began filing bills, and it is anticipated the budget and economy will be the primary focus of the General Assembly. The first day of session is January 6, 2010.

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

MoDOT and Patrol Employees Retirement System – Commissioner Farber stated there was no report.

* * * * *

DIRECTOR'S REPORT

During the December 2, 2009, Commission meeting, Chief Engineer, Kevin Keith provided the following report in Director Pete Rahn's absence:

He stated that this is a big week for the St. Louis area. On Sunday, December 6, 2009 there will be a ribbon cutting ceremony for opening the New I-64. On December 8, 2009 the department

will be accepting bids for the New Mississippi River Bridge project. Two significant transportation milestones happening in St. Louis.

* * * * *

DELEGATION REPRESENTING ST. CHARLES COUNTY

Steve Ehlmann, County Executive, stated the county is proud of the projects that have been accomplished with MoDOT over the years, and expressed his appreciation for the projects, most recently the completion of I-64 and funding for Phase 2 of Page Avenue. Mr. Ehlmann highlighted some projects of importance to the county including:

- (1) Phase 3 of Page Avenue will connect to I-64 and create another east-west corridor in the county. The county applied for a TIGER grant for Phase 3 of Page Avenue and some right of way has been purchased, but work needs to continue on this project.
- (2) I-70 is the most important link through the county and the most congested of the corridors with the bottleneck at Mid Rivers Mall Drive. There is a need to widen I-70 in the county.
- (3) Improve the bridge at Weldon Spring an important link between St. Charles and St. Louis counties.
- (4) State lettered routes need shoulders in the county.

Mr. Ehlmann introduced Joe Brazil, Chair of the County Council who reviewed the accident history of state lettered routes in St. Charles County. Mr. Brazil explained the population in the area is increasing along with fatalities along the state lettered routes. While the county understands MoDOT can not put shoulders on seventy miles of road, the county would like to see MoDOT develop a plan to address the problems on state lettered routes.

Chairman Gach thanked both Mr. Ehlmann and Mr. Brazil for their presentations.

* * * * *

DELEGATION REPRESENTING THE ST. LOUIS REGIONAL CHAMBER AND GROWTH ASSOCIATION

Richard C. D. Fleming, President and Chief Executive Officer, stated the mission of the St. Louis Regional Chamber and Growth Association (RCGA) is to improve the business climate and the quality of life of the region, and MoDOT provides a vital part of that mission in transportation infrastructure.

Mr. Fleming reflected back to when MoDOT decided to shut down I-64, the region's major artery, for two years, there was a lot of apprehension. However, MoDOT knew it could work and the team and staff made the region part of the process which helped make the project work. Traffic did not grind to a halt as a result of the I-64 project, and neither did the economy. In fact, the efforts made with St. Louis County, St. Louis City, and the municipalities along the corridor left a lasting legacy of cooperation and effective transportation systems management and improvements that go beyond the construction of I-64. Mr. Fleming recognized the department's accomplishments of increasing disadvantaged business participation and work force diversity on this project. The training programs, contractor incentives, and the partnering agreement with MoDOT, local trades, minority community groups, and minority contractors together were a recipe for success that has been recognized nationally. The result was a remarkable eighteen percent minority participation and seventy apprentices with quality job futures that wouldn't have had that opportunity were it not for this project. This is just the beginning for these opportunities. Mr. Fleming congratulated MoDOT for its design-build innovation that allowed the acceleration of the project from what would have been a seven-year construction project to just thirty-six months, and managed to save \$200 million in the process.

Mr. Fleming noted St. Louis will see another major project get under way in earnest, the New Mississippi River Bridge. The history of this project goes back to the 1990's and while it has had its ups and downs, it is at last about to be under construction with the selection of the contractor team for the main span this month.

MoDOT took important strides to truly become a department of transportation. Not content to focus on the critical issues of highways, MoDOT stepped up its work to improve other modes: ports, freight movement, aviation, rail and public transit. RCGA appreciates the work MoDOT is doing to improve rail operations in Missouri. The partnership with railroads, use of grants, and stimulus funds make a real difference in freight and passenger rail operations. RCGA supports the high-speed rail efforts from Kansas City to St. Louis to Chicago. Realizing however, that it will be necessary to grow into a true high-speed rail system. Noteworthy efforts in that growth include the new siding projects and the grade separation projects that MoDOT is undertaking to improve speeds across the state. RCGA looks forward to working with Governor Nixon, MoDOT, and others to improve high speed rail in Missouri and the Midwest.

MoDOT improved in all of these areas with limited resources. It is time to move forward and RCGA will be working with MoDOT and elected officials throughout the state to finally get to a point of adequately funding the job that MoDOT has in fulfilling the infrastructure needs of the state.

* * * * *

DELEGATION REPRESENTING SHOULDERS FOR SAFETY (SOS)

On behalf of Shoulders for Safety (SOS), Sherry Sibulars thanked the commission for the opportunity to speak. Ms. Sibulars explained that a town hall meeting was held in October and during that meeting there was unanimous agreement that shoulders are needed on the highways in their area, specifically highways D, DD, 94, Z, and F. Also during the meeting SOS was able to

collect 2,400 signatures in support of their effort. In 1952, the lettered routes were taken over by MoDOT, and SOS believes it is MoDOT's legal responsibility to provide the citizens of this state with safe roads, including these lettered routes. SOS is seeking priority in MoDOT's allocation process of distributing funds for these lettered routes, and is also seeking funding from other sources including the county and businesses to share the cost of these improvements.

Randy Frump, member of SOS, spoke about losing his son, Brian, in an accident on Highway D on January 1, 2009. Mr. Frump explained SOS is not asking support for a project that will make the drive to work more convenient or increase the value of their homes, instead they are simply asking for support and direction in making these safety improvements a reality.

Cheryl Kohlman, member of SOS, stated that a lower speed limit is not an option; because of the terrain law enforcement is unable to enforce it. The narrow lanes, increased traffic resulting from recent housing developments, additional schools, large truck traffic from three quarries, seasonal traffic visiting the local attractions, and abundant wildlife make these roads very hazardous to drive. SOS believes that shoulders will make the roads safer to drive.

Chief Engineer, Kevin Keith, stated that maintenance forces will do what they can to address some issues with these roads and that work will begin to develop an action plan. Commissioner Nichols expressed her concern about these roadways and Chairman Gach thanked them for their presentation.

* * * * *

I-64 WORKFORCE ADVISORY COMMITTEE

Reverend Tommie Pierson, Chairman, recalled the first time he spoke before the commission about a workforce development proposal and Director Pete Rahn announced putting together a roundtable. From that roundtable a partnering agreement was signed by community leaders and

others. Out of the partnering agreement an advisory committee was created. The advisory committee developed requests for proposals to award grants to training schools. These grants were funded with federal transportation funds that had been set aside for training. The on-the-job training program and pre-apprentice programs were developed and minorities were put to work on the I-64 project. Reverend Pierson shared some statistics about the two programs jointly funded by MoDOT, PRIDE, and CPC:

- There were a total of four hundred and thirty minority and women graduates.
- Twenty-one graduates worked on I-64
- One hundred twenty-six graduates went to work in other areas of the construction industry.
- Two graduates were hired by MoDOT.

As part of the I-64 project, project leaders met with advisory committee regularly. As the committee raised concerns, the project leaders worked to resolve barriers and issues. The federal workforce goal on I-64 was 14.7 percent but was completed with 19 percent. It had a goal of women in the workforce of 6.9 percent and was completed with 6.7 percent. I-64 had more than ninety on-the-job trainees, and averaged about fifty minorities and women working on the project at any given time. Reverend Pierson concluded the relationship built by the workforce advisory committee should continue to work with community leaders, community groups, and MoDOT.

Len Toenjes, Committee Member, stated the I-64 workforce advisory committee was an embodiment of the axiom that good process leads to good decisions. The process of bringing groups from all parts of the community together created a platform where everyone could honestly express their perceptions of the problem. People listened and made changes that resulted in positive outcomes. Mr. Toenjes explained that this was a good first step but it is not the last step. There are still questions that we need to work together to answer. Mr. Toenjes encouraged the commission to

continue this process because it is the platform where work can continue on these issues that will lead to meaningful resolutions and will build a stronger more inclusive community.

Commissioner Carmichael expressed appreciation for their efforts, and Commissioner Miller commented about Kansas City's effort to replicate the workforce advisory committee for the construction of the Missouri River Bridge called kcICON. Chief Engineer, Kevin Keith challenged staff and members of the I-64 Workforce Advisory Council to take the lessons learned on this project and form an advisory council for the program in district six to see if the successes of I-64 can be replicated on a broader scale. Chairman Gach thanked the gentlemen for their presentation.

* * * * *

DELEGATION REPRESENTING THE ST. LOUIS BLACK LEADERSHIP ROUNDTABLE

Eddie Davis, Board Member, stated the purpose of the St. Louis Black Leadership Roundtable is to make St. Louis a better place for African Americans to live, work, and raise a family. They accomplish this mission by supporting initiatives in social justice, education, economic development, voter awareness, and leadership development. This group is attempting to develop African American businesses so they can create jobs, and those jobs in turn create tax-paying citizens who contribute back to the community.

On behalf of the roundtable, Mr. Davis requested the commission's support of the waiver for MoDOT and IDOT to separate the DBE goals into two separate minority business enterprise (MBE) and women business enterprise (WBE) goals for the New Mississippi River Bridge project. Mr. Davis stated he is aware of the Federal Highway Administration and U.S. Department of Transportation's preliminary review of the DBE program waiver application, and preliminary determination that the material submitted was insufficient to provide a basis for favorable consideration of the request. However, Mr. Davis explained that MBEs and WBEs are taxpayers

and should be included in an opportunity to work on the New Mississippi River Bridge project. In addition, inclusion in this and other projects will have a positive impact on economic development in the community by growing MBEs and WBEs, and creating a diverse workforce. Mr. Davis concluded with stating the roundtable recommends MoDOT appeal to the U.S. Department of Transportation for the separation of DBE goals for women and minorities for the New Mississippi River Bridge project.

Commissioner Miller stated that while the commission shares the goal of having strong MBEs and WBEs in the state of Missouri, we may differ on how those means are achieved, but will take seriously what Mr. Davis presented along with consultation from staff. Chairman Gach thanked Mr. Davis for his presentation.

* * * * *

DELEGATION REPRESENTING MOKAN

Yaphett El-Amin, MOKAN Executive Director, stated that it is MOKAN's desire to increase minority and female workers on the New Mississippi River Bridge project. MOKAN and MoDOT participated in the request presented to the U.S. Department of Transportation (USDOT) for a waiver of the DBE goal allowing two separate goals for disadvantaged minority enterprises and disadvantaged women enterprises.

Since the request, MoDOT released data indicating eighty-eight percent of their contracts are awarded to female DBEs while only twelve percent are awarded to minority DBEs. However, minority DBEs have an availability rate of sixty-two percent.

Ms. El-Amin cited the federal regulations requiring the use of DBEs on MoDOT contracts. She stated that MOKAN is concerned that available, ready, willing, and able minority contractors will not fully participate on the Mississippi River Bridge project. After the request for dual goals

was made to the USDOT, the USDOT responded the information submitted was insufficient. IDOT is requesting and following up with the information that the USDOT has asked for, however MoDOT has withdrawn from the process and is sending a conflicting message to the community.

Ms. El-Amin expressed her desire to partner with MoDOT so that all minority contractors and all women contractors can equally participate on MoDOT funded projects. In the past, partnerships with MoDOT have resulted in good for the community. For example, the Construction Prep Center resulted in more than 800 minority and female workers in the construction trades. We have come a long way, but the race is not won by the swift, but by those who endure.

Commissioner Carmichael stated that while the commission agrees with the need to increase minority participation, there may be different approaches that MOKAN would like to use compared to MoDOT's approach. Chairman Gach thanked Ms. El-Amin for her presentation.

* * * * *

DELEGATION REPRESENTING NAACP

Adolphus Pruitt, First Vice President St. Louis Branch of the NAACP, reviewed the African American's perception of MoDOT. Mr. Pruitt stated that MoDOT is required by regulation to carry out a number of different functions, and perception is MoDOT is not meeting these requirements. Mr. Pruitt provided examples of areas where MoDOT can improve its diversity efforts that will help change the perception:

- Use minority owned financial institutions or financial institutions that serve the underserved populations.
- Use a mentor protégé program to help African American subcontractors address issues with prime contractors and avoid losing work with a prime contractor because a concern is raised.

- Increase minority participation in stimulus projects.
- Increase use of minority consultant firms.
- Reach the DBE utilization goals.
- Decrease minority employee separation rates with MoDOT.
- Increase the use of minority owned DBE certified businesses. Currently sixty-two percent of the DBE firms are minority owned, yet only twelve percent of them are receiving work from MoDOT.
- Follow the Governor's Executive Order on DBE participation.

Mr. Pruitt concluded his presentation stating there are two items the NAACP is currently preparing, although they hope they do not reach the point where it is necessary to take action on them. The first is preparation of a Justice Department complaint under Title VI. The second is preparing the NAACP legal defense fund to file a lawsuit.

Commissioner Carmichael thanked Mr. Pruitt for his presentation and elevating these issues with the commission. Commissioner Nichols requested staff respond to the statements Mr. Pruitt presented today for the commission to review.

* * * * *

PUBLIC COMMENT - CLIMATE CHANGE AND PUBLIC POLICY

Virginia Harris, Chair of the Sierra Club Missouri Chapter, read a statement from Ron McLinden. In 2008, he spoke with the commission about the challenge of climate change. Climate change and the many shifts in public policies and private practices in response to climate change will ripple through the economy and result in profound changes unlike any that have been seen before. In the spirit of whimsy he discussed the four critters: wolves, elephants, dinosaurs, and caterpillars. The wolf represents the economic crisis that is at the door, the elephant in the living room is climate

change, the dinosaur on the drawing board is the I-70 truck only lanes project, and the caterpillars are change. The national economy does need to move people and goods, but there are different views of how that movement will be met in the future. Mr. McLinden requested the commission review the plans for rebuilding I-70 and suggested using a six-lane configuration instead. Mr. McLinden suggested the commission start using the resources available today to begin addressing the capacity where it is needed most, and to also request the General Assembly authorize a toll to cover part of the cost.

Ms. Harris concluded with their belief that rail is the most efficient way to move freight and although the department made some steps to enhance the capacity of rail in Missouri, more needs to be done. She stated they have heard Director Pete Rahn say the department is a transportation agency but it is funded like a highway agency, and hope that the commission and department will try to change that. Chairman Gach thanked Ms. Harris for her presentation.

* * * * *

PUBLIC COMMENT - LINCOLN COUNTY HIGHWAY IMPROVEMENTS

The Honorable Ed Schieffer, Missouri House of Representatives, requested consideration of future expansion of I-64 along current Highway 61 in Lincoln County. Some pieces are in place to assist with this next phase of I-64. There is a new overpass at Highway C in Moscow Mills and another intersection is being improved at Highway U. The next phase of I-64 would improve safety. In addition, residents would like to see Highway 79 improved to four lanes from Interstate 70 up to Elsberry. A four-lane road would improve safety and economic development for the area. Chairman Gach thanked Representative Schieffer for his presentation.

* * * * *

THE NEW I-64 PROJECT UPDATE

On behalf of the Director, Lesley Hoffarth, Project Director, outlined the six goals for the New I-64 project: (1) complete the project on budget, (2) complete the project on time, (3) improve traffic flow, (4) minimize construction impacts, (5) provide a quality product, and (6) develop a new model for reconstructing interstates. These goals became commitments to the citizens of St. Louis and Missouri. The department honors its commitments because we believe in integrity. Ms. Hoffarth stated that one of the best decisions the commission made was to take a different leadership approach and delegate the decision making authority to her and the project team. This allowed them to do what needed to be done in the context of the goals and make sure they could keep those commitments to the public.

The New I-64 was MoDOT's largest contract and the first design-build project. This project will open almost one month ahead of schedule and will be completed \$11 million under budget. The ribbon cutting celebration is scheduled for December 6, 2009.

MoDOT used a regional approach to traffic management, and received state and national awards for planning, teamwork, and communications. MoDOT created a workforce advisory committee to increase the diversity of the construction workforce, and the committee's efforts were highlighted in an earlier presentation. The department also sought to be environmentally responsible and recycled 456,156 tons of concrete that was crushed and used for base rock for the new pavement.

Ms. Hoffarth concluded her presentation by expressing the pride she has in the project team and what they accomplished. Following comments and inquiries from Commissioners Nichols, Michie, and Carmichael, Chairman Gach thanked Ms. Hoffarth for her presentation.

* * * * *

THE NEW MISSISSIPPI RIVER BRIDGE PROJECT UPDATE

On behalf of the Director, Greg Horn, Project Director, reviewed the history of the New Mississippi River Bridge project that began with discussions in the 1990's. In 2001, the Federal Highway Administration issued the Record of Decision. In 2003, it was determined the \$2 billion project was not feasible. Then in 2005, the project received \$239 million in federal funds due in part to the efforts of Congressmen Bond and Costello. Between 2005 and 2008, MoDOT and the Illinois Department of Transportation (IDOT) worked together and developed a phased approach as a solution. The original concept was to build two side-by-side bridges each with eight lanes, the solution was to build one bridge now and build it so it will be compatible with a companion bridge in the future. On February 28, 2008, a bi-state agreement was signed by both Missouri and Illinois Governors.

Funding for this project comes from three sources: \$239 million in federal funds, \$313 million in Illinois funds, and \$88 million in Missouri funds. This is a total of \$640 million for the bridge, approaches, and connecting interchanges in each state. Many cost control measures have been implemented to ensure the project is completed on budget.

An aggressive DBE goal has been established to ensure inclusion of minorities and women on the Mississippi River Bridge project. This project's goal is eighteen percent and is higher than the goals established for other major projects, for example a goal of sixteen percent for I-64 and a goal of thirteen percent for kcICON. Additional steps are being taken to make sure this aggressive DBE goal is obtained. The department modified DBE contract language and is asking to see all data related to the contractor's efforts to fulfill the DBE goal to make sure there is fairness in contracting. The cost of the project includes a \$3.5 million incentive to increase efforts to be socially and environmentally responsible, and another \$1 million is committed to DBE supportive services.

Mr. Horn concluded his presentation by outlining the schedule for the twenty-nine projects that collectively are the New Mississippi River Bridge project.

- December 2009 bids for the \$190 million main span
- January 2010 bids for the \$15 million Missouri bridge approach
- April 2010 bids for the \$60 million Illinois bridge approach
- April 2011 bids for the \$55 million Missouri north interchange
- 2009-2013 bids for the \$220 million worth of projects in Illinois for the I-70 connection and Tri-level

Commissioner Farber acknowledged the work of former commissioners McKenna, Kehoe, and Anderson to guide the negotiations between Missouri and Illinois that successfully concluded with the signing of the bi-state agreement. Chairman Gach thanked Mr. Horn for his presentation.

* * * * *

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 bidders for bids received on the November 20, 2009 letting, as recommended and noted in Table 1 below. Non-contractual costs for these projects are shown on the below tabulation. (2) Declare the bid of Knuckles Brothers, Inc. on Call 902 as irregular due to a non-standard bid bond per Section 102.9 of the Missouri Standard Specifications for Highway Construction.

**Table I
Award of Contracts
November 20, 2009, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
101	759	Buchanan	J1P2186	\$2,140,986.86	\$656.00	Herzog Contracting Corp.	Resurfacing with Superpave, Shoulders with BP-1
102	136	Gentry	J1P1015	1,838,566.58	656.00	Norris Asphalt Paving Co.	Resurfacing with BP-1, Shoulders with BP-1 & Type 1 Aggregate
103	33	Dekalb	J1B0801L	511,271.28	0	Loch Sand and Construction Co.	Re-Deck on Bridge Numbers A02842 and A02862
201	65	Grundy, Mercer	J2P0780	6,683,736.13	656.00	Norris Asphalt Paving Co.	Resurfacing with Superpave, Shoulders with BP-1, Fog Seal & Aggregate
401	OR 50	Jackson	J4P1855	218,959.00	328.00	Superior Bowen Asphalt Company, LLC	Thin-Lift Overlay (SL)
402*	9	Platte	J4U1192	625,223.66	849.76	H. B. Construction, Inc. DBA / Hill Brothers	Replace Bridge with Double Box Culvert, Optional Pavement for Left Turn Lane
403	291	Clay	J4P1953	2,002,009.91	656.00	Ideker, Inc.	UBAWS Type C, Resurfacing w/Grade A Seal Coat Shoulder Treatment, Pavement Repair
			J4P1954		656.00		UBAWS Type B, Resurfacing w/Grade A Seal Coat Shoulder Treatment, Modify Drop Inlets

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
405	9	Clay, Jackson	J4S1921	2,881,819.99	656.00	Comanche Construction, Inc.	Bridge Rehabilitation and Construct Bike / Pedestrian Path
501	Y	Pettis	J5S2178	351,814.35	761.12	Emery Sapp & Sons, Inc.	Construct Roundabout with Optional Pavement (PCCP or Superpave), Lighting
502	124, NN	Boone	J5B0801J	551,471.35	0	Widel, Inc.	Bridge Re-deck on Bridge Numbers L02001 & R00231
503	54	Miller	J5P0648D	5,226,719.50	2,320.00	Emery Sapp & Sons, Inc.	Alt. Pavement (PCCP or Superpave) Grading, Bridge
601	70	St. Charles	J6I2083	5,164,627.09	3,200.00	Fred Weber, Inc.	Coldmilling and Resurfacing with Superpave at Four Disconnected Locations
602	44	Franklin	J6I1690	1,814,458.57	1,312.00	N. B. West Contracting Company	Bridge Replacement and Optional Paving
603	A	Jefferson	J6S2095	3,857,631.00	418.00	All Type Excavating Inc./ DBA L. Krupp Construction, Inc.	Grading and Optional Paving
			J6S2121		0		Resurfacing Mainline Pavement with Superpave and Resurfacing Shoulders with Bituminous Pavement (BP-1)
604	270 WOR	St. Louis	J6S2182	239,867.89	418.00	Meyer Electric Company, Inc.	Remove and Replace Signal Wires and Signal Cabinet

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
	100	St. Louis	J6S2183		418.00		Reconstruct Signals, Lighting & ADA Facilities
701	13	St Clair	J7P2163	2,933,154.49	800.00	APAC-Missouri, Inc.	Bridge Deck Rehabilitation
801	65	Christian, Greene	J8P0880	4,339,722.45	328.00	Leo Journagan Construction Co., Inc.	Resurface Northbound Lanes with Superpave and Diamond Grind the Southbound Lanes
	65	Christian	J8P0893		328.00		
802	65	Dallas	J8P0894B	1,226,427.58	656.00	APAC-Missouri, Inc.	Coldmill and Resurface with Superpave Grading and Alternate Bid Paving (Superpave or PCCP)
			J8P2215		656.00		
803	UU	Greene	J8B0801D	191,820.00	0	Hartman and Company, Inc.	Bridge Deck Replacement
901	M	Iron	J9S2193	124,975.60	418.00	Joe's Bridge & Grading, Inc.	Sidewalk Upgrade to ADA Standards
902	Bus 60	Carter	J9S2194	104,807.30	418.00	Joe's Bridge & Grading, Inc.	Sidewalk Upgrade to ADA Standards
X01	67	Madison	J0P0986	1,545,662.78	656.00	G & M Concrete & Asphalt Co., Inc.	Coldmilling, Diamond Grinding and Resurfacing with BP-1
X04	51	Perry	J0B0801H	478,424.30	0	Penzel Construction Company, Inc.	Replace Bridge Deck
			TOTAL	\$45,054,157.66	\$18,220.88		

* Call 402 – Funding by MARC \$105,000.

Commission Consideration and Action

After consideration, and upon motion by Commissioner Michie, seconded by Commissioner

Carmichael, the Commission took the following action:

1. Awarded contracts to the lowest responsive bidders for bids received on the November 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. Declared the bid of Knuckles Brothers, Inc. on Call 902 as irregular due to a non-standard bid bond.

Commissioner Miller abstained from voting on calls 101, 103, 401, and 801.

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.

* * * * *

**2010 – 2014 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM,
2010 AMENDMENT**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that the 2010-2014 Statewide Transportation Improvement Program (STIP) be amended, as noted in the tabulations below, to add three and modify five projects.

**2010 – 2014 STIP
Highway and Bridge Construction Schedule
Projects Added and Modified
December Amendment**

(Dollars in Thousands)

County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year	Construction and Right of Way Funds	Engineering Funds
Jackson J4S2272	RA	Thin pavement treatments from Todd George Road to Ranson Road in the city of Lee's Summit.	2010	\$92	\$8
St. Louis J6I2244	70	Guardrail upgrades at I-170 interchange.	2010	100	13
St. Louis City J6P2305	30	Signal optimization on Rte. 30 from River Des Peres to 12th Street/Geyer, Rte. 100 from McCausland to Broadway/4th Street, Rte. 115 from Goodfellow to N. Florissant, Rte. 367 from MO Veteran's Home to Jennings Station Road and Rte. AC from Hazelwood Central to Lucas & Hunt.	2010	349	1

Greene J8S0758	160	Relocate west outer road and Weaver Rd. intersection 1.0 mile south of Rte. 60 (James River Freeway) at Weaver Road. Cost-share with Greene County and City of Springfield. This amendment represents the additional sub-allocated STP Urban funds that will be applied to the project through MoDOT.	2010	3,504	0
			TOTAL:	\$4,045	\$22

**2010 – 2014 STIP
Regionally Distributed Economic Recovery (ARRA) Enhancement Funds in Non-MPO Areas
Project Estimate Modified
December Amendment**

(Dollars in Thousands)

County Job No.	Description of Improvement/Location	State Fiscal Year	ARRA Funds for Construction and Right of Way – <i>Changes in Italics</i>	Other Funds for Construction and Right of Way – <i>Changes in Italics</i>	ARRA Funds for Engineering – <i>Changes in Italics</i>	Total Cost – <i>Changes in Italics</i>
Henry ES04(035)/ 4S2290	Sidewalk improvements on Rte. 18 from east of 9th Street to west of Pawnee Street in the city of Clinton	2010	\$102,731 (previously \$82,731)	0	\$15,997	\$134,728 (previously \$114,728)
Platte ES04(032)	New sidewalks on 5th Street in Weston	2010	\$74,615 (previously \$54,067)	0	\$16,825 (previously \$7,373)	\$91,440 (previously \$61,440)
Benton ES05(004)	Steamboat landing in Drake Harbour in Warsaw.	2010	\$260,476	\$354,000 <i>earmark, 20% earmark match \$89,000 from City of Warsaw (previously \$0)</i>	0	\$703,476 (previously \$260,476)
TOTAL:			\$437,822	443,000	\$32,822	\$929,644

Note: All projects funded by regionally distributed enhancement funds must be submitted for obligation by January 4, 2010, otherwise the project will be cancelled and funds moved to another ARRA project.

**2010 – 2014 STIP
Sub-Allocated Economic Recovery (ARRA) Funds in MPO Areas
Project Estimate Modified
December Amendment**

(Dollars in Thousands)

County Job No.	Description of Improvement/Location	State Fiscal Year	ARRA Funds for Construction and Right of Way – <i>Changes in Italics</i>	Other Funds for Construction and Right of Way – <i>Changes in Italics</i>	Other Funds for Engineering – <i>Changes in Italics</i>	Total Cost – <i>Changes in Italics</i>
Jackson 4P2211	Complete diamond interchange at Bynum Rd.	2010	\$7,419,000	\$950,000 <i>SAFETEA-LU earmark, 20% earmark match \$237,500 in state funds (previously \$0)</i>	\$510,000	\$9,116,500 (previously \$7,929,000)
TOTAL:			\$7,419,000	\$1,187,500	\$510,000	\$9,116,500

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2010 – 2014 STIP as noted in the tabulations above.

* * * * *

REQUEST FOR APPROVAL OF LOCATION AND DESIGN OF HIGHWAYS

**Route 50, Osage County
From Cole County Line 6.7 Miles East to County Road 604/401
Job No. J5P0951B
Public Hearing Held October 8, 2009**

The proposed improvement provides a new four-lane relocated highway from the Cole County line approximately 6.7 miles east to County Road 604/401. The new roadway will consist of four twelve-foot lanes with ten-foot outside shoulders and four-foot inside shoulders. The project will have controlled access right of way. Traffic will be maintained on the existing Route 50 during construction. This project is 6.7 miles in length.

Roger Schwartze, District 5 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 designs, the Commission via approval of the Consent Agenda unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendation.

* * * * *

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>
McDonald	71 (Future I-49)	J7P0601	February 7, 2007

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.

* * * * *

RESOLUTION EXPRESSING APPRECIATION TO RICHARD E. HRABKO FOR OUTSTANDING SERVICE TO THE STATE OF MISSOURI

WHEREAS, Mr. Richard E. “Dick” Hrabko began his career in Missouri aviation in 1964 at the Spirit of St. Louis Airport as an Air Traffic Controller. He became the Airport Manager in 1969 and was appointed as Director of Aviation for St. Louis County in 1980; and

WHEREAS, Mr. Hrabko was critical in the recovery of the Spirit of St. Louis Airport from the devastation of the Great Flood of 1993, and for implementing multiple improvements since then that have developed the airport into a premier business and general aviation airport; and

WHEREAS, Mr. Hrabko was appointed as the Airport Director for Lambert St. Louis International Airport in 2005 and has worked tirelessly to improve scheduled commercial airline service for the region, improvements to the historic terminal building, and expansion of air cargo activity; and

WHEREAS, Mr. Hrabko supported statewide aviation efforts and was instrumental in the successful passage of legislation creating a State Aviation Trust Fund in 1974, dedicating jet fuel sales tax revenue to that fund in 1989, and starting a State Air Service Development Program in 2008; and

WHEREAS, Mr. Hrabko promoted aviation and transportation by serving on the Missouri Total Transportation Commission, the Missouri State Aviation Council, and MoDOT’s Aviation Advisory Committee for over 20 years; and

WHEREAS, Mr. Hrabko is retiring as Airport Director from Lambert International Airport on December 31, 2009, after a long and distinguished career supporting and improving Missouri aviation.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Richard E. Hrabko for his service to the citizens of Missouri.

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

* * * * *

DISPOSAL OF EXCESS PROPERTY, ROUTE 170 & ROUTE 340 (OLIVE), ST. LOUIS COUNTY, EXCESS PARCEL NUMBER E6-1013

On behalf of the Director, Kelly Lucas, Right of Way Director, recommended conveyance of 1.88 acres located in the Southwest Quadrant of Olive Boulevard and I-170 in Olivette, to Noles Properties, Inc. for the consideration of \$1,310,064. Subject to easements, conditions and restrictions of record.

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

* * * * *

-- REPORTS --

The Commission received the following written reports.

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

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2010 monthly financial report for the period ending October 31, 2009, with budget and prior year comparisons.

* * * * *

FINANCIAL ACCOUNTABILITY REPORT - QUARTERLY REPORT

Deborah S. Rickard, Controller, provided to the Commission the written Quarterly Financial Accountability Report for the period ended September 30, 2009.

* * * * *

**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 first quarter of Fiscal Year 2010.

* * * * *

* * * * *

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

* * * * *