

**TRANSPORTATION COMMISSION MEETING MINUTES
MAY 24, 2018 – 9:00 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

COMMISSIONERS PRESENT: Kathy Zander, Vice Chair
Ron Rosenboom, Member
Ralph Marquardt, Member
Mike Vehle, Member
Kim Vanneman, Member
Don Roby, Member
Larry A. Nelson, Member

DOT STAFF PRESENT: Darin Bergquist, Karla Engle, Bonnie Olson, Julie Bolding,
Greg Fuller, Christina Bennett, Ryan Johnson, Jason
Humphrey, Kellie Beck, Joel Gengler, Sam Weisgram, Mark
Leiferman, and Katherine Anderson

**DOT STAFF PRESENT
VIA CONFERENCE CALL:** Becky Janssen

OTHERS PRESENT: Kirk Fredrichs – FHWA, Mark Claussen – FHWA,

**OTHERS PRESENT VIA
CONFERENCE CALL:** Toby Crow – AGC

Vice Chair Zander called the meeting of the Transportation Commission (the “Commission”) to order at 9:02 a.m. Roll call was taken and a quorum was determined.

Vice Chair Zander opened the floor to Commission members to disclose potential conflicts of interest and to present requests for waivers pursuant to South Dakota Codified Law (SDCL) chapter 3-23.

No conflicts of interest were disclosed and no waivers were requested.

Vice Chair Zander asked for a motion to approve the minutes of April 26, 2018.

A MOTION WAS MADE by Roby and seconded by Marquardt to approve the April 26, 2018, meeting minutes. All present voted aye by roll call vote. The motion carried.

Vice Chair Zander asked for a motion to approve the minutes of May 10, 2018.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve the May 10, 2018, meeting minutes. All present voted aye by roll call vote. The motion carried.

Karla Engle of the Office of Legal Counsel requested that the Commission consider approval of amendments to the following speed zone rule:

70:01:02:09 –Lawrence County speed zone rule

Engle explained the procedural steps that were followed concerning the above rule. The amendment is the result of a petition that was brought by the city of Deadwood, South Dakota. The petition is for two (2) separate speed zone reductions. There are two speed zones essentially in the city of Deadwood. One speed zone is 30 miles per hour (“mph”) and the other speed zone is 35 mph. The petition requests the Commission to reduce both speed zones to 25 mph.

Written comment received from Deadwood Mayor Chuck Turbiville, on behalf of the city of Deadwood, was provided to the Commission in its meeting packet. No members of the public appeared to offer testimony in support of or in opposition to the rule changes.

The Department of Transportation (the “Department”) analyzed the highway in response to local government concerns and conducted speed studies in each speed zone. The Department determined that the reduction to 25 mph in the 30 mph speed zone is warranted. In the 35 mph speed zone, a speed reduction was not justified by the speed study.

Secretary Bergquist advised the Commission that he met with Mayor Turbiville and is authorized to represent that the city of Deadwood and the Department are in agreement with the commission adopting a reduction in the current 30 mph speed zone to 25 mph and leaving the 35 mph zone unchanged until further study can be accomplished. The Department will perform additional study on this speed zone during the summer. If these additional summer speed studies indicate a speed reduction should occur, the Department would initiate those changes. If the studies indicate to the Department that a speed reduction should not occur, the city of Deadwood or any interested person could still petition the Commission to consider a speed change in this 35 mph zone.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to amend the rule to replace the current 30 mph speed zone on US Highway 14A with a 25 mph speed zone and to make no further changes to the rule at this time. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-05.01 was adopted.

Secretary Bergquist provided an update on the 2018 conference of Western Association of State Highway and Transportation Officials (WASHTO) which South Dakota is hosting. The event will take place June 9 – 13 in Rapid City. Secretary Bergquist informed the Commission that on June 6 at 4:00 PM Mountain Time there will be a ribbon-cutting at Wilson Park for the Mt Rushmore road projects. On June 20 at 10:30 Mountain Time there will be a ribbon-cutting for Exit 14 in Spearfish. Secretary Bergquist informed the Commission that Sam Weisgram was appointed to replace Laurie Schultz, who recently retired. The Commission discussed a summer tour to occur August 22 and 23. The proposed visit would include Watertown and Brookings.

Greg Fuller, Division Director of the Division of Operations, presented the following information regarding Construction Change Orders to the Transportation Commission:

Construction change orders approved in April contain an increase of approximately \$193,862.

Over the past 12 months, the overall contract increase is 2.36%.

The following projects have a Construction Change Order (CCO) amounting to a contract change in excess of \$50,000.

ABERDEEN REGION

- I. Project: NH-P 0013(39), Beadle County, PCN 05KL
Location: Various Routes in the Huron Area
Contractor: Asphalt Surface Technologies Corporation
Type of Work: Asphalt Concrete Crack Sealing

Original Contract Amount:	\$	454,223.87
Change on CCO No. 2F:	\$	(74,322.56)
Net Change to Date:	\$	(14,902.22)

Explanation of Change on CCO No. 2F: This decrease is the result of an adjustment to the contract quantity of flagging and pilot car hours. The quantity necessary for accommodating traffic during construction was less than estimated in the plans. This variation is common for this time of work.

MITCHELL REGION

- II. Project: P 0115(47)102, Minnehaha County, PCN 025C
Location: SD 115 in Dell Rapids south
Contractor: Reede Construction Inc.
Type of Work: Grading, Curb & Gutter, Storm Sewer, PCC Surfacing, and Structure

Original Contract Amount:	\$	8,307,858.63
Change on CCO No. 6:	\$	135,335.98
Net Change to Date:	\$	2,427,559.73

Explanation of Change on CCO No. 6: This increase is the result of an increase to the contract quantities of unclassified excavation, flagging, pilot car, and erosion control items. The increased unclassified excavation is the result of the Engineer requiring the Contractor to perform additional excavation throughout the project to remove rock near a structure and to excavate material to fill the area where the rock was removed. The increase for flagging and pilot car is the result of the Engineer requiring additional flagging and pilot car hours for the movement of traffic through the project. The increase to erosion control items is the result of repairing erosion throughout the project which occurred following the initial placement of erosion control during construction.

- III. Project: IM-NH-P 0021(159), Aurora County, PCN 055G
Location: Various Locations in the Mitchell Area
Contractor: Bituminous Paving Inc.
Type of Work: Asphalt Concrete Surface Treatment

Original Contract Amount:	\$	2,080,603.16
Change on CCO No. 3:	\$	(213,414.41)
Net Change to Date:	\$	282,665.21

Explanation of Change on CCO No. 3: This decrease is the result of an adjustment to the contract quantities of asphalt for surface treatment, cover aggregate, flagging and pilot car. The Department approved asphalt surface treatment design contained a target application rate for asphalt and cover aggregate less than estimated in the plans. The hours of flagging and pilot car utilized during construction was less than estimated in the plans. These variations are common for this type of work.

PIERRE REGION

- IV.** Project: NH 0033(26), Bennett County, PCN 05LK
 Location: Various Routes in the Winner Area
 Contractor: J.V. Bailey Company, Inc.
 Type of Work: PCC Pavement Repair

Original Contract Amount:	\$	1,528,381.84
Change on CCO No. 1:	\$	(54,000.00)
Net Change to Date:	\$	(54,000.00)

Explanation of Change on CCO No. 1: This decrease is the result of a change to the temporary pavement marking material required for the tapers in the traffic control. The plans required a 4" wide temporary pavement marking tape. The Contractor requested, and the Department approved, the use of pavement marking tabs in place of the tape. The cost of the tabs is less than the cost of the tape and was determined to be acceptable for this application.

- V.** Project: P 1804(45)357, Campbell County, PCN 0397
 Location: SD 1804 from Mobridge to Pollock
 Contractor: Anderson Western, Inc.
 Type of Work: Cold Milling Asphalt Concrete & Asphalt Concrete Resurfacing; Structure Rail Retrofit

Original Contract Amount:	\$	6,182,934.62
Change on CCO No. 8:	\$	(356,808.36)
Net Change to Date:	\$	(37,966.74)

Explanation of Change on CCO No. 8: This decrease is the result of changes to the contract quantities of asphalt binder; furnish granular material; base course; blend, haul, & stockpile granular material; flagging; and pilot car. The granular material items were all adjusted to the quantity used for construction. Additional salvage material was available during construction than estimated in the plans. The Department approved target binder content in the mix was slightly less than estimated in the plans. The hours of flagging and pilot car were added on a previous CCO and adjusted with this CCO to the quantity used during construction to accommodate traffic.

RAPID CITY REGION

- VI.** Project: PH 0012(168)80, Perkins County, PCN 02QB
Location: US12 from Lemmon to the ND State Line
Contractor: Loiseau Construction, Inc.
Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Surfacing, Structures, Lighting, & Curb Ramp Upgrades

Original Contract Amount: \$ 15,634,157.08
Change on CCO No. 4: \$ (56,260.75)
Net Change to Date: \$ (4,856.75)

Explanation of Change on CCO No. 4: This decrease is the result of a Department requested change to the design of the typical section of the roadway in the shoulders of super elevated curves. The change resulted in a decrease to the contract quantity of remove asphalt concrete pavement, unclassified excavation, and base course. Instead of removing, regrading, and replacing the existing asphalt wedges, the Contractor was required to cold mill and replace the existing asphalt concrete from the wedges without performing the grading work originally planned.

- VII.** Project: P 7668(05), Meade County, PCN 04AE
Location: Main Street in Sturgis
Contractor: Heavy Constructors, Inc.
Type of Work: Grading, Storm Sewer, Curb & Gutter, Sidewalk, AC Surfacing, Lighting, Mill & AC Overlay

Original Contract Amount: \$ 3,507,309.00
Change on CCO No. 10: \$ (235,823.25)
Net Change to Date: \$ (201,130.41)

Explanation of Change on CCO No. 10: This decrease is the result of the Department adjusting numerous contract quantities to match the actual quantities used during construction. The Department considers these decreases normal variations based on the type of work.

Joel Gengler of the Right of Way office presented the following items for Commission consideration:

1. Abandonment (Tabled at April 26, 2018 meeting) – Codington County:

Request Transportation Commission approval to abandon by resolution the following property acquired for highway purposes:

Lot AB1 in a portion of Lot H1 in the NE1/4 of Section 21, Township 119 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

Said Lot AB1 contains 2.66 acres.

Lot H1 in the Northwest Quarter (NW1/4) of Section 22, Township 119 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

Said Lot H1 contains 0.59 acre.

Former South Dakota Highway 20 formerly occupying portions of sections 14, 15, 22 and 23 of Township 119 North, Range 51 West of the 5th P.M., Codington County, South Dakota, as shown in attached Exhibit A.

The above described properties are located on the north side of current Hwy 20 near the community of South Shore. The properties are no longer needed for highway purposes and abandonment is recommended by DOT Watertown Area.

A MOTION WAS MADE by Roby and seconded by Vanneman to approve item #1-Abandonment-Codington County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-05.02 was adopted.

2. Abandonment (Tabled at March 29, 2018 meeting) – Minnehaha County

Request Transportation Commission approval to abandon by resolution the following property acquired for highway right-of-way:

Tracts 12, 13, 14, 15, 16 and 17 of Norton Tracts Subdivision in the South Half (S1/2) of Section 3, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, except Highway right of way.

The above property is no longer needed for highway purposes and abandonment is recommended by DOT Sioux Falls Area.

A MOTION WAS MADE by Rosenboom and seconded by Vanneman to approve item #2-Abandonment-Minnehaha County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-05.03 was adopted.

3. Transfer (Correction of a Highway parcel legal description for the approved Transfer Resolution 2018-03.06) – Minnehaha County:

Request Transportation Commission approval to transfer the State's interest in a portion of South Dakota Highway 115 to the city of Sioux Falls the following property acquired for highway right-of-way more particularly described as:

Lot H1 in the West 109 feet of Lot 6 in Block 15 of Gale's Sioux Falls, Minnehaha County, South Dakota.

The Highway 115 right-of-way described above would be transferred to the city of Sioux Falls by Quit Claim Deed and the city of Sioux Falls would accept ownership, jurisdiction and maintenance responsibilities.

Sioux Falls Area DOT recommends the transfer.

A MOTION WAS MADE by Vanneman and seconded by Rosenboom to approve item #3-Transfer-Minnehaha County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-05.04 was adopted.

4. Transfer – Minnehaha County:

Request Transportation Commission approval to transfer to the city of Sioux Falls the following property acquired for highway right-of-way:

The State's interest in portions of North Westport Avenue (East side I-29 service road) more particularly described as:

North Westport Avenue, from its intersection with South Dakota Highway 38 (Also known as West 60th Street) in Minnehaha County, south, to the 1/16th Line of the North 1/2 of the South West 1/4 of Section 6, Township 101 North, Range 49 West of the 5th P.M. Minnehaha County, South Dakota.

This resolution will complete a portion of the requirements of Agreement #710142 signed by the city of Sioux Falls and the State of South Dakota, through its Department of Transportation, on June 25, 1991 Jurisdictional Exchange Agreement between the City of Sioux Falls and South Dakota Department of Transportation (Agreement No. 710142), together with the April 8, 1997 amendment thereto (Addendum No. 1), and together with the May 5, 1998 amendment thereto (Addendum No.2) collectively referred to as "Exchange Agreement 710142", of a portion of North Westport Avenue (East side I-29 service road) not having yet been made of all the state of South Dakota's interests in real property, including without limitation, structures such as roadways, bridges, culverts, sidewalks, right-of-way fences, and all other fixtures and appurtenances (collectively referred to as "structures"), of North Westport Avenue, from its intersection with South Dakota Highway 38 (Also known as West 60th Street) in Minnehaha County to the 1/16th Line of the North 1/2 of the South West 1/4 of Section 6, Township 101 North, Range 49 West of the 5th P.M. Minnehaha County, South Dakota of North Westport Avenue will be transferred.

This resolution will complete the requirements of a portion of Exchange Agreement #710142. The highway right of way described above would be transferred to the city of Sioux Falls and the city of Sioux Falls would accept ownership, jurisdiction, operational and maintenance responsibilities of the above described right-of-way.

Sioux Falls Area DOT recommends disposal.

A MOTION WAS MADE by Roby and seconded by Vanneman to approve item #4-Transfer-Minnehaha County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-05.05 was adopted.

5. Abandonment – Lawrence County

This resolution will abandon the temporary easements on Lawrence County Project NH-PH 0085(20)26, PCN 0555.

6. Abandonment – Lincoln County

This resolution will abandon the temporary easements on Lincoln County Project PH 0046(65)373, PCN 04HF.

7. Abandonment – Minnehaha County

This resolution will abandon the temporary easements on Minnehaha County Project P 0042(10)363, PCN 4458.

8. Abandonment – Union County

This resolution will abandon the temporary easements on Union County Project PH 0046(65)373, PCN 04HF.

A MOTION WAS MADE by Vehle and seconded by Marquardt to approve items #5-8. All present voted aye by roll call vote. The motion carried.

RESOLUTIONS #2018-05.06, #2018-05.07, #2018-05.08, #2018-05.09 were adopted.

Sam Weisgram of Project Development presented the following bid letting results:

May 16, 2018 letting

Structure & Approach Grading (3-12'x9' RCBC)

1	01Y1 BRO 8003(24) Dakota Contracting Corporation Structure 5 miles east & 0.4 miles North of Wessington over Cain Creek	Beadle County \$456,559.34
---	---	-------------------------------

Bridge Deck Polymer Chip Seal

2	04V3 P 0011(89)38 RAM Construction Services of Michigan, Inc. SD11, 0.5 miles south of SD46 over East Brule Creek	Union County \$91,789.45
---	---	-----------------------------

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Culvert Repairs

3	04WE NH 0085(91)78 Border States Paving, Inc. US85 through Buffalo and from 11 miles south SD168 to 1 mile south of the Harding Co Line	Butte, Harding County \$8,654,088.58
---	---	---

Culvert Repair (Slip Lining)

4	049L NH-P 0032(21)	Dewey, Ziebach County
---	--------------------	-----------------------

Dakota Prairie Landscapes, LLC \$211,786.60
Various locations on the Cheyenne River Indian Reservation

Culvert Repair

5 049K P 0032(20) Corson County
Mainline Contracting Inc \$2,232,182.90
Various Locations on the Standing Rock Indian Reservation

Culvert Repair

6 040Q P 0011(79) Brown, Faulk County
Midwest Contracting, LLC \$562,841.80
Various Locations in the Aberdeen Area

Crack Leveling & Pavement Marking

7 06N2 NH 0020(191) Lake County
Highway Improvement, Inc \$37,473.20
US81 from Madison, north 13 miles

Construct Turning Lanes

8 05YM NH 0050(125)379 Yankton County
Midland Contracting, Inc \$579,611.19
SD50, 3 miles west of US81 at the intersection with 437th Ave.

Guardrail Installation

9 062F PH 0010(134) Brookings, Codington, Deuel, Hamlin, Roberts County
BX Civil & Construction, Inc. \$1,409,000.00
Various Locations in the Aberdeen Region

Signing & Delineation

10 02UK PH 8054(05) Potter County
Hamm Contracting, LLC \$677,729.90
Various County, City, & Township Roads in Potter County

A MOTION WAS MADE by Vanneman and seconded by Rosenboom to approve bid #'s 2-10. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Roby and seconded by Marquardt to approve bid #1. All present voted aye by roll call vote. The motion carried.

With the Vice Chair's permission, Weisgram addressed the informational item on the agenda of web-based bidding out of order.

Sam Weisgram provided an update on web-based bidding. In January 2006, the Department moved from paper to electronic bidding. With technology advances, the Department is seeing a need for an upgrade again. The state's Bureau of Information and Telecommunications is developing an in-house system and we are hopeful that testing will begin in May with implementation beginning mid to late summer.

Mark Leiferman, Project Development Program Manager presented the following STIP revisions:

FOR COMMISSION APPROVAL

REV 18-046 This revision will add a 2018 Rapid City urban reconstruction project that the State will administer and the City will fund.

FY 2018 Plus \$8,976,000

A MOTION WAS MADE by Vehle and seconded by Roby to approve STIP revision #18-046. All present voted aye by roll call vote. The motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

REV 18-039 This revision deferred a 2018 I90 PCCP grinding and AC Shoulder and crossroad maintenance project from White Lake to the James River Bridge (Sequence #s 58 & 266, Pages 44 & 77 in the 2018-2021 STIP Book) to 2019, changed the location to "I90 EBL – From White Lake to Plankinton, and changed the work to Pavement Grinding.

FY 2018 Minus \$2,040,000

FY 2019 Plus \$1,930,000

REV 18-SC-029 This revision added Tribal Roads in Marshall & Day Counties to the location description and adjusted the cost. (Sequence # 853, Page 166 in the 2018-2021 STIP Book).

FY 2019 Plus \$1,008,000

With no other business to come before the Commission, the meeting was declared adjourned upon a motion by Nelson and seconded by Roby at 10:08 a.m.