

**TRANSPORTATION COMMISSION MEETING MINUTES
OCTOBER 1, 2015 – 9:30 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

COMMISSIONERS PRESENT: Don Roby, Chairman
Tim Dougherty, Vice-Chairman
Larry Thompson, Member
Rod Fouberg, Member
Kathy Zander, Member
Ralph Marquardt, Member
Ron Rosenboom, Member
Kyle White, Member
Kim Vanneman, Member

DOT STAFF PRESENT: Darin Bergquist, William Nevin, Kristi Sandal, Christina Bennett, Scott Rabern, Ryan Johnson, Julie Bolding, Greg Vavra, Laurie Schultz, Noël Clocksin, Doug Kinniburgh, Sam Weisgram, Joel Jundt, Joel Gengler, John Forman, Mike Behm, Brace Prouty, and Patricia Saukel

OTHERS PRESENT: Dick Howard – SDATAT; Rick Vallery – Congresswoman Noem’s office; Matt Winsand – DPAC; Tobin Morris – Dougherty & Co.; Todd Woods & Deb Bodenstedt– Yankton County Commissioners; Rep. Mary Duvall – District 24; Brenda Forman – SD Assn. of Coops; Bob Mercer – Press; and Becky Hedman – AGC

ON CONFERENCE CALL: Maureen Wegenke - SDATAT

The meeting was called to order at 9:33 a.m. by Chairman Don Roby. Roll call was taken and a quorum was determined.

Chairman Roby asked for a motion to approve the minutes of August 27, 2015.

A MOTION WAS MADE by Thompson to approve and seconded by Zander. All voted aye and motion carried

Roby asked for a motion to approve the minutes of September 17, 2015.

A MOTION WAS MADE by Rosenboom to approve and seconded by Fouberg. All voted aye and motion carried.

William Nevin of the Office of Legal Counsel asked the Commission to consider approval of the following rule:

70:01:02:36 – Hughes County speed zone rule

Approval is to change the existing rule to (2) U.S. Highway 14 and U.S. Highway 83 in Pierre beginning at the junction with State Trunk Highway 34, then northeasterly to Fourth Street, 30 miles per hour; then northeasterly for 0.65 mile, 35 miles per hour; then northeasterly for 3.2 miles, 55 miles per hour; and (4) U.S. Highway 14 and U.S. Highway 83 Truck Bypass in Pierre beginning at the junction with State Trunk Highway 34, then north for 2.19 miles, 35 miles per hour; then north to its junction with U.S. Highway 14 and U.S. Highway 83, 45 miles per hour.

The purpose of this proposed change is to reduce the existing 65 MPH zone on US 14/83 until east of its junction with US 14B, and reduce the speed on US14B past the new signal and development and north to its junction with US 14/83. This change was recommended for safety purposes and signal timing.

There was one written comment by the Hughes County Commissioners in support of the change. Scott Rabern of Operations Support spoke on the changes and that they were considered from a public hearing where they received a number of comments concerned about the safety and speed issues. Rabern said that Operations will move forward and revisit the reconfiguration of the plan because of public comments.

A MOTION WAS MADE by Marquardt to adopt 70:01:02:36 – Hughes County speed zone rule and seconded by Vanneman. All voted aye and motion carried.

RESOLUTION #2015-10.01 was adopted.

Secretary Bergquist began the Secretary's Report with three items to mention to the Commission. Bergquist announced that William Nevin is back working part-time for the Department and will be helping out the Legal Office until they are once again fully staffed. He also announced that this meeting was Patricia Saukel's last commission meeting and that her work was appreciated with the Commission. Bergquist's final item was that there are tickets still available for Senator Vehle's induction to the Hall of Honor in Mitchell.

Chairman Roby asked Bergquist if there were any funding updates of which Bergquist said there were none. He said the existing program expires in late October and Congress will most likely be looking at another extension then.

Chairman Roby then made mention that the Commission should announce the next Vice-Chair. According to seniority, Tim Dougherty was nominated.

A MOTION WAS MADE to approve Dougherty as Vice-Chair of the Transportation Commission by Thompson and seconded by Zander. All voted aye and motion carried.

Before asking for testimony regarding the Yankton County State Highway Fund loan, Secretary Bergquist reminded the Commission that this was a topic that had been addressed before in previous meetings. Bergquist passed out a handout entitled, *STATE HIGHWAY FUND LOAN (SHL) GUIDELINES* and briefly discussed its contents.

Chairman Roby then recognized two visitors, Deb Bodenstedt and Todd Woods - Yankton County Commissioners, who came to testify in support of the loan. Both testified that they wanted to ask for support and acquire a state highway fund loan to assist with the development of Napa Junction for betterment of Yankton County. They believe this will diversify Yankton County and bring in new and more families as well.

Tobin Morris, Dougherty & Company, came forward to explain the Yankton Area Rail Park project in detail showing the Commissioners a PowerPoint presentation that he had prepared. He explained the project in detail using maps and charts.

Morris mentioned that this project required them to create a TIF. He said the issue with the TIF is that they need will help on the front end until the TIF is stabilized. The more projects that are approved, the quicker the TIF generates money and the faster the loan is paid off. Dakota Plains is the second party in the project and guarantees the loan.

Before moving forward with the vote on the loan, it was discussed in detail among the Commissioners the exact wording needed for the *State Highway Fund Loan (SHL) Guidelines*.

A MOTION WAS MADE to adopt the attached guidelines with which incorporates changes to include "the Commission shall establish the rate of loans not to exceed the current prime rate on the date of Commission approval" by Dougherty and seconded by Vanneman. All voted aye and motion carried.

After more discussion about the loan request, A MOTION WAS MADE by Fouberg to authorize the Department to enter into an agreement with Yankton County to loan up to \$6M for construction of public roads at 1% interest, 20 year amortization, 10 year balloon and that Yankton County must would enter into the agreement within 90 days with a commitment to award a contract within one year. and the motion was seconded by Thompson. Voting resulted in Fouberg-aye, Rosenboom-aye, Thompson-aye, Vanneman-aye, White-aye, Zander-aye, and Roby-aye, Marquardt-abstain, and Dougherty-abstain. 7-0-2 motion carried.

Chairman Roby introduced Dick Howard of the Association of Towns and Townships to offer his presentation on the proposal for funding for small structures and culverts on township roads. Howard passed out a handout and made note of the attachment the Commissioners had received in their packet. He gave the Commission background information on the townships and asked the Commission to give consideration to authorize the Department to prepare criteria to consider funding for townships culverts as part of the existing Agri-Business grant program.

After much discussion with the Commissioners, Chairman Roby stated, speaking for the Commission, that this was a county issue and the Commission would be more open if the counties came back to the Commission to address the issue.

Rather than approving the requested adoption of a new program for township culverts, the Commission directed Secretary Bergquist to provide future information for the Commission regarding existing local government assistance funding programs, as well as recommendations for possible increased funding within those programs.

Scott Rabern of Operations Support presented the following Construction Change Orders to the Transportation Commission:

Construction change orders approved in August contain an increase of approximately \$2,007,817.

Over the past 12 months, the overall contract increase is 1.90%.

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

ABERDEEN REGION

- I. Project: NH 0081(99)135, Hamlin County, PCN 0366
Location: US81 from SD22 to SD28
Contractor: McLaughlin and Schulz, Inc.
Type of Work: Asphalt Concrete Resurfacing

Original Contract Amount: \$ 2,855,712.60
Change on CCO No. 1: \$ (174,794.13)
Net Change to Date: \$ (174,794.13)

Explanation of Change on CCO No. 1: This decrease was the result of a change to the quantity of asphalt concrete and asphalt binder needed to complete the project. The change in quantity for asphalt concrete and asphalt binder was the result of normal project variations.

- II. Project: NH 014B(04)418, Brookings County, PCN 035U
Location: US14 and US14B in Brookings
Contractor: Bowes Construction Inc.
Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Grading, Asphalt Concrete Surfacing, & RCBC Extension

Original Contract Amount: \$ 6,563,239.56
Change on CCO No. 7: \$ 50,040.00
Net Change to Date: \$ 144,664.90

Explanation of Change on CCO No. 7: This increase was the result of additional hours of flagging paid to the Contractor to safely accommodate traffic on the project.

- III. Project: P 0020(107)394, Codrington County, PCN 027U
Location: SD20 and US212 in Watertown
Contractor: McLaughlin & Schulz, Inc.
Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Roadway Lighting, Curb Ramp Upgrades, Slope Flattening, & Signals

Original Contract Amount: \$ 3,495,073.73
Change on CCO No. 7: \$ 66,841.73
Net Change to Date: \$ 126,752.88

Explanation of Change on CCO No. 7: This increase was the result of additional asphalt concrete and asphalt binder needed to complete the project and for an incentive payment made for asphalt concrete mix quality and pavement smoothness. The addition asphalt concrete and asphalt binder was the result of normal project variations. The incentive payments were made in accordance with the contract.

- IV.** Project: P 2255(09), Brown County, PCN 01D5
Location: Roosevelt Street in Aberdeen
Contractor: Upper Plains Contracting, Inc.
Type of Work: Grading, Storm Sewer, Curb & Gutter, Sidewalk, Lighting, PCC Surfacing, & Pavement Markings

Original Contract Amount: \$ 3,366,465.49
Change on CCO No. 6: \$ 96,436.89
Net Change to Date: \$ 144,085.16

Explanation of Change on CCO No. 6: This increase was the result of additional work ordered by the Engineer to stitch a longitudinal crack with tie bars. The crack developed in the new concrete pavement over the winter through no fault of the Contractor.

- V.** Project: HN 0212(159)367, Codrington County, PCN 023J
Location: US212 near Lake Kampeska west of Watertown
Contractor: Knife River Midwest, LLC
Type of Work: PCC Resurfacing and Culvert Safety Improvement

Original Contract Amount: \$ 11,627,914.73
Change on CCO No. 7: \$ 866,330.57
Net Change to Date: \$ 836,270.24

Explanation of Change on CCO No. 7: This increase was the result of additional asphalt concrete and asphalt binder needed to complete the project and for an incentive payment made for asphalt concrete pavement smoothness. The addition asphalt concrete and asphalt binder was the result of variations in the field conditions from what was estimated in the plans and to account for a couple of locations where the plans did not provide a quantity that was needed. The incentive payment was made in accordance with the contract.

MITCHELL REGION

- VI.** Project: IM 0020(00)135, Aurora County, PCN 04AW
Location: I-90 White Lake, Salem, and Valley Springs Rest Areas
Contractor: Loiseau Construction, Inc.
Type of Work: Rest Area Lagoons

Original Contract Amount: \$ 736,400.50
Change on CCO No. 1: \$ 56,095.00
Net Change to Date: \$ 56,095.00

Explanation of Change on CCO No. 1: This increase was the result of additional excavation, borrow, riprap, and drainage fabric needed on the project. A change to the contract was made to increase the size of the WB Salem lagoon.

- VII.** Project: NH 0037(109)77, Davison County, PCN 6496
Location: SD37 over the Lake Mitchell Spillway
Contractor: Journey Group Co., DBA SFC Civil Construction
Type of Work: Abutment Repair, Berm Repair, Bearing Retrofit, Sidewalk Addition, & Approach Pavement

Original Contract Amount: \$ 907,834.47
Change on CCO No. 4: \$ 64,467.28
Net Change to Date: \$ 73,157.94

Explanation of Change on CCO No. 4: This increase was the result of additional mobilization, concrete breakout, structural concrete, expansion joint, and reinforcing steel needed to repair one of the abutments. After excavation of the approach slab it was discovered the abutment wall was in poor condition and needed to be repaired.

- VIII.** Project: P 3699(01), Davison County, PCN 01DA
Location: Spruce Street in Mitchell
Contractor: Robert Johnson Construction Inc.
Type of Work: Grading, Storm Sewer, Curb & Gutter, Base Course, AC Surfacing, Sidewalk

Original Contract Amount: \$ 2,438,549.93
Change on CCO No. 2: \$ 58,858.20
Net Change to Date: \$ 50,472.30

Explanation of Change on CCO No. 2: This increase was the result of additional subbase and woven geotextile separator fabric needed on the project. During construction, the Contractor encountered a water table too high to properly dry and compact the material. These items were added to facilitate proper compaction of the subbase.

PIERRE REGION

- IX.** Project: P 0053(08)50, Lyman County, PCN 6963
Location: SD53 from I-90 to SD44
Contractor: Schweigert Construction Inc.
Type of Work: Grading & Gravel Surfacing

Original Contract Amount: \$ 4,464,469.80
Change on CCO No. 3F: \$ 85,673.69

Net Change to Date: \$ 135,602.73

Explanation of Change on CCO No. 3F: This increase was the result of additional fencing, seeding, and mulch needed to construct the project. The plans contained errors which led to the variation.

- X.** Project: IM 0903(90)174, Jackson County, PCN 020L
Location: I-90 WBL from Exit 172 to Exit 191
Contractor: Knife River Midwest LLC
Type of Work: PCC Overlay, PCC Pavement, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing of Ramps, Reprofiting of Crossroad

Original Contract Amount: \$ 16,224,270.73
Change on CCO No. 6F: \$ 495,101.61
Net Change to Date: \$ 751,132.04

Explanation of Change on CCO No. 6F: This increase was the result of additional asphalt concrete and asphalt binder needed to complete the project and for an incentive payment made for pavement smoothness. The addition asphalt concrete and asphalt binder was the result of normal project variations. The incentive payment was made in accordance with the contract.

- XI.** Project: P 0034(154)225, Hughes County, PCN 038E
Location: SD34 east of Pierre from Twin Bridges to Hughes/Hyde County line.
Contractor: Morris Inc.
Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing; Structure Replacement (RCBC), Approach Grading, Overlay, Membrane

Original Contract Amount: \$ 6,980,537.05
Change on CCO No. 1: \$ (56,633.29)
Net Change to Date: \$ (56,633.29)

Explanation of Change on CCO No. 1: This decrease was the result of a change to the work needed at one of the structures. The structure in question has been added to the program for replacement. Based on this change, the Department decided to eliminate some of the repair work planned at the structure.

- XII.** Project: NH 0083(66)197, Walworth County, PCN 02Q4
Location: US83 near the Akaska and Lowry Junctions
Contractor: McLaughlin & Schulz, Inc.
Type of Work: Subgrade and Roadway Shaping, Edge Drains and Asphalt Concrete Surfacing

Original Contract Amount: \$ 2,274,867.75
Change on CCO No. 2F: \$ 67,205.21

Net Change to Date: \$ 49,270.21

Explanation of Change on CCO No. 2F: This increase was the result of numerous quantity changes to the contract. The Changes were made to match the quantities used during construction due to normal project variations.

XIII. Project: NH 0012(119)187, Walworth County, PCN 00GT

Location: US12 in Mobridge

Contractor: McLaughlin & Schulz, Inc.

Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Drainage Improvements, Sidewalk, Curb Ramps & Lighting

Original Contract Amount: \$ 5,586,771.08

Change on CCO No. 7: \$ 105,216.80

Net Change to Date: \$ 277,907.86

Explanation of Change on CCO No. 7: This increase was the result of additional asphalt concrete and additional work needed to match the new sidewalk to the existing surfacing on driveways and intersections and for extra work associated with traffic signals and pedestrian push buttons needed on the project.

XIV. Project: NH 0083(57)212, Campbell County, PCN 0014

Location: US84 from US12 to SD10

Contractor: McLaughlin & Schulz, Inc.

Type of Work: Cold Milling Asphalt, Asphalt Concrete Resurfacing and Asphalt Concrete Surfacing

Original Contract Amount: \$ 6,732,370.28

Change on CCO No. 3F: \$ 155,151.28

Net Change to Date: \$ 149,702.30

Explanation of Change on CCO No. 3F: This increase was the result of additional asphalt concrete and asphalt binder needed to complete the project. The addition asphalt concrete and asphalt binder was the result of normal project variations.

XV. Project: P 6427(04), Corson County, PCN 02DL

Location: County Road (214th Ave.) 11 miles South of US12 at Keldron

Contractor: A-G-E Corporation

Type of Work: Grading and Gravel Surfacing

Original Contract Amount: \$ 1,315,078.29

Change on CCO No. 1: \$ (254,236.43)

Net Change to Date: \$ (254,236.43)

Explanation of Change on CCO No. 1: This decrease was the result eliminating the gravel surfacing from the project and instead using base course owned, available, and hauled by Corson County instead.

RAPID CITY REGION

- XVI.** Project: PH 8024(13), Fall River County, PCN 02AX
Location: Various County Roads in Fall River County
Contractor: Traffic Services Company LLC
Type of Work: Signing and Delineation

Original Contract Amount: \$ 708,069.50
Change on CCO No. 3: \$ (68,058.47)
Net Change to Date: \$ (60,373.55)

Explanation of Change on CCO No. 3: This decrease was the result of eliminating some of the sign material from the contract. The plans called for double posts in locations where only a single post was needed.

- XVII.** Project: P 6403(08), Pennington County, PCN 02DP
Location: Deerfield Road from Deerfield to Mystic Road
Contractor: Bituminous Paving Inc.
Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Slide Repair, Guardrail, & Pavement Marking

Original Contract Amount: \$ 2,828,768.81
Change on CCO No. 3F: \$ (91,713.73)
Net Change to Date: \$ (58,897.78)

Explanation of Change on CCO No. 3F: This decrease was the result of numerous quantity changes to the contract. The Changes were made to match the quantities used during construction due to normal project variations.

- XVIII.** Project: NH 0041(153), Butte County, PCN 04R9
Location: Various Routes in Belle Fourche and Rapid City Area
Contractor: Complete Concrete, Inc.
Type of Work: Joint and Spall Repair

Original Contract Amount: \$ 2,129,187.89
Change on CCO No. 1: \$ 323,870.50
Net Change to Date: \$ 323,870.50

Explanation of Change on CCO No. 1: This increase was the result of additional shot rock, gravel cushion, and pavement repair. The additional shot rock and gravel cushion was needed to stabilize soft spots in the subgrade. The additional pavement repair was the result of variations to the size and number of repair areas encountered during construction.

Joel Jundt, Director of Planning and Engineering, addressed the Commission that they should have received by email the approved STIP book.

Joel Gengler, Office of Right of Way, provided the following items for Commission consideration:

1. Transfer – Lincoln County

This resolution will transfer the States interest in a portion of South Dakota Highway 115 as a result of a series of agreements with the subject segment addressed in on or more of the agreements 710142 and 910586 with their various addenda more particularly described as follows:

South Dakota Highway 115, from the centerline of 85th Street at its intersection with South Dakota Highway 115 north to the centerline of 77th Street at its intersection with South Dakota Highway 115 in Lincoln County

The above property would be transferred to the City of Sioux Falls and the City of Sioux Falls would accept ownership, jurisdiction and maintenance responsibilities. (See attachments)

Gengler requested that Item #1 be tabled until further adjustments were made.

2. Abandonment – Bon Homme County

This resolution will abandon the temporary easements on Bon Homme County Project: P 0025(56)19, PCN 5342.

3. Abandonment – Corson County

This resolution will abandon the temporary easements on Corson County Project: P 0065(12)226, PCN 029Q.

4. Abandonment – Edmunds County

This resolution will abandon the temporary easements on Edmunds County Project: P 0247(00)169, PCN 02K4.

5. Abandonment – Fall River Counties

This resolution will abandon the temporary easements on Fall River County Project: BRF-NH 0018(66)43, PCN 5993.

A MOTION WAS MADE to approve items #2, 3, 4, and 5 by Thompson and seconded by Rosenboom. All voted aye and motion carried.

RESOLUTIONS 2015-10.02, 2015-10.03, 2015-10.04, and 2015-10.05 were adopted.

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

September 2, 2015 Letting

Deck Overlay, Replace Rail & Approach Guardrail, Approach Pavement & ADA Upgrades

3 01QU, 01QV P 0047(92)89, P 0034(136)258 Buffalo, Hyde County
SD47, 0.3 miles NE of Big Bend Dam over Soldier Creek & SD34, 0.9 miles
south of Jct SD47N over the west fork of Elm Creek

A MOTION WAS MADE by Marquardt to reject bid #3 and seconded by Vanneman. All voted aye and motion carried.

September 16, 2015 Letting

Grading, AC Surfacing, Curb & Gutter, Roadway Lighting, Sidewalk, Storm Sewer, & ADA Upgrades

1 02R9 P 0020(117)254 Potter, Walworth County
SHARPE ENTERPRISES, INC \$3,711,800.02
SD20 from 0.4 miles West of Main Street to South of 7th Ave in Hoven

Sanitary Sewer and Watermain Improvement

2 X03F A 5735() Potter, Walworth County
SHARPE ENTERPRISES, INC \$995,836.79
SD20 - from 148th Street to South of 7th Ave in Hoven

Column Repair, Bent Cap Repair, & Girder End Repairs, Joint Repair, Abutment Repair, & Repair Bridge Slope Protection

3 02PN IM 2292(92)3 Minnehaha County
 Corr Construction Services, Inc \$994,467.60
 I229 - over Minnesota Ave. and Cliff Ave; 60th St. N - over I229

Replace Interstate Fence

4 040C IM 0907(80)308 Aurora, Davison County
 Reis Spraying and Fencing LLC \$196,219.50
 I90 - WBL from Plankinton to Mitchell

A MOTION WAS MADE by Rosenboom to approve bid #1 & 2 and seconded by Zander. All voted aye and motion carried.

A MOTION WAS MADE by Zander to approve bid #3 and seconded by Marquardt. All voted aye and motion carried.

A MOTION WAS MADE by Thompson to approve bid #4 and seconded by Vanneman. All voted aye and motion carried.

**Regional Lettings
 Mitchell September 29, 2015**

Storm Sewer Pipe Repair

05JL NH 0011(00)79 Minnehaha County
 Smith & Smith Construction \$278,835.45
 Brandon

A MOTION WAS MADE to approve by Fouberg and seconded by Rosenboom. All voted aye and motion carried.

Sam Weisgram of Project Development presented the following Transportation Commission Bid Letting and Meeting Schedule for approval:

Commission meetings and conference calls for 2016

Month	Commission Meeting	Commission Conference calls
January	Thursday, January 28, 2016	
February	Thursday, February 25, 2016	Thursday, February 11, 2016

March	Thursday, March 24, 2016	Thursday, March 10, 2016
April	Thursday, April 28, 2016	Thursday, April 14, 2016
May	Thursday, May 26, 2016	Thursday, May 12, 2016
June	Thursday, June 23, 2016	Thursday, June 09, 2016
July	Thursday, July 28, 2016	
August	Thursday, August 25, 2016	
September	Thursday, September 29, 2016	
October	Thursday, October 27, 2016	
November	Friday, November 18, 2016	
December		Tuesday, December 20, 2016

After discussion on some date changes, A MOTION WAS MADE to approve schedule as noted above by Fouberg and seconded by Rosenboom. All voted aye and motion carried.

In the interest of time, the informational item presentation by Mike Behm, Project Identification and Scoping, will be occur at a future meeting.

With no other business to come before the Commission, A MOTION WAS MADE by Thompson to adjourn the meeting and seconded by Dougherty. The meeting was adjourned at 11:50 a.m.

Submitted by:

Patricia A. Saukel
Recording Secretary

Approved by:

Darin P. Bergquist
Secretary of Transportation