

TRANSPORTATION COMMISSION CONFERENCE CALL MEETING MINUTES
DECEMBER 20, 2016 – 9:30 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD

PRESENT VIA PHONE: Larry Thompson, Vice Chairman
Rodney Fouberg, Member
Don Roby, Member
Ronald Rosenboom, Member
Kim Vanneman, Member

DOT STAFF PRESENT: Karla Engle, Bonnie Olson, Sam Weisgram, Mark Leiferman, Mike Behm, Ryan Johnson, Christina Bennett, Rick Gordon, Joel Gengler, Greg Fuller, Joel Jundt, Bill Nevin, and Kellie Beck

OTHERS PRESENT: Becky Hedman – AGC

OTHERS PRESENT VIA PHONE:
Dustin DeBoer

Vice Chairman Thompson called the meeting to order at 9:32 a.m. Roll call was taken and a quorum was determined.

Vice Chairman Thompson thanked Tim Dougherty and Kathy Zander for their devoted service to the Commission and the citizens of South Dakota.

Vice Chairman Thompson asked for a motion to approve the minutes of November 18, 2016.

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

A clarification was made that the minutes should read "Mike Behm, Director of Planning and Engineering, presented the following State Transportation Improvement Program (STIP) revisions:" as opposed to "Mike Behm, Director of Planning and Engineering, presented the following State Transportation Improvement Plan (STIP) revisions:"

A MOTION WAS MADE by Roby to incorporate the revision into the approved minutes. This motion was seconded by Vanneman. All present voted aye by roll call vote. The motion carried.

Vice Chairman Thompson 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.

Fouberg disclosed a potential conflict in the award of a contract for project number 1 of the December 7th bid letting item identified on the agenda in Attachment #7. Fouberg requested project number 1 be voted on separately from the remainder of the bid letting items once the Commission reaches that portion of the meeting. Fouberg previously provided a written letter of disclosure, dated August 8, 2016, to the Commission requesting a waiver. At the Commission's regular meeting held on August 24, 2016, the Commission determined the matter underlying the conflict was fair, reasonable, and not contrary to the public interest, but required that Fouberg disclose the details of any specific contracts or other conflicts of which he becomes aware for the Commission's particular consideration. Fouberg explained that his previously disclosed business interests involve extending credit to contractors that have submitted bids for project number 1 on the bid-letting agenda. Fouberg will abstain from the discussion and vote on project number 1.

A MOTION WAS MADE by Rosenboom and seconded by Vanneman that the essential terms of the contract or transaction is fair, reasonable, and not contrary to the public interest. All present voted aye by roll call vote, except Fouberg, who abstained from the Commission discussion and vote. The motion carried.

Karla Engle of the Office of Legal Counsel explained that a publication request was not fulfilled so the Department of Transportation (the "Department") will need to re-publish notice of the hearing on the amendment of the following rule: 70:01:02:60 – Tripp County speed zone rule. Engle requested that the Commission set the public hearing for January 26, 2017, to consider adopting proposed revisions to this rule.

A MOTION WAS MADE by Vanneman to set the public hearing date of January 26, 2017, and seconded by Rosenboom. All present voted aye by roll call vote. The motion carried.

Karla Engle of the Office of Legal Counsel asked the Commission to set a public hearing for January 26, 2017, to consider adopting proposed revisions to the following rule: 70:01:02:00 – Interstate highways speed zone rule.

A MOTION WAS MADE by Fouberg to set the public hearing date of January 26, 2017, and seconded by Vanneman. All present voted aye by roll call vote. The motion carried.

RESOLUTION # 2016-12.01 was adopted.

Deputy Secretary Joel Jundt provided the Secretary's report. Jundt informed the Commission, that Congress passed and the President signed, a Continuing Resolution (CR) for federal appropriations which extends federal funding through April 28, 2017. The new Congress and President Trump will need to address funding for the remaining portion of the federal fiscal year with another appropriations action prior to April 28th when the CR expires. The CR provides funding at the Fiscal Year 2016 funding levels.

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

Construction change orders approved in November contain an increase of approximately \$1,042,597.

Over the past 12 months, the overall contract increase is 1.58%.

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

ABERDEEN REGION

- I. Project: IM 0295(43)141, Brookings County, PCN 035B
Location: I-29 between Exit 140 and Exit 150 (Estelline)
Contractor: Interstate Improvement, Inc.
Type of Work: Bridge Deck Polymer Chip Seal

Original Contract Amount:	\$	394,225.60
Change on CCO No. 1:	\$	(66,729.39)
Net Change to Date:	\$	(66,729.39)

Explanation of Change on CCO No. 1: This decrease was the result of adjusting the contract quantities to match the quantities used during construction through normal project variations.

MITCHELL REGION

There are no CCOs amounting to a change of \$50,000 to report this period.

PIERRE REGION

- II. Project: NH 0012(119)187, Walworth County, PCN 00GT
Location: US 12 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. 13: \$ 336,641.05
Net Change to Date: \$ 870,627.93

Explanation of Change on CCO No. 13: This increase was the result of adjustments made to various contract quantities. The adjustments were made to match the actual quantities used during construction and are considered normal variations. Larger increases were made for the removal of concrete approach pavement, concrete sidewalk, gravel cushion, and driveway pavement all due to normal field variations and to match the new pavement and sidewalk into the existing conditions.

RAPID CITY REGION

- III. Project: NH-PH 0085(20)26, Lawrence County, PCN 0555
Location: US 85 in Deadwood
Contractor: Oftedal Construction, Inc.
Type of Work: Grading, Storm Sewer, Asphalt Surfacing, Curb & Gutter, Lighting, and Signals

Original Contract Amount: \$ 12,327,483.06
Change on CCO No. 7: \$ 354,979.44
Net Change to Date: \$ 858,058.48

Explanation of Change on CCO No. 7: This increase was the result of extra work performed to install 46 decorative luminaire poles with 138 decorative luminaires throughout the project. The Department will be reimbursed by the city of Deadwood for the cost increase.

- IV.** Project: NH-PH 0085(20)26, Lawrence County, PCN 0555
Location: US 85 in Deadwood
Contractor: Oftedal Construction, Inc.
Type of Work: Grading, Storm Sewer, Asphalt Surfacing, Curb & Gutter, Lighting, and Signals

Original Contract Amount: \$ 12,327,483.06
Change on CCO No. 8: \$ 138,124.64
Net Change to Date: \$ 996,183.12

Explanation of Change on CCO No. 8: This increase was the result of additional asphalt concrete and asphalt binder required to construct the project. Due to plan errors and existing field conditions, additional asphalt concrete was necessary to provide the appropriate slopes between the new pavement and the existing streets and parking lots.

- V.** Project: NH 0016(72)11, Custer County, PCN 022E
Location: US 16 near Jewel Cave
Contractor: Zandstra Construction, Inc.
Type of Work: Grading, Structure, & Asphalt Concrete Surfacing

Original Contract Amount: \$ 8,395,869.45
Change on CCO No. 9: \$ 241,075.13
Net Change to Date: \$ 300,636.48

Explanation of Change on CCO No. 9: This increase was the result of adjustments made to various contract quantities. The adjustments were made to match the actual quantities used during construction and are considered normal variations. Larger increases were made for placing topsoil, fiber mulching, salvage and stockpile base material, base course, flagging, and pilot car.

- VI.** Project: IM 0901(162)14, Lawrence County, PCN 020U
Location: Exit 14 at Spearfish
Contractor: Heavy Constructors, Inc.
Type of Work: Interchange Reconstruction - PCC Paving, Structure, Lighting, and Signals

Original Contract Amount: \$ 27,668,106.00
Change on CCO No. 4: \$ 228,379.11
Net Change to Date: \$ 69,534.73

Explanation of Change on CCO No. 4: This increase was the result of adjustments made to various contract quantities. The adjustments were made to match the actual quantities used during construction and are considered normal variations. Larger

increases were made for asphalt concrete, asphalt binder, permanent seed mixture, and flagging.

- VII.** Project: NH-P 0042(64), Harding County, PCN 054C
Location: Various Routes in the Belle Fourche Area
Contractor: Roadway Services, Inc.
Type of Work: Asphalt Concrete Crack Sealing

Original Contract Amount:	\$	119,433.10
Change on CCO No. 1:	\$	(56,229.89)
Net Change to Date:	\$	(56,229.89)

Explanation of Change on CCO No. 1: This increase was the result of the Contractor using less pounds of asphalt concrete crack sealant than estimated in the plans to perform the required work.

- VIII.** Project: IM 1902(61)10, Pennington County, PCN 1162
Location: Exit 1 in Rapid City (near Civic Center)
Contractor: Reede Construction, Inc.
Type of Work: Interchange Replacement - Grading, PCCP & Structure, Remove & Replace PCCP, AC Surfacing

Original Contract Amount:	\$	32,588,511.91
Change on CCO No. 5:	\$	62,129.22
Net Change to Date:	\$	324,230.95

Explanation of Change on CCO No. 5: This increase was the result of extra work performed by the Contractor to repair the bridge berm at the Anamosa Street bridge.

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

1. Abandonment – in Jerauld County

Request Transportation Commission approval to abandon portions of South Dakota Highway 34.

This resolution will abandon by resolution the following properties acquired for highway right-of-way:

The unplatted SD 34 right of way within the SE1/4, and incorporated into Krohmer Addition in the North Half of the South Half of Section 13, Township 107 North, Range 65 West of the 5th P.M., Jerauld County; and is a replat of Irregular Tract 1, Watershed Tract 1,

Holman's Rural Outlot 3, and including the unplatted portion of the North Half of the South Half of Section 13 north of present SD Highway No. 34.

This property is no longer needed for highway purposes and abandonment is recommended by DOT Mitchell Area.

A MOTION WAS MADE by Vanneman to approve Item #1 and seconded by Fouberg. All present voted aye by roll call vote. The motion carried.

RESOLUTION # 2016-12.03 (Item 1) was adopted.

2. Abandonment – Davison County

This resolution will abandon the temporary easements on Davison County Project P 3699(01), PCN 01DA.

3. Abandonment – Walworth County

This resolution will abandon the temporary easements on Walworth County Project NH 0012(119)187, PCN 00GT.

4. Abandonment – Walworth County

This resolution will abandon the temporary easements on Walworth County Project P 1804(21)355, PCN 6967.

A MOTION WAS MADE by Fouberg to approve Items #2-4 and seconded by Rosenboom. All present voted aye by roll vote. The motion carried.

RESOLUTION's # 2016-12.04 (Item 2), 2016-12.05 (Item 3), 2016-12.06 (Item 4) were adopted.

Mike Behm, Director of Planning and Engineering, presented the following State Transportation Improvement Program (STIP) revisions:

FOR COMMISSION APPROVAL

17-018 This revision will add a railroad crossing rehabilitation project to 2017 for the Ellis & Eastern Railroad Crossing located on Rice Street in Sioux Falls

FY 2017 Plus \$116,000

17-019 This revision will delete a 2019 interstate project to construct a median crossover between Exits 59 & 60 in Rapid City (Sequence #728, Page 152 in the 2017-2020 STIP Book) since it was determine that traffic control can be maintained without it.

FY 2018 Minus \$522,000

17-020 This revision will add a 2017 project for the annual calendar year operation of the of the 511/Safe Travel USA Traveler Information program.

FY 2017 Plus \$250,000

17-022 This revision will advance a Turning Lane Modification project in the Developmental STIP to 2017 as a Truck U-Turn accommodation project.

FY 2017 Plus \$204,000.

A MOTION WAS MADE by Roby to approve Revision 17-018 and seconded by Vanneman. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Rosenboom to approve Revision's 17-019; 17-020; 17-022 and seconded by Foubert. All present voted aye by roll call vote. The motion carried.

The following informational revisions and information was provided to the Commission.

INFORMATIONAL REVISIONS FOR THE COMMISSION

17-007 This revision adjusted the cost of the 2017 SD79 Mill & AC resurfacing project from the SD168 junction north (Sequence #s 121 & 388, Pages 56 & 100 in the 2017-2020 STIP Book) and added 11.5 more miles to the end of the project

FY2017 Plus \$1,018,000

17-014 This revision updated the cost estimate of the 2017 PCCP Resurfacing project of the eastbound lane of I90 from 3 miles west of the Murdo Exit to 3 miles west of the Draper Exit (Sequence # 459, Page 114 in the 2017-2020 STIP Book).

FY 2017 Plus \$3,718,000

17-015 This revision added the structures located at Maple Street to the 2017 I90 Haines Ave structure repair project (Sequence # 690, Page 148 of the 2017-2020 STIP Book) located in Rapid City.

FY 2017 Plus \$704,000

- 17-017** This revision changed the funding for the Wetland Mitigation projects in 2017 2020 (Sequence #s 881, 908, 928, 960, Page #s 174, 176, 178, 181 in the 2017-2020 STIP Book) to 100% state funding.

FY 2017 No Change
FY 2018 No Change
FY 2019 No Change
FY 2020 No Change

- 17-021** This revision modified the routes and costs of some 2017 Pavement Preservations projects in the Aberdeen Region (Items# 109 and 366, Pages 54 & 96 in the 2017-2020 STIP Book).

FY2017 Plus \$1,122,000

- 17-SC-018** This revision revised the location description in the 2017 Signing and Delineation & PE project in Yankton and Tribal Roads in Charles Mix County (Sequence #147, Page 59 of the 2017 2020 STIP Book) to include all county, city and township roads in Charles Mix County. A previous revision had specified only Tribal Roads in Charles Mix County.

FY 2017 No Change

- 17-SC-019** This Revision removed approximately 14.4 miles of SD34 in Butte and Lawrence Counties from the 2017 Rapid City Centerline Rumble Stripes project (Sequence #122, 285, 389, 497, 601, 684, & 699, Pages 56, 82, 101, 119, 134, 146, & 149 in the 2017 2020 STIP Book) due to the poor condition of the centerline joint.

FY 2017 Minus \$51,000

- 17-SC-020** This revision added signal rehabilitation to the 2017 railroad crossing rehabilitation project on SD37 North of Groton (Sequence #86, Page 50 in the 2017-2020 STIP Book).

FY 2017 Plus \$135,000

- 17-SC-021** This revision added ROW, Signals, Lighting, and Structures to the improvement description of the 2017 reconstruction project located on Arrowhead Parkway in Sioux Falls (Sequence #643, Page 140 in the 2017-2020 STIP Book).

FY 2017 No Change

- 17-SC-022** This revision modified the routes and costs of some 2017 Pavement Preservations projects in the Watertown Area (Item# 59, Page 47 in the 2017-2020 STIP Book).

FY 2017 Minus \$370,000

Mike Behm, Director of Planning and Engineering, mentioned the schedule for the 2018-2025 schedule for development of the State Transportation Improvement Program (STIP) has been included in the packet for informational purposes.

Sam Weisgram, Engineering Supervisor in Project Development presented the bid letting results from the December 7, 2016, letting as follows:

December 7, 2016 letting

Structure Replacement (2-12'x9' Precast BC)

1	05R6 BRO 8046(00)16-3	Marshall County
	Webster Scale Inc	\$153,901.80
	Structure 1 mile west & 3 miles north of Langford on 120 St. over Langford Ditch	

Structure (2-12'x6' CIP RCBC) & Approach Grading

2	02T6 BRO 8003(23)	Beadle County
	Dakota Contracting Corporation	\$204,963.72
	Structure 13S & 5.5W of Wolsey over a creek on 218th St SN 03-055-280	

Installation of Rural Intersection Conflict Warning System (RICWS)

3	053V PH 0037(145)30	Bon Homme County
	Action Systems Inc.dba Action Electric	\$109,165.00
	Jct SD46/SD37	

Cold Milling Asphalt Concrete & Asphalt Concrete Surfacing

4	05P7 P 0079(77)150	Butte, Harding County
	Anderson Western, Inc.	\$5,932,572.78
	SD79 from SD168 to the Butte/Harding County Line	

Cold Milling Asphalt Concrete & Asphalt Concrete Surfacing

5	05Q5 P 0042(69)333	McCook County
	Spencer Quarries Incorporated	\$2,779,226.09
	SD42 from US81 to West of SD19	

Asphalt Concrete Resurfacing & Culvert Repair

6	05EY P 0045(56)88	Buffalo, Hand County
	Asphalt Paving & Materials Co	\$2,487,823.18
	SD45 from south of the Hand and Buffalo County line to south of Miller	

Intersection Modification

7 04TX PH 0014(205)347
Asphalt Paving & Materials Co
US14 at the intersection of Custer Ave in Huron

Beadle County
\$271,151.37

A MOTION WAS MADE by Vanneman to approve bid #1 and seconded by Roby. All present voted aye by roll call vote, except Fouberg, who abstained from the Commission discussion and vote. The motion carried.

A MOTION WAS MADE by Rosenboom to accept bid #'s 2 - 7 and seconded by Fouberg. All present voted aye by roll call vote. The motion carried.

December 14, 2016

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

1 01QU, 01QV P 0047(92)89, P 0034(136)258 Buffalo, Hyde County
Journey Group Companies \$1,131,707.83
SD47, 0.3 miles NE of Big Bend Dam over Soldier Creek & SD34, and 0.9 miles south of Jct SD47N over the west fork of Elm Creek

Asphalt Concrete Resurfacing

2 05E3 P 0045(57)182 Edmunds, McPherson County
Asphalt Paving & Materials Co \$2,069,092.89
SD45 from the east junction of US12 to the Edmunds/McPherson County Line

A MOTION WAS MADE by Fouberg to accept bid # 1 and seconded by Rosenboom. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Vanneman to accept bid # 2 and seconded by Fouberg. All present voted aye by roll call vote. The motion carried.

December 19, 2016 letting

Replace Weigh Scales & Scale Pit Repair

05T0 IM 0291(00)12
K-Scale LLC
I29 NBL Jefferson Port of Entry

Union County
\$71,882.00

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

Mike Behm, Director of Planning and Engineering, reported on a request from the November 18th commission meeting. From January 20, 2016, through December 14, 2016, there were 173 projects let with bids coming in at roughly \$337 million. The engineer's estimates were \$370 million. Overall bids were approximately 9% or roughly \$33 million below the engineer's estimate.

With no other business to come before the Commission, the meeting was adjourned at 10:08 a.m.

Submitted by:

Kellie Beck
Recording Secretary

Approved by:

Darin P. Bergquist
Secretary, Department of Transportation