

**TRANSPORTATION COMMISSION MEETING MINUTES
FEBRUARY 23, 2017
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

COMMISSIONERS PRESENT: Ronald Rosenboom, Chairman
Mike Vehle, Member

COMMISSIONERS PRESENT
VIA CONFERENCE CALL: Kyle White, Vice Chairman
Rodney Fouberg, Member
Ralph Marquardt, Member
Don Roby, Member
Kim Vanneman, Member

DOT STAFF PRESENT: Darin Bergquist, Kellie Beck, Greg Fuller, Kristi Sandal, Julie Bolding, Mike Behm, Karla Engle, Bonnie Olson, Kelly VanDeWiele, Jason Humphrey, Gaven Motschenbacher, Joel Gengler, and Patricia Saukel

OTHERS PRESENT: Becky Hedman – AGC, Kirk Fredrichs – FHA SD Division Administrator (by phone)

Chairman Rosenboom called the meeting to order at 9:30 a.m. Roll call was taken and a quorum was determined.

Chairman Rosenboom 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 6. Fouberg requested bid #6 to be voted on separately from the remainder of the bid letting items once the Commission reaches that portion of the meeting. Fouberg disclosed that the low bidder in project #6 was a customer. Fouberg requested that he abstain from the discussion and the vote due to the appearance of conflict of interest.

A MOTION WAS MADE by White and seconded by Marquardt to approve. All voted aye, except Fouberg, who abstained from the Commission discussion and vote. The motion carried.

Chairman Rosenboom asked for a motion to approve the minutes of January 26, 2017. A MOTION WAS MADE by Fouberg to approve and seconded by White. All present voted aye by roll call vote with the exception of Vehle who chose to abstain due to the timing of his appointment. The motion carried.

Chairman Rosenboom asked for a motion to approve the minutes of February 9, 2017. A MOTION WAS MADE by Fouberg to approved and seconded by Marquardt. All present voted aye by roll call vote with the exception of Vehle and Vanneman who chose to abstain. The motion carried.

Secretary Bergquist began the Secretary's report with a welcome to former Senator Mike Vehle on his appointment to the Commission on February 17, 2017. Bergquist stated to the Commission that he has worked with Vehle in the past and that Vehle was the key player on the passage of SB1 in 2015.

Bergquist reported on the legislative status on the two bills filed by the Department. SB 22 (drone registration) and SB23 (authorization for the Commission to make 100% state fund loans both passed through the Senate and will be heard in House Transportation on Thursday, March 2.

Bergquist added that SB58 (snow removal) has been amended to take out sidewalks and parking shoulders after negotiating with the city of Isabel. The bill passed out of Committee but was killed on the Senate floor.

Bergquist reported that SB154 (native grasses on new/remodeled state properties) was amended to include only rest areas when prudent to do so. This will come before House Transportation on Tuesday, February 28. DOT will not testify at this point.

SB119 placeholder bill regarding township culverts brought about from the Dick Howard presentation at the January Transportation Commission meeting was tabled. The townships did not support the bill. Townships recognize that they need to do a better job and there is no interest in reviving the bill.

Bergquist informed the Commission that HB1188 which promotes agricultural development was hoghouse amended at the last minute on Wednesday morning. The amendment was to push counties and local governments in economic development planning and zoning and provide for value-added ag facilities. This bill was in conjunction with DOT, GOE and SDDA. The bill was broadly worded. Bergquist testified in opposition to the bill on behalf of the Department as it is logistically a challenge to DOT. It passed out of House Appropriation 6-2 and needs to pass out of the House floor later in the afternoon.

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

Construction change orders approved in January contain an increase of approximately \$2,003,426.

Over the past 12 months, the overall contract increase is 1.55%.

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

ABERDEEN REGION

- I. Project: P 0037(138)145, Spink County, PCN 04EG
 Location: SD 37 from the Spink/Beadle county line north to US 212
 Contractor: Asphalt Paving & Materials Co.
 Type of Work: Deck Overlay, Approach Guardrail, Approach Pavement, Asphalt Concrete Resurfacing, & Pipe Work

| | | |
|---------------------------|----|--------------|
| Original Contract Amount: | \$ | 4,857,169.28 |
| Change on CCO No. 2F: | \$ | 51,234.13 |
| Net Change to Date: | \$ | 72,233.17 |

Explanation of Change on CCO No. 2F: This increase was the result of an incentive payment for pavement smoothness. The incentive payment was made in accordance with the contract.

- II. Project: P 0028(32)319, Clark County, PCN 02QK
 Location: SD 28 from Bryant to the Junction of SD 25
 Contractor: Asphalt Paving & Materials Co.
 Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, ADA Upgrades, and Drainage Improvements

| | | |
|---------------------------|----|--------------|
| Original Contract Amount: | \$ | 2,564,044.62 |
| Change on CCO No. 5: | \$ | 76,021.80 |
| Net Change to Date: | \$ | 209,059.94 |

Explanation of Change on CCO No. 5: This increase was the result of a change to the contract quantity of asphalt binder. The Department approved asphalt concrete mix design contained a target binder content higher than estimated in the plans.

MITCHELL REGION

- III. Project: IM 0293(96)73, Lincoln County, PCN 01QS
 Location: I-29 from Exit 73 (Tea) to 57th Street & I-229
 Contractor: T & R Contracting Inc.
 Type of Work: Grading, Structures, PCC Surfacing, Lighting & Utilities

Original Contract Amount: \$ 33,819,550.57
 Change on CCO No. 1: \$ (310,950.61)
 Net Change to Date: \$ (310,950.61)

Explanation of Change on CCO No. 1: This decrease was the result of changes to the contract quantities of asphalt concrete and asphalt binder. A change to the traffic control plan during construction resulted in eliminating some of the additional widening and temporary pavement used on the project.

PIERRE REGION

- IV. Project: P 0044(194)172, Mellette County, PCN 054U
 Location: SD 44 from White River to SD 63
 Contractor: Roadway Services, Inc.
 Type of Work: Crack Leveling

Original Contract Amount: \$ 313,542.52
 Change on CCO No. 1: \$ 532,872.20
 Net Change to Date: \$ 532,872.20

Explanation of Change on CCO No. 1: This increase was the result of an adjustment to the contract quantities of asphalt repair mastic, flagging, and pilot car. The actual conditions of the existing pavement were worse than estimated and addition work was required to properly repair the joints.

RAPID CITY REGION

- V. 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. 9: \$ 194,142.01
 Net Change to Date: \$ 1,190,325.13

Explanation of Change on CCO No. 9: This increase was the result of additional salvage material available on the project. The Contractor was required to salvage the existing pavement and the quantity was more than estimated in the plans.

- VI.** Project: P 016A(06)39, Custer County, PCN 00LD
 Location: US 16A in the Custer State Park Area
 Contractor: Bituminous Paving Inc.
 Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Epoxy Chip Seals, Remove Structure, Berm Repair and Drainage Improvement.

Original Contract Amount: \$ 4,334,108.55
 Change on CCO No. 7: \$ (249,286.04)
 Net Change to Date: \$ (121,552.36)

Explanation of Change on CCO No. 7: This decrease was the result of a change to the contract quantities of asphalt binder, flagging, and pilot car. Additionally, a disincentive adjustment was made for asphalt mix quality. The quantity changes were due to normal variations. The disincentive adjustment was made in accordance with the contract.

- VII.** Project: P 0087(13)62, Custer County, PCN 03NR
 Location: SD 87 from US 16A to SD 89 (Needles Hwy)
 Contractor: Bituminous Paving Inc.
 Type of Work: Cold Milling Asphalt Concrete and Asphalt Concrete Resurfacing

Original Contract Amount: \$ 2,598,888.15
 Change on CCO No. 3: \$ (77,464.15)
 Net Change to Date: \$ (570,399.53)

Explanation of Change on CCO No. 3: This decrease was the result of a change to the contract quantities of flagging and pilot car. Additionally, a disincentive adjustment was made for asphalt mix quality. The quantity changes were due to normal variations. The disincentive adjustment was made in accordance with the contract.

- VIII.** Project: NH-PH-P 0040(312), Butte County, PCN 054Q
 Location: Various Routes in the Rapid City Region
 Contractor: Asphalt Surface Technologies Corporation
 Type of Work: Microsurfacing

Original Contract Amount: \$ 2,292,968.85
 Change on CCO No. 1: \$ (62,054.19)

Net Change to Date: \$ (62,054.19)

Explanation of Change on CCO No. 1: This decrease was the result of a change to the contract quantities of asphalt emulsion for microsurfacing, mineral aggregate for microsurfacing, flagging, and pilot car. The quantity changes were due to normal variations.

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

1. Transfer – Lincoln County

This resolution will complete a portion of the requirements of Agreement #910586 signed by the City of Sioux Falls and the State of South Dakota, through its Department of Transportation, on June 2, 2005 and Amendment 1 signed by the City of Sioux Falls and the State of South Dakota on November 27, 2013, of a portion of the segment of South Dakota Highway 115 (Minnesota Avenue) from 85th Street South to 72nd Street North. This agreement states that that portion of South Dakota Highway 115 from 85th Street South to 72nd Street North would be transferred to the City of Sioux Falls and the City of Sioux Falls would accept ownership, jurisdiction and maintenance responsibilities. This transfer will complete the transfer of South Dakota Highway 115 from 85th Street South to 57th Street South. (See attached layout)

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

RESOLUTION # 2017-02.01 (Item 1) was adopted.

2. Disposal of Excess Property – Pennington County

Request Transportation Commission approval to dispose of the following DOT property in accordance with the procedures provided by SDCL 31-2-27 and ARSD chapter 10:02:01.

Lot 620 of Scenic Conata Basin in the NW1/4 of Section 11, Township 4 South, Range 16 East of the B.H.M., Pennington County, South Dakota, less Lot H1.

Appraised Value: \$1

The property contains 0.09 acre of sloping pasture land. Location is on the north side of Hwy 44 in a remote area of Pennington County.

The property has no developed utilities and no access will be allowed from Hwy 44.

Rapid City Area DOT advises the property is not needed for future department use.
(See attached layout)

A MOTION WAS MADE by White to approve Item #2 and seconded by Vanneman. All present voted aye by roll call vote. The motion carried. Resolution is not required.

3. Abandonment – Beadle County

This resolution will abandon the temporary easements on Beadle County Project P 0028(35)297, PCN 03A2.

4. Abandonment – Brookings County

This resolution will abandon the temporary easements on Brookings County Project NH 014B(04)418, PCN 035U.

5. Abandonment – Grant County

This resolution will abandon the temporary easements on Grant County Project NH 0012(151)389, PCN 028T.

6. Abandonment – Lawrence County

This resolution will abandon the temporary easements on Lawrence County Project P 0085(72)23, PCN 028L.

7. Abandonment – Pennington County

This resolution will abandon the temporary easements on Pennington County Project HES 2016(04)70, PCN 3115.

A MOTION WAS MADE by Vanneman to approve Items #3, 4, 5, 6, and 7 and seconded by Vehle. All present voted aye by roll call vote. The motion carried.

RESOLUTIONS's # 2017-02.02 (Item #3), 2017-02.03 (Item #4), 2017-02.04 (Item #5), 2017-02.05 (Item #6), and 2017-02.06 (Item #7) were adopted.

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

FOR COMMISSION APPROVAL

- 17-025** This revision will defer a 2017 scour protection project on the US14 James River bridge at Huron (Sequence #20, Page 42 of the 2017-2020 STIP Book) to 2018 and deferred four 2017 Region wide bridge rehabilitation projects in the Aberdeen, Mitchell, Pierre and Rapid City regions (Sequence #s 754, 755, 756, 757, Page 157 of the 2017-2020 STIP Book) to 2019. This is needed to balance the workload.
- FY 2017 Minus \$1,420,000
 FY 2018 Plus \$200,000
 FY 2019 Plus \$1,273,000
- 17-041** This revision will add a newly identified roadway median lighting project on I 229 from the Louise Ave interchange to the I 90 interchange in Sioux Falls to 2020.
- Plus \$2,165,000
- 17-044** This revision will add a 2017 preconstruction engineering project for a project in the Developmental STIP that will modify a horizontal curve on Nemo Road at the Meade/Pennington County line.
- FY 2017 Plus \$66,000
- 17-045** This revision will advance a shoulder widening project on SD38 east of Hartford in Minnehaha County that was in the Developmental STIP to 2017 and modified the work to shoulder improvements.
- FY 2017 Plus \$337,000
- 17-046** This revision will add a newly identified project for the construction of turning lanes at the US85/Colorado Boulevard intersection in Spearfish to 2017.
- FY 2017 Plus \$498,000
- 17-047** This revision will advance the newly added 2018 Railroad Signals & Crossing Surface project located at Sale Barn Road on the RCP&ERR in Ft. Pierre to 2017. This project was added to the STIP in January but due to recent crashes, both the RCP&ERR and the City of Ft Pierre have requested the project be advanced to this summer.
- FY 2017 Plus \$250,000
 FY 2018 Minus \$250,000

17-048 This revision will defer some 2017 Transportation Alternative projects located in Aberdeen, Garretson, Murdo, Yankton, and Armour (Sequence #s 83, 114, 265, 644, & 1035, Pages 50, 79, 114, 140, & 193 of the 2017-2020 STIP Book) to 2018; will add a 2016 project in Murdo that was not let to 2018; and will defer a 2017 project in Whitewood (Sequence #494, Page 119 of the 2017 2020 STIP Book) to 2020. The development of the projects is falling behind schedule and they need to be deferred.

FY 2017 Minus \$2,509,000
FY 2018 Plus \$2,513,000
FY 2020 Plus \$183,000

17-049 This revision will defer a 2018 Transportation Alternative project located along I 190/SD44 in Rapid City (Sequence #718, Page 151 of the 2017 2020 STIP Book) to 2020 and will defer another 2018 project located on Cambell Street in Rapid City (Sequence #719, Page 151 of the 2017 2020 STIP Book) to 2021. The development of the projects is falling behind schedule and they need to be deferred.

FY 2018 Minus \$742,000
FY 2020 Plus \$169,000
FY 2021 Plus \$573,000

17-051 This revision will add a newly identified pavement preservation project on SD38P between I 90 and SD38 east of Mitchell to 2017.

FY 2017 Plus \$66,000

17-053 This revision will defer a 2017 bridge replacement/scour protection project located on SD47 5.5 miles north of the Gregory County Line Over Waterhole Creek & 7.3 miles south of I90 Over the White River (Sequence #540, Page 125 in the 2017-2020 STIP Book) to 2018. Traffic diversion was redesigned to minimize wetland impacts which impacted right of way needs.

FY2017 Minus \$2,295,000
FY2018 Plus \$2,341,000

17-054 This revision will add newly identified culvert related repair work in the Aberdeen, Huron, and Watertown Areas to 2017.

FY 2017 Plus \$2,072,000

A MOTION WAS MADE by Fouberg to approve all eleven STIP revisions and seconded by Marquardt. All present voted aye by roll call vote. The motion carried.

The following informational revisions were provided to the Commission:

INFORMATIONAL REVISIONS FOR THE COMMISSION

17-024 This revision updated the cost estimate of a 2017 Bridge Replacement project located on SD40 17.5 miles southeast of Hermosa over Battle Creek (Sequence #205, Page 69 of the 2017 2020 STIP Book).

FY 2017 Plus \$1,790,000

17-034 This revision updated the cost estimate of the US14/I29 reconstruction project in Brookings (Sequence #57/ Page 47 of the 2017 2020 STIP Book).

FY 2017 Plus \$3,892,000

17-042 This revision changed funding from a Fed/local match of 80/20 to a state/local match of 80/20 for county highway structures located in Clay, Deuel, Grant, Hamlin, Lincoln, Miner, Moody, and Sanborn Counties (Sequence #'s 165, 246, 307, 346, 518, 626, 627, 673 & 836, Pages 63, 76, 86, 93, 122, 138, 144, & 166 of the 2017 2020 STIP Book).

FY 2017 No Change

17-SC-029 This revision deleted the SD52 segment in Yankton County from the 2017 Statewide Shoulder Wedge Improvements project (Sequence #s169, 221, 350, 416, 475, 545, 573, & 1034, Pages 63, 71, 94, 105, 116, 125, 129, & 192 of the 2017-2020 STIP Book) due to a planned PCCP overlay project occurring on the adjacent lane at the same time.

FY 2017 Minus \$430,000

17-SC-030 This revision combined the Pierre rumble stripe project into the Rapid City region rumble stripe project (Sequence #792 & 793, Page 160 of the 2017 2020 STIP Book) and deleted the Pierre project.

FY2018 Minus \$1,040,000

17-SC-031 This revision added segments of SD50, SD1804, US81 & I90 shoulders and also deleted a segment of SD37 from a 2017 Rout and Seal Project (Sequence# 219, 571 & 837, Page 71, 129, & 166 of the 2017 2020 STIP Book) in the Mitchell Area. No change in cost.

FY 2017 No Change

17-SC-032 This revision added centerline sealing to the 2017 US85 Rout and Seal project in Harding County (Sequence #386, Page 100 of the 2017 2020 STIP Book).

FY 2019 Plus \$ 84,000

17-SC-033 This revision added a segment of US12 through Lemmon to the 2017 Belle Fourche Area Crack Leveling project (Sequence #602, Page 134 of the 2017-2020 STIP Book).

FY 2017 No Change

Kelly VanDeWiehle of Project Development informed the Commission that there was a correction for the low bidder on Bid #2. She noted that Bid #1 and #2 were actually a combination bid so the low bidder for Bid #2 should be listed as Anderson Contractors, Inc. of Pierre. VanDeWiehle proceeded to present the bid letting results from the February 15, 2017 letting as follows:

February 15, 2017

Urban Grading, PCC Surfacing, Storm Sewer, Curb & Gutter, ADA Upgrades, Sidewalk, Traffic Signals, Roadway Lighting, & Weigh in Motion Upgrades

| | | |
|---|--|--------------------------------|
| 1 | 039G, 039J NH 0018(176)206, NH 0083(71)21 Anderson Contractors, Inc. US18 through Mission & US83 from US18 in Mission, south 0.8 miles | Todd County \$12,288,692.68 |
|---|--|--------------------------------|

Water Main Improvements

| | | |
|---|---|----------------------------|
| 2 | X04C 2015-1 () Anderson Contractors, Inc. US18 in Mission; W US18/US83 Jct | Todd County \$64,490.00 |
|---|---|----------------------------|

Structure & Approach Grading (160'-0" Prestressed Girder Bridge)

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|---|---|------------------------------|
| 3 | 667R BRO 8047(18) Grangaard Construction Inc. County Road 7.5 miles east and 3 miles north Bear Butte over Bear Butte Creek | Meade County \$913,520.75 |
|---|---|------------------------------|

Structure & Approach Grading (114'-6" Continuous Concrete Bridge)

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|---|--|-------------------------------|
| 4 | 01WB BRF 6475(08) Grangaard Construction Inc. Structure on University Rd., 3 miles east of SD19 & 1.1 miles south of SD46 over Ash Creek | Clay County \$1,067,202.65 |
|---|--|-------------------------------|

AC Surfacing and Edge Drains

5 05EG IM 0293(109)85 Minnehaha, Moody County
 Central Specialties, Inc. \$22,565,024.88
 I29 NBL & SBL from south of Exit 86 (Crooks) to north of Exit 109 (SD34)

Intersection Modification

6 04K6 PH 0281(106)185 Brown County
 Lien Transportation Co. \$758,246.09
 US281, intersection at 142nd Street (Warner) & at 130th Street north of
 Aberdeen

Asphalt Concrete Surface Treatment

7 055Q NH-P 0022(54) Lake, Lincoln, Minnehaha, Turner County
 The Road Guy Construction Company Inc. \$754,497.38
 Various Routes in the Sioux Falls Area

Asphalt Concrete Surface Treatment

8 055D NH-P 0043(16) Custer, Fall River County
 Simon Contractors of SD dba Hills Materials Co. \$646,737.61
 Various Routes in the Custer Area

Asphalt Concrete Surface Treatment

9 055F NH-P 0013(36) Buffalo, Clark, Hand, Hyde, Kingsbury, Spink County
 Bituminous Paving Inc. \$2,472,399.07
 Various Routes in the Huron Area

ADA Curb Ramp Upgrades

10 03VQ P 037P(00)12 Bon Homme County
 Masonry Components, Inc. \$103,815.26
 SD37P in Springfield

Curb Ramp Upgrades

11 05KJ NH-P 0042(00) Harding County
 TI-Zack Concrete, Inc. \$193,662.10
 US85 & SD20 through Buffalo

A MOTION WAS MADE by Marquardt and seconded by Vanneman to approve Bids #3, 4, 5, 7, 8, 9, 10 and 11. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Marquardt and seconded by Vehle to approve Bid #6. Roll call vote was taken with Rosenboom, White, Marquardt, Roby, Vanneman, and Vehle voting aye. Fouberg abstained due to SDCL 3-23. Motion carried.

A MOTION WAS MADE by Vanneman and seconded by Fouberg to approve the combination Bids #1 and #2. All present voted aye by roll call vote. The motion carried.

With no other business to come before the Commission, the meeting was declared adjourned at 10:25 a.m.

DRAFT