

**TRANSPORTATION COMMISSION MEETING MINUTES
NOVEMBER 21, 2017 – 9:00 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

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

DOT STAFF PRESENT: Darin Bergquist, Mike Behm, Becky Janssen, Kellie Beck, Greg Fuller, Laurie Schultz, Doug Kinniburgh, Paula Huizenga, Bonnie Olson, Mark Leiferman, Joel Gengler, Julie Bolding, Stacy Bartlett, Ryan Johnson, Sam Weisgram, Dave Huft, Jason Humphrey, Katherine Johnson, and Patricia Saukel

OTHERS PRESENT: Mark Clausen - FHWA

OTHERS PRESENT Bob Mercer - press

VIA CONFERENCE CALL:

Chairman Rosenboom called the meeting of the Transportation Commission (the "Commission") to order at 9:00 a.m. Persons sitting at the Commission table introduced themselves to the newest commission member, Larry A. Nelson.

Chairman Rosenboom asked for a motion to approve the minutes of October 26, 2017.

A MOTION WAS MADE by Roby to approve and seconded by Vanneman. All present voted aye by voice vote (Rosenboom, White, Zander, Vehle, Marquardt, Vanneman, Roby, Nelson). The motion carried.

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.

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

Becky Janssen of the Office of Legal Counsel requested that the Transportation Commission set a public hearing for December 21, 2017, to consider proposed amendments to the following speed zone rules:

- 70:01:02:13 Brule County speed zone rule
- 70:01:02:17 Charles Mix County speed zone rule
- 70:01:02:33 Hand County speed zone rule

A MOTION WAS MADE by Vehle to set the public hearing for the December 21, 2017, Commission meeting and seconded by Vanneman. All present voted aye by voice vote (Rosenboom, White, Zander, Vehle, Marquardt, Vanneman, Roby, Nelson). The motion carried.

RESOLUTION #2017-11.01 was adopted.

Roll call was not formally conducted at the start of the meeting and was taken at this time. A quorum was determined.

Secretary Darin Bergquist presented the Secretary's Report. Bergquist said at the end of the agenda that he would respectfully ask the Commission to enter into executive session to discuss communications from legal counsel on pending contractual matters pursuant to SDCL 1-25-2(3).

Bergquist informed the Commission that Congress has not yet passed a federal budget for fiscal year (FY)2018 and the Department of Transportation (the "Department") will continue to operate and be funded by Federal Highway Administration's (FHWA) continuing resolution (based on last year's funding levels) until December 8, 2017. All indications are that there will not be a budget in place by December 8. Bergquist said that it looks like they will pass another continuing resolution before December 8 and extend it until late December.

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 October contain an increase of approximately \$1,778,311.

Over the past 12 months, the overall contract increase is 1.97%.

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

ABERDEEN REGION

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

MITCHELL REGION

- I. Project: IM-NH-P 0023(44), Clay County, PCN 052V
 Location: Various Routes in the Yankton Area
 Contractor: Interstate Improvement Inc.
 Type of Work: PCC Pavement Joint and Spall Repair

Original Contract Amount:	\$	1,209,726.90
Change on CCO No. 2:	\$	135,075.45
Net Change to Date:	\$	493,028.55

Explanation of Change on CCO No. 2: This increase is the result of the Contractor performing additional pavement repair work and the additional traffic control needed for the extra work. The Department identified additional repair areas during construction and required the Contractor to perform the extra work.

PIERRE REGION

- II. Project: P 1806(17)364, Corson County, PCN 05M3
 Location: SD 1806 north of US 12
 Contractor: Midwest Contracting, LLC
 Type of Work: Slide & Erosion Repair

Original Contract Amount:	\$	704,150.45
Change on CCO No. 1:	\$	132,201.50
Net Change to Date:	\$	132,201.50

Explanation of Change on CCO No. 1: This increase is the result of additional Contractor furnished borrow excavation required to correct additional erosion that occurred following the design. In addition, the quantity of riprap required to stabilize and protect the abutments was more than estimated in the plans.

RAPID CITY REGION

- III. Project: IM 0901(38)40, Meade County, PCN 5580
 Location: I 90 from Exit 40 to Exit 44 Interchange
 Contractor: Heavy Constructors, Inc.
 Type of Work: Grading, PCC Surfacing, Structures, Lighting, Signing, and Pavement Marking

Original Contract Amount: \$ 28,751,784.00
 Change on CCO No. 2: \$ 330,719.80
 Net Change to Date: \$ 483,040.58

Explanation of Change on CCO No. 2: This increase is the result of an increase to the contract quantities of base course, base course salvage, and shoulder shaping. The quantities for constructing the haul road were inadvertently omitted from the plans. This error caused the increase in quantities. Additionally, a change to the surfacing type from asphalt to concrete on the shoulders at the bridge ends resulted in the need for additional quantity of PCC pavement.

- IV. Project: P 0044(149)40, Pennington County, PCN 6925
 Location: Jackson Blvd in Rapid City
 Contractor: Heavy Constructors, Inc.
 Type of Work: Grading, Storm Sewer, Curb & Gutter, PCC Paving, Lighting and Signals

Original Contract Amount: \$ 8,943,453.31
 Change on CCO No. 18: \$ (235,817.05)
 Net Change to Date: \$ (23,484.98)

Explanation of Change on CCO No. 18: This decrease is the result of the Department adjusting various contract quantities to match the actual quantities used during construction. Larger decreases were made for excavation, undercutting, asphalt concrete, PCC pavement, sodding, and erosion control items. The Department considers these decreases normal variations based on the type of work.

With the Commission's approval, Mike Behm, Director of Planning and Engineering, addressed the remaining agenda items out of order.

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

November 1, 2017 letting

Structure & Approach Grading (94' Prestressed Girder)

1	00ZF BRO 8026(00)01 Prahm Construction, Inc. Structure 4 miles north & 2 miles east of Milbank over the N. Fork of the Whetstone River	Grant County \$632,515.10
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Remove & Replace PCC Surfacing, Edge Drains, Inslope Flattening, Asphalt Concrete Resurfacing, Pipe Work, Extend Culvert

2	03W6, 05FE IM-FP 0903(104)153, NH 0073(71)78 Reede Construction, Inc.	Jackson County \$18,706,382.34
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I90 WBL from east of Exit 152 at Kadoka to east of Exit 163 at Belvidere

Grading, Asphalt Concrete Surfacing, Curb & Gutter, ADA Upgrades, Sidewalk, & Roadway Lighting

3	03TF NH 0212(166)358 Webster Scale Inc	Codington County \$2,186,815.33
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US212 through Henry

Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Surfacing, Structures (RCBC), Lighting, & Curb Ramp Upgrades

4	02QB, 02R8, 023A PH 0012(168)80, NH 0012(159)91, P-PH 0073(60)231 Loiseau Construction, Inc.	Perkins County \$15,634,157.08
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SD73 from North of the Grand River to US12, US12 from North Dakota, east to Lemmon, & US12 through Lemmon

Pipe Culvert Repair and Sliplining

5	042D NH 0042(51) Mainline Contracting Inc	Butte, Harding, Meade, Ziebach County \$928,525.10
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Various Locations in the Belle Fourche Area

A MOTION WAS MADE by Marquardt to approve bid #'s 1, 2, 4, and 5 and seconded by Roby. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by White to approve bid #3 and seconded by Vanneman. All present voted aye by voice vote. The motion carried.

November 15, 2017 letting

Grading, Structures (76'x129' Single Span Prestr. Girder, 2-964'x42' 5-Span Steel Girder, 243'x55' 3-Span Prestr. Girder, 191'x192' 2-Span Prestr. Girder), C&G, Storm Sewer, PCC Pavement, Signals & Lighting

1 00WN, 00X8 IM 0909(75)402, NH-PS 0100(104)420 Minnehaha County
Riley Bros. Construction, Inc. \$54,665,168.60

I90 - Exit 402 (Veterans Parkway/Timberline) from I90 to Rice Street

PCC Pavement Repair, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Asphalt Surface Treatment of Ramps & Crossroads, Guardrail, Riprap Placement, & Pipe Culvert Work

2 04D8, I4U3, I4U4
IM 0292(77)47, 4 10B356(), 4 10B357() Lincoln, Union County
Border States Paving, Inc. \$5,338,740.58

I29, NBL & SBL from north of Exit 47 (Beresford) to south of Exit 62 (Canton)

Bridge Deck Polymer Chip Seal

3 05TE IM 0904(61)180 Jones County
RAM Construction Services of Michigan, Inc. \$464,847.94

I90 structures from 3.2 miles west of Exit 183 (Okaton) to 2.0 miles west of Exit 201 (Draper)

A MOTION WAS MADE by Roby to approve bid #'s 1, 2, and 3, pending required Federal Highway Administration approval, and seconded by Zander. All present voted aye by voice vote. The motion carried.

Laurie Schultz, Program Manager of the Administration Program, presented Community Access Grant applications for consideration of the Commission as follows:

2017 Recommended Community Access Grants				
City	Project Location	Project Description	Total Project Cost	DOT Funding
Armour	Third, Fourth, & Dobson Streets	Reconstruction to include base course, geotextile fabric, asphalt surfacing, sidewalk, and curb and gutter	\$1,038,000.00	\$400,000.00
Centerville	Main Street	Base course, excavation, and asphalt surfacing	\$350,000	240,000
Chamberlain	Paul Gust Road	Reconstruction to include base course, concrete surfacing, and curb and gutter	\$732,000.00	\$400,000.00
Elkton	6h Street, Buffalo Street	Reconstruction to include geotextile fabric, base course, asphalt pavement, curb and gutter, and sidewalks	\$963,000.00	\$400,000.00
Lake Preston	Park Avenue	Reconstruction to include base course, surfacing, sewer, water, and storm sewer	\$1,095,466.00	\$321,000.00
Lead	Houston and Pavilion Streets	Reconstruction to include excavation, base course, asphalt surfacing, guard rail, drainage, and water and sewer	\$1,586,484.00	\$400,000.00
Perkins County (Lemmon)	Theatre Road	Reconstruction to include grading, culverts, base course, asphalt surfacing	\$1,345,285.00	\$400,000.00
Philip	Oak Street, Howard Avenue,	Reconstruction to include base course, geotextile fabric, concrete surfacing, sidewalk, curb and gutter	\$863,000.00	\$373,000.00
Presho	Main Avenue	Reconstruction to include base course, asphalt pavement surfacing, curb and gutter, sidewalks, and storm sewer	\$1,968,255.00	\$400,000.00
Walworth County (Selby)	Scranton Street	Reconstruction to include base course, curb and gutter, and concrete surfacing	\$320,000.00	\$164,000.00
Wilmot	First Street	Reconstruction to include geotextile fabric, curb and gutter, base course and asphalt surfacing	\$348,000.00	\$180,000.00
			\$10,609,490.00	\$3,678,000.00

A MOTION WAS MADE by Marquardt to approve the recommended Community Access Grant applications for Armour, Centerville, Chamberlain, Elkton, Lake Preston, Lead, Perkins County (Lemmon), Philip, Presho, Walworth County (Selby), and Wilmot and seconded by Zander. All present voted aye by voice vote. The motion carried.

Schultz provided the following chart to show the remaining applicants not recommended for approval and stated to the commissioners that those not awarded a grant this time could re-apply, improve their plan, or improve their application.

2017 Remaining Community Access Grants Applicants				
City	Project Location	Project Description	Total Project Cost	DOT Funding
Custer County	Aviation Way	Base course, asphalt surfacing, and culverts	\$440,000.00	\$200,000.00
Howard	Section Line Street	Base course, excavation, valley gutter and asphalt surfacing	\$436,000.00	\$214,000.00
Crooks	Fourth Street	Reconstruction to include geotextile fabric, base course, asphalt concrete surfacing, curb and gutter, storm sewer, and sidewalk	\$1,081,000.00	\$400,000.00

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

- REV 18-009 This revision will add two preliminary engineering projects in 2018 for environmental assessment of an interchange reconstruction and PCCP surfacing project in the Developmental (2022-2025) STIP located on I90 and SD11 at the Brandon interchange.
- FY 2018 Plus \$77,000
- REV 18-011 This revision will add a 2018 rumble striping project on SD19 starting at Humboldt and going north 17 miles.
- FY 2018 Plus \$102,000
- REV 18-012 This revision will add four 2018 Federal Motor Carrier Safety Administration projects for the installation of electronic screening system at the Valley Springs Port of Entry, for IRP/IFTA correspondence and mileage generation, for SD Truckinfo.com website renovation, and for commercial vehicle ITS operation & maintenance.
- FY 2018 Plus \$2,859,000
- REV 18-014 This revision will delete a 2019 Transportation Alternative Program shared use path project in Armour (Sequence #309, Page 85 in the 2018-2021 STIP Book).
- FY 2018 Minus \$247,000
- REV 18-015 This revision will delete two Meade County reconstruction projects on Elk Vale Road and Elk Creek road from 2018 and also delete two surfacing projects on the same segments in 2019 (Sequence #602 & 611, Pages 136 & 137 in the 2018-2021 STIP Book).
- FY 2018 Minus \$4,800,000

FY 2019 Minus \$2,200,000

REV 18-016 This revision will add a 2018 Day County signing and delineation project that was not let in 2017.

FY 2018 Plus \$1,870,000

REV 18-017 This revision will defer 2019 & 2020 AC surfacing projects on US14 from east of Pierre to the US83 Junction to 2020 & 2021, and will advance 2020 AC surfacing projects on SD1804 from US14 to the Hughes/Sully County line and on SD204 to 2019 (Sequence #s 416, 419, 421, 897 & 995, Pages 106, 107, 174 & 183 in the 2018-2021 STIP Book).

FY 2019 Plus \$445,000
FY 2020 Minus \$2,764,000
FY 2021 Plus \$2,356,000

A MOTION WAS MADE by Vanneman to approve the above STIP listed revisions and seconded by Vehle. All present voted aye by voice vote. The motion carried.

The following informational revisions were provided to the Commission by Behm:

REV 18-010 This revision adjusted the cost estimate of a 2018 pavement preservation project for various routes in the Sioux Falls Area (Sequence #491 & 687, Page 119 & 147 in the 2018-2021 STIP Book).

FY 2018 Plus \$1,000,000

REV 18-013 This revision reduced the length of a 2018 Transportation Alternative Program shared use path project in Armour (Sequence #307, Page 85 in the 2018-2021 STIP Book).

FY 2018 Minus \$43,000

Behm presented the following 2018 Meeting Schedule to the Commission for approval:

MONTH	1ST WED LETTING	2ND WED LETTING	REGULAR MTG	CONFERENCE CALL MTG
January		January 24, 2018	Thursday February 1, 2018	
February	February 7, 2018	February 21, 2018	Thursday, March 1, 2018	Thursday, February 15, 2018
March	March 7, 2018	March 21, 2018	Thursday, March 29, 2018	Thursday, March 15, 2018
April	April 4, 2018	April 18, 2018	Thursday, April 26, 2018	Thursday, April 12, 2018
May	May 2, 2018	May 16, 2018	Thursday, May 24, 2018	Thursday, May 10, 2018
June	June 6, 2018	June 20, 2018	Thursday, June 28, 2018	Thursday, June 14, 2018
July		July 18, 2018	Thursday, July 26, 2018	
August	August 1, 2018	August 15, 2018	Thursday, August 23, 2018	
September	September 5, 2018	September 19, 2018	Thursday, September 27, 2018	
October	October 3, 2018	October 17, 2018	Thursday, October 25, 2018	
November	November 7, 2018	November 21, 2018	Thursday, November 29, 2018	
December	December 5, 2018	December 12, 2018	Thursday, December 20, 2018	

A MOTION WAS MADE by Roby to approve the meeting schedule and seconded by Marquardt. All present voted aye by voice vote. The motion carried.

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

1. Request for trade – Pennington County

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

Lot 2, Mystic Ranger Subdivision in the SW1/4 of the NE1/4 of the NE1/4 of Section 30, Township 1 South, Range 5 East of the B.H.M., Pennington County, South Dakota, containing 0.20 acre, more or less.

Custer Area DOT desires to trade the above property to Derek Alexander of Hill City for control of access along Hwy 16 adjacent to Lot 2 and adjacent to property located in the NW1/4 of the SE1/4 of the NE1/4 of Section 30, Township 1 South, Range 5 East of the B.H.M., Pennington County, South Dakota.

A MOTION WAS MADE by Vanneman to approve the request for trade (item #1 in Pennington County) and seconded by Roby. All present voted aye by voice vote. The motion carried.

Resolution is not required.

2. Request for abandonment – Meade County

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

Lot H-1 of Lot 4 in the NE1/4NW1/4 of Section 8, Township 2 North, Range 7 East of the B.H.M., Meade County, South Dakota. Said Lot H-1 contains 0.05 acre.

This property is no longer needed for highway purposes and abandonment is requested by DOT Rapid City Area.

A MOTION WAS MADE by Zander to approve the request for abandonment (item #2 in Meade County) and seconded by Vanneman. All present voted aye by voice vote. The motion carried.

RESOLUTION #2017-11.02 was adopted.

3. Abandonment – Codington County

This resolution will abandon the temporary easements on Codington County Project P 0081(93)157, PCN 026X.

4. Abandonment – Minnehaha County

This resolution will abandon the temporary easements on Minnehaha County Project P-PH 0011(74)74, PCN 03B0

5. Abandonment – Minnehaha County

This resolution will abandon the temporary easements on Minnehaha County Project PH 0020(139), PCN 04GP

A MOTION WAS MADE by Vehle to approve the request for abandonment (item #3 in Codington County, item #4 in Minnehaha County, and item #5 in Minnehaha County) and seconded by Zander. All present voted aye by voice vote. The motion carried.

RESOLUTIONS #2017-11.03, #2017-11.04, and #2017-11.05 were adopted.

Secretary Bergquist requested permission from the Commission to enter into executive session at 9:55 a.m. pursuant to SDCL 1-25-2(3) to review communications from legal counsel about pending contractual matters.

A MOTION WAS MADE by Roby to enter into executive session. The motion was seconded by Vehle. All voted aye by voice vote. The motion carried.

The Commission concluded executive session and reconvened at 10:25 a.m.

With no other business to come before the Commission, the meeting was declared adjourned at 10:27 a.m.

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