

# **SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES**

## **Thursday, April 27, 2023, at 9:00 a.m. CDT**

Becker-Hansen Building/Commission Room - 700 East Broadway Avenue, Pierre, South Dakota

**COMMISSIONER PRESENT:** Jaf Karim, Chairman  
Lynn Jensen, Vice-chairman  
Bruce Cull  
Mike Vehle  
Kathy Zander  
Larry Nelson  
Ron Rosenboom

**DOT STAFF PRESENT:** Joel Jundt, Mike Behm, Craig Smith, Karla Engle, Mark Leiferman, Joanne Hight, Christina Bennett, Sam Weisgram, Becky Hoffman, Jon Suomala, June Hansen, Katlyn Wieme, and Kari Kroll

**OTHERS PRESENT:** Al Nedved – Department of Game, Fish & Parks (SDGF&P) and Adam Kulesa – SDGF&P

**VIA CONFERENCE CALL:** Toby Crow – Associated General Contractors (AGC) and Audry Ricketts – Department of Military and Veteran Affairs

Chairman Jaf Karim called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 9:00 a.m. CDT. A roll call was taken and a quorum was determined.

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Karim opened the floor to the Commission members to disclose potential conflicts of interest and to present requests for waiver pursuant to South Dakota Codified Law (SDCL) chapters 3 – 23.

No members of the Commission disclosed a conflict of interest nor requested a waiver.

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Karim asked for a motion to approve the March 30, 2023 Commission meeting minutes.

A MOTION WAS MADE by Cull and seconded by Jensen to approve the March 30, 2023 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

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Karim asked for a motion to approve the April 13, 2023 Commission meeting minutes.

A MOTION WAS MADE by Vehle and seconded by Zander to approve the April 13, 2023 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

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Karim opened the floor to public input.

No members of the public addressed the Commission nor offered input.

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Secretary Jundt presented the following items in his Secretary's Report to the Commission:

- Winter Season – Jundt shared information about work performed during the 2022-23 winter season.
- Tribal Communication – Jundt shared that the Department of Transportation (the "Department") and the Federal Highway Administration (FHWA) have had their annual meetings with tribal governments across the state to open the conversation before the Statewide Transportation Improvement Program (STIP) is presented at the June 13<sup>th</sup> Tribal STIP meeting. Jundt gave kudos to June Hansen of the Office of Civil Rights for her good working relationship with the tribes.
- Transportation Hall of Honor – Jundt shared that nominations are currently being accepted for induction in 2023. Nominations are due on May 19, 2023.
- State Transportation Block Grant Program (STBGP) – Jundt presented to the Commission a document showing the current funding amounts allocated for local government entities. He pointed out that the STBGP program increased by 2%. The counties will receive \$17.3 million and the eligible cities will receive \$15.7 million to use on any highway or bridge project within their jurisdiction. Jundt also shared that the South Dakota Legislature is doing a summer study on general funding for counties.
- September Commission Meeting – each September the Commission travels for the *On the Road* meeting. Jundt recommended going to Sioux Falls this year. The Department will start to put together the meeting agenda and tour options.

Al Nedved and Adam Kulesa of the South Dakota Department of Game, Fish, & Parks (SDGF&P) – presented an annual report to the Commission regarding expenditures for improvements to county, township, and park collector roads. SDGF&P requested an allocation of funds from the state highway fund of \$2,800,000 for highway improvements anticipated for fiscal year 2024.

A MOTION WAS MADE by Cull and seconded by Vehle to approve the allocation of \$2.8 million to SDGF&P for highway improvements. All present voted aye by voice vote. The motion carried.

Lastly, Jundt presented to the Commission for their consideration the list of recommended Fallen Hero Bridge dedications from the Department of Military and Veteran Affairs. Audry Ricketts of the Department of Military and Veteran Affairs shared with the Commission that there were 70 applications submitted. She also described the process for choosing the fallen hero and the bridges for dedication. Jundt shared there is a plan to modify the Memorandum of Understanding (MOU) to allow for dedications honoring up to twelve veterans per year rather than the current six noted in the MOU.

A MOTION WAS MADE by Jensen and seconded by Rosenboom to approve the twelve Fallen Hero Bridge dedications as presented. All present voted aye by voice vote. The motion carried.

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Craig Smith, Director of Operations, presented the following informational Construction Change Orders (CCO) to the Commission.

CCOs completed in March contain a decrease of \$661,720.82. Over the past 12 months, the overall contract increase is 2.12%.

The following projects have a CCO amounting to a contract change more than \$50,000.

#### ABERDEEN REGION

1. Project: NH PH 0012(229)264, Brown & Edmunds County, PCN 06C7  
Location: US 12 from Ipswich to the divided highway west of Aberdeen  
Contractor: Bituminous Paving, Inc.  
Type of Work: modify intersections, passing lanes, lighting, approach slab, approach pavement, and guardrail

Original Contract Amount:	\$	13,177,735.50
Change on CCO No. 8:	\$	(232,669.62)
Net Change to Date:	\$	(98,195.22)

Explanation of Change on CCO No. 8: This decrease is the result of SDDOT adjusting the contract quantities of asphalt binder, asphalt for prime, asphalt for flush seal, sand for flush seal, and contractor furnished borrow to match as built quantities all due to normal project variations.

#### MITCHELL REGION

2. Project: P 0050(111)231, Brule County, PCN 6953  
Location: SD 50 from K Street to I-90 in Chamberlain  
Contractor: Loiseau Construction, Inc.  
Type of Work: grading, cold milling asphalt concrete, asphalt concrete resurfacing, and slide area repair

Original Contract Amount:	\$	10,982,474.50
Change on CCO No. 9:	\$	200,765.20
Net Change to Date:	\$	748,038.67

Explanation of Change on CCO No. 9: This increase is the result of SDDOT compensating the contractor for additional excavation required to achieve the desired cross sections in the plans.

3. Project: PH 0018(192)390, Hutchinson County, PCN 04KT  
Location: US 18 from east of the James River to US 81  
Contractor: Foothills Contracting, Inc.  
Type of Work: shoulder widening and spot grading, asphalt concrete surfacing, structure, and pipe work

Original Contract Amount:	\$	9,882,436.16
Change on CCO No. 4:	\$	245,202.38
Net Change to Date:	\$	304,248.18

Explanation of Change on CCO No. 4: This increase is the result of SDDOT compensating the contractor for additional base course increased due to a discrepancy between the actual roadway elevations and the plans shoulder elevations.

4. Project: IM EM 0908(97)362, McCook County, PCN 05HQ  
Location: I-90 WBL from 2 miles west of Salem interchange to 2 miles west of Humboldt  
Contractor: Michels Road & Stone, Inc.  
Type of Work: remove and replace PCC pavement, pipe work, replace structures & approach grading, deck overlay, approach slabs, and polymer chip seal

Original Contract Amount:	\$	37,555,832.50
Change on CCO No. 11:	\$	(250,175.99)
Net Change to Date:	\$	(120,732.00)

Explanation of Change on CCO No. 11: This decrease is the result of SDDOT adjusting contract quantities of several minor items to match as built quantities through normal project variations.

5. Project: NH P 0023(63), Hutchinson, Turner, & Union County, PCN 088X  
Location: various locations in the Yankton area  
Contractor: The Road Guy Construction Company, Inc.  
Type of Work: asphalt surface treatment

Original Contract Amount:	\$	2,281,044.80
Change on CCO No. 1F:	\$	(62,250.00)
Net Change to Date:	\$	(62,250.00)

Explanation of Change on CCO No. 1F: This decrease is the result of SDDOT adjusting the contract quantities of traffic control, sand for fog seal, and cover aggregate to match as built quantities all due to normal project variations.

6. Project: P 000S(00)227, Mitchell Region, PCN 04M5  
Location: various locations in the Mitchell Region  
Contractor: Dakota Traffic Services, LLC.  
Type of Work: county pavement markings

Original Contract Amount:	\$	2,237,242.00
Change on CCO No. 4F:	\$	(135,575.59)
Net Change to Date:	\$	42,328.39

Explanation of Change on CCO No. 4F: This decrease is the result of SDDOT adjusting the contract quantities of pavement markings to match as built quantities.

7. Project: P 0045(58)66, Brule & Buffalo County, PCN 05U8  
Location: SD 45 from 6 miles north of Kimball to 7 miles north of SD 34  
Contractor: Spencer Quarries, Inc.  
Type of Work: cold milling asphalt concrete & asphalt concrete resurfacing, pipe work, and guardrail

Original Contract Amount:	\$	5,476,822.73
Change on CCO No. 2:	\$	(226,226.83)
Net Change to Date:	\$	(241,304.13)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT adjusting contract quantities of asphalt concrete, asphalt binder, and asphalt for tack to match as built quantities.

#### PIERRE REGION

8. Project: IM 0905(109)226, Lyman County, PCN 05EF  
Location: I-90 – EBL & WBL from Presho to Reliance  
Contractor: Bituminous Paving, Inc.  
Type of Work: cold milling, asphalt concrete resurfacing, pipe work, polymer chip seal, LSDC overlay, and approach slabs

Original Contract Amount:	\$	21,484,465.19
Change on CCO No. 9:	\$	62,000.00
Net Change to Date:	\$	212,397.84

Explanation of Change on CCO No. 9: This increase is the result of SDDOT compensating the contractor for a new steel girder to replace the damaged girder due to a vehicle hit.

9. Project: P 1806(15)176, Stanley County, PCN 045K  
Location: SD 1806 from 3 miles south of the US 83 junction to south of Ft. Pierre  
Contractor: Midwest Contracting, LLC  
Type of Work: drainage improvement and erosion repair

Original Contract Amount:	\$	4,816,089.85
Change on CCO No. 8:	\$	63,436.84
Net Change to Date:	\$	557,127.72

Explanation of Change on CCO No. 8: This increase is the result of SDDOT adjusting contract quantities of several minor items to match as built quantities through normal project variations.

10. Project: IM P 0033(38), Jackson, Jones, & Lyman County, PCN 088V  
Location: Various locations in the Winner area  
Contractor: Bituminous Paving, Inc.  
Type of Work: asphalt surface treatment, and rout & seal

Original Contract Amount:	\$	3,107,287.80
Change on CCO No. 1:	\$	(129,461.68)
Net Change to Date:	\$	(129,461.68)

Explanation of Change on CCO No. 1: This decrease is the result of SDDOT adjusting contract quantity of asphalt for surface treatment to as built quantities. The SDDOT reviewed application rate was less than estimated in the plans.

11. Project: NH 0012(226)190, Walworth County, PCN 068D  
Location: US 12 from Mobridge east city limits to south of Selby  
Contractor: Border States Paving, Inc.  
Type of Work: cold milling asphalt concrete, asphalt concrete resurfacing, and pipe work

Original Contract Amount:	\$	12,183,805.72
Change on CCO No. 4:	\$	(207,278.79)
Net Change to Date:	\$	(169,729.46)

Explanation of Change on CCO No. 4: This decrease is the result of SDDOT adjusting contract quantities of base course, granular material, and blending granular material to as built quantities through normal project variations of available salvage material.

12. Project: P 0049(05)27, Lyman & Tripp County, PCN 04F4  
Location: SD 49 from SD 44 to SD 47  
Contractor: Knife River Midwest LLC  
Type of Work: cold milling asphalt concrete, asphalt concrete resurfacing, bridge approach inslope rehabilitation, and guardrail replacement

Original Contract Amount: \$ 10,324,775.48  
Change on CCO No. 11: \$ (88,012.11)  
Net Change to Date: \$ 655,665.04

Explanation of Change on CCO No. 11: This decrease is the result of SDDOT adjusting contract quantity of asphalt binder to as built quantity and for an asphalt concrete mix quality and pavement smoothness disincentive assessment in accordance with the contract.

#### RAPID CITY REGION

13. Project: NH 0034(189)35, Meade County, PCN 05TQ  
Location: SD 34 from Regent Street in Sturgis to east of SD 79  
Contractor: Anderson Western, Inc.  
Type of Work: cold milling asphalt concrete, asphalt concrete resurfacing, pipe work, structure replacement, and approach grading

Original Contract Amount: \$ 9,209,247.06  
Change on CCO No. 6F: \$ 51,437.39  
Net Change to Date: \$ 352,170.05

Explanation of Change on CCO No. 6F: This increase is the result of SDDOT making a fuel cost adjustment for diesel and unleaded motor fuel in accordance with the contract.

14. Project: P 000S(00)278, Rapid City Region, PCN 07DQ  
Location: various routes in the Rapid City region  
Contractor: Dakota Barricade LLC  
Type of Work: pavement markings

Original Contract Amount: \$ 898,020.00  
Change on CCO No. 3: \$ 158,193.50  
Net Change to Date: \$ 161,334.50

Explanation of Change on CCO No. 3: This increase is the result of SDDOT adjusting contract quantity of various pavement marking items to as build quantities. Plans estimated quantities were lower than necessary to complete the work.

15. Project: BRF 6403(09), Pennington County, PCN 02JT  
Location: structure 0.6 miles west and 0.1 miles south of Rochford over Rapid Creek  
Contractor: Corr Construction Services, Inc.  
Type of Work: structure & approach grading

Original Contract Amount:	\$	985,490.30
Change on CCO No. 5F:	\$	(54,100.70)
Net Change to Date:	\$	(7,384.74)

Explanation of Change on CCO No. 5F: This decrease is the result of SDDOT adjusting contract quantities of several minor items to match as built quantities through normal project variations.

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Sam Weisgram, Office of Project Development, presented to the Commission the following bid letting results:

**April 19, 2023**

**High Friction Surface Treatment**

3	06U3 PH 0040(338)	Butte, Lawrence, Meade, Pennington County	
	DeAngelo Contracting Services LLC		\$2,639,136.01
	Various Locations on the state and local systems in the Rapid City Region		

**Asphalt Surface Treatment**

5	08RG NH-P 0023(66)	Bon Homme, Clay, Hutchinson, Turner, Union, Yankton County	
	The Road Guy Construction Company Inc		\$4,949,856.99
	Various Locations in the Yankton Area		

**Asphalt Patching, Route & Seal, Asphalt Concrete Crack Leveling & Asphalt Surface Treatment**

6	08RC, I6YY, 08QY IM-P 0041(177), 473-451, NH-P 0041(179)	Jackson, Lawrence, Meade, Pennington County	
	Asphalt Surface Technologies Corporation		\$2,993,547.48
	Various Locations in the Rapid City Area		

**Rout & Seal**

7	08R0 NH-P 0022(90)	Clay, Lincoln, McCook, Minnehaha County	
	Roadway Services, Inc.		\$341,422.91
	Various Routes in the Sioux Falls & Yankton Areas		

**Signing & Delineation**

8	04K9 PH 8034(31)	Hutchinson County	
	Hamm Contracting, LLC		\$1,729,632.10
	Various County, City, & Township Roads in Hutchinson County		



A MOTION WAS MADE by Cull and seconded by Zander to approve bids #3, 5, 6, 7, and 8. All present voted aye by voice vote. The motion carried.

**Column Repair**

1	081V P-B 0028(53)375	Deuel County
	PCIROADS, LLC	\$82,802.73
	SD28 - Str 1.5 W MN State Line over CK	

**Approach Slab Repair, Replace Joint, Polymer Chip Seal, PCC Pavement Grinding, Joint & Spall Repair**

2	06FT, 089T IM-NH-P 0012(276), NH 0012(296)	Brookings, Codington, Deuel, Hamlin, Kingsbury County
	PCIROADS, LLC	\$9,531,298.73
	Various Locations Throughout the Watertown Area	

A MOTION WAS MADE by Rosenboom and seconded by Zander to approve bids #1 and 2. All present voted aye by voice vote. The motion carried.

**Asphalt Surface Treatment**

4	08R7 NH-P 0032(42)	Campbell, Corson, Dewey, McPherson, Walworth County
	Jensen Rock & Sand, Inc.	\$4,446,743.78
	Various Locations in the Mobridge Area	

A MOTION WAS MADE by Jensen and seconded by Vehle to approve bid #4. All present voted aye by voice vote. The motion carried.

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Mike Behm, Director of Planning & Engineering, presented for Commission consideration the following Right of Way (ROW) items:

1. Abandon Construction Easements – Minnehaha County

Request Transportation Commission approval to abandon by resolution the temporary easements on Minnehaha County DOT Project IM-EM 0909(75)402, PCN 00WN.

2. Abandon Construction Easements – Minnehaha County

Request Transportation Commission approval to abandon by resolution the temporary easements on Minnehaha County DOT Project NH-PS-EM 0100(104)420, PCN 00X8.

3. Abandon Construction Easements – Gregory County

Request Transportation Commission approval to abandon by resolution the temporary easements on Gregory County DOT Project P 0044(225)291, PCN 087V.

A MOTION WAS MADE by Rosenboom and seconded by Vehle to approve the abandonment of temporary easements in Minnehaha and Gregory Counties as presented. All present voted aye by voice vote. The motion carried.

4. Abandon Construction Easements – Codington County

Request Transportation Commission approval to abandon by resolution the temporary easements on Codington County Project S 2851.

A MOTION WAS MADE by Jensen and seconded by Rosenboom to approve the abandonment of the temporary easements in Coding County as presented. All present voted aye by voice vote. The motion carried.

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Mark Leiferman, Program Manager for the Office of Project Development, presented to the Commission for their consideration and information the following STIP revisions:

**FOR COMMISSION APPROVAL**

(to add or delete a project in the 4-year construction STIP)

REV 23-048                      This revision added a FY2024 Statewide project to update the Strategic Highway Safety Plan (SHSP).

FY 2024 Plus \$424,000

A MOTION WAS MADE by Cull and seconded by Zander to approve revision REV 23-048. All present voted aye by voice vote. The motion carried.

**INFORMATIONAL REVISIONS FOR THE COMMISSION**

(Work Type change, Cost update, Move Fiscal Year's within the 4-year construction STIP)

REV 23-040                      This revision increased the cost and advanced a FY2024 Areawide Pipe Work project on Various Locations Throughout the Custer Area to FY2023 in the Rapid City Region. (Sequence #10, page 47 in the 2023-2026 STIP Book).

FY 2023 Plus \$300,000  
FY 2024 Minus \$161,000

REV 23-041            This revision advanced a FY2024 Local Structure Removal project in Parkston on Ash St over Pony Creek to FY2023 in the Mitchell Region. (Sequence #403, page 110 in the 2023-2026 STIP Book).

FY 2023 Plus \$100,000  
FY 2024 Minus \$100,000

REV 23-042            This revision advanced a FY2024 Polymer Chip Seal project on two structures on SD15 3.6 miles & 6 miles north of US12 and one structure on US12 0.6 miles west of SD109 to FY2023 in the Aberdeen Region. (Sequence #296, page 93 in the 2023-2026 STIP Book).

FY 2023 Plus \$327,000  
FY 2024 Minus \$333,000

REV 23-043            This revision advanced a FY2024 Local Structure, Approach Grading, PE project 2.5 miles south & 12.2 miles west of Marvin on 149th St over the Big Sioux Rv in Grant County to FY2023 in the Aberdeen Region. (Sequence #297, page 93 in the 2023-2026 STIP Book).

FY 2023 Plus \$1,400,000  
FY 2024 Minus \$950,000

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Commissioner Bruce Cull asked for an update on the Lakota Code Talker highway dedication status. Secretary Jundt shared he has a meeting with Secretary Whittlock of the Department of Military and Veteran Affairs to discuss the dedication request and that he'll get back to the Commission with an update at a future meeting.

Commissioner Kathy Zander asked for an update on the Spearfish Rest Area Study. Director Behm shared that there is a public meeting on this matter scheduled for April 27.

Secretary Jundt asked for ideas for informational items for the Commission. Suggestions from Commission members included the bid letting process, combination bids, and budgeting of federal funding.

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With no further business to come before the Commission, Chairman Karim adjourned the meeting at 10:30 a.m. CDT.