

**SOUTH DAKOTA TRANSPORTATION COMMISSION
MEETING MINUTES – MARCH 28, 2019 AT 9:00 A.M.
Becker-Hansen Building – 700 East Broadway, Pierre SD**

COMMISSIONERS PRESENT: Kathy Zander, Chair
Kyle White
Rod Fouberg
Ralph Marquardt
Larry A. Nelson
Ron Rosenboom
Mike Vehle, Vice Chair

DOT STAFF PRESENT: Darin Bergquist, Joel Jundt, Karla Engle, Kellie Beck, Mike Behm, Ryan Johnson, Tammy Williams, Joel Gengler, Doug Kinniburgh, Christina Bennett, Tony Ondricek, Mark Leiferman, Sam Weisgram, Becky Janssen, Connie Zeimet, Bonnie Olson, and Kari Kroll

OTHER PRESENT: Mark Clausen – Federal Highway Administration (FHWA)

**OTHER PRESENT
VIA CONFERENCE CALL:** Shelly with AGC (joined at 9:12 a.m./ left at 10:15 a.m.)

Chairwoman Zander called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 9:03 a.m. A count of the Commissioners present determined a quorum.

Zander 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 conflicts of interest were disclosed, and no waivers were requested.

Zander asked for a motion to approve the minutes of the February 28, 2019, Commission meeting.

A MOTION WAS MADE by White and seconded by Rosenboom to approve the February 28, 2019, Commission meeting minutes. All present voted aye by voice vote. The motion carried.

Karla Engle, Office of Legal Counsel, requested the Commission set an administrative hearing date for April 25, 2019, to consider amendments to ARSD Article 70:06 Transportation Assistance.

A MOTION WAS MADE by Fouberg and seconded by Vehle to set the hearing date as April 25, 2019. All present voted aye by voice vote. The motion carried.

RESOLUTION #2019 – 3.1 was adopted.

Engle presented for Commission consideration the proposed amendments to ARSD 70:12 (County highway and bridge improvement) and ARSD Chapter 70:13:01 (Local Bridge improvement grant requirements).

Engle explained the procedural steps that were followed for the proposed rules then proceeded with a discussion of the proposed changes to the rules.

There were no formal written comments received.

No members of the public offered testimony in support of or in opposition to the rule changes.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve the proposed changes to ARSD 70:12 and ARSD Chapter 70:13:01. All present voted by voice vote. There were 6 ayes (Fouberg, Marquardt, Roseboom, Vehle, White, Zander) and 1 nay (Nelson). The motion carried.

RESOLUTION #2019 – 3.2 was adopted.

Secretary Bergquist provided an update on the significant weather event that hit the state March 13 – 15, 2019. Due to weather reports in advance of the storm, the Department of Transportation (the “Department”) moved and repositioned some of its equipment from the southeast part of the state to the central and western parts of the state in preparation for the weather event. This helped to clean up the roads much quicker than would have been possible otherwise. The southeast part of the state received a fair amount of rain, which led to flooding concerns. The Emergency Operations Center was opened to help coordinate the state’s response to the ongoing blizzard and flood conditions. The Department will continue to monitor the run off and flooding concerns as well as continue to monitor several bridges due to the amount of water flowing underneath the bridges.

Mike Behm, Director of Planning and Engineering presented for Commission consideration the subject of an appointment to the Contractor Prequalification Committee. Behm recommended appointing Tony Ondricek, State Operations and Maintenance Engineer for the Department’s Office of Operations.

A MOTION WAS MADE by Vehle and seconded by White to appoint Tony Ondricek to the Contractor Prequalification Committee. All present voted aye by voice vote. The motion carried.

Ryan Johnson, Office of Operations, presented the following information regarding Construction Change Orders to the Commission:

Construction change orders approved in February contain an increase of approximately \$400,164.

Over the past 12 months, the overall contract increase is 2.55%.

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

ABERDEEN REGION

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

MITCHELL REGION

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

PIERRE REGION

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

RAPID CITY REGION

- I. Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
Location: US 18 from Pine Ridge to SD 391
Contractor: Loiseau Construction, Inc.
Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount:	\$	22,224,615.26
Change on CCO No. 19:	\$	112,374.28
Net Change to Date:	\$	1,621,282.78

Explanation of Change on CCO No. 19: This increase is the result of additional erosion control materials deemed necessary by the Department for the temporary control of erosion during construction and until vegetation is reestablished. The plans did not contain erosion control quantities for some areas of the project.

- II.** Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
Location: US 18 from Pine Ridge to SD 391
Contractor: Loiseau Construction, Inc.
Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount: \$ 22,224,615.26
Change on CCO No. 22: \$ (166,058.60)
Net Change to Date: \$ 1,439,958.08

Explanation of Change on CCO No. 22: This decrease is the result of a change in the contract quantities of base course. Over the length of the project minor variations in the depth of base course due to differences in field conditions compared to the plans typical sections resulted in a large change in quantities.

- III.** Project: IM 0901(162)14, Lawrence County, PCN 020U
Location: 1-90 in 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. 13: \$ 62,272.89
Net Change to Date: \$ 344,749.74

Explanation of Change on CCO No. 13: This increase is the result of additional asphalt concrete ordered by the Engineer for surfacing around guardrail and under the Exit 14 structure.

- IV.** 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. 11: \$ 65,956.80
Net Change to Date: \$ 1,357,012.41

Explanation of Change on CCO No. 11: This increase is the result a change to the contract quantities of tubular markers, silt fence removal, structural concrete, and pavement markings. The Department ordered additional tubular markers at various locations throughout the project to aid in delineation for the traveling public. Minor plan errors and variations from the estimate of quantities accounted for the variations to silt fence removal, structural concrete, and pavement markings.

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

March 6, 2019, Letting

Structure (65'-0" Prestressed Double Tee) & Approach Grading

2	05LY BRO 8058(00)	Spink County
	Prahm Construction, Inc.	\$540,560.95
	162nd St, 2.2 miles north & 0.1 mile east of Athol over Snake Creek	

Intersection Sight Distance Improvements

3	05W9 PH 0010(128)	Beadle, Brookings, Brown, Clark, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Marshall, McPherson, Miner, Roberts, Sanborn, Spink County
	Newman Signs, Inc	\$49,619.44
	Various Locations in the Aberdeen Region	

Minor Grading, Gravel Surfacing, Asphalt Concrete Resurfacing & Culverts

4	042U P 6209(11)	Faulk County
	Midland Contracting, Inc	\$1,664,793.90
	Co. Hwy 11 (Wecota Road) from US212 at Faulkton to SD20	

Asphalt Concrete Resurfacing, Approach Slab Replacement, Polymer Chip Seal, Deck Overlay & CRC Pavement Repair

5	067N IM 0904(62)210	Lyman County
	Border States Paving, Inc.	\$22,939,718.99
	I90 EBL & WBL from 2 miles west of Exit 212 to 0.6 miles east of Exit 226	

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Culvert Work, & Structure Repair

6	04WL NH 0018(201)62	Fall River, Oglala Lakota County
	Border States Paving, Inc.	\$6,220,975.69
	US18 from the south junction with US385 to Oglala	

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing & Pipe Work

7	03T1 P 0020(145)240	Walworth County
	Border States Paving, Inc.	\$3,026,293.96
	SD20 from US83 to Hoven	

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Curb & Gutter & Sidewalk

8	066G, 06K1, 070K PP 0010(136)321, PP-PS 0027(11)230, PS 8046(05)	Marshall County
	Lien Transportation Co	\$224,146.61
	Railroad Crossings on SD10 & SD27 in Britton	

Asphalt Surface Treatment (Chip Seal)

9 05L6 IM-NH-P 0022(60)
Brookings, Kingsbury, Lincoln, Miner, Minnehaha, Moody County
The Road Guy Construction Company Inc \$1,026,488.29
Various Routes in the Sioux Falls Area

Asphalt Concrete Crack Sealing

10 05XX, 05Y0 P 0021(166), NH-P 0023(50)
Buffalo, Clay, Douglas, Hutchinson, McCook, Union County
Roadway Services, Inc. \$345,131.34
Various Routes in the Mitchell & Yankton Areas

Pavement Grinding, Joint Resealing, Replace Inductive Traffic Loops & Pavement Marking

11 0647 IM 0907(84)281 Aurora, Brule County
Diamond Surface, Inc \$1,061,422.34
I90 EBL from White Lake to Plankinton & I90 WBL west of Kimball

A MOTION WAS MADE by Marquardt and seconded by Vehle to approve bids #2, 3, 4, 5, 6, 7, 8, 9, 10, and 11. All presented voted aye by voice vote. The motion carried.

ADA Curb Ramp Upgrades & Traffic Signal

1 04PE NH-P 0011(00)77 Minnehaha County
BX Civil & Construction, Inc. \$653,000.00
SD11 through Brandon

A MOTION WAS MADE by White and seconded by Fouberg to approve bid #1. All present voted aye by voice vote. The motion carried.

March 20, 2019, Letting

Wetland Bank Site Construction

1 065G P 00SW(00) Turner County
Landscape Solutions,Llc Db a Rms Drainage & Excavat \$268,901.60
3 miles east & 0.5 mile north of Davis

Asphalt Concrete Crack Sealing

2 05XV NH-P 0040(316) Butte, Harding, Pennington County
Asphalt Surface Technologies Corporation \$210,397.97
Various Routes in the Rapid City Region

Cold Milling Asphalt Concrete & Asphalt Concrete Resurfacing

3 06QG P 0010(159)321 Marshall County
Asphalt Paving & Materials Company \$2,658,509.84
SD10 from Britton east 11 miles

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Culvert Repair

4 05E2 NH 0012(207)248 Edmunds County

Anderson Western, Inc. \$4,497,805.83
US12 from Roscoe to Ipswich

Asphalt Surface Treatment (Chip Seal)

5 05Y9 IM-P 0012(217) Brookings, Clark, Codington, Grant, Hamlin, Roberts County
Jensen Rock & Sand, Inc. \$2,171,513.24
Various Routes in the Watertown Area

Asphalt Surface Treatment (Chip Seal)

6 05Y7 NH-P 0031(38) Haakon, Hughes, Jackson, Potter, Stanley, Sully County
Jensen Rock & Sand, Inc. \$2,694,342.13
Various Routes in the Pierre Area

High Friction Surface Treatment & Durable Pavement Marking

7 06NE PH 000S(392) Day, Minnehaha County
Louis-Company, LLC \$1,272,301.64
Various Locations in the Aberdeen and Mitchell Regions

A MOTION WAS MADE by Rosenboom and seconded by Vehle to approve bids #1, 2, 3, 4, 5, 6, and 7. All presented voted aye by voice vote. The motion carried.

Culvert Repair

8. 041Q NH-P0023(37) Bon Homme, Charles Mix, Hutchinson, Yankton
REJECTED BY SDDOT COMMISSION
Various locations in the Yankton Area

A MOTION WAS MADE by Fouberg and seconded by White to reject bid #8. All present voted aye by voice vote. The motion carried.

Culvert Repair

9 041K IM-NH-P 0022(44) Lake, Minnehaha, Moody County
Midwest Contracting, LLC \$1,229,450.75
Various Locations in the Sioux Falls Area

A MOTION WAS MADE by Fouberg and seconded by Vehle to approve bid #9. All present voted aye by voice vote. The motion carried.

March 27, 2019, Letting

Traffic Signals & ADA Upgrades

1 074L NH 014A(00)401 Lawrence County
Heavy Constructors, Inc. \$492,635.98
Intersection of US14A & Deadwood Street in Deadwood

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

Joel Gengler, Program Manager for the Office of Right of Way, presented the following items for Commission consideration:

1. Abandonment – Beadle County

This resolution will abandon the temporary easements on Beadle County Project P 0013(24), PCN 041A.

2. Abandonment – Brookings County

This resolution will abandon the temporary easements on Brookings County Project P-PH 0014(177)421, PCN 546N.

3. Abandonment – Davison County

This resolution will abandon the temporary easements on Davison County Project IM-NH-P 0021(151), PCN 041F.

4. Abandonment – McCook County

This resolution will abandon the temporary easements on McCook County Project IM-NH-P 0021(151), PCN 041F.

5. Abandonment – Pennington County

This resolution will abandon the temporary easement on Pennington County Project IM 0902(169)67, PCN 05TL.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve the abandonment of temporary easements in items 1, 2, 3, 4, and 5. All present voted aye by voice vote. The motion carried

Gengler also presented the following item for Commission consideration:

6. Abandonment – Custer County

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

Lot A in a portion of existing SD Highway in Sections 13 and 24, Township 5 South, Range 4 East of the B.H.M., Custer County, South Dakota, containing 0.35 acre.

The above property is no longer needed for highway purposes and abandonment is recommended by the Department's Rapid City Region and Custer Area.

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve the abandonment of Lot A in a portion of existing SD Highway in Sections 13 and 24, Township 5 South, Range 4 East of B.H.M, Custer County containing 0.35 acre. All present voted aye by voice vote. The motion carried.

Mark Leiferman, Program Manager of the Office of Project Development, presented the following information on the STIP Revisions for Commission consideration:

FOR COMMISSION APPROVAL

REV 19-037 This revision will delete a FY2019 Asphalt Surface Treatment project on Various Routes in the Aberdeen Area due to the planned work being performed under different projects (Sequence #104, Page 57 in the 2019-2022 STIP Book).

FY 2019 Minus \$1,178,000

REV 19-038 This revision will add a FY2019 Railroad Crossing Surface upgrade project and removed the Crossing Surface work from a FY2020 Railroad project on West Ave & 10th St. in Sioux Falls. (Sequence #633, Page 152 in the 2019-2022 STIP Book).

FY 2019 Plus \$260,000
FY 2020 Minus \$260,000

REV 19-039 This revision will add a FY2019 Railroad Crossing Improvement project on SD47 in Reliance.

FY 2019 Plus \$17,000

REV 19-040 This revision will add a FY2019 Durable Pavement Marking project on Various locations in the Mitchell Region.

FY 2019 Plus \$780,000

REV 19-041 This revision will add a FY2019 Scale Repair project at the I29 Sisseton Port of Entry in the Aberdeen Region.

FY 2019 Plus \$447,000

A MOTION WAS MADE by White and seconded by Rosenboom to approve STIP Revisions 19-037, 19-038, 19-039, 19-040, and 19-041. All present voted aye by voice vote. The motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

REV 19-036 This revision advanced a Shared Use Path project in North Sioux City (PCN 06N6) from FY2020 to FY2019. (Sequence #985, Page 197 in the 2019-2022 STIP Book).

FY 2019 Plus \$292,000
FY 2020 Minus \$292,000

REV 19-042 This revision deferred a Scour Protection project on US12 in Perkins Co, US212 in Ziebach county and SD63 in Ziebach Co and Haakon Co. (PCN's 03UA, 03UC, 03UD & 03WC) from FY2020 to FY2021. (Sequence #212, Page 76 in the 2019-2022 STIP Book).

FY 2020 Minus \$743,000
FY 2021 Plus \$758,000

REV 19-SC-021 This Revision increased the cost estimate of a Durable Pavement Marking project in Various Locations in the Mitchell Region. (Sequence #747, Page 169 in the 2019-2022 STIP Book).

FY 2019 Plus \$208,000

REV 19-SC-022 This Revision increased the cost estimate of a Mill & AC Resurfacing project on US14/SD34 from SD63 to east of Hayes and a Structure Repair project on SD63, 2.1 miles south of the Ziebach/Haakon County line. (Sequence #842, Page 181 in the 2019-2022 STIP Book).

FY 2019 Plus \$2,069,000

Secretary Bergquist requested a modification to the existing STIP bridge inspection projects to include special inspections of the structures impacted by the floods in 2019 in the amount of \$250,000.00.

A MOTION WAS MADE by Marquardt and seconded by Fouberg to approve the STIP revision request to add an additional \$250,000.00 towards special inspections of the bridge structures impacted by the flooding in 2019. All present voted aye by voice vote. The motion carried.

Doug Kinniburgh from the Office of Administration, Local Government Assistance Program, presented the Bridge Improvement Grant award recommendations. Kinniburgh distributed revised lists of all applications received, which included the scores and the amount of funding requested for both Preservation Applications and Rehabilitation/Replacement Applications. The revised lists included the Department's recommendation for funding. The revised lists were distributed to the Commission members and were made available to members of the public.

A MOTION WAS MADE by Marquardt and seconded by Rosenboom to approve the Department's staff recommendation for award of the 2019 Bridge Improvement Grants for Preservation and Rehabilitation/Replacement and STIP amendment 19-046 to include the grant projects. All present voted aye by voice vote. The motion carried.

Chair Zander opened the floor for public input. No members of the public addressed the Commission or offered input.

Mike Behm, Director of Planning and Engineering offered to provide, as an informational item at a future meeting, the accomplishments of the Bridge Improvement Grant program.

With no other business to come before the Commission, the meeting was declared adjourned at 10:50 a.m.