

SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES

Thursday, May 29, 2025 at 9:00 a.m. CDT

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

COMMISSIONER PRESENT: Rick Vallery

**COMMISSIONER PRESENT
VIA CONERENCE CALL**

Don Roby, Chairman
Austin Simons, Vice-Chairman
Chris Frick
Lynn Jensen
Jaf Karim
Larry Nelson
Ron Rosenboom
Mike Vehle

DOT STAFF PRESENT:

Joel Jundt, Karla Engle, Craig Smith, Mike Behm, Mark Leiferman, Sam Weisgram, Becky Hoffman, Greg Pollreisz, and Kari Kroll

**DOT STAFF PRESENT
VIA CONFERENCE CALL:**

Mark Peterson and Christina Bennett

OTHERS PRESENT:

VIA CONFERENCE CALL: Toby Crow – Association of General Contractors (AGC)

Vice Chairman Austin Simons called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 9:00 a.m. CT. A roll call was taken and a quorum was present.

Chairman Roby joined the meeting at 9:01 a.m. Roby 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.

Commissioner Austin Simons disclosed a potential conflict of interest on Item #7 of Attachment #5 which involves a potential conflict that was previously disclosed and waived. He stated he will recuse himself from the discussion and vote on Item #7 of Attachment #5.

No other members of the Commission disclosed a conflict or requested a waiver.

Roby asked for a motion to approve the May 15, 2025 Commission meeting minutes.

A MOTION WAS MADE by Rosenboom and seconded by Karim to approve the May 15, 2025 Commission meeting minutes. All present voted aye by roll call vote. The motion carried.

Karla Engle, Office of Legal Counsel, announced a public hearing on the Commission's consideration of the proposed amendments to Administrative Rules of South Dakota (ARSD) 70:01:02:36 - Hughes County speed zone rule, ARSD 70:01:02:58, Stanley County speed zone rule, and ARSD 70:03:01:65 Longer combination vehicle -- approved routes and access restrictions. These rules would be adopted under the general authority of SDCL 32-25-7; 32-25-7.1; 32-22-42; and 32-22-42.14.

Engle explained the rule adoption process that had been followed to date for the amendments to the rules. She discussed the purpose and effect of the rule changes. Engle reported that no written comments on the rule changes had been timely received. Engle stated that changes required by Legislative Research Council were incorporated into the proposed rules.

Roby asked for public testimony in favor of or opposed to the proposed rule amendments. No members of the public offered testimony in support of or in opposition to the rule changes.

A MOTION WAS MADE by Jensen and seconded by Vallery to approve the proposed amendments to ARSD 70:01:02:36 - Hughes County speed zone rule, ARSD 70:01:02:58, Stanley County speed zone rule, and ARSD 70:03:01:65 Longer combination vehicle -- approved routes and access restrictions. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2025 – 5.1 was adopted.

Engle then requested the Commission set a hearing date of June 26, 2025 to consider amendments to ARSD 70:01:02:03 – Brown County speed zone rules.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to set the administrative hearing date of June 26, 2025, for consideration of amendments to ARSD 70:01:02:03 – Brown County speed zone rules. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2025 – 5.2 was adopted.

Roby opened the floor to public input.

No members of the public addressed the Commission or offered any input.

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

- **Federal:** The House passed their budget reconciliation bill on May 22, 2025 that will significantly change spending across various sectors. From a surface transportation aspect, the bill appears to be favorable towards highway and bridge infrastructure with minimal impact on the current amount of funding, but we are still needing to go through the bill language to determine exact impact. Within the bill is an annual \$250 flat fee on electric vehicles and \$100 on hybrids. This additional revenue is projected to increase revenue by \$64 billion over the 2025-2034 period. States would be required to collect the registration fee.
- **Emergency Relief (ER) Funding:** We were notified by Federal Highway Administration (FHWA) that ER funding for the event that occurred on June 16, 2024 in the southeast part of the state is now available to the State and local governments. Therefore, we will be finalizing necessary documentation and getting those reimbursement requests submitted to FHWA. The amount of funding is \$24,038,590. This includes both state and local amounts determined eligible last year. Reimbursement will be according to actual prices and these are based on 1.) work already complete and 2.) for work that still needs to be let and performed by a contractor.
- **Access Permit.** The Town of Isabel sent a letter of support for a business (Western Dakota Bank) and requested the Commission's support for the access permit that will serve the business. The Department will review the request for access in accordance with its procedures.

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

CCOs completed in April contain a decrease of \$648,783.18. Over the past 12 months, the overall contract increase is 1.67%.

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

ABERDEEN REGION

1. Project: BRO-B 8026(34), Grant County, PCN 084D
Location: Structure in Big Stone City on 2nd Avenue over the BN Railroad
Contractor: Robert R. Schroeder Construction, Inc.
Type of Work: structure & approach grading

Original Contract Amount:	\$	4,310,821.31
Change on CCO No. 4:	\$	77,560.00
Net Change to Date:	\$	90,888.00

Explanation of Change on CCO No. 4: This increase is the result of SDDOT compensating the contractor for extra work and material to safely build the in slopes to the plans 2:1 design. The material on site was too silty to produce stable slopes.

MITCHELL REGION

2. Project: IM 0906(73)272, Aurora & Brule County, PCN 05T4
 Location: I-90 from 8 miles east of Chamberlain to White Lake
 Contractor: Bituminous Paving, Inc
 Type of Work: asphalt concrete milling, asphalt concrete resurfacing

Original Contract Amount:	\$	20,965,228.10
Change on CCO No. 5:	\$	181,171.80
Net Change to Date:	\$	959,961.84

Explanation of Change on CCO No. 5: This increase is the result of SDDOT adjusting the contract quantities to match as built quantities, an incentive payment for pavement smoothness, and extra work including extra concrete pavement needed at the end of a bridge, erosion control, and additional asphalt and concrete removal not specified in the plans. The incentive payment was made in accordance with the contract.

3. Project: IM 2292(98)9, Minnehaha County, PCN 04XK
 Location: I-229 Exit 9 in Sioux Falls
 Contractor: T & R Contracting, Inc.
 Type of Work: structure, approach grading

Original Contract Amount:	\$	34,295,545.45
Change on CCO No. 5:	\$	57,546.66
Net Change to Date:	\$	189,119.58

Explanation of Change on CCO No. 5: This increase is the result of SDDOT adding extra work to the contract by adding a 4 ft curb and gutter section on Ramp G and adding longitudinal tied joints to Ramps A, B, C, and D. This work will reduce the width of the ramp lane to add 4 ft of shoulder and prevent longitudinal cracking on the ramp.

4. Project: IM-PH 0293(107)99, Minnehaha & Moody County, PCN 05F9

Location: I-29 – 1 mile north of Exit 98 (Dell Rapids)

1.2 miles north of the Minnehaha County line

3.8 miles south of Exit 109 (Colman)

3 miles south of Exit 109 (Colman)

Contractor: BX Civil & Construction, Inc.

Type of Work: high friction surface treatment, polymer chip seal, deck repair, curb repair

Original Contract Amount: \$ 5,560,000.00

Change on CCO No. 3: \$ 147,036.75

Net Change to Date: \$ 206,835.49

Explanation of Change on CCO No. 3: This increase is the result of SDDOT adjusting the contract quantities to as built quantities.

5. Project: NH-B 0081(103)6, Yankton County, PCN 04G5

Location: US81 from the end of the divided lanes to 303rd Street N in Yankton

Contractor: Loiseau Construction, Inc

Type of Work: grading, replace structures, interim surfacing

Original Contract Amount: \$ 16,655,788.00

Change on CCO No. 12: \$ 240,910.59

Net Change to Date: \$ 675,684.98

Explanation of Change on CCO No. 12: This increase is the result of SDDOT compensating the contractor for extra work to haul waste material to a suitable site. The additional waste material was due to a lower shrinkage factor of the embankment material than estimated in the plans.

6. Project: PH 8034(31), Hutchinson County, PCN 04K9

Location: carious county, city, and township roads in Hutchinson County

Contractor: Hamm Contracting, LLC

Type of Work: signing & delineation

Original Contract Amount: \$ 1,729,632.10

Change on CCO No. 2: \$ 121,701.70

Net Change to Date: \$ 121,701.70

Explanation of Change on CCO No. 2: This increase is the result of SDDOT adjusting the contract quantities to match as built quantities. The variation in quantities is considered normal for a signing and delineation job.

7. Project: NH 0018(214)286, Gregory County, PCN 0687
 Location: US18 from Burke to west of SD43
 Contractor: Spencer Quarries, Inc.
 Type of Work: cold milling, asphalt concrete resurfacing, pipe work

Original Contract Amount:	\$	7,185,028.92
Change on CCO No. 4:	\$	(796,135.05)
Net Change to Date:	\$	(737,187.58)

Explanation of Change on CCO No. 4: This decrease is the result of SDDOT removing certain items from the contract as well as adjusting contract quantities to match as built quantities.

8. Project: PH 0200(201), Hanson, Miner, & Minnehaha County, PCN 06JF
 Location: various locations in the Mitchell region
 Contractor: Prairie States Trucking, Inc.
 Type of Work: grading, culvert extensions, asphalt concrete surfacing

Original Contract Amount:	\$	5,486,277.00
Change on CCO No. 5F:	\$	(337,858.10)
Net Change to Date:	\$	(101,250.77)

Explanation of Change on CCO No. 5F: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities and minor quality adjustments for out of specification material.

9. Project: P-PH-EM 0046(60)347, Yankton County, PCN 05U7
 Location: SD46 from US81 to Irene
 Contractor: Spencer Quarries, Inc.
 Type of Work: asphalt concrete surfacing

Original Contract Amount:	\$	9,088,717.09
Change on CCO No. 5:	\$	(300,472.60)
Net Change to Date:	\$	(351,717.26)

Explanation of Change on CCO No. 5: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities and minor quality adjustments for out of specification material.

PIERRE REGION

10. Project: NH 0033(41), Bennett, Gregory, & Tripp County, PCN 08RN

Location: various routes in the Winner & Mitchell areas

Contractor: Border States Paving, Inc.

Type of Work: joint & spall repair, joint seal, asphalt concrete surfacing of shoulders

Original Contract Amount: \$ 15,068,007.00

Change on CCO No. 8: \$ 227,185.54

Net Change to Date: \$ 687,575.05

Explanation of Change on CCO No. 8: This increase is the result of SDDOT compensating the contractor for extra work to complete tie bar retrofit work along the centerline joint through the town of Burke necessary to eliminate the gap forming at centerline.

RAPID CITY REGION

11. Project: NH-P 0040(355), Butte, Custer, Fall River, Lawrence, & Pennington County, PCN 097D

Location: various locations in the Rapid City region

Contractor: Interstate Improvement, Inc.

Type of Work: pavement restoration

Original Contract Amount: \$ 3,262,909.35

Change on CCO No. 1: \$ 221,980.60

Net Change to Date: \$ 221,980.60

Explanation of Change on CCO No. 1: This increase is the result of SDDOT compensating the contractor for extra work repairing spalls on the project. Inspection by SDDOT found 10-15% more spalls than estimated in plans.

12. Project: NH-PH 0385(50)96, Pennington County, PCN 0694

Location: US385 from north of Pactola Dam to 4 miles north of SD44

Contractor: Simon Contractors of South Dakota, Inc.

Type of Work: asphalt concrete surfacing

Original Contract Amount: \$ 3,996,319.00

Change on CCO No. 1: \$ 72,171.00

Net Change to Date: \$ 72,171.00

Explanation of Change on CCO No. 1: This increase is the result of SDDOT adjusting contract quantities of asphalt concrete due to insufficient recycled material available to meet the recycled content in the asphalt mixture.

13. Project: NH-PH 0385(50)96, Pennington County, PCN 03BD

Location: US385 from north of Pactola Dam to 4 miles north of the SD44 junction

Contractor: Zandstra Construction, Inc.

Type of Work: grading, structures, interim surfacing, pipe work

Original Contract Amount: \$ 23,492,147.29

Change on CCO No. 10: \$ (441,407.19)

Net Change to Date: \$ 1,505,047.59

Explanation of Change on CCO No. 10: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities, work removed from the contract, and minor quality adjustments for out of specification material.

14. Project: P 0044(217)88, Pennington County, PCN 06R3

Location: SD44 from Scenic to 11 miles west of Interior

Contractor: Bituminous Paving, Inc.

Type of Work: spot grading, asphalt concrete resurfacing, contractor furnished asphalt concrete

Original Contract Amount: \$ 12,808,955.50

Change on CCO No. 4: \$ (224,818.12)

Net Change to Date: \$ (91,393.58)

Explanation of Change on CCO No. 4: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities considered normal for a surfacing job.

15. Project: P TAPU (31), Lawrence County, PCN 08E7

Location: Spearfish along McGuigan Road & Old Belle Road from Tumbleweed Trail to north of I-90 WB on-ramp at Exit 8

Contractor: Mainline Contracting, Inc.

Type of Work: asphalt concrete shared use path

Original Contract Amount: \$ 955,809.45

Change on CCO No. 6: \$ (62,367.70)

Net Change to Date: \$ (16,808.58)

Explanation of Change on CCO No. 6: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities and removing unnecessary items from the contract.

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

May 21, 2025

PCC Shared Use Path

- | | | |
|---|---|------------------------------|
| 1 | 08W4 P TAPU(35)
Hulstein Excavating Inc.
North Sioux City – Fm the Jct of Sodrac Dr & River Dr to the Jct of Sioux Point Rd & Shay Rd | Union County
\$580,917.70 |
|---|---|------------------------------|

PCC Shared Use Path

- | | | |
|---|--|------------------------------|
| 2 | 08W5 P TAPU(36)
Hulstein Excavating Inc.
Dakota Dunes – Along Sioux Point Rd fm Shay Rd to Dakota Dunes Blvd | Union County
\$912,757.70 |
|---|--|------------------------------|

Grading, Sidwalk and Pedestrian Ramps

- | | | |
|---|---|-----------------------------|
| 3 | 08WA P TAPR(48)
Journey Group Companies
Wakonda – Along 2 nd St fm Nebraska St to Ohio St, along Ohio St fm 2 nd St to approx. 100' S | Clay County
\$125,227.85 |
|---|---|-----------------------------|

Route & Seal

- | | | |
|---|--|---|
| 5 | 09KM, 09KU NH-P 0021(187), P 0023(70)
Northwest Asphalt & Maintenance
Various locations in the Mitchell Area | Aurora, Brule, Buffalo, Douglas, Gregory, Hanson,
McCook, Yankton Counties
\$1,017,018.12 |
|---|--|---|

Route & Seal

- | | | |
|---|---|------------------------------|
| 6 | 09KT IM 0033(45)
Highway Improvement, Inc.
Various locations in the Winner Area | Lyman County
\$235,432.68 |
|---|---|------------------------------|

A MOTION WAS MADE by Frick and seconded by Vehle to approve bids #1, 2, 3, 5, and 6. All present voted aye by roll call vote. The motion carried.

Centerline Rumble Stripes

- | | | |
|---|--|--|
| 4 | 09FP PH 0030(46)
Diamond Surface, Inc
Various locations in the Pierre Region | Bennett, Potter, Sully, Todd, Tripp Counties
\$6,568,274.23 |
|---|--|--|

A MOTION WAS MADE by Vallery and seconded by Rosenboom to approve bid #4. All present voted aye by roll call vote. The motion carried.

Asphalt Surface Treatment

- | | | |
|---|---|---|
| 7 | 09L3 NH-P 0031(61)
Jensen Rock & Sand, Inc.
Various location in the Pierre Area | Haakon, Jackson, Potter, Stanley Counties
\$1,559,327.89 |
|---|---|---|

A MOTION WAS MADE by Jensen and seconded by Vehle to approve bid #7. All present voted aye by roll call vote except Commissioner Austin Simons who recused himself from the discussion and vote. The motion carried.

Mark Leiferman, Program Manager for the Office of Project Development presented the following Statewide STIP revision for the Commission's information:

FOR COMMISSION APPROVAL

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

REV 25-031

This revision will update the location and work description and will increase the cost of a FY2025 project to study all at-grade Railroad Crossings within the Sioux Falls MPO and will delete a second FY2025 railroad crossing study project after receiving a grant awarded through the Federal Railroad Administration (FRA) in the Mitchell Region. (Sequence #'s 477, 478, 588 & 589, Page's 122 & 137 in the 2025-2028 STIP Book).

FY 2025 Plus \$850,000

Original = \$400,000; Updated = \$1,250,000

REV 25-032

This revision will add a FY2025 Detour Surface Maintenance project to prepare for the FY2026 SD28 reconstruction project from US281 to east of Hitchcock in Spink County in the Aberdeen Region.

FY 2025 Plus \$1,353,000

REV 25-033

This Local Structure Replacement project on a structure 8.5 miles west & 5 miles north of Frederick on 102nd St over Elm Lake in the Aberdeen Region, was in the 2024-2027 STIP. The project was previously let but bids were rejected. To relet the project this summer, it needs to be added to the 2025-2028 STIP.

FY 2025 Plus \$3,100,000

A MOTION WAS MADE by Karim and seconded by Vallery to approve STIP revisions REV 25 – 031, REV 25 – 032, and REV 25 – 033. All present voted aye by roll call 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 25-030 This revision advanced a Local Structure Replacement project 9.9 miles north & 3.3 miles east of Wanblee on 254th St over Cottonwood Ck SN 36-273-191 from FY2026 to FY2025 in the Pierre Region. (Sequence # 401, Page 110 in the 2025-2028 STIP Book).
- FY 2025 Plus \$3,150,000
FY 2026 Minus \$3,150,000
- REV 25-SC-012 This revision increased the cost of a FY2025 Durable Pavement Marking project on Various locations on the State System in the Pierre Region. (Sequence # 703, Page 152 in the 2025-2028 STIP Book).
- FY 2025 Plus \$1,072,000
Original = \$229,000; Updated = \$1,301,000
- REV 25-SC-013 This revision increased the cost of a FY2025 Centerline Rumble Stripes project Regionwide in the Pierre Region. (Sequence #'s 30, 694, 914, 916 & 926, Page's 49, 151, 173, 174 & 175 in the 2025-2028 STIP Book).
- FY 2025 Plus \$1,859,000
Original = \$3,641,000; Updated = \$5,500,000
- REV 25-SC-014 This revision decreased the cost and updated the work description on a FY2025 Signals, Crossing project to "Close Crossing" on 259th St - In Corson, BNSF RR DOT #097856A after coordination with the Brandon Township in the Mitchell Region. (Sequence # 587, Page 137 in the 2025-2028 STIP Book).
- FY 2025 Minus \$425,000
Original = \$500,000; Updated = \$75,000
- REV 25-SC-015 This revision increased the cost of a FY2025 PCC Shared Use Path, CE project in Dakota Dunes along Sioux Point Rd from Shay Rd to Dakota Dunes Blvd in the Mitchell Region. (Sequence # 952, Page 180 in the 2025-2028 STIP Book).
- FY 2025 Plus \$583,000
Original = \$455,000; Updated = \$1,038,000

With no further business to come before the Commission, Chairman Roby declared the meeting adjourned at 9:55 a.m. CT.