

SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES

Thursday, October 24, 2024 at 9:00 a.m. CT

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

COMMISSIONER PRESENT: Lynn Jensen, Chairman
Jaf Karim
Larry Nelson
Ron Rosenboom
Rick Vallery
Chris Frick
Mike Vehle

**COMMISSIONER PRESENT
VIA CONFERNECE CALL:** Don Roby, Vice-Chairman
Austin Simons

DOT STAFF PRESENT: Joel Jundt, Karla Engle, Mike Behm, Kellie Beck, Craig Smith, Joanne Hight, Christina Bennett, Sam Weisgram, Jessica Duval, Jack Dokken, Jess Marlow, Bob Carrico, Justin Smith, James Hisek, Corey McClelland, Joel Flesner, Marcus Roth, Shane Pullman, Robert DeGeest, Wyatt Reis, Brent Valandra, Chris Peters, Craig Christeson, Ryon Schimke, Tate Anderson, Carol Evans, Kathryn Johnson, Rebecka Wallingford, and Kari Kroll

**DOT STAFF PRESENT:
VIA CONFERENCE CALL:** John Keyes and Doug Kinniburgh

OTHERS PRESENT: Anna Erickson – The Lumin Group and Bob Mercer – Keloland

**OTHERS PRESENT
VIA CONFERENCE CALL:** Will Sutton – KFH Group, Inc.; Kevin Pullis – WBA Research; Will Schumm – WBA Research; Becca Witzke – Association of General Contractors (AGC); and Gerrit Juffer

Chairman Lynn Jensen 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.

Jensen 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 or requested a waiver.

Jensen asked for a motion to approve the September 23 - 24, 2024 Commission meeting minutes.

Commissioner Vehle asked that a sentence in the public input section from Jodie Remington be made clearer. Karla Engle, Legal Office, suggested "...that seems to her *to* create an unfair burden *for* her..." which added the words "to" and "for."

A MOTION WAS MADE by Rosenboom and seconded by Valley to approve the September 23-24, 2024 Commission meeting minutes with the suggested edits. All present voted aye by roll call vote. The motion carried.

Jensen asked for a motion to approve the October 10, 2024 Commission meeting minutes.

A MOTION WAS MADE by Frick and seconded by Vehle to approve the October 10, 2024 Commission meeting minutes. All present voted aye by roll call vote. The motion carried.

Jensen opened the floor to public input.

Gerrit Juffer of Wagner addressed the Commission. He thanked the Department of Transportation (the "Department") for the improvements west of Wagner on SD46. He also shared that there has not been a response to the Yankton Sioux Tribe resolution opposing the proposed three-lane reconstruction project of SD46 through Wagner and that it is damaging the relationship and asked for action on the resolution.

No other 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 government has not passed a full year appropriations bill but did pass a continuing resolution that will expire on December 20, 2024. Projects will continue be let as usual with anticipation that Congress will eventually pass the needed appropriations legislation.
- The administrative rules that were adopted by the Commission at the September meeting have passed through Legislative Rules Review Committee and will take effect.
- Jundt updated the Commission regarding the spring flooding situation in the southeast corner of the state. It was noted that many of the sites were deemed eligible for Federal Highway Administration (FHWA) Emergency Relief funds and that the Department will continue to use state highway funds via the emergency procurement processes until reimbursable federal funding is provided.
- The Department has a ribbon cutting at Benson Road in Sioux Falls on Friday, October 25 to celebrate the 3rd Diverging Diamond Intersection (DDI) in the state.

- October 30 is “Buckle Up/ Phones Down” Day and the Department has created a webpage where the public can learn about aligning safe driver behaviors as well as sign a pledge to make better choices.
- Jundt introduced the 4th cohort of the Leadership Development Program which was attending the meeting. He congratulated the Cohort and thanked them for the desire to enhance themselves and the Department.

Jundt presented for Commission consideration the proposed Commission meeting dates for CY2025.

A MOTION WAS MADE by Karim and seconded by Rosenboom to approve the CY2025 Commission meeting dates as proposed by the Department. All present voted aye by roll call vote. The motion carried.

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

CCOs completed in September contain an increase of \$162,427.56. Over the past 12 months, the overall contract increase is 2.11%.

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

ABERDEEN REGION

1. Project: NH-CR 0012(310)298, Brown & Day County, PCN 08XP
Location: US12E from east of Bath to west of Groton
US12 E& W from Groton east to Webster
Contractor: Bituminous Paving, Inc.
Type of Work: Cold milling, asphalt concrete resurfacing of shoulders, WIM upgrades

Original Contract Amount:	\$	5,868,951.95
Change on CCO No. 1:	\$	140,251.30
Net Change to Date:	\$	140,251.30

Explanation of Change on CCO No. 1: This increase is the result of SDDOT adjusting the contract quantity of saw and seal shoulder joint due to a plan error.

MITCHELL REGION

2. Project: ER 0044()362, Hutchinson County, PCN 09W3
 Location: SD44 from 1 mile west of the James River to 1 mile east of the James River
 Contractor: BX Civil & Construction, Inc.
 Type of Work: Flood repair

Original Contract Amount:	\$	392,350.00
Change on CCO No. 1:	\$	117,240.00
Net Change to Date:	\$	117,240.00

Explanation of Change on CCO No. 1: This increase is the result of SDDOT adjusting contract quantities of contractor furnished borrow, controlled density fill, and contractor furnished topsoil to match as-built quantities due to normal project variations.

3. Project: IM 0293(106)76, Minnehaha County, PCN 03RA
 Location: I-29 Exit 77 (41st Street Interchange) in Sioux Falls
 Contractor: D & G Concrete Construction, Inc
 Type of Work: Grading, structures, MSE retaining wall, curb & gutter, storm sewer, PCC pavement

Original Contract Amount:	\$	35,568,714.00
Change on CCO No. 22:	\$	76,910.87
Net Change to Date:	\$	(244,664.90)

Explanation of Change on CCO No. 22: This increase is the result of SDDOT compensating the contractor for a change from permeable pavers that were removed from the project in a previous CCO to stamped colored concrete to be poured in the 4 islands.

PIERRE REGION

4. Project: NH 0014(234)167, Haakon & Stanley County, PCN 05E9
 Location: US14 from Midland to SD34
 Contractor: Central Specialties, Inc.
 Type of Work: Cold milling, asphalt concrete resurfacing, shoulder full depth reclamation, pipe work, bridge rail upgrade

Original Contract Amount:	\$	10,933,952.94
Change on CCO No. 3:	\$	108,302.55
Net Change to Date:	\$	196,266.87

Explanation of Change on CCO No. 3: This increase is the result of SDDOT compensating the contractor for extra work to relocate two approaches that the new guardrail would extend into.

5. Project: NH EM 0014(194)227, Hughes & Stanley County, PCN 03WN
 Location: US14 Missouri River Bridge in Pierre
 Contractor: Jensen Construction Company
 Type of Work: Replace structure, grading, PCC pavement, storm sewer, sanitary sewer, lighting, signals

Original Contract Amount:	\$	49,990,247.46
Change on CCO No. 35:	\$	133,590.03
Net Change to Date:	\$	975,878.12

Explanation of Change on CCO No. 35: This increase is the result of SDDOT paying a portion of the cost to remove and replace the bridge deck that failed the entrained air content test. At the direction of SDDOT, additional concrete was removed to limit the number of construction joints in the bridge deck. The contractor paid for the portion of the cost to remove and replace the bridge deck due to the test failure.

6. Project: P 0044(211)200, Mellette County, PCN 04EM
 Location: SD44 from US83 to east of the city limits of Wood
 Contractor: Bituminous Paving, Inc.
 Type of Work: Mill, asphalt concrete resurfacing, pipe work

Original Contract Amount:	\$	6,024,879.00
Change on CCO No. 3:	\$	195,398.76
Net Change to Date:	\$	304,793.80

Explanation of Change on CCO No. 3: This increase is the result of SDDOT adjusting contract quantities to match as built quantities due to normal project variations. In addition, SDDOT paid a smoothness incentive in accordance with the contract.

7. Project: P 0044(212)172, Mellette County, PCN 04X0
 Location: SD44 from SD63 to the northern junction of US83
 Contractor: Bituminous Paving, Inc.
 Type of Work: Full depth reclamation, asphalt concrete surfacing, gravel surfacing, modify intersection, pipe work

Original Contract Amount:	\$	21,444,089.86
Change on CCO No. 9:	\$	123,468.00
Net Change to Date:	\$	966,259.46

Explanation of Change on CCO No. 9: This increase is the result of SDDOT compensating the contractor for extra work to strengthen and level a section of roadway after the full depth reclamation.

RAPID CITY REGION

8. Project: NH 0018(213)45, Fall River County, PCN 06DQ
 Location: US18W- Structure 1 mile south of SD79 over the Cheyenne River
 Contractor: J.V. Bailey Company, Inc.
 Type of Work: Abutment, berm, joint repair, approach slabs, bridge ends & approach pavement

Original Contract Amount:	\$	1,209,453.70
Change on CCO No. 1:	\$	146,686.26
Net Change to Date:	\$	146,686.26

Explanation of Change on CCO No. 1: This increase is the result of SDDOT compensating the contractor for extra work to remove a previous abutment much thicker than the plans estimated, adding a foot of width in both driving lane and passing lane's shoulders for better tie-ins, and replacing two additional full width panels due to cracking.

9. Project: P 6403(10), Pennington County, PCN 08P3
 Location: South Rochford Road from Rochford southwest to Deerfield
 Contractor: Loiseau Construction, Inc.
 Type of Work: Grading, drainage, base course, asphalt concrete surfacing

Original Contract Amount:	\$	23,381,920.13
Change on CCO No. 9:	\$	53,470.00
Net Change to Date:	\$	(271,065.63)

Explanation of Change on CCO No. 9: This increase is the result of SDDOT compensating the contractor for payments made to Rosebud Sioux Tribe for contract required tribal monitors between June 19, 2023 and July 9, 2023.

10. Project: NH-P 0043(33), Fall River & Oglala Lakota County, PCN 088K
 Location: Various routes in the Custer area
 Contractor: Bituminous Paving, Inc.
 Type of Work: Asphalt surface treatment

Original Contract Amount:	\$	1,859,667.50
Change on CCO No. 1:	\$	(89,168.12)
Net Change to Date:	\$	(89,168.12)

Explanation of Change on CCO No. 1: This decrease is the result of SDDOT adjusting contract quantities due to normal variation on an asphalt surface treatment job.

- 11. Project: NH-P 0043(37), Custer & Fall River County, PCN 096X
Location: Various routes in the Custer area
Contractor: Bituminous Paving, Inc.
Type of Work: Asphalt surface treatment

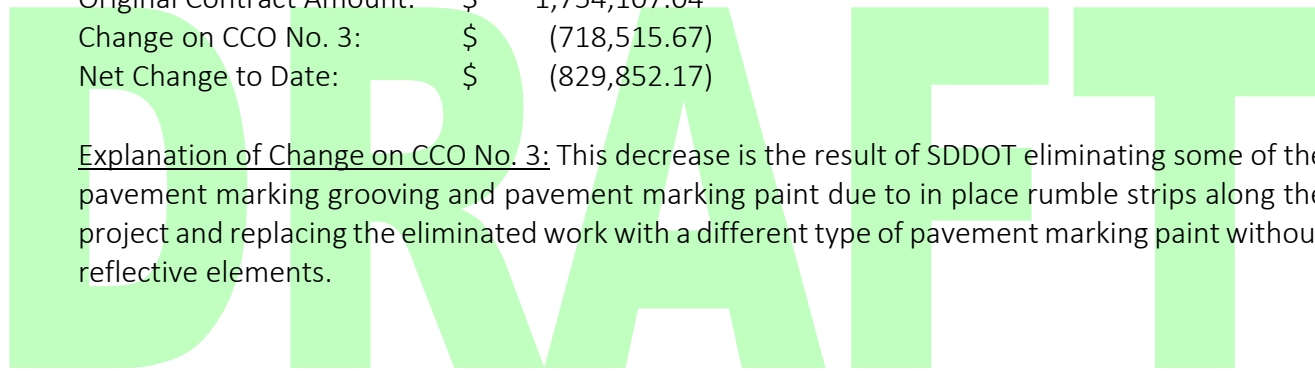
Original Contract Amount: \$ 2,362,208.95
Change on CCO No. 2: \$ (596,777.49)
Net Change to Date: \$ (592,899.14)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT adjusting contract quantities due to normal variation on an asphalt surface treatment job.

- 12. Project: P 000S(00)288, Rapid City Region, PCN 07DV
Location: Various locations in the Rapid City region
Contractor: Dakota Barricade, LLC
Type of Work: Pavement markings

Original Contract Amount: \$ 1,754,107.04
Change on CCO No. 3: \$ (718,515.67)
Net Change to Date: \$ (829,852.17)

Explanation of Change on CCO No. 3: This decrease is the result of SDDOT eliminating some of the pavement marking grooving and pavement marking paint due to in place rumble strips along the project and replacing the eliminated work with a different type of pavement marking paint without reflective elements.



Smith presented for Commission consideration the 2024 – 2025 Winter Highway Maintenance Plan. During his PowerPoint presentation he asked for two corrections to the plan to be made – update the equipment list and update the county map showing those counties and tribal governments participating in the sd511 communication program.

A MOTION WAS MADE by Vehle and seconded by Frick to approve the 2024 – 2025 Winter Highway Maintenance Plan with the two updated changes requested by the Department. All present voted aye by roll call vote. The motion carried.

Kellie Beck, Director of Finance & Management, introduced the consultants presenting the Statewide Transit Satisfaction Survey. Kevin Pullis from WBA Research, with support from Will Sutton of KFH Group, Inc. and Will Schumm from WBA Research, presented a PowerPoint presentation sharing the results of the survey. The main recommendation from the survey was further education of the services offered.

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

October 16, 2024

Structure (3-9'x9' Precast RCBC) & Approach Grading

1	08ND BRO-B 8064(31)	Union County
	Midwest Contracting, LLC	\$674,505.00
	Structure 9.5 S & 1.5 E of Alcester on 311th St over E Union Ck SN 64-105-140	

Structure (3-84" RCP) & Approach Grading

2	08MH BRO-B 8005(16)	Bon Homme County
	Midwest Contracting, LLC	\$443,029.15
	Structure 6 N & 3.7 E of Avon on 296th St over a Tributary to Emanuel Ck SN 05-097-050	

Structure (80' Prestressed Girder Bridge) & Approach Grading

3	08N3 BRO-B 8052(77)	Pennington County
	Corr Construction Services, Inc	\$968,268.45
	Structure 1.2 W & 0.5 N of Farmingdale on Hammerquist Rd over Rapid Ck SN 52-575-383	

Grading, Interim Surfacing, Replace Str RCBC (2-11'x9' CIP or Precast RCBC)

4	05HV, 08EH EM 0073(73)62	Jackson County
	Loiseau Construction, Inc.	\$25,536,517.81
	SD73 - Fm S of the White River to Kadoka; SD248 - Fm SD73 to 13th Ave in Kadoka	

Asphalt Concete Surfacing

6	0694 NH-PH 0385(50)96	Pennington County
	Simon Contractors of South Dakota, Inc.	\$3,996,319.00
	US385 - Fm N of Pactola Dam to 4 N of SD44	

Asphalt Concrete Surfacing

7	05Q6 P 0015(94)128	Deuel County
	Central Specialties, Inc	\$6,244,318.74
	SD15 - Fm SD28 N to Clear Lake	

Cold Milling & Asphalt Concrete Resurfacing

8	07YX NH 0212(204)245	Faulk County
	Anderson Western, Inc.	\$6,949,645.61
	US212 - Fm the Potter/Faulk Co Line to 1 W of Faulkton	

Signing & Delineation

9	04HQ PH 8004(02)	Bennett County
	Hamm Contracting, LLC	\$683,627.20
	Various County, City, & Township Roads in Bennett County	

A MOTION WAS MADE by Karim and seconded by Roby to approve bids #1 – 4 and 6 - 9. All present voted aye by roll call vote. The motion carried.

PCC Shared Use Path

5 09FV P TAPU(38)

Pennington County

WITHDRAWN FROM LETTING

Weisgram noted that bid #5 was withdrawn from consideration.

Mike Behm, Director of Planning and Engineering presented the following STIP revisions for the Commission’s consideration and information:

FOR COMMISSION APPROVAL

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

REV 25-001

This revision will add a FY2025 South Dakota Federal Lands Access Program Planning Study for the Missouri National Recreational River in Clay County in the Mitchell Region.

FY 2025 Plus \$250,000

REV 25-002

This revision will add a FY2028 Areawide Pipe Work project on Various Locations within the Mobridge Area in the Pierre Region.

FY 2025 Plus \$3,864,000

REV 25-003

This revision will add five Mill, AC Resurfacing, Pipe Work projects to FY2025 at the following locations in the Pierre Region:

- SD47 - From 2.5 miles north of the Gregory/Lyman Co Line to SD49
- SD47 - From north of SD49 to I90
- SD47 - From I90 to west of Fort Thompson
- SD248 - From Reliance to I90
- SD1806 - From US14 to the end of State Jurisdiction near Mission Ridge.

FY 2025 Plus \$44,387,000

REV 25-004

This revision will add a FY2025 Slide Repair project on US14 - From 8 miles east to 11 miles east of Hayes in the Pierre Region.

FY 2025 Plus \$1,535,000

REV 25-005

This revision will add a FY2025 Testing Equipment purchase project due to SDDOT receiving a State Transportation Innovation Councils (STIC) grant funding.

FY 2025 Plus \$111,000

REV 25-007 This revision will add a FY2025 CRC Pavement Repair project on I90 E - Exit 212 (US83 N) in the Pierre Region.

FY 2025 Plus \$624,000

REV 25-008 This revision will add a FY2025 Mill, AC Resurfacing, Pipe Work, Modify Intersection, Structure Replacement, Inslope Restoration project on US16A from 2 miles east of Custer to SD36 in the Rapid City Region.

FY 2025 Plus \$13,112,000

A MOTION WAS MADE by Rosenboom and seconded by Vehle to approve STIP revisions REV 25-001, REV 25-002, REV 25-003, REV 25-004, REV 25-005, REV 25-007, and REV 25-008. 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 25-006 This revision removes a bridge on US 18 from a grouped project in Hutchinson and Hanson Counties, moves a bridge on SD 47 from 2026 to 2027, and changes the improvement from Polymer Chip Seal to Concrete overlay. The new concrete overlay project will be in 2027 and be located at "SD47 2.8 N of NE State Line over a Ck & 5.3 S of US18 over Ponca Ck" in the Mitchell Region. (Sequence #127, 294, 344 & 379, Page 64, 94, 102 & 107 in the 2025-2028 STIP Book).

FY 2026 Minus \$140,000
FY 2027 Plus \$779,000

REV 25-009 This revision deferred a Joint Repair project on I29 - 240th St 5 miles south of SD34 Interchange & 241st St 3.2 miles north of Minnehaha Co Line over I29 from FY2026 to FY2027 and changed the work description to a Concrete Overlay, Joints, End Block Modification, Approach Guardrail, Approach Surfacing, Approach Curbs and deferred a similar work type project on SD34 - 2.1 miles west of SD13 over Big Sioux River from FY2026 to FY2027 and tied them both together as one project in Moody County in the Mitchell Region. (Sequence #618 & 619, Page 141 in the 2025-2028 STIP Book).

FY 2026 Minus \$1,219,000
FY 2027 Plus \$2,004,000

REV 25-SC-001 This revision split a Signing & Delineation – Gravel Roads ONLY project on Various County, City, Tribal & Township Roads in Oglala Lakota County into two separate Signing & Delineation – Gravel Roads ONLY projects on Various County, City & Township Roads and Gravel Roads ONLY projects on Various Tribal Roads in Oglala Lakota County in the Rapid City Region. (Sequence #630, Page 143 in the 2025-2028 STIP Book).

FY 2027 No Change

REV 25-SC-002 This revision added a segment of SD44 and increased the cost of a FY2026 Asphalt Surface Treatment project in the Rapid City Area project in the Rapid City Region. (Sequence #667, Page 148 in the 2025-2028 STIP Book).

FY 2026 Plus \$948,000

- Original = \$308,000; Updated = \$1,256,000

The Commission took a break from 10:32 – 10:40 a.m.

Steve Johnson, Chief Bridge Engineer, and Joanne Hight, Program Manager for the Office of Administration, presented information on the state of structures for South Dakota.

Secretary Jundt asked the Commission for suggestion on future informational presentations. He offered safety and road surface design as options for consideration.

With no further business to come before the Commission, Chairman Jensen declared the meeting adjourned at 11:42 a.m. CT.