

# SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES

## Thursday, December 19, 2024 at 9:00 a.m. CT

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

**COMMISSIONER PRESENT:** Lynn Jensen, Chairman  
Don Roby, Vice-Chairman  
Jaf Karim  
Larry Nelson  
Ron Rosenboom  
Rick Vallery  
Austin Simons  
Chris Frick  
Mike Vehle

**DOT STAFF PRESENT:** Joel Jundt, Karla Engle, Mike Behm, Joanne Hight, Mark Leiferman, John Keyes, Sam Weisgram, Becky Hoffman, Doug Kinniburgh, Paula Huizenga, Ryan Johnson and Kari Kroll

**DOT STAFF PRESENT:**  
**VIA CONFERENCE CALL:** Craig Smith, Christina Bennett, Scott Rabern, and Mark Peterson

**OTHERS PRESENT:** Kirk Van Roekel – Federal Highway Administration (FHWA)

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

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.

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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.

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Jensen asked for a motion to approve the November 26, 2024 Commission meeting minutes.

A MOTION WAS MADE by Roby and seconded by Karim to approve the November 26, 2024 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

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Jensen asked for a motion to approve the December 2, 2024 Commission meeting minutes.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve the December 2, 2024 Commission special meeting minutes. All present voted aye by voice vote. The motion carried.

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Jensen opened the floor to public input.

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

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

- There is a current continuing resolution to fund the federal government through December 20, 2024. With the expiration due this Friday, House leadership sent out HR 10445 on Tuesday, with hopes to have a vote on it by December 19 and then pass it on to the Senate. The expected continuing resolution will expire mid-March.
- Director Kirk Fredrich from the Federal Highway Administration (FHWA) will retire on December 31, 2024. Todd Jorgenson has been named as his replacement. Jorgenson was previously deputy director for the FHWA - South Dakota Division and the Department of Transportation (the "Department") is looking forward to working with him again.
- With the new presidential administration, it is anticipated there will be less discretionary grant funding available in the future. The Department will continue to actively work at obtaining federal grants but will also look at current plans and make edits as necessary to make sure priority projects are completed.
- In state business, the Department will give its annual presentations to the South Dakota Legislative Transportation Committees on January 16 & 17, 2025. The presentation will be aired on PBS.
- The new Pierre-Fort Pierre bridge is open. Mid-January the girders from the old bridge are anticipated to be removed.
- January 2025 Commission meeting will include the annual election of officers.

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

CCOs completed in November contain an increase of \$1,590,915.83. Over the past 12 months, the overall contract increase is 1.92%.

The following projects have a 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

1. Project: IM 0291(138)1, Union County, PCN 08XY  
Location: I-29 from Exit 2 to North Sioux City  
Contractor: Knife River Midwest LLC  
Type of Work: Cold milling, asphalt concrete resurfacing of shoulders, modify NB off ramp, lighting

Original Contract Amount:	\$	3,180,471.68
Change on CCO No. 1:	\$	74,274.55
Net Change to Date:	\$	74,274.55

Explanation of Change on CCO No. 1: This increase is the result of SDDOT adjusting the contract to include pit run material. This quantity was increase due to an overrun resulting from a plan error and additional removal of unstable material prior to placing the pit run material.

2. Project: IM 0291(138)1, Union County, PCN 08XY  
Location: I-29 from Exit 2 to North Sioux City  
Contractor: Knife River Midwest LLC  
Type of Work: Cold milling, asphalt concrete resurfacing of shoulders, modify NB off ramp, lighting

Original Contract Amount:	\$	3,180,471.68
Change on CCO No. 3:	\$	116,656.19
Net Change to Date:	\$	198,225.14

Explanation of Change on CCO No. 3: This increase is the result of SDDOT compensating the contractor for extra work to repair a median shoulder damaged by flooding as well as extra ditch cleanout work and extra erosion repair needed.

3. Project: IM 0291(138)1, Union County, PCN 08XY  
Location: I-29 from Exit 2 to North Sioux City  
Contractor: Knife River Midwest LLC  
Type of Work: Cold milling, asphalt concrete resurfacing of shoulders, modify NB off ramp, lighting

Original Contract Amount:	\$	3,180,471.68
Change on CCO No. 4:	\$	86,167.45
Net Change to Date:	\$	284,392.59

Explanation of Change on CCO No. 4: This increase is the result of SDDOT compensating the contractor for extra work required to remove the traffic diversion due to the additional material used in the original construction of the traffic diversion.

4. Project: NH-P 0046(74)90, Bon Homme & Charles Mix County, PCN 06J7  
 Location: SD46 from Wagner to SD37  
 Contractor: Border States Paving, Inc.  
 Type of Work: Cold milling, full depth reclamation, asphalt concrete surfacing, pipe work, modify intersection, guardrail

Original Contract Amount:	\$	20,211,556.41
Change on CCO No. 7F:	\$	110,250.02
Net Change to Date:	\$	259,312.31

Explanation of Change on CCO No. 7F: This increase is the result of SDDOT making an incentive payment for asphalt concrete mix quality and pavement smoothness. The incentive payments were made in accordance with the contract.

5. Project: P 0042(77)301, Davison, Hanson, & McCook County, PCN 04F6  
 Location: SD42 from SD37 to Bridgewater  
 Contractor: Duininck, Inc  
 Type of Work: Cold milling, asphalt concrete resurfacing, pipe work

Original Contract Amount:	\$	10,389,694.55
Change on CCO No. 2:	\$	54,218.20
Net Change to Date:	\$	93,999.70

Explanation of Change on CCO No. 2: This increase is the result of SDDOT compensating the contractor for extra work to replace a faulty concrete culvert discovered during construction, as well as adding cattle passes included in the plans but had no bid item listed.

#### PIERRE REGION

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

Original Contract Amount:	\$	21,484,465.19
Change on CCO No. 24:	\$	103,965.29
Net Change to Date:	\$	2,163,937.08

Explanation of Change on CCO No. 24: This increase is the result of SDDOT compensating the Contractor for additional work to remove and replace more delaminated concrete areas found during construction and approved by the Engineer, as well as quantity adjustments made to match as built quantities.

7. Project: NH 0014(237)245, Hughes County, PCN 06K7  
 Location: US14 from west of the north US83 junction to east of the north US83 junction  
 Contractor: Sharpe Enterprises, Inc.  
 Type of Work: Modify intersection, PCC surfacing

Original Contract Amount:	\$	8,671,380.74
Change on CCO No. 7:	\$	116,400.00
Net Change to Date:	\$	314,889.05

Explanation of Change on CCO No. 7: This increase is the result of SDDOT compensating the contractor for extra work to remove all installed silt fence from pipes ends so final grading and shaping could be completed.

8. Project: NH 0014(237)245, Hughes County, PCN 06K7  
 Location: US14 from west of the north US83 junction to east of the north US83 junction  
 Contractor: Sharpe Enterprises, Inc.  
 Type of Work: Modify intersection, PCC surfacing

Original Contract Amount:	\$	8,671,380.74
Change on CCO No. 9:	\$	104,794.00
Net Change to Date:	\$	433,386.55

Explanation of Change on CCO No. 9: This increase is the result of SDDOT compensating the contractor for extra work to strip and replace topsoil along the shoulder widening that was not accounted for in the plans.

9. Project: NH-P 0031(59), Haakon, Hughes, Lyman, Potter, & Stanley County, PCN 0973  
 Location: Various locations in the Pierre area  
 Contractor: Jensen Rock & Sand, Inc  
 Type of Work: Asphalt surface treatment

Original Contract Amount:	\$	3,294,106.36
Change on CCO No. 3:	\$	445,581.25
Net Change to Date:	\$	459,081.25

Explanation of Change on CCO No. 3: This increase is the result of SDDOT adjusting the contract to add pavement marking with reflective elements and grooving after the department determined this change would save money by eliminating future projects and enhance public safety on the roadway.

10. Project: NH 0212(191)134, Dewey & Ziebach County, PCN 068J  
 Location: US212 from Dupree through Eagle Butte  
 Contractor: Anderson Western, Inc.  
 Type of Work: Cold milling, asphalt concrete resurfacing, modify intersection, lighting

Original Contract Amount:	\$	16,281,392.32
Change on CCO No. 6:	\$	(128,037.42)
Net Change to Date:	\$	(107,857.52)

Explanation of Change on CCO No. 6: This decrease is the result of SDDOT adjusting the contract to use the state furnished salvaged base bourse available on site that is more cost efficient instead of the virgin base course material supplied by the contractor.

### RAPID CITY REGION

11. Project: IM 0902(188)67, Pennington County, PCN 09NV  
 Location: I-90 from Box Elder to 2 miles east of New Underwood  
 Contractor: Simon Contractors of South Dakota, Inc.  
 Type of Work: Asphalt concrete resurfacing

Original Contract Amount:	\$	8,139,124.00
Change on CCO No. 2:	\$	815,140.31
Net Change to Date:	\$	860,177.81

Explanation of Change on CCO No. 2: This increase is the result of SDDOT adjusting the contract due to RAP material quality issues discovered during construction. The RAP material initially produced from the project contained mastic material from previous repair jobs that compromised the quality of the asphalt concrete produced. Asphalt concrete with virgin aggregate was used to finish paving Phase 1 of the project and all quantities adjusted to reflect this.

12. Project: IM 0901(203)45, Meade County, PCN 08LD  
 Location: I-90 from east of Exit 44 to west of Exit 48  
 Contractor: Simon Contractors of South Dakota, Inc.  
 Type of Work: Construct median and ramp crossovers

Original Contract Amount:	\$	2,775,772.99
Change on CCO No. 1:	\$	(158,165.52)
Net Change to Date:	\$	(158,165.52)

Explanation of Change on CCO No. 1: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities.

13. Project: NH 0016(95)50, Pennington County, PCN 081J  
 Location: US16E at the Keystone Wye  
 Contractor: Oftedal Construction, Inc.  
 Type of Work: Grading, asphalt concrete surfacing

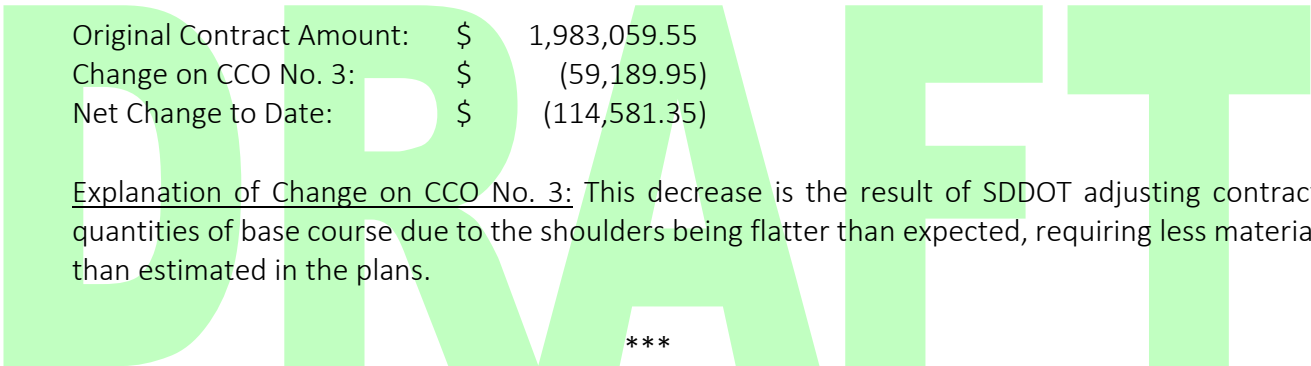
Original Contract Amount: \$ 2,727,117.96  
 Change on CCO No. 1: \$ (329,087.92)  
 Net Change to Date: \$ (329,087.92)

Explanation of Change on CCO No. 1: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities.

14. Project: PH 0040(356), Lawrence, Meade, & Pennington County, PCN 09F3  
 Location: Various routes in the Rapid City region  
 Contractor: Hill Construction, Inc.  
 Type of Work: Guardrail replacement

Original Contract Amount: \$ 1,983,059.55  
 Change on CCO No. 3: \$ (59,189.95)  
 Net Change to Date: \$ (114,581.35)

Explanation of Change on CCO No. 3: This decrease is the result of SDDOT adjusting contract quantities of base course due to the shoulders being flatter than expected, requiring less material than estimated in the plans.



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

December 4, 2024

**Structure (3-12'x6' Precast RCBC) & Approach Grading**

5	08MT BRO-B 8030(19)	Hand County
	Midwest Contracting, LLC	\$382,043.50
	Structure 6 E & 8.4 N of Miller on 366th Ave over Wolf Ck SN 30-220-166	

**Structure (3-12'x5' Precast RCBC) & Approach Grading**

6	08MX BRO-B 8034(35)	Hutchinson County
	Midwest Contracting, LLC	\$361,002.75
	Structure 1.3 N & 11.3 E of Parkston on Co Rd 11 over Plum Ck SN 34-173-057	

**LSDC Overlay, Approach Slabs, Pavement, Rails, Joints**

8	091T IM 0909(98)396	Minnehaha County
	Journey Group Companies	\$3,124,668.84
	I90 E & W - I90/I29 Interch over I29 Drainage Ditch & I90/I229 Interch over I229	

**Slide Repair, Erosion Control, Pipe Work**

9 06X7 PT 0014(238)203 Stanley County  
Midwest Contracting, LLC \$1,064,477.75  
US14 - Fm 8 E to 11 E of Hayes

A MOTION WAS MADE by Karim and seconded by Frick to approve bids #5 ,6 ,8, and 9. All present voted aye by voice vote. The motion carried.

**Urban Grading, Curb & Gutter, Storm Sewer, Lighting, PCC Surfacing, ADA, Signal**

1 04FC, 06N3 NH-CR-EM 0018(195)103 Oglala Lakota County  
Paul Reed Construction & Supply Inc \$19,308,612.99  
US18 - In Pine Ridge Fm 2 Blocks N of SD407 to E of Indian Health Rd; SD407 - In Pine Ridge Fm  
Cherry Hill Ct to US18

**Replace Water Line**

2 X06L 2211 01441( ) Oglala Lakota County  
Paul Reed Construction & Supply Inc \$1,921,124.84  
US18 - In Pine Ridge Fm 2 Blocks N of SD407 to E of Indian Health Rd

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

**Grading, Asphalt Concrete Surfacing & Resurfacing**

3 04L0, 06CP NH-P-PH 0079(87)129, NH 0212(193)28 Butte County  
Central Specialties, Inc \$6,662,885.47  
SD79 N & S - From the beginning of the divided section to the Jct of US212 S of Newell; SD79 -  
Fm Jct of US212 in Newell N 0.25; US212, US212 E & W - Fm Nisland to SD79 in Newell

**ADA & Sidewalk**

4 06G1, 06G2 P 0079(88)133, NH 0212(202)38 Butte County  
Central Specialties, Inc \$1,442,898.63  
SD79 - Through Newell; US212 - Through Newell

A MOTION WAS MADE by Frick and seconded by Roby to approve bids #3 and 4. All present voted aye by voice vote. The motion carried.

**Structure's (2-12'x12' CIP RCBC, 2-9'x7'CIP RCBC, 2-8'x7' CIP RCBC) & Approach Grading, Cold Milling, Asphalt Concrete Resurfacing, Pipe Work, Modify Intersection, Bridge Rail Upgrade, Inslope Restoration**

7 06QK, 04G1 P-PT 016A(15)26, P-B 016A(10)37 Custer County  
US16A - Fm 2 E of Custer to SD36; US16A - 1 W of SD36 Over Grace Coolidge Creek



A MOTION WAS MADE by Vallery and seconded by Vehle to reject bid #7. All present voted aye by voice vote. The motion carried.

December 11, 2024

**Structure (10x6 Precast; 2-8x7 Precast; 3-5' RCP Pipe Culverts), Approach Grading**

3	08NT, 08NU, 08NV BRF-B 6642(03), BRO-B 8017(10), BRO-B 8017(11) R.C.S. Construction, Inc. Structure 8.4 E & 2.7 N of Custer on a State Park Rd over Center Lake Inlet (GF&P OWNED) SN 17-314-043	Custer County \$589,228.42
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**Structure (3-12x9 CIP RCBC) & Approach Grading**

4	08NC BRO-B 8062(11) A & R Construction Inc Structure 5.5 E & 6.75 N of Colome on 279th St over W Br of Bull Ck SN 62-325-290	Tripp County \$621,433.47
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**Variable Speed Limit & ITS Device**

6	080D CR 0294(74)114 Engelstad Electric Co I29 - Fm Exit 114 (Flandreau) to 3 N of Exit 133 (Brookings)	Brookings, Moody County \$3,364,747.93
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**Asphalt Concrete Surfacing, CRC Pavement Repair**

7	097Q, 09YP IM-P-B 0905(00)212, IM 0905(125)212 Bituminous Paving, Inc. US83 - Detour for Interchange Reconstruction at Exit 212, Fm I90 on 293rd Ave, SD248 to US83, SD248 -Fm Murdo to Vivian, Exit 214 Ramps, I90 WF - Fm Exit 208 to SD248, I90 E-Exit 212	Jones, Lyman County \$2,741,567.56
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**Asphalt Concrete Surfacing of Shoulders**

8	09EJ NH 0012(316)137 Bituminous Paving, Inc. US12 - Fm 5 E of McIntosh to McLaughlin	Corson County \$5,051,702.40
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A MOTION WAS MADE by Simons and seconded by Frick to approve bids #3, 4, 6, 7, and 8. All present voted aye by voice vote. The motion carried.

**Urban Grading, Curb & Gutter, Sidewalk, Signals, Storm Sewer, Lighting, Asphalt Concrete Surfacing, PCC Surfacing**

1	026Z NH-CR 0014(185)229 Morris Inc. US14 -(Euclid) Fm Sioux Ave to the Divided Hwy W of SD1804 in Pierre	Hughes County \$26,410,308.58
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**Water Main Improvement and Sewer Manhole Adjustments**

2	X05W 436 ( ) Morris Inc. US14 Euclid Ave - Fm Sioux Ave to N of 8th St.	Hughes County \$5,865,525.00
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A MOTION WAS MADE by Roby and seconded by Nelson to approve bids #1 and 2. All present voted aye by voice vote. The motion carried.

**Structure (196' Prestressed Girder Bridge) & Approach Grading**

5	06TD P 0079(84)232 A-G-E Corporation SD79 - Str 0.1 S of the ND Border Over the N Fork of the Grand River	Harding County \$10,358,866.00
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A MOTION WAS MADE by Frick and seconded by Rosenboom to approve bid #5. All present voted aye by voice vote. The motion carried.

**December 10, 2024**

<b>Prepurchase Structural Steel</b> 0A29 IM 0909(92)387 Egger Steel Company 190 Exit 387 (Hartford) - Str. No. 50-090-165	Minnehaha \$1,203,000.00
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A MOTION WAS MADE by Vehle and seconded by Roby to approve the bid as represented in Attachment #5A. All present voted aye by voice vote. The motion carried.

**December 17, 2024**

**Prepurchase Structural Steel**

09VY IM -B-CR 2292(101)3 Veritas Steel LLC 1229 SBL over Cliff Ave at Exit 4 - Str. No. 50-210-230	Minnehaha \$2,178,000.00
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A MOTION WAS MADE by Karim and seconded by Rosenboom to approve the bid as represented in Attachment #5B. All present voted aye by voice vote. The motion carried.

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John Keyes, Program Manager for the Office of Right of Way, presented the following items for Commission consideration.

1. Request Transportation Commission approval to abandon by resolution the temporary easements on Beadle County Project P 0037(140)140, PCN 04FH. The project parameter was 0.8

miles crossing the James River located 4.9 miles south of the Spink County line. Construction included replacing the bridge structure and approach grading.

2. Request Transportation Commission approval to abandon by resolution the temporary easements on Codington County Project EM-P 4411(01), PCN 00RV. The project parameter was 2 miles including 20th Avenue SE from US 81 to 29th Street SE (Segment 1 of the South Connector at Watertown). Construction included grading, structures and surfacing.
3. Request Transportation Commission approval to abandon by resolution the temporary easement on Grant County Project P 0015(70)179, PCN 01X1. The project parameter was SD 15 located 4 miles north of Milbank. Construction included repairing and extending multiplate 144 inches.
4. Request Transportation Commission approval to abandon by resolution the temporary easements on Hamlin County Project P 0021(17)127, PCN 00HX. The project parameter was 4.2 miles from south of Hayti to US81. Construction included mill and AC resurfacing.
5. Request Transportation Commission approval to abandon by resolution the temporary easements on Hutchinson County Project P 0018(135)390, PCN 00Q9. The project parameter was 11.9 miles from the east city limits of Olivet to the west city limits of Menno and from the east city limits of Menno to US81. Construction included mill and AC resurfacing, right of way and construct a drainage channel in Menno.

A MOTION WAS MADE by Simons and seconded by Vehle to approve the abandonment of temporary easements in Beadle, Codington, Grant, Hamlin, and Hutchinson Counties. 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 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 25-014                    This revision will defer a Mill, AC Resurfacing, Curb Ramps, Lighting project on I29 L in Elk Point from FY2028 to FY2030 (effectively deleting a project from the 4-year construction STIP) and tie it to the I29 L structure replacement project over I29 in the Mitchell Region. (Sequence #962, Page 181 in the 2025-2028 STIP Book).

FY 2028 Minus \$4,688,000  
 FY 2030 Plus \$4,877,000

REV 25-017                    This revision will add a FY2025 Statewide project for a Regional Operations Forum.

FY 2025 Plus \$104,000

A MOTION WAS MADE by Rosenboom and seconded by Karim to approve STIP revisions REV 25-014 an REV 25-017. 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 25-015 This revision deferred a Joint & Spall Repair project on Various Routes in the Mitchell Area from FY2025 to FY2026 in the Mitchell Region. (Sequence #'s 8, 342 & 532, Page’s 45, 102 & 129, in the 2025-2028 STIP Book).

FY 2025 Minus \$15,649,000

FY 2026 Plus \$15,962,000

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Joanne Hight, Program Manager for the Office of Administration, presented for the Commission’s consideration the 2024 Agri-business grant applications. She began by summarizing the 2024 Economic Grant Program and noted that the Commission approved the Community Access grants at the November 26, 2024 meeting and that there were no Industrial Park grant applications in 2024.

Summary of 2024 Economic Development Grant Program	
	Allocations
Community Access Grants	\$2.5 million
Agri-Business Grants	\$1.0 million
Industrial Park Grants	\$0.5 million

She then presented to the Commission the requests made for the Agri-business grants for 2024.

Agri-business Grant Applications 2024						
	City	Project Location	Project Description	Business	Total Project Cost	Funding Requested
1	Clay County	313th Street - Meckling, SD	Reconstruction to include excavation, grading, base course, and concrete surfacing	Southeast Farmers Coop	\$5 million	\$600,000
2	Hamlin County	459th Street	Install turning lanes	County Line Dairy	\$31 million	\$132,500
3	Blom Township	190th Street (SW of Brandt)	Reconstruction to include excavation, grading, base course, drainage, and gravel surfacing	Wildrose Dairy	\$12 million	\$600,000

Hight recommended the award of all three Agri-business grants, but for the following amounts: Clay County for \$600,000, Hamlin County for \$132,500, and Blom Township for \$450,000.

A MOTION WAS MADE by Roby and seconded by Vallery to approve the Agri-business grants for the amounts recommended by the Department. All present voted aye by voice vote. The motion carried.

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Secretary Jundt asked the Commission for suggestions on future informational presentations. He suggested the legislative presentation for the January 30, 2025 meeting and crash test research presentation for the February 27, 2025 meeting. The Commission agreed.

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Jensen asked for a motion for the Commission to enter into executive session.

A MOTION WAS MADE by Vehle and seconded by Roby to enter into executive session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel and reviewing communications from legal counsel about proposed or pending litigation or contractual matters. All present voted aye by voice vote. The motion carried.

Executive session began at 9:56 a.m.

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Executive session ended at 10:59 a.m.

With no further business to come before the Commission, Chairman Jensen declared the meeting adjourned at 10:59 a.m. CT