

**TRANSPORTATION COMMISSION MEETING MINUTES
OCTOBER 25, 2018 – 9:00 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SOUTH DAKOTA**

COMMISSIONERS PRESENT: Kyle White, Chairman
Larry A. Nelson, Member
Rod Fouberg, Member
Don Roby, Member
Ralph Marquardt, Member
Ron Rosenboom, Member
Mike Vehle, Member (joined at 9:08 a.m.)

DOT STAFF PRESENT: Darin Bergquist, Mark Leiferman, Mike Behm, Kellie Beck, Karla Engle, Greg Fuller, Sam Weisgram, Tammy Williams, Joel Gengler, Jason Humphrey, Christina Bennett, Tony Ondricek, Becky Hoffman, Bonnie Olson, Ashley Gaarder, and Katherine Anderson

OTHERS PRESENT: Frank Kloucek; and Jason Reaves – SDACPA

Chairman White called the meeting of the Transportation Commission (the “Commission”) to order at 9:03 a.m. A quorum was determined.

Chairman White opened the floor to Commission members to disclose potential conflicts of interest and to present requests for waivers pursuant to South Dakota Codified Law (SDCL) chapter 3- 23.

No conflicts of interest were disclosed and no waivers were requested.

White asked for a motion to approve the minutes of the September 24 and 25, 2018, Commission meeting.

A MOTION WAS MADE by Fouberg and seconded by Roby to approve the September 24 and 25, 2018, meeting minutes.

White, with the concurrence of Fouberg and Roby, requested the minutes be revised to accurately reflect that Deputy Secretary Joel Jundt presented the Right of Way items and not Joel Gengler. The Commission then voted on the motion as revised. All present voted aye by voice vote. The motion carried.

Karla Engle, Office of Legal Counsel, presented for Commission consideration the proposed changes to speed zone rule 70:01:02:12 Bon Homme County. Engle explained the procedural

steps that were followed. Secretary Darin Bergquist presented information gathered by the department in relation to the proposed rule revision and explained that the proposed amendment is the result of a petition request submitted by Mr. Frank Kloucek. The Department's traffic engineer, Christina Bennett, also addressed the Commission relating to engineering considerations. The petition and one additional written comment from Charles Cvyk were received and provided to the Commission in its meeting packet. Three additional written comments were received the day before the Commission hearing and were provided to the Commission as well as made available to members of the public at the meeting. Mr. Frank Kloucek appeared before the Commission to offer public testimony in favor of the amendment on the grounds of public safety. As part of his testimony, he distributed a set of photographs to the Commission. No other members of the public offered testimony in support of or in opposition to the rule change.

A MOTION WAS MADE by Marquardt and seconded by Nelson to amend 70:01:02:12, Bon Homme County speed zone rule, to reduce the speed limit from 65 miles per hour to 55 miles per hour on South Dakota Highway 50 beginning 0.51 mile west of Bon Homme Road in Tabor, South Dakota, then easterly 1.67 miles. The motion carried on a roll call vote of 5 aye (White, Marquardt, Nelson, Rosenboom, and Vehle) and 2 nay (Fouberg and Roby).

RESOLUTION #2018-10.01 was adopted.

Mr. Kloucek distributed a letter of thanks to the Commission at the conclusion of the meeting.

Engle requested the Commission set an administrative hearing for Thursday, November 29, 2018, to consider proposed changes to speed zone rules 70:01:02:55 Roberts County and 70:01:02:67 Todd County.

A MOTION WAS MADE by Roby and seconded by Vehle to set a hearing date on November 29, 2018, concerning proposed amendments to Roberts County speed zone rule 70:01:02:55 and Todd County speed zone rule 70:01:02:67. All present voted aye by voice vote. The motion carried.

RESOLUTION #2018-10.02 was adopted.

Secretary Bergquist yielded his time to Jason Reaves, Executive Director of American Concrete Pavement Association ("ACPA"). Jason commended the Department of Transportation (the "Department") on a National Excellence in Concrete Pavement award received from the National ACPA for the design of the project in Brookings. The award ceremony will be held on November 29, 2018, in Florida.

Secretary Bergquist presented the Game, Fish, & Parks ("GF&P") road funding request to increase the amount obligated to GF&P by an additional \$500,000.00.

A MOTION WAS MADE by Fouberg and seconded by Roby to increase funding assistance by an additional \$500,000.00 to a total funding obligation in the amount of \$1,000,000.00 to GF&P for FY19 to assist with GF&P's road needs. The motion carried on a roll call vote of 4 aye (Fouberg,

Roby, Rosenboom, and Vehle) and 3 nay (White, Marquardt, and Nelson).

Greg Fuller, Director of Operations, presented the following information regarding Construction Change Orders to the Commission:

Construction change orders approved in August contain an increase of approximately \$558,042.

Construction change orders approved in September contain a decrease of approximately \$133,068.

Over the past 12 months, the overall contract increase is 2.59%.

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

ABERDEEN REGION

- I. Project: P 0020(158)416, Codington County, PCN 037V** Location: SD 20 from W of I-29 to the Codington/Grant Contractor: Duininck Inc.
Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, ADA Upgrades & Pipe Work

Original Contract Amount:	\$	2,199,757.02
Change on CCO No. 1:	\$	70,618.28
Net Change to Date:	\$	70,618.28

Explanation of Change on CCO No. 1: This increase is the result of incentive payments made for pavement smoothness and asphalt concrete mix quality. The Department made the incentive payments in accordance with the contract.

- II. Project: NH-P 0012(222), Brookings County, PCN 06EE** Location: Various Locations in the Watertown Area Contractor: Subsurface Inc.
Type of Work: Pipe Repair

Original Contract Amount:	\$	543,297.30
Change on CCO No. 1:	\$	79,116.60
Net Change to Date:	\$	79,116.60

Explanation of Change on CCO No. 1: This increase is the result of extra work performed by the Contractor. The Department identified additional culvert repair work at 2 locations and added the work to the project.

MITCHELL REGION

III. Project: P 0038(47)357, Minnehaha County, PCN

05VV Location: SD 38 from 2 miles west of I-90 to 6 miles east of I-90 Contractor: Double H Paving Inc.

Type of Work: Shoulder Improvements

Original Contract Amount:	\$	254,465.10
Change on CCO No. 1F:	\$	(97,884.61)
Net Change to Date:	\$	(97,884.61)

Explanation of Change on CCO No. 1F: This decrease is the result of the Department adjusting the contract quantities of gravel surfacing and asphalt for prime. The quantities now reflect the quantities used during construction through normal project variations.

IV. Project: NH 0018(188)320, Charles Mix County, PCN 04EA

Location: US 18 from US 281 E to

Pickstown Contractor: Spencer Quarries Inc.

Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Guardrail & Slide Repair

Original Contract Amount:	\$	5,526,553.77
Change on CCO No. 1:	\$	274,658.94
Net Change to Date:	\$	274,658.94

Explanation of Change on CCO No. 1: This increase is the result of extra work performed by the Contractor to place a new pipe alongside of a pipe planned for slip lining in this contract. During construction, the Department determined the existing pipe was too deformed to allow for slip lining and determined a new pipe would need to be placed alongside the existing pipe. The old pipe was permanently plugs upon completion of placing the new pipe.

V. Project: PH 8042(44), Lincoln County, PCN 044F

Location: Various County, City, & Township Roads in Lincoln

County Contractor: Hamm Contracting LLC

Type of Work: Sign & Delineation

Original Contract Amount:	\$	1,7
38,272.04 Change on CCO No.		
7F:	\$	(119,669.81) Net Change to
Date:	\$	(34,759.79)

Explanation of Change on CCO No. 7F: This decrease is the result of the Department adjusting the contract quantities to match the quantities used during construction. Large decreases in the number of salvaged signs, new object markers, and new delineators contributed to the large decrease. The variations are considered normal project variations and are common for the work involved.

VI. Project: IM 2292(97)7, Minnehaha County, PCN 04VX Location: I-229 - Structure over Rice St. (Exit 7) Contractor: Interstate Improvement Inc.
Type of Work: Bridge Rehab - Approach Slab Repair, Joint Modification, & Bridge Deck Polymer Chip Seal

Original Contract Amount:	\$	655,391.75
Change on CCO No. 2:	\$	66,937.94
Net Change to Date:	\$	80,690.62

Explanation of Change on CCO No. 2: This increase is the result of an adjustment to the contract quantities of concrete removal and concrete patching. During construction the Department identified additional delaminated concrete on the bridge deck and added the removal to the project. As a result, additional concrete patching was performed to replace the additional removals.

PIERRE REGION

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

RAPID CITY REGION

VII. Project: IM 1902(61)0, Pennington County, PCN 1162 Location: Exit 1 in Rapid City (near Civic Center) Contractor: Reede Construction, Inc.
Type of Work: Interchange Replacement - Grading, PCCP & Structure, Remove & Replace PCCP, AC Surfacing

Original Contract Amount:	\$	32,588,511.91
Change on CCO No. 14:	\$	(154,589.38)
Net Change to Date:	\$	(128,042.18)

Explanation of Change on CCO No. 14: This decrease is the result of the Department adjusting the contract quantities of Contractor furnished topsoil and water for vegetation to the quantities used during construction. The measured quantity of topsoil was less than estimated in the plans. The project received ample moisture for vegetation growth and less water for vegetation was needed than estimated in the plans.

VIII. Project: 2246.029.08(), Oglala Lakota County, PCN X03R
Location: US 18 from Pine Ridge to SD 191 Contractor: Loiseau Construction Inc.
Type of Work: Waterline Relocation

Original Contract Amount:	\$	634,270.00
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Change on CCO No. 5: \$ (51,922.00)
Net Change to Date: \$ 30,489.70

Explanation of Change on CCO No. 5: This decrease is the result of the Department adjusting the contract quantities of several water line items. The adjustments match the quantities used during construction as directed by the Oglala Sioux Tribe's Rural Water Engineer.

IX. 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. 12: \$ (251,880.06) Net Change to
Date: \$ 282,476.85

Explanation of Change on CCO No. 12: This decrease is the result of numerous variations to the plans quantities. The Department made the adjustments to match the quantities used during construction. The variations are all minor and affected numerous contract items. While the total decrease is significant, no items stand out as significant variations. The variations are common for the work involved.

Jason Humphrey of the Office of Operations Support presented consideration of the 2018-2019 Winter Maintenance Plan.

A MOTION WAS MADE by Rosenboom and seconded by Marquardt to approve the 2018-2019 Winter Maintenance Plan. All present voted aye by voice vote, except Vehle, who had left the room and did not participate in the vote. The motion carried.

Christina Bennett of the Office of Operations Support presented information on the Memorial Highways & Auto Tour Routes Policy.

Humphrey provided an update on the Rest Area Revitalization project. The Commission took a five-minute break and reconvened at 11:15 a.m.

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

1. Abandonment - Clark County

This resolution will abandon the temporary easements on Clark County Project NH 0212(00)327, PCN 04P7.

2. Abandonment - Codington County

This resolution will abandon the temporary easements on Codington County Project P 4020(01), PCN OORW.

3. Abandonment - Meade County

This resolution will abandon the temporary easements on Meade County Project NH 0212(00)114, PCN 04NF.

4. Abandonment - Meade County

This resolution will abandon the temporary easements on Meade County Project NH 0073(00)174, PCN 04T7.

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5. Abandonment - Spink County

This resolution will abandon the temporary easements on Spink County Project NH 0212(00)327, PCN 04P7.

6. Condemnation – NH 0034(163)387 PCN 03TC, Lake County

Request Transportation Commission resolution determining that the taking and damaging of real property interests in and to the following property is necessary for a public purpose and authorizing condemnation:

Parcel 12 and 14 – LN Read Estate LLC, a Washington Limited Liability Company

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project NH 0034(163)387, PCN 03TC, Lake County, SD34 - From the Washington Ave/2nd Street NE Intersection South to the start of the Divided Highway in Madison.

A MOTION WAS MADE by Vehle and seconded by Roby to approve items #1-5. All present voted aye by voice vote. The motion carried.

RESOLUTION #'s 2018-10.03, 2018-10.04, 2018-10.05, 2018-10.06, 2018-10.07 were adopted.

A MOTION WAS MADE by Marquardt and seconded by Fouberg to approve item #6- Condemnation-Lake County. All present voted aye by voice vote. The motion carried.

RESOLUTION #2018-10.08 was adopted.

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

October 3, 2018

Mill & PCCP Overlay, Pipe Work; Replace Structure (RCBC) & Approach Grading

1	04E9 NH 0212(173)397 Knife River Midwest LLC US212 from west of the south junction of SD15, to the Minn State Line	Deuel County \$13,880,027.84
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Cold Milling Asphalt Concrete, Full Depth Reclamation, & Asphalt Concrete Resurfacing

2	04DV, 04DW NH 0012(184)80, NH 0073(69)229 Anderson Western, Inc. US12 from the ND State Line east to the Perkins/Corson County Line; & SD73 from the Grand River, north to US12	Corson, Perkins County \$9,961,396.75
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Structure Replacement (106' Prestressed Girder), Scour Protection & Column Repair

3 04FK, 03TW P 0026(03)250, P 0020(130)295 Faulk, Hand, Spink County
Prahm Construction, Inc. \$2,161,453.23
SD26, 2.8 miles west of SD45 over Shaefer Creek, and SD20, 0.8 miles south of
SD45N over a creek & 3.3 miles east of the Faulk Co Line over Snake Creek

**Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Contractor
Furnished Asphalt Concrete**

4 03T0, I52T, I52U, I52W, I52V P 0044(183)119, 044-391, 044-392, 240-391,
377-391 Jackson, Mellette, Pennington County
Border States Paving, Inc. \$3,287,900.48
SD44 from SD377 at Interior to west of Wanblee

Cold Milling Asphalt Concrete & Asphalt Concrete Resurfacing

5 04EU, 05UF P 0011(106)09, P 0050(124)423 Union County
Spencer Quarries Incorporated \$1,949,370.47
SD11 from Elk Point to SD50, & SD 50 from SD11 to the Iowa State Line

Signing & Delineation

6 05LT PH 8058(21) Spink County
Hamm Contracting, LLC \$842,270.22
Various County, City, & Township Roads in Spink County

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve bid #'s 1, 2, 5, and 6 from the October 3 bid letting. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Roby and seconded by Marquardt to approve bid #3 from the October 3 bid letting. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve bid #4 from the October 3 bid letting. All present voted aye by voice vote. The motion carried.

October 9, 2018

Shared Use Path

05MV P TAPU(17) Minnehaha County
BX Civil & Construction \$346,795.10
West Avenue in Crooks

A MOTION WAS MADE by Roby and seconded by Rosenboom to approve bid #1 from the October 9 bid letting. All present voted aye by voice vote. The motion carried.

October 17, 2018

RCBC Rehabilitation

1 05DF P 0258(00)277 Aurora County
REJECTED BY SDDOT COMMISSION
SD258, 0.3 miles north of I90 in Plankinton over Snow Creek

PCC Overlay, PCC Surfacing, Polymer Chip Seal, Approach Slabs, AC Resurfacing, & Permanent Signing

2 04D6 IM-FP 0299(71)239 Roberts County
Reede Construction, Inc. \$16,895,264.10
I29 SBL, from south of Exit 242 to south of the ND State Line

Structure (290'-6 1/2" Prestressed Girder Bridge) and Approach Grading

3 04FH, 03TX P 0037(140)140, P 0037(132)157 Beadle, Spink County
Duininck, Inc \$5,325,012.84
SD37, 4.9 miles south of SD28 over the James River

Culvert Repair

4 041C P 0013(25) Buffalo, Clark, Spink County
Lien Transportation Co \$553,163.44
Various Locations in the Huron Area

Culvert Replacements

5 06FH NH-P 0041(161) Lawrence County
Highmark, Inc \$427,437.23
Various Locations Throughout the Rapid City Area

Process In Place, Asphalt Concrete Resurfacing, Pipe Work

6 03RX, I5DG, I5DK, I5DL P 0044(192)254, 018 WF-251, 053-392, 183-392
Border States Paving, Inc. Gregory, Tripp County
SD44 from Winner to SD47 \$12,945,992.77

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, and Culverts

7 04ER P 0065(17)193 Corson, Dewey County
Anderson Western, Inc. \$4,398,089.16
SD65 from SD20 E Jct (Isabel) to the Grand River

Cold Milling Asphalt Concrete & Asphalt Concrete Resurfacing

8 04EV, 04F7 P 0013(42)115, P 0324(05)357 Brookings, Moody County
Bowes Construction, Inc. \$3,274,673.00
SD13 from 7 miles north of Flandreau, north 6 miles; & SD324 from I29 to SD13

Signing & Delineation

9 02UF PH 8058(19) Spink County
Hamm Contracting, LLC \$1,078,522.88
Various County, City, & Township Roads in Spink County from the N County Line,
S to 0.5 mi. S of 172 St.

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve bid #'s 4, 5, 6, 8, and 9 from the October 17 bid letting. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Marquardt and seconded by Roby to reject bid #1 from the October 17 bid letting. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Rosenboom and seconded by Vehle to approve bid #2 from the October 17 bid letting. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve bid #3 from the October 17 bid letting. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Roby and seconded by Rosenboom to approve bid #7 from the October 17 bid letting. All present voted aye by voice vote. The motion carried.

Mike Behm, Director of Planning and Engineering, presented the following items for Commission consideration:

FOR COMMISSION APPROVAL

REV 19-008 This revision will advance an Embankment Repair project on SD11 south of Corson from the Long-Range Plan to 2019 in the Sioux Falls Area. This revision will also add a project as a newly identified need for traffic signals on SD11 at the I90 Exit 406 (Brandon) Interchange.

FY 2019 Plus \$479,000
Long Range Minus \$360,000

REV 19-009 This revision will add a 2019 Corridor Signing project on I90 in the Mitchell Region and a 2020 Railroad Signal replacement at Kemp Avenue in Watertown.

FY 2019 Plus \$312,000
FY 2020 Plus \$250,000

REV 19-010 This revision will delete a Funding "Placeholder" project in 2019 in the Transportation Alternative funding category (Sequence #873, Page 184 in the 2019-2022 STIP Book). It will also add two bridge projects that were planned for 2018 but were not let.

1. Bridge Improvement Grant in Parkston
2. Replacement of the overheight portal at the US 212 bridge over the Missouri River

FY 2019 Minus \$1,389,000

A MOTION WAS MADE by Marquardt and seconded by Roby to approve STIP Revision 19-008. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Fouberg and seconded by Marquardt to approve STIP Revision 19-009. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Marquardt and seconded by Rosenboom to approve STIP Revision 19-010. All present voted aye by voice vote. The motion carried.

Behm presented the following informational items to the Commission:

INFORMATIONAL REVISIONS FOR THE COMMISSION

REV 19-007 This revision added Polymer Chip Seal work to three Regionwide Approach Slab projects and deferred PCN 06FU to 2022, and advanced PCN's 06FV to 2020 and 06UQ to 2021 (Sequence #758, Page 170; #782, Page 172 & #804, Page 174 in the 2019-2022 STIP Book).

FY2020 Plus \$69,000
FY2021 Plus \$660,000
FY2022 Minus \$263,000

REV 19-SC-004 This revision added Weigh-in-Motion (WIM) repair work to PCN 05YG in the Interstate Maintenance Category (Sequence #242, Page 80; #379, Page 106 & #826, Page 178 in the 2019-2022 STIP Book).

FY2019 Plus \$234,000

REV 19-SC-005 This revision updated the cost estimate on an intersection improvement project in Sioux Falls using current quantities and costs. The additional cost for the project will be paid by the City of Sioux Falls. (Sequence #623, Page 151 in the 2019-2022 STIP Book).

FY2019 Plus \$1,907,000

REV 19-SC-006 This revision adjusted the cost estimate of a 2019 Regionwide bridge rehabilitation project in the Mitchell Region. (Sequence #739, Page 169 in the 2019-2022 STIP Book).

FY2019 Plus \$312,000

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

With no other business to come before the Commission, the meeting was declared adjourned at 11:57 a.m.