

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Conference Room at the Wyoming Department of Transportation District Office, 900 Bryan Stock Trail, in Casper, on May 12, 2011. The meeting was convened at 1:30 p.m. by Chairman Covello. The following members were present constituting a quorum:

Cactus Covello, Jr., Chairman, Torrington
Jim Latta, Vice Chairman, Pinedale
Ted Ertman, Commissioner, Newcastle
Clair Anderson, Commissioner, Riverton
K. John Dooley, Commissioner, Laramie
Bruce McCormack, Commissioner, Cody
John F. Cox, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Delbert McOmie, Chief Engineer; Gregg Fredrick, Assistant Chief Engineer of Engineering and Planning; Ken Shultz, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Colonel Jess Oyler, Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Jackson Engels, Assistant Attorney General; Rodney Freier, Budget Specialist; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Mrs. Sylvia Steiger, Laramie County resident (via telephone); Joel Meena, State Traffic Engineer (via telephone); Lowell Fleenor, District Engineer; Mark Ayen, District Construction Engineer; Calvin Goddard, District Maintenance Engineer; Mark Williams, District Traffic Engineer; Terry Uhrich, District Equipment Engineer; Jeff Goetz, Public Involvement Specialist; and Mitzi Hailey, District Clerk, from Casper.

Commissioner Jim Hladky, of Gillette, was absent.

1. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Latta, seconded by Commissioner Ertman, and carried to approve the minutes from the April 21, 2011, breakfast meeting, regular business meeting, and education session.
2. Correspondence: Secretary Scott read a thank-you letter from Mr. Robert L. Gaukel, who wrote on behalf of the American Concrete Pavement Association, for the commissioners' and executive staff's participation at the April 20, 2011, dinner.

Secretary Scott also presented an e-mail that was received from Mrs. Sylvia Steiger the morning of May 12, 2011. Mrs. Steiger's message explained her reasons for requesting a new access to her property on Happy Jack Road in Laramie County. Mrs. Steiger attended the meeting by phone to speak to the Commission about the access request.

3. Old Business: It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried to remove from the table the Steiger access request, which was tabled at the April 21, 2011, Commission business meeting (reference Item 9, Pages 8-10, of the April 21, 2011, Record of Proceedings).

Mrs. Sylvia Steiger owns property at the intersection of WYO 210 (Happy Jack Road) and Range Line Road in Laramie County and has requested an access to her property on Happy Jack Road. The Access Review Committee met on March 21, 2011, but denied her request because of inadequate minimum spacing requirements, as set forth in the Wyoming Department of Transportation (WYDOT) *Access Manual*, and the fact that the property can be accessed from Range Line Road. Mrs. Steiger suffers from chronic health issues that prompted the request. At the April 21, 2011, Commission meeting, Mrs. Steiger contested that emergency medical services could not locate her Range Line Road address and that access to the roadway is difficult during snow events. Mr. Gregg Fredrick subsequently contacted the Laramie County Combined Communication Center (LCCCC), the agency that dispatches emergency services in southeast Wyoming. The LCCCC advised that it uses very sophisticated geographic information system technology and can locate Mrs. Steiger's property should an emergency arise. Mr. Fredrick provided this information to Mrs. Steiger; however, she had some additional concerns that she wanted considered.

Mrs. Steiger further argued that Range Line is a private road and it is not maintained like Happy Jack Road. She further contested that Range Line Road sits at a lower grade and caused a safety concern when entering Happy Jack Road. Mrs. Steiger then asked if the Commission would allow an access on the west corner of her property on Happy Jack Road as a compromise to the situation.

Vice Chairman Latta asked Mrs. Steiger how long she had owned the property. Mrs. Steiger advised that she and her husband purchased the site in January 2011 with the intent of building a new home before they considered the access issue.

Mr. Fredrick asked Mr. Meena to address Mrs. Steiger's concerns about the sight distance at the intersection. Mr. Meena advised that he hadn't personally measured the site distance, but Mr. Randy Greisbach, WYDOT's district traffic engineer, indicated that the Range Line Road approach does meet the minimum site distance requirement. He also noted that at this location there are no passing restrictions on Happy Jack Road.

Mr. Fredrick advised that the approval or denial of access is entirely up to the Commission. It was moved by Commissioner Ertman, seconded by Vice Chairman Latta, and unanimously carried to deny Mrs. Steiger's request for access to her property on Happy Jack Road because of inadequate minimum spacing requirements, as outlined in the WYDOT *Access Manual*; her property can be accessed from Range Line Road; and emergency medical services has determined that they can find the Steigers' Range Line Road address in the event of an emergency.

4. Director Cox presented the Director's report.

Director Cox presented Ms. Mitzi Hailey with a WYDOT Extra Mile Award for her extraordinary efforts in helping to prepare the Commission and various other groups for meetings while in Casper.

5. Mr. Freier presented the monthly Budget report in Mr. Hibbard's absence.

Mr. Freier noted a change in the monthly encumbrance report. The report now reflects projected third-party reimbursements, State Infrastructure Bank (SIB) reimbursements, and inventory encumbrances, which totaled almost \$21 million in April 2011. The detail shows encumbrances for the various contracts that are funded through WYDOT's budget.

6. Mr. Fredrick presented the Engineering and Planning report, beginning with the following bid tabulations from the letting held May 5, 2011, in Cody.

COMMISSION DISTRICT 2
K. John Dooley - Commissioner

Federal project STPU-LA-4223001, involving grading, draining, placing crushed base and bituminous pavement surfacing, retaining walls, curb and gutter, sidewalk, and miscellaneous work on 0.56 mile of Vista Drive, an urban street in Laramie, in Albany County. Completion date – August 31, 2012

Engineer's Estimate	\$1,994,006.05	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$1,654,461.60	-17.0%
Knife River, Cheyenne, WY	\$1,879,529.05	
S & S Builders, LLC., Gillette, WY	\$1,894,293.94	
Reiman Corp., Cheyenne, WY	\$2,032,995.31	

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Anderson, and carried that **Simon Contractors and Subsidiaries, Cheyenne, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder, pending concurrence from Albany County. The Federal Highway Administration concurred with this decision.

Federal project IM-I805166, involving roadway lighting upgrades and miscellaneous work at reference marker (RM) 316.70 at the Laramie Marginal and Grand Avenue interchange, in Albany County. Completion date – October 31, 2011

Engineer's Estimate	\$166,920.00	
Modern Electric Co., Casper, WY	\$146,564.00	-12.2%
W.L. Contractors, Inc., Arvada, CO	\$160,838.00	
Custom Lighting Services, LLC d/b/a Black and McDonald and Subsidiaries, Sandy, UT	\$199,933.00	
Sturgeon Electric Company, Inc., Henderson, CO	\$239,665.00	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried that **Modern Electric Co., Casper, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 4
Jim Hladky - Commissioner**

Federal project IM-HP-0255098, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, structure repair, guardrail, fencing, and miscellaneous work on 9.87 miles along I-25, beginning at RM 279.71, at the Middle Fork Road Interchange, between Kaycee and Buffalo, in Johnson County. Completion date – October 31, 2012

Engineer's Estimate	\$ 8,723,834.90	
Riverside Contracting, Inc., Missoula, MT	\$ 8,988,186.00	+3.0%
Intermountain Construction and Materials, Inc., Gillette, WY	\$ 9,162,564.28	
Mountain Construction Company, Lovell, WY	\$ 9,227,689.74	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$ 9,298,223.76	
Knife River, Cheyenne, WY	\$ 9,761,684.18	
McGarvin-Moberly Construction Company, Worland, WY	\$ 9,780,892.19	
Skanska USA Civil Inc. and Subsidiaries, Cortez, CO	\$ 9,927,831.00	
McMurry Ready-Mix Co., Casper, WY	\$10,936,632.45	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Vice Chairman Latta, and carried that **Riverside Contracting, Inc., Missoula, Montana**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

State projects SSP-TO-P601037, SSP-TO-N432054 and SSP-TO-0303022 combined, involving upgrade of traffic signals and miscellaneous work at the intersections of Coffeen Avenue/Sugarland Drive/Avoca Avenue in Sheridan, and on WYO 59, Southern Drive, WYO 51 and Garner Lake Road in Gillette, Campbell and Sheridan counties. Completion date – September 30, 2011

Engineer's Estimate	\$167,201.25	
Advanced Electrical Contracting, Inc., Sheridan, WY	\$179,317.50	+7.2%
Plus 5% for Comparison	\$188,283.38	
W.L. Contractors, Inc., Arvada, CO	\$180,856.25	
Plus 5% for Comparison	\$189,899.06	
Modern Electric Co., Casper, WY	\$195,289.00	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Vice Chairman Latta, and carried that **Advanced Electrical Contracting, Inc., Sheridan, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

**COMMISSION DISTRICT 7
Clair Anderson - Commissioner**

Federal project NH-N431032, involving milling plant mix, pit run subbase, bituminous pavement surfacing, chip seal, structure repair, and miscellaneous work on 11.01 miles along WYO 59, beginning at RM 45.50, between Douglas and Gillette, in Converse County. Completion date – October 31, 2012

Engineer's Estimate	\$4,442,966.50	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$4,599,818.60	+3.5%
Northern Improvement Company and Subsidiary, Fargo, ND	\$4,611,324.00	
Knife River, Cheyenne, WY	\$4,671,438.58	
McGarvin-Moberly Construction Company, Worland, WY	\$4,705,506.38	
McMurry Ready-Mix Co., Casper, WY	\$4,773,786.75	

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Simon Contractors and Subsidiaries, Cheyenne, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project STP-0707007, involving grading, milling, bituminous pavement surfacing, chip seal, and miscellaneous work on 9.16 miles of WYO 134 on Missouri Valley Road, between RM 0.00 and RM 9.16, in Fremont County. Completion date – October 31, 2012

Engineer's Estimate	\$3,500,525.00	
H-K Contractors, Inc., Idaho Falls, ID	\$2,748,372.00	-21.5%
McGarvin-Moberly Construction Company, Worland, WY	\$3,049,542.31	
Western Wyoming Construction Co., Lander, WY	\$3,195,000.00	
Mountain Construction Company, Lovell, WY	\$3,276,306.02	
LeGrand Johnson Construction Co., Logan, UT	\$3,311,677.00	
McMurry Ready-Mix Co., Casper, WY	\$3,578,246.75	

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Anderson, and carried that **H-K Contractors, Inc., Idaho Falls, Idaho**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

7. Mr. Fredrick presented the following bid tabulations from the informal letting held May 11, 2011, in Cheyenne.

State project SCP-P351029, involving clearing the slope of loose rock, trim blasting as necessary, scaling, loading and hauling rock approximately three miles to a stockpile along the roadway, and miscellaneous work at Milepost 73.40 on U.S. Highway 14A between Lovell and Burgess Junction, in Big Horn County. Completion date – June 3, 2011

Engineer's Estimate	\$226,000.00	
EHC, LLC., Deaver, WY	\$237,000.00	+4.9%
Wilson Bros, Cowley, WY	\$243,100.00	
Oftedal Construction, Inc., Casper, WY	\$284,500.00	
Donnes, Inc., Shepherd, MT	\$310,000.00	
Excel Construction, Sheridan, WY	\$382,500.00	

It was recommended by Mr. Fredrick, moved by Commissioner McCormack, seconded by Commissioner Ertman, and carried that **EHC, LLC, of Deaver, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Mr. Fredrick offered his sincere appreciation for the WYDOT Geology Program staff for their extraordinary efforts in preparing the necessary plans and specifications to let this unusual project in such a short time frame. Chairman Covello concurred with Mr. Fredrick's remarks.

8. Project Authorizations: It was recommended by Mr. Fredrick, moved by Vice Chairman Latta, seconded by Commissioner Dooley, and carried to approve the following project authorizations:

COMMISSION DISTRICT 1

Urban Interstate

IM I251163; Laramie County; I-25 and College Drive interchange; RM 7.85; interchange modification to diverging diamond configuration; FY 2013 construction; request federal preliminary engineering funds of \$260,000

COMMISSION DISTRICT 5

Rural Major Collector

SCP 73.40 P351029; Big Horn County; Lovell to Burgess Junction; RM 73.40 to 73.45; slide repair; FY 2011; request state preliminary engineering funds of \$17,000; and state construction engineering and construction funds of \$275,000

COMMISSION DISTRICT 7

Rural Principal Arterial

NH 122.00 N303054; Fremont County; Diversion Dam to Riverton; RM 122.00 to 130.70; crack surfacing; FY 2012 construction; request federal preliminary engineering funds of \$12,000

COMMISSION DISTRICT M (Miscellaneous)

Various

STP-PM 0.00 B124036; Campbell, Crook, Johnson, Sheridan and Weston counties; Highway District 4, various locations; crack seal; FY 2012 construction; request federal preliminary engineering funds of \$20,000

9. High Risk Rural Roads Program (HRRRP): It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Vice Chairman Latta, and carried to approve the following HRRRP projects:

Sand Hill Road #5	\$ 90,692
Seminole Dam Road #351	\$ 24,613
Pine Ridge #205, Warren Peak #100 and Old Sundance Road #93	\$ 67,382
Sheep Creek County Road #72	\$100,000
County Road #135	\$ 30,767
Hersey Road #49	<u>\$ 95,917</u>
TOTAL	\$409,371

10. Colonel Oyler presented the Highway Patrol report.

The Fatal Crash Summary through April 30, 2011, includes 24 fatal crashes involving 27 deaths. The fatalities include 15 rollover crashes, 9 multi-car crashes, 5 commercial vehicles, 1 pedestrian, and 2 fixed objects.

There have been 10 crashes to date deemed alcohol related that resulted in 13 deaths. Of those deaths, 10 were attributed to not using occupant restraints.

Of the 27 deaths that have occurred to date in 2011, 17 can be attributed to the non-use of occupant restraints, with 14 involving rollover crashes, 2 involving multi-car collisions, and 1 involving a fixed object. Of the 17 deaths that occurred from non-use of occupant restraints, 9 were Wyoming residents and 8 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through March 31, 2011. The summary depicts 515 crashes statewide, of which 422 involved non-commercial vehicles and 93 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of April 30, 2011, have been DUI related. There have been 446 field arrests made so far this year, including:

- DUI arrests from crashes – 41
- DUI arrests from traffic stops – 176
- DUI arrests from the REDDI Program – 46
- DUI arrests from ports-of-entry – 3
- NCIC hits (person) – 15
- Wyoming warrants hits – 49
- Drug arrests – 47
- Other arrests – 69

11. Mr. Byrne presented the Aeronautics report, including the April 2011 Aeronautics Flight Operations Passenger Summary Report and the Wyoming Aircraft Accident Report.

12. Mr. Shultz presented the Operations report.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to approve purchase for bid number 11-126 to furnish WYDOT's FY 2011 A-133 audit services. The bid was awarded to Clifton Gunderson, of Broomfield, Colorado, for the sum of \$119,300.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried to approve purchase for bid number 11-152 to furnish and assemble one modular office building at the WYDOT office in Sheridan, Wyoming. The bid was awarded to ModSpace, of Aurora, Colorado, for the sum of \$231,771.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Anderson, and carried to approve purchase for bid number 11-158 to construct a salt storage building at the WYDOT office in Sundance. The bid was awarded to Rimfire Enterprises, of Carpenter, Wyoming, for the sum of \$54,192.42.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner McCormack, and carried to approve purchase for bid number 11-160 to fell and/or remove hazardous trees along WYO 230 in Albany County. The bid was awarded to Platte Valley Forests Management, of Encampment, Wyoming, for the sum of \$202,860.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Commissioner Dooley, and carried to approve purchase for bid number 11-164 to furnish asbestos abatement at the WYDOT district office (Building No. 6140) in Laramie, Wyoming. The bid was awarded to Seneca Environmental, of Denver, Colorado, for the sum of \$102,695.

13. Mr. McOmie presented the Chief Engineer's report.

Snow Removal on WYO Highway 130: Snowy Range Pass has received record snowfall this winter. The annual benchmark for opening the highway is Memorial Day, and crews are working 12-hour shifts, using six rotary plows and bulldozers, in an attempt to meet the deadline. The extreme snow drifting necessitated renting ski groomers to push the snow downward, as the rotary plows are not able to reach the top of the 25-foot drifts. Significant snow continues to fall in the area, which has defied snow removal efforts. Mr. McOmie noted that this year may be the first time in recent history that the pass will not be open by Memorial Day. Snow removal efforts will significantly impact the Department's snow removal budget.

Land Slides: The Department is currently contending with several major slides around the state, one each on US Highway 14A, I-90 between Sheridan and Buffalo, the Snake River Canyon, and another in District 3 that occurred in the past 24 hours. Additional slides are anticipated because of the significant moisture that has been received around the state.

Potential Spring Flooding: Spring runoff will be a major event this year because of heavy snow totals, and heavy flooding is expected around the state. The Baggs and Encampment areas are potential targets for intense flooding, and the Department has provided over 30 loads of sand to the Wyoming State Penitentiary in preparation of the event. Repairs are ongoing from last year's Fremont County flood damage, and Mr. McOmie indicated that temporary bridges may be needed. Department staff is proactively working with Wyoming's Emergency Management Agency as a precautionary measure to prepare for the outcome.

Re-listing of Endangered Species: The Department was recently notified by the Wyoming Attorney General's office that the Preble's Meadow Jumping Mouse may soon be re-listed in Wyoming. The area of concern is in southeastern Wyoming in the Cheyenne area, north to Casper. Information has been requested from WYDOT about its experience with the species. Mr. McOmie stated that re-listing of the mouse could jeopardize the future of many highway projects. A sub-species of the Preble's Mouse may also be listed in northeast Wyoming, which will undoubtedly impact the Department's environmental process.

14. It was moved by Vice Chairman Latta, seconded by Commissioner Dooley, and carried to adjourn the meeting. Chairman Covello adjourned the meeting at 3:27 p.m., on Thursday, May 12, 2011.