

## **TRANSPORTATION COMMISSION OF WYOMING**

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on February 17, 2016. The business meeting was convened at 8:30 a.m. by Chairman Anderson. The following members were present constituting a quorum:

Clair Anderson, Chairman, Riverton  
K. John Dooley, Vice Chairman, Laramie  
Bruce McCormack, Commissioner, Cody  
Bob Ruwart, Commissioner, Wheatland  
Todd Seeton, Commissioner, Jackson  
Mike Larson, Commissioner, Lusk  
Rick Newton, Commissioner, Buffalo  
Bill Panos, Director  
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting was: Gregg Fredrick, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Ken Shultz, Assistant Chief Engineer for Operations; Tom Loftin, Support Services Administrator; Colonel Kebin Haller, Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Mike Kahler, Senior Assistant Attorney General; Sam Voyles, Assistant Attorney General; Rodney Freier, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Ms. Diane Shober, Executive Director, Wyoming Office of Tourism; and Kristin Phipps, Visitor Engagement Senior Manager, Wyoming Office of Tourism.

1. Pledge of Allegiance: Chairman Anderson led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to approve the minutes from the January 21, 2016, breakfast meeting, regular business meeting, executive session, and education session.
3. Correspondence: Secretary Scott presented a letter from Mr. River Pilot, of Cheyenne, regarding the disposal of certain surplus road signs. The letter was received by email on February 3, 2016, and proposes that WYDOT sell its old road signs to the public. Mr. Shultz will address this topic under the Operations report later in the meeting.

Secretary Scott also presented a letter from Mr. Donald N. Stratton, of Sandstone Ranches in Rawlins, Wyoming, regarding a right-of-way matter involving a proposed fence project to keep cattle from entering the city. Mr. Fredrick will address this topic under the Chief Engineer's report later in the meeting.

4. Director Panos presented the Director's report.

American Association of State Highway & Transportation Officials (AASHTO) Legislative Briefing: The annual AASHTO Legislative Briefing will be held in Washington, D.C., February 23-24, 2016. Director Panos will take that opportunity to meet with Wyoming's delegation while in Washington, D.C., and he also hopes to meet with Deputy Secretary of Transportation Victor Mendez to discuss the pilot shortage and other Wyoming air service issues.

Legislative Update: The legislative session has been focused on the revenue shortfall, but some bills have come forward that impact WYDOT.

The recent passage of a new federal surface transportation bill, the FAST Act, stabilizes the Department's funding over the next five years. The FAST Act reinstates Abandoned Mine Lands (AML) funding to states, which was withheld from states when MAP-21 was passed six years ago. On February 15, the legislature proposed taking \$164 million in federal mineral royalty funding over the next biennium that normally would have come to WYDOT for highways, and supplanting it with \$164 million in AML funds. The AML funds must be applied for through a grant process, which will likely delay WYDOT's ability to let projects in a timely fashion. In an effort to eliminate the delay, the legislature plans to approve an additional \$160 million in borrowing authority, for a total of \$260 million in borrowing authority from the General Fund. The additional \$160 million could be borrowed interest-free to ease cash flow.

On February 16, the legislature proposed a budget amendment to designate \$24 million from the \$164 million as relief funding for a road in northeast Wyoming that has been severely impacted by coal truck traffic. Another amendment would have designated \$10 million for a different project. WYDOT has a six-year transportation plan through its State Transportation Improvement Program (STIP), by which it prioritizes its projects and funding needs. Both amendments failed, and other options are being sought to address those projects.

Director Panos is comfortable with the outcome of legislative matters so far, but noted that it's important for commissioners to continue to engage with legislators through the end of the session and throughout the year.

The WyoLink budget has been reduced, so a slight "strategy shift" has been offered that will slow its progression.

District Construction Engineer (DCE) and Resident Engineer (RE) Meetings: Director Panos and Chief Engineer Fredrick have been traveling to attend district staff meetings to present information about the budget. The meetings have had good results.

Director Panos offered kudos from Governor Mead for the Highway Patrol's efforts in commissioning the new troopers, their extraordinary drug interdiction, and for work during the recent snow storms.

5. Mr. Freier presented the Budget report.

FY 2016 Snow Control Budget: Mr. Freier provided a handout depicting the status of WYDOT's FY 2016 snow control budget. The Department has spent \$14,366,848 so far in FY 2016, which is about \$2.8 million higher than the last six-year average.

Monthly Budget Report: The January 2016 budget report revealed that the Commission and Legislative budgets are both 33 percent expended, which meets the target budget tolerances.

6. Mr. Fredrick presented the Chief Engineer's report.

Request for Permission to Market Merchandise at Wyoming Welcome Centers: Ms. Shober presented a request to sell merchandise at four of Wyoming's rest areas, including the I-25 Welcome Center, the I-90 Welcome Center, the Sheridan Rest Area, and the Summit Rest Area on I-80. The Wyoming Department of Tourism is interested in merchandising T-shirts, caps, and water bottles at the four rest areas via vending machines, through credit cards transactions. According to Ms. Shober, other states have successful merchandising programs that have been approved by the Federal Highway Administration.

In 2015, the Wyoming Office of Tourism hired a vendor to produce merchandise for Wyoming's 125<sup>th</sup> anniversary. Merchandise was generated using Wyoming's licensed brand, and this has been successfully sold at retailers statewide. Royalties on the sold merchandise were paid to the Wyoming Office of Tourism.

Ms. Shober indicated that the Southeast and Northeast Wyoming Welcome Centers were constructed using State General Funds, not federal funds, and neither of them sits within the federal highway right-of-way. The Office of Tourism is asking for the Commission's concurrence to further its good working relationship between the agencies, and to gain insight from WYDOT's experience.

If the Commission approved the request, a draft request for proposal (RFP) to examine private operators to manage a statewide merchandising program through retail partners, through an online platform, and limited sales through the welcome centers. The Southeast Wyoming Welcome Center on I-25 would serve as the pilot program in 2016/2017.

Mr. Dailey advised that further information is necessary before he can recommend whether the project is achievable. From his preliminary research, the U.S. Code of Federal Regulations states that no commercial activity is allowed at rest areas that were built after 1961. According to 23 CFR 123, "rest areas are devoted to public highway use only." Vending machines at rest areas have been allowed in rare instances with approval through an application process. In instances where vending machines have been approved, advertising outside the facility and retail sales are not allowed if federal funds were used to purchase the land, construct the parking areas or roadways to the facility, or to build the structure. Mr. Dailey advised that he would gather further information for presentation at the next Commission meeting.

Ms. Shober indicated she was merely looking for ways to promote Wyoming's brand, and would like to explore the possibilities.

Vice Chairman Dooley voiced his concern about the State of Wyoming competing with small businesses that are currently retailing Wyoming products. Ms. Shober advised that her intent is not to compete with private industry.

The Commission asked Mr. Dailey to explore the options of marketing Wyoming branded items at Wyoming rest areas. Mr. Fredrick advised he will work with the Federal Highway Administration to obtain the necessary information to create a plan, which will ultimately be presented to the Commission for its consideration.

Summit Rest Area Caretaker Resignation: The caretaker of the Summit Rest Area resigned January 27, 2016, and the rest area has been closed since that time. The district office has reviewed the contract requirements and will advertise and solicit bids for a new caretaker. In the effort to reopen the rest area as soon as possible, a temporary caretaker will be hired until the bids are received and the permanent caretaker is hired.

Sandstone Ranches Letter: The Commission recently received a letter from Sandstone Ranches of Rawlins, Wyoming. Mr. Donald Stratton, President, indicated that Sandstone Ranches recently purchased the grazing rights north of Rawlins and west of Wyoming Highway 287, and cattle have entered the city of Rawlins in the past. Mr. Stratton proposed constructing a fence to alleviate the problem.

Mr. Fredrick advised that the matter has been referred to the WYDOT district office and the Right-of-Way Program to address the issue. An update will be provided to the Commission at its March 17, 2016, business meeting.

WYDOT Operating Policy (OP) 19-2. Surplus Real Property-Sale, Disposal, Relinquishment: Mr. Fredrick advised that OP 19-2 contains some redundant language to Chapter 25 of the WYDOT Rules and Regulations, which has the full force and affect of law. Mr. Fredrick would like to change the operating policy so it simply references the rules and regulations.

OP 19-2 requires Commission approval of property trade or sales over \$250,000, and the director can approve property trade or sales between \$100,000 and \$250,000. Mr. Fredrick would also like to update the approval thresholds, which have not been updated since 2006. Since 2012, the Department has disposed of 24 properties, of which 11 were between \$100,000 and \$250,000, and 2 were over \$250,000. The average sale price of Wyoming properties in 2014 was \$263,000. County-wide, the minimum average sale price in Wyoming was \$125,000, and in 14 counties the average sale price was over \$214,000. For these reasons, Mr. Fredrick proposed the monetary limits be doubled in Basic OP 19-2.

It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Larson, and carried to increase the monetary approval thresholds outlined in OP 19-2. The entire policy will be reviewed for other necessary changes and will be presented later to the Commission for approval.

7. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held February 11, 2016, in Cheyenne.

**COMMISSION DISTRICT 1**  
**Bob Ruwart - Commissioner**

Federal project STP-PM-B161007, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, and miscellaneous work on 4.51 miles at various locations in Transportation District 1, in Laramie County. Completion date: October 31, 2016

|   |                       |              |
|---|-----------------------|--------------|
| Engineer's Estimate   | \$1,212,370.00        |              |
| <b>Simon Contractors and its Subsidiaries, Cheyenne, WY</b> | <b>\$1,139,097.89</b> | <b>-6.0%</b> |
| Knife River, Cheyenne, WY                                   | \$1,176,169.00        |              |
| Mountain Construction Company, Lovell, WY                   | \$1,438,974.26        |              |

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner McCormack, and carried that **Simon Contractors and its Subsidiaries, Cheyenne, WY**, 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 DISTRICTS 1 and 2**  
**Bob Ruwart - Commissioner**  
**K. John Dooley - Vice Chairman**

Federal project STP-PM-B161008, involving grading, placing crushed base, concrete slab replacement, and miscellaneous work at various locations in Transportation District 1, in Albany and Laramie counties. Completion date: September 30, 2016

|  |                     |               |
|--|---------------------|---------------|
| Engineer's Estimate                                  | \$467,475.00        |               |
| <b>S &amp; S Builders, LLC, Gillette, WY</b>         | <b>\$535,290.00</b> | <b>+14.5%</b> |
| Simon Contractors and its Subsidiaries, Cheyenne, WY | \$550,596.00        |               |
| Reiman Corp. and Subsidiary, Cheyenne, WY            | \$666,890.00        |               |
| Interstate Improvement, Inc., Faribault, MN          | \$676,965.00        |               |

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried that **S & S Builders, LLC, Gillette, WY**, 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 2**  
**K. John Dooley - Vice Chairman**

Federal project STP-PM-B161006, involving chip sealing and miscellaneous work on 17.23 miles at various locations in Transportation District 1, in Albany and Carbon counties. Completion date: August 31, 2016

|   |                      |              |
|---|----------------------|--------------|
| Engineer's Estimate                                     | \$ 836,594.00        |              |
| <b>Intermountain Slurry Seal, Inc., Watsonville, CA</b> | <b>\$ 831,722.00</b> | <b>-0.6%</b> |
| Knife River, Cheyenne, WY                               | \$ 836,217.00        |              |
| Bituminous Paving, Inc., Ortonville, MN                 | \$ 865,800.00        |              |
| Simon Contractors and its Subsidiaries, Cheyenne, WY    | \$ 867,549.50        |              |
| Oldcastle SW Group, Inc., Grand Junction, CO            | \$1,058,505.00       |              |

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried that **Intermountain Slurry Seal, Inc., Watsonville, CA**, 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 3 Todd Seeton - Commissioner

Federal project NHPPI-BR-B163001, involving grading, bridge rehabilitations, and miscellaneous work on Interstate 80 at various locations in Transportation District 3, in Uinta County. Completion date: October 31, 2016

|  |                       |              |
|--|-----------------------|--------------|
| Engineer's Estimate                                | \$1,865,485.00        |              |
| <b>Cannon Builders, Inc., Blackfoot, ID</b>        | <b>\$1,831,690.00</b> | <b>-1.8%</b> |
| JM Concrete, Inc., Idaho Falls, ID                 | \$2,204,728.50        |              |
| Gerber Construction, Inc. and subsidiary, Lehi, UT | \$2,290,101.90        |              |
| Reiman Corp. and Subsidiary, Cheyenne, WY          | \$2,366,968.75        |              |

It was recommended by Mr. Fulton, moved by Commissioner Seeton, seconded by Commissioner Larson, and carried that **Cannon Builders, Inc., Blackfoot, ID**, 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 NHPP-BR-B153113, involving bridge rehabilitation and miscellaneous work at various locations in Transportation District 3, in Lincoln and Teton counties. Completion date: October 31, 2016

|  |                     |               |
|--|---------------------|---------------|
| Engineer's Estimate                                | \$443,543.00        |               |
| <b>Cannon Builders, Inc., Blackfoot, ID</b>        | <b>\$286,760.00</b> | <b>-35.3%</b> |
| The Truesdell Corporation, Tempe, AZ               | \$303,303.00        |               |
| Gerber Construction, Inc. and subsidiary, Lehi, UT | \$339,387.00        |               |
| A & A Painting, LLC, Campbell, OH                  | \$374,898.00        |               |
| Reiman Corp. and Subsidiary, Cheyenne, WY          | \$504,073.00        |               |

It was recommended by Mr. Fulton, moved by Commissioner Seeton, seconded by Commissioner McCormack, and carried that **Cannon Builders, Inc., Blackfoot, ID**, 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**  
**Rick Newton - Commissioner**

Federal projects STPU-SH-U330008 and ARSCT-U330A01 combined, involving grading, draining, placing crushed base, the option of bituminous pavement surfacing or concrete pavement, removal and replacement of sidewalk, curb and gutter, and miscellaneous work on 0.97 mile of 5<sup>th</sup> Street, beginning at RM 2.61, in the town of Sheridan, in Sheridan County. Completion date: October 31, 2016

|  |                       |               |
|--|-----------------------|---------------|
| Engineer's Estimate  | \$3,413,421.10        |               |
| <b>Mountain View Building, Inc., Sheridan, WY</b>            | <b>\$2,887,800.00</b> | <b>-15.4%</b> |
| Simon Contractors and its Subsidiaries, Cheyenne, WY         | \$2,896,033.95        |               |
| Earth Work Solutions, Gillette, WY                           | \$3,416,576.27        |               |
| Wilson Bros. Construction, Inc., Cowley, WY                  | \$3,575,892.00        |               |
| Century Companies, Inc. and Affiliates, Lewistown, MT        | \$3,644,087.50        |               |
| Powder River Construction, Inc. and Subsidiary, Gillette, WY | \$3,821,128.50        |               |
| S & S Builders, LLC, Gillette, WY                            | \$3,886,832.60        |               |
| Hedquist Construction, Inc., Mills, WY                       | \$4,393,812.95        |               |

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried that **Mountain View Building, Inc., Sheridan, WY**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be conditionally awarded the contract as low bidder, pending concurrence from the City of Sheridan and Sheridan County. The Federal Highway Administration concurred with this decision.

State project ARSCT-N372043, involving grading, placing crushed base and plant mix surfacing, and miscellaneous work on 0.136 mile of US 14, beginning at RM 88.21 on Ranchester Five Mile Road, in Sheridan County. Completion date: June 30, 2016

|  |                     |               |
|--|---------------------|---------------|
| Engineer's Estimate                                  | \$242,180.00        |               |
| <b>Earth Work Solutions, Gillette, WY</b>            | <b>\$149,986.10</b> | <b>-39.3%</b> |
| Simon Contractors and its Subsidiaries, Cheyenne, WY | \$269,465.00        |               |

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and carried that **Earth Work Solutions, Gillette, WY**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

**COMMISSION DISTRICT 5**  
**Bruce McCormack - Commissioner**

State project SCP-TC-N345094, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, chip seal, and miscellaneous work on 4.48 miles of US

310, beginning at RM 211.59, between Greybull and Lovell, in Big Horn County. Completion date: October 31, 2016

|  |                       |              |
|--|-----------------------|--------------|
| Engineer's Estimate  | \$1,426,517.50        |              |
| <b>Mountain Construction Company, Lovell, WY</b>                 | <b>\$1,425,105.87</b> | <b>-0.1%</b> |
| H-K Contractors, Inc., Idaho Falls, ID                           | \$1,393,977.00        |              |
| Plus 5% for Comparison   | \$1,463,675.85        |              |
| Century Companies, Inc. and Affiliates, Lewistown, MT            | \$1,432,107.00        |              |
| Plus 5% for Comparison   | \$1,503,712.35        |              |
| McGarvin-Moberly Construction Co. and subsidiary,<br>Worland, WY | \$1,570,381.48        |              |
| Riverside Contracting, Inc., Missoula, MT                        | \$1,796,315.00        |              |
| Plus 5% for Comparison   | \$1,886,130.75        |              |

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Newton, and carried that **Mountain Construction Company, Lovell, WY**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

**COMMISSION DISTRICT 6**  
**Mike Larson - Commissioner**

Federal project STP-1401011, involving grading, fencing, and miscellaneous work on 0.094 mile of WYO 270, east of Lance Creek at the Old Woman Creek, in Niobrara County. Completion date: October 31, 2016

|  |                     |               |
|--|---------------------|---------------|
| Engineer's Estimate                                    | \$157,125.00        |               |
| <b>Dan Hart Patrol Service, LLC, Upton, WY</b>         | <b>\$ 99,216.54</b> | <b>-36.9%</b> |
| Earth Work Solutions, Gillette, WY                     | \$100,643.11        |               |
| Oftedal Construction, Inc., Casper, WY                 | \$154,344.00        |               |
| 71 Construction, Casper, WY                            | \$163,514.50        |               |
| Pine Bluffs Gravel & Excavating, Inc., Pine Bluffs, WY | \$167,856.40        |               |

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Ruwart, and carried that **Dan Hart Patrol Service, LLC, Upton, WY**, 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 7**  
**Clair Anderson - Chairman**

State project SCP-TC-BR-B162012, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, bridge rehabilitation, and miscellaneous work at various locations in Transportation District 2, in Natrona County. Completion date: October 31, 2016

|  |                       |              |
|--|-----------------------|--------------|
| Engineer's Estimate                              | \$2,057,420.90        |              |
| <b>Reiman Corp. and Subsidiary, Cheyenne, WY</b> | <b>\$1,954,288.20</b> | <b>-5.0%</b> |
| S & S Builders, LLC, Gillette, WY                | \$2,074,972.20        |              |

It was recommended by Mr. Fulton, moved by Commissioner Seeton, seconded by Commissioner Larson, and carried that **Reiman Corp. and Subsidiary, Cheyenne, WY**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal project STP-PM-B165025, involving chip sealing and miscellaneous work at various locations in Transportation District 5, in Fremont and Natrona counties. Completion date: August 31, 2016

|   |                       |              |
|---|-----------------------|--------------|
| Engineer's Estimate   | \$1,258,789.00        |              |
| <b>Intermountain Slurry Seal, Inc., Watsonville, CA</b>     | <b>\$1,241,335.00</b> | <b>-1.4%</b> |
| Bituminous Paving, Inc., Ortonville, MN                     | \$1,317,132.50        |              |
| Hardrives Construction, Inc. and subsidiaries, Billings, MT | \$1,317,140.54        |              |
| H-K Contractors, Inc., Idaho Falls, ID                      | \$1,353,977.00        |              |
| Knife River, Cheyenne, WY                                   | \$1,392,676.50        |              |
| 71 Construction, Casper, WY                                 | \$1,436,071.00        |              |
| Mountain Construction Company, Lovell, WY                   | \$1,542,958.31        |              |
| Riverside Contracting, Inc., Missoula, MT                   | \$1,629,755.50        |              |

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner McCormack, and carried that **Intermountain Slurry Seal, Inc., Watsonville, CA**, 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.

8. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through January 31, 2016, includes 6<sup>1</sup> fatal crashes involving 6<sup>1</sup> deaths. The fatalities include 3 rollover crashes, 2 multi-car crashes, and 1 fixed object. Of the 6 fatal crashes that occurred so far this year, 3<sup>2</sup> involved commercial vehicles.

There have been 3 fatal crashes to date deemed drug or alcohol related, resulting in 3 deaths. All of those deaths were attributed to not using occupant restraints. One was a rollover crash, one

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<sup>1</sup>Numbers at the time of reporting; final numbers may change.

<sup>2</sup>Number not included in total deaths (sub-crash data).

was a multi-car crash, and one involved a fixed object. Of the three fatalities, one<sup>2</sup> involved a commercial vehicle.

There have been 3<sup>3</sup> crashes to date deemed drug or alcohol related, resulting in 3<sup>3</sup> deaths. None of those who died were properly restrained.

Of the 6 deaths that have occurred to date this year, 6 can be attributed to the non-use of occupant restraints, with 3 involving rollover crashes, 2 involving a multi-car collision, and 1 involving a fixed object. Of the 6 deaths that occurred from non-use of occupant restraints, 4 were Wyoming residents, and 2 were non-residents. Two of those who perished were under 21 years of age, and 1 of those fatalities was attributed to the failure to use proper occupant restraints.

Seven fatal crashes have occurred through February 8, 2016. Two occurred on primary/secondary highways, four occurred on interstate highways, and one occurred on a city/county road.

No multiple-fatality crashes have occurred on Wyoming highways so far this year.

Inclement weather and poor road conditions have not contributed to any vehicle crashes so far this year, but speed was considered a factor in 3 crashes, causing 3 deaths.

The days of the week for fatal crashes in 2016 are as follows:

|           |           |
|-----------|-----------|
| Sunday    | 2 crashes |
| Monday    | 4 crashes |
| Tuesday   | 0 crashes |
| Wednesday | 0 crashes |
| Thursday  | 0 crashes |
| Friday    | 1 crashes |
| Saturday  | 0 crashes |

The times of day for fatal crashes in 2016 are as follows:

|                         |           |
|-------------------------|-----------|
| 12:00 a.m. to 6:00 a.m. | 2 crashes |
| 6:00 a.m. to 12:00 p.m. | 1 crashes |
| 12:00 p.m. to 6:00 p.m. | 2 crashes |
| 6:00 p.m. to 12:00 a.m. | 2 crashes |

The following 2016 crash statistics were also shared with the Commission:

- None who died in rollover crashes were wearing seat belts.
- Half of those who died in multi-vehicle crashes were not wearing seat belts.
- None who died in crashes when hitting a fixed object were wearing seat belts.

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<sup>3</sup>Not all chemical test results were available at the time of reporting.

- Of the 6 fatalities involving those who weren't wearing seat belts, 4 were Wyoming residents and 2 were non-residents.
- All 4 Wyoming residents who perished were not wearing seat belts.
- Sixty-six percent of the 3 non-resident fatalities were not restrained.
- Half the fatalities under age 21 were not properly restrained.
- Alcohol and/or drug impairment was a factor in 57 percent of the fatalities and 57 percent of the fatal crashes.

Patrol-Investigated Crash Summary: As of January 31, 2016, the Patrol-Investigated Crash Summary depicts 6,229<sup>4</sup> crashes statewide, of which 5,174<sup>4</sup> involved non-commercial vehicles, and 1,055<sup>4</sup> involved commercial vehicles.

The 2015 year-end fatal crash pin map was also presented to the Commission. The map depicted that the highest number of fatal crashes occurred in Fremont, Natrona, and Laramie counties last year.

Captain Tom Pritchard, of Worland, will provide an education session later in the day to discuss crash investigations. The education session will cover the process, technology, training, and resources that go into processing a Wyoming Highway Patrol (WHP) crash scene.

Colonel Haller advised that a new lieutenant has been selected to fill a vacancy in Evanston. Trooper Matt Arnell has worked for the WHP for 15 years, and Colonel Haller is confident he will serve the state well as a lieutenant.

The WHP has been very involved in keeping up with many legislative bills during the session.

The WHP is also continuing its efforts in law enforcement interdiction activity, with a focus on safety and successful prosecution.

The WHP is extending its training for workplace safety, with an accent in the area of "active shooter" training. Training began in January with four 4-hour training sessions at the Wyoming State Capitol Building, with focus on the top elected official and their staff. Colonel Haller believes the training has been very well received, and the program will offered to all state employees statewide. City and county employees will also be invited to attend.

Commissioner Ruwart asked Colonel Haller about the recent storms and offered his appreciation for the WHP's involvement in reaching out to stranded motorists.

9. Mr. Byrne presented the Aeronautics report.

Worland Essential Air Service (EAS) Program: On February 4, 2016, the Worland Airport received notice from the U.S. Department of Transportation that it must show cause for why the department should not pull Worland's eligibility for EAS funding. Worland has 20 days to respond.

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<sup>4</sup>Does not contain all crashes worked; some reports are still pending.

Mr. Byrne believes that the increased dependency on subsidies, unreliable air service, and the recent developments with the pilot shortage are to blame for the action. If Worland loses its air service, Riverton will likely feel the negative effects of the loss.

WYDOT is coordinating a letter-writing campaign to show why the eligibility should not be dropped, and that Worland be allowed an opportunity to select another carrier to improve air service reliability. Wyoming's Congressional delegations, Worland and Riverton community leaders, and the Governor have been asked to assist any way they can.

Transportation Safety Administration (TSA) Staffing: When Great Lakes Aviation pulled out of Sheridan last year, so did the TSA. On February 11, 2016, United States legislators introduced a bill that would require the TSA to reinstate their service at smaller airports, like the Sheridan Airport, that lost air service after January 2013 if an airline had made a promise to serve that community. Wyoming's delegation is signed onto the bill, and there is great support from other legislators. Mr. Byrne will keep the Commission informed of its progress.

Director Panos advised that the Department will continue to fight for sustainable commercial air service throughout Wyoming. The goal is to develop a long-range plan that involves being proactive, structural, and sustainable.

10. Mr. Shultz presented the Operations report.

Mr. Myke Thurman, General Manager for Cate Rental & Sales, LLC, joined the meeting by phone.

The lowest bid on Bid No. 16-095 was deemed irregular because the bidder, Cate Rental & Sales, LLC, did not complete the actual bid form on the bid proposal. Mr. Shultz advised that the second low bid met the bid requirements.

Mr. Thurman asked the Commission to consider his bid as submitted. The bid specifications required that vendors bid the sweeper alone and the broom/blade attachment separately, but there was no place on the bid documents to provide details of the broom/blade attachment. Mr. Thurman included an attachment to his bid proposal to provide further explanation of his bid. The attachment was on Cate Rental & Sales' letterhead, and it quoted the base price, the price with the option, and the total price. Mr. Thurman signed the terms and conditions portion of the bid documents, and advised that they would adhere to the terms of the agreement should the Commission choose to award the contract to his company.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Seeton, and unanimously carried to approve purchase for bid number 16-095 to furnish three each, self-propelled sweepers, for delivery in Basin, Evanston, and Lander. The bid was awarded to Normont Equipment Company, of Black Eagle, Montana, for the sum of \$149,745.00.

Mr. Thurman left the meeting.

11. It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to approve, by consent, the following bids:

- Bid number 16-087 to furnish 2,219.17 feet of bridge rail/guard rail, and 14,673 each pieces of hardware for the bridge rail/guardrail, for use at various statewide locations. The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$226,619.17.
- Bid number 16-092 to furnish 390,000 pounds of asphalt patching material, cold patch, for use at various state locations. The bid was awarded to Teton Steel, of Casper, Wyoming, for the sum of \$59,750.00.
- Bid number 16-096 to furnish two each, new, current model, all-wheel-drive, tractor and front-end loader attachments, for delivery in Evanston and Rawlins. The bid was awarded to Rose Bros, Inc., of Lingle, Wyoming, for the sum of \$112,217.74.
- Bid number 16-102 to furnish 106 each, cattle guard sections, wings, and bases, for use at various statewide locations. The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$76,162.00.

12. Chairman Anderson recessed the meeting at 11:49 a.m., on Thursday, February 18, 2016. The Commission attended lunch with the service award recipients.

13. Chairman Anderson reconvened the meeting at 1:34 p.m., on Thursday, February 18, 2016.

Mr. Sam Voyles did not return to the meeting.

Major Jones and Captain Pritchard entered the meeting.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to approve purchase for bid number 16-070 to furnish a roof replacement for Building Number 6189, the Resident Engineer's building at WYDOT Headquarters in Cheyenne. The bid was awarded to Gem City Roofing, of Laramie, Wyoming, for the sum of \$125,924.00.

It was recommended by Mr. Shultz, moved by Commissioner Larson, seconded by Commissioner McCormack, and carried to approve purchase for bid number 16-078 to furnish 20,575 each steel delineator posts, for delivery at Basin, Buffalo, Casper, Douglas, Granger, Laramie, and Wheatland.

Commissioner Ruwart noted that the Department pays considerably more when the Commission makes a hard and fast rule of awarding to the second or third low bidder when the lowest bid proposal has a very minor irregularity. Mr. Shultz advised that the Commission has broad discretion in awarding bids, but disregarding small irregularities compromises the integrity of the bid process.

The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$136,935.00. Commissioner Ruwart voted no.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Larson, and carried to reject purchase for bid number 16-093 to furnish one each, new, current model crane with digger and winch, 50-foot working height; and to reject bid

number 16-094 to furnish one each, new, current model crane with digger and winch, 53-foot working height. These items will be rebid later.

It was recommended by Mr. Shultz, moved by Commissioner Ruwart, seconded by Commissioner Seeton, and carried to approve purchase for bid number 16-099 to furnish 616 sheets of sign-grade plywood, for delivery at the Sign Shop at WYDOT Headquarters in Cheyenne. The bid was awarded to Burt Forest Products, Inc., of Ann Arbor, Michigan, for the sum of \$55,144.76.

It was recommended by Mr. Shultz, moved by Commissioner Larson, seconded by Commissioner Ruwart, and carried to approve purchase for Requisition Number 0000040844 to furnish one each microwave configuration service portal express software, for use by the WYDOT Telecommunications Program in Cheyenne. The contract was awarded to Alcatel-Lucent USA, Inc., of Murray Hill, New Jersey, for the sum of \$150,000.00.

14. Request to Market Old WYDOT Signs: Mr. River Pilot recently wrote to the Commission asking for permission to market the old signs that are mounted on the wall of the WYDOT Sign Shop in Cheyenne. Mr. Shultz advised that Mr. Pilot has also expressed an interest in selling the old items on display in the lobby at the Headquarters building and the license plate collection at the Motor Vehicle Services production plant. These memorabilia have considerable value on the open market because of their uniqueness and age, but they are a part of Wyoming's transportation history and part of WYDOT's heritage.

It was recommended by Mr. Shultz, moved by Commissioner Newton, seconded by Commissioner Seeton, and unanimously carried to deny the request from Mr. River Pilot to market the signs at the WYDOT Sign Shop, the items on display in the lobby, and the antique license plates on display at the Motor Vehicle Services Production Plant, based on the priceless historical value of the collections.

15. Summit Rest Area Janitorial Contract: A long-term contract will be opened on March 2, 2016, for the I-80 Summit Rest Area janitorial contract. The rest area is closed until a vendor can be hired to clean and care for the facility. Mr. Shultz noted that the next Commission meeting is March 17, which would delay the award of contract.

It was recommended by Mr. Shultz, moved by Commissioner Newton, seconded by Commissioner Larson, and carried to authorize WYDOT executive staff to award the contract administratively before the next regular Commission business meeting, with Chairman Anderson's consent, which is within the director's authorization threshold.

16. It was moved by Commissioner Seeton, seconded by Commissioner Ruwart, and carried to move into executive session to discuss two legal matters. The Commission went into executive session at 2:06 p.m. on Thursday, February 18, 2016.

Messrs. Fulton, Shultz, Loftin, Byrne, Freier, McGee, and Dailey left the meeting.

17. It was moved by Commissioner Seeton , seconded by Commissioner Larson, and carried to come out of executive session. The Commission came out of executive session at 2:38 p.m. on Thursday, February 18, 2016.

18. It was moved by Commissioner Seeton, seconded by Commissioner Newton, and carried to adjourn the meeting. Chairman Anderson adjourned the meeting at 2:38 p.m., on Thursday, February 18, 2016.