

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on January 19, 2012. The meeting was convened at 8:30 a.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; Lieutenant Colonel John Butler, Interim Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Doug Moench, Senior Assistant Attorney General; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

1. Pledge of Allegiance: Chairman Covello led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Vice Chairman Latta, seconded by Commissioner Anderson, and carried to approve the minutes from the December 7, 2011, informal meeting, and the December 8, 2011, regular business meeting.
3. Correspondence: Secretary Scott presented a January 2, 2012, letter from Ms. Alice Platt regarding her request for an additional access to her property located in Carbon County. In her letter, Ms. Platt requested a temporary use permit so that she can begin working on her property. Ongoing problems have prevented Ms. Platt from acquiring a joint access to her property with the adjoining landowner. The request was forwarded to the office of the district traffic engineer in Laramie for action. District staff has a meeting scheduled with Ms. Platt on January 27, 2012, to discuss the procedures for acquiring a temporary use permit.
4. Director Cox presented the Director's report.

Federal Funding Update: Director Cox recently received an e-mail from Mr. John DeVierno, who works in Washington, D.C., for the five-state coalition. Mr. DeVierno indicated that the U.S. Senate was working on a two-year bill, which at last report has a funding shortfall estimated at \$12 to \$13 billion; however, that estimate may be too optimistic. The Congressional Budget Office will release a report at the end of January 2012 to determine a more accurate estimate.

The Senate Finance Committee markup of the Senate bill could be finished by February 1, but details are unknown. The U.S. House has not finalized the formula funding provisions of the bill, which is what WYDOT is most interested in at this time.

At-will Implementation: Director Cox briefed the Commission about recent developments in the Wyoming Department of Administration and Information (A&I) at-will study that was commissioned by the legislature. Ms. Kari Gray, Governor Matt Mead's Chief of Staff, recently wrote a letter to Director Cox, thanking him for his input in the project. Many questions were asked at a recent Governor's cabinet meeting about WYDOT executive staff's opinion of how the at-will project would impact WYDOT. At the meeting, staff recommended a maximum of 30 positions be moved to at-will status, primarily from the program manager level upward, with justification being articulated for each position. The initial A&I study recommended that 52 WYDOT positions be made at-will status through attrition. Director Cox anticipates that there will be deeper impacts than desired, but the Department will have an opportunity to negotiate with A&I based on the duties of positions recommended for at-will status.

Director Cox indicated that the study was directed by the legislature and is being managed through Governor Mead's office. The results are unknown at this time. Compensation has not been discussed yet, and the program will be implemented through attrition, but the ramifications for WYDOT potentially could be serious.

Joint Appropriations Committee (JAC) Budget Hearing: Director Cox and Mr. Hibbard testified before the JAC in Cheyenne on January 9, 2012. The primary discussion topics at the meeting were WyoLink, the Highway Patrol retirement plan, Patrol Dispatch overtime and staffing, Driver Services staffing, state plane usage, and Air Service Enhancement Program funding. Surface transportation received some recognition at the end of the day.

Director Cox stated that the Department has been working for about seven years to convey to legislators the crucial need for surface transportation funding. Mr. McOmie advised that in his discussions with other states in similar situations, their legislators and the public typically did not respond until road repairs reached a crisis situation. WYDOT is now beyond the breaking point with its highway construction, and the highway system is failing, not improving. Executive staff and the commissioners vowed to continue their efforts to convey the message to legislators.

The TRIP Report will be released soon and will reveal the deterioration of Wyoming roads. Mr. McOmie offered to provide further explanation of the report to the Commission, if necessary, when it's released.

Director Cox noted that Wyoming's surface transportation funding ratio (state versus federal funding) is among the worst in the nation.

5. Mr. Hibbard presented the Budget report, including the monthly budget report.

The February Budget Report will contain an additional column that shows encumbered funds.

WYDOT recently received about \$46 million in anticipated statutory federal mineral royalties and severance tax distributions that increased the cash balance in the State Highway Fund. As WYDOT progresses its normal budget activities throughout the fiscal year, the cash balance will decrease.

First-Quarter Budget Revision: Mr. Hibbard presented the FY 2012 first quarter budget revisions. During the first quarter, actual highway user fee revenue collections were very close to the projected amount for the first quarter. The first quarter budget is made up predominantly of funds that were carried over from fiscal year 2011 for telecommunications, buildings, and the Enterprise Resource Project (ERP) upgrades that are ongoing.

Vice Chairman Latta asked why the engineer's estimate for the Douglas Shop was significantly different from the actual cost to build the facility. Mr. McOmie indicated that WYDOT construction and maintenance staffs track building costs. The Douglas Shop was designed and estimates were prepared a number of years ago, but costs have fluctuated greatly over the years. The architect's estimate was prepared about two and a half years before the job was let, and even a small delay, with inflation, can greatly affect prices.

Further adjustments will be necessary to the budget as actual revenues are received during the next quarter. The Department continues to operate under a continuing resolution from the federal government.

It was recommended by Mr. Hibbard, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried to approve the FY 2012 First-Quarter Budget Revision.

Mr. Hibbard also noted that WYDOT has now expended 100 percent of its American Reinvestment and Recovery Act (ARRA) surface transportation funding.

6. Mr. Fredrick presented the Engineering and Planning report, beginning with the bid tabulations from the letting held January 12, 2012, in Laramie.

COMMISSION DISTRICT 1
Cactus Covello - Chairman

Federal project STP-DR12328, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, chip seal, box culverts, and miscellaneous work on 0.13 mile of WYO 130 (Snowy Range Road), beginning at reference marker (RM) 55.49, between Laramie and Saratoga, in Carbon County. Completion date – August 31, 2012

| | | |
|--|----------------------|--------------|
| Engineer's Estimate | \$ 824,971.75 | |
| S & S Builders, LLC., Gillette, WY | \$ 829,454.25 | +0.5% |
| Simon Contractors and Subsidiaries, Cheyenne, WY | \$ 921,000.00 | |
| Reiman Corp., Cheyenne, WY | \$ 956,084.40 | |
| Oftedal Construction, Inc., Miles City, MT | \$1,060,734.20 | |
| 71 Construction, Casper, WY | \$1,264,054.90 | |

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Anderson, and carried that **S & S Builders, LLC., Gillette, 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 DISTRICTS 1 and 7
Cactus Covello - Chairman
Clair Anderson - Commissioner

Federal projects IM-SF-I252155 and STP-SF-B072008 combined, involving grading, draining, snow fence, and miscellaneous work at various locations along I-25 between Cheyenne and Wheatland, in Transportation District 2, in Converse, Laramie and Platte counties. Completion date – October 31, 2012

| | | |
|---|-----------------------|---------------|
| Engineer's Estimate | \$1,246,247.25 | |
| Oftedal Construction, Inc., Miles City, Montana | \$1,101,000.00 | -11.7% |
| Platte Valley Construction, LLC and Affiliate, Grand Island, NE | \$1,154,719.60 | |
| Paul Reed Construction Supply, Inc., Gering, NE | \$1,202,999.26 | |
| McMurry Ready-Mix Co., Casper, WY | \$1,249,997.90 | |
| DRM, Inc., Gillette, WY | \$1,294,519.10 | |
| American Contracting, LLC., Cheyenne, WY | \$1,394,801.11 | |
| Knife River Corporation – Northwest dba Knife River, Boise, ID | \$1,566,672.55 | |

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Oftedal Construction, Inc., Miles City, 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.

COMMISSION DISTRICT 2
K. John Dooley - Commissioner

State project SCP-SL12-0401034, involving milling plant mix, bituminous pavement surfacing, chip sealing and miscellaneous work on 5.04 miles of WYO 70, beginning at RM 1.00, between Baggs and Dixon, in Carbon County. Completion date – September 30, 2012

| | | |
|--|-----------------------|--------------|
| Engineer's Estimate | \$1,566,280.00 | |
| McGarvin-Moberly Construction Company, Worland, WY | \$1,491,637.72 | -4.8% |
| Western Wyoming Construction Co., Lander, WY | \$1,554,883.50 | |
| McMurry Ready-Mix Co., Casper, WY | \$1,689,825.85 | |
| Simon Contractors and Subsidiaries, Cheyenne, WY | \$1,775,662.60 | |
| CConnell Resources, Inc., Fort Collins, CO | \$1,828,724.00 | |
| Plus 5% for Comparison | \$1,920,160.20 | |
| A & S Construction Co., and Affiliated Companies, Canon City, CO | \$1,967,000.00 | |
| Plus 5% for Comparison | \$2,065,350.00 | |

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried that **McGarvin-Moberly Construction Company, Worland, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

State project SCP-SL12-P182030, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, concrete, box culverts, deer fencing, box beam guardrail, and miscellaneous work on WYO 789, between RM 45.00 and 47.10, Creston Junction to Baggs, in Carbon County. Completion date – August 31, 2012

| | | |
|---|-----------------------|---------------|
| Engineer's Estimate | \$ 899,655.50 | |
| Western Wyoming Construction Co., Lander, WY | \$1,024,727.00 | +13.9% |
| Reiman Corp., Cheyenne, WY | \$1,058,086.65 | |
| Simon Contractors and Subsidiaries, Cheyenne, WY | \$1,097,000.00 | |
| Oftedal Construction, Inc., Miles City, MT | \$1,126,670.80 | |
| EHC, LLC, Deaver, WY | \$1,261,463.00 | |
| Rice-Kilroy Construction Company Inc., Dubois, WY | \$1,322,207.00 | |

It was recommended by Mr. Fredrick, moved by Commissioner McCormack, seconded by Commissioner Anderson, and carried that **Western Wyoming Construction Co., Lander, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICTS 2 and 3
K. John Dooley - Commissioner
Jim Latta - Vice Chairman

State project CMP-PM-SL12-B123022, involving minor grading, concrete repair, a port-of-entry management system, and miscellaneous work at various locations in Transportation District 3, in Lincoln, Sweetwater and Uinta counties. Completion date – September 30, 2012

| | | |
|--|---------------------|--------------|
| Engineer's Estimate | \$562,657.50 | |
| American Construction, Inc., Cheyenne, WY | \$601,137.65 | +6.8% |
| Plus 5% for Comparison | \$631,194.53 | |
| Reiman Corp., Cheyenne, WY | \$755,017.50 | |
| JWright Companies, Inc., Evanston, WY | \$778,008.00 | |
| EHC, LLC, Deaver, WY | \$784,975.00 | |

It was recommended by Mr. Fredrick, moved by Vice Chairman Latta, seconded by Commissioner McCormack, and carried that **American Construction, Inc., Cheyenne, 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 3
Jim Latta - Vice Chairman

Federal projects STP-E-P161024 and SCP-SL12-P161023 combined, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, removal and replacement of sidewalk, curb and gutter, concrete pavement, electrical, guardrail, fencing, and miscellaneous work on 4.00 miles of WYO 414, beginning at RM 96.69, between Urie and Mountain View, in Uinta County. Completion date – September 30, 2012

| | | |
|--|-----------------------|--------------|
| Engineer's Estimate | \$2,946,004.52 | |
| LeGrand Johnson Construction Co., Logan, UT | \$2,902,679.10 | -1.5% |
| McGarvin-Moberly Construction Company, Worland, WY | \$3,287,748.61 | |
| Lewis & Lewis, Inc., Rock Springs, WY | \$3,508,931.06 | |
| H-K Contractors, Inc., Idaho Falls, ID | \$3,614,766.18 | |
| Kilroy, LLC, Afton, WY | \$3,902,760.70 | |

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Vice Chairman Latta, and carried that **LeGrand Johnson Construction Co., Logan, Utah**, 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
Vacant - Commissioner

State project IRP-CN16023, involving grading, draining, placing crushed base and bituminous pavement surfacing, fencing, and miscellaneous work on 8.02 miles of Trabling Road (County Road 13), just southeast of Buffalo, in Johnson County. Completion date – October 31, 2012

| | | |
|--|-----------------------|--------------|
| Engineer's Estimate | \$5,688,067.45 | |
| High Country Construction, Inc., Lander, WY | \$5,416,514.87 | -4.8% |
| McGarvin-Moberly Construction Company, Worland, WY | \$5,519,235.27 | |
| Oftedal Construction, Inc., Miles City, MT | \$5,760,234.30 | |
| McMurry Ready-Mix Co., Casper, WY | \$6,191,418.55 | |
| Intermountain Construction and Materials, Inc., Gillette, WY | \$6,356,232.40 | |
| Riverside Contracting, Inc., Missoula, MT | \$6,546,266.00 | |
| Plus 5% for Comparison | \$6,873,579.30 | |
| Knife River, Cheyenne, WY | \$6,641,012.20 | |
| Simon Contractors and Subsidiaries, Cheyenne, WY | \$6,774,375.45 | |

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried that **High Country Construction, Inc., Lander, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

State project SCP-SL12-1703010, involving grading, right-of-way fence, and miscellaneous work on WYO 335 and WYO 342, in Transportation District 4, in Sheridan County. Completion date – August 31, 2012

| | | |
|--|---------------------|--------------|
| Engineer's Estimate | \$236,045.00 | |
| Wishbone Fencing Company, Aladdin, WY | \$220,015.01 | -6.8% |
| American Contracting, LLC., Cheyenne, WY | \$240,391.18 | |
| Plus 5% for Comparison | \$252,410.74 | |

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Wishbone Fencing Company, Aladdin, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICTS 5 and 7
Bruce McCormack - Commissioner
Clair Anderson - Commissioner

Federal project HSIP-SEP-B125026, involving grading, bituminous pavement surfacing, concrete pavement, guardrail, bridge railing upgrades, and miscellaneous work on various structures in Transportation District 5, in Big Horn and Fremont counties. Completion date – September 30, 2012

| | | |
|------------------------------------|---------------------|---------------|
| Engineer's Estimate | \$551,281.00 | |
| K's Construction, Otto, WY | \$697,490.25 | +26.5% |
| Reiman Corp., Cheyenne, WY | \$786,222.75 | |
| S & S Builders, LLC., Gillette, WY | \$882,271.20 | |

It was recommended by Mr. Fredrick, moved by Commissioner McCormack, seconded by Commissioner Ertman, and carried that **K'S Construction, Otto, 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 7
Clair Anderson - Commissioner**

Federal project STP-P142045, involving a land slide repair, including grading, placing crushed base and bituminous pavement surfacing, fencing, and miscellaneous work at reference marker 55.51 on WYO 28, northeast of Farson, in Fremont County. Completion date – September 30, 2012

| | | |
|---|-----------------------|--------------|
| Engineer's Estimate | \$6,177,241.50 | |
| Donald B. Murphy Contractors, Inc., Federal Way, WA | \$5,844,320.15 | -5.4% |
| Malcome Drilling Company, Inc., San Francisco, CA | \$6,064,929.83 | |
| H-K Contractors, Inc., Idaho Falls, ID | \$6,169,032.40 | |
| Rice-Kilroy Construction Company Inc., Dubois, WY | \$6,419,104.73 | |
| Knife River Corporation – Northwest dba Knife River, Boise ID (Draft Copy) | \$6,447,488.95 | |
| Oftedal Construction, Inc., Miles City, MT | \$6,456,442.35 | |
| Hayward Baker Inc., and Subsidiaries, Odenton, MD | \$6,982,518.28 | |

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Donald B. Murphy Contractors, Inc., Federal Way, Washington**, 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-P142042, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, chip seal, guardrail, cable median barrier, and miscellaneous work on 0.52 miles along WYO 28, beginning at RM 59.50, between Farson and Lander (Red Canyon Section), in Fremont County. Completion date – September 30, 2012

| | | |
|---|-----------------------|--------------|
| Engineer's Estimate | \$1,266,838.55 | |
| Western Wyoming Construction Co., Lander, WY | \$1,176,981.25 | -7.1% |
| High Country Construction, Inc., Lander, WY | \$1,284,319.00 | |
| McGarvin-Moberly Construction Company, Worland, WY | \$1,417,921.13 | |
| Patrick Construction, Inc., Lander, WY | \$1,458,164.15 | |
| Oftedal Construction, Inc., Miles City, MT | \$1,483,690.65 | |
| Rice-Kilroy Construction Company Inc., Dubois, WY | \$1,512,106.03 | |

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Western Wyoming Construction Co., Lander, 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-P581026, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, concrete pavement, roadway light system, signing, and miscellaneous work on 0.71 mile of 4th Street in the town of Douglas, beginning at RM 138.76, in Converse County. Completion date – August 15, 2012

| | | |
|--|-----------------------|--------------|
| Engineer's Estimate | \$1,090,005.00 | |
| Concrete Foundations, Inc., Douglas, WY | \$1,066,236.00 | -2.2% |
| Hedquist Construction, Inc., Mills, WY | \$1,136,315.00 | |
| S & S Builders, LLC., Gillette, WY | \$1,260,443.18 | |
| EHC, LLC, Deaver, WY | \$1,464,170.00 | |

It was recommended by Mr. Fredrick, moved by Commissioner McCormack, seconded by Commissioner Anderson, and carried that **Concrete Foundations, Inc., Douglas, 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.

Mr. McOmie thanked Mr. Dailey and recognized his efforts to attain emergency funding for landslide and flood repairs statewide. Mr. Dailey was instrumental in acquiring \$33 million in funding reimbursements to WYDOT for the repairs.

7. It was recommended by Mr. Fredrick, moved by Vice Chairman Latta, seconded by Commissioner McCormack, and carried to approve the following project authorizations:

COMMISSION DISTRICT 1

Rural Principal Arterial

NH 21.80 N852001; Laramie County; Cheyenne to Torrington, Torrington Interchange to the Goshen County line; RM 21.80 to 56.40; passing lanes; request move from FY 2016 to 2012; request federal construction engineering and construction funds of \$3,296,359

Urban Local

SCP 0.00 B121091; Laramie County; WYDOT Headquarters parking lot and entrance; preliminary plans for resurfacing parking lots, construction to improve entrance to parking lot; FY 2012; request state preliminary engineering funds of \$20,000; request state construction engineering and construction funds of \$130,000

COMMISSION DISTRICT 2

Urban Interstate

IM-GM 311.76 I805169; Albany County; Laramie Marginal; RM 311.76 to 312.44; Nova chip seal; FY 2013 construction; request federal preliminary engineering funds of \$75,000

COMMISSION DISTRICT 5

Rural Principal Arterial

NH-SR 2.26 N311096; Park County; Yellowstone Park to Cody; RM 2.26; bridge rehabilitation; FY 2012; request federal preliminary engineering funds of \$4,000; request federal construction engineering and construction funds of \$37,000

ACNH 0.57 DR50955; Park County; Yellowstone Park to Cody; RM 0.57 to 0.77; erosion and scour repair; FY 2012; request federal preliminary engineering funds of \$16,512; request federal construction engineering and construction funds of \$181,633

ACNH 25.28 DR50960; Park County; Yellowstone Park to Cody; RM 25.28 to 25.48; erosion and scour repair; FY 2012; request federal preliminary engineering funds of \$7,000; request federal construction engineering and construction funds of \$77,000

ACNH 26.30 DR50964; Big Horn County; Greybull to Burgess Junction; RM 26.30 to 26.70; emergency slide repair; FY 2012; request federal preliminary engineering funds of \$6,000; request federal construction engineering and construction funds of \$66,000

COMMISSION DISTRICT 7

Rural Principal Arterial

ACNH 36.20 DR50966; Fremont County; Moran Junction to Dubois; RM 36.20 to 36.60; landslide repair; FY 2012; request federal preliminary engineering funds of \$7,920; request federal construction engineering and construction funds of \$87,035

8. First-Quarter State Transportation Improvement Program (STIP) Addendum: Mr. Fredrick presented the first-quarter addendum to the 2012 STIP. It was recommended by Mr. Fredrick, moved by Commissioner McCormack, seconded by Commissioner Dooley, and carried to approve the first-quarter addendum to STIP.

9. Lieutenant Colonel Butler presented the Highway Patrol report.

The Fatal Crash Summary through December 31, 2011, includes 119 fatal crashes involving 134 deaths. The fatalities include 61 rollover crashes, 38 multi-car crashes, 9 fixed objects, 20 motorcycles and all-terrain vehicles, and 6 pedestrians. Of the 119 fatal crashes in calendar year 2011, 24 involved commercial vehicles.

There were 42 crashes in 2011 deemed alcohol related that resulted in 50 deaths. Of those deaths, 32 were attributed to not using occupant restraints.

Of the 134 deaths in the 2011 calendar year, 65 can be attributed to the non-use of occupant restraints, with 49 involving rollover crashes, 14 involving multi-car collisions, and 2 involving fixed objects. Of the 65 deaths that occurred from non-use of occupant restraints, 47 were Wyoming residents, and 18 were non-residents. Twenty-two of those who perished were under 20 years of age, and 12 of those fatalities were attributed to the failure to use proper occupant restraints.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through November 30, 2011. The summary depicts 5,440 crashes statewide, of which 4,482 involved non-commercial vehicles and 958 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of December 31, 2011, were DUI related. There were 1,448 field arrests made during the 2011 calendar year, including:

- DUI arrests from crashes – 124
- DUI arrests from traffic stops – 618
- DUI arrests from the REDDI Program – 149
- DUI arrests from ports-of-entry – 13
- NCIC hits (person) – 47
- Wyoming warrants hits – 149
- Drug arrests – 174
- Other arrests – 174

Lieutenant Colonel Butler explained his philosophy of why he felt that fatalities were lower this year. Fewer motorcycle accidents contributed to the lower death toll in 2011, but younger drivers seem to also be significantly impacting the fatality rates.

Additional training was provided for port of entry officers to detect DUIs last year, which resulted in more DUI-related arrests at the ports of entry.

The Highway Patrol Fatal/Crash/Arrest Summary Report contained some additional information this month. Lieutenant Colonel Butler included information about the Highway Patrol K9 program, which was implemented in 1999. Five high intensity drug trafficking area (HIDTA) dogs and three non-HIDTA-funded dogs are being used today for detecting controlled substances. In 2011, there were 101 felony arrests made, with seizures of cash and drugs with a street value of over \$12.2 million. The confiscated funds can be applied for through the Wyoming Division of Criminal Investigation; the seized money does not automatically come to the Highway Patrol.

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

11. Mr. Loftin showed the Commission an example of the 2017 Wyoming license plate.

12. Mr. Shultz presented the Operations report.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried to approve purchase for contract PEB1745 to furnish a sign shop storage building addition to be constructed in Cheyenne. The bid was awarded to Reiman Corporation and Subsidiary, of Cheyenne, Wyoming, for the sum of \$498,800.00.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Anderson, and carried to approve purchase for bid number 12-050 to furnish 13,300 each, rough lumber for snow fence repair and construction for delivery in Laramie, Newcastle, Gillette, Granger, and Lander. The bid was awarded to Buckingham Lumber Co., of Buffalo, Wyoming, for the sum of \$59,515.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Anderson, and carried to approve purchase for bid number 12-051 to furnish 120,000 pounds of aluminum to be used by the Motor Vehicle Services Program to manufacture motor vehicle license plates. The bid was awarded to Jupiter Aluminum Corp., of Hammond, Indiana, for the sum of \$176,076.00.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-053 to furnish three sets of Leica Viva Glonass base and rover (GPS equipment), less trade-ins, for use by the Photogrammetry and Surveys Section. The bid was awarded to Hixon Mfg. & Supply Co., of Fort Collins, Colorado, for the sum of \$76,482.75.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-062 to furnish 23,080 each, steel delineator posts for delivery in Laramie, Casper, Granger, Sundance, Gillette, Buffalo, Sheridan, Dayton, Wright, Newcastle, Hulett, and Basin. The bid was awarded to Sunwest Sales Company, of Hayward, California, for the sum of \$151,490.95.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to approve purchase for bid number 12-063 to furnish 65,630 each, bridge rail/guardrail for delivery in Laramie, Casper, Jackson, Patrick Draw, Rock Springs, Moorcroft, Sheridan, Sundance, and Basin. The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$408,890.00.

Mr. Shultz presented bid number 12-072 for the purchase of 10 snow plow lifts. The lowest bidder was Jack's Truck and Equipment, of Gillette, Wyoming, which provided bids for five different Procurement Services contracts this month. Two of those bids will be awarded administratively, and the remaining three bids would to be presented for Commission approval at this Commission meeting. In a January 3, 2012, letter from Jack's Truck and Equipment, they requested that their bid be withdrawn on bid number 12-072. In accordance with Department policy, Jack's Truck and

Equipment will be removed from the bidders list for a period of one year. This action will become effective after the Commission has considered all Procurement Services bids on January 19, 2012.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to approve purchase for bid number 12-072 to furnish 10 each, new, current model, 12-foot, Alaska Expressway parallel lift snow plows for delivery in Cheyenne. The bid was awarded to Henke Manufacturing, of Leavenworth, Kansas, for the sum of \$91,807.80.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Vice Chairman Latta, and carried to approve purchase for bid number 12-068 to furnish 12 each, new, current model, 12-foot, power reverse parallel lift snow plows for delivery in Cheyenne. The bid was awarded to Jack's Truck & Equipment, of Gillette, Wyoming, for the sum of \$99,994.92.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Anderson, and carried to approve purchase for bid number 12-075 to furnish two each, new, current model, all-wheel-drive articulated motor graders for delivery in Gillette and Rawlins. The bid was awarded to Honnen Equipment, of Mills, Wyoming, for the sum of \$497,178.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-076 to furnish one each, new, current model, diesel wheel-tractor with backhoe and loader to be delivered in Sheridan. The bid was awarded to Wyoming Machinery Co., of Cheyenne, Wyoming, for the sum of \$105,468.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-083 to furnish 4,425 each, snow plow blades for delivery in Laramie, Gillette, Basin, Sundance, Sheridan, Rock Springs, and Casper. The bid was awarded to Wyoming Machinery Co., of Cheyenne, Wyoming, for the sum of \$752,278.40.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-084 to furnish 1,254 each, straight and curb plow guards for delivery in Laramie, Basin, Rock Springs, and Casper. The bid was awarded to Ironhawk Industrial Distribution, LLC, of Beachwood, Ohio, for the sum of \$143,583.72.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Vice Chairman Latta, and carried to approve purchase for Requisition Number 0000024806 to furnish 18 each, Force America eight-yard plow truck controls and hydraulics for use by the Equipment Program. The contract was awarded to Force America, Inc., of Burnsville, Minnesota, for the sum of \$302,904.00.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to approve purchase for Requisition Number 0000024807 to furnish four each,

Force America four-yard plow controls and hydraulics for use by the Equipment Program. The contract was awarded to Force America, Inc., of Burnsville, Minnesota, for the sum of \$55,160.00.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried to approve purchase for Requisition Number 0000025144 to furnish one each, Intelligent Transportation System (ITS) Device Deployment Services for use by the Geographical Information Systems/ITS Program. The contract was awarded to Transcore ITS, LLC, of Hummelstown, Pennsylvania, for the sum of \$75,000.00.

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

Request for Commission Road Improvement Program Funding - 17-Mile Road Project: The Wind River Reservation received \$8.3 million in Transportation Investment Generating Economic Recovery (TIGER) III funding for the 17-Mile Road project in Fremont County. The Commission approved \$5 million in October 2008 for the project. The total estimated project cost is about \$16 million, which is about \$3 million short of being able to complete the project. Mr. McOmie recently met with the Wind River Tribal Council, and the funding shortfall was a primary discussion topic. Mr. McOmie indicated that \$3 million in Commission Road Improvement Program (CRIP) funding is available and that no funding requests have been received for the last two of years, making the 17-Mile Road Project a good candidate for CRIP funding. Mr. McOmie asked the Commission whether or not Fremont County officials and Wind River Tribal Council representatives needed to attend a Commission meeting in person to formally request the CRIP funding. The work will be completed by the Wind River Reservation personnel, but WYDOT will have stringent oversight of the CRIP funding, if approved, because of the TIGER funds that are also being used for the project.

The Commissioners agreed that it was not necessary for Fremont County officials and Wind River Tribal Council representatives to make a face-to-face formal request for the funding.

It was recommended by Mr. McOmie, moved by Vice Chairman Latta, seconded by Commissioner Dooley, and carried to approve \$3 million in CRIP funding for the 17-Mile Road project.

City of Cheyenne Pershing Roundabout Project: The City of Cheyenne has been working on a roundabout project to improve the Pershing Boulevard/Converse Avenue/19th Street intersection in Cheyenne. During the National Environmental Protection Agency (NEPA) process, two homes were identified as having potential influence on a housing district that could have historic value. The homes were purchased by the city because the project would have required the driveways on both properties to be affected by the future construction. The house structures were noted to remain undisturbed in the NEPA document, but the city tore down both houses because of health and safety concerns. This action resulted in the FHWA withdrawing \$3 million in federal funding for the project. The city is working toward backfilling the funding loss and has asked WYDOT staff whether state funds might be available for the project. The city has indicated that it can adjust its funding to backfill \$2 to \$2.5 million, leaving a shortfall of approximately \$500,000 to \$1 million for the project. The city's request would be a funding swap, not a grant. According to Mr. McOmie, the

project qualifies for State Transportation Project (STP) funding, but the Department must prioritize its projects before it can determine whether it could help the city.

Commissioner Ertman opposed the idea of using STP funds to “bail out” the city.

Mr. Dailey indicated that although the FHWA was forced to withdraw federal funds from the project, he favors helping the city, as the intersection has been a “mess” for a long time. Mr. Dailey also stated that “changing the color of money” is acceptable to the FHWA.

Mr. McOmie indicated that he would discuss the matter in more detail with city officials and that no Commission action was required at this time.

Gillette Streets, WYO 50 Project: Mr. McOmie briefed the Commission at its September 15, 2011, meeting about a landowner who complained about waste material that was being removed from a nearby construction site to his property. The Department had a signed agreement with the landowner to place the dirt on his property, but the material contained a much higher coal content than what was originally anticipated. The landowner asked the Department to remove the waste material, which would have cost the Department a significant amount of money. The landowner has verbally agreed to allow the Department to leave the waste material on his property, and the Department will have to pay to leave it there.

The Department reached a verbal agreement with the landowner on January 4, 2012, to leave the waste material on the property and cover it with about three feet of soil. The landowner has also requested compensation in the amount of \$571,000 for damages. Based on comparable properties in the area, Mr. McOmie felt that the amount requested for the damage was justifiable.

It was recommended by Mr. McOmie, moved by Vice Chairman Latta, seconded by Commissioner Anderson, and carried to approve the Administrative Settlement dated January 11, 2012, for the placement of coal on the Newton Family Farms, L.P., property in Gillette, Wyoming, as allowed under WYDOT Operating Policy 19-1, Item I.C, in the amount of \$571,720.

Casper West Belt Loop Project Update: The Corps of Engineers permit has been approved for the Casper West Belt Loop project. A court hearing is scheduled for January 27, 2012, to address WYDOT’s request for the right of possession of the last piece of right-of-way that is necessary to complete the project. Mr. McOmie advised that the Department hopes to let the project to contract in March 2012.

14. It was moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried to adjourn the meeting. Chairman Covello adjourned the meeting at 11:40 a.m., on Thursday, January 19, 2012.