

## **TRANSPORTATION COMMISSION OF WYOMING**

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

K. John Dooley, Chairman, Laramie  
Todd Seeton, Vice Chairman, Jackson  
Clair Anderson, Commissioner, Riverton  
Bruce McCormack, Commissioner, Cody  
Bob Ruwart, Commissioner, Wheatland  
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 Dennis Byrne, Chief Financial Officer; Gregg Fredrick, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering & Planning; Mark Gillett, Assistant Chief Engineer for Operations; Colonel Kebin Haller, Highway Patrol Administrator; Christy Yaffa, Interim Aeronautics Administrator; Pat Lewis, Chief Technology Officer; Mike Kahler, Senior Assistant Attorney General; Sam Voyles, Senior Assistant Attorney General; Rodney Freier, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Kristin Burkart, Internal Review (IR) Services Manager; Lisa Fresquez, Civil Rights Program Manager; Matt Carlson, State Highway Safety Engineer; Dan Kline, Systems Planning and Railroads Supervisor; Jeff Wiggins, Wyoming Bicycle and Pedestrian Safety Task Force Member, City of Cheyenne; and Walt Satterfield, Transportation Planner, FHWA.

Mr. Taylor Rossetti, Support Services Administrator, was absent.

1. The Pledge of Allegiance: Chairman Dooley led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Anderson, seconded by Commissioner Ruwart, and carried to approve the minutes from the October 19, 2016, auditor's presentation meeting; and the October 20, 2016, breakfast meeting, regular business meeting, and executive session.
3. Director Panos presented the Director's report.

Internal Review Services 2017 Audit Work Plan: Ms. Burkart presented the Internal Review Services 2017 Audit Plan. In preparing the risk assessment for the work plan, IR representatives met with each executive staff member, Financial Services, Budget, Motor Vehicle Services, and Driver Services. The criteria for the risk assessment include areas of concern that are brought forth; the dollar amount associated with the concern; the length of time the program has been

around; whether the program has been reviewed before; complexity of the state and federal regulations that are in place; and the impact to WYDOT's goals, vision, and mission.

There are four types of engagements in the 2017 audit plan – performance audits, agreed-upon procedures, non-audit services, and administrative reviews.

Performance audits to be conducted this year are:

- WTDEA Relief Fund
- Rates (Payroll, equipment and jets)
- FHWA Stewardship Agreement
- Highway Safety Grant process
- Right-of-way Program
- Cash funds
- Project close-out
- Alive at 25 Program
- Highway Patrol bond collection process

Agreed upon procedures to be reviewed this year include:

- Consultant projects
- Local airport sub-awards
- Sub-recipient sub-awards
- Wyoming Association of Sheriffs and Chiefs of Police (WASCOP)
- Road and bridge materials certification

Non-audit services to be conducted are:

- Sub-recipient monitoring
- Consultant rates
- Telecommunications WyoLink reconciliation
- Aeronautics internal policy, procedures, and project oversight
- Logo sign analysis
- Fuel tax process flow chart
- Overweight loads
- Grants and contracts documentation

Administrative tasks for the year include:

- Risk assessments
- Balance Score Cards
- AASHTO and WASHTO
- Continuing professional education
- Provide training
- Development of quality control policy
- FY 2016 and FY 2017 Single Audits

The engagements above have been selected based on a balancing of risk and audit resources. The plan is meant to be flexible enough to allow response to emerging risks. The audit work will provide independent information to WYDOT's management to improve operations, mitigate risks facing the Department, strengthen internal controls, improve accountability and enhance the efficiency and effectiveness of the Department as a whole as IR strives to meet the Department's mission.

Ms. Burkart also shared the status of the 2016 audit engagements.

Vice Chairman Seeton inquired about the single auditing services that McGee, Hearne & Paiz (MHP), WYDOT's contractual external auditor, has performed over the past year and whether hiring MHP to perform those services has allowed WYDOT's Internal Review staff to tend to other auditing services, as planned. Ms. Burkart advised that IR staff has stayed busy gathering and providing some information, documentation, running reports, and attending meetings with MHP, but overall the IR staff has been able to audit and/or review other areas, as needed. Historically, before hiring an external auditor to perform the single audit services, six IR staff were obligated for six months out of the year performing those services.

Civil Rights Program Briefing: Ms. Fresquez presented information about the WYDOT Civil Rights Program.

The Civil Rights Program recently established a purpose statement, "Maintaining a high standard of equality through advocacy, education, and diversity awareness." The program's goal is to:

- Stand up for what is right, share stories, and to show empathy and appreciation for cultural differences.
- Inform others of actions that may violate civil rights-related regulations, and provide internal and external training statewide.
- Ensure compliance to maintain federal funding and proactively address issues brought to their attention.

The elements of the Civil Rights Program are:

- Americans with Disabilities Act (ADA)
  - Transition plan, policy development, training, and guidance for the ADA
  - Predominant federal authority is the Department of Justice (DOJ)
- Disadvantaged Business Enterprise
  - Statewide plan, policy development, training, and guidance for the Code of Federal Regulations 49, Part 26
  - Certification of Wyoming DBE firms
  - Participation tracking
  - Predominant federal authority is the U.S. Department of Transportation

- Contractor Compliance
  - Statewide plan, policy development, training, and reviewing contractors' Equal Employment Opportunity information on federal projects
  - Review about \$50 million in federal-aid projects annually
  - Predominant federal authority is the Office of Federal Contractor Compliance Programs (depending on findings)
- Title IV (Access to programs and services and nondiscrimination of race, sex, or national origin)
  - Statewide plan, policy, training, and development
  - Sub-recipient reviews (twice annually)
  - Assistance in compliant mitigation
  - Predominant federal authority is DOJ (depending on the issue)
- Affirmative Action
  - EEO data reporting to the FHWA
    - Race, ethnicity, gender, and age
    - Employment classification
    - Hiring/firing processes
    - Predominate federal authority is the Equal Employment Office of Compliance (EEOC)
- On-the-Job Training
  - Grant management from the FHWA
    - Annual program is about \$50,000
    - Trainee development within WYDOT

One of the goals of the Civil Rights Program is to certify WYDOT's trades-based employees. Ms. Fresquez is working with Human Resources to develop a training program for WYDOT's maintenance, plumbers, electricians, heating and ventilation technicians, and other trades-related employees.

Ms. Fresquez noted the importance of growing diversity within the workplace.

- People are our greatest asset.
- Diversity brings a broader perspective to team projects.
- It impacts the global economy.
- The more you know, the more you grow.

Understanding cultural differences is key to working with various groups of individuals. Ms. Fresquez advised that civil rights does not always involve regulation, and that being open to cultural differences is a human element that also must be observed.

4. Mr. Byrne presented the Chief Financial Officer's report.

Mr. Freier presented the Budget report.

Monthly Budget Report: The H01, State Highway - Commission, account had a cash balance of about \$85 million as of November 9, 2016. In August, WYDOT borrowed \$82 million from the State Treasurer, interest free, to assist with cash flow for the expenditures associated with Abandoned Mine Lands (AML) funding. The Department is now in a position to repay about \$33 million of the borrowed funds. The payment has been processed, and the remaining \$49 million will be repaid in the near future, as AML reimbursements are received from the federal government.

The October 2016 budget report revealed that the Commission budget is 9 percent expended, and the Legislative budget is 10 percent expended, which is within the target budget tolerances.

5. Mr. Byrne presented the following Procurement Services bids for Commission consideration.

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

- Bid number 17-002 to furnish two each, new, current model, 35-series, two-wheel-drive, crew cab and chassis, for delivery in Torrington and Sheridan. The bid was awarded to Fremont Motor Company, of Lander, Wyoming, for the sum of \$51,588.00.
- Bid number 17-015 to furnish two each, new, current model Class 7 (4-yard) cab and chassis, for delivery in Cheyenne. The bid was awarded to Jack's Truck and Equipment, of Gillette, Wyoming, for the sum of \$149,992.00.
- Bid number 17-018 to furnish 16 each, new, current model, 8-cubic-yard, dump bodies, for delivery in Cheyenne. The bid was awarded to Ameritech Equipment Company, of Casper, Wyoming, for the sum of \$173,248.00.

It was recommended by Mr. Byrne, moved by Commissioner Ruwart, seconded by Commissioner Anderson, and carried to approve purchase for bid number 17-009 to furnish one each, new, current model, Class 6 cab and chassis with van body, for delivery in Cheyenne. The bid was awarded to Jack's Truck & Equipment, of Gillette, Wyoming, for the sum of \$77,094.00.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to approve purchase for bid number 17-016 to furnish 13 each, new, current model, Class 8 (8-yard) cab and chassis, for delivery in Cheyenne. The bid was awarded to CMI-Teco, of Casper, Wyoming, for the sum of \$1,265,702.23.

It was recommended by Mr. Byrne, moved by Commissioner Larson, seconded by Commissioner Newton, and carried to approve purchase for bid number 17-019 to furnish 14 each, new, current model, self-unloading, abrasive spreaders (13 foot); and two each, new, current model, self-unloading abrasive spreaders (10 foot), for delivery in Cheyenne. The bid was awarded to CMI-Teco, of Casper, Wyoming, for the sum of \$191,020.00.

It was recommended by Mr. Byrne, moved by Commissioner Larson, seconded by Commissioner Ruwart, and carried to approve purchase for Requisition Number 0000044398 to furnish Whelen LED lighting packages for snow plow truck builds, for use by the Equipment Program. The contract was awarded to Whelen Engineering Co., Inc., of Chester, Connecticut, for the sum of \$52,644.43.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Newton, and carried to approve purchase for Requisition Number 0000044481 to furnish an executive program membership fee to provide research and advisory consulting services, for a one-year period, effective the date of contract execution, for WYDOT's Information Technology Program. The contract was awarded to Gartner, Inc., of Stamford, Connecticut, for the sum of \$74,700.00.

It was recommended by Mr. Byrne, moved by Commissioner Larson, seconded by Commissioner McCormack, and carried to approve purchase for Requisition Number 0000044344 to furnish Venture Technologies hardware for use by WYDOT's Information Technology Program. The contract was awarded to Venture Technologies, of Englewood, Colorado, for the sum of \$95,884.91.

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

Full Solar Eclipse Preparations: A full solar eclipse will occur August 21, 2017, that will impact Wyoming's tourism, travel and traffic control, rest areas, and law enforcement. About 500,000 travelers are expected to visit Wyoming during a two-week period to see the eclipse. The Wyoming Office of Tourism is marketing the event as an attraction to support the state's tourism industry.

To plan for the event, a task force has been established, including a district engineer, a district maintenance engineer, a district traffic engineer, a WyoLink representative, a Transportation Management Center (TMC) representative, Public Affairs, and the Wyoming Highway Patrol (WHP) to manage the issues that could potentially arise during the event. Ms. Nicole Alonzo, Special Projects Coordinator, is WYDOT's point of contact for the event. WYDOT is also partnering with the Department of Homeland Security and the Wyoming Office of Tourism (WOT) to share and compile information to address any needs during the rare event.

US 14/16/20 – 70 MPH Speed Limit Implementation: A public meeting was held November 8, 2016, to discuss the speed limit on U.S. 14/16/20, west of Cody, near Wapiti, Wyoming. The meeting was well attended with about 80 people there, including WYDOT staff, WHP, and Commissioner McCormack. The meeting was held to vet some concerns expressed by area residents and the local media about animals on the roadway, a school zone, and the winding road. The general consensus was to reduce the posted speed limit back to 65 MPH, 45 MPH near the school, and a 55-MPH night time speed limit. Signage will be posted to delineate the night time speed limit and the time of year that it will be in effect.

Of the 3,500 miles of highway that are now posted at 70 MPH, WYDOT has received feedback from the public on about 80 miles of road that they feel are unsafe at that speed. The Department takes those comments seriously and is reevaluating those roads and making adjustments when warranted.

New Wyoming Welcome Signs: Mr. McGee joined Mr. Fredrick to present the new “Welcome to Wyoming” signs to be posted at each entrance to the state. WYDOT has worked with the Wyoming Office of Tourism to discuss the sign dimensions, layout, and locations where they will be posted, and to develop a new design. Photos of the two proposed designs for the signs were shared with the Commission. The Commission’s preference was to use the design that matched the new 2017 Wyoming license plate. The goal is to have the new signs installed in early 2017. The cost will be about \$75,000.

The Public Affairs Office has received several requests over the years to purchase the “Welcome to Wyoming” signs. The old welcome signs will be sold online through a bidding process, similar to the process used today to sell WYDOT’s surplus property. Director Panos advised that one of the old welcome signs will be archived for the sake of future generations.

Bicycle and Pedestrian System Report: During the 2016 session the state legislature voted to create a task force to study the benefits and opportunities of bicycle and pedestrian pathways and natural surface trails in Wyoming. The task force was formed, and a draft Bicycle and Pedestrian System Report has been developed. The task force is made up of 13 members from around Wyoming, with representatives from the Department of Health, Wyoming Business Council, Wyoming State Parks & Cultural Resources, Platte River Trust Trails, Wyoming Pathways, City of Cheyenne, Grand Teton Lodge, and ranchers and equestrians.

In the report, the task force is assigned some basic topics to be addressed over the next year, such as community pathways and local streets, main streets and downtown areas, rural bicycling and walking routes, natural surface trails, and health benefits and safety analysis. The draft report was submitted to the Joint Transportation, Highways & Military Affairs Committee; the Joint Travel, Recreation, Wildlife, Cultural Resources Committee; and some federal, state, and local agencies, as required by statute. A final report is due by October 1, 2017.

Mr. Fredrick noted that one of the challenges the Department faces in developing bike and pedestrian paths is to identify a continuous funding source to maintain the facilities. WYDOT has already taken action to accommodate some bike and pedestrian-friendly areas by delineating some paths and changing rumble strips to rumble stripes. Further proposed developments will be published in the final report.

Mr. Fredrick also asked the Commission to provide comments or suggestions on the plan to him for consideration by the Bicycle and Pedestrian Task Force.

Highway Safety Program Briefing: Mr. Carlson briefed the Commission about the Highway Safety Program’s responsibilities. One of the tasks managed by Highway Safety is the

Motorcycle Safety Education Program. The program is managed by one individual, and independent trainers are hired to assist with teaching throughout the summer. About 1,000 students are trained annually.

The Data and Records Section oversees crash reporting and data collection for all Wyoming crashes and law enforcement entities statewide. Reports are made electronically, and information is fed into one database maintained by WYDOT. Highway Safety works closely with the Traffic Program to create safe traffic designs, signing, and studies to effectively implement safe driving conditions.

The Highway Safety Grants Section manages about \$6 million in grants from the National Highway Traffic Safety Administration (NHTSA) each year. Other areas of involvement include the Governor's Council on Impaired Driving, the Seat Belt Coalition, Wyoming Association of Sheriffs and Chiefs of Police (WASCOP), WHP, and some other traffic-related entities.

Appointment of Assistant Chief Engineer for Operations: Mr. Mark Gillett is the newly appointed assistant chief engineer for operations. The operations engineer will bridge the operations between the districts and headquarters.

Messrs. Carlson, Wiggins, and Kahler left the meeting.

7. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held November 10, 2016, in Cheyenne.

**COMMISSION DISTRICT 2**  
**K. John Dooley - Chairman**

Federal project NHPPI-I803145, involving grading, milling plant mix, placing crushed and crusher run subbase, bituminous pavement surfacing, and miscellaneous work on 12.43 miles of I-80, on the westbound lane, beginning at reference marker (RM) 186.62, between Rock Springs and Rawlins, in Sweetwater County. Completion date: October 31, 2017

Engineer's Estimate	\$6,702,981.00	
<b>Kilgore Companies dba Lewis &amp; Lewis, Inc., Rock Springs, WY</b>	<b>\$6,987,479.99</b>	<b>+4.2%</b>
McGarvin-Moberly Construction Company and Subsidiary, Worland, WY	\$7,045,025.88	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$7,142,333.91	
H-K Contractors, Inc., Idaho Falls, ID	\$7,287,777.00	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and carried that Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, 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.

State project SCP-TC-P261027, involving grading, milling plant mix, placing pit run subbase, bituminous pavement surfacing, chip seal, bridge deck repair, and miscellaneous work on 9.00 miles of WYO 230, beginning at RM 33.04, between Woods Landing and the Colorado state line, in Albany County. Completion date: September 30, 2017

Engineer's Estimate	\$3,392,625.00	
<b>McGarvin-Moberly Construction Company and Subsidiary, Worland, WY</b>	<b>\$2,871,462.14</b>	<b>-15.4%</b>
Knife River, Cheyenne, WY	\$3,456,454.10	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$3,489,176.00	
Croell, Inc. and its Subsidiaries, Douglas, WY	\$3,599,692.65	
A & S Construction Co. and Affiliated Companies, Canon City, CO	\$4,233,000.00	
Plus 5% for Comparison	\$4,444,650.00	

It was recommended by Mr. Fulton, moved by Vice Chairman Seeton, seconded by Commissioner Ruwart, and carried that McGarvin-Moberly Construction Company and Subsidiary, Worland, Wyoming, 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-BROS-CN04106, involving grading, placing crushed base, removal and replacement of structure, and miscellaneous work on County Road CN 4-37, bridge over the UPRR, RM 0.30, in Sweetwater County. Completion date: October 31, 2017

Engineer's Estimate	\$1,439,042.35	
<b>DeBernardi Construction Company, Inc., Rock Springs, WY</b>	<b>\$1,363,000.00</b>	<b>-5.3%</b>
Gerber Construction, Inc. and subsidiary, Lehi, UT	\$1,373,316.70	
Reiman Corp., Cheyenne, WY	\$1,464,777.51	
Hamilton Construction Co. and Subsidiary, Springfield, OR	\$1,476,576.90	
Dietzler Construction Corporation, Yoder, WY	\$2,076,929.00	
Structures, Inc. and Affiliates, Englewood, CO	\$2,091,856.50	

It was recommended by Mr. Fulton, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried that DeBernardi Construction Company, Inc., Rock Springs, 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 3  
Todd Seeton - Vice Chairman**

Federal project NHPPI-I801181, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, plant mix wearing course, reclaimed asphalt pavement

widening, removal and replacement of structures, bridge deck repair, and miscellaneous work on 9.85 miles of I-80, eastbound and westbound lanes, beginning at RM 39.210, between Lyman and Granger Junction, in Uinta County. Completion date: November 30, 2018

Engineer's Estimate	\$14,608,866.50	
<b>Kilgore Companies dba Lewis &amp; Lewis, Inc., Rock Springs, WY</b>	<b>\$14,733,336.31</b>	<b>+0.9%</b>
H-K Contractors, Inc., Idaho Falls, ID	\$14,897,777.00	
Reiman Corp., Cheyenne, WY	\$15,831,466.07	
McGarvin-Moberly Construction Company and Subsidiary, Worland, WY	\$16,484,655.11	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$16,734,424.25	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried that Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, 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.

State project SCP-TC-N121110, involving grading, milling plant mix and concrete, bituminous pavement surfacing, crack and seat concrete pavement, bridge deck repair, and miscellaneous work on 6.86 miles of US 30, beginning at RM 45.78, between Sage Creek and Kemmerer, in Lincoln County. Completion date: October 31, 2017

Engineer's Estimate	\$2,857,395.50	
<b>Kilgore Companies dba Lewis &amp; Lewis, Inc., Rock Springs, WY</b>	<b>\$2,595,461.05</b>	<b>-9.2%</b>
Evans Construction Company, Jackson, WY	\$2,966,838.00	
DePatco, Inc., St. Anthony, ID	\$2,896,934.50	
Plus 5% for Comparison	\$3,041,781.23	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$3,294,262.62	
McGarvin-Moberly Construction Company and Subsidiary, Worland, WY	\$3,412,132.89	

It was recommended by Mr. Fulton, moved by Vice Chairman Seeton, seconded by Commissioner Ruwart, and carried that Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, Wyoming, 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-RF-W352008, involving removal and replacement of right-of-way fence and miscellaneous work at various locations in Transportation District 3, including Sublette County. Completion date: October 31, 2017

Engineer's Estimate	\$731,675.00	
<b>King Enterprises, Mills, WY</b>	<b>\$767,692.00</b>	<b>+4.9%</b>
4M Construction, Inc., Cheyenne, WY	\$787,235.00	

It was recommended by Mr. Fulton, moved by Vice Chairman Seeton, seconded by Commissioner Anderson, and carried that King Enterprises, Mills, 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**  
**Rick Newton - Commissioner**

Federal project NHPPI-B174031, involving electrical and miscellaneous work at the junction of I-25 and I-90, in Transportation District 4, just east of Buffalo, in Johnson County. Completion date: October 31, 2017

Engineer's Estimate	\$1,081,180.00	
<b>Casper Electric, Inc., Casper, WY</b>	<b>\$ 804,759.11</b>	<b>-25.6%</b>
Advanced Electrical Contracting, Inc., Sheridan, WY	\$ 855,155.00	
Modern Electric Co. and its subsidiary, Casper, WY	\$ 876,378.00	
Cache Valley Electric Company and subsidiaries, Salt Lake City, UT	\$ 925,486.21	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and carried that Casper Electric, Inc., 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 5**  
**Bruce McCormack - Commissioner**

Federal projects STPU-PO-N291063 and NHPP-N291064 combined, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, plant mix wearing course, concrete pavement, electrical, and miscellaneous work on 1.26 miles of Coulter Ave (US 14A), beginning at RM 20.374, in the city of Powell, in Park County. Completion date: October 31, 2017

Engineer's Estimate	\$2,306,218.25	
<b>Century Companies, Inc., Lewistown, MT</b>	<b>\$2,314,569.32</b>	<b>+0.4%</b>
Mountain Construction Company, Lovell, WY	\$2,494,903.67	

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried that Century Companies, Inc., Lewistown, 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 6**  
**Mike Larson - Commissioner**

Federal project STP-BROS-CN14063, involving grading, draining, removal and replacement of structure, and miscellaneous work at the Lance Creek Bridge, on County Road CN 14-11, approximately 12 miles southwest of Mule Creek Junction, at RM 5.50, in Niobrara County. Completion date: October 31, 2017

Engineer's Estimate	\$1,215,983.50	
<b>Reiman Corp., Cheyenne, WY</b>	<b>\$1,104,616.40</b>	<b>-9.2%</b>
S & S Builders, LLC, Gillette, WY	\$1,122,508.62	
Dietzler Construction Corporation, Yoder, WY	\$1,227,833.50	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried that Reiman Corp., Cheyenne, Wyoming, 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 Niobrara County. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 7**  
**Clair Anderson - Commissioner**

Federal projects AML17-W258023 and ARSCT-W258A02 combined, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, concrete pavement, removal and replacement of sidewalk, curb, and gutter, electrical, and miscellaneous work on 0.31 mile at the intersection of Wyoming Boulevard and 12<sup>th</sup> Street, in the city of Casper, in Natrona County. Completion date: October 31, 2017

Engineer's Estimate	\$1,860,249.10	
<b>Hedquist Construction, Inc., Mills, WY</b>	<b>\$1,558,437.85</b>	<b>-16.2%</b>
S & S Builders, LLC, Gillette, WY	\$1,930,193.20	
71 Construction, Casper, WY	\$2,089,814.71	

It was recommended by Mr. Fulton, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried that Hedquist Construction, Inc., Mills, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

8. It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and carried to approve the following project authorizations:

**COMMISSION DISTRICT 3**

Rural Principal Arterial

ARSCT 145.11 N104A02; Teton County; Hoback Junction-Jackson, Snake River North Section; RM 145.11; structure work; FY 2017; request preliminary engineering funds of \$28,100; request construction engineering and construction funds of \$309,100; to be reimbursed by Teton County School District Number One

ARSCT 145.00 N104A03; Teton County; Hoback Junction to Jackson, Snake River North Section; RM 145.00; utility work; FY 2017; request preliminary engineering funds of \$10,000; request construction engineering and construction funds of \$2,752,835; to be reimbursed by Teton County School District Number One

ARSCT 146.09 N104A05; Teton County; Hoback Junction to Jackson, Snake River North Section; RM 146.09; utility work; FY 2017; request preliminary engineering funds of \$2,800; request construction engineering and construction funds of \$30,800; to be reimbursed by Bresnan Communications

**COMMISSION DISTRICT 7**

Rural Major Collector

STP 7.65 DR51725; Fremont County; Ethete to Kinnear, north of Ethete, WYO 132; RM 7.65; general maintenance; FY 2017; request federal preliminary engineering funds of \$39,312; request federal construction engineering and construction funds of \$414,746

STP 7.65 DR51730; Fremont County; Lander to Ethete, WYO 132; RM 0.30; general maintenance; FY 2017; request federal preliminary engineering funds of \$22,224; request federal construction engineering and construction funds of \$234,471

Rural Minor Arterial

STP 62.00 DR51739; Fremont County; Farson to Lander, south of Lander, US 14; RM 62.00; slide repair; FY 2017; request federal preliminary engineering funds of \$3,747; request federal construction engineering and construction funds of \$612,799

STP 53.30 DR51740; Fremont County; Farson to Lander, south of Lander, US 14; RM 53.30 to 53.85; slide repair; FY 2017; request federal preliminary engineering funds of \$38,326; request federal construction engineering and construction funds of \$404,341

STP 58.60 DR51741; Fremont County; Farson to Lander, WYO 28; RM 58.60; general maintenance; FY 2017; request federal preliminary engineering funds of \$15,605; request federal construction engineering and construction funds of \$164,637

STP 2.10 DR51743; Fremont County; Sinks Canyon, south of Lander, WYO 131; RM 2.10; slide repair; FY 2017; request federal preliminary engineering funds of \$14,502; request federal construction engineering and construction funds of \$152,995

STP 55.45 DR 51776; Fremont County; Farson to Lander, south of Lander, US 14; RM 55.45; slide repair; FY 2017; request federal preliminary engineering funds of \$33,016; request federal construction engineering and construction funds of \$348,315

Rural Principal Arterial

NHPP 103.16 DR51724; Fremont County; Hudson to Riverton, south of Riverton, WYO 789; RM 103.16; general maintenance; FY 2017; request federal preliminary engineering funds of \$2,680; request federal construction engineering and construction funds of \$26,927

NHPP 90.83 DR51726; Fremont County; Town of Hudson, WYO 789; RM 90.83; general maintenance; FY 2017; request federal preliminary engineering funds of \$5,000; request federal construction engineering and construction funds of \$186,736

NHPP 16.17 DR51728; Fremont County; Fort Washakie to Diversion Dam, north of Fort Washakie; US 287; RM 16.17, general maintenance; FY 2017; request federal preliminary engineering funds of \$13,111; request federal construction engineering and construction funds of \$138,317

NHPP 104.36 DR51732; Fremont County; Hudson to Riverton, north of Riverton, WYO 789; RM 104.36; general maintenance; FY 2017; request federal preliminary engineering funds of \$37,875; request federal construction engineering and construction funds of \$399,577

NHPP 84.55 DR51742; Fremont County; Lander to Riverton, north of Lander, WYO 789; RM 84.55; slide repair; FY 2017; request federal preliminary engineering funds of \$21,148; request federal construction engineering and construction funds of \$223,110

9. It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried to approve the following resolution for abandonment.

**RESOLUTION FOR ABANDONMENT**

Parcel 1

A parcel of land situated in Government Lot 1, Section 7, T12N, R119W, 6th P.M., Uinta County, Wyoming more particularly described by metes and bounds as follows:

Commencing at the northwest corner of said Section 7, said point being monumented with a 3/4 inch aluminum cap, PLS 482, from which the north quarter corner thereof bears

S89°36'08.5"E a distance of 2609.16 feet, said point being monumented with a 3¼ inch aluminum cap, PLS 6953;

thence, along the northerly boundary of said Section 7, S89°36'08.5"E a distance of 94.13 feet to the intersection of said northerly boundary and the existing easterly right-of-way boundary of Wyoming State Highway 150, being the TRUE POINT OF BEGINNING from which a witness corner bears S11°14'02.9"E a distance of 3.00 feet, being monumented by a standard WYDOT Right-of-Way Monument, as shown on Record of Survey recorded at Reception No. R148754, July 23, 2009, Map of Survey No. 85, in the Uinta County Records;

thence along said easterly right-of-way boundary S11°14'02.9"E a distance of 610.72 feet to a point, from which a witness corner bears S78°46'01.3"W a distance of 2.00 feet, being monumented with a standard WYDOT Right-of-Way Monument;

thence N78°45'57.1"E a distance of 5.86 feet to a point on the existing easterly right-of-way boundary per WYDOT Project No. S-36(3);

thence along said easterly right-of-way boundary per WYDOT Project No. S-36(3), N11°14'41.4"W a distance of 330.07 feet to the point of beginning of a tangent curve concave easterly, having a radius of 2,758.13 feet;

thence northerly along said curve through a central angle of 5°45'20.0", a distance of 277.06 feet, the chord being N8°21'55.6"W, a distance of 276.95 feet to a point on said northerly boundary of Section 7;

thence along said northerly boundary N.89°36'08.5"W. a distance of 20.07 feet to the point of beginning.

The above described parcel contains 0.11 of an acre (4,843 square feet), more or less.

Parcel 2

A parcel of land situated in Government Lot 1, Section 7, T12N, R119W and the SE¼SE¼ of Section 1 and the NE¼NE¼ of Section 12, T12N, R120W, 6th P.M., Uinta County, Wyoming more particularly described by metes and bounds as follows:

Commencing at the northeast corner of said Section 12, said point being monumented with a 3¼ inch aluminum cap, PLS 482, from which the north quarter corner thereof bears N89°24'58.5"W a distance of 2,650.53 feet, said point being monumented with a 3¼ inch aluminum cap, PLS 5530;

thence, along the northerly boundary of said Section 12, N89°24'58.5"W a distance of 59.06 feet to the intersection of said northerly boundary and the existing westerly right-of-way boundary of Wyoming State Highway 150, said point being monumented by a WYDOT Right-of-Way Monument, as shown on Record of Survey recorded at Reception No. R148754, July 23,

2009, Map of Survey No. 85, in the Uinta County Records, also being the TRUE POINT OF BEGINNING;

thence along said westerly right-of-way boundary  $S11^{\circ}14'02.9''E$  a distance of 285.15 feet, said point being monumented with a standard WYDOT Right-of-Way Monument on the east line of Section 12;

thence continuing along said westerly right-of-way boundary  $S11^{\circ}14'02.9''E$  a distance of 356.64 feet, said point being monumented with a standard WYDOT Right-of-Way Monument;

thence  $S78^{\circ}45'57.1''W$  a distance of 27.14 feet, to a point being monumented with a standard WYDOT Right-of-Way monument;

thence continuing  $S78^{\circ}45'57.1''W$  a distance of 17.00 feet to a point on the existing westerly right of way boundary per WYDOT Project No. S-36(3);

thence  $N11^{\circ}14'38.6''W$  a distance of 148.02 feet to the point of intersection of said westerly right-of-way boundary and the westerly boundary of said Section 7;

thence along said westerly boundary  $N0^{\circ}43'06.5''E$  a distance of 32.35 feet to the southerly corner of that certain easement described in Book 206, mixed Records page 330;

thence  $N9^{\circ}58'24.2''W$  along the southwesterly boundary of said easement a distance of 467.92 feet to a point on the northerly boundary of said Section 12;

thence along said northerly boundary  $N89^{\circ}24'58.7''W$  a distance of 14.26 feet;

thence  $N0^{\circ}32'41.3''E$  a distance of 201.48 feet to a point on the existing westerly right-of-way of State Highway 150;

thence along said right-of-way  $S11^{\circ}14'02.9''E$ , a distance of 205.84 feet to the point of beginning.

Said parcel contains 0.62 of an acre (27,100 square feet), more or less.

10. At-Grade Railroad Crossings, Various Locations, Statewide: Mr. Fulton introduced Mr. Dan Kline, Systems Planning and Railroads Supervisor, and he presented the following recommendations for five at-grade rail crossings.

- Recommend approval of a Public at-grade rail crossing establishment on County Road 3, Big Horn County
- Recommend disapproval of a public at-grade rail crossing closure on Lacy Street in Yoder, Wyoming, Goshen County

- Recommend approval to establish an at-grade rail crossing on County Road 348 at Shute Creek, in Lincoln County
- Recommend concurrence in closing an at-grade rail crossing on Small Road, in Campbell County
- Recommend concurrence in establishing an at-grade rail crossing, formerly a private crossing at Big Horn County Lane 22½

The new at-grade crossing on the proposed alignment of Big Horn County Road 3 will replace the current one-lane, under-bridge-type crossing. The existing crossing is narrow and has limited sight distance, which currently poses safety concerns. Big Horn County will fund the proposed new crossing and warning devices, but no time line has been established for the project's completion.

Director Panos voiced concerns about the county not having funds available for the project, but the Commission is being asked to approve the new crossing. Mr. Kline advised that WYDOT will not allow the new crossing to be installed without the applicable warning devices, flashing lights, gates, motion detection, and other required safety appurtenances.

Commissioner Larson asked if the railroad has approved the new crossing. Mr. Kline indicated the railroad has no legal authority to approve or deny crossings, but Burlington Northern Santa Fe Railroad representatives attended the diagnostic review, and they understand that a recommendation is being made to the Commission to establish the new at-grade crossing. The railroad has not expressed any safety concerns to WYDOT with the proposed new crossing.

Mr. Fredrick suggested the county may need the Commission's approval before it can pursue funding and obtain right-of-way for the new crossing.

Mr. Kline advised that school buses use the existing under-bridge crossing today, but other traffic is very minimal. The railway experiences moderate use with eight or nine trains per day.

Director Panos shared that he did not see how an at-grade crossing would create a safer crossing than the under-bridge crossing for the traveling public.

It was recommended by Mr. Fulton and moved by Commissioner Newton to establish a new Public at-grade rail crossing establishment on County Road 3, in Big Horn County. The motion failed for the lack of a second.

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to disapprove the public at-grade rail crossing closure on Lacy Street in Yoder, Wyoming, in Goshen County; approve to establish an at-grade rail crossing on County Road 348 at Shute Creek, in Lincoln County; concur in the closing of an at-grade rail crossing on Small Road, in Campbell County; and to concur in establishing an at-grade rail crossing, formerly a private crossing, at Big Horn County Lane 22½.

Mr. Kahler re-entered the meeting. Mr. Kline left the meeting.

11. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through October 31, 2016, includes 89<sup>1</sup> fatal crashes involving 97<sup>1</sup> deaths. The fatalities include 37 rollover crashes, 26 multi-car crashes, 4 fixed objects, 24 motorcycles, 2 all-terrain vehicles, 3 pedestrians, and 1 bicyclist. Of the 89 fatal crashes that occurred so far this year, 18<sup>2</sup> involved commercial vehicles.

There have been 25<sup>3</sup> fatal crashes to date deemed drug or alcohol related, resulting in 29<sup>3</sup> deaths. Of those deaths, 17 were attributed to not using occupant restraints. Ten were rollover crashes, 10 were multi-car crashes, 2 involved fixed objects, 5 involved motorcycles, 2 involved pedestrians, and 6<sup>2</sup> involved commercial vehicles.

Of the 97 deaths that have occurred to date this year, 46 can be attributed to the non-use of occupant restraints, with 28 involving rollover crashes, 16 involving multi-car collisions, and 3 involving fixed objects. Of the 46 deaths that occurred from non-use of occupant restraints, 36 were Wyoming residents, and 10 were non-residents. Fourteen of those who perished were under 21 years of age, and 10 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 89 fatal crashes that have occurred to date this year, 43 occurred on primary/secondary highways, 32 occurred on interstate highways, and 14 occurred on city/county roads.

Six multiple-fatality crashes have occurred on Wyoming highways so far this year, of which 3 involved multiple vehicles, 3 involved commercial vehicles, and 3 were alcohol related.

Inclement weather or road conditions contributed to 6 vehicle crashes so far this year, which resulted in 6 deaths. Speed was considered a factor in 23 of the vehicle crashes that caused 24 deaths.

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

Sunday	14 crashes
Monday	14 crashes
Tuesday	11 crashes
Wednesday	15 crashes
Thursday	15 crashes
Friday	11 crashes
Saturday	9 crashes

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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).

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

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

12:00 a.m. to 6:00 a.m.	12 crashes
6:00 a.m. to 12:00 p.m.	19 crashes
12:00 p.m. to 6:00 p.m.	40 crashes
6:00 p.m. to 12:00 a.m.	18 crashes

The following statistics were also shared with the Commission.

- 76 percent of those who died in rollover crashes were unbelted.
- 66 percent of all auto deaths so far have been unrestrained.
- Of the 46 fatalities not properly restrained, 36 (78 percent) were Wyoming residents, and 10 (22 percent) were non-residents.
- 71 percent of the fatalities under age 21 were not properly restrained (10 out of 14).
- Alcohol and/or drug impairment was a factor in 30 percent of the fatalities.
- Speed was listed by the investigating officer as a contributing factor in 24 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 5,272<sup>4</sup> crashes statewide, of which 4,226 involved non-commercial vehicles, and 1,046 involved commercial vehicles.

WHP Trooper Deployment to the North Dakota Access Pipeline: Wyoming deployed 6 troopers on October 21 and returned on November 8, 2016, to provide law enforcement. Two troopers suffered very minor injuries from various objects being thrown by protestors, but neither of them required medical attention.

Morale was good and accommodations were adequate for Wyoming troopers. Another request was received after the Wyoming Highway Patrol troopers headed home, but the WHP has decided to wait and see what happens, as the project is supposed to be completed soon.

2017 Solar Eclipse: The WHP is actively planning for the influx of tourism for the 2017 solar eclipse. The WHP has communicated with troopers and dispatch personnel that all personnel will be needed to handle the event.

District 4 Captain Appointment: Captain Jason Green has been named the new District 4 captain in Sheridan. Captain Green has about 15 years with the WHP, and has proven to be an outstanding trooper and K-9 drug handler in the past. He has served in the Pinedale area for the last seven years.

Division 'D' K-9 Handler Appointment: Trooper Scott Neilson, of Division D, was recently promoted to a K-9 handler position in Evanston.

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

Wyoming's Drug Interdiction Efforts: The WHP has had many large drug interdictions over the years. The WHP is currently participating in "Operation Gridlock," a California-based drug interdiction effort. Operation Gridlock allows law enforcement agencies nationwide to network and assemble in high-volume trafficking areas across the nation to provide drug enforcement. WHP participated in Operation Gridlock in the Evanston area on I-80 in late October, which resulted in the seizure of 178 pounds of marijuana and \$45,000 in suspected drug currency, and led to 18 felony arrests and 19 misdemeanor arrests in only 2½ days. Other major drug seizures have also been made through Operation Gridlock.

The WHP recently hosted a Federal Motor Carrier Safety Administration's Drug Interdiction Assistance Program (DIAP) training, which specifically focuses on drug interdiction with commercial motor carriers. The DIAP training was recently attended by 25 troopers and 2 ports-of-entry officers. The training is free to the WHP, and it was hosted by the Wyoming Department of Homeland Security. Colonel Haller hopes that this training will lead to even more drug seizures on Wyoming highways.

Colonel Haller advised that the WHP's ultimate goal is successful prosecutions, not the quantity of drugs that area seized.

Safe-to-Tell Program: The Wyoming State Legislature signed into law a "Safe-to-Tell" program during the 2015 session. The program has been used in other states as an anti-bullying campaign. Through the program, schools and students can notify local law enforcement about incidents so that proper action can be taken. The WHP Communications Center is the primary contact for such actions.

The Communications Center has received 45 tips through the program so far. The program was piloted through Natrona County, so most of the calls have come from that location, primarily from students. The calls that are received are anonymous, and interventions are handled by law enforcement personnel.

12. Mr. Gillett presented the Operations report.

As the newly appointed assistant chief engineer for Operations, Mr. Gillett briefed the Commission about his WYDOT career. Mr. Gillett has served in many capacities over the years, beginning as an engineer in Gillette, resident engineer in Lovell and Cody, maintenance staff engineer in Cheyenne, and as a district maintenance engineer and district engineer in Sheridan.

In his new role, Mr. Gillett will oversee the Employee Safety, Highway Safety, Traffic, and Field Operations programs, as well as the five districts' operations. These programs and district offices are made up of about 1,000 individuals, which is more than half of WYDOT's total employees.

District Projects Briefing: Mr. Gillett shared the status of some projects around the state. The District 2 passing lane project on US 20/26, from Casper to Shoshoni, is complete. Phase I of the

WYO 59 passing lanes project, between Douglas and Wright, is also complete, and Phase II is scheduled to be complete in 2017.

District 3 has completed the 55 MPH nighttime speed limit implementation on US 191, from Boulder to Pinedale.

WYDOT has entered into an agreement with Contura Wyoming Land, LLC, (formerly Alpha Coal Mine) to relocate and build a portion of Highway 59 in Campbell County and that road is now open to traffic. Another access to WYO 59 has also been established, Garner Lake Road North, which will be maintained by Campbell County. The legislature passed a bill during the 2016 session stating the coal mine companies and Campbell County will contribute \$10 million, and WYDOT will contribute \$24 million to fund the \$34 million project.

13. Ms. Yaffa presented the Aeronautics report, including the October 2016 Aeronautics Flight Operations Passenger Summary Report, and the Wyoming Aircraft Accident Report.

Powder River Civil and Military Aviation Council (PRCMAC): The PRCMAC's focus is the largest military airspace training in the country, which encompasses the airspace over northeastern Wyoming, and portions of Montana, North Dakota, and South Dakota. WYDOT's Aeronautics Division staff recently attended the council's first meeting, which was held to promote communication between civil and military air space use.

14. Mr. Lewis presented the Chief Technology Officer's report.

As the new chief technology officer, Mr. Lewis provided the Commission with information about his background and work history.

Mr. Lewis began his career working in broadcast television for 14 years. He then went to work for the Wyoming Game & Fish Department where he developed materials for TV broadcast. Mr. Lewis spent the last 16 years working as the Information Technology program manager for the Game & Fish Department.

In his new position, Mr. Lewis oversees the Information Technology (Enterprise Technology Systems), Intelligent Transportation System (ITS)/Geographical Information Systems (GIS), and Telecommunications programs.

Appointment of Telecommunications Program Manager: Mr. Troy Babbitt has been named the new Telecommunications program manager, effective December 1, 2016. Mr. Babbitt has served as the state broadband coordinator and the State of Wyoming representative for the FirstNet Program.

Telecommunications Award: One of WYDOT's Telecommunications technicians, David Shepard, has been awarded the 2016 Technician of the Year Award by the Wyoming Association

of Public Communications Officials. Mr. Lewis noted that WYDOT's Telecommunications personnel have also received this award in 2012, 2013, and 2014.

15. It was moved by Commissioner Anderson, seconded by Vice Chairman Seeton, and carried to adjourn the meeting. Chairman Dooley adjourned the meeting at 12:05 p.m., on Thursday, November 17, 2016.