

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on January 19, 2017. 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 were Dennis Byrne, Chief Financial Officer; Gregg Fredrick, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering & Planning; Mark Gillett, Assistant Chief Engineer for Operations; Taylor Rossetti, Support Services Administrator; Colonel Kebin Haller, Highway Patrol Administrator; Christy Yaffa, Interim Aeronautics Administrator; Pat Lewis, Chief Technology Officer; 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: Keith Cashman, Territorial Sales Representative, and Paul Phillips, Territorial Sales Manager, Wyoming Machinery Company, Cheyenne; Ed Spal, Centennial Woods, Laramie; Ernie Skretteberg, Vice President - Estimating, McGarvin-Moberly Construction Company, Worland; Katie Legerski, Executive Director, Wyoming Contractors Association; Kent Ketterling, State Maintenance Engineer; and Scott Taylor, District Engineer, Sheridan.

1. 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 Larson, seconded by Commissioner McCormack, and carried to approve the minutes from the December 8, 2016, breakfast meeting, regular business meeting, and executive session.
3. Correspondence: Secretary Scott presented a December 13, 2016, letter from the City of Gillette regarding the Gillette Boxelder Road extension project. The subject will be addressed by Mr. Gregg Fredrick under the Chief Engineer's report.

Secretary Scott also presented a January 5, 2017, letter from Contura Energy notifying the Commission of its intent to perform blasting at the Belle Ayr Mine in Campbell County. Mr. Gillett will address this topic under the Operations report.

A third item of correspondence was presented by Secretary Scott, a January 16, 2017, letter from Centennial Woods, the apparent low bidder on Bid No. 17-071HH for snow fence restoration statewide. This topic will be addressed during the Procurement Services bids under the Chief Financial Officer's report.

The fourth item of correspondence was also presented by Secretary Scott, a January 17, 2017, letter from Mr. Philip Caines, President of McGarvin-Moberly Construction Company. In his letter, Mr. Caines expressed concern about the award of Project SCP-TC-N202068, Muddy Gap to Lander Road, to the apparent low bidder Hedquist Construction. Mr. Fulton will address the matter under the Engineering and Planning report.

Mr. Mike Menghini, State Bridge Engineer, entered the meeting.

3. Director Panos presented the Director's report.

American Association of State Highway & Transportation Officials (AASHTO) Award: Mr. Menghini was recognized for his 25 years serving as a Wyoming representative for AASHTO. Director Panos presented the award.

Joe Dailey Retirement: Director Panos congratulated Mr. Joe Dailey on his retirement and thanked him for his commitment to and partnership with WYDOT for the past seven years. Mr. Dailey will retire from his position as the FHWA division administrator on February 28, 2017.

Legislative Update: The 2017 legislature is dealing with a very different economy than in the past. The legislature is looking at a variety of different ways to affect change and sustain the state's economy as in the past few years. WYDOT is working with the legislature to convert some of its current funding from General Funds to user fees, which creates a more stable funding stream for the agency.

WYDOT presented its FY 2017-2018 budget to the Joint Appropriations Committee on January 13, and was called back to answer further questions on January 17, 2017.

Director Panos noted that the bills that moved through the Joint Transportation, Highways & Military Affairs Committee during the interim continue to move through the session. The Department is involved with many bills going through the session so far. Director Panos thanked those who have worked diligently to provide the necessary information to the legislature so they can make educated decisions that will impact the agency.

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

FY 2018 Budget Update: Mr. Byrne provided a handout depicting a \$53.7 million budget cash flow issue for FY 2018. The most significant reason for the cash flow issue is the accelerated spending related to the \$162.3 million in Abandoned Mine Lands (AML) funds that were allocated to WYDOT during the 2016 legislative session. One of the requirements for WYDOT to receive the

AML funds was to spend the funds as quickly as possible because other state projects would not receive funding until AML funds were spent. WYDOT accelerated spending the AML funds by \$33.6 million, which significantly impacts WYDOT's cash flow. Of the \$33.6 million, approximately \$22.6 million was spent in FY 2016, plus \$11 million in addition to what was already programmed in FY 2017.

WYDOT received \$14.4 million less revenue than what was anticipated in FY 2016 because of reduced diesel fuel revenue. A third cause for the cash flow issue is that WYDOT had \$5.7 million in purchase order and other commitments. The department did not have adequate cash flow to cover those commitments, so they were moved to FY 2017. These three factors total a \$53.7 million cash flow issue for the FY 2017-2018 biennium. Some budget items will need to be postponed to deal with the agency's cash-flow issue.

Adjustments have been made in the FY 2017 first quarter budget revision to reduce the issue to \$22 million. Another \$17 million in delays are pending, which will reduce the issue to about \$5 million in FY 2018.

Mr. Byrne advised that WYDOT will take a closer look at the means by which it budgets to better position itself financially in the future.

Mr. Voyles entered the meeting.

5. Mr. Freier presented the FY 2017 first quarter budget revision.

The first quarter budget revision includes purchase order rollovers from FY 2016. Some of those items were salt/sand storage buildings that were let to contract, Commission-approved funding for the Budge Slide in Jackson, district building projects, and a port-of-entry weigh-in-motion scale.

First quarter revenue was on target for what was projected for the period. Significant cuts were made to address the funding shortage, as discussed earlier in the meeting.

It was recommended by Mr. Freier, moved by Commissioner Anderson, seconded by Commissioner Ruwart, and carried to approve the FY 2017 first quarter budget revision.

Mr. Freier also presented the monthly budget report. The January 2017 budget report revealed that the Commission and legislative budgets are 25 percent expended, which is within the target budget tolerances.

Commissioner Newton asked how the Abandoned Mine Land (AML) funds will be replaced when they run out. Director Panos explained that the bill states that WYDOT will begin receiving federal mineral royalty funds again in FY 2019-2020 after the AML funds have been spent.

Mr. Freier noted that \$14.1 million has been programmed into the FY 2017-2018 budget to cover some of the carryover expenditures for the year. The programming of these funds now will help prevent a shortage in FY 2019-2020.

6. 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 16-315 to furnish the Wyoming Traffic Safety Portal, for delivery in Cheyenne. The request for proposal (RFP) was awarded to Integrated Transportation Information Systems Corporation, of Clovis, California, for the sum of \$250,000.00.
 - Bid number 17-050 to furnish three each, new, current model, all-wheel-drive articulated motor graders, for delivery in Pine Bluffs, Lander, and Cody. The bid was awarded to Wyoming Machinery Company, of Cheyenne, Wyoming, for the sum of \$679,689.00, via the buyback program.
 - Bid number 17-058 to furnish treated sign and fence posts, for delivery at various locations statewide. The bid was awarded to Ayers & Baker, Inc., of Mountain View, Wyoming, for the sum of \$194,655.95; and Buckingham Lumber Company, of Buffalo, Wyoming, for the sum of \$9,890.00; for a total sum of \$204,545.95.
 - Bid number 17-075 to furnish 12,700 each rough lumber for snow fence repair and construction, for delivery at various locations statewide. The bid was awarded to Buckingham Lumber Company, of Buffalo, Wyoming, for the sum of \$61,510.50.
 - Bid number 17-076 to furnish 4,502 each snow plow carbide-tipped blades, for delivery at various locations statewide. The bid was awarded to Volk Manufacturing Company, of New Kingstown, Pennsylvania, for the sum of \$572,696.36.
 - Bid number 17-077 to furnish 1,122 each winter equipment brand straight and curb guards, for delivery at various locations statewide. The bid was awarded to Winter Equipment Company, of Willoughby, Ohio, for the sum of \$89,636.58.
 - Bid number 17-081 to furnish a wayside horn system, for delivery in Lingle, Wyoming. The bid was awarded to Quiet Zone Technologies, of Benbrook, Texas, for the sum of \$56,185.00.
 - Bid number 17-084 to furnish 134 each cattle guard sections, wings, and bases for delivery at various locations statewide. The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$74,097.00.
- Bid number 17-105 to furnish cable rail repair and associated work, for delivery at various locations statewide. The bid was awarded to Generation X, Inc., of Sheridan, Wyoming, for the sum of \$145,207.10.

It was recommended by Mr. Byrne, moved by Commissioner Anderson, seconded by Commissioner Ruwart, and carried to approve purchase for bid number 17-030 to furnish janitorial maintenance at the Mule Creek Junction Rest Area for 12 months. The bid was awarded to Judy Hanzlik, of Newcastle, Wyoming, for the sum of \$57,600.00.

It was recommended by Mr. Byrne, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried to approve purchase for bid number 17-049 to furnish 12 each, new, current model articulated wheel loaders, for delivery at various locations statewide. The original bid was for 12 loaders to be purchased via the buyback program, and another 5 loaders to be purchased outright. Because of the budgetary challenges discussed earlier in the meeting, the bid was awarded to Wyoming Machinery Company, of Cheyenne, Wyoming, for the purchase of only the 12 loaders, via the buyback program, for the sum of \$1,432,764.00. The remaining 5 loaders will be rebid for purchase at a later date.

It was recommended by Mr. Byrne, moved by Commissioner Larson, seconded by Commissioner Newton, and carried to approve purchase for bid number 17-051 to furnish one each, new, current model, track tractor with variable pitch, angle-tilt dozer, for delivery in Basin. The bid was awarded to Wyoming Machinery Company, of Cheyenne, Wyoming, for the sum of \$291,809.00, via the buyback program.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to approve purchase for bid number 17-052 to furnish two each, new, current model, diesel, wheel tractor, with backhoe and loader, for delivery in Afton and Wheatland. The bid was awarded to Wyoming Machinery Company, of Cheyenne, Wyoming, for the sum of \$191,624.00, via the buyback program.

Mr. Fredrick explained WYDOT's snow fence restoration projects. The Department has historically let an annual snow fence repair project for two or three districts combined. Those contracts were for a three-year term so that each district's contract was renewed every three years. This year, WYDOT is considering the contract for Districts 2 and 4 combined. WYDOT has changed this year's contract to an eight-year term, with changes in the bid items to include measuring and paying only for the wood slats, and removal and replacement of snow fence.

Mr. Spal advised that Centennial Woods' ultimate goal is to provide snow fence restoration at no cost to the state. WYDOT has awarded these contracts to Centennial Woods for the past 17 years, which, in turn, allows Centennial Woods to reuse the reclaimed wood to provide products for sale to the public worldwide. According to Mr. Spal, eight-year contracts will allow Centennial Woods to replace all of WYDOT's snow fence statewide. If awarded, the contractor will not charge WYDOT for additional costs incurred for some materials that WYDOT has paid for in the past, as those costs will be borne by the contractor.

It was recommended by Mr. Fredrick, moved by Commissioner Ruwart, seconded by Commissioner McCormack, and carried to approve the award of bid number 17-071 to furnish snow fence restoration in Districts 2 and 4 for eight years based on the reimbursement in the bid, and as confirmed in Centennial Woods' letter to the Commission. The bid was awarded to Centennial Woods, LLC, of Laramie, Wyoming, at an anticipated cost of \$4,989,000.00 to WYDOT, and with anticipated receipts of \$5,600,000.00 from Centennial Woods; which will result in an approximate net profit of \$611,000.00 to WYDOT.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to approve purchase for bid number 17-082 to furnish 27,927 each, and 3,590 feet of bridge rail/guardrail and components, for delivery at various locations statewide. The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$461,487.51.

It was recommended by Mr. Byrne, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to approve purchase for Requisition Number 0000044739 to furnish two Ver-mac PCMS-1210 portable, changeable, trailer-mount message signs, for delivery in Basin, Wyoming. The sole source contract was awarded to Ver-Mac, Inc., of Minneapolis, Minnesota, for the sum of \$27,734.00.

It was recommended by Mr. Byrne, moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried to approve purchase for Requisition Number 0000044928 to furnish annual maintenance and support service per location, scheduled preventative maintenance, emergency maintenance, parts, and verification of system calibration. The contract was awarded to International Road Dynamics, Inc., of Saskatoon, Saskatchewan, Canada, for the sum of \$165,000.00.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to approve purchase for Requisition Number 0000045092 to furnish BOE licensing, for use by the Information Technology Program in Cheyenne. The contract was awarded to Information Builders, Inc., of New York, New York, for the sum of \$62,500.00.

Messrs. Cashman and Phillips thanked the Commission for their business over the years. Mr. Phillips explained his company's governmental equipment lease option for WYDOT's future planning purposes. In light of recent budget cuts, the lease program would be a conservative option for the Department to continue to have newer equipment available.

Messrs. Cashman, Phillips, Spal, Ketterling, Byrne, and Freier left the meeting.

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

Budget Reductions and Project Delays: At the January 13, 2017, budget hearing before the Joint Appropriations Committee, WYDOT was asked to provide information about what projects would be delayed or halted if the agency no longer received General Funds. WYDOT provided a follow-up response to the JAC, including maps showing nine surface transportation projects and locations worth about \$35.5 million that would have to be postponed if General Funds were retracted. Some airport projects will also be delayed or postponed indefinitely.

Additionally, maps were provided to the JAC depicting about 30 other \$0.10 fuel tax projects that are programmed for each of the next two bienniums.

Lusk to Van Tassell Project Update: Mr. Fulton recently met with the design team for the Lusk to Van Tassell project(s). The team has established a new plan for the project, the scope of which will

be reconstruction rather than a pavement overlay project. The design will have 2-foot lane widths and six-foot shoulders. The project limits will also be slightly extended to address a hazardous intersection that was identified in the public comments. The revised design will increase the project cost by about \$4.2 million bringing the total project cost estimate to \$8.6 million. Because \$0.10 fuel tax funding will be used to build the project, another project may have to be delayed to cover the additional project costs. The new anticipated completion date is in the spring of 2018. Mr. Fredrick confirmed that the adjacent project will also be reconstructed with 12-foot lanes and 6-foot shoulders.

No-Passing Zone Signs: WYDOT continues to work on developing six no-passing-zone sign projects statewide. The first of these projects will be let in 2017, and the last project will be realized in 2022. These projects will cover about 5,300 miles of roadway, statewide, at a cost of about \$1 million per project.

Some no-passing zone signs have already been installed on Highway 287 south of Laramie, on WYO 387, and US 85 south of Lusk.

City of Gillette Correspondence, Boxelder Road Extension Project: Gillette Mayor Louise Carter-King wrote a letter to the Transportation Commission expressing concerns about the status of the Gillette Boxelder Road extension project.

There have been times during the construction season that there was little or no project activity. The project's scheduled completion date was October 31, 2016, and 85 percent of the work is complete to date. Some of the work remaining includes top soil placement, storm water control, reclamation work, fencing, sidewalk tie-ins at the ends of the project, ADA ramps, approach paving, curb and gutter, and sign installation. District staff spoke with the contractor, and they indicated work will resume as soon as weather permits.

A response letter for the Commission chairman's signature was drafted. The letter explained that WYDOT does not dictate the contractor's schedule, liquidated damages will be assessed to the contractor until the work is finished, and WYDOT will encourage the contractor to make this project a priority at the beginning of the next construction season.

8. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held January 12, 2017, in Sheridan.

COMMISSION DISTRICT 1
Bob Ruwart - Commissioner

Federal project NHPPI-I806206, involving grading, milling plant mix, bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, lane rental, and miscellaneous work on 7.172 miles of I-80, beginning at reference marker (RM) 341.20, between Laramie and Cheyenne, in Laramie County. Completion date: October 31, 2018

Engineer's Estimate	\$9,322,393.00	
Knife River, Cheyenne, WY	\$9,233,489.93	-1.0%
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$9,432,234.51	
Mountain Construction Company, Lovell, WY	\$9,920,057.00	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried that **Knife River, Cheyenne, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project AML17-BR-B171010, involving grading, placing crushed base, concrete slab replacement, bridge rehabilitation, electrical work, and miscellaneous work at various locations in Transportation District 1, including Laramie County. Completion date: October 31, 2017

Engineer's Estimate	\$3,647,246.00	
S & S Builders, LLC, Gillette, WY	\$3,253,950.55	-10.8%
Reiman Corp., Cheyenne, WY	\$3,749,912.00	
Dietzler Construction Corporation, Yoder, WY	\$3,776,792.00	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$4,897,830.00	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Ruwart, 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.

Federal projects STP-PM-B171008 and CMP-PM-B171029 combined, involving milling plant mix and concrete, placing pit run sub-base, crushed base, and bituminous pavement surfacing, and miscellaneous work on 6.17 miles at various locations in Transportation District 1, in Laramie County. Completion date: October 31, 2017

Engineer's Estimate	\$1,587,048.50	
Knife River, Cheyenne, WY	\$1,383,069.79	-12.9%
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$1,434,000.00	
Mountain Construction Company, Lovell, WY	\$1,770,482.94	

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

Federal project AML17-PM-B171009, involving placing crushed base, removal and replacement of concrete slabs, and miscellaneous work at various locations in Transportation District 1, including Laramie County. Completion date: October 31, 2017

Engineer's Estimate	\$826,175.00	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$782,801.00	-5.2%
Reiman Corp., Cheyenne, WY	\$804,030.00	
S & S Builders, LLC, Gillette, WY	\$827,396.50	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Ruwart, and carried that **Simon Contractors and its Subsidiaries, Cheyenne, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICTS 1 and 7
Bob Ruwart - Commissioner
Clair Anderson - Commissioner

Federal project NHPP-I253115 involving grading, installing electrical conductors, road closure, intelligent transportation systems (ITS) communications, dynamic message systems, and miscellaneous work at various locations on I-25 and US 18/20, between Orin Junction and Glendo, in Converse and Platte counties. Completion date: October 31, 2017

Engineer's Estimate	\$1,070,286.50	
Advanced Electrical Contracting, Inc., Sheridan, WY	\$1,054,500.00	-1.5%
Modern Electric Co. and its Subsidiary, Casper, WY	\$1,265,667.78	
Casper Electric, Inc., Casper, WY	\$1,321,837.15	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Anderson, and carried that **Advanced Electrical Contracting, Inc., Sheridan, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 3
Todd Seeton - Vice Chairman

State project SCP-TC-P161025 involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, reclaimed asphalt pavement widening, bridge deck repair, and miscellaneous work on 2.69 miles of WYO 414, beginning at RM 94.00, north of Urie, in Uinta County. Completion date: October 31, 2017

Engineer's Estimate	\$1,418,643.50	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$1,697,779.15	+19.7%

It was recommended by Mr. Fulton, moved by Vice Chairman Seeton, 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.

COMMISSION DISTRICTS 4 and 6

Rick Newton - Commissioner

Mike Larson - Commissioner

Federal projects AML17-BR-B174018 and DR42706 combined, involving bridge rehabilitations and miscellaneous work at various locations in Transportation District 4, including Campbell, Crook, and Johnson counties. Completion date: June 30, 2018

Engineer's Estimate	\$1,606,563.00	
S & S Builders, LLC, Gillette, WY	\$1,929,733.45	+20.1%
Dietzler Construction Corporation, Yoder, WY	\$2,075,309.00	
Reiman Corp., Cheyenne, WY	\$2,539,653.00	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, 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.

COMMISSION DISTRICT 5

Bruce McCormack - Commissioner

State project SCP-TC-N331028 involving grading, milling plant mix, placing crushed base and pit run sub-base, bituminous pavement surfacing, chip seal, and miscellaneous work on 6.22 miles of WYO 120, beginning at RM 32.00, between Thermopolis and Meeteetse, in Hot Springs County. Completion date: August 31, 2018

Engineer's Estimate	\$2,544,954.95	
Mountain Construction Company, Lovell, WY	\$2,495,587.58	-1.9%
Croell, Inc., and its Subsidiaries, Douglas, WY	\$2,547,803.46	
Century Companies, Inc., Lewistown, MT	\$2,614,305.60	
Plus 5% for Comparison	\$2,745,020.88	
Hedquist Construction, Inc., Mills, WY	\$2,842,210.40	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$2,923,065.70	
McGarvin-Moberly Construction Company and subsidiary, Worland, WY	\$2,927,514.43	
Riverside Contracting, Inc., Missoula, MT	\$2,999,999.99	
Plus 5% for Comparison	\$3,149,999.99	

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried that **Mountain Construction Company, Lovell, Wyoming**,

having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICT 7
Clair Anderson - Commissioner

Federal project AML17-W094001, involving grading, placing crushed base, bituminous leveling and pavement surfacing, chip seal, bridge rehabilitations, and miscellaneous work on 12.42 miles of WYO 94, beginning at RM 0.40, between Douglas and Esterbrook, in Converse County. Completion date: October 31, 2017

Engineer's Estimate	\$3,859,515.50	
Croell, Inc., and its Subsidiaries, Douglas, WY	\$3,368,939.90	-12.7%
Hedquist Construction, Inc., Mills, WY	\$3,680,263.22	
Knife River, Cheyenne, WY	\$3,745,490.00	
McGarvin-Moberly Construction Company and subsidiary, Worland, WY	\$4,217,090.98	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$4,283,972.22	

It was recommended by Mr. Fulton, moved by Commissioner Anderson, seconded by Commissioner Ruwart, and carried that **Croell, Inc., and its Subsidiaries, Douglas, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

9. Chairman Dooley requested that the Commission go into executive session. It was moved by Vice Chairman Seeton, seconded by Commissioner Anderson, and carried to go into executive session to consider or to receive information classified as confidential by law, in accordance with Wyoming Statute 16-4-405(a)(ix).

Ms. Legerski, Messrs. Skretteberg, Gillett, Rossetti, Lewis, McGee, Taylor, and Dailey, and Colonel Haller left the meeting. The Commission went into executive session at 11:00 a.m., on Thursday, January 19, 2017.

10. It was moved by Vice Chairman Seeton, seconded by Commissioner Anderson, and carried to come out of executive session. The Commission came out of executive session at 11:16 a.m., on Thursday, January 19, 2017. Chairman Dooley brought the regular business meeting back to order.

Ms. Legerski, Messrs. Skretteberg, Gillett, Rossetti, Lewis, and Dailey, and Colonel Haller re-entered the meeting. Mr. Andy Long, WYDOT's State Construction Engineer, and Jim Messer, Prequalification Officer, also entered the meeting. Messrs. Craig Hedquist, president of Hedquist Construction, joined the meeting by phone.

Mr. Fulton continued presenting the bids from the January 12, 2017, letting.

State project SCP-TC-N202068, involving grading, milling plant mix, placing pit run sub-base and crushed base, bituminous pavement surfacing, chip seal, bridge deck repair, and miscellaneous work on 5.98 miles of WYO 789, beginning at RM 41.14, between Muddy Gap and Lander, in Fremont County. Completion date: October 31, 2017

Engineer's Estimate	\$2,990,622.10	
Hedquist Construction, Inc., Mills, WY	\$2,854,848.80	-4.5%
McGarvin-Moberly Construction Company and subsidiary, Worland, WY	\$2,949,778.44	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$3,172,165.80	

McGarvin-Moberly Construction Company provided the Commission with a letter opposing the award of this contract to Hedquist Construction, Inc., citing some alleged delays in completing other WYDOT projects and a "backlog of work." Mr. Skretteberg read the letter in its entirety so that Mr. Hedquist could hear the content of the correspondence by telephone.

In summary, Mr. Skretteberg suggested the Commission do what was in the best interest of Wyoming taxpayers and not award the contract to Hedquist Construction.

Mr. Hedquist stated that all except one WYDOT project are virtually complete, with only minor punch list items to be finished when weather permits. Additionally, Hedquist Construction recently purchased a new hot plant machine that is ready to be utilized in the spring for a county project and other future work. Mr. Hedquist also advised that his company's prequalification allowed him to bid on several other projects in this letting.

Commissioner McCormack asked if the only project that is behind schedule is the Boxelder Road project in Gillette. Mr. Andy Long, WYDOT's State Construction Engineer, indicated Hedquist Construction has been assessed liquidated damages on three WYDOT projects, and work has been suspended until the spring. All other WYDOT projects are virtually complete, and work will resume in the spring.

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Vice Chairman Seeton, 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. Commissioner Anderson voted no.

Mr. Hedquist left the meeting.

Federal project HSIP-SEP-N212119, involving grading, draining, bridge railing modification, guardrail, and miscellaneous work on 2.84 miles of WYO 220, beginning at RM 81.203, between Muddy Gap and Casper, in Natrona County. Completion date: October 31, 2017

Engineer's Estimate	\$2,533,413.00	
Oftedal Construction, Inc., Casper, WY	\$2,171,256.67	-14.3%
Knife River, Cheyenne, WY	\$2,461,789.51	
Hedquist Construction, Inc., Mills, WY	\$2,541,729.20	
Earth Work Solutions, Gillette, WY	\$2,584,768.46	
DRM, Inc., Gillette WY	\$3,312,873.40	

It was recommended by Mr. Fulton, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried that **Oftedal Construction, 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.

Federal project STP-B172001, involving crack sealing, micro-surfacing, and miscellaneous work on 32.20 miles of roadway at various locations in Transportation District 2, including Converse and Natrona counties. Completion date: August 31, 2017

Engineer's Estimate	\$1,273,700.00	
Asphalt Surface Technologies Corporation, St. Cloud, MN	\$1,528,650.00	+20.0%
Intermountain Slurry Seal, Inc., Watsonville, CA	\$1,565,600.00	
Riverside Contracting, Inc., Missoula, MT	\$1,761,250.00	
Geneva Rock Products, Inc., Murray, UT	\$1,821,575.00	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Anderson, and carried that **Asphalt Surface Technologies Corporation, St. Cloud, Minnesota**, 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-N342049, involving grading, placing riprap, and miscellaneous work at the upper Wind River Campground Slide, beginning north of the town of Shoshoni, at RM 115.44, on US 20, between Shoshoni and Thermopolis, in Fremont County. Completion date: May 31, 2017

Engineer's Estimate	\$184,290.00	
71 Construction, Casper, WY	\$ 65,071.00	-64.7%
Wyoming Earthmoving Corporation, Rozet, WY	\$103,460.35	
Oftedal Construction, Inc., Casper, WY	\$128,000.00	
LCI Trucking & Construction, LLC, Pavillion, WY	\$131,221.10	
Wilson Bros. Construction, Inc., Cowley, WY	\$162,542.50	
Earth Work Solutions, Gillette, WY	\$180,459.60	
S & L Industrial, Cowley, WY	\$190,096.25	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner McCormack, and carried that **71 Construction, 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.

Ms. Legerski and Messrs. Skretteberg, Long, and Messer left the meeting.

11. FY 2017 First-Quarter State Transportation Improvement Program (STIP) Addendum: Mr. Fulton presented the first-quarter addendum to the FY 2017 STIP.

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried to approve the first-quarter addendum to the STIP project list.

12. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,917 personnel as of December 31, 2016, compared to 1,937 one month ago. Mr. Rossetti attributed the staffing reduction to end-of-year retirements. The Department had 38 positions for which it was actively recruiting as of December 31, 2016.

Legislative Update: Mr. Rossetti briefed the Commission about the Support Services-related bills that are moving through the legislature, including the Yellowstone license plates, and other revenue-based bills for drivers' license fees and motor vehicle registration fees.

SF0095 is a bill that, if passed, will offer early retirement for state employees. There are several options and tiers in the proposed bill. In its current form, up to 495 WYDOT employees would be eligible to retire. There are other concerns about the bill.

Director Panos noted that the bill will likely change over the next few weeks, or it could fail. Mr. Rossetti indicated he is closely monitoring this bill and the impacts it will have on the agency.

13. Chairman Dooley recessed the business meeting at 11:50 a.m., on Thursday, January 19, 2017.

The Commission hosted an education session, "Safety Effectiveness of Regulatory Headlight Signs in Wyoming (Phases I and II)," by Dr. Khaled Ksaibati, P.E., and Dr. Muhammad Ahmed, P.E., of the University of Wyoming College of Engineering and Applied Science. The education session began at 1:30 p.m. Separate minutes were kept for the education session.

Chairman Dooley reconvened the business meeting at 2:30 p.m., on Thursday, January 19, 2017.

13. Mr. Gillett presented the Operations report.

Teton County Avalanche Activity: Between January 7 and 11, 2017, 11 avalanches occurred in the Jackson area, on Teton Pass, in the Snake River Canyon, and in the Hoback Canyon. WYDOT crews worked diligently to re-open the roads, and most of the snow slides required rotary snow plows to clear the roadway. During that same period, WYDOT also purposely activated avalanche control

devices to prevent other hazards for the traveling public. Earlier this year, WYDOT also managed eight other avalanches at other locations around the state that required significant snow removal from the roadways. These were areas where WYDOT has not had to mitigate avalanches in the past. Continuous heavy snowfall, excessive wind, and varying temperatures have contributed to all these events. WYDOT's avalanche control team anticipates the very active avalanche season will continue, as high levels of precipitation are forecast for Wyoming throughout this winter.

Mr. Gillett acknowledged WYDOT's avalanche control personnel for their work, and the maintenance personnel who have worked long hours to clear the roadways.

Winter Road Closures: Recent storms necessitated closing I-80 across most of Wyoming. One WYDOT snow plow truck was struck during that storm event, but it was repaired and placed back into service. Districts 4 and 5 also experienced road closures during a recent snowstorm.

Mining Operations in Campbell County: The Commission received a letter from Contura Energy, the owner of one of the coal mines near Gillette. The mining company notified the Department of their plans to blast within 1,000 feet of the highway. An agreement will be drafted with Contura to allow them access to the state's right-of-way for the work to proceed. Contura must have certified flaggers and traffic control in place during blasting operations, and they will be required to clean up any debris on the highway before resuming traffic flow.

14. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through December 31, 2016, includes 100¹ fatal crashes involving 112¹ deaths. The fatalities include 39 rollover crashes, 36 multi-car crashes, 4 fixed objects, 24 motorcycles, 3 all-terrain vehicles, 5 pedestrians, and 1 bicyclist. Of the 100 fatal crashes that occurred so far this year, 22² involved commercial vehicles.

There have been 28³ fatal crashes to date deemed drug or alcohol related, resulting in 34³ deaths. Of those deaths, 21 were attributed to not using occupant restraints. Eleven were rollover crashes, 13 were multi-car crashes, 2 involved fixed objects, 5 involved motorcycles, 1 one involved an ATV, 2 involved pedestrians, and 6² involved commercial vehicles.

Of the 112 deaths in 2016, 55 can be attributed to the non-use of occupant restraints, with 30 involving rollover crashes, 22 involving multi-car collisions, and 3 involving fixed objects. Of the 55 deaths that occurred from non-use of occupant restraints, 42 were Wyoming residents, and 13 were non-residents. Eighteen of those who perished were under 21 years of age, and 12 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 100 fatal crashes that occurred in 2016, 49 of them occurred on primary/secondary highways, 35 occurred on interstate highways, and 16 occurred on city/county roads.

¹Numbers at the time of reporting; final numbers may change.

²Number not included in total deaths (sub-crash data).

³Not all chemical test results were available at the time of report.

Eight multiple-fatality crashes occurred on Wyoming highways in 2016, of which 5 involved multiple vehicles, 4 involved commercial vehicles, and 4 were alcohol related.

Inclement weather or road conditions contributed to 9 vehicle crashes so far this year, which resulted in 9 deaths. Speed was considered a factor in 26 of the vehicle crashes that caused 28 deaths.

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

Sunday	17 crashes
Monday	14 crashes
Tuesday	11 crashes
Wednesday	16 crashes
Thursday	19 crashes
Friday	12 crashes
Saturday	11 crashes

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

12:00 a.m. to 6:00 a.m.	15 crashes
6:00 a.m. to 12:00 p.m.	21 crashes
12:00 p.m. to 6:00 p.m.	42 crashes
6:00 p.m. to 12:00 a.m.	22 crashes

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 6,619⁴ crashes statewide in 2016, of which 5,330 involved non-commercial vehicles, and 1,289 involved commercial vehicles.

In summary, the following statistics were also shared with the Commission.

- 77 percent of those who died in a rollover crashes were unrestrained.
- 70 percent of Wyoming auto deaths so far have been attributed to not being properly restrained.
- Of the 5 fatalities not properly restrained, 42 (or 76 percent) were residents and 13 (or 24 percent) were non-residents.
- 67 percent of the fatalities under age 21 were not properly restrained (12 of the 18).
- Alcohol and/or drug impairment was a factor in 30 percent of the fatal crashes.
- Speed was noted by the investigating officer as a contributing factor in 25 percent of the fatalities.

Calendar year 2016 had 29 less fatal crashes and 33 fewer deaths than a year ago. A 2016 fatal crash pin map was presented that showed the locations of each fatality that occurred in 2016.

⁴Does not contain all crashes worked; some reports are still pending.

Wyoming Highway Patrol (WHP) Promotions: The Highway Patrol recently promoted and relocated Captain Tom Pritchard to Cheyenne to oversee the WHP Professional Standards and Conduct Division. Lieutenant Steve Sanders in Torrington was promoted to the rank of captain and he will fill the position that was vacated by Captain Pritchard.

New Trooper Commissioning: The commissioning of 9 new troopers has been scheduled March 23, 2017. The ceremony will take place at the Wyoming Supreme Court Building. Colonel Haller encouraged the Commission to attend the ceremony.

High Intensity Drug Trafficking Area (HIDTA) Award: Ms. Tiffany Young, an employee of the WHP Evidence and Equipment Division, recently received an award for outstanding support for personnel from Rocky Mountain Division of HIDTA. HIDTA is a federal program under the Office of National Drug & Control Policy that audits the WHP. A recent audit resulted in no adverse findings, primarily because of Ms. Young's work.

Seasonal Closure of Teton Pass: The seasonal closure of Teton Pass to trailers this winter has generated a lot of discussion, and many violations and crashes have occurred. The WHP is partnering with the Idaho State Patrol to coordinate enforcement efforts. Violators can be identified using web cameras on the pass, and that information will be monitored and relayed by the WHP Communications Center to area troopers who will provide the necessary enforcement.

Preparations for the Total Solar Eclipse: On August 21, 2017, a total solar eclipse will occur, and prime viewing of the event will be across central Wyoming. A significant influx of tourists and sightseers are expected to come to Wyoming to experience the rare occurrence. The WHP and its local partners are preparing for the event, and law enforcement will be strongly engaged statewide. A state operation plan is being developed, and local plans will drill in further to local communities to be impacted by the large influx of tourists in attendance.

WHP Trooper Vacancies: On January 5-9, 2017, the WHP conducted testing to fill 18 trooper vacancies. There were 320 applications initially received, but only 63 individuals showed up for the testing. Candidates will be subjected to the Peace Officer Standards Testing, agility course training, personal interviews, and psychological evaluations and/or polygraph testing. If candidates pass these tests, they are placed on a short list and a conditional offer is made. Background investigations are also conducted before a final offer is made.

Final Performance Report: The WHP is preparing a final performance report for 2016. The report will summarize activities within the Highway Patrol, the Communications Center, and the ports-of-entry. The report will be provided to the Commission when it becomes available.

WHP Dispatch Communications Center: The WHP Dispatch Center has experienced many changes over the past year, including the retirement of the managing captain, restructuring, and taking on additional duties with Amber alert notifications, endangered persons advisories, and other emergency services. Colonel Haller expressed his sincere appreciation and gratitude for the Communications

Center and the work those employees have done, particularly the employees' ability to partner with other agencies to advance critical safety programs.

Safe2Tell Program Update: The Safe2Tell Program continues to be rolled out to school districts statewide. The WHP, the Wyoming Division of Criminal Investigation, and the Wyoming Department of Homeland Security present the program, which is used as a tool to educate and combat suicide and school violence. Colonel Haller advised that each time the program is presented, the WHP Communications Center is flooded with calls, and he believes the program has been very successful.

15. Ms. Yaffa presented the Aeronautics report, including the December 2016 Aeronautics Flight Operations Passenger Summary report.

Aircraft Accident: One aircraft accident occurred near Basin on December 7, 2016. Details of the crash were provided in the Wyoming Aircraft Accident Monthly Report.

Lander Airport Project Update: Runway reconstruction is underway at the Lander Airport. The current project design provides for a slightly narrower runway. Other options are being discussed with the community and airport officials to reach an amicable solution regarding concerns with the new design.

Director Panos attended a public meeting in Lander about the project. Information was provided at the meeting that helped ease some of the public's concerns about the design.

Mr. Vince Garcia entered the meeting.

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

Legislative Update: Mr. Lewis briefed the Commission about HB0065, Public Service Communications Commission (PSCC) reorganization. The bill, in its current form, reduces the number of PSCC members from 17 to 11 and it adds WYDOT's director as an ex officio committee member.

Mr. Lewis believes that bringing the PSCC under the umbrella of WYDOT will allow better management of and future budgeting for the modernization and maintenance of the WyoLink system.

WyoLink Update: WYDOT has actively sought input from other agencies and entities that are WyoLink users. Many entities have expressed concern over legislation to eventually begin charging those who use the system. WYDOT plans to work cooperatively work through those issues to continue WyoLink's interoperability between agencies.

A solicitation of interest (SOI) was issued last week to build out 16 more WyoLink towers in areas that do not currently have coverage. Six of those towers will provide tower-to-vehicle coverage, and the remaining 10 towers will provide tower to person coverage for communities with more than

1,200 residents. The SOI will eventually lead to publicizing a request for proposals (RFP) to build the 16 towers for the project.

Connected Vehicle Study: The Intelligent Transportation Systems/Geographic Information System (ITS/GIS) Program has been busy working on Phase 2 of the connected vehicle study. WYDOT was awarded a grant to study and design hardware to develop the system.

WYDOT “511” Mapping Upgrade: WYDOT’s ITS/GIS Program has upgraded its interactive “511” web site mapping system. The State of Wyoming is very involved with Google technologies, and the former “511” system was based on Google technology. When WYDOT attempted to modify the system last summer and renew its contract with Google, the State Attorney General attempted to work with Google’s legal staff to come to an agreement, but to no avail. As a result, Google implemented their limit of 24,000 hits per day on the “511” site. The Department has historically received millions of hits per day on the “511” site. WYDOT was already in the process of building a new map when this was discovered, so that map was expedited and has now been implemented. The new system will allow an unlimited number of hits to the site.

The WYDOT ITS/GIS Program has also been working with the Wyoming Department of Tourism to build an interactive map for use during the total solar eclipse. A target release date for this map is January 31, 2017.

Mr. Lewis demonstrated various aspects of the site for the Commission. The site is also available in a mobile “511” app. Press releases have been made to make the public aware of the new capabilities of the site.

17. It was moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to go into executive session to consider or to receive information classified as confidential by law, in accordance with Wyoming Statute 16-4-405(a)(ix). Messrs. Panos, Fredrick, Fulton, Gillett, Lewis, Rossetti, Dailey, Freier, and McGee, and Ms. Yaffa, left the meeting. The Commission went into executive session at 3:55 p.m. on Thursday, January 19, 2017.

18. It was moved by Commissioner McCormack, seconded by Vice Chairman Seeton, and carried to come out of executive session. The Commission came out of executive session at 4:05 p.m. on Thursday, January 19, 2017.

19. It was moved by Vice Chairman Seeton, seconded by Commissioner Larson, and carried to adjourn the meeting. Chairman Dooley adjourned the meeting at 4:05 p.m., on Thursday, January 19, 2017.