

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met via teleconference in the Commission Room of the Transportation Headquarters building in Cheyenne on July 23, 2009. The meeting was convened at 8:30 a.m. by Chair Dziardziel. The following members were present constituting a quorum:

Susan Dziardziel, Chair, Douglas (via telephone)  
Charlie Monk, Vice Chairman, Lovell (via telephone)  
Sandi McCormick, Commissioner, Rock Springs (via telephone)  
Cactus Covello Jr., Commissioner, Torrington (via telephone)  
Ted Ertman, Commissioner, Newcastle (via telephone)  
Jim Hladky, Commissioner, Gillette (via telephone)  
John F. Cox, Director  
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Delbert McOmie, Chief Engineer; Pat Collins, Assistant Chief Engineer of Engineering and Planning; Tim Hibbard, Assistant Chief Engineer of Operations; Colonel Sam Powell, Wyoming Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Jackson Engels, Assistant Attorney General; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; and Phil Miller, Division Administrator, Federal Highway Administration.

Those absent: Commissioner Jim Latta, Pinedale, and Tom Loftin, Support Services Administrator.

1. It was recommended by Secretary Scott, moved by Commissioner Hladky, seconded by Commissioner Covello, and carried to approve the minutes from the June 18, 2009, regular business meeting, executive session, and education sessions.

2. Director Cox presented the Director's report.

2009 Western Association of State Highway and Transportation Officials (WASHTO) Meeting: Director Cox, Del McOmie, and Tim Hibbard attended the annual WASHTO meeting held in Seattle, Washington, July 12-16, 2009. A primary discussion topic was the draft Federal Highway Bill. A bill has been drafted, and Director Cox voiced significant concerns for Wyoming under the new legislation. The bill is significantly larger than the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). It virtually eliminates flexibility for state spending, does not allow for new highway capacity, and enlarges the role of the federal government. All power will shift to Washington, which is the opposite of past highway programs. WASHTO is writing a letter to Representative James Oberstar, Chairman of the U.S. House of Representatives Committee on Transportation and Infrastructure, and the five-state coalition is pursuing changes before the bill becomes law. At this time, no one knows exactly how much funding will be cut.

Ken Spear entered the meeting.

3. Mr. Kevin Hibbard presented the Budget report.

Third-Quarter Budget Modification: Mr. Hibbard briefed the Commission about the key adjustments that were made to the third-quarter budget modification.

Mr. McOmie advised that \$4.97 million was included this budget quarter for purchasing 30 new snow plows for use statewide. The new plows will provide salt/sand and chemical distribution to accommodate anticipated Environmental Protection Agency (EPA) requirements. Purchasing the trucks now, before EPA laws are implemented, will save money. The new plows will replace older ones, and WYDOT's fleet size will not increase.

It was recommended by Mr. Hibbard, moved by Commissioner Covello, seconded by Commissioner McCormick, and carried to approve the FY 2009 Third-Quarter Budget Revision.

Monthly Budget Report: Mr. Hibbard advised that June expenditures are holding steady with revenues at this time, but the Department may encounter cash flow challenges as early as mid-August through September because of the added cash flow requirement for the ARRA (American Recovery and Reinvestment Act) funds and the uncertainty of timely reimbursements from the Federal Highway Trust Fund due to its anticipated revenue shortfall.

4. Mr. Collins presented the Engineering and Planning report, beginning with the tabulation of bids from the informal bid letting held July 14, 2009, in Cheyenne.

**COMMISSION DISTRICT 4**  
**Jim Hladky – Commissioner**

Federal project N271034, involving the installation of a new water line system at the Guernsey Rest Area in Platte County. Completion date – November 30, 2009

Consultant's Estimate	\$423,450.00	
<b>Windcreek Services, Inc., Gillette, WY</b>	<b>\$243,375.00</b>	<b>-42.5%</b>
Paul Reed Construction & Supply, Inc., Gering, NE	\$272,146.55	
Hot Iron, Inc., Gillette, WY	\$342,124.00	
Merrill, Inc., Cheyenne, WY	\$376,359.50	
Lamax Construction, Inc., Basin, WY	\$638,800.00	

It was recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner Monk, and carried that **Windcreek Services, Inc., Gillette, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Messrs. Samuel Clark, President, and Douglas Roskelley, Agent, of the Dale Barton Agency, Salt Lake City, Utah, joined the meeting by phone.

5. Mr. Collins presented the tabulation of bids from the letting held July 16, 2009, in Casper.

**COMMISSION DISTRICTS 1, 2, 4, 6 and 7**  
**Cactus Covello – Commissioner**  
**Sandi McCormick – Commissioner**  
**Jim Hladky – Commissioner**  
**Ted Ertman – Commissioner**  
**Susan Dziardziel – Chair**

Federal project B152006, involving crack sealing and miscellaneous work on 366.77 miles at various locations in Transportation District 2 in Carbon, Campbell, Converse, Goshen, Johnson, Natrona, Niobrara and Platte counties. Completion date – May 31, 2010

Engineer’s Estimate	\$3,547,850.00	
<b>Highway Improvement, Inc., Sioux Falls, SD</b>	<b>\$3,519,555.00</b>	<b>-0.8%</b>

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner Ertman, and carried that **Highway Improvement, Inc., Sioux Falls, South Dakota**, 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.

Messrs. Larry Jardine, Executive Vice President/Chief Executive Officer, and Paul Johnson, Vice President, of LeGrand Johnson Construction Company, Logan, Utah, joined the meeting by phone.

Federal project NH-N342042, involving grading, placing bituminous pavement leveling and surfacing and miscellaneous work on 11.06 miles of US 16/20 (Moneta West Section) beginning at reference marker 79.44 just west of the town of Moneta, in Fremont County. Completion date – September 30, 2010

Engineer’s Estimate	\$3,559,421.80	
LeGrand Johnson Construction Co., Logan, UT	\$3,200,871.05	
<b>Western Wyoming Construction Co., Lander, WY</b>	<b>\$3,253,139.40</b>	<b>-8.6%</b>
McGarvin-Moberly Construction Company, Worland, WY	\$3,285,138.28	
McMurry Ready-Mix Co., Casper, WY	\$3,512,484.00	
Knife River, Cheyenne, WY	\$3,761,637.80	
Mountain Construction Company, Lovell, WY	\$3,943,207.74	

Mr. Collins advised that the Contracts & Estimates Program found an irregularity on the apparent low bid for this project after the bid opening. LeGrand Johnson Construction submitted a 5 percent

bid bond, but WYDOT Standard Specifications require a 10 percent bid bond as an inducement to encourage bidders to timely execute contract agreements and to discourage frivolous bids. Bid bonds are returned to the bidder once the contract agreement is fully executed.

LeGrand Johnson, a Utah company, relied upon their bonding company to prepare the necessary bid bond for this project, and the bonding company mistakenly used the 5 percent bonding amount that Utah requires.

Mr. Jardine concurred with Mr. Collins' described scenario and asked the Commission for grace, admitting that it was an honest mistake. Mr. Jardine advised that a 100 percent contract payment performance bond would be provided to WYDOT and that the cost difference between the first and second low bids was added incentive to overlook the mistake.

Messrs. Clark and Rostkelly spoke on behalf of the bonding company and advised that the error was simply a clerical mistake. The contractor has a good history with the bonding company and would have no problem in obtaining the appropriate bonds in the future. Additionally, if there's any liability posed upon WYDOT, the bonding company would cover that liability.

Mr. Collins advised that LeGrand Johnson's reputation with the Department remains intact but felt it was imperative that the integrity of WYDOT's bidding process not be compromised.

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried that **Western Wyoming Construction Co., Lander, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICTS 2 and 3**  
**Sandi McCormick – Commissioner**  
**Jim Latta – Commissioner**

Federal project NH-B073022, involving installation of snow fence and miscellaneous work at various locations on I-80 between the Utah state line and Rawlins, in Carbon, Sweetwater and Uinta counties. Completion date – September 30, 2010

Engineer's Estimate	\$ 627,047.40	
<b>Hout Fencing of Wyoming, Inc., Worland, WY</b>	<b>\$ 533,383.80</b>	<b>-14.9%</b>
Wishbone Fencing Company, Aladdin, WY	\$ 615,546.90	
API Fence Inc., Jackson, WY	\$ 667,937.64	
Olson Fencing, Powell, WY	\$ 708,180.55	
Waterford Corporation, Fort Collins, CO	\$ 799,188.10	
Crooked Fork Fencing, Inc., Lolo, MT	\$1,033,189.98	

It was recommended by Mr. Collins, moved by Commissioner Monk, seconded by Commissioner McCormick, and carried that **Hout Fencing of Wyoming, Inc., Worland, 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**  
**Jim Latta – Commissioner**

Federal projects STIM-E-6598005 and STIM-E-P511018 combined, involving grading, draining, placing crushed base and bituminous pavement surfacing, electrical and miscellaneous work on 0.32 mile of urban route 051, beginning at reference marker 4.29 in the town of Evanston, in Uinta County. Completion date – August 31, 2010

Engineer's Estimate	\$1,078,749.50
<b>J Wright Development, LLC., Riverton, UT</b>	<b>\$ 936,000.00 -13.2%</b>
Flare Construction, Inc. and Subsidiary, Coalville, UT	\$ 945,927.40
Reiman Corp., Cheyenne, WY	\$1,014,400.68

It was recommended by Mr. Collins, moved by Commissioner McCormick, seconded by Commissioner Hladky, and carried that **J Wright Development, LLC., Riverton, Utah**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project I801175, involving bridge rehabilitation and miscellaneous work on I-80 at various locations in Transportation District 3 in Uinta County. Completion date – August 31, 2010

Engineer's Estimate	\$ 660,507.50
<b>Cannon Builders, Inc., Blackfoot, ID</b>	<b>\$ 589,492.50 -10.8%</b>
Reiman Corp., Cheyenne, WY	\$ 692,675.90

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner Ertman, and carried that **Cannon Builders, Inc., Blackfoot, Idaho**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 4**  
**Jim Hladky – Commissioner**

Federal projects STP-E-N362033, SCP-SL-N362025, ARSCT-N362A01 and ARSCT-N362A02 combined, involving grading, draining, milling plant mix, placing crushed base and bituminous

pavement surfacing, removal and replacement of concrete pavement, curb, gutter and sidewalk, removal and replacement of bridges, removal and replacement of cattle guards, guardrail and barriers, landscaping, sewer system and miscellaneous work in 2.17 miles of US 16 beginning at reference marker 100.03 in the town of Buffalo in Johnson County. Completion date – October 31, 2010

Engineer's Estimate	\$12,504,781.85	
<b>Reiman Corp., Cheyenne, WY</b>	<b>\$11,590,034.96</b>	<b>-7.3%</b>
Oftedal Construction, Inc., Miles City, MT	\$11,963,715.35	
Heavy Constructors, Inc., Rapid City, SD	\$12,476,694.68	
Intermountain Construction and Materials, Inc., Gillette, WY	\$12,703,827.58	
McMurry Ready-Mix Co. & Magnum Construction, JV, Casper, WY	\$12,875,024.00	
COP Wyoming LLC., Rock Springs, WY	\$13,030,812.90	
DRM, Inc., Gillette, WY	\$13,969,818.43	

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried that **Reiman Corp., 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 projects 0300044 and 0300045 combined, involving milling plant mix, placing crushed base and bituminous pavement surfacing and miscellaneous work on 12.08 miles of WYO 50, at two locations, beginning at reference marker 2.92 just south of Gillette and at Clarkelen Road, in Campbell County. Completion date – October 31, 2010

Engineer's Estimate	\$3,980,771.50	
<b>Northern Improvement Company, Fargo, ND</b>	<b>\$3,825,388.86</b>	<b>-3.9%</b>
McGarvin-Moberly Construction Company, Worland, WY	\$3,961,045.54	
McMurry Ready-Mix Co., Casper, WY	\$3,961,828.00	
Simon Contractors, Cheyenne, WY	\$4,098,507.20	
Intermountain Construction and Materials, Inc., Gillette, WY	\$4,485,000.00	

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner Ertman, and carried that **Northern Improvement Company, Fargo, North Dakota**, 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**  
**Charlie Monk – Vice Chairman**

Federal project NH- N345096, involving milling, grading, placing bituminous pavement leveling and surfacing and miscellaneous work on 5.61 miles of US 16/20 just outside of the town of Manderson in Big Horn County. Completion date – September 30, 2010

Engineer’s Estimate	\$1,373,312.20	
<b>Western Wyoming Construction Co., Lander, WY</b>	<b>\$1,294,048.80</b>	<b>-5.8%</b>
Mountain Construction Company, Lovell, WY	\$1,393,996.80	
McGarvin-Moberly Construction Company, Worland, WY	\$1,398,767.60	
Century Companies, Inc. and Affiliates, Lewistown, MT	\$1,453,900.95	
McMurry Ready-Mix Co., Casper, WY	\$1,525,975.00	

It was recommended by Mr. Collins, moved by Commissioner McCormick, seconded by Commissioner Covello, and carried that **Western Wyoming Construction Co., Lander, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 6**  
**Ted Ertman – Commissioner**

Federal project N854071, involving grading, milling plant mix, bituminous pavement surfacing, bridge concrete repair and sealing and miscellaneous work on 6.61 miles of US 85, beginning at reference marker 195.95 between Newcastle and Mule Creek Junction, in Niobrara County. Completion date – October 31, 2010

Engineer’s Estimate	\$1,987,548.50	
<b>Northern Improvement Company, Fargo, ND</b>	<b>\$1,933,237.00</b>	<b>-2.7%</b>
McGarvin-Moberly Construction Company, Worland, WY	\$1,970,536.51	
Simon Contractors, Cheyenne, WY	\$1,998,757.98	
Century Companies, Inc. and Affiliates, Lewistown, MT	\$2,057,620.94	
McMurry Ready-Mix Co., Casper, WY	\$2,093,909.13	
Mountain Construction Company, Lovell, WY	\$2,316,528.00	

It was recommended by Mr. Collins, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried that **Northern Improvement Company, Fargo, North Dakota**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 7**  
**Susan Dziardziel – Chair**

Federal project STPU-CA-4151001, involving grading, draining, placing crushed base and bituminous pavement surfacing and miscellaneous work at the intersection of Urban Route 4151 (Walsh Drive) and Yellowstone Highway, for a total project length of 0.422 mile in the city of Casper, in Natrona County. Completion date – August 31, 2010

Engineer's Estimate	\$1,254,970.85
<b>Knife River, Cheyenne, WY</b>	<b>\$1,035,985.00 -17.4%</b>
Irregular Check Digit	
Grizzly Excavation & Construction, LLC., Casper, WY	\$1,043,797.99
Irregular Proposal	
Andreen Hunt Const., Inc., Mills, WY	\$1,116,697.00
Irregular Proposal	
71 Construction, Casper, WY	\$1,219,986.05
Hedquist Construction, Inc., Mills, WY	\$1,253,408.25
Magnum Construction, LLC., Casper, WY	\$1,312,456.00
Reiman Corp., Cheyenne, WY	\$1,317,860.95

It was recommended by Mr. Collins, moved by Commissioner Ertman, seconded by Commissioner Hladky, 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.

6. It as recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner McCormick, and carried to approve the following project authorizations:

**COMMISSION DISTRICT 4**

Urban Principal Arterial

ARSCT 26.97 P601A02; Sheridan County; Sheridan Streets, Woodland Park Road and Coffeen Avenue intersection; reconstruct east approach; fiscal year 2009; request preliminary engineering, construction engineering and construction funds of \$16,227; to be reimbursed by the City of Sheridan

**COMMISSION DISTRICT 7**

Rural Major Collector

STP 6.25 0710025; Fremont County; Gas Hills Road; emergency road repair; fiscal year 2009; request federal preliminary engineering, construction engineering and construction funds of \$234,918



**COMMISSION DISTRICT M (Miscellaneous)**

Various

SCP 0.00 B099082; statewide; wildlife connectivity; various locations statewide; location determinations; fiscal year 2009; request state preliminary engineering funds of \$500,000

7. Mr. Collins presented the third-quarter addendum to the 2009 State Transportation Improvement Program (STIP). It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried to approve the third-quarter STIP addendum.

8. It was recommended by Mr. Collins, moved by Commissioner McCormick, seconded by Commissioner Hladky, and carried to approve the following resolution where property for public use cannot be acquired through good faith negotiation by purchase or gift:

**RESOLUTION FOR EXERCISE OF EMINENT DOMAIN**

**WHEREAS**, pursuant to W.S. 1-26-512, 1-26-801 and 24-2-102, the Transportation Commission of Wyoming is authorized to institute condemnation proceedings where property for public use cannot be acquired through good faith negotiation by purchase or gift; and

**WHEREAS**, the public interest and necessity require the construction of Project 0P17-01(021), the Flaming Gorge Road (US 191) Road, in Sweetwater County, and that the property shown on the right-of-way plans for this project is required for highway purposes; and

**WHEREAS**, the Transportation Commission of Wyoming has determined that the aforementioned project is planned or located to be most compatible with the greatest public good and the least private injury; and

**WHEREAS**, the right-of-way and/or temporary construction easements to be acquired are identified as being located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 7; Lots 1, 14, 15 and 24 of the Foothills Subdivision, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 19 and NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 18, all of T18N, R105W, of the 6th P.M., Sweetwater County, Wyoming, and constitute approximately 0.00 square feet of property for right-of-way and approximately 7.20 acres of property for temporary construction easements.

**NOW, THEREFORE BE IT RESOLVED**, that the property sought to be acquired is necessary and appropriate for the proposed project and in the event successful negotiations cannot be effectuated with any owner or owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary right-of-way and/or temporary construction easements.

9. It was recommended by Mr. Collins, moved by Commissioner McCormick, seconded by Commissioner Covello, and carried to approve the following resolution where property for public use cannot be acquired through good faith negotiation by purchase or gift:

**RESOLUTION FOR EXERCISE OF EMINENT DOMAIN**

**WHEREAS**, pursuant to W.S. 1-26-512, 1-26-801 and 24-2-102, the Transportation Commission of Wyoming is authorized to institute condemnation proceedings where property for public use cannot be acquired through good faith negotiation by purchase or gift; and

**WHEREAS**, the public interest and necessity require the construction of Project N203062, the Riverton to Shoshoni Road, in Fremont County, and that the property shown on the right-of-way plans for this project is required for highway purposes; and

**WHEREAS**, the Transportation Commission of Wyoming has determined that the aforementioned project is planned or located to be most compatible with the greatest public good and the least private injury; and

**WHEREAS**, the right-of-way and/or temporary construction easements to be acquired are identified as being located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 15, T1N, R4E, of the W.R.M., Wyoming and constitute approximately 925 square feet of property for right-of-way and approximately 0.00 square feet of property for temporary construction easements.

**NOW, THEREFORE BE IT RESOLVED**, that the property sought to be acquired is necessary and appropriate for the proposed project and in the event successful negotiations cannot be effectuated with any owner or owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary right-of-way and/or temporary construction easements.

10. Burma Road Overpass Update: Mr. Collins advised that the Engineering and Planning Division has been working with district personnel to assess the possibility of gaining additional vertical clearance under the Interstate 90 Burma Road overpass in Gillette, which is currently under construction. Some concerns were raised about the designed vertical clearance following the award of this project, as Interstate 90 beneath the Burma Road overpass carries a considerable amount of large truck traffic. Mr. Collins indicated that the Department is considering lowering the ditches or median area under the bridge, which would gain as much as 20 feet of vertical clearance without having to alter the final design plans. Mr. Collins will prepare and send a report to the Commission prior to its August 20, 2009, meeting so that the matter can be taken up at the meeting.

11. Colonel Powell presented the Highway Patrol report.

The Fatal Crash Summary through June 30, 2009, includes 52 fatal crashes involving 59 deaths. The fatalities include 36 involving rollover crashes, 13 involving multi-car crashes, 5 involving commercial vehicles, 6 involving motorcycles and all-terrain vehicles, 2 involving pedestrians, and 2 involving fixed objects.

There have been 24 crashes to date deemed alcohol related, resulting in 27 deaths. Of those deaths, 16 were attributed to not using restraints.

Of the 59 deaths that have occurred to date in 2009, 40 can be attributed to the non-use of occupant restraints, with 28 involving rollover crashes, 10 involving multi-car collisions, and 2 involving fixed objects. Of the 40 deaths that occurred from non-use of occupant restraints, 33 were Wyoming residents and 7 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through May 31, 2009. The summary depicts 2,674 crashes statewide, of which 2,245 involved non-commercial vehicles and 429 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of June 30, 2009, have been DUI related. Field arrests total 935 to date, including the following:

- DUI arrests from crashes – 72
- DUI arrests from traffic stops – 394
- DUI arrests from the REDDI Program – 77
- DUI arrests from ports-of-entry – 2
- NCIC hits (person) – 32
- Wyoming warrants hits – 96
- Drug arrests – 74
- Other arrests – 188

12. Mr. Byrne presented the Aeronautics report, beginning with the June 2009 Aeronautics Flight Operations Passenger Summary report.

13. Mr. Tim Hibbard presented the Operations report.

It was recommended by Mr. Hibbard, moved by Commissioner McCormick, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-163 for the remodeling of the plumbing at the Evanston port of entry. The bid was awarded to Fireside Construction, of Evanston, Wyoming, for the sum of \$66,100.

It was recommended by Mr. Hibbard, moved by Commissioner Covello, seconded by Commissioner Ertman, and carried to approve purchase for bid number 09-168 to furnish electrical upgrades for the WYDOT shop in South Pass, Wyoming. The bid was awarded to Washakie Electric, Inc., of Worland, Wyoming, for the sum of \$66,328.50.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-171 to furnish two each fuel dispensers at the WYDOT facilities in Labarge and Pinedale. The bid was awarded to C-Bar-K Petroleum Services, LLC II, of Sheridan, Wyoming, for the sum of \$53,450.

It was recommended by Mr. Hibbard, moved by Commissioner McCormick, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-172 to furnish five salt storage buildings, one each at WYDOT sites in Rawlins, Torrington, Rock Springs, Gillette, and Thermopolis. The bid was awarded to DC Construction, Inc., of Cheyenne, Wyoming, for the sum of \$144,143.

It was recommended by Mr. Hibbard, moved by Commissioner Covello, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-177 to furnish janitorial maintenance at the Dwyer Junction Rest Area for a 12-month period. The bid was awarded to Kirby Wilson, of Wheatland, Wyoming, for the sum of \$71,880.

It was recommended by Mr. Hibbard, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-182 to furnish 23 each flashing beacon ITS control cabinets for installation at Cheyenne and Rock Springs. The bid was awarded to Gades Sales Co., Inc., of Denver, Colorado, for the sum of \$216,844.

Colonel Powell left the meeting.

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

Construction Projects and Funding: Mr. McOmie briefed the Commission about several projects that are exhibiting some complications.

Kaycee Streets – The project's substantial completion date is October 31, 2009, with a partial completion by July 31, 2009, to have half the roadway built and open to traffic. Liquidated damages will be assessed if the contractor doesn't meet these deadlines. The contractor is currently running about six weeks behind schedule, and Mr. McOmie expressed concern that it will be virtually impossible for the contractor to finish the necessary work before winter. District staff is keeping the contractor's bonding company apprised of the situation.

Cooper Cove – Crushing on the Cooper Cove project isn't going as smoothly as expected. The project completion date is October 15, 2009, but the contractor will not meet that deadline. The contractor now plans to finish paving to the bridge ends and finish any remaining work next spring. Liquidated damages will be assessed to this project over the winter months, which will total a significant amount of money.

Mule Creek, Newcastle, and Lusk Projects – Shoulder and dirt work is finished on these projects. The contractor will likely recess from the job in September and come back in the spring to finish the work. The project has a June 2010 completion date.

ARRA Project Funding: About 96.4 percent of Wyoming's ARRA funds are obligated to date. An I-80 snow fence project awarded by the Commission a few months ago will now require a change

order for about \$885,000 to finish the project. The contractor's bid was about \$1 million less than the engineer's estimate, but the overall project cost will still be less than the second low project bid.

Right-of-Way Burning: Shelby Carlson, District Engineer in Basin, has been meeting with Washakie County landowners who have been burning grass in their rights-of-way. The burnings have caused significant damage to fences and signage in the right-of-way. One landowner recently went before the Washakie County Commission defending his right to do so. The Wyoming Attorney General Office has gotten involved, but the topic may become political before it's all said and done, as some landowners have spoken to area legislators about the issue.

15. It was moved by Commissioner Covello, seconded by Commissioner Hladky, and carried to adjourn the meeting. Chair Dziardziel adjourned the meeting at 10:30 a.m., Thursday, July 23, 2009.