

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on March 19, 2009. The meeting was convened at 8:30 a.m. by Vice Chair Dziardziel. The following members were present constituting a quorum:

Susan Dziardziel, Vice Chair, Douglas
Charlie Monk, Commissioner, Lovell
Sandi McCormick, Commissioner, Rock Springs
Cactus Covello Jr., Commissioner, Torrington
Jim Latta, Commissioner, Pinedale
Ted Ertman, Commissioner, Newcastle
Jim Hladky, Commissioner, Gillette
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; David Stearns, Financial Services Administrator; Tom Loftin, Support Services Administrator; Colonel Sam Powell, Wyoming Highway Patrol Administrator; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; Mike Kahler, Assistant Attorney General; and Phil Miller, Division Administrator, Federal Highway Administration.

Those absent: Tim Hibbard, Assistant Chief Engineer of Operations, and Dennis Byrne, Aeronautics Administrator.

1. Vice Chair Dziardziel asked for nominations from the floor for the election of a new Commission Chairman. It was moved by Commissioner Covello, seconded by Commissioner Monk, and carried to nominate Vice Chair Dziardziel as Chair. There were no other nominations. It was moved by Commissioner Covello, seconded by Commissioner Monk, and unanimously carried to elect Vice Chair Dziardziel as Chair.

2. Chair Dziardziel asked for nominations from the floor for the election of a new Vice Chairman. It was moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to nominate Commissioner Monk as Vice Chairman. There were no other nominations. It was moved by Commissioner Latta, seconded by Commissioner McCormick, and unanimously carried to elect Commissioner Monk as Vice Chairman.

3. It was recommended by Secretary Scott, moved by Commissioner Latta, seconded by Commissioner Covello, and carried to approve the minutes from the February 18, 2009, Commission planning retreat, and the February 19, 2009, regular business meeting and executive session.

4. Secretary Scott briefed the Commission about a letter received from Mr. Ed Bedell, Chief Executive Officer for COP Wyoming, LLC. Mr. Bedell wrote to contest the Commission's February 19, 2009, decision to reject all bids on projects NH-N345088, STP-E-N345090, STP-ELC-6598165 and ARSCT-N345A01 Combined, Cowley Streets, in Big Horn County. Director Cox replied to Mr. Bedell's letter on March 5, 2009, explaining the Commission's responsibilities and their careful use of discretion when making their decision to reject the bids.

5. Director Cox presented the Director's report.

American Recovery and Reinvestment Act (ARRA) Funding: WYDOT will receive \$156.7 million for surface transportation, which includes \$4.7 million for local government enhancement projects, under the ARRA. Transit projects will receive \$9.3 million, which will be distributed amongst more than 50 Wyoming transit providers.

General Session Supplemental Budget: The Department's Supplemental Budget request included \$50 million for highway funding. Governor Freudenthal concurred with the request, but the funding was eliminated from the final appropriations bill approved by the Legislature.

Fiscal Year 2010-11 Budget Cuts: Governor Freudenthal has requested that agencies examine their biennium budgets for a 5 to 10 percent reduction in overall spending by May 5, 2009. Cuts must be sustainable over the next several years, and the Governor does not want to cut capital construction. Employee layoffs will be only a last resort in reducing expenditures, but Director Cox indicated he would not be surprised to see a future hiring freeze. Classified employees will receive the legislatively approved 4 percent compensation adjustment, but consideration is being made to forgo increases for appointed officials. Executive staff will prioritize and cut budgets in an unprecedented fashion.

Federal Funding: Director Cox advised that there is no guarantee the federal highway bill will pass this year. Executive staff is closely monitoring the bill and will keep the Commission advised of its progress.

6. Mr. Kevin Hibbard presented the Budget report.

Supplemental Budget: Mr. Hibbard briefed the new commissioners about WYDOT's funding structure, i.e., Commission versus Legislative budgets. An appropriations bill excerpt was also provided. Mr. Hibbard summarized the Department's funding outcome from the 2009 legislative session.

Monthly Budget Report: The Department's snow removal budget is currently 64 percent expended, which is significantly less than expenditures at this time last year.

February highway user fees were less than expected because of lower user fee collections, but overall revenue estimates were met in February. Mr. Hibbard expressed some concern that highway user fees may drop even further this summer.

ARRA Funding and DOT Impacts: WYDOT will face challenges in making contractor payments under the new ARRA. Contractor payments are made by the Department with subsequent reimbursement being sought from the Federal Highway Administration within about four days of payment, which could cause a negative cash balance for the Department. Additionally, the ARRA process may slow the reimbursement process, which could further complicate the Department's cash flow problem. However, the Department may borrow up to \$100 million from the Wyoming State Auditor's pooled fund investments to cover cash flow needs.

Fiscal Year (FY) for Governmental Entities: A bill was introduced during the 2009 legislative session that would have required WYDOT to report on a July to June fiscal year, rather than the current October to September fiscal year. The bill would have had a significant impact on Department operations. A compromise was reached before the bill passed that requires the Department to report only revenues and expenditures on a cash basis to the State Auditor on a July to June fiscal year basis beginning FY2010. The compromise will require no change in operating procedures.

ARRA Transparency Committee Meeting: A committee has been organized to govern the dissemination and reporting of Wyoming ARRA funds. The State Auditor will soon send letters to cities and counties to clarify the stringent regulations that must be followed when using stimulus funds. Mr. Hibbard advised that to date WYDOT has met the requirements of the ARRA.

7. Mr. Collins presented the Engineering and Planning report, beginning with the bid tabulations from the letting held March 12, 2009, in Douglas.

**COMMISSION DISTRICT 1
Cactus Covello – Commissioner**

Federal project BROS-0C07081, involving bridge replacement and miscellaneous work at milepost 14.6 (County Road 242) at the bridge over Bear Creek Road in Goshen County. Completion date – November 30, 2009

Engineer's Estimate	\$491,915.50	
Scott & Son, Inc., Torrington, WY	\$417,273.20	-15.2%
C C & G, Inc., Lander, WY	\$424,236.00	
Reiman Corp., Cheyenne, WY	\$450,416.20	
Heavy Constructors, Inc., Rapid City, SD	\$573,943.93	
S & S Builders, LLC., Cheyenne, WY	\$581,679.13	

It was recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner Latta, and carried that **Scott & Son, Inc., Torrington, 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-E-P571006, involving removal of surfacing, placing crushed base, concrete paving and miscellaneous work on 0.62 mile along the I-25 Service Road in the town of Wheatland in Platte County. Completion date – September 30, 2009

Engineer's Estimate	\$198,653.50	
Simon Contractors, Cheyenne, WY	\$167,909.92	-15.5%
Paul Reed Construction & Supply, Inc., Torrington, WY	\$173,825.28	
EHC, LLC., Deaver, WY	\$194,380.50	
Colorado Constructors, Inc., Denver, CO	\$214,932.40	
Reiman Corp., Cheyenne, WY	\$216,848.50	
S & S Builders, LLC., Gillette, WY	\$232,637.05	
71 Construction, Casper, WY	\$235,344.50	
Noraa Concrete Construction Corporation, Keenesburg, CO	\$299,926.00	

It was recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner McCormick, and carried that **Simon Contractors, 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.

COMMISSION DISTRICTS 1, 2, 3, 4, 6 and 7

Cactus Covello – Commissioner
Sandi McCormick – Commissioner
Jim Latta – Commissioner
Jim Hladky – Commissioner
Ted Ertman – Commissioner
Susan Dziardziel – Chair

Federal project HSIP-B099018, involving epoxy painting and miscellaneous work on 250.65 miles of roadway at various locations statewide in Transportation Districts 1, 2, 3 and 4, including Albany, Campbell, Carbon, Johnson, Laramie, Lincoln, Natrona, Sheridan, Sweetwater, Teton and Weston counties. Completion date – June 30, 2009

Engineer's Estimate	\$1,032,553.00	
Streamline Markings, Inc., Billings, MT	\$ 891,109.00	-13.7%
Highway Technologies, Inc., Cheyenne, WY	\$ 923,506.00	
HighMark Traffic Services, Inc., Billings, MT	\$ 951,950.00	
Arrow Striping & Manufacturing, Inc., Billings, MT	\$1,038,380.00	

It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried that **Streamline Markings, Inc., Billings, 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 DISTRICTS 2 and 3
Sandi McCormick – Commissioner
Jim Latta – Commissioner

Federal projects STP-SR-B093011 and DR30688 combined, involving bridge rehabilitation, bridge damage repair, and miscellaneous work at various locations in Transportation District 3, and at reference marker 3.76 at the bridge over the Snake River, in Sweetwater and Teton counties. Completion date – September 30, 2009

Engineer's Estimate	\$1,638,791.25	
Reiman Corp., Cheyenne, WY	\$1,560,960.57	-4.7%
Cannon Builders, Inc., Blackfoot, ID	\$1,930,304.61	

It was recommended by Mr. Collins, moved by Commissioner McCormick, seconded by Commissioner Latta, 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.

COMMISSION DISTRICT 3
Jim Latta – Commissioner

Federal project STP-PM-B093010, involving concrete slab repair and miscellaneous work at various locations in Transportation District 3 in Lincoln and Uinta counties. Completion date – August 31, 2009

Engineer's Estimate	\$287,200.00	
J Wright Development, LLC., Riverton, UT	\$232,522.00	-19.0%
Forby Contracting, Inc., Hinckley, MN	\$275,376.00	
Reiman Corp., Cheyenne, WY	\$285,537.00	
Flare Construction, Inc. and Subsidiary, Coalville, UT	\$294,840.00	
Noraa Concrete Construction Corporation, Keenesburg, CO	\$315,061.50	
EHC, LLC., Deaver, WY	\$344,420.00	

It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner McCormick, 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.

COMMISSION DISTRICT 4
Jim Hladky – Commissioner

Federal project HSIP-P611003, involving grading, draining, removal and replacement of curb and gutter, sidewalk, placing crushed base and bituminous pavement surfacing, concrete pavement, electrical systems and miscellaneous work at the intersection of Brundage Lane and Sugarland Drive in the town of Sheridan, in Sheridan County. Completion date – November 30, 2009

Engineer's Estimate	\$429,111.25	
Modern Electric Co., Casper, WY	\$345,832.00	-19.4%
S & S Builders, LLC., Gillette, WY	\$353,613.51	
Intermountain Construction & Materials, Inc., Gillette, WY	\$384,100.00	
EHC, LLC., Deaver, WY	\$423,242.57	
Norra Concrete Construction Corporation, Keenesburg, CO	\$445,863.25	

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner Latta, and carried that **Modern Electric Co., 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
Charlie Monk – Vice Chairman

Federal projects NH-N345088, STP-E-N345090, STP-E-LC-6598165 and ARSCT-N345A01 combined, involving grading, draining, removal and replacement of surfacing, sidewalk, curb and gutter, guardrail, placing crushed base and bituminous pavement surfacing, plant mix wearing course, concrete pavement, sewer system, landscaping, electrical systems, fencing and miscellaneous work on 1.50 miles of U.S. Highway 310, beginning at reference marker 241.73 in the town of Cowley, in Big Horn County. Completion date – June 30, 2010

Engineer's Estimate	\$6,908,567.90	
Reiman Corp., Cheyenne, WY	\$6,596,106.25	-4.5%
Hout Fencing of Wyoming, Inc., Worland, WY	\$6,730,000.00	
Wilson Bros. Construction, Inc., Cowley, WY	\$6,963,765.30	
Oftedal Construction, Inc., Miles City, MT	\$7,361,933.50	
Mountain Construction Company, Lovell, WY	\$7,394,471.94	
COP Wyoming LLC., Rock Springs, WY	\$7,395,740.90	

It was recommended by Mr. Collins, moved by Vice Chairman Monk, seconded by Commissioner Covello, 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.

COMMISSION DISTRICTS 5 and 7
Charlie Monk – Vice Chairman
Susan Dziardziel – Chair

Federal project STP-B105006, involving chip sealing and miscellaneous work on 173.02 miles of various roads in Transportation District 5, including Big Horn, Fremont, Natrona, Park and Washakie counties. Completion date – August 31, 2009

Engineer’s Estimate	\$5,251,450.00	
Riverside Contracting, Inc., Missoula, MT	\$5,647,432.00	+7.5%
Intermountain Slurry Seal, Inc., Salt Lake City, UT	\$5,743,698.73	
McGarvin-Moberly Construction Company, Worland, WY	\$6,768,053.23	

It was recommended by Mr. Collins, moved by Vice Chairman Monk, seconded by Commissioner Hladky, and carried that **Riverside Contracting, Inc., Missoula, 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
Ted Ertman - Commissioner

Federal project BROS-0C18005, involving bridge replacement, including grading, placing crushed base, structure and miscellaneous work on the Inyan Kara Creek Bridge on County Road 268 at reference marker 7.2 north of Moorcroft, in Crook County. Completion date – September 30, 2009

Engineer’s Estimate	\$547,039.50	
DRM, Inc., Gillette, WY	\$500,550.80	-8.5%
Heavy Constructors, Inc., Rapid City, SD	\$555,786.71	
Reiman Corp., Cheyenne, WY	\$569,243.65	

It was recommended by Mr. Collins, moved by Commissioner Ertman, seconded by Commissioner Covello, and carried that **DRM, Inc., Gillette, 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 receipt of written concurrence from Crook County. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 7
Susan Dziardziel – Chair

Federal project NH-GM-N302048, involving slide repair and miscellaneous work on U.S. Highway 26/287 at reference marker 61.00, in Fremont County. Completion date – August 31, 2009

Engineer's Estimate	\$575,521.00	
Rice-Kilroy Construction Company Inc., Dubois, WY	\$257,107.00	-55.3%
High Country Construction, Inc., Lander, WY	\$290,315.79	
Archer Construction, Inc., Riverton, WY	\$353,205.35	
J Wright Development, LLC., Riverton, UT	\$366,663.00	
Western Wyoming Construction Co., Lander, WY	\$388,733.25	
R. S. Bennett Construction Company, Inc., Big Piney, WY	\$430,829.75	
Oftedal Construction, Inc., Miles City, MT	\$465,916.75	
Patrick Construction, Inc., Lander, WY	\$514,325.00	
Wilson Bros. Construction, Inc., Cowley, WY	\$630,291.75	
Eagle Rock Timber, Inc., Idaho Falls, ID	\$716,146.50	
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It was recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner Latta, and carried that **Rice-Kilroy Construction Company Inc., Dubois, 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 IRP-CN13065, involving grading, placing bituminous pavement surfacing and miscellaneous work on 3.5 miles of Antelope Coal Mine Road (County Road 37), beginning at reference marker 5.7 just south of the Campbell county line, in Converse County. Completion date – October 31, 2009

Engineer's Estimate	\$1,533,858.75	
McMurry Ready-Mix Co., Casper, WY	\$1,599,363.35	+4.3%
McGarvin-Moberly Construction Company, Worland, WY	\$1,814,321.49	
Roberts Construction Company, Sheridan, WY	\$1,823,390.30	
Simon Contractors, Cheyenne, WY	\$1,835,331.07	
Knife River, Cheyenne, WY	\$1,879,435.00	
Intermountain Construction and Materials, Inc., Gillette, WY	\$1,960,000.00	

It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried that **McMurry Ready-Mix Co., 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.

8. It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve the following project authorizations, and a revised addendum to the FY 2009 State Transportation Improvement Program for Federal Transit Administration American Recovery and Reinvestment Act projects:

COMMISSION DISTRICT 1

Rural Interstate

STIM-E 92.73 I252157; Platte County; Dwyer Rest Area; reference marker 92.73; landscaping; fiscal year 2009; request federal construction engineering and construction funds of \$250,000

Rural Local

HRRR 0.00 CN02090; Laramie County; various locations, Crystal Lake Road, Durham Road, Gilchrist Road; safety improvements; fiscal year 2009; request federal construction funds of \$51,000

Urbanized Principal Arterial

SSP-TO 362.14 P561037; Laramie County; Cheyenne Streets, West Lincolnway and Carey Avenue; reference marker 362.14; signal pole and mast arm; fiscal year 2009; request state construction funds of \$29,054

Urbanized Local

ARSCT 359.65 P561A02; Laramie County; West Lincolnway in Cheyenne; median and landscaping; fiscal year 2009; request construction engineering and construction funds of \$1,840,000; to be reimbursed by the City of Cheyenne

COMMISSION DISTRICT 2

Rural Interstate

IM 428.76 I803142; Sweetwater County; Rock Springs to Rawlins; reference markers 128.76 to 128.97; drainage repair; fiscal year 2010 construction; request federal preliminary engineering funds of \$20,000

STIM 267.19 I804250; Albany County; Walcott Junction to Laramie, east half; reference markers 267.19 to 290.44 (split from project I804249); snow fence replacement; fiscal year 2009; request federal construction engineering and construction funds of \$6,239,477

Rural Local

HRRR 0.00 CN06065; Carbon County; various locations, Hanna Leo Road, Kortess Road; safety improvements; fiscal year 2009; request federal construction funds of \$55,145

COMMISSION DISTRICT 3

Rural Principal Arterial

NH 127.20 N103106; Lincoln County; Alpine Junction to Hoback Junction; reference marker 127.2; slide repair; fiscal year 2011 construction; request federal preliminary engineering funds of \$300,000

STIM-E 153.98 N104084; Teton County; Jackson North, Teton County Non-Motorized Path; reference markers 153.98 to 155.12; fiscal year 2009; request federal construction funds of \$300,000

Rural Minor Arterial

STP 13.20 2000051; Teton County; Wilson to Idaho state line, Teton Pass; reference markers 13.2-16.3; slide repair; fiscal year 2010 construction; request federal preliminary engineering funds of \$11,550

COMMISSION DISTRICT 4

Rural Local

HRRR 0.00 CN16022; Johnson County; various locations, Rock Creek Road, Stockyard Road, Wagon Box Road; safety improvements; fiscal year 2009; request federal construction funds of \$64,770

Urban Principal Arterial

STP-PO 113.86 P433043; Campbell County; Gillette North; reference markers 113.86 to 118.35; overlay; fiscal year 2009; request federal construction engineering and construction funds of \$2,336,952

COMMISSION DISTRICT 5

Rural Principal Arterial

STIM 10.28 N291036; Park County; Cody to Powell, Cody Northeast; reference markers 10.28 to 13.90; reconstruction; request move from fiscal years 2010 to 2009; request federal construction engineering and construction funds of \$13,422,526

COMMISSION DISTRICT 7

Urban Principal Arterial

STIM-E 80.77 N202067; Fremont County; Lander Highway Park; reference marker 80.77; landscaping; fiscal year 2009; request federal construction funds of \$55,000

STIM-E 135.91 P581025; Converse County; Douglas Streets; reference markers 135.91 to 139.21; tree landscaping; fiscal year 2009; request federal construction engineering and construction funds of \$250,000

COMMISSION DISTRICT M (Miscellaneous)

Rural Principal Arterial

STP-PM 0.00 B105016; Big Horn, Fremont, Hot Springs, Park and Washakie counties; District 5 chip seal, various locations; fiscal year 2010 construction; request federal preliminary engineering funds of \$68,241

Rural Local

HRRR 0.00 B099075; statewide; University of Wyoming Technology Transfer Center, Wyoming Rural Road Safety Program (UW) and High Rural Risk Road Program (WYDOT); safety planning; fiscal year 2009; request federal funds of \$100,000

9. It was recommended by Mr. Collins, moved by Commissioner McCormick, seconded by Commissioner Latta, 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 ABANDONMENT

WHEREAS, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of state highways upon reconstruction or relocation of an existing state highway; and

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for old US Highway 30, Harriman Interchange, Laramie County, Wyoming, established under Project Number 46R(1938) is no longer needed for state highway or public use purposes. Said portion being described as follows:

All of that portion of the right-of-way for old US Highway 30 as shown on the plan sheets for Wyoming Department of Transportation Project No. I-80-6(8)354 Section II situate in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, T.13N., R.69W., of the 6th P.M., Laramie County, Wyoming, lying between the west boundary of the Harriman Road as described in Parcel No. 1 in that certain Warranty Deed recorded June 27, 1958, in Book 636 and Page 454 of the Laramie County records and the westerly boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18.

NOW, THEREFORE BE IT RESOLVED, the Transportation Commission of Wyoming hereby abandons the above-described land as provided for under provisions and authority of W.S. 24-3-126.

10. Legislative Update: Mr. Collins briefed the Commission about the outcome of Engineering and Planning-related bills. HB0096, railroad quiet zones, failed, but the Department will move ahead with internal operating policy to define the process for implementing quiet zones. HB0180, public transit account funding, will provide additional funding for buses and related items. HB0179, phase two study I-80 tolling, will facilitate a more in-depth review of tolling feasibility on Interstate 80. SF0119, public transportation funding, which failed, would have supplemented available federal funds for Wyoming intercity transit. In its place, a line item was inserted into the legislatively approved supplemental budget.

11. Colonel Powell presented the Highway Patrol report.

The Fatal Crash Summary through February 28, 2009, includes 14 fatal crashes involving 16 deaths. The fatalities include nine involving rollover crashes, four involving multi-car crashes, two involving commercial vehicles, one involving motorcycles and all-terrain vehicles, and two involving pedestrians.

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

Of the 16 deaths that have occurred to date in 2009, 9 can be attributed to the non-use of occupant restraints, with 7 involving rollover crashes and 2 involving multi-car collisions. Of the nine deaths that occurred from non-use of occupant restraints, seven were Wyoming residents and two were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through January 31, 2009. The summary depicts 777 crashes statewide, of which 649 involved non-commercial vehicles and 128 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of February 28, 2009, have been DUI related. Field arrests total 310 to date, including the following:

- DUI arrests from crashes – 28
- DUI arrests from traffic stops – 131
- DUI arrests from the REDDI Program – 24
- DUI arrests from ports-of-entry – 0
- NCIC hits (person) – 15
- Wyoming warrants hits – 28
- Drug arrests – 25
- Other arrests – 59

Legislative Update: Colonel Powell briefed the Commission about the outcome of Patrol-related bills. Patrol followed about 70 bills throughout the session; 11 of them passed.

Hanna, Medicine Bow, and Elk Mountain residents have raised concern about SF0059, road closures. In response to their concerns, a community meeting was held in February to air the concerns. Area residents believe that road closure traffic will be siphoned from I-80 to US 30 through the local communities, which will ultimately cause a potential traffic safety issue. The locals also expressed concern about not being able to access their homes during snow events. Colonel Powell stated that accessibility to rural properties along the I-80 corridor will continue to be considered on a case-by-case basis.

12. Mr. Loftin presented the Support Services report.

Legislative Update: Mr. Loftin briefed the Commission about the outcome of Support Services-related bills.

13. Chair Dziardziel recessed the meeting at 11:48 a.m., on Thursday, March 19, 2009.

Mr. Miller left the meeting.

14. Chair Dziardziel reconvened the meeting at 1:35 p.m., on Thursday, March 19, 2009.

15. Mr. David Stearns presented the Operations report in Mr. Tim Hibbard's absence.

It was recommended by Mr. Stearns, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-089 to furnish 2,730 tons of asphalt emulsions (road oils), for delivery at various statewide WYDOT locations. The bid was awarded to Dark Water Asphalt of Casper, Wyoming, for the sum of \$967,556.80, and Peak Asphalt, LLC, of Rawlins, Wyoming, for the sum of \$372,540, for a total sum of \$1,340,096.80.

It was recommended by Mr. Stearns, moved by Commissioner Covello, seconded by Vice Chairman Monk, and carried to approve purchase for bid number 09-090 to furnish 2,750 tons of performance graded asphalt binder/cut-back asphalt (road oils) for delivery in highway districts 1, 2, 3, and 4. The bid was awarded to Sinclair Oil Corporation of Salt Lake City, Utah, for the sum of \$1,582,125.

It was recommended by Mr. Stearns, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-096 to construct two each, 26' x 26' two-car garages for installation at Elk Mountain. The bid was awarded to Lundgren Construction of Casper, Wyoming, for the sum of \$54,021.54.

It was recommended by Mr. Stearns, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-101 to furnish 4,615 each carbide-tipped snow plow blades for delivery at WYDOT shops in Laramie, Casper, Rock Springs, and Basin. The bid was awarded to Valk Manufacturing Company of New Kingstown, Pennsylvania, for the sum of \$809,148.40.

It was recommended by Mr. Stearns, moved by Commissioner Covello, seconded by Commissioner Latta, and carried to approve purchase for bid number 09-102 to furnish 780 each plow guards for delivery at WYDOT shops in Basin, Casper, Laramie, and Rock Springs. The bid was awarded to Winter Equipment Company of Willoughby, Ohio, for the sum of \$95,576.22.

It was recommended by Mr. Stearns, moved by Commissioner Covello, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-104 to furnish six each, new, current model all-wheel-drive tractors. The bid was awarded to Cheyenne Kubota of Cheyenne, Wyoming, for the sum of \$291,570.

It was recommended by Mr. Stearns, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-112 to furnish 25 each, 2,070 traffic controllers with two communication modules for use by the Traffic Program. The bid was awarded to Econolite of Colorado Springs, Colorado, for the sum of \$57,125.

It was recommended by Mr. Stearns, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for Project Number PEB1592 to furnish a Patrol and Driver Services addition at the WYDOT site in Pinedale, Wyoming. The bid was awarded to CK Construction & Services Corporation of West Haven, Utah, for the sum of \$842,050.

It was recommended by Mr. Stearns, moved by Commissioner Covello, seconded by Commissioner Hladky, and carried to approve purchase for Requisition Number 0000012846 to furnish four each salt brine systems and four each heated shelters for the salt brine systems. The bid was awarded to Varitech Industries, Inc., of Alexandria, Minnesota, for the sum of \$93,600.

It was recommended by Mr. Stearns, moved by Commissioner McCormick, seconded by Commissioner Latta, and carried to approve purchase for Requisition Number 0000012850 to furnish five each magnesium chloride storage tanks. The bid was awarded to Veritech Industries, Inc., of Alexandria, Minnesota, for the sum of \$106,249.90.

16. It was recommended by Mr. Stearns, moved by Vice Chairman Monk, seconded by Commissioner Latta, and carried to approve the draft A-133 Audit as presented on March 18, 2009, by Ms. Vikki Nunn, Principal Accountant for Porter, Muirhead, Cornia & Howard. A final copy of the audit will be published and distributed as appropriate in the near future.

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

Legislative Update: Mr. McOmie briefed the Commission about some key legislative bills, including Industrial Road Program (IRP) funding limits, emergency lights for snow plows, fines for speeding trucks, severance tax distribution, commercial signage on highways, and railroad quiet zones.

Joint Transportation, Highways & Military Affairs Interim Committee (JTC) Meetings: JTC meetings have been scheduled June 8–9, 2009, in Lander, August 10–11 in Casper, and October 8–9 in Cheyenne. Tentative discussion topics include I-80 funding, revision of select transportation-related statutes, snow fences, WYDOT contracting practices, and public transportation.

ARRA Funding: Mr. McOmie reported that the Department will construct a significant number of highway projects using ARRA funding and provided a map depicting project locations.

Special bid lettings will be held April 23 and May 21 to let the stimulus projects. Project awards will be considered by the Commission April 30 and May 28, 2009, via a teleconference. About \$200 million worth of projects will be let to contract in four lettings in April and May.

ARRA Discretionary Funds: A meeting is being coordinated between the Game & Fish Department, the U.S. Forest Service, and pertinent environmental groups to discuss Wyoming projects that may be eligible for ARRA discretionary funds. About \$1.5 billion in federal funds will be made available nationwide. Eligible projects must be a minimum of \$20 million and a maximum of \$300 million. Guidelines for the application process will be available no later than May 18, 2009.

18. It was moved by Commissioner Covello, seconded by Commissioner Latta, and carried to move into executive session. The Commission went into executive session at 2:20 p.m.

19. It was moved by Commissioner Covello, seconded by Commissioner Latta, and carried to move out of executive session. The Commission came out of executive session at 2:45 p.m.

20. It was moved by Commissioner Covello, seconded by Commissioner Hladky, and carried to adjourn the meeting. The meeting was adjourned by Chair Dziardziel at 2:45 p.m., on Thursday, March 19, 2009.