

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on December 9, 2010. The meeting was convened at 1:40 p.m. by Chairman Monk. The following members were present constituting a quorum:

Charlie Monk, Chairman, Lovell
Cactus Covello, Jr., Vice Chairman, Torrington
Susan Dziardziel, Commissioner, Douglas
Sandi McCormick, Commissioner, Rock Springs
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; Gregg Fredrick, Assistant Chief Engineer of Engineering and Planning; Tim Hibbard, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Colonel Jess Oyler, Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Doug Moench, Senior Assistant Attorney General; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Mr. Darren Osborne, President, Able Equipment Co., Casper, Wyoming; District Engineers Jay Gould from Laramie, John Eddins from Rock Springs, Mark Gillett from Sheridan, and Shelby Carlson from Basin; District Construction Engineer Mark Ayen from Casper; and Ron Koehn, Assistant State Equipment Engineer.

1. It was recommended by Secretary Scott, moved by Commissioner Ertman, seconded by Commissioner Latta, and carried to approve the minutes from the November 18, 2010, regular business meeting and executive session.

2. Director Cox presented the Director's report.

Meeting in Washington, D.C.: Director Cox recently attended a meeting in Washington, D.C., where he met with Wyoming Senator John Barrasso and Oklahoma Senator Jim Inhofe, along with American Association of State Highway and Transportation Officials (AASHTO) President Susan Martinovich and Oklahoma and Texas Departments of Transportation directors, regarding the states' needs and the future transportation bill. U.S. Representative John Mica of Florida was recently confirmed by vote of the House Republican Conference to serve as Chairman of the House Committee on Transportation and Infrastructure. Representative Mica is expected to craft a transportation bill that will be more conservative in nature and will continue formula funding, both of which would favor WYDOT and may get the bill moving sooner. Representative Mica is also expected to create a new draft Federal Highway Bill rather than using former Chairman Jim Oberstar's controversial draft bill that has been in process for over a year.

Director Cox also had a timely opportunity to meet with several Congressional staffers representing Barbara Boxer, John Mica, Max Baucus, and Wyoming's Congressional delegation while in Washington, D.C., to discuss rural highway funding and other related issues.

Federal Highway Reauthorization: Director Cox provided the Commission with a copy of a Legislative Alert message that he received from AASHTO regarding the Federal Highway Bill reauthorization. The alert announced that the U.S. House of Representatives had passed a \$1.1 trillion continuing resolution to fund the government at fiscal year 2010 levels through September 30, 2011. The Senate has not yet acted upon the resolution.

In addition to the spending provisions, the continuing resolution also extends the federal aviation program, the federal-aid highway program, the highway safety program, and the motor carrier and transit programs through fiscal year (FY) 2011.

Memo to Governor-elect Matt Mead: Director Cox provided the Commission with a copy of a memorandum that was sent to Governor-elect Matt Mead regarding WYDOT and state government operations.

Commissioner Latta had a recent conversation with Representative Pete Jorgensen of Jackson. Representative Jorgensen had exemplary comments about WYDOT and the manner in which its operations are run.

3. Mr. Kevin Hibbard presented the Budget report.

Monthly Budget Report: Mr. Hibbard reported that the legislative and surface transportation budgets are within tolerances. The Commission budget is currently under-running its snow control budget.

American Recovery and Reinvestment Act (ARRA) Report: The monthly ARRA report was also presented by Mr. Hibbard. The report will be posted on the State of Wyoming Department of Administration and Information website. WYDOT's ARRA budget is currently 94 percent expended, and it is expected to be fully depleted by mid-summer in 2011.

Federal Re-authorization: Mr. Hibbard advised that Congress passed another Federal Highway Bill continuing resolution, which will carry states through December 18, 2010, and an additional continuing resolution is expected for December 18, 2010, through February 28, 2011, after Congress' Christmas break. A new Federal Highway Bill is expected to be taken up again in Washington, D.C., in the spring.

4. Mr. McGee presented a request from Mr. Rick Young, Museum Manager for the Fort Caspar Museum, to reproduce a portion of the official State Highway Map.

The Fort Caspar Museum would like to use a portion of the map as a museum exhibit to feature mineral resources within central Wyoming. The exhibit will use LED lights on the map, photographs of the specific minerals being recovered, and an actual mineral sample of each selected mineral resource. Additionally, the exhibit will feature three-dimensional objects related to mining in Wyoming. The exhibit is part of the Fort Caspar Museum Association's anniversary campaign. It will be placed in one of the museum's permanent galleries and will remain on display for a few years.

Mr. McGee noted that, if approved, the Fort Caspar Museum will fund the request and that the Transportation Commission will receive copyright recognition on the exhibit.

It was recommended by Mr. McGee, moved by Commissioner Dziardziel, seconded by Commissioner McCormick, and carried to approve the one time map use request, contingent upon the details that were provided by the Fort Caspar Museum.

5. Mr. Fredrick presented the Engineering and Planning report, beginning with the bid tabulations from the letting held December 8, 2010, in Cheyenne.

COMMISSION DISTRICT 2
Sandi McCormick - Commissioner

Federal projects IM-I804242 and IM-I804240 combined, involving grading, draining, milling plant mix, placing bituminous pavement surfacing, plant mix wearing course, bridge deck repair, removal and replacement of guardrail, and miscellaneous work on 13.05 miles of I-80, beginning at reference marker (RM) 245.89 west of Elk Mountain, between Walcott Junction and Laramie, in Carbon County. Completion date – September 30, 2011

Engineer's Estimate	\$ 9,378,705.10	
Skanska USA Civil Inc. and Subsidiaries, Cortez, CO	\$ 9,199,611.00	-1.9%
Knife River, Cheyenne, WY	\$ 9,226,651.00	
McMurry Ready-Mix Co., Casper, WY	\$ 9,725,229.05	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$ 9,999,672.66	
A & S Construction Co. and Affiliated Companies, Canon City, CO	\$10,979,476.20	

It was recommended by Mr. Fredrick, moved by Commissioner Latta, seconded by Commissioner Dziardziel, and carried that **Skanska USA Civil Inc. and Subsidiaries, Cortez, Colorado**, 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 NH-N232062, involving grading, milling plant mix, placing crushed base, bituminous pavement surfacing, plant mix wearing course, and miscellaneous work on 11.30 miles of US 287, between RM 404.50 and 415.80, in Albany County. Completion date – October 31, 2011

Engineer's Estimate	\$4,358,025.00	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$3,925,916.05	-9.9%
McGarvin-Moberly Construction Company, Worland, WY	\$4,130,015.00	
Knife River, Cheyenne, WY	\$4,144,138.30	
Mountain Construction Company, Lovell, WY	\$4,193,603.75	
Connell Resources, Inc., Fort Collins, CO	\$4,429,456.00	
Coulson Excavating Company, Inc., Loveland, CO	\$4,465,900.00	
A& S Construction Co. and Affiliated Companies, Canon City, CO	\$4,686,371.00	

It was recommended by Mr. Fredrick, moved by Commissioner McCormick, seconded by Commissioner Hladky, and carried that **Simon Contractors and 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. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 3
Jim Latta - Commissioner

Federal project NH-N132100, involving installation of wildlife underpass and overpass structures and miscellaneous work on 11.81 miles of US 191, beginning at RM 115.05 northwest of Pinedale, in Sublette County. Completion date – September 30, 2012

Engineer's Estimate	\$13,145,830.20	
Reiman Corp., Cheyenne, WY	\$ 9,662,001.70	-26.5%
Ralph L Wadsworth Construction Company, LLC, Draper, UT	\$ 9,827,816.92	
Wadsworth Brothers Construction Company, Inc., Draper, UT	\$10,551,245.50	
Skanska USA Civil inc. and Subsidiaries, Cortez, CO	\$11,078,521.00	
COP Wyoming LLC, Sheridan, WY	\$11,226,815.00	
Sletten Construction Company, Great Falls, MT	\$11,422,199.84	
Morgen & Oswood Construction Co., Inc. and Morgen & Oswood Construction Co., Inc. of Nevada, Great Falls, MT	\$11,755,293.40	
Excel Construction, Inc. & Affiliated Companies, Sheridan, WY	\$12,157,441.33	

It was recommended by Mr. Fredrick, moved by Commissioner Latta, 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 project STP-SR-B103010, involving bridge rehabilitation and miscellaneous work on WYO 89 at the Union Pacific Railroad Overpass at RM 15.68 between the Utah State Line and Sage Junction in Lincoln County. Completion date – October 31, 2011

Engineer's Estimate	\$515,302.10	
Cannon Builders, Inc., Blackfoot, ID	\$538,531.00	+4.5%
Reiman Corp., Cheyenne, WY	\$789,927.20	
Gerber Construction, Inc., and Subsidiary, Lehi, UT	\$808,735.00	
Build, Inc., Salt Lake City, UT	\$817,006.00	

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Commissioner Latta, 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 STPU-0007162, STPE-0300046, ARSCT-0300A01 and ARSCT-0300A02 combined, involving grading, draining, milling plant mix, removal of concrete, placing crushed base and bituminous pavement surfacing, concrete pavement, sidewalk, curb and gutter, pavement markings, conduit, structure repair, water systems, electrical, removal and replacement of signs, fencing removal and replacement, and miscellaneous work on 2.19 miles at the intersection of WYO 50 and US 14/16, beginning at RM 1.33 in the city of Gillette, in Campbell County. Completion date – October 31, 2011

Engineer's Estimate	\$18,093,587.56	
S & S Builders, LLC., Gillette, WY	\$15,081,582.63	-16.6%
Upper Plains Contracting, Inc., Aberdeen, SD	\$15,385,677.85	
Stanley J. Johnson Concrete Contractor, Inc., Rapid City, SD	\$15,519,911.56	
McMurry Ready-Mix Co., Casper, WY	\$15,614,889.10	
Oftedal Construction, Inc., Miles City, MT	\$16,002,218.14	
Concrete Works of Colorado, Inc., Lafayette, CO	\$16,374,783.65	
Excel Construction, Inc. & Affiliated Companies, Sheridan, WY	\$16,735,376.64	

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

Federal project NH-PO-N362034, involving grading, milling plant mix, bituminous pavement surfacing and miscellaneous work on 3.42 miles of US 16, beginning at RM 88.54 between Tensleep and Buffalo, in Johnson County. Completion date – October 31, 2011

Engineer's Estimate	\$1,520,273.50	
Knife River, Cheyenne, WY	\$1,414,200.00	-7.0%
Intermountain Construction and Materials, Inc., Gillette, WY	\$1,433,733.97	
Mountain Construction Company, Lovell, WY	\$1,495,639.86	
McMurry Ready-Mix Co., Casper, WY	\$1,557,567.00	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$1,557,697.62	
McGarvin-Moberly Construction Company, Worland, WY	\$1,565,009.61	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner McCormick, 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 STP-1000017, involving right-of-way fence replacement and miscellaneous work on 9.66 miles of WYO 190, beginning at RM 100.00 between Kaycee and Barnum, in Johnson County. Completion date – August 31, 2011

Engineer's Estimate	\$413,366.00	
Hout Fencing of Wyoming, Inc., Worland, WY	\$352,702.50	-14.7%
King Enterprises, Casper, WY	\$372,276.00	
API Fence Inc., Afton, WY	\$390,344.00	
Irregular Bid Bond		
Crooked Fork Fencing, Inc., Lolo, MT	\$631,051.38	
Irregular Draft Copy		

It was recommended by Mr. Fredrick, moved by Vice Chairman Covello, seconded by Commissioner Dziardziel, 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 5
Charlie Monk - Chairman

Federal project HSIP-SEP-B115030, involving grading of roadway shoulders, placing stockpiled material on shoulder, removal and replacement of guardrail, and miscellaneous work at various locations on 7.512 miles of WYO 432, in Washakie County. Completion date – September 30, 2011

Engineer's Estimate	\$300,524.50	
Hout Fencing of Wyoming, Inc., Worland, WY	\$239,120.12	-20.4%
S & L Industrial, Cowley, WY	\$254,600.50	
K's Construction, Inc., Otto, WY	\$271,000.00	

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Commissioner Latta, 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 DISTRICTS 5 and 7
Charlie Monk - Chairman
Susan Dziardziel - Commissioner

Federal project NH-PM-B115006, involving chip sealing and miscellaneous work on 16.85 miles of various roads in Transportation District 5 in Big Horn, Fremont, Hot Springs and Park counties. Completion date – August 31, 2011

Engineer's Estimate	\$1,489,450.00	
Intermountain Slurry Seal, Inc., Watsonville, CA	\$1,437,750.00	-3.5%
Riverside Contracting, Inc., Missoula, MT	\$1,462,350.00	
Hardrives Construction, Inc., Billings, MT	\$1,498,486.10	
Knife River, Cheyenne, WY	\$1,739,950.00	
McGarvin-Moberly Construction Company, Worland, WY	\$1,763,006.00	
Mountain Construction Company, Lovell, WY	\$2,020,620.00	
71 Construction, Casper, WY	\$2,199,710.00	

It was recommended by Mr. Fredrick, moved by Commissioner Dziardziel, seconded by Commissioner Hladky, and carried that **Intermountain Slurry Seal, Inc., Watsonville, California**, 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 was recommended by Mr. Fredrick, moved by Commissioner Latta, seconded by Vice Chairman Covello, and carried to approve the following project authorizations:

COMMISSION DISTRICT 1

Rural Principal Arterial

NH 24.10 N252035; Laramie County; Cheyenne to Torrington, Torrington Interchange, County Line; reference marker (RM) 24.10 to 40.01; passing lanes; request to move from FY 2012 to FY 2011; request federal construction engineering and construction funds of \$2,479,036

COMMISSION DISTRICT 5

Rural Principal Arterial

NH 209.03 N345098; Big Horn County; Greybull to Lovell; RM 209.03 to 211.65; level, overlay and chip seal; request move from FY 2013 to FY 2011; request federal construction engineering and construction funds of \$1,116,813

NH 221.603 N345099; Big Horn County; Greybull to Lovell; RM 221.00 to 225.40; level, overlay and chip seal; request move from FY 2013 to FY 2011; request federal construction engineering and construction funds of \$1,619,377

COMMISSION DISTRICT 7

Rural Principal Arterial

NH 2.00 N151023; Fremont County; Lander to Fort Washakie; RM 2.00 to 10.00; level, overlay and chip seal; request to move from FY 2013 to FY 2011; request federal construction engineering and construction funds of \$3,402,447

7. It was recommended by Mr. Fredrick, moved by Vice Chairman Covello, seconded by Commissioner Ertman, and carried to approve the following resolution:

RESOLUTION FOR RELINQUISHMENT

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

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for Wyoming State Highway 138, Fremont County, Wyoming, established under Wyoming State Highway Project No. W138007 is no longer needed for state highway or public use purposes. Said portion being described as follows:

All that portion of Wyoming State Highway 138 in the S $\frac{1}{2}$ and NE $\frac{1}{4}$ of Sec. 5, NW $\frac{1}{4}$ of Sec. 4, T2S, R3E; S $\frac{1}{2}$ and NE $\frac{1}{4}$ of Sec. 33, N $\frac{1}{2}$ of Sec. 34, SE $\frac{1}{4}$ of Sec. 27, W $\frac{1}{2}$ and NE $\frac{1}{4}$ of Sec. 26, SE $\frac{1}{4}$ of Sec. 23, W $\frac{1}{2}$ and NE $\frac{1}{4}$ of Sec. 24, SE $\frac{1}{4}$ of Sec. 13, T1S, R3E; S $\frac{1}{2}$ and NE $\frac{1}{4}$ of Sec. 18, NW $\frac{1}{4}$ of Sec. 17, T1S, R4E of the Wind River Meridian, Fremont County, Wyoming, described as follows:

Beginning at the northerly right-of-way boundary of Wyoming State Highway 789 in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 5, T2S, R3E, as shown on the as constructed plans for Project No. RF-020-3(8), Acceptance Date of March 31, 1976;

thence northeasterly along said Wyoming State Highway 138 to the point of beginning of Project No. PREB-138(6), milepost 0.047;

thence continuing northeasterly along said highway as shown on the Record of Survey filed July 1, 2009, Reception No. 2009-1325578, Plat Cabinet 7 on page 143-143E, Fremont County

Records for approximately 7.954 miles to milepost 8.002, the point of ending of said Project No. PREB-138(6);

thence continuing northeasterly along said highway to the southerly right-of-way boundary of Wyoming State Highway 137 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Sec. 17, T1S, R4E as shown on the as constructed plans for Project No. STPS-0711(2), Acceptance Date of April 13, 2001, the point of ending. As shown on Exhibit "A" being attached hereto and made parts hereof.

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for Wyoming State Highway 138, Fremont County, Wyoming, established under Wyoming State Highway Project No. FAP-202 is no longer needed for state highway or public use purposes. Said portion being described as follows:

All that portion of Wyoming State Highway 138 in Lots 2, 3 and 4, NE $\frac{1}{4}$ NW $\frac{1}{4}$ & N $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 26, T1S, R3E of the Wind River Meridian, Fremont County, Wyoming, lying northwest of the northwesterly right-of-way boundary of Wyoming State Highway Project No. W138007.

NOW, THEREFORE BE IT RESOLVED, the Transportation Commission of Wyoming hereby relinquishes the above-described lands to the Bureau of Indian Affairs by the Joint Business Council of the Shoshone and Arapaho Tribes as provided for under provisions and authority of W.S. 24-3-126.

8. Colonel Oyler presented the Highway Patrol report.

The Fatal Crash Summary through November 30, 2010, includes 122 fatal crashes involving 138 deaths. The fatalities include 51 involving rollover crashes, 38 involving multi-car crashes, 25 involving commercial vehicles, 35 involving motorcycles and all-terrain vehicles, 3 involving pedestrians, and 11 involving fixed objects.

There have been 54 crashes to date deemed alcohol related, resulting in 59 deaths. Of those deaths, 35 were attributed to not using restraints.

Of the 138 deaths that have occurred to date in 2010, 65 can be attributed to the non-use of occupant restraints, with 41 involving rollover crashes, 17 involving multi-car collisions, and 7 involving fixed objects. Of the 65 deaths that occurred from non-use of occupant restraints, 51 were Wyoming residents and 14 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through October 31, 2010. The summary depicts 4,700 crashes statewide, of which 4,042 involved non-commercial vehicles and 658 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of November 30, 2010, have been DUI related. Field arrests total 1,508 to date, including the following:

- DUI arrests from crashes – 103
- DUI arrests from traffic stops – 593
- DUI arrests from the REDDI Program – 185
- DUI arrests from ports-of-entry – 6
- NCIC hits (person) – 43
- Wyoming warrants hits – 160
- Drug arrests – 195
- Other arrests – 223

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

10. Mr. Tim Hibbard presented the Operations report.

Mr. Darren Osborne, President of Able Equipment Company of Casper, addressed the Commission about his concerns regarding the award of Bid No. 11-013MD, which was awarded by the Purchasing Program on November 17, 2010, in the amount of \$9,875. The bid was for the purchase of two nine-foot DRW utility bodies. The amount of the bid did not warrant the award going before the Commission.

Mr. Able expressed his appreciation for past bids that the Department has awarded to his company.

Along with his bid, Mr. Able provided a marked up specification page with notations that the required adjustable shelving was “removable,” but the bid did not say anything about the shelving being “adjustable.” Other notes indicated that the required LED lights on the back of the units were “not LED,” that bumpers are “not installed” rather than “to be installed by the dealer,” and that the required light kits were also “not installed.”

Able Equipment Company was the second low on Bid No. 11-013MD. The first low bid was also deemed irregular. Mr. Osborne claimed that his bid met or exceeded all of the required specifications but admitted that his notes were included with the bid documents.

Commissioner Hladky asked Mr. Osborne whether his company could have provided the utility bodies without LED lights and bumpers, if awarded, and added them later on and then billed the Department. Mr. Osborne stated that he could have but would not have done so.

Mr. Hibbard indicated that had Mr. Osborne not included his marked up extra page, the bid may have been accepted. However, the Department goes to great lengths to review every bid using the same evaluation criteria.

Mr. Osborne indicated that his company provides a quality product for all of its customers. The Commission unanimously agreed that Able Equipment Company’s bid did not comply with

Department specifications but encouraged Mr. Osborne to continue to bid on future WYDOT bid items.

Mr. Osborne left the meeting.

11. It was recommended by Mr. Hibbard, moved by Commissioner Dziardziel, seconded by Commissioner Latta, and carried to approve purchase for bid number 11-001 to furnish 800,000 each, 2011 Wyoming highway maps. The bid was awarded to Frederic Printing, of Aurora, Colorado, for the sum of \$84,232.

It was recommended by Mr. Hibbard, moved by Commissioner Ertman, seconded by Commissioner McCormick, and carried to approve purchase for bid number 11-028 to furnish rental and cleaning of floor mats with laundry service. The contract was awarded to ALSCO, Inc., of Salt Lake City, Utah, for the sum of \$49,523.76; Servall Uniform & Linen, of Gillette, Wyoming, for the sum of \$13,478.40; High Country Linen Service, of Jackson, Wyoming, for the sum of \$5,480.80; and Ideal Linen Wyoming, Inc., of Scottsbluff, Nebraska, for the sum of \$5,200; for a grand total sum of \$72,232.16.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried to approve purchase for bid number 11-029 to furnish work clothing on a biannual contract basis. The contract was awarded to G & K Services, of Loveland, Colorado, for the sum of \$187,775.

12. The Commission discussed potentially raising the threshold for WYDOT executive staff requisition approvals as detailed in Basic Operating Policy and whether or not it was necessary for the Commission to approve each requisition individually that is over the threshold amount. Mr. Hibbard agreed that the Commission could potentially grant approval of all bids and requisitions with one motion if they chose to do so. After further discussion, the Commission asked Mr. Hibbard to investigate a potential policy change to increase the requisition or bid approval threshold for executive staff members and to bring a draft revised policy to the January meeting for Commission consideration.

13. It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner Dziardziel, and carried to approve purchase for bid number 11-051 for contract services to remove fallen or hazardous trees on WYO 130. The bid was awarded to Platte Valley Forest Management, of Riverside, Wyoming, for the sum of \$208,195.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner Dziardziel, and carried to approve purchase for bid number 11-052 to furnish 82 each, new snow plows/snow plow wings for delivery at various statewide locations. The bid was awarded to Jack's Truck & Equipment, of Gillette, Wyoming, for the sum of \$234,756; Ameri-Tech Equipment Co., of Evansville, Wyoming, for the sum of \$64,834; and Valk Manufacturing Co., of New Kingstown, Pennsylvania, for the sum of \$55,418; for a grand total sum of \$355,008.

It was recommended by Mr. Hibbard, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to approve purchase for bid number 11-053 to furnish tires for use on WYDOT equipment statewide. The bid was awarded to Goodyear Tire & Rubber Company, of Akron, Ohio; Michelin North America, Inc., of Greenville, South Carolina; and Bridgestone Americas Tire Operations, LLC, of Nashville, Tennessee; for the estimated annual expenditure of \$520,000.

It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to approve purchase for bid number 11-055 to furnish 18,665 pieces of rough lumber for snow fence repair and construction, for annual maintenance, for delivery at various statewide locations. The bid was awarded to Forest Products Distributors, Inc., of Rapid City, South Dakota, for the sum of \$67,775.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner Ertman, and carried to approve purchase for bid number 11-056 to furnish 11,701 treated sign and fence posts, for annual maintenance, for delivery at various statewide locations. The bid was awarded to Tumbleweed Express, of Laramie, Wyoming, for the sum of \$65,248; Forest Products Distributors, Inc., of Rapid City, South Dakota, for the sum of \$21,023.71; Buckingham Lumber Co., of Buffalo, Wyoming, for the sum of \$3,956.25; and Ayres & Baker Pole & Post, Inc., for the sum of \$1,662.50; for a grand total sum of \$91,890.46.

It was recommended by Mr. Hibbard, moved by Commissioner Dziardziel, seconded by Commissioner Latta, and carried to approve purchase for Requisition Number 0000020350 to furnish computer-aided software, support, and training for use by the Photogrammetry and Surveys Program. The contract was awarded to Cardinal Systems, LLC, of Flagler Beach, Florida, for the sum of \$85,562.50.

Mr. Koehn left the meeting.

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

Wyoming County Commissioners' Association (WCCA) Meeting: Messrs. McOmie, Fredrick, Hans Hehr, Purchasing Program Manager, and Bernie Kushnir, State Equipment Engineer, recently met with the WCCA to discuss WYDOT equipment specifications. The specifications were offered for use by the counties, and the Purchasing Program will now include a note on its bid documents indicating that counties may purchase equipment through the Department's vendor contracts.

The Department also discussed various issues concerning county bridge construction. State law requires that counties submit construction plans and specifications to WYDOT for review before they are bid. The Department has found a number of new county bridge installations that were not forwarded to WYDOT for review. Mr. McOmie stressed to county officials the importance of not skipping this step, as there may be severe liability issues related to such actions. WYDOT does not charge counties for reviewing their plans. Consultants will be contacted about the infraction and will be advised of the ramifications of overlooking the review process.

Another discussion topic was the Off-System Bridge Replacement (BROS) Program. Wyoming receives about \$2.3 million in federal funds per year for its BROS Program. Recent estimates revealed that about \$120 million is needed for county-owned bridge repairs and replacements statewide. The Department will work with the Joint Transportation, Highways and Military Affairs Interim Committee and plans to suggest that a study be conducted to begin the process of addressing the issue.

Other discussion topics included an update on the revision of the *County Road Fund Design Manual*, the local project certification course, WYDOT's equipment guaranteed buy-back program, and WYDOT's roadway data collection process.

Mr. McOmie stated that the meeting was very productive, and WYDOT will plan to attend future WCCA meetings.

Mr. McOmie indicated that he would also like to host a meeting with city officials to discuss similar issues.

Mr. Tim Hibbard left the meeting.

Esponda Land Purchase: At its March 2010 meeting, the Commission voted to purchase land for a new shop site at Buffalo. The 23.55 acres of land is expected to cost about \$500,000. Although water rights and an existing coal lease originally raised some concerns, these issues now appear to have been resolved.

It was recommended by Mr. McOmie, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to purchase the 23.55 acres of land for the Buffalo Shop.

15. State of the Districts Reports:

District 1 – Mr. Gould briefed the Commission about the status of District 1 projects. All projects are on schedule and have been recessed for the winter months.

The variable speed limit project between Cheyenne and Laramie was quite successful in 2010, so the project will be replicated along other areas of I-80. Work has begun on the Vandehei Interchange in Cheyenne, and the bridge will be closed for eight weeks in the spring. The contract contains an incentive payment clause for on-time completion. Adversely, a fine will be assessed for contractual project delays.

The district has cross-trained its construction personnel to assist with winter operations and its maintenance personnel to assist with summer operations. Employees have voluntarily accepted the challenge so far, and the exchange seems to be working well.

Mr. Gould voiced concerns that a good career path is not available for promoting engineers, when warranted, under the Hay Study and that the Department could potentially begin losing engineers to the private sector. Reclassifications have also proven to be difficult under the new compensation plan. Director Cox stated that the Hay Study is not a finished product, and he is hopeful that some additional conversation takes place soon to remedy the problem.

District 1 continues to use the pre-wet sanding methods throughout the district. This new method of sanding has proven to be efficient and is more cost effective.

Mr. Gould noted that the proposed oil drilling in southern Laramie County will undoubtedly impact Wyoming's highways.

District 2 – Mr. Ayen stated that virtually all District 2 projects are complete.

Work has resumed on the Kaycee Streets project. Heggem Construction's contract was terminated for the lack of progress, and the bonding company has hired a new contractor to finish the work. Mr. Moench was also instrumental in hiring the new contractor.

Judge Skavdahl recently granted a ruling in the Casper West Belt Loop eminent domain case. A meeting is scheduled for December 2, 2010, to determine potential design changes that may be necessary to build the project.

Salt/sand storage buildings have been budgeted for the Kaycee, Midwest, and Muddy Gap sites.

District 2 was able to accomplish a significant amount of road maintenance this year using ARRA funds.

Mr. Ayen noted that a number of positions remain vacant because of the inability to gain approval to fill the positions. Three more vacancies are expected by the end of 2010 because of retirements. District 2 personnel are also being cross-trained for maintenance and construction operations. District 2 has been successful so far in working out the Hay Group discrepancies.

District 3 – District 3 construction projects are on schedule, and winter operations have been implemented.

The Variable Speed Limit project between Rock Springs and Green River has been delayed until January because of a problem with getting power to the area.

The Trappers' Point Wildlife Overpass/Underpass project has been awarded to contract. Mr. Eddins hopes to have cameras installed at the site to document the project's success immediately following its completion in September of 2012.

The environmental impact statement on US 89 between Hoback Junction and Jackson is out for final comment. The project is receiving some negative feedback, primarily because of the required minimum of five lanes to accommodate the 14,000 vehicles per day with necessary turn lanes.

District 3 is nearly full staff, with only two maintenance and two construction vacancies. Mr. Eddins also expressed concerns about problems with acquiring approval to promote personnel. A few of the district's vacancies are frozen, but maintenance and construction personnel are being cross-trained to temporarily fulfill the need.

Pre-wet sanding methods are also successfully being used in District 3.

Fiber optics will soon be installed over Togwotee Pass and some other areas within the district using ARRA funds. The lines should be run within a couple months.

Mr. McOmie thanked Messrs. Eddins and Dailey for attending the recent Western Governors' Association Conference in Denver. Messrs. Eddins and Dailey represented the Department at the meeting and shared information about the Department's recent "best practices" recognition in the area of Disadvantaged Business Enterprise (DBE) participation.

District 4 – District 4 had 22 projects totaling about \$70 million let to contract in 2010. Mr. Gillett noted that the most difficult project was Sheridan Main Street. A \$20 million, two-year project was completed at Steamboat Point. A post-construction meeting was held with the U.S. Forest Service, where WYDOT received recognition by the Forest Service for its cooperation on the project.

A recurring landslide near Hulett now appears to be stable. The Sheridan Main Street project is the only project within the district that is still underway this winter. Work will begin soon on U.S. Highway 50 near Gillette and the Sheridan North Interchange.

District maintenance experienced a fairly normal winter season in 2009-2010. District 4 also used the latest pre-wet sanding methods and has made its own brine for use in the sanding operations. A considerable savings was realized in snow maintenance compared to previous years.

Chip sealing operations were eliminated again in 2010 because of budget cuts. Buffalo, Sundance, and Newcastle share maintenance shop space, which places an undue burden on their operations. New buildings are included in the district's capital improvement plan, but budget cuts have indefinitely postponed the building of any new facilities.

District 4 construction personnel have had a difficult time stepping into maintenance operations because of training issues. Mr. Gillett also noted that some employees have expressed concerns about the lack of salary increases and inability to reclassify and promote employees when warranted.

District 5 – District 5 had \$55 million in projects awarded in 2010, including the last phase of the Togwotee Pass project, which has a two-year completion date. If weather cooperates for the next two

seasons, the corridor will be completed in seven years, meeting our commitment to the Dubois community. A \$1.5 million dispute continues regarding the temporary pavement that was placed in the fall of 2009.

District 5 is also using pre-wet sanding methods for snow maintenance. A similar savings was realized in the district. New trucks possessing the pre-wet sanding equipment have been ordered for the Cody area.

District 5 currently has 7 vacancies and 10 frozen positions, of which most of the vacancies are maintenance positions. Ms. Carlson noted that salaries of newly-hired, entry-level construction personnel are lower than that of maintenance personnel. Consequently, some construction employees have transferred to maintenance positions to earn more pay, which has caused concerns about the long-term health of the district's engineering crews.

The district experienced about \$700,000 in bridge damage and \$800,000 in slope failure during a major flood event in Fremont County in 2010.

The WYO 28 slide, caused by the wet spring, continues to move. Repair estimates have escalated to about \$9.6 million. Ms. Carlson noted that, if Spring 2011 is wet, there is potential to lose the entire road.

The McClaren Tailings Reclamation Project in Montana will affect the Chief Joseph Highway in Wyoming. The Montana Department of Environmental Quality has been contacted about the Department's concerns about the impact that the truck traffic from the mine will have on the highway.

The Lander City Council and the public have mutually agreed to the site that has been chosen for a future new WYDOT shop site in Lander. Legislation is necessary to transfer the land from the state to WYDOT.

The district continues to actively pursue its awareness campaign on the Wind River Indian Reservation. Public Involvement Specialist Cody Beers has worked diligently toward curbing drinking and driving and speeding violations on the Reservation by successfully using an advertising campaign. Fremont County fatalities have dropped from 19 to 4 in the last year. Traffic code was rewritten, and additional law enforcement has contributed to its success.

16. It was moved by Commissioner Dziardziel, seconded by Commissioner Hladky, and carried to adjourn the meeting. Chairman Monk adjourned the meeting at 4:55 p.m., on Thursday, December 9, 2010.