

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on June 16, 2011. The meeting was convened at 8:30 a.m. by Chairman Covello. The following members were present constituting a quorum:

Cactus Covello, Jr., Chairman, Torrington  
Jim Latta, Vice Chairman, Pinedale  
Ted Ertman, Commissioner, Newcastle  
Jim Hladky, Commissioner, Gillette  
Clair Anderson, Commissioner, Riverton  
K. John Dooley, Commissioner, Laramie  
Bruce McCormack, Commissioner, Cody  
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; Ken Shultz, 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, and Dave Cough, Assistant Division Administrator, Federal Highway Administration.

1. Changes to the Agenda: Secretary Scott noted that an Industrial Road Project (IRP) would be presented for Commission consideration under Agenda Item 6.a, Award of Contracts. Information about Project IRP CN07103 was provided to the Commissioners at the meeting.

2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve the minutes from the May 12, 2011, breakfast meeting and regular business meeting.

3. Correspondence: Secretary Scott presented a letter from Mr. John M. Kuker, an attorney representing the Musket Corporation and Love's Travel Stops & Country Stores, Inc. Mr. Kuker requested a contested case hearing regarding the final audit assessment by the Wyoming Department of Transportation (WYDOT) against Musket Corporation for fuel taxes that were allegedly owed to the state. The case will be heard through a normal state administrative hearing process, and no action was required by the Commission at this time.

4. Director Cox presented the Director's report.

Joint Transportation, Highways and Military Affairs Interim Committee (JTC) Meeting: Director Cox thanked Chairman Covello and Vice Chairman Latta for attending the June 8, 2011, JTC meeting in Thermopolis. Surface transportation funding strategies will be a major discussion topic

during this interim. Director Cox advised that he is cautiously optimistic about the potential state funding that is necessary for Wyoming's infrastructure.

The occurrence of significant spring land slides, flooding, and other natural disasters statewide were also discussed at the meeting. Governor Mead's Chief of Staff Kari Gray and Wyoming Adjutant General Luke Reiner also testified at the meeting about the disasters and what is being done to curb the impact of these record-breaking events.

The increased cost of health care premiums and employee compensation changes, which historically are not generally funded, continues to be a concern for WYDOT. The JTC will discuss this issue at its August 30-31, 2011, meeting in Guernsey.

Federal Highway Reauthorization: The new Federal Highway Bill is expected to be presented before U.S. Congress after the July 4 holiday. The bill is expected to be for a shorter term than previous legislation.

5. Mr. Hibbard presented the monthly Budget report.

6. Mr. Fredrick presented the Engineering and Planning report.

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Hladky, and carried to approve the following project authorizations:

**COMMISSION DISTRICT 1**

Rural Principal Arterial

SBWY 0.00 SB10WY2; Goshen and Platte counties; Scenic Byway, Oregon Trail Historic Byway; corridor management plan; FY 2011; request federal funds of \$83,370

**COMMISSION DISTRICT 2**

Rural Major Collector

STP 0.00 0401034; Carbon County; Baggs to Dixon, WY 70; reference markers (RM) 0.00 to 6.00; overlay; FY 2012 construction; request federal preliminary engineering funds of \$80,000

**COMMISSION DISTRICT 3**

Rural Principal Arterial

SCP 127.40 N103107; Lincoln County; Alpine Junction to Hoback Junction, Double Draw Slide; RM 127.40; emergency slide; FY 2011; request state preliminary engineering funds of \$50,000

**COMMISSION DISTRICT 5**

Rural Local

BROS 0.00 CN09055; Big Horn County; Town of Byron, Bridge Over Shoshone River; bridge rehabilitation and miscellaneous work; FY 2011; request federal construction engineering and construction funds of \$362,444

**COMMISSION DISTRICT 6**

Rural Principal Arterial

SCP 185.00 0607037; Crook County; Devils Tower Junction to Sundance, Oudin Hill slide; RM 185.00 to 197.5; emergency slide; FY 2011; request state preliminary engineering funds of \$50,000

**COMMISSION DISTRICT 7**

Rural Minor Arterial

STP 30.50 P142049; Fremont County; Farson to Lander; RM 30.50, 45.6, 47.30, 57.80 and 62.50, dynamic message signs and flashing lights; FY 2012 construction; request federal preliminary engineering funds of \$55,000

Urban Principal Arterial

STP 10.00 W258022; Natrona County; Casper Streets, Wyoming Boulevard; RM 10.00 to 18.22; dynamic message signs, road weather information system, camera; FY 2012 construction; request federal preliminary engineering funds of \$20,000

Urban Major Collector

STPU-CA-HP 0.00 4109011; Natrona County; Casper Streets, West Yellowstone, Spruce Street to South Walnut Street; reconstruction; FY 2011; request federal preliminary engineering funds of \$10,000; request federal construction engineering and construction funds of \$990,223

**COMMISSION DISTRICT M (Miscellaneous)**

Various

STP 0.00 B122037; Carbon and Natrona counties; Highway District 2, WYO 487 and WYO 220; various reference markers; dynamic message signs, road weather information system, camera; FY 2012 construction; request federal preliminary engineering funds of \$20,000

7. Mr. Fredrick presented the following bid tabulations from the letting held June 9 in Laramie.

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

Federal project STP-N232064, involving milling plant mix, placing crushed base and bituminous pavement surfacing, and miscellaneous work on 16.05 miles on the westbound lane of US 30,

beginning at reference marker (RM) 292.47 between Rock River and Bosler, in Albany County.  
 Completion date – August 31, 2012

Engineer's Estimate	\$4,129,619.50	
<b>Knife River, Cheyenne, WY</b>	<b>\$3,911,788.93</b>	<b>-5.3%</b>
Western Wyoming Construction Co., Lander, WY	\$4,029,915.00	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$4,059,819.00	
McGarvin-Moberly Construction Company, Worland, WY	\$4,137,683.06	
Mountain Construction Company, Lovell, WY	\$4,287,664.14	
McMurry Ready-Mix Co., Casper, WY	\$4,447,579.90	
A & S Construction Co. and Affiliated Companies, Canon City, Co	\$4,662,549.00	

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner Hladky, and carried that **Knife River, Cheyenne, WY**, 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-P531018, involving grading, placing decorative rock, mulch and geotextile, material separation fabric, pressure pipe for sprinkler system, and miscellaneous work on Dewar Drive in Rock Springs, between the I-80 ramps and Gateway Boulevard, in Sweetwater County.  
 Completion date – September 30, 2011

Engineer's Estimate	\$134,647.00	
<b>ERI Engineering, Inc., Riverton, WY</b>	<b>\$131,367.00</b>	<b>-2.4%</b>
Beco Construction Co., Inc., Idaho Falls, ID	\$202,711.00	
Chalk Buttes Landscaping, Inc., Douglas, WY	\$228,857.83	

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Commissioner Anderson, and carried that **ERI Engineering, Inc., Riverton, WY**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 5**  
**Bruce McCormack - Commissioner**

Federal project BROS-CN09055, involving bridge rehabilitation, including grading, placing crushed base and bituminous pavement surfacing, and structure and miscellaneous work at RM 5.92 (Center Street bridge) in the town of Byron, Big Horn County. Completion date – October 31, 2011

Engineer's Estimate	\$330,792.55	
<b>Reiman Corp., Cheyenne, WY</b>	<b>\$302,593.00</b>	<b>-8.5%</b>
EHC, L.L.C., Deaver, WY	\$374,145.00	
S & S Builders, LLC., Gillette, WY	\$406,363.75	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried that **Reiman Corp., Cheyenne, WY**, 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**  
**Clair Anderson - Commissioner**

Federal project NH-N212086, involving grading, draining, milling plant mix, placing crushed and blended base, bituminous pavement surfacing, plant mix wearing course, guardrail, and miscellaneous work on 5.46 miles along WYO 220, beginning at RM 102.96 between Muddy Gap and Casper, in Natrona County. Completion date – October 31, 2013

Engineer's Estimate	\$24,290,611.99	
<b>McMurry Ready-Mix Co., Casper, WY</b>	<b>\$25,195,688.17</b>	<b>+3.7%</b>
Fisher Sand & Gravel Co., Dickinson, ND	\$26,665,482.00	
Oftedal Construction, Inc., Miles City, MT	\$27,270,215.19	
Knife River, Cheyenne, WY	\$27,816,544.00	
Riverside Contracting, Inc., Missoula, MT	\$28,381,640.50	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$28,654,347.58	
Ames Construction, Inc., Burnsville, MN	\$28,996,200.00	

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried that **McMurry Ready-Mix Co., Casper, WY**, 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 NH-N151024 and NH-N151025 combined, involving grading, erosion repair, gabions, riprap, bridge concrete repair, fencing, and miscellaneous work at RM 5.14, and at RM 16.13 on US 287 between Lander and Diversion Dam Junction, in Fremont County. Completion date – March 31, 2012

Engineer's Estimate	\$283,668.00	
<b>Patrick Construction, Inc., Lander, WY</b>	<b>\$207,130.30</b>	<b>-27.0%</b>
Reiman Corp. and Subsidiaries, Cheyenne, WY	\$312,481.00	

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Commissioner Anderson, and carried that **Patrick Construction, Inc., Lander, WY**, 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. Mr. Fredrick presented the following bid tabulations from the informal letting held June 16, 2011, in Cheyenne.

Federal project NH-N103106, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, wearing course, MSE wall repair, guardrail, fencing, and miscellaneous work on 0.074 mile of US 26/89, beginning at reference marker 127.18, between Alpine Junction and Hoback Junction, in Lincoln County. Completion date – June 30, 2012

Engineer's Estimate	\$2,509,783.23	
<b>H-K Contractors, Inc., Idaho Falls, ID</b>	<b>\$2,275,369.22</b>	<b>-9.3%</b>
Kilroy, LLC., Afton, WY	\$2,451,079.30	
Oftedal Construction, Inc., Casper, WY	\$2,664,999.75	

It was recommended by Mr. Fredrick, moved by Vice Chairman Latta, seconded by Commissioner Hladky, and carried that **H-K Contractors, Inc., Idaho Falls, ID**, 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.

9. Mr. Fredrick presented the following bid tabulation from a letting held by Goshen County on June 15, 2011.

State project IRP CN07103, reconstruction and miscellaneous work on the Van Tassell Road, beginning about 20 miles north of Torrington and extending north for approximately 10 miles, in Goshen County.

Engineer's Estimate	\$2,757,220.00	
<b>Simon Contractors, Cheyenne, WY</b>	<b>\$2,444,133.10</b>	<b>-11.4%</b>

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Vice Chairman Latta, and carried to concur in the project award to **Simon Contractors, Cheyenne, Wyoming**, as low bidder.

10. High Risk Rural Roads Program (HRRRP): It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioners Dooley, and carried to approve the following HRRRP funding for traffic signs:

Big Horn County	\$ 55,046
Campbell County	\$ 34,092
Fremont County	\$ 11,169
Hot Springs County	\$ 2,571
Laramie County	\$ 9,708
Sheridan County	\$ 7,372
Sublette County	\$ 930
Sweetwater County	\$ 18,594
Washakie County	\$ 3,095
Weston County	\$ 26,221
TOTAL	\$168,798

11. FY 2011 Congestion Mitigation and Air Quality (CMAQ) Improvement Program Funding

Request: Mr. Fredrick presented the proposed FY 2011 CMAQ projects for Commission consideration. The CMAQ Advisory Committee met in Casper on May 18, 2011, to review the fiscal year 2011 CMAQ applications totaling \$3,523,493. The project scope was scaled back by the sponsor to meet the available funding. Mr. Fredrick noted that a project to purchase mobile air quality (ozone) monitoring equipment was not recommended for approval because the equipment would not directly improve air quality. CMAQ funding is not utilized solely for monitoring or other research efforts that do not lead to an emission reduction from a project. Twelve applications were selected by the committee to receive \$2,599,803 in funding as follows:

Upgrade the gravel surface and amend with MgC1 for dust suppression along 20.0 miles of Echeta Road, Campbell County	\$ 200,000
Add 2 to 4 inches of gravel along with dust suppressant along 10 miles of the Dad/Wamsutter Road, Carbon County	\$ 300,000
Placement of RAP and MgC1 after scarification and re-compaction along 6.5 miles of Jenne Trail	\$ 200,000
MgC1 treatment for dust suppression along 13.5 miles of county roads, Converse County	\$ 67,600
Apply dust suppressants to 129.18 miles of recently resurfaced county roads, Crook County	\$ 350,000
Contract out for the placement of 8 inches of gravel along 4.0 miles of Muddy Creek Road, Lincoln County	\$ 200,000
MgC1 or CaC1 treatment along 111.9 miles of county roads, Sheridan County	\$ 300,000
Two applications of MgC1 and Lignin or other dust suppressants on 52.5 miles of heavily impacted county roads, Sublette County	\$ 250,000
Upgrade the surface of 3.51 miles of county roads through triple application of chip seal, Sweetwater County	\$ 272,300
Apply MgC1 for dust suppression along 14.95 miles of county roads, Weston County	\$ 300,000
Air quality monitoring for project evaluation, Energy, Minerals Counties Coalition (EMC <sup>2</sup> )	\$ 50,000
Purchase a regenerative vacuum sweeper, City of Sheridan	\$ 109,903
TOTAL FY 2011 FUNDING:	\$2,599,803

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to approve the above FY 2011 CMAQ projects.

12. Mr. Fredrick presented an update on the pending potential eminent domain for Project N203066, Lander to Hudson, Stoker slide mitigation, in Fremont County. It appears that the Right-of-Way Program will be able to successfully negotiate with the sole landowner for the right-of-way that is needed for the project. Consequently, no action was taken by the Commission on the Exercise of Eminent Domain that was slated on this month's agenda.

Mr. Fredrick reported that of the past resolutions for eminent domain, all are complete except for the Casper West Belt Loop project. Of the 482 project parcels that were necessary for projects, the Department has fielded 19 complaints and 4 administrative hearings. Most of the resolutions that were approved by the Transportation Commission have not been imposed.

Commissioner Dooley left the meeting.

13. Colonel Oyler presented the Highway Patrol report.

The Fatal Crash Summary through May 31, 2011, includes 35 fatal crashes involving 38 deaths. The fatalities include 18 rollover crashes, 12 multi-car crashes, 7 commercial vehicles, 3 motorcycles and all-terrain vehicles, 2 pedestrians, and 3 fixed objects.

There have been 11 crashes to date deemed alcohol related that resulted in 14 deaths. Of those deaths, 11 were attributed to not using occupant restraints.

Of the 38 deaths that have occurred to date in 2011, 21 can be attributed to the non-use of occupant restraints, with 16 involving rollover crashes, 4 involving multi-car collisions, and 1 involving a fixed object. Of the 21 deaths that occurred from non-use of occupant restraints, 13 were Wyoming residents and 8 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through April 30, 2011. The summary depicts 1,812 crashes statewide, of which 1,502 involved non-commercial vehicles and 310 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of May 31, 2011, have been DUI related. There have been 583 field arrests made so far this year, including:

- DUI arrests from crashes – 47
- DUI arrests from traffic stops – 233
- DUI arrests from the REDDI Program – 62
- DUI arrests from ports-of-entry – 4
- NCIC hits (person) – 21
- Wyoming warrants hits – 63
- Drug arrests – 67
- Other arrests – 86



Vice Chairman Latta asked Colonel Oyler if he knew of a particular reason for the increase in fatalities over the past two years. Colonel Oyler indicated that the Highway Patrol is making every attempt to address the issue, particularly in the area of motorcycle crashes, and that drunk drivers and younger drivers continue to be the major contributors to fatal crashes.

14. Mr. Byrne presented the Aeronautics report, including the May 2011 Aeronautics Flight Operations Passenger Summary Report and the Wyoming Aircraft Accident Report.

JTC Update: Mr. Byrne and the Aeronautics program managers presented “Aeronautics 101” at the JTC meeting in Thermopolis on June 8, 2011.

Representative Stan Blake, a JTC member, asked Mr. Byrne when he anticipates that the state jets will need to be replaced. Mr. Byrne advised that a replacement date has not been set; however, now may be a good time to plan how they could be replaced in the future. Mr. Byrne indicated that he will keep the Commission apprised of the plan development.

15. Mr. Loftin presented the Support Services report.

JTC Update: Mr. Loftin presented some history of motor vehicle services, vehicle registration, and driver license fees at the June 8 JTC meeting. Driver license fees were last changed in 1993 when they increased from \$10 to \$20. A \$50 fee was also established for reinstatement of revoked or suspended driver licenses at that time, and the probationary license fee increased to \$15. The last vehicle registration fee increase was in 1975 when it went to \$15.

Mr. Loftin also briefed the JTC members about the implementation of Real ID and its impact on the Department in recent years. The new Real ID Program permits mail-in renewals for individuals who meet certain criteria, but those who don't meet the requirements must apply in person. Walk-in applicants are experiencing longer lines because of the extended processing time for each applicant. The Department has seen an increase in the number of complaints about the wait. Additional positions were requested during the last legislative session, but the request was denied.

16. Mr. Shultz presented the Operations report.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Ertman, and carried to approve purchase for bid number 11-154 to furnish a friction testing system for use by the Materials Laboratory in Cheyenne. The bid was awarded to International Cybernetics Corp., of Clearwater, Florida, for the sum of \$115,500.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to approve purchase for bid number 11-170 to furnish heating, ventilation, and air conditioning upgrades at the WYDOT facility in Casper. The bid was awarded to Casper Tin Shop, Casper, Wyoming, for the sum of \$551,574.

It was recommended by Mr. Shultz, moved by Commissioner Hladky, seconded by Commissioner Ertman, and carried to approve purchase for bid number 11-177 to furnish heating, ventilation, and air conditioning replacement at the WYDOT facility in Laramie. The bid was awarded to Richardson Construction, Inc., of Cheyenne, Wyoming, for the sum of \$416,250.

It was recommended by Mr. Shultz, moved by Commissioner Hladky, seconded by Commissioner Anderson, and carried to approve purchase for bid number 11-184 to furnish 10,800 each aluminum backing angles for delivery at the WYDOT facility in Cheyenne. The bid was awarded to Dakota Steel & Supply, of Gillette, Wyoming, for the sum of \$129,351.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Vice Chairman Latta, and carried to approve purchase for bid number 11-194 to furnish 674 each interlocking pre-cast concrete blocks for delivery at various statewide locations. The bid was awarded to Osborne Concrete Services, Inc., of Laramie, Wyoming, for the sum of \$64,464.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to approve purchase for bid number 11-200 to furnish 200,000 gallons of aviation fuel for delivery at the WYDOT Aeronautics hangar in Cheyenne. The bid was awarded to Western Petroleum Co., of Eden Prairie, Minnesota, for the sum of \$727,540.

It was recommended by Mr. Shultz, moved by Vice Chairman Latta, seconded by Commissioner McCormack, and carried to approve purchase for bid number 11-206 to furnish 10 each new, current model, skid-mounted, 2,400-gallon de-icer tanks for delivery at various statewide locations. The bid was awarded to Swenson Spreader, LLC, of Lindenwood, Illinois, for the sum of \$108,000.

It was recommended by Mr. Shultz, moved by Commissioner Hladky, seconded by Commissioner McCormack, and carried to approve purchase for bid number 11-210 to furnish 9,825 each aluminum sheets and sign blanks for delivery at the WYDOT facility in Cheyenne. The bid was awarded to Vulcan Aluminum, of Foley, Alabama, for the sum of \$92,199.

It was recommended by Mr. Shultz, moved by Commissioner Hladky, seconded by Commissioner Anderson, and carried to approve purchase for bid number 11-212 to furnish 45,000 tons of salt/sand maintenance stockpiled material for use in Highway District 1. The bid was awarded to Knife River, of Cheyenne, Wyoming, for the sum of \$885,610.

Mr. Shultz advised that the Sheridan-area fuel supplier has defaulted on its contract. The Department plans to secure another supplier to provide fuel during the interim. The contract has been advertised and a bid opening is scheduled for June 28, 2011. Until a new contract is executed, the Department is paying a substantially higher price for fuel. In light of these circumstances, Mr. Shultz asked permission from the Commission to allow Director Cox, with concurrence from Chairman Covello, to award the June 28 contract to the low responsible bidder after the bids are tabulated and analyzed. It was moved by Commissioner Hladky, seconded by Commissioner Ertman, and carried to approve purchase for Requisition No. PURC-11-01 for the annual purchase of unleaded and diesel fuels for

use at various WYDOT sites statewide. The bid was awarded to the various vendors, as noted on the Requisition, for the sum of \$17,417,000.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to approve purchase for Requisition No. 0000022276 to furnish validation stickers for license plate renewals. The bid was awarded to 3M Company, of St. Paul, Minnesota, for the sum of \$100,000.

It was recommended by Mr. Shultz, moved by Commissioner Hladky, seconded by Vice Chairman Latta, and carried to approve purchase for Requisition No. 0000022324 to furnish salt/sand material for use at various locations in District 1. The bid was awarded to Willits Company, Cheyenne, Wyoming, for the sum of \$394,900.

JTC Update: Mr. Shultz also testified at the June 8 JTC meeting in Thermopolis. His presentation pertained to a recent contract that was let for the removal and salvage of WYDOT snow fences. Centennial Woods has held the contract in past years, but the contractor was not made aware of the upcoming project because of a change in the Department's Procurement Services bidding software. Two other bidders did find the project within the system but under a different bid item description. Centennial Woods has protested the fact that they were not notified of the opportunity to bid on the project. WYDOT is working to resolve the dispute through its normal process.

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

Beartooth Highway Meeting: Various Wyoming and Montana agencies met May 10, 2011, to discuss winter road maintenance and snow removal on U.S. Highway 212 (Beartooth Pass) from its junction with Wyoming Highway 296, north to Cooke City, Montana. The road is owned by the U.S. Forest Service but is currently maintained by the Park Service. If the road were plowed, a new snowmobile trail would be necessary. Avalanche areas would be a concern, and the economic impacts must also be considered. None of the agencies or parties involved have adequate funding for the snow removal operations. An environmental impact statement would be required for a snowmobile trail, and Cooke City doesn't have adequate parking facilities for trucks and snow machines. Friends of the Beartooth Highway are working on a review of the economic impacts for a trail, but there were enough negative aspects of plowing the roadway determined at the meeting that the consensus was to not open the roadway during winter months.

Slide Update: Dozens of land slides have occurred throughout the state so far this year. Each district is evaluating each slide to determine the best individual course of action as they develop. Mr. McOmie advised that the cost to repair the slides will be very high. Once spring flooding has subsided, many of the slides will need to be re-evaluated for more permanent solutions.

Vice Chairman Latta offered his appreciation for John Eddins's efforts in mitigating the non-interruption of business that could have been affected by the Snake River slide.

The Department has been working with the Governor's office to request federal disaster relief for the affected areas. WYDOT has been asked by the Wyoming Department of Homeland Security to be a part of the damage assessment teams that will perform on-site inspections to determine the cost of the repairs for incidents throughout the state.

Statewide Flooding: WYDOT staff has been working with Wyoming municipalities and counties for the past six weeks to prepare for anticipated spring flooding. The Department has been hauling large amounts of sandbagging materials to the affected areas. Wyoming Department of Homeland Security has also played a significant role in the preparation and coordination of efforts. Mr. Kent Ketterling, of the state Maintenance Staff, has been assigned to work directly with Wyoming's Homeland Security office and has done an excellent job of coordinating WYDOT's efforts with that of Homeland Security and the cities and counties. Mr. McOmie indicated that the Department plans to apply for reimbursement of its expenditures through the Federal Emergency Management Agency.

JTC Update: The recent land slides, potential flooding, and extreme snow removal efforts around the state was a key discussion topic at the June 8 JTC meeting. Mr. McOmie provided a one-hour presentation to the committee about the areas that have been impacted and to what degree the disasters have reached those areas.

Mr. McOmie also provided a one-hour presentation about the Department's recent transition from a highway improvement program to a highway pavement preservation program. The philosophy change is necessary because of the lack of funding to continue with a highway improvement program. The highway pavement preservation program will allow WYDOT to better manage the decline of the highway system until adequate funding becomes available.

18. It was moved by Commissioner McCormack, seconded by Vice Chairman Latta, and carried to move into executive session to discuss pending litigation. The Commission went into executive session at 11:25 a.m. on Thursday, June 16, 2011.

19. It was moved by Commissioner McCormack, seconded by Commissioner Hladky, and carried to move out of executive session. The Commission came out of executive session at 11:55 a.m. on Thursday, June 16, 2011.

20. It was moved by Commissioner Hladky, seconded by Vice Chairman Latta, and carried to adjourn the meeting. Chairman Covello adjourned the meeting at 11:55 a.m. on Thursday, June 16, 2011.