

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Wind River Room at The Plains Hotel, 1600 Central Avenue in Cheyenne, on November 17, 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
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; Jim Buyske, Flight Operations Manager and Chief Pilot; 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: Aeronautics Commissioners Vince Tomassi, Chairman (Diamondville), Charlie Ksir, Vice Chairman (Laramie), Carrol Orrison (Casper), Pete Schoonmaker (Sheridan), Doyle Vaughn (Jackson), Charles Wilkie (Worland), and Jerry Dilts (Gillette); Brian Olsen, Christie Yaffa, Cheryl Bean, Amber Schlabs, and Michele Whipple, of the Aeronautics Program; and Aimee Inama, Public Affairs Specialist.

1. Pledge of Allegiance: Chairman Covello led the attendees in the Pledge of Allegiance.
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 October 20, 2011, breakfast meeting, regular business meeting, one-on-one meeting with Colonel Jess Oyler, and education session.
3. Correspondence: Secretary Scott presented a letter from Ms. Alice Platt regarding her request for access to her property located at Highway 230 in Carbon County. In her letter, Ms. Platt indicated that she continues to work with the adjoining landowners to gain permission for a joint-use access.
4. Director Cox presented the Director's report.

Federal Highway Bill Update: The Federal Highway Bill is still pending, and the current funding under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) will expire on November 18, 2011. The U.S. Senate Environment and Public

Works Committee recently introduced a two-year bill that would maintain Wyoming's current funding levels. The bill also includes performance measures, which is an issue that Wyoming and several states watch closely. Most state agencies, including Wyoming, use performance measures. What the Department wants to avoid is a "one-size-fits-all" approach, comparing states with dramatically different variables against one another or tying nationwide performance measures to funding.

The U.S. House Transportation and Infrastructure (T&I) Committee has also introduced a potential six-year bill that would provide less funding than SAFETEA-LU. The House T&I leaders are attempting to introduce the bill before the end of the year.

FY 2012 Budget Requests: Executive staff met with Governor Matt Mead on November 1, 2011, to discuss the Department's FY 2012 biennium budget. Governor Mead initially recommended \$50 million in surface transportation funding, reportedly to come from Abandoned Mine Land (AML) funds. It is unknown at this time how that funding would interact with the proposed Joint Transportation, Highways and Military Affairs Committee (JTC) bills. If all JTC-sponsored bills were adopted, they would generate approximately \$5.1 million for highways in the coming year, due to delayed implementation dates on some of them. Director Cox plans to continue his appeal with the Governor and JTC members for a necessary consistent funding stream for surface transportation.

Governor Mead recommended \$3 million for air service enhancements. If this appropriation were ongoing, it would restore the \$6 million appropriation for air service enhancement that was cut by \$3 million in 2008. Reduced funding was also recommended for the WYOLINK project.

Memorandum to Governor Mead Regarding At-will Implementation: A Wyoming Department of Administration and Information study, which was commissioned by the legislature, recommended that 52 WYDOT positions be converted to at-will status as part of approximately 125 positions within state government.

Executive staff has significant concerns about making certain positions at-will status and being able to hire new management-level employees under the proposed at-will plan. Director Cox sent a memorandum to Governor Mead explaining the ramifications of implementing the study results. He recommended that the implementation proceed with care, and that a clear business case be provided for the change. Also, he recommended that no more than 30 specified positions within WYDOT be changed to at-will, in addition to the 5 executive staff positions that are already at-will.

5. Mr. Hibbard presented the Budget report, beginning with the monthly budget briefing.

6. Mr. Fredrick presented the Engineering and Planning report, beginning with the bid tabulations from the letting held November 10, 2011, in Cheyenne.

COMMISSION DISTRICT 2
K. John Dooley - Commissioner

Federal projects IM-0804228 and IM-I804243 combined, involving bridge rehabilitation, including grading, draining, placing bituminous pavement leveling and surfacing, structure, a signal system, and miscellaneous work on 11.93 miles of I-80, beginning at reference marker (RM) 199.05 west of Rawlins, in Carbon County. Completion date – October 31, 2013

Engineer's Estimate	\$17,307,449.01	
McMurry Ready-Mix Co., Casper, WY	\$17,299,471.03	0.0%
Knife River, Cheyenne, WY	\$17,523,076.37	
McGarvin-Moberly Construction Company, Worland, WY	\$17,680,649.16	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$18,886,985.76	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Anderson, 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.

COMMISSION DISTRICT 3
Jim Latta - Vice Chairman

Federal projects NH-N132095, STP-E-N132092 and ARSCT-N132A03 combined, involving grading, draining, placing crushed base and bituminous pavement surfacing, milling plant mix, signing, fencing, guardrail and miscellaneous work on 2.24 miles of US 191, beginning at RM 89.68, between Rock Springs and Pinedale, in Sublette County. Completion date – October 30, 2012

Engineer's Estimate	\$3,958,663.00	
LeGrand Johnson Construction Co., Logan, UT	\$3,324,532.05	-16.0%
H-K Contractors, Inc., Idaho Falls, ID	\$3,679,606.25	
Oftedal Construction, Inc., Miles City, MT	\$4,146,708.00	
McMurry Ready-Mix Co., Casper, WY	\$4,165,419.35	
McGarvin-Moberly Construction Company, Worland, WY	\$4,246,432.47	
Knife River Corporation - Northwest dba Knife River, Boise, ID	\$4,253,794.10	
Lewis & Lewis, Inc., Rock Springs, WY	\$4,860,152.58	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried that **LeGrand Johnson Construction Co., Logan, Utah**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder, and the executive staff will award after Sublette County and Questar Corporation have concurred in the award. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 4
(Vacant) - Commissioner**

State project SCP-SL12-P433035, involving reconstruction, including grading, draining, placing bituminous pavement leveling and surfacing, structures, fencing, and miscellaneous work on 6.55 miles of WYO59, beginning at reference marker 142.05 north of Gillette, in Campbell County. Completion date – October 31, 2012

Engineer’s Estimate	\$9,088,750.25	
Intermountain Construction and Materials, Inc., Gillette, WY	\$8,609,561.40	-5.3%
Oftedal Construction, Inc., Miles City, MT	\$8,781,206.40	
McGarvin-Moberly Construction Company, Worland, WY	\$9,221,122.07	
McMurry Ready-Mix Co., Casper, WY	\$9,256,382.13	
Simon Contractors and Subsidiaries, Cheyenne, WY	\$9,463,781.37	

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner Ertman, and carried that **Intermountain Construction and Materials, Inc., Gillette, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

**COMMISSION DISTRICTS 4 and 6
(Vacant) - Commissioner
Ted Ertman - Commissioner**

Federal project STP-PM-B124036, involving crack sealing and miscellaneous work at various locations in Transportation District 4, in Campbell, Crook, Johnson, Sheridan and Weston counties. Completion date- June 30, 2012

Engineer’s Estimate	\$ 744,984.00	
Hardrives Construction, Inc., Billings, MT	\$ 817,660.85	+9.8%
Highway Improvement, Inc., Harrisburg, SD	\$ 878,977.00	
Z & Z Seal Coating, Inc., Billings, MT	\$1,054,942.04	

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried that **Hardrives Construction, 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 DISTRICT 5
Bruce McCormack - Commissioner

State project SCP-N345103, involving crushing and stockpiling material from the W.R. Peters Pit and stockpiling it at the state-owned pit located one mile south of Lovell on US 310, between Basin and Greybull, in Big Horn County. Completion date – March 31, 2012

Engineer's Estimate	\$167,527.00	
Mountain Construction Company, Lovell, WY	\$159,949.39	-4.5%
Western Wyoming Construction Co., Lander, WY	\$182,550.00	
Frost Rock Products Company, Lovell, WY	\$217,210.00	
Oftedal Construction, Inc., Miles City, MT	\$233,065.00	
McGarvin-Moberly Construction Company, Worland, WY	\$252,300.00	

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Mountain Construction Company, Lovell, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal project NH-DR50897, involving emergency slide repair, placing crushed base and bituminous pavement surfacing, guardrail, and miscellaneous work on 0.15 mile of US 14 at RM 31.50 (Granite Creek Slide), in Big Horn County. Completion date – July 31, 2012

Engineer's Estimate	\$ 728,407.50	
Mountain Construction Company, Lovell, WY	\$ 691,523.60	-5.1%
Wilson Bros. Construction, Inc., Cowley, WY	\$ 747,127.00	
Intermountain Construction and Materials, Inc., Gillette, WY	\$ 817,462.75	
Patrick Construction, Inc., Lander, WY	\$ 826,332.00	
Oftedal Construction, Inc., Miles City, MT	\$ 832,416.00	
J Wright Companies, Inc., Evanston, WY	\$ 849,999.00	
Knife River, Billings, MT	\$ 910,780.00	
Riverside Contracting, Inc., Missoula, MT	\$1,249,631.00	

It was recommended by Mr. Fredrick, moved by Commissioner McCormack, seconded by Commissioner Dooley, and carried that **Mountain Construction Company, Lovell, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICTS 5 and 7
Bruce McCormack - Commissioner
Clair Anderson - Commissioner

Federal projects NH-PM-B125001 and STP-PM-B115019 combined, involving chip sealing and miscellaneous work on various roads in Transportation District 5, in Big Horn, Fremont, Hot Springs, Park and Washakie counties. Completion date – August 31, 2012

Engineer's Estimate	\$2,965,197.00	
Intermountain Slurry Seal, Inc., Watsonville, CA	\$2,856,675.00	-3.7 %
Riverside Contracting, Inc., Missoula, MT	\$3,109,815.00	
H-K Contractors, Inc., Idaho Falls, ID	\$3,269,230.00	

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Anderson, 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.

COMMISSION DISTRICT 7
Clair Anderson - Commissioner

State project SCP-SL12-N212108, involving grading and removal of existing surfacing, placing hot plant mix, new sidewalk placement and miscellaneous work on 0.41 miles of Poplar Street, in Natrona County. Completion date – August 31, 2012

Engineer's Estimate	\$ 972,570.00	
Hedquist Construction, Inc., Mills, WY	\$ 882,840.00	-9.2%
71 Construction, Casper, WY	\$ 915,129.50	
Knife River, Cheyenne, WY	\$1,147,899.00	

It was recommended by Mr. Fredrick, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried that **Hedquist Construction, Inc., Mills, Wyoming**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal project NH-PM-N303054, involving crack sealing and miscellaneous work on 8.70 miles of US 26, beginning at reference marker 122.0 northwest of Riverton, in Fremont County. Completion date – August 31, 2012

Engineer's Estimate	\$245,228.40	
Highway Improvement, Inc., Harrisburg, SD	\$283,756.14	+15.7%
Hardrives Construction, Inc., Billings, MT	\$336,106.38	
Superior Asphalt, L.C., Magna, UT	\$347,090.00	
Z & Z Seal Coating, Inc., Billings, MT	\$501,439.91	

It was recommended by Mr. Fredrick, moved by Vice Chairman Latta, seconded by Commissioner Dooley, and carried that **Highway Improvement, Inc., Harrisburg, South Dakota**, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

7. Mr. Fredrick presented the following bid tabulation from the informal bid letting that was held November 15, 2011, in Cheyenne.

COMMISSION DISTRICT 2
K. John Dooley - Commissioner

Federal project DR12328-OTH7, involving the design, supply, stockpile, and delivery of 20 foot by 10 foot precast box culverts, for use on Wyoming Highway 130, between Laramie and Saratoga, in Carbon County. Completion date – February 1, 2012

Engineer's Estimate	\$ 90,000.00	
Cretex Concrete Products, Casper, WY	\$ 88,026.12	-2.2%
Vaughn Concrete Products, Inc., Cheyenne, WY	\$129,192.00	
Panhandle Concrete, Scottsbluff, NE	\$175,119.00	

Mr. Fredrick noted that the Disadvantaged Business Enterprise (DBE) requirements were not included in this contract as it was a small emergency supply contract, and there was little opportunity to subcontract any work other than transportation. The apparent responsible low bidder has been asked to investigate whether the transportation bid item can be completed by a DBE firm. Mr. Fredrick committed to ensure that all federal requirements including the DBE participation is included on future contracts.

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried that **Cretex Concrete Products, 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. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Anderson, and carried to approve the following project authorizations:

COMMISSION DISTRICT 3

Various

STP-PM 0.00 B133024; Lincoln and Teton counties; Highway District 3, various locations; concrete repair; FY 2013 construction; request federal preliminary engineering of \$19,500

COMMISSION DISTRICT 5

Rural Principal Arterial

STP-E 2.20 N291062; Park County; Cody to Powell, Cody East; reference markers (RM) 2.20 to 2.53; street lighting; FY 2014 construction; request federal preliminary engineering funds of \$1,300

ARSCT 0.00 N361A02; Washakie County; Worland to Ten Sleep, Old Ten Sleep Highway; county structure repair; FY 2013 construction; request preliminary engineering funds of \$13,500; to be reimbursed by Washakie County

COMMISSION DISTRICT 6

Rural Major Collector

ACSTP 197.40 DR41319; Crook County; US 14, Rupe Hill; RM 197.40; realignment; FY 2012; request federal preliminary engineering funds of \$400,000; request federal construction engineering and construction funds of \$6,350,000; request federal right-of-way funds of \$250,000

ACSTP 21.20 DR41301; Crook County; WYO 24, Red Canyon; RM 21.20; roadway stabilization; FY 2012; request federal preliminary engineering funds of \$30,000; request federal construction engineering and construction funds of \$570,000

ACSTP 31.65 DR41380; Crook County; WYO 24, East of Hulett; RM 31.65; slide repair; FY 2012; request federal preliminary engineering funds of \$10,000; federal construction engineering and construction funds of \$110,000

COMMISSION DISTRICT 7

Rural Principal Arterial

SCP 102.81 N303055; Fremont County; Diversion Dam to Riverton; RM 102.81; levee and bank armoring; FY 2012; request state preliminary engineering funds of \$20,000; request state construction engineering and construction funds of \$470,000

Rural Minor Collector

ARSCT 0.00 0C01A01; Natrona County; Gas Plant Road; overlay; FY 2012; request preliminary engineering funds of \$5,000; request construction engineering and construction funds of \$251,350; to be reimbursed by Natrona County

Urban Major Collector

ARSCT 0.00 4116A02; Natrona County; Mills Streets, Poison Spider Road; adjust waterlines; FY 2012; request CE and construction funds \$33,000; reimbursed by Central Wyoming Regional Water System Joint Powers Board

COMMISSION DISTRICT M (Miscellaneous)

Various

STP-SR 0.00 B133022; Lincoln, Sublette, Sweetwater and Teton counties; Highway District 3, non-NHS locations; bridge rehabilitation; FY 2013; request federal preliminary engineering funds of \$30,000

STP-PO 0.00 B133023; Lincoln and Teton counties; Highway District 3, non-NHS locations; overlay; FY 2013 construction; request federal preliminary engineering funds of \$30,000

Mr. John Sherman, Lands Management Administrator, entered the meeting.

9. It was recommended by Mr. Fredrick, moved by Commissioner Dooley, 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, portions of Wyoming Department of Transportation's right-of-way for Wyoming State Highway 369 and Wyoming State Highway 377, Sweetwater County, Wyoming, established under Wyoming State Highway Federal Aid Project No. FAP 49, 80-3(20)132, 1911-00(001), 400(5), 80-2(26)81, FAS-26(1) are no longer needed for state highway or public use purposes. Said portions being described as follows:

Parcel 1

That portion of those tracts of land described in Book 327, Page 457; Book 328, Page 158; Book 328, Page 162; Book 328, Page 408; Book 328, Page 491; and Book 334, Page 453 of the Records of Sweetwater County, located in Lot 15 of Section 6, Lot 6, Lot 7 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, all of T18N, R107W and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T18N, R108W, all of the 6th P.M., Sweetwater County, Wyoming, described by metes and bounds as follows:

Beginning at a point on the west boundary of said Section 6, said point also being on a jog in the existing northerly right-of-way boundary of Interstate 80 [as defined in project number I-80-2(30)84] from which the southwest corner of said Section 6 bears S. 00°23'00.0 W. a distance of 750.0 feet;

thence S. 46°00'36.0" E. a distance of 692.5 feet along said existing right-of-way boundary;

thence continuing along said existing right-of-way boundary S. 60°30'18.0" E. a distance of 570.6 feet to a point on the southerly boundary of said Section 6, from which the southwest corner of said Section 6 bears N. 89°19'00.0" W. a distance of 1000.0 feet;

thence continuing along said existing right-of-way boundary S. 77°31'48.0" E. a distance of 361.4 feet;

thence continuing along said existing right-of-way boundary S. 80°41'00.0" E. a distance of 1,418.1 feet;

thence leaving said northerly right-of-way boundary S. 58°01'04.4" W. a distance of 90.91 feet to a point on the northerly access control line of Interstate 80 [as defined in project number I-80-2(30)84];

thence along said access control line N. 80°29'15.7" W. a distance of 1,698.8 feet;

thence continuing along said access control line N. 72°43'46.9" W. a distance of 295.5 feet;

thence continuing along said access control line N. 52°12'01.0" W. a distance of 710.1 feet;

thence continuing along said access control line N. 61°36'54.4" W. a distance of 488.7 feet;

thence N. 28°03'00.0" E. a distance of 200.0 feet to a point on said northerly existing right-of-way boundary of Interstate 80;

thence along said existing right-of-way boundary S. 78°52'47.3" E. a distance of 188.5 feet, more or less, to a point on the west boundary of said Section 7;

thence along said west boundary S. 00°23'00.0" W, a distance of 58.5 feet to the point of beginning.

The above described parcel of land contains 6.8 acres, more or less.

The basis of bearing is the south boundary of said Lot 15 of Section 6, it being N. 89°19'00.0" W.

Parcel 1A

That portion of those tracts of land described in Book 326, Page 554; Book 326, Page 555; Book 326, Page 557; Book 326, Page 563; and Book 328, Page 406 of the Records of Sweetwater County, located in the NW¼ of Section 8 and Lot 5 of Section 7, all of T18N, R107W of the 6th P.M., Sweetwater County, Wyoming, described by metes and bounds as follows:

Beginning at a point on the east boundary of the SE¼NW¼ of said Section 8, from which the northeast corner of said SE¼NW¼ bears N. 00°04'00.0" W. a distance of 806.1 feet;

thence along said east boundary N. 00°04'00.0" W. a distance of 310.4 feet to a point on the existing northerly right-of-way boundary of Interstate 80 [as defined in project number I-80-2(30)84];

thence along said existing right-of-way boundary N. 77°19'18.0" W. a distance of 590.2 feet;

thence continuing along said existing right-of-way boundary S. 15°24'48.0" W. a distance of 186.1 feet;

thence continuing along said existing right-of-way boundary N. 78°38'44.3" W. a distance of 292.0 feet;

thence continuing along said existing right-of-way boundary N. $64^{\circ}21'36.0''$ W. a distance of 448.5 feet to a point on the west boundary of said $SE\frac{1}{4}NW\frac{1}{4}$, said point also being the point of beginning of a non-tangent circular curve concave northeasterly, the radius of which is 3,569.7 feet, and a line tangent to said point bears N. $62^{\circ}43'41.9''$ W.;

thence northwesterly along said curve and existing right-of-way boundary through a central angle of $04^{\circ}18'41.9''$ a distance of 268.6 feet to the point of ending of said curve;

thence continuing along said existing right-of-way boundary N. $58^{\circ}25'00.0''$ W. a distance of 1,089.6 feet to the point of beginning of a circular curve concave southwesterly, the radius of which is 4,547.2 feet;

thence northwesterly along said curve and existing right-of-way boundary through a central angle of $02^{\circ}11'00.7''$ a distance of 173.3 feet to a point on the west boundary of said Section 8, said point also being the point of ending of said curve;

thence along said west boundary and existing right-of-way boundary S. $00^{\circ}25'00.0''$ W. a distance of 28.6 feet to the point of beginning of a non-tangent circular curve concave southerly, the radius of which is 4,522.2 feet, and a line tangent to said point bears N. $60^{\circ}25'28.5''$ W.;

thence along said curve and existing right-of-way boundary through a central angle of $20^{\circ}15'31.2''$ a distance of 1,599.0 feet to the point of ending of said curve;

thence continuing along said existing right-of-way boundary S. $09^{\circ}19'00.3''$ W. a distance of 50.0 feet;

thence continuing along said existing right-of-way boundary N. $80^{\circ}41'00.0''$ W. a distance of 300.0 feet, more or less, to a point on the "easterly margin of the Green River" as described in said Book 326, Page 557;

thence along said easterly margin S. $09^{\circ}19'00.3''$ W. a distance of 50.0 feet to a point on the northerly access control line of Interstate 80 [as defined in project number I-80-2(30)84];

thence along said access control line S. $80^{\circ}41'00.0''$ E. a distance of 300.0 feet to the point of beginning of a circular curve concave southerly, the radius of which is 4,422.2 feet;

thence southeasterly along said curve and access control line through a central angle of $22^{\circ}16'00.0''$ a distance of 1,718.6 feet to the point of ending of said curve;

thence continuing along said access control line S. $58^{\circ}25'00.0''$ E a distance of 1,089.6 feet to the point of beginning of a circular curve concave northeasterly, the radius of which is 3,694.7 feet;

thence southeasterly along said curve and access control line through a central angle of $23^{\circ}56'00.0''$ a distance of 1,543.4 feet to the point of ending of said curve;

thence continuing along said access control line S. $82^{\circ}21'00.0''$ E. a distance of 174.0 feet to the point of beginning.

The above described parcel of land contains 15.2 acres, more or less.

The basis of bearing is the east boundary of said $NW\frac{1}{4}$ of Section 8, it being N. $00^{\circ}04'00.0''$ W.

Parcel 1B

That portion of the existing right of way of Wyoming State Highway 377 and those tracts described in Book 304, Page 582; Book 323, Page 300; and Book 328, Page 387 of the Records of Sweetwater County, located in the S½ Section 27, S½ Section 26, and SW¼ Section 25, T20N, R101W of the 6th P.M., Sweetwater County, Wyoming, described by metes and bounds as follows:

Beginning at a point on the west boundary of said Section 27 from which the northwest corner of said section bears N. 00°44'17.0" W. a distance of 3,096.4 feet, said point also being on the existing northerly right-of-way boundary of Interstate 80 [as defined in project number I-80-3(21)131];

thence along said northerly boundary S. 74°32'17.0" E. a distance of 1,124.7 feet;

thence continuing along said northerly boundary S. 15°27'43.0" W. a distance of 15.0 feet;

thence continuing along said northerly boundary S. 74°32'17.0" E. a distance of 297.0 feet;

thence continuing along said northerly boundary S. 85°14'02.9" E. a distance of 1,427.8 feet;

thence continuing along said northerly boundary S. 62°43'33.2" E. a distance of 488.2 feet to a point on the existing northerly right-of-way boundary of Wyoming State Highway 377, said point begin monumented by a ¾ inch aluminum cap;

thence along said northerly Highway 377 right-of-way boundary S. 77°34'59.8" E. a distance of 1,623.1 feet to a point monumented by a 2" brass cap in sandstone;

thence continuing along said boundary S. 12°25'23.3" W. a distance of 50.0 feet to a point monumented by a ¾ inch aluminum cap;

thence continuing along said boundary S. 77°34'55.2" E. a distance of 493.9 feet to a point on the easterly boundary of said Section 27, said point begin monumented by a ¾ inch aluminum cap, from which point the witness corner to the southwest corner of said Section 27 bears S. 00°04'06.0" E. a distance of 937.6 feet;

thence along said easterly Section boundary and existing right-of-way boundary N. 00°04'06.0" W. a distance of 51.2 feet to a point monumented by a ½ inch brass cap set in concrete, from which point the east quarter corner of said Section 27 bears N. 00°04'06.0" W a distance of 1,611.1 feet;

thence continuing along said existing right-of-way boundary S. 77°35'02.1" E. a distance of 475.1 feet to a point monumented by a ¾ inch aluminum cap, said point also being the point of beginning of a circular curve concave northerly, the radius of which is 11,359.2 feet;

thence easterly along said curve and boundary through a central angle of 14°32'58.5" a distance of 2,884.6 feet to a point monumented by a ¾ inch aluminum cap;

thence continuing along said boundary N. 87°51'59.4" E. a distance of 4,121.3 feet to a point monumented by a standard WYDOT highway monument;

thence S. 02°07'56.2" E. a distance of 200.0 feet to a point on the existing southerly right-of-way boundary of Highway 377, said point being monumented by a ¾ inch aluminum cap;

thence along said boundary S. 87°51'59.1" W. a distance of 4,121.3 feet to a point monumented by a ¾ inch aluminum cap;

thence S. 88°02'30.5" W. a distance of 73.1 feet to a point on the existing northerly right-of-way boundary of Interstate 80, said point being monumented by a ¾ inch aluminum cap;

thence along said boundary N. 84°28'35.5" W. a distance of 457.1 feet to a point monumented by a 3¼ inch aluminum cap;
thence continuing along said boundary N. 89°14'22.0" W. a distance of 602.1 feet to a point monumented by a 3¼ inch aluminum cap;
thence continuing along said boundary N. 85°46'07.1" W. a distance of 898.5 feet to a point monumented by a standard WYDOT highway monument;
thence continuing along said boundary N. 80°32'03.9" W. a distance of 298.3 feet to a point monumented by a standard WYDOT highway monument;
thence continuing along said boundary N. 78°04'01.5" W. a distance of 2,471.8 feet to a point monumented by a standard WYDOT highway monument;
thence along the northerly Interstate 80 access control line (as defined in project #I-80-3(21)131) N. 68°47'11.0" W. a distance of 1,043.7 feet;
thence continuing along said line N. 74°54'10.2" W. a distance of 303.2 feet;
thence continuing along said line N. 84°27'43.5" W. a distance of 1,062.1 feet;
thence continuing along said line N. 74°32'15.5" W. a distance of 1,612.1 feet to a point on the westerly boundary of said Section 27;
thence along said Section boundary N. 00°44'17.0" W. a distance of 83.6 feet, more or less, to the point of beginning.

The above described parcel of land contains 46.9 acres, more or less.

The basis of bearing is a line between a witness corner to the southeast corner and the east quarter corner of said Section 27, it being N. 00°04'00.9" W.

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

10. Status of Exercise of Eminent Domain: Mr. Fredrick provided a handout depicting the status of eminent domain-related projects that have come before the Commission since 2008. No resolutions for the exercise of eminent domain have come before the Commission since June 2011. The Department has filed complaints on only 4 percent of the parcels needed during the past three years, and hearings have occurred on only 1 percent.

11. Colonel Oyler presented the Highway Patrol report.

The Fatal Crash Summary through October 31, 2011, includes 99 fatal crashes involving 113 deaths. The fatalities include 50 rollover crashes, 33 multi-car crashes, 7 fixed objects, 19 motorcycles and all-terrain vehicles, 4 pedestrians, and 19 commercial vehicles.

There have been 34 crashes to date deemed alcohol related, which resulted in 41 deaths. Of those deaths, 24 were attributed to not using occupant restraints.

Of the 113 deaths that have occurred to date this year, 53 can be attributed to the non-use of occupant restraints, with 41 involving rollover crashes, 11 involving multi-car collisions, and 1 involving a fixed object. Of the 53 deaths that occurred from non-use of occupant restraints, 37 were Wyoming residents and 16 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through September 30, 2011. The summary depicts 4,211 crashes statewide, of which 3,488 involved non-commercial vehicles and 723 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of October 31, 2011, have been DUI related. There have been 1,208 field arrests made so far this year, including:

- DUI arrests from crashes – 102
- DUI arrests from traffic stops – 523
- DUI arrests from the REDDI Program – 129
- DUI arrests from ports-of-entry – 12
- NCIC hits (person) – 40
- Wyoming warrants hits – 117
- Drug arrests – 131
- Other arrests – 154

Colonel Oyler noted that although Wyoming fatalities have spiked in recent months, the number of deaths so far this year is less than they were one year ago.

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

Annual Flight Operations Report: Mr. Buyske presented the annual Flight Operations report.

The report revealed that there have been no accidents or injuries associated with the state's aircraft since 2002. The planes have flown 7,646.2 flight hours and have had 11,614 landings during that time. There have been no major mechanical issues during the past year. Annual maintenance costs have increased over the years, but fuel conservation efforts have exceeded the increased maintenance expense to the state.

Mr. Buyske noted that the state's aircraft are beginning to age. Each plane has recorded at least 3,900 flight hours and will require a complete overhaul at 5,000 hours. If usage remains the same as it has been in recent years, the overhaul will be necessary in about three years. An overhaul takes about four weeks to complete. Rental engines can be used during the overhaul period, contingent upon availability. The rental engine cost is covered by Power Advantage, the state's aircraft engine maintenance repair program.

The Flight Operations Program is currently fully staffed, with 11 permanent, full-time employees and one part-time employee. Semi-annual pilot refresher training and annual mechanic/line support is scheduled for staff members, and the flight/ground safety program is fully engaged and integrated.

The Flight Operations Program served 30 state agencies/organizations and flew 750.3 flight hours during 2011. There were 3,843 passengers served last year. The state fuel farm realized a savings of \$225,210.50 to the state last year.

Mr. Buyske left the meeting.

13. Mr. Loftin presented the Support Services report.

Mr. Loftin presented a revised rule for Chapter 1, Driver's Licenses, from the *Wyoming Department of Transportation Rules and Regulations*, Motor Vehicles and Licensing Section. No public comments were received during the statutory comment period.

The revised rule updates procedures for driver license security, license restrictions and renewals, ignition interlock device provisions, commercial driver license provisions, drug and alcohol-related issues, record fees, and military exceptions. The rule change also incorporates legislative changes from the 2009, 2010, and 2011 Wyoming State Legislatures.

It was recommended by Mr. Loftin, moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to approve the following resolution.

RESOLUTION

WHEREAS, the Wyoming Department of Transportation with the approval of the Transportation Commission of Wyoming, pursuant to W.S. 24-2-105, W.S. 31-7-103, W.S. 31-7-305, W.S. 31-7-310 and W.S. 31-7-401, is authorized to promulgate rules and regulations as described in the following; and

WHEREAS, the Wyoming Department of Transportation through the Transportation Commission of Wyoming desires to adopt Motor Vehicles and Licensing Section, Chapter 1, Driver's Licenses, a revised rule and regulation of the Wyoming Department of Transportation, to administer various matters relating to driver's licenses and commercial driver's licenses (CDL) and to describe updates and procedures relating to driver's license security, license restrictions and renewals, Ignition Interlock Device provisions, CDL provisions, drug and alcohol related issues, record fees, and military exceptions; and

WHEREAS, a 45-day public comment period was held to solicit written comments concerning these rules; and

WHEREAS, no public comments were received during the comment period for consideration by the Transportation Commission of Wyoming;

NOW, THEREFORE, BE IT RESOLVED that the Transportation Commission of Wyoming officially adopts Motor Vehicles and Licensing Section, Chapter 1, Driver's Licenses.

14. Mr. Shultz presented the Operations report.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Anderson, and carried to approve purchase for bid number 11-321 to furnish 2,666,000 pounds of reflective glass spheres (Type I) in 50-pound sacks for delivery at various statewide locations. The bid was awarded to Swarco Reflex, Inc., of Mexia, Texas, for the sum of \$663,834.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner McCormack, and carried to approve purchase for bid number 11-322 to furnish 341,455 gallons of traffic line paint for delivery at various statewide locations. The bid was awarded to Vogel Paint & Wax Co., Inc., of Orange City, Iowa, for the sum of \$3,637,720.25.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-006 to furnish three each, new, current model 35 Series, two-wheel-drive, crew cab and chassis for flatbed bodies for delivery in Casper, Wheatland, and Lander. The bid was awarded to Spradley Barr Motors, Inc., of Cheyenne, Wyoming, for the sum of \$65,013.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Anderson, and carried to approve purchase for bid number 12-007 to furnish five each, new, current model, ¾-ton, two-wheel-drive, extended cab and chassis for utility bodies for delivery in Rawlins and Cheyenne. The bid was awarded to Greiner Buick GMC Cadillac, of Casper, Wyoming, for the sum of \$96,665.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-008 to furnish three each, new, current model, 35 Series, four-wheel-drive, crew cab and chassis for utility and flatbed bodies for delivery in Cheyenne. The bid was awarded to Greiner Buick GMC Cadillac, of Casper, Wyoming, for the sum of \$75,234.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-011 to furnish four each, new, current model, ¾-ton, four-wheel-drive, crew cab and chassis for utility bodies for delivery in Douglas, Rock Springs, Evanston, and Sundance. The bid was awarded to Spradley Barr Motors, Inc., of Cheyenne, Wyoming, for the sum of \$93,916.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Ertman, and carried to approve purchase for bid number 12-012 to furnish four each, new, current model, 35 Series, extended cab and chassis (DRW) for delivery in Rawlins, Lander, Cody, and Basin. The bid was awarded to Spradley Barr Motors, Inc., of Cheyenne, Wyoming, for the sum of \$115,964.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Anderson, and carried to approve purchase for bid number 12-013 to furnish three each, new, current model, one-ton, DRW cab and chassis for dump bodies for delivery in Jackson, Afton, and Rock Springs. The bid was awarded to Greiner Motor Co., of Casper, Wyoming, for the sum of \$61,563.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-014 to furnish one each, new, current model 26,000-pound GVW conventional cab and chassis for stake body for delivery in Basin. The bid was awarded to Spradley Barr Motors, Inc. (alternate bid), of Cheyenne, Wyoming, for the sum of \$51,995.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Dooley, and carried to approve purchase for bid number 12-015 to furnish 14 each, new, current model, 8-foot standard utility bodies, including installations, for delivery at the dealer location. The bid was awarded to Ameri-Tech Equipment Co., of Evansville, Wyoming, for the sum of \$73,024.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried to approve purchase for bid number 12-020 to furnish 18 each, new, current model, Class 8 cab and chassis for delivery in Cheyenne. The bid was awarded to Floyd's Truck Center, Inc., of Cheyenne, Wyoming, for the sum of \$1,760,094.

Mr. Shultz noted that the low bidder for bid number 12-021 was Jack's Truck & Equipment, of Gillette, Wyoming. The Commission awarded a similar bid to Jack's Truck & Equipment in November 2010, but for reasons beyond the vendor's control, the vendor has not been able to fulfill its entire order in accordance with the required time line in the bid. The vendor was not removed from the bidders list, and the Procurement Services and Equipment Programs continue to work with the vendor to resolve the delivery delays. The delay has not negatively impacted the rigging schedule of the 40 eight-yard truck bid from November 2010, and 26 of the 40 truck beds have been received. Eight of those truck beds are still awaiting installation at the WYDOT yard in Cheyenne.

Commissioner Ertman asked Mr. Shultz to explain the consequences if the Commission were to not award this bid at this time, since the vendor has not delivered its entire order from last year. Mr. Shultz advised that bids are typically valid for only 30 days and that the new truck beds would have to go through the entire bid process again. It is expected to take longer than 30 days to resolve the delayed delivery matter. Chairmen Covello and Tomassi advised that, based on their professional

experience, delivery delays are routine in the automobile business and are frequently beyond the vendor's control, but delays are often resolved in a timely manner.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-021 to furnish 18 each, new, current, model, 8-yard dump bodies, for delivery in Cheyenne. The bid was awarded to Jack's Truck & Equipment, of Gillette, Wyoming, for the sum of \$187,803.54.

Mr. Dave Ditto, an attorney representing WYDOT in a legal matter, entered the meeting.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for bid number 12-022 to furnish 23 each, new, current model, 13-foot, self-unloading, abrasive spreaders for delivery in Cheyenne. The bid was awarded to CMI - TECO, of Mills, Wyoming, for the sum of \$250,171.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried to approve purchase for bid number 12-028 to furnish 81,000 gallons of organic de-icing liquid for delivery in Rawlins, Sheridan, Thermopolis, Rock Springs, Evanston, and Afton. The bid was awarded to SFG Road Maintenance, of Knoxville, Iowa, for the sum of \$93,960.

It was recommended by Mr. Shultz, moved by Commissioner McCormack, seconded by Commissioner Dooley, and carried to approve purchase for Requisition No. 0000023783 to furnish Intergraph hardware and software maintenance for the digital mapping camera and stereo plotter in the Photogrammetry and Surveys Section. The contract was awarded to Intergraph Corporation, of Madison, Alabama, for the sum of \$133,380.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner McCormack, and carried to approve purchase for Requisition No. 0000024055 to furnish a Meridian 511 telephone system for use by the Telecommunications Program. The contract was awarded to Meridian Environmental Technology, Inc., of Grand Forks, North Dakota, for the sum of \$375,000.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried to approve purchase for Requisition No. 0000024248 for the lease of a Digipath Print System for use by the Office Services Program. The contract was awarded to Xerox Corporation, of Dallas, Texas, for the sum of \$275,000.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried to approve purchase for Requisition No. 0000024347 to furnish annual maintenance for the Tradas Software to be used by the Information Technology Program. The contract was awarded to Chaparral Systems Corporation of Santa Fe, New Mexico, for the sum of \$61,611.

Award of Snow Fence Maintenance Contract: Mr. Shultz briefed the Commission about the latest development in the Department's snow fence maintenance contract.

At its July 14, 2011, meeting, the Commission voted to re-advertise Bid Numbers 11-179RM and 11-180RM and rebid the contracts because of a problem that was encountered with WYDOT's bidding software. The contracts were recently re-bid, and Centennial Woods, of Laramie, was the only bidder. The bids were awarded administratively in accordance with WYDOT operating policy.

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

Emergency Landslide and Flood Repair Project Update: Mr. McOmie provided a spreadsheet depicting the status of the FY 2011 emergency landslide and flood repair projects. The estimate for the repairs is currently \$34.8 million, and \$3.1 million of the expense is not eligible for emergency funding. Permanent restoration work is estimated at \$28.9 million, and the remaining \$2.7 million in repairs was defined as emergency work to open the roadways to traffic. The \$2.7 million in emergency work was paid for with state funds, and the Department will seek 100 percent reimbursement from the Federal Highway Administration. The \$28.9 million will also be paid out of WYDOT surface transportation funds, of which the Department will seek \$26.7 million in FHWA emergency repair funding reimbursement. It is unknown when the reimbursement may be received.

Ms. Whipple left the meeting.

Lower Valley Energy (LVE) Pipeline Project: The Lower Valley Energy Company is now supplying natural gas to the Jackson area. A supply line to potentially provide natural gas to the WYDOT facility and other Jackson valley residents and businesses is not currently planned for those south of the Snake River Crossing along US 191/89. The WYDOT facility in Jackson is currently powered by propane, but natural gas would be a good alternate fuel. Chairman Covello suggested writing a letter to the Lower Valley Energy Company expressing the Department's desire to use natural gas and suggested seeing if there are others along the route who may also be interested in tying into the gas line. Mr. McOmie indicated that the Department would send a letter to LVE expressing interest in converting the Jackson facility from propane to natural gas and that he would be willing to work with LVE towards making the project come to fruition.

US 14 Slide Update: Commissioner McCormack asked Mr. McOmie to provide an update on the US 14 slide in Shell Canyon. Mr. McOmie indicated that Department personnel continue to monitor the slide, and movement is minor at this time. The Department let to contract an order for steel for the piling on the project and also the repair contract. The contractor is expected to begin work when the piling arrives from the mill. WYDOT hopes to have the piling in place this winter, before spring runoff.

Chairman Covello thanked the Aeronautics Commissioners for their participation in the joint Aeronautics and Transportation Commission meetings.

16. It was moved by Vice Chairman Latta, seconded by Commissioner Dooley, and carried to move into executive session. The Commission went into executive session at 10:50 a.m., on Thursday, November 17, 2011.

17. It was moved by Vice Chairman Latta, seconded by Commissioner Dooley, and carried to move out of executive session. The Commission came out of executive session at 11:30 a.m., on Thursday, November 17, 2011.

18. It was moved by Vice Chairman Latta, seconded by Commissioner Ertman, and carried to adjourn the meeting. Chairman Covello adjourned the meeting at 11:30 a.m., on Thursday, November 17, 2011.