

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on September 29, 2011. The teleconference meeting was convened at 8:30 a.m. by Chairman Covello. The following members were present constituting a quorum:

Cactus Covello, Jr., Chairman, Torrington (via telephone)
Jim Latta, Vice Chairman, Pinedale (via telephone)
Ted Ertman, Commissioner, Newcastle (via telephone)
Jim Hladky, Commissioner, Gillette (via telephone)
Clair Anderson, Commissioner, Riverton (via telephone)
Bruce McCormack, Commissioner, Cody (via telephone)
John F. Cox, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Gregg Fredrick, Assistant Chief Engineer of Engineering and Planning; Ken Shultz, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Dennis Byrne, Aeronautics Administrator; Jackson Engels, Assistant Attorney General; and Joe Dailey, Division Administrator, Federal Highway Administration (via telephone).

Commissioner K. John Dooley, of Laramie, and Delbert McOmie, Chief Engineer, were absent.

1. Award of Emergency Repair Projects: Mr. Fredrick presented the following bid tabulations from the special letting held September 27, 2011, in Cheyenne.

COMMISSION DISTRICT 1 Cactus Covello - Chairman

Federal project IM-I180019, involving abutment and approach slab repairs and other miscellaneous work on the I-180 northbound and southbound lane structures over the Union Pacific Railroad in Cheyenne, in Laramie County. Completion date – May 30, 2012

Engineer's Estimate	\$566,887.50
S & S Builders, LLC, Gillette, WY	\$642,632.40 +13.4%
Simon Contractors and Subsidiaries, Cheyenne, WY	\$788,702.82
Reiman Corp., Cheyenne, WY	\$830,413.56

It was recommended by Mr. Fredrick, moved by Commissioner McCormack, 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.

COMMISSION DISTRICTS 4, 5 and 6
Jim Hladky - Commissioner
Bruce McCormack - Commissioner
Ted Ertman - Commissioner

Federal projects NH-DR41320, NH-DR41305, NH-DR50924 and NH-DR50926 combined, involving slide repair and stabilization work at various locations on US 14 in Big Horn, Crook and Sheridan counties. Completion date – April 30, 2012

Engineer's Estimate	\$1,578,515.00
Reiman Corp., Cheyenne, WY	\$ 647,982.00 -58.9%
Ralph L. Wadsworth Construction Company, LLC, Draper, UT	\$ 729,823.89
COP Wyoming LLC, Sheridan, WY	\$ 917,392.00

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

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

Federal projects NH-DR50911 and NH-DR50915 combined, for damage repair work, including scaling, blasting and miscellaneous work at various locations in the Wind River and Shell Canyons in Transportation District 5 in Big Horn, Fremont and Hot Springs counties. Completion date – April 15, 2012

Engineer's Estimate	\$733,848.25
Oftedal Construction, Inc., Miles City, MT	\$936,684.69 +27.6%

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

COMMISSION DISTRICT 6
Ted Ertman - Commissioner

Federal project STP-0607037, involving an emergency slide repair to include grading, draining, placing bituminous pavement surfacing, and miscellaneous work at reference marker 184.86 on US 14 northwest of Sundance, in Crook County. Completion date – May 30, 2012

Engineer's Estimate	\$ 764,664.00	
McMurry Ready-Mix Co., Casper, WY	\$ 667,000.00	-12.8%
Intermountain Construction and Materials, Inc., Gillette, WY	\$ 935,392.82	
Heavy Constructors, Inc., Rapid City, SD	\$1,197,495.00	
Oftedal Construction, Inc., Miles City, MT	\$1,255,701.45	

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

2. Reconsideration of the Bid No. 11-283: The Transportation Commission awarded Bid No. 11-283 to Cowboy Dodge, of Cheyenne, Wyoming, at its September 15, 2011, meeting. The bid was to furnish 51 new, current model, rear-wheel-drive, four-door sedan, patrol cars with a police package. Since the award, Cowboy Dodge has asked to withdraw their bid because of a pricing error that they made. According to Cowboy Dodge's build sheet, the bid met the bid specifications, but after the bid was submitted, the dealership discovered that their quote did not include a Hemi engine. The price difference is nearly \$1,800 per vehicle. Cowboy Dodge understands that, in accordance with WYDOT bid provisions, their company will be removed from the Procurement Services bidders' list for one year, effective September 29, 2011. The Equipment Office has contacted the second low bidder, Sheridan Motors, of Sheridan, Wyoming, and they have agreed to honor their bid, which was \$46,359 higher than the lowest bid.

Mr. Engels advised that allowing Cowboy Dodge to withdraw their bid and awarding the contract to the second low bidder was the best option in this case. The only other alternative would be to sue Cowboy Dodge for specific performance under the contract. Mr. Engels did not recommend this action, as there is no guarantee of winning the case.

It was recommended by Mr. Shultz, moved by Commissioner Hladky, seconded by Vice Chairman Latta, and carried to honor Cowboy Dodge's request to withdraw their bid, remove their company from WYDOT's Procurement Services bidders' list through September 29, 2012, and to approve purchase for Bid Number 11-283 from the second low bidder, Sheridan Motors, to furnish 51 each, new, current model, rear-wheel-drive, four-door sedan, patrol cars with police package, for delivery in Evans, Colorado. The bid was awarded to Sheridan Motors, of Sheridan, Wyoming, for the sum of \$1,193,247.

3. It was moved by Vice Chairman Latta, seconded by Commissioner Hladky, and carried to adjourn the meeting. Chairman Covello adjourned the meeting at 8:50 a.m. on Thursday, September 29, 2011.