

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on October 17, 2013. The meeting was convened at 8:30 a.m. by Chairman Ertman. The following members were present constituting a quorum:

Ted Ertman, Chairman, Newcastle
Bruce McCormack, Vice Chairman, Cody
Milt Coulter, Commissioner, Gillette
K. John Dooley, Commissioner, Laramie
Bob Ruwart, Commissioner, Wheatland
Todd Seeton, Commissioner, Jackson
John Cox, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Ken Shultz, Assistant Chief Engineer of Operations; Tom Loftin, Support Services 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: Marridee Matson, Star Valley Chamber of Commerce and Co-Chair of the Scenic Byway Committee; Ed Koch, Star Valley Range Council, and his wife Carolyn Koch; Kathleen Buyers, Star Valley Ranch Council; Kennis Lutz, Mayor of Alpine; Bob King, Mayor of Thayne; Rick Clark, U.S. Forest Service; and Talbott Hauffe, Transit Coordinator and former Scenic Byways Coordinator.

Those absent: Commissioner Clair Anderson, of Riverton; Delbert McOmie, Chief Engineer; Gregg Fredrick, Assistant Chief Engineer of Engineering and Planning; and Colonel John Butler, Highway Patrol Administrator.

1. Pledge of Allegiance: Chairman Ertman led the attendees in the Pledge of Allegiance.

2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Dooley, seconded by Commissioner Coulter, and carried to approve the correction to the August 15, 2013, minutes, the minutes from the September 18, 2013, budget presentation, and the minutes from the September 19, 2013, breakfast meeting, regular business meeting, and executive session.

3. Director Cox presented the Director's report.

Meetings in Washington, D.C.: Director Cox attended the American Association of State Highway and Transportation Officials (AASHTO) Re-authorization Steering Committee meeting in Washington, D.C., September 18-19, 2013. The re-authorization steering committee is tasked

with creating the policy and the positions for the AASHTO board of directors for the current highway re-authorization bill, MAP-21, which will expire September 30, 2014. As the Vice President of AASHTO, Director Cox will be required to chair the re-authorization steering committee in 2014.

While in Washington, D.C., Director Cox also testified before the U.S. House of Representatives, House Committee on Transportation and Infrastructure, Highways and Transit Subcommittee. The committee held a closed-door meeting where chief executive officers from Virginia, Maryland, Indiana, Oregon, and Wyoming were asked to recount what was done to raise state-based transportation funding in 2013. Director Cox spoke about the increased fuel tax that was approved by the 2013 Wyoming State Legislature. Other states shared some dramatic measures that were taken by their state legislatures to increase state funding.

Questions were raised at the meeting about the role that federal funding plays in state departments of transportation budgets. Director Cox seized the opportunity to testify in favor of the requisite need for continued federal funding in Wyoming, even though the state has recently increased its fuel tax.

2013 Annual AASHTO Meeting: Director Cox, Messrs. McOmie and Fredrick, and some WYDOT program managers will participate in the 2013 Annual AASHTO meeting in Denver, October 17-21, 2013.

4. Mr. Hibbard presented the Budget report.

Monthly Budget Report: The September 2013 budget report revealed that the Commission budget is 92 percent expended, and the Legislative budget is 97 percent expended, for an overall budget expenditure of 94 percent for the fiscal year ending 2013. The Department's cash balance was on target for the close of FY 2013.

Mr. Hibbard noted that WYDOT received its federal mineral royalty distribution on October 15, 2013.

Mr. Hibbard left the meeting.

5. Mr. Spear presented the following bids from the highway letting held October 10, 2013, in Laramie.

COMMISSION DISTRICTS 1 and 2

Bob Ruwart - Commissioner

K. John Dooley - Commissioner

Federal projects STP-PM-B141019 and NHPP-PM-B141032 combined, involving crack sealing and miscellaneous work at various locations in Transportation District 1, including Albany, Carbon, Laramie, and Sweetwater counties.

Engineer's Estimate	\$886,755.00	
Z & Z Seal Coating, Inc., Billings, MT	\$840,577.50	-5.2%

It was recommended by Mr. Spear, moved by Commissioner Dooley, seconded by Commissioner Ruwart, and carried that **Z & Z Seal Coating, Inc., Billings, MT**, 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 2
K. John Dooley - Commissioner

Federal project NH-N232048, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, chip sealing, wetland construction, fencing, signing, and miscellaneous work on 6.12 miles of US 287, beginning at RM 425.41, between Laramie and the Colorado state line in Albany County.

Engineer's Estimate	\$18,308,903.45	
Kirkland Construction, L.L.L.P., Rye, CO	\$17,895,522.75	-2.3%
Oftedal Construction, Inc., Casper, WY	\$17,954,389.73	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$18,651,470.00	
Knife River, Casper, WY	\$18,991,013.95	
McMurry Ready-Mix Co., Casper, WY	\$21,902,590.07	
SEMA Construction, Inc. and Subsidiaries and Capital Engineering Partners, LLC, Centennial, CO	\$23,047,369.85	

It was recommended by Mr. Spear, moved by Commissioner Dooley, seconded by Commissioner Ruwart, and carried that **Kirkland Construction, L.L.L.P., Rye, 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 projects STP-E-P551022, STP-P551014, and ARSCT-P551A01 combined, involving grading, draining, milling plant mix, removal and replacement of curb and gutter, landscaping, placing crushed base and bituminous pavement surfacing, concrete pavement, plant mix wearing course, water and storm sewer replacement, electrical, thermoplastic and preformed pavement markings, and miscellaneous work on 0.55 mile of US 30, beginning at RM 329.87 on Grand Avenue, from 15th Street to 21st Street, in the town of Laramie, in Albany County.

Engineer's Estimate	\$5,068,939.10	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$4,542,487.00	-10.4%
S & S Builders, LLC, Gillette, WY	\$5,497,497.80	

Knife River, Casper, WY	\$5,756,003.00
Concrete Works of Colorado, Inc., Lafayette, CO	\$6,548,352.97
Interstate Highway Construction, Inc., Englewood, CO	\$6,983,225.40

It was recommended by Mr. Spear, moved by Commissioner Dooley, seconded by Commissioner Seeton, and carried that **Simon Contractors and its 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, contingent upon the receipt of concurrence from the City of Laramie, and that WYDOT executive staff be authorized to remove the contingency upon receipt of the concurrence. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 3
Todd Seeton - Commissioner**

State project SCP-TC-P111011, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, reclaimed asphalt widening, signing, and miscellaneous work, beginning at RM 0.00 on US 189, between Lazear Junction and Kemmerer (Haystack Mine Section), in Uinta County.

Engineer's Estimate	\$3,441,278.25	
LeGrand Johnson Construction Co., Logan, UT	\$2,842,217.75	-17.4%
Plus 5% for Comparison	\$2,984,328.64	
HK Contractors, Inc., Idaho Falls, ID	\$2,929,888.00	
Plus 5% for Comparison	\$3,076,382.40	
McGarvin-Moberly Construction Company, Worland, WY	\$3,133,292.65	
Mountain Construction Company, Lovell, WY	\$3,233,631.20	
W.W. Clyde & Co., Springville, UT	\$3,495,290.43	
Plus 5% for Comparison	\$3,670,054.95	
McMurry Ready-Mix Co., Casper, WY	\$3,646,938.80	

It was recommended by Mr. Spear, moved by Commissioner Seeton, seconded by Commissioner Ruwart, 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.

**COMMISSION DISTRICT 4
Milt Coulter - Commissioner**

Federal project HSIP-N362036, involving grading, draining, removal of surfacing and concrete, placing crushed base and bituminous pavement surfacing, electrical, fencing, and miscellaneous work between RM 67.86 and 85.39, on US 16, west of Buffalo, in Johnson County.

Engineer's Estimate	\$867,872.50	
Intermountain Construction & Materials, Gillette, WY	\$838,723.75	-3.4%
Wilson Bros. Construction, Inc., Cowley, WY	\$918,247.45	

It was recommended by Mr. Spear, moved by Commissioner Coulter, seconded by Vice Chairman McCormack, and carried that **Intermountain Construction & Materials, 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 and 6
Milt Coulter - Commissioner
Ted Ertman - Chairman

State project CMP-PM-B144023, involving crack sealing and miscellaneous work on 112.49 miles of various road locations throughout Transportation District 4, including Campbell, Crook, Johnson, Sheridan, and Weston counties.

Engineer's Estimate	\$714,111.00	
Highway Improvement, Inc., Harrisburg, SD	\$740,021.00	+3.6%
Plus 5% for Comparison	\$777,022.05	
Hardrives Construction, Inc. and Subsidiaries, Billings, MT	\$743,417.23	
Plus 5% for Comparison	\$780,588.09	
Z & Z Seal Coating, Inc., Billings, MT	\$798,062.23	
Plus 5% for Comparison	\$837,965.34	

It was recommended by Mr. Spear, moved by Commissioner Coulter, seconded by Vice Chairman McCormack, 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.

COMMISSION DISTRICT 5
Bruce McCormack - Vice Chairman

State project SCP-TC-N371029, involving grading, milling plant mix, bituminous pavement surfacing, chip sealing, and miscellaneous work on 7.30 miles on US 14 beginning at RM 7.80 between Greybull and Burgess Junction in Big Horn County.

Engineer's Estimate	\$2,920,402.50	
Mountain Construction Company, Lovell, WY	\$2,753,672.24	-5.7%
McGarvin-Moberly Construction Company, Worland, WY	\$2,791,585.36	
Riverside Contracting, Inc., Missoula, MT	\$2,814,775.00	
Plus 5% for Comparison	\$2,955,513.75	

Century Companies, Inc. and Affiliates, Lewistown, MT	\$3,011,903.00
Plus 5% for Comparison	\$3,162,498.15
Intermountain Construction & Materials, Gillette, WY	\$3,318,496.35
McMurry Ready-Mix Co., Casper, WY	\$3,522,298.45

It was recommended by Mr. Spear, moved by Vice Chairman McCormack, seconded by Commissioner Ruwart, 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.

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

Federal projects NHPP-PM-B145030 and STP-PM-B145004 combined, involving crack sealing and miscellaneous work on 136.30 miles of various road locations throughout Transportation District 5, including Big Horn and Fremont counties.

Engineer's Estimate	\$1,725,904.00	
Highway Improvement, Inc., Harrisburg, SD	\$1,672,621.52	-3.1%

It was recommended by Mr. Spear, moved by Vice Chairman McCormack, seconded by Commissioner Coulter, 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.

COMMISSION DISTRICT 6
Ted Ertman - Chairman

Federal projects STP-0604013 and SCP-0608003 combined, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, full-depth reclamation, retaining wall, wetland construction, electrical, signing, guardrail, fencing, and miscellaneous work on 7.64 miles of WYO 112, beginning at RM 0.00, between Hulett and the Montana state line, in Crook County.

Engineer's Estimate	\$ 8,334,303.75	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$ 8,291,336.36	-0.5%
Intermountain Construction & Materials, Gillette, WY	\$ 8,904,083.30	
Border States Paving, Inc., Fargo, ND	\$ 9,321,134.75	
Knife River, Billings, MT	\$ 9,351,989.00	
McMurry Ready-Mix Co., Casper, WY	\$ 9,429,541.15	
Oftedal Construction, Inc., Casper, WY	\$ 9,437,733.74	
Wilson Bros. Construction, Inc., Cowley, WY	\$ 9,773,501.42	

Riverside Contracting, Inc., Missoula, MT

\$10,228,921.50

It was recommended by Mr. Spear, moved by Vice Chairman McCormack, seconded by Commissioner Seeton, and carried that **Simon Contractors and its 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 7
Clair Anderson - Commissioner

Federal project STP-P471001, involving grading, draining, milling plant mix, concrete removal, placing crushed base and bituminous pavement surfacing, plant mix wearing course, concrete pavement, sidewalk, curb and gutter, structure replacement, lighting, guardrail, fencing, signing, and miscellaneous work on 2.75 miles of US 20/26 and WYO 254 (Salt Creek Highway), in Natrona County.

Engineer's Estimate	\$16,572,762.75
Hedquist Construction, Inc., Mills, WY	\$18,461,390.75 +11.4%
Knife River, Casper, WY	\$18,766,445.00
Ralph L. Wadsworth Construction Company, LLC, Draper, UT	\$18,914,463.74
SEMA Construction, Inc. and Subsidiaries and Capital Engineering Partners, LLC, Centennial, CO	\$19,285,852.22

It was recommended by Mr. Spear, moved by Commissioner Seeton, seconded by Commissioner Dooley, 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. The Federal Highway Administration concurred with this decision.

6. Mr. Hauffe, the former WYDOT Scenic Byway Coordinator, presented a nomination for the designation of US 89 from the Teton/Lincoln County line south to the Wyoming/Idaho border as the Star Valley Scenic Byway. This portion of US 89 has been recommended for designation by the Scenic Byway Advisory Committee, which is made up of representatives from the U.S. Forest Service, the Bureau of Land Management, the Wyoming Game and Fish Department, the Division of Tourism, the Division of State Parks and Recreation, WYDOT, and the private sector tourism industry.

Mr. Hauffe thanked the Star Valley Scenic Byway Committee for its diligence in coordinating and mapping out the proposed scenic byway, and he spoke accolades for the committee's exemplary efforts in putting together the scenic byway nomination.

Ms. Matson thanked the Commission for the opportunity to present the proposed scenic byway nomination.

It was recommended by Mr. Hauffe, moved by Commissioner Seeton, seconded by Commissioner Ruwart, and unanimously carried to approve the Star Valley Scenic Byway designation.

Mss. Matson, Koch, and Buyers, and Messrs. Koch, Lutz, King, Clark, Hauffe, and Spear left the meeting. Messrs. John Davis, Management Services Program Manager; Matthew White, Policy Analyst; and Bernie Kushnir, State Equipment Engineer, entered the meeting.

7. Director Cox presented the Highway Patrol report in Colonel John Butler's absence.

The Fatal Crash Summary through September 20, 2013, includes 59 fatal crashes involving 67 deaths. The fatalities include 34 rollover crashes, 19 multi-car crashes, 2 fixed objects, 10 motorcycles and all-terrain vehicles, and 2 pedestrians. Of the 59 crashes that occurred so far this year, 15 involved commercial vehicles.

There have been 14¹ crashes to date deemed alcohol related, resulting in 16¹ deaths. Of those deaths, 13 were attributed to not using occupant restraints.

Of the 67 deaths that have occurred so far this year, 34 can be attributed to the non-use of occupant restraints, with 28 involving rollover crashes, and 6 involving multi-car collisions. Of the 34 deaths that occurred from non-use of occupant restraints, 26 were Wyoming residents, and 8 were non-residents. Fifteen of those who perished were under 20 years of age, and 8 of those fatalities were attributed to the failure to use proper occupant restraints.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through August 31, 2013. The summary depicts 4,083 crashes statewide, of which 3,395 involved non-commercial vehicles, and 688 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of September 30, 2013, have been DUI related. There have been 923 field arrests made so far this year, including:

- DUI arrests from crashes – 59
- DUI arrests from traffic stops – 320
- DUI arrests from the REDDI Program – 99
- DUI arrests from ports-of-entry – 4
- NCIC hits (person) – 34
- Wyoming warrants hits – 145

¹Not all chemical test results were available at the time of the report.

- Drug arrests – 152
- Other arrests – 110

Director Cox noted that fatalities remain lower than last year, with 27 fewer deaths so far this year.

8. Mr. Byrne presented the Aeronautics report, including the September 2013 Aeronautics Flight Operations Passenger Summary report.

Newcastle Airport Repairs: Mr. Byrne advised that the state planes have not been able to land at the Newcastle Airport for years because of a significant bump at the end of the runway that is a safety concern when landing. Some planes are able to land there, but the wheel spacing and landing speeds of the state aircraft are not conducive to landing under such conditions. WYDOT consistently works with the Federal Aviation Administration (FAA) to fund airport repairs. The FAA had promised the Newcastle community a runway extension before the bump issue was realized, so the extension had to be completed before addressing the other problem. The runway extension is now complete, and the bumps are expected to be repaired next year.

Mr. Hibbard re-entered the meeting.

9. Mr. Shultz presented the Operations report.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Coulter, and carried to approve, by consent, the following bids:

- Bid number 13-338 to furnish 10,000 tons of maintenance stockpiled material, Type B, No. 4, modified (salt mix). The bid was awarded to Knife River - Cheyenne, of Cheyenne, Wyoming, for the sum of \$165,000.00; Concrete Foundations, Inc., of Douglas, Wyoming, for the sum of \$157,500.00; and 71 Construction, of Casper, Wyoming, for the sum of \$64,320.00; for a total sum of \$386,820.00.
- Bid number 13-352 to furnish eight each, new, current model, four-door sedans, for delivery at various statewide locations. The bid was awarded to Greiner Motor Co. - Casper, of Casper, Wyoming, for the sum of \$146,392.00.
- Bid number 13-355 to furnish four each, new, current model conventional cab, two-wheel-drive pickups, for delivery at various statewide locations. The bid was awarded to Greiner Motor Co. - Casper, of Casper, Wyoming, for the sum of \$69,484.00.
- Bid number 13-356 to furnish nine each, new, current model, conventional cab, two-wheel-drive, long-box pickups, for delivery at various statewide locations. The bid was awarded to Greiner Motor Co. - Casper, of Casper, Wyoming, for the sum of \$163,143.00.
- Bid number 13-357 to furnish nine each, new, current model, four-wheel-drive, extended cab pickups, for delivery at various statewide locations. The bid was awarded to Greiner Motor Co. - Casper, of Casper, Wyoming, for the sum of \$210,501.00.

- Bid number 13-359 to furnish 11 each, new, current model, two-wheel-drive, extended cab pickups, for delivery at various statewide locations. The bid was awarded to Greiner Motor Co. - Casper, of Casper, Wyoming, for the sum of \$201,444.00.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Coulter, and carried to reject all bids received for bid number 13-349 to furnish snow removal at the High Plains, College Drive, and Vandehei Interchanges. Quoted prices were five to six times more than what WYDOT is currently paying in other parts of the state, and significantly more than WYDOT's budget. Snow removal for these interchanges will be accomplished using temporary employees and rent-to-own equipment. Using WYDOT forces will result in a significant savings to the state.

Vice Chairman McCormack asked if the Department plans to continue performing its own snow removal services in the future, since it will eventually own the equipment that will be used. Mr. Shultz advised that if the project works as planned, the Department will continue to perform its own snow removal services at these locations in the future.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Ruwart, and carried to reject the bid received from 4 Quarters Excavation & Development for snow removal services at the WYDOT Headquarters Complex and Driver Services parking lots, and to approve purchase for snow removal services at the Aeronautics Hangar, located on the Airport Parkway in Cheyenne, per bid number 13-350. The snow removal services for the Aeronautics Hangar parking lot were awarded to Preferred Service, LLC, of Cheyenne, Wyoming, for the sum of \$13,500.00.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Seeton, and carried to approve purchase for bid number 13-351 to furnish snow removal services. The bids were awarded as follows:

- I-180 Greenbelt and Catwalk
Preferred Service, LLC, of Cheyenne, Wyoming\$42,500.00
- Aeronautics Office Sidewalks and I-25/I-80 Catwalks
Preferred Service, LLC, of Cheyenne, Wyoming\$17,500.00
- I-25, I-80, and US 85 Ports of Entry Sidewalks
Elite Landscapes of Cheyenne, Wyoming\$30,000.00
- Driver Services Sidewalks
Preferred Service, LLC, of Cheyenne, Wyoming\$10,500.00

None of the bids received for Bid Number 13-358 met the specifications. It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Ruwart, and carried to reject and rebid bid number 13-358 to furnish seven each, new, current model, four-wheel-drive, crew cab pickups.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, second by Commissioner Ruwart, to approve purchase for bid number 13-362 to furnish three each, new, current model, compressed natural gas, extended cab pickup trucks.

Mr. Kushnir advised that the Department pursued bids for compressed natural gas (CNG) pickups in accordance with legislative mandate. In summary, the 2013 Wyoming State Legislature passed a bill that requires state agencies to replace 50 percent of their existing fleets with vehicles that operate on CNG, or CNG and gasoline or diesel, if the motor vehicle will be stationed in an area currently served by a CNG filling station or is in an area that will be served by a CNG filling station within six months of the replacement date for the vehicle; and if the motor vehicle to be purchased is readily available in models that operate on CNG or on CNG and gasoline or diesel. The deadline for implementing the mandate is July 1, 2015.

Mr. Kushnir advised that the three pickups that are being replaced are ½-ton pickups. The automobile industry does not currently offer ½-ton pickups with a factory-installed CNG option, so the Department bid the three new pickups as ¾-ton models, as they can be ordered with a factory-installed CNG capability.

CNG filling stations are currently available only in Cheyenne, Rock Springs, Riverton, Evanston, and Pinedale. The cost to purchase each ¾-ton pickup is about \$3,000 more than ½-ton pickups. Director Cox recommended that since the ½-ton pickups are expected to be available next year, that the Department postpone replacing these trucks until FY 2015.

Mr. Kushnir also noted that the Department has considered converting some of its fleet to CNG capability, but doing so could potentially void vehicle warranties.

Chairman Ertman called for a vote on bid number 13-362. The motion to approve the purchase for bid number 13-362 to furnish three each, new, current model, compressed natural gas, two-wheel-drive, extended cab pickups unanimously failed.

Mr. Kushnir asked the Commission for direction about whether to wait until FY 2015 to replace the three ½-ton pickups, or whether the Department should rebid the pickups now as ½-ton trucks without the CNG capability. The Commission discussed the issue and directed Mr. Kushnir to wait until FY 2015 to rebid the pickups when the factory-installed CNG option is available in a ½-ton model.

Mr. Shultz explained that bid number 13-363 was also advertised for ¾-ton pickups, which were expected to replace existing ½-ton models.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Coulter, and carried to reject the purchase for bid number 13-363 to furnish three each, new, current model, compressed natural gas, four-wheel-drive, extended cab pickups, for

delivery at various statewide locations. This purchase will also be delayed until FY 2015 when ½-ton pickups become available with a CNG option.

Mr. Kushnir left the meeting.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Dooley, and carried to approve purchase for requisition number 0000032017 to furnish tsa/ADVET annual Falcon/dynamic message sign maintenance for the period of November 25, 2013, through November 24, 2014. The contract was awarded to tsa/ADVET, of Pittsburgh, Pennsylvania, for the sum of \$212,307.00.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Vice Chairman McCormack, and carried to approve purchase for requisition number 0000032052 to furnish 11 annual Bentley engineering design software licenses for the period of November 1, 2013, through October 31, 2014. The contract was awarded to Bentley Systems, Inc., of Exton, Pennsylvania, for the sum of \$358,704.72.

It was recommended by Mr. Shultz, moved by Commissioner Ruwart, seconded by Commissioner Coulter, and carried to approve purchase for requisition number 0000031942 to furnish license plate reflective sheeting. The contract was awarded to 3M Corporation, of St. Paul, Minnesota, for the sum of \$1,040,000.00.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Dooley, and carried to approve purchase for requisition number 0000032033 for a Pitney Bowes purchase contract, for use by the WYDOT Mail Room in Cheyenne. This new purchase replaced expired contract number PC000745RM, and provides postage for WYDOT mailings. The contract was awarded to Pitney Bowes, Inc., of Englewood, Colorado, for the sum of \$240,000.00.

10. Mr. Shultz presented the following proposed rules to be repealed from the *Wyoming Department of Transportation Rules and Regulations*, General Section.

- Chapter 7, Qualifications for Highway Patrol Officers
- Chapter 9, Patrol Officers as Witnesses in Civil Cases
- Chapter 11, Public Hearings on Highway Location
- Chapter 14, Purchasing Preferential Policy
- Chapter 15, Approval of Bridges on Public Roads
- Chapter 20, Interstate Movement of Mobile and Modular Homes
- Chapter 21, Personal Information Practices
- Chapter 22, Equal Employment Opportunity Complaint Process

No public comments were received during the statutory 45-day comment period. This action follows Governor Matthew H. Mead's agency mandate to reduce rules and regulations.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Seeton, 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. 1-14-102, W.S. 1-14-112, W.S.16-3-101 through W.S. 16-3-115, W.S. 16-6-101 through W.S. 16-6-108, W.S. 24-2-106, W.S. 24-12-101, and in the 1957 Wyoming Statutes Section 9-692-2 and 1957 Wyoming Statutes Section 31-217-2 through Section 31-217-7, 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 repeal the following rules from the General Section:

Chapter 7, Qualifications for Highway Patrol Officers
Chapter 9, Patrol Officers as Witnesses in Civil Cases
Chapter 11, Public Hearings on Highway Location
Chapter 14, Purchasing Preferential Policy
Chapter 15, Approval of Bridges on Public Roads
Chapter 20, Interstate Movement of Mobile and Modular Homes
Chapter 21, Personal Information Practices
Chapter 22, Equal Employment Opportunity Complaint Process

WHEREAS, this action follows Governor Matthew H. Mead's agency mandate to reduce rules and regulations. The Department proposes to rescind these rules as not required by statute, not needed to conduct agency business, or referenced elsewhere; and

WHEREAS, a forty-five 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 repeals General Section, Chapter 7, Qualifications for Highway Patrol Officers, Chapter 9, Patrol Officers as Witnesses in Civil Cases, Chapter 11, Public Hearings on Highway Location, Chapter 14, Purchasing Preferential Policy, Chapter 15, Approval of Bridges on Public Roads, Chapter 20, Interstate Movement of Mobile and Modular Homes, Chapter 21, Personal Information Practices, and Chapter 22, Equal Employment Opportunity Complaint Process.

11. Mr. Shultz presented the following proposed rules to be repealed from the *Wyoming Department of Transportation Rules and Regulations*, Aeronautics Section.

Chapter 1, Information Practices
Chapter 2, Wyoming Aeronautics Commission Loans

No public comments were received during the statutory 45-day comment period. This action follows Governor Matthew H. Mead's agency mandate to reduce rules and regulations.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Dooley, 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 and W.S. 10-3-104, 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 repeal the following rules from the Aeronautics Section:

Chapter 1, Information Practices
Chapter 2, Wyoming Aeronautics Commission Loans

WHEREAS, this action follows Governor Matthew H. Mead's agency mandate to reduce rules and regulations. The Department proposes to rescind these rules as not required by statute, not needed to conduct agency business, or referenced elsewhere; and

WHEREAS, a forty-five 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 repeals Aeronautics Section, Chapter 1, Information Practices, and Chapter 2, Wyoming Aeronautics Commission Loans.

12. Mr. Shultz presented a rule for repeal from Chapter 4, Railroad Tax, from the *Wyoming Department of Transportation Rules and Regulations*, Railroads & Transportation Tariffs Section.

No public comments were received during the statutory 45-day comment period. This action follows Governor Matthew H. Mead's agency mandate to reduce rules and regulations.

It was recommended by Mr. Shultz, moved by Commissioner Ruwart, seconded by Vice Chairman McCormack, 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 and W.S. 39-20-101 through W.S. 39-20-111, 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 repeal the following rule from the Railroad & Transportation Tariffs Section:

Chapter 4, Railroad Tax

WHEREAS, this action follows Governor Matthew H. Mead's agency mandate to reduce rules and regulations. The Department proposes to rescind this rule as not required by statute, not needed to conduct agency business, or referenced elsewhere; and

WHEREAS, a forty-five day public comment period was held to solicit written comments concerning this rule; 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 repeals Railroad & Transportation Tariffs Section, Chapter 4, Railroad Tax.

13. Mr. Shultz presented a revised rule for Chapter 16, Outdoor Advertising, from the *Wyoming Department of Transportation Rules and Regulations*, General Section.

No public comments were received during the statutory 45-day comment period. The revised rule removes obsolete drawings and references to drawings.

It was recommended by Mr. Shultz, moved by Commissioner Coulter, seconded by Commissioner Seeton, 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 and W.S. 24-10-105, 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 General Section, Chapter 16, Outdoor Advertising, a revised rule and regulation of the Wyoming Department of Transportation. This revised rule removes obsolete drawings and references to drawings; and

WHEREAS, a forty-five 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 General Section, Chapter 16, Outdoor Advertising.

14. Mr. Shultz presented a revised rule for Chapter 27, Tourist-Oriented Directional Signing (TODS), from the *Wyoming Department of Transportation Rules and Regulations*, General Section.

No public comments were received during the statutory 45-day comment period. The rule has been updated and revised for clarity.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ruwart, 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 and W.S. 24-2-115, 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 General Section, Chapter 27, Tourist-Oriented Directional Signing (TODS), a revised rule and regulation of the Wyoming Department of Transportation. This revised rule has been updated and revised for clarity; and

WHEREAS, a forty-five 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 General Section, Chapter 27, Tourist-Oriented Directional Signing (TODS).

15. It was moved by Commissioner Coulter, seconded by Commissioner Dooley, and carried to adjourn the meeting. Chairman Ertman adjourned the meeting at 11:41 a.m., on Thursday, October 17, 2013.