

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on January 16, 2014. 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  
Clair Anderson, Commissioner, Riverton  
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: Delbert McOmie, Chief Engineer; Ken Spear, Contracts and Estimates Engineer; Ken Shultz, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Colonel John Butler, Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Doug Moench, Senior Assistant Attorney General; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; and Edward Stephen, Acting Division Administrator, Federal Highway Administration.

Others present: Dan Wenk, Superintendent, and Steve Iobst, Deputy Superintendent, Yellowstone National Park; and Kristin Burkart, Internal Review Services Manager.

Commissioner Milt Coulter, of Gillette, and Mr. Gregg Fredrick, Assistant Chief Engineer for Engineering and Planning, were absent.

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 Anderson, seconded by Commissioner Ruwart, and carried to approve the minutes from the December 12, 2013, breakfast meeting, regular business meeting, and executive session.
3. Director Cox presented the Director's report.

Transportation Research Board (TRB) Meeting: Director Cox attended the 93<sup>rd</sup> annual TRB meeting held in Washington, D.C., January 12-16, 2014. Director Cox, along with his colleagues from Arkansas and Virginia, spoke at a roundtable meeting about state funding and finance. Each state representative was asked to share the efforts that were made within their state to raise funding for state highway construction projects. Wyoming's success story was the 2013 passage of the \$0.10 per gallon fuel tax increase, which will be used solely for contractor payments for highway construction.

Director Cox also took the opportunity to explain Wyoming's perspective of being a "bridge state" in the middle of the United States, as opposed to being a largely populated state, at the TRB meeting.

As the Vice President of the American Association of State Highway and Transportation Officials (AASHTO), Director Cox also participated at a meeting between AASHTO leadership and Federal Highway Administration representatives about the status of the Federal Highway Trust Fund (FHTF), and how the dwindling and potential loss of those funds will impact Wyoming and other similar states.

Director Cox met with Wyoming Senator John Barrasso on January 15, 2014, to convey the urgent need for continued federal highway funds, with the upcoming expiration of the existing federal highway bill (MAP-21) on September 30, 2014, and the fading of the FHTF. At the current rate, the FHTF will be depleted sometime in 2015. The elimination of federal highway funds would reduce Wyoming's highway funding by about 65 percent, which would be catastrophic to the state highway construction program.

Joint Appropriations Committee Meeting: WYDOT's executive staff is scheduled to present its biennial legislatively appropriated budget to the JAC for its consideration on Friday, January 17, 2014. Director Cox will brief the Commission on the outcome of the JAC meeting at its February 20 business meeting.

WYOLINK System Upgrade: An upgrade is needed for the WYOLINK system to accommodate the increasing number of emergencies and users in Laramie County. Director Cox advised that he favors the upgrade. Mr. Hibbard will make a formal recommendation to approve the request under the upcoming Budget report.

4. Mr. Hibbard presented the Budget report.

Monthly Budget Report: The December 2013 budget report revealed that the Commission budget is 25 percent expended, and the Legislative budget is 24 percent expended, for an overall budget expenditure of 24 percent for FY 2014, which is within the target budget tolerances. The report includes encumbrances that are not yet expended.

Mr. Hibbard noted that the Pollution Discharge Elimination (NPDES) account is 384 percent expended. The NPDES account is used to pay for the management, permits, and pollution control that may be necessary because of runoff from WYDOT's salt/sand storage facilities statewide. The Wyoming Department of Environmental Quality recently billed WYDOT for its services for a five-year period, in accordance with Wyoming statutes, which necessitated an expenditure of \$57,600 to that account. The account will be modified in the Department's first quarter budget revision, to be presented later today in the Budget report.

The H01 account currently has a balance of \$14.5 million. The highway fund balance is cyclical, and, as of January 15, 2014, when the Wyoming State Treasurer's office was statutorily required

to distribute federal mineral royalty and severance taxes, the Department's cash balance grew to about \$60 million.

WYOLINK Budget Increase: Mr. Hibbard recommended a \$200,000 budget increase for a necessary WYOLINK system upgrade to include two channels for two radio sites in Laramie County. The upgrade will increase bandwidth at the North Water Tower and the US Highway 85 radio tower sites in the Cheyenne operations area. The existing bandwidth has not been adequate to handle the number of emergency calls in the area. These sites are part of the WYOLINK core system, and have been funded through WYDOT's Commission budget in the past.

It was recommended by Mr. Hibbard, moved by Commissioner Dooley, seconded by Commissioner Seeton, and carried to approve the \$200,000 increase in the WYOLINK budget to increase bandwidth at the North Water Tower and at the US Highway 85 radio tower sites in Laramie County.

First-Quarter Budget Revision: Mr. Hibbard presented the FY 2014 first quarter budget revisions. The first quarter budget modification includes a carryover from the FY 2013 budget, and necessary changes to the State Construction Program, Telecommunications, and some other minor amendments.

It was recommended by Mr. Hibbard, moved by Commissioner Ruwart, seconded by Commissioner Anderson, and carried to approve the FY 2014 First-Quarter Budget Revision.

5. Internal Review Services (IR) 2014 Work Plan: Ms. Burkart presented the 2014 IR work plan.

The IR Program serves two primary purposes for WYDOT, auditing and informational resources. IR worked on mandatory federal audits in 2013, and WYDOT policy-mandated and legislatively mandated audits. The program also worked diligently on analysis for the traffic logo signs, and it performed research in many other areas throughout the year. Significant efforts were made in various training endeavors, performing process reviews, and in documenting processes.

A hard copy of the 2014 Work Plan was provided to the Commission. The plan includes:

- Annual projects, such as the Federal Office of Management and Budget A-133 compliance audit
- Local Public Agency (LPA) sub-recipient monitoring and desk reviews
- LPA internal control questionnaire update
- Consultant overhead and project audits
- Rate audits and reviews (ICAP, payroll, equipment, state jets, striping, and logo signs)
- Cash drawer audits
- Wyoming Transportation Department Employee's Association (WTDEA) Employee Relief Fund audit
- Highway Patrol evidence inventory process and audits (continued from FY 2013)

- Local airport and LPA audits (continued from FY 2013)
- Highway Patrol grants process, documentation, and cross-training (continued from FY 2013)
- Wyoming Public Transit Association (WYTRANS) audit
- Highway Patrol “Alive at 25” review
- Highway Safety review
- Fuel tax audit
- Highway Safety grant process mapping
- Telecommunications WyoLink assistance/review

Sub-recipient monitoring will be performed in accordance with federal requirements, including city/town, county and local airport funds. Site reviews will be performed, and local governments’ A-133 audits will also be reviewed.

Ms. Burkart noted that most consultant overhead audits are now being conducted by private certified public accountants. The outsourcing of this task will allow time for IR to perform consultant project audits internally, which will reveal whether invoiced costs are allowable, supported, and allocable to the specific projects that were charged.

In accordance with the outcome of the Wyoming Legislative Services Office Management Audit Committee audit that was accomplished last year, IR is working with local airports statewide to audit funds that are passed through WYDOT’s budget to local airports. A risk-based approach has been developed, and the airport audits will begin in March 2014.

IR will continue to work with the Wyoming Highway Patrol to document necessary guidelines, and to develop flow charts and internal controls for compliance with federal grant money that is spent internally. Recommendations are being developed for stronger internal controls for using these funds.

A recent A-133 audit revealed that the Highway Safety Program needs to improve its documentation of processes involving federal grant funds. IR has been working closely with the Highway Safety Program to improve its processes. This audit task will continue through FY 2014.

The 2013 passage of the \$0.10 fuel tax increase by the Wyoming State Legislature has necessitated the establishment and documentation of processes for the additional funds. The receipt of those funds will ultimately be audited to ensure that the newly developed processes and internal controls are working and that they meet the new state statute.

The Telecommunications/WyoLink assistance and review is also scheduled to be audited in FY 2014, and may become an annual event. IR plans to document and create a flowchart for WyoLink processes and to develop policies and procedures. Telecommunications and Budget plan to finalize the original WyoLink project. IR will audit and reconcile all of its expenditures.

Projects that are being considered in FY 2014, as time allows, are:

- Driver Services application review process and documentation
- WYDOT purchasing card purchase review
- Cost analysis (chip seals, asphalt patching, sand usage versus mag-chloride, shop efficiency, and overtime/comp time)
- Documentation and internal controls
- Federal Transit Authority grant tracking and carry-forward review
- Aeronautics internal process review
- Road and bridge materials technician certification review

IR also has several training opportunities planned in FY 2014, including LPA certification training, change fund policy training, and new supervisor orientation. Annual administration projects include the balanced scorecard, participation in AASHTO and WASHTO, continued professional education, and updating the WYDOT Internal Review Services Manual.

Director Cox offered kudos to the IR Program for its extraordinary efforts toward the vast array of projects taken on by the program last year. Audit requirements have increased for federal programs, and IR has been asked to assist with other projects, including some training that was requested by the Wyoming State Auditor's office.

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

Mr. Ruffin Prevost, a reporter in Cody, joined the meeting via the telephone.

Future Management of the Beartooth Highway: Mr. Wenk advised that the purpose of his visit is "to talk about the potential transfer of the responsibility of operations and maintenance of the Beartooth Highway to the State of Wyoming."

The 2013 U.S. Government budget sequestration cut considerable funding of projects in the Yellowstone National Park (YNP) area, which has brought the Beartooth Highway to the forefront of finding other means to fund projects like the Beartooth Highway. YNP has an agreement with area communities and with the State of Wyoming to have the Beartooth Highway open by the Friday before Memorial Day each year. Mr. Wenk advised that road work on the Beartooth Highway, including snow maintenance, will always be secondary to the road work that must be done in YNP.

Mr. Iobst provided information about the history, road maintenance and condition, and the economic impacts of the Beartooth Highway, which connects the northeast entrance of YNP with Cooke City and Red Lodge, Montana. The highway was constructed under the authority given by the Park Approach Roads Act, which gave the U.S. Secretary of the Interior the authority to build roads outside of the National Park Service (NPS) and other federal lands, to connect

communities with a National Park. Construction of the Beartooth Highway began in 1931, and work was complete in 1934. The NPS currently maintains about 68 miles of the highway, of which 8 miles are under the federal-aid highway system because the Park Approach Roads Act does not allow a “park approach road” to be more than 60 miles long.

The Bureau of Public Roads was the first to maintain the Beartooth Highway. In 1945, the NPS took over the maintenance. In 1965, the State of Montana assumed responsibility for maintaining the 25 mile stretch between Red Lodge and the Wyoming-Montana state line. Today the NPS maintains the remaining 43 miles of roadway, and 37.4 miles of the roadway are in Wyoming. The road crosses the Shoshone National Forest in Wyoming, and the Custer and Gallatin National Forests in Montana.

The Park Approach Roads Act clearly assigns the road maintenance responsibility to the NPS until another entity accepts responsibility. However, Mr. Iobst noted that maintenance responsibility does not equate to ownership or jurisdiction.

The annual operating budget for the NPS over the past five to eight years has averaged about \$400,000, including spring opening costs, keeping roads plowed in the spring and fall, and other minor maintenance activities. Pavement preservation, striping, and signage work costs are not included in the estimate.

The Beartooth Highway connects the Chief Joseph Scenic Highway (WYO 296) in Wyoming to the northeast entrance to Yellowstone National Park.

According to Mr. Iobst, Yellowstone’s visitors contributed \$332,975,000 in total spending, 5,041 jobs were created, and \$227,947,000 in value was added to local economics in 2011. The Cody, Wyoming, and Red Lodge and Cooke City/Silver Gate, Montana, communities contributed about \$45 million in non-resident visitor spending during the summer of 2012. In the winter of 2012, these communities claimed \$2.53 million in overall non-visitor spending.

WYDOT has actively participated on a steering committee for the Beartooth Highway since 1997, and has been an active supporter of the highway through State Transportation Improvement Program (STIP) redistribution (2006), Wyoming Forest Highway funding (2008, 2010, and 2012), a Transportation Investment Generating Economic Recovery (TIGER) I grant, a TIGER II grant, maximum gross vehicle weight study, and road signs. A 1994 inter-agency memorandum of understanding also notes that, “The Wyoming DOT will consider jurisdiction of the Beartooth Highway from MP 8.4 to MP 17.4 upon completion of Wyoming U.S. 296, which is presently scheduled for completion by 1997.”

At its October 14, 1998, meeting, the Transportation Commission discussed taking on the maintenance responsibility of the Beartooth. Following is an excerpt from the meeting minutes:

“When the entire section within Wyoming is reconstructed to current standards, Wyoming will consider assuming ownership of U.S. 212 in northwestern Wyoming. Because of the time frame required to accomplish reconstruction, Wyoming will not make a definite commitment that encumbers future transportation commissions and could possibly encumber a different Governor.”

Mr. Iobst presented a map depicting the Beartooth Highway in six segments, running from west to east. Only Segments 2, 3, 4, and 5 are in Wyoming. Segments 2 and 3 were reconstructed in the 1970s and 1980s, and they retain a high pavement condition rating. Segment 2 has no design speed exceptions. Segment 3 has five curve-related and two switchback-related exceptions. Both segments have a 30- to 32-foot paved width, and guardrail, signage, and striping meet the current standards. Improvements are not warranted at this time.

A collaborative effort by the Beartooth Steering Committee has brought improvements to 14.9 of the 18.7 miles that make up Segment 4. Those improvements total \$46.32 million. About 3.5 miles of the roadway remains to be improved because of necessary safety and economics importance.

Mr. Iobst closed his presentation by stating that, “Given the condition of the Beartooth now versus 15 years ago, it is significant to Wyoming’s economy, and declining federal appropriations, we’re (the NPS) ready to transfer the maintenance responsibility of the Beartooth Highway to the State of Wyoming.”

Chairman Ertman asked Mr. Wenk why the NPS hasn’t approached the U.S. Secretary of the Interior to acquire the necessary maintenance funding for the highway. Mr. Wenk advised that the entire roadway was built by the Department of the Interior, but, according to Mr. Wenk, the ongoing maintenance was to be done by the National Park Service only until another entity would take on the responsibility. Since 1965, the State of Montana has maintained the other sections of roadway that are north of the Wyoming border. Mr. Wenk also stated that the backlog of projects to be done in Yellowstone National Park totals about \$500 million, and the NPS cannot continue to maintain other roads such as the Beartooth Highway. The NPS priority is within Yellowstone National Park. Mr. Iobst indicated that attempts have been made to increase funding for the Beartooth maintenance, but to no avail.

Chairman Ertman asked if the NPS is mandating that the state take on the burden of maintaining the Beartooth Highway. Mr. Wenk stated that the NPS cannot mandate that the state take it over, but that the NPS does not have adequate funding to continue to maintain the road.

Mr. McOmie believes that the Beartooth is an “orphan” highway that no single entity seems to have the means of caring for. The highway is unique because of its historical nature and because of other design criteria that must be met to meet national minimum standards. The character and nature of the highway’s terrain makes it cost prohibitive for most entities to absorb. Until the remaining 3.5 miles in Segment 4 is reconstructed, the Department cannot afford to absorb the

cost of rebuilding that roadway. Mr. McOmie offered to continue the long-term efforts, working with the NPS to care for the highway in the future, but he was not comfortable recommending to the Commission that WYDOT assume full responsibility for the Beartooth.

Mr. Wenk asked that, if the Department is not able to take on the entire highway, that it consider taking responsibility for certain sections of the roadway, with a specific timetable for assuming responsibility of the entire roadway when the remaining reconstruction can be finalized.

Chairman Ertman asked the Commission for input about what action it may want to take on the issue. Commissioner Anderson suggested that the Commission take the information under advisement, and that no formal action be taken on the matter. The commissioners unanimously agreed with Commissioner Anderson's suggestion.

Chairman Ertman thanked Messrs. Wenk and Iobst for their efforts, and advised that the Commission will consider the matter.

Mr. McOmie invited the Commissioners to attend the next Beartooth Highway Coalition meeting, to be held in mid-September, so that they can become more familiar the situation and how it impacts the various entities.

Messrs. Prevost, Wenk, and Iobst left the meeting.

Salt/Sand Storage Life Cycle Cost Study: A copy of the "Salt/Sand Storage Facilities Life Cycle Costs Study Executive Summary" was provided to the Commission. The study was conducted by AVI, Inc., an engineering consultant, and it attempts to address several components of salt/sand storage, including:

- Review of life-cycle costs that are currently being provided by the five WYDOT districts for fabric and concrete structures, and asphalt pad/ponds.
- Develop recommendations for life-cycle costs for fabric and concrete structures and asphalt pad/ponds to be used by WYDOT statewide.
- Review life-cycle costs developed for similar structures constructed by Colorado, Utah, Idaho, Montana, South Dakota, and Nebraska. Summarize current specifications and approved building types for these states.
- Identify any special qualifying factors that may impact life cycle costs such as location, inflation, construction material price fluctuations, and identify any bidding trends, such as rural versus urban locations, time of year, bundling of projects, etc.
- Review specifications, stipulations, and warranties of building projects and identify changes that may reduce the cost of building construction.

The study revealed life-cycle costs for concrete/steel, fabric, and pad/pond-type buildings, and it made recommendations for life-cycle costs for each type of facility.



The study polled the surrounding states for construction and life-cycle cost data. Some construction costs were available, but life-cycle costs were not. Other states did not have a standardized building type of selection process. The type of building selected was merely a preference from state to state.

Mr. McOmie advised that one type of salt/sand storage structure may not be a one-size-fits-all solution for various sites statewide, and that sites should be evaluated on a case-by-case basis for the best suited structure based on weather patterns, manpower, how much salt/sand will be stored, and building usage for the specific location.

Commissioner Anderson asked how many more buildings must be built before the project is complete. Mr. McOmie advised that about 80 percent of Wyoming's salt/sand structures have been built, and that he anticipates the remaining buildings should be complete sometime in FY 2015.

The Commission agreed that each remaining site should be evaluated on a case-by-case basis to determine the most economic and best fit for each location.

Mr. McOmie indicated that he will talk with the district staff about specific needs. Additional salt/sand buildings are expected to be bid in March or April 2014.

Associated General Contractors (AGC)/Alliant Build America Grand Award: The AGC recently awarded Oftedal Construction Company with the 2014 Alliant Build America Award, in the Highway and Transportation Renovation category, for its work on the Togwotee Pass project in Fremont County. The award will be formally presented to the contractor's representatives at the AGC of America's 95<sup>th</sup> annual convention to be held in Las Vegas, Nevada, on March 5, 2014. Mr. McOmie offered public congratulations to Oftedal Construction for its exceptional work on the project.

After learning of the award, Mr. McOmie was approached by Oftedal Construction about the possibility of sending a WYDOT employee or two who worked on the Togwotee Pass project to Las Vegas to participate in accepting the award. Chairman Ertman indicated it would be difficult to pick one or two individuals for such a trip, as there were hundreds of employees who played a role in building the project from start to finish, but he agreed it was a good idea to do so.

Design Standards Revisions: WYDOT's design standards revisions are complete. A Commission education session will be held following the February 20, 2014, Commission meeting to brief the commissioners about the changes that were made to the Design Standards.

7. Mr. Spear presented the Engineering and Planning report, beginning with the bid tabulations from the letting held January 9, 2014, in Sheridan.

**COMMISSION DISTRICTS 2 and 3**

**K. John Dooley - Commissioner**

**Todd Seeton - Commissioner**

Federal projects NHPPI-RF-B143015 and STP-RF-B143016 combined, involving right-of-way fence removal and replacement, and miscellaneous work at various locations in Transportation District 3, in Sweetwater and Uinta counties.

|  |                            |
|--|----------------------------|
| Engineer's Estimate                    | \$455,518.00               |
| <b>M Construction, Springville, UT</b> | <b>\$398,873.00 -12.4%</b> |

It was recommended by Mr. Spear, moved by Commissioner Dooley, seconded by Commissioner Seeton, and carried that M Construction, Springville, Utah, 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**

**Todd Seeton - Commissioner**

State project IRP-CN12061, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, and miscellaneous work on 8.00 miles of County Road 340, beginning at reference marker (RM) 0.00 on Shute Creek Road, in Lincoln County.

|   |                              |
|---|------------------------------|
| Engineer's Estimate                             | \$3,132,285.00               |
| <b>Lewis &amp; Lewis Inc., Rock Springs, WY</b> | <b>\$2,582,283.75 -17.6%</b> |
| DePatco, Inc., St. Anthony, ID                  | \$2,786,319.00               |
| Plus 5% for Comparison                          | \$2,925,634.95               |
| LeGrand Johnson Construction Co., Logan, UT     | \$3,020,992.00               |
| Plus 5% for Comparison                          | \$3,172,041.60               |
| HK Contractors, Inc., Idaho Falls, ID           | \$3,096,788.50               |
| Plus 5% for Comparison                          | \$3,223,277.93               |
| Gale Lim Holdings, Inc., Blackfoot, ID          | \$3,199,866.75               |
| Plus 5% for Comparison                          | \$3,359,860.09               |

It was recommended by Mr. Spear, moved by Vice Chairman McCormack, seconded by Commissioner Ruwart, and carried that Lewis & Lewis Inc., Rock Springs, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal projects NHPP-GM-B143013 and STP-GM-B143014 combined, involving rock-fall mesh installation and repair at various locations in Transportation District 3, in Lincoln and Teton counties.

|  |           |                   |               |
|--|-----------|-------------------|---------------|
| Engineer's Estimate  | \$        | 964,862.00        |               |
| <b>TK Mining Service, LLC and Affiliates, Grand Junction, CO</b>         | <b>\$</b> | <b>817,091.24</b> | <b>-15.3%</b> |
| Rock Supremacy, LLC, Bend, OR  | \$        | 865,316.00        |               |
| Fisher Sand & Gravel Co. and Subsidiary and Affiliates,<br>Dickinson, ND | \$        | 994,600.00        |               |
| Hinckley James, Inc., Cowley, WY   |           | \$1,209,843.00    |               |
| Midwest Rockfall, Inc., Henderson, CO                                    |           | \$1,223,024.50    |               |
| Ralph L. Wadsworth Construction Company, LLC                             |           | \$1,326,245.41    |               |
| HI-TECH Rockfall Construction, Inc., Forest Grove, OR                    |           | \$1,383,495.00    |               |

It was recommended by Mr. Spear, moved by Commissioner Seeton, seconded by Commissioner Anderson, and carried that TK Mining Service, LLC and Affiliates, Grand Junction, Colorado, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project STP-B149036, involving wetland mitigation and miscellaneous work at two locations in Transportation District 3, in Sublette County.

|  |  |                     |              |
|--|--|---------------------|--------------|
| Engineer's Estimate                                    |  | \$235,252.50        |              |
| <b>Pab Good Trucking, LLC, Greybull, WY</b>            |  | <b>\$254,746.50</b> | <b>+8.3%</b> |
| Teletractors, Inc., Pinedale, WY                       |  | \$261,070.00        |              |
| Kilroy, LLC, Afton, WY                                 |  | \$273,770.00        |              |
| R.S. Bennett Construction Company, Inc., Big Piney, WY |  | \$284,442.50        |              |
| Gale Lim Holdings, Inc., Blackfoot, ID                 |  | \$335,377.50        |              |
| Oftedal Construction, Inc., Casper, WY                 |  | \$373,000.00        |              |
| Habitat Construction, LLC, Rocky Ford, CO              |  | \$408,713.78        |              |

It was recommended by Mr. Spear, moved by Commissioner Seeton, seconded by Commissioner Dooley, and carried that Pab Good Trucking, LLC, Greybull, 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 4**  
**Milt Coulter - Commissioner**

Federal projects BRU-4405003, STPU-E-4405004, and ARSCT-4405003 combined, involving grading, draining, placing crushed base and bituminous pavement surfacing, concrete pavement, retaining wall, curb and gutter, sidewalk, steel bridge, water systems, sanitary sewer system, roadway lighting, signing, and miscellaneous work on 0.38 mile of Lewis Street, in the city of Sheridan, in Sheridan County.

|  |                       |               |
|--|-----------------------|---------------|
| Engineer's Estimate                              | \$4,162,187.20        |               |
| <b>Reiman Corp. and Subsidiary, Cheyenne, WY</b> | <b>\$4,932,874.61</b> | <b>+18.5%</b> |
| S & S Builders, LLC, Gillette, WY                | \$5,795,295.13        |               |
| COP Wyoming LLC, Sheridan, WY                    | \$6,445,248.80        |               |

It was recommended by Mr. Spear, moved by Commissioner Anderson, seconded by Commissioner Ruwart, and carried that Reiman Corp. and Subsidiary, 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 written receipt of concurrence from the City of Sheridan, and receipt of the signed cooperative agreement from Sheridan County for its participation in the project. The Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICTS 4 and 6**

**Milt Coulter - Commissioner**

**Ted Ertman - Chairman**

Federal project NHPPI-GM-B144035, involving the installation of cable median barrier and miscellaneous work at various locations in Transportation District 4, including Campbell, Crook, Johnson, and Sheridan counties.

|  |                     |              |
|--|---------------------|--------------|
| Engineer's Estimate                    | \$527,640.00        |              |
| <b>M Construction, Springville, UT</b> | <b>\$499,995.00</b> | <b>-5.2%</b> |
| Casper Electric, Inc., Casper, WY      | \$551,755.00        |              |
| K's Construction, Inc., Otto, WY       | \$656,030.00        |              |
| HL Construction, Inc., Billings, MT    | \$738,851.00        |              |

It was recommended by Mr. Spear, moved by Vice Chairman McCormack, seconded by Commissioner Dooley, and carried that M Construction, Springville, Utah, 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**

State project SCP-TC-N451006, involving milling plant mix, bituminous pavement surfacing, plant mix wearing course, signing, fencing, and miscellaneous work on 10.13 miles of US 18, beginning at RM 0.034 between Mule Creek Junction and the South Dakota state line, in Niobrara County.

|   |                       |               |
|---|-----------------------|---------------|
| Engineer's Estimate                                       | \$3,738,157.25        |               |
| <b>McGarvin-Moberly Construction Company, Worland, WY</b> | <b>\$3,299,714.10</b> | <b>-11.7%</b> |
| Simon Contractors and its Subsidiaries, Cheyenne, WY      | \$3,546,820.00        |               |
| Knife River, Casper, WY                                   | \$3,621,841.06        |               |
| Border States Paving, Inc., Fargo, ND                     | \$3,791,318.90        |               |
| Plus 5% for Comparison                                    | \$3,980,884.85        |               |
| Intermountain Construction & Materials, Gillette, WY      | \$3,986,548.08        |               |

It was recommended by Mr. Spear, moved by Commissioner Ruwart, seconded by Commissioner Anderson, and carried that McGarvin-Moberly Construction Company, Worland, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

8. First-Quarter State Transportation Improvement Program (STIP) Addendum: Mr. Spear presented the first-quarter addendum to the 2014 STIP.

It was recommended by Mr. Spear, moved by Vice Chairman McCormack, seconded by Commissioner Anderson, and carried to approve the first-quarter addendum to the STIP project list.

9. Colonel Butler presented the Highway Patrol report.

The Fatal Crash Summary through December 31, 2013, includes 75<sup>1</sup> fatal crashes involving 87<sup>1</sup> deaths, of whom 63 were Wyoming residents and 24 were non-residents. The fatalities include 42 rollover crashes, 29 multi-car crashes, 2 fixed objects, 10 motorcycles and all-terrain vehicles, and 4 pedestrians. Of the 75 crashes that occurred so far this year, 22<sup>2</sup> involved commercial vehicles.

There have been 28<sup>3</sup> crashes to date deemed alcohol related, resulting in 33<sup>3</sup> deaths. Of those deaths, 31<sup>3</sup> were attributed to not using occupant restraints.

Of the 87 deaths that have occurred to date this year, 43 can be attributed to the non-use of occupant restraints, with 35 involving rollover crashes, and 8 involving multi-car collisions. Of the 43 deaths that occurred from non-use of occupant restraints, 35 were Wyoming residents, and 8 were non-residents. Twenty of those who perished were under 20 years of age, and 11 of those fatalities were attributed to the failure to use proper occupant restraints.

---

<sup>1</sup>Final numbers will be determined through January 30, 2014.

<sup>2</sup>Number not included in total deaths (sub-crash data).

<sup>3</sup>Not all chemical test results were available at the time of the report.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through November 30, 2013. The summary depicts 5,746 crashes statewide, of which 4,775 involved non-commercial vehicles, and 971 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of December 31, 2013, have been DUI related. There have been 1,143 field arrests made so far this year, including:

- DUI arrests from crashes – 91
- DUI arrests from traffic stops – 378
- DUI arrests from the REDDI Program – 122
- DUI arrests from ports-of-entry – 5
- NCIC hits (person) – 43
- Wyoming warrants hits – 178
- Drug arrests – 188
- Other arrests – 138

Colonel Butler advised that traffic fatalities in 2013 were the lowest since 1945. Commercial vehicle crashes were also down by 10 percent. Drug arrests, including marijuana misdemeanor arrests, rose in 2013 compared to the previous two years.

Colonel Butler believes that fewer deaths in 2013 can be attributed to the exemplary law enforcement efforts by the Wyoming Highway Patrol and the endeavors of many other WYDOT personnel who work hard throughout the year to keep Wyoming highways safe.

10. Mr. Byrne presented the Aeronautics report, including the December 2013 Aeronautics Flight Operations Passenger Summary Report.

Mr. Byrne advised that Sheri Taylor has been hired as the new Air Service Enhancement Program Manager, and Tory Meisel has been hired as the new Chief Pilot and Flight Operations Manager for the Aeronautics Division.

11. Mr. Loftin presented the Support Services report.

Commercial Drivers License (CDL) Changes: Mr. Loftin explained the most recent changes to the CDL medical requirements to the Commission. The Federal Motor Carrier Act requires states to monitor CDL medical examinations. Drivers are required to have an active medical card when applying for a new, or when renewing a CDL. A medical card is valid for only two years, but a CDL is valid for four years.

For the past several years, WYDOT has sent letters to CDL holders 60 days before the two-year proof-of-medical compliance expiration date, and a 30-day follow-up letter was also sent if the

driver did not respond to the initial request. If the CDL holder does not comply with the request, the driver loses all CDL privileges.

Effective February 1, 2014, WYDOT will wait until the proof-of-medical expiration date to send the 30-day reminder, and the 30 days will act as a grace period for drivers to submit the necessary proof-of-medical examination documentation. The grace period does not extend the proof-of-medical expiration date, it merely allows more time for providing the necessary documentation if the individual isn't able to deliver the paperwork to WYDOT by the expiration date.

Mr. Loftin recently met with the Wyoming Trucking Association to discuss the change. WTA representatives advised that they will disseminate the information to their members.

12. Mr. Shultz presented the Operations report.

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

- Bid number 14-047 to furnish 888 each, galvanized wire fencing, for delivery in Basin, Casper, Laramie, Moorcroft, Newcastle, Sundance, and Wright. The bid was awarded to Shivley Hardware Co., of Saratoga, Wyoming, for the sum of \$74,874.40.
- Bid number 14-050 to furnish 24,635 each, steel delineator posts, for delivery in Afton, Basin, Buffalo, Casper, Gillette, Granger, Lander, Laramie, Newcastle, Sundance, and Thermopolis. The bid was awarded to Geotec Industrial Supply of Mills, Wyoming, for the sum of \$222,191.10.
- Bid number 14-064 to furnish 14,040 each, rough lumber for snow fence repair and construction. The bid was awarded to Buckingham Lumber, Inc., of Buffalo, Wyoming, for the sum of \$66,403.20.
- Bid number 14-070 to furnish 10,237 each, treated sign and fence posts, for delivery in Buffalo, Casper, Gillette, Granger, Laramie, Moorcroft, Reno Junction, and Sheridan. The bid was awarded to Tumbleweed Express, of Laramie, Wyoming, for the sum of \$8,472.50; Ayers & Baker Pole & Post, Inc., of Mountain View, Wyoming, for the sum of \$62,554.60; and Forest Products Dist., Inc., of Rapid City, South Dakota, for the sum of \$1,920.00; for a total sum of \$72,947.10.
- Bid number 14-079 to furnish 13 each, new, 12-foot, power reverse, parallel lift snow plows, for delivery in Cheyenne. The bid was awarded to Jack's Truck & Equipment, of Gillette, Wyoming, for the sum of \$113,984.00.
- Bid number 14-106 to furnish cable rail repair and associated work, statewide. The bid was awarded to Generation X, of Sheridan, Wyoming, for the sum of \$271,830.00.

It was recommended by Mr. Shultz, moved by Commissioner Anderson, seconded by Commissioner Seeton, and carried to approve purchase for bid number 14-048 to furnish 91,950 each, delineator buttons, for delivery in Basin, Buffalo, Casper, Gillette, Granger, Hulett,

Laramie, Moorcroft, Newcastle, and Sheridan. The bid was awarded to Geotec Industrial Supply, Mills, Wyoming, for the sum of \$65,841.50.

It was recommended by Mr. Shultz, moved by Commissioner Ruwart, seconded by Commissioner Dooley, and carried to approve purchase for bid number 14-078 to furnish eight each, new 12-foot, tapered moldboard, parallel lift snow plows, for delivery in Cheyenne. The bid was awarded to Ameri-Tech Equipment Co., of Evansville, Wyoming, for the sum of \$78,224.00.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ruwart, and carried to approve purchase for bid number 14-081 to furnish seven each, new, 12-foot, Alaska Expressway parallel lift snow plows, for delivery in Cheyenne. The bid was awarded to Ameri-Tech Equipment Co., of Evansville, Wyoming, for the sum of \$68,439.00.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Anderson, and carried to approve purchase for bid number 14-085 to furnish one each, new, truck-mounted rotary snow blower, for delivery in Laramie. The bid was awarded to Power Equipment Co., of Casper, Wyoming, for the sum of \$570,457.00.

It was recommended by Mr. Shultz, moved by Vice Chairman McCormack, seconded by Commissioner Seeton, and carried to approve purchase for Requisition Number 0000033028 to furnish an automatic vehicle location device, for use by the Maintenance Program. The contract was awarded to Precise MRM, LLC, of Burnsville, Minnesota, for the sum of \$93,367.00.

14. It was moved by Commissioner Dooley, seconded by Vice Chairman McCormack, and carried to adjourn the meeting. Chairman Ertman adjourned the meeting at 11:45 a.m., on Thursday, January 16, 2014.