

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on June 19, 2014. The meeting was convened at 9:03 a.m. by Chairman McCormack. The following members were present constituting a quorum:

Bruce McCormack, Chairman, Cody  
Clair Anderson, Vice Chairman, Riverton  
Ted Ertman, Commissioner, Newcastle  
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: 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 John Butler, Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Doug Moench, Senior Assistant Attorney General; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Don Edington, Driver Services Program Manager; Debbie Trojovsky, Driver Services Program Supervisor; Tim Millikin, Chairman, Platte County Commission; and Scott Cowley, Platte County Engineer.

1. Pledge of Allegiance: Chairman McCormack led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Vice Chairman Anderson, seconded by Commissioner Ruwart, and carried to approve the minutes from the May 15, 2014, breakfast meeting and regular business meeting.
3. Correspondence: Secretary Scott presented a resolution from the Wyoming Trucking Association (WTA) commending the Transportation Commission, Director John Cox, and Colonel John Butler for their participation in the 2014 WTA convention. The resolution was signed by WTA President Dale Livermore. A copy of the resolution was also sent to Governor Matt Mead.
4. Director Cox presented the Director's report.

WYDOT Internal Reorganization: Director Cox advised that, effective immediately, the Budget Program has been reassigned to the Operations Division, and the Management Services Program will report to the Director.

Federal Funding Update: The U.S. Senate Committee on Environment and Public Works (EPW) has been working to draft a bill to fund surface transportation. Wyoming Senator John Barrasso has been intimately involved in the process, and Director Cox is hopeful that a bill will be finalized soon. Funding the bill will be the ultimate challenge.

Based on current inflows and expenditures to the Highway Trust Fund (HTF), the fund will be depleted in August, which will lead to measures by the FHWA to manage cash flow. This will likely take the form of delayed reimbursements to the states on projects. If Congress does not pass a bill to continue funding at the current level, Wyoming is well poised to continue making contractor payments through its statutory borrowing authority.

FY 2015 Supplemental Budget Request: Governor Matt Mead has provided strict parameters for agencies making FY 2015 supplemental budget requests. Agencies have been asked to limit their requests to emergency-type projects that are unexpected or critical.

WYDOT plans to ask for additional funding for Air Service Enhancements, WYOLINK, and a specific General Funding appropriation for some highway infrastructure work, such as passing lanes.

Commissioner Dooley entered the meeting.

Director Cox indicated that, in the absence of a Budget Officer, the Budget report will be presented by Mr. Loftin under the Support Services report later in the meeting.

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

Commission Road Improvement Program (CRIP) Funding Request, Glendo State Park Road: Mr. Scott Cowley, Platte County Engineer, presented information about the CRIP funding request, including a preliminary estimate for the project, a map of the road, photos, and a proposed schedule for the work.

Mr. Cowley reported that Platte County has a very low budget for annual road maintenance repairs, and it has exhausted virtually all other means to gain funding for the Glendo Park Road. Platte County offered to provide a 15 percent soft match for the CRIP funds.

Commissioner Ertman asked if Platte County would consider taking on a similar section of state highway in return for funding the CRIP project. The county is hesitant to take on the responsibility of another road in exchange for funding the improvements on the Glendo State Park Road because the county does not foresee having the necessary future funding to maintain its current county-wide infrastructure. Platte County already has its anticipated funding obligated for other projects next year. Mr. Millikin advised that if Glendo State Park Road was a typical county road, it would likely be rotomilled and turned back into gravel, because of the funding

shortage. The road is heavily utilized by up to 20,000 vehicles per weekend on some weekends during the summer months, and it is the only access to the east side of the park. The county applied for a Federal Land Access Program (FLAP) grant last year through the WYDOT Local Government Program, but the grant request was denied because the road didn't require access to enough federal property to warrant approval. According to Mr. Millikin, Platte County has \$16 million in necessary road repairs and reconstruction with about \$800,000 to work with annually.

Commissioner Ertman noted that CRIP funding must be administered in accordance with strict federal guidelines, and he asked Mr. Millikin who would handle the administration of the federal contract. Mr. Cowley indicated that the Platte County Engineer would be responsible for filing the necessary federal paperwork and following federal guidelines. Mr. Millikin indicated that Platte County has a certified grant administrator on staff that is familiar with federal grant requirements.

Chairman McCormack asked Mr. McOmie to explain any concerns that he may have with granting the requested CRIP funding. Mr. McOmie provided a copy of WYDOT Operating Policy 2-1, Commission Road Improvement Program. The Glendo Park Road meets the criteria of Operating Policy 2-1, but Mr. McOmie has concerns about the county administering the contract. The Department has permitted other entities to administer federally funded contracts before, but, without exception, those projects became problematic. WYDOT has had to take over and complete some of those projects. Mr. Fleenor noted that there may be historical and environmental clearances that must be met with the project, which requires significant federal reporting.

Mr. McOmie indicated that WYDOT does not currently have specific CRIP funds available, and some planning will have to be done to work the project into the STIP if the Commission approves the county's funding request. Some work will need to be done internally, as well as some work with the county, to resolve "soft match," a potential road exchange, funding, and preliminary planning before the Commission can make an educated decision about the project. Mr. McOmie offered to meet with the county officials to work through the unresolved issues before the July Commission meeting.

It was recommended by Mr. McOmie, moved by Commissioner Ruwart, seconded by Commissioner Coulter, and carried to table the request for CRIP funding for the Glendo State Park Road.

Messrs. Millikin and Cowley left the meeting.

Implementation of the 80 Mile-Per-Hour Speed Limit: The 2014 Wyoming State Legislature passed a bill that allows for an 80 mile per hour speed limit on Wyoming's interstate highways in areas where it is safe to do so. The bill is effective July 1, 2014. WYDOT's Traffic Program has conducted a study to determine the areas where the increased speed limit has been deemed safe. The study determined that of the 914 miles of Wyoming interstate highways, the Department will

increase the speed limit to 80 miles per hour on 489.03 miles of roadway. Another 60 miles of roadway are being studied for a speed limit increase in the future.

A handout was provided depicting the criteria that was followed in determining the areas that can safely warrant an 80 mile per hour speed limit. Some of the criteria include crash rates, traffic counts and truck volume, urban or rural areas, highway accesses, terrain, variable speed limit locations, citations per mile, geometric deficiencies, friction surface of roadway and the pavement index, crash factors (i.e., wildlife, nighttime, and weather-related crashes), mixed vehicle crashes (semi truck versus automobile crashes), and the current actual speeds being driven on those road sections.

Chairman McCormack asked the WYDOT Public Affairs Program to provide a press release and to utilize other forms of media to make the public aware of the increased speed limit. Mr. McOmie stressed the importance of publicizing that the change applies to only certain areas of interstate highways.

Colonel Butler advised that the Wyoming Highway Patrol has worked hard to enforce speed limits in an effort to prevent fatalities. The consensus among the general public is that drivers are allowed four to five miles per hour over the speed limit before being cited for speeding. Colonel Butler stressed that this perception is not correct, and that the Highway Patrol will practice a zero tolerance of this perceived rule, particularly when the 80 mile per hour speed limit goes into effect on July 1, 2014. The Department anticipates receiving many complaints from the public about the strict enforcement. Safety is of utmost concern to the Highway Patrol, and the agency plans to take a strong stance on the matter.

6. Mr. Fredrick presented the Engineering and Planning report, beginning with the bid tabulations from the letting held June 12, 2014, in Laramie.

**COMMISSION DISTRICT 1**  
**Bob Ruwart - Commissioner**

State project RHQ-SL12-B111095, involving grading, placing crushed base and bituminous pavement surfacing, concrete pavement, curb and gutter, and miscellaneous work on Southwest Drive in the city of Cheyenne, in Laramie County.

Engineer's Estimate	\$161,852.50
<b>Knife River, Casper, WY</b>	<b>\$183,286.30 +13.2%</b>
S & S Builders, LLC, Gillette, WY	\$192,497.65
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$216,406.45
Reiman Corp. and Subsidiary, Cheyenne, WY	\$229,130.50

It was recommended by Mr. Fredrick, moved by Commissioner Ruwart, seconded by Commissioner Dooley, and carried that **Knife River, Casper, 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 1 and 2**

**Bob Ruwart - Commissioner**

**K. John Dooley - Commissioner**

Federal project HSIP-B131105 involving grading, installation of dynamic message signs, guardrail, and miscellaneous work at various locations in Transportation District 1, including Albany, Carbon, and Laramie counties.

Engineer's Estimate	\$2,289,069.25	
<b>Custom Lighting Services, LLC, West Jordan, UT</b>	<b>\$2,199,949.45</b>	<b>-3.9%</b>
Cache Valley Electric Company and subsidiaries, Salt Lake City, UT	\$2,321,151.33	
Advanced Electrical Contracting, Inc., Sheridan, WY	\$2,469,619.00	
Casper Electric, Inc., Casper, WY	\$2,524,780.50	
Modern Electric Co. and its Subsidiary, Casper, WY	\$2,685,271.00	

It was recommended by Mr. Fredrick, moved by Commissioner Dooley, seconded by Commissioner Ruwart, and carried that **Custom Lighting Services, LLC, West Jordan, 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 DISTRICTS 1, 6, and 7**

**Bob Ruwart - Commissioner**

**Ted Ertman - Commissioner**

**Clair Anderson - Vice Chairman**

Federal projects HSIP-SEP-B142029, HSIP-SEP-N854073, and HSIP-SEP-N853090 combined, involving grading, draining, removal and replacement of guardrail, and miscellaneous work at various locations in Transportation District 2, including Converse, Goshen, and Niobrara counties.

Engineer's Estimate	\$1,225,365.75	
<b>Oftedal Construction, Inc., Casper, WY</b>	<b>\$1,469,826.41</b>	<b>+20.0%</b>
S & L Industrial, Cowley, WY	\$1,558,403.75	
Wilson Bros. Construction, Inc., Cowley, WY	\$1,736,494.33	

It was recommended by Mr. Fredrick, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried that **Oftedal Construction, Inc., 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  
Todd Seeton - Commissioner**

Federal project STP-BROS-0C23039, involving grading, draining, bridge replacement, and miscellaneous work, beginning at reference marker (RM) 1.00 at the bridge over the Green River (Wood Wardell Road/CN 23-179), in Sublette County.

Engineer's Estimate	\$1,383,458.50
<b>Gerber Construction, Inc. and subsidiary, Lehi, UT</b>	<b>\$1,779,376.20 +28.6%</b>
Reiman Corp. and Subsidiary, Cheyenne, WY	\$2,243,739.00

It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Dooley, and carried that **Gerber Construction, Inc. and subsidiary, Lehi, 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 5  
Bruce McCormack - Chairman**

Federal project NHPP-N311075, involving grading, draining, milling plant mix, placing crushed base and bituminous pavement surfacing, chip seal, sidewalk, curb and gutter, cattle guards, signing, fencing, and miscellaneous work on 4.26 miles of US 14/16/20, beginning at RM 27.72, between Yellowstone and Cody (Wapiti West Section), in Park County.

Engineer's Estimate	\$ 8,376,145.15
<b>Riverside Contracting, Inc., Missoula, MT</b>	<b>\$ 9,644,646.00 +15.1%</b>
H-K Contractors, Inc., Idaho Falls, ID	\$10,317,819.88
Oftedal Construction, Inc., Casper, WY	\$10,352,950.72

It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Coulter, and carried that **Riverside Contracting, Inc., Missoula, 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.

State project SCP-SL14-2200016, involving grading, draining, removal and replacement of box culverts, placing crushed base and bituminous pavement surfacing, and miscellaneous work on WYO 431, at RM 3.40, on the Lower Gooseberry Road, in Washakie County.

Engineer's Estimate	\$167,044.00
<b>Wilson Bros. Construction, Inc., Cowley, WY</b>	<b>\$232,310.00 +39.1%</b>
S & L Industrial, Cowley, WY	\$250,250.00

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

Mr. Hans Hehr, Procurement Services Program Manager, and Katie Pfister, Administrative Assistant for the Procurement Services Program, entered the meeting.

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

### **COMMISSION DISTRICT 3**

#### Rural Interstate

NHPPI-BR 0.00 B163001; Uinta County; I-80 bridges; various locations; bridge rehabilitation; FY 2016; request federal preliminary engineering funds of \$82,500; estimated construction engineering and construction cost of \$1,200,375

#### Rural Minor Arterial

STP-BR 5.40 2000054; Teton County; Wilson to Idaho state line; Fish Creek Structure CEA; RM 5.40; structure work; FY 2014; request federal preliminary engineering funds of \$20,000; request federal construction engineering and construction funds of \$220,000

#### Rural Local

ARSCT 0.00 PEG3A12; Sweetwater County; Wamsutter; purchase stockpile material; FY 2014; request preliminary engineering funds of \$100; request construction engineering and construction funds of \$2,900; to be reimbursed by the Town of Wamsutter

#### Urban Local

ARSCT 0.00 PEG3A13; Uinta County; Evanston; purchase stockpile material; FY 2014; request preliminary engineering funds of \$1,000; request construction engineering and construction funds of \$34,000; to be reimbursed by the City of Evanston

### **COMMISSION DISTRICT 6**

#### Rural Interstate

NHPPI 188.99 I904139; Crook County; Sundance Port-of-Entry; RM 188.99; port-of-entry upgrade; FY 2015; request federal preliminary engineering funds of \$180,000; estimated construction engineering and construction costs are \$3,981,084

8. Resolution for Abandonment, Shirley Basin to WYO 487: Mr. Fredrick presented a resolution for abandonment for the Shirley Basin to WYO 487 Road in Carbon County. The property is about 0.11 acre, it has very little market value, and it is no longer needed for highway right-of-way purposes. The parcel was offered to the local government, but the government entity declined the offer.

It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Ruwart, and carried to approve the following resolution for abandonment of the following described property.

### **RESOLUTION FOR ABANDONMENT**

**WHEREAS**, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of state highways upon reconstruction or relocation of an existing state highway; and

**WHEREAS**, a portion of Wyoming Department of Transportation's right-of-way for Shirley Basin-WYO 487, Carbon County, Wyoming, established under Project Number 0409(2) is no longer needed for state highway or public use purposes. Said portion being described as follows:

A parcel of land located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11, T28N, R80W of the 6th P.M., Wyoming, being a portion of those lands described in that certain warranty deed recorded November 17, 1970, in Book 553, Page 252, No. 496224 of the Carbon County Records and described as follows:

Commencing at the northwest corner of said Section 11 from which the west quarter corner thereof bears S. 0°00'30" E. a distance of 2629.35 feet;

thence S. 0°00'30" E. along the west boundary of the NW $\frac{1}{4}$  of said Section 11 a distance of 547.80 feet to a point on the northerly right-of-way boundary as described in said warranty deed;

thence S. 89°01'30" E. along said northerly right-of-way boundary a distance of 541.51 feet to the point of intersection with the northerly right-of-way boundary as described as Parcel No. 3 in that certain warranty deed recorded August 27, 1981, in Book 739, Page 32, No. 684669 of the Carbon County Records, said point being the true point of beginning;

thence continuing S. 89°01'30" E. a distance of 299.78 feet along said northerly right-of-way boundary as described in Book 553, Page 252 to a point on the radial line of a curve;

thence S. 0° 58' 30" W. a distance of 25.00 feet along said radial line to a point on said northerly right-of-way boundary as described in Book 739, Page 32, said point also being the beginning of said curve, which is a non-tangent curve with a line tangent bearing N.89°01'30.0"W, concave northerly and having a radius of 1809.86 feet;



thence westerly along said northerly right-of-way boundary as described in Book 739 Page 32 and said curve through a central angle of 9° 32' 03.6" a distance of 301.17 feet to the point of beginning.

The basis of bearing is the west boundary of the NW<sup>1</sup>/<sub>4</sub> of said Section 11, it being S.0°00'30" E.

The above described parcel of land contains 0.11 of an acre, more or less.

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

9. Resolution for Abandonment, Shawnee to US 18/20 Road: Mr. Fredrick presented a resolution for abandonment for the Shawnee to US 18/20 Road in Converse County. The property is about .23 acre, it has very little market value, and it is no longer needed for highway right-of-way purposes. The parcel was offered to the local government, but the government entity declined the offer.

It was recommended by Mr. Fredrick, moved by Commissioner Seeton, seconded by Commissioner Coulter, and carried to approve the following resolution for the abandonment of the following described property.

### **RESOLUTION FOR ABANDONMENT**

**WHEREAS**, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of state highways upon reconstruction or relocation of an existing state highway; and

**WHEREAS**, a portion of Wyoming Department of Transportation's right-of-way for Shawnee-US18/20, Converse County, Wyoming, established under Project Number F-040-1(1) is no longer needed for state highway or public use purposes. Said portion being described as follows:

All those portions of Lots 1, 2, 48, and 49 of Block 4, Walnut and Cedar Streets and the alley of Block 4 according to the Town of Shawnee plat filed November 29, 1918, in the Converse County Records, Wyoming, lying northwesterly of a parallel line 50 feet to the right or southeasterly side of the following described survey line of highway:

Beginning at Station 75+09.8 P.T. according to State Highway Department Project F.A.P. 48 Sec. B Plans from which station the southwest corner of Section 15, T32N, R68W, of the 6th P.M., bears S 6°53' W a distance of 3022.1 feet, said corner being monumented by a stone; thence N 60°46'E a distance of 440.2 feet to Station 79+50, the point of ending.

The above described parcel of land contains 0.23 of an acre, more or less.

The basis of bearing being the west boundary of said Section 15, it being S 0°03' E.

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

10. Mr. Shultz presented the Operations report.

Mr. Ben Striegel, of A&B Construction, Ltd., joined the meeting by telephone.

Mr. Shultz advised that A&B Construction submitted a bid for Bid Number 14-212, for the purchase of five fabric covered salt/sand storage buildings, to be constructed at WYDOT facilities in Afton, Alpine, Granger, Jackson, and Hoback Rim. The bid bond that was submitted by A&B Construction with its bid was a photocopy that appeared to be from another project; it had the project number marked out and the new project number written in, the bid bond amount was covered with whiteout and a new amount was written in blue ink to match their bid price, and the bid bond was not notarized. A&B Construction also did not provide the required proper power of attorney with its bid. A photocopied bid bond is not executable, so the bid was deemed irregular.

Mr. Striegel explained that his bid bond was prepared for the five salt/sand storage buildings in southwest Wyoming. The surety company wrote the bid bond to "Afton, Wyoming," rather than the Wyoming Department of Transportation. According to Mr. Striegel, A&B Construction did not have time to acquire a new bid bond before the bid opening, so he made the changes to the existing bond. Mr. Striegel mailed a letter to the Commission from Century Insurance, along with a signed, original power of attorney, on June 12, 2014. The letter indicated that a correct and executed bid bond was included with the transmittal, but no bid bond was enclosed.

Mr. Moench advised that the photocopied bid bond is not the type of document that WYDOT typically accepts in its bid packages, and that the Department has an obligation to uphold its standard specifications in its bid process.

Mr. Shultz noted that the second low bid for Bid Number 14-212 was deemed acceptable, but it was almost \$181,000 over the engineer's estimate.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried to reject all bids and to rebid bid number 14-212 to furnish five salt/sand storage buildings for District 3 in the near future.

Mr. Shultz briefed the Commission about Bid Number 14-248, to furnish five salt/sand storage buildings to be constructed at the WYDOT facilities in Baggs, Creston Junction, the Daley Interchange, Terry Ranch Road, and Walcott Junction. The lowest bid was submitted by A&B Construction, Ltd., whose bid bond was also insufficient for this project. The second low bid meets the bid specifications and requirements.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Seeton, to approve purchase for bid number 14-248 to furnish five salt/sand storage buildings to be constructed in Baggs, Creston Junction, the Daley Interchange, Terry Ranch Road, and Walcott Junction. The Commission discussed the similarity between Bid Numbers 14-248 and 14-212, which was rejected earlier in the meeting. The lowest bidder for each project provided an insufficient bid bond, and the second lowest bids were considerably more than each of the engineer's estimates. Chairman McCormack called for the vote. The motion unanimously failed.

It was moved by Commissioner Ertman, seconded by Commissioner Dooley, and carried to rebid Bid Number 14-248.

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

- Bid number 14-224 to construct a 30' x 40' pre-manufactured metal building on concrete walls at the WYDOT facility in Arvada, Wyoming. The bid was awarded to Rocky Mountain Erectors, LLC, of Mills, Wyoming, for the sum of \$155,000.00.
- Bid number 14-226 to construct a 30' x 40' pre-manufactured metal building on concrete walls at the WYDOT facility in Mule Creek Junction. The bid was awarded to Diamond Point Construction, Inc., of Buffalo, Wyoming, for the sum of \$184,150.00.
- Bid number 14-231 to furnish 13 each cylindrical containment basins for use in Afton, Farson, Kemmerer, LaBarge, Patrick Draw, and Pinedale. The bid was awarded to Contractors Supply, Inc., of Gillette, Wyoming, for the sum of \$66,677.00.
- Bid number 14-243 to furnish 161 each LED luminaire heads for use in Basin and Casper. The bid was awarded to WESCO, of Denver, Colorado, for the sum of \$57,408.60.
- Bid number 14-250 to furnish 1,290 each interlocking concrete blocks for use in Baggs, at the Daley Interchange, Terry Ranch Road, Creston Junction, and Walcott Junction. The bid was awarded to Osborne Concrete Services, of Laramie, Wyoming, for the sum of \$158,295.00.

11. Chairman McCormack recessed the meeting at 12:00 p.m., on Thursday, June 19, 2014. The Commission met with service award recipients for lunch.

12. Chairman McCormack reconvened the meeting at 2:00 p.m., on Thursday, June 19, 2014. Messrs. Fleenor, Moench, and Dailey did not return to the meeting.

13. Mr. Shultz continued his presentation of the Operations report.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Ruwart, and carried to approve purchase for bid number 14-199 to furnish a roof replacement for WYDOT Building Number 6101, the Materials Laboratory building, in Cheyenne. The bid was awarded to Gem City Roofing, LLC, of Laramie, Wyoming, for the sum of \$102,899.00.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ertman, and carried to approve purchase for bid number 14-217 to furnish and install a Co-Ray-Vac heating system at the WYDOT facility in Granger. The bid was awarded to KR Radiant, Inc., of Pine Bluffs, Wyoming, for the sum of \$72,045.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to approve purchase for bid number 14-219 to furnish 291,500 pounds of hot-poured elastic sealant, for use in Casper, Cheyenne, Elk Mountain, Laramie, and Moorcroft. The bid was awarded to Crafcoc, Inc., of Chandler, Arizona, for the sum of \$134,964.50.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Ruwart, and carried to approve purchase for bid number 14-225 to furnish construct a 40' x 60' pre-manufactured metal building on concrete walls at the WYDOT facility at the Powder River Interchange. The bid was awarded to O'Dell Construction, Inc., of Sheridan, Wyoming, for the sum of \$237,900.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to approve purchase for bid number 14-238 to furnish 130,000 gallons of aviation fuel, for delivery at the Aeronautics hangar in Cheyenne. The bid was awarded to Ascent Aviation, of Parish, New York, for the sum of \$424,320.00.

It was recommended by Mr. Shultz, moved by Vice Chairman Anderson, seconded by Commissioner Coulter, and carried to reject bid number 14-247 to construct a 30' x 40' salt/sand storage building, to be constructed at the Sweetwater Rest Area. The contract will be rebid in the future.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to reject bid number 14-252 to replace a water line and water tank at the Summit Rest Area. The contract will be rebid in the future.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Coulter, and carried to approve purchase for Requisition Number 0000034524 to furnish one each SAP Business Object Enterprise annual maintenance and support, for use by the

Information Technology Program in Cheyenne. The contract was awarded to SAP Public Services, Inc., of Newtown Square, Pennsylvania, for the sum of \$53,593.79.

It was recommended by Mr. Shultz, moved by Commissioner Dooley, seconded by Commissioner Ruwart, and carried to approve purchase for Requisition Number 0000034580 to furnish five each Hewlett Packard ProLiant DL380p Gen8 Servers, for use by the Information Technology Program in Cheyenne. The contract was awarded to Hewlett Packard, of Atlanta, Georgia, for the sum of \$68,230.60.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Coulter, and carried to approve purchase for Requisition Number 0000034648 for WYDOT's contribution to the Transportation Learning Network (TLN) for the period of October 1, 2013, through September 30, 2014. The contract was awarded to the North Dakota Department of Transportation, of Bismarck, North Dakota, for the sum of \$107,095.00.

It was recommended by Mr. Shultz, moved by Commissioner Ertman, seconded by Commissioner Seeton, and carried to approve purchase for Requisition Number PROC-14-001 to furnish unleaded gasoline and diesel fuel for pick-up at the joint fueling facility at Newcastle, on an as-needed basis. The contract was awarded to Weston County Road and Bridge, of Newcastle, Wyoming, for the sum of \$180,000.00.

It was recommended by Mr. Shultz, moved by Commissioner Seeton, seconded by Commissioner Dooley, and carried to approve purchase for Requisition Number PROC-14-002 to furnish unleaded gasoline and diesel fuel for pick-up at the joint fueling facility at Buffalo, on an as-needed basis. The contract was awarded to Joint Powers Fuel Facility, of Buffalo, Wyoming, for the sum of \$315,000.00.

It was recommended by Mr. Shultz, moved by Commissioner Coulter, seconded by Commissioner Ertman, and carried to approve purchase for bid number 14-242 to furnish 1,777,000 gallons of unleaded gasoline and 1,937,000 gallons of diesel fuel, for delivery at 54 WYDOT locations statewide. The contract was awarded to the following vendors for a total sum of \$11,965,768.60.

Brad Hall & Associates, of Buffalo, Wyoming	\$ 2,636,375.10
Ellenbecker Oil, Inc., of Cheyenne, Wyoming	\$ 1,970,687.50
Hutchinson Oil Co., Evanston, Wyoming	\$ 1,672,170.00
Bailey Oil Co., of Riverton, Wyoming	\$ 1,646,651.00
Murdoch Oil, Inc., of Greybull, Wyoming	\$ 1,380,530.00
Homax Oil Sales, Inc., of Casper, Wyoming	\$ 1,227,841.00
Sapp Brothers, Inc., of Cheyenne, Wyoming	\$ 673,967.60
Hansen Oil Co., of Afton, Wyoming	\$ 550,940.00
Perkins Oil Co., of Rawlins, Wyoming	\$ 206,606.40
	<u>\$11,965,768.60</u>

Ms. Pfister, and Messrs. McGee and Hehr left the meeting.

14. Colonel Butler presented the Highway Patrol report.

The Fatal Crash Summary through May 31, 2014, includes 44<sup>1</sup> fatal crashes involving 52<sup>1</sup> deaths. The fatalities include 21 rollover crashes, 23 multi-car crashes, 1 fixed object, 4 motorcycles and all-terrain vehicles, and 3 pedestrians. Of the 44 crashes that occurred so far this year, 13<sup>2</sup> involved commercial vehicles.

There have been 11<sup>3</sup> crashes to date deemed alcohol related, resulting in 11<sup>3</sup> deaths. Of those deaths, 6 were attributed to not using occupant restraints.

Of the 52 deaths that have occurred to date this year, 28 can be attributed to the non-use of occupant restraints, with 14 involving rollover crashes, 13 involving multi-car collisions, and 1 involving a fixed object. Of the 28 deaths that occurred from non-use of occupant restraints, 21 were Wyoming residents, and 7 were non-residents.

Six of those who perished were 20 years old or younger, and 3 of those fatalities were attributed to the failure to use proper occupant restraints.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects 2,743 crashes statewide, of which 2,085 involved non-commercial vehicles, and 658 involved commercial vehicles.

Colonel Butler noted that there were 17 fatalities in May 2014 compared to only 6 in May 2013. The Highway Patrol continues to work hard to prevent fatalities. Public service announcements are being conducted to remind people to wear their seatbelts and to drive safely.

15. Mr. Byrne presented the Aeronautics report.

Mr. Byrne provided copies of two reports to the Commission, *Wyoming Air Service Update* and *Pilot Shortage Briefing*.

The *Wyoming Air Service Update* provided detailed information about issues that are negatively impacting Wyoming's air service. There are four primary issues that are currently plaguing the state, including the lack of equipment, high fuel prices, shrinking capacity within the airline

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<sup>1</sup>One of the fatal crashes reported in May actually occurred in April, but was not reported to the WHP by the local authorities until mid-May. There were 17 fatalities in 14 crashes in May 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 reporting.

industry, and recent Federal Aviation Administration (FAA) regulatory changes. Of these issues, the most concerning to WYDOT is the regulatory changes.

One of the most recent regulatory changes includes an increase in the hours that are required for a first officer (pilot) to be able to fly under FAA Regulations, Part 121, which includes most of the commercial main line and regional carriers. The required minimum used to be 250 hours, but it is now 1,500 hours. Commercial airlines are experiencing a very difficult time in finding pilots with that level of experience.

The other regulatory change is increased rest requirements for pilots and crew members between shifts. This requirement alone requires an additional 3,600 to 6,000 pilots to maintain current flight schedules. These changes, compiled with the estimated 18,000 mandatory retirements for pilots over the next eight years within the mainline carriers, will devastate the entire airline industry. There are only 18,000 pilots flying with those carriers today. Mr. Byrne reported that small Wyoming communities will be severely impacted by these new requirements, and that the Department is doing everything it can to get some relief from the FAA. Wyoming's Congressional delegation is working hard to remedy the issue, not only for all commercial carriers but particularly for Wyoming.

Great Lakes Aviation has been flying under the Part 121 regulations, but has had to change its operations to fit FAA Regulations, Part 135, which has far less restrictions on its pilots. Part 135 does not permit as many enplanements, which reduces Great Lakes' ability to remain profitable, as some seats must be removed from Great Lakes' aircraft to meet FAA requirements. Great Lakes has requested through Wyoming's Congressional delegations that Great Lakes pilots be allowed to fly under Part 135, and continue to fly with 19 seats and fly 24 round trips per week in accordance with Part 121 requirements. The Wyoming Aeronautics Commission is drafting letters to the FAA, the U.S. Department of Transportation, and Wyoming's Congressional delegation to support Great Lakes' request. Mr. Byrne asked the Transportation Commission to draft similar letters to support the waiver. Chairman McCormack concurred with writing letters to the same entities in support of the exception.

Mr. Byrne noted that 37 airports across the nation have already lost air service because of these changes, and that this situation will eventually impact even those flying to and from large airports, such as Denver International Airport.

16. Mr. Loftin presented the Support Services report.

Monthly Budget Report: Mr. Loftin presented the monthly budget report, as Mr. Rodney Freier, the interim Budget Officer, was not available to attend the meeting.

The May 2014 budget report revealed that the Commission budget is 63 percent expended, and the Legislative budget is 65 percent expended, for an overall budget expenditure of 64 percent for FY 2014, which is within the target budget tolerances.

Mr. Loftin explained some of the budget items that appeared to exceed their budgeted amounts, including Contracts and Estimates, District 4 Operations, Financial Services, Civil Rights Office, Intelligent Transportation, Highway Safety, Programming, the Training Program, and Employee Relocation. FY 2014 winter maintenance expenses continue to escalate, and the snow control budget is currently overrunning by about \$721,000. A budget adjustment will be requested next month as part of the third quarter budget modification to cover these expenditures. Average September snowfall could potentially bring additional expenditures of over \$250,000, which would overrun the annual snow control budget by about \$1 million.

17. Program Highlights - Driver Services: Mr. Don Edington and Ms. Debbie Trojovsky briefed the Commission about the duties and obligations of the Drivers License Program.

The Field Operations Section operates 29 offices statewide that are staffed by examiners who issue drivers licenses and provide driving records to authorized entities. Of the 29 offices, 16 are permanent home offices. The remaining 13 locations are satellite offices that operate only a few days a week, and the staff is shared between more than one location. Field Operations also administers Commercial Driver's License (CDL) driving skills testing for those applying for a CDL. There are currently 7 certified CDL testers statewide (or 6 testers and 1 supervisor), and tests are conducted at 13 locations statewide. CDL testers do a considerable amount of travel, and they are often away from their home base three nights per week to accomplish their work.

The Internal Operations Section within Field Operations includes the Quality Section, the Help Desk, Records, and Hearings.

The quality section checks driver's license applications, reviews various other drivers' license-related transactions, and conducts mail-in application review and processing. The help desk handles the phone-in help desk that answers a vast array of questions from the public. The Records Section oversees the handling of all drivers' license records, and the Hearings Section handles driver's license suspension and revocation hearings and appeals. The Hearings Section also manages the statutory ignition interlock program, and driver's licenses that are issued to individuals with medical conditions.

The Driver Services Program has about 76 permanent employees, 4 temporary employees, and 8 "time-share" employees that occupy four positions, for a total of 88 personnel statewide.

18. It was recommended by Secretary Scott, moved by Commissioner Coulter, seconded by Commissioner Seeton, and carried to remove William Kevin Hibbard as an authorized signatory for the Wyoming Department of Transportation.

19. It was moved by Vice Chairman Anderson, seconded by Commissioner Ruwart, and carried to adjourn the meeting. Chairman McCormack adjourned the meeting at 3:30 p.m., on Thursday, June 19, 2014.