

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on June 2, 2016. The special teleconference meeting was convened at 8:30 a.m. by Chairman Dooley. The following members were present constituting a quorum:

K. John Dooley, Chairman, Laramie (via telephone)  
Todd Seeton, Vice Chairman, Jackson (via telephone)  
Clair Anderson, Commissioner, Riverton (via telephone)  
Bruce McCormack, Commissioner, Cody (via telephone)  
Bob Ruwart, Commissioner, Wheatland (via telephone)  
Mike Larson, Commissioner, Lusk (via telephone)  
Rick Newton, Commissioner, Buffalo (via telephone)  
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were Gregg Fredrick, Chief Engineer; Keith Fulton, Assistant Chief Engineer of Engineering & Planning; Rodney Freier, Budget Officer; Doug McGee, Public Affairs Manager; and Lee Potter, Engineering and Operations Supervisor, Federal Highway Administration (FHWA).

Those absent: Bill Panos, Director; Colonel Kebin Haller, Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; and Mike Kahler, Senior Assistant Attorney General.

1. The Commission held a special meeting to consider a bid for utilities materials and a right-of-way matter.

Harney Street Realignment Project in Laramie: Harney Street in Laramie is scheduled to be realigned to tie into the existing Snowy Range Road. The project will replace the Clark Street Viaduct, and involves a new roadway, bridge, and retaining walls. Prior to construction, several some utilities also need to be relocated, and the new materials needed must meet Buy America standards. The utility company has indicated they cannot meet those standards, and WYDOT has agreed to purchase the necessary materials. A six week advertisement was held before, but no bids were received. Since then, a supplier has come forth that indicated they could meet the Buy America standards. A two-week advertisement was held, and Border States Supply Chain Solutions, of Gillette, Wyoming, was the only bidder. Border States Supply Chain Solutions did not submit the required Buy America Certification or any of the federal bid documents with its bid package, so the bid was deemed irregular.

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and unanimously carried to reject purchase for bid number 16-213 to furnish materials for a utility relocation on the Harney Street project in Laramie, in Albany County. The Department will continue to work toward procuring the materials and will try to present a bid proposal to the Commission at its June 16, 2016, business meeting.

2. It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Newton, and carried to approve the following resolution where property for public use cannot be acquired through good faith negotiation by purchase or gift:

**RESOLUTION FOR EXERCISE OF EMINENT DOMAIN**

WHEREAS, pursuant to W.S. 1-26-512, 1-26-801 and 24-2-102, the Transportation Commission of Wyoming is authorized to institute condemnation proceedings where property for public use cannot be acquired through good faith negotiation by purchase or gift; and

WHEREAS, the public interest and necessity require the construction of Project 0261020, Laramie Streets, in Albany County, and that the property shown on the right-of-way plans for this project is required for highway purposes; and

WHEREAS, the Transportation Commission of Wyoming has determined that the aforementioned project is planned or located to be most compatible with the greatest public good and the least private injury; and

WHEREAS, the right-of-way and/or temporary construction easements to be acquired are identified as being located in the right of way of the Union Pacific Railroad Company in the SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> of Section 28, SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 29, NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 32, and NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 33, T16N, R73W, 6th P.M., Albany County, Wyoming, Lots 9 and 10, Revised Block 1, Gateway Subdivision to the City of Laramie, situated in the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 33, T16N, R73W, 6th P.M., Albany County, Wyoming, and Government Lots 3 and 4, Section 32, T16N, R73W, 6th P.M., Albany County, Wyoming and constitute approximately 3.89 acres of property for additional right-of-way, and approximately 2.76 acres of property for temporary construction easements.

NOW, THEREFORE BE IT RESOLVED, that the property sought to be acquired is necessary and appropriate for the proposed project and in the event successful negotiations cannot be effectuated with any owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary additional right-of-way and/or temporary construction easements.

3. It was moved by Commissioner Seeton, seconded by Commissioner Ruwart, and carried to adjourn the meeting. Chairman Dooley adjourned the meeting at 8:36 a.m., on Thursday, June 2, 2016.