

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Wyoming Department of Transportation (WYDOT) Headquarters building, 5300 Bishop Boulevard, in Cheyenne on September 13, 2018. Chairman Ruwart convened the business meeting at 8:30 a.m. The following members were present constituting a quorum:

Bob Ruwart, Chairman, Wheatland
Mike Larson, Vice Chairman, Lusk
Todd Seeton, Commissioner, Jackson
Rick Newton, Commissioner, Buffalo
Louie Pfrangle, Commissioner, Worland
Phil Schmidt, Commissioner, Casper
Jim Espy, Commissioner, Savery
William T. Panos, Director
Sandra J. Scott, Commission Secretary

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Mark Gillett, Assistant Chief Engineer for Operations; Taylor Rossetti, Support Services Administrator; Pat Lewis, Chief Technology Officer; Colonel Kebin Haller, Highway Patrol Administrator; Mike Kahler, Supervising Attorney General; Rodney Freier, Budget Program Manager; and Cindy Thompsen, Supervisor/Financial Manager, Federal Highway Administration (FHWA).

Mr. Ross Haren (via telephone), President of Sign Up, Ltd., of Webster, Iowa; and Ms. Cindy York (via telephone), President of CC Enterprises Traffic Control Specialists, of Grand Junction, Colorado, also attended the meeting.

Mr. Gregg Fredrick, Chief Engineer, Brian Olsen, Aeronautics Administrator, and Sam Voyles, Assistant Attorney General, were absent.

1. Pledge of Allegiance: Chairman Ruwart led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Seeton, seconded by Vice Chairman Larson, and carried to approve the minutes from the August 16, 2018, business meeting held via teleconference.
3. Correspondence: Secretary Scott presented a letter from WYDOT's district traffic engineer Michelle Edwards. The letter was in response to a May 22, 2018, letter from the Campbell County Rockpile Museum about pedestrian safety concerns along US Highway 14-16/WYO 59 in Gillette. The district performed a traffic study at the site, which determined that pedestrian traffic at the location was not heavy enough, outside of a few specific events throughout the year, to warrant installing a permanent pedestrian crossing. However, during times of heavy pedestrian traffic, the Department will install temporary warning signs 500 feet before the site, with possible reduced speed limits, alerting drivers to increased foot traffic.

Secretary Scott presented another correspondence item from the City of Gillette about a *Gillette News Record* letter to the editor regarding safety concerns at the Highway 50 and Boxelder Road intersection in Gillette. The concerns specifically noted the lack of right-turn lanes onto Boxelder Road and no advance warning as drivers approach that intersection. The City of Gillette's governing body shared the same safety concerns.

Ms. Michelle Edwards, District Traffic Engineer in Sheridan, provided an initial response to the City of Gillette's inquiry, advising that a study will be conducted to determine the best solution to the concerns. The district also plans to install a set of intersection guide signs as soon as possible on the WYO 50 northbound and southbound approaches to warn of the imminent crossroad.

4. Director Panos presented the Director's report.

State Administration Transition: As part of routine transition activity, WYDOT has been working with candidates running for state-elected positions to brief them on agency operations and to answer questions. The Department has also been coordinating internal agency transition plans and has supported the Governor's office in their transition planning, at their request.

Retirement of Chief Engineer: Chief Engineer Gregg Fredrick recently announced his retirement, effective November 3, 2018. Director Panos is working to hire his replacement, and intends to have the new chief engineer in place by November 1.

Aeronautics Administrator Appointment: Mr. Brian Olsen was recently appointed as the new Aeronautics Administrator, effective September 1. Mr. Olsen served as the past Aeronautics Division's engineering and construction program manager, and also as the division's interim administrator since June 1.

AASHTO Transportation Vanguard Award: Ms. Ali Ragan, Intelligent Transportation Systems (ITS) project manager, was recently selected to receive the prestigious American Association of State Highway and Transportation Officials (AASHTO) 2018 Transportation Vanguard Award. AASHTO member department candidates had to be age 40 or younger at the time of the nomination and working in a permanent status capacity for a state department of transportation, and they must exemplify a commitment to excellence and/or implementation of innovative technologies and processes. Ms. Ragan earned the award for her work on WYDOT's Connected Vehicle Project, and she was one of only two individuals selected nationwide to receive the award.

The Commission will acknowledge Ms. Ragan's efforts at their October 18 business meeting.

5. Mr. Byrne presented the Chief Financial Officer's report.

FY 2019 Operating Budget: Messrs. Byrne and Freier presented details of the FY 2019 Operating Budget to the Commission on September 12, 2018, beginning at 2:00 p.m. That

meeting allowed the Commission to raise questions, receive answers, and have discussion about the budget.

It was recommended by Mr. Freier, moved by Commissioner Schmidt, seconded by Commissioner Newton, and carried to approve the FY 2019 Operating Budget, in accordance with the details that were presented at the September 12 budget presentation.

Commissioner Schmidt asked the staff to create talking points for the Commission's use when talking about the FY 2019 operating budget and WYDOT's need to fund the \$136 million shortfall to keep Wyoming's highways in their current condition.

Monthly Budget Report: Mr. Freier presented the monthly budget report. The August 2018 budget report revealed that the Commission budget is 84 percent expended, and the Legislative budget is 79 percent expended. Mr. Freier noted that expenditures are typically about 94 percent at this time of year, so the Department may end the year with some savings.

6. It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Commissioner Larson, and carried to move Bid Numbers 18-213MD, 18-220MD, 18-214MD, and 18-215AC to a consent list.

It was moved by Commissioner Espy, seconded by Commissioner Newton, and carried to approve, by consent, the following bids:

- Bid No. 18-213MD to furnish 8,000 tons of Type A, ½-inch aggregate maintenance gravel, for delivery at various WYDOT facilities in Jackson County. The bid was awarded to Mullinax, Inc, of Sheridan, Wyoming, for the sum of \$234,000.00.
- Bid No. 18-214MD to furnish 148,000 gallons of liquid anti-icer material and 9,485 tons of solid de-icer material, for delivery at various statewide locations. The bid was awarded to Desert Mountain Corp., of Riverton, Wyoming, for the sum of \$754,589.55; and Dustbusters Enterprises, Inc., of Evanston, Wyoming, for the sum of \$384,510.00; for a total sum of \$1,139,099.55.
- Bid No. 18-215AC to furnish 17,400 tons of bulk sodium chloride, Types 1 and 2, for delivery at various locations statewide. The bid was awarded to Broken Arrow, of Tooele, Utah, for the sum of \$708,980.00; and Compass Minerals America, Inc., of Overland, Park Kansas, for the sum of \$479,769.35; for a total sum of \$1,188,749.35.
- Bid No. 18-220MD to furnish 351,100 gallons of liquid organic accelerator, for delivery at various statewide locations. The bid was awarded to Smith Fertilizer and Grain, of Knoxville, Tennessee, for the sum of \$540,694.00.

WYDOT Grants Update: Mr. Byrne updated the Commission on the status of grant applications and awards.

At the August 16, 2018, Commission meeting, Mr. Byrne reported that WYDOT had assisted Jackson and Gillette in applying for grants through the Buses and Bus Facilities Infrastructure Investment Program. Since then, WYDOT learned that Jackson and Gillette chose not to submit

their final applications. Mr. Byrne did not know the reasons for Jackson or Gillette not pursuing those grant opportunities. The City of Sheridan did submit their application for about \$393,000.

WYDOT is currently pursuing other upcoming grant opportunities, including a Special Transportation Circumstances (STC) Grant, 2018 bridge discretionary grants, and will apply for the next round of Infrastructure for Rebuilding America (INFRA) grants when the competition is announced.

7. Mr. Fulton presented the Chief Engineer's report in Mr. Fredrick's absence.

Project Change Orders: At the Commission's request, change orders approved by executive staff that exceed \$250,000, or that exceed 15 percent of the total contract amount when combined with previous change orders, will be shared with the Commission for their information.

The chief engineer recently approved a change order for \$355,000 for the Hoback Junction to Jackson, Jackson South project. The change order accommodates a request from the Teton County School District to increase the sanitary sewer line to 6 inches and all related work. The Teton County School District will pay for the additional expense.

8. Ms. Thompsen presented an update on FHWA topics in Mr. Cawley's absence.

Disadvantaged Business Enterprises (DBE)/Support Services (SS) Funding: WYDOT has requested \$64,289 in DBE/SS funding for FY 2019. The purpose of the funding is to create a DBE/SS pilot program that will provide training, assistance, and services to minority, disadvantaged, and women business enterprises to increase their activity in the DBE program. WYDOT's primary goal is to facilitate the firms' development and enhance their ability to be self-sufficient organizations, capable of competing and performing on federally-assisted highway projects.

The funding will help DBE firms gain work in Wyoming. Ms. Thompsen noted that WYDOT has not requested this type of funding in over 10 years.

Notice of Funding Opportunity (NOFO) Grants: The 2018 Consolidated Appropriations Act appropriated \$225 million to be awarded for Competitive Highway Bridge Program grants. States with a population density of less than 100 individuals per square mile are eligible to receive funding. Funds must also be used for highway bridge rehabilitation and replacement projects on public roads that demonstrate cost savings by bundling multiple highway bridge projects into a single contract.

9. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held September 6, 2018, in Sheridan.

Federal project NHPPI-I802200, involving grading, draining, profile milling plant mix, placing crushed base and bituminous pavement surfacing, plant mix wearing course, removal and replacement of structures, and miscellaneous work on approximately 10.00 miles of I-80,

beginning at reference marker (RM) 120.32, between Rock Springs and Rawlins, in Sweetwater County. Completion date: October 31, 2020

Engineer's Estimate	\$15,894,384.05	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$16,896,382.07	+6.3%
Riverside Contracting, Inc., Missoula, MT	\$18,234,262.50	
Simon Contractors and its subsidiaries, Cheyenne, WY	\$18,775,424.82	
W. W. Clyde & Co, Orem, UT	\$19,995,000.00	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Pfrangle, and carried that Kilgore Companies dba 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. The Federal Highway Administration concurred with this decision.

Federal project NHPPI-I801182, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, and miscellaneous work on approximately 8.00 miles of I-80, beginning at RM 49.06, between Lyman and Granger Junction, in Uinta County. Completion date: October 31, 2020

Engineer's Estimate	\$ 8,100,565.00	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$ 8,471,079.90	+4.6%
McGarvin-Moberly Construction Co., Worland, WY	\$ 8,620,856.92	
Riverside Contracting, Inc., Missoula, MT	\$ 9,268,615.50	
H-K Contractors, Inc., Idaho Falls, ID	\$10,745,555.00	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Seeton, and carried that Kilgore Companies dba 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. The Federal Highway Administration concurred with this decision.

Federal project NHPPI-I901116, involving grading, draining, milling plant mix, placing bases, bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, and miscellaneous work on both eastbound and westbound lanes, on approximately 5.50 miles of I-90, beginning at Station 269+71.76, between the Montana state line and Ranchester, in Sheridan County. Completion date: October 31, 2019

Engineer's Estimate	\$7,556,538.00	
Riverside Contracting, Inc., Missoula, MT	\$7,686,556.87	+1.7%
Simon Contractors and its subsidiaries, Cheyenne, WY	\$7,999,851.76	
Mountain Construction Company, Lovell, WY	\$8,384,508.07	
Croell, Inc., Sundance, WY	\$8,425,899.66	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Vice Chairman Larson, 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.

Federal project STP-P422008, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing (recycle), chip seal, fencing, and miscellaneous work on approximately 17.00 miles of WYO 387, beginning at RM 114.85, between Edgerton and Pine Tree Junction, in Campbell and Johnson counties. Completion date: October 31, 2019

Engineer's Estimate	\$6,819,381.20	
Northern Improvement Company and Sub, Fargo, ND	\$7,688,867.74	+12.8%
McGarvin-Moberly Construction Co., Worland, WY	\$7,689,232.80	
Riverside Contracting, Inc., Missoula, MT	\$7,731,465.85	
Simon Contractors and its subsidiaries, Cheyenne, WY	\$7,790,889.00	
Mountain Construction Company, Lovell, WY	\$7,850,580.00	
Croell, Inc., Sundance, WY	\$8,299,649.97	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Pfrangle, and carried that Northern Improvement Company and Sub, Fargo, North 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.

Federal project NHPPI-I804258, involving grading, grind/texture concrete, concrete slab replacement, sealing joints (concrete pavement), bridge rehabilitation, lane rental, and miscellaneous work on approximately 5.50 miles of I-80 eastbound and westbound lanes, beginning at RM 210.98, between Laramie and Rawlins, in Carbon County. Completion date: October 31, 2019

Engineer's Estimate	\$4,579,016.00	
Reiman Corp., Cheyenne, WY	\$4,559,847.94	-0.4%
S & S Builders, LLC, Gillette, WY	\$5,343,535.50	

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

Federal project NHPP-N132106, involving grading, milling plant mix, bituminous pavement surfacing (recycle), bridge rehabilitation, and miscellaneous work on approximately 8.50 miles on US 189/191, beginning at RM 120.18, between Daniel Junction and Hoback Junction, in Sublette County. Completion date: October 01, 2019

Engineer's Estimate	\$3,504,405.00	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$3,681,112.10	+5.0%
H-K Contractors, Inc., Idaho Falls, ID	\$3,845,777.00	
Mountain Construction Company, Lovell, WY	\$3,941,655.58	
McGarvin-Moberly Construction Co., Worland, WY	\$3,999,606.58	
DePatco, Inc., Idaho Falls, ID	\$4,387,700.00	

It was recommended by Mr. Fulton, moved by Commissioner Seeton, seconded by Commissioner Pfrangle, and carried that Kilgore Companies dba 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. The Federal Highway Administration concurred with this decision.

Federal projects STP-DR34696 and STP-DR34795 combined, involving grading, placing crushed bases, bituminous pavement surfacing, and miscellaneous work, at RM 12.5 and RM 16.7, on WYO 233, in Lincoln County. Completion date: October 31, 2019

Engineer's Estimate	\$2,383,575.50	
Wilson Bros. Construction, Inc., Cowley, WY	\$2,529,530.05	+6.1%
Oftedal Construction, Inc., Casper, WY	\$2,866,955.13	
Kilroy, LLC, Afton, WY	\$3,447,884.63	

It was recommended by Mr. Fulton, moved by Commissioner Pfrangle, seconded by Vice Chairman Larson, 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. The Federal Highway Administration concurred with this decision.

Federal projects NHPP-DR51873, NHPP-DR51866, and NHPP-DR51938 combined, involving grading, placing bases and bituminous pavement surfacing, slide stabilization, and miscellaneous work at RM 2.7, RM 9.5, and RM 40.1, between Moran Junction and Dubois, in Teton County. Completion date: November 30, 2019

Engineer's Estimate	\$1,664,600.00	
Oftedal Construction, Inc., Casper, WY	\$1,937,567.76	+16.4%
Wilson Bros. Construction, Inc., Cowley, WY	\$1,979,635.75	

It was recommended by Mr. Fulton, moved by Commissioner Seeton, seconded by Commissioner Newton, and carried that Oftedal Construction, Inc., Casper, WY, 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 NHPP-DR34586, involving grading, slide repair, and miscellaneous work, at RM 46.5, on US 30, between Kemmerer and Cokeville, in Lincoln County. Completion date: June 30, 2019

Engineer's Estimate	\$1,125,202.00	
Wilson Bros. Construction, Inc., Cowley, WY	\$1,012,496.00	-10.0%
Oftedal Construction, Inc., Casper, WY	\$1,117,895.00	
Kilroy, LLC, Afton, WY	\$1,392,977.00	

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

State project PEG1851, involving crushing and stockpiling of crushed surfacing material and miscellaneous work at various locations in Transportation District 5, including Fremont County. Completion date: May 31, 2019

Engineer's Estimate	\$ 886,840.00	
Frost Rock Products Company, Lovell, WY	\$ 793,654.00	-10.5%
Evans Construction Company, Jackson, WY	\$ 921,066.00	
Mountain Construction Company, Lovell, WY	\$ 984,566.20	
McGarvin-Moberly Construction Co., Worland, WY	\$1,345,886.86	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Newton, and carried that Frost Rock Products 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.

Federal project HSIP-B189027, involving sign installations and miscellaneous work at various locations in Transportation Districts 1, 2, 4, and 5. Completion date: October 31, 2019

Engineer's Estimate	\$785,180.00	
Sign Up, Ltd, Webster, IA	\$731,750.00	-6.8%
CC Enterprises Traffic Control Spec., Grand Junction, CO	\$738,805.00	
Traffic Safety Services, Inc., Bismarck, ND	\$856,000.00	
S & L Industrial, Cowley, WY	\$893,890.00	
Work Zone Traffic Control, Pueblo, CO	\$986,010.00	

It was recommended by Mr. Fulton, moved by Vice Chairman Larson, seconded by Commissioner Espy, and carried that Sign Up, Ltd, Webster, Iowa, 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 HSIP-B189028, involving installation of signs and miscellaneous work at various locations statewide, including Albany, Carbon, Crook, Laramie, Sheridan, and Sublette counties. Completion date: October 31, 2019

Engineer's Estimate	\$568,970.00	
Sign Up, Ltd, Webster, IA	\$548,210.00	-3.6%
CC Enterprises Traffic Control Spec., Grand Junction, CO	\$596,349.00	
Traffic Safety Services, Inc., Bismarck, ND	\$765,867.50	
S & L Industrial, Cowley, WY	\$819,016.00	

Mr. Fulton explained that Sign Up, Ltd, was issued bid envelopes on Project HSIP-B189028 and the above Project HSIP-B189027, but their prequalification at the time they received the bid envelopes was not sufficient to cover both projects. WYDOT's prequalification officer provided the following written notice to Sign Up, Ltd, when the bid envelopes were issued.

“With the bid envelopes that have been issued to your company, you may exceed your prequalification amount if you are the low bidder on more than one of the projects. Your company may have to pull bids in order to stay within your prequalification limit. Further information may be obtained by calling the Prequalification Officer at...

The amount of work that you requested is approximately equal to \$1,350,000.00. You only have \$860,662.00 remaining on your prequalification.”

Mr. Haren, President and Owner of Sign Up, Ltd, addressed the Commission about his bid, and he further explained that his company's bids on the two projects totaled more than their prequalification limit. Mr. Haren advised that his company was not familiar with WYDOT's prequalification procedure, and that his company “used the wrong form to assume our prequalification amount.” As a new bidder in Wyoming, Mr. Haren was unaware that his company's prequalification rating was based upon the amount of bonding that could be acquired for his company. Mr. Haren recently submitted a new set of financial statements that would increase Sign Up's prequalification rating, which now surpasses the total of the two projects he bid on in this letting. With the new information provided by Mr. Haren, he asked the Commission to consider awarding Project HSIP-B189028 to Sign Up, Ltd.

Ms. York, President and Owner of CC Enterprises Traffic Control Specialists, explained her company's qualifications for completing the project.

Commissioner Seeton asked Mr. Haren why Mr. Haren wouldn't have pulled his company's bid on the second job, knowing that the combined projects were more than the company's prequalification amount. Mr. Haren advised that he misinterpreted the prequalification officer's notice, and he believed his company's prequalification was sufficient to bid on both jobs.

Mr. Fulton informed the Commission that Sign Up, Ltd, the low bidder on this project, would exceed their prequalification limit if awarded this project, and they would not be a responsible and responsive bidder.

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Seeton, and carried that CC Enterprises Traffic Control Spec., 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.

Mr. Haren and Ms. York left the meeting.

10. FY 2019 State Transportation Improvement Program (STIP): Mr. Fulton presented a comprehensive review of the FY 2019 STIP for Commission consideration. Mr. Fulton recognized the efforts of Ms. Christy Stone and Christine Grant, Mr. Tim McDowell, of the Programming Section, and Mr. Martin Kidner of the Planning Program, for their work toward the development and modifications made to the FY 2019 STIP.

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Espy, and carried to approve the FY 2019 STIP.

Employee Recognitions: Commissioner Seeton suggested recognizing the employees who enabled WYDOT to let 110 percent of its STIP projects in 2018, and those who helped put projects on the shelf, prepared for the bid lettings, and initiated projects in FY 2018. WYDOT's engineer's estimates were also within 1.5 percent of contractors' overall low bids in FY 2018. Chairman Ruwart asked Secretary Scott to prepare letters to the program managers who oversee the employees that were a part of these successes.

Mr. Freier left the meeting.

11. Mr. Gillett presented the Operations report.

Construction Update: Work on highway construction projects will continue through the fall season. District crews are working on 46 active construction projects statewide, including 12 projects in District 1, 9 in District 2, 7 in District 3, 8 in District 4, and 10 in District 5.

The contractor is actively working to repair the Chief Joseph landslide on WYO 296. A rock layer was installed that will act as a French drain for future runoff, and dirt covering the rock will act as a berm and highway fill slope. The contractor plans to complete the work before this winter. The cost of the repairs is about \$6 million.

Several paving projects were completed on I-80 in southeast Wyoming this summer. Those contracts are virtually complete, and traffic will soon be flowing freely.

Maintenance Update: Most districts are finishing their hot plant and road patching activities for the season. Mowing along rights-of-way, delineator repair, fence repair, guardrail repair, snow plow blade installations, and other preparations are being made for the first snow storm.

Traffic Operations Update: Striping crews have been painting centerlines and edge lines along the highway.

Sign crews have been replacing worn or damaged signs and installing new bridge load limit signs.

A contractor has begun installing new no passing zone signs in Districts 3 and 5. Additional contracts will be let in the future for the remaining three districts needing no passing zone sign installations.

New avalanche signs have been installed on Teton Pass, which will help facilitate closures and no parking on the pass during controlled avalanche missions. Signs are posted on each side of the pass before the incline, and no parking signs with flashing lights are posted closer to the avalanche bowl to warn drivers of potential danger.

Mechanics Update: Mechanics are inspecting snow removal equipment to prepare for winter.

WYDOT Facilities Update: The Wagonhound Rest Area remains closed because of adjacent construction on I-80.

The Bitter Creek Rest Area facilities are also closed because of the lack of water and no janitorial services. WYDOT has installed temporary portable restrooms at the eastbound and westbound facilities to accommodate travelers' basic needs until a solution can be found to the water well issue, and a janitor can be hired to service the facilities.

Mr. Gillett described a few ongoing problems with other Wyoming rest areas. A task force has been established, to include a Department of Environmental Quality (DEQ) representative, to identify and ultimately implement sustainable solutions to Wyoming's problem-prone rest areas.

WYDOT Operations Division: A statewide operations meeting was held last week to discuss and pinpoint the future role of operations within the organization. Director Panos advised that today's operations are much different than they were 50 years ago, and that he would like to gain more focus on the cost, culture, performance, value, and benefits of WYDOT operations.

12. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through August 31, 2018, includes 64¹ fatal crashes involving 69¹ deaths. The fatalities include 26 rollover crashes, 27 multi-car crashes, 2 fixed objects, 10

¹ Numbers at the time of reporting; final numbers may change.

motorcycles, 1 ATV, and 3 pedestrians. Of the 64 fatal crashes that have occurred in 2018, 10² involved commercial vehicles.

Of the 69 deaths that have occurred this year, 31 can be attributed to the non-use of occupant restraints, with 21 involving rollover crashes, 9 involving multi-car collisions, and 1 involving a fixed object. Twenty-eight of those who died from the non-use of occupant restraints were Wyoming residents. Thirteen of those who perished were under 21 years of age, and 9 of those fatalities were attributed to the failure to use proper occupant restraints.

There were 14³ fatal crashes deemed drug or alcohol related, resulting in 15³ deaths. Of those deaths, 9 were attributed to not using occupant restraints. Seven were rollover crashes, 7 were multi-car crashes, and 1 involved a pedestrian. Of the 15 drug- or alcohol-related fatalities, 1² involved a commercial vehicle.

Of the 64 fatal crashes that have occurred this year, 37 of them occurred on primary/secondary highways, 15 occurred on interstate highways, and 12 occurred on city/county roads.

Three multiple-fatality crashes occurred on Wyoming highways in 2018, of which one was deemed alcohol related.

In locations where rumble strips/strips were present, there were 26⁴ crashes. There were 35 crashes where rumble strips/strips were not present.

Inclement weather or road conditions contributed to 9 vehicle crashes in 2018, which resulted in 9 deaths. Speed was considered a factor in 13 of the vehicle crashes that caused 13 deaths.

The days of the week for fatal crashes in 2018 were as follows:

Sunday	7 crashes
Monday	12 crashes
Tuesday	3 crashes
Wednesday	4 crashes
Thursday	13 crashes
Friday	13 crashes
Saturday	12 crashes

² Number not included in total deaths (sub-crash data).

³ Not all chemical tests were available at the time of reporting.

⁴ Numbers at the time of reporting; final numbers may change.

The times of day for fatal crashes in 2018 were as follows:

12:00 a.m. to 6:00 a.m.	16 crashes
6:00 a.m. to 12:00 p.m.	11 crashes
12:00 p.m. to 6:00 p.m.	21 crashes
6:00 p.m. to 12:00 a.m.	16 crashes

The following statistics were also provided to the Commission:

- 81 percent of those who died in rollover crashes were unbelted.
- 33 percent of all those who died in multi-vehicle crashes were unbelted.
- 50 percent of all those who died in fixed-object crashes were unbelted.
- 75 percent of the fatalities in 2018 were drivers.
- 20 percent of the fatalities in 2018 were passengers.
- 72 percent of the residents who died were unrestrained.
- 5 percent of the non-resident who died were unrestrained.
- Alcohol and/or drug impairment was a factor in 23 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 3,858⁵ crashes statewide, of which 2,990⁵ involved non-commercial vehicles, and 868⁵ involved commercial vehicles.

A pin map was also provided to the Commission depicting the locations of the 2018 fatal crashes.

Chairman Ruwart asked if texting while driving is proven to be a significant cause of crashes in Wyoming. Colonel Haller explained that at many crash scenes, texting is at least a secondary, and often the primary cause of the crash. When cell phones are the suspected cause of a crash, the Highway Patrol may obtain a court-ordered search warrant, if a specific probable cause is evident, to obtain physical evidence to help identify a correlation between cell phone use and the cause of the crash.

Commissioner Espy shared information about a seat belt promotion recently hosted by the Colorado Highway Patrol (CHP) at a nearby Colorado high school. The CHP monitored student drivers as they were leaving the school parking lot and handed out free food coupons to those who were wearing their seat belts. Commissioner Espy suggested WHP host a similar event to encourage teen drivers to wear proper safety restraints. Colonel Haller advised that the WHP teamed up with the Laramie Police Department to promote seatbelt safety at the Laramie High School. The event was well received.

A report on the outcome of the Sturgis Motorcycle Rally and Ham ‘n Jam will be provided at the October 18 Commission meeting.

⁵ Does not contain all crashes worked to date; some reports are still pending.

Recent Drug Interdictions: The WHP recently seized 4.6 ounces of methamphetamines, with a street value of approximately \$10,000, near Sundance.

Troopers from Cheyenne and Laramie also identified about 1,900 pounds of commercial grade marijuana, with a street value of about \$7 million, on I-80. The shipment came from California and was stored inside containers on a commercial vehicle. This seizure is the largest known marijuana seizure in Wyoming history.

WHP Staffing Update: Lieutenant Dave Wagner was recently promoted to the rank of Captain. Captain Wagner has extensive experience with WHP public relations, which makes him a good fit for his new role as Commercial Carrier Officer. The lieutenant position vacated by Captain Wagner will be filled as soon as possible.

Sergeant Randy Starky, the Wyoming Law Enforcement Academy (WLEA) program coordinator, was also recently promoted to Lieutenant in Douglas. Lieutenant Starky began his new job yesterday.

Ms. Troy McAlpine, US 85 Port of Entry supervisor, was recently promoted to manager of the Ports of Entry Southern Region. Mr. Kurt Gaukel has been appointed to manage the central region, and Ms. Mary While has assumed the role of Sundance Port of Entry supervisor.

The WHP currently has 20 trooper vacancies. Eleven recruits recently graduated from the WLEA, and are attending WHP Academy training. Colonel Haller anticipates those 11 candidates will become active troopers with a field training trooper by mid-October. Twelve more recruits are currently attending WLEA training. Testing will begin in January for the next round of potential trooper candidates.

The WHP Dispatch and Communications Center has six position vacancies. Three candidates are in the process of background checks to fill those jobs. Ports of entries have seven openings, which have been advertised to be filled.

Recent changes to rules and regulations were made by the Federal Motor Carrier Administration regarding electronic logging devices. Those changes enhanced the WHP's need for an agricultural livestock subject matter expert within the Commercial Carrier Division.

Former Trooper Rodney Miears has assumed a new position within the WHP. The position was recently created to establish more consistent statewide towing standards and to increase WHP's partnership with the towing industry. The Wyoming Trucking Association has agreed to partner with the WHP in this effort. Procedures, rules, inspection guidelines, and application templates are some of the areas that are being reviewed for statewide consistency.

An assistant manager position at the WHP Dispatch and Communications Center has also been established. Recruitment is ongoing to fill this position.

Colonel Haller has been working with Director Panos and Support Services Administrator to increase compensation for entry level trooper positions. Troopers who have completed their training will now receive a higher compensation after their one-year probationary period.

Public Safety Announcements: The WHP recently broadcast some public safety announcements at the Mountain West Football Conference. Colonel Haller joined Colonel Packard of the Idaho State Patrol to develop a video to encourage sober driving.

Recognition Ceremony for Former Patrolman Chris Logsden: On October 13, 2018, the WHP will host a recognition ceremony in memory of former Patrolman Chris Logsden, who was killed in the line of duty 20 years ago near the Dwyer Junction Rest Area. State elected officials, current and past troopers, and other dignitaries will attend the event. A commemorative plaque will be hung at the rest area. Colonel Haller encouraged the Commission to attend, if possible.

13. The August 2018 Aeronautics Flight Operations Passenger Summary was provided to the Commission.

14. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,906 personnel as of August 30, 2018, compared to 1,923 a month ago and 1,910 one year ago. There are currently 64 WYDOT positions advertised statewide, 28 of which are maintenance positions, including mechanics and snow plow operators.

Driver's License Suspension Hearings in 2018: Mr. Kahler presented the following statistics on the 2018 driver's license suspension hearings from driving under the influence (DUI) cases, as of August 21, 2018.

- Total hearings requested: 415
- Total hearings held: 58
- Attorney General (AG) hearings held: 31
- Hearings with no AG present: 27
- Driver license suspensions rescinded: 12
- Suspensions rescinded with an AG present: 3
- Suspensions rescinded with no AG present: 3
- Suspensions withdrawn by WYDOT: 6
- Total suspensions upheld: 290
- Suspensions upheld with an AG at the hearing: 28
- Suspensions upheld with no AG at the hearing: 24

In 2018, WYDOT won 96 percent of its DUI contested case hearings⁶. In cases where an AG was present, 90 percent were successful. In cases where no AG was present, 89 percent were successful.

⁶ The win percentages with an AG and with no AG represent cases where a hearing was held. Those percentages do not include cases where the licensee withdrew before the hearing. The total win percentage includes cases withdrawn by the licensee or by WYDOT before the hearing.

Of Wyoming's approximately 2,000 DUI arrests each year, WYDOT's AG representatives review about 700 to 800 driver's license suspension cases to determine whether each case warrants the AG involvement. Since implementing a new process for driver's license suspension hearings in 2015, the number of actual hearings has dropped about 40 percent, and the number of suspension rescissions has dropped by more than half.

New Wyoming Drivers' License: Wyoming will have a new driver's license design in mid-2019. The new Wyoming driver's license includes complex and multi-faceted security features that have never been used in the United States.

The cost of the new license will not change.

Wildlife Conservation License Plate Design: During the 2018 session, the Wyoming State Legislature passed HEA0039 (HB0039), Wildlife Conservation License Plates. The Act allows for the creation and sale of wildlife conservation license plates for any motor vehicle that is not a commercial or multipurpose vehicle, and it requires that the Department of Transportation must design the and arrange for production of the plates. The cost to purchase a new plate will be \$150, with a separate annual fee of \$50. The new license plate will be made available January 1, 2019.

Mr. Rossetti shared a sample of the new Wildlife Conservation license plate design for Commission consideration.

It was moved by Commissioner Schmidt, seconded by Commissioner Seeton, and carried to approve the new wildlife conservation license plate design, as presented by Mr. Rossetti.

15. Mr. Lewis presented the Chief Technology Officer's report.

New Public Safety Communications Commission (PSCC) Members: Colonel Haller has been appointed to replace Mr. Lewis as the WYDOT representative on the PSCC. Mr. Martin Armajo was also named to replace Mr. Leslie Shakespeare as the tribal representative on the Communications Commission.

Transportation Management Center (TMC) Snow and Ice Demonstration: WYDOT will host a TMC Snow and Ice Demonstration on September 21, 2018, for the FHWA. Mr. Peter Osborn, director of Field Services for the FHWA Western Division, will attend. Mr. Lewis invited the Commission to attend, if they are available.

New "511" Application Capabilities: Mr. Lewis provided a brief demonstration of the new "511" cell phone application capabilities. The upgraded app has the ability to upload photos with a location and time the photo was taken. The TMC can then forward photos and pertinent information to law enforcement, Homeland Security, or other entities in case of an emergency.

16. General Matters, Signature Authorization: It was recommended by Secretary Scott, moved by Commissioner Espy, seconded by Commissioner Schmidt, and carried to add Brian Olsen as an authorized WYDOT signatory.

17. It was moved by Commissioner Seeton, seconded by Commissioner Newton, and carried to adjourn the meeting. Chairman Ruwart adjourned the meeting at 12:01 p.m., on Thursday, September 13, 2018.