

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the I-80 Room at the Wyoming Department of Transportation (WYDOT) Training Center, 5300 Bishop Boulevard, in Cheyenne on November 21, 2019. Chairman Larson convened the business meeting at 8:30 a.m. The following members were present constituting a quorum:

Mike Larson, Chairman, Lusk
Rick Newton, Vice Chairman, Buffalo
Louie Pfrangle, Commissioner, Worland
Phil Schmidt, Commissioner, Casper
Jim Espy, Commissioner, Savery (via telephone)
Jon Dolezal, Commissioner, Evanston (via telephone)
K. Luke Reiner, Director
Sandra J. Scott, Commission Secretary

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer; Shelby Carlson, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Mark Gillett, Assistant Chief Engineer for Operations; Taylor Rossetti, Support Services Administrator; Brian Olsen, Aeronautics Administrator; Troy Babbitt, Chief Technology Officer; Major Keith Groeneweg, Field Operations Commander, WHP; Mike Kahler, Senior Assistant Attorney General; Ryan Thompson, Assistant Attorney General; Rodney Freier, Budget Program Manager; Bryan Cawley, Division Administrator, Federal Highway Administration (FHWA); Wayne Herr, Partner, McGee Hearne & Paiz, LLC; Maria LaBorde, Internal Review Services Program Manager; and Rich Bolkovatz, President, Reiman Corporation.

Other meeting attendees: Erica Legerski, Senior Policy Advisor to Governor Gordon; Katie Legerski, Executive Director, Wyoming Contractors Association; Doug McGee, Public Affairs Program Manager; Doug Jensen, State Contracts and Estimates Engineer; Rhonda Holt, Controller, Financial Services Program; John Davis, Management Services Program Manager; and Kirsten Rigg, Senior Auditor, Internal Review Services.

Commissioner Lee Filer, of Cheyenne, was absent.

1. Pledge of Allegiance: Chairman Larson led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Vice Chairman Newton, seconded by Commissioner Schmidt, and carried to approve the minutes from the October 16, 2019, Transportation Commission tour and the October 17, 2019, business meeting.
3. Director Reiner presented the Director's report.

WYDOT FY 2019 Pre-Audit Briefing: Mr. Wayne Herr, of McGee, Hearne & Paiz (MHP), briefed the Commission about the expectations that the required auditing standards hold for those charged with governance.

The Generally Accepted Auditing Principals (GAAP), Government Auditing Standards (GAS), and the Office of Management and Budget (OMB) Circular 133, will be used for the FY 2019 audit. The focus of the audit will be specific federal funds, the Highway Planning and Construction programs, the Airport Improvement Program, and the federal transit cluster.

This year, President Donald Trump formed a committee to look at ways the federal government's administration of rules and regulations can focus more on auditing. One of the areas identified is compliance auditing. Each of the selected major programs may be tested in no more than six different compliance areas to determine if those measures were applied accurately and have direct material compliance.

The MHP audit team will hold a pre-audit planning meeting November 22, 2019, to determine the best approach for the audit.

FY 2020 Internal Review (IR) Work Plan: Ms. Maria Laborde, WYDOT's IR manager, presented the FY 2020 Internal Review Work Plan.

Internal Review staff considered input from a wide range of sources and people. They met with executive staff members to gain a better understanding of operation risks and challenges. The FY 2020 work plan considers the required audits mandated by federal regulations, state statutes, WYDOT operating policy, and the results of the FY 2020 risk assessment.

The list of proposed engagements includes performance audits, agreed-upon procedures, non-audit services, and administrative engagements of various Department operations.

IR will perform audits in the following areas in FY 2020.

- Performance audits: WTDEA Relief Fund, cash funds, and rates (ICAP and other rates).
- Agreed-upon procedures audits: Consultant projects, local airport sub-awards, and sub-recipient sub-awards.
- Non-audit services: Sub-recipient monitoring, consultant rates, chip seal and overlay analysis, Aeronautics, internal policy, procedures, oversight, and BlackCat processes, Sign Shop analysis, and project engineering cost analysis.
- Administrative: Risk assessments, balanced score card, American Association of State Highway & Transportation Officials (AASHTO) and Western Association of State Highway & Transportation Officials (WASHTO), continuing professional education, provide training, FY 2019 Single Audit assistance, IR Manual, and providing community service.

These engagements will provide information to WYDOT executive staff and program managers to help improve Department operations, mitigate risks, strengthen controls, improve accountability, and enhance efficiency and effectiveness of Department operations to assist in achieving the Department's mission.

Mr. Herr and Mses. LaBorde, Rigg, and Holt left the meeting.

WYDOT Employee Meetings: Director Reiner recently led 12 employee meetings statewide. The meetings were well attended. Responses are being prepared to various questions raised at the meetings. Director Reiner advised that communication with employees is key to WYDOT's success, and that he will continue these meetings semiannually.

Governor's Business Forum: Director Reiner attended the 2019 Governor's Business Forum, November 12-14, 2019, in Cheyenne. The forum provided an opportunity for Wyoming's business community to hear from Governor Mark Gordon and other notable keynote speakers to learn about the condition of our state's economy and its future.

WYDOT Employee Advisory Group Meetings: Three employee advisory groups are now in place to work through some of the issues brought to the executive staff through employee meetings held last winter. Team B, the field operations group, has held two meetings so far. The team has been discussing policy issues, such as compensation time, alternate work schedules, pay, and safety, in an effort to retain employees.

Teton County Employee Housing: WYDOT is beginning to take a more serious look at developing state-owned employee housing in Teton County. Director Reiner and Ms. Carlson will be in Jackson December 16, 2019, to investigate various options for building employee housing.

Governor's Cabinet Meeting: Director Reiner attended Governor Gordon's Cabinet meeting in early November. Governor Gordon shared that Wyoming is at a crossroads in terms of its budget. WYDOT will need to stay fully engaged in providing vital information to the Governor's office about its future needs to remain successful.

Governor Gordon released his FY 2021-2022 biennium budget this week. WYDOT had submitted a prioritized list of exception requests totaling \$72,915,822, of which Governor Gordon recommended approval of \$72,392,545 in his budget to the legislature. The Governor's budget includes funding the Revenue Information System (RIS); WyoLink towers and equipment; Highway Patrol radios, cameras, and speed detectors; driver's license identification card production; and computer replacements.

Mileage-Based User Fee Working Group: WYDOT is organizing an exploratory committee to help develop, implement, and test a mileage-based user fee (MBUF) program for apportioned and non-apportioned trucking within the state. The working group will review MBUF concepts, recommend a fair and balanced approach to the MBUF, develop the testing data plan, and provide a liaison with government and private stakeholders to gain acceptance for the program. The first MBUF work group meeting is December 13, 2019.

Wildlife Crossing Grant: On November 12, 2019, WYDOT was awarded a \$14.5 million Better Utilizing Investments to Leverage Development (BUILD) Grant for the Dry Piney Creek wildlife crossing project. Director Reiner congratulated those involved with applying for the grant for their extraordinary efforts in that achievement.

The grant will be combined with funding approved by the Wyoming Transportation Commission, the Wyoming Game and Fish Commission, and other private donations to construct the project.

WYDOT Strategic Planning: WYDOT executive staff has spent some time developing a revised strategic plan. All WYDOT employees received the draft plan. About 240 responses were received regarding the Department's vision, mission, purpose, and goals. Many suggestions were adopted. Director Reiner provided the Commission with talking points for the plan.

It was moved by Vice Chairman Newton, seconded by Commissioner Schmidt, and carried to accept Director Reiner's draft WYDOT Strategic Plan for 2019-2021.

Director Reiner plans to present the strategic plan to Governor Gordon for his consideration.

Teton Pass Matters: Teton Pass closed to trucks with trailers for the winter effective November 15, 2019.

WYDOT is working with Teton County and area residents regarding a request from the Teton Science School to install a traffic light and left turn lane on WYO 22 (Teton Pass) into the school's property. The intersection does not warrant a traffic light according to a traffic study performed at the site. WYDOT district staff is working with Teton County to take the next appropriate steps to remedy the issue at the intersection.

Wind River Intertribal Council (WRITC) Meeting: Director Reiner and other WYDOT staff attended the WRITC meeting November 6, 2019, in Fort Washakie. It had been many years since a WYDOT director had attended one of these meetings. The meeting afforded Director Reiner an opportunity to network with Tribal members and learn about their projects and future plans on the reservation.

Professional Wyoming Towing Association (PWTA): Wyoming towing companies have formed a new association, the Professional Wyoming Towing Association, and they are registered with the Wyoming Secretary of State's office. The PWTA has approached WYDOT about discussing proposed draft towing rules. Director Reiner anticipates hearing more from the PWTA regarding non-consensual tows as the draft rule progresses.

Connected Vehicle (CV) Project: WYDOT learned yesterday that the FCC will likely not preserve the entire 5.9 GHz spectrum for highway safety. The impact this will have on CV testing in Wyoming is undetermined.

New Trooper Commissioning: The WHP commissioned 18 new troopers on November 15, 2019.

District 2 Engineer Retirement: District Engineer Lowell Fleenor, in Casper, will retire January 2, 2020. Director Reiner acknowledged Mr. Fleenor's 36 years with WYDOT, and thanked him for his extraordinary service. The selection process for his replacement will begin right away.

2020 Legislative Session: Several draft transportation-related bills will be presented during the upcoming legislative session. Director Reiner will share information about those bills as the session draws closer, but he took the opportunity to thank the staff for their hard work to prepare those draft pieces of legislation for consideration.

Upcoming Meetings: Director Reiner will attend a district engineers' meeting in Casper next week.

Director Reiner will attend an AASHTO chief executive officer peer exchange meeting in Minneapolis, Minnesota, December 9 and 10, 2019. About 12 new and 6 seasoned CEOs from around the nation will attend the meeting to discuss transportation-related issues.

Transportation Commission Minutes: During the recent employee meetings, Director Reiner received a request for the final approved Commission meeting minutes to be distributed sooner. The Aeronautics Commission and the Public Safety Communications Commission (PSCC) do not meet monthly, and the posting of their minutes is deferred until after they are approved at their next Commission meeting, which can be as much as three months later. Director Reiner advised that he has asked those commissions to post their minutes on the website in draft form to avoid the long delay of conveying that information.

Since the Transportation Commission meets monthly, Director Reiner recommended continuing the current practice of distributing minutes immediately following approval at the next meeting. The Commission agreed with this idea.

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

Monthly Budget Report: Mr. Freier presented the monthly budget report. The October 2019 budget report revealed that the Commission budget is 8 percent expended, and the Legislative budget is 7 percent expended, both of which are within budget tolerances.

WYDOT has not received any interest revenue from the state treasurer's office since June 2019. Mr. Freier contacted the Wyoming State Treasurer and learned that a computer system issue is preventing them from processing interest payments, and that the problem is affecting all state agencies. The Treasurer's Office anticipates remedying the problem in early December, and distribution should follow.

Mr. Freier advised that numerous program budgets reflect overruns this month for the "portion of budget used." The budget will be updated through the first quarter budget revision in January, which will bring forward the FY19 budget authority into FY20 to cover purchase orders that rolled from FY19 to FY20.

5. It was recommended by Mr. Byrne, moved by Commissioner Schmidt, seconded by Vice Chairman Newton, and carried to move Bid Numbers 19-238, 20-005, 20-006, Requisition 00000055707, and Requisition 00000055775 to a consent list.

It was moved by Commissioner Schmidt, seconded by Commissioner Espy, and carried to approve, by consent, the following bid items:

- Bid No. 19-238 to furnish police rigging and installation of equipment for new WHP vehicles, and stripping of police rigging and equipment from decommissioned WHP vehicles. The bid was awarded to BearCom, of Evans, Colorado, for the sum of \$623,458.75.
- Bid No. 20-005 to furnish 49 each, new Dodge Charger all-wheel-drive police sedans with police package, for delivery in Evans, Colorado. The bid was awarded to Bob Ruwart Motors, Inc., of Wheatland, Wyoming, for the sum of \$1,253,126.00.
- Bid No. 20-006 (Item 1) to furnish 26 each, new, Class 8 cab and chassis, conventional cab and chassis for dump trucks. The bid was awarded to Floyd's Truck Center WY, of Gillette, Wyoming, for the sum of \$2,376,842.00.
- Bid No. 20-006 (Item 3) to furnish 26 each, new, 8-cubic-yard dump bodies. The bid was awarded to Ameritech Equipment Co., of Casper, Wyoming, for the sum of \$299,962.00.
- Bid No. 20-006 (Item 5) to furnish 26 each, new, self-unloading abrasive spreaders. The bid was awarded to Able Equipment, of Casper, Wyoming, for the sum of \$359,918.00.
- Requisition 00000055707 to furnish 26 each, new, Force America 6100 Ultra hydraulic packages for tandem axle snowplow trucks. The contract was awarded to Force America, Inc., of Burnsville, Minnesota, for the sum of \$554,216.00.
- Requisition 00000055775 to furnish a Bentley Systems software license, for the period November 1, 2019 through October 31, 2020, for use statewide. The contract was awarded to Bentley Systems, Inc., of Exton, Pennsylvania, for the sum of \$409,607.03.

Wildlife Crossing Donations: WYDOT has received two anonymous donations from private parties to develop new wildlife crossings in Wyoming. One donation was for \$15,000 and another was for \$10,000. The Department anticipates receiving a third donation of \$100,000 from the Greater Yellowstone Coalition. These donations will provide a portion of the state matching funds required to fulfill the BUILD grant requirements of the Dry Piney Creek wildlife crossing project in Sublette County.

The Wyoming State Legislature is also considering three bills in the upcoming session that, if passed, will provide other ways for residents to donate toward future wildlife crossing projects.

WYDOT's Public Affairs Office has issued press releases about the opportunity for individuals to contribute to the development of new the wildlife crossings throughout Wyoming.

Fixing America's Surface Transportation (FAST) Act Reauthorization Rescission: As part of the FAST Act, a funding rescission is pending that is designed to help balance the federal budget. The rescission reduces states' contract authority that is beyond their obligation limitation.

Mr. Byrne advised that the U.S. House of Representatives recently voted to repeal the rescission, through a continuing resolution, and the resolution has moved to the U.S. Senate for its consideration. The continuing resolution expires tonight at midnight.

Ms. Erica Legerski left the meeting.

6. Ms. Carlson presented the Chief Engineer's report.

WCA/WYDOT Co-op Meeting: Ms. Carlson thanked Ms. Katie Legerski and Mr. Rich Bolkovatz for their coordination and participation in the November 19, 2019, WCA/WYDOT Highway Committee meeting held in Casper. One of the primary agenda topics was bridge project scheduling, potential bridge project cost reductions, and ways to lessen the impacts of construction to the traveling public. The group is also working to reinitiate formal partnerships on complex projects to help streamline them, reduce delays, and keep them moving. The first formal session will be in February.

Large Change Order Executed: On October 9, 2019, Mr. Gillett approved a change order for \$136,130 on a culvert cleaning, replacement, and upgrade project along I-25. The additional work was necessary to remove debris and soil from the culvert inlet, and prepare the surrounding area for installing a high-density polyethylene culvert lining. That change order represents about 26.5 percent of the original contract amount of \$515,000. Knife River is the contractor on this project.

Beartooth Highway Project Update: The Department is making progress on its efforts to construct a portion of the Beartooth Highway in Park County. WYDOT received a \$16.6 million TIGER (Transportation Investments Generating Economic Recovery) discretionary grant for the project. The FHWA Central Federal Lands Division (FHWA-CFL) let the project in May 2019. The low bid was about \$15.4 million more than the engineer's estimate. Certain elements were eliminated from the contract to reduce costs, but the project still lacked about \$11.1 million to award the bridge portion of the contract.

The FHWA-CFL, Yellowstone National Park, and WYDOT have worked hard to close the \$11.1 million gap. FHWA-CFL found approximately \$700,000 in FY14 public lands highway funds and \$65,700 in FY15 forest highway funds to put toward the project. About \$426,000 in non-Title 23 funds is still available through the National Park Service (NPS) from the existing Beartooth Highway project, plus an additional \$608,000 in other NPS non-Title 23 funds, which will be contributed to the project. WYDOT will use these resources as matching funds for \$9.3 million in omnibus funds to make up the \$11.1 million shortfall.

WYDOT is working on revised documentation for the U.S. Department of Transportation (USDOT) to change the scope of work, and to advise them of the various funding contributions for the project. If the USDOT accepts the change in scope of work, WYDOT and the FHWA will revise the project agreement, and the project will likely be re-bid in early summer.

Ms. Carlson and Messrs. John Davis and Cody Beers (via telephone) attended the Beartooth Highway Steering Committee meeting on November 1, 2019. The attendees were elated at the progress made to fund the long-awaited Beartooth Highway project.

Reason Foundation Report on Highway Conditions: Ms. Carlson provided an executive summary that compares the Reason Foundation's 24th Annual Highway Report findings to WYDOT's performance measures.

The study ranks Wyoming 11th in the nation for its road conditions and cost effectiveness of state-owned highway facilities in 2019. The report findings are based on WYDOT's 2015 data that is gathered from the FHWA's performance monitoring system. Since 1998, Wyoming ranked first in the nation in 2000 and 2014.

The report ranks Wyoming 24th for rural interstate pavement condition and 34th for urban interstate pavement condition. WYDOT's statistics revealed that, as of 2017, 0.4 percent of Wyoming's interstate highways are in poor condition, with a targeted allowance of less than 5 percent.

Wyoming structures ranked 33rd in the nation. As of 2016, WYDOT deemed that 10.7 percent of Wyoming structures were in poor condition, and 8.1 percent were in poor condition in 2017. The Department's targeted allowance for deficient bridges is less than 10 percent, which aligns with federal performance measures.

The Reason report revealed that Wyoming's overall fatality rate ranks 26th in the nation, 30th on rural roads and 39th on urban roads. As of 2016, WYDOT recorded 1.55 fatalities per million vehicle miles traveled, and in 2017, there were 1.2 deaths per million vehicle miles traveled. The Department's targeted allowance is 1.4 fatalities per million vehicle miles traveled based on a five year rolling average. Ms. Carlson noted that, according to the Reason Report, fatalities are increasing nationwide.

Ms. Carlson provided some historical data that revealed incremental evidence of shrinking surface transportation funding over the last 20 years. WYDOT currently lacks \$135.6 million annually to keep Wyoming roads in their current condition and deliver WYDOT's mission.

Comparatively, a recent Consumer Affairs Report depicted Wyoming as having "the best roads in the United States." Their findings were based on how much each state spends per mile of all public roads statewide, the number of vehicle crash fatalities, the percentage of total capital spending toward roadway expansion and repair, and responses from 1,418 surveyed consumers about road conditions near them.

7. Mr. Cawley presented an update on FHWA topics.

U.S. House Bill 3055: U.S. House Bill 3055, the Commerce, Justice, Science, Agriculture, Rural Development, Food and Drug Administration, Interior, Environment, Transportation, and Housing and Urban Development Appropriations Act 2020, passed the U.S. House of

Representatives on November 18, 2019, with one amendment. The FHWA is watching this bill closely, as there are two key items of interest – the Continuing Appropriations Act to extend appropriations to December 20, 2019, and the repeal of the FAST Act rescission.

Department of the Army and Environmental Protection Administration: The Department of the Army and the Environmental Protection Administration jointly issued the final rule to appeal the 2015 Clean Water Rule that defines the “Waters of the United States.” This rule restores the regulatory text that existed prior to the 2015 Rule. The published final rule is in the Federal Register of October 22, 2019, with an effective date of December 23, 2019.

FHWA National Bridge Inspection Standards (NBIS): The FHWA has issued a notice of proposed rulemaking for national bridge inspection standards. Through the notice of proposed rulemaking, the FHWA proposed updating the NBIS to address MAP-21 requirements, incorporate technological advancements to include the use of unmanned aerial systems, and to address ambiguities identified since the 2009 regulation. The FHWA also proposed repealing two outdated regulations, the Highway Bridge Replacement and Rehabilitation Program and the Discretionary Bridge Candidate Rating Factor.

FY19 BUILD Grants: Wyoming recently received a FY19 BUILD discretionary grant to advance the Dry Piney Creek wildlife crossing project. The project will construct a series of crossings, fencing, and related improvements on approximately 19 miles of US 189, between La Barge and Big Piney, in Sublette County. The estimated total cost of project is \$18,180,000, and the FY19 BUILD grant funding is \$14,544,000.

Wyoming Disadvantaged Business Enterprise (DBE) Uniform Report for FY19: WYDOT has completed its FY19 uniform report of DBE commitments, awards, and payments. WYDOT and the transportation community reached a 5.0 percent DBE participation rate, which surpassed the 4.87 percent annual goal.

8. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held November 14, 2019, in Laramie.

Federal project NHPPI-I806209, involving grading, draining, placing crushed base and bituminous pavement surfacing, plant mix wearing course, removal and replacement of two bridges, bridge rehabilitations, and miscellaneous work on approximately 9.80 miles of I-80, beginning at reference marker (RM) 372.40, between Cheyenne and Pine Bluffs, in Laramie County. Completion date: October 31, 2021

Engineer’s Estimate	\$18,893,948.40	
Simon Contractors, Cheyenne, WY	\$18,388,399.73	-2.7%
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$19,769,600.00	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Vice Chairman Newton, and carried that Simon Contractors, 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 projects NHPP-N431035, SCP-0510001, STP-B202032, and STP-E-N431036 combined, involving grading, draining, milling plant mix and concrete, placing bases, bituminous pavement surfacing (recycle), chip seal, bridge rehabilitation, electrical work, and miscellaneous work on approximately 11.30 miles of WYO 59, and at various locations between Douglas and Gillette, in Converse County. Completion date: October 31, 2021

Engineer's Estimate	\$11,275,917.80
Croell, Inc., Sundance, WY	\$11,392,276.77 +1.0%
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$11,577,828.68
Simon Contractors, Cheyenne, WY	\$12,345,036.98

It was recommended by Mr. Fulton, moved by Vice Chairman Newton, seconded by Commissioner Schmidt, and carried that Croell, Inc., Sundance, 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 HIP-N311097, involving grading, placing crushed base, concrete pavement, removal and replacement of sidewalk, curb and gutter, electrical work, and miscellaneous work on approximately 1.20 miles of US 14/16/20, beginning at RM 51.78 in the town of Cody, in Park County. Completion date: September 30, 2021

Engineer's Estimate	\$4,738,454.50
S & S Builders, LLC, Gillette, WY	\$4,929,292.40 +4.0%
Acme Concrete Paving, Inc., Spokane, WA	\$5,392,497.90
Reiman Corp., Cheyenne, WY	\$5,471,814.75
DePatco, Inc., Idaho Falls, ID	\$6,446,766.95

It was recommended by Mr. Fulton, moved by Vice Chairman Newton, seconded by Commissioner Schmidt, and carried that S & S Builders, LLC, Gillette, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal projects STP-BR-0302089 and STP-BR-0302090 combined, involving grading, placing bases, bituminous pavement surfacing, removal and replacement of structures, and miscellaneous work at RM 88.05 and RM 96.14, on US 14/16, between Buffalo and Gillette, in Campbell County. Completion date: June 30, 2021

Engineer's Estimate	\$4,721,029.00	
S & S Builders, LLC, Gillette, WY	\$4,299,294.00	-8.9%
Reiman Corp., Cheyenne, WY	\$4,313,149.60	
Heavy Constructors, Inc., Rapid City, SD	\$5,249,098.00	

It was recommended by Mr. Fulton, moved by Vice Chairman Newton, seconded by Commissioner Dolezal, and carried that S & S Builders, LLC, Gillette, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project NHPP-N343044; involving grading, milling plant mix; paving crushed base and bituminous pavement surfacing (recycle); plant mix wearing course; removal and replacement of sidewalk, curb, and gutter; and miscellaneous work on approximately 2.60 miles of US 20/WYO 789, beginning at RM 130.82, in the town of Thermopolis, in Hot Springs County. Completion date: June 30, 2021

Engineer's Estimate	\$3,606,678.00	
McGarvin-Moberly Construction Co., Worland, WY	\$3,329,607.52	-7.7%
Century Companies, Inc., Lewistown, MT	\$4,280,151.50	

It was recommended by Mr. Fulton, moved by Commissioner Pfrangle, seconded by Vice Chairman Newton, and carried that McGarvin-Moberly Construction Co., Worland, 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 STP-BR-B183012, involving grading, placing crushed base and bituminous pavement surfacing, bridge rehabilitations, and miscellaneous work at various locations in Transportation District 3, including Uinta County. Completion date: July 31, 2021

Engineer's Estimate	\$3,480,690.50	
Reiman Corp., Cheyenne, WY	\$3,679,048.99	+5.7%
Gerber Construction, Inc., Lehi, UT	\$3,751,698.80	
Ralph L. Wadsworth Const. Co., LLC, Draper, UT	\$3,992,610.66	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Dolezal, 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.

State project SCP-TC-P182032, involving grading, milling plant mix, bituminous pavement surfacing (recycle), chip seal, and miscellaneous work on approximately 10.60 miles of WYO 789, beginning at RM 10.03, between Creston Junction and Baggs, in Carbon County. Completion date: October 31, 2020

Engineer's Estimate	\$3,295,031.25
McGarvin-Moberly Construction Co., Worland, WY	\$2,933,684.90 -11.0%
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$3,064,454.25
Simon Contractors, Cheyenne, WY	\$3,104,152.80

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Pfrangle, and carried that McGarvin-Moberly Construction Co., Worland, 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-BR-I180026 and DR15813 combined, involving grading, placing crushed base, concrete slab replacement, bridge rehabilitations, and miscellaneous work at RM 9.37, at the Central Avenue and Warren Avenue I-180 bridge in the city of Cheyenne, in Laramie County. Completion date: June 30, 2021

Engineer's Estimate	\$2,228,978.00
Reiman Corp., Cheyenne, WY	\$2,863,537.86+28.5%
S & S Builders, LLC, Gillette, WY	\$3,153,085.00

Mr. Fulton explained some reasons for the variance between engineer's estimate and the low bid on this project include working over the Union Pacific Railroad (UPRR) tracks, unknown factors with the expansion joint replacement, and the timing of approvals from the UPRR.

Mr. Rich Bolkovatz, President of Reiman Corporation, provided insight into the project's magnitude and several reasons for their bid being 28.5 percent more than the engineer's estimate. There are 22 siding tracks and 4 mainline tracks in the rail yard that carry 62 trains daily, equating to about one train per hour. This high train traffic volume allows about 1.5 hours of work time per day. During that brief time, the contractor must protect the railroad tracks, do what work it can do, and clear the tracks before the next train arrives, leaving about 30 minutes of actual work time daily. The contractor must furnish a flagger all day even if no trains are present. All work is accomplished on man lifts; no work can be performed from the ground. The project involves 2,800 bolt replacements; 287 girder locations must be cut down, ground, and cleaned; 1,400 field holes must be drilled; 152 diaphragms will be removed and 140 new diaphragms installed. Incremental approvals are required from the UPRR throughout this project, and these typically take a considerable amount of time.

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Vice Chairman Newton, 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 STP-BROS-CN18058, involving grading, bridge replacement, and miscellaneous work on County Road 18-261 at the bridge over the Belle Fourche River, in Crook County. Completion date: October 31, 2020

Engineer’s Estimate	\$1,714,764.00	
Reiman Corp., Cheyenne, WY	\$1,660,227.90	-3.2%
S & S Builders, LLC, Gillette, WY	\$1,970,790.00	
Heavy Constructors, Inc., Rapid City, SD	\$2,051,160.00	
Dietzler Construction Corporation, Yoder, WY	\$2,053,188.00	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Pfrangle, 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. Crook County concurred in awarding to the low bidder.

Federal project STP-BR-B201006, involving grading, placing crushed base, and bituminous pavement surfacing, concrete slab replacement, bridge rehabilitations, and miscellaneous work at various locations in Transportation District 1, including Laramie County. Completion date: October 31, 2020

Engineer’s Estimate	\$1,582,659.50	
Reiman Corp., Cheyenne, WY	\$1,125,456.70	-28.9%
S & S Builders, LLC, Gillette, WY	\$1,186,829.36	

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

State project SCP-U212017, involving the installation of a signal system and miscellaneous work at College Drive and Southwest Drive, 0.25 miles east of the I-25 and College Drive interchange, in the city of Cheyenne, in Laramie County. Completion date: June 30, 2020

Engineer’s Estimate	\$158,360.00	
Casper Electric, Inc., Casper, WY	\$121,084.84	-23.5%
Delta Wye, Inc., Gillette, WY	\$133,512.50	
Modern Electric Co., Casper, WY	\$145,851.00	
Advanced Electrical Contracting, Inc., Sheridan, WY	\$196,382.50	

It was recommended by Mr. Fulton, moved by Vice Chairman Newton, seconded by Commissioner Schmidt, and carried that Casper Electric, 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.

9. It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Schmidt, and carried to approve the following project authorizations:

ROAD PROJECTS

Converse County

NHPP N431038; Douglas-Gillette WYO 59, Highland Loop; RM 21.90-22.30; center turn lane; FY 2020; request federal PE funds \$5,000; request federal CE and construction funds \$405,000

Laramie County

STP U212020; Cheyenne Streets, College Drive; RM 3.50-4.20; pedestrian underpass; FY 2021; request federal PE funds \$10,000

Washakie County

STPU-WO 1849601; Worland Streets, Washakie Avenue; RM 99.46-100.10; reconnaissance for proposed improvements; FY 2024; request federal PE funds \$16,576

RAILROAD PROJECT

Platte County

RHP CN08090; BNSF, Guernsey, Quarry Road; circuitry; FY 2020; request federal PE funds \$500; request federal CE and construction funds \$259,500

ARS PROJECTS

Sweetwater County

ARSCT B229A01; Sweetwater County, County Road #11, TG-Soda Ash Road; transverse rumble strips; FY 2022; request PE funds \$500; estimated CE and construction cost \$4,500; reimbursed by Sweetwater County

Washakie County

ARSCT N361A05; Washakie County, various county roads; chip seal; FY 2020; request PE funds \$14,708; request CE and construction funds \$161,805; reimbursed by Washakie County

ARSCT B205A01; Lower Nowood Road; pavement patching; FY 2020; request PE funds \$15,770; request CE and construction funds \$173,470; reimbursed by Washakie County

10. Axiam Award for WYDOT's Pavement Management System: Agile Assets recently presented WYDOT with an Axiam Honorable Mention Award for its work on the new Pavement Management System. Project participants were Sarah Rickgauer, Sara Lei, and Kadi Bradfield of the Materials Program. There were 10 applicants from 7 departments of transportation competing for the award, and WYDOT was in the top 5 recipients.

Commissioner Schmidt suggested writing a letter to the award participants to acknowledge and congratulate them on their efforts.

11. Mr. Gillett presented the Operations report.

Construction Update: There are currently 18 active construction projects statewide, including three in District 1, two in District 2, three in District 3, three in District 4, and seven in District 5. This is 45 fewer active projects than last month.

Mr. Gillett reported that contractors did a good job of finishing paving on all WYDOT projects before winter set in.

A ribbon cutting ceremony was held on Riverton's North Federal Boulevard project on November 6, 2019. Director Reiner, Chief Engineer Carlson, and Mr. Gillett attended the celebration. Sidewalks, lighting, and other miscellaneous work will be completed on this project next spring.

District 2 completed the plant mix overlay on the I-25 bridges over Walsh Street and the railroad in Casper to sustain the roadway until a reconstruction project can be let next spring.

Work continues on two Jackson South projects.

Most districts are conducting their annual tours to identify their needs for State Transportation Improvement Program (STIP) development next year, including maintenance and traffic projects.

Maintenance Update: Maintenance crews have concluded their annual plant mix patching operations. Other ongoing maintenance activities conducted between snow events include delineation, guardrail repair, sand/salt replenishment, and miscellaneous road work.

US 130 is closed for the winter. WYO 70 over the Sierra Madre Mountains and US14A over the Big Horn Mountain range remain open, but they will close soon for the winter.

Many weather-related road closures have occurred over the last month. Six snowplows have been struck so far this winter season, including one in District 1, three in District 2, one in District 4, and one in District 5. Fortunately, no serious injuries were reported from those crashes.

Mr. Gillett distributed a handout depicting snowplow operator vacancies as of October 31, 2019. Of the 482 snowplow operator positions, there are currently 34 vacancies. Of today's 448 crew members statewide, 105 operators have 12 months or less experience in operating a snowplow.

Traffic Operations Update: Traffic crews are finishing the striping of newly paved roadways.

The District 1 striping crew recently painted the cattle guard on WYO 71.

District 5 recently completed an intelligent transportation system (ITS) project on South Pass, adding two new web cameras and variable speed limit signs.

Electrical crews are performing routine maintenance on signals and other electrical devices. The District 1 electrical crew is assisting a contractor with signal detection work on Grand Avenue in Laramie.

Mechanics Update: Mechanics continue their work to keep snow control equipment in good working condition. One plow truck is down in District 1 due to engine failure, and one truck is down in District 2 because of a recent crash with a semi-truck.

The state hot plant machine has been moved to Casper in preparation for operations next spring.

WYDOT Facilities Update: The I-80 Wagonhound Rest Area recently closed for two days, and the Meridian Rest Area on US 85 has been closed since October 30, 2019, because of drinking water issues stemming from the well.

International Conference on Transportation: Ms. Carlson and Mr. Gillett attended an international conference regarding transportation resilience to national hazards and extreme weather events in Washington, D.C., November 12-15, 2019. Mr. Gillett shared a few potential items from the conference that could benefit Wyoming.

12. Major Keith Groeneweg presented the Highway Patrol report in Colonel Haller's absence.

The Fatal Crash Summary through October 31, 2019, includes 107¹ fatal crashes involving 133¹ deaths. The fatalities include 49 rollover crashes, 51 multi-car crashes, 3 fixed objects, 15 motorcycles, 4 all-terrain vehicles, and 11 pedestrians. Of the 107 fatal crashes that have occurred in 2019, 21² involved commercial vehicles.

There were 34³ fatal crashes deemed drug or alcohol related, resulting in 42³ deaths. Of those deaths, 22³ were attributed to not using occupant restraints. Sixteen were rollover crashes, 15 were multi-car crashes, 3 involved a fixed object, 4 were motorcycle crashes, and 4 involved pedestrians. None of the drug- or alcohol-related fatalities involved commercial vehicles².

Of the 133 deaths that have occurred this year, 52 can be attributed to the non-use of occupant restraints, with 37 involving rollover crashes, 13 involving multi-car collisions, and 2 involving fixed objects. Thirty-four of those who died from the non-use of occupant restraints were Wyoming residents. Sixteen of those who perished were under 21 years of age, and 7 of those fatalities were attributed to the failure to use proper occupant restraints.

Major Groeneweg noted that seat belt use has increased by 5 percent nationwide in the last 10 years, and the number of unrestrained fatalities has dropped 5 percent. Major Groeneweg believes that Wyoming could see similar results if travelers would merely buckle up.

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

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

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

Of the 107 fatal crashes so far this year, it was deemed that 37 of those drivers had no distractions, 4 had a distraction from outside the vehicle, and 3 drivers were distracted by an object from inside the vehicle. In 64 of the 107 fatal crashes, it was unknown whether a distraction caused the incident.

Of the 107 fatal crashes that have occurred this year, 51 occurred on primary/secondary highways, 35 occurred on interstate highways, and 21 occurred on city/county roads.

Of the multiple-fatality crashes that have occurred on Wyoming highways in 2019, 5 were rollovers, 16 involved multiple vehicles, 4 involved commercial vehicles, and 6 were alcohol and/or drug related.

In locations where rumble strips/stripes were present, there were 46⁴ crashes. There were 54⁴ crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to 6 vehicle crashes in 2019, which resulted in 8 deaths. Speed was considered a factor in 14 of the vehicle crashes that caused 20 deaths.

The days of the week for fatal crashes in 2019 were as follows:

Sunday	20 crashes
Monday	15 crashes
Tuesday	16 crashes
Wednesday	10 crashes
Thursday	14 crashes
Friday	8 crashes
Saturday	24 crashes

The times of day for fatal crashes in 2019 were as follows:

12:00 a.m. to 6:00 a.m.	14 crashes
6:00 a.m. to 12:00 p.m.	26 crashes
12:00 p.m. to 6:00 p.m.	38 crashes
6:00 p.m. to 12:00 a.m.	29 crashes

⁴ Numbers from submitted crash reports at the time of reporting.

The Commission also heard the following statistics:

- 76 percent of those who died in rollover crashes were unbelted.
- 25 percent of all those who died in multi-vehicle crashes were unbelted.
- 67 percent of all those who died in fixed object crashes were unbelted.
- 68 percent of the fatalities in 2019 were drivers.
- 25 percent of the fatalities in 2019 were passengers.
- 55 percent of the resident fatalities were unrestrained.
- 15 percent of the non-resident fatalities were unbuckled.
- Alcohol and/or drug impairment was a factor in 32 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 5,351⁵ crashes statewide, of which 3,984⁵ involved non-commercial vehicles, and 1,367⁵ involved commercial vehicles.

The Commission received a pin map depicting the locations of the 2019 fatal crashes.

Major Groeneweg explained some of the circumstances troopers face in their daily operations, and he noted that the Highway Patrol's partnership with WYDOT's maintenance personnel is key to their success.

Trooper Vacancies Update: Eighteen new troopers were sworn in before the Wyoming Supreme Court on November 15, 2019. Six additional cadets will graduate from the Wyoming Law Enforcement Academy basic training today, with four more pre-certified officers who will join them for the Wyoming Highway Patrol Academy next week. The four pre-certified officers will be assigned to Rawlins, Lander, Casper, and Sundance.

With these new troopers, the WHP will have 10 vacancies remaining. Inadequate trooper salaries continues to be an issue in recruiting WHP troopers.

Patrol Academy Moving to LCCC: Effective January 1, 2020, the WHP will move its training academy from Camp Guernsey to Laramie County Community College (LCCC) in Cheyenne. The move will result in a significant cost savings and will be more efficient for the WHP.

The long-term plan is to potentially develop a law enforcement training center for all of Wyoming's law enforcement agencies to tie in with LCCC's accredited criminal justice program. The WHP officers may also serve as adjunct professors for LCCC's criminal justice program.

Major Groeneweg thanked the Wyoming National Guard for its partnership in allowing the WHP to utilize Camp Guernsey as its training facility for the past 17 years.

Trooper Crash South of Wheatland: On October 31, 2019, Trooper Jamie Wingard was involved in a crash while investigating another crash on I-25 south of Wheatland. Trooper Wingard was sitting in her patrol vehicle with her seat belt fastened when a commercial vehicle, driving too

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

fast for conditions, slid sideways into the back end of the patrol car. Fortunately, the trooper walked away from the crash.

Major Groeneweg highlighted the importance of the WHP's partnership with other law enforcement agencies and WYDOT's maintenance crews during incidents like the one involving Trooper Wingard. He stressed the other law enforcement agencies, WyoLink, and maintenance personnel are critical to the WHP's mission. Maintenance vacancies impact the WHP, since they work together in concert to perform WYDOT's mission. Major Groeneweg believes maintenance personnel are lifesavers, too, when they plow the way and lead troopers to stranded motorists on closed roadways.

Shop-With-a-Cop and Cram-The-Cruiser Events: The Wyoming Highway Patrol Association (WHPA) will host their annual Shop-With-a-Cop and Cram-The-Cruiser events this Christmas season. The WHPA provides funds for troopers to shop with those less fortunate and purchases gifts for others during the holiday season. The event also furnishes a complete Christmas dinner for the family.

13. Chairman Larson recessed the meeting at 11:55 a.m., on Thursday, November 21, 2019.

14. Chairman Larson reconvened the meeting at 1:50 p.m. on Thursday, November 21, 2019.

Commissioner Dolezal, Messrs. Jensen and Bolkavatz, and Ms. Katie Legerski did not return to the meeting. Ms. Cindy Thompson, Financial Manager for the FHWA, Ms. Debbie Lopez, Motor Vehicle Services, and Mr. Wayne Hassinger, Fuel Tax Program Manager, joined the meeting.

15. Mr. Olsen presented the Aeronautics report beginning with the October 2019 Aeronautics Flight Operations Passenger Summary Report.

Cessna Caravan Case Study: Mr. Olsen shared details about WYDOT's Cessna Caravan and its operations. In July 2019, WYDOT engaged the VanAllen Group to conduct a business case study on the use of its Cessna Caravan 208. The aircraft's current purpose is to collect aerial imagery for photogrammetric mapping of highway projects identified in the STIP. The intent of the study is to provide a cost-benefit analysis for the continued use of WYDOT's Cessna Caravan relative to a potential sale of the aircraft and outsourcing of all aerial image collection to a third-party vendor.

The study determined that the overall project cost is lower than outsourcing aerial photogrammetry work. Operationally, the Cheyenne-based Caravan minimizes ferry times and increases responsiveness for time-critical missions. Qualitatively, the number of outsourcing options are few and unproven. The Caravan provides guaranteed availability, response time, and the highest level of control and stability for WYDOT projects.

Wheatland Runway Update: The \$8.5 million Wheatland runway reconstruction project was progressing well throughout the summer, but the geometry and grade for the paving thickness and width did not meet Federal Aviation Administration specifications. The town of Wheatland

chose to have the paving removed and replaced in accordance with the specifications. The Wheatland Town Council met in late September and passed a resolution requiring the contractor to replace the pavement. The contractor did not have sufficient time to finish the repaving before winter set in. On October 22, 2019, the contractor asked for permission to suspend work until next spring, and the Wheatland runway is closed for the winter.

16. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,937 personnel as of November 4, 2019, compared to 1,926 a month ago and 1,922 one year ago.

Inter-Agency Working Group Update: The inter-agency working group continues to address certain personnel matters. The group consists of representatives from WYDOT, the Department of Corrections, State Parks and Cultural Resources, the Department of Health, and the Department of Administration and Information Human Resource Division. These agencies make up more than 50 percent of the state's entire workforce. The purpose of the working group is to develop talking points to convey important personnel issues to the executive branch and the legislature that are critical to the state's mission.

All state agency directors recently received surveys to gather potential topics, and 20 responded. The working group will meet next Tuesday, November 26, 2019, to begin developing the talking points from the agency responses.

Annual Contested Case Hearings Report: Mr. Kahler presented the 2019 contested case hearing statistics.

In 2019, 359 contested case hearings were requested, and 54 hearings were held. Of the 359 hearings, 348 (97 percent) suspensions were upheld.

Commissioner Schmidt left the meeting.

17. Mr. Babbitt presented the Chief Technology Officer's report.

Information Technology (IT) Update: Over the past month, Mr. Babbitt has been assessing IT software and hardware department-wide, developing a strategic plan for IT with key staff, and attending employee meetings to gather information about IT needs statewide.

Emergency Communications Manager Position: Mr. Nathan Smolinski is the new Emergency Communications program manager. Mr. Smolinski was the former WyoLink support supervisor, and he has worked tirelessly on the 16-tower buildout that will complete the WyoLink system.

WyoLink Update: The Buffalo WyoLink tower site is virtually complete, with only connectivity issues remaining. At the Orin Junction site, only the cold installation and network equipment left to be installed. After the towers are complete, WYDOT will reach out to area agencies that will

likely use the system to ensure they have the necessary radios and other equipment to access the system.

The towers at Wright and Lusk are next to be completed, and the Alva site near Devils Tower will follow. The Rock Springs and Tank Hill sites are in the process of right-of-way acquisition, and lease agreements are being negotiated for the Newcastle and Teton Pass sites.

The Radio Efficiencies Technical Group will meet December 5, 2019, to evaluate current radio needs to strategically maximize the end-users' WyoLink radio purchases. The goal is to finalize the plan by June 2020.

After years in the making, the WYDOT shop in Jackson is now using a 100-megabit fiber optic broadband connection. Rawlins was also recently upgraded. Other shops will be upgraded as funding allows, with Evanston next in line for the upgrade.

Revenue Information System (RIS) Update: WYDOT continues to work with the state's Enterprise Technology Services (ETS) Division and MathTech to map out the RIS. Once the mapping is complete, a request for proposals will be advertised for the system's replacement.

FirstNet Update: Mr. Babbitt continues to communicate with AT&T about the FirstNet expansion project. AT&T has come to an agreement with Union Wireless to begin tower development in southwest Wyoming over the next two years.

Verizon also has its own version of emergency communications for emergency responders, and they are offering priority and preemption services. Verizon is also communicating with ETS to peer with the state for connectivity on the unified network to improve efficiency and cost savings.

Cyber Security: Cyber security meetings are ongoing with various state agencies to prepare for a potential data breach.

PSCC Workshop: The PSCC welcomed a new commission member, Ron Gatti, of Rock Springs, representing the Emergency Management System. The PSCC will likely meet quarterly beginning next year.

"911" Coordination Update: Mr. Babbitt is working on developing a statewide 911 emergency plan. A meeting is scheduled with Steve Morgan, the public safety administrator for Laramie, to further the plan.

CenturyLink has also offered to host webinars in 2020 with stakeholders statewide to identify what has already been developed and to share potential future ideas for the plan.

CV Update: Mr. Vince Garcia and his team are working hard to further CV technology. The Federal Communications Commission has not committed to dedicating the entire 5.9 GHz frequency to CV.

Graphical Information Systems (GIS): Mr. Babbitt is also reviewing the WYDOT's GIS statewide to identify efficiencies and cost savings department-wide.

18. It was moved by Vice Chairman Newton, seconded by Commissioner Pfrangle, and carried to adjourn the meeting. Chairman Larson adjourned the meeting at 2:30 p.m., on Thursday, November 21, 2019.