

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 February 20, 2020. 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
Phil Schmidt, Commissioner, Casper
Jim Espy, Commissioner, Savery
Jon Dolezal, Commissioner, Evanston
Lee Filer, Commissioner, Cheyenne
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; Colonel Kebin Haller, Wyoming Highway Patrol (WHP) Administrator; Mike Kahler, Senior Assistant Attorney General; Ryan Thompson, Assistant Attorney General; Rodney Freier, Budget Program Manager; Bryan Cawley, Division Administrator, Federal Highway Administration (FHWA).

Other meeting attendees: Doug McGee, Public Affairs Program Manager; ; John Davis, Management Services Program Manager; Quint Davis, Simon Contractors, Cheyenne; John Mulcare, Division Administrator for the Federal Motor Carrier Safety Administration, Hank Rettinger, Engineering and Operations Supervisor, Justin Matumueni, Program Manager for Construction Contracts and Consultant Procurement, and Walt Satterfield, Planner, of the FHWA, Wyoming Division.

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 Commissioner Filer, seconded by Commissioner Espy, and carried to approve the minutes from the January 16, 2020, breakfast meeting, business meeting, executive session, and education sessions.
3. Old Business, Resolution for Fair and Equitable Compensation: At its January 16, 2020, business meeting, the Commission voted to draft a resolution for fair and equitable compensation for WYDOT employees.

It was moved by Vice Chairman Newton, seconded by Commissioner Espy, and carried to table the resolution for fair and equitable compensation until a future Commission meeting.

4. Director Reiner presented the Director's report.

Director Reiner recognized and thanked the WYDOT employees who have worked tirelessly during the recent winter weather events.

Although one of Director Reiner's key focuses remains on employees, the employee advisory teams have taken a short hiatus because of the legislative session. Meetings will resume next month.

The Department's comp time policy is in final draft form, and Director Reiner hopes to issue the policy soon. Director Reiner noted that WYDOT employees, not the executive staff, wrote the policy, and he is pleased with the outcome.

The Joint Transportation, Highways & Military Affairs Committee drafted HB0070, State Employee-Moving Expenses, but the bill failed during the introductory vote during the legislative session. Agencies are currently unable to pay for employee moving expenses, which dis-incentivizes employees to apply for and accept promotions statewide.

Teton County Employee Housing: WYDOT and other state agencies continue to investigate employee housing options in Teton County. The Town of Jackson recommended the Department work through their zoning process to acquire the necessary zoning change for the proposed housing site near the WYDOT office in Jackson.

State Employee Retirement: The legislature is considering several bills that, if passed, will affect state employee retirement.

SF0051 proposes increases state and employee contribution rates, and its purpose is to make the retirement plan actuarially sound. The bill also extends the retirement age to 67 for all state employees.

Road User Charge (RUC) Working Group: The RUC working group efforts are continuing. The Wyoming County Commissioners Association and the Wyoming Petroleum Producers have joined the group to broaden the stakeholders of the RUC.

Legislative Update: Many legislative bills that would have increased revenue for WYDOT have failed this session, including tolling I-80, the proposed \$0.03 fuel tax increase, Revenue Information System funding, and WyoLink maintenance and operations funding.

The Joint Appropriations Committee has proposed a 50 percent cut in all computer-centric equipment funding. A significant amount of WYDOT's exception requests fall under this category, including Highway Patrol car radios, radar devices, and trooper body cameras. Director Reiner is attempting to change that outcome because the car radios and radar detectors are now beyond their life span.

Significant progress has been made this session to promote the development of wildlife crossings. Three bills are moving through the legislature, one of which allows public donations to the cause.

Commissioner Pfrangle Resignation: Commissioner Louie Pfrangle, of Worland, resigned from the Commission on February 6, 2020. Director Reiner is working with the Governor's office to find his replacement.

Wind River Transit Authority (WRTA): On February 5, 2020, Director Reiner, Martin Kidner, and Sara Ellis met with the WRTA to address their non-compliance with federal documentation requirements. WYDOT has withheld reimbursements to WRTA because of the findings. Numerous mayors, county commissioners, and other elected officials also attended the meeting.

Oversize/Over-width Loads on Wyoming Highways: WYDOT staff is seeking ways to address 30-foot-wide loads on highways. Multiple crashes have occurred with these loads, so WYDOT is reconsidering whether such loads should be allowed on Wyoming highways. Director Reiner will meet with industry representatives on February 24, 2020, to discuss a plan for mega loads in the future.

The Wyoming Trucking Association has expressed an interest in increasing the allowable weight on Wyoming's interstate highways. WYDOT has been working with the FHWA on the request, but the request will ultimately require Congressional approval.

WYDOT Authorized Travel (WAT) and Rolling Closure Authority (RCA): WYDOT is reviewing its WAT and RCA policies for localized travel during road closures. Director Reiner hopes to implement a revised policy by next winter to refine the process and to implement an education campaign about the programs.

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

Monthly Budget Report: Mr. Freier presented the monthly budget report. The January 2020 budget report revealed that the Commission budget is 34 percent expended, and the Legislative budget is 33 percent expended, both which are within budget tolerances.

Mr. Freier noted that the Department's snow control budget is 75 percent expended, and the overall maintenance program budget is currently 37 percent expended. Maintenance program funds may be adjusted to compensate for additional snow control this winter, if needed.

Commissioner Espy noted that during a recent one-on-one meeting with Mr. Cawley, he advised that WYDOT made some improper vendor payments. Mr. Byrne indicated the FHWA routinely reviews WYDOT's federally funded payments, and corrective action has been taken. Commissioner Espy asked that executive staff bring these errors directly to the Commission's attention in the future.

6. It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Commissioner Schmidt, and carried to move Bid Numbers 20-060MD, 20-063MD, 20-064MD, 20-065MD, 20-070MD, 20-072MD, and 20-073MD to a consent list.

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

- Bid No. 20-060MD to furnish 3,500 tons of performance grade binder hot plant mix, ½-inch bituminous pavement material, for delivery in Rock Springs. The bid was awarded to Lewis and Lewis, Inc., of Rock Springs, Wyoming, for the sum of \$245,000.00.
- Bid No. 20-063MD to furnish 32,463 tons of performance grade asphalt binder hot plant mix, ½-inch bituminous pavement material, for delivery in Sheridan, Gillette, and Sundance. The bid was awarded to Simon Contractors, of Gillette, Wyoming, for the sum of \$944,673.50; and Croell, Inc., of Sundance, Wyoming, for the sum of \$953,762.40; for a total sum of \$1,898,435.90.
- Bid No. 20-064MD to furnish 15,520 tons of performance grade 64-22 oil hot mix, ½-inch bituminous pavement material, and 120 tons of tack oil, for delivery in Cheyenne, Laramie, and Rawlins. The bid was awarded to 71 Construction, of Rawlins, Wyoming, for the sum of \$151,420.00; and Knife River, of Cheyenne, Wyoming, for the sum of \$789,400.00; for a total sum of \$940,820.00.
- Bid No. 20-065MD to furnish 9,732 tons of performance grade asphalt binder warm plant mix, ¾-inch bituminous pavement material, and 32 tons of tack oil, for delivery in Riverton and Cody. The bid was awarded to 71 Construction, of Riverton, Wyoming, for the sum of \$213,300.00; and Mountain Construction Co., of Lovell, Wyoming, for the sum of \$483,850.00; for a total sum of \$697,150.00.
- Bid No. 20-070MD to furnish 13,500 tons of performance grade asphalt binder hot plant mix, ½-inch and ¾-inch bituminous pavement material. The bid was awarded to Knife River, of Casper, Wyoming, for the sum of \$744,750.00.
- Bid No. 20-072MD to furnish 1,890 tons of unmodified performance grade asphalt binder, for delivery at various locations in Districts 1, 2, and 4. The bid was awarded to Peak Asphalt, LLC, of Rawlins, Wyoming, for the sum of \$819,800.00.
- Bid No. 20-073MD to furnish 3,789 tons of emulsified asphalt, for delivery at various locations statewide. The bid was awarded to Peak Asphalt, LLC, of Rawlins, Wyoming, for the sum of \$174,330.00; and Western Emulsions, Inc., of Billings, Montana, for the sum of \$1,624,231.20; for a total sum of \$1,798,561.20.

It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to approve purchase for Bid No. 20-057MD to furnish a roof replacement on the WYDOT Planning Building in Cheyenne. The bid was awarded to Inman Roofing, Inc., of Cheyenne, Wyoming, for the sum of \$235,006.45.

It was recommended by Mr. Byrne, moved by Commissioner Schmidt, seconded by Commissioner Espy, and carried to approve purchase for Bid No. 20-066MD, to furnish one each track tractor with variable pitch, angle-tilt dozer, for use in Basin. The bid was awarded to Titan Machinery, of Gillette, Wyoming, for the sum of \$301,021.14.

It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Commissioner Dolezal, and carried to approve purchase for Bid No. 20-067MD, to furnish 27 each articulated, four-wheel-drive, wheel loaders, for use at various locations statewide. The bid was awarded to Honnen Equipment Co., of Mills, Wyoming, for the sum of \$3,753,000.00.

It was recommended by Mr. Byrne, moved by Commissioner Filer, seconded by Commissioner Dolezal, and carried to approve purchase for Bid No. 20-068MD, to furnish 4 each all-wheel-drive, articulated motor graders without wings, for use in Cheyenne, Pine Bluffs, Lander, and Cody. The bid was awarded to Wyoming Machinery Co., of Cheyenne, Wyoming, for the sum of \$1,012,880.52.

It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to approve purchase for Bid No. 20-069MD (alternate bid) to furnish three each diesel-fueled, wheel tractors with backhoe and loader, for use in Casper, Gillette, and Lander. The alternate bid was awarded to Honnen Equipment Co., of Mills, Wyoming, for the sum of \$316,500.00.

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

Beartooth Highway Project Update: On January 31, 2020, FHWA and WYDOT held a ceremonial signing of the Beartooth Highway project agreement. The fund transfer agreement between WYDOT and CFL was finalized in Denver on February 14, 2020. The FHWA CFL will administer the project and make contractor payments. WYDOT will perform regular reviews of the payments.

The total agreement is for \$25.3 million, and WYDOT is withholding \$2 million in general funds as a contingency for the project. The project will begin in the spring.

Infrastructure for Rebuilding America (INFRA) Grant Award: Ms. Carlson also signed the U.S. Department of Transportation INFRA Grant agreement for the Rock Springs I-80 Interchange Road project on January 31, 2020. The \$33 million project contains \$14.5 million in INFRA grant funding for the Interchange Road and the City of Rock Springs will contribute \$5.5 million for the project. The project will be let in April 2020.

Random Acts of Kindness Week: Governor Gordon deemed February 16-22, 2020, as "Random Acts of Kindness Week." WYDOT is using its dynamic message signs to convey "drive kind" messages to the traveling public and support the proclamation.

Wyoming Scenic Byways: At its January 16, 2020, business meeting, Commissioner Filer requested information about Wyoming's scenic byway designations. Wyoming's only National Scenic Byway (NSB) designation is the Beartooth Highway.

Ms. Carlson shared that all NSB designations must have a lead local sponsor, such as a local government, tribal government, private group, or an individual. NSB designations begin with a

proclamation by the Governor or the Governor's designee, which is the Transportation Commission. WYDOT notifies the FHWA of the proclamation, and the FHWA coordinates placing the scenic byway on maps and conveying information about the designation.

WYDOT assists efforts by providing funding to establish a corridor plan dictating how the scenic byway will be managed. The sponsor is required to demonstrate it has the ability and the resources to enforce the corridor plan.

Once a site is named a state scenic byway, the sponsor can apply to have it designated as an NSB. Nominations for the designation are made to the FHWA by the state, federal Indian tribe, or federal land management agency.

WYDOT planning staff will attend a webinar on February 26, 2020, to learn more about the Reviving America's Scenic Byway Act of 2019.

Transportation Needs Study Update: WYDOT is working with Dye Management Group to determine Wyoming's surface transportation; computer software and hardware; communications; Highway Patrol; Motor Vehicle Services; airport improvement; fleet; facilities; testing, survey, and construction equipment; and manpower needs. The consultant is forming citizen focus groups to identify specific needs. The draft study will be presented to the Commission in late summer, followed by a presentation to the Joint Transportation, Highways & Military Affairs Committee in the fall.

U.S. Department of Agriculture (USDA) Rural Business Development Grant: Ms. Carlson presented information about a USDA Rural Business Development Grant. Commissioner Espy suggested researching this grant opportunity for WYDOT. The grant focus is on training and technical assistance to improve transportation services and facilities, project key strategies, including e-connectivity, developing a rural economy, harnessing technological innovation, supporting a rural workforce, improving quality of life, and combating substance abuse. Applications are due May 14, 2020. Maximum grant awards are \$150,000, which do not require matching funds, but preference will be given when matching funds are provided.

Information regarding this grant opportunity will be shared with the cities, counties, and tribal government through WYDOT's Local Government Program.

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

Mr. Cawley introduced Messrs. John Mulcare, Division Administrator for the Federal Motor Carrier Safety Administration; Hank Rettinger, Engineering and Operations Supervisor; Justin Matumueni, Program Manager for Construction Contracts and Consultant Procurement; and Walt Satterfield, Planner of FHWA's Wyoming Division.

Opportunity Zones: The 2017 Tax Cut and Jobs Act created a new economic development tool called opportunity zones. An opportunity zone is an economically distressed community identified for census tract designated by the Governor and certified by the Secretary of the U.S.

Treasury Department. Opportunity zones have been designated in all 50 states, the District of Columbia, and five U.S. territories. Wyoming's opportunity zones are located in Albany, Carbon, Fremont, Converse, Goshen, Hot Springs, Laramie, Natrona, Park, Platte, Sweetwater, Uinta, and Washakie counties.

Mr. Cawley is encouraged for the potential roles competitive grant programs could play in the opportunity zones. The FHWA worked for two years updating the criteria of its infrastructure programs to address underserved, low-income rural, and urban communities.

FY 2021 Federal Budget: President Trump delivered his proposed FY 2021 budget to the U.S. Congress on February 10, 2020. Mr. Cawley provided a budget summary to the Commission, and explained some key highlights from the budget.

FY 2020 Obligation Limitation: The FHWA has distributed the FY 2020 formula obligation limitation. Wyoming received \$250.5 million, which is about \$5 million more than last year.

FY 2020 Wyoming Distribution of General Funds: The FHWA has distributed general fund allocations according to the 2020 Appropriations Act. Wyoming received \$43.5 million over the formula distribution. Funds must be obligated by September 30, 2023, and expenses incurred by September 30, 2028.

With the FY 2019 general fund distribution, Wyoming received \$45 million. These funds must be obligated by September 30, 2022, and expenses incurred by September 30, 2027. As of today, \$5.9 million (13 percent) of the funds have been obligated.

With the FY 2018 general fund distribution, Wyoming received \$12.9 million. Wyoming did not receive discretionary grant funding for bridge rehabilitation and reconstruction. Those funds must be obligated by September 30, 2021, and expenses incurred by September 30, 2026. As of today, \$7.9 million (61 percent) have been obligated and about \$100,000 is expended.

FHWA Review of WYDOT Operations: FHWA plans to review three different areas of WYDOT operations.

The first is a prompt payment review. A national team is reviewing how states manage prompt payment and return on retainage to subcontractors and materials suppliers on federal-aid projects. Wyoming's support documents and materials are being gathered and provided to the national review team. The review is expected to be complete in June 2020.

Mr. Walter Satterfield, FHWA Wyoming Division Planner, briefed the Commission about a review of Wyoming's right-of-way acquisition process, particularly right-of-way certifications and cost estimates. The premise of the review focuses on 23 CFR 635.309 (b) and (c), where states must provide certification that all right-of-way clearance work has been completed or necessary arrangements have been made for it to be undertaken and completed as required for the proper coordination with the physical construction schedule. The review will evaluate

existing processes for obtaining right-of-way cost estimates and certification and identify any opportunities for improvement. This review is expected to be complete in about three months.

Mr. Justin Matumueni, FHWA Wyoming Division Construction and Consultant Procurement Engineer, will review WYDOT's engineer's estimate and bid analysis process. The scope of this review includes evaluating procedures used to develop the engineer's estimate analyzing bids for award or rejection purposes, reviewing cost estimating procedures and practices, interviewing WYDOT leadership, and reviewing project bid data from fiscal year 2009 to 2019, in comparison to other data sources. The review will also look to other state departments of transportation to create a benchmark of the effectiveness and efficiency of WYDOT's engineer's estimating process. This review is expected to be complete by September 30, 2020. A follow-up of the review recommendations will be made within three years of the completion of the initial review.

9. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held February 13, 2020, in Casper.

Federal project NHPPI-I901120, involving grading, profile milling plant mix, bituminous pavement surfacing (recycle), plant mix wearing course, bridge rehabilitation, and miscellaneous work on approximately 11.50 miles of I-90 on the eastbound and westbound lanes (including lane rental), beginning at reference marker (RM) 33.58, between Sheridan and Buffalo, in Johnson and Sheridan counties. Completion date: June 30, 2021

Engineer's Estimate	\$ 8,465,772.20
Simon Contractors, Cheyenne, WY	\$ 9,872,023.00 +16.6%
Riverside Contracting, Inc., Missoula, MT	\$ 9,927,077.42
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$10,112,671.84
McGarvin-Moberly Construction Co., Worland, WY	\$10,331,207.11

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Filer, 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 project STP-BR-B204025, involving grading, surfacing, bridge rehabilitations, and miscellaneous work at various locations in Transportation District 4, including Campbell, Crook, Johnson, and Weston counties. Completion date: July 31, 2021

Engineer's Estimate	\$2,223,300.00
S & S Builders, LLC, Gillette, WY	\$2,360,360.00 +6.2%
Reiman Corp., Cheyenne, WY	\$3,116,683.70

It was recommended by Mr. Fulton, moved by Commissioner 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 HSIP-I251170, involving the installation of pavement markings and miscellaneous work at various locations in Transportation District 1, including Laramie County. Completion date: October 31, 2020

Engineer’s Estimate	\$1,458,920.00	
Streamline Markings, Inc., Billings, MT	\$1,481,980.00	-1.6%
S & L Industrial, Cowley, WY	\$1,725,975.00	

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Schmidt, and carried that Streamline Markings, Inc., Billings, 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 STPU-P511019, involving grading, bituminous pavement surfacing, emulsion-stabilized, full-depth reclamation, plant mix wearing course, sidewalk, curb and gutter, electrical work, and miscellaneous work on approximately 0.50 miles of State Route 89, beginning at RM 4.32, in the town of Evanston, in Uinta County. Completion date: November 30, 2020

Engineer’s Estimate	\$1,450,855.00	
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$1,670,115.00	+15.1%

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Commissioner Espy, and carried that Kilgore Companies, LLC 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 HSIP-B201034 and ARSCT-B201A01 combined, involving the installation of pavement markings and miscellaneous work at various locations in Transportation Districts 1 and 4, including Albany, Campbell, Carbon, Crook, Johnson, Laramie, Sheridan, and Weston counties. Completion date: September 30, 2020

Engineer’s Estimate	\$651,270.00	
Streamline Markings, Inc., Billings, MT	\$614,604.00	-5.6%
Harvey Contractors, Inc. dba American Striping Company, Englewood, CO	\$785,170.00	
S & L Industrial, Cowley, WY	\$818,780.00	

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Newton, and carried that Streamline Markings, Inc., Billings, Montana, having prequalified in

accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The City of Cheyenne and the Federal Highway Administration concurred with this decision.

Federal project HSIP-B203035, involving the installation of epoxy pavement lines and miscellaneous work at various locations in Transportation District 3, including Sublette, Sweetwater, and Teton counties. Completion date: October 31, 2020

Engineer's Estimate	\$559,730.00	
Streamline Markings, Inc., Billings, MT	\$486,390.00	-13.1%
Harvey Contractors, Inc. dba American Striping Company, Englewood, CO	\$541,120.00	
S & L Industrial, Cowley, WY	\$695,550.00	

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Commissioner Espy, and carried that Streamline Markings, Inc., Billings, 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 HSIP-W258025, involving the installation of pavement markings and miscellaneous work on WYO 258, between Gannet Street and Yellowstone Highway, in the city of Casper, in Natrona County. Completion date: October 31, 2020

Engineer's Estimate	\$290,250.00	
Harvey Contractors, Inc. dba American Striping Company, Englewood, CO	\$203,900.00	-29.8%
Keyhole Technologies, LLC, Casper, WY	\$258,300.00	
Traffic Safety Services Inc., Bismarck, ND	\$279,010.00	
Superior Sign & Supply, LLC, Casper, WY	\$287,211.00	
S & L Industrial, Cowley, WY	\$444,400.00	
Streamline Markings, Inc., Billings, MT	\$450,300.00	

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Schmidt, and carried that Harvey Contractors, Inc. dba American Striping Company, Englewood, Colorado, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project HSIP-B201007, involving the installation of pavement markings and miscellaneous work at various locations in Transportation District 1, including Albany, Carbon, and Laramie counties. Completion date: October 31, 2020

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Engineer's Estimate	\$284,490.00
S & L Industrial, Cowley, WY	\$340,225.00 +19.6%
Harvey Contractors, Inc. dba American Striping Company, Englewood, CO	\$421,625.00
Streamline Markings, Inc., Billings, MT	\$458,115.00

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Filer, and carried that S & L Industrial, 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 project HSIP-B202012, involving the installation of pavement markings and miscellaneous work at various locations in Transportation District 2, including Natrona County. Completion date: October 31, 2020

Engineer's Estimate	\$256,400.00
Keyhole Technologies, LLC, Casper, WY	\$205,650.00 -19.8%
Superior Sign & Supply, LLC, Casper, WY	\$226,259.00
S & L Industrial, Cowley, WY	\$329,250.00
Harvey Contractors, Inc. dba American Striping Company, Englewood, CO	\$358,250.00
Streamline Markings, Inc., Billings, MT	\$404,850.00

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Dolezal, and carried that Keyhole Technologies, LLC, Casper, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

10. It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Newton, and carried to approve the following project authorizations:

ROAD PROJECT

Goshen County

SCP 0808003; Torrington Streets, West C Street, from 21st Avenue to 25th Avenue; RM 0.03 to 0.30; FY 2020; reconstruction; request state preliminary engineering funds of \$10,000; request state construction engineering and construction funds of \$655,996

RAILROAD PROJECT

Converse County

RHC 0502021; Orpha Road; RM 8.72; FY 2020; surfacing; request federal preliminary engineering funds of \$500; request federal construction engineering and construction funds of \$88,040

Mr. Quint Davis left the meeting.

11. Mr. Gillett presented the Operations report.

Construction Update: Contractors continue to work on projects conducive to winter labor, such as bridges, cold-weather concrete, sign installations, and crushing. There are 22 active construction projects statewide.

Maintenance Update: Maintenance forces are particularly busy in the central, western, and southern portions of the state. Relentless wind has wreaked havoc between frequent snowstorms, necessitating consistent plowing operations, particularly in the Rawlins area. WYDOT mobilized two rotary snowplows from other districts, and hired snow-cats, and the district is in the process of renting an additional rotary snow blower to assist with removing drifts and create storage from the road ditches along I-80 between Laramie and Rock Springs.

Snowplow Crashes: District 1 has experienced nine snowplow hits, District 2 has had four, District 3 has had four, District 4 has had three, and District 5 has had one, for a total of 21 snowplow crashes so far this winter. Fortunately, no serious injuries occurred with WYDOT plow drivers. At this time last year, 16 snowplows were involved in crashes.

Avalanche Activity: So far this winter, 22 avalanches have occurred where the snow has reached the highways, and WYDOT has conducted 34 controlled avalanches. Two vehicles were caught in those avalanches, with no reported injuries. Mr. Gillett reported that February through May is typically Wyoming's heaviest avalanche season.

Traffic Operations Update: District striping crews are working on paint guns and related equipment in preparation for spring operations. Crews are also assisting with snow control operations as needed.

Sign crews are working on damage repairs, inventory for summer operations, and finalizing their summer work plans.

Electrical crews are performing routine maintenance on traffic signals, lighting, and repairing road closure gates.

Pursuant to a public request for a speed reduction, the District 3 traffic crew is finalizing two speed studies on US 189. One study is focused on Big Piney and another at Daniel, Wyoming. The requests are to reduce the 70 mile-per-hour speed limit at those locations.

Mechanics Update: Mechanic shops have been busy keeping snow removal equipment in good working order. Some locations have a backlog of equipment repairs because of the recent significant snowstorms. District 1 currently has four rotary plows out of service, and District 3 has two that are inoperable. In an effort to use its resources effectively, District 1 shipped one of its rotary plows to District 3 for repairs because of the backlog at Cheyenne's mechanic shop.

WYDOT Facilities Update: Meriden Rest Area on US 85 between Cheyenne and Torrington remains closed because of water supply issues. WYDOT hopes to let a contract soon to drill a new well.

Snow Control Costs Briefing: Mr. Gillett shared statistics of statewide snow control costs by fiscal year compared to three-year and five-year averages. So far this fiscal year, WYDOT has spent \$21.2 million on snow control operations statewide, which is 73.76 percent of the three-year average.

The Commission asked Mr. Gillett to include the “total statewide monthly snow control costs by fiscal year with a five-year average” chart in his monthly report.

Rotary Snowplow Replacement Costs: At its January 16, 2020, meeting, the Commission requested information about rotary snowplow replacement costs. Mr. Gillett provided details of the truck-mounted versus loader-mounted rotary plow costs and explained the capability and differences between the models.

Equipment Life Expectancy: Mr. Gillett shared a WYDOT equipment list with the Commission and explained the typical mileage, hours, and life expectancy for the department’s diverse equipment fleet. The list included the number of WYDOT-owned vehicles by classification and the number of those vehicles that meet trade-in criteria.

The Commission also received an equipment list depicting the actual age and mileage of the various equipment owned by WYDOT. Overall, WYDOT keeps its equipment longer than seven other western states. Mr. Gillett indicated WYDOT is able to keep its equipment longer than most other western states because of its capable mechanics who keep the equipment in good working order.

Commissioner Schmidt expressed concern about keeping equipment so long and the cost of repairs over time, considering the expense of mechanic hours and necessary parts to keep equipment operational. Commissioner Schmidt indicated it is “not necessarily a badge of honor” that WYDOT keeps its equipment so long. Mr. Gillett believes WYDOT does a good job balancing efficiency and production when evaluating whether equipment has reached its maximum life span.

12. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through January 31, 2020, includes four¹ fatal crashes involving four¹ deaths. The fatalities include one rollover crash, two multi-car crashes, and one fixed object. Of the four fatal crashes that have occurred in 2020, two² involved commercial vehicles.

There were no fatal crashes deemed drug or alcohol related³.

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

² Not all chemical tests were available at the time of reporting.

Of the four deaths that have occurred this year, one can be attributed to the non-use of an occupant restraint, and that crash involved a fixed object. The individual who died in that crash was a non-resident.

It is unknown whether distractions caused any of the fatalities so far this year.

Of the four fatal crashes that have occurred this year, two occurred on primary/secondary highways and two occurred on interstate highways.

No multiple-fatality crashes have occurred on Wyoming highways in 2020.

In locations where rumble strips/stripes were present, one⁴ crash occurred. No crashes occurred where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to half of the fatal crashes in 2020, resulting in two deaths. Speed was considered a factor in two of the fatal crashes, resulting in two deaths.

The days of the week for fatal crashes in 2020 were as follows:

Sunday	1 crash
Monday	1 crash
Tuesday	0 crashes
Wednesday	0 crashes
Thursday	0 crashes
Friday	1 crash
Saturday	1 crash

The times of day for fatal crashes in 2020 were as follows:

12:00 a.m. to 6:00 a.m.	0 crashes
6:00 a.m. to 12:00 p.m.	4 crashes
12:00 p.m. to 6:00 p.m.	0 crashes
6:00 p.m. to 12:00 a.m.	0 crashes

³ Number not included in total deaths (sub-crash data).

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

The Commission also heard the following statistics:

- None of those who died in rollover crashes were unbelted.
- None of those who died in multi-vehicle crashes were unbelted.
- One individual who died in a fixed-object crash was unbelted.
- 50 percent of the fatalities in 2020 have been drivers.
- 50 percent of the fatalities in 2020 have been passengers.
- One-third of non-residents who died were not wearing seat belts.
- 50 percent of the resident fatalities were unrestrained.
- There were no fatalities involving alcohol and/or drug impairment.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 592⁵ Highway Patrol-investigated crashes statewide, of which 202⁵ involved commercial vehicles.⁶

The Commission also received a pin map depicting the locations of the 2020 fatal crashes.

Trooper Vacancies Update: The WHP currently has 15 trooper vacancies statewide and 5 dispatcher vacancies. From the recent request for applications, 15 applicants are going through background checks. Colonel Haller hopes that many of those applicants will make it through the entire WHP hiring process.

Transporting Large Mining Equipment: The WHP has been communicating with representatives of a company that manufactures very large dump beds for mining trucks and transporting them on Wyoming highways. Numerous crashes involving these mega-loads have occurred recently. The WHP is reviewing crash history of these transports and the practicality of safely transporting them on certain Wyoming highways and bridges. The WHP plans to provide alternate options for safely transporting the dump beds.

Overweight Loads on Wyoming Highways: The current weight restriction on Wyoming highways is 117,000 pounds for divisible loads. Some states have increased their weight limit to 129,000 pounds for divisible loads, and the Wyoming Trucking Association has asked Wyoming to consider following suit. The WHP believes 129,000-pound loads can be transported safely through Wyoming. The change will require approval from the federal government and changes to the Wyoming Statutes to make the proposal come to fruition.

Maximum axle and bridge weight restrictions will not change.

Legislative Briefing: Colonel Haller briefed the Commission about the status of WHP-related bills.

13. Chairman Larson recessed the meeting at 12:10 p.m. for lunch, and reconvened the meeting at 12:40 p.m., on Thursday, February 20, 2020.

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

⁶ Total number of commercial vehicles involved; some crashes may contain multiple commercial vehicles.

Messrs. Cawley, Satterfield, and John Davis did not return to the meeting. Dr. Kahled Ksaibati and Austin Woody, of the University of Wyoming Technology Transfer Center; and Ms. Sheri Taylor, WYDOT Unmanned Aerial Systems (UAS) Program Manager, entered the meeting.

14. Mr. Olsen presented the Aeronautics report beginning with the January 2020 Aeronautics Flight Operations Passenger Summary Report.

Proposed Decommissioning of Some Wyoming Airport Approaches: In December 2019, WYDOT received notification that the Federal Aviation Administration (FAA) was proposing the decommissioning of some approaches at various Wyoming airports, primarily those that use ground-based navigational aids. If implemented, many Wyoming airports would have no backup system for landing during situations where GPS approaches are unavailable, and a significant portion of the civilian and military fleet does not have the equipment needed to use GPS approaches. Director Reiner sent a letter expressing the Department's concerns, along with written comments from various Wyoming airport users and aviation experts, about the proposed decommissioning. The FAA responded to WYDOT's concerns. Mr. Olsen has not received a formal response yet, but it appears the FAA is willing to suspend the proposed decommissioning of runways at Wyoming airports.

Aviation Economic Impact Study: About every five years, the Aeronautics Division surveys various Wyoming airport tenants and businesses that use airports, general aviation users, and commercial service passenger carriers. Survey results are analyzed and compiled, and a report is prepared detailing the impacts of aviation on Wyoming's economy. The last report was prepared in 2013. The new report will be complete this fall.

Transportation Needs Analysis: The Aeronautics Division is working closely with Wyoming airports to gather data for the ongoing transportation needs analysis. Some areas of aeronautic needs include infrastructure, equipment, aircraft rescue and firefighting equipment, future technology, and air service development. The data will be included in WYDOT's overall needs analysis study.

FY 2020 Airport Projects: At the FAA's request, Wyoming airports are preparing to let their projects earlier this year. WYDOT is in the final design review process for those projects to accommodate the FAA's request. The projects will be let within the next 45 days.

FY 2021 Wyoming Aviation Capital Improvement Plan (WACIP): The Aeronautics Division has been working on WACIP amendments since last August. The Aeronautics Commission will consider final approval of the WACIP on March 17, 2020. Ultimately, the plan will become part of the FY 2021 State Transportation Improvement Plan, and grants may be issued after October 1, 2020.

Unmanned Aerial Systems (UAS): The Aeronautics Division is focusing on UAS development. The Commission will hear more about UAS through an education session later today.

15. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,946 personnel as of February 10, 2020, compared to 1,949 a month ago and 1,908 one year ago. Mr. Rossetti noted that, although most of the maintenance-related positions are now filled, the newly hired work force has limited experience.

Legislative Update: Mr. Rossetti briefed the Commission about various bills moving through the legislature that affect WYDOT.

Embossed License Plates: Wyoming's embossed license plate vendor notified WYDOT today that their embossing printer is out of service for about six months. WYDOT is working with county treasurers to notify the public about the delay. Regular license plates will be issued to customers until the embossed plates are received.

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

Revenue Information System (RIS): HB0201, Transportation computer system replacement and maintenance, proposed \$70 million over 10 years to replace and maintain the RIS. The bill failed House introduction.

WYDOT is still pursuing the overall needs and a solution for replacing RIS. A request for information will be advertised later this month to learn from companies about potential solutions to the RIS replacement.

The Legislative Services Office will hire an independent subject matter expert to educate the legislature about RIS needs.

WYDOT hired a consultant to map and document the old COBAL database. The Department and the Wyoming Department of Administration and Information Enterprise Technology Systems (ETS) Division are collaborating to train in-house information technology (IT) personnel about the mapping and documentation of the system. WYDOT continues to work with county officials to communicate and educate them about the RIS replacement process.

WyoLink Update: HB0071, Wyoming public safety communications system funding, also failed House introduction. Some funding currently remains in the general appropriations bill for WyoLink maintenance.

WyoLink 16-Tower Buildout: Winter weather has delayed progress on some tower development.

The Buffalo tower is virtually complete, and electricians currently working on power connections. The tower and equipment is complete at the Wright and Orin Junction sites, with only minor work remaining.

Disaster Recover Radio Network: WYDOT working with the Wyoming Department of Homeland Security and the Military Department to develop a disaster recovery radio network. In

disaster situations, the Department plans to use HAM radios, if necessary, for communications at various locations statewide.

IT Budget Reductions: The Joint Appropriations Committee is proposing a 50 percent budget reduction for all IT-related software and hardware in the next biennium. This initiative will significantly affect computer and server purchases. WYDOT has already stretched its computer replacement cycle to five years, which is one year longer than virtually all other state agencies. If the measure passes, it will create some significant challenges for the Department. Mr. Babbitt noted that WYDOT's inability to upgrade software impacts its ability to thwart certain cyberattacks.

Unfunded Needs Study: Mr. Babbitt is working with Dye Management Group, Inc., to include various technology needs, including IT and WyoLink equipment, in the pending study.

Connected Vehicle (CV) Project: The Federal Communications Commission's (FCC) recent decision not to dedicate the 5.9 GHz broadband to public emergency communications projects has hindered the CV project. The FCC Chairman Ajit Pai recently met with Governor Gordon to discuss the matter. WYDOT is researching alternate solutions to advance the CV project.

Statewide Graphical Information Systems (GIS) Committee: In accordance with statute, ETS Director Gordon Knopp has established a statewide GIS Committee. Governor Gordon appointed Director Reiner to serve on that committee. Mr. Babbitt was nominated to participate in a technical assistance group for the committee, and ETS will name the final participants by March 31, 2020.

Wyoming Authorized Travel and Rolling Closure Authority: WYDOT has faced public criticism over rolling closures during recent winter storm events. The Department is doing all it can to educate the public about its reasons and processes used for determining road closures.

Statewide 911 Emergency Plan: A statewide meeting will be held this summer to continue developing the statewide 911 emergency plan.

Mr. Babbitt is working with the ETS chief data officer to establish accurate data security levels for WYDOT, including public, inter-agency, and confidential levels.

17. It was moved by Commissioner Schmidt, seconded by Commissioner Filer, and carried to recess the business meeting and move into an executive session to receive information classified as confidential by law, according to Wyoming Statute 16-4-405(a)(ix).

Chairman Larson, Vice Chairman Newton, Commissioners Schmidt, Espy, Dolezal, and Filer, Director Reiner, Ms. Carlson, and Messrs. Byrne, Rossetti, and McGee stayed for the executive session, and all others left the meeting. The Commission went into executive session at 1:15 p.m., on Thursday, February 20, 2020.

(Approved)

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18. It was moved by Commissioner Espy, seconded by Commissioner Schmidt, and carried to come out of executive session. The Commission took no action during the executive session. The Commission came out of executive session at 2:04 p.m., on Thursday, February 20, 2020.

19. It was moved by Commissioner Schmidt, seconded by Commissioner Filer, and carried to adjourn the meeting. Chairman Larson adjourned the meeting at 2:05 p.m., on Thursday, February 20, 2020.