

## **TRANSPORTATION COMMISSION OF WYOMING**

The Transportation Commission of Wyoming met via video conference on November 19, 2020. Chairman Newton convened the business meeting at 8:30 a.m. The following members were present constituting a quorum:

Rick Newton, Chairman, Buffalo  
Phil Schmidt, Vice Chairman, Casper  
Mike Larson, Commissioner, Lusk  
Jim Espy, Commissioner, Savery  
Jon Dolezal, Commissioner, Evanston  
Greg Venable, Commissioner, Worland  
K. Luke Reiner, Director  
Sandra J. Scott, Commission Secretary

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer; Mark Gillett, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Tom DeHoff, 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); Doug Jensen, State Contracts & Estimates Engineer; and Lisa Fresquez, Civil Rights Program Manager.

Other meeting attendees: Doug McGee, Public Affairs (PAO) Program Manager; Aimee Inama, Senior Public Affairs Specialist, PAO; John Davis, Management Services Program Manager; Rhonda Holt, Controller; Devon Brubaker, Manager, Rock Springs Airport; Garrett Foster and Beth Martin, Avail Valley Construction; and Kim Wilson, Stuart Frost, Michael Frost, and Danny May, of Mountain Construction Co.

Commissioner Lee Filer, of Cheyenne, was absent.

1. Pledge of Allegiance: Chairman Newton led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Espy, seconded by Commissioner Venable, and carried to approve the minutes from the October 14, 2020 pre-audit briefing, and the October 15, 2020 business meeting and executive session.
3. Director Reiner presented the Director's report.

WYDOT Employee Fatality: On November 16, 2020, a WYDOT employee, Kenny Washburn of Reno Junction, passed away at his home following a short illness. Director Reiner offered condolences to his family and to the WYDOT family for the loss.

Town Hall Meetings: Director Reiner thanked the commissioners who joined the recent WYDOT town hall meetings. The next group of town hall meetings will be held in the spring 2021.

Coronavirus (COVID-19) Update: WYDOT continues to accomplish its mission in the COVID-19 environment. COVID-19 cases are on the rise in Wyoming and within WYDOT. Director Reiner noted that, to the best of his knowledge, except for one case, virus transmission has not occurred from one employee to another.

Employee Shortages: The Elk Mountain and Baggs maintenance crews are short-staffed because of WYDOT's inability to offer competitive pay for that job classification. The Department is rotating crewmembers from other areas to provide snow control, as needed.

WHP and Political Rallies: Director Reiner offered kudos to the WHP members for their efforts to provide law enforcement during recent protests surrounding the presidential election. Each rally has had law enforcement presence, which has kept peace at those events.

Legislative Update: WYDOT is currently assisting with providing expertise to nine legislative interim committees working on transportation-related legislation.

On November 19, 2020, WYDOT will testify before the Joint Revenue Committee about a proposed \$0.09 fuel tax increase.

WYDOT has also testified before the Select Tribal Committee about training Bureau of Indian Affairs officers to Police Officer Standards Training (POST) standards, which would allow them to enforce Wyoming statutes on the reservation.

The Joint Corporations Committee is working hard to expand broadband coverage statewide. WYDOT has been involved in the committee's work since the Department is responsible for highway rights-of-way where the broadband fiber optics will be installed. Time is of the essence because Coronavirus Aid, Relief, and Economic Security (CARES) Act funding for the project must be spent by December 31, 2020.

The legislature will consider a bill in the 2021 session that, if passed, will allow WYDOT to lease WyoLink tower space to private vendors and collect up to 25 percent of the ongoing market share for those installations.

WYDOT is also scheduled to testify before the Joint Transportation, Highways & Military Affairs Committee (JTC) November 30 and December 1, 2020. Key discussion topics for that meeting are autonomous vehicles and the proposed Road Usage Charge (RUC).

American Association of State Highway & Transportation Officials (AASHTO) Annual Meeting: AASHTO hosted its annual meeting November 9-13, 2020. The meeting was held virtually for the first time in history.

The AASHTO Board of Directors met on Friday, November 13, 2020. One discussion topic was a resolution addressing systemic racism and other equity issues that affect departments of transportation (DOTs). As the Equality State, Wyoming supported the resolution, ensuring that both the public and employees are treated fairly, and with dignity and respect.

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

Monthly Budget Report: Mr. Freier presented the monthly budget report. Overall, the budget report revealed that the Commission budget was 11 percent expended, and the Legislative budget was 7 percent expended in FY 2021, which are within budget tolerances.

5. Procurement Services Bid: Mr. Byrne presented the Procurement Services bids for Commission consideration.

It was recommended by Mr. Byrne, moved by Commissioner Larson, seconded by Commissioner Espy, and carried to approve purchase for Requisition Number 00000059019 to furnish an avalanche guard refit, including installation and programming, on WYO 22 (Teton Pass), in Teton County. The bid was awarded to Outdoor Engineering, Inc., of Golden, Colorado, for the sum of \$205,090.00.

6. Mr. Gillett presented the Chief Engineer's report.

AASHTO Annual Meeting: Mr. Gillett attended the AASHTO 2020 Annual Meeting. The Council on Highways & Streets, a committee made up of chief engineers from all 50 states, also held its annual meeting. The Council reviewed its strategic plan and made no changes.

Mr. Gillett also attended the Transportation Policy Forum during AASHTO's annual meeting.

The Forum polled its members about the 2021 legislative action agenda. The agenda will be worked extensively throughout the year. The forum made no changes to the legislative action agenda at the meeting.

Mr. Gillett acknowledged John Davis, WYDOT's internal policy expert and Management Services Program Manager, for his guidance, preparation, and support he provided for the meeting. Mr. Davis is known for his vast knowledge about state DOTs and federal policies among the AASHTO members.

The Forum also polled its members about COVID-19 issues. One discussion topic was DOT funding impacts from the pandemic. Most states realized a 10 percent to 15 percent revenue loss from the pandemic. Inversely, about five states realized an increase in revenue from the COVID-19 emergency.

U.S. Forest Service (USFS) Easement Deed: The USFS has approached WYDOT about taking on a deed for an easement along the Glory Bowl avalanche area on WYO 22, Teton Pass, in Teton County. The purpose of the proposed change is so the Department could control

backcountry access during WYDOT's avalanche control missions. WYDOT will further evaluate the proposal and bring it to the Commission for consideration if the plan appears to be a safer option for clearing avalanches from the Glory Bowl area.

Chugwater Rest Area Update: The Town of Chugwater has decided not to fund the Chugwater Rest Area through the winter, so the rest area will close December 31, 2020. WYDOT will winterize the facility, but will keep the parking lot open during inclement weather for semi-truck parking. The Town of Chugwater thanked the Department for working with them to keep the facility open until now, and for allowing trucks to park there during the winter for safety sake.

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

On September 30, 2020, President Trump signed a continuing resolution (CR) for surface transportation funding. The CR extends the Fixing America's Surface Transportation (FAST) Act reauthorization through September 30, 2021, and it appropriates funding at FY 2020 levels through December 11, 2020. If no appropriation is made by December 11, the FHWA defers to its authorizing legislation, which is the FAST Act that was extended to September 30, 2021. In essence, if no further Appropriations Act is enabled, the full remaining obligation limitation of the FAST Act will be distributed to state DOTs at FY2020 levels.

The U.S. Senate has also released a proposed appropriations bill, proposing FY2020 FAST Act funding levels, after December 11. The Appropriations Bill contains a transfer of General Funds, with a significant sub-allocation for bridge rehabilitation, as it has the past three years. This measure is only a bill now. Mr. Cawley will keep the Commission informed of its progress.

The USDOT published its FY 2020 Agency Financial Report. The audit includes the financial statement audit report, which the FHWA audit opinion is based upon. The audit report also contains FHWA improper payment testing. The national FHWA audited improper payment results for FY 2020 (\$172 million) is over the national threshold of \$100 million, but has decreased since FY 2019 (\$396 million). Mr. Cawley thanked WYDOT and the Commission for working to advance processes and measures to emphasize the importance of proper payments in Wyoming. The great work Wyoming is doing to self-identify, correct, and improve payment processing is a best practice.

8. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held November 13, 2020, in Riverton.

Federal project NHPPI-I803147, involving grading, profile milling plant mix, placing crushed base and bituminous pavement surfacing (recycle), plant mix wearing course, bridge rehabilitation, and miscellaneous work on approximately 5.00 miles of I-80, beginning at reference marker (RM) 138.00, between Rock Springs and Rawlins, in Sweetwater County. Completion date: August 31, 2022

Engineer's Estimate	\$10,485,801.00	
H-K Contractors, Inc., Idaho Falls, ID	\$10,295,669.00	-1.8%
Mountain Construction Company, Lovell, WY	\$10,829,188.51	
McGarvin-Moberly Construction Co., Worland, WY	\$11,038,634.72	
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$11,889,068.96	
Simon Contractors, Cheyenne, WY	\$12,602,609.59	

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Commissioner Venable, and carried that H-K Contractors, Inc., Idaho Falls, Idaho, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project NHPPI-I805177, involving milling plant mix, bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, electrical work, and miscellaneous work on approximately 8.80 miles of I-80, beginning at RM 282.65, between Rawlins and Laramie, in Albany County. Completion date: July 31, 2022

Engineer's Estimate	\$9,653,808.00	
Simon Contractors, Cheyenne, WY	\$9,665,509.58	+0.1%
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$9,932,026.00	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Dolezal, 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 NHPPI-I804266 and NHPPI-I804269 combined, involving grading, milling plant mix, bituminous pavement surfacing (recycle), plant mix wearing course, and miscellaneous work on approximately 6.20 miles of I-80, beginning at RM 252.65, between Rawlins and Laramie, in Carbon County. Completion date: October 31, 2022

Engineer's Estimate	\$6,754,507.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$7,000,628.00	+3.6%
Simon Contractors, Cheyenne, WY	\$7,113,552.38	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Larson, and carried that JTL Group, Inc. DBA Knife River, 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-B212002, involving removal of concrete, surfacing, bridge rehabilitations, and miscellaneous work at various locations in Transportation District 2, including Converse, Laramie, Natrona, and Platte counties. Completion date: October 31, 2021

Engineer's Estimate	\$4,861,705.00	
Reiman Corp., Cheyenne, WY	\$4,317,323.13	-11.2%
S & S Builders, LLC, Gillette, WY	\$4,683,002.10	

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

Federal project NHPP-N302055, involving bituminous pavement surfacing, chip seal, fencing, and miscellaneous work on approximately 5.00 miles of US 26, beginning at RM 40.68, between Moran Junction and Dubois, in Fremont County. Completion date: October 31, 2021

Engineer's Estimate	\$2,746,989.50	
Mountain Construction Company, Lovell, WY	\$2,570,324.41	-6.4%
Avail Valley Construction-ID, LLC, Victor, ID	\$2,574,600.00	
Mcgarvin-Moberly Construction Co., Worland, WY	\$2,629,920.96	
H-K Contractors, Inc., Idaho Falls, ID	\$2,649,769.00	

Mr. Fulton advised that the lowest bid from Mountain Construction Company had an issue with the Disadvantaged Business Enterprise (DBE) information included with their bid. WYDOT's review process must be fair, consistent, and uphold the integrity of the bid process. The Department can evaluate only the information provided with the paper bid at the time of the bid opening. Contracts & Estimates and Civil Rights Program representatives review the paper copy bids for completeness, and bids must have no questionable ambiguities.

When reviewing Mountain Construction's bid on this project, Civil Rights Program representatives found a discrepancy in the DBE information that was submitted. Mr. Fulton shared a copy of the (Form E-91) "DBE Subcontractor and Material Suppliers" page from their bid, which showed that no response was received from their DBE subcontractor, P&E Painting and Lead Removal," and that a "lower quote was received from Faction Constructors." Mountain Construction also did not submit documentation of P&E Painting and Lead Removal's quote, nor whether they planned to use that DBE subcontractor.

Mountain Construction testified before the Commission that they encountered a system error when preparing their bid, but they did not contact WYDOT before the bid opening to remedy the alleged error. No other contractors reported system errors when preparing their bids for the November 13, 2020, bid letting.

Mr. Fulton noted that since WYDOT is required to consider only the information submitted with paper copy bids at the time of the bid opening, the Department must consider the bid from Mountain Construction Company as non-responsive.

Representatives from Mountain Construction Company and Avail Valley Construction-ID attended the meeting to defend their bids. Mr. Fulton introduced Mr. Doug Jensen, Contracts & Estimates Program Manager, and Ms. Lisa Fresquez, Civil Rights Program Manager.

Ms. Fresquez confirmed the details that Mr. Fulton shared with the Commission.

Ms. Kimberly Wilson, of Mountain Construction Company, testified that the documents shared by Mr. Fulton were indeed what they turned in with their bid; however, she advised that WYDOT's bidding system has a history of problems and that it is not user friendly. Ms. Wilson explained that she has spoken with Contracts & Estimates personnel in the past about the issues, and that she has even worked directly with ExeVision Inc., the bid software developer, to try to resolve the issues. Ms. Wilson also claimed to have worked with WYDOT's Construction Staff in the past about the problems she has encountered with the bidding software.

Mountain Construction Company shared a one-minute video that they prepared to demonstrate the problem their company has when entering information in the bidding software. The video depicted Ms. Wilson entering DBE information into the bidding system for a future WYDOT bid, and how the system defaults to removing certain already-entered details when she added new information.

Mountain Construction Company hired a forensic data recovery specialist who was able to log every keystroke and timestamp that occurred on the computer where their bid was prepared. The data analysis revealed that the bid amount was entered in that field. Ms. Wilson could not explain what occurred after the information was entered.

Ms. Wilson advised that she reported and replicated this issue directly to ExeVision after this occurrence, so they are aware of the matter.

Mr. Fulton reiterated that WYDOT is required to consider all bids based on documentation provided at the time of the bid opening.

Mr. Fulton recommended that Avail Valley Construction-ID, LLC, of Victor, Idaho, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as the responsive low bidder. The Federal Highway Administration concurred with Mr. Fulton's recommendation.

Commissioner Espy expressed concern about awarding the project to the second low bidder, when the forensic evidence reveals that Mountain Construction entered the appropriate data, but the system did not print the information on their paper bid. Commissioner Dolezal agreed with that assessment.

Commissioner Schmidt entered the meeting.

Mr. Garrett Foster, of Avail Valley Construction-ID, indicated they have occasionally had similar problems with WYDOT's bidding system in the past, but they have always reached out to Contracts & Estimates personnel to overcome those issues. Mr. Foster also advised that if the Commission were to overlook the glitch and award the project to Mountain Construction, then the integrity of the bid process is lost, especially since no other bidders experienced any issues in preparing their bids.

Mr. Gillett noted that every contractor has an opportunity to review their paper copy bid before it is submitted, and it is up to the contractor to contact WYDOT with questions or if a problem arises. Once contractors submit their bids, WYDOT can consider only the information on the bid documents.

Mr. Jensen, Contracts & Estimates Engineer, acknowledged Mountain Construction's efforts to enter all the necessary data into the bid system. WYDOT's software is a web-based system. Contractors use different web browsers, and some browsers present unique problems. WYDOT requires a paper bid submission. The information on the bid documents governs the bid, and that information is what determines whether the bid is complete. When the contractor's representative signs the bid, they are acknowledging that they have reviewed all information being submitted, and that the information on the paper copy is correct.

Ms. Beth Martin, of Avail Valley Construction, noted that she has also experienced issues when entering DBE information in the bid system before, but she was always able to resolve the issue by contacting WYDOT.

It was moved by Commissioner Espy and seconded by Commissioner Dolezal to table the award of Project NHPP-N302055 until a future special Commission meeting, to be scheduled before December 13, 2020. Commission Espy asked WYDOT personnel to gather further information about Mountain Construction's forensic log from their data entry, as well as other pertinent information, such as what language is included in the bid package about what a contractor should do if they encounter problems with preparing or submitting their bids. The motion passed 4-0. Commissioner Schmidt abstained from voting because he missed part of the discussion about this topic.

Federal projects NHPP-N341116 and STP-W258024 combined, involving micro-surfacing and miscellaneous work on approximately 8.40 miles of US 20/26 and WYO 258, at various locations between Casper and Mills, in Natrona County. Completion date: October 31, 2021

Engineer's Estimate	\$1,444,955.00	
Asphalt Surface Technologies Corporation, St. Joseph, MN	\$1,182,428.25	-18.2%
Geneva Rock Products, Inc., Murray, UT	\$1,388,000.00	
Riverside Contracting, Inc., Missoula, MT	\$1,565,565.00	
71 Construction, Casper, WY	\$1,795,283.71	

It was recommended by Mr. Fulton, moved by Commissioner Venable, seconded by Commissioner Espy, and carried that Asphalt Surface Technologies Corporation, St. Joseph, Minnesota, 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-CN01065 involving grading, removal and replacement of structure and miscellaneous work at RM 0.9 at the bridge over Bates Creek in Natrona County. Completion Date: November 30, 2021

Engineer's Estimate	\$875,835.00	
C C & G, Inc., Lander, WY	\$808,707.50	-7.7%
Reiman Corp., Cheyenne, WY	\$853,529.00	
S & S Builders, LLC, Gillette, WY	\$925,125.10	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Espy, and carried that CC&G, Inc., Lander, WY, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration and Natrona County concurred with this decision.

9. Mr. Fulton presented the November 2020 addendum to the FY 2021 STIP.

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Larson, and carried to approve the November 2020 STIP addendum.

10. Mr. DeHoff presented the Operations report.

COVID-19 Update: Mr. DeHoff reported that some Operations Division employees are receiving positive tests or they have come in direct contact with someone who has tested positive for COVID-19, requiring them to quarantine. Despite the setbacks, district personnel teamwork has prevailed and WYDOT’s work continues statewide. District staff continues to preach COVID-19 guidelines to maintain a safe and healthy environment for the workforce.

Construction Update: WYDOT construction personnel and its contractors worked diligently to construct highway projects. Crews continue to finish some late-season work before winter sets in. There are 20 active projects, for which most paving work is complete.

Work has begun on the I-80 winter freight project. The project will provide an additional 200 truck parking spaces along I-80 for use when winter snow events close the highway.

Most districts are conducting their annual State Transportation Improvement Program (STIP) tours with their personnel. The information gathered during the tours will be used next spring to prepare the FY 2022 STIP and long range plans.

Maintenance Update: Maintenance crews are providing some snow control across the state.

US 30 over the Snowy Mountains, WYO 70 over the Sierra Madre Mountains, and US 14A over the Big Horn Mountains are closed for the winter.

A few road closures have occurred in November because of winter conditions, vehicle crashes, and severe wind events. WYDOT's current snow control expenditures are within the 3- to 5-year averages.

Mr. DeHoff reported that one snowplow was struck so far this winter. No injuries were reported in that crash. Two other snowplows were taken out of service. One truck caught fire, and another plow truck went off the road and turned over. It has not been determined whether either of these trucks are salvageable.

District maintenance staff are processing broadband utility permits as quickly as possible.

Traffic Update: District traffic striping crews are wrapping up annual striping work. Electrical crews are performing routine maintenance on traffic signals and other electrical devices.

Equipment Update: The Rigging Shop has completed rigging and building 14 of its 26 tandem-axle snowplow trucks.

Facilities Update: The Meriden Rest Area remains closed because of water well issues. WYDOT is working with the Department of Environmental Quality and the Environmental Protection Agency to remedy the problems. Mr. DeHoff advised that the facility should be reopened soon.

Snow Plan Meetings: WYDOT is meeting with oil and gas industry and Petroleum Association representatives to talk through their concerns about the Department holding fast to its written snow control plan.

11. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through October 31, 2020, includes 101 fatal crashes involving 115 deaths. The fatalities include 37 rollover crashes, 41 multi-car crashes, 8 fixed objects, 19 motorcycles, 3 all-terrain vehicle, and 7 pedestrians. Of the 101 fatal crashes that have occurred in 2020, 19 involved commercial vehicles.

There were 29 fatal crashes deemed drug or alcohol related, resulting in 35 deaths, of which 18 were attributed to not using occupant restraints. Seventeen of those deaths were rollover crashes, 6 were multi-car crashes, 9 involved motorcycles, 2 involved all-terrain vehicles, and 1 involved a pedestrian. Of the 35 drug- or alcohol-related fatalities, 2 involved commercial vehicles.

Of the 115 deaths this year, 47 can be attributed to the non-use of occupant restraints, with 31 involving rollover crashes, 13 involving multi-car collisions, and 3 involving fixed objects. Thirty-three of those who died from the non-use of occupant restraints were Wyoming residents.

Nine of those who perished were under 21 years old, and 5 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 101 fatal crashes so far this year, 20 of those drivers had no distractions, 1 had a distraction from outside the vehicle, and 8 drivers were distracted by an object from inside the vehicle. In 59 of the 101 fatal crashes, it was unknown whether a distraction caused the incident.

Of the 101 fatal crashes that have occurred this year, 54 occurred on primary/secondary highways, 22 occurred on interstate highways, and 25 occurred on city/county roads.

Of the multiple-fatality crashes in 2020, three were rollovers, nine involved multiple vehicles, two involved commercial vehicles, and five were drug and/or alcohol related.

In locations where rumble strips/stripes were present, 29 crashes occurred. There were 60 crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to 12 vehicle crashes in 2020, which resulted in 13 deaths. Speed was considered a factor in 20 of the vehicle crashes, causing 21 deaths.

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

Sunday	14 crashes
Monday	11 crashes
Tuesday	13 crashes
Wednesday	12 crashes
Thursday	15 crashes
Friday	19 crashes
Saturday	17 crashes

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

12:00 a.m. to 6:00 a.m.	12 crashes
6:00 a.m. to 12:00 p.m.	23 crashes
12:00 p.m. to 6:00 p.m.	41 crashes
6:00 p.m. to 12:00 a.m.	25 crashes

The Commission also heard the following statistics:

- 82 percent of those who died in rollover crashes were unbelted.
- 32 percent of those who died in multi-vehicle crashes were unbelted.
- 38 percent of those who died in fixed-object crashes were unbelted.
- 71 percent of the fatalities in 2020 were drivers.
- 22 percent of the fatalities in 2020 have been passengers.
- 63 percent of the resident fatalities were unrestrained.
- 16 percent of non-resident fatalities were unrestrained.
- 31 percent of fatalities involved alcohol and/or drug impairment.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 4,904 crashes statewide, of which 1,243 involved commercial vehicles.

Colonel Haller noted that troopers have been working long hours with snowplow drivers during recent prolonged strong wind events. Elk Mountain and Laramie troopers also worked diligently with firefighters to manage road closures and providing law enforcement during the Mullen Fire west of Laramie.

WHP Recruiting Efforts: The WHP conducted new trooper testing November 5, 2020. Six trooper candidates are in the background investigation stage for hiring. Another round of testing will occur November 30-December 1, 2020. There are currently 14 trooper vacancies.

Shop-With-A-Cop Event: WHP members are arranging Shop-With-A-Cop events at various times and locations statewide during the Christmas season. The annual shopping event provides a one-on-one shopping experience for underprivileged children. This year's Shop-With-A-Cop got an extra boost with food baskets for each child provided by First Lady Jennie Gordon's Wyoming Hunger Initiative.

COVID-19 Update: COVID-19 is affecting the WHP, including troopers, dispatchers, and ports of entry. Colonel Haller and his staff continue to stress the importance of and to be diligent about following the COVID-19 safety guidelines.

Wyoming State Capitol Security: The WHP has increased security at the Wyoming State Capitol. Protests are planned every Saturday at noon for the foreseeable future. Attendance seems to increase with each protest. The WHP will continue to provide law enforcement at those rallies.

Alpine Port of Entry Closure: Radon was recently discovered at the Alpine Port of Entry facility. Employees were evacuated for almost two weeks while mitigation efforts took place.

Prosecution of WHP-related Cases: Colonel Haller reported that the Laramie County District Attorney has dismissed 125 violations in recent weeks, a significant increase from the past, allegedly because of budget cuts. The WHP contacted the State Attorney General about the increase. The AG will work with the WHP to file orders with District Court and Circuit Court judges to prosecute cases with extenuating circumstances.

12. Mr. Olsen presented the Aeronautics report beginning with the October 2020 Aeronautics Flight Operations Passenger Summary Report.

COVID-19 Impact on Air Travel: Passenger enplanements nationwide are expected to be about 60 percent fewer in 2020 and 40 percent fewer in 2021 compared to 2019.

So far in 2020, there have been about 44 percent fewer domestic flights and 54 percent fewer international flights compared to last year.

In 2020, the average U.S. airline revenue was down 74 percent in the third quarter compared to the same period last year.

U.S. employment with the airlines is at its lowest since 2010. Large airlines have discontinued service to many smaller airports around the country.

In Wyoming, passenger enplanements are down about 35 percent compared to last year. From July through October 2020, Wyoming had a smaller decrease in passenger enplanements than any other state. Riverton and Sheridan were the only airports in the lower 48 states that increased enplanements in 2019, presumably due to the Capacity Purchase Agreement.

Wyoming Aeronautics Economic Impact Study: The Aeronautics Division has been working for about 18 months to revise its aeronautics economic impact study. The study took about 12 months to gather the data. Reports were generated from the data, which was analyzed over the last 6 months. The study results will be published within the next few weeks.

Joint Minerals Committee Meeting: WYDOT testified before the Joint Minerals Committee on November 6, 2020. Discussion topics included Wyoming air service and other WYDOT-related updates.

Unmanned Aerial Systems (UAS) Update: WYDOT has completed its UAS Standard Operating Systems Procedures Manual and the UAS Safety Management System Manual, and the manuals are now available on WYDOT's website.

Wyoming Airport Operators' Association (WAOA): The WAOA recently changed its name to Wyoming Airports Coalition.

13. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,900 personnel as of October 31, 2020, compared to 1,910 a month ago and 1,937 one year ago.

Mr. Rossetti noted that the COVID-19 pandemic has affected WYDOT's ability to hire, and that the regular suppression of wages, particularly with maintenance positions, is limiting WYDOT's ability to recruit, even though many individuals are seeking jobs. Field personnel have resorted

to covering shifts in other districts to ensure WYDOT performs its mission. Employees are also leaving WYDOT for county and city jobs because of the inability to offer more pay.

In response to the statewide action to furlough state employees above a certain pay grade through February 28, 2021, WYDOT had 230 employees furloughed, resulting in \$73,665 in savings in October. Payroll not expended in August, September, and October totals \$220,593. The savings remain with WYDOT's Commission budget and do not revert to the State General Fund.

As of November 18, 2020, WYDOT had 54 confirmed positive active COVID-19 cases department-wide. Of those, 16 were in Cheyenne. Cases are widespread across the agency, not in clusters.

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

Legislative Update: WYDOT continues to work on the statewide broadband expansion project. On November 10, 2020, Mr. Babbitt and Director Reiner testified before the Joint Corporations Committee about broadband. The Corporations Committee considered a bill that, if passed by the full legislature, will allow the installation of broadband fiber optics in Wyoming rights-of-way. Another bill considered by the committee involves WYDOT leasing WyoLink tower space to cell phone providers.

Mr. Babbitt offered kudos to the WYDOT Utilities Section and district personnel for their efforts to handle applications and develop utility agreements with internet service providers for the broadband project. Quick action was required to use CARES Act funding before December 31, 2020.

Mr. Babbitt will also testify before the JTC on November 30 and December 1, 2020. Although no legislation is pending for WyoLink funding, WYDOT will brief the committee on the recent expansion and network successes of the system.

At the direction of the legislature, the Legislative Services Office hired a consultant, Berry, Dunn, McNeil & Parker, LLC, to evaluate the state's Enterprise Technology Services (ETS). WYDOT is collaborating with ETS and the consultant to include WyoLink and the Revenue Information System (RIS) in the evaluation process to get a better understanding of their processes and procedures and to find the best possible outcome for the RIS replacement.

Information Technology (IT): ETS recently requested CARES Act funding for a mobile workforce for all state agencies. The request stems from the recent decision to allow more widespread teleworking for all state employees, and it includes upgrading over 570 laptops in WYDOT's next replacement cycle. If approved, replacements will be prioritized based on need.

WYDOT continues to work with ETS to provide the most secure network possible using updated virtual private network capabilities.

RIS: MathTech is working diligently to map the current RIS mainframe. The draft request for proposals (RFP) is complete, and it is being fine-tuned to meet WYDOT's future needs and to document a process and procedures for the system replacement.

WYDOT is also meeting with department heads to identify legacy systems for possible upgrades to mobile and/or cloud solutions.

Emergency Communications: The Jackson WyoLink tower is active, and testing is underway for proper optimization of microwave connections.

The Alcova WyoLink shelter is complete, and the tower will be installed this week. A buried utility line has also been installed at the site.

The Alva tower equipment has been optimized, and fiber optic lines will be installed following the adjacent landowner's concurrence.

Installation of the tower and shelter are complete at the Greybull WyoLink tower site. The microwave equipment will be installed soon.

Lusk tower and shelter installations are also complete. The equipment is operational and optimized, and testing will begin soon.

Mr. Babbitt shared that WYDOT developed an Inter Radio Frequency (RF) Sub-system Interface (ISSI) system that allows WyoLink to communicate with other emergency management systems. Sublette County decided years ago to develop their own emergency communications network. WYDOT has tested the system for interoperability with Sublette County's emergency communications system, and it appears to be working well. Mr. Babbitt thanked WYDOT's Emergency Communications Program for its hard work to establish the interoperability.

Connected Vehicle (CV) Update: On November 18, 2020, the Federal Communications Commission (FCC) voted to reallocate the 5.9 GHz spectrum. WYDOT's CV work will continue, but the change will require redesigning some of the CV pilot program connectivity to ensure public safety. WYDOT will have about one year to move its CV program away from the dedicated short-range communications (DSRC) wireless communication channels. Without the DSRC, Wyoming's vast, wide-open spaces pose unique challenges for CVs.

WYDOT Travel Approval Program (WYTAP): WYDOT is accepting new applications for the newly developed travel approval program. The Department has received over 2,500 applications so far for authorized travel on certain sections of closed roads.

Telework Update: The Department is looking for ways to maximize teleworking for Transportation Management Center (TMC) and Communications Center employees to maintain a safe work environment. Currently, employees work in close proximity to one another. WYDOT is looking for ways to remedy the situation given the ongoing COVID-19 situation.

15. It was moved by Commissioner Schmidt, seconded by Commissioner Espy, and carried to adjourn the meeting. Chairman Newton adjourned the meeting at 11:01 a.m., on Thursday, November 19, 2020.