



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN JEFFERSON CITY, MISSOURI,
WEDNESDAY, MARCH 7, 2018**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, March 7, 2018, at the Department of Transportation building, 105 West Capitol, Jefferson City, Missouri. Michael B. Pace, Chairman, called the meeting to order at 1:00 p.m. The following Commissioners were present: Gregg C. Smith, Michael T. Waters, Jr., John W. Briscoe, Terry L. Ecker, and Robert G. Brinkmann.

The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

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Patrick McKenna, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, March 7, 2018.

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*“Department” or “MoDOT” herein refers to Missouri Department of Transportation.
“Commission” or “MHTC” herein refers to Missouri Highways and Transportation Commission.*

-- CLOSED MEETING --

VOTE TO CLOSE MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(1) – Legal actions and attorney-client privileged communications.
2. Section 610.021(3), (13) – Personnel administration regarding particular employees.
3. Section 610.021(11), (12) – Competitive bidding specs, sealed bids, or negotiated contracts.

Upon motion duly made and seconded to convene in closed session, the Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Smith, Aye
Commissioner Pace, Aye
Commissioner Waters, Aye
Commissioner Briscoe, Aye
Commissioner Ecker, Aye
Commissioner Brinkmann, Aye

The Commission met in closed session on Tuesday, March 6 from 4:00 p.m. through 5:30 p.m. whereupon they recessed and then reconvened on Wednesday, March 7, 2018 at 8:30 a.m. and adjourned at 11:45 a.m.

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-- OPEN MEETING --

APPROVAL OF MINUTES

Upon motion by Commissioner Briscoe, seconded by Commissioner Waters, the Commission unanimously approved the minutes of the regular meeting held December 1, 2017 and the special meeting held on November 30, 2017. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

Consent Agenda Process

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to “consent agenda” is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

Consideration of March 7, 2018, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Smith, seconded by Commissioner Waters, the consent agenda items were unanimously approved by a quorum of Commission members present.

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COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two standing committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees. The following committee and board reports were made during the March 7, 2018, meeting.

Audit Committee – Commissioner Waters stated there is no report; the committee will meet next in June.

Legislative Committee – Commissioner Smith reported the budget process is in full swing as MoDOT's budget for fiscal year 2019 is already being discussed by various House and Senate budget and appropriation committees.

One of the commission's legislative proposals for 2018 has already been heard by various committees in the legislature. The Automated and Driver-Assistive Connected Vehicle Technologies proposal utilizes the newest and latest technologies that could lead to transportation solutions that benefit Missourians. To that end, MoDOT intends to pursue legislation to align Missouri with national policies on the use, regulation, and implementation of automated vehicles and connected vehicle technologies. Specifically, authorizing the utilization of driver-assistive truck platooning (DATP) as administered by the Department could benefit the traveling public. The combination of vehicle-to-vehicle technology and partial vehicle automation enables safe following at closer distances than would otherwise be reasonable and prudent.

In regard to safety initiatives that would prohibit the use of hand-held electronic wireless communication devices to be used while operating a motor vehicle and a primary enforcement of our state's current seat belt law, public hearings have not been scheduled at this time.

Finally, MoDOT continues to educate and inform members of the General Assembly on the current status of the state's transportation revenue, expenditures, system condition and unfunded needs.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith stated there is no report.

MoDOT and Patrol Employees' Retirement System – Commissioner Pace reported the Board held an election and Sue Cox will continue to serve as Chair and Bill Siebert will serve as Vice Chair. As of December 31, 2017, MPERS' fund value was \$2.28 billion. MPERS' fiscal year-to-date return was up an estimated 6 percent despite volatility in equity markets of late. MPERS' one year return was just over 13 percent. The Board received a report regarding the five-year experience study from GRS, the study is necessary to be sure that plan costs are accurate and funding is appropriate. Executive Director, Scott Simon, explained that trustee elections for all four active and retiree representatives will begin soon and will be conducted electronically.

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DIRECTOR'S REPORT

During the March 7, 2018, Commission meeting, Director Patrick McKenna provided the following report:

Acts of Heroism – Director McKenna recognized two recent examples of acts of heroism from the Kansas City District. One act was by one of our employees, and the other act was by first responders on behalf of one of our employees when they came to his aid in a time of trouble.

Dave Winship is an assistant maintenance supervisor working out of the Skiles Maintenance Facility in Kansas City. On February 20, he was applying salt to icy spots on I-635 when he came across a motorist who had discovered a car that had slid off the road and overturned. Dave stopped his truck on the shoulder, exited and made his way to the car. Due to the position of the vehicle and its partially collapsed roof, he could not see into the car, but could hear a woman screaming from inside. The front doors were crushed and unable to be opened. So, he carefully broke the glass and helped her out of the vehicle. He then observed an older gentleman in the car, hanging upside down with his feet caught under the dash. He was in great pain and had some other medical issues. Dave directed the other motorist to call 911. Meanwhile he stabilized the man's head and neck and stayed with him until the fire department arrived and extricated him. Dave's actions likely prevented more serious injuries and possibly saved a life, and he is receiving a Meritorious Safety Award. This is his third meritorious safety award; he also received awards in 2009 and 2014.

In November, Russell Penner, a construction inspector, fell from his roof while hanging Christmas lights. Lee's Summit Fire & Police Departments responded to the scene and got Russell transported to the hospital. In addition, they returned to the Penner's home and finished hanging the Christmas lights

for the Penner family. On February 20, several MoDOT team members visited Lee's Summit Fire Station #4 to thank the various fire fighters and police officers who came to Russell Penner's aid.

Awards - Director McKenna reported MoDOT was recognized by the American Council of Engineering Companies for quality engineering achievements that were completed last year. MoDOT won two Grand Awards; one was for the James Bridge replacement on Route PP over the North Fork River, near Tecumseh, in Ozark County. This was a bridge that was lost during last year's spring flooding. Bartlett & West was the engineer. The other was for the I-270 North Environmental Assessment. CH2M was the engineer. MoDOT also won an Honor Award for the U.S. Route 69 Missouri River Bridge replacement in Kansas City. Garver was the engineer.

The Kansas City District also earned two awards from the Missouri Asphalt Pavement Association. The first one was for outstanding quality of pavements and longevity of projects, for U.S. Route 69 in Clay County. The second MAPA paving award was for Clay County Interstate 29 in the category of Primary Route less than 50,000 tons.

Missouri Chamber of Commerce Annual Transportation Conference –The Missouri Chamber of Commerce held its annual transportation conference recently. The keynote speaker was Ed Mortimer from the U.S. Chamber of Commerce. He discussed federal transportation issues. He noted that President Trump's transportation package includes a proposed 25-cent federal gas tax increase, in addition to considering other funding and finance options, and ways to reduce regulatory burdens placed on construction projects. The Director noted he presented the updated Citizen's Guide to Transportation Funding in Missouri, and, Nicole Hood, MoDOT's State Highway Safety and Traffic Engineer, gave a presentation on Moving Missouri Forward in Transportation Safety.

AASHTO Washington Briefing – The Director was in Washington, D.C. last week for the annual AASHTO Washington Briefing. At this meeting it was discussed again, that the Highway Trust Fund is broken and will run out of money when the FAST Act expires in 2020. The priority is finding a long-term, sustainable source of funding for transportation. Then on top of that, work on the administration's plan to remove some regulatory burdens, compete for grants for additional investment, and carve out funds for a rural plan.

Announcement of New District Engineer – On behalf of the Director, Ed Hassinger, Chief Engineer, introduced Chris Redline as the new Northwest District Engineer. Chris has been serving as the Assistant District Engineer for the Kansas City District.

Recognition of Roberta Broeker - Director McKenna thanked Roberta Broeker for her twenty years of service with MoDOT, most recently as the Chief Financial Officer. He noted his appreciation for Roberta's work at the department to make the department transparent with its resources with financial reporting through a comprehensive annual financial report and the development of the financial planning process that includes the development of the financial forecast, operating budget, and appropriations request each year.

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ROTATION OF CHAIR AND VICE CHAIR

In keeping with Section 226.030.2 of the Revised Statutes of Missouri, Commission leadership rotated. Commissioner Pace, formerly Chair, will serve as Vice Chair until March 1, 2019. Commissioner Smith, formerly Vice Chair, will serve as Chair until March 1, 2019. Commissioner Smith thanked Commissioner Pace for his leadership over the past year.

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“SHARPENING OUR STRATEGIC VISION” PERFORMANCE FRAMEWORK

On behalf of the Director, Michael DeMers, Innovative Partnerships and Alternative Funding Director, reported there are challenges looming on the horizon for the department. These include generational succession that includes turnover of both the workforce and its leadership, the attrition of the gas tax which has not been adjusted since 1996, the expectations of the public regarding technology, and the recent results of the Governor’s organizational health index related to employee engagement. He explained the department is organizing performance management and planning framework under the themes of safety, service, and stability and titling it “Sharpening our Strategic Vision.” This effort has identified initiatives and actions that are being taken to address these challenges. It is taking all of these efforts and placing them on one dashboard to be able to view the progress on each one. Additionally, this strategy will include a cost-benefit analysis that will take a comprehensive inventory of all the resources, time, materials, and labor that is used for each of these and measure that to the benefit derived from the activity. Those that yield the greatest value will see increased investment if applicable.

Under the theme of safety the focus is on the safety of the system, the users of the transportation system, safety in work zones for the traveling public as well as the workers. Mark Shelton, Southeast District Engineer is leading the safety initiatives. These initiatives include the buckle up, phone down educational effort for businesses and individuals across the state and eventually nationwide. Increased exposure to the department’s behavior-based safety program. Use of innovative technology such as automated vehicle technology where possible to improve the safety of work zones. A continued partnership

with the Missouri State Highway Patrol to use predictive analytics (a machine-learning algorithm based approach) to quickly and efficiently deploy both enforcement and emergency response across the state.

Service focuses on the efficiency and resilience of the department's program delivery, core business functions, and maintenance operation. Eric Schroeter, State Design Engineer, is leading the service programs. This category includes not only the services we provide but how we communicate it through the Citizen's Guide to Transportation Funding, an improved website that will be more accessible on mobile devices, and an improved Traveler Information Map. The maintenance management system will use technology to assist with a statewide view to optimize labor and resources. Innovative program delivery options will continue to be explored including design-build and design-build-finance where appropriate. Additionally, the department is reviewing every step in the program delivery process to make sure that each step is adding value, and what steps need to be accelerated or eliminated. General Services will be delivering optimization strategies for both fleet and facilities to make sure we have the right number of vehicles both heavy and light duty and the right number of facilities to operate and maintain the equipment and the transportation system. General Services' efforts will also explore ways to guard those investments too.

Stability is focused on developing and sustaining an engaged and motivated workforce, and sustaining additional revenue streams to augment current transportation funds. Micki Knudsen, Human Resources Director is overseeing the stability initiatives. This effort seeks to maintain an engaged and motivated workforce not only through a compensation package that will attract and retain qualified employees but also develop, certify, and train employees to encourage them to stay with the department longer. The department is working to improve its partnership with the Department of Revenue in an effort to make sure that transportation revenues are being collected efficiently. Cost share programs will continue with local governments to make sure transportation resources can be increased as they are deployed across the state.

Mr. DeMers concluded his presentation noting his observations of MoDOT's work force is that it is engaged and motivated, which provides an excellent backdrop for this strategic planning framework. Efforts

are underway to integrate this framework into the Tracker. He stated the more the department can improve the structures of the programs it delivers and how they are administered, the department will become as resilient and enduring as the people that work here.

Chairman Pace thanked Mr. DeMers for his presentation. Commissioner Smith inquired regarding the collection of motor vehicle sales tax revenue at the dealerships, Director McKenna explained the department is working with the Department of Revenue on a system of collecting registration fees based on mileage; an investment in a mileage based system could also help with improving the system to allow for collection of the motor vehicle sales taxes at dealerships.

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RESOLUTION EXPRESSING APPRECIATION TO ROBERTA BROEKER FOR OUTSTANDING SERVICE TO THE STATE OF MISSOURI

Via approval of the consent agenda, the Commission unanimously approved the following resolution:

WHEREAS, Roberta L. Broeker began her distinguished career with the Missouri Department of Transportation on March 16, 1998, and will be retiring on April 1, 2018. Prior to her service at MoDOT she served the State Auditor’s Office from 1980 to 1998, for a total of 38 years of service to the State of Missouri; and

WHEREAS, Roberta Broeker served in a variety of capacities beginning as an Audit Manager for the Audit and Business Analysis Division, moving through increasingly responsible assignments of Audit and Business Analysis Director, Inspector General, Director of Audits and Investigations, culminating in her promotion as Chief Financial Officer for the department; and

WHEREAS, Roberta Broeker’s ability to lead while under pressure made her a valuable resource that many relied upon as evidenced through her willingness to serve in the dual roles of Chief Financial Officer and Interim Director of Transportation for the department. In addition, she consistently demonstrated her imperturbability through the countless hours spent at legislative budget hearings tirelessly responding to legislative inquiries and defending the department’s budgetary actions and requests; and

WHEREAS, Roberta Broeker believed that it is important to be accountable through the wise use of resources to deliver transportation solutions of great value. She was instrumental in leading the department to prepare and publish a Comprehensive Annual Financial Report (CAFR) which demonstrates the department’s accountability and transparency to the general public, and as a result, the department has received a clean opinion from its external auditors for eighteen consecutive years under her leadership; and

WHEREAS, throughout her career, Roberta Broeker demonstrated and shared MoDOT spirit through her compassion and caring for all department employees, her keen wit that could lighten the mood at just

the right time, and her desire to celebrate life's moments with others. This was evidenced by her involvement as a regular participant and supporter at MoDOT employee extracurricular events, working with the Employee Advisory Council and during her reign as a MoDOT diva where she shared the stage and sang with great pleasure familiar songs with comical lyrics that could make the audience laugh and cry; and

WHEREAS, Roberta Broeker believed in the use of innovation that she fostered at every level, giving employees the encouragement and freedom they need to create new ideas, tools and processes to allow the department to succeed. Not only did she encourage innovation when doing business for MoDOT, she fostered creativity among employees at MoDOT. Through her constant support of the department's participation in the Missouri State Employee's Charitable Campaign, she encouraged the department to be innovative when seeking employee participation in raising funds for charities across the state. Through her leadership and encouragement the department consistently raised the most funds of all state agencies and employee participation in the campaign thrived; and

WHEREAS, her accounting and financing knowledge brought her recognition and success as she masterfully led the department through several series of bond issuances and bond refinancing. The skill and professionalism required to educate and inform others about the department's bonding process and status of bond financing earned her the respect and admiration of the members of the Missouri Highways and Transportation Commission, department leadership, and the financial and investment industry; and

WHEREAS, her work ethic, integrity, expertise, and caring for others have earned her the respect, admiration, and friendship of department employees and the public she served; and

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Roberta Broeker for her service to the citizens of Missouri.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Roberta Broeker so she will know of the high esteem and affection in which she is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation staff.

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REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING – UNIFORM RELOCATION ASSISTANCE

On behalf of the Director, Kenny Voss, Assistant State Design Engineer, presented the final orders of rulemaking for 7 CSR 10-4.010 and 10-4.020, Uniform Relocation Assistance. The department reviewed and recommended changes to the rules to comply with the requirements of Executive Order 17-03. At the November 13, 2017 meeting, the Commission authorized the filing and publication of the proposed amended rules 7 CSR 10-4.010 and 10-4.020, Uniform Relocation Assistance. After

Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of Secretary of State, who published the amended rules in the *Missouri Register* for public comment. The public had from December 15, 2017 to January 14, 2018, to submit comments in support of or in opposition to the notice of amended rulemaking. No comments were received during the public comment period.

The following is a summary of the significant changes to the rule. These rules are being amended to remove unnecessary restrictive language. Update the administrative hearing process for applicants denied relocation assistance benefits by the Department to be consistent with current practice, clarify when the appeal board has no jurisdiction to hear an appeal request and that the hearing shall be conducted at the MoDOT Building in Jefferson City, Missouri, and update the members of the appeal board. Clarify the Design Division is responsible for the *Relocation Assistance Program*, adopt the October 31, 2017 edition of the *Program* and correct its location in the Department's Engineering Policy Guide, and direct inquiries on the *Program* to Department district engineers.

The department supports this final order of rulemaking for Uniform Relocation Assistance. After consideration, the Commission via approval of the consent agenda, unanimously approved the final order of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to complete the final rulemaking process.

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**REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING –
UTILITY AND PRIVATE LINE LOCATION AND RELOCATION**

On behalf of the Director, Kenny Voss, Assistant State Design Engineer, presented the final orders of rulemaking for 7 CSR 10-3.010 through 7 CSR 10-3.030, Utility and Private Line Location and

Relocation. The department reviewed and recommended changes to the rules to comply with the requirements of Executive Order 17-03. At the November 13, 2017 meeting, the Commission authorized the filing and publication of the proposed amended rules 7 CSR 10-3.010 through 7 CSR 10-3.030, Utility and Private Line Location and Relocation. After Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of Secretary of State, who published the amended rules in the *Missouri Register* for public comment. The public had from December 15, 2017 to January 14, 2018, to submit comments in support of or in opposition to the notice of amended rulemaking. One comment was received during the public comment period but after discussion with department staff the commenter better understood the intent of the rule and has withdrawn their comment. As a result, the final order for this rule does not incorporate the public comment, and does not change the rule previously approved by the Commission.

The following is a summary of the significant changes to the rules. Remove unnecessary restrictive language and provisions, correct the address of the Commission in order for permit applicants to obtain information, correct the number of Department districts from ten to seven, update the utility location administrative hearing process to be consistent with the Missouri Administrative Procedures Act in Chapter 536, RSMo, update antiquated information and clarify emergency permit and other requirements.

The department supports this final order of rulemaking for Utility and Private Line Location and Relocation. After consideration, the Commission, via approval of the consent agenda, unanimously approved the final orders of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to complete the final rulemaking process.

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REPORT AND RECOMMENDATION REGARDING NOTICE OF PROPOSED NEW, AMENDED, AND RESCISSION RULEMAKING – BREATH ALCOHOL IGNITION INTERLOCK DEVICE CERTIFICATION AND OPERATIONAL REQUIREMENTS

On behalf of the Director, Nicole Hood, State Highway Safety and Traffic Engineer, presented to the Commission a proposed new, amended, and rescission administrative rulemaking 7 CSR 60-2.010 through 60-2.060, Breath Alcohol Ignition Interlock Device Certification and Operational Requirements. The proposed new and amended rulemaking will change the standards and specifications for the Ignition Interlock Device Program to ensure integrity of the Program by requiring: near real-time transmission of ignition interlock data between the manufacturer’s server and the driver’s device while the device is in use; provide requirements for calibration of devices; and provide requirements for photo identification when required by statute or by the court. The proposed amended rules also include some cleanup language, technical corrections, and elimination of unnecessary restrictive wording and outdated language. Under Executive Order 17-03, the Commission is required to review each of its rules in the *Code of State Regulations*, as a result of this review these rule changes are being proposed for consideration.

The public will have an opportunity to submit comments in support of or in opposition to this proposed rulemaking. All comments received from the public will be considered and summarized in the final orders of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed new, amended, and rescission rulemaking is necessary to carry out the purposes of sections 302.440 through 302.462, RSMo, that grant the Commission’s rule authority, authorized the Secretary to the Commission to file the notice of proposed new, amended, and rescission rulemakings with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to initiate the rulemaking

process.

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REPORT AND RECOMMENDATION REGARDING NOTICE OF PROPOSED AMENDED AND RESCINDED RULEMAKING – RAILROADS

On behalf of the Director, Michelle Teel, Multimodal Operations Director, presented to the Commission proposed amended and rescinded administrative rules for 4 CSR 265-2.010, 4 CSR 265-2.300 through 4 CSR 265-2.324 and 4 CSR 265-8.010 through 265-8.140 Railroads. Nineteen (19) of the rules are proposed for amendment and six (6) are proposed for rescission.

Under Executive Order 17-03, the Commission is required to review each of its rules in the *Code of State Regulations*, as a result of this review the following rule changes are being proposed for consideration. The majority of the amendments are minor in scope, such as updates to reflect current editions of materials that are incorporated by reference into the rules, elimination of unnecessary requirements for railroads, and elimination of unnecessary, restrictive words. More substantive rule amendments are necessary due to changes in technology and clarify the administration of rule procedures. Rescissions to four of the rules are necessary due to industry, statute, or procedural changes. Rescissions to two of the current rules are necessary to eliminate duplicate requirements in current federal regulations.

The public will have an opportunity to submit comments in support of or in opposition to the proposed amended and rescission rulemakings. All comments received from the public will be considered and summarized in the orders of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed amended and rescinded rulemaking is necessary to carry out the purposes of Sections 389.580, 389.610, 389.920, 389.994, and 622.027, RSMo, that grants the Commission’s rule authority, authorized the Secretary to the Commission to file the notice of proposed

amended and rescission rulemakings with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to initiate the rulemaking process.

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**REPORT AND RECOMMENDATION REGARDING NOTICE OF PROPOSED RULEMAKING –
TRANSPORTATION CORPORATION TOLL ENFORCEMENT**

On behalf of the Director, Brenda Morris, Financial Services Director, presented to the Commission proposed amended administrative rulemaking 7 CSR 10-21.010, Transportation Corporation Toll Enforcement. The proposed amendments to the rule deletes unnecessary definitions, deletes rule requirements that are redundant with the existing statutory toll enforcement laws in sections 238.362 through 238.367, RSMo, and deletes unnecessary restrictive wording. Under Executive Order 17-03, the Commission is required to review each of its rules in the *Code of State Regulations*, as a result of this review these rule changes are being proposed for consideration.

The public will have an opportunity to submit comments in support of or in opposition to the proposed amended rulemaking. All comments received from the public will be considered and summarized in the order of rulemaking.

After consideration, the Commission, via approval of the consent agenda, unanimously found substantial evidence that the proposed amended rulemaking is necessary to carry out the purposes of sections 238.347, 238.362 through 238.367, RSMo, that grants the Commission’s rule authority, authorized the Secretary to the Commission to file the notice of proposed amended rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State for publication in the *Missouri Register*, and authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute documents to initiate the rulemaking process.

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CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Kenny Voss, Assistant State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month. He noted Calls C04 and G09 have local funding, as noted in Table I below, and the department received all of the necessary concurrences.

Mr. Voss recommended (1) award of contracts to the lowest responsive bidders for bids received at the February 16, 2018, letting, as recommended and noted in Table I below. (2) Concur in award to R.V. Wagner, Inc. for bids received at the City of Pevely's January 18, 2018 bid letting, as noted in Table II below.

**Table I
Award of Contracts
February 16, 2018, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
B01	79	Pike	J2P3083	\$1,773,151.82	\$0.00	Bleigh Construction Company	Bridge Replacement
			J2P3084				
B02	15	Shelby	J2P3104	\$2,655,295.25	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurface and Shoulders
B03	K	Marion	J2S3121	\$494,709.00	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Bridge Replacement
B04	161	Montgomery	J2S3125	\$2,192,595.70	\$0.00	Lehman Construction, LLC	Bridge Replacement
C01	I-70	Lafayette	J3I3128	\$68,000.00	\$0.00	Collins & Hermann, Inc.	Sign Installation
C02	EE	Pettis	J3S3060	\$604,610.00	\$0.00	E & C Bridge, LLC	Bridge Deck Replacement
C03	I-70	Jackson	J4I3198	\$3,846,514.37	\$7,500.00	Comanche Construction, Inc.	5 Bridge Rehabilitations
C04*	I-70	Jackson	J4I3199	\$5,989,484.78	\$0.00	Clarkson Construction Company	3 Bridge Replacements

C05	70OR	Jackson	J4M0260	\$284,821.03	\$0.00	Leavenworth Excavating & Equipment Company, Inc.	Culvert Extension
C06	169	Clay	J4P3144	\$3,480,197.61	\$0.00	Superior Bowen Asphalt Company, LLC	Coldmill and Resurface
C07	B	Cass	J4S3145	\$861,497.37	\$0.00	Emery Sapp & Sons, Inc.	Bridge Replacement
C08	33	Clay	J4S3204	\$171,601.41	\$0.00	Amino Bros. Co., Inc.	Intersection Improvements
C09	150, BB	Jackson	J4S3301	\$177,577.80	\$0.00	Midwest Heavy Construction, LLC	Drainage Improvements
C10	Various	Various	J4P3244	\$142,779.60	\$0.00	Vance Brothers, Inc.	JOC - Microsurfacing
D01	A	Miller	J5S3163	\$393,721.14	\$0.00	Lehman Construction, LLC	Bridge Deck Replacement
D03	BB	Boone	J5S3169	\$794,218.88	\$0.00	PCIRoads, LLC	Bridge Rehabilitation
D04	BB	Morgan	J5S3175	\$1,157,757.38	\$0.00	E & C Bridge, LLC	Bridge Replacement
	PP		J5S3171				
D05	I-44	Laclede, Phelps, Pulaski	J9I2167	\$12,969,310.13	\$0.00	Capital Paving & Construction, LLC	Coldmill, Resurface and 3 Bridge Rehabilitations
D07	B	Phelps	J5S3041	\$1,808,563.54	\$83.04	Lehman Construction, LLC	Bridge Replacement
F01	I-270	St Louis	J6I3146	\$4,164,684.94	\$0.00	KCI Construction Company	Bridge Rehabilitation
			J6S3261				Bridge Painting
F02	I-55	Jefferson	J6I3159	\$1,210,820.18	\$0.00	D & S Fencing Company Inc.	Crack Seal and Guardrail
F04	185	Franklin	J6S3231	\$252,959.20	\$0.00	Reinhold Electric, Inc.	Intersection Improvements
F05	I-44OR	Franklin	J6S3244	\$1,473,016.98	\$0.00	N.B. West Contracting Company	Coldmill and Resurface
F06	141, 340, 180	St Louis	J6S3353	\$789,000.49	\$0.00	STF, LLC dba Traffic Control Company	Pavement Marking
F07	FF, NN, B	Franklin, Jefferson	J6S3362	\$1,419,000.00	\$0.00	Pace Construction Company	JOC - Asphalt Pavement Repair
G01	I-44	Various	J0I3004N	\$272,500.00	\$0.00	Blevins Asphalt Construction Company, Inc.	JOC - Asphalt Pavement Repair
G02	I-44	Greene	J0I3004O	\$273,800.00	\$0.00	Blevins Asphalt Construction Company, Inc.	JOC - Asphalt Pavement Repair

G04	I-44	Webster	J0I3004P	\$118,000.00	\$0.00	APAC-Central, Inc.	JOC - Asphalt Pavement Repair
G05	I-49	Bates, Vernon	J0I3004W	\$70,000.00	\$0.00	APAC-Central, Inc.	JOC - Asphalt Pavement Repair
G06	I-49	Various	J0I3004X	\$208,950.00	\$0.00	Blevins Asphalt Construction Company, Inc.	JOC - Asphalt Pavement Repair
G07	I-49	McDonald	J0I3004Y	\$84,750.00	\$0.00	Blevins Asphalt Construction Company, Inc.	JOC - Asphalt Pavement Repair
G08	I-44	Lawrence	J7I3074	\$3,936,174.23	\$0.00	Emery Sapp & Sons, Inc.	Concrete Pavement Replacement
G09**	60	Barry	J7P0881	\$439,094.08	\$0.00	Emery Sapp & Sons, Inc.	Intersection Improvements
G10	Various	Various	J7P3206B	\$1,599,000.01	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
G11	123	Greene	J7S3134	\$209,624.00	\$0.00	Hunter Chase & Associates, Inc.	ADA Improvements
	CC	Christian	J8S3077				
G12	66	Jasper	J7S3136	\$478,596.90	\$0.00	Hunter Chase & Associates, Inc.	ADA Improvements
	P, HH		J7S3143				
G13	43	Newton	J7S3179	\$337,515.26	\$0.00	Branco Enterprises, Inc.	ADA Improvements
	J		J7S3147				
	TT	Jasper	J7S3163				
G14	FF	Jasper	J7S3160	\$1,766,650.02	\$0.00	Branco Enterprises, Inc.	Intersection Improvements
G15	86	Newton	J7S3207	\$594,493.63	\$0.00	Branco Enterprises, Inc.	ADA Improvements
G16	VV	Barry	J7S3149	\$717,285.00	\$0.00	Hartman and Company, Inc.	Bridge Replacement
H02	25	Dunklin, New Madrid	J9P3265	\$1,691,000.00	\$0.00	Pace Construction Company	Coldmill and Resurface
			J9S3266				
H03	160	Howell	J9P3293	\$2,580,000.00	\$0.00	Pace Construction Company	Resurface and Add Shoulders
H04	160	Ozark, Taney	J9P3295	\$1,425,948.62	\$0.00	Leo Journagan Construction Co., Inc.	Resurface
H05	17	Howell	J9S3204	\$1,695,000.00	\$0.00	Pace Construction Company	Bridge Replacement
	ZZ	Douglas	J9S3205				
			J9S3206				

H06	H	Wright	J9S3208	\$1,956,156.90	\$0.00	Phillips Hardy, Inc.	Bridge Replacement
	T	Douglas	J9S3207				
H07	49	Wayne	J9P3211	\$1,646,497.60	\$0.00	Joe's Bridge & Grading, Inc.	Bridge Deck Replacement
	CC	Madison	J9S3215				Bridge Replacement
	Z	Madison	J9S3214				
H08	K	Stoddard	J9S3274	\$697,043.00	\$0.00	Keith Simpson Contracting, LLC	Bridge Replacement
	N		J9S3268				Bridge Deck Replacement
H10	77	Mississippi, Scott	J9S3341	\$1,555,407.39	\$0.00	Apex Paving Co.	Resurfacing, and add shoulders
			TOTAL:	\$73,529,375.24	\$7,583.04		

* Call C04 – Funding by City of Independence (Water) – \$169,956.00.

** Call G09 – Funding by City of Monett - \$219,547.04.

**Table II
City of Pevely Bids
January 18, 2018, Bid Opening**

Route	County	Job No.	Bid Amount	Department's Costs	Contractor	Description
Z	Jefferson	J6S3151	\$1,063,707.75	\$126,000.00	R.V. Wagner	Resurface, ADA and Storm Sewer Improvements
		TOTAL:	\$1,063,707.75	\$126,000.00		

Commission Consideration and Action

After consideration, and upon motion by Commissioner Briscoe, seconded by Commissioner Smith, the Commission took the following action with abstentions noted below:

1. Awarded contracts to the lowest responsive bidders for bids received on the February 16, 2018, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Concurred in award to R.V. Wagner, Inc. for bids received at the City of Pevely's January 18, 2018 bid letting, as noted in Table II below.
3. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Pace abstained from voting on Call H05. Commissioner Brinkmann abstained from voting on Call F06.

* * * * *

2018-2022 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT

On behalf of the Director, Ed Hassinger, Chief Engineer, requested approval to revise the 2018-2022 Statewide Transportation Improvement Program (STIP) that was approved in July 2017, for the implementation of twenty-five highway and bridge projects as noted in Table I below, and one hundred eleven multimodal projects as noted in Table II below.

**Table I
2018 – 2022 STIP
Highway and Bridge Construction Schedule
March Amendment
Project Changes**

District County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Construction and Right of Way Funds (Dollars in Thousands)	Change in Engineering Funds (Dollars in Thousands)
NE Montgomery J2I3225	IS 70	Signage upgrade for wrong way countermeasures at various ramp locations. \$135,000 Statewide Safety funds.	2019 CN	\$139	\$16
NE Montgomery J2I3227	IS 70	Job Order Contracting for bridge deck repair over Loutre River 2.2 miles west of Route 161 near Danville.	2018 CN	\$153	\$16
NE Randolph J2P3220	US 24	Payment to city of Moberly for ADA Transition Plan improvements and construction of new sidewalks from Bus. 63 to Route 63 east Outer Road and on Bus. 63 from Route 24 to Coates Street in Moberly. \$590,448 Cost Share and \$307,314 city of Moberly STBG funds.	2019 CN	\$897	\$184
NE Schuyler J2P3224	US 136	ADA Transition Plan improvements from Cemetery Street to Angus Drive and on Route A from Route 136 to Bondurant Street in Downing. \$659,000 Statewide Transportation Alternatives funds.	2020 CN 2019 RW	\$884	\$162

KC Jackson J4I3126	IS 435	Pavement resurfacing from Route 78 to Raytown Road in Kansas City.	2019 CN	-\$3,153	-\$513
KC Jackson J4I3124	IS 70	Pavement mill and resurface from east of Blue Ridge Cutoff to Sterling Road in Kansas City. \$229,000 Open Container funds.	2019 CN	-\$2,630	-\$362
KC Jackson J4I3124B	IS 70	Pavement mill and resurface from Manchester Trafficway to east of Blue Ridge Cutoff. \$590,000 Open Container funds.	2019 CN	\$3,490	\$234
KC Johnson J3S3119	RT T	Drainage improvements at County Road 400. \$546,000 District Operations funds.	2018 CN	\$564	\$94
KC Platte J4S3284	US 69	Drainage improvements at Frontier Street in city of Northmoor.	2019 CN	\$650	\$49
CD Cole J5S3311	OR 50	Pavement resurfacing from Big Horn Dr. to W. Truman Blvd, W. Truman Blvd to just west of Hobbs Rd, Bus. 50 W to Rainbow Dr. and intersection of W. Truman and Country Club.	2019 CN	\$742	\$58
CD Crawford J5P3214	MO 49	Pavement resurfacing, shoulder and ADA Transition Plan improvements from Route 19 to Route 32 in Iron Co. pavement resurfacing and ADA Transition Plan improvements on Route 19, near Gasconade Co. line to Route 49. pavement resurfacing on Route ZZ from .03 mile E of Springfield Rd to Route 19.	2019 CN 2018 RW	\$1,285	-\$385
CD Phelps J5P3129	US 63	ADA Transition Plan Improvements from 0.8 mile north of I-44 to 0.7 mile south of Route CC at Rolla. \$650,000 Statewide Transportation Alternatives funds, \$232,000 Earmark MO244, \$402,000 from city of Rolla.	2019 CN2018 RW	\$559	\$47
SL St. Charles J6S3357	RT K	Payment to the city of O'Fallon for pedestrian signal enhancements and ADA Transition Plan improvements from Feise Road to Technology Drive in O'Fallon.	2018 CN	\$80	\$1
SW Henry J7P3349	MO 13	Urgent slide repairs 0.1 mile south of County Road 51.	2018 CN	\$144	\$28
SW Polk J7P3187F	MO 13	Add J-turns at Route U and Route Y in city of Bolivar.	2018 CN	\$1,621	\$321
SW Polk J7P3350	RP MO13N TO MO32	Urgent slide repair at Route 32 in city of Bolivar.	2018 CN	\$132	\$25

SW Various J7P3008	Various	Job Order Contracting for guard cable and guardrail repair at various locations in the rural Southwest District.	2018 CN	\$273	\$84
SW Various J8P3009	Various	Job Order Contracting for guard cable and guardrail repair at various locations in the urban Southwest District.	2018 CN	-\$159	-\$32
SW Webster J8I0445	IS 44	Add interchange at Marshall Road 0.7 mile northeast of city of Marshfield and add new roadway to Route CC. \$5,000,000 Cost Share, \$7,400,374 city of Marshfield.	2019 CN 2018 RW	\$12,758	\$486
SE Cape Girardeau J9S3506	RT W	Box culvert extension 0.5 mile south of Route Y.	2018 CN	\$31	\$6
SE Reynolds J9P3509	MO 21	Replacement of drainage structure 0.1 mile N/O Route 21/106 intersection in the city of Ellington.	2019 CN	\$101	\$17
SE Scott J9S3507	RT Y	Drainage and entrance improvements from Ridge Road to Davis Boulevard in Sikeston. \$236,686 city of Sikeston. \$171,394 Cost Share.	2018 CN	\$408	\$93
SE Shannon J9P3428	MO 19	Pavement resurfacing and add rumblestrips from Riverview Drive to Route 60. \$1,662,000 Open Container funds.	2019 CN	\$2,174	\$142
SE St. Francois J9P3505	US 67	Upgrade of existing median crossover to J-turn design at intersection of Route 67 and New Perrine Road. \$1,200,000 Cost Share funds and \$200,000 city of Farmington.	2019 CN	\$1,548	\$108
SE Various J9P3074	Various	Job Order Contracting for guard cable and guardrail repair at various locations in the Southeast District.	2018 CN	\$500	\$35
Total:				\$23,191	\$914

Table II
2018 – 2022 STIP
Multimodal Operations
Amendment
Project Changes

District County	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Project Funds (Dollars in Thousands)
CD Camden	MEHTAP – Operating assistance for transportation services for elderly and individuals with disabilities, Camden Co. Senate Bill 40 Board, Application awarded	2018 Transit	\$10.6
SL St. Louis	MEHTAP – Operating assistance for transportation services for elderly and individuals with disabilities, Cardinal Ritter Senior Services, Application awarded	2018 Transit	\$15.4

SE Madison	MEHTAP – Operating assistance for transportation services for elderly and individuals with disabilities, Faith Tabernacle World Outreach, Inc., Application awarded	2018 Transit	\$6.8
KC Jackson	MEHTAP – Operating assistance for transportation services for elderly and individuals with disabilities, The Salvation Army, Application awarded	2018 Transit	\$5.2
KC Jackson	State Transit Operating Assistance - Operating assistance for public transportation services, KC Streetcar Authority, Application awarded	2018 Transit	\$123.2
Statewide Statewide	5304 - Planning assistance for statewide transit association, Missouri Public Transit Association, Application awarded	2018 Transit	\$66.3
SL St. Louis	5310 - Contingency capital assistance funds for bus replacement/expansion in the St. Louis large urban area (yearly application), East-West Gateway Council of Governments (MoDOT administered), Application awarded	2018 Transit	\$352.9
SL St. Louis	5310 - Replacement of transit vehicle exceeding useful life, Gateway Chapter Paralyzed Veterans of America, Application awarded	2018 Transit	\$36.2
SL Jefferson	5310 - Replacement of two transit vehicles exceeding useful life, OATS, Inc., Application awarded	2018 Transit	\$115.2
SL St. Louis	5310 - Replacement of transit vehicle exceeding useful life, St. Elizabeth Adult Day Care Center, Application awarded	2018 Transit	\$51.6
SL St. Charles	5310 - Replacement of transit vehicle exceeding useful life, Compass Health Inc., Application awarded	2018 Transit	\$55.4
SL St. Louis	5310 - Replacement of transit vehicle exceeding useful life, Independence Center, Application awarded	2018 Transit	\$37.2
SL Jefferson	5310 - One new transit vehicle for expansion of service, Jefferson County Community Partnership, Application awarded	2018 Transit	\$58.3
SL Jefferson, St. Louis	5310 - One new transit vehicle for expansion of service, Pony Bird, Inc., Application awarded	2018 Transit	\$52.8
SL St. Louis	5310 - One new transit vehicle for expansion of service, Cardinal Ritter Senior Services, Application awarded	2018 Transit	\$57.7
SL St. Louis	5310 - One new transit vehicle for expansion of service, St. Louis ARC, Application awarded	2018 Transit	\$35.9
SL St. Louis, St. Charles	5310 - One new transit vehicle for expansion of service, Center for Head Injury Services, Application awarded	2018 Transit	\$37.2
SL Jefferson	5310 - Two new transit vehicles for expansion of service, Disability Resource Association, Inc., Application awarded	2018 Transit	\$74.4
SL Jefferson	5310 - Equipment purchase of bike rack for transit vehicle, Jefferson County Community Partnership, Application awarded	2018 Transit	\$1.9
SL Jefferson	5310 - Equipment purchase of fare box for transit vehicle, Jefferson County Community Partnership, Application awarded	2018 Transit	\$1.0
SL St. Charles	5310 - Replacement of five transit vehicles exceeding useful life, OATS, Inc., Application awarded	2018 Transit	\$302.3
SL St. Charles	5310 - Replacement of six transit vehicles exceeding useful life, Community Living, Inc., Application awarded	2018 Transit	\$263.0
SL St. Charles, St. Louis	5310 - Replacement of three transit vehicles exceeding useful life, Emmaus Homes, Inc., Application awarded	2018 Transit	\$107.7

SL St. Charles	5310 - Three new transit vehicles for expansion of service, OATS, Inc., Application awarded	2018 Transit	\$179.6
SL Jefferson	5310 - Five new transit vehicles for expansion of service, NextStep for Life, Application awarded	2018 Transit	\$186.3
SW Greene	5310 - Contingency capital assistance funds for bus replacement/expansion in the Springfield large urban area (yearly application), Ozark Transportation Organization, Application awarded	2018 Transit	\$0.0
SW Greene	5310 - Replacement of transit vehicle exceeding useful life, Council of Churches of the Ozarks, Application awarded	2018 Transit	\$56.1
SW Greene	5310 - Replacement of two transit vehicles exceeding useful life, OATS, Inc., Application awarded	2018 Transit	\$74.5
SW Greene	5310 - Replacement of transit vehicle exceeding useful life, Burrell, Inc., Application awarded	2018 Transit	\$27.5
SW Greene	5310 - Two new transit vehicles for expansion of service, The Arc of the Ozarks, Application awarded	2018 Transit	\$108.8
SW Greene	5310 - One new transit vehicle for expansion of service, Ozark Senior Center, Application awarded	2018 Transit	\$37.2
SW Greene	5310 - One new transit vehicle for expansion of service, OATS, Inc., Application awarded	2018 Transit	\$63.0
NW/SW/SE/CD Various	5310 - Contingency funds for bus replacement/expansion in Missouri small rural areas (yearly application), 5310 Transportation Providers, Application awarded	2018 Transit	\$14.9
SE Cape Girardeau	5310 - Replacement of transit vehicle exceeding useful life, Community Counseling Center, Application awarded	2018 Transit	\$55.4
CD Cole	5310 - Replacement of transit vehicle exceeding useful life, Cole County Residential Services, Inc., Application awarded	2018 Transit	\$35.9
CD Boone	5310 - One new transit vehicle for expansion of service, Alternative Community Training, Inc., Application awarded	2018 Transit	\$35.9
SE Cape Girardeau	5310 - Three new transit vehicles for expansion of service, Cape Girardeau Community Sheltered Workshop, Inc., Application awarded	2018 Transit	\$111.6
NW Buchanan	5310 - One new transit vehicle for expansion of service, Living Community of St. Joseph, Application awarded	2018 Transit	\$56.1
CD/NW Cole, Boone, Buchanan	5310 - Five new transit vehicles for expansion of service, OATS, Inc., Application awarded	2018 Transit	\$289.7
SW Jasper	5310 - Replacement of transit vehicle exceeding useful life, Ozark Center, Application awarded	2018 Transit	\$56.0
NW Buchanan	5310 - ADA Accessible Bus Stops, City of St. Joseph, Application awarded	2018 Transit	\$150.0
Statewide Statewide	5310 - Contingency operating assistance for transportation services for elderly and individuals with disabilities in Missouri small urban areas (yearly application), 5310 Transportation Providers, Application awarded	2018 Transit	\$334.6
CD/NW Boone, Buchanan, Cole	5310 - Operating assistance for transportation services for elderly and individuals with disabilities, OATS, Inc., Application awarded	2018 Transit	\$720.0
Statewide Statewide	5310 - Contingency funds for bus replacement/expansion and mobility management in Missouri rural area (yearly application), 5310 Transportation Providers, Application awarded	2018 Transit	\$0.0

SE St. Francois	5310 - Replacement of four transit vehicles exceeding useful life, Southeast Missouri Transportation System (SMTS), Application awarded	2018 Transit	\$252.0
NE Macon, Shelby	5310 - Replacement of two transit vehicles exceeding useful life, Learning Opportunities/Quality Works, Inc., Application awarded	2018 Transit	\$71.8
SE St. Francois	5310 - Replacement of a transit vehicles exceeding useful life, St. Francois Co. Board for the DD, Application awarded	2018 Transit	\$58.6
NE Audrain	5310 - Replacement of two transit vehicles exceeding useful life, East Central MO Behavioral Health Center - Arthur Center, Application awarded	2018 Transit	\$110.6
SE Perry	5310 - Replacement of a transit vehicle exceeding useful life, United Enterprise, Inc., Application awarded	2018 Transit	\$53.0
NE Audrain	5310 - Replacement of a transit vehicle exceeding useful life, Audrain Developmental Disability Services, Inc., Application awarded	2018 Transit	\$54.7
NE Pike	5310 - One new transit vehicle for expansion of service, Pike County Senate Bill 40 Board, Application awarded	2018 Transit	\$37.2
SE Stoddard	5310 - Replacement of a transit vehicle exceeding useful life, Stoddard Co. Association for Retarded Citizens, Inc., Application awarded	2018 Transit	\$58.0
CD Camden	5310 - Replacement of two transit vehicles exceeding useful life, Lake Ozark Developmental Center, Inc., Application awarded	2018 Transit	\$95.3
CD Washington	5310 - Replacement of a transit vehicle exceeding useful life, Washington County Board for the Handicapped, Application awarded	2018 Transit	\$51.6
NE Macon	5310 - Replacement of a transit vehicle exceeding useful life, La Plata Nursing Home District, Application awarded	2018 Transit	\$55.3
NE Lincoln	5310 - Replacement of three transit vehicles exceeding useful life, Community Opportunities for People w/DD, Application awarded	2018 Transit	\$143.5
NE Warren, Franklin	5310 - Replacement of three transit vehicles exceeding useful life, Emmaus Homes, Inc. - Marthasville, Application awarded	2018 Transit	\$107.7
NW Gentry, Nodaway, Harrison, Buchanan	5310 - Replacement of a transit vehicle exceeding useful life, Rolling Hills Creative Living, Inc., Application awarded	2018 Transit	\$35.9
SW, KC, NW Various	5310 - Mobility management activities , Missouri Rural Health Association, Application awarded	2018 Transit	\$92.8
KC Lafayette	5310 - Mobility management activities , Health Care Coalition of Lafayette Co., Application awarded	2018 Transit	\$106.5
SW Webster	5310 - Replacement of a transit vehicle exceeding useful life, Web-Co Custom Industries, Inc., Application awarded	2018 Transit	\$53.0
SW/SE Howell, Shannon, Oregon, Douglas, Wright, Texas	5310 - Replacement of a transit vehicle exceeding useful life, Ozark Medical Center, Application awarded	2018 Transit	\$37.2
CD Callaway	5310 - Replacement of two transit vehicles exceeding useful life, SERVE, Inc., Application awarded	2018 Transit	\$111.7
SE Iron	5310 - Two new transit vehicles for expansion of service, Ozark Valleys Community Services, Application awarded	2018 Transit	\$87.6

NE Audrain	5310 - One new transit vehicle for expansion of service, Audrain Developmental Disability Services, Inc., Application awarded	2018 Transit	\$47.6
NE Knox	5310 - One new transit vehicle for expansion of service, Knox County Nursing Home District, Application awarded	2018 Transit	\$52.3
SE Stoddard	5310 - One new transit vehicle for expansion of service, Stoddard Co. Association for Retarded Citizens, Inc., Application awarded	2018 Transit	\$58.0
SL Jefferson	5310 - Two new transit vehicles for expansion of service, NextStep for Life, Inc., Application awarded	2018 Transit	\$74.4
CD Phelps	5310 - One new transit vehicle for expansion of service, Phelps County Regional Medical Center, Application awarded	2018 Transit	\$50.4
NE Macon	5310 - One new transit vehicle for expansion of service, La Plata Nursing Home District, Application awarded	2018 Transit	\$37.2
CD Morgan	5310 - Two new transit vehicles for expansion of service, Good Shepard Nursing Home District, Application awarded	2018 Transit	\$112.3
NW Gentry	5310 - One new transit vehicle for expansion of service, Opportunity Workshop, Inc, Application awarded	2018 Transit	\$53.0
SL Jefferson	5310 - One new transit vehicle for expansion of service, Sunnyhill, Inc., Application awarded	2018 Transit	\$55.3
Statewide Statewide	5310 - Contingency operating assistance for transportation services in Missouri small urban areas for elderly and individuals with disabilities (yearly application), 5310 Transportation Providers, Application awarded	2018 Transit	\$1,157.4
KC Ray	5310 - Acquisition of transportation services, Ray County Transportation, Inc., Application awarded	2018 Transit	\$200.0
CD Boone	Reconstruct, Extend and Widen Runway 13/31, City of Columbia, To improve pavement conditions	2018 Aviation	\$1,230.0
CD Boone	Reconstruct and Extend Taxiway C, City of Columbia, To improve pavement conditions	2018 Aviation	\$330.0
KC Jackson	Implement Positive Train Control, Kansas City Terminal Railway, Application awarded	2019 Rail	\$15.0
NW Buchanan	Permanently close a public railroad crossing, BNSF, Time needed to work with railroad partners	2019 Rail	\$58.0
NW Buchanan	Install lights and gates at public railroad crossing, BNSF, Time needed to work with railroad partners	2019 Rail	\$500.0
NW Buchanan	Permanently close a public railroad crossing, BNSF, Time needed to work with railroad partners	2019 Rail	\$58.0
NW Buchanan	Permanently close a public railroad crossing, BNSF, Time needed to work with railroad partners	2019 Rail	\$58.0
NW Buchanan	Install lights and gates at public railroad crossing, BNSF, Time needed to work with railroad partners	2019 Rail	\$300.0
CD Cole	Install lights and gates at public railroad crossing, UP, Time needed to work with railroad partners	2019 Rail	\$250.0
SE Pemiscot	Install lights and gates at public railroad crossing, PCPA, Project pushed to later years based on project delays	2022 Rail	\$200.0
SE Pemiscot	Install lights and gates at public railroad crossing, PCPA, Project pushed to later years based on project delays	2022 Rail	\$200.0

SE Howell	Construct bridge at existing public railroad crossing and permanently close CR5900 and Pine Grove public railroad crossings, BNSF, Time needed to work with railroad partners	2019 Rail	\$1,000.0
NW Grundy	Replace grade separation structure and permanently close Mable Street crossing, Trenton, Local tax passed moving project forward	2018 Rail	\$750.0
KC Jackson	Install lights and gates at public railroad crossing, KCS, Project accelerated	2018 Rail	\$400.0
KC Jackson	Install lights and gates at public railroad crossing, KCS, Project accelerated	2018 Rail	\$400.0
CD Crawford	Install lights and gates at public railroad crossing, BNSF, Project pushed to later years based on project delays	2022 Rail	\$300.0
SL Various	Replace existing crossbuck signage with stop or yield signage along Central Midland Railroad, CMR, Project accelerated	2018 Rail	\$50.0
SW Taney	Install lights and gates at public railroad crossing, MNA, Project pushed to later years based on project delays	2022 Rail	\$250.0
SW Various	Improve public railroad crossing surfaces along Arkansas and Missouri Railroad, AM, Project accelerated	2018 Rail	\$100.0
SW Various	Replace existing crossbuck signage with stop or yield signage along Arkansas and Missouri Railroad, AM, Project accelerated	2018 Rail	\$50.0
NW Various	Replace incandescent lighting with LED lighting at public railroad crossings along BNSF Railway, BNSF, Project accelerated	2018 Rail	\$100.0
CD Boone	Install lights and gates at public railroad crossing, CT, Project accelerated	2018 Rail	\$375.0
SL Various	Replace incandescent lighting with LED lighting at public railroad crossings along St. Louis Terminal Railroad, TRRA, Project accelerated	2018 Rail	\$200.0
SE Butler	Construct bridge at existing public railroad crossing and permanently close CR 305 and CR 268 crossings, UP, Unexpected request for funding of worthy project	2018 Rail	\$540.0
SW Stone	Install lights and gates at public railroad crossing, MNA, Remove from STIP due to lack of local support for the project	2018 Rail	\$0.0
SW Barry	Install lights and gates at public railroad crossing, AM, Project accelerated	2018 Rail	\$300.0
NW Buchanan	Construct dry bulk storage facility, St. Joseph Regional Port Authority, \$1.5m General Revenue available for FY18 Capital Improvement Program	2018 Waterways	\$281.0
SE Ste. Genevieve	Repair flood damaged access road, New Bourbon Regional Port Authority, \$1.5m General Revenue available for FY18 Capital Improvement Program	2018 Waterways	\$105.0
SL Jefferson	Construct dock and access road, Jefferson County Port Authority, \$1.5m General Revenue available for FY18 Capital Improvement Program	2018 Waterways	\$1,229.0
NE Pike	Site preparation for new port, Pike/Lincoln County Port Authority, \$1.5m General Revenue available for FY18 Capital Improvement Program	2018 Waterways	\$260.0
SE Pemiscot	Construct transload facility, Pemiscot County Port Authority, Application awarded	2018 Freight	\$626.0
KC Pettis	Design rail spur in Sedalia, Pettis County, Application awarded	2018 Freight	\$155.0
KC Pettis	Complete Design and initiate construction of rail spur, City of Sedalia/Sedalia-Pettis County Community Service Corporation, Application awarded	2018 Freight	\$4,500.0

SE New Madrid	Design for port expansion, New Madrid County Port Authority, Project identified by partners for available preliminary engineering funding	2018 Waterways	\$122.0
SE Mississippi	Design landing for ferry boat, Mississippi County Port Authority, Project identified by partners for available preliminary engineering funding	2018 Waterways	\$7.0
NE Lewis County	Design port improvements, Lewis County Regional Port Authority, Project identified by partners for available preliminary engineering funding	2018 Waterways	\$72.0
		Total:	\$23,404.2

Via approval of the consent agenda, the Commission unanimously approved the amendment to the 2018 – 2022 STIP as noted in the tabulations above and the following abstentions: Commissioner Smith abstained from voting on J5S3311 and Commissioner Brinkmann abstained from voting on J5P3129.

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REQUEST FOR APPROVAL OF DESIGN OF HIGHWAY

Route I-70, St. Charles County Permit Project (No Job Number) Public Hearing Held January 16, 2018

The proposed improvement provides grading, drainage, retaining walls, signals, signing, lighting, and paving to construct a new eastbound one-way south outer road between Woodlawn Avenue and Route K. The project also involves converting the existing north outer road from a two-way to a one-way westbound outer road between School Road and Woodlawn Ave., and revising the eastbound off ramp to Route K. Also, U-Turn ramps will be constructed on the Woodlawn Overpass and under the I-70 bridge over Route K. Additional improvements will be made on Crestview Drive and on Woodlawn Avenue between West Terra and Crestview Drive. The project will have fully controlled access right of way. The project is 0.473 mile in length.

On behalf of the Director, Tom Blair, St. Louis District Engineer, recommended approval of the design as presented at the public hearing.

After full consideration of the favorable and adverse economic, social and environment effects of the recommended designs, the Commission via approval of the consent agenda unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendation.

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-- REPORTS --

The Commission received the following written reports.

**ANNUAL REPORT TO U.S. ENVIRONMENTAL PROTECTION AGENCY REGARDING
CONSENT DECREE**

Kathy Harvey, Assistant Chief Engineer, provided to the Commission the Annual Report to the U.S. Environmental Protection Agency (EPA). MoDOT was cited for storm water control issues on five construction projects that occurred between calendar years 2003 and 2007. MoDOT received notices of violation for this matter from the EPA in 2010. The Commission entered into a Consent Decree on July 20, 2015, with the EPA over alleged violations of MoDOT's storm water permit under the Clean Water Act. One stipulation of the Decree is the defendant will submit an annual report to EPA to summarize all actions taken to comply with the terms of the Consent Decree. The results of the final report conclude there have been three violations of the Consent Decree requirements in 2017 resulting in \$1,250 of penalties. The final report will be submitted to the EPA on or before March 30, 2018.

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**REPORT REGARDING EXECUTIVE ORDER 17-03 ADMINISTRATIVE RULE REVIEW
PROCESS UPDATE**

Kathy Harvey, Assistant Chief Engineer, submitted a report that provides a status update on administrative rules. By enacting Section 536.175 RSMo, the general assembly required state agencies to periodically review their administrative rules and repeal those rules that are obsolete or unnecessary and amend those rules to reduce regulatory burdens on individuals, businesses, or political subdivisions or eliminate unnecessary paperwork. MoDOT started its periodic administrative rule review process as required by law on July 1, 2016, and had prepared amendments and rescissions deemed necessary in order to complete the report to the Secretary of State that was submitted on June 30, 2017.

On January 10, 2017, Governor Eric Greitens issued Executive Order 17-03 that requires all state agencies to review all of its rules in the Code of State Regulations and to provide a report to the

Governor by May 31, 2018. The executive order stated Missouri government has codified an excessive amount of administrative rules and Missouri citizens and businesses deserve efficient, effective and necessary rules but that such rules should not reduce jobs, limit innovation, or impose costs far in excess of the rule's benefits. It says rules that are ineffective, unnecessary or unduly burdensome must be repealed to attract businesses to Missouri and encourage job growth. The executive order prohibits the Commission from putting proposed new rules, or amended current rules, for notice and comment until approved by the Governor's Office. The executive order requires the Commission to review all of its rules and provides a list of items the department must consider during this review process.

As a result of the Governor's executive order all rulemaking was temporarily suspended until February 28, 2017. The rule review process under the Governor's executive order is separate from and in addition to the Section 536.175 RSMo periodic rule review process and report. Consequently, the continual review of administrative rules led to the Commission's desire for a better understanding of where each rule is at in the review and rulemaking process. This report was prepared in response to the Commission's request and provides a summary of the status of administrative rules currently under review and in the rulemaking process.

As of March 7, 2018 no rules were presented to the Commission for impetus approval. Two rules have received impetus approval and are being reviewed with stakeholders: Financial Assistance-State Transportation Assistance Revolving Fund, and Procurement of Supplies. No rules are waiting for the Governor's office review and approval. Three sets of rules have received Commission approval for filing: Ignition Interlock, Railroad, and Transportation Corporations. Two sets of rules were filed with the Secretary of State and Joint Committee on Administrative Rules, Rest Areas and Traffic Regulation. One set of rules are in the public comment period: Disadvantaged Business Enterprise. One set of rules recently completed the public comment period: Design Build. Additionally, two sets of rules were approved for filing final orders of rulemaking: Uniform Relocation Assistance and Utility Private Line

Location and Relocation. Final Orders were filed with the Joint Committee on Administrative Rules for seven sets of rules: Contractor Disqualification, David’s Law, Organizational, Rail Fixed Guideway, Scenic Byways, Supplemental Guide Sign, Transportation (Transit). Two sets of rules were filed with the Secretary of State: Junkyard and Outdoor Advertising.

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**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING JANUARY 31, 2018**

Brenda Morris, Financial Services Director, submitted a written financial report for fiscal year to date January 31, 2018, with budget and prior year comparisons.

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CONSULTANT SERVICES CONTRACT REPORT

Kenny Voss, Assistant State Design Engineer, submitted a written report of consultant contracts executed in the month of January 2018, for both engineering and non-engineering related projects. The department utilizes consultants to efficiently manage workload and provide specialized expertise to supplement and support department staff. Expenditures for consultant services are funded from the Commission approved Statewide Transportation Improvement Program and MoDOT Operating Budget. There were 327 active contracts held by individual engineering consultant firms prior to January 31, 2018. Twenty engineering consultant services contracts were executed in January 2018, for a total of \$3,947,590. There were four non-engineering consultant contracts executed in January 2018, for a total cost of \$380,608.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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The Mission of the Missouri Highways and Transportation Commission is to:

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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