

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 13, 2014

The Idaho Transportation Board met at 8:00 AM, on Thursday, November 13, 2014, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Jerry Whitehead, Chairman
Jim Coleman, Vice Chairman – District 1
Janice B. Vassar, Member – District 2
Julie DeLorenzo, Member – District 3
Jim Kempton, Member – District 4
Dwight Horsch, Member – District 5
Lee Gagner, Member – District 6
Brian W. Ness, Director
Scott Stokes, Chief Deputy
Larry Allen, Lead Deputy Attorney General
Sue S. Higgins, Executive Assistant and Secretary to the Board

Board Minutes. Member Horsch made a motion to approve the minutes of the regular Board meeting held on October 15, 2014 as submitted. Vice Chairman Coleman seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

December 18, 2014 – Boise
January 21-22, 2015 – Boise
February 23 or 24, 2015 – Boise

Consent Items. Member Vassar made a motion, seconded by Vice Chairman Coleman, and passed unopposed to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB14-48 explanatory items that can be approved in one motion; and

WHEREAS, Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

NOW THEREFORE BE IT RESOLVED, that the Board approves the certification of receipts and disbursements, the addition of public transit projects to FY15 of the FY14-18 Program, the delay of the off-system Orofino Creek Bridge to FY17, and contract awards.

1) Certification of Receipts and Disbursements. The FY14 certification of receipts and disbursements cash basis, as shown as Exhibit #450, which is made a part hereof with like effect, was submitted for Board approval in conformance with the requirements of Section 40-708, Idaho Code. Total receipts were \$579,258,100, disbursements were \$572,582,200, and the cash balance as of June 30, 2014 was \$56,908,000.

2) Add Public Transit Projects to FY15 of the FY14-18 Approved Statewide Transportation Improvement Program (STIP). The Community Planning Association of Southwest Idaho requested the addition of three projects to the STIP: FY12 Fixed Line and Demand Response Operations, Nampa, \$413,000; FY13 Preventative Maintenance, Nampa, \$65,000; and FY12 Capital Lease or Purchase and Maintenance, Nampa, \$769,000. It also requested delaying 24 projects from FY14 to FY15, per the list as shown as Exhibit #451, which is made a part hereof with like effect, and adjusting the FY14-18 STIP accordingly.

3) Delay Offsystem, Orofino Creek Road Bridge to FY17. Clearwater County requested delaying the Orofino Creek Road Bridge project, key #12019, to FY17 due to environmental issues. The \$1 million programmed for this project in FY15 would be made available to the Burma Road project, key #9462. Staff recommended delaying the requested

project and amending the FY15 STIP accordingly.

4) The following low bids were more than ten percent over the engineer's estimate, requiring justification. Key #10541 – Amity Road; Robinson Road to Kings Corner, Nampa, District 3. The major differences between the engineer's estimate and the low bid were in 13 items. The City of Nampa provided justification for the variances, committed to funding the additional costs, and requested the award of the contract. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel Company - \$5,284,468.

Key #12421 – SH-39, Idaho Street to Sterling West Road, Power/Bingham County, District 5. The main difference between the engineer's estimate and the low bid was in the Special Warranty Seal Coating item. The District realized its unit price was underestimated. It did not have enough history on this item at the time the estimate was completed. It does not believe a better bid would result if the project is re-advertised, so recommended awarding the project. Low bidder: Snake River Construction, Inc. - \$611,265.

Informational Items. 1) Financial Statements. Through September, federal aid to the State Highway Fund totaled \$104.7 million for state fiscal year 2015. Revenue from the Highway Distribution Account was 5.1% ahead of the forecast. Miscellaneous revenue and transfers in from the elimination of the ethanol exemption were right on forecast. Personnel expenditures were 9.2% less than budgeted due to vacant positions. Total expenditures for operations, including encumbrances, reflect a strong positive variance, which is a timing difference. Capital equipment expenditures were right on forecast. Contract construction expenditures were \$17.8 million less than during this time period last year.

Aviation fuel tax revenue was 5.7% below projections. Miscellaneous revenue to the State Aeronautics Fund was \$17,400 above the forecast. Both variances appear to be a timing issue. Overall expenditures were less than budgeted. To date, \$71,400 in trustee and benefit payments have been made.

2) Monthly Reporting of Federal Formula Program Funding for October. The Moving Ahead for Progress in the 21st Century federal transportation act was extended through May 2015. The partial-year level of funding provides a prorated share of \$199 million with match; however, Idaho has authority to obligate \$55 million of funding including match through December 11, 2014. Of the \$44.1 million available for the state highway system, \$39.4 million remains. Of the \$10.8 million for the other programs, such as Metropolitan Planning, Community Choices, Surface Transportation – Local Urban, Local Rural, and Surface Transportation Program – Transportation Management Area, \$10.4 million remains to be expended.

3) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section did not process any professional service agreements from October 1 to October 24.

4) Contract Awards. Key #13435 – US-95, Lewiston Hill Northbound and Southbound Lanes Rehabilitation, Nez Perce County, District 2. Low bidder: Knife River Corporation - Northwest - \$11,550,144.

Key #12050 – FY14 Ada County Highway District Overlays, District 3. Low bidder: C & A Paving Company, Inc. - \$2,694,966.

Key #13394 – SH-55, North Fork Payette River Bridge, Cascade, District 3. Low bidder: Braun-Jensen, Inc. - \$244,000.

Key #13518 – Swan Falls Road Shoulder Widening, Kuna, District 3. Low bidder: Knife River Corporation - Northwest - \$532,532.

Key #13474 – I-84B, Intersection Old Highway 30, Mountain Home, District 3. Low bidder: C & A Paving Company, Inc. - \$1,214,869.

Key #13512 – West Pedestrian Bridge, Garden City, District 3. Low bidder: Knife River Corporation – Northwest - \$719,205.

Key #12417 – I-15, Interchange #47 to Interchange #67, Bannock County, District 5. Low bidder: Snake River Construction, Inc. - \$1,282,481.

Key #12420 – SH-34, 4800 North Road to Treasureton Road, Franklin County, District 5. Low bidder: Intermountain Slurry Seal, Inc. - \$238,000.

Key #14033 – US-26, Blaine County Line to Arco, District 6. Low bidder: Snake River Construction, Inc. - \$1,164,074.

Key #14034 – US-26, Junction SH-31 to Wyoming State Line, Bonneville County, District 6. Low bidder: H-K Contractors, Inc. - \$1,133,578.

Key #10609 – Eagle Rock and Anderson Canal Bridges, Bonneville County, District 6. Low bidder: D L Beck Inc. - \$824,025.

5) Professional Services Agreements and Term Agreement Work Tasks Report. From September 29 through October 24, 20 new professional services agreements and work tasks were processed, totaling \$1,364,214. Five supplemental agreements to existing agreements were processed during this period in the amount of \$1,158,300.

Director's Report. Director Ness said the Organizational and Mission Awareness Training classes are well underway. He has facilitated the training at five districts to date. He commended the Division of Aeronautics for the Aviation Safety StandDown held last month, with almost 150 participants at the safety seminar. District 3 replaced the SH-55, Lardo Bridge in McCall last month via an innovative approach to slide the two-and-a-half-million-pound bridge into its location. The repairs to the Middle Fork Boise River Road, which were caused by a washout due to extensive rain, were completed last month. He praised the cooperative efforts of ITD, the Local Highway Technical Assistance Council, the U.S. Forest Service, and the Atlanta Highway District for addressing this urgent project and re-opening the road ahead of schedule. Idaho's driver's licenses can now display a veteran's designation. He also recognized various staff members for innovations and commendable performance.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy Stokes said the Idaho Traffic Safety Commission met last month. One of the presentations focused on marijuana use, as several of Idaho's surrounding states have legalized the drug for recreational and/or medicinal purposes. The Commissioners would like to be more engaged with the Department's highway safety efforts. Staff is proposing including a highway safety presentation in conjunction with the Board tours next year. He added that the Division of Aeronautics has completed operating procedure manuals for four of the five most popular backcountry airstrips.

Chief Operating Officer (COO) Jim Carpenter said he has been visiting the district offices recently to discuss organizational changes and winter storm preparations, amongst other things. He viewed the recently-completed project at the railroad overpass on SH-5 in St. Maries to warn commercial vehicles of oncoming traffic, as the structure is too narrow for two commercial vehicles to pass simultaneously. He commended District 1's innovative approach to address that issue. District 2 will be providing assistance to District 1 on the US-95, Worley North project, which is being funded via a federal TIGER grant. He also reported on the three expansion projects. District 6 has one parcel left to acquire for the US-20, Thornton Interchange project. District 2 resubmitted the Final Environmental Impact Statement to the Federal Highway Administration. This process is delaying the project about one month. The US-95, Council Alternate Route project is proceeding well.

Chief Human Resources Officer Brenda Williams reported that Tony Loomer, Training and Development Manager (T&DM), was responsible for the national conference for department of transportation trainers this year. Part of the agenda focused on ITD's efforts to improve its culture. T&DM Loomer noticed that ITD has made significant improvements in its culture over the past several years. She commended the Division of Motor Vehicles' (DMV) staff for breaking the record for the number of titles processed in one month; a District 1 maintenance crew for its leadership approach; and Enterprise Technology Services for the change to only order speakers with new computers upon request, saving ITD about \$9,000 annually.

Char McArthur, Chief Administrative Officer, summarized the federal obligation status, noting that Idaho has authority to obligate \$55 million of funding, including match, through December 11, 2014. Revenue to the State Highway Account is slightly above the forecast. Some revisions have been made to the FY16 proposed budget, which will be summarized in detail later. The financial reports are being re-formatted. Efforts are continuing to improve customer service through activities such as visits to each District and surveys. She also reported that a thorough review of the record retention schedules has been completed. A record retention plan is now being implemented.

Annual Report of the Dealer Advisory Board (DAB). DAB Chairman Con Paulos reported on the activities of the DAB. During FY14, it recommended legislative changes to the Idaho Consumer Asset Recovery Fund. The Department is including the proposal in its 2015 legislative package. The DAB is continuing to address the problem of curbstoning, which are unlicensed dealers or licensed dealers who operate away from their licensed locations. It also worked on developing a method to help create a better understanding of the allowable and prohibited uses of the various types of dealer plates. The outcome was a special decal that will be placed on the back of each dealer plate that outlines the uses for each type of dealer plate. ITD is working with Correctional Industries to develop and print the decals and attach them to the dealer plates as they are produced.

Chairman Whitehead thanked DAB Chairman Paulos for the report and for the DAB's assistance on motor vehicle issues.

District 3 Public Transportation Advisory Council (PTAC) Update and I-Way Leadership Award. PTAC Member Maureen Gresham provided an update on public transit activities in District 3. Through an innovative partnership, Access McCall is providing transportation in McCall and also between Riggins and McCall. Treasure Valley Transit, in partnership with 13 agencies and Valley Regional Transit, implemented a purchase of service program for seniors and persons with disabilities in eight southwestern Idaho counties. She expressed appreciation for ITD's partnership to construct a park and ride lot in Mountain Home. She also mentioned the McCall Highway 55 Sidewalk Project. The project, completed this year, improved the safety of pedestrians and increased access to public transportation services.

Chairman Whitehead thanked Ms. Gresham for the update on public transportation.

District 3 Mobility Manager Brooke Greene and Member DeLorenzo presented the I-Way Leadership Award to Matt Edmond with Ada County Highway District. Mr. Edmond developed a Downtown Boise Implementation Plan, which is a five-year plan to install bike lanes, coordinate streetscape enhancements, and install mini roundabouts to improve traffic flow.

Chairman Whitehead commended Mr. Edmond for his leadership and innovation.

Impaired Driving Task Force. Highway Safety Manager (HSM) Brent Jennings said highway crashes involving impairment decreased 2% in 2013; however, fatalities resulting from impaired driving crashes increased by 32%. Over 45% of all fatalities were the result of impaired driving crashes in 2013, with an estimated cost of more than \$749 million. To combat impaired driving, an Impaired Driving Task Force was created.

Judge George Hicks, Chairman of the Impaired Driving Task Force, said its mission is to prevent and eliminate impaired driving in Idaho through strategies and action plans. One of those actions is to expand the capacity of existing Driving Under the Influence (DUI) Courts to serve additional high risk offenders through distance treatment and internet-based contacts. Plans are to purchase and install equipment to create wireless networks connecting Twin Falls and Nez Perce County DUI courts. Plans for 2015 include an emphasis on DUI mobilization efforts, additional work on the ignition interlock program, and legislation to reduce the excessive blood alcohol content from .20 to .15. He added that marijuana use is also a focus area, as several of Idaho's surrounding states have legalized the drug for recreational and/or medicinal use.

Chairman Whitehead thanked Judge Hicks for the informative report and for his leadership on this important issue.

Highway Safety Data. HSM Jennings said the highway crash reports follow a quality assurance process to ensure their

accuracy and credibility. A five-year average for fatalities and injuries is used to provide a better overall trend, as an abnormal year may skew the data. Also, programs to address highway safety are generally long-term, allowing the effect at five-year intervals to be determined. There were 124 fatalities on the state highway system in 2013, which was above the five-year average of 118; however, the 600 serious injuries were below the five-year average of 661.

Member Kempton asked if ITD shares highway safety data with Idaho State Police (ISP) and if the Department has noticed any specific trends since the interstate speed limit was increased to 80 miles per hour (MPH). HSM Jennings said ISP provides the crash reports to ITD. It is too early to identify any trends related to the 80 MPH speed limit, which was raised in July.

Member Kempton said one concern that has been brought to his attention is the difficulty merging onto the interstate at 80 MPH. Some of the on-ramps are too short to get up to interstate speeds before merging. He does not believe concerns with vehicles stacking behind a commercial vehicle as it passes a slower commercial vehicle have been realized. He suggested ITD work closely with ISP on vehicle patterns and trends the Department observes. Member DeLorenzo concurred and added that it would be helpful to have crash data on trucks, specifically 129,000 pound vehicles.

HSM Jennings responded that ITD has a good working relationship with ISP. The Department collects and reports on crash data for commercial vehicles; however, the reports do not specify the weight of the vehicle, so it does not have a breakdown of crashes involving 129,000 pound vehicles.

Member Gagner noticed a lot of vehicles travel around 83 or 84 MPH on the interstate. He asked why the annual fatality rate has been increasing the past two years. HSM Jennings believes the crash rates may be higher because people are driving more. The recession resulted in a reduction of vehicle miles traveled, but the vehicle miles traveled usually increases as the economy improves. He added that impaired driving continues to be a main factor in crashes.

COO Carpenter said all of the district engineers and district ISP captains will be meeting later this month to improve coordination on highway safety. He will share the Board's comments with the officers. He added that speed studies indicate the 85th percentile speed on the interstates is about 82 or 83 MPH now.

Chairman Whitehead thanked HSM Jennings for the informative report.

Annual Update on ITD's Research Program. Ned Parrish, Research Program Manager (RPM), reported on the Research Program. The budget for FY15 is \$1.4 million, with 14% from state sources. Federal statutes require that 2% of funding for roads and bridges be used for planning and research, with some state match required. A study on the use of salt brine and a survey on highway users' expectations have been completed. The recommendations are to maintain the existing level of service, set targets to achieve bare pavement within four hours after a storm, continue studying corrosion inhibitors, and expand public outreach efforts. An evaluation of the IdaShield program indicated there was a significant reduction in crashes after the signs were installed, with recommendations to retain the requirement for IdaShield signs at railroad crossings with no stop signs and to work with FHWA to add the IdaShield to the national Manual on Uniform Traffic Control Devices.

RPM Parrish summarized some of the FY14 research projects. Assistance is being provided for leadership development. This is a four-year effort to strengthen leadership capabilities and develop a more constructive organizational culture. Other projects are to develop a system for remote detection of avalanches, develop guidelines for the use of positive protection in work zones, assess the field performance of pavement mixes with a high percentage of recycled asphalt pavement, evaluate low cost methods to improve passing lane safety, and study the freight movement and needs on the US-95 corridor. Some of the projects planned in FY15 include studying a low-cost approach to monitoring bridge scour, studying safety impacts of wide pavement markings on two-lane rural highways, reviewing port-of-entry best practices and innovative technologies, and conducting a DMV customer satisfaction survey.

Chairman Whitehead thanked RPM for the informative report and for his efforts on this important program.

Report on Cotterell Rest Area. District 4 Engineer (DE) Devin Rigby said when the bid for the Cotterell Rest Area was awarded in early 2013, it was 114% of the engineer's estimate. Because the Board had a number of questions about the project and the high bid, it asked for a close-out report on the construction project, specifically if the project was constructed on time and on budget. The project was to improve the rest area facilities along I-84 to meet existing and future user demand. It included a variety of work, such as upgrades to meet roadway geometrics, water and waste water needs, compliance with the Americans with Disabilities Act, environmental compliance, and building functionality.

DE Rigby said the initial bid was \$5,587,700. The final cost of the project was \$5,762,840 for a difference of \$175,140, or about 3%. It was completed within the required 172 day timeframe.

DE Rigby also reported that a motorist crashed into the District 4 complex in Shoshone last night, causing damage to a vehicle, the fence, and the office building. Staff is still evaluating the extent of the damage.

Chairman Whitehead thanked DE Rigby for the report on the Cotterell Rest Area and the information on the damages to the District's facilities.

Status: FY16 Appropriation Request. Senior Budget Analyst (SBA) Joel Drake summarized revisions to the FY16 appropriation request. The \$709,500 Public Employee Retirement System of Idaho increase was eliminated, which also reduced the change in employee compensation by \$7,300. Some of the other changes include a reduction of \$691,500 for Statewide Cost Allocation Plan and the removal of \$127,000 for the line item for the 24/7 sobriety legislation. Funding from most of the reductions will be moved to contract construction. The total spending authority is \$496,280,300.

Chairman Whitehead thanked SBA Drake for the update on the budget.

Board Policy on Legislation. Mollie McCarty, Governmental Affairs Manager (GAM), proposed a new Board policy to better define the internal legislative process and address outside legislation. As drafted, the policy provides flexibility for the latter issue. If the Board approves the policy, she recommends rescinding Idaho Transportation Board Resolution #05-21 that outlines the current legislative process.

Some discussion was held on whether the Board should see all legislative changes, even minor, non-substantive revisions, and whether the policy should provide definite language on handling outside legislation.

Member Gagner made a motion to approve the resolution approving Board Policy 4077 Approval of Department Legislation and Legislation Endorsements and rescinding ITB05-21. Member Kempton seconded the motion.

Member Horsch made a motion to amend the motion to include revisions to Board Policy 4077 Approval of Department Legislation and Legislation Endorsements to require all legislative changes to be submitted to the Board and to clarify the process for the Board to consider outside legislation. Member Vassar seconded the motion and it passed unanimously.

The original motion to approve the following resolution passed unopposed.

RES. NO. WHEREAS, the Idaho Transportation Board is vested with the authority, control,
ITB14-49 supervision, and administration of the Idaho Transportation Department, including legislative issues; and

WHEREAS, the current legislative practice is not consistent with Board resolution ITB05-21, which outlines the legislative process; and

WHEREAS, staff drafted Board Policy 4077 Approval of Department Legislation and Legislation Endorsements to establish the legislative process in a policy.

NOW THEREFORE BE IT RESOLVED, that the Board approves Board Policy 4077 Approval of Department Legislation and Legislation Endorsements that establishes the Department's legislative process and sets forth guidelines when external entities request Board review of legislative proposals;

and

BE IT FURTHER RESOLVED, that the Board rescinds resolution ITB05-21.

Policy Introduction. Because the contents of Administrative Policy A-27-03, Scheduling of State Aircraft, are contained in a manual, Member Kempton made a motion to delete A-27-03. Member Vassar seconded the motion and it passed unopposed.

Executive Session on Personnel and Legal Issues. Vice Chairman Coleman made a motion to meet in executive session at 11:35 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), and (f). Member Vassar seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

The Board came out of executive session at 1:30 PM.

Policy Introduction, Continued. Controller Dave Tolman proposed revisions to Administrative Policy 5535 State-owned Vehicle Usage Practices, formerly A-06-06. In addition to the inclusion of a purpose statement and legal authority, redundant language is being deleted and other clean-up revisions are being proposed.

Without objection the Board concurred with revisions to 5535 State-owned Vehicle Usage Practices.

The only changes proposed to Administrative Policy 5536 Financial Reporting Approach for the Infrastructure Inventory Classification of Roadways, formerly A-19-10, are the addition of the purpose statement and legal authority, according to Controller Tolman.

Without objection, the Board concurred with revisions to 5536 Financial Reporting Approach for the Infrastructure Inventory Classification of Roadways.

Controller Tolman said a purpose statement and legal authority are being added to Administrative Policy 5537 Purchasing Card Program, formerly A-19-11, plus the allowable uses for the Purchasing Card are being expanded and titles are being updated.

Without objection, the Board concurred with revisions to 5537 Purchasing Card Program.

Controller Tolman said changes to Administrative Policy 5538 Purchase, Inventory and Disposal of Personal Property, formerly A-29-01, include the addition of a purpose statement and legal authority, the deletion of language exempting right-of-way, and minor updates.

Without objection, the Board concurred with revisions to 5538 Purchase, Inventory and Disposal of Personal Property.

Administrative Policy 5539 Construction Materials Remaining on Hand, formerly A-29-02, was revised to remove duplicative language, add the purpose statement and legal authority, and change some of the responsible parties, according to Controller Tolman.

Without objection, the Board concurred with changes to 5539 Construction Materials Remaining on Hand.

Old/New Business. Member Gagner said the Board Subcommittee on State Highway System Adjustments met yesterday to discuss the Banks to Lowman Highway. Member DeLorenzo said Boise County still needs to complete some tasks before ITD assumes jurisdiction of the first segment of the road. Member Gagner added that the contract is open-ended. The Subcommittee explored cancelling the agreement; however, Boise County wants to retain it and pursue completing its responsibilities, which would result in the relinquishment of the entire route to the state.

In response to Chairman Whitehead's question on the Banks maintenance shed, Chief Engineer Dave Jones said the

Department met with the Forest Service earlier this year. The Forest Service will let ITD remain at the current site at the SH-55 and Banks to Lowman Highway intersection indefinitely. ITD does not have to re-locate the Banks maintenance shed.

Vice Chairman Coleman said efforts to develop a master plan for Coeur d'Alene Lake Drive began this week. A number of stakeholders are involved in that process.

Member Gagner said the public hearing for ITD to relinquish Superior Street, Pine Street, Cedar Street, and First Avenue in Sandpoint will be held on November 18.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 1:50 PM.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
December 18, 2014
Boise, Idaho