

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 17, 2015

The Idaho Transportation Board convened at 9:00 AM on Thursday, December 17, 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
Brian W. Ness, Director
Scott Stokes, Chief Deputy
Larry Allen, Deputy Attorney General
Sue S. Higgins, Executive Assistant and Secretary to the Board

District 6 Member Lee Gagner participated via teleconference.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on November 18, 2015 as submitted. Vice Chairman Coleman seconded the motion and it passed unopposed.

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

January 20, 2016 – Boise
February 17, 2016 – Boise
March 23-24, 2016 - Boise

Consent Items. Member DeLorenzo made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-explanatory items that can be approved in one motion; and
ITB15-50

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 expiration of resolution ITB11-62 related to federal funding; the addition of SH-19, Roedel Avenue Railroad Crossing, Caldwell to FY18 of the Statewide Transportation Improvement Program; changes to the Public Transit Program; contract awards; and contracts for rejection.

- 1) Expiring Resolution Related to Federal Funding. Idaho Transportation Board Resolution #11-62 relating to federal funding is expiring because it is four years old. Because of the recently-approved federal Fixing America's Surface Transportation Act, staff recommends allowing ITB #11-62 to expire.
- 2) Add SH-19, Roedel Avenue Railroad Crossing, Caldwell to FY18. The Community Planning Association of Southwest Idaho (COMPASS) requests the addition of the SH-19, Roedel Avenue Railroad Crossing, Caldwell project, key #19627, to FY18 for \$380,000 and to amend the FY15-19 Statewide Transportation Improvement Program (STIP) to reflect the change. The project will install cantilever signals and repair and replace the crossing surface.
- 3) Changes to the Public Transit Program. Staff requests adding a new project for service for the elderly and disabled using previous Federal Transit Administration 5310 Small Urban funds to FY16 for \$176,000, delaying the FY16 Lewiston UZA Americans with Disabilities Act buses from FY14 to FY16 for \$150,000, and amending the STIP accordingly.

4) Contract Awards for Approval. The low bid on key #11622 – SH-75, Big Wood River Bridge Replacement, District 4, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and low bid was in the Concrete Class 40-A Schedule No. 1 and No. 2 and the Special Bridge Utility Conduits items. The District does not believe that re-advertising the project will result in lower bids. There is a tight window to work in the river from January 1 to March 1, 2016. Staff recommends awarding the project. Low bidder: Concrete Placing Company, Inc. - \$5,477,569.

5) Contract for Rejection. The low bid on key #14018 - Intersection Benton Street and 2nd Avenue, Pocatello, District 5, was more than ten percent over the engineer's estimate, requiring justification. The Superpave Hot Mix Asphalt Pavement Including Asphalt and Additives Class Special-2T item was presumably bid higher because of the small quantity and the time of year, as it would be difficult to pave at the end of the construction season. The foundations may be the cause for the higher bids on the Breakaway Steel Sign Post Type E item. The Traffic Control plans are very detailed and complicated due to adjacent one-way streets, which probably led to the higher bid. The other items that varied from the engineer's estimate were Special Relocate Light Pole and Special Light Pole, which are special bid items. The Local Highway Technical Assistance Council and the project sponsor, the City of Pocatello, recommend rejecting the bids. The bid package will be reviewed and revised to re-bid at a later date. Low bidder: D L Beck Inc. - \$247,662.

Informational Items. 1) State FY16 Financial Statements. Through October, revenues to the State Highway Account from all sources were ahead of projections by 3.6%. Of that total, receipts from the Highway Distribution Account were ahead of forecast by 3.8% or \$2.5 million. State revenues to the State Aeronautics Fund were ahead of projections by 12.7%. Expenditures were within planned budgets. Personnel costs have a savings of \$4 million or 10.5% due to vacancies and timing between a position becoming vacant and being filled. Expenditures in Contract Construction are below last year by 18%. This is being reviewed by management.

At the end of October, the balance of the long term investments was \$108.4 million. These funds are obligated against construction projects and encumbrances. Expenditures for GARVEE projects through the month exceeded \$14.1 million and are progressing as planned. It is estimated that the final payments from bond proceeds will be expended by the end of December, which will complete an investment of just over \$857 million from bond proceeds.

2) Monthly Reporting of Federal Formula Program Funding for November. Obligation authority through November 20 is \$36.2 million. This corresponds to \$35.7 million with match after a reduction of prorated indirect costs. The Moving Ahead for Progress in the 21st Century Act was extended through December 4. The Department is awaiting federal action before the funds become available. Idaho received a prorated 13.7% share of its annual federal formula apportionments or \$42 million with match. This includes \$57,146 of Redistribution of Certain Authorized Funds received in November. Obligation authority is 93.8% of apportionments. Of the \$35.7 million allotted, \$6.3 million in funding remains.

3) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section processed two professional service agreements from November 1 to November 30 in the amount of \$67,900.

4) Contract Awards. Key #13520 – FY16 District 4 Signal Upgrades. Low bidder: Balanced Rock Electric, Inc. - \$540,694.

Key #13083 – I-84, Meadow Creek to Sweetzer, Cassia County, District 4. Low bidder: Railco - LLC - \$244,244.

The list of projects currently being advertised was also presented.

5) Professional Services Agreements and Term Agreement Work Tasks Report. From November 1 through November 30, 28 new professional services agreements and work tasks were processed, totaling \$3,650,316. Four supplemental agreements to existing professional services agreements were processed during this period in the amount of \$171,600.

6) Speed Minute Entry Changes for November 2015. The following speed minute entries were processed during November in District 6:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>Speed Limit</u>	
	<u>Milepost</u>	<u>Milepost</u>	<u>Old</u>	<u>New</u>
SH-48	13.190	14.210	55	45
SH-48	24.353	24.409	25	55

A 35 mile per hour school zone speed limit is being implemented at the following locations, with the normal speed limit remaining at 55 MPH:

<u>Route</u>	<u>Beginning</u>	<u>Ending</u>	<u>School Zone</u>
	<u>Milepost</u>	<u>Milepost</u>	<u>Speed Limit</u>
SH-48	6.920	7.150	35
SH-48	12.170	12.585	35
SH-48	13.318	13.875	35

7) Annual Report on the Outdoor Advertising Program. At the close of federal FY15, there were 1,151 signs, with 5 illegal and 192 non-conforming signs throughout the state. There were four new sign applications during the fiscal year. Staff is working with the Federal Highway Administration (FHWA) on ITD's expanded responsibilities to include some National Highway System routes that are not on the Department's system. They are inventorying the new routes, measuring the level of compliance with policy, and working with the local jurisdictions to bring the system up to FHWA standards.

8) Report on 2015 Transportation Revenue Increase. The 2015 legislation increasing the Department's revenue requires an annual report. The report only covers the first half of FY16, but all future reports will be based on a full fiscal year.

Public Transportation Advisory Council (PTAC) Annual Report. PTAC Chair Maureen Gresham said some of the Council's goals are to provide clear financial reports, establish a transparent and equitable evaluation system for projects and the grant application process, and define the relationship between mobility support services and economic opportunity. One of the activities for 2016 will be to work on statewide planning efforts. A number of changes have occurred on PTAC recently. She hopes the Council will stabilize, be more engaged, and provide more guidance to the Board. She expressed appreciation for Public Transportation Manager (PTM) Mark Bathrick's leadership and excellent staff.

Chairman Whitehead thanked Chair Gresham for the informative report and for her leadership on PTAC.

Director's Report. Director Ness announced the retirement of Internal Review Manager Carri Rosti at the end of the month. ITD's upcoming legislative presentations are being finalized. Both the Joint Finance and Appropriations Committee budget presentation and annual report to the joint germane committees will emphasize the need for additional ongoing revenue. A new federal surface transportation act, Fixing America's Surface Transportation (FAST), has been approved. The five-year bill addresses inflation and provides more flexibility. The GARVEE projects are being finalized and overall, the GARVEE Program was completed on schedule and under budget.

Chief Deputy Stokes commended staff for its efforts on the mainframe computer system. The major undertaking to move the mainframe off site was completed on time and under budget. He also said a workshop was held earlier this month as part of the process to update the Strategic Highway Safety Plan. The five-year plan identifies the focus areas, goals, and strategies to address highway safety. He congratulated staff for the workshop and work on updating the Plan.

Chief Operations Officer Jim Carpenter said 26 of the 27 projects advanced with the additional revenue ITD received this year are under contract. The last project should be awarded in spring. The bids were opened on the US-20, Thornton Interchange project and the contract should be awarded soon. The US-95, Council Alternate Route is almost ready for advertising. The Record of Decision for the US-95, Thorn Creek to Moscow project is expected to be signed in January. He expressed appreciation to staff for its efforts on these three major projects. He also introduced two employees. John Bilderback has been hired as the Materials/Construction Engineer and Randy Gill was promoted to the Planning Services Manager. Both positions are in the Division of Engineering Services.

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

End-of-the-Year Report. Director Ness highlighted the 2015 activities and accomplishments. The additional ongoing state revenue was appreciated and funded 27 projects. Proposed projects for the general fund surplus eliminator funds have been reviewed for their return on investment. Construction on the \$857 million GARVEE Program should be completed this year. Fifty-three regional and national awards for excellence and innovation were received. Numerous innovative ideas were submitted and implemented, saving about \$385,000 and 12,300 work hours in FY15. The horizontal career path was implemented for the transportation technicians. ITD worked with other states on the reauthorization of the federal surface transportation act, which resulted in additional revenue, increased flexibility, a more streamlined environmental process, and more state control regarding highway safety. Director Ness believes it is a good bill for Idaho and will facilitate long-term planning.

The Board commended Director Ness for the excellent report and accomplishments and encouraged him to use the presentation at the upcoming joint germane committee presentation. Chairman Whitehead also acknowledged the employees for their efforts.

District 6 PTAC Nominations. PTM Bathrick presented three candidates for the vacant District 6 position. Although the PTAC believes all candidates are fit to serve on the Council, it believes candidate Mike O'Bleness may have a potential conflict of interest because he serves on the Targhee Regional Public Transportation Authority (TRPTA) Board of Directors.

The consensus of the Board was to defer this item. (See later minute entry.)

Annual Freight Advisory Committee (FAC) Report. Freight Program Manager (FPM) Jeff Marker said the FAC is developing a Statewide Freight Strategic Plan. Some of the Plan's contents will include a network, safety, and policy analysis; freight's relationship to Idaho's economy; and short- and long-term infrastructure improvement plans. The document is expected to be completed in October. FAC also discussed the process to provide input in the STIP.

A Freight Summit is scheduled in February. It will focus on the economy, the network, safety, and the freight community's issues. Another activity underway is stakeholder outreach. A minimum of two visits are scheduled monthly and 15 visits have been conducted to date.

Member Kempton noted the recent Congressional action allowing Idaho to establish 129,000 pound gross vehicle weight limits on its Interstate system. He encouraged the FAC to consider that change and include it in the strategic plan. He also stated that Idaho's legislature will need to address that issue and he encouraged FAC members to support the legislation.

Chairman Whitehead thanked FPM Marker for the report.

Strategic Highway Safety Plan (SHSP) Overview. Highway Safety Manager (HSM) John Tomlinson summarized the recent workshop to update the SHSP and emphasized the importance of ITD's partners. Grants/Contracts Officer (GCO) Lisa Losness elaborated on the SHSP and the process to update it. The 2016-2020 Plan will identify goals, strategies, and counter measures to address highway safety. There are three emphasis areas: high risk behavior, vulnerable roadway user, and severe crash types. The 11 focus areas identified in the previous plan are being retained: aggressive driving, distracted driving, occupant protection, impaired driving, bicycle/pedestrian, mature drivers, youthful drivers, motorcycle, lane departure, intersections, and commercial motor vehicle. The Department's internal Strategic Safety Team will partner with the Idaho Traffic Safety Commission on oversight of the Plan, which is expected to be finalized in June.

Member Horsch said that large farm equipment is often moved on highways in caravans. Because of the equipment's size and generally slower speeds, it can be a safety hazard. He asked if agriculture is represented on the teams. GCO Losness said it would be appropriate for the severe crash type emphasis area to include agriculture equipment.

Chairman Whitehead thanked HSM Tomlinson and GCO Losness for the informative presentation and for their efforts on highway safety.

GARVEE Transportation Improvement Program. Amy Schroeder, Engineering Manager (EM), said all of the GARVEE bond proceeds have been allocated to the three I-84 Interchange construction projects in Boise and Meridian, and the GARVEE Program is entering its close-out phase. However, there are two longer-duration projects that will not be completed before the Program is closed in spring. As part of the reconstruction of the Meridian Interchange, FHWA approved the relocation of the ITD maintenance yard facilities at an estimated cost of \$410,000. The other project is to construct a future frontage road as part of the SH-16 extension from SH-44 to US-20/26 for \$356,000. She requested approval to coordinate with COMPASS to amend the FY16-20 Transportation Improvement Program to include these two state-funded projects.

Member Vassar made a motion, seconded by Member DeLorenzo, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the
ITB15-51 timeframe and scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code § 40-315 directs the Board to consider the cost of the projects and whether or not the project could be funded without GARVEE bonding; and

WHEREAS, Idaho Code § 40-315 directs the Board to balance and coordinate the use of bonding with the use of highways construction funding; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

US-95, Garwood to Sagle
US-95, Worley to Setters
SH-16 Extension, I-84 to South Emmett
I-84, Caldwell to Meridian
I-84, Orchard to Isaacs Canyon
US-30, McCammon to Soda Springs; and

WHEREAS, \$81 million federal-aid formula funds have been included in and administered by the GARVEE Transportation Program; and

WHEREAS, the remaining GARVEE bonds have been allocated to construction costs for the three I-84 interchange projects and previously allocated federal aid has been programmed for all other Program costs; and

WHEREAS, as a part of the I-84 Caldwell to Meridian Corridor - Meridian Interchange reconstruction project, ITD received approval from the Federal Highway Administration to replace the Meridian maintenance yard facilities in-kind (estimated to be \$180,000 design and \$230,000 construction) and the design and construction will extend beyond the end of the GARVEE Program; and

WHEREAS, as a part of the SH-16, I-84 to SH-44 Corridor – US-20/26 to SH-44 construction project, ITD entered into an agreement with Martom Group LLC for construction of a future frontage road (total of \$356,000) which will extend beyond the end of the GARVEE Program.

NOW THEREFORE BE IT RESOLVED, that the Board directs staff to coordinate with the Community Planning Association of Southwest Idaho to amend the FY16-20 Transportation Improvement Program to include two new state-funded projects for the replacement in-kind of the Meridian maintenance yard facilities and the ongoing agreement with Martom Group, LLC.

Member Gagner congratulated EM Schroeder and staff for overseeing the successful GARVEE Program.

Policy Revisions. Human Resources Manager Diane Steiger proposed a new board policy, 4080 Criminal Background Check. During the process of updating 5080 Criminal Background Check, formerly A-18-13, Background Check, the Subcommittee on Policies recommended developing a corresponding board policy. The administrative policy was updated to reflect current business practices and requirements.

Member Kempton made a motion, seconded by Member Vassar, and passed unopposed, to approve Board Policy 4080 Criminal Background Check and to concur with revisions to Administrative Policy 5080 Criminal Background Check.

Contract Services Engineer Monica Crider presented revisions to Board Policy 4082 Idaho Byways Program, formerly B-09-11, Idaho Scenic Byways Program, and the corresponding administrative policy. The policies were updated to reflect current business practices and are more generic due to the elimination of the federal Scenic Byways Program.

Member Kempton made a motion, seconded by Member Horsch, and passed unopposed, to approve Board Policy 4082 Idaho Byways Program and to concur with revisions to Administrative Policy 5082 Idaho Byways Program.

Informal Luncheon with the Trucking Advisory Council (TAC). The Board visited informally with the TAC members during lunch. Some of the topics of discussion were pilot car certifications, safety concerns with the locations of some roving ports of entry, 129,000 pound truck routes, and more involvement by the TAC.

Member Gagner did not participate in the luncheon discussions, but resumed the teleconference after the luncheon.

TAC Annual Report. TAC Chairman John Pocock said some of the topics of discussion this past year included 129,000 pound truck routes, legislation to increase transportation revenue, the overlegal permit system, dyed diesel fuel, weigh-in-motion technology, and pilot car certification. He said TAC would like to be more involved. He believes the joint luncheon is beneficial and suggested conducting more joint meetings. He also expressed appreciation to ITD staff.

Chairman Whitehead thanked Chairman Pocock for the report and for his service on the TAC.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 1:30 PM to discuss personnel and legal issues as authorized in Idaho Code Section 74-206 (b) and (f). Member Horsch 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 2:30 PM.

Project Recommendation for the Strategic Initiative Program Fund. Engineering Services Administrator (ESA) Blake Rindlisbacher presented a list of projects to be funded with the \$54.7 million available for the Strategic Initiative Program Fund. The projects are recommended based on an analysis of their return on investment for safety, mobility, economic opportunity, repair, and maintenance. He commended the District Engineers and staff for getting the projects ready. He added that a supplemental appropriation request will need to be approved before the funds can be expended.

Member Gagner noted that the list included the US-95, Council Alternate Route. He expressed concern that the project does not meet the intent of the legislation because it will construct a new alignment. He proposed removing that project from the list.

Member Gagner made a motion, seconded by Member DeLorenzo, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with considering the
ITB15-52 safety and convenience of highway users, the common welfare of the people and cities within the state,
 and the financial capacity of the state of Idaho to construct, reconstruct and maintain state highways; and

 WHEREAS, the Board is authorized to locate, design, construct, reconstruct, alter, extend, repair and

maintain state highways; and

WHEREAS, the Board is authorized to prescribe rules and regulations affecting state highways and the expenditure of all moneys appropriated to the Idaho Transportation Department; and

WHEREAS, the Board is authorized to exercise all powers necessary to carry out the provisions of Title 40 of the Idaho Code and the control of the financial affairs of the Department and Board; and

WHEREAS, the Idaho Legislature created a Budget Stabilization Fund; and

WHEREAS, all funds remitted to the Department shall be used exclusively for road and bridge maintenance and replacement.

NOW THEREFORE BE IT RESOLVED, that the Board approves the list of projects recommended for the FY15 Strategic Initiative Program Fund, as shown as Exhibit 465, which is made a part hereof with like effect.

Chairman Whitehead thanked ESA Rindlisbacher and staff for their efforts on the projects.

District 6 PTAC Nominations, Revisited. In response to Member DeLorenzo's question on Mike O'Brien's possible conflict of interest, PTM Bathrick acknowledged that PTAC thought Mr. O'Brien may have a conflict as a member of TRPTA. He is not concerned with Mr. O'Brien's position on the TRPTA board; however, Mr. O'Brien could recuse himself from discussions and votes if there is a conflict of interest.

Member Gagner said he will abstain from voting because he recommended two of the three candidates.

Member DeLorenzo made a motion, seconded by Member Vassar, and passed 5-0 by individual roll call vote with Member Gagner abstaining, to approve the following resolution:

RES. NO. WHEREAS, Idaho Statute 40-514 states that public entities that use public funds
ITB15-53 to provide public transportation services within the state shall report not less than semiannually to the Idaho Transportation Department the amount of funding expended, audits conducted, the number of passengers carried, the agency vehicles used and the vehicle miles driven to provide transportation for Idaho Citizens. This group was created as the Public Transportation Advisory Council (PTAC) to advise the Department on issues and policies regarding public transportation in Idaho. The PTAC shall participate in planning activities, identify transportation needs, and promote coordinated transportation systems. Before setting programs and priorities, the PTAC shall seek pertinent information, facts and data from local government agencies and providers regarding the rural public transportation issues; and

WHEREAS, the PTAC shall be comprised of six (6) members appointed by the Idaho Transportation Board. These members shall be representatives for local governments and agencies, private organizations, citizens groups and private providers that have an interest in public transportation, and people with disabilities and the elderly who utilize public transportation; and

WHEREAS, the Board shall appoint said members from recommendations submitted by said organizations, groups' providers, users and state agencies in each District. One (1) member shall be appointed from each of the six (6) transportation department director districts as provided in section 40-303, Idaho Code; and

WHEREAS, the term of each member shall be three (3) years and the initial appointments to the council shall be such that two (2) members shall be appointed each year thereafter; and

WHEREAS, applications were solicited from interested parties to fill the vacated position in District 6 and the Department received three applications. The applications from Mike O'Brien, Sharon Parry, and Denise Myler were brought forward to PTAC members in November 2015 for review; and

WHEREAS, the ITD - Public Transportation Manager hereby brings forth three nominations that have been reviewed by the seated members of the PTAC and found by consensus to be fit candidates for the open seat in District 6.

NOW THEREFORE BE IT RESOLVED, that the Board has determined to appoint Mike O'Bleness as the District 6 PTAC member for a term from December 17, 2015 through December 17, 2018.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:45 PM.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
January 20, 2016
Boise, Idaho