

REGULAR MEETING AND DISTRICT FIVE TOUR
OF THE IDAHO TRANSPORTATION BOARD

May 15-16, 2019

The Idaho Transportation Board met at 9:00 AM on Wednesday, May 15, 2019 in Pocatello, Idaho. The following principals were present:

Jerry Whitehead, Chairman
James R. Thompson, Member – District 1
Janice B. Vassar, Member – District 2
Dwight Horsch, Member – District 5
Brian Ness, Director
Sue S. Higgins, Executive Assistant and Secretary to the Board

District 5 Tour. The Board's tour of District 5 focused on the importance of transportation to the local economy. It visited Petersen Inc. and Driscoll TopHay and learned about its operations and transportation needs. It traveled I-86 west to American Falls.

At the American Falls maintenance shed, employees presented information on topics such as the I-15, Fort Hall Interchange and Rose Road Interchange projects; vegetation management; and port of entry operations. The Board returned to Pocatello on I-86 east and then toured Western States Caterpillar and the I-15, Northgate Interchange construction site.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting recessed at 4:30 PM.

May 16, 2019

The Idaho Transportation Board convened at 8:05 AM on Thursday, May 16, 2019 in Pocatello, Idaho. Chairman Whitehead, and Members Thompson, Vassar, Horsch, and Bob Hoff – District 6 were present. Deputy Attorney General Larry Allen was also in attendance.

Safety Share. Safety and Compliance Officer Jeremy Gough emphasized the importance of being aware of blind spots while operating motor vehicles. Individuals walking near equipment also need to be cognizant of the blind spots.

Chairman Whitehead thanked Mr. Gough for the important message.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on April 17-18, 2019 as submitted. Member Thompson seconded the motion and it passed unopposed.

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

June 19-20, 2019 – District 6
July 17-18, 2019 – District 4
August 20-21, 2019 – District 1

May 16, 2019

Consent Items. Chairman Whitehead asked for additional information on the numerous contract awards that exceeded the engineer's estimate by more than ten percent. Chief Operations Officer (COO) Travis McGrath said the intent is to advertise projects early, but sometimes they have to be delayed for various reasons. The low bids versus the engineer's estimates are very erratic. The monthly comparisons from October 2018 through April 2019 range from 72% to 110%. He believes it is important to look at the bids over time and for the whole program, not for each month.

Jeff Miles, Local Highway Technical Assistance Council (LHTAC) Administrator, commented on this month's seven local projects that exceeded the engineer's estimate by more than ten percent. He said his staff works closely with ITD. Its goal is to get projects ready for advertising early; however, local agencies have funding constraints. The federal government shutdown earlier this fiscal year caused some delays. Also, the local projects are usually smaller and in rural areas, which generally results in higher costs. With the majority of contractors being very busy now, they are not as likely to bid on the smaller, rural projects.

Chairman Whitehead thanked Messrs. McGrath and Miles for the information.

Member Vassar 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-
ITB19-14 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 FY20 out-of-state travel; the state institution road improvement project; the removal of the Local, Intelligent Transportation System Smart Arterial Management project; adjustments to the Local Highway Safety Improvement Program; the addition of the Wetland/Stream Mitigation Selection and Assessment project; consultant agreements; contracts for award; and contracts for rejection.

1) FY20 Out of State Travel. The FY20 out-of-state travel request is \$368,280, which is equal to the FY19 out-of-state travel budget.

2) State Institution Road Improvement Project. In accordance with Idaho Code 40-310(14), Board Policy 4045 State Institution Road Improvement allocates \$30,000 annually for the construction, alteration, repair, or maintenance of roadways in, through, or around the grounds of state institutions. The Division of Public Works requests funds for improvements to the Old Penitentiary Road. The Division of Public Works will receive the funds and administer or cause to be administered the improvements. Governor Little supports this recommendation.

3) Remove Local, Intelligent Transportation System Smart Arterial Management Project. The Community Planning Association of Southwest Idaho and Ada County Highway District request the removal of the Local, Intelligent Transportation System Smart Arterial Management

project, key #20782, from the Idaho Transportation Improvement Program (ITIP). The removal of the \$3,491,000 project is due to the determination that faulty assumptions in the original concept and project application will not provide the safety and congestion relief benefits that are being sought. No expenditures have occurred on this project and the local agency will release the federal grant funds back to the Federal Highway Administration (FHWA).

4) Add Wetland/Stream Mitigation Selection and Assessment Project. Staff requests the addition of the Wetland/Stream Mitigation Selection and Assessment project for \$250,649 to FY19 of the ITIP. ITD and FHWA have been developing a statewide wetland and stream mitigation project. ITD was awarded \$200,520 to foster a partnership with the U.S. Army Corps of Engineers, FHWA, Idaho Fish and Game, and LHTAC to develop programmatic mitigation strategies and pursue an in-lieu fee/wetland and stream mitigation program in Idaho. The Department will provide the 20% match through time and resources.

5) Adjustments to the Local Highway Safety Improvement Program. LHTAC and the City of Moscow request delaying the \$113,000 construction funding for STC-7664, 6th Street Pedestrian Improvement, Moscow, key #20109 from FY19 to FY21 and increasing the FY19 design costs by \$8,000. The advancement of \$61,000 of design funding for SH-8, 3rd Street Safety Improvement Phase 1, Moscow, key #20483 from FY20 to FY19; advancement of design funding for SH-8, 3rd Street Safety Improvement Phase 2, Moscow, key #21997 of \$44,000 from FY20 to FY19; and authority to amend the ITIP accordingly are also being requested.

6) Request to Approve Consultant Agreements. In accordance with Board Policy 4001 Authority to Sign Contracts, Agreements, and Grants and Requirement to Report Certain Contracts, staff requests approval to exceed the \$1,000,000 agreement limit for key #12964, Anderson Lane to Kootenai River Railroad Bridge, Bonners Ferry, District 1 for additional construction engineering and inspection services with David Evans and Associates for \$1.3 million, bringing the total to \$2.25 million; key #22165, US-20/26, I-84 to Middleton Road, Canyon County, District 3 for project design services up to and including Plans, Specifications and Estimates with WHPacific for up to \$2.5 million; and key #22196, Franklin Interchange to Karcher Interchange, Canyon County, District 3 for project design services up to and including Plans, Specifications and Estimates with Parametrix for up to \$10 million.

7) Contracts for Award. The following bids were more than ten percent over the engineer's estimate, requiring justification. The W-Beam Guardrail, Mobilization, Pavement Marking Spray Applied MMA, and Temporary Traffic Control items accounted for the majority of difference between the low bid and engineer's estimate on key #20150 - Lapwai Road Safety Improvements. Review of the bids indicates adjustment to the plans will not show significant benefit to justify adjustment or rebidding. LHTAC recommends awarding the contract. Low bidder: Poe Asphalt Paving Inc. - \$149,657.

LHTAC believes the estimates for Mobilization, Special Three Section Back Plate, and Special Three Section Vehicle Signal Head should have been higher on key #20067 - Local Signal Head Visibility Improvements, Idaho Falls. The higher Mobilization cost is likely due to the multiple locations for this work. Other factors may have been the nature of the work, which is electrical and not many contractors are equipped to perform the required amount of work, and

the number of special provisions. The project is a safety improvement project. Review of the bids indicates that any adjustment to the plans will not show significant benefit to consider adjustment or rebidding, so LHTAC recommends awarding the contract. Low bidder: Angle & Associates - \$330,585.

Six standard items accounted for the majority of difference between the low bid and engineer's estimate on key #20162 – Strike Dam Road Improvements, Mountain Home Highway District: Mobilization, Granular Subbase, Hydra Applied Erosion Control Prod, Traffic Control Maintenance, Temporary Traffic Control Signs, and Survey. These differences may be attributed to the increased cost to get specialized equipment to the rural location of the project. Review of the bids indicates that adjustments to the plans will not show significant benefit to consider adjustment or rebidding, so LHTAC recommends awarding the contract. Low bidder: Robison Logging & Excavation - \$691,210.

The Traffic Signal Installation item accounted for most of the bid overage on key #20752 - SMA-7072, Intersection Washington Street & Caswell Avenue, Twin Falls. The item is in close proximity to a large power pole and underground utilities, which may have increased the price to account for the additional risk from utility coordination. Due to the bidding climate and the minimum required improvements, it is unlikely that alterations to the plans or specifications would provide savings for the project. LHTAC recommends awarding the contract. Low bidder: Electric 1 West Inc. DBA Balanced Rock Electric - \$258,752.

LHTAC believes the Temporary Traffic Control, Hot Mix Asphalt Roadway Patching, and Mobilization items should have been higher on key #20211 – SMA-7895, Kootenai Cutoff Road Pedestrian Improvements, Ponderay. One item was a special provisions item and current bidding data was not available. The project is a safety improvement project. Review of the bids indicates that any adjustment to the plans will not show significant benefit to consider adjustment or rebidding, so LHTAC recommends awarding the contract. Low bidder: Interstate Concrete & Asphalt Co. - \$154,732.

The main difference in cost between the low bid and engineer's estimate was in the Superpave Hot Mix Asphalt Pavement Including Asphalt & Additives, Mobilization, and Approach items on key #19862 – US-93, Gibbonsville to Montana Line, District 6. The remoteness of the project site should have been considered in the engineer's estimate. Also, the area has few sources for the aggregate needed to produce asphalt, and unit prices vary depending on when a project is bid. Staff does not believe re-bidding the project would result in significant savings partly due to the relatively close agreement in the bid amounts and the geographic remoteness of the project. There is a significant risk of costs increasing if the project is re-bid because of tariffs, economic conditions, contractor availability, and work windows. Staff recommends awarding the project. Low bidder: H-K Contractors Inc. - \$5,217,769.

The main discrepancies between the low bid and engineer's estimate on keys #19883 and #19234 – US-95, Corridor Access Improvements were in the Topsoil, Traffic Signal Installation, Sound Wall, Special PTZ Video System with Lowering Device, Special – Pedestrian Push Button Pole, Special – Pedestrian Push Button, and Special – Retrofit Curb Ramp Type Perp items. The low bidder included additional costs for importing the topsoil. The traffic signal and

removal items are very specific and unique to the project, and it was difficult to acquire comparable bidding data. The sound wall will be the first one constructed in District 1, so there may be some additional costs associated with the unfamiliarity of the item. The project needs to be awarded in the 2019 construction season to meet milestones identified within the FASTLANE funding requirements. The District does not believe re-advertising the project will result in lower estimates and recommends awarding the contract. Low bidder: Apollo Inc. - \$8,994,145.

The major difference between the engineer's estimate and low bid on key #20799 – I-84, Karcher Interchange to Northside Boulevard, District 3 was in the Excavation, Superpave Hot Mix Asphalt Special – TA, Concrete Paving, and Temporary Concrete Barrier items. Part of the difference is due to lack of bid history with comparable quantities and items and fluctuations in the construction market. It is critical that the project be awarded promptly so it does not interfere with the adjacent expansion project on I-84 between Northside Boulevard and Franklin Boulevard. Staff does not believe re-bidding the project would result in lower bid prices and recommends awarding the contract. Low bidder: Concrete Placing Co., Inc. - \$24,661,970.

8) Contracts for Rejection. The following low bids were more than ten percent over the engineer's estimate, requiring justification. LHTAC and the City of Moscow recommend rejecting the lone bid on key #20109 – STC-7664, 6th Street Pedestrian Improvements, Moscow, and combining the project with two other similar projects. Combining the projects will result in a larger project that should result in more bids. Low bidder: McCall's Classic Construction - \$189,081.

The Pavement Markings Spray Applied MMA and Special-Temporary Traffic Control items accounted for most of the difference between the low bid and engineer's estimate for key #20167 – STC-8533, Intersection Smith Avenue & Middleton Road Signal, Nampa. It appears most local contractors do not have the specialized equipment needed to install the Pavement Markings Spray Applied MMA. LHTAC and the City of Nampa recommend rejecting the bids and modifying the project plans. Low bidder: Hawkeye Builders Inc. - \$681,161.

Information Items. 1) Contract Awards and Advertisements. Key #13874 – STC-5740, West Riverview Drive Post Falls Highway District. Low bidder: T LaRiviere Equipment & Excavation - \$753,528.

Keys #13880 and #13882 – SH-6, Old Potlatch Mill Road to Princeton Flats, District 2. Low bidder: Scarsella Bros. Inc. - \$4,772,469.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From March 29 through April 25, 33 new professional services agreements and work tasks were processed, totaling \$5,449,029. Four supplemental agreements to existing professional services agreements were processed during this period in the amount of \$528,157.

3) State FY19 Financial Statements. Revenues to the State Highway Account from all state sources were ahead of projections by 4.1% at the end of March. Receipts from the Highway

Distribution Account were 3.3% or \$5.3 million more than forecast. State revenues to the State Aeronautics Fund were ahead of projections by 22%, or \$476,000. Expenditures were within planned budgets. Personnel costs had savings of \$9.3 million or 10% due to reserves for horizontal career path increases, vacancies, and timing between a position becoming vacant and being filled. Contract construction cash expenditures of \$346.5 million through March exceeded any from the past three years.

The balance of the long term investments was \$136.9 million at the end of March. These funds are obligated against construction projects and encumbrances. The long term investments plus the cash balance of \$75 million totals \$212 million. Expenditures in the Strategic Initiatives Program Fund through March were \$16.1 million. Deposits into the Transportation Expansion and Congestion Mitigation Fund were \$12.5 million year-to-date.

4) Monthly Reporting of Federal Formula Program Funding through April. Idaho received obligation authority of \$309.4 million, which corresponds to \$308.4 million with match after a reduction for prorated indirect costs. Notice of the receipt of \$19.9 million of FY19 Highway Infrastructure General Funds was received on March 18. Idaho has received apportionments via notices through March 18, 2019 of \$341.2 million, which includes Redistribution of Certain Authorized Funds and Highway Infrastructure General Funds carried over from last year. Obligation authority is 90.7% of apportionments. Of the \$308.4 million allotted, \$74.4 million remains.

5) FY20-23 Strategic Plan for the Division of Financial Management. The draft FY20-23 Strategic Plan was presented to the Board for review. The Plan is to include the Department's vision and/or mission statement, goals, objective, external factors, and performance measures and benchmarks. It is due to the Division of Financial Management by July 1.

Director's Monthly Report on Activities. Director Ness said last week was employee appreciation week. The Office of Communication won several Press Club awards. He started his annual employee visits last month. The new online Division of Motor Vehicles' portal is scheduled to go live early next month. This will allow customers to renew and replace drivers' licenses and identification cards, pay for drivers' license reinstatements, and change their address online; however, the portal cannot be used to obtain a REAL ID driver's license. Some of the other highlights include a local media feature story on the extensive growth in the Treasure Valley, employees' innovations, and the commendable service of maintenance crews to address flooding, landslides, and other weather-related activities.

COO McGrath elaborated on the winter and spring maintenance activities. Statewide, the highways were clear of snow and ice 86% of the time during the 2018-2019 winter. He commended the employees for their exemplary service, innovations, and cooperation with other Districts to achieve this metric. A new tool is being developed to help determine the efficiency and effectiveness of maintenance activities after a storm.

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

Chairman Whitehead thanked Director Ness and COO McGrath for the report.

May 16, 2019

Delegation – Center for Landscape Conservation and Western Transportation Institute. Renee Callahan with the Center for Landscape Conservation summarized cost effective strategies for reducing vehicle-wildlife collisions. She believes wildlife crossings are one of the most effective solutions.

Rob Ament with the Western Transportation Institute reported on cost-benefit analyses to address vehicle-wildlife crashes. Some of the costs to consider are related to fatalities, serious injuries, repairs to vehicles, and recreation/hunting. Low-cost mitigation efforts include deer reflectors and mirrors, deer whistles, and standard warning signs; however, those are not very effective. Although the most effective measures are more expensive, such as animal detection systems, fences, and fences with either an underpass or overpass, they generally pay for themselves over time.

Ms. Callahan acknowledged that funding is a barrier to constructing wildlife crossings. She emphasized the importance of public-private partnerships and provided several examples of successful partnerships, including ITD's joint effort with the Idaho Department of Fish and Game and others on the SH-21 wildlife crossing.

Chairman Whitehead thanked the delegation for the informative presentation.

ITD-Idaho Department of Fish and Game Partnership to Build Wildlife Passage at US-30 Rocky Point. District 5 Environmental Planner Alissa Salmore and Department of Fish and Game Wildlife Biologist Matt Pieron reported on the partnership to address a deer migration corridor at Rocky Point on US-30. The FY25 project is being developed cooperatively. The project is focusing on a three-mile segment where approximately 70% of the migration occurs. Two crossing structures are planned. One crossing will be an underpass and the second crossing is still being determined. Fencing will also be needed. Discussions with the various property owners are occurring.

In response to a question on the cost of the project, Wildlife Biologist Pieron said the total cost is estimated at \$5.5 million. The Department of Fish and Game is committing about \$1 million. Additional partners may be considered.

Chairman Whitehead thanked Environmental Planner Salmore and Wildlife Biologist Pieron for the project summary and their collaboration.

Delegation – Bannock County. Bannock County Commissioner Steve Brown thanked the Board for its support of the I-15, Northgate Interchange. He believes it is an important public-private partnership. He also expressed appreciation for the excellent working relationship with the District staff and for other improvements in the area, such as the I-15, Fort Hall Interchange.

Adopt-A-Highway (AAH) Presentation. District 5 AAH Coordinator Sharon Short provided an update on the adopt-a-fence program. Three groups have adopted most of the fence line along I-15. She also recognized District 5 Engineer Ed Bala for his support of the AAH program.

District 5 Report. District 5 Engineer (DE) Bala reported on performance metrics: staff achieved a winter mobility metric of roads being clear of ice and snow 91% of the time and 100% of the FY20 projects were delivered on time. He highlighted several partnerships and commended a number of staff members for their exemplary service and leadership.

The Board members thanked DE Bala for the report and his leadership, and congratulated him on his upcoming retirement.

Idaho Traffic Safety Commission (ITSC) Annual Report. Highway Safety Manager (HSM) John Tomlinson summarized the ITSC, which is established in Idaho Code. Its members have varied backgrounds, including law enforcement, education, and medical. It meets twice a year to help develop performance plans and goals and to approve projects for funding.

Highway Safety Plan. HSM Tomlinson presented the draft FY20 Highway Safety Plan totaling close to \$7 million for projects to help reduce traffic crashes, deaths, and injuries. The document, required by the National Highway Traffic Safety Administration, was approved by the ITSC last month.

Statewide Electronic Ticketing. HSM Tomlinson said the Statewide Electronic Ticketing (SWET) program was introduced statewide last year, after several years of testing. Currently, 12 law enforcement agencies use the system to write tickets electronically, and 28 other agencies have started the process to use this system. All of the equipment and components for SWET come from a National Highway Traffic Safety Administration grant through the Office of Highway Safety. The electronic system is faster, enabling officers to continue patrolling sooner, and should be more accurate. He noted that there have been some challenges, including technological issues for smaller agencies. He recognized several partners that have been instrumental in testing and piloting the system.

Chairman Whitehead thanked HSM Tomlinson for the highway safety reports.

Executive Session on Personnel and Legal Issues. Member Horsch made a motion to meet in executive session at 11:15 AM to discuss personnel and legal issues as authorized in Idaho Code Section 74-206(a), (b), (c) and (f). Member Vassar seconded the motion and it passed 4-0 by individual roll call vote.

The discussions on personnel matters related to the filling of positions and the performance of employees. The discussions on legal matters related to operations.

The Board came out of executive session at 1:00 PM.

Update on SH-16, I-84 to SH-44 Corridor. Transportation Program Manager (TPM) Amy Schroeder said the SH-16 corridor was reviewed, and through value engineering and alternatives analysis efforts, right-of-way and cost savings have been identified. The corridor refinements include SH-16 going over versus under local roads and other east-west routes; reducing the right-of-way footprint throughout the corridor; interchange type analysis and configuration verification; and additional system interchange alternatives, including options for minimizing

impacts by keeping Franklin Road on its existing alignment and not precluding a future direct connection through the system interchange to a local road south of I-84. It is anticipated that approximately 120 fewer acres will be required and cost savings could be around \$25 million.

In response to Member Hoff's question on right-of-way acquisition, TPM Schroeder said because no construction funds have been identified, the Department can only purchase right-of-way from willing sellers. It cannot use eminent domain at this time. Member Horsch asked if the interchange analysis was done in-house. TPM Schroeder responded that the initial review of alternatives was conducted in-house. The valid alternatives were then presented to stakeholders like local partners and property owners.

TPM Schroeder added that approximately \$70 million will be needed to start the next phase of construction. No decision has been made regarding starting the next phase at the north end or south end of the corridor. She presented a resolution to proceed with the design refinements.

Chairman Whitehead recommended deferring action on the resolution until next month when Member Julie DeLorenzo is present. He thanked TPM Schroeder for the report.

2020 Potential Legislative Ideas and Administrative Rules. Governmental Affairs Manager Mollie McCarty proposed submitting legislative ideas on distracted driving (using hands-free electronic devices) and related to utilities in the right-of-way. Legislative ideas must be submitted to the Division of Financial Management by July 12.

Governmental Affairs Program Specialist Ramon Hobdey-Sanchez said that none of the state's administrative rules were re-authorized during the 2019 legislative session. All of the rules will expire on June 30, 2019; however, the Governor is working on a strategy to ensure there is no lapse. A special bulletin will be published next month to authorize all of the rules as temporary and proposed.

Chairman Whitehead thanked staff for the update.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting and tour of District 5 adjourned at 2:00 PM.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
June 20, 2019
Salmon, Idaho

May 16, 2019