

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 12, 2019

The Idaho Transportation Board convened at 8:00 AM on Thursday, December 12, 2019 at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Bill Moad, Chairman

Jim Kempton, Vice Chairman – District 4

James R. Thompson, Member – District 1

Janice B. Vassar, Member – District 2

Julie DeLorenzo, Member – District 3

Dwight Horsch, Member – District 5

Brian W. Ness, Director

Larry Allen, Lead Deputy Attorney General

Sue S. Higgins, Executive Assistant and Secretary to the Board

Safety/Security Share. Financial Manager Justin Collins emphasized the importance of safety when preparing for the holidays. Some of the tips related to ladder safety, fire hazards, and using caution when making online purchases and having packages delivered to your home.

Chairman Moad thanked Financial Manager Collins for the safety messages.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on November 20-21, 2019 as submitted. Member Horsch seconded the motion and it passed unopposed.

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

January 22, 2020 – Boise

February 19, 2020 – Boise

March 18, 2020 – Boise

Consent Items. Chairman Moad questioned the low bids on the two contract awards, specifically the mobilization prices. Local Highway Technical Assistance Council (LHTAC) Administrator Jeff Miles said the design for both projects was completed in 2018; however, the engineer's estimate was not reviewed before the projects were advertised. LHTAC is changing its process to re-verify the engineer's estimate when there is a significant time lapse between the design and advertisement of a project.

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-
ITB19-40 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.

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NOW THEREFORE BE IT RESOLVED, that the Board approves the removal of 4th Street, Dalton Avenue to Prairie Avenue; the Federal Lands Access Program update to the FY20-26 Idaho Transportation Investment Program; a consultant agreement; contracts for award; and a contract for rejection.

1) Remove 4th Street, Dalton Avenue to Prairie Avenue from the Surface Transportation Program (STP) – Local Urban Program. The City of Dalton Gardens decided not to pursue the \$4.4 million 4th Street, Dalton Avenue to Prairie Avenue project, key #20134, and requested the removal of the project from the STP-Local Urban Program. The Kootenai Metropolitan Planning Organization updated its Transportation Improvement Program to reflect this change.

2) Federal Lands Access Program Update to the FY20-26 Idaho Transportation Investment Program. FLAP was established to improve the transportation infrastructure owned and maintained by a number of federal agencies with land and natural resource management responsibilities. Funding is available for projects that provide access to, are adjacent to, or are located within federal lands with priority given to projects accessing high-use recreation sites or federal economic generators. Staff requests modifying the FLAP with the project information shown as Exhibit #518, which is made a part hereof with like effect.

3) Request to Approve Consultant Agreement. 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 million agreement limit for key #19195 – US-95, Deep Creek Bridge; key #19526 – US-95, Junction SH-6 Turnbay; and key #19653 - US-95, WIR Bridge, District 2 for additional design services of approximately \$200,000.

4) Contracts for Award. The low bids on the following projects were more than ten percent over the engineer's estimate, requiring justification. The major differences between the low bid and engineer's estimate on key #14061 – South 2nd West Street Bridge, St. Anthony, were in the Concrete Class 40-A Schedule Number 1; Prestress Slab – 48" Width x 15" Depth; Special Bridge – Predrilling for Piling in Rock; and Mobilization items. The design was completed in March 2018; however, the engineer's estimate was not reviewed before the project was advertised. There has been a recent escalation in concrete and steel prices due to the current economic conditions, impacting the cost of the first two items. The price for the Predrilling for Piling in Rock item may have been inflated due to the prime contractor having to use a sub-contractor and the current availability of specialty equipment. The contractor may also have inflated the Mobilization cost to account for unknown risks associated with the downstream power plant operations and construction in cold weather. LHTAC and the City of St. Anthony believe the bids are reasonable and do not anticipate any benefit or project savings if the low bid is rejected and the project re-advertised. They have agreed to provide the additional funds and recommend awarding the project. Low bidder: Cannon Builders Inc. - \$1,109,391.

The Superpave Hot Mix Asphalt Paving Including Asphalt and Additives Class Special – 2; Concrete Class 40-A Schedule Number 1; Special Bridge – Three Tube Curb Mount Rail; Special Temporary Diversion; and Mobilization items accounted for the majority of difference between the engineer's estimate and low bid on key #13898 – Little Bear Creek Bridge. Factors for the higher costs include the recent escalation of concrete and steel prices, the relatively small quantity for the Superpave Hot Mix Asphalt Paving item, the remote location, and variables with

water flows and site conditions related to the Special Temporary Diversion item. LHTAC's review of the bids did not discover any discrepancies showing the bid is irregular. LHTAC and the City of Troy recommend awarding the contract and have identified the additional funds. Low bidder: Razz Construction Inc. - \$1,428,827.

5) Contract for Rejection. The low bid on key #19595 – US-95, FY20 District 2 Bridge Repair was more than ten percent over the engineer's estimate, requiring justification. The difference between the low bid and engineer's estimate was primarily in the Special Bridge Epoxy Overlay, Special Temporary Traffic Control, and Mobilization items. The District believes the higher prices are partly due to the unknown removal items in one of the structures, 13 bridges in various locations, and unknown traffic control costs. Staff recommends rejecting the bids and re-advertising the project. Low bidder: Cannon Builders Inc. - \$1,619,862.

Information Items. 1) Contract Awards and Advertisements. Key #20798 – I-84, Safety Service Patrol, District 3. Low bidder: B & W Wrecker Service - \$336,700.

Key #19944 – US-20/26 Chinden Boulevard, Locust Grove to Eagle, District 3. Low bidder: Staker & Parson Companies DBA Idaho Materials Construction – \$10,137,187.

Keys #20222 and #19858 – I-15 and SH-33, Sage Junction Port of Entry Weigh-In-Motion, District 6. Low bidder: DL Beck - \$1,027,198.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From November 1 through November 21, 13 new professional services agreements and work tasks were processed, totaling \$1,230,500. Five supplemental agreements to existing professional services agreements were processed during this period in the amount of \$289,348.

3) Annual Report on the Outdoor Advertising Program. At the close of federal FY19, there were 1,176 signs, with 18 illegal and 218 non-conforming signs throughout the state. Seven of the eight new sign applications were approved during the fiscal year.

4) 2040 Long-Range Transportation Plan. Staff started updating the 2040 Long-Range Transportation Plan in 2017 and provided periodic updates to the Board on its progress. In July 2019, the Board adopted the draft Plan with the understanding that minor revisions may be made before it is finalized; recognizing that the document was voluminous and that the newer Board members were not as familiar with the Plan. The document has since been reviewed by the Federal Highway Administration. The federal agency has no objections to the Plan's conformity with the Fixing America's Surface Transportation Act. The next step will be to publish the document as a final product.

5) State FY20 Financial Statements through October. Revenues to the State Highway Account from all state sources were ahead of projections by 6.4%. Receipts from the Highway Distribution Account were 6% or \$4.4 million more than forecast. State revenues to the State Aeronautics Fund were ahead of projections by 4.5%, or \$56,000. Expenditures were within planned budgets. Personnel costs had savings of \$4.1 million or 9.7% due to reserves for

horizontal career path increases, vacancies, and timing between a position becoming vacant and being filled. Contract construction cash expenditures of \$223.8 million exceeded any from the past three years.

The balance of the long term investments was \$138.7 million at the end of October. These funds are obligated against construction projects and encumbrances. The total of the long term investments and the cash balance of \$34.6 million is \$41 million less than the end of June. Expenditures in the Strategic Initiatives Program Fund were \$11.3 million. No additional funds, other than interest earned on the cash balance, are coming into this fund due to the expiration of the law effective May 31, 2019 that required the transfer. Deposits into the Transportation Expansion and Congestion Mitigation Fund were \$6.6 million year-to-date.

6) Monthly Reporting of Federal Formula Program Funding through November 24, 2019. Idaho received obligation authority through November 21 via a continuing resolution. Obligation authority is \$44.2 million, which corresponds to \$44.3 million with match after a reduction for prorated indirect costs. This includes \$936,200 of Highway Infrastructure General Funds carried over from last year in the Transportation Management Area. An additional continuing resolution through December 20 was signed last month; however, as of November 24, Idaho had not received official notice from the Federal Highway Administration. Idaho has received apportionments via notices through October 1, 2019 of \$315.7 million, including the carryover of \$936,200 of Highway Infrastructure General Funds. Obligation authority is currently 14% of apportionments. Of the \$44.3 million allotted, \$19.4 million remains.

7) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section did not execute any professional service agreements during the previous month.

Director's Monthly Report on Activities. Director Ness summarized activities from the past year. He mentioned numerous state and national partnerships on topics such as rural transportation issues, emerging transportation technology, reducing regulations, and highway safety. Project accomplishments included numerous highway infrastructure improvements as well as motor vehicle's new online portal to renew licenses and complete other tasks.

Some of the employee development activities were cybersecurity training, establishing a heavy equipment operator training program, and continuing to develop leaders. ITD was a finalist for Idaho's Innovative Company of the Year competition, and in July, ITD implemented its 1,000th innovation, for a total savings of 200,000 hours and \$10 million. The Department received 52 awards and honors this year, including two American Association of State Highway and Transportation Officials' Presidents Awards.

Director Ness said next year's focus areas will be continuing to develop employees, respectful workplace training, accountability, and leadership training. Externally, emphasis will be on continuing to deliver the construction program on time and on budget, efficiency, and effectively articulating the need for additional revenue. He thanked the Board for its continued support.

Chairman Moad congratulated Director Ness and the employees for their successful year.

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Public Transportation Office and Public Transportation Advisory Council (PTAC) Annual Update. Chief Deputy Scott Stokes introduced Ron Duran, the new Public Transportation Manager. Mr. Duran has been with ITD for approximately two years, most recently as the Motor Vehicles Program Specialist.

Public Transportation Manager (PTM) Duran said his vision for the office is to maintain a high functioning office, increase external confidence with the public transportation program, and optimize stakeholders' engagement.

PTAC Chair Maureen Gresham said the Council's purpose is to participate in planning activities, identify transportation needs, and promote coordinated transportation systems. There are currently two vacancies on the Council. She reported on some of the accomplishments. A project evaluation system was created to ensure the best projects are identified for funding. A rideshare platform was developed to increase citizens' opportunities for transportation. PTAC's goals for next year are to help identify potential new revenue streams, identify and document the state's public transportation needs, and promote innovations.

Vice Chairman Kempton noted that the Sun Valley area has the authority to implement a local option tax for public transportation. It uses that funding instead of charging fares. He asked if the Department allocates funds based on the number of riders. PTAC Chair Gresham replied that some funding is distributed based on population and other programs use criteria such as operating costs and ridership. She acknowledged that the Sun Valley area is in a better position to receive federal funding because it can provide the required match.

Chairman Moad thanked PTM Duran and PTAC Chair Gresham for the report.

Update to Board Policy 4061 State Highway System Adjustments. Senior Transportation Planner Robert Beachler presented revisions to Board Policy 4061 State Highway System Adjustments. The main changes relate to the membership of the Board Subcommittee on State Highway System Adjustments to ensure there are three members. The current policy has the potential for four members. The change will require Chairman Moad to appoint a third member who would be a floating member and would step down when a non-Subcommittee member has a route in his/her District under consideration.

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

RES. NO. WHEREAS, Idaho Transportation Department staff began the process of updating
ITB19-41 Board Policy 4061 State Highway System Adjustments in October of 2019; and

WHEREAS, at the November 20, 2019 Board Subcommittee on State Highway System Adjustments meeting, the Subcommittee discussed the appointment of the Subcommittee as proposed in the draft Board Policy 4061; and

WHEREAS, on November 21, 2019, the Idaho Transportation Board was briefed on the proposed changes to the draft Board Policy update; and

WHEREAS, the Board has reviewed the update to Board Policy 4061 State Highway System Adjustments.

NOW THEREFORE BE IT RESOLVED, that the Board adopts Board Policy 4061 State Highway System Adjustments in substantial form.

Board Subcommittee Assignments. With the approval of revisions to Board Policy 4061 State Highway System Adjustments, Chairman Moad appointed Member Thompson to serve as the floating member on the Board Subcommittee on State Highway System Adjustments. Vice Chairman Kempton will remain the chairman of the Subcommittee and Member Hoff will continue serving as the permanent member.

Chairman Moad said it was brought to his attention that Board Policy 4060 129,000 Pound Truck Routes requires three members on that Subcommittee. Currently, Member Horsch serves as the chairman and Member Thompson is the other member. He appointed Member DeLorenzo to serve as the third, rotating member on the Subcommittee on 129,000 Pound Truck Routes. The third member will step down when there is a route request under consideration in a non-Subcommittee member's District to ensure the District with a route on the agenda is represented by his/her Board member.

Excellence in Transportation Awards. Communication Manager Vincent Trimboli presented the winners of the Excellence in Transportation Awards. In addition to project awards for design and construction, environmental stewardship, maintenance and operations, public participation, and planning, there were three personnel categories: Career Achievement Award – District 2 Program Manager Ken Helm; Vanguard Award – Governmental Affairs Program Manager Ramon Hobdey-Sanchez; and Kimbol Allen Excellence in Innovation Award – 511 Program Manager Tony Ernest.

Chairman Moad congratulated all of the recipients for their achievements and thanked them for their valuable contributions.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 10:40 AM to discuss personnel issues as authorized in Idaho Code Section 74-206 (b) and legal issues as authorized in Idaho Code Section 74-206 (e) and (f). Member Horsch seconded the motion and it passed 5-0 by individual roll call vote.

District 6 Board Member Bob Hoff participated in the executive session via teleconference.

The discussions on legal matters related to operations. Member DeLorenzo left the meeting during those discussions due to a personal appointment. The discussions on personnel matters related to the performance of employees.

The Board came out of executive session at 12:15 PM.

Informal Luncheon with the Trucking Advisory Council (TAC). The Board and TAC members visited informally during lunch. Some of the topics discussed were commercial vehicle

registrations and the Department's recent efforts to identify infrastructure restrictions for 115' vehicle combinations and determine remedies to allow 6.5-foot off-tracking.

TAC Annual Report. TAC Chairman John Pocock thanked the Board for the informal luncheon. He appreciates the good communication. He said the Council met four times in 2019. It continues to stay abreast of 129,000 pound truck routes and issues. It has some concern with the time-consuming process to designate these routes, and asked if that could be improved. Some of the other topics discussed this past year related to revenue and registration fees, rules, dyed fuel enforcement, and traffic flow through construction zones. Next year TAC will have some discussions on driver recruitment. TAC Chairman Pocock expressed appreciation for the opportunity to meet with the Board and encouraged it to contact a TAC member if it has any concerns.

Chairman Moad thanked TAC Chairman Pocock for the report and the Council for its valuable service. He would like TAC to be more involved and encouraged those members to contact Board members or district engineers with concerns.

The Board recessed at 1:35 PM.

Joint Meeting with LHTAC. The Board reconvened at 2:00 PM at the Local Highway Technical Assistance Council. The two groups talked about efforts underway to revisit the 2011 Governor's Task Force on Modernizing Transportation Funding. Director Ness said instead of the traditional District tours next year, the Board is planning to conduct meetings in each District with the local highway jurisdictions. Part of the meeting would focus on efficiencies and identifying areas where the state and locals can collaborate. The second part would be devoted to the transportation needs. The intent is to prepare for a revenue package in 2021. LHTAC Administrator Miles expressed support for this proposal and added that he will provide assistance with coordinating the local agencies' participation.

Other topics included opportunities for ITD and LHTAC to apply for grants together, the permitting process for commercial vehicles, and that the revenue for the bridge inspection fund will soon be insufficient to provide the match for bridge inspections. Some local officials also expressed concern with issues on SH-3 and I-90.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:00 PM.

signed

BILL MOAD, Chairman
Idaho Transportation Board

Read and Approved
January 22, 2020
Boise, Idaho

December 12, 2019