

REGULAR MEETING  
IDAHO TRANSPORTATION BOARD  
September 18 - 19, 2024

The Idaho Transportation Board met at 10:00 AM on Wednesday, September 18, 2024, in Lewiston, Idaho. The following principals were present:

William (Bill) H. Moad, Chairman  
James R. Thompson, Member – District 1  
Gary Osborn, Member – District 2  
Mitch Watkins, Member – District 4  
John Bulger, Member – District 5  
Bob Hoff, Member – District 6  
Scott Stokes, Director  
Dan McElhinney, Chief Deputy/Chief Operations Officer  
Lorraine Dennis, Business Executive to the Board

District 3 Vice Chair Julie DeLorenzo was unable to attend.

District 2 Tour and Outreach Workshop. The Board toured burned areas along US-12 and SH-3, received a briefing regarding fire coordination efforts, and viewed the Spalding, Cherry Lane and Arrow bridges. Following the tour, the Board convened at the Hells Canyon Grand Hotel for the Outreach Workshop with local transportation officials.

Chairman Moad welcomed participants of the Idaho Transportation Investment Program (ITIP) Outreach Workshop. Director Stokes gave opening remarks outlining the meaning of investing with purpose and highlighted ITD's 50-year anniversary. District 2 Engineer Doral Hoff facilitated the workshop. Participants had time to view project and program display boards and interact with executive staff, the Board and district staff. They reconvened to hear presentations from ITD staff and the Local Highway Technical Assistance Council (LHTAC). CD/COO McElhinney presented a statewide project delivery update and on partnerships with key stakeholders. DE-2 Hoff presented a program update and District 2 priority projects information. DMV Administrator Lisa McClellan gave an update on DMV, Aeronautics Administrator Tom Mahoney presented information on aeronautics, Public Transportation Sr. Planner Shauna Miller provided an overview on Public Transportation, and Grants Officer Tabitha Smith shared information on the Office of Highway Safety. Chief Administrative Officer Dave Tolman presented an update on ITD funding and distribution to Locals, and LHTAC Administrator Laila Kral provided an overview on LHTAC's programs and funding. The Workshop included an open forum for local transportation officials to ask questions and share comments and then concluded with closing remarks from Director Stokes.

WHEREUPON, the Idaho Transportation Board's tour and workshop recessed at 3:28 PM.

September 19, 2024

The Idaho Transportation Board convened the business meeting at 8:30 AM on Thursday, September 19, 2024, at the District 2 Office in Lewiston, Idaho. Members and principals from previous day were present. Lead Deputy Attorney General Tim Thomas joined.

Safety Share. Foreman Shawn Strong reported on the safety risks of complacency. He emphasized the importance of staying focused, wearing proper equipment and being thorough.

Board Minutes. Watkins made a motion to approve the minutes of August 21 - 22, 2024, seconded by Member Hoff, and the motion passed unopposed.

Board Meeting Dates. The next meeting is October 16 in Boise.

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

RES. NO.        WHEREAS, consent calendar items are to be routine, non-controversial, self-  
ITB24-61        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 contracts to award and contracts to reject.

1) Contracts to award. The low bid on the following project is more than ten percent over the engineer's estimate, requiring justification. Staff recommends awarding the contract to the low bidder. Key #24255, District 4, signal communication upgrade, to low bidder Electric 1 West for \$116,120. The District does not believe re-advertising the project would result in lower bid.

2) Contracts to reject. The low bid on the following project is more than ten percent over the engineer's estimate, requiring justification. Staff recommends rejecting the contract. Key #24248, District 2, US-95 roadway repairs from bidder CR Contracting, \$747,910. The District will reevaluate the project.

Informational Items.

1) Professional services agreements and term agreement work tasks report. From August 1 – August 31, 2024, 31 new professional services agreements and work tasks were processed, totaling \$16,762,728. Four supplemental agreements to existing professional services agreements were processed during this period for \$256,058.

2) FY25 financial statements. Revenues to the State Highway Account (SHA) from all state sources as of July 31 are ahead of forecast by 10.3% with revenues in the Highway Distribution Account are up by 9.5%. State revenues to the State Aeronautics Fund are above forecast by 2.1% or \$6.1K. The Department's expenditures were within planned budgets. Personnel costs savings of \$198K is due to vacancies and timing. Contract construction cash expenditures in the SHA are \$78.9M, and total construction expenditures from the five different funds sources total \$911.7M.

The balance of the long-term investments was \$184.5M. These funds are obligated against construction projects and encumbrances. The cash balance is \$113.3M. Expenditures in the Strategic Initiatives Program Fund is \$3.9M. Deposits into the Transportation Expansion and Congestion Mitigation Fund were \$10.6M. For FY25, \$13.8M is committed to debt service. There are no expenditures from the Federal CARES Act fund this month. Expenditures for the TECM bond program during this period is \$33.5M and \$616K for GARVEE.

3) Contract awards and advertisements. There were five ITD and one Local contract awarded that did not require Board approval from August 1 - 31, 2024. From October 1, 2023 to August 31, 2024, 92 ITD and 19 Local contracts were bid.

The list of projects currently under advertisement was provided.

4) Monthly report of federal formula program funding through September 5. Idaho received obligation authority (OA) of \$422.1 million through September 30, 2024. Additional apportionments were allocated via the Appropriations Act. Idaho received apportionments of \$478.0 million. An additional \$54.1 million redistribution OA was received on Aug. 27, 2024. Allotted program funding is \$502.4 million with \$75.2 million remaining.

Adopt-A-Highway (AAH) Award. Member Osborn presented the AAH award to the Idaho Youth Challenge Academy representative Dan Drover. The group adopted SH-11, Mile Post (MP) 27 to 31, US-12, MP 50 to 52 and US-95, MP 230 to 232. Mr. Drover shared specifics on who the Academy serves and how the program works and thanked the Board for the award.

Board's Subcommittee on Policies Report. Member Osborn, Policies Subcommittee Chairman, reported on the Policies Subcommittee meeting held on August 29. The subcommittee supported staff's recommendations for revisions on three DMV policies with suggested edits that is being presented later today for Board approval.

Director's Monthly Report. In continuance of recognizing ITD's 50-year anniversary, Director Stokes highlighted the history of Lewiston Hill originally built in 1874 that served the community for 43 years before it was upgraded in 1917. Known as the Spiral Highway, the road lasted 60 years before it was again modernized in 1974.

Director Stokes reported on the various wildfires and efforts taken to prevent, partner and protect ITD's highways. Some highlights included all around the state ITD crews manage

vegetation and tree removal to prevent the spread of wildfires, which includes maintaining access to backcountry airstrips that is critical for wildfire response. As part of incident response, staff partners with multiple agencies to coordinate resources, identify priorities and share information. Daily work performed ranges from traffic control to clearing debris from the roadway. Communication plays a critical role in public safety with the traveling public. Staff had the opportunity to partner with Oregon on the Durkee Fire that closed I-84 for about a week. Advance messaging signage was placed as far as Twin Falls to alert motorists. Sharing resources expedites mitigation efforts such as on the local Gwen Fire and Wapiti Fire where the equipment at a maintenance shed and employees were evacuated in Stanley. A video clip from the Wapiti Fire was shown highlighting the damage to SH-21's guardrail, signs and roadway damage. Next steps are to mitigate future problems with avalanche and mudslides.

District Engineer Report. District 2 Engineer Doral Hoff presented his annual district update reporting on staff changes, project delivery, partnerships, and construction projects. Some highlights included an update on three FY25 projects completed and several others for FY26 that are in progress. Crews removed trees along US-95, Whitebird Grade. He reported on various partnerships such as with the forest service to remove trees on a 30-mile stretch on US-12, SH-3 road closure due to the Lapwai Fires, and a tragic incident at the gas station in Cardiff that resulted in two fatalities. The US-95, Aht'Way Interchange is anticipated to be open this November with a ribbon cutting ceremony in October. Project updates were given for US-95, Thorn Creek to Moscow, US-12, Lochsa Ranger Station to Holly Creek, and US-12, Clearwater River Memorial Bridge. DE Hoff concluded by recognizing Transportation Operations Team Leader Mark Schuster who has over 46 years of service with ITD.

Idaho Child Passenger Safety (ICPS) Program and Events. Grants Officer Tabitha Smith introduced Safe Start Operations Director Brian Rauscher who provided background on the ICPS Program and Rural Education Outreach (REO) Program. Some highlights included the REO Program creates reliable and easy access to car seats with an emphasis on removing barriers. They partner with local communities and have established eight safety stations in northern Idaho to replace or provide new car seats. Rural areas are most in need. As a result of the REO pilot trial conducted for a year with nine rural northern Idaho counties, car seat service access rates increased dramatically. Service access rate measures if people are actively accessing services provided in their community.

In response to Member Bulger's question regarding expanding services, Safe Start OD Rauscher stated they intend to partner and training local safety experts to facilitate services.

In response to Member Osborn's question regarding costs, Safe Start OD Rauscher replied they are funded through donors. Parents have the option to contribute if they can; however, car seats are provided at no charge.

FY24 ITD Redistribution and Local Public Agency End of Year Closeout. Program Control Manager Colleen Wonacott reported Idaho received \$54 million redistribution obligation authority (OA) bring the total FY24 OA to 99.6% of apportionments. She reviewed Exhibit 1,

shown as Exhibit 573, which is made a part hereof with like effect, highlighting the various Federal formula program redistribution amounts “above 100% OA.” The \$3.6 million for the CMAQ program could not be obligated due to EPA criteria based on air quality – ITD did not have a qualifying project.

Project Management Office Manager Brad Wolfinger reviewed and provided a status on the holdbacks projects and reserves identified in the ITIP program. Some highlights included \$20 million per year in holdbacks and \$30 million in reserves was programmed in FY24. The reserve amount was decreased to \$20 million per year in the recommended FY25-FY31 ITIP. The six projects held back were in Districts 5 and 6 and were bid spring 2024. There were eight projects advanced due to bid savings; however, one project bid was rejected and will be readvertised. PMO Manager Wolfinger reviewed the Redistribution Funding Plan that provided \$28.2 million to cover the FY24 reserve funds. As of August 30, ITD had \$43.669 million available OA to obligate by year end, Exhibit 2, shown as Exhibit 574, which is made a part hereof with like effect, shows the project list breakdown and how the funds were used.

Program Control Manager Colleen Wonacott reviewed the FY24 local public agencies end of year plan and prioritized project list for redistribution OA, Exhibit 3, shown as Exhibit 575, which is made a part hereof with like effect. Yearend actions for local programs included completing scheduled obligations, cost increases and advances. Since the Board’s June workshop, two local projects have been removed from the recommended FY25-31 ITIP, along with other yearend adjustments. A full list of changes to the local and state programs/projects was provided.

In response to Member Osborn’s question regarding the loss of CMAQ funding, PCM Wonacott stated that funding is only eligible to use on that program, of which, ITD did not have eligible projects.

In response to Member Bulger’s question regarding the consistency of reallocation, PMO Manager Wolfinger stated it has been somewhat consistent about 97% – 103%.

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

RES. NO.            WHEREAS, it is in the public's interest for the Department to publish and  
ITB24-62            accomplish a current, realistic, and fiscally constrained Idaho Transportation  
                                 Investment Program (ITIP); and

                                 WHEREAS, Redistribution of Federal Formula Funds were received by ITD on  
                                 August 27, 2024 and other Federal Formula Funds were available for the end of  
                                 year obligation; and

                                 WHEREAS, FY 2024 Federal Formula Funds have to be obligated and approved by  
                                 FHWA by September 25, 2024; and

WHEREAS, the attached Exhibits were executed to meet the required obligation dates; and

WHEREAS, it is the intent of the Transportation Board to effectively utilize available federal, state, local, and private capital investment funding.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the allocation of obligation authority received through Redistribution of Federal Formula Funds, and the lists of projects presented for advancement, cost changes or advance construction conversion to FY2024 as shown in Exhibits #1 (shown as Exhibit 582) and #2 (shown as Exhibit 583).

BE IT FURTHER RESOLVED, that the Board approves the additions or changes to projects in the Recommended FY25-31 ITIP as shown in Exhibit #3 (shown as Exhibit 584).

Add SH-6 and SH-3 Culvert Project to FY25 of the Draft ITIP. District 1 Engineer Damon Allen reported on the SH-6 and SH-3 emergency culvert replacements project. Crews need to repair the failing roadway on SH-6 at Mile Post 25.4 and 25.5 in the Rose Lake area, and SH-3 at Mile Post 110.2. The highways were recently used as a detour and the increased traffic volumes accelerated the failure of several culvert crossings along sections of these highways.

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

RES. NO.        WHEREAS, the Idaho Transportation Board supports the Idaho Transportation  
ITB24-63        Department (ITD) mission of safety, mobility, and economic opportunity; and

WHEREAS; the Board is charged with considering the safety and convenience of highway users.

NOW THERFORE BE IT RESOLVED, that the Board approves adding the SH-3 and SH-6 Emergency Culvert Replacement project to FY25 of the Recommended FY25-FY31 Idaho Transportation Investment Program (ITIP) at a cost of \$275,000 using state funds.

FY25-31 Draft ITIP Public Outreach Summary. Senior Public Information Officer Megan Jahns presented ITD's public outreach summary for the draft FY25-FY31 ITIP comment period in July. Some highlights included feedback is solicited through various methods such as print ads, email blasts and social media. New this period, targeting rural areas, were the 30-second radio ads that ran several times a week throughout the state. Some stations were able to translate for their Spanish channels. Improvements were made to the GIS map tool making it more user friendly and intuitive, along with increased news coverage. Email blasts are the number one preferred method with social media ranking second according to a survey taken. Efforts were

taken to reach a younger audience through social media. New this year, staff responded to comments as they were received instead of waiting until the end of the comment period.

Transportation Planner Abby Peterson shared data regarding the comments received by source, district, and topics. This year, 432 comments were submitted - predominately via the map/comment portal and email. District 3 and 1 had the most comments, 154 and 136 respectively with traffic control and congestion ranking the highest topic followed by safety.

Sr. PIO Jahns concluded remarks by summarizing the key takeaways. Many of the comments were project-specific versus general and improvements to the interactive map allowed for people to visualize projects in their communities.

In response to Member Watkins' question regarding comment sources, TP Peterson stated 80% were general and 20% were from cities, counties and tribal entities.

Recommended FY25-31 ITIP. Program Control Manager Colleen Wonacott provided an overview on the ITIP development calendar that began in January. ITD's core program target levels include \$200 million per year for pavement goals starting FY26 and \$100 million per year for bridges goals. Capacity targets are flexible depending on available funding. Leading Idaho funds from the TECM program is added to Capacity starting in FY27 to bring program levels back up. She reviewed set-asides in the program. Projects that use these funds are not determined yet. Some set-asides included \$5 million each for bridge and roadside safety repairs, \$6 million for studies and \$5 million in FY27 for grant match. Staff anticipates more yearend balancing and adjustments. Next steps are to submit the Statewide Transportation Improvement Program to FHWA and FTA for federal approval.

In response to Member Watkins' question regarding the FY27 grant match set-aside and ability to match sooner, PCM Wonacott replied funding would come from either the construction program or reserves. If received, ITD would not turn down a grant.

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

RES. NO. WHEREAS, it is in the public's interest for the Department to publish and  
ITB24-64 accomplish a current, realistic, and fiscally constrained Idaho Transportation  
Investment Program (ITIP); and

WHEREAS, it is the intent of the Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the Infrastructure Investments and Jobs Act (IIJA) transportation act requires that a fiscally constrained list of projects covering a 4-year minimum be provided in a statewide transportation improvement program; and

WHEREAS, Highways, Public Transit, and Aeronautics have recommended new projects and updated the costs and schedules for projects in the Recommended FY 2025 - 2031 ITIP; and

WHEREAS, the Recommended FY 2025 – 2031 ITIP was developed in accordance with all applicable federal, state, and policy requirements including adequate opportunity for public involvement and comment; and  
WHEREAS, the Recommended FY 2025 - 2031 ITIP incorporated public involvement and comment whenever appropriate while maintaining a fiscally constrained Program; and

WHEREAS, it is understood that continued development and construction of improvements are entirely dependent upon the availability of future federal and state capital investment funding in comparison to the scope and costs of needed improvements.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the Recommended FY 2025 - 2031 Idaho Transportation Investment Program (ITIP).

*BE IT FURTHER RESOLVED*, that staff is authorized to submit the federal version of the ITIP (the Statewide Transportation Improvement Program; or STIP) for federal approval in accordance with the provisions of IJJA.

Potential American Rescue Plan Act (ARPA) Funding for Highway Projects. In follow up to last month, Chief Administrative Officer Dave Tolman provided an update on ARPA funding requirements, eligible categories and anticipated amounts and uses. Some highlights included ARPA was passed in March 2021 authorizing \$195.3 billion to states. Idaho’s allocation is \$1.09 billion and can be used for support infrastructure projects, amongst other uses. Funding must be obligated by December 31, 2024. House Bill 770 appropriated \$10 million of ARPA funds to LHTAC for pedestrian projects – those funds do not go through ITD. Expenditures must be made by September 30, 2026. Of the three options available, ITD will follow all FHWA requirements and include all current FHWA programs. The amount of funding is not known yet but anticipate about \$50 million. Some types of projects being considered are end stages of TECM projects and converting ‘advance construct’ funds on regular ITIP projects. The Division of Financial Management will notify ITD of the amount and then staff will provide an update to the Board. The ARPA funding will be a FY25 supplemental appropriation request.

Early 2025 Bond Sale and Market Update. Highways Division Administrator Amy Schroeder presented on project readiness and proposal for inclusion in the fourth and final bond sale early 2025. Some highlights included there are five projects “ready for advertisement” totaling \$319.4 million with the proposed bond amount at 80% of the engineer’s estimate. One of the five, Farmway to Middleton, was advertised last month. The tail ends of the projects will be funded with pay-as-you-go funds. Projects “already bonded in



construction” total \$30.6 million and includes some construction administration as a cash management strategy to help with drawdown in the first six months. The total bond proposal is estimated at \$350 million, which will fully consume the \$80 million debt service. The draft bond proposal, shown as Exhibit 576, which is made a part hereof with like effect, outlines the two scenarios – one without ARPA funds and one with ARPA funds. Staff will continue to refine cost estimates and seek Board approval for the final bond sale next month.

Chief Administrative Officer Dave Tolman reviewed the TECM bond structure, provided a market update and next steps. Some highlights included the bond program upgraded ratings to the highest rating possible – AAA. This final bond sale will use the remaining portion of the \$80 million debt service. The bond term for each series is 25 years with final payment in 2050. Current interest rates as of September 6<sup>th</sup> was 4.07% which is \$344 million of proceeds available for projects. If rates drop by half a percent, it could add a potential of \$15 million. Staff anticipated a January, February 2025 bond sale target of \$350 million with hopefully sub 4% rates. They will seek Board approval next month.

Idaho’s National Electric Vehicle Charging Infrastructure (NEVI) Program. Planning Manager Scott Luekenga provided an overview on the NEVI Program, planned sites, work completed, the use of design-build procurement method and next steps. Some highlights included the NEVI Program is a federally funded program to build a network of EV charging stations. The Idaho NEVI Interagency Working Group (IAWG) will oversee use of Idaho’s appropriation of \$47.5 million. Stations are to be every 50 miles and within one mile of the interstate or highway. Forty sites have been evaluated with the first round planned for summer 2025 on I-15 (Pocatello), I-84 (Bliss) and US-95 (Lewiston). The IAWG completed Idaho’s NEVI Plan in 2022, along with two subsequent annual updates, and a Siting, Feasibility and Access Study. The IAWG recommends using the best-value design-build process that considers proposer’s qualifications, technical aspects and price component. A new project (key number) will be established for each site being contracted. Next steps include the selection of a NEVI program consultant, advertise and install Round 1 sites, prepare for subsequent rounds and operate and maintain installed sites (the Program funds the first five years of operations and maintenance).

In response to Member Thompson’s inquiry regarding who decides charging costs, PM Luekenga stated the site host will set the rates.

In response to Member Hoff’s question regarding how sites will be picked, PM Luekenga replied through the state’s Request for Qualifications process applicants will propose specific locations. In follow up, Member Hoff asked how final decisions are made. PM Luekenga stated the IAWG will rate and score applicants as prescribed in the bidding process. He shared that selected applicants complete a site host agreement that will be done through the IAWG panel.

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

RES. NO.  
ITB24-65

WHEREAS, the Infrastructure Investment and Jobs Act (IIJA) established a National Electric Vehicle Infrastructure (NEVI) Formula Program to provide funding to States for the purpose of strategically deploying electric vehicle (EV) charging infrastructure and to establish an interconnected network to facilitate data collection, access, and reliability; and

WHEREAS, formula funds from this program are dedicated to planning, program administration, equipment installation, operations, and maintenance; and

WHEREAS, ITD has entered into a Memorandum of Understanding with the Office of Energy and Mineral Resources and Idaho Department of Environmental Quality, together referred to as the Interagency Working Group (IAWG), to develop and deliver the NEVI Program as required by IIJA; and

WHEREAS, the 2022 Baseline Plan and annual updates have been completed as well as a Sighting, Feasibility, and Access Study; and

WHEREAS, public outreach has been conducted throughout the initiation of the Program; and

WHEREAS, the IAWG is preparing procurement documents for the implementation of the site installations and a 5-year operations and maintenance period; and

WHEREAS, individual projects (key numbers) will be established for each NEVI-funded EV site that is selected for award of a contract; and

WHEREAS, the FY25-31 ITIP includes new projects for each Round 1 site, which includes Lewiston, Bliss and Pocatello; and

WHEREAS, Idaho Code § 40-904 states the department, through the Transportation Board, may select design-build firms and award contracts for design-build projects based on the suitability of project characteristics such as size and scope, and that awarding a design-build contract will best serve the public interest; and

WHEREAS, utilization of a best-value, design-build process that considers proposer's qualifications, technical aspects and a price component meets both Federal (23 CFR § 630) and Idaho Code and is the most cost effective and efficient mean for the State to meet NEVI program requirements; and

WHEREAS, a presentation has been made to the Board that explain the status of the Program, the procurement process, and the benefits of using the design-build procurement method on NEVI projects.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the establishment of individual projects for each future NEVI site to be awarded for installation, and also the use of the design build procurement method to select NEVI site developers.

Workforce Development Update. Workforce Development Program Manager Jessika Doglietto provided an update on workforce development achievements in FY24 and work planned for FY25. Some highlights included three rounds of the 2024 ITD Idaho Career Opportunities Next in Construction (ICONIC) were conducted in Boise, Twin Falls and Moscow with Twin Falls wrapping up in October. Workforce Development funded the Ace Academy event in partnership with ITD's Aeronautics division. Also, 10 Idaho students were selected to attend the National Flight Academy. Staff provided 420 technical trainings to ITD employees – including 10 Crane and Digger Derrick courses. In FY24, a total of \$632,088 was spent on workforce development, and \$700,000 is programmed for FY25 – with an additional \$125,000 in State Transportation Innovation Council funding for the ICONIC program.

DMV Policy Revision for the Dealer Advisory Board (DAB) - 4040 and 4050. DMV Administrator Lisa McClellan gave a summary of the proposed revisions for the Board and Administrative Dealer Advisory Board policies. The review is an effort to modernize the purpose statement for all advisory groups, provide clarification to common questions, and eliminate redundancy. The Board DAB policy updates the purpose statement and clarifies responsibilities. Some Administrative DAB policy highlights included updating language for legal authority, adding authority for the Idaho Consumer Asset Recovery (ICAR) fund, and clarifying responsibility and membership appointment. Members of the DAB reviewed the policies as well as the Transportation Board's Policies Subcommittee.

Member Bulger commented he previously had a question on the DAB board policy regarding process on how to direct legislative recommendations sought by a DAB member, but noted the corresponding DAB administrative policy addresses it.

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

RES. NO.        WHEREAS, the Idaho Transportation Board is charged with setting policies for  
ITB24-66        the Idaho Transportation Department; and

WHEREAS, Board Policy 4040, Dealer Advisory Board, was revised to include a brief explanation of the advisory board's responsibilities and purpose; and

WHEREAS, Administrative Policy 5040, Dealer Advisory Board, was revised to update language for legal authority, added authority for the Idaho Consumer Asset Recovery (ICAR) references, accurately reflect the Dealer Advisory Board's responsibilities, added language to provide a guideline for memberships; and

WHEREAS, the Transportation Board's Subcommittee on Policies concurred with staff's recommendations, with additional subcommittee amendments, at its August 29, 2024 meeting.

NOW THEREFORE BE IT RESOLVED, that the Board approves the revisions to Board Policy 4040, Dealer Advisory Board.

BE IT FURTHER RESOLVED, that the Board concurs with revisions to the corresponding Administrative Policy 5040, Dealer Advisory Board.

DMV Policy Revision for the Trucking Advisory Council (TAC) - 4042 and 5042. DMV Administrator McClellan gave a summary of the proposed revisions for the Board and Administrative Trucking Advisory Council policies. Revisions to the Board TAC policy are to update the purpose statement, clarify scope of responsibilities, and define roles as it pertains to legislative issues. Administrative TAC policy changes clarify the TAC's responsibilities, and membership eligibility and appointments. Members of the TAC reviewed the policies as well as the Transportation Board's Policies Subcommittee.

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

RES. NO.        WHEREAS, the Idaho Transportation Board is charged with setting policies for  
ITB24-67        the Idaho Transportation Department; and

WHEREAS, Board Policy 4042, Trucking Advisory Council, was revised to include a brief explanation of the advisory council's purpose and responsibilities, described ITD as an executive agency, activities for legislation, described members role as it relates to legislative issues; and

WHEREAS, Administrative Policy 5042, Trucking Advisory Council, was revised to more accurately reflect the Trucking Advisory Council's responsibilities, added language to describe the members eligibility, geographical representation, term of membership; and

WHEREAS, the Idaho Transportation Board's Subcommittee on Policies concurred with staff's recommendations, with additional subcommittee amendments at its August 29, 2024 meeting.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the revisions to Board Policy 4042, Trucking Advisory Council.

*BE IT FURTHER RESOLVED*, that the Board concurs with revisions to the corresponding Administrative Policy 5042, Trucking Advisory Council.

DMV Policy Revision for the DMV/County Automated System Policy (5068). DMV Administrator McClellan gave a summary of the proposed changes. Revisions included refining language for standard and hybrid offices regarding equipment, setting annual training to maintain federal compliance, conducting background checks for all agents accessing DMV's systems and implementing a multi-factor authentication for all DMV system users. The policies were reviewed by the Transportation Board's Policies Subcommittee.

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

RES. NO.        WHEREAS, the Idaho Transportation Board is charged with setting policies for  
ITB24-68        the Idaho Transportation Department; and

WHEREAS, Board Policy 5068, DMV/County Automated Systems was revised to refine language for standard and hybrid offices regarding equipment, annual training, following department guidelines for consistent citizen experiences, background checks for all agents who access ITD/DMV network and systems, and mandatory multi-factor authentication; and

WHEREAS, the Transportation Board's Subcommittee on Policies concurred with staff's recommendations, with additional subcommittee amendments, at its August 29, 2024 meeting.

*NOW THEREFORE BE IT RESOLVED*, that the Board concurs with the revisions to Administrative Policy, 5068 DMV/County Automated Systems.

Request for Exception to Board Policy 4001 for Upcoming TECM Projects. TECM Project Manager Erika Bowen reviewed the four TECM projects, as shown in the resolution below, that are currently or expected to be advertised. ITD policy requires Board approval to award construction contracts that are over the engineers estimate by more than 10% or more than \$2 million. Staff is asking for an exception to the \$2 million threshold due to the high dollar amount of these projects. These projects range from \$75 to \$130 million. TECM PM Bowen also reviewed the engineer's estimate (EE) to actual bid on seven other TECM projects that previously applied that same exception. Only one project, I-84, Burley Interchange, exceeded the \$2 million criteria. (The difference was \$3.4 million and was 4% over EE).

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

RES. NO.        WHEREAS, Board Policy 4001 indicates the Board shall approve the justification  
ITB24-69        for award or rejection of contracts when the bid exceeds the engineer's estimate  
by more than ten percent (10%) or for bids that exceed the engineer's estimate  
by more than \$2 million; and

WHEREAS, four Transportation Expansion and Congestion Mitigation (TECM) projects will be advertised for construction, with bids opened fall 2024/winter 2024/2025; and

WHEREAS, the estimated cost of these TECM projects are substantial, ranging between \$75 million and \$130 million; and

WHEREAS, it is in the interest of the Department to expedite award of these construction projects; and

WHEREAS, this requested exception to Board Policy 4001 allows flexibility to expedite the award process while providing adequate controls for presenting approve or reject justifications to the Board if the bids are greater than 110% of the engineer's construction estimate.

NOW THEREFORE BE IT RESOLVED, that the Board allows an exception to Board Policy 4001 to remove the \$2 million justification threshold amount for the following four TECM-funded projects:

- Key No. 22715, SH-55, Farmway to Middleton
- Key No 23956, SH-16, I-84 System Interchange
- Key No. 24305, I-90, SH-41 to US-95 – West
- Key No. 24306, I-90, SH-41 to US-95 – East

Request to Approve Consultant Agreements. Chief Engineer Dave Kuisti presented the request for consultant agreement authorization for design and construction engineering and inspection (CE&I) services. The four projects, as shown in the resolution, are US-95 Fruitland to Payette, Payette County by Jacobs Engineering Group; Hayden Ave & Meyer Rd./Prairie Ave, Meyer Rd. to SH-41/Prairie Trail Underpass, Post Falls Highway District by J-U-B Engineers; I-15, Northgate to Fort Hall – North & South, Bannock County by Atlas Technical Consultants; and US-20, Arco to Idaho Falls by Horrocks Engineers. CE Kuisti reviewed the project background and justifications and outlined the requested authorization for each project.

Member Bulger made a motion, seconded by Member Osborn. Member Watkins noted the last project's (D6) total authorization was stated incorrectly; consequently, Member Bulger amended the motion correcting the dollar amount. Member Osborn seconded the motion and it passed unopposed to approve the following resolution:

RES. NO.        WHEREAS, Board Policy 4001 requires the Idaho Transportation Board (Board)  
ITB24-70        to authorize professional services agreements greater than \$1,000,000 and each  
subsequent cost increase, work task agreements greater than \$500,000,  
cumulative work task agreements on a project greater than \$1,500,000, and  
consultant two-year work task agreement total greater than \$1,500,000; and

WHEREAS, the Idaho Transportation Board has been provided details about each project requesting authorization; and

WHEREAS, funding will be committed to these agreements before they are executed.

NOW THEREFORE BE IT RESOLVED that the Board hereby grants the authority for professional service agreement(s) as noted in the following table:

KEY NUMBER/ SERVICES	PROJECT NAME	DISTRICT	TOTAL PREVIOUS AGREEMENTS	PREVIOUS AUTHORIZATION	THIS AUTHORIZATION REQUEST	TOTAL AUTHORIZATION
22232 <sup>1</sup> / Design	US-95, Fruitland to Payette NCL	3	\$783,500	-	\$447,490	\$1,230,990
22435 23028 24398 <sup>1</sup> / Design	STC-5734, Hayden Ave & Meyer Rd Int; NHS-7045, Prairie Ave, Meyer Rd to SH-41; NHS-7045, Prairie Trail Underpass, Post Falls HD	1	\$1,184,619	\$1,340,000	\$139,803*	\$1,479,803
24307 24308 <sup>1</sup> / CE&I	I-15, Northgate to Fort Hall – South & I-15, Northgate to Fort Hall – North, Bannock County	5	\$983,307	-	\$5,229,715	\$6,213,022
24394 <sup>1</sup> / Design	US-20, Arco to Idaho Falls, Design	6	\$956,940	-	\$4,590,978	\$5,547,918

1 Professional Agreements > \$1M  
 2 Work Task Agreements > \$500K  
 3 Cumulative Work Task Agreement for project > \$1.5M  
 4 Consultant Two-year Work Task total > \$1.5M

\* Agreement Amount: \$295,184

Board Unallocated Funds Request for Gwen Fire Recovery Costs. District 1 Engineer Doral Hoff provided an update on the Gwen Fire that occurred July 25<sup>th</sup> to July 28<sup>th</sup> along US-12 (Mile Post 14.9 to 28) and SH-3 (Mile Post 0 to 8.2). Staff provided traffic control to keep the highway closed. The fire damaged guardrails and signs. FY25 Board Unallocated funding is requested to recover the cost of \$111,000.

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

RES. NO.        WHEREAS, the Idaho Transportation Board supports the Idaho Transportation  
ITB24-71        Department (ITD) mission of safety, mobility, and economic opportunity; and

WHEREAS, it is in the public's interest for ITD to fund the Gwen Fire Recovery Costs along US-12 and SH-3.

WHEREAS, ITD is prepared to incorporate this project into the approved FY24-FY30 and draft FY25-31 Idaho Transportation Investment Program (ITIP).

*NOW THEREFORE BE IT RESOLVED*, that the Board approves adding the Gwen Fire Recovery Costs project to the approved FY24-FY30 ITIP and draft FY25-31 ITIP at a cost of approximately \$111,000 using FY25 Board Unallocated Funds.

*BE IT FURTHER RESOLVED*, that the Board approves staff to adjust the Program and amend the FY24-FY30 ITIP accordingly.

Board Unallocated Funds Request for SH-21 Wapiti Fire and Request to Establish Project in the ITIP. District 4 Engineering Manager Doug Yearsley presented a report on the Wapiti Fire and how it impacted District 4. Some highlights included the fire started on July 24<sup>th</sup> eliciting the closure of SH-21 at Banner Summit on August 20. Two days later, equipment was moved from the Stanley Shed to the Stanley Airport and employees in Stanley housing and facilities were evacuated on August 23<sup>rd</sup>. Crews returned to Stanley on September 9<sup>th</sup>. A video clip of the 125,000+ acres burned was shared.

District 3 Engineering Manager Shawna King presented an additional account of the fire from District 3's perspective and the collaboration amongst ITD, local sheriffs and incident command management. On August 22<sup>nd</sup>, SH-21 was closed from Sour Dough Lodge in Lowman to Stanley (Avalanche Alley) - Mile Post 84 to 130. Countless number of trees were burned and in need of removal along with damage sustained to over 50 signs/delineators, both guardrail and posts, and pavement. Mitigation is anticipated to be done by end of October. The highway is projected to reopen tomorrow morning. Speed reduction on SH-21 and vehicle piloting for the traveling public will remain in place while work is being completed.

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

RES. NO.        WHEREAS, the Idaho Transportation Board supports the Idaho Transportation  
ITB24-72        Department (ITD) mission of safety, mobility, and economic opportunity; and

WHEREAS, it is in the public's interest for ITD to fund the hazard tree mitigation, replacement of guardrail, replacement of signs, and pavement repair along SH-21 from Mile Post 82-106.



WHEREAS, ITD is prepared to incorporate this project into the approved FY24-FY30 and draft FY25-31 Idaho Transportation Investment Program (ITIP).

*NOW THEREFORE BE IT RESOLVED*, that Board approves adding the SH-21 Wapiti Fire Repair, Boise County, project to the approved FY24-FY30 ITIP and draft FY25-31 ITIP for \$2.0 million using FY25 Board Unallocated Funds.

*BE IT FURTHER RESOLVED*, that the Board approves staff to adjust the Program and amend the FY24-FY30 ITIP accordingly.

ITD State Street Campus. Chief Administrative Officer Dave Tolman reviewed the January 2022 flood event that displaced employees at the State Street campus and need to relocate to the Chinden Campus. In 2022, the legislature appropriated \$37 million to improve the Chinden Campus and that August the State Street Campus was transferred to the Department of Administration (DOA) for the purposes of selling the property via a Transportation Board resolution. ITD had requested and \$2 million was appropriated to design a new central lab/maintenance operations facility at the Chinden Campus with the intent of replacing funds from the \$52 million State Street sale proceeds. In 2024, the legislature passed House Bill 770 revoking DOA's authority to sell the State Street Campus, directed the requested \$32 million to instead rehabilitate the State Street facility, and revert custody of the campus back to the Transportation Board.

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

RES. NO.        WHEREAS, the Idaho Transportation Department (ITD) Campus on State Street  
ITB24-73        located at 3311 W State Street, Boise, Idaho consists of over 44 acres of  
property, one large building, and other improvements (collectively the "State  
Street Campus") and was previously the site of ITD's administrative  
headquarters; and

WHEREAS, the January 2, 2022 flood event displaced all employees working in the largest building on that campus; and

WHEREAS, the 2022 Idaho Legislature passed House Bill 779 appropriating \$37M to the Department of Administration with intent language stating "*The Idaho Transportation Department's Boise headquarters will occupy space at the Chinden Campus as campus tenants.*" The Idaho Transportation Board passed resolution ITB22-52 on August 5, 2022 declaring the State Street Campus to be surplus administrative property because it was unsuitable for ITD's use, and transferring the property to the Department of Administration for the purpose of facilitating a sale of the property; and

WHEREAS, the 2024 Idaho Legislature passed House Bill 770, which became law, changed the direction for ITD from the 2022 Legislature (House Bill 779) and the 2023 Legislature (Senate Bill 1189) appropriating funds for a Central Operations Complex headquarters on the Chinden Campus; and

WHEREAS, House Bill 770 revokes the authority of the Department of Administration to sell the State Street Campus and directs that custody and control of the property be transferred back to the Idaho Transportation Board; and

WHEREAS, House Bill 770 states that the appropriation provided to rehabilitate the administrative facility on the State Street Campus is contingent upon custody and control of that property returning to the Idaho Transportation Board.

*NOW, THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board hereby rescinds Board resolution ITB22-52 and takes back custody and control of the State Street Campus property.

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board directs staff to work with the Division of Public Works to develop cost estimates to make the property suitable for ITD’s occupation and to report back to the Board when such cost estimates have been completed.

Executive Session on Legal and Personnel Issues. Member Thompson made a motion to meet in executive session at 12:18 PM to discuss issues as authorized in Idaho Code Section 74-206 (b) and in Idaho Code Section 74-206 (f). Member Osborn seconded the motion and it passed unanimously by roll call vote.

The executive session discussion on legal matters related to highways and department operations.

The Board ended executive session at 12:33 PM.

Administrative settlement over \$200,000. Right of Way Manager Justin Pond presented an administrative settlement for KN23337, Project No. A023(337) US 20/26 Middleton Road to Star Road, Ada and Canyon Counties for Parcel 26.

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

RES. NO.        WHEREAS, the Idaho Transportation Department is acquiring right-of-way along  
ITB24-74        US 20/26, Middleton Road to Star Road, for Project No. A023(337); and

WHEREAS, the Idaho Transportation Department and the property owner have engaged in good faith negotiations; and

WHEREAS, both parties agree that additional payment is justified in order for the Idaho Transportation Department to fairly compensate the property owner of Parcel 26.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves an Administrative Settlement over \$200,000 for the right-of-way acquisition along US 20/26, Middleton Rd. to Star Rd., for Project No. A023(337), KN 23337, Parcel 26.

WHEREUPON, the Idaho Transportation Board adjourned its regular monthly meeting at 12:35 PM.

Signed

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WILLIAM H. MOAD, CHAIRMAN  
Idaho Transportation Board

Read and Approved  
October 16, 2024  
Boise, Idaho