

**MINUTES OF THE REGULAR MEETING OF THE OKLAHOMA TRANSPORTATION AUTHORITY, HELD SEPTEMBER 21, 2005 AT THE NEAL A. MCCALED TRANSPORTATION BUILDING, 3500 MARTIN LUTHER KING AVENUE, OKLAHOMA CITY, OKLAHOMA.**

NOTICE of the schedule of regular meetings of the Oklahoma Transportation Authority for the calendar year 2005 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in prominent public view at the principal office of the Oklahoma Transportation Authority, Neal A. McCaleb Transportation Building at 3500 Martin Luther King Avenue, Oklahoma City, Oklahoma, twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act.

**CALL TO ORDER:** Chairman Doug Riebel called the meeting to order at 11:30 a.m.

**ROLL CALL:**           PRESENT:   Mr. Doug Riebel  
  Mr. Mike Leonard  
  Mr. Greg Massey  
  Mr. Hal Ellis  
  Mr. Ken Ferguson

                          ABSENT:   Mr. Clark Brewster

**INTRODUCTION OF GUESTS:**

Ms. Jenny Johnson introduced the following guests: Ray Jackson, Clour Engineering, Norman; Mike Morrison, W2M Consulting, Oklahoma City; Patrick White, W2M Consulting, Oklahoma City; Marc Long, Tetra Tech, Oklahoma City; Joe Miller, Tetra Tech, Oklahoma City; and Brent Burwell, ACPA, Oklahoma City.

**APPROVAL OF MINUTES:**

Chairman Doug Riebel called for approval of the minutes of the regular Authority Meeting of August 17, 2005.

It was moved by Mr. Greg Massey and seconded by Mr. Hal Ellis that the minutes be approved as presented.

The motion carried by the following vote:

YES: Leonard, Massey, Ellis, Ferguson, and Riebel

**EMPLOYEE RECOGNITION AND OTHER AWARDS:**

Mr. Randy Moore recognized Mr. Steven Ray Hawkins of the Recycling Branch to receive the PIKEPASS Customer Service Employee of the Quarter for the third quarter of 2005. Mr. Hawkins has been with the Authority for three years.

Captain Jack Rosenberg recognized Trooper Bob Colbert as the Trooper of the Month. He is assigned to the Creek Turnpike. Trooper Colbert recently confiscated \$130,500 of illegal drug money during a traffic stop.

Mr. Jimmy Sparks recognized the John Kilpatrick Maintenance Crew as the Maintenance Team Players of the Month. Superintendent Mike Cole accepted the award on behalf of his crew. In addition to maintaining their roadway, the Kilpatrick crew has always been willing to assist in special projects at the OTA headquarters building. They recently provided material hauling and traffic control for the resurfacing of the entrance off Martin Luther King Avenue leading to the OTA headquarters building.

**NEW BUSINESS:**

**FINANCE COMMITTEE ITEM(S)**

**TAB 1      9490. Consider, take action and vote for the approval or disapproval of the Payment Register for the period of August 1, 2005, to and including August 31, 2005.**

Mr. Tim Stewart presented this item stating that staff recommended it for approval as submitted.

It was moved by Mr. Hal Ellis and seconded by Mr. Greg Massey that the Authority approve this item as presented.

The motion carried by the following vote:

YES: Leonard, Massey, Ellis, Fergeson, and Riebel

**ENGINEERING AND CONSTRUCTION COMMITTEE ITEM(S)**

**Item 9491. CONSENT DOCKET – Consider and vote for approval or disapproval of all or any portion of the Engineering and Construction Consent Docket as follows:**

**TAB 2      A.      Change Order(s)/Supplemental Agreement(s) – Capital Projects:**

	<u>Project No.</u>	<u>Contractor</u>	<u>Amount</u>	<u>Time</u>
1.	T-MC-85, C.O. #1 Rehabilitation of Bridge No. 14.4 Turner Turnpike	Muskogee Bridge Co.	\$9,697.36	0 Days
2.	T-MC-85, S.A. #1 Rehabilitation of Bridge No. 14.4 Turner Turnpike	Muskogee Bridge Co.	\$36,931.40	0 Days
3.	WR-MC-90, C.O. #1 Paving Rehab. M.P. 243.0 – 250.0 Will Rogers Turnpike	APAC – OK, Inc.	(\$380,273.76)	(8) Days
4.	WR-MC-92, C.O. #2 Side Gate Toll Plaza at Afton Will Rogers Turnpike	M. L. Young Construction	\$68,997.69	15 Days
5.	WR-MC-92, S.A. #2 Side Gate Toll Plaza at Afton Will Rogers Turnpike	M. L. Young Construction	\$35,226.00	13 Days

**TAB 3      B.      Final Estimate(s) – Capital Projects:**

	<u>Project No.</u>	<u>Contractor</u>	<u>Final Contract Amount</u>	<u>Fund</u>
1.	HEB-MC-29 Rehabilitation of Bridge No. 3.43B H. E. Bailey Turnpike	Plains Bridge Contracting	\$1,814,552.04	R. M.

	<u>Project No.</u>	<u>Contractor</u>	<u>Final Contract Amount</u>	<u>Fund</u>
2.	T-MC-85 Rehabilitation of Bridge No. 14.4 Turner Turnpike	Muskogee Bridge Co.	\$1,143,846.92	General
3.	WR-MC-83 Toll Plaza Side Gate at Claremore Will Rogers Turnpike	M. L. Young Construction	\$2,442,107.05	General

**TAB 4 C. Consider, take action and vote for the approval or disapproval of a 15-day extension to the period of time for action to be taken on the following contract(s) for good cause shown per Oklahoma Statute Title 61, Section 111 and the award of the following contract(s) – Maintenance Projects:**

	<u>Project No.</u>	<u>Low Bidder</u>	<u>Total Bid</u>	<u>Fund</u>
1.	SP-28 Concrete Pavement Repair Lone Chimney Concession Cimarron Turnpike	Hembree and Hodgson Construction	\$95,000.00	Revenue

**TAB 5 D. Consider, take action and vote for the approval or disapproval of a request to authorize the Director to negotiate a Surface Use Agreement and License for Right of Way Access on Parcel EA-91 off the Indian Nation Turnpike, located outside of the turnpike right of way fence.**

**TAB 6 E. Consider, take action and vote for the approval or disapproval of a request to declare property near the Stroud concession area as surplus and to authorize the Director to sell it based on market value or sell in conjunction with a land trade on Parcel 44-57 on the Turner Turnpike.**

**TAB 7 F. Concurrence Item(s)**

1. Approved Contract Modification No. 1 to the Design Engineering Services Contract with W2M Consulting, LLC for the rehabilitation of Bridge Nos. 13.08B and 13.37B on the H. E. Bailey Turnpike in Cotton County, Oklahoma (HEB-MC-32). The total not-to-exceed cost, including Modification No. 1, is \$211,438.00.

Mr. Eric Strong presented the Consent Docket and stated that it was reviewed by the Engineering and Construction Committee and staff recommended it for approval as presented.

It was moved by Mr. Mike Leonard and seconded by Mr. Ken Fergeson that the Authority approve the Engineering and Construction Consent Docket as presented.

The motion carried by the following vote:  
YES: Leonard, Massey, Ellis, Fergeson, and Riebel

**ENGINEERING AND CONSTRUCTION ITEM(S) REQUIRING SEPARATE VOTE:**

**TAB 8      9492. Consider, take action and vote for the approval or disapproval of the award of the following contract(s) – Capital Projects:**

	<u>Project No.</u>	<u>Low Bidder</u>	<u>Total Bid</u>	<u>Fund</u>
1.	C-MC-12 Rehabilitation of Bridge No. 21.71 Cimarron Turnpike	Plains Bridge Contracting	\$3,602,032.98	R.M.

Mr. Eric Strong presented this item stating that it was reviewed by the Engineering and Construction Committee and staff recommended it for approval as presented.

It was moved by Mr. Ken Fergeson and seconded by Mr. Hal Ellis that the Authority approve this item as presented.

The motion carried by the following vote:  
YES: Leonard, Massey, Ellis, Fergeson, and Riebel

**TAB 9      9493. Consider, take action and vote for the approval or disapproval of Contract Modification No. 1 to the following Engineering Design Services Contract(s) – Capital Projects:**

	<u>Project No.</u>	<u>Consultant</u>	<u>Service</u>	<u>Amount</u>	<u>Fund</u>
1.	HEB-MC-33 Reconstruction of Toll Plaza at Walters H. E. Bailey Turnpike Phase II	Clour Engineering	Design Geotech Survey Environ. ROW TOTAL	\$800,000.00 40,000.00 116,000.00 40,000.00 <u>108,000.00</u> NTE \$1,104,000.00	General

Mr. Eric Strong presented this item stating that it was reviewed by the Engineering and Construction Committee and staff recommended it for approval as presented.

It was moved by Mr. Greg Massey and seconded by Mr. Ken Fergeson that the Authority approve this item as presented.

The motion carried by the following vote:  
YES: Leonard, Massey, Ellis, Fergeson, and Riebel

**TAB 10      9494. Consider, take action and vote for the approval or disapproval of the following Contract Extension(s) – Maintenance Division:**

	<u>Project No.</u>	<u>Contractor</u>	<u>Amount</u>	<u>Fund</u>
1.	JKT-MC-1 Total Maintenance Kilpatrick Turnpike	VMS, Inc.	\$759,645.95	Revenue

Mr. Eric Strong presented this item stating that it was reviewed by the Engineering and Construction Committee and staff recommended it for approval as presented.

It was moved by Mr. Mike Leonard and seconded by Mr. Hal Ellis that the Authority approve this item as presented.

The motion carried by the following vote:  
YES: Leonard, Massey, Ellis, Fergeson, and Riebel

**TAB 11      9495. Consider, take action and vote for the approval or disapproval of an Agreement between ODOT and OTA to construct sound walls along US 169 between Mingo and Memorial Roads in Tulsa, Oklahoma near the Creek Turnpike.**

Mr. Eric Strong presented this item stating that it was reviewed by the Engineering and Construction Committee and staff recommended it for approval as presented.

It was moved by Mr. Ken Fergeson and seconded by Mr. Greg Massey that the Authority approve this item as presented.

The motion carried by the following vote:  
YES: Leonard, Massey, Ellis, Fergeson, and Riebel

**REPORTS:**

**Item #1. Operating Results**

Ms. Wendy Smith stated that the Operations Report had been distributed by the Controller's Division for the month of August 2005. She stated that toll revenues were on track with the budgeted estimates for the year despite fuel prices. Ms. Smith also stated that net revenues were 6.6% above budgeted estimates.

**Item #2. Trustee Report**

Mr. Tim Cook, Bank of Oklahoma, reported that the trustee had reviewed the terms and covenants of the Trust Agreement and the Oklahoma Transportation Trust Fund Accounts. The Authority was in continued compliance with the Trust Agreement for the month of August 2005. There were no exceptions to report.

**Item #3. Consulting Engineer Report**

Ms. Kristi Kirchner of The Benham Companies presented the Consulting Engineer Report for the month of August 2005. Concerning the Trust Requirements, she stated that they had inspected all the turnpike bridges, drainage structures, pavement, and architectural/electrical inspections for 2005. They have also evaluated bridge ratings and paving conditions for the upcoming Capital Plan. The Draft Annual Report was submitted to OTA staff on September 1, 2005. The Annual Report to Bondholders will be submitted to OTA staff by October 1, 2005.

Concerning the 2004-2006 Capital Plan, there were two projects out for bid. The total dollar amount of awards this year to date was approximately \$87 million. Ms. Kirchner stated that at the end of August, there were 16 projects remaining in the design phase and three of those projects were scheduled to be awarded by December 2005. There were no exceptions to report.

**Item #4. Highway Patrol Report**

Captain Jack Rosenberg presented the OHP Report for the month of August 2005. Troopers made 9,991 violator contacts, assisted 2,347 motorists, and investigated 159 motor vehicle collisions with four fatalities reported. The fatalities occurred on the Turner Turnpike.

Captain Rosenberg stated that Special Emphasis troopers worked 79 shifts on the Turner and Will Rogers Turnpikes and made 1,166 violator contacts. Turnpike aircraft flew a total of 71 hours during the month of August with 295 enforcement contacts. In addition, troopers dedicated 617 hours toward toll enforcement, which resulted in 102 citations, 607 warnings, confiscation of three PIKEPASSes, and 20 toll violation letters issued. Captain Rosenberg reported that the size and weights troopers worked 339 hours on the System with 18 citations, 76 warnings, 101 inspections, and placement of 14 commercial vehicles out of service.

Chairman Riebel inquired about accidents on the turnpike system requiring emergency medical personnel assistance. He asked if they were dispatched from the county of the accident, the closest hospital, or the closest city. Captain Rosenberg stated that they were dispatched from the closest service. Mr. Riebel asked about the response time. Captain Rosenberg stated that it varied depending on what area of the turnpike the accident occurred. In some instances, the response time was immediate and in some cases it could take 15 to 20 minutes and possibly longer. Mr. Tomlinson asked if OHP was the requesting party. Captain Rosenberg stated that generally someone else has been called before the OHP. Mr. Riebel asked if \*55 still worked and Captain Rosenberg stated yes.

**Item #5. Director's Report**

Mr. Phil Tomlinson had nothing further to report.

**ADJOURNMENT:**

The meeting adjourned at 11:42 a.m. until October 19, 2005 at 11:30 a.m. at the Oklahoma Transportation Authority, Neal A. McCaleb Building, at 3500 Martin Luther King Avenue, Oklahoma City, Oklahoma.

**ATTEST:**

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Greg Massey  
Secretary/Treasurer

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Doug Riebel  
Chairman