

**MINUTES OF THE REGULAR MEETING OF THE OKLAHOMA TURNPIKE AUTHORITY, HELD SEPTEMBER 17, 2008 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 Turnpike Authority for the calendar year 2008 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 Turnpike 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 11:35 a.m.

**ROLL CALL:**           PRESENT:   Mr. Doug Riebel  
  Mr. Mike Leonard  
  Mr. Ken Fergeson  
  Mr. Clark Brewster  
  Mr. David Burrage  
  Mr. Hal Ellis

                                  ABSENT:   None

**INTRODUCTION OF GUESTS:**

Ms. Jenny Johnson introduced the following guests: Lt. Tommy Taylor, OHP; Trooper Keith Barenberg, OHP; Trooper Cody Cross, OHP; Mr. Daniel Humphrey, PBS&J; Mr. Kevan Parker, PBS&J; Mr. Kevin Kriewall, Craig & Keithline; Trooper John Girten, OHP; Trooper Brian Sturgill, OHP; and Mr. Barry Burks, Garver Engineers.

**APPROVAL OF MINUTES:**

Mr. Riebel called for approval of the minutes for the Authority Meeting of August 20, 2008.

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

The motion carried by the following vote:

YES: Burrage, Ellis, Fergeson, Leonard, Riebel

ABSTAIN: Brewster

**EMPLOYEE RECOGNITION AND OTHER AWARDS:**

Captain Keith Williams recognized Trooper Cody Cross and Trooper Keith Barenberg as the Turnpike Troopers of the Month. They are both assigned to the Cherokee Turnpike. Troopers Cross and Barenberg began an investigation in June 2008 of an incident where a granite tombstone vase was thrown from an overpass near mile marker 2.6 on the Cherokee Turnpike hitting a vehicle and striking the driver in the upper chest and arm. As a result, the driver was critically injured and remained in a medically induced coma for several weeks. Troopers Cross and Barenberg quickly developed three suspects. Both troopers spent countless hours of investigation, including volunteering to work their days off, in an effort to solve this crime. As a result of their efforts, the three suspects were identified and confessions were obtained from each as to their participation in the criminal activity. Their efforts also culminated in numerous vandalisms and thefts being cleared in Mayes County. Trooper Cross' and Trooper Barenberg's efforts in this investigation were instrumental in solving this crime and they should be commended.

**NEW BUSINESS:**

**FINANCE COMMITTEE ITEM(S)**

**Item 9666. CONSENT DOCKET – Consider and vote for approval or disapproval of all or any portion of the Finance Consent Docket as follows:**

- TAB 1      A.      Consider, take action and vote for the approval or disapproval of the Payment Register for the period of August 1, 2008 to and including August 31, 2008.
- TAB 2      B.      Consider, take action and vote for the approval or disapproval to authorize the Director to approve a Lease Agreement Extension between the Oklahoma Turnpike Authority and McDonald's USA, LLC at the Walters Service Plaza on the H. E. Bailey Turnpike.

END OF FINANCE CONSENT DOCKET

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Ms. Wendy Smith presented the Finance Consent Docket stating that staff recommended approval of TAB 1, Item A as presented. On TAB 2, Item B, staff recommended that the Authority defer this item.

It was moved by Mr. Ken Ferguson and seconded by Mr. Mike Leonard that the Authority approve TAB 1, Item A and defer TAB 2, Item B.

The motion carried by the following vote:

YES: Brewster, Burrage, Ellis, Ferguson, Leonard, Riebel

**TAB 3            9667. Consider, take action and vote for the approval or disapproval of the purchase of 200,000 PIKEPASS transponders in the amount of \$5.3 million.**

Ms. Wendy Smith presented this item stating that it was reviewed by the Finance Committee and staff recommended approval as presented.

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

The motion carried by the following vote:

YES: Brewster, Burrage, Ellis, Fergeson, Leonard, Riebel

**TAB 4            9668. Consider, take action and vote for the approval or disapproval of a request to authorize the Director to approve a contract with QuestMark Management Information Systems, Inc. for printing/mailing services of PIKEPASS statements, invoices and notices.**

Ms. Wendy Smith presented this item stating that it was reviewed by the Finance Committee and staff recommended approval as presented.

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

The motion carried by the following vote:

YES: Brewster, Burrage, Ellis, Fergeson, Leonard, Riebel

Mr. Tomlinson asked Ms. Smith to give her report on revenues at this point in the meeting. Ms. Smith stated that the Operations Report had been distributed by the Controller's Division for the month of August 2008. She stated that revenues for the month were down over last August by 4% and traffic was down by 2%. OTA's Traffic Engineer has indicated that the problem was more than fuel prices; it was also affected by the economic conditions as well as the weather. She stated that our Traffic Engineer expects that revenues will still be slightly under for the remainder of the year, but not to this degree. Ms. Smith stated that there is more discretionary driving that occurs in August that does not occur later in the year.

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

**Item 9669. CONSENT DOCKET – Consider and vote for approval or disapproval of all or any portion of the Engineering and Construction Consent Docket as follows:**

TAB 5      A.      Change Order(s)/Supplemental Agreement(s) Under \$25,000:

	<u>Project No.</u>	<u>Contractor</u>	<u>Amount</u>	<u>Time</u>
1.	WR-MC-108, S.A. #2 New Highway Patrol Building Will Rogers Turnpike	Jim Cooley Construction	\$16,970.00	4 Days

TAB 6      B.      Final Estimate(s):

	<u>Project No.</u>	<u>Contractor</u>	<u>Final Contract Amount</u>	<u>Fund</u>
1.	C-MC-13 Pavement Rehab at MP 6.15 – 14.15 Cimarron Turnpike	Dobson Brothers Construction	\$12,767,953.90 *	General
2.	WR-MC-101 Pavement Rehab at MP 260.0 – 271.0 Will Rogers Turnpike	Becco Contractors	\$13,201,945.36	R.M.

END OF ENGINEERING AND CONSTRUCTION CONSENT DOCKET

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Mr. Gordon Johnson presented the Consent Docket and stated that these items were reviewed by the Engineering and Construction Committee. He stated that the final contract amount on TAB 6, Item B1 (C-MC-13) needed to be amended to read **\$12,950,487.41** due to an error on the final estimate. The remainder of the Consent Docket was recommended for approval as presented.

It was moved by Mr. Clark Brewster and seconded by Mr. Ken Fergeson that the Authority approve this item as amended.

The motion carried by the following vote:

YES: Brewster, Burrage, Ellis, Fergeson, Leonard, Riebel

**\* After further review following the Authority Meeting, the Final Contract Amount for this contract was amended to \$12,870,490.50, which is a difference of (\$79,996.91) from the amount approved by the Board. Since the amount is lower than that approved, it will not be necessary to resubmit this item for Board approval.**

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

**TAB 7      9670. Consider, take action and vote for the approval or disapproval of the award of the following contract(s):**

	<u>Project No.</u>	<u>Low Bidder</u>	<u>Total Bid</u>	<u>Fund</u>
1.	HEB-MC-37 Rehabilitation of Bridge No. 0.08A H. E. Bailey Turnpike	Logos Construction	\$895,578.00	General
2.	HEB-MC-38 Rehabilitation of Bridge No. 36.42A Near MP 71 H. E. Bailey Turnpike	Plains Bridge	\$3,748,974.61	General
3.	WR-MC-107 Reconstruction of Bridge No. 67.45 Will Rogers Turnpike	Becco Construction	\$3,203,676.56	General

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

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

The motion carried by the following vote:

YES: Brewster, Burrage, Ellis, Ferguson, Leonard, Riebel

**TAB 8      9671. Consider, take action and vote for the approval or disapproval of the following Engineering Design Services Contract(s):**

	<u>Project No.</u>	<u>Consultant</u>	<u>Service</u>	<u>Amount</u>	<u>Fund</u>
1.	WR-MC-113 Pavement Rehab MP 291.0 – 303.0 Will Rogers Turnpike	Craig & Keithline	Design Survey Geotech Deflectometer TOTAL	\$288,000.00 21,900.00 62,897.00 <u>15,986.00</u> \$388,783.00	General

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

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

The motion carried by the following vote:

YES: Brewster, Burrage, Ellis, Fergeson, Leonard, Riebel

## **REPORTS:**

### **Item #1. Operating Results**

Ms. Smith had nothing further to report.

### **Item #2. Consulting Engineer Report**

Mr. Jimmy Sparks of The Benham Companies presented the Consulting Engineer Report for the month of August 2008. Concerning the trust requirements, Mr. Sparks stated that Benham was in the process of finalizing the 2008 Annual Report. He stated that Benham would begin inspecting bridges for the 2009 inspection cycle in early October.

Regarding OTA's single deck-truss bridge on the System, Mr. Sparks stated that they had contracted through Task Order with another engineering company to do a hands-on inspection either by climbing or with a specialized snoop truck, which would be more in depth than the inspection done last August. Load rating will also be completed on that structure.

Mr. Riebel asked about the age of the bridge structure. Mr. Sparks stated that it was built in 1957, and rehabilitated in 2000.

The capital plan project summary was provided in their monthly report.

### **Item #3. Highway Patrol Report**

Captain Keith Williams presented the OHP Report for the month of August 2008. Troopers made 9,658 violator contacts, assisted 937 motorists, and investigated 111 motor vehicle collisions. There were four fatalities reported on the Turnpike System in the month of August. One fatality occurred on the Indian Nation Turnpike, one on the H. E. Bailey Turnpike, and two were reported on the Will Rogers Turnpike.

He stated that Special Emphasis troopers worked 23 shifts on the Turner and Will Rogers Turnpikes and made 335 violator contacts. Turnpike aircraft flew a total of 81 hours during the month of August with 301 enforcement contacts.

In addition, troopers dedicated 727 hours toward toll enforcement, which resulted in 174 citations, 998 warnings, confiscation of 48 PIKEPASSes, and 151 toll violation letters issued. Captain Williams reported that the size and weights troopers worked 224 hours on the system with 14 arrests, 10 warnings, 60 inspections, and placement of 20 commercial vehicles out of service.

Troopers also confiscated drugs with an estimated street value of \$2,299,504 and took \$194,800 of illegal drug currency off the System in the month of August.

Mr. Leonard asked about the Indian Nation Turnpike fatality accident, which involved a freightliner hitting a motorcycle stopped to pay a toll. Captain Williams stated that it was inattention on the freightliner's part. The freightliner mistakenly entered the cash lane instead of the PIKEPASS lane.

**Item #4. Director's Report**

Mr. Tomlinson had nothing further to report.

**ADJOURNMENT:**

The meeting adjourned at 11:50 a.m. until October 15, 2008 at 11:30 a.m. at the Oklahoma Turnpike Authority, Neal A. McCaleb Building, at 3500 Martin Luther King Avenue, Oklahoma City, Oklahoma.

**ATTEST:**

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Ken Ferguson  
Secretary/Treasurer

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Doug Riebel  
Chairman