



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

TABLE OF CONTENTS

June 2, 2021

COMMISSION/DIRECTOR ITEMS

Approval of Minutes 4
 Consent Agenda 4
 Commission Committees and Commission Related Boards 5
 Director’s Report 7

PUBLIC COMMENTS

AGCMO Expresses Their Appreciation 8
 Concerns about Transportation Legislation and Roadsides..... 8

PUBLIC PRESENTATION

The Honorable Becky Ruth on Transportation Legislation..... 9

MODOT PRESENTATIONS

Construction Contract Administration and Inspection 10
 Missouri Department of Transportation Fiscal Year 2022 Budget..... 12
 Motor Carrier Services Update 15

RESOLUTIONS

Resolution Expressing Appreciation to Dennis Heckman for His Many Achievements and Accomplishments 17

BUSINESS ISSUES

Fiscal Year 2021 Budget Amendment..... 19
 Missouri Transportation Finance Corporation Election of At-Large Board Member 19
 Pre-Qualification of Investment Banking Firms..... 20

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

Consideration of Bids for Transportation Improvements 21
 Approval of Plans for Condemnation 25

PROPERTY ACQUISITION AND CONVEYANCES

Disposal of Excess Property, Route I-55 in Jefferson County, Excess Parcel Number E6-1190 26

REPORTS

MoDOT Briefing Report 27
 Financial - Budget - Reports – Year-to-Date, Financial Report Period Ending April 30, 2021..... 27
 Consultant Services Contract Report..... 27

**MINUTES OF THE REGULARLY SCHEDULED
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING
HELD VIA VIDEO CONFERENCE AND IN JEFFERSON CITY, MISSOURI,
WEDNESDAY, JUNE 2, 2021**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, June 2, 2021, via video conference and at the Missouri Department of Transportation, 105 W. Capitol Ave, Jefferson City, Missouri. Michael T. Waters, Jr., Chair, called the meeting to order at 9:00 a.m. The following Commissioners were present: John W. Briscoe, Gregg C. Smith, Robert G. Brinkmann, P.E., Terry L. Ecker, and W. Dustin Boatwright, P.E.

The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

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Patrick McKenna, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, June 2, 2021.

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-- OPEN MEETING --

COMMISSION/DIRECTOR ITEMS

APPROVAL OF MINUTES

Upon motion by Commissioner Ecker, seconded by Commissioner Smith, the Commission unanimously approved the corrected minutes of the regular meeting held on May 5, 2021, the special meeting held May 4, 2021, and the amended minutes for the meeting held June 5, 2019. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

Consent Agenda Process

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to “consent agenda” is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

Consideration of June 2, 2021, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Boatwright, seconded by Commissioner Smith, the consent agenda items were unanimously approved by a quorum of Commission members present.

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COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two standing committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees. The following committee and board reports were made during the June 2, 2021, meeting.

Audit Committee – Commissioner Brinkmann reported the Audit Committee met with the external auditors from RubinBrown LLP regarding the upcoming Fiscal Year 2021 financial statement audit that is required annually, per Section 21.795.3 RSMo. The committee reviewed and accepted one audit report on the construction contract administration of design-build projects. They also reviewed and approved the Fiscal Year 2021 internal audit plan which identifies the audits the internal audit staff will conduct. The next audit committee meeting will be held October 28, 2021.

Legislative Committee – Commissioner Briscoe reported this year was an extraordinary year for the traveling public, MoDOT, and the Commission as the Missouri legislature was successful in passing a fuel tax increase. Phased in over a 5-year time period, a 2.5-cent per gallon per year increase, will generate additional funding for not only the state, but also additional revenues for city and county road and bridge infrastructure. Commissioner Briscoe noted as part of the agenda, state Representative Becky Ruth, House Transportation Committee chair and sponsor of the legislation that was passed this year in the House, will provide an overview of the different components of the legislation.

The department was also successful in working with elected officials on the passage of a 2022 fiscal year budget. This budget includes a two percent pay raise for state employees which will go into effect on January 1, 2022.

By the end of this legislative session, three different “omnibus” transportation-related measures passed House and Senate debate. Of note, these bills, included:

- Memorial road and bridge designations for members of the military, including a new program designated specifically for Medal of Honor recipients;
- A memorial designation for a portion of Route D in Pemiscot County after former Commissioner Duane Michie. Commissioner Michie was the grandfather of current Commissioner Dustin Boatwright; and
- The creation of a “Commercial Motor Vehicle Towing Adjudicative Board” was established to monitor the fees charged for towing large commercial motor vehicles. Rates charged by towing companies have been a real issue for the commercial motor carrier industry for several years. The creation of this board - housed in the Joint Committee on Transportation Oversight - will include representatives from the Highway Patrol and MoDOT. The board will recommend to the Governor and legislature statutory improvements for regulating this industry, plus hear any industry complaints.

Commissioner Briscoe reported some legislative proposals the Commission supported but did not get passed this session include:

- Prohibiting hand-held cell phones when operating a motor vehicle;
- A primary safety belt law; and
- A flexible benefit pilot program to attract and retain MoDOT employees.

The Governor has until July 14 to act on legislation passed. Legislation signed into law by the Governor goes into effect on August 28, 2021, unless noted otherwise in the legislation. Any bills vetoed by the Governor may be considered by the legislature during their annual veto session in mid-September.

Commissioner Briscoe recognized Director McKenna who spent countless hours working closely with the Governor and his staff and members of the legislature. His dedication got next year’s budget passed and kept members of both chambers and parties informed of initiatives affecting Missouri’s road users. Commissioner Briscoe also thanked Jay Wunderlich, Erin Warner, and Luke Reed, Governmental Relations staff, for their hard work and dedication in promoting the Commission’s legislative agenda for 2021.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith stated there was no report this month. The next meeting will be in August.

MoDOT and Patrol Employees' Retirement System (MPERS) – Commissioner Boatwright stated there was no report this month. The next meeting will be on June 17.

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DIRECTOR'S REPORT

During the June 2, 2021, Commission meeting, Director Patrick McKenna provided the following report:

Back to the Office – The Director stated on May 17, all state workers returned to their offices. He noted the majority of MoDOT employees are field based and have been working at their field location. As the department resets from the emergency phase of the pandemic, staff continue to manage the pandemic in a more normalized work environment. Limited face-to-face interactions with customers have begun and employees were urged to keep themselves and others safe by wearing masks in shared spaces and when six feet of distance cannot be maintained, to social distance and to continue frequent hand washing. Director McKenna appreciates what employees have done over the last 14 months to keep themselves and customers safe while completing important work for the citizens of Missouri.

Statewide Freight and Rail Plan – Director McKenna reported an internal team with consultant assistance has been developing Missouri's statewide freight and rail plan. As part of that effort, a Virtual Open House is available for the next two weeks to seek input from the public on what they would like to see in a passenger rail system in Missouri. The information being presented is data that has been collected and contained in the Passenger Rail Economic Study that was completed last year, followed by a series of questions asking the participant about their experience on the Missouri passenger rail system and what would enhance the value of passenger rail in Missouri for them. The information gathered will be used to develop the passenger rail portion of the draft plan that is on schedule to be completed in late July. Later this summer, the draft Statewide Freight and Rail Plan will be brought to the Commission and will kick off a public comment period, similar to what we do with the Draft Statewide Transportation Improvement Program (STIP). The department anticipates coming back to seek Commission approval of the plan in November 2021.

Amtrak Status – Director McKenna expressed his appreciation to the General Assembly and the Governor for providing necessary revenue for the Amtrak Missouri River Runner service in the state's budget. The department is fortunate to have additional federal COVID relief funds available for Amtrak. The combination of funding, once approved by the Governor, will enable the department to pay the arrears owed to Amtrak and fund a second trip per day beginning July 19 and running through December. Staff will re-evaluate the situation this fall based on the actions at the federal level with the renewal of the transportation budget to determine if the second service can be continued after December. July through December is a busy time for Amtrak tourism, and this is great news for Missouri's Amtrak users and the communities served along the line.

Meritorious Safety Awards – Director McKenna recognized Amir Ghaidi from the St. Louis District who earned the Meritorious Safety Award. On April 19, a vehicle crash occurred in St. Louis on I-70 at the West Florissant Avenue exit. Maintenance Supervisor Amir Ghaidi came upon the accident and stopped to assist. Three passengers were ejected from the vehicle and the driver was trapped. When Mr.

Ghaidi made it to the driver, he saw that the driver was bleeding heavily and used his belt as a tourniquet. When EMTs arrived on the scene, they told Mr. Ghaidi that without his quick action with the tourniquet, she would have died. Director McKenna stated this is the third straight month that the Director's Report has included a story such as this about the selfless actions of our employees in the name of safety, and how proud he is of our workforce.

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PUBLIC COMMENTS

AGCMO EXPRESSES THEIR APPRECIATION

Steve Bubanovich, Chairman of the Heavy/Highway/Infrastructure Division of AGCMO, conveyed congratulations and best wishes to Dennis Heckman, State Bridge Engineer, on his retirement. He noted the association's appreciation for Mr. Heckman's advocacy with industry partners in the bridge sector. He also noted the association's appreciation for everyone who helped with the passage of Senate Bill 262. He stated he believes that the legislation will save the roads and create jobs for Missourians.

Chairman Waters thanked Mr. Bubanovich for his comments and for the partnership between the department and the AGC.

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CONCERNS ABOUT TRANSPORTATION LEGISLATION AND ROADSIDES

Arnie Dienoff, a concerned citizen, stated the Commission should be transparent and open. He requested the meeting packets be posted on-line. He also expressed concern about Senate Bill 262 and House Bill 1044. He said it is very concerning that the citizens are being asked to help fund transportation needs without a vote. He noted that gas prices have risen in Missouri and that any new gas tax hurts low income and working families. He urged the governor to reject and not sign any tax increase for transportation. He stated he believed the people have been squashed like a bug on a highway. He expressed his support of a referendum to stop the implementation of Senate Bill 262.

Chairman Waters thanked Mr. Dienoff for his comments and noted we will all have to wait and see what happens with the referendum.

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PUBLIC PRESENTATION

THE HONORABLE BECKY RUTH ON TRANSPORTATION LEGISLATION

The Honorable Becky Ruth, Missouri House of Representatives, expressed her appreciation to the Commission and the department for the support and the work that was done to help get Senate Bill 262 across the finish line. Representative Ruth explained when she started in her role as transportation chair she started to learn as much as she could about transportation and began attending meetings around the country to see what other states were doing to meet their transportation needs. She learned that Missouri was far behind since 1996 was the last time the state motor fuel tax had been increased. She noted that the success of the bridge funding proposal was a great shot in the arm, allowing Missouri to take care of some of the most critical bridges in the state but it was not sustainable. She attended a transportation symposium in Atlanta, Georgia where she was able to share information about the bridge funding proposal. But also, she learned about how South Carolina, a very conservative state, was able to raise their gas tax. While South Carolina's proposal provided for an income tax credit, Representative Ruth realized the income tax credit portion of that proposal would not work in Missouri. She began working on the proposal and meeting with transportation partners and attorneys to find draft language that would work for Missouri. As a result, both Senate Bill 262 and House Bill 1044 were filed this legislative session. Unfortunately, the Speaker of the House never referred House Bill 1044 to advance, so her efforts focused on Senate Bill 262. She noted it is amazing what can get done if people really do not care whose name is on the bill as long as the subject matter gets passed. Through the efforts of a huge coalition that included contractors, chambers of commerce, unions, agriculture, the Commission, and MoDOT, the proposal passed the legislature. She noted it is important to be mindful that a referendum has been filed that would stop the proposal from going into effect and require a vote of the people. It is a matter of time to wait and see if the referendum is successful. She concluded her comments stating she simply wanted

to share a little bit about the process for the passage of this proposal and to say thank you for everyone's efforts.

Commissioner Waters thanked Representative Ruth for her presentation and expressed his appreciation for her support of transportation funding.

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MODOT PRESENTATIONS

CONSTRUCTION CONTRACT ADMINISTRATION AND INSPECTION

On behalf of the Director, David Ahlvers, State Construction and Materials Engineer, reported on the department's administration of construction contracts and inspection of transportation projects. The Construction and Materials Division provides contract administration and project inspection oversight for road and bridge improvement projects. This work is performed at the 29 project offices located across the state. There are 31 resident engineers and 308 construction inspectors who work at these locations. Materials inspection is performed in a lot of locations including the district office, central office lab, project sites, manufacturing facilities, and the project office. The 5 Assistant District Construction Materials Engineers and 73 materials inspectors are responsible for materials inspections. The department does hire consultants for some inspections, predominately on job order contracts and painting contracts. Currently, the division has 55 openings, and staffing continues to be one of the division's biggest challenges.

In calendar year 2020, MoDOT completed 540 projects with contract payments of \$984 million. As of May 1, 2021, there were 544 projects under contract totaling \$1.6 billion involving 90 prime contractors. These projects also employ hundreds of other contractors working in sub-contractor roles for the prime contractors.

The primary purpose of the inspection is to make sure that the work performed, and materials furnished are in accordance with the contract documents. The contract documents include the contract, job specific plans, standard specifications, and standard plans. Mr. Ahlvers noted the department uses

change orders to make formal changes to the contract documents. The department also uses the value engineering process with the contracts to accommodate ways to improve the quality of the project, introduce innovation, and save money or time on a project. The department uses a software called AASHTOWare Project so engineers, inspectors, technicians, and contractors can enter reports and testing information which results in contractor payments being processed. This software can be used on mobile devices as well as at the office.

The department changed its inspection philosophy in 2004 moving from a method-based specification to performance related specifications. This means the department describes how finished projects should perform over time rather than provide detailed steps in a process. The department has also changed how it addresses work zone safety. Signs are being located further out to where the traffic queue occurs, in addition the department has increased the presence of law enforcement in work zones. Unfortunately, this calendar year there have been three fatalities in work zones. The department is facing challenges that include speed and distracted driving in work zones and is using strategies such as temporary rumble strips and increased law enforcement to approach zero fatalities in work zones.

The department's development of partnerships and use of innovation is helping improve its results. The department meets quarterly with industry to understand each other's operations and work together to resolve issues. This has led to a significant decrease in claims, only seven claims over the last ten years on over 5,000 projects. The department has used innovations that include risk-based inspection, and technology to provide real time feedback on performance requirements. Some of this technology includes intelligent compaction and infrared scanning. Mr. Ahlvers then shared the fiscal year 2020 results which despite the COVID-19 pandemic, led to good results in the construction program. Eighty-eight percent of projects were completed on time, and the construction program was completed within budget. There were no contractor claims. And thirty-one value engineering proposals saved \$2.47 million on projects.

Commissioner Briscoe thanked Mr. Ahlvers for his presentation and noted his concern that this is the worst time of year to have 55 vacant positions in construction and materials.

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MISSOURI DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2022 BUDGET

On behalf of the Director, Brenda Morris, Chief Financial Officer, presented the \$3.2 billion operating budget for fiscal year 2022 for the Commission’s consideration and approval. This budget request is \$77.4 million less than the fiscal year 2021 budget. The General Assembly approved the appropriations legislation on May 7, 2021. Ms. Morris noted the appropriations legislation has not been signed by Governor Parson.

Ms. Morris was pleased to report this budget has more flexibility than it has for the past few years. When the estimated appropriations were eliminated, the department lost its flexibility to expend funds. This year there was an accommodation made to allow twenty percent flexibility between the major categories of administration, safety and operations, program delivery, multimodal, fringe benefits, and fleet, facilities and information systems.

Ms. Morris reported none of the department’s proposed pay plan items were approved by the legislature this year. She did note that the budget does include a two percent cost of living adjustment for all employees beginning on January 1, 2022. The budget also includes an increase for the Above and Beyond performance incentives beginning on January 1, 2022. This pay plan is intended to provide an increase up to five percent for up to the top ten percent of high performers based on information captured through the Engage 2.0 performance development tool. The increase is capped at \$2,500 per employee.

This budget includes funding for the Maintenance Asset Management Deficit Program. These funds will be distributed for work on minor and low-volume routes. Five of the seven districts will receive some of the funds, about two-thirds of the funds are going to the two northern districts. The districts will

use a combination of work by MoDOT forces and contractors to improve the condition of minor and low volume routes.

Fleet, Facilities and Information Systems increased for weigh station improvements at the following locations: Joplin I-44 in Newton County, Steele I-55 in Pemiscot County, and Caruthersville I-155 in Pemiscot County. Projects include capital improvements such as inspection facilities, the installation of a tire defect detection system, and the decommissioning and conversion to truck parking facilities for Joplin and Caruthersville.

The Multimodal budget category increased \$10.0 million. This includes an increase in transit and aviation from COVID Relief Funds. It also includes an increase of \$2.9 million for Amtrak passenger rail service between St. Louis and Kansas City. With the additional funding Amtrak has received through various COVID relief funding and this budget increase, Missouri is no longer in debt to Amtrak. This category also includes a \$6.3 million increase for a variety of port capital improvement projects.

The Program Delivery budget category increased \$54.4 million. In this category increases were included for COVID Relief funding as well, but additional federal funds may be made available so the department could need to seek additional spending authority in the future.

The key investments for the Fiscal Year 2022 budget are:

- Program Delivery \$2,114,602,000
- Safety and Operations \$423,751,000
- Multimodal \$255,288,000
- Fleet, Facilities, and Information Systems \$93,823,000
- Administration \$26,133,000
- Fringe Benefits \$253,676,000
- Other State Agencies \$335,100,000

Commissioner Brinkmann expressed his amazement at the department's ability to stretch each dollar of revenue to keep roads and bridges in such good shape. He also noted that it is kind of exciting

to be able to think about spending additional transportation funding when it comes available. As an engineer, it is fun to be able to fix things and solve problems and have the resources to do so!

Following discussion, and upon motion by Commissioner Briscoe, seconded by Commissioner Smith, the Commission unanimously approved the Fiscal Year 2022 Budget as noted in the table below. Any necessary revisions to the fiscal year 2022 budget will be presented to the Commission by request for a budget amendment. The Commission also authorized the expenditures of the operating budget in accordance with Commission policies.



**Fiscal Year 2019-2021 Summary
and Fiscal Year 2022 Budget**

(Dollars in Thousands)

	Fiscal Year 2019 Actual	Fiscal Year 2020 Actual	Fiscal Year 2021 Budget¹	Fiscal Year 2022 Budget²
Administration				
Personal Services	\$ 17,425	\$ 17,502	\$ 19,459	\$ 19,705
Expense and Equipment	3,144	2,786	6,428	6,428
Total Administration	20,569	20,288	25,887	26,133
Safety and Operations				
Personal Services	139,922	141,517	152,532	154,552
Expense and Equipment	199,519	202,129	231,550	246,549
Program	17,595	18,883	22,650	22,650
Total Safety and Operations	357,036	362,529	406,732	423,751
Program Delivery				
Personal Services	63,157	60,642	69,796	70,681
Expense and Equipment	17,065	14,860	27,901	27,910
Program	1,202,974	1,303,577	2,117,212	2,016,011
Total Program Delivery³	1,283,196	1,379,079	2,214,909	2,114,602
Fleet, Facilities and Information Systems				
Personal Services	9,991	10,029	12,213	12,368
Expense and Equipment	59,434	57,277	79,870	81,455
Total Fleet, Facilities and Information Systems	69,425	67,306	92,083	93,823
Multimodal				
Personal Services	1,735	1,791	2,025	2,050
Expense and Equipment	939	339	610	588
Program	86,530	85,627	242,600	252,650
Total Multimodal	89,204	87,757	245,235	255,288
Fringe Benefits				
Retirement & Long-Term Disability	130,254	130,092	148,808	150,829
Medical, Life Insurance and EAP	47,624	47,030	53,417	53,417
Retiree Medical Insurance	17,623	17,559	18,630	18,630
Workers' Compensation	6,000	6,000	7,965	7,965
Other Fringe Benefits ⁴	17,194	17,361	21,970	22,835
Total Fringe Benefits	218,695	218,042	250,790	253,676

Subtotal MoDOT Disbursements	<u>2,038,125</u>	<u>2,135,001</u>	<u>3,235,636</u>	<u>3,167,273</u>
License Plate Reissuance	9,979	6,008	9,000	0
Motor Carrier Refunds	16,473	18,959	26,000	26,000
Total MoDOT Disbursements	\$ 2,064,577	\$ 2,159,968	\$ 3,270,636	\$ 3,193,273

¹ Fiscal year 2021 budget is Truly Agreed to and Finally Passed appropriation amounts adjusted for supplemental increases, vetoes, restrictions and reverted amounts.

² Fiscal year 2022 budget is Truly Agreed to and Finally Passed appropriation amounts.

³ Program Delivery increased in fiscal year 2020 due to the focus on bridges program, debt service for the focus on bridges program and the cost share program.

⁴ Includes fringe benefits appropriated in House Bill 5 for social security and unemployment tax and the department's share for MoDOT employees who are enrolled in the Missouri Consolidated Health Care Plan (MCHCP) and Missouri State Employees' Retirement System (MOSERS).

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MOTOR CARRIER SERVICES UPDATE

On behalf of the Director, Jerica Holtsclaw, Motor Carrier Services Director, and Eric Bernskoetter, Assistant Motor Carrier Services Director, presented an update on the Motor Carrier Services Division. Ms. Holtsclaw explained the division is made up of two sections: the compliance communication center, and the safety and compliance section. There is a total of 77 employees who work in the division managing eight programs. One of the challenges for the division is recruiting and retaining quality employees. It takes time to train employees, so it is important to be able to retain the employees once they are trained.

The eight programs the division manages include the following: International Fuel Tax Agreement (IFTA), International Registration Plan (IRP), Safety & Compliance, Oversize/Overweight Permitting (OSOW), Missouri Operating Authority (OPA), Unified Carrier Registration (UCR), Household Goods Authority (HHG), and Hazardous Waste/Waste Tire Authority (HWWT). Managing all of these programs in one place makes Missouri a One Stop Shop state. The carriers can come and get all of their paperwork, registration, make payment of fuel taxes, etc. all at one location with MoDOT. Having a One Stop Shop is a huge benefit for motor carriers in Missouri.

Ms. Holtsclaw highlighted the safety and compliance program. She explained how the department conducts safety audits for brand new carriers educating them on all aspects of safety as they start their new trucking business. Vehicle inspections and full carrier investigations are also conducted to enforce state statues and federal regulations.

The IFTA program is an agreement among the United States and Canadian provinces to simplify fuel reporting and miles traveled by motor carriers who operate in more than one state. Missouri based drivers send their fuel and mileage records to the division who submits them to the clearinghouse. As a result of this program, the fuel tax is collected and returned to Missouri through the clearinghouse based on the miles carriers drive in Missouri. The division assists about 7,000 carriers in this program to complete their reporting on a quarterly basis.

The division manages vehicle registrations for commercial motor vehicles through IRP. Motor Carriers apply for an annual registration and license plates in their home state. Missouri ranks eleventh out of 59 jurisdictions for the number of trucks registered in the state, this is more than 115,000 trucks and trailers registered. Recently, there has been a forty percent increase in the number of new accounts established. Trucking has not slowed due to the pandemic, but rather has increased.

The last program that Ms. Holtsclaw elaborated on was the over size loads program. The division issues permits for heavy loads and over dimension loads. More than 150,000 permits and 3,500 super load permits are issued annually. The division relies heavily upon the Bridge division to assist with reviewing bridges for safe crossing.

Mr. Bernskoetter explained how all the programs collect permit fees, registration fees, fuel taxes, etc. Of the almost \$200 million collected annually, about \$100 million goes to the State Road Fund, the remaining money is distributed to other states and jurisdictions. When a state agency collects fees and taxes, customer satisfaction scores can suffer. However, this division consistently delivers a high rating of 96.7 percent for the five-year average. Maintaining this high rating while responding to 130,000 phone

calls, and handling 120,000 transactions for 47,000 customers each year. During the COVID-19 pandemic the division was able to continue to serve motor carriers even though the walk-in service was suspended. Carriers could get everything they needed from either the on-line system or by phone.

Mr. Bernskoetter noted the division is working on updating to a new motor carriers system that will be installed in early 2022. The system will be more user friendly and will allow carriers to upload their information directly with their transactions, and it will also allow them to track the status of their transactions.

Mr. Bernskoetter noted the division works extremely closely with the Highway Patrol, Missouri Trucking Association, Missouri Dump Trucking Association, along with federal partners and MoDOT's divisions and districts. This collaboration helps the division provide work zone updates, road closure notices, weather notices, and the quarterly newsletter to keep motor carriers informed.

Commissioner Boatwright thanked them for their presentation and inquired about when Motor Carrier Services was brought under the MoDOT umbrella. Ms. Holtsclaw responded in 2002 the different aspects of Motor Carrier Services were consolidated under MoDOT's operations.

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RESOLUTIONS

RESOLUTION EXPRESSING APPRECIATION TO DENNIS HECKMAN FOR HIS MANY ACHIEVEMENTS AND ACCOMPLISHMENTS

Via approval of the consent agenda, the Commission unanimously approved the following resolution:

WHEREAS, Dennis Heckman began his distinguished career with the Missouri Department of Transportation on December 7, 1992, and will be retiring on July 1, 2021, with more than 28 years of service to the State of Missouri; and

WHEREAS, Dennis Heckman served in a variety of capacities in the Bridge Division beginning as a Structural Designer, then a Structural Project Manager, then a Structural Resource Manager, culminating in his promotion as State Bridge Engineer; and

WHEREAS, throughout his career, Dennis Heckman was an expert at building bridges both structurally and socially. His communication skills, engineering knowledge, and willingness to help made him a

reliable resource that many turned to for his expertise. He never hesitated to respond to email, texts, and calls; for example, when he received a call at 3 a.m. when one hundred barges broke loose on the Mississippi River causing the closure of Interstate 255 bridge, or his response during the flooding of 2013, 2015, and 2019.

WHEREAS, Dennis Heckman led the Bridge Division through a restructuring phase that absorbed the bridge inspection unit, and reorganized the plans production, preliminary review, and hydraulics sections. He always erred on the side of compassion for employees while being a guardian of scarce resources; and

WHEREAS, throughout his career, Dennis Heckman served admirably, diligently, tirelessly, and collaboratively on behalf of the Department of Transportation and the State of Missouri, as evidenced by his ability to establish and maintain excellent relations with organizations including the American Association of State Highway Transportation Officials and industry partners. He served on the AASHTO Bridge Committee leading the effort to add practical design principles in bridge division manuals and setting national policy for structures in seismic areas. He was a key part of the success of quarterly industry meetings where the department and industry work together to solve technical and contracting issues to ensure efficient and cost-effective bridge solutions; and

WHEREAS, Dennis Heckman believed that it is important to be accountable through the wise use of resources to deliver transportation solutions of great value. While State Bridge Engineer he oversaw the replacement of twenty-two of the 207 major bridges in Missouri, many of which were over the Missouri and Mississippi Rivers. This included the first design-build project to construct a new iconic cable-stayed river bridge over the Missouri River and to reconstruct and rehabilitate four-miles of Interstate 29/35 into downtown Kansas City that was completed in December 2010. It also includes bridges like the Hurricane Deck bridge on Route 5 at the Lake of the Ozarks, the Stan Musial bridge that carries Interstate 70 over the Mississippi River in St. Louis, the Champ Clark bridge at Louisiana that carries Route 54 over the Mississippi River, and the bridge at Washington that carries Highway 47 over the Missouri River; and

WHEREAS, Dennis Heckman's interest in and concern for others endeared him to his co-workers and friends, and everyone he met and knew through his friendly approach and keen sense of humor. His ability to stay steady and cool while under pressure made him a valuable resource that many relied upon; and

WHEREAS, his work ethic, integrity, expertise, and caring for others have earned him the respect, admiration, and friendship of department employees and the public he served; and

WHEREAS, Dennis Heckman recognized the importance of balancing family and career and is a loving husband and a devoted father all while performing his job duties with compassion, dedication, and pride;

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Dennis Heckman for his service to the citizens of Missouri and extends to him best wishes for his future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dennis Heckman so he will know of the high esteem and affection in which he is held by the members of the Missouri Highways and Transportation Commission and the Missouri Department of Transportation staff.

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BUSINESS ISSUES

FISCAL YEAR 2021 BUDGET AMENDMENT

On behalf of the Director, Todd Grosvenor, Financial Services Director, recommended increasing the budget \$111.0 million for the Supplemental Appropriations Truly Agreed to and Finally Passed by the General Assembly for the fiscal year 2021 budget. The increases include \$100.0 million in Program Delivery for construction activities and \$11.0 million in Multimodal Operations for funding to airports and operating assistance of transit systems.

Via approval of the consent agenda, the Commission unanimously approved the fiscal year 2021 budget amendment described above.

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MISSOURI TRANSPORTATION FINANCE CORPORATION ELECTION OF AT-LARGE BOARD MEMBER

On behalf of the Director, Todd Grosvenor, Financial Services Director, reported in keeping with the Commission’s policy regarding the Missouri Transportation Finance Corporation (MTFC), at-large members of the MTFC Board of Directors are elected by the Commission and the President of the Board of Directors is appointed by the Commission Chairman. Mr. Grosvenor recommended the Commission elect James E. Smith to the MTFC Board of Directors for a two-year term expiring on June 30, 2023. The current term for at-large member James E. Smith expires on June 30, 2021. The department appreciates that James E. Smith is a successful businessman with knowledge of finance and transportation, and has agreed to continue to be a great asset to the MTFC Board of Directors.

Via approval of the consent agenda, the Commission unanimously elected James E. Smith to serve on the MTFC Board of Directors as an at-large member for a two-year term beginning July 1, 2021 and expiring on June 30, 2023.

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PRE-QUALIFICATION OF INVESTMENT BANKING FIRMS

On behalf of the Director, Brenda Morris, Chief Financial Officer, reported the Commission's current authorization for a pre-qualified pool of investment banking firms is scheduled to expire on June 30, 2021. In March 2021, the department issued a request for proposal (RFP) from banking firms. Maintaining a pre-qualified pool of investment banking firms allows the Commission to make a timely selection if the need arises to issue new state road bonds or refund outstanding state road bonds, and the Commission desires to do a negotiated rather than a competitive sale.

Twenty-five firms responded to the RFP. Four of the firms are headquartered in Missouri. Eight of the responding firms are either minority-owned or women-owned business enterprise firms. Maintaining a list of pre-qualified investment banking firms allows the Commission to take advantage of favorable market conditions in a timely manner, however, the firms for the pre-qualified pool were informed there are currently no plans to issue new bonds at this time.

Ms. Morris recommended the Commission approve the following investment banking firms for a pre-qualified pool to be used for potential negotiated sales for an initial period ending June 30, 2024, with an option to renew for two additional one-year periods: BofA Securities; Citigroup Global Markets, Inc.; Estrada Hinojosa & Co., Inc.; J.P. Morgan Securities LLC; Morgan Stanley; Siebert Williams Shank & Co., LLC; Stern Brothers & Co.; Stiefel, Nicolaus & Co., Inc.; UMB Bank, N.A.; and Wells Fargo Bank, N.A. Ms. Morris further recommended the Commission authorize the Director, Deputy Director/Chief Engineer, or the Chief Financial Officer to select the investment banking team from the approved eligible list for future bond issuances; exercise the discretion to determine the need for and execute future renewals of the pre-qualified pool of investment banking firms through June 30, 2026; and remove a firm from the pre-qualified pool, if appropriate.

Via approval of the consent agenda, the Commission unanimously approved the pre-qualification of investment banking firms and delegation of authority as described above.

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STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

CONSIDERATION OF BIDS FOR TRANSPORTATION IMPROVEMENTS

On behalf of the Director, Travis Koestner, State Design Engineer, presented the following recommendations pertaining to bids received on federal aid and state highway and bridge projects during the past month. He noted Calls C11, D05, F01, G03, and G08 have local funding, as noted in Table I below, and the department received all the necessary concurrences.

Mr. Koestner recommended: (1) Award of contracts to the lowest responsive bidders for bids received at the May 21, 2021, letting, as recommended and noted in Table I below. (2) Contingent award of contracts to the lowest responsive bidders for bids received on Calls C11 in the Kansas City District, F01 in the St. Louis District, and G08 in the Southwest District upon receiving additional funding from the local entities.

**Table I
Award of Contracts
May 21, 2021, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A02	36	Buchanan, Dekalb	J1P3310	\$439,766.20	\$0.00	Vance Brothers, Inc.	Scrub Seal
A04	5 & 6	Sullivan	J1P3419	\$1,034,479.00	\$0.00	Lehman Construction, LLC	Slide Repairs
A05	59	Buchanan	J1S3364	\$2,299,999.99	\$0.00	Herzog Contracting Corp.	Resurfacing
	K	Andrew, Buchanan	J1S3365				
B01	I-70	Montgomery, Warren	J0I3007J	\$368,250.00	\$0.00	N.B. West Contracting Company	Job Order Contract for Asphalt Pavement repair
B02	Various	Various	J2I3263	\$1,449,675.00	\$0.00	CSD Environmental Services, Inc.	Job Order Contract for Guard Cable Repair
C01	70	Lafayette, Saline	J0I3006H	\$559,217.60	\$0.00	Fahrner Asphalt Sealers, LLC	Crack Seal
C02	Various	Various	J0I3007F	\$1,059,500.00	\$0.00	Superior Bowen Asphalt Company, LLC	Job Order Contract Interstate Asphalt Pavement Repair

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
C03	Various	Various	J3I3072	\$858,100.00	\$0.00	Superior Rail System, LLC	Job Order Contracting for Guardrail and Guardcable Repair
C06	Various	Various	J4I3172	\$2,567,952.00	\$0.00	Mar-Jim Contracting, LLC	Job Order Contract for Guardrail and Guardcable Repair
C08	Various	Various	J4P3185	\$1,056,000.00	\$0.00	Superior Bowen Asphalt Company, LLC	Job Order Contracting for Asphalt Pavement Repairs
C10	7	Cass	J4S3250	\$2,312,899.28	\$0.00	Ideker, Inc.	Coldmill and Resurface
C11*	152	Platte	J4S3477	\$5,970,732.03	\$0.00	Radmacher Brothers Excavating Co., Inc.	Interchange Improvements
D01	54	Miller	J5P3222	\$5,677,105.43	\$0.00	Capital Paving & Construction, LLC	Intersection Improvements
			J5P3222B				
D02	Various	Various	J5P3404	\$1,171,021.74	\$0.00	Collins & Hermann, Inc.	Job Order Contract for Guardrail and Guard Cable Repair
D03	Various	Various	J5P3405	\$1,086,847.82	\$0.00	Collins & Hermann, Inc.	Job Order Contract for Guardrail and Guard Cable Repair
D04	BR 54	Miller	J5S3239	\$1,611,862.60	\$0.00	Concrete Strategies, LLC	Bridge Rehabilitation
D05**	E, H	Washington	J5S3290	\$9,260,000.00	\$0.00	Pace Construction Company	Resurface and Add Shoulders
	H	Jefferson	J6S3517				
	N	Crawford	J5S3395				
D06	T	Pulaski	J5S3368	\$1,749,000.00	\$0.00	West Plains Bridge & Grading, LLC dba West Plains Bridge & Grading	Bridge Rehabilitation
D07	Various	Callaway	J5S3509	\$833,949.93	\$0.00	Christensen Construction Co.	Resurface
F01***	100	St Louis	J6S1718	\$30,573,000.00	\$52,522.00	KCI Construction Company	Pavement, ADA, Signal and Drainage Improvements
			J6S1718C		\$15,000.00		Pedestrian and Streetscape enhancements
			J6S1718B		\$30,000.00		Pedestrian Trail, Underpass & Sanitary Sewer

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
F02	I-70 & 370	St Charles	J6I3494	\$3,899,000.00	\$0.00	KCI Construction Company	6 Bridge Rehabilitation
F04	67	St Charles	J6P3372	\$7,066,248.60	\$4,000.00	KCI Construction Company	Grading, Drainage and Pavement
F05	Various	St Louis	J6P3452	\$2,046,000.00	\$0.00	Collins & Hermann, Inc.	Job Order Contracting for Guardrail Repairs
F06	Various	St. Charles	J6P3458	\$622,017.00	\$0.00	Collins & Hermann, Inc.	Job Order Contracting for Guardrail Repairs
F07	Various	Franklin, Jefferson	J6P3461	\$996,960.00	\$0.00	Collins & Hermann, Inc.	Job Order Contracting for Guardrail Repairs
G01	Various	Bates	J7P3370B	\$274,940.90	\$0.00	Branco Enterprises, Inc.	ADA Improvements
G02	Various	Various	J7P3469	\$2,187,900.00	\$0.00	Mar-Jim Contracting, LLC	Job Order Contract for Guardrail and Guard Cable Repair
G03****	BUS 65	Taney	J7S3354	\$593,474.29	\$0.00	Emery Sapp & Sons, Inc.	Intersection Improvements
G04	HH & J	Polk	J7S3368	\$369,836.75	\$0.00	Branco Enterprises, Inc.	Bridge Culvert Replacement and Bridge Culvert Rehabilitation
G05	Various	Various	J8P3209	\$903,360.00	\$0.00	Mar-Jim Contracting, LLC	Job Order Contract for Guardrail and Guard Cable Repair
G06	64	Hickory	J7S3359	\$1,449,725.80	\$0.00	Branco Enterprises, Inc.	Bridge Rehabilitation
	7	Benton	J7P3360				
	Various	Various	J7P3299				9 Bridge Rehabilitations
G07	744	Greene	J8S3151	\$7,004,445.07	\$0.00	Emery Sapp & Sons, Inc.	Bridge Rehabilitation
	I-44		J8I3147				Pavement Improvements
	LP 44		J8S3155				
G08*****	14	Christian	J8P0588H	\$5,416,661.44	\$0.00	D & E Plumbing and Heating, Inc.	Grading, Drainage and Pavement
			J8P3115B				Coldmill and Resurface
H01	21	Ripley	J9P3369	\$1,452,588.10	\$0.00	Apex Paving Co.	Resurfacing
	B	Carter	J9S3374				
	T	Ripley	J9S3372				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
H02	67	Madison	J9P3763	\$848,950.00	\$0.00	H.R. Quadri Contractors, LLC	Slide Repairs
H03	102	Mississippi	J9S3317	\$1,906,137.50	\$0.00	Apex Paving Co.	Resurfacing
			J9S3529				
	80		J9S3315				
	BB	J9S3316					
	EE	New Madrid	J9S3313				
H04	KK	Butler	J9S3361	\$1,219,630.79	\$0.00	Apex Paving Co.	Resurfacing
	F		J9S3359				
	N		J9S3358				
H05	V	Wayne	J9S3408	\$1,896,250.22	\$0.00	Apex Paving Co.	Resurfacing
	B		J9S3414				
	Z		J9S3364				
H06	60OR	Stoddard	J9S3652	\$2,281,097.47	\$0.00	Apex Paving Co.	Resurfacing
	O		J9S3430				
	FF		J9S3462				
	D		J9S3436				
	MM	Stoddard, Dunklin	J9S3463				
H07	72	Cape Girardeau	J9M0282	\$41,999.00	\$0.00	CE Contracting, Inc.	Roadway Culvert Replacement
			TOTAL:	\$114,416,581.55	\$101,522.00		

^Focus on Bridges Program

*Call C11 – Funding by Tax Increment Financing Commission of KC – \$3,104,780.66

**Call D05 – Funding by City of Bourdon (J5S3290) – \$6,357.70

Funding by City of Potosi (J5S3395) – \$14,846.70

***Call F01 – Funding by City of Brentwood (J6S1718B) – \$3,288,317.17

Funding by Metropolitan Sewer District (J6S1718B) – \$1,357,932.00

Funding by City of Kirkwood (J6S1718C) – \$443,042.75

****Call G03 – Funding by City of Hollister – \$272,025.16

*****Call G08 – Funding by City of Nixa – \$280,121.30

Commission Consideration and Action

After consideration, and upon motion by Commissioner Smith, seconded by Commissioner Ecker the Commission took the following action with abstentions noted below.

1. Awarded contracts to the lowest responsive bidders for bids received at the May 21, 2021, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.

2. Awarded contingent contract to the lowest responsive bidder for bids received on Calls C11 in the Kansas City District, F01 in the St. Louis District, and G08 in the Southwest District upon receiving additional funding from the local entities.
3. Authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Brinkmann abstained from Calls D04, D06, and F02. Commissioner Boatwright abstained from Calls H03 and H06.

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APPROVAL OF PLANS FOR CONDEMNATION

On behalf of the Director, Travis Koestner, State Design Engineer, recommended the Commission approve the following detailed project plans, approved by the Chief Engineer, for filing as necessary for the condemnation of right of way.

<u>County</u>	<u>Route</u>	<u>Job Number</u>
St. Louis	100	J6S3259
St. Louis	100	J6S3259C
Jefferson	21	J6P3242B
Clay	US-169	J4P3295
Clay	A	J4P3295D
Taney	86	J7S3194

In accordance with Section 227.050 RSMo, the Commission via approval of the consent agenda, approved the detailed project plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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PROPERTY ACQUISITION AND CONVEYANCES

DISPOSAL OF EXCESS PROPERTY, ROUTE I-55 IN JEFFERSON COUNTY, EXCESS PARCEL NUMBER E6-1190

In keeping with the Commission’s policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Director, Tom Blair, St. Louis District Engineer, recommended conveyance of 5.13 acres of land located in the southwest quadrant of I-55 and Route M in Jefferson County, to Great American Holding, LLC for a consideration of \$543,500.00.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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-- **REPORTS** --

REPORTS

The Commission received the following written reports.

MODOT BRIEFING REPORT

Patrick McKenna, Director, provided to the Commission the written monthly Issue Briefs that are sent from the department to the Governor since the previous MoDOT Briefing Report. There were no briefing reports for the past month.

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FINANCIAL - BUDGET - REPORTS – YEAR-TO-DATE, FINANCIAL REPORT PERIOD ENDING APRIL 30, 2021

Todd Grosvenor, Financial Services Director, submitted a written financial report for fiscal year to date April 30, 2021, with budget and prior year comparisons.

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CONSULTANT SERVICES CONTRACT REPORT

Travis Koestner, State Design Engineer, submitted a written report of consultant contracts executed in the month of April 2021, for both engineering and non-engineering related projects. The department utilizes consultants to efficiently manage workload and provide specialized expertise to supplement and support department staff. Expenditures for consultant services are funded from the Commission approved Statewide Transportation Improvement Program and MoDOT Operating Budget. There were 338 active contracts held by individual engineering consultant firms prior to April 1, 2021. Fifteen engineering consultant services contracts were executed in April 2021, for a total of \$8,475,842. There were no non-engineering consultant contracts executed in April 2021.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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The Mission of the Missouri Highways and Transportation Commission is to:

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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