



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

TABLE OF CONTENTS

October 5, 2022

VOTE TO CLOSE MEETING..... 5

COMMISSION/DIRECTOR ITEMS..... 6

Warren K. Erdman Qualified as a Member of the Missouri Highways and Transportation
Commission 6

Brian Treece Qualified as a Member of the Missouri Highways and Transportation Commission..... 6

Rotation/Election of Chair and Vice Chair..... 7

Commission Workshop: Debt and Bonding Program 7

Approval of Minutes..... 12

Consent Agenda..... 12

Commission Committees and Commission Related Boards 13

Director’s Report 14

PUBLIC COMMENTS..... 15

Appreciation for Funding I-70 Improvement 15

PUBLIC PRESENTATIONS 16

St. Louis Region Transportation Partners..... 16

MODOT PRESENTATIONS..... 17

Update on I-270 North Design-Build Project 17

Update from MoDOT’S St. Louis District 20

Employee Health and Wellness Unit Update 21

RESOLUTIONS 23

Resolution Expressing Appreciation to John W. Briscoe For Outstanding Service on the Missouri
Highways and Transportation Commission 23

Resolution Expressing Appreciation to David D. Ahlvers For His Many Achievements and
Accomplishments 25

ADMINISTRATIVE RULES / POLICIES..... 26

Report and Recommendation Regarding Final Orders of Rulemaking – Motor Carrier Services
Administration 26

Report and Recommendation Regarding Final Orders of Rulemaking – Motor Carrier Services
Interstate Operations..... 27

Report and Recommendation Regarding Final Orders of Rulemaking – Motor Carrier Services Safety and Compliance Operations..... 28

BUSINESS ISSUES 29

Medical and Life Insurance Plan: Re-Appointment of Board Member..... 29

Missouri Department of Transportation Fiscal Year 2024 Amended Appropriations Request and Fiscal Year 2023 Amended Supplemental Appropriations Request..... 30

STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)..... 31

Consideration of Bids for Transportation Improvements 31

Report and Recommendations Regarding the St. Louis Safety Improvements (J6P3496 and J6P3496B), Including Authority for Design-Build Delegation of Authority 35

Approval of Plans for Condemnation 36

REPORTS 37

Medical and Life Insurance Plan: Missouri Department of Transportation and Missouri State Highway Patrol Medical And Life Insurance Plan Report..... 37

MoDOT Briefing Report 38

Financial - Budget - Reports – Year-to-Date, Financial Report Period Ending August 31, 2022 38

Consultant Services Contract Report..... 38

**MINUTES OF THE REGULARLY SCHEDULED
HIGHWAYS AND TRANSPORTATION COMMISSION MEETING
HELD IN ST. LOUIS, MISSOURI,
WEDNESDAY, OCTOBER 5, 2022**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, October 5, 2022, at The Westin St. Louis, 811 Spruce Street, St. Louis, Missouri. Robert G. Brinkmann, P.E., Chair, called the meeting to order at 10:30 a.m. The following Commissioners were present: Gregg C. Smith, Terry L. Ecker, W. Dustin Boatwright, P.E., and Brian Treece. Commissioner Warren K. Erdman was present via teleconference.

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.

* * * * *

* * * * *

Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Wednesday, October 5, 2022. Patrick McKenna, Director of the Missouri Department of Transportation, was present via teleconference.

* * * * *

*“Department” or “MoDOT” herein refers to Missouri Department of Transportation.
“Commission” or “MHTC” herein refers to Missouri Highways and Transportation Commission.*

-- CLOSED MEETING --

VOTE TO CLOSE MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(1) – Legal actions and attorney-client privileged communications.
2. Section 610.021(3), (13) – Personnel administration regarding particular employees.
3. Section 610.021(11), (12) – Competitive bidding specs, sealed bids, or negotiated contracts.

Upon motion duly made and seconded to convene in closed session, the Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Brinkmann, Aye
Commissioner Smith, Aye
Commissioner Ecker, Aye
Commissioner Boatwright, Aye
Commissioner Erdman, Aye
Commissioner Treece, Aye

The Commission met in closed session on Wednesday, October 5, 2022, at 7:30 a.m., recessed at 8:00 a.m., reconvened at 9:30 a.m., and adjourned at 10:30 a.m.

* * * * *

-- OPEN MEETING --

COMMISSION/DIRECTOR ITEMS

WARREN K. ERDMAN QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On August 12, 2022, Governor Michael Parson appointed Warren K. Erdman of Kansas City to the Missouri Highways and Transportation Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified, vice Michael Thomas Waters, Jr., resigned. Mr. Erdman was duly sworn on August 23, 2022, in Union Station in Kansas City by United States Eighth Circuit Judge Duane Benton.

Later, on September 14, 2022, the Governor withdrew the appointment prior to the start of a Special Session of the General Assembly. On October 5, 2022, the Governor reappointed Mr. Erdman to the Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified. Mr. Erdman was duly sworn on October 5, 2022, in St. Louis, Missouri via teleconference by Pamela J. Harlan, Secretary to the Commission.

* * * * *

BRIAN TREECE QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

On August 12, 2022, Governor Michael Parson appointed Brian Treece of Columbia to the Missouri Highways and Transportation Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified, vice John W. Briscoe, term expired. Mr. Treece was duly sworn on September 6, 2022, in the Governor's Office at the Capitol in Jefferson City by Supreme Court Judge Patricia Breckenridge.

Later, on September 14, 2022, the Governor withdrew the appointment prior to the start of a Special Session of the General Assembly. On October 5, 2022, the Governor reappointed Mr. Treece to the Commission for a term ending March 1, 2027, or until his successor is duly appointed and qualified.

Mr. Treece was duly sworn on October 5, 2022, in St. Louis, Missouri by Pamela J. Harlan, Secretary to the Commission.

* * * * *

ROTATION/ELECTION OF CHAIR AND VICE CHAIR

In keeping with Section 226.030.2 of the Revised Statutes of Missouri, two members of the Commission from opposing political parties and who have the most seniority in Commission service, shall serve as Commission leadership with one member as chair and the other member as vice chair, respectively. With Commissioner Briscoe’s term ended, there remains a vacancy in the Vice-Chair position. Commissioner Ecker nominated Commissioner Smith to serve as Vice-Chair until March 1, 2023. Commissioner Treece seconded the nomination, and it was approved unanimously. Commissioner Brinkmann will continue to serve as Chair until March 1, 2023.

* * * * *

COMMISSION WORKSHOP: DEBT AND BONDING PROGRAM

The Commission held a special meeting to discuss the Commission’s outstanding debt and proposed Amendment 3 bond issuances for the Third Lien State Road bonds, Series A 2022. The department supports future targeted bond issues for projects with long term benefits that comply with the MHTC’s conservative Debt Management Policy. The Commission currently has \$1.265 billion in outstanding bonds. This workshop reviewed the department’s debt management history, and what steps will need to be taken to issue bonds for transportation projects.

Bond financing allows the department to provide much needed infrastructure improvements to the traveling public sooner than pay-as-you-go funding allows. Building projects sooner results in cost savings by reducing project inflation costs, while at the same time advancing economic development, improving safety, and easing congestion. The Commission has a five-lien structure in place: Senior Lien

bonds, Amendment 3 bonds (First Lien, Second Lien, and Third Lien) and Federal Reimbursement bonds {Grant Anticipation Revenue Vehicle (GARVEE) Bonds}.

History

The following is a summary of the recent history of Commission bond issuances. During the 2000 legislative session, the Missouri General Assembly passed legislation authorizing the MHTC to borrow up to \$2.25 billion of bonds. The intent was to jumpstart road and bridge construction prior to passing a statewide tax increase for transportation. From December 2000 through November 2003, the Commission borrowed a total of \$907 million for statewide construction projects through four bond series. The Commission did not utilize the entire bonding authority after Proposition B, a proposal to increase the state motor fuel tax by four cents per gallon and the general sales tax by one-half percent, was defeated in 2002. The funds borrowed under this authority are referred to as Senior Lien Bonds. This lien is closed except for refunding and the final payment date for the Senior Lien Bonds is February 1, 2023.

In November 2004, Amendment 3 was voter-approved as a constitutional amendment and redirected a portion of the statewide sales tax on motor vehicle purchases from the state's General Revenue Fund to a newly created State Road Bond Fund. The law mandated the redirected revenue be used to repay bonds until January 1, 2009. After January 1, 2009, the amount not needed for debt service or to maintain a reserve would require a General Assembly appropriation of the unused funds from the State Road Bond Fund to the State Road Fund, which would then be used on pay-as-you-go projects. The Commission borrowed a total of \$2.2 billion through eight series of Amendment 3 Bonds.

The Focus on Bridges Program (FOB) constructs, reconstructs, rehabilitates, or significantly repairs 250 bridges from around the state. These bonds were issued under the third lien of Amendment 3 even though the repayment source is from General Revenue. There were two series of bonds issued for FOB, the 2019B and 2021A series combined provided funds totaling \$301 million for projects. Of the

250 bridge projects, there have been 242 projects awarded and the remaining 8 projects will be awarded in 2023.

The final payment date for all Amendment 3 Bonds is May 1, 2029.

From 2008 to 2010, three major projects utilized debt financing: the New I-64 in St. Louis, the Safe and Sound Bridge Improvement Program, and the Stan Musial Veterans Memorial Bridge in St. Louis. The Commission used GARVEE Bonds, which is debt used to finance federal transportation improvements, to pay for all or a portion of the projects. The Commission borrowed a total of \$928 million through five GARVEE Bond series. The final payment date for the GARVEE Bonds is May 1, 2033.

The MHTC borrowed funds using various types of bonds. The largest percentage was tax-exempt fixed rate debt. In 2009 and 2010, the MHTC utilized Build America Bonds (BABs), which are sold as fixed rate taxable bonds that receive an interest subsidy payment from the U.S. Treasury. The BABs utilized by the MHTC resulted in lower net interest rates when compared to the traditional tax-exempt bonds. The MHTC currently has \$602.9 million of BABs outstanding. In the past the Commission had variable rate debt, but all those bonds were paid off in 2015. The Commission currently does not have any variable rate debt. All of the Commission's current debt will be paid off in 2033.

Policy

The issuance of new debt by the Commission will be in accordance with the Commission's Debt Management Policy. The Commission first approved its Debt Management Policy in May 2000, with the latest revision approved by the Commission in February 2019. The Commission adopted a Debt Management Policy to ensure that each debt financing is completed in the most efficient and effective manner and in accordance with the best practices of the industry to achieve the Commission's fiscal management goals and objectives. The Debt Management Policy limits the amount of debt the Commission can borrow by capping annual debt service to no more than five percent of the annual Total

Road and Bridge Revenue, not including Amendment 3 revenues. New or additional funding sources, such as Amendment 3, may be designated for the exclusive purpose of covering debt service to advance construction projects and these may be considered beyond and apart from the five percent limit. Debt obligations include debt service on bonds; lease payments on vehicles, equipment, and office buildings; and repayment to local entities for accelerated program payments. The accelerated program is MoDOT's reimbursement to other entities, usually local governments, for proceeds they provided to accelerate construction projects. When comparing the Commission's estimated debt obligations compared to the estimated debt limitations, the Commission is in compliance with the Debt Management Policy. The Commission's policy helps the department maintain the best credit ratings and limits the duration of debt. The Commission's policy is conservative and allows the department to focus on preserving the existing system through asset management and continue to be able to operate and maintain the system.

Proposed Bond Issuance

Amendment 3 debt is a repeatable issuance for construction projects with revenue that is available to pay the debt. It is a good way to plan to pay for future capital needs. With a significant portion of Amendment 3 debt being paid off in 2026, it creates additional capacity for a bond issuance that staff proposed for the Commission's consideration. Another option is for a bond issuance to pay off callable bonds early to save the interest costs. The callable bonds will be callable in 2024. At this time staff are not pursuing the option to pay those off, and are letting those go to term.

After reviewing available revenue and the amount of debt paid off, over the next ten years there is capacity of being able to borrow about \$1.5 billion, but not all at once, rather to spread that out in repeatable \$500 million issuances every three or four years. The first issuance is what is being proposed today. This \$500 million debt has been built into the financial forecast and planning process for the Statewide Transportation Improvement Program (STIP). Director McKenna noted that beyond this proposed issuance there is an additional \$200 million of capacity. There may be a need to request

additional resources should a proposal to rebuild I-70 be brought forward, similar to the manner in which the FOB program was established. The point of issuing debt in increments is to create a stable program, hopefully on an increasing basis, to make sure there is continued contractor availability and good competition on projects by providing a stable outlook.

The proposed debt issuance will provide \$500 million of funds for project costs, and the term of the debt is 10 years. Interest only payments start in November 2023, principal and interest payments start in May 2024. The estimated true interest cost is 4.55 percent.

The department is planning to proceed with a competitive sale for the Third Lien State Road Bonds, Series A 2022. This issuance is projected to be in compliance with the Debt Management Policy and below the debt limitations. The proposed bond sale schedule will begin with a presentation to the rating agencies on October 17. On October 28, the Series A 2022 ratings will be released. On November 2, the department will seek Commission approval of the resolution authorizing the sale of the bonds. At the December 6 Commission meeting, the department will report the final sale results, with anticipated delivery of the funds on December 14. The Commission's current credit rating remains high with each credit rating agency. These good ratings are anticipated to continue with this new debt issuance. After the sale, the department will file the necessary Continuing Disclosure/Post-Issuance Compliance reports. The department will also continue to produce its annual debt management report for the July Commission meeting and summarize any debt activity for the year.

Following discussion, the Commission commended the department and its leadership for its excellent stewardship of transportation revenues over the years. The Commission also commended the department for their educational presentation of the Commission's debt management. No action was taken at this meeting as recommendations for action will be made by the department at a later date.

* * * * *

APPROVAL OF MINUTES

Upon motion by Commissioner Smith, seconded by Commissioner Ecker, the Commission unanimously approved the minutes of the regular meetings held on July 6, 2022, and August 3, 2022, and special meeting held on August 2, 2022. 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.

* * * * *

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 October 5, 2022, Consent Agenda

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

* * * * *

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 Chairman also serves on the Missouri Coalition for Roadway Safety Executive Committee. The following committee and board reports were made during the October 5, 2022, meeting.

Audit Committee – Commissioner Brinkmann reported the next audit committee meeting is scheduled for November 2022.

Legislative Committee – Commissioner Brinkmann noted the Missouri General Assembly completed its annual veto session. In conjunction with this year's veto session, Governor Parson reconvened the legislature for a special session. The Governor asked the legislature to consider a series of tax credits for agricultural purposes, plus an income tax cut for businesses and individuals stemming from an influx in state revenues.

While there were no attempts to override any vetoed bills from the 2022 session, the legislature continued to debate a handful of different tax measures. On Thursday, September 29, the General Assembly approved the income tax related measures and on October 4, they approved the tax related measures for agriculture.

Commissioner Brinkmann concluded with noting the special session ended on October 4, 2022.

Missouri Transportation Finance Corporation (MTFC) – Commissioner Smith stated the MTFC Board held a meeting on October 4, 2022. The board received its fourteenth certificate of achievement from the Government Finance Officers Association for excellence in financial reporting. Commissioner Smith recognized Brenda Morris, Todd Grosvenor, and the Financial Services team for their fine work that earned this award. The next MTFC meeting will be held in February 2023.

MoDOT and Patrol Employees' Retirement System (MPERS) – Commissioner Ecker reported the Board met on September 22, 2022 and reviewed the annual actuarial valuation. MoDOT's contribution rate was set at 58 percent of payroll. The next regular Board meeting will be November 17, 2022.

Missouri Coalition for Roadway Safety Executive Committee – Commissioner Brinkmann explained the Missouri Coalition for Roadway Safety Executive Committee met on September 27 in advance of the 2022 Missouri Highway Safety and Traffic Conference. The meeting was well attended with a number of

items being discussed, including results from Missouri’s revamped paid media strategy, legislative priorities for 2023, and plans for expanding the Buckle Up Phone Down program.

Commissioner Brinkmann recognized that Buckle Up Phone Down (BUPD) Day will be held on October 21, 2022. The day will also kickoff the second annual BUPD High School Showdown, a friendly competition hosted by MoDOT and AAA to see which school can secure the most BUPD pledges from students, faculty, friends, and family.

Following the Executive Committee meeting, the Coalition held its annual Highway Safety and Traffic Conference. This year’s conference was attended by 500 people and featured presentations from both national, state, and local experts. The opportunity to network with other safety advocates throughout Missouri is essential to implementing the state’s strategic plan, *Show-Me Zero*. Attendees left the conference energized for the work ahead with a list of new ideas and strategies to consider in their respective communities.

The next Missouri Coalition for Roadway Safety Executive Committee meeting is tentatively planned for January 2023.

* * * * *

DIRECTOR’S REPORT

During the October 5, 2022, Commission meeting, Deputy Director Ed Hassinger provided the following report:

Highway Safety Conference – Director McKenna reported the annual Missouri Highway Safety and Traffic Conference was held last week in Columbia. The conference provides an opportunity to bring together all the partners in the Missouri Coalition for Roadway Safety to collaborate on ways to bring Missouri highway fatalities to zero. Director McKenna played a short clip of the opening remarks from the conference.

Governor’s Infrastructure Visits – Director McKenna stated that during the month of September, Governor Parson visited several more road and bridge projects to show the importance of infrastructure in Missouri. Commissioner Smith joined the visit to the I-44 and Mulroy Road interchange project near Springfield. Commissioner Boatwright participated in the event on Route 162 near Portageville in the Bootheel at the site of three Governor Focus on Bridge projects. Chairman Brinkmann visited the I-270 North project in St. Louis County to see the progress on this major interstate reconstruction.

There were also two ceremonies this past month: one to mark the completion of work and one to break ground to start a project. Director McKenna thanked Commissioner Smith for participating in the Route 50 and Chipman Road bridge ribbon cutting in Lee’s Summit. This project had been a major closure in a busy area to a replace a bridge in the Governor’s Focus on Bridge program. Director McKenna thanked Commissioner Boatwright for joining Lieutenant Governor Kehoe for the groundbreaking in Poplar Bluff for the US 67 south project. These events and ceremonies are important in the communities showing progress as improvements are made to the roads and bridges.

Day of Remembrance – Director McKenna shared on September 15, the MoDOT team paused to reflect, remember, and honor 138 fallen MoDOT workers. Ceremonies were held at the district offices, and it marked the tenth year for the statewide memorial at Central Office. The names of each employee were

read by employees from across the state. The safety pledge was read by all with a commitment to take action and watch each other so everyone goes home safely every day.

Local Bridge and Transportation Alternative Programs – Director McKenna reported last Friday, the department released the selected bridge list for the local bridge programs including the Bridge Repair Off-System (BRO) and Bridge Formula Program (BFP) as well as the project list for the transportation alternatives program (TAP). The list of local bridges that have been funded with these pass-through federal programs for the next three years includes 145 bridges in 82 counties, not including the St Louis District, for an estimated \$121 million dollars in total project costs. The past average number of bridges per year from these programs was 20-30 bridges per year versus this year’s average of over 48 per year. In the St. Louis area, the regional metropolitan planning organization, the East-West Gateway Council of Governments, will still have to designate funded bridges for their area.

The Transportation Alternatives Program (or TAP) funds are federal funds that pass through MoDOT to local entities based upon population of the governmental entity. The eligible projects relate to bicycle and pedestrian projects focused on safety, providing access to or between existing community bicycle and pedestrian facilities or to other mobility options, or to connect to destinations like schools, employment, shopping, and recreational areas. A two-year funding list of 84 projects for an estimated \$38 million in total project costs has been selected for the rural parts of the state. The metropolitan planning organizations in Springfield, Kansas City, and St. Louis will also designate funded projects in those areas.

Overall, there has been more money designated for these local pass-through programs, which present great opportunities for projects at the local government level. This does come with the challenge of the local entities having to have the required federal matching funds and keeping projects planned and moving to spend the funds on a yearly basis just as the department has to on the state level to be eligible for the federal dollars.

* * * * *

PUBLIC COMMENTS

APPRECIATION FOR FUNDING I-70 IMPROVEMENT

Steve Ehlmann, St. Charles County Executive, thanked the Commission for funding the project to improve the congestion under a railroad bridge on I-70 that has not been improved in over 50 years. He noted that the funding for the project is in the current fiscal year, and it could not have come at a better time. He commented that there was recently a groundbreaking in Warren County for a facility that will employ over 6,000 employees. Mr. Ehlmann commented that Wentzville is one of the fastest growing communities in the region, possibly in the state. So, thank you for recognizing this and getting this transportation improvement constructed which will be beneficial to the surrounding communities.

* * * * *

PUBLIC PRESENTATIONS

ST. LOUIS REGION TRANSPORTATION PARTNERS

Tishaura Jones, City of St. Louis Mayor; Taulby Roach, Bi-State Development Chief Executive Officer (CEO); and Jim Wild, East-West Gateway (EWGW) Council of Governments Executive Director, presented on the importance of transportation in the region. Mr. Wild explained the St. Louis region has a wide range of transportation needs. He provided the statistics about the region including the region consists of eight counties, with 203 municipalities. The region covers 7,900 square miles and the metropolitan planning organization (MPO) area includes 2.5 million people. The economy of the region generates \$141 billion per year with over 150,000 businesses. Transportation includes 10,600 miles of roads which includes 776 miles are interstate. He noted this is a very large area and that MoDOT is a major partner with EWGW

Mr. Wild explained the MPO is governed by a board of 24 members that include elected officials and a few citizens from both Missouri and Illinois. The MPO's mission is to work on transportation planning, and the regional council of governments also does a lot of community planning and research, and serves as a clearinghouse for regional security funds.

He shared that more money is always good for the region. This region includes thirty-three percent of the state's population and produces forty-three percent of the state's gross domestic product. The region also has thirty-eight percent of the state's employment, and forty-five percent of the state's salaries are generated here. He stated that even with this significant monetary contribution to the state, the region receives less than thirty percent of state funding for transportation.

The MPO approved a program with 258 MoDOT projects totaling \$1.9 billion, which is a lot of work in the region. In this region there are projects on Interstates 70 and 270 that are underway and several recently completed projects. Some projects are needed to address transit. He expressed

appreciation for the recent increase in funding this year for transit but noted more is needed, not just for the region, but statewide.

Mayor Jones shared her concern regarding the need to keep streets safe for pedestrians, bicyclists, and motorists. She shared the need to expand and improve Metrolink in the city. She noted how this will lead to economic development in the city as well. The recent passage of a sales tax will help expand this service along a new north and south corridor. The city has developed a mobility and transportation master plan that includes the entire city and all modes of transportation.

Mr. Roach shared the proposed new corridor for Metrolink will be along the Jefferson corridor. This route will stop near Union Station and the new soccer stadium. This new route will serve communities with affordable housing and new growing job centers at National Geospatial-Intelligence Agency (NGA). This corridor will also provide access to educational and health services. The next steps for this ambitious project include submitting a proposal to the federal government for grant funding.

Commissioner Smith thanked them for their presentation and shared his concern about the need for safer options for pedestrians and bicyclists and encouraged today's speakers to continue to seek the additional funding needed for these projects.

* * * * *

MODOT PRESENTATIONS

UPDATE ON I-270 NORTH DESIGN-BUILD PROJECT

On behalf of the Director, Eric Kopinski, I-270 North Design Build Project Director, and Thom Kuhn, Millstone Weber President, provided an update on the I-270 North design build project. On November 6, 2019, the Commission approved the Millstone-Weber design-build team as the best value proposal for the I-270 North design-build project in St. Louis County. The goals of the design-build project are to deliver the project by December 1, 2023, within the programmed budget of \$278 million; maximize reliability and safety while linking communities for all users; provide a durable and

maintainable transportation network making I-270 the conduit for a prosperous region; grow and utilize a diverse workforce; and minimize and mitigate impacts to customers through innovation. The project budget of \$278 million includes engineering, stipend, right of way, and utilities. By contract dollar amount, this project remains the largest single contract MoDOT has taken the lead for in the past decade (since the Safe and Sound program was completed in 2012). The project currently remains both on schedule and on budget.

He shared the significant need for this project which also presents several challenges. On average a total of 140,000 vehicles per day utilize mainline I-270. Heavy traffic also utilizes several north/south routes which cross at I-270; these include Lindbergh Boulevard, West Florissant, New Halls Ferry, and Route 367. Not only will this project address congestion issues, but it will also provide pedestrian facilities as well.

St. Louis County contributed \$6.37 million to the I-270 North project after the project was awarded. These funds are designated to helping with additional shared use improvements throughout the corridor. A portion of these funds are being used to provide a longer bridge on I-270 over New Florissant Road and a longer bridge on I-270 over New Halls Ferry. By doing this it will allow for dual turn lanes from the northbound and southbound directions. Originally the project was only funded to provided single turn lanes.

Extensive community outreach and engagement has taken place for the I-270 North project. Local residences, local businesses, schools, and elected officials are routinely reaching out to the project team for updates or information. The project team proactively utilized community leaders within the corridor and region to help distribute project information. This approach has resulted in better acceptance of the project's short-term and long-term changes. The project has a monthly newsletter, which features upcoming project changes, and includes a popular community spotlight from various leaders who share their thoughts on the progress of the project. The project has also attempted to humanize those working

on the project with a section titled the ‘Faces of 270’. In this section, various workers are featured to share their role on the project. Many of the project team has close ties to the area. The project team has utilized social media to engage with the public throughout the project. Twitter, Facebook, and Instagram are being used to provide regular updates. The I-270 North has a regularly updated project website, www.i270north.org with frequent use including about 1,500 different users who engage in 2,500 sessions on the website. The most popular features of the website are upcoming traffic impacts, virtual detours, and final configuration drawings.

The project reports monthly on the workforce progress and Disadvantaged Business Enterprise (DBE). Currently, the project has over 600,000 hours worked with an excellent safety record. Of those hours twenty-two percent are minority and eighteen percent are female, exceeding the goals for the project of fourteen percent minority and seven percent female. The DBE goals for the project were established at eighteen percent construction and twenty-two percent professional service. The project team is currently on pace to meet the DBE goal and have over \$45 million in work for DBE firms. There are ten on the job training positions.

Mr. Kopinski shared a day in the life of the project. There is over \$1.5 million worth of work per week with around 100 workers on site daily. The project averages five different lane drops per day and on average one long term closure/opening per week. There are over 50 different companies working on the project. The team has been contacted countless times by residents, businesses, and elected officials.

Mr. Kuhn shared this project has been great for the community and he expressed his appreciation for having a sizeable project to work on in Missouri. He noted the project is going well despite the challenges. These challenges include the worldwide COVID-19 pandemic, and motorists speeding excessively through the work zone. But he expressed his appreciation for local law enforcement efforts to provide a safer work environment daily. He described the implementation of Project Pave, a program that started with seven schools and is now growing into schools in the city. Ms. Vivian Hays shared this

effort is to bring quality people to the pipeline for the industry. Twelve seniors have graduated, seven went to college, and five are employed on the project. The program was only supposed to be four sessions but has been expanded and now ten sessions have been conducted. The opportunities presented to the young people through this program includes not only skills for heavy construction work, but also life skills including personal financial management.

Commissioners Ecker and Boatwright thanked Mr. Kopinski for his presentation and Mr. Kuhn and Ms. Hays for their work with the youth and workforce development.

* * * * *

UPDATE FROM MODOT'S ST. LOUIS DISTRICT

On behalf of the Director, Tom Blair, St. Louis District Engineer, provided to the Commission an overview of the current state of roads, bridges, projects, workforce, and other critical issues in the St. Louis District. There are four counties and the city of St. Louis in this district. There are 5,736 lane miles of roads in the district along with 1,153 bridges. The district also maintains 1,056 traffic signals, 169 dynamic message signs, and 677 roadway cameras.

The district is authorized 690 employees, but only has 567 active employees. Just one year ago, the district had 110 more people working in the district than today. The district is focused on recruiting and has filled its community liaison position to ensure a MoDOT presence at job fairs, local events, presentations, and the like seeking applicants to work at MoDOT. The district also recognizes its employees for meritorious service awards, retirements, and employees with long terms of service with the department.

The district operates the transportation management center providing customer service 24 hours a day 7 days a week. They field calls and issue call reports to address concerns including potholes, signals, trash and debris, winter weather, and congestion. Additionally, the emergency response team provided 21,680 assists the past year.

There is a lot of work involved in operating the transportation system in the St. Louis district. Litter and road debris is significant, and 21,000 hours are spent on this effort. Additionally, there are 17 contracts to mow grass and pick up litter and one dedicated litter pick up contract on the interstates once a month. The district also has a robust adopt-a-highway program where volunteers help with this effort. This is a tremendous amount of resources to pick up tons of trash routinely. Another part of operations is locating utilities and responding to over 16,000 requests for these locates.

In the area of safety, Mr. Blair reported in the district there have been 178 fatalities from crashes. While alcohol related crashes have decreased there has been a significant increase in fatalities for those age 21 and under and an increase involving vulnerable users such as pedestrians. He also shared those crashes involving a truck mounted attenuator has decreased since last year but there were still 11 TMA crashes in the district.

In the project delivery side of the district, there are 78 projects being designed in the district totaling \$526 million. The district right of way office cleared 451 parcels and sold over \$1.6 million in excess parcels in fiscal year 2022. Mr. Blair noted there are 105 active construction projects in the district valued at \$808 million. He shared information about four of those projects: I-255 Jefferson Barracks Bridge, I-64 at 22nd Street and Jefferson, I-44 at Route 30 and Route 47, and US 67 at West Alton. He then highlighted a few projects that were on the high priority unfunded needs list and have been moved to the STIP.

Commissioner Boatwright thanked Mr. Blair for his presentation and noted the complexity of the district and how the team addresses the challenges it faces.

* * * * *

EMPLOYEE HEALTH AND WELLNESS UNIT UPDATE

On behalf of the Director, Ashley Halford, Assistant to the Chief Administrative Officer-Employee Health and Wellness provided an overview of the responsibilities and accomplishments of the Employee

Health and Wellness Unit. Unit employees regularly interact with and provide assistance to active employees and retirees from MoDOT and MSHP to help address medical concerns. The MoDOT Employee Health and Wellness unit consists of 15 full-time employees, 1 temporary part-time employee, and 2 contract employees from Anthem.

The Benefits Unit includes responsibility for management and implementation of the medical and life insurance plans, and the total wellness for MoDOT and Missouri State Highway Patrol (MSHP) employees and retirees. The Medical and Life Insurance Plan is a self-funded medical plan, contracted with Anthem to provide medical services and MedImpact for pharmacy services. In 2021 there were \$135 million in total claims which includes \$100 million in medical claims, and \$35 million prescription claims. The plan covers 27,000 lives including employees, retirees, and dependents. With the commission's recent action maintaining rates without an increase for 2023, the plan has had no premium increases for active employees for 6 consecutive years.

The unit is able to offer several health and wellness tools to employees including: Anthem.com, the Sydney App, Live Health Online, Walker Tracker, Learntolive, and Wondr Health. These tools are accessible online for all to use at a time that is convenient for them.

The Fit for Duty section of the Employee Health and Wellness Unit is responsible for the management of the department's workers' compensation program, as well as the administration of the drug and alcohol testing programs and pre-employment/post-offer physical programs. The Fit for Duty group also participates in the fit for duty review team which is a process that looks at employees with physical restrictions and apply the principles of the Americans with Disability (ADA) Act to see if we can safely employ them in a physically demanding position. The Fit for Duty activities are self-funded and paid from the self-insurance fund which also funds the department's fleet and general liability claims.

MoDOT averages just under 600 claims a year and the MSHP averages just over 300 claims per year. The most common injuries include slips, trips, and falls but there are also some very serious injuries

from TMA hits to auto crashes to burns. Treatments range from anything as simple as a few physical therapy visits, to more serious incidents where an employee is hospitalized for months. The goal at the end of the day is to ensure the employee gets the medical treatment they need so they can get back to work. On a normal day the workers compensation adjusters are working with medical provider's office to set up appointments, obtain medical records; they also work with nurse case managers to help coordinate care between different providers, or they may be working with legal counsel to resolve a claim through the Division of Workers Compensation. In 2020 there was a reduction in claims for MoDOT and a higher than normal number of claims for the MSHP. This is a result of the impact of COVID on work activities.

Drug and alcohol testing is conducted for pre-employment; post accidents (if they meet the criteria outlined in policy); random; reasonable suspicion; and return to work.

The unit was instrumental in the department's COVID-19 response. MoDOT served as the pilot agency for sentinel testing program where 11,256 tests were administered. The unit was on the forefront of planning and coordinating mass vaccine events in the state. MoDOT was ahead of a lot of the health care field with vaccine clinics. The unit worked with the Safety and Emergency Management Team to connect with the State Emergency Management Agency's (SEMA's) DMAT group to coordinate vaccine clinics across the state. This effort resulted in approximately 5,257 state employees getting vaccinated across 20 different agencies.

Commissioner Smith thanked Ms. Halford for the presentation and commented that offering these benefits to our employees is a big job and being able to offer this with such a small staff is commendable.

* * * * *

RESOLUTIONS

RESOLUTION EXPRESSING APPRECIATION TO JOHN W. BRISCOE FOR OUTSTANDING SERVICE ON THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

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

WHEREAS, John W. Briscoe was appointed to the Missouri Highways and Transportation Commission by Governor Jeremiah “Jay” Nixon on December 4, 2015, and served a term of over six years; and

WHEREAS, Commissioner Briscoe served as Chairman of the Commission from March 2020 until September 2020, and as Vice-Chairman of the Commission from September 2020 until March 2021; and

WHEREAS, Commissioner Briscoe brought to the Commission a distinguished background in public service and, as a result, unique knowledge of highway and transportation issues, astute understanding of public funding and fiduciary responsibility, and respect for the perspectives and input of Missouri’s diverse populace; and

WHEREAS, during his tenure on the Commission, Commissioner Briscoe performed his duties with extraordinary professionalism, integrity, dignity, and the desire for his actions to reflect the best interest of all Missourians; and

WHEREAS, Commissioner Briscoe was instrumental in many positive changes within MoDOT, as evidenced by Commission approval of the design-build project that replaced the Champ Clark Bridge on U.S. 54 over the Mississippi River at Louisiana, this project was completed in August 2019; and

WHEREAS, Commission concurrence in revisions to the Commission’s Statewide Transportation Improvement Program Funding Allocation Policy which allocated additional funding for asset management of the state’s rural roads; and

WHEREAS, in his service to the Missouri Department of Transportation, Commissioner Briscoe was a transportation advocate whose influence on transportation policy culminated in the successful passage of Senate Bill 262 in May 2021 that increased the state motor fuel tax by 2.5 cents every fiscal year for five years until the motor fuel tax increase reaches 12.5 cents per gallon. This once in a lifetime funding proposal allows the department to continue to provide a transportation system that is safe, reliable, and promotes prosperity in Missouri; and

WHEREAS, Commissioner Briscoe’s interest and concern for others endeared him to fellow members of the Missouri Highways and Transportation Commission and department staff.

NOW, THEREFORE, BE IT RESOLVED that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Commissioner Briscoe for the public service he has performed for the citizens of Missouri and extends to him best wishes in his future endeavors.

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

* * * * *

RESOLUTION EXPRESSING APPRECIATION TO DAVID D. AHLVERS FOR HIS MANY ACHIEVEMENTS AND ACCOMPLISHMENTS

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

WHEREAS, David D. Ahlvers began his career with the Missouri Highways and Transportation Department on May 1, 1983, and served the people of Missouri with distinction for over thirty-seven years; and

WHEREAS, Mr. Ahlvers moved through increasingly responsible assignments starting as a summer maintenance laborer, to construction inspector, to resident engineer, then in several leadership positions in the St. Louis, Kansas City, and St. Joseph districts culminating in his appointment to State Construction and Materials Engineer, a position he served in for nineteen years; and

WHEREAS, through Mr. Ahlvers' outstanding engineering expertise and leadership abilities, many major transportation projects were brought to fruition, one of the most notable being the completion of four lanes on US 36 across northwest Missouri: and

WHEREAS, Mr. Ahlvers was continually interested in, and focused on, the development and well-being of department employees, mentoring many employees who are in senior management positions, and

WHEREAS, Dave's interest in and concern for others endeared him to his colleagues and friends, his keen sense of humor would brighten any occasion, his knowledge of the department and the districts, coupled with his ability to share an entertaining tale made him a valuable resource that many relied upon; and

WHEREAS, throughout his career, Dave Ahlvers, 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 the construction industry for the betterment of Missouri's transportation system. His skill set of maintaining a steady and calm demeanor during negotiations led to his success in resolving conflicts, reflected during his tenure by a minimal number of contractor claims; and

WHEREAS, Dave Ahlvers maintained the AASHTO, NVLAP, and ISO testing certifications for the materials testing laboratory that can perform the highest number of certified tests of any other lab in Missouri and is the envy of many state departments of transportation. Through his support of the lab, he has fostered innovation that resulted in projects like the department's use of recycled materials including shingles and ground rubber in asphalt; and

WHEREAS, Mr. Ahlvers was the first State Construction and Materials Engineer to lead the merged divisions of materials, construction, and research. During his nineteen years of service in this leadership role he led the division in partnering with the construction industry to deliver 8,382 completed projects worth over \$21 billion for Missourians and the traveling public; and

WHEREAS, Dave Ahlvers recognized the importance of balancing family and career and is a loving husband, devoted father, and dedicated grandfather 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 Dave Ahlvers for his service to the citizens of Missouri and extends to him best wishes in his future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dave Ahlvers 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.

* * * * *

ADMINISTRATIVE RULES / POLICIES

REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING – MOTOR CARRIER SERVICES ADMINISTRATION

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented the final orders of rulemaking for 7 CSR 10-1.020, Subpoenas, 7 CSR 265-10.017, Records of the Division, and 7 CSR 265-10.035, Application for Self-Insurer Status. The department reviewed and recommended changes to the rule to comply with the requirements of Section 536.175, RSMo, which requires all rules to be reviewed on a rolling five-year cycle. The proposed changes included an amendment to authorize attendance of witnesses by video conference in addition to in-person attendance, update information incorporated by reference and replace an obsolete application and filing process.

At the June 2, 2022, meeting, the Commission authorized the filing and publication of proposed amended rules for 7 CSR 10-1.020, Subpoenas, 7 CSR 265-10.017, Records of the Division, and 7 CSR 265-10.035, Application for Self-Insurer Status. Following Commission approval, staff filed these rules

with the Joint Committee on Administrative Rules and the Office of the Secretary of State, who published the proposed amended rules in the *Missouri Register* for public comment. The public had from July 15, 2022, to August 15, 2022, to submit comments in support of or in opposition to the notices of amended rulemakings. No comments were received during the public comment period.

After consideration, the Commission, via approval of the consent agenda, unanimously approved the final orders of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Engineer to execute documents to complete the final rulemaking process.

* * * * *

**REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING –
MOTOR CARRIER SERVICES INTERSTATE OPERATIONS**

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented the final orders of rulemaking for 7 CSR 10-25.030, Apportion Registration Pursuant to the International Registration Plan, 7 CSR 10-25.070, Definitions, 7 CSR 10-25.071, Application for International Fuel Tax Agreement License, 7 CSR 10-25.080, Investigation and Audits, and 7 CSR 10-25.090, Appeals. The department reviewed and recommended changes to the rule to comply with the requirements of Section 536.175, RSMo, which requires all rules to be reviewed on a rolling five-year cycle. These rules were amended to update information incorporated by reference, allow electronic filing of IFTA applications, and to authorize attendance of reviewees by video conference in addition to in-person attendance

At the June 2, 2022, meeting, the Commission authorized the filing and publication of proposed amended rules for 7 CSR 10-25.030, Apportion Registration Pursuant to the International Registration Plan, 7 CSR 10-25.070, Definitions, 7 CSR 10-25.071, Application for International Fuel Tax Agreement

License, 7 CSR 10-25.080, Investigation and Audits, and 7 CSR 10-25.090, Appeals. Following Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of the Secretary of State, who published the proposed amended rules in the *Missouri Register* for public comment. The public had from July 15, 2022, to August 15, 2022, to submit comments in support of or in opposition to the notices of amended rulemakings. No comments were received during the public comment period.

After consideration, the Commission, via approval of the consent agenda, unanimously approved the final orders of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Engineer to execute documents to complete the final rulemaking process.

* * * * *

**REPORT AND RECOMMENDATION REGARDING FINAL ORDERS OF RULEMAKING –
MOTOR CARRIER SERVICES SAFETY AND COMPLIANCE OPERATIONS**

On behalf of the Director, Becky Allmeroth, Chief Safety and Operations Officer, presented the final orders of rulemaking for 7 CSR 10-25.010, Skill Performance Evaluation Certificates for Commercial Drivers, and 7 CSR 265-10.025, Marking of Vehicles. The department reviewed and recommended changes to the rule to comply with the requirements of Section 536.175, RSMo, which requires all rules to be reviewed on a rolling five-year cycle. These rules were amended to remove reference to vision examinations and the professions that perform such examinations in order to match federal motor carrier safety regulations on the subject, and to update information incorporated by reference.

At the June 2, 2022, meeting, the Commission authorized the filing and publication of proposed amended rules for 7 CSR 10-25.010, Skill Performance Evaluation Certificates for Commercial Drivers,

and 7 CSR 265-10.025, Marking of Vehicles. Following Commission approval, staff filed these rules with the Joint Committee on Administrative Rules and the Office of the Secretary of State, who published the proposed amended rules in the *Missouri Register* for public comment. The public had from July 15, 2022 to August 15, 2022 to submit comments in support of or in opposition to the notices of amended rulemakings. No comments were received during the public comment period.

After consideration, the Commission, via approval of the consent agenda, unanimously approved the final orders of rulemaking and authorized the Secretary to the Commission to file the final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State, and authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, Assistant Chief Engineer, Chief Administrative Officer, or Chief Safety and Operations Engineer to execute documents to complete the final rulemaking process.

* * * * *

BUSINESS ISSUES

MEDICAL AND LIFE INSURANCE PLAN: RE-APPOINTMENT OF BOARD MEMBER

The Commission established and approved guidelines for a self-insured Medical and Life Insurance Plan for employees of the Department and the State Highway Patrol on November 9, 1977. The guidelines established a board of trustees to manage the operations of the Plan. Potential board members and the board chairman are recommended by either the Department Director or the State Highway Patrol Superintendent, and are subject to Commission approval.

On behalf of the Director, Ashley Halford, Medical and Life Insurance Plan Board Chairman, recommended approval of the re-appointment of Lt. Stephen Burgun as a Missouri State Highway Patrol active employee representative, for a term ending November 2028 or until a successor is named. Stephen Burgun served as an active employee representative since April 2019, and has been recommended by Colonel Eric Olson, Missouri State Highway Patrol Superintendent.

Ms. Halford also recommended the re-appointment of Mr. Ben Reeser as a Missouri Department of Transportation active employee representative, for a term ending November 2028 or until a successor is named. Ben Reeser served as an active employee representative since September 2011, and has been recommended by Patrick McKenna, Missouri Department of Transportation Director.

Ms. Halford also recommended the re-appointment of Mr. Jeffery Padgett as a Missouri Department of Transportation retired employee representative, for a term ending November 2025 or until a successor is named. Jeffery Padgett served as a retired employee representative since December 2019, and has been recommended by Patrick McKenna, Missouri Department of Transportation Director.

Via approval of the consent agenda, the Commission unanimously approved the re-appointments of Lt. Stephen Burgun, Mr. Ben Reeser, and Mr. Jeffery Padgett for terms as described above.

* * * * *

MISSOURI DEPARTMENT OF TRANSPORTATION FISCAL YEAR 2024 AMENDED APPROPRIATIONS REQUEST AND FISCAL YEAR 2023 AMENDED SUPPLEMENTAL APPROPRIATIONS REQUEST

On behalf of the Director, Todd Grosvenor, Financial Services Director, presented the fiscal year 2024 amended appropriations request for \$4.9 billion, and the fiscal year 2023 amended supplemental appropriations request for \$8.1 million. MoDOT’s fiscal year 2024 appropriations request and fiscal year 2023 supplemental appropriations request was approved by the Commission on September 7, 2022. The fiscal year 2024 amended appropriations request and fiscal year 2023 amended supplemental appropriations request include revised amounts for the Enterprise Resource Planning Unit. The original fiscal year 2024 appropriations request and fiscal year 2023 supplemental appropriations request did not include the Enterprise Resource Planning Unit and the amended requests include increases of \$0.4 million.

Mr. Grosvenor recommended approval of the amended proposed fiscal year 2024 appropriations request totaling \$4.9 billion, and the amended proposed fiscal year 2023 supplemental appropriations request totaling \$8.1 million. Via approval of the consent agenda, the Commission unanimously approved

the amended proposed fiscal year 2024 appropriations request totaling \$4.9 billion, and the amended proposed fiscal year 2023 supplemental appropriations request totaling \$8.1 million as noted in the table below.



**Fiscal Year 2024 Appropriations Request
By Appropriation Detail
(Dollars in Thousands)**

<u>Appropriations</u>	<u>Fiscal Year 2022 Actual Expenditures</u>	<u>Fiscal Year 2023 TAFP¹ Budget</u>	<u>Fiscal Year 2024 Appropriations Request</u>
Administration	\$ 20,655	\$ 27,586	\$ 28,466
Safety and Operations ²	\$ 393,661	\$ 545,610	\$ 576,750
Program Delivery ^{2,3}	\$ 1,481,610	\$ 2,256,676	\$ 2,655,651
FFIS	\$ 87,352	\$ 101,441	\$ 119,609
Multimodal ²	\$ 101,695	\$ 311,292	\$ 353,888
Fringe Benefits	\$ 198,021	\$ 246,357	\$ 255,681
Refunds and Transfers ⁴	\$ 568,364	\$ 785,745	\$ 885,745
Total MoDOT Appropriations Request	\$ 2,851,358	\$ 4,274,707	\$ 4,875,790

¹ Fiscal year 2023 Truly Agreed to and Finally Passed (TAFP) budget.

² Includes federal funds MoDOT pays to contractors and providers for goods and services.

³ Includes appropriations for Contractor Payments, Design and Bridge Consultant Payments, Accelerated Program, Right of Way and Federal Pass-Through.

⁴ Appropriation request amount is \$1 in the event the appropriation is needed.

* * * * *

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 Call G07 has 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 September 16, 2022, letting, as recommended, and noted in Table I below; (2) Rejection of Calls A06, B01, D02, and F04 due to excessive bids per Section 102.15(a) of the Missouri Standard

Specifications for Highway Construction as noted in Table II below; and (3) Award of contract to the lowest responsive bidder for Call G07, contingent upon receiving funding as noted in Table I below;

**Table I
Award of Contracts
September 16, 2022, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A05	33	Clinton, Dekalb	JNW0011	\$2,907,250.98	\$0.00	Ideker, Inc.	Resurface
B03	136	Schuyler	J2P0791	\$6,148,918.48	\$0.00	Emery Sapp & Sons, Inc.	Bridge Removal
	6	Adair	J2P2193				Bridge Replacement
C01	169	Clay	J4P3295	\$2,243,622.58	\$0.00	Radmacher Brothers Excavating Co., Inc.	Intersection Improvements
C02	V	Jackson	J4S3351	\$2,627,987.91	\$0.00	Ideker, Inc.	Coldmill and Resurface
C03	58	Cass	J4S3272	\$1,347,820.13	\$5,000.00	Radmacher Brothers Excavating Co., Inc.	Intersection Improvements
C04	24	Jackson	J4P3409	\$7,000,000.00	\$0.00	Ideker, Inc.	Coldmill and Resurface
C05	Various	Cass, Clay, Jackson	JKU0013	\$572,302.60	\$0.00	AAD Contracting, Inc.	Bridge Rehabilitation
C06	T	Lafayette	J3S3174	\$2,853,856.26	\$0.00	Radmacher Brothers Excavating Co., Inc.	Bridge Replacement
D01	V, DD, U	Phelps	J5S3472	\$484,714.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat and Guardrail
D03	Various	Camden, Laclede	J5P3494	\$854,572.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
D04	I-70 EB	Callaway	J5I3455	\$2,489,161.31	\$0.00	Emery Sapp & Sons, Inc.	Pavement Repair
D05	CC, AD	Callaway	J5S3441	\$4,406,646.84	\$0.00	Magruder Paving, LLC	Resurface
	Various		J5S3520				
D06	134	Miller	J5S3571	\$1,028,435.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Seal Coat
	AA,D,Y,H	Cole, Miller, Morgan	J5S3474				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D07	BB, MM	Camden, Laclede	J5S3493	\$1,899,449.06	\$0.00	Willard Asphalt Paving, Inc.	Resurface
D08	I-44	Crawford	JCDM0024	\$106,465.26	\$0.00	Emery Sapp & Sons, Inc.	Diamond Grinding
F03	100	St Louis	J6M3418	\$268,813.42	\$0.00	Infrastructure Management, Inc.	Drainage Repair and ADA
G01	65	Benton	J7P3449	\$12,680,000.00	\$0.00	APAC-Central, Inc.	Resurface
			J7P3212				Coldmill and Resurface
			J7P3451				
	54	Camden, Hickory	J7P3450				Coldmill and Resurface
	65	Dallas	J7P3391				
	65	Benton, Dallas, Hickory	J7P3453				
G02	US-60	Greene, Webster	J7P3271	\$3,167,823.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Coldmill and Resurface
		Greene	J8P3122B				
G04	59	McDonald	J7P3428	\$1,999,500.00	\$0.00	West Plains Bridge & Grading, LLC dba West Plains Bridge & Grading	Streambank Stabilization and ADA Improvements
G05	54	Cedar, Vernon	J7P3452	\$4,226,228.95	\$0.00	APAC-Central, Inc.	Coldmill and Resurface
G07	65	Greene	J8P3043	\$1,487,349.00	\$0.00	Blevins Asphalt Construction Company, Inc.	Coldmill and Resurface
	Battlefield Rd.		J8S3212*				
	Cherry St.		J8S3221				Bridge Rehabilitation
H01 and H02	77	Mississippi	J9S3405	\$3,630,775.20	\$0.00	Apex Paving Co.	Resurface
	AB	Stoddard	J9S3526				

TOTAL: \$64,431,691.98 \$5,000.00

^ Focus on Bridges Program

* Call G07 – Funding by City of Springfield – \$211,667.00 (J8S3212 only)

**Table II
Rejection of Bids
September 16, 2022, Bid Opening**

Call No.	Route	County	Job No.	Description
A06	Various	Chariton, Grundy, Linn, Livingston	JNW0027	Resurface
B01	79	Marion	J2P3357	Bridge Replacement, Grading, Drainage, and Paving
D02	A, Z, NN	Camden	J5S3578	Resurface
F04	61, 67, 50	St. Louis	J6S3281	ADA, Signals, Coldmill and Resurface

Commission Consideration and Action

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

1. Awarded contracts to the lowest responsive bidders for bids received at the September 16, 2022, bid opening, as recommended, and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected Calls A06, B01, D02, and F04 due to excessive bids per Section 102.15(a) of the Missouri Standard Specifications for Highway Construction as noted in Table II above.
3. Awarded contract to the lowest responsive bidder for Call G07, contingent upon receipt of funding as noted in Table I above.
4. Authorized the Director, Deputy Director/Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Smith abstained from Calls G01 and G07. Commissioner Brinkmann abstained from Call F04. Commissioner Boatwright abstained from Call H02.

REPORT AND RECOMMENDATIONS REGARDING THE ST. LOUIS SAFETY IMPROVEMENTS (J6P3496 AND J6P3496B), INCLUDING AUTHORITY FOR DESIGN-BUILD DELEGATION OF AUTHORITY

On behalf of the Director, Tom Blair, St. Louis District Engineer, recommended the Commission approve the St. Louis Safety Improvements as a Design-Build project and approve authority be delegated to the Deputy Director/Chief Engineer or his designee to approve and execute documents and expend funds on behalf of the Missouri Highways and Transportation Commission for the following items on the St. Louis Safety Improvements Design-Build Project:

- **Escrow of Bid Documents** – Approve authority to execute agreements, affidavits, and related documents and expend funds for costs associated with the escrow of bid documents on the project.
- **Agreements** – Approve authority to execute agreements with local governments including other entities for cost-share, enhancements, use of property, environmental mitigations, utilities, etc. on the project, subject to approval as to form by the Chief Counsel’s Office (CCO) and the Commission Secretary’s (CS) attestation.
- **Railroad Agreements** – Approve authority to execute agreements pertaining to railroads, subject to approval as to form by CCO and CS attestation.
- **Construction Change Orders** – Approve authority to approve construction change orders on the project.
- **Consultant Engineering Services** – Approve authority to execute contracts for engineering services needed subject to approval as to form by CCO and CS attestation and in keeping with the Brooks Act, 40 USC 1101 et seq. and 23 CFR 172.5 as well as Section 8.285 RSMo.
- **Other** – Approve authority to expend funds for the project, as well as approve, execute, sign and seal project specific documents.
- **Design Exceptions** – Approve authority to sign design exceptions specific to the design of the project currently delegated to the State Design Engineer and the State Bridge Engineer, subject to consultation with the department’s technical experts per the Design Exception Process in MoDOT’s Engineering Policy Guide.

Project changes resulting from this delegation will not exceed the cap of two percent over the programmed cost or those changes will be taken back to the Commission. The St. Louis Safety Improvements procurement process will begin Fall 2022. Funds for this project are included in the Statewide Transportation Improvement Program. The project is estimated at \$42.535 million total for right of way, utility relocation, and the design-build contract. Via approval of the consent agenda, the

Commission unanimously approved the St. Louis Safety Improvements as a Design-Build project and delegation of authority as recommended and noted above.

* * * * *

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	50/61/67	J6S3281
Greene	744	J8S3172
Perry	51	J9P3857, J9P3857B, J9P3857C
St. Francois	221	J9S3610
Butler	67	J9P3751

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.

* * * * *

-- REPORTS --

REPORTS

The Commission received the following written reports.

MEDICAL AND LIFE INSURANCE PLAN: MISSOURI DEPARTMENT OF TRANSPORTATION AND MISSOURI STATE HIGHWAY PATROL MEDICAL AND LIFE INSURANCE PLAN REPORT

On behalf of the Director, Ashley Halford, Assistant to the Chief Administrative Officer, Employee Health and Wellness, provided financial and claims data reports for the period January 2022 through June 2022, and for the most recent five calendar years to update the commission on the cost and utilization of the Medical and Life Insurance Plan. The number of claims processed monthly in the first six months of calendar year 2022 increased 20.7 percent compared to the first half of calendar year 2021. Medical claims increased 48.6 percent, and pharmacy claims decreased 1.7 percent when compared to the same timeframe in 2021.

There was an increase of 5.7 percent in 2021 total claims expense when compared to 2020, and a 3.7 percent increase in pharmacy spending from 2020 to 2021. This increase can be attributed to an increase in the cost of specialty drug claims.

The State Paid Life Insurance program provides a death benefit equal to the employee's annual salary. If the death is work-related, this benefit is three times the employee's annual salary. This benefit is provided at no cost to the employee. Through June 2022 there were 12 active employee deaths, two of which were work related.

The total operating revenues decreased 0.47 percent compared to the same period in 2021. This is primarily the result of there being no change in medical premiums in 2021, and a slight decrease in the number of covered individuals. The Medical Plan had a loss of \$6.6 million in the first half of calendar year 2022; resulting in a net position of \$48,542,870 as of June 30, 2022.

* * * * *

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 was one briefing report for the past month.

* * * * *

FINANCIAL - BUDGET - REPORTS – YEAR-TO-DATE, FINANCIAL REPORT PERIOD ENDING AUGUST 31, 2022

Todd Grosvenor, Financial Services Director, provided to the Commission the Financial Report for fiscal year to date, August 31, 2022, with budget and prior year comparisons.

* * * * *

CONSULTANT SERVICES CONTRACT REPORT

Travis Koestner, State Design Engineer, submitted a written report of consultant contracts executed in the month of August 2022, 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 468 active contracts held by individual engineering consultant firms prior to August 1, 2022. Seventeen engineering consultant services contracts were executed in August 2022, for a total of \$7,427,079. There were zero non-engineering consultant contracts executed in August 2022.

* * * * *

* * * * *

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

* * * * *

* * * * *

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.

* * * * *