

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
LITTLE ROCK, ARKANSAS

December 16, 2015

ADMINISTRATIVE CIRCULAR NO. 2015-18

TO: ALL DIVISION HEADS AND DISTRICT ENGINEERS

We are transmitting herewith for your information and records a copy of the Minutes of the Commission Meetings in Little Rock, AR on December 2, 2015.

After making a careful review of these proceedings, please take appropriate action through designated lines of authority to forward the carrying out of any orders applying to your respective divisions and districts.



Scott E. Bennett
Director of Highways
and Transportation

c: Commission

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

December 2, 2015

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 2, 2015. Members present were:

Dick Trammel, Chairman
Thomas B. Schueck, Vice Chairman
Robert S. Moore, Jr., Member
Frank D. Scott, Jr., Member
Alec Farmer, Member

2015-103 IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., December 2, 2015.

2015-104 WHEREAS, the Purchasing Committee has awarded supply and service contracts, in accordance with authority previously conveyed, all of which have been documented by official minutes which are of record in the files of the Commission and Equipment and Procurement Division.

NOW THEREFORE, IT IS ORDERED that the action of the Purchasing Committee be ratified and confirmed in all particulars.

2015-105 WHEREAS, the Department uses professional architectural and engineering consultant services to supplement staff resources to deliver construction programs in a timely and efficient manner; and

WHEREAS, contracts with architectural and engineering consultants (A/E firms) are based on qualifications and negotiated fees; and

WHEREAS, negotiated fees for each A/E firm include an overhead cost rate that is audited by the A/E firm's Certified Public Accountant (CPA); and

2015-105 - Continued

WHEREAS, the Department is required to review and approve each A/E firm's CPA audited overhead cost rate to ensure compliance with the Federal Acquisition Regulation; and

WHEREAS, it has been determined that staff resources need to be supplemented in order to conduct these reviews in a timely manner.

NOW THEREFORE, the Director is authorized to request and evaluate proposals from Certified Public Accounting firms that are qualified to perform reviews of overhead cost rates.

FURTHERMORE, upon Commission approval, the Director may enter into any necessary contracts and agreements with the selected firms to be on-call to perform review work when the need is identified.

2015-106

WHEREAS, some state highways are posted for weight restrictions below the maximum weight limits allowed by State law; and

WHEREAS, the "Process for Establishing Roadway Maintenance Assessments on Weight Restricted Highways" to accommodate non-divisible overweight loads by permit was developed and implemented in 2008; and

WHEREAS, current Maintenance Assessment agreements expire on December 31, 2015 and evaluations have determined that new values for the Roadway Maintenance Assessment payments by the permit applicants are warranted to recover damage costs on the weight restricted highways.

NOW THEREFORE, the Director is authorized to enter into new agreements with permit applicants and to implement the new values for the Roadway Maintenance Assessment schedule. The new agreements shall be in effect until December 31, 2016.

2015-107

WHEREAS, the Moving Ahead for Progress in the 21st Century Act authorized funding for the Transportation Alternatives Program (TAP) and the Recreational Trails Program (RTP) in Federal Fiscal Years 2013-2015; and

2015-107 - Continued

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users authorized funding for the Safe Routes to School Program (SRTS) in Federal Fiscal Years 2005-2012; and

WHEREAS, applications were solicited and received for these three programs from December 1, 2014 to May 1, 2015; and

WHEREAS, the Arkansas State Highway and Transportation Department, the Transportation Alternatives Advisory Committee, the Arkansas Recreational Trails Advisory Committee and the Safe Routes to School Advisory Committee have reviewed the applications submitted and developed funding recommendations.

NOW THEREFORE, the Director is authorized to enter into contracts with the projects' sponsors for implementation of the projects included in the attached lists.

2015-108

WHEREAS, IN CRITTENDEN, POINSETT AND CRAIGHEAD COUNTIES, the American Association of State Highway and Transportation Officials (AASHTO) has approved the redesignation of US Highway 63 from the junction with US Highway 49 South in Jonesboro to Interstate 55 in Turrell as Interstate 555; and

WHEREAS, US Highway 63 provides the only transportation link across the St. Francis River Sunken Lands between the cities of Payneway and Marked Tree; and

WHEREAS, under current federal law, once US Highway 63 is converted to Interstate 555, agricultural vehicles that currently receive weight and federal bridge formula variances while operating on non-Interstate highways will be denied access; and

WHEREAS, this would result in requiring non-permitted traffic to use a 90- to 120-mile roundtrip detour to travel between Payneway and Marked Tree via the nearest northern and southern routes across the St. Francis River Sunken Lands; and

WHEREAS, Senator Boozman and Congressman Crawford have included an exemption from the federal weight and bridge formula requirements for the segment between Payneway and Marked Tree in both the Senate and the House transportation bills that are currently in conference in order to allow US Highway 63 to be signed Interstate 555 while preventing an adverse impact to the agricultural industry in the area; and

WHEREAS, in anticipation of a possible federal exemption, Arkansas' statutes were changed during the 2015 Special Legislative Session to mirror this exemption to allow current agricultural vehicle operations once US Highway 63 is designated part of the Interstate system.

NOW THEREFORE, IT IS ORDERED that upon enactment of the federal exemption, approval by the Federal Highway Administration, and official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- Highway 63, a portion of Section 6, Sections 7, 8, 9 and 10 from the junction with US Highway 49 South in Jonesboro, southeasterly to the junction of Interstate 55 in Turrell is hereby redesignated as Interstate 555, Sections 1, 2, and 3.

FURTHERMORE, the Department will submit an application to AASHTO for approval to also designate the segment of US Highway 63 from the junction of Highway 91 to US Highway 49 South in Jonesboro as Interstate 555.

2015-109

WHEREAS, IN LINCOLN COUNTY, Job 020356, Hwy. 212 – Hwys. 11/425 Connector (Bs. & Surf.) has been completed; and

WHEREAS, Lincoln County has agreed to accept all responsibility, including ownership of Highway 114, Section 3, beginning at the junction with Highway 65, in Gould and continuing north to the junction with County Road Number 812, known locally as Douglas Road, in accordance with Arkansas Code Annotated § 27-65-109.

NOW THEREFORE, IT IS ORDERED that upon official notification by the Deputy Director and Chief Engineer, the following changes are hereby made to the State Highway System as shown on the attached sketch.

- Highway 114, Section 3, is hereby removed from the State Highway System.

2015-110

WHEREAS, the Intermodal Surface Transportation Efficiency Act of 1991 established a National Scenic Byway Program and encouraged the states to develop State Scenic Byway Programs; and

WHEREAS, Arkansas Highway Commission Minute Orders 91-513, 92-009, 93-091, and 97-044 authorized the establishment of an Arkansas Scenic Byways Program and adopted the criteria by which routes can be designated as Scenic Byways; and

WHEREAS, the Arkansas Mississippi River Parkway Commission, representing residents, businesses, and individuals in each of the ten counties through which the Great River Road passes, in 2001 requested that the Great River Road, as designated by Act 392 of 1999, be designated as an Arkansas Scenic Byway; and

WHEREAS, Arkansas Highway Commission Minute Order 2001-041 designated the Great River Road, as designated by Act 392 of 1999, a Scenic Byway; and

WHEREAS, the legislative designation of the Great River Road was amended by Act 1189 of 2015, making minor route changes in the designation; and

WHEREAS, this route meets the aforementioned Arkansas Highway Commission criteria for Arkansas Scenic Byway designation.

NOW THEREFORE, the Commission hereby designates the Great River Road, as amended by Act 1189 of 2015, as an Arkansas Scenic Byway.

2015-111

WHEREAS, IN CRAWFORD COUNTY, in the vicinity of the City of Dyer, local officials have requested a study to determine the need for and feasibility of adding on and off ramps to Interstate 40 at the Ridge Road overpass; and

WHEREAS, other possible mobility enhancement alternatives should also be investigated.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements in this area.

2015-112

WHEREAS, IN SALINE AND PERRY COUNTIES, a crash analysis of Highway 9, Sections 5 and 6 from Crows to Highway 10 has been completed; and

WHEREAS, the predominant type of crashes on this segment is roadway departure crashes; and

WHEREAS, the analysis identified three countermeasures such as shoulder and lane widening at curves, resurfacing, and shoulder rumble stripes to address roadway departure crashes and provide substantial safety benefits; and

WHEREAS, the Arkansas Strategic Highway Safety Plan (2013) identified roadway departure crashes as a primary emphasis area; and

WHEREAS, these improvements are eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with plans and construction of this safety improvement project at the locations shown on the attached map as funds become available.

2015-113

WHEREAS, IN ASHLEY COUNTY, the Quorum Court of Ashley County, by Resolution No. 2015-6, has acknowledged Highway 82-East Overpass in Montrose as the “Betty Gay Shuler Overpass”; and

2015-113 - Continued

WHEREAS, the Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2014-023, and the actions taken by the Ashley County Quorum Court meets these guidelines.

NOW THEREFORE, the Director is authorized to allow the installation of one sign in each direction on the approaches to this bridge on Highway 82 in accordance with Commission Policy.

2015-114 WHEREAS, the Arkansas State Highway Commission received bids on the following projects at the December 1, 2015 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110147	01	CROSS	BRANCH OF CANEY CREEK STR. & APPRS. (S)	284	N
110557	01	CRITTENDEN	HWY. 131-NORTH (S)	147	N
020543	02	GRANT	MOORE'S SLOUGH TRIBUTARY STR. & APPRS. (S)	291	N
BB0305	03	HEMPSTEAD	HWY. 67-SHEPPARD (F)	30	Y
030449	03	MILLER	ARKANSAS WELCOME CENTER RECONST. (RED RIVER) (S)	71	Y
040207	04	CRAWFORD & WASHINGTON	DEVIL'S DEN-WEST (S)	220	N
040582	04	WASHINGTON	RAZORBACK RD.-GARLAND AVE. (HWY. 112) (FAYETTEVILLE) (S)	112	Y
040641	04	WASHINGTON	MIDDLE FORK WHITE RIVER STR. & APPRS. (FAYETTEVILLE) (S)	16	Y
050251	05	WHITE	HWY. 16-HWY. 67 (S)	13	N
050274	05	FULTON	GUT CREEK STR. & APPRS. (S)	63	Y
060395	06	PULASKI	UNION PACIFIC RR OVERPASS (ARCH ST.) (LR) (S)	367	Y
061333	06	PULASKI	I-430/HWY. 10 INTERCHANGE IMPVT. (L.R.) (S)	10 & 430	Y
061348	06	PULASKI	UPRR/PARKWAY DR. STR. & APPRS. (S)	365	Y
061437	06	PULASKI	I-30/I-430 INTERCHANGE IMPVT. (L.R.) (PH. II) (S)	30 & 430	Y

2015-114 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
061441	06	GARLAND & SALINE	HWY. 128-BENTON (SAFETY IMPVTS.) (S)	5	Y
070281	07	UNION	HWY. 335-OUACHITA RIVER (S)	167	Y
070365	07	COLUMBIA	HWY. 79 NO.-CO. RD. 525 (MAGNOLIA) (S)	82	Y
080397	08	FAULKNER	HWY. 25 RELOCATION (I-40-NORTH) (S)	25	Y
080492	08	FAULKNER	I-40-THOMAS G. WILSON DR. (CONWAY) (S)	65B & 286	Y
080497	08	JOHNSON & POPE	ARKANSAS TOURIST INFORMATION CENTER (BIG PINEY) (S)	40	Y
090330	09	CARROLL	CO. RD. 704-WEST OF HWY. 103 SOUTH (S)	62	Y
090373	09	BENTON	HWY. 264-PLEASANT GROVE RD. (S)	265	Y
CA1001	10	CRAIGHEAD	MONETTE BYPASS (S)	18	Y
012230	VAR	VARIOUS	SHOULDER RUMBLE STRIPS/STRIPES (SEL.SECS.) (DISTS.4,8,9) (S)	VAR	Y
BR5611	10	POINSETT	LEFT HAND CHUTE OF LITTLE RIVER STR. & APPRS. (S)	---	-

WHEREAS, a thorough bid review and analysis is undertaken by the Department to ensure that only those projects are awarded which are judged to be in the best interests of the State; and

WHEREAS, the right is retained to reject any or all proposals, to waive technicalities, or to advertise for new proposals, also as judged to be in the best public interests of the State; and

WHEREAS, the Commission desires to expedite work on these important projects; and

WHEREAS, in accordance with Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain powers to the Director of Highways and Transportation.

2015-114 - Continued

NOW THEREFORE, upon the Contractors furnishing the necessary performance and payment bonds and submitting all additional information required for the above mentioned projects, the Director is hereby authorized to enter into contracts and supplemental agreements for any projects deemed to be in the best interests of the State. Further, the Director is authorized to reject any or all proposals, to waive technicalities, and/or to advertise for new proposals whenever deemed to be in the best interests of the State.

2015-115 WHEREAS, the Arkansas State Highway Commission will receive bids on the following projects at the January 13, 2016 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110217	01	PHILLIPS & LEE	WALNUT CORNER-CYPRESS CORNER (S)	1	Y
110573	01	ST. FRANCIS	L'ANGUILLE RIVER RELIEF STR. & APPRS. (S)	261	N
020419	02	LINCOLN	WELLS BAYOU STR. & APPRS. (S)	54	N
020562	02	GRANT	BIG CREEK STR. & APPRS. (S)	270	Y
BB0310	03	MILLER	HWY. 108-HWY. 67 (S)	30	Y
040642	04	WASHINGTON	HWY.45/OLD WIRE RD. SIGNAL & INTERS. IMPVTS. (FAYETTEVILLE) (S)	45	Y
CA0501	05	WHITE	TURNER RD.-CO. RD. 5 (WIDENING) (S)	64	Y
BB0610	06	PRAIRIE	WHITE RIVER STR. & APPRS. (F)	40	Y
BB0611	06	PULASKI	BANKHEAD DR.-ARK. RIVER BRIDGE (S)	440	Y
061084	06	HOT SPRING	UPRR & PINE ST. STR. & APPRS. (DONALDSON) (S)	67	Y
061349	06	SALINE	BAUXITE & NORTHERN RR SPUR STR. & APPRS. (S)	183	Y
061391	06	GARLAND	STOKES CREEK STR. & APPRS. (HOT SPRINGS) (S)	---	-
061451	06	PRAIRIE	ARKANSAS TOURIST INFORMATION CENTER (WHITE RIVER) (S)	40	Y
070366	07	OUACHITA & COLUMBIA	MAGNOLIA-CAMDEN (PASSING LANES) (S)	79	Y
080426	08	FAULKNER	BONO-HWY. 124 (REHAB.) (S)	285	N

2015-115 - Continued

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
080443	08	POPE	WHITE OAK CREEK STR. & APPRS. (S)	64	Y
080446	08	PERRY	COFFEE CREEK STR. & APPRS. (S)	216	N
090375	09	MADISON	HWY. 23/HWY. 23C SIGNAL (HUNTSVILLE) (S)	23 & 23C	Y
100760	10	MISSISSIPPI	LEFT HAND CHUTE OF LITTLE RIVER STRS. & APPRS. (S)	77 & 140	Y
100807	10	CRAIGHEAD	PARKER ROAD EXTENSION (JONESBORO) (S)	---	Y
012155	08 & 05	FAULKNER & WHITE	VILONIA BYPASS-EAST (F)	64	Y
FA0625	07	BRADLEY	CO. RD. 4-CO. RD. 134 (SURFACING) (S)	---	-
BR3506	02	JEFFERSON	PLUM BAYOU STR. & APPRS. NO. 3 (S)	---	-

WHEREAS, a thorough bid review and analysis is undertaken by the Department to ensure that only those projects are awarded which are judged to be in the best interests of the State; and

WHEREAS, the right is retained to reject any or all proposals, to waive technicalities, or to advertise for new proposals, also as judged to be in the best public interests of the State; and

WHEREAS, the Commission desires to expedite work on these important projects; and

WHEREAS, in accordance with Arkansas Constitution, Amendment 42, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain powers to the Director of Highways and Transportation.

NOW THEREFORE, upon the Contractors furnishing the necessary performance and payment bonds and submitting all additional information required for the above mentioned projects, the Director is hereby authorized to enter into contracts and supplemental agreements for any projects deemed to be in the best interests of the State. Further, the Director is authorized to reject any or all proposals, to waive technicalities, and/or to advertise for new proposals whenever deemed to be in the best interests of the State.

Commission Chairman Dick Trammel brought up the previous Commission Minutes of October 14, 2015. The Minutes were approved without discussion.

MOTION

By motion on September 2, 2015, the Commission authorized the Department to advertise for a Financial Advisor to assist in the development of the 30 Crossing Project. Commission Robert S. Moore, Jr. moved, Commissioner Frank D. Scott, Jr. seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the joint venture of Ernst & Young Infrastructure Advisors, LLC of Philadelphia, PA; Stephens, Inc. of Little Rock; and High Street Consulting Group, of Chevy Chase, MD to provide financial services.

MOTION

The Commission approved Minute Order 2015-082 on September 2, 2015 authorizing the Department to solicit and evaluate proposals for the development and implementation of a Performance Management System, Job 012246. Commissioner Frank D. Scott, Jr. moved, Commissioner Alec Farmer seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with Halogen Software, Inc. of Ottawa, Ontario, Canada.

OTHER DISCUSSION ITEMS

Mike Boyd, Chief Fiscal Officer, provided the October 2015 update on state highway revenue. Mr. Boyd noted that state highway revenues to the Department from most traditional sources are up a total of \$3.1 million in the State Fiscal Year (SFY) 2016 compared to the same period for SFY 2015. With the revenue from the Natural Gas Severance Tax coming in significantly lower for this year compared to last year, total revenues available are \$6.6 million lower for this year. Actual state revenue received is \$0.1 million higher compared to projected (budgeted) revenue for this year.

In closing, Mr. Boyd stated that October revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 0.93% higher, (\$132,100) than projected by the Department of Finance and Administration (DF&A). This revenue source has come in higher than DF&A's projections for the past 4 months, and is cumulatively 0.09%, or \$349,000, over DF&A's projections to date.

Director Bennett provided the latest information on the Federal highway and transit funding issues. Director Bennett noted that the House, in a procedural move, adopted the Senate Developing Roadway Infrastructure for a Vibrant Economy Act (DRIVE Act), stripped its policy, and then amended it with its own. On November 5th, the House finalized the Surface Transportation Reauthorization and Reform Act (STRRA) and called for conference. Conference began November 18, and is continuing at this time.

Lawmakers are reportedly negotiating differences between funding levels, whether the bill will be five or six years, and resolving the difference between funding levels and Highway Trust Fund receipts.

On November 20, 2015, President Obama signed into law the Surface Transportation Extension Act of 2015, Part II. This legislation extends MAP-21 from November 20, 2015 until December 4, 2015. It extends the authority to expend funds from the Highway Trust Fund, and the authorization to obligate funds for programs administered by the Federal Highway Administration, the Federal Transit Administration, the National Highway Traffic Safety Administration, and the Federal Motor Carrier Safety Administration.

This is the 36th stopgap surface transportation measure passed by Congress in the last decade.

The legislation does not include any new money. Lawmakers included enough funding in the three-month transportation bill that was approved in July to last until the spring of 2016.

Director Bennett gave an update on the status of the 2011 Interstate Rehabilitation Program (IRP) and Connecting Arkansas Program (CAP). The 2011 Interstate Rehabilitation Program was approved by Arkansas voters in November 2011. Under this program, the Commission has the authority to issue up to \$575 million in GARVEE bonds for Interstate rehabilitation. Three series of bonds have been issued. The first was sold in September 2012 at a par value of \$197 million (true interest cost of 1.6%) with a premium of \$33 million (total of \$230 million available for construction). The second was sold in October 2013 at a par value of \$172 million (true interest cost of 2.2%) with a premium of \$29 million (total of \$201 million available for construction). The third was sold in November 2014 at a par value of \$206 million (true interest cost of

Discussion Item - Continued

2.1%) with a premium of \$37 million (total of \$243 million available for construction).

The Connecting Arkansas Program was approved by Arkansas voters in November 2012. Under this program, the Commission has the authority to issue up to \$1.3 billion in revenue bonds for four-lane highway construction. The first series of bonds was sold in September 2013 at a par value of \$469 million (true interest cost of 3.1%) with a premium of \$25 million (total of \$494 million available for construction). No other bond sales under this program are expected.

Director Bennett gave an update on the Governor's Working Group on Highway Funding. On April 23, 2015, Governor Asa Hutchinson issued an executive order to create the Governor's Working Group on Highway Funding. This group is serving as an investigative and advisory body of the Governor and is exploring alternative means and strategies to fund the construction, reconstruction and maintenance of Arkansas' roads and bridges. On May 6, the Governor named the members of the group, and seven meetings have been held to date – June 24, July 28, August 20, September 3, September 24, October 22, and November 19.

The group put together a menu of short-term options that will be presented to the Governor by December 15, 2015. Those recommendations will address the most critical, short-term, needs of the Department. The group plans to continue working beyond December 15 on funding options to address mid- and long-term needs.

Director Bennett presented a summary of the apparent low bids and bidders from the December 1, 2015 Bid Letting.

Chairman Trammel recessed the meeting at 11:40 a.m. for a lunch break that was catered in.

The meeting resumed at 12:15 p.m.

Director Bennett gave an overview of the Arkansas' Draft Statewide Transportation Improvement Program for Federal Fiscal Years 2016-2020. The Statewide Transportation Improvement Program (STIP) is Arkansas' federally required transportation improvement program that identifies all federally funded and regionally significant transportation and transit projects.

Federal funds cannot be obligated on any project that is not identified in the STIP.

The federal requirement for updating the STIP is four years; however the Department elects to update the STIP every three years to ensure that our plan never lapses.

Under past transportation legislation, the major federal requirements for STIP development were:

- Public Involvement
- Financial Constraint
- Metropolitan Planning Organization Coordination

With the passage of the Moving Ahead for Progress in the 21st Century, another major Federal requirement was introduced — performance management.

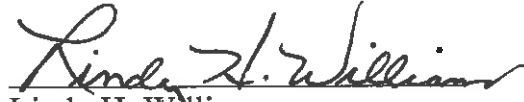
Director Bennett presented the Draft 2016-2020 STIP to the Commissioners by District. No additional action was necessary nor taken.

Director Bennett provided a list of upcoming meetings and events, including the Service Awards that will be held in each District during the month of December.

2015-116

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 1:40 p.m., December 2, 2015.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meeting on December 2, 2015.


Lindy H. Williams
Commission Secretary