

**MINUTES**  
**MICHIGAN STATE TRANSPORTATION COMMISSION MEETING**  
**July 26, 2012**  
**Midland, Michigan**

Meeting noticed in accordance with Open Meetings Act, Public Act 267 of 1976.

**Present:** Jerrold M. Jung, Chair  
Todd A. Wyett, Vice Chair  
Mike Hayes, Commissioner  
Charles Moser, Commissioner  
Linda Miller Atkinson, Commissioner

**Also Present:** Kirk Steudle, Director  
Frank E. Raha, Commission Advisor  
Amy Dickenson, Commission Executive Assistant  
Jack Cotter, Commission Auditor, Office of Commission Audit  
David Brickey, Attorney General's Office, Transportation Division  
Laura Mester, Chief Administrative Officer  
Greg Johnson, Chief Operations Officer  
Bob Ranck, Bay Region Engineer  
Jack Hofweber, Bay City TSC Manager  
Mark VanPortFleet, Director, Bureau of Highway Development  
Brenda O'Brien, Engineer of Construction & Technology  
Polly Kent, Administrator, Policy Division  
Kelley Bartlett, Director, Office of Governmental Affairs  
Jeff Cranson, Director of the Office of Communications  
Russ Jorgensen, Federal Highway Administration  
Bill Hamilton, House Fiscal Agency

**Absent:** Sharon Rothwell, Commissioner

A complete list of those people who attended the meeting is attached to the official minutes.

Chair Jung called the meeting to order at 9:07 a.m. in the Midland Center for Arts, Midland, Michigan.

Chairman Jung introduced Commissioner Mike Hayes. Commissioner Hayes gave a welcome, introduced Senator John Moolenaar, and welcomed a representative from Attorney General Bill Schuette's office who was in the audience. Commissioner Hayes gave a brief overview of the Midland Center for Arts and the role it plays as an important part of Midland's Community. Commissioner Hayes is the President of the Midland Center of Arts.

Mr. Deepak Gupta from the Midland County Road Commission welcomed the Commission to Midland. He discussed the road commission's relationship with MDOT and thanked the department for the collaboration on a recent bridge project.

I. **DIRECTOR'S REPORT**

Director Steudle discussed Map-21 and the Midland Metropolitan Planning Organization as part of his director's report.

***Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21)***

MAP-21 is the federal guidance and transportation act that provides transportation funding. It replaces SAFETEA-LU, which expired on September 30, 2009. MAP-21 was signed into law on July 6, 2012. It is a two-year bill, extending the current law through September 30, 2012.

*Investment levels:* MAP-21 extends funding at fiscal year 2012 levels, plus some inflation. It provides \$52.6 billion in funding, which is slightly higher than the \$50.1 billion SAFETEA LU provides. This is helpful because as the Five-year transportation plan is developed, MDOT can know the funding for those projects.

*Highlights:* MAP-21 is not friendly in the respect that it has watered down the minimum guarantee for donor states. There are no earmarks in the act. There is significant consolidation of the highway and transit programs within the act, giving states more flexibility. Approximately 100 programs will be impacted by the consolidation. Director Steudle discussed his role as the president of AASHTO and how states have varying problems. MAP-21 provides the states with the flexibility to deal with their specific needs. The act sets the broad goal, gearing states towards the specifics for their state.

Performance measures have been integrated into the planning process. The measures will be established by the U.S. DOT with input from the states and MPOs. The act includes heavy reforms to accelerate project delivery. There is an enhanced focus on freight, expanded options for innovative financing, and the transit program has gone from an earmark program to a formula based program. It requires Transit agencies to develop an Asset Management Plan, to ensure sustainability to go along with the funding.

The department is working with FHWA to determine how to ensure compliance with performance measurements. MDOT has to get going now because this is only a two-year bill. This means MDOT needs to start acting now and will need policy from the State Transportation Commission to provide direction to MDOT, which will likely require workshops to discuss the program.

***City of Midland MPO Eligibility***

The Census Bureau creates a new list of urbanized areas every 10 years. An urbanized area is a census-designated area with a population of 50,000 or more. The designation of an urbanized area has significant impacts on the metropolitan planning process within the urban area. Federal law requires that all new urbanized areas be represented by an MPO to carry out the transportation planning process. Data from the 2010 Census concluded that Midland's urban population was more than 59,000, qualifying it as a Census-designated Urbanized Area that requires MPO representation.

A Metropolitan Planning Organization (MPO) is a transportation policy making body made up of representatives from local units of government and transit providers who are responsible for carrying out the metropolitan transportation planning process. An MPO brings all local officials in the surrounding area into one organized body to discuss the technical issues and another body will discuss the financial aspect of it, such as where funding goes for the roads and bridges.

Director Steudle provided a slide depicting the affected area, reflecting the year 2000 urban area boundary of approximately 30 square miles and the year 2010 urban area boundary of approximately 44 square miles.

Benefits of becoming an MPO include having influence in identifying transportation-related projects in the area. Midland will have a smaller MPO than MPOs such as SEMCOG; however MPOs are all involved in the same things. The MPO helps promote local surface transportation and services. MPOs help by bringing people together and making a collective decision. MPOs also maximize tax-payer dollars by using dollars collected from the gas tax as a match for federal aid.

Commissioner Moser asked if an MPO needs a consensus decision or a majority.

Director Steudle stated that it depends on how they are set up and the rules they establish.

In August, discussions begin, which will include public meetings. In November the MPO Policy Board and bylaws will be created. In December the MPO package will be submitted to the Governor for designation. In February 2013 the Governor will designate Midland as Michigan newest MPO.

Commissioner Hayes asked if there is a staffing issue based on size and what are the limitations.

Director Steudle stated that the director of the MPO will work with the MPO board to determine the MPO's staffing needs, as it is a local decision.

Mr. Ranck stated that currently the Bay City MPO has three staff.

Director Steudle stated that the designation of the Midland MPO is a required process, making it eligible for federal funding. There are a lot of advantages.

***AMERICA's Transportation Awards (AASHTO)***

Director Steudle discussed the categories for these awards and explained they are categorized by size, small projects and larger projects. Two MDOT projects were selected.

Director Steudle introduced Greg Johnson, Chief Operations Officer, to present the Transportation Awards.

The I-75 Pinconning Project in Bay County received the award for early completion. The project was originally scheduled to take two-years to complete. MDOT's rehabilitation of the 32 lane miles was completed in less than one-year. The route needed substantial work. The 40-year old pavement was becoming more and more difficult to pay for and work with. Through partnership cooperation, collaboration, and communication, MDOT completed the project more than a year ahead of schedule. Mr. Johnson presented the award to Mr. Ryan McDonnell and Travis Phillips from MDOT's Bay Region.

The M-25 Bridge Replacement over the White River in Huron County received the America's Transportation Award for small projects under budget. This was a \$1.54 million project that improved safety for local traffic by replacing the deteriorating M-25 Bridge using accelerated bridge construction methods, which is part of FHWA's *Every Day Counts Initiative*. The bridge was completed in approximately three months and was under budget by more than 4 percent, which saved time in user delays and money for MDOT. The reduction in congestion time reduced the impact on tourism related to boating, fishing, jet skiing, and camping. Mr. Johnson presented the award to Mr. Dean Roggenbuck and Mr. Steve Katenhus from MDOT Bay Region.

## II. **BAY REGION UPDATE**

Bob Ranck, Bay Region Engineer, provided updates on projects within the Bay Region. Mr. Ranck discussed transitions that were made during the reinvention of MDOT. There are over 4,425 lanes miles, 1,015 structures, 44 carpool lots, 11 roadside parks, 10 rest areas, and one welcome center in the Bay region. In addition, Bay region has 38 snow plows and 62 maintenance vehicles. Of the 1,105 structures there are 674 bridges and 341 culverts. There are 82 scour critical bridges in the region and 75 structurally deficient bridges. The region is working hard to fix those bridges. Bay Region is at 88 to 89 percent good/fair for freeway bridges and 85% good/fair on non-freeway bridges.

Responder safety and quick responses are part of the goals of the region to keep motorists moving. Bay Region held workshops to train 433 emergency responders from 85 agencies. The focus was on mutual goals for all emergency responders relative to responder safety, communication, and safe and quick clearance. Mr. Ranck stated that there has been a decrease in clearance times.

Mr. Ranck discussed Bay Region's salt inventory, stating that the amount of salt the region is using has been going down. Salt usage is reviewed to budget and save money for the summer months. Counties and direct forces within the Bay Region are using the salt calibration scale, which reduces the time to calibrate salt application rates.

Mr. Ranck discussed Bay Region's 2012 Program. I-75 is getting a break this year; no work will be done on I-75 unless it is an emergency. He discussed the prior-year work, mostly on I-75. There have been a lot of challenges along the way, but the region is working on resolving those challenges. Since 2001, the region has been reconstructing, including 9 major projects on I-75.

Mr. Ranck also discussed the Region's highlights. The M-25 over Harbor Beach Creek was a "Bridge in a Backpack" project consisting of carbon tubes that are inflated and shaped into arches that are filled with concrete. Composite decking is put on top of the arches, the arches are filled with concrete, and then the road is backfilled prior to building the road section on the top. This will finish in August 2012, three weeks ahead of schedule.

He discussed the May 4, 2012 flooding in Genesee County that impacted the barrier wall along I-75 in Flint. There was an intense storm that caused considerable flooding. The roadway was opened within 20 hours due to the region's ability to redirect and keep traffic moving. Some shoulders needed to be fixed and culverts had to be replaced. There has been some erosion over the years, so fencing was put up and had to be moved three times.

Mr. Ranck also discussed an upcoming study of M-25's shore line erosion, work on the I-69 corridor, the concrete reconstruction from M-54 to Center Road planned for 2014 in Flint, and the Master Gardner partnerships that seven roadside parks have in the Bay Region. The seven Master gardeners come in and maintain the gardens at the roadside parks; the only thing the department supplies is the sprinkler systems.

Mr. Ranck discussed the Epoke system and distributing salt on the Zilwaukee Bridge. There is now one machine that has the ability to remove the ice and apply salt. The new machine has saved significant dollars.

The Clare Roundabout was discussed. The intersection where the roundabout was built had a significant crash history involving 14 serious or fatal crashes over a five-year period. Bi-level LED lighting was installed, which reduces the level of lighting when the roundabout is not being used.

The Pier Marquette Rail Trail is over 85 miles long and runs from Midland to Baldwin. The original trail was constructed in 1993 and completed in August of 2001. It provided recreation facilities for walking, biking, skating, and jogging. This is a jointly owned trail including MDOT, DNR, Isabella County Parks and Recreation, Midland County, city of Midland, City of Ewart, Clare County Parks and Recreation, Friends of Pere Marquette Rail & Trail, and Clare County.

Chairman Jung asked for an explanation of a scour critical bridge.

Mr. Ranck explained that it can occur when the footings slide. Scour of piers and abutments have a critical impact on bridge safety. MDOT monitors bridges to ensure they are safe and are inspected according to the inspection schedules.

***Zilwaukee Bridge:***

Mr. Ranck introduced Matt Chynoweth to provide an update on the Zilwaukee Bridge. Mr. Chynoweth discussed the CMCG process being used to do the bridge repair project. He discussed the process of securing a contractor. He stated that PCL is the contractor

that was selected by the selection committee. The team consists of MDOT, PCL Heavy Civil, and Corbin Engineering. The contractor's experience is segmental bridges.

Mr. Chynoweth discussed the management of the project, stating that every bearing manufacturer in the U.S. was solicited to see if they could provide a bearing that will fit into the bridge. The manufacturers submitted feasible designs and the contractor is requesting quotes from manufacturers to get the best price. He stated that thinner bearings do not require resetting of modular expansion joints and provide a savings approximately \$1,600,000. The thinner bearings also do not require external lateral restraint beams, providing a savings of approximately \$680,000. The same detail will be used at the joint and abutments, saving \$100,000 in fabrication and labor. There has been success with the temporary shoring; modular shoring towers will be used to lift the bridge, saving \$150,000 for materials. He stated the expansion joints also do not need to be reset. The new decision allowed them to fit in the lateral constraints.

Overall, there has been a \$3 million dollar savings because of the CMCG process. Mr. Chynoweth stated that there has been several high risk items have been identified and the contractor's means and methods are being discussed so that there are no surprises. The contractor, PCL, is out of Florida and will perform approximately 35% of the work. MDOT is encouraging PCL to secure Michigan contractors to do the remainder of the work, subbing work out to local Michigan contractors.

Commissioner Hayes stated it is good news that I-75 will not be disrupted this summer. He also noted that, in 2013 and 2014, there will be some disruption from the Zilwaukee bridge work. How will the construction and detours be handled?

Mr. Ranck stated that a plan is in place that will help deal with local business traffic, in addition to helping the region meet their mobility policy.

### III. COMMISSION BUSINESS

#### Commission Minutes

Chairman Jung entertained a motion for approval of the minutes from the State Transportation Commission meeting of June 28, 2012.

Moved by Commissioner Hayes, with support from Commissioner Wyett to approve the minutes from the State Transportation Commission meeting of June 28, 2012. Motion carried.

### IV. OVERSIGHT

#### Commission Agreements (Exhibit A) – Myron Frierson

Mr. Frierson discussed the recent bond sale, stating the department had record savings during this sale.

Mr. Frierson presented information on 29 agreements. Pending any questions, Mr.

Frierson asked for approval of Exhibit A; none were forthcoming.

Chair Jung entertained a motion. Motion was made by Commissioner Moser, and supported by Commissioner Atkinson to approve Exhibit A. Motion carried.

Bid Letting Pre-Approvals (Exhibit A-1 and Supplemental A-1) – Myron Frierson

Mr. Frierson presented Exhibit A-1 and Supplemental Exhibit A-1. Exhibit A-1 included 14 state projects and 13 local projects. Supplemental A-1 included on state project.

For the July 11, 2012, bid letting, 18 State projects with total engineers' estimates of \$23.05 million and total low bid dollars of \$21.93 million were let. The average low bid was \$1.2 million, and the median of \$469.3 thousand. Of the 18 State projects, 4 included warranties with the low bid total of \$13.9 million. In comparison to July of 2011, 16 State projects were let with a total engineers' estimate of \$25.0 million and total low bid dollars of \$25.5 million. There are currently 9 State projects that are TBA.

The State total number of projects let for fiscal year-to-date 2012 is 240 and the low bid total of \$453.1 million. Compared to the same period in fiscal year 2011, 245 State projects were let with low bids totaling \$598.0 million.

The total number of bids received for the 74 projects let July 11, was 329 for an average of 4.45 bids per project. Of the 329 bids received, 64 were received for the 18 State projects for an average of 3.56 bids per project. There were 127 contracting companies eligible to submit bids for the July bid letting with 100, or 78.7%, submitting at least one bid. In July of 2011, 148 contracting companies were eligible with 117, or 79.1%, submitting at least one bid.

The number of State trunkline projects anticipated to be let during FY 2012 is 327 with a total construction cost estimate of \$735.1 million. For fiscal year 2012 through July 11, 240 State projects of \$460.9 million in total estimates were let representing 73.4% of the total number of projects anticipated to be let and 62.7% of the total cost projection. In comparison to fiscal year 2011 through July, 245 State projects with a total engineers' estimate of \$626.2 million were let representing 72.5% of the total number of projects anticipated in FY 2011 for this period and 76.8% of the anticipated construction cost.

Leading up to and including the July 11, 2012, bid letting, 79.7% of the number of projects anticipated for this period was let, and of the projected construction cost estimated, 69.3% was let. For this same period through July of 2011, 83.6% of the number of projects anticipated was let and 88.5% of the projected construction cost estimate was let.

For the July 18, 2012, bid letting, (1) State project is advertised with an engineer estimate of \$702.4 thousand. For the August 3, 2012, bid letting, there are currently 32 State projects advertised with a total engineers' estimate of \$34.4 million. 10 of the State projects include warranties with an engineers' estimate total of \$22.1 million. 37 Local projects with a total engineers' estimate of \$24.3 million and 4 Aeronautics projects with

\$1.0 million in total engineers' estimates, are scheduled to be let. The August 10, 2012, letting, is currently advertising (1) State project with an engineer's estimate of \$34.6 million. This project includes 2 warranties.

Pending any questions, Mr. Frierson asked for approval of Exhibit A-1.

Chairman Jung entertained a motion. Motion was made by Commissioner Hayes and supported by Commissioner Wyett to approve Exhibit A-1 and Supplemental A-1. Motion carried.

Letting Exceptions Agenda (Exhibit A-2) – Mark VanPortFleet

Mr. VanPortFleet provided information on 4 State projects and 3 Local projects that were over/under the engineers' estimates.

Pending any questions, Mr. VanPortFleet asked for approval of Exhibit A-2.

Chairman Jung entertained a motion. Motion was made by Commissioner Atkinson and supported by Commissioner Moser to approve Exhibit A-2. Motion carried.

Information Only (Exhibit A-3) – Myron Frierson

Mr. Frierson presented Exhibit A-3 as an informational item. Exhibit A-3 consisted of three local projects where the bids are fewer than Five Hundred Thousand Dollars (\$500,000) and have less than two bidders or is a low bid rejection or have other bid issues.

Contract Adjustments (Exhibit B) – Brenda O'Brien

Ms. O'Brien presented Exhibit B. For contract adjustments this month, there is one department project that exceeded the 10% allowed overrun. There were also four local projects that exceeded 10% of the original contract price.

Ms. O'Brien opened the floor for questions regarding the items listed in Exhibit B.

Chairman Jung asked how the department is working with the Office of Commission Audits with the Exhibit B items.

Mr. Cotter stated that the OCA and the department continue to make progress to refine this process.

No Motion was required.

IV. **PRESENTATION**

Complete Streets Policy – Polly Kent

Ms. Kent provided an update of the changes that were made after receipt of public comments. The department received 56 formal comments that included 55 e-mails and one letter. One of the e-mails was a petition with over 2400 signatures. Three of the

comments did not support the Complete Street Initiative and wanted focus to maintain existing streets for safe vehicle use. A few comments wanted the policy to address funding and limited resources, one suggesting the willingness to pay an annual license tax on bikes to use safer lanes for bikes. Other concerns were focused on safety and system connectivity.

The e-mail petition requested more specific implementation language, which is not typical. The petition requested a stronger policy based on best practices, strengthened exception language, performance measures, and language stating the department “shall” work with local agencies, naming of “legal users” which the council avoided in the policy, and specifying whether there will be a sunset reporting.

After receiving the public comment, the draft policy was modified to include the definition of complete streets from Public Act 135. A description of the STC, MDOT, and local roles was incorporated. Emphasis on local transportation plans, a description of facilities for local maintenance agreements, a due date of December 31, 2013 for development of the implementation process, language encouraging the use of best practices while preserving federal aid eligibility, a requirement for progress reporting, and language regarding ongoing education efforts were added to the policy.

Commissioner Atkinson stated that “legal users” should be used instead of listing them in the definition because “legal users” may change over time. The only way that a legal user has an impact or role on this policy is if somewhere in the law they have been designated as being lawful users of the roadway. You cannot freeze yourself in time in a policy. Also, Commissioner Atkinson stated that she would propose “wheel chair, snowmobile, golf carts, and ATV” users be included into the training/education part of the policy as these users need education. She also proposed to delete “motorists, bicyclists, pedestrians” be deleted and replaced with “legal users”.

Commissioner Hayes stated that he believes that the intent of using “motorists, bicyclists, pedestrians” was meant differently.

Commissioner Atkinson stated that she sees his point.

Mr. David Brickey, Assistant Attorney General in Charge, stated that legal users will change throughout time, as law changes. He suggested the use of “legal users” instead of “motorists, bicyclists, pedestrians”.

Commissioner Atkinson moved to amend the revised draft to delete “motorists, bicyclists, pedestrians” and insert “legal users”. There was a second by Commissioner Moser to support the amendment. The revision passed on a unanimous vote.

Chairman Jung entertained a motion. Motion was made by Commissioner Atkinson and supported by Commissioner Hayes to approve the Complete Streets Policy.

Mr. Raha asked for a roll call. There were 5 Yays.

Commissioner Atkinson thanked Mr. Raha and Polly Kent on the leadership and guidance they provided to bring this policy to the STC.

Director Steudle stated that he commended Ms. Kent for her work in developing a strong policy that plays off the local units of government.

VI. **PUBLIC COMMENTS**

Chair Jung asked if any member of the audience wanted to address the Commission.

Eugene Moore, practicing professional engineer, commented on the proposed round-about on M-10 in Midland. He stated that he and 30 others have written letters to provide alternative options for this project. He made comments on the Zilwaukee Bridge maintenance and costs.

Chairman Jung thanked Mr. Moore for his comments.

VII. **ADJOURNMENT**

There being no further business to come before the Commission, Chair Jung declared the meeting adjourned at 10:47 a.m.

The next full meeting of the Michigan State Transportation Commission will be held on Thursday, August 23, 2012, in, commencing at 9:00 a.m.

*“Original Signed”*

---

Frank E. Raha  
Commission Advisor