

MICHIGAN STATE TRANSPORTATION COMMISSION

PUBLIC MEETING

April 20, 2023

Lansing, MI

DRAFT MEETING MINUTES

Members Present: Michael D. Hayes, STC Vice Chair
Rita Brown, STC Commissioner
Gregory C. Johnson, STC Commissioner
Richard W. Turner, STC Commissioner
Heath E. Salisbury, STC Commissioner

Members Absent: Rhonda Welburn, STC Commissioner

Also Present: Acting Director Brad Wieferich, Michigan Department of Transportation
Laura Mester, CAO, MDOT
Kathleen Gleeson, Assistant Attorney General, Transportation Division
Jeff Cranson, Office of Communications, MDOT
Troy Hagon, Commission Advisor
Patrick McCarthy, Director, MDOT Bureau of Finance
Dee Parker, Director, Bureau of Development
Jack Cotter, Commission Auditor, Office of Commission Audits
ShuKeyna Thurman, SEMA, Office of Commission Audits
Ashleigh Houska, Departmental Analyst, Office of Commission Audits
About 10 to 20 people were in the audience.

I. WELCOME

Vice Chair Hayes called the meeting to order at 11:02 a.m.

Vice Chair Hayes started the meeting recognizing the terms expiring for Commissioner Adamini and Chairman Wyett. Vice Chair Hayes wanted to take a moment recognize Chairman Wyett's years of service. Chairman Todd Wyett of Charlevoix was appointed by Governor Rick Snyder in December 2010 and reappointed in 2013 and 2016. Mr. Wyett was appointed Chair for the Commission by Governor Snyder on December 22, 2015. Mr. Wyett was re-appointed Chair for the Commission by Gretchen Whitmer on December 22, 2019.

Vice Chair Hayes also welcomed the newly appointed Commissioner Rhonda Welburn and Commissioner Rita Brown appointed as new commissioners. Commissioner Brown thanked everyone for the warm welcome.

Director's Report

Acting Director Brad Wieferich presented a report on April 20th to the State Transportation Commission (STC) on MDOT Highway Program Accomplishments, Work Zone Safety and 2021-2022 Awarded Grants.

Director Wieferich spoke about the jobs created and supported by Highway and Bridge Investments. He also summarized the 2023 Construction Programs. Director Wieferich also

spoke about the pavement conditions through 2034 with different predictions based on additional investments. For Work Zone Safety, he addressed both the implementation of automated work zone protections as well as proper education for a self-paced lesson on Work Zones.

He brought special attention not the Detroit New Center Intermodal Facility which received a \$10 Million dollar grant, I-375 Improvement and Community Reconnection Project which received a \$105 Million dollar grant, Detroit Mobility and Innovation Center which received a \$25 Million dollar grant and I-696: Connecting Oak Park which received \$21 Million dollar grant. He spoke about how the original I-375 wiped out historic black businesses and that MDOT will be working with the community to help alleviate problems the original road caused.

Vice Chair Hayes asked when we get grants, how that matches up with the 5-year plan. Wieferich said that most of these come with a match requirement, and they try to match it up with the 5-year plan, and “kill two birds with one stone” while minimizing the cost.

Commissioner Johnson asked if the automated work zones gave real tickets to speeders and when it would be live if the legislation passed. The director said no real tickets were given because it was a demonstration. The legislation is now on the house floor and must go through the senate before it can be signed by the governor. He hopes it could be in place next year.

For more: [Full STC hearing video](#).

II. COMMISSION BUSINESS

- ***Minutes of November 10, 2022, Commission Meeting (motion required)***
Vice Chair Hayes requested a motion regarding approval of the minutes for the November 10, 2022 Commission meeting. There were no comments. Commissioner Turner made a motion to approve the meeting minutes, and Commissioner Johnson supported. Vice Chair Hayes led a voice vote; Commissioner Brown abstained; all other members present voted in favor; **motion to approve carried.**
- ***Real Estate Services Section Disposal of Real Property Interests – Dee Parker***
Dee Parker presented the Real Estate Services Section Disposal of Real Property Interests to the STC. There were no questions. No motion required.
- ***Commission Policy 10014 Utility Accommodations – Jack Cotter (motion required)***
Mr. Cotter presented the Commission Policy 10014 Utility Accommodations to the State Transportation Commission. Dee Parker also spoke on MDOT having approved these documents as well. MDOT would work internally to make sure these new guidance documents would be updated in the user manuals.

Commissioner Johnson mentioned that utility issues are one of the driving costs in construction if they are not handled appropriately so he wanted to applaud MDOT for modernizing the policy and tackling this issue. Vice Chair Hayes approved of MDOT differentiating between the policy and procedures.

Vice Chair Hayes requested a motion regarding approval of Commission Policy 10014 Utility Accommodations. Transportation Asset Management Council nomination. Commissioner Salisbury made a motion to approve, and Commissioner Johnson supported. Vice Chair Hayes led a voice vote; all members present voted in favor; **motion to approve carried.**

- ***Office of Commission Audits (OCA) Update – Jack Cotter***

Mr. Cotter spoke about OCA's specific performance and support of MDOT. Vice Chair Hayes commended OCA on the service to the taxpayers for providing oversight to MDOT. There were no further questions. **No motion required.**

III. OVERSIGHT AND OTHER INFORMATIONAL REPORTS

- ***Quarterly Bid Letting Summary – Patrick McCarthy***

Mr. McCarthy presented the following documents to the STC for review: Quarterly Bid Letting Summary; 2023 Bid Letting Trends; Bids by Region; and 2023 Procurement Card Report. Hayes mentioned that he appreciated the graphic representation of trends instead of only including charts. **No motion required.**

- ***Quarterly Bid Justification Summary – Dee Parker***

Mr. Parker presented the Quarterly Bid Justification Summary for the 1st and 2nd Quarter to the State Transportation Commission, while noting justifications were reviewed by OCA.

Commissioner Johnson asked if the department has changed how it puts out engineers estimates, now it's done in a range. How is that being received by the partners?

Mr. Parker explained that after including the pilot for the April letting, they sent out a survey to give their thoughts on how the change is going. They will go back to the previous method for May and June until they can get back the responses from the contractors.

Commissioner Johnson said he would like to see the survey results. There were no further questions. **No motion required.**

- ***Final Construction Contracts – Extras and Overruns – Jason Gutting***

MDOT Projects for October 2022 through March 2023

- 159 projects totaling approximately \$538 million were finalized.
- 13 projects were more than 10 percent over the original contract amount.
- 92 projects came in under original contract amount.

- Final monthly contract costs were respectively 3.34, -1.49, 3.59, 6.84, 0.38, and -0.60 percent when compared to their original contract amount.
- Fiscal year 2022 is averaging 1.22 over original contract amount.

Local Agency Projects for October 2022 through March 2023

- 215 projects totaling approximately \$217 million were finalized.
- 10 projects were more than 10 percent over the original contract amount.
- 139 projects came in under original contract amount.

13 MDOT projects and 11 local agency projects are being presented.

No questions. **No motion required.**

- ***Six-Month Financial Audit Follow-up Report – Jack Cotter***

There was nothing to report for the Six-Month Financial Audit Follow-up Report.

No motion required.

VI. **PUBLIC COMMENTS**

There were several members of the public who had public comments or requests for the State Transportation Commission.

- Mr. Douglas North, a retired senior project manager, requested the commission draft a letter of support for a private company wishing to donate money to MDOT with the proviso they could advertise the donation on the back of registrations.
- 7 members of the Tri-County Bicycle Advocacy Group offered comments on the US-127 crossover north of St. Johns. They objected to the imposition of J-Turns which they argued made the roads unsafe for bicyclists and pedestrians. The speakers were as follows:
 - Diana Twede
 - Art Slabosky
 - David Goodman
 - Mike Unsworth
 - Patrick Harrington
 - Matt Penniman
 - Dwight Washington

Vice Chair Hayes thanked everyone for their public comment and encouraged MDOT to continue speaking to those concerned and keep the dialogue open.

VII. **ADJOURNMENT**

Vice Chair Hayes adjourned meeting at 12:17 pm

VIII. **NEXT MEETING**

The next full meeting is August 3rd. Location is to be determined.

Troy Hagon
Commission Advisor