

ARKANSAS DEPARTMENT OF TRANSPORTATION
LITTLE ROCK, ARKANSAS

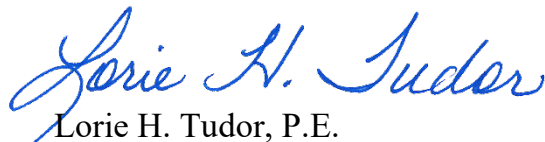
April 20, 2021

ADMINISTRATIVE CIRCULAR NO. 2021-05

TO: DIVISION HEADS AND DISTRICT ENGINEERS

We are transmitting herewith for your information and records a copy of the Minutes of the Commission Meeting in Little Rock, AR on March 17, 2021.

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.


Lorie H. Tudor, P.E.
Director

c: Commission

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

March 17, 2021

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 17, 2021. Members present were:

Robert S. Moore, Jr., Chairman
Alec Farmer, Vice Chairman
Philip Taldo, Member
Keith Gibson, Member
Marie Holder, Member

2021-017

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:05 a.m., March 17, 2021.

2021-018

WHEREAS, the Arkansas State Highway Commission (the "Commission") is authorized, pursuant to Amendment No. 91 to the Constitution of the State of Arkansas ("Amendment 91") and an election held on November 6, 2012, to issue State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds, in the aggregate principal amount of not to exceed \$1,300,000,000 (the "Bonds") for the purpose of constructing and improving four-lane state highways; and

WHEREAS, the Commission has issued State of Arkansas General Obligation Four-Lane Highway Construction Bonds, Series 2013, dated October 1, 2013 in the aggregate principal amount of \$468,895,000 (the "Series 2013 Bonds") under Amendment 91; and

WHEREAS, it has been found and determined that debt service savings may be achieved by refunding the last two maturities of the Series 2013 Bonds (the "Series 2013 Bonds to be Refunded"); and

WHEREAS, the Series 2013 Bonds to be Refunded mature on June 15, 2022 and 2023 and are in the outstanding aggregate principal amount of \$287,655,000; and

WHEREAS, pursuant to Minute Order No. 2020-096, adopted December 9, 2020 ("Minute Order 2020-096"), the Commission authorized the sale of a series of the Bonds in the principal amount necessary to refund the Series 2013 Bonds to be Refunded and to pay costs of issuance (the "Series 2021 Bonds"); and

WHEREAS, pursuant to a Preliminary Official Statement, dated February 22, 2021, and an Official Notice of Sale, dated February 22, 2021 (the "Notice of Sale"), the Series 2021 Bonds were offered for public sale on March 11, 2021; and

WHEREAS, at said sale the bids shown in Exhibit A attached hereto were received by the Commission in the form prescribed by the Notice of Sale; and

WHEREAS, the Commission's Financial Advisor, Stephens Inc., recommended that the lowest and best bid for the Series 2021 Bonds by J.P. Morgan Securities LLC, as representative of a group of underwriters (the "Purchaser") be accepted; and

WHEREAS, as authorized by the Notice of Sale, the principal amount of the Series 2021 Bonds to be issued was reduced from \$268,845,000 to \$268,135,000; and

WHEREAS, the purchase price of the Series 2021 Bonds to be paid by the Purchaser is \$290,257,128.55;

NOW THEREFORE:

1. The acceptance by the Director of the bid of the Purchaser for the sale of the Series 2021 Bonds as authorized by Minute Order 2020-096 is hereby in all respects ratified and approved.

2. The "Series Resolution Providing for the Issuance of the State of Arkansas General Obligation Four-Lane Highway Construction and Improvement Bonds, Refunding Series 2021 and Specifying Various Matters Related Thereto" is hereby adopted in the form attached hereto as Exhibit B.

3. The Chairman and the Director are authorized to execute such writings and take such action as may be appropriate to cause the Series 2021 Bonds to be issued and to cause the proceeds thereof to be deposited and applied as set forth in the Series Resolution.

4. The Chairman and the Director are hereby authorized to do or perform all such acts and to execute all such certificates, documents and other instruments as they or any of them deem necessary or advisable to provide for the issuance, sale and delivery of the Series 2021 Bonds.

2021-019

WHEREAS, the Purchasing Committee has awarded purchases on February 10, 2021 in the amount of \$2,063,605.44, and 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.

2021-020

WHEREAS, Federal transportation planning regulations require the development of a multi-year, financially constrained statewide transportation improvement program for all areas of the State in accordance with the provisions of 23 CFR 450; and

WHEREAS, Arkansas' Statewide Transportation Improvement Program for Federal Fiscal Years 2021-2024 (STIP), has been prepared in accordance with the regulations and is ready for submittal to the appropriate agencies for approval.

NOW THEREFORE, the Director is authorized to submit the STIP to the Federal Highway Administration and the Federal Transit Administration for approval and to publish the STIP for distribution after approval by the federal agencies.

2021-021

WHEREAS, the Federal Highway Administration sponsors the National Summer Transportation Institute, a program to encourage secondary school students to pursue transportation careers; and

WHEREAS, increasing awareness about transportation related careers is important to the transportation industry; and

WHEREAS, the Federal Highway Administration has encouraged state transportation departments to continue this 100% federally funded program; and

WHEREAS, in accordance with the Federal Highway Administration's guidelines for selecting a host site, the Department issued a Request for Proposals; and

WHEREAS, the University of Arkansas at Little Rock has submitted a proposal that meets the scope of the program and is within the projected budget allowance provided by the Federal Highway.

NOW THEREFORE, the Director is authorized to enter into an agreement with the University of Arkansas at Little Rock to host the 2021 National Summer Transportation Institute.

2021-022

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as the Salt Storage Facility, Tract No. Casto, Job No. 8-849, from Danny W. Casto and Lana D. Casto, husband and wife, by Warrant Deed dated October 3, 2017, and filed of record on October 3, 2017, as Document No. 2017-5165, in the Circuit Clerk's office for Van Buren County, Arkansas; and

WHEREAS, the property was purchased as a capital asset for the sum of TEN THOUSAND EIGHT HUNDRED SEVENTY-FIVE and NO/100 DOLLARS (\$10,875.00) and is not subject to re-acquisition by a prior owner pursuant to Ark. Code Ann § 27-67-322; and

WHEREAS, the District Engineer for District Eight has determined that a portion of Tract No. Casto is not now, nor in the foreseeable future will be, needed for highway purposes. The property is more particularly described as follows:

A part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Nine (9), Township Twelve (12) North, Range Seventeen (17) West, Van Buren County, Arkansas. Being more particularly described as follows: Beginning at the Northeast corner of said SW1/4 NE1/4 of Section 9; thence along the North line thereof N87°56'37"W a distance of 113.96'; thence leaving said North line S15°17'25"E a distance of 377.48' to a point on the East line of said SW1/4 NE1/4; thence along said East line 02°16'52"E a distance of 360.32' to the Point of Beginning, containing 0.47 acres, more or less.

WHEREAS, Marshall N. Moss of North Miami Beach, Florida has offered to purchase the above-described portion of real property for the sum of FOUR THOUSAND SIX HUNDRED TWENTY-FIVE and NO/100 (\$4,625.00). Three (3) qualified appraisers have opined that the current fair market value of the portion of Tract No. Casto, Job No. 8-849, is ONE THOUSAND FOUR HUNDRED and NO/100 DOLLARS (\$1,400.00), excluding costs incurred by the Commission in the amount of THREE THOUSAND TWO HUNDRED TWENTY-FIVE and NO/100 DOLLARS (\$3,225.00).

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of FOUR THOUSAND SIX HUNDRED TWENTY-FIVE and NO/100 DOLLARS (\$4,625.00) from Marshall N. Moss of North Miami Beach, Florida, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying the right, title, interest or equity of the above-described property to Marshall N. Moss, Ferne Moss Selser, and Karen Moss Harold, tenants in common; and hereby releasing the same from the State Highway System, that the Right of Way Division is directed and authorized to record a copy of this Minute Order and the Quitclaim Deed in the records of Van Buren County, Arkansas; and, if necessary, the right of way shall be remonumented to reflect the boundaries designated herein. Any Federal-aid funds from this disposal shall be credited to Federal-aid funds or otherwise credited as permitted by federal law.

2021-023

WHEREAS, the existing Jefferson County Resident Engineer's Office #23 in Pine Bluff on State Highway 65 was constructed in 1975; and

WHEREAS, this existing office space and laboratory testing space are deemed to be outdated and inadequate to facilitate necessary work activities; and

WHEREAS, the building has foundation issues, HVAC issues including the presence of mold, and does not meet the American's with Disabilities Act requirements; and

WHEREAS, the staff has been relocated to temporary space as a result of the presence of these inadequacies; and

WHEREAS, this site is properly located and sufficient in size for the new Resident Engineer's Office.

NOW THEREFORE, the Director is authorized to complete the work to demolish the existing Resident Engineer's Office and construct a new Resident Engineer's Office which includes buildings, appurtenances, fencing, laboratory, and related items as funds become available.

Work is to be accomplished with contract and state forces as a building project.

2021-024

WHEREAS, the existing Lonsdale rest area, located on Highway 70, has exceeded its service life and is in poor condition; and

WHEREAS, the rest area does not meet the American's with Disabilities Act requirements and currently has low utilization; and

WHEREAS, the rest area is no longer needed due to the recently constructed service station with restrooms in the area; and

WHEREAS, the recent widening of Highway 70 and future expansion of the highway system in this area have increased the need for additional salt storage; and

WHEREAS, this site is properly located and sufficient in size to provide additional salt storage.

NOW THEREFORE, the Director is authorized to close the existing Lonsdale rest area, remove the buildings, and build a permanent salt storage building at this property, as funds become available.

2021-025

WHEREAS, Minute Order 2014-011 authorized a study to determine the need for and feasibility of improvements to Highway 16 from Highway 265 to Elkins in Washington County; and

WHEREAS, the Highway 16 Improvement Study has been prepared and has identified mobility and capital improvement needs along the study area.

NOW THEREFORE, this study is adopted for use as a planning guide for future improvements to the Highway 16 corridor.

2021-026

WHEREAS, the City Council of El Dorado, by Resolution 1547, and the Quorum Court of Union County, by Resolution 503, have requested that the portion of Highway 82 between Timberlane Drive and Airport Drive at the South Arkansas Regional Airport in El Dorado, be designated as the “Jeremy and Benjamin Wise Memorial Highway”; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2014-023 and this request meets these guidelines.

NOW THEREFORE, the Director is authorized to permit the installation of signs on each end of this portion of highway, as requested by the City and County, in accordance with Commission Policy.

2021-027

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the April 7, 2021 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110702	01	ST. FRANCIS	HWY. 1B STR. & APPRS. (S)	1B	Y
110718	01	LEE & ST. FRANCIS	S. OF HAYNES – HWY. 306 (S)	1	Y
A10005	01	CRITTENDEN	I-40 – I-555 (S)	I-55	Y
020630	02	ARKANSAS & JEFFERSON	WABBASEKA – STUTTGART (PASSING LANES) (S)	79	Y

020762	02	ASHLEY	HAMBURG – MONTROSE (S)	82	Y
A30002	03	HOWARD	HWYS. 27 & 278 (SEL. SECS.) (NASHVILLE) (S)	27 & 278	Y
040794	04	SEBASTIAN	HWY. 45 – HWY. 64 (SEL. SECS.) (FORT SMITH) (S)	71B & 255	Y
A40006	04	FRANKLIN	OZARK – SOUTH (S)	23	Y
A50003	05	IZARD	HWY. 9 – HWY. 69B (MELBOURNE) (S)	69	Y
CA0607	06	GARLAND	FLEETWOOD DR. – HWY. 227 (WIDENING) (S)	270	Y
061609	06	LONOKE	MILL CREEK STR. & APPRS. (S)	38	Y
061622	06	PULASKI & SALINE	SEVIER ST. – GEYER SPRINGS RD. (CONC. PVMNT. PRES.) (S)	I-30	Y
061721	06	LONOKE	WARD – FAULKNER CO. LINE (S)	319	Y
A60004	06	HOT SPRING	GARLAND CO. LINE – STONE QUARRY CREEK (S)	270	Y
A60006	06	HOT SPRING	HOLLYWOOD AVE. – HWY. 270 (HOT SPRINGS) (S)	270B	Y
A70003	07	UNION	HWY. 7B – HWY. 7B (SMACKOVER) (S)	7	Y
A70005	07	OUACHITA	HWY. 79B – AIRPORT RD. (S)	79	Y
080598	08	POPE	HWY. 64 – I-40 (S)	124	Y
080599	08	POPE & YELL	HWY. 27 – WHIG CREEK (S)	7	Y
080665	08	CONWAY	HWY. 154 SLIDE REPAIR (CONWAY CO.) (S)	154	Y
A80001	08	YELL	OLA – OAKWOOD DR. (S)	7	Y
A80002	08	YELL	E. OF OLA – PERRY CO. LINE (S)	10	Y
A80003	08	JOHNSON	MOUNT VERNON – OZONE (SEL. SEC.) (S)	21	N
A80006	08	FAULKNER	HWY. 65 – EAST (SEL. SECS.) (CONWAY) (S)	64	Y
A90004	09	BAXTER & MARION	FLIPPIN – MOUNTAIN HOME (SEL. SEC.) (S)	62	Y
A90005	09	BOONE & CARROLL	ALPENA – HWY. 65 (S)	62 & 65	Y
A90008	09	CARROLL	E. OF HWY. 21 – DRYFORK (S)	412	Y
012378	VAR	VARIOUS	DISTRICTS 5 & 10 BRIDGE PRESERVATION (2021) (S)	VARIOUS	Y
012379	VAR	VARIOUS	SPECIALIZED BRIDGE DECK REHAB. (2021) (S)	VARIOUS	Y
C11008	10	CLAY	PEACH ORCHARD SURFACING (S)	---	-
C17009	04	CRAWFORD	ALMA RUDY RD. OVERLAY (S)	---	-
C18015	01	CRITTENDEN	TURRELL OVERLAY (S)	---	-
C19005	01	CROSS	HICKORY RIDGE OVERLAY (S)	---	-
C29007	03	HEMPSTEAD	PATMOS OVERLAY & SURFACING (S)	---	-
C33007	05	IZARD	PINEVILLE OVERLAY & SURF. (S)	---	-
C39002	01	LEE	LA GRANGE OVERLAY & SURFACING (S)	---	-
C42006	04	LOGAN	BLUE MOUNTAIN OVERLAY & SURFACING (S)	---	-
C49003	08	MONTGOMERY	NORMAN OVERLAY & SURFACING (S)	---	-
C50006	03	NEVADA	CALE & EMMETT OVERLAY & SURFACING (S)	---	-
C56006	10	POINSETT	LEPANTO OVERLAY NO. 2 (S)	---	-
C58005	08	POPE	POTTSVILLE OVERLAY (S)	---	-
C58006	08	POPE	RUSSELLVILLE E. 16TH ST. OVERLAY (S)	---	-
C60010	06	PULASKI	WRIGHTSVILLE OVERLAY & SURFACING (S)	---	-
C62009	06	SALINE	HASKELL OVERLAY & SURFACING (S)	---	-
C65011	04	SEBASTIAN	BARLING & HACKETT OVERLAY (S)	---	-
C67003	05	SHARP	ASH FLAT & CAVE CITY OVERLAY (S)	---	-
C75004	08	YELL	DARDANELLE OVERLAY (S)	---	-
C76060	03	HEMPSTEAD & PIKE	ANTOINE & BLEVINS OVERLAY (S)	---	-
C76063	04 & 09	BENTON & WASHINGTON	SPRINGDALE OVERLAY (S)	---	-
SA0248	02	ASHLEY	HWY. 189 – SOUTHWEST (SURFACING) (S)	---	-
SA0445	09	BENTON	HWY. 59 – HWY. 102 (OVERLAY) (S)	---	-
SA1664	10	CRAIGHEAD	CRAIGHEAD CO. SEALING NO. 2 (S)	---	-

SA3053	06	HOT SPRING	HWY. 67 – SOUTH (LEVELING & SEAL) (S)	---	-
SA3461	05	JACKSON	JACKSON CO. LEVEL & RESEAL (S)	---	-
SA4345	06	LONOKE	LONOKE COUNTY OVERLAY NO. 15 (S)	---	-
SA5349	08	PERRY	HWY. 155 – CASA (RESEAL) NO. 2 (S)	---	-
SA5740	04	POLK	POLK COUNTY OVERLAY NO. 5 (S)	---	-
SA5952	06	PRAIRIE	PRAIRIE CO. SURFACING & RESEAL (S)	---	-
SA7137	08	VAN BUREN	VAN BUREN CO. RESEAL NO. 4 (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 Amendment 42 of the Arkansas Constitution, 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.

FURTHERMORE, 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.

Chairman Moore opened the meeting by welcoming those in attendance in-person, as well as those who were watching online.

MOTIONS

MOTION Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to approve the Minutes from the February 3, 2021 Commission Meeting.

MOTION Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to authorize the use of electronic signatures for the March 17, 2021 Minute Orders.

MOTION The Commission approved Minute Order 2019-078 on July 24, 2019, authorizing the Department to advertise for Construction Manager/General Contractor alternative delivery services for specific identified projects, including Job 040846 (formerly Job BB0410), Hwy. 62 Interchange Impvts. (I-49) (Fayetteville (F) on Interstate 49 in Fayetteville, Arkansas. Commissioner Philip Taldo moved, Vice Chairman Alec Farmer seconded and the motion passed to accept the Staff's recommendation to enter into a contract to provide Construction Manager/General Contractor services for Job 040846 on Interstate 49 in Fayetteville with the following firm:

Manhattan Road & Bridge Company & APAC-Central, Inc. of
Little Rock, Arkansas

OTHER DISCUSSION ITEMS

Mr. Dennis Hunt and Mr. Michael McBryde with Stephens, Inc. and Mr. Ryan Bowman and Mr. Shep Russell from the Friday Firm presented the Commission with the results of the refinancing of the Series 2013 Bonds. The Commission unanimously agreed to approve the refinancing of these bonds.

Patrick Patton, Chief Fiscal Officer, provided the February 2021 update on State Highway Revenue. Mr. Patton noted that State Highway Revenues to the Department from traditional sources are down a total of -1.1% (-\$3.0 million) in State Fiscal Year (SFY) 2021 compared to SFY 2020. Act 416 Revenue is 3.1% (\$1.2 million) above budget. Revenue from the Natural Gas Severance Tax is lower this year compared to last year. Total revenues available are -3.0% (-\$8.6 million) below last year. Actual State Revenue

received is 6.4% (\$16.7 million) above projected (budgeted) revenue for this year. Mr. Patton stated that February revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 12.49% higher, (\$1,938,638) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 8.77% (\$11,875,150). Since inception, this revenue source is 0.59%, or \$8.2 million, above DF&A's projections.

Kevin Thornton, Assistant Chief of Administration, updated the Commission on the status of Federal Highway and Transit funding issues. Mr. Thornton noted that President Biden named Pete Buttigieg as Secretary of Transportation. Mr. Thornton highlighted the recent COVID-19 relief bill, known as the American Rescue Plan. It is a \$1.9 trillion Act that provides additional funding for many areas of the nation. It also includes \$57.7 billion for transportation, including public transit, airports, and rail; however, it does not include any additional funding for highways. Mr. Thornton stated that now Congress can turn their attention to the Reauthorization of the Surface Transportation Act. Mr. Thornton also noted that the current Federal Funding legislation expires on September 30, 2021 and that there have been meetings between Congress and the President regarding an infrastructure bill, which will include Surface Transportation. The President has noted that there is a need to invest in infrastructure in order to remain competitive with the rest of the world and to help with economic recovery of the nation. The President and his administration have also made it clear that climate change, racial equality and environmental justice will be focus areas for this effort. The infrastructure stimulus bill may be a separate bill or it may include the next Surface Transportation Act. Mr. Thornton notified the Commission of the next round of Infrastructure for Rebuilding America (INFRA) grants. Congress has appropriated \$1 billion for the 2021 INFRA program to be awarded on a competitive basis. Applications are due on March 19 and a lead agency can submit no more than three applications. Eligible projects consist of those on the National Highway Freight Network and on the National Highway System. ARDOT Staff identified three projects for the INFRA grant applications:

- Interstate 40 & Highway 59 Interchange Improvements
 - Total estimated cost - \$18.0 million, requested INFRA - \$11.0 million
 - On I-40 in Crawford County
 - Rural Area – Freight corridor

- Interstate 55 Corridor Improvements
 - Total estimated cost - \$90.0 million, requested INFRA - \$54.0 million
 - On Interstate 55 in Mississippi County from the Crittenden County Line to the Missouri State Line
 - System Preservation
 - Rural Area – Freight Corridor

- Future Interstate 69 – Monticello to McGehee

- Total estimated cost - \$96.2 million, requested INFRA - \$22.8 million
- On Future I-69 in Drew and Desha Counties
- New location project to construct 2 lanes for future 4 lanes divided
- Rural Area – Freight corridor and Future Interstate 69

Deputy Director and Chief Operating Officer Randy Ort briefed the Commission on the 93rd General Assembly of the Legislature, which convened on January 11, 2021. Mr. Ort updated the Commission on the progress of bills in the Department's legislative package, as well as other bills of interest to the Department.

Steve Frisbee, Division Engineer in the Transportation Planning and Policy Division presented a report regarding the status of infrastructure planning and funding for electric vehicles in Arkansas and neighboring states.

Assistant Chief Engineer for Planning, Jared Wiley presented the Draft Statewide Transportation Improvement Program (STIP) for Federal Fiscal Years 2021-2024. Mr. Wiley highlighted project information for each of the Department's 10 Districts.

Director Tudor presented a list of upcoming meetings and events that the Director and Commission will be attending.

Director Tudor informed the Commission that the Department had received an Award of Merit from the National Steel Bridge Alliance for 2020 for the Broadway Bridge linking Little Rock and North Little Rock.

Dave Parker, Public Information Officer, presented the Commission with a recap of the February winter weather events and the Department's response. Following the presentation, a video essay highlighting the work from Department crews during the winter weather events was shown.

2021-028

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:15 a.m., March 17, 2021.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas State Highway Commission at its meeting on March 17, 2021.



Christie Heidelberg
Commission Secretary

-12-

(Continued)

March 17, 2021