

ARKANSAS DEPARTMENT OF TRANSPORTATION
LITTLE ROCK, ARKANSAS

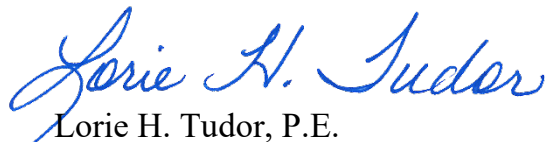
June 8, 2021

ADMINISTRATIVE CIRCULAR NO. 2021-07

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 May 5, 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

May 5, 2021

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, May 5, 2021. Members present were:

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

2021-029

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., May 5, 2021.

2021-030

WHEREAS, the Purchasing Committee has awarded purchases on March 19, April 9 and April 19, 2021 in the amounts of \$56,392.50, \$587,224.00 and \$2,794,622.00, respectively totaling \$3,438,238.50, 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.

2021-031

WHEREAS, the National Academy of Sciences, Engineering and Medicine Transportation Research Board (TRB) provides leadership in transportation innovation and progress through research and information exchange, conducted within a setting that is objective, interdisciplinary, and multimodal; and

WHEREAS, the TRB offers opportunities for information exchange on current transportation research and practice, management of cooperative research and

other research programs, analyses of national transportation policy issues and guidance on federal and other research programs, and publications and access to research information from around the world; and

WHEREAS, all states provide financial support for TRB's Core Program activities that are designed to support dialogue and information exchange among researchers, practicing transportation professionals, and others concerned with transportation; and

WHEREAS, the Department's participation rate has been approved by the TRB Executive Committee; and

WHEREAS, the Federal Highway Administration has created a pooled fund study to provide a mechanism for state transportation departments to support the TRB's Core Program activities; and

WHEREAS, the TRB's Core Program activities are regarded as highly beneficial to the Department in order to exchange ideas, information, and best practices with other agencies.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and to enter into such agreements as necessary to fulfill the Department's commitment to this important program for TRB Fiscal Year 2022.

2021-032

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

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.

2021-033

WHEREAS, the Fixing America's Surface Transportation (FAST) Act requires states to develop and maintain State Freight Plans; and

WHEREAS, the purpose of a State Freight Plan is to assess freight conditions and needs; establish freight goals, objectives, and implementation strategies; and to identify potential freight projects; all in coordination with freight stakeholders across all modes; and

WHEREAS, the current Arkansas State Freight Plan was adopted in October 2017 by Minute Order 2017-097; and

WHEREAS, an update to the Arkansas State Freight Plan is warranted; and

WHEREAS, consultant services have been found to be an effective method of providing expertise and capacity to Department staff for freight planning efforts.

NOW THEREFORE, the Director is authorized to engage the services of a qualified consulting firm for the purpose of updating the Arkansas State Freight Plan.

2021-034

WHEREAS, the Arkansas Department of Transportation was designated by Arkansas Act 192 of 1977 as the State's multimodal transportation planning agency responsible for developing and maintaining statewide transportation plans, including the Arkansas State Rail Plan; and

WHEREAS, the purpose of the Arkansas State Rail Plan is to satisfy Federal Railroad Administration (FRA) rail planning requirements for freight and passenger rail and to qualify the State's railroads for possible federal funding assistance; and

WHEREAS, the current Arkansas State Rail Plan was adopted in September 2016 by Minute Order 2016-087; and

WHEREAS, an update to the Arkansas State Rail Plan is warranted; and

WHEREAS, consultant services have been found to be an effective method of providing expertise and capacity to Department staff for rail planning efforts.

NOW THEREFORE, the Director is authorized to engage the services of a qualified consulting firm for the purpose of updating the Arkansas State Rail Plan.

2021-035

WHEREAS, Governor Asa Hutchinson issued the Arkansas State Broadband Plan (Plan) on May 15, 2019 which identifies how broadband is essential for a modern way of life; and

WHEREAS, the Plan identifies that much of Arkansas lacks access to high-quality broadband; and

WHEREAS, the Plan also identifies the economic benefits of a “dig once” approach for the installation of fiber optic conduit when underground utilities are relocated in order to provide access to high-quality broadband; and

WHEREAS, the Department is involved in numerous projects where underground utilities are relocated to provide adequate right of way for the highway construction.

NOW THEREFORE, the Director is authorized to develop the policies needed to facilitate a “dig once” approach for the installation of high-quality broadband and to enter into any necessary agreements as needed.

2021-036

WHEREAS, the existing District 6 Headquarters facility in Little Rock was constructed in 1963 and is inadequate in property size (9.9 acres); and

WHEREAS, the facility has exceeded its service life and is in poor condition; and

WHEREAS, suitable property (54.0 acres) for the future relocation of District 6 Headquarters on Baseline Road (Highway 338), in close proximity to the Maintenance Division, is available for purchase by the Commission.

NOW THEREFORE, the Director is authorized to proceed with the acquisition of the property located at 11006 Baseline, Little Rock, Arkansas 72209 as funds become available.

2021-037

WHEREAS, the existing Rison rest area, located on Highway 79, has exceeded its service life and is in poor condition; and

WHEREAS, the rest area does not meet the Americans with Disabilities Act (ADA) requirements and currently has low utilization; and

WHEREAS, available restroom facilities at convenience stores are in close proximity along Highway 79 between Rison and White Hall; and

WHEREAS, the facility is vandalized regularly and is not air conditioned.

NOW THEREFORE, the Director is authorized to close the existing Rison rest area and dispose of the property.

2021-038

WHEREAS, IN MISSISSIPPI COUNTY, Jobs 100098 and 100955 are scheduled to replace fifteen structures on various highways; and

WHEREAS, Burdette Waterworks, Keiser Waterworks, and Little River Water Association have water lines within the Department's right of way that need to be relocated before these projects can be implemented and the cost for the utility relocation is non-reimbursable; and

WHEREAS, it has been verified that the water utility providers do not have the available funds or the customer base to generate the funds needed for this work; and

WHEREAS, Highway 137, Section 1 Spur was recently transferred to Mississippi County as approved by Commission Minute Order 2014-129; and

WHEREAS, to offset non-reimbursable costs for these small water associations in order to prevent the delay or cancellation of these important highway improvements the removal of Highway 137, Section 1 Spur from the State Highway System can be considered adequate compensation for the non-reimbursable utility costs as described above.

NOW THEREFORE, the Director is authorized to proceed with the non-reimbursable utility relocation at no cost to Burdette Waterworks, Keiser Waterworks, or Little River Water Association for Jobs 100098 and 100955.

2021-039

WHEREAS, the installation of centerline rumble stripes has been proven to be an effective engineering strategy to reduce fatalities and serious injuries related to cross centerline and roadway departure crashes; and

WHEREAS, centerline rumble stripes have been installed around the state to improve safety at various locations; and

WHEREAS, a statewide centerline rumble stripes study has been completed that identified additional locations on the rural Arkansas Primary Highway Network (APHN) that would benefit from the installation of centerline rumble stripes; and

WHEREAS, this work is eligible for 100% Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with surveys, plans, and construction of safety projects to install centerline rumble stripes at locations on the rural APHN as funds become available.

2021-040

WHEREAS, IN ASHLEY COUNTY, pavement improvements are needed on Highway 133, Section 0 in the vicinity of Crossett; and

WHEREAS, the City of Crossett has proposed to partner with the Department to expedite this work by accepting ownership and responsibility for the portion of Highway 169, Section 0 between Highway 82 and its terminus near Millyard Road, upon completion of the improvements to Highway 133.

NOW THEREFORE, upon receipt of a partnering resolution from the City of Crossett, the Director is authorized to enter into any necessary agreements with

the City and to proceed with surveys, plans, and construction of the improvements as funds become available.

FURTHERMORE, upon completion of the Highway 133 improvements, and official notification by the Deputy Director and Chief Engineer, the portion of Highway 169, Section 0 between Highway 82 and its terminus near Millyard Road will be removed from the State Highway System as shown on the attached map.

2021-041

WHEREAS, the Quorum Court of Jackson County, by Resolution 2021-6, has requested that the Jackson County Road 41 Overpass on Highway 67, be designated as the “Sydney Sutherland Memorial Overpass”; 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 county road overpass, as requested by the County, in accordance with Commission Policy.

2021-042

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the May 19, 2021 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110800	01	CRITTENDEN	I-40 TRUCK PARKING EXPANSION PROJECT (WEST MEMPHIS) (S)	I-40	Y
020629	02	CHICOT & DESHA	HWY. 65 – YELLOW BEND PORT (S)	35	N
020763	02	CHICOT & DREW	JEROME – MCMILLAN CORNER (S)	144	N
061682	06	HOT SPRING	SOCIAL HILL REST AREA – WEST (S)	I-30	Y
061709	06	GARLAND, PULASKI & SALINE	OVERHEAD SIGN STRS. & SIGNS REPLACEMENT (CENTRAL AR) (S)	VARIOUS	Y
A60005	06	HOT SPRING	I-30 – HWY. 67 (MALVERN) (S)	270B	Y
080665	08	CONWAY	HWY. 154 SLIDE REPAIR (CONWAY CO.) (S)	154	Y
090527	09	SEARCY	S. OF MARSHALL – VAN BUREN CO. LINE (S)	65	Y
012375	VAR	VARIOUS	DISTRICTS 1, 2 & 6 BRIDGE PRESERVATION (2021) (S)	VARIOUS	Y
012376	VAR	VARIOUS	DISTRICTS 3 & 7 BRIDGE PRESERVATION (2021) (S)	VARIOUS	Y

012378	VAR	VARIOUS	DISTRICTS 5 & 10 BRIDGE PRESERVATION (2021) (S)	VARIOUS	Y
012382	VAR	VARIOUS	DISTRICTS 3, 4 & 6 RAISED PAVEMENT MARKERS (2021) (S)	VARIOUS	Y
012383	VAR	VARIOUS	DISTRICTS 5, 8 & 9 RAISED PAVEMENT MARKERS (2021) (S)	VARIOUS	Y
C09005	02	CHICOT	EUDORA OVERLAY (S)	---	-
C10005	07	CLARK	GURDON OVERLAY NO. 2 (SEL. SECS.) (S)	---	-
C16010	10	CRAIGHEAD	BLACK OAK OVERLAY & SURFACING (S)	---	-
C20004	07	DALLAS	CARTHAGE OVERLAY & SURFACING (S)	---	-
C27006	02	GRANT	PRATTSVILLE OVERLAY & SURFACING (S)	---	-
C29006	03	HEMPSTEAD	FULTON OVERLAY & SURFACING (S)	---	-
C30004	06	HOT SPRING	MALVERN, PERLA, & ROCKPORT OVERLAY & SURFACING (S)	---	-
C47010	10	MISSISSIPPI	MANILA & WILSON OVERLAY (S)	---	-
C48004	01	MONROE	BRINKLEY OVERLAY (S)	---	-
C56007	10	POINSETT	TRUMANN & WEINER OVERLAY & SURFACING (S)	---	-
C67005	05	SHARP	HARDY OVERLAY & SURFACING (S)	---	-
C70007	07	UNION	CALION & NORPHLET OVERLAY (S)	---	-
C76061	04 & 09	BENTON & WASHINGTON	PRAIRIE GROVE & SILOAM SPRINGS OVERLAY (S)	---	-
C76062	04	FRANKLIN & LOGAN	DENNING & SCRANTON OVERLAY & SURFACING (S)	---	-
SA0361	09	BAXTER	CO. RD. 91 PAVEMENT MARKINGS (S)	---	-
SA0362	09	BAXTER	CO. RD. 806 SURFACING (S)	---	-
SA0363	09	BAXTER	BAXTER COUNTY RESEAL NO. 14 (S)	---	-
SA1064	07	CLARK	CO. RDS. 76 & 474 LEVELING & RESEAL (S)	---	-
SA1256	05	CLEBURNE	HWY. 25 – HWY. 5 (OVERLAY) (S)	---	-
SA2545	05	FULTON	FULTON COUNTY RESEAL (S)	---	-
SA2865	10	GREENE	HWY. 135 – CR 639 (OVERLAY & SURF.) (S)	---	-
SA2866	10	GREENE	HWY. 412 – HWY. 141 (RESEAL) (S)	---	-
SA3547	02	JEFFERSON	HWY. 365 – PATSY RD. (LEVEL & RESEAL) (S)	---	-
SA3653	08	JOHNSON	JOHNSON CO. SURFACING & RESEAL NO. 5 (S)	---	-
SA4650	03	MILLER	CO. RD. 4 (SURFACING) (S)	---	-
SA5138	09	NEWTON	HWY. 43 – WEST (LEVELING & RESEAL) (S)	---	-
SA6345	04	SCOTT	CO. RDS. 300, 312 & 76 OVERLAY (S)	---	-
SA6866	01	ST. FRANCIS	ST. FRANCIS CO. OVERLAY NO. 4 (S)	---	-
SA7039	07	UNION	JUNCTION CITY LIMITS – WEST (OVERLAY & SURF.) (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.

2021-043

WHEREAS, over the next 20 years, it is projected that the movement of people and goods in the 3rd dimension (air) will be part of everyday life; and

WHEREAS, industries are investing in key enabling technologies that support this multidimensional mobility; and

WHEREAS, example technology investment themes include computer vision, advanced manufacturing, electrification, navigation, and connectivity; and

WHEREAS, the Department's construction programs are developed using data collected on pavement condition, bridge condition, traffic congestion, crash rates, etc.; and

WHEREAS, more information is needed to determine how these new technologies will modernize, improve, and simplify the Department's collection process.

NOW THEREFORE, the Director is authorized to conduct a study of these new and developing technologies and the feasibility and benefit/cost of implementation.

Chairman Moore opened the meeting by welcoming those in attendance in-person, as well as those who were watching online. The Commission unanimously agreed to the use of electronic signatures on the May 5, 2021 Minute Orders.

MOTIONS

MOTION Commissioner Keith Gibson moved, Commissioner Marie Holder seconded and the motion passed to approve the Minutes from the March 17, 2021 Commission Meeting.

OTHER DISCUSSION ITEMS

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% (-\$3.5 million) in State Fiscal Year (SFY) 2021 compared to SFY 2020. Act 416 Revenue is 1.4% (\$0.6 million) above budget. Revenue from the Natural Gas Severance Tax is lower this year compared to last year. Total revenues available are -2.7% (-\$8.8 million) below last year. Actual State Revenue received is 6.2% (\$18.3 million) above projected (budgeted) revenue for this year. Mr. Patton stated that March revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 6.9% higher, (\$1,168,858) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 8.56% (\$13,044,008). Since inception, this revenue source is 0.67%, or \$9.4 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. Currently, two plans to address infrastructure are being proposed.

- The American Jobs Plan, proposed by President Biden totals \$2.3 trillion over 8 years. This amount does not include reauthorization of the FAST Act, but does include an additional investment of \$621 billion for key infrastructure. Some of the key investment areas for transportation are \$115 billion increase over the current FAST Act authorization levels for highways and bridges, and \$174 billion for electric vehicles. Payment for this infrastructure plan would come from the President's "Made in America Tax Plan", which is estimated to raise more than \$2 trillion over the next 15 years. This tax plan includes increases to various corporate tax rates, elimination of tax breaks for fossil fuel companies and an increase in tax enforcement on corporations.
- The second infrastructure plan is from Senate Republicans. This plan does include the amount for reauthorization of the FAST Act and totals \$568 billion over 5 years. The largest investment area for transportation is \$299 billion for highways and bridges. The Senate Republican's plan proposes user fees for electric vehicles along with the repurposing of unused Federal funding that was provided by the previous \$1.9 trillion stimulus bill.

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 final status of bills in the Department's legislative package, as well as other bills of interest to the Department.

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

Mark Umeda, Staff Attorney for ARDOT, updated the Commission on pending litigation for the I-630 and 30 Crossing court cases.

Director Tudor informed the Commission of the proceeds to the Department from the Spring Equipment Auction, held on April 14. ARDOT was able to sell 28 trucks for a total net proceeds of \$188,752.

The Commission closed the meeting by presenting Director Tudor with a commendation letter for her performance in her first year as Director, given the unusual circumstances of the year.

2021-044

IT IS ORDERED that a meeting of the Arkansas State Highway Commission
be closed at 11:10 a.m., May 5, 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 May 5, 2021.



Christie Heidelberg
Commission Secretary