

ARKANSAS DEPARTMENT OF TRANSPORTATION
LITTLE ROCK, ARKANSAS

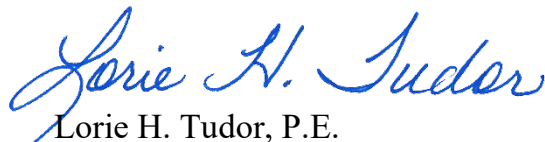
January 24, 2022

ADMINISTRATIVE CIRCULAR NO. 2022-02

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 December 7, 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

December 7, 2021

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, December 7, 2021. Members present were:

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

2021-095

IT IS ORDERED that a meeting of the Arkansas State Commission be opened at 10:00 a.m., December 7, 2021.

2021-096

WHEREAS, the Purchasing Committee has awarded purchases on October 29, November 8, and November 29 in the amounts of \$1,015,164.00, \$2,766,285.80, and \$393,416.92, respectively totaling \$4,174,866.72, 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.

2021-097

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 11R, Job No. R20090, from William C. Gooch, of lawful age and unmarried, by Warrant Deed dated May 30, 1995, and filed of record on June 29, 1995, as Book 656, Page 121, in the Circuit Clerk's office for Jefferson County, Arkansas; and

WHEREAS, the property was purchased as a capital asset for the sum of FIFTY and NO/100 DOLLARS (\$50.00) 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 Two has determined that Tract No. 11R is not now, nor in the foreseeable future will be, needed for highway purposes. The property is more particularly described as follows:

Part of the Northeast Quarter of the Southwest Quarter of Section 33, Township 6 South, Range 7 West, Jefferson County, Arkansas, being more particularly described as follows:

Starting at the Northwest Corner of Section 33; thence South 01°02'55" West along the West line of Section 33 a distance of 3140.44 feet to the existing Easterly right of way line of U.S. Highway 65; thence South 74°51'35" East along said existing right of way line a distance of 1355.84 feet to a point; thence North 1°02'55" East a distance of 103.10 feet to the point of beginning; thence continue North 1°02'55" East a distance of 101.5 feet to a point; thence South 45°00'00" East a distance of 197.72 feet to a point on the proposed Northerly right of way line of U.S. Highway 65; thence North 74°51'35" West along said proposed right of way line a distance of 146.76 feet to the point of beginning and containing 0.17 acres more or less.

WHEREAS, Billy M. Rester of Pine Bluff, Arkansas has offered to purchase the above-described real property for the sum of THREE THOUSAND NINE HUNDRED and NO/100 (\$3,900.00). Three (3) qualified appraisers have opined that the current fair market value of Tract No. 11R, Job No. R20090, is FOUR HUNDRED and NO/100 DOLLARS (\$400.00), excluding costs incurred by the Commission in the amount of THREE THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$3,500.00).

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of THREE THOUSAND NINE HUNDRED and NO/100 DOLLARS (\$3,900.00) from Billy M. Rester of Pine Bluff, Arkansas, 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 Billy M. Rester; 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 Jefferson 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.

2021-098

WHEREAS, the Arkansas State Highway Commission (Commission) owns property in Pulaski County, Arkansas acquired in 1956 from R.E. Block by eminent domain in Pulaski County Circuit Court Case No. 42449; and

WHEREAS, this property contiguous to U.S. Highway 67 and is now necessary for Job No. CA0604, Main St. – Vandenberg Blvd., and which property the Commission now holds as a capital asset, being in Pulaski County, more fully described as:

Part of Lot 1, Block 2 of the Replat of Oak View Subdivision as recorded in Plat Book 4, Page 320 being part of the Southwest Quarter of the Northeast Quarter of Section 19, Township 3 North, Range 10 West, Pulaski County, Arkansas, more particularly described as follows:

Commencing at a half inch pipe found at the Northeast Corner of Lot 17, Block 2 of the Replat of Oak View Subdivision as recorded in Plat Book 4, Page 320; thence North $87^{\circ}57'32''$ West along the Northern line of said Lot 17 a distance of 84.63 feet to the Northwest corner of said Block 2; thence South $46^{\circ}42'10''$ West along the Northwesterly line of said Block 2 a distance of 569.79 feet to a point on the Southeasterly right of way line of U.S. Highway 67 as established by AHTD Job 6608; thence in a Southwesterly direction along said right of way line on a curve to the right having a radius of 5,813.47 feet a distance of 25.57 feet having a chord bearing South $45^{\circ}50'11''$ West a distance of 25.57 feet to the North corner of Lot 7; thence continuing in a Southwesterly direction along said right of way line on a curve to the right having a radius of 5,813.47 feet a distance of 60.12 feet having a chord bearing South $46^{\circ}15'31''$ West a distance of 60.12 feet to the North corner of Lot 6; thence continuing in a Southwesterly direction along said right of way line on a curve to the right having a radius of 5,813.47 feet a distance of 16.30 feet having a chord bearing South $46^{\circ}38'06''$ West a distance of 16.30 feet to a point; thence South $37^{\circ}16'22''$ West along said right of way line a distance of 213.34 feet to a point; thence South $30^{\circ}36'52''$ West along said right of way line a distance of 79.99 feet to the Easterly line of said Lot 1 and the POINT OF BEGINNING; thence South $2^{\circ}05'12''$ West along said Easterly line a distance of 53.45 feet to a point on the Southeasterly right of way line of U.S. Highway 67 as established by ARDOT CA0604; thence continuing South $2^{\circ}05'12''$ West along said Easterly line and right of way line a distance of 23.83 feet to a point on the North right of way line of Hill Street as established by the Replat of Oak View Subdivision as filed in Book 4, Page 820; thence North $87^{\circ}54'48''$ West along said right of way line a distance of 42.01 feet to a

point on the Southeasterly right of way line of U.S. Highway 67 as established by AHTD Job 6608; thence North 30°36'52" East along said right of way line a distance of 87.97 feet to the POINT OF BEGINNING and containing 0.04 acres (1,623 sq. ft.) more or less, as shown on ARDOT plans referenced as Job CA0604.

NOW THEREFORE, the character of the above-described property is hereby changed from capital asset to that of right of way, hereafter designated as Tract No. 46, Job No. CA0604; a copy of this Minute Order shall, if required, be recorded in the Circuit Clerk and Recorder's office of Pulaski County, Arkansas, and the right of way shall, if necessary, be remonumented.

2021-099

WHEREAS, in the vicinity of Interstates 30 and 40 Interchange, the Arkansas State Highway Commission ("Commission") acquired property for highway right of way for Job No. CA0602, more commonly known as "30 Crossing" in Pulaski County, Arkansas from the City of North Little Rock, Arkansas ("City") by Donation Warranty Deed dated September 21, 2021, and filed of record on September 22, 2021, as Instrument No. 2021067118, in the Circuit Clerk's office for Pulaski County, Arkansas; and

WHEREAS, John Schlereth, of Little Rock, Arkansas, has requested that a portion of said right of way be transferred to his company, Schlereth Family, LLC, pursuant to Ark. Code Ann. § 27-67-302(2), for highway purposes;

WHEREAS, Schlereth Family, LLC, is the owner of Tract No. 37SG-1 on Job No. CA0602, upon which a billboard structure was erected. The construction of Job No. CA0602 requires the relocation of the existing structure, and the City of North Little Rock donated this property to the Commission for this purpose, which will reduce the right of way costs for this job; and

WHEREAS, Mr. Schlereth's request is more specifically described as follows: The Legal Description in Exhibit "A" and areas shown and depicted on the Maps in Exhibits "B", and "C" attached hereto.

NOW THEREFORE, the above-described property is declared transferred to Schlereth Family, LLC, 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 Schlereth Family, LLC, an Arkansas Limited Liability Company; 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 Pulaski 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.

2021-100

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 63, Job No. 100654 from Kathryn Malloy Williams, a married person, et al., by Warranty Deed filed of record on July 2, 2015, in Book 2028, Page 3225, in the Circuit Clerk's office for Mississippi County, Arkansas; and

WHEREAS, this property is contiguous to State Highway 77 and is now necessary for Job No. 100955 and which property the Commission now holds as a capital asset, being in Mississippi County, more fully described as:

Part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 14 North, Range 9 East, Mississippi County, Arkansas, more particularly described as follows:

Commencing at a 2 inch Aluminum Cap being used as the Center Quarter Corner of Section 6; thence South 89°31'02" West along the South line of Section 6 a distance of 1,819.50 feet to a point on the Easterly right of way line of Arkansas State Highway 77 as established by ARDOT Job 100955 for the POINT OF BEGINNING; thence continue South 89°31'02" West along the South line of Section 6 a distance of 58.12 feet to a point on the Easterly right of way line of Arkansas State Highway 77 as established by AHTD Job 100654; thence North 29°40'45" East along said right of way line a distance of 69.80 feet to a point; thence North 05°58'03" East along said right of way line a distance of 84.95 feet to a point on the North right of way line of Arkansas State Highway 77 as established by ARDOT Job 100955; thence South 78°09'03" East along said right of way line a distance of 210.46 feet to a point; thence South 00°29'49" East along said right of way line a distance of 55.00 feet to a point; thence South 78°11'35" West along said right of way line a distance of 76.49 feet to a point; thence North 78°43'43" West along said right of way line a distance of 122.58 feet to a point; thence South 03°30'35" East along said right of way line a distance of 54.84 feet to the point of beginning and containing 0.45 acres or 19,389 square feet more or less as shown on plans prepared by the ARDOT and referenced as Job 100955.

NOW THEREFORE, the character of the above-described property is hereby changed from capital asset to that of right of way, hereafter designated as Tract No. 29, Job No. 100955; a copy of this Minute Order shall, if required, be recorded in the Circuit Clerk and Recorder's office of Mississippi County, Arkansas, and the right of way shall, if necessary, be remonumented.

2021-101

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the January 12, 2022 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110800	01	CRITTENDEN	I-40 Truck Parking Expansion Project (PH. I) (West Memphis) (S)	I-40	Y
A10012	01	PHILLIPS	Hwy. 20S – Hwy. 49 (S)	20	N
020702	02	JEFFERSON	I-530 – I-530 (Pine Bluff) (S)	63 & 65B	Y
A20014	02	DESHA & DREW	Hwy. 65 – Hwy. 1 (S)	138	N
A30008	03	SEVIER	De Queen – Little River Co. Line (S)	41 & 70B	Y
A40013	04	SCOTT	HON – WALDRON (S)	80	N
A50009	05	STONE	Rushing – White River (S)	9	Y
061736	06	PULASKI	Central Office Walking Trail Impvts. (RTP) (S)	---	-
A60015	06	HOT SPRING	Dallas Co. Line – Malvern (S)	9	Y
A60016	06	PULASKI	I-40 – Military Dr. (S)	365	Y
A60017	06	LONOKE	Lincoln St. – Hwy. 67 (Cabot) (S)	89	Y
070563	07	CLARK	Hwy. 53 Strs. & Apprs. (Clark Co.) (S)	53	N
A70008	07	CLEVELAND & DALLAS	Hwys. 79 & 79B (Sel. Secs.) (S)	79 & 79B	Y
A70009	07	UNION	Louisiana State Line – Hwy. 82 (Sel. Secs.) (S)	15	Y
A80013	08	CONWAY	Morrilton – North (S)	95	Y
A80016	08	CONWAY	Hwy. 64 – Hwy. 9 (Morrilton) (S)	9B	Y
A90013	09	MARION	Hwy. 62 – Searcy Co. Line (S)	14	Y
100955	10	MISSISSIPPI	Hwys. 77, 140, 158, & 181 Strs. & Apprs. (Mississippi Co.) (S)	VAR	Y
A00010	10	CLAY	HWYS. 90 & 139 (SEL. seCS.) (s)	90 & 139	Y
A00012	10	CRAIGHEAD	Hwy. 18 – Greene Co. Line (S)	135	Y
A00023	10	MISSISSIPPI	Hwy. 61 – I-55 (S)	158	N
C03003	09	BAXTER	SALESVILLE OVERLAY & SURFACING (S)	---	-
C08008	09	CARROLL	Holiday Island Overlay (S)	---	-
C15006	08	CONWAY	Morrilton Overlay (S)	---	-
C23007	08	FAULKNER	Vilonia Overlay (S)	---	-
C23008	08	FAULKNER	MAYFLOWER Overlay (S)	---	-
C26006	06	GARLAND	Mountain Pine Overlay No. 2 (S)	---	-
C27007	02	GRANT	Leola, Poyen, & Prattsville Overlay & Surfacing (S)	---	-
C29002	03	HEMPSTEAD	Hope 6th St. Reconstruction (S)	---	-
C29008	03	HEMPSTEAD	Fulton & Patmos Overlay & Surfacing (S)	---	-
C30004	06	HOT SPRING	Malvern, Perla, & Rockport Overlay & Surfacing (S)	---	-
C32007	05	INDEPENDENCE	Cushman Overlay (S)	---	-
C35002	02	JEFFERSON	Pine Bluff 13th Ave. Reconstruction (S)	---	-
C36008	08	JOHNSON	Lamar Overlay & Surfacing (S)	---	-
C41006	03	LITTLE RIVER	Foreman & Wilton Overlay (S)	---	-
C50007	03	NEVADA	Prescott & Rosston Overlay & Surfacing (S)	---	-
C51002	09	NEWTON	Jasper Overlay No. 2 (S)	---	-

C52006	07	OUACHITA	BEARDEN Overlay (S)	---	-
C53006	08	PERRY	Perryville Overlay (S)	---	-
C54004	01	PHILLIPS	ELAINE Overlay (S)	---	-
C62009	06	SALINE	Haskell Overlay & Surfacing (S)	---	-
C65011	04	SEBASTIAN	Barling & Hackett Overlay (S)	---	-
C68007	01	ST. FRANCIS	Caldwell Overlay (S)	---	-
C69004	05	STONE	Fifty-Six Surfacing No. 2 (S)	---	-
C72012	04	WASHINGTON	Tontitown Pinalto Rd. Overlay (S)	---	-
C75001	08	YELL	Belleville & Danville Overlay (S)	---	-
C76060	03	HEMPSTEAD & PIKE	Antoine & Blevins Overlay (S)	---	-
SA0652	07	BRADLEY	Co. Rds. 8 & 32 Level & Reseal (S)	---	-
SA1148	10	CLAY	Clay Co. Level & Reseal (S)	---	-
SA1557	08	CONWAY	Conway Co. Overlay & Surfacing (S)	---	-
SA1665	10	CRAIGHEAD	Co. Rds. 65 & 250 Overlay (S)	---	-
SA1772	04	CRAWFORD	Hwy. 59 – Pine Hollow Rd. (Overlay) (S)	---	-
SA1939	01	CROSS	Cross Co. Rd. 47 (Base & Surfacing) (S)	---	-
SA2137	02	DESHA	Desha Co. Surfacing No. 16 (S)	---	-
SA2376	08	FAULKNER	Hwy. 64 – South (Overlay) (S)	---	-
BR2605	06	GARLAND	Lost Cr. & S. Fork Little Mazarn Cr. Strs. & Apprs. (S)	---	-
SA2867	10	GREENE	Paragould City Limits – Co. RD. 274 (Overlay) (S)	---	-
SA3146	03	HOWARD	Howard Co. Level & Reseal No. 2 (S)	---	-
SA3349	05	IZARD	Izard Co. Level & Reseal (S)	---	-
SA3856	10	LAWRENCE	Co. Rds. 22 & 44 Overlay (S)	---	-
SA4047	02	LINCOLN	Hwy. 114 – Co. Rd. 12 (Surfacing) (S)	---	-
SA4048	02	LINCOLN	Co. Rds. 8 & 18 Overlay & Surfacing (S)	---	-
SA4651	03	MILLER	Co. Rd. 4 Surfacing (S)	---	-
SA4838	01	MONROE	Co. Rds. 21 & 63 (Overlay) (S)	---	-
BR5007	03	NEVADA	WILSON Creek Str. & Apprs. (S)	---	-
SA5448	01	PHILLIPS	Phillips Co. Overlay (S)	---	-
SA5560	03	PIKE	Pike County Reseal No. 6 (S)	---	-
SA5740	04	POLK	Polk County Overlay No. 5 (S)	---	-
SA6345	04	SCOTT	Co. Rds. 300, 312 & 76 Overlay (S)	---	-
SA7138	08	VAN BUREN	Clinton City Limits – Hwy. 65 (Overlay) (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. Chairman Moore recognized special guests in attendance.

MOTION

Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded, and the motion passed to authorize use of electronic signatures for the December 7, 2021 Minute Orders.

MOTION

Commissioner Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to approve the Minutes from the November 3, 2021 Commission Meeting

OTHER DISCUSSION ITEMS

Richard Steiner, Head of Policy and Communications for Gatik presented an update of the fully driverless operations with Walmart in Bentonville, which began in August 2021.

Patrick Patton, Chief Fiscal Officer, provided the October 2021 update on State Highway Revenue. Mr. Patton noted that State Highway Revenues to the Department from traditional sources are up a total of 6.7% (\$9.3 million) in SFY 2022 compared to SFY 2021. Revenue from the Natural Gas Severance Tax is higher this year compared to last year. Total revenues available are 12.2% (\$16.9 million) above last year. Actual State Revenue received is 10.1% (\$14.3 million) above projected (budgeted) revenue for this year. Mr. Patton stated that October revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 4.57% higher, (\$896,438) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 2.12% (\$1,706,006). Since inception, this revenue source is 1.70%, or \$26.2 million, above DF&A's projections.

Vivien Hoang, Arkansas Division Administrator for the Federal Highway Administration presented an overview of the Infrastructure Investment and Jobs Act (IIJA), which was signed by the President on November 15, 2021. The IIJA, also known as the Bipartisan Infrastructure Law (BIL) will fund highway programs for five years (FY 2022 – 2026) and includes \$350.8 billion for formula and discretionary highway programs. The BIL also provides new opportunities for local governments and other non-traditional entities to access new funding. Ms. Hoang noted that the BIL will focus on accelerating project delivery by making some changes in the environmental process and in the utility relocation process. In closing, Ms. Hoang also highlighted changes to the Emergency Relief (ER) Program and the time period in which an ER project eligible for emergency repairs may qualify for 100% federal share.

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

In closing, Director Tudor notified the Commission that the Department was recognized by the American Concrete Pavement Association as the “Silver Winner” for Concrete Pavement Excellence. The award was for Outstanding Design and Construction for the I-630 widening between Baptist Hospital and University Avenue. Manhattan Road and Bridge Company subcontracted with Koss Construction Company to widen approximately 2.16 miles of Interstate 630 from 6 to 8 lanes and to reconstruct 5 bridges along this corridor. This was completed in March 2020 as part of the Connecting Arkansas Program.

2021-102

IT IS ORDERED that a meeting of the Arkansas State Commission be closed at 11:10 a.m., December 7, 2021.

I hereby certify that the above and foregoing is a true recording of the proceedings taken by the Arkansas State Highway Commission at its meeting on December 7, 2021.



Christie Heidelberg
Commission Secretary