

ARKANSAS DEPARTMENT OF TRANSPORTATION
LITTLE ROCK, ARKANSAS

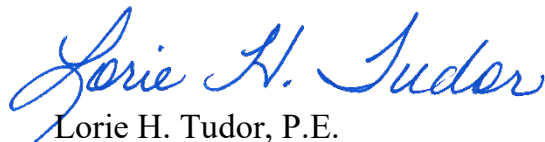
March 28, 2022

ADMINISTRATIVE CIRCULAR NO. 2022-05

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 16, 2022.

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 16, 2022

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, March 16, 2022. Members present were:

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

2022-028

IT IS ORDERED that a meeting of the Arkansas State Commission be opened at 10:00 a.m., March 16, 2022.

2022-029

WHEREAS, the Purchasing Committee has awarded purchases on February 7, February 17, and March 8, 2022 in the amounts of \$111,837.60, \$1,896,372.12 and \$4,672,319.33, respectively, totaling \$6,680,529.05, 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.

2022-030

WHEREAS, the Pavement Surface Properties Consortium, supported by the Federal Highway Administration, has created a pooled fund study for Managing the Pavement Properties for Improved Safety; and

WHEREAS, the goal of this pooled fund study is to support the implementation of asset management approaches and tools that help improve roadway safety by reducing the number of crashes; and

WHEREAS, the study recommendations will serve as a valuable resource for the Department.

NOW THEREFORE, the Director is authorized to participate in this pooled fund effort and enter into necessary agreements to fulfill the Department's commitment.

2022-031

WHEREAS, Act 884 of the 2021 Regular Session of the 93rd General Assembly of the State of Arkansas amended the Transportation-Related Research Grant Program to include transportation-related workforce development; and

WHEREAS, the purpose of the Transportation-Related Research and Workforce Development Grant Program (TRRWDGP) is to support the study of transportation materials and to support industry training, apprenticeships, and educational programs that foster skills required for transportation related personnel development; and

WHEREAS, the Arkansas Highway Commission passed Minute Order 2021-059, which promulgated rules for administering this program as required by Act 884 and authorized the Director to implement the TRRWDGP.

NOW THEREFORE, the Director is authorized to advertise for TRRWDGP applications annually, as funds become available, in accordance with the Arkansas Legislative Council's approved promulgated rules.

2022-032

WHEREAS, it is necessary for the Department to provide timely project management services for alternative delivery projects in order to proceed with construction; and

WHEREAS, on-call contracts have been found to be an effective method of providing timely and efficient project management services and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to request and evaluate proposals and enter into any necessary contracts and agreements with firms for on-call Alternative Delivery services on assigned projects for calendar years 2022 through 2026.

2022-033

WHEREAS, Title 23 U.S.C. 109(d) provides that States may erect Specific Service Signs within the interstate and highway rights of way which display information for business establishments offering goods and services in the interest of the traveling public; commonly referred to as Logo Signs in accordance with MUTCD guidelines; and

WHEREAS, Minute Order 79-353 authorized the Director to erect Logo Signs on the State's rural highway and interstate systems that would provide specific information concerning motorist services; and

WHEREAS, local jurisdiction continue to request the installation of Logo Signs along urban interstates and highways; and

WHEREAS, Logo Signs are available for eligible gas, food, lodging, camping and attraction businesses along fully-controlled access interstates and highways.

NOW THEREFORE, the Director is authorized to install Logo Signs for eligible gas, food, lodging, camping, and attraction businesses on existing Arkansas interstates and highways and any future interstates and highways added to the system.

2022-034

WHEREAS, Act 1 of the 90th General Assembly's Third Extraordinary Session established the Arkansas Highway Improvement Plan of 2016, which provides funding for highway construction; and

WHEREAS, a portion of Act 1 funding includes 25 percent of State Surplus funds; and

WHEREAS, the amount of the State Fiscal Year 2019 State Surplus funds exceeded projections, which resulted in additional funding being made available for highway improvements beyond what was anticipated; and

WHEREAS, Minute Order 2020-004 authorized the use of up to \$15 million in Act 1 Surplus funding from State Fiscal Year 2019 State Surplus funds for projects that promote economic development and economic competitiveness; and

WHEREAS, the Arkansas Economic Development Commission has requested funds from the State Fiscal Year 2019 State Surplus balance to support

infrastructure improvements to handle an increase in traffic volume associated with economic development along Highway 70 in North Little Rock; and

WHEREAS, this request meets criteria established by Minute Order 2020-004.

NOW THEREFORE, upon receipt of a letter of support from Governor Asa Hutchinson, the Director is authorized to commit an amount to be determined from the State Fiscal Year 2019 State Surplus funds for infrastructure improvements along Highway 70 in North Little Rock as requested by the Arkansas Economic Development Commission and to enter into any necessary agreements with the appropriate local agencies to implement these improvements.

2022-035

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

WHEREAS, the District Bridge Crew and the District Sealing Crew are located away from District 6 Headquarters at two of the Area Maintenance Headquarters; and

WHEREAS, ARDOT acquired a suitable property (54.0 acres) located at 11006 Baseline, Little Rock, Arkansas 72209, adjacent to the Maintenance Division, to be used for new District 6 Headquarters.

NOW THEREFORE, the Director is authorized to procure the services of an Architectural/Engineering firm and proceed with the design and construction of the new District 6 Headquarters including buildings, appurtenances, fencing, and related items as funds become available.

Work to be done by contract as a Building Project.

2022-036

WHEREAS, the Tennessee Department of Transportation (TDOT) completed the Mississippi River Crossing Feasibility and Location Study in 2006; and

WHEREAS, the study explored the feasibility of providing a new Mississippi River Bridge Crossing in the Memphis metropolitan area and evaluated possible

transportation solutions to help determine a preferred corridor alternative for proposed improvements for cross river mobility over the Mississippi River; and

WHEREAS, TDOT has expressed interest in partnering with the Department to conduct an update to this study.

NOW THEREFORE, the Director is authorized to enter into an agreement with the Tennessee Department of Transportation to participate in an update of the Mississippi River Crossing Feasibility and Location Study.

2022-037

WHEREAS, IN INDEPENDENCE COUNTY, IN THE CITY OF BATESVILLE local officials have expressed concern about the traffic flow within the City; and

WHEREAS, Minute Order 2008-163 adopted the Batesville Bypass Feasibility Study as a planning guide for future improvements in the area; and

WHEREAS, an update to this study is necessary to accurately evaluate the current transportation needs in the Batesville area.

NOW THEREFORE, the Director is authorized to update the Batesville Bypass Feasibility Study to reassess the need for and feasibility of a bypass around Batesville.

2022-038

WHEREAS, it has been determined that improvements are warranted to enhance safety at the five railroad crossings indicated on the attached list; and

WHEREAS, these improvements are eligible for Federal-aid Rail-Highway Crossing Safety funds; and

WHEREAS, local officials and a railroad company have indicated their willingness to provide matching funds for the off-system railroad crossings.

NOW THEREFORE, the Director is authorized to proceed with improvements at these crossings as funds become available subject to the following conditions:

- Maintenance of the signals and surfaces shall be performed by the applicable Railroad Company at no cost to the State.

- All required right-of-way shall be furnished at no cost to the State.

2022-039

WHEREAS, the Department has entered into a Design-Build Agreement for design and construction of Job CA0602, otherwise known as “Phase 1 - 30 Crossing”; and

WHEREAS, the project scope included in the executed Design-Build Agreement for “Phase 1 - 30 Crossing” does not include the removal and reconstruction of the direct connector between westbound Interstate 30 and westbound Interstate 630 or the connection from the southbound frontage road to westbound Interstate 630 (“Additional Phase 1 Scope”); and

WHEREAS, it has been determined that incorporating the Additional Phase 1 Scope will positively impact the cost, time, road user impacts, and safety of the overall project and will be in the public’s best interest; and

WHEREAS, a proposed change order has been negotiated with the Design-Build contractor for this Additional Phase 1 Scope; and

WHEREAS, the Federal Highway Administration has acknowledged their concurrence with this proposed change.

NOW THEREFORE, the Director is authorized to Proceed with a Change Order to amend the Design-Build Agreement to incorporate the Additional Phase 1 Scope work into the current “Phase 1 - 30 Crossing” project.

2022-040

WHEREAS, IN BENTON COUNTY, IN THE CITY OF GENTRY, Job 090651 is programmed to improve the intersection of Highway 12 and Highway 59; and

WHEREAS, through Resolution No. 21-652, the City of Gentry has offered to partner with the Department to construct improvements at this intersection by providing \$250,000 towards construction of this project.

NOW THEREFORE, 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.

2022-041

WHEREAS, IN MISSISSIPPI COUNTY, the Department has been informed of a planned economic development project that will construct a new steel mill south of Osceola along Highway 119, Section 1; and

WHEREAS, to expedite construction, Mississippi County has requested ownership of Highway 119, Section 1; and

WHEREAS, the developer and Mississippi County have committed to ensuring that property access for all landowners is maintained; and

WHEREAS, the Department has determined that this transfer of ownership is practical and will not adversely impact the State Highway System or the traveling public.

NOW THEREFORE, IT IS ORDERED, that upon official notification by the Deputy Director and Chief Engineer, Highway 119, Section 1 is hereby removed from the State Highway System as shown on the attached sketch.

2022-042

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the April 6, 2022 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
A10011	01	LEE	MONROE CO. LINE – BIG CREEK (SEL. SEC.) (S)	79	Y
A10015	01	CRITTENDEN	HWY. 64 – HWY. 70 (SEL. SECS.) (MARION & WEST MEMPHIS) (S)	77	Y
020785	02	JEFFERSON	DISTRICT 2 R.E. OFFICE 23 (PINE BLUFF) (S)	65	Y
020789	02	JEFFERSON	DISTRICT 2 BRIDGE PAINTING (2022) (S)	1-530 & 63	Y
A20004	02	DESHA & DREW	WINCHESTER – CHICOT CO. LINE (SEL. SECS.) (S)	65	Y
A30012	03	LITTLE RIVER	HWYS. 32 & 41 (SEL. SECS.) (S)	32 & 41	Y
A40011	04	CRAWFORD	I-540 – HWY. 162 (S)	64	Y
A40012	04	WASHINGTON	I-49 – BENTON CO. LINE (SEL. SECS.) (S)	71B	Y
A50013	05	SHARP	CAVE CITY – LAWRENCE CO. LINE (S)	230	N
A60008	06	LONOKE	CABOT – WHITE CO. LINE (SEL. SECS.) (S)	5	Y
A60010	06	PULASKI	HWY. 70 – E. ROOSEVELT RD. (LITTLE ROCK) (S)	365	Y
A60014	06	GARLAND	HWY. 7 – AKMD RR OVERPASS (S)	270	Y
070563	07	CLARK	HWY. 53 STRS. & APPRS. (CLARK CO.) (S)	53	N
A70010	07	OUACHITA	HWY. 79 – CALHOUN CO. LINE (EAST CAMDEN) (S)	278	Y
A70013	07	CLARK	GURDON – ARKADELPHIA (S)	67	Y
080580	08	POPE	HWY. 331 – ATKINS (S)	1-40	Y
A80011	08	POPE	PINEY CREEK BRANCH STR. & APPRS. (S)	333	N
A80015	08	FAULKNER	CADRON CREEK – HWY. 65B (CONWAY) (S)	64	Y
A90012	09	BOONE	HWY. 65 – HWY. 7 (HARRISON) (S)	43	Y
A90014	09	BENTON	SILAM SPRINGS – WASHINGTON CO. LINE (S)	412	Y
A90015	09	BENTON	GRAVETTE – PEA RIDGE (SEL. SECS.) (S)	72	Y
A90016	09	BOONE	HWYS. 65 & 392 IMPVTS. (SEL. SECS.) (HARRISON) (S)	65 & 392	Y

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(Continued)

March 16, 2022

100997	10	GREENE	BUFFALO HEAD SLOUGH STR. & APPRS. (S)	228	N
A00004	10	LAWRENCE & RANDOLPH	SHARP CO. LINE – HWY. 63B WEST (SEL. SECS.) (S)	63	Y
A00014	10	MISSISSIPPI	HWY. 181 – HWY. 77 (S)	158	N
A00015	10	MISSISSIPPI	CRITTENDEN CO. LINE – WILSON (SEL. SECS.) (S)	61	Y
A00020	10	CRAIGHEAD	POINSETT CO. LINE – CARAWAY RD. (S)	1	Y
A00022	10	GREENE	S. OF DELAPLAINE – RANDOLPH CO. LINE (S)	90	N
012407	02, 03 & 07	VARIOUS	DISTRICTS 2, 3 & 7 BRIDGE PRESERVATION (2022) (S)	VARIOUS	Y
012425	02 & 06	VARIOUS	DISTRICTS 2 & 6 CENTERLINE RUMBLE STRIPE IMPVTS. (S)	VARIOUS	Y
012426	03 & 07	VARIOUS	DISTRICTS 3 & 7 CENTERLINE RUMBLE STRIPE IMPVTS. (S)	VARIOUS	Y
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)	---	-
C35002	02	JEFFERSON	PINE BLUFF 13TH AVE. RECONSTRUCTION (S)	---	-
C41006	03	LITTLE RIVER	FOREMAN & WILTON OVERLAY (S)	---	-
C69004	05	STONE	FIFTY-SIX SURFACING NO. 2 (S)	---	-
C72012	04	WASHINGTON	TONTITOWN PIANALTO RD. OVERLAY (S)	---	-
C76060	03	HEMPSTEAD & PIKE	ANTOINE & BLEVINS OVERLAY (S)	---	-
C76069	03 & 08	MONTGOMERY & PIKE	GLENWOOD & NORMAN OVERLAY & SURF. (S)	---	-
SA0144	02	ARKANSAS	CO. RD. 21 – HWY. 165 (BASE & SURFACING) (S)	---	-
SA0446	09	BENTON	CO. RDS. 64 & 68 (RESEAL) (S)	---	-
SA0561	09	BOONE	CO. RD. 212 OVERLAY (S)	---	-
SA1448	07	COLUMBIA	CO. RD. 7 OVERLAY (S)	---	-
SA2546	05	FULTON	FULTON CO. LEVEL & RESEAL (S)	---	-
SA2671	06	GARLAND	KELTON ST. – HWY. 270 (OVERLAY) (S)	---	-
SA4281	04	LOGAN	HWY. 109 – HWY. 10 (LEVEL & RESEAL) (S)	---	-
SA4550	09	MARION	HWY. 235 – WEST (SURFACING) (S)	---	-
SA4652	03	MILLER	CO. RD. 64 OVERLAY (S)	---	-
SA4747	10	MISSISSIPPI	HWY. 239 – BLYTHEVILLE CITY LIMITS (OVERLAY) (S)	---	-
SA5031	03	NEVADA	HWY. 371 – WEST (OVERLAY & SURF.) (S)	---	-
SA5646	10	POINSETT	HWY. 49 – EAST (OVERLAY) (S)	---	-
SA6143	10	RANDOLPH	HWY. 166 – LEWIS JOHNSON RD. (OVERLAY) (S)	---	-
SA6549	04	SEBASTIAN	SEBASTIAN CO. OVERLAY NO. 2 (S)	---	-
SA6737	05	SHARP	ASH FLAT CITY LIMITS – WEST (OVERLAY) (S)	---	-
SA6738	05	SHARP	CO. RD. 46 RESEAL (S)	---	-
SA6946	05	STONE	STONE COUNTY OVERLAY NO. 5 (S)	---	-
SA72A0	04	WASHINGTON	CO. RDS. 62 & 87 OVERLAY (S)	---	-
SA7447	01	WOODRUFF	CO. RD. 25 – WEST (OVERLAY) (S)	---	-
SA7538	08	YELL	YELL CO. SURFACING & RESEAL (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 authorize the use of electronic signatures for the March 16, 2022 Minute Orders.

MOTION Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to approve the Minutes from the February 2, 2022 Commission Meeting.

MOTION Commissioner Philip Taldo moved, Commissioner Marie Holder seconded and the motion passed to authorize the Department to prepare and submit the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant application for the Highway 5 (Highway 183 to the Saline County Line) project in Saline County.

MOTION The Commission authorized the Department to advertise for consultant services for evaluation of the Department's Bridge Inspection

Program in May 2021. Commission Keith Gibson moved, Commissioner Marie Holder seconded and the motion passed to accept the Staff's recommendation to enter into negotiations to provide an evaluation of the Department's Bridge Inspection Program with the following firm:

Michael Baker International, Inc. – Pittsburgh, Pennsylvania

MOTION

The Commission authorized the Department to advertise for consultant services for On-Call Bridge Inspection services for 2022-2026. Commission Keith Gibson moved, Commissioner Marie Holder seconded and the motion passed to accept the Staff's recommendation to enter into negotiations to provide On-Call Bridge Inspection services for 2022-2026 with the following firms:

Burgess & Niple, Inc. – Columbus, Ohio
CONSOR Engineers, LLC – Edmond, Oklahoma
Garver, LLC – North Little Rock, Arkansas
HNTB Corporation – Plano, Texas
Michael Baker International – Little Rock, Arkansas
Modjeski and Masters, Inc. – New Orleans, Louisiana
Volkert, Inc. – Little Rock, Arkansas

OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the February 2022 update on State Highway Revenue. Mr. Patton noted that State Highway Revenues to the Department from traditional sources are up a total of 5.2% (\$14.1 million) in State Fiscal Year (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 12.5% (\$34.7 million) above last year. Actual State Revenue received is 10.5% (\$29.6 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 -1.89% lower, (-\$350,007) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 2.78% (\$4,427,619). Since inception, this revenue source is 1.78%, or \$28.9 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. Since the February 2 meeting,

Congress has taken several actions regarding Federal funding for transportation. Two Continuing Resolutions were passed to keep the government operating and an Appropriation Bill was passed and signed by the President. This bill provides funding for the remainder of Federal Fiscal Year 2022, which will end on September 30. This Appropriation Bill provides full funding for the Infrastructure Investment and Jobs Act (IIJA) including an increase in formula funding and various new programs. It also provides full funding for the various grant programs. During FFY 2022, Arkansas will receive an increase of approximately \$189 million from the IIJA. Of this amount, approximately \$34 million is sub-allocated to urban and non-highway funding, leaving the remaining \$155 million in FFY 2022 for highway construction. Another significant change to the transportation funding includes Community Project Funding or Congressionally Directed Spending Projects, formerly referred to as earmarks. There is \$59 million for projects in Arkansas. The Community Project Funding or Congressionally Directed Spending Projects included in the Appropriation Bill include the following:

- \$18 million for Future I-49 requested by Senator Boozman and Congressman Womack
- \$18 million for US Highway 67 requested by Senator Boozman
- \$18 million for Future I-69 requested by Senator Boozman
- \$5 million for Future I-57 requested by Senator Boozman

Director Tudor provided an update on the Arkansas Legislative Council Efficiency Study Recommendations Rules for Implementation. At the February 2 meeting, the Commission authorized the submission to revise of Rule 6, which deals with the implementation of Construction Contractor Performance Measurement. In this revision, two members of the highway construction industry will serve as representatives on the Contractor Performance Evaluation Committee. Due to the 93rd General Assembly – Fiscal Session 2022, the Highway Commission Review and Advisory Subcommittee did not meet, and is currently scheduled to resume in April.

Director Tudor updated the Commission on recent Department activities. Since the February 2 meeting, several noteworthy Department activities occurred as listed below:

- Director Tudor was named by Governor Asa Hutchinson to the Arkansas Council on Future Mobility;
- Director Tudor and Staff attended a partnering workshop in Rogers, AR, with the Arkansas Asphalt Paving Association;
- Director Tudor attended the Southern Association of State Highway and Transportation Officials (SASHTO) Board of Director's Retreat in Jackson, MS;
- Director Tudor and Staff attended the American Association of State Highway and Transportation Officials (AASHTO) Washington Briefing in Washington, DC;

- Director Tudor continued her work on the Infrastructure Planning Advisory Committee; and
- Director Tudor and Staff participated in the On-Call CM/GC Industry Workshop, held virtually.

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

Rita Looney, Chief Legal Counsel at ARDOT provided an update to the current lawsuits that challenged the spending of Amendment 91 and Amendment 101 funds. Ms. Looney also updated the status of the current NEPA case for the 30 Crossing Project.

In closing, Director Tudor recognized Commissioner Marie Holder, who was recently appointed by Governor Hutchinson to the Arkansas Commission on the Status of Women. Director Tudor also recognized Chairman Robert Moore for his recent recognition in the OuachitaCircle publication of Ouachita Baptist University. Chairman Moore was presented the Distinguished Alumni Award in August 2021.

2022-043

IT IS ORDERED that a meeting of the Arkansas State Commission be closed at 11:12 a.m., March 16, 2022.

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 March 16, 2022.



Christie Heidelberg
Commission Secretary