

ARKANSAS DEPARTMENT OF TRANSPORTATION  
LITTLE ROCK, ARKANSAS

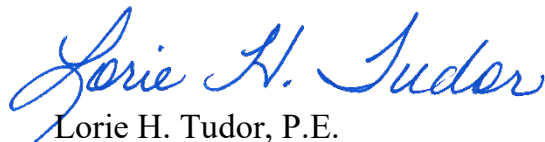
September 26, 2022

**ADMINISTRATIVE CIRCULAR NO. 2022-13**

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 September 14, 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

September 14, 2022

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, September 14, 2022. Members present were:

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

2022-086

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., September 14, 2022.

2022-087

WHEREAS, the Purchasing Committee has awarded purchases on July 20, August 3, and August 22, 2022, in the amounts of \$1,598,149.00, \$1,573,535.50, and \$1,556,727.50, respectively, totaling \$4,728,412.00, 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.

2022-088

WHEREAS, Act 1176 of 2013 enacted a 15% registration fee increase on certain commercial vehicles registered under the International Registration Plan; and

WHEREAS, the Act provides for the first \$2 million collected under the fee increase each year to be set aside for a Commercial Truck Safety and Education Fund; and

WHEREAS, the purpose of this program is to advance state interests in roadway safety by improving the safety of the commercial truck industry through

cooperative public-private programs that focus on increased enforcement, regulatory compliance, industry training, and educational programs to ensure the safe movement of goods on Arkansas' roadways; and

WHEREAS, proposals for eligible projects have been solicited, received, reviewed, and evaluated by the Arkansas Commercial Truck Safety and Education Program (ACTSEP) Committee; and

WHEREAS, the ACTSEP Committee has recommended awarding Commercial Truck Safety and Education Funds for the projects as presented on the attached report.

NOW THEREFORE, the Director is authorized to proceed with the award of these funds as recommended.

2022-089

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as the Buena Vista Rest Area in connection with Tract No. 1, Job No. 7654 from International Paper Company, an Arkansas corporation, by Warranty Deed dated July 6, 1967, filed for record on August 16, 1967, as Record Book 332, Page 215, in the Circuit Clerk's office of Ouachita County, Arkansas; and

WHEREAS, Mr. Bob Tobermann of Memphis, Tennessee has requested the reacquisition of Tract No. 1 on behalf of International Paper Company pursuant to a reversionary clause contained in the original Warranty Deed; and

WHEREAS, the District Engineer for District Seven has determined that the former Buena Vista Rest Area property is not now, nor in the foreseeable future will be, needed for highway purposes. The property to be declared surplus is more particularly described as follows:

BEING PART OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 14 SOUTH, RANGE 18 WEST, OUACHITA COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE E1/4 CORNER OF SAID SECTION 11, SAID POINT BEING A FOUND 2" ALUMINUM CAP STAMPED PLS 1014; THENCE S02°43'36"W ALONG THE EAST LINE OF SAID SECTION 11 A DISTANCE OF 204.89' TO A SET 5/8" REBAR AND 2" ALUMINUM CAP STAMPED "PS1731"; THENCE LEAVING SAID EAST LINE S61°55'11"W

A DISTANCE 1020.63' TO A FOUND 5X5 CONCRETE R/W MONUMENT; THENCE N 28°07'10" W A DISTANCE OF 304.04' TO THE SOUTHERLY RIGHT OF WAY OF HIGHWAY 79, AS ESTABLISHED BY ARDOT JOB 7654, SAID POINT BEING A SET 5/8" REBAR AND 2" ALUMINUM CAP STAMPED "PS1731"; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING COURSES AND DIRECTIONS: N 62°18'13" E A DISTANCE OF 1101.66' TO A SET 5/8" REBAR AND 2" ALUMINUM CAP STAMPED "PS1731"; THENCE ALONG AN ARC 97.76' TO THE LEFT, HAVING A RADIUS OF 2924.79', THE CHORD OF WHICH IS N 61°20'45" E FOR A DISTANCE OF 97.76' TO A SET 5/8" REBAR AND 2" ALUMINUM CAP STAMPED "PS1731", SAID POINT BEING ON THE EAST LINE OF SAID SECTION 11; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY AND ALONG THE EAST LINE OF SAID SECTION S 2°47'02" W A DISTANCE OF 141.73' TO THE POINT OF BEGINNING, CONTAINING 7.65 ACRES (7.26 ACRES IN THE NE1/4 OF THE SE1/4; 0.38 ACRES IN THE SE1/4 OF THE NE1/4) MORE OR LESS. SUBJECT TO ALL ROADWAYS, EASEMENTS, AND RESERVATIONS THAT ARE OF RECORD OR PHYSICALLY IN PLACE.

NOW THEREFORE, the above-described property is declared surplus; the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to International Paper Company; this Minute Order along with a copy of the deed shall be recorded in Ouachita County, Arkansas and, if necessary, the right of way shall be remonumented. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds.

2022-090

WHEREAS, IN BOONE COUNTY, IN THE CITY OF HARRISON, through Resolution No. 1273, the City of Harrison has offered to partner with the Department by providing \$2,500,000 towards the construction of improvements along Highway 65 between Industrial Park Road and Highway 65 Business; and

WHEREAS, Job 090578 is programmed to improve the portion of Highway 65 between Industrial Park Road and Highway 7.

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.

2022-091

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the September 21, 2022 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110813	01	CRITTENDEN	MISSISSIPPI RIVER – HWY. 191 (S)	I-40 & I-55	Y
020780	02	DESHA	HWY. 138 – WATSON (S)	1	N
040900	04	SEBASTIAN	I-49/HWY. 22 INTCHNG. CLEARING & GRUBBING (S)	FUTURE I-49	Y
050342	05	WHITE	CYPRESS BAYOU – HWY. 267 STRS. & APPRS. (S)	31	Y
CA0604	06	PULASKI	MAIN ST. – VANDENBERG BLVD. (WIDENING) (JACKSONVILLE) (F)	67	Y
061754	06	HOT SPRING, PULASKI & SALINE	OVERHEAD SIGN STRS. & SIGNS REPLACEMENT (CENTRAL AR) (2022) (S)	I-30 & I-440	Y
100098	10	MISSISSIPPI	DITCH NO. 6 STR. & APPRS. (S)	148	N
100942	10	CRAIGHEAD	HWY. 351 RR OVERPASS (AIRPORT RD.) (JONESBORO) (S)	351	Y
012397	04 & 08	VARIOUS	I-40 CABLE MEDIAN BARRIER IMPVTS. (S)	I-40	Y
012428	01, 05 & 10	VARIOUS	DISTRICTS 1, 5 & 10 RAISED PAVEMENT MARKERS (2023) (S)	VARIOUS	Y
012430	04 & 09	VARIOUS	DISTRICTS 4 & 9 RAISED PAVEMENT MARKERS (2023) (S)	VARIOUS	Y

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 September 14, 2022 Minute Orders.

MOTION Commissioner Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to approve the Minutes from the July 27, 2022 Commission Meeting.

MOTION Commissioner Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to submit an application for an intersection improvement project in Cross County, at the intersection of Highway 64 with Highway 49, for the 2022 Railroad Crossing Elimination Program (RCEP) grant opportunity.

MOTION Commissioner Keith Gibson moved, Commissioner Philip Taldo seconded and the motion passed to authorize the Department to make the Draft Statewide Transportation Improvement Program (STIP) for Federal Years 2023-2026 available for public comment.

MOTION Vice Chairman Alec Farmer moved, Commissioner Marie Holder seconded and the motion passed to accept the proposed Appropriations Budget for State Fiscal Years 2024-2025 as recommended by staff, and to authorize the Director to submit the documents to the Legislative Council and the Joint Budget Committee for consideration at their October 20 meeting.

MOTION The Commission approved Minute Order 2022-071 on July 27, 2022, authorizing the Department to retain the services of a qualified professional auctioneer to conduct public auctions for certain vehicles and equipment at or near the time when operational costs surpass their remaining

value. Public advertisement was made on July 29, 2022, on the Department's website. Commissioner Philip Taldo moved, Vice Chairman Alec Farmer seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the following firm to provide auction services for 2022-2026:

Blackmon Auctions, Inc. – Little Rock, Arkansas

MOTION

The Commission approved Minute Order 2021-056 on July 28, 2021, authorizing the Department issue a Request for Proposal for a Roadway Safety Management System. Commissioner Keith Gibson moved, Commissioner Philip Taldo seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the following firm to develop and implement a Roadway Safety Management System for the Department:

DiExSys, LLC – Castle Rock, Colorado

MOTION

The Commission approved Minute Order 2022-032 on March 16, 2022, authorizing the Department to request and evaluate proposals and enter into any necessary contracts and agreements with firms for on-call Alternative Delivery services for calendar years 2022-2026. Public advertisement was made on June 7, 2022, on the Department's website. Commissioner Keith Gibson moved, Commissioner Marie Holder seconded and the motion passed to accept the Staff's recommendation to enter into negotiations with the following firms to provide on-call Alternative Delivery services for calendar years 2022-2026:

Garver, LLC – North Little Rock, Arkansas  
HNTB Corporation – Little Rock, Arkansas  
Volkert, Inc. – Little Rock, Arkansas

#### OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the July 2022 update on State Highway Revenue. Mr. Patton noted that State Highway Revenues to the Department from traditional sources are up a total of 7.2% (\$2.7 million) in the SFY 2023 compared to SFY 2022. Revenue from the Natural Gas Severance Tax is higher this year compared to last

year. Total revenues available are 17.0% (\$6.6 million) above last year. Actual State Revenue received is 17.6% (\$6.8 million) above projected (budgeted) revenue for this year. Mr. Patton stated that July revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 9.15% higher, (\$1,843,743) than projected by the Department of Finance and Administration (DF&A) for the month. Since this was the first month of the Fiscal Year, year to date actual revenue was also reported above projections by 9.15% (\$1,843,743). Since inception, this revenue source is 2.36%, or \$40.5 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. The Federal Fiscal Year ends on September 30, and the Senate has not yet passed their appropriation bill for Federal Fiscal Year (FFY) 2023, nor has the Senate committee begun work on their bill. They have been, for several weeks, working on a Continuing Resolution (CR) for the first part of FFY 2023. It is expected that this CR will extend funding through early to mid-December. If passed, this would provide funding until after the mid-term elections. Once a CR is passed in the Senate, it must be passed in the House. It is expected to be passed prior to the end of September.

Mr. Thornton also updated the Commission on the most recent awards of the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants. The Department submitted a project in Saline County on Highway 5 from Highway 183 to the Pulaski County Line. Unfortunately, this project was not selected to receive funding. The only project in the State of Arkansas to be selected was submitted by the City of Conway. They will receive \$25 million to develop a 15-mile corridor to connect west and east Conway. Of the 166 projects that received funding nationwide, 79 were awarded to Cities; local agencies other than cities received 33 grants; State DOTs were awarded 26 grants; county projects received 15 grants; and Tribal projects received 13 grants.

Director Tudor provided an update to the Efficiency Review Recommendation Implementation. At the last meeting of the Highway Commission Review and Advisory Subcommittee (HCRAS), an update covering July and August was presented. The last monthly progress report for September has been submitted to the HCRAS. In this report the HCRAS was updated on the following activities:

- Recommendation #3 under the Portfolio Planning category recommended “publishing status of construction projects and maintenance activities”
  - Advertisement was made to retain the services of a qualified consultant to provide enhanced communication through the website with regard to construction projects and maintenance activities; and



- The evaluation committee is currently reviewing and working towards a recommendation from the five proposals received.
- Recommendation #7 under the Expenditures category recommended “implementing a project and portfolio management framework”
  - HCRAS has reviewed the contract with Data Transfer Solutions, LLC, to provide and implement the Maintenance Management System (MMS);
  - The MMS will allow the Department to effectively budget, plan, execute, and tract maintenance efforts across the State; and
  - Cost is approximately \$1.6 million

Director Tudor updated the Commission on recent department activities as detailed below:

- On August 17, Director Tudor participated in the Associated Building and Contractors “Breakfast with the Executives”;
- Commissioner Holder and Director Tudor and staff attended an update on the 30 Crossing Project on August 17;
- Director Tudor participated on a panel of speakers at the Building Owners and Managers Association (BOMA) in Rogers, AR on August 18;
- On August 22-26, Director Tudor attended the National Council of Examiners for Engineering and Surveying (NCEES) Annual Business Meeting in Carlsbad, CA;
- On August 24, Rex Vines, Deputy Director and Chief Engineer, attended the annual Arkansas/Oklahoma Concrete Conference where he was presented with latest Partnering Agreement signed by Chairman Moore, Director Tudor and members of the Concrete Association. It was also at this conference that the Department received the “Long-Life Concrete Pavement Recognition Award” for the north section of Interstate 430 from Interstate 40 to Rodney Parham Road, including the bridge over the Arkansas River;
- Director Tudor and staff attended the Southern Association of State Highway and Transportation Officials (SASHTO) annual conference on August 27-31. At this conference the Department was selected as a regional winner in the America’s Transportation Awards – Large Project Category, for the Bella Vista Bypass;

- Lastly, the Department hosted the first “Tip of the CAP” celebration in El Dorado on September 8. This was the first of four celebrations to be held across the state signifying the fulfillment of the promises made in the Connecting Arkansas Program. This event was attended by Chairman Moore, Vice Chairman Farmer, Commissioners Taldo and Holder, Director Tudor and staff.

Jared Wiley, Assistant Chief Engineer for Planning presented the Draft Statewide Transportation Improvement Program (STIP) for Federal Fiscal Years 2023-2026. Mr. Wiley highlighted project information for each of the Department’s 10 Districts.

Director Tudor presented the Commission with the 2024-2025 Proposed Appropriations Budget, which will be considered for approval at the Joint Budget Committee hearing on October 20. The information provided in the Proposed Appropriations Budget will be crafted into the ARDOT Appropriations Bill that will be introduced and ultimately considered during the 2023 legislative session. That appropriations bill will set the maximum spending limits for Fiscal Years 2024 and 2025. Director Tudor presented the Commission with proposed staffing levels, a proposed organizational chart and District map, which included creating an additional District to provide relief to already overloaded Districts. Chief Fiscal Officer Patrick Patton presented the proposed appropriation amounts needed to support the Department’s operations.

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

In closing, Rita Looney, Chief Legal Counsel, provided an update to the current 30 Crossing court cases.

2022-092

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:45 a.m., September 14, 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 September 14, 2022.



Christie Heidelberg  
Commission Secretary