

ARKANSAS DEPARTMENT OF TRANSPORTATION
LITTLE ROCK, ARKANSAS

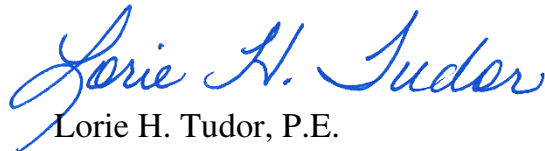
August 16, 2023

ADMINISTRATIVE CIRCULAR NO. 2023-09

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 August 2, 2023.

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

August 2, 2023

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 2, 2023. Members present were:

Alec Farmer, Chairman
Philip Taldo, Vice Chairman
Marie Holder, Member
David Haak, Member

2023-069

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., August 2, 2023.

2023-070

WHEREAS, the Purchasing Committee has awarded purchases on June 12, and June 30, 2023, in the amounts of \$406,659.00 and \$618,930.50, respectively, totaling \$1,025,589.50, 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.

2023-071

WHEREAS, the Institute of Internal Auditors (IIA) is a globally recognized group that was established to provide leadership for the profession of internal auditing; and

WHEREAS, the IIA promotes the value internal audit professionals add to their organizations by providing comprehensive, professional, educational and

development opportunities, standards and other professional practice guidance, and certification programs; and

WHEREAS, the IIA also provides its members the opportunity to share best practices in internal auditing by bringing together auditors from all countries to share information and experiences; and

WHEREAS, membership in the IIA will provide valuable benefits to the Department from various services.

NOW THEREFORE, the Director is authorized to pay the 2024 membership dues in the amount of \$4,000.

2023-072

WHEREAS,, the American Association of State Highway and Transportation Officials (AASHTO) has requested the Department's participation in the Fiscal Year 2024 AASHTO Engineering Technical Service Programs; and

WHEREAS, these programs provide benefits to the member departments through the pooling of resources and expertise from across the country; and

WHEREAS, the benefits include technical services in a wide variety of areas, pooled resources for a common goal, and reducing duplication of effort; and

WHEREAS,, these memberships include the AASHTO Design Guidelines; AASHTO Equipment Management; AASHTO Materials Guidelines; AASHTO Operations Technical Services Program; AASHTO Performance Management; AASHTO Preservation Management; AASHTO Product Evaluation and Audit Solutions; AASHTO re:source; AASHTO Safety Hardware Management; AASHTO Safety Management; AASHTO STEM Outreach Solutions; AASHTO Structures Guidelines; AASHTO Technical Training Solutions; and National Operations Center of Excellence; and

WHEREAS, these programs are regarded as highly beneficial to the Department in order to exchange ideas, information, and best practices with other highway agencies.

NOW THEREFORE, the Director is authorized to utilize State Planning and Research funds to pay annual membership dues for participation in these programs.

2023-073

WHEREAS, the Department facilities across the State are operated utilizing various ages of equipment to provide lighting, heating and cooling; and

WHEREAS, an energy audit would provide the Department with an accurate understanding of the potential to improve efficiencies; and

WHEREAS, consultants who are experienced in performing energy audits are currently available with an active Arkansas Purchasing Agreement.

NOW THEREFORE, the Director is authorized to procure and enter into an agreement with a qualified consultant to perform an energy audit of facilities owned by the Department.

2023-074

WHEREAS, the Arkansas Strategic Highway Safety Plan (2022-2027) identified a principle of a Safe System approach to include the identification of tools that can mitigate risks on Arkansas' transportation system to proactively prevent crashes; and

WHEREAS, Drivewyze, an Intelligent Transportation System (ITS) service provider, has developed a solution to enhance the safety on Arkansas' transportation system through the use of in-cab notifications; and

WHEREAS, a partnership between the Arkansas Department of Transportation and Drivewyze will provide needed real time information to on road commercial drivers; and

WHEREAS, information provided to on road commercial drivers in real time related to traffic situations ahead will be highly beneficial in reducing crashes and incidents.

NOW THEREFORE, the Director is authorized to enter into a partnering agreement with Drivewyze to provide in-cab notifications of traffic situations ahead as funds become available.

2023-075

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 5XR, Job No. 030388, from John David Bratcher and Pamela Bratcher, husband and wife, by Warranty Deed dated January 18, 2013, and

filed of record on January 18, 2013, as Instrument No. 2013R000573, in the Circuit Clerk's office for Miller County, Arkansas; and

WHEREAS, Joshua McNatt of Texarkana, Arkansas has requested to purchase Tract No. 5XR, Job No. 030388, which the District Engineer for District 3 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 5XR was acquired as surplus property by the Commission and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. Mr. McNatt offered to purchase the tract for SIXTEEN THOUSAND ONE HUNDRED SEVENTEEN AND NO/100 DOLLARS (\$16,117.00) of which \$117.00 represents administrative costs expended by the Arkansas Department of Transportation. Two qualified appraisers have opined as to the current Fair Market Value of the property, and the Commission has accepted the appraised amount of SIXTEEN THOUSAND AND NO/100 DOLLARS (\$16,000.00).

WHEREAS, the Commission acquired Tract No. 5XR for SEVENTY-SEVEN THOUSAND ONE HUNDRED SEVENTY-FIVE AND NO/100 DOLLARS (\$77,175.00), which the tract is more particularly described as follows:

Part of Lots 4, 5 and 6, Block 59, Town of Texarkana, being part of the South Half of the Northeast Quarter of Section 30, Township 15 South, Range 28 West, Miller County, Arkansas, more particularly described as follows:

BEGINNING at a 1 ½ Inch Pipe being used as the Northwest Corner of Lot 4, Block 59, Town of Texarkana; thence North 61°55'54" East along the Northwest Lot Line of Lot 4 a distance of 128.56 feet to a point on the Southwesterly right of way line of U.S. Highway 71 as established by AHTD Job 030388; thence South 17°52'52" East along said right of way line a distance of 49.82 feet to a point; thence South 18°50'54" East along said right of way line a distance of 49.67 feet to a point; thence South 2°50'41" West along said right of way line a distance of 23.27 feet to a point; thence South 26°55'58" West along said right of way line a distance of 25.59 feet to a point; thence South 44°40'52" West along said right of way line a distance of 21.83 feet to a point; thence South 52°12'49" West along said right of way line a distance of 46.27 feet to a point on the Northwesterly right of way line of Third Street as established by the plat of the Town of Texarkana filed December 7, 1880; thence South 61°59'49" West along said right of way line a distance of 12.50 feet to a point on a platted 20 feet alley; thence North 28°02'11" West along said right of way line a distance of 146.97 feet to the point of beginning and containing 15,910 square feet more or less as shown on plans prepared by the AHTD referenced as Job 030388.

The intent of this deed is to release Tract 5XR as acquired by Arkansas State Highway Commission by Deed, book 2013, page R000573.

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of SIXTEEN THOUSAND ONE HUNDRED SEVENTEEN AND NO/100 DOLLARS (\$16,117.00) from Mr. McNatt of Texarkana, 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 properties to Joshua McNatt, a married person; 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 Miller 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.

2023-076

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 5X, Job No. 040861 from the Missouri Pacific Railroad Company, a Missouri corporation, by Quitclaim Deed filed of record on November 16, 1959, in Book 139, Page 21, in the Circuit Clerk's office for Sebastian County, Arkansas; and

WHEREAS, this property is contiguous to State Highway 10 and is now necessary for Job No. 040861 and which property the Commission now holds as a capital asset, being in Sebastian County, more fully described as:
Part of the Southwest Quarter of the Southwest Quarter of Section 12, Township 6 North, Range 31 West, Sebastian County, Arkansas, more particularly described as follows:

Commencing at a Railroad Spike being used as the South Sixteenth Corner of Section 12; thence South 88°58'42" East along the North line of the Southwest Quarter of the Southwest Quarter of Section 12 a distance of 678.02 feet to a point; thence South 02°00'18" West a distance of 263.11 feet to a point on the Northerly right of way line of Arkansas State Highway 10 (W. Elm Street) as established by ARDOT Job 040861 for the POINT OF BEGINNING; thence North 88°57'01" East along said right of way line a distance of 132.10 feet to a point; thence South 25°17'22" East a distance of 43.38 feet to a point; thence North 89°41'46" East a distance of 115.57 feet to a point; thence in a Southwesterly direction along a curve to the Left, having a radius of 3,894.72 feet a distance of 50.03 feet, having a chord bearing of South 19°41'41" West a distance of 50.03 feet to a point on the Northerly

right of way line of Arkansas State Highway 10 (W. Elm Street) as established by AHTD Job 4211; thence North 87°50'04" West along said right of way line a distance of 252.08 feet to a point; thence North 02°00'18" East a distance of 73.82 feet to the point of beginning and containing 0.37 acres more or less shown on plans prepared by the ARDOT and referenced as Job 040861.

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. 5X, Job No. 040861; a copy of this Minute Order shall, if required, be recorded in the Circuit Clerk and Recorder's office of Sebastian County, Arkansas, and the right of way shall, if necessary, be remonumented.

2023-077

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as "Fort Smith-Van Buren Road", Job No. 4171, by County Court Order filed of record on November 9, 1935, as Book O, Page 54, in the Circuit Clerk's office for Sebastian County, Arkansas; and

WHEREAS, Shirley Yeager of Fort Smith, Arkansas has requested to purchase the property, which the District Engineer for District 4 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, the property was acquired as a capital asset by the Commission and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. Ms. Yeager offered to purchase the tract for SIX HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$690,000.00), representing the Fair Market Value as determined by two qualified appraisers.

WHEREAS,, the property is more particularly identified as the "Shamrock Release Area", Job No. 4594, and also described as follows:

Being a part of the NE 1/4, NE 1/4 of Section 35, T9N, R32W, lying in Sebastian County, Arkansas; more particularly described as follows:

Commencing at a 1/2" Pipe for the SW Corner of the NE 1/4, NE 1/4 of said Section 35; thence S86°27'36"E along the South line of said NE 1/4, NE 1/4 a distance of 365.71' to a set 5/8" rebar and 2" aluminum cap stamped "Arkansas Dept. of Trans BDY 1731" for the Point of Beginning of this description; thence leaving said South line of the NE 1/4, NE 1/4 of Section 35 N02°52'22"W a distance of 25.28' to a set 5/8" rebar and 2" aluminum cap stamped "Arkansas Dept. of Trans BDY 1731"; thence N70°49'55"E a distance of 331.13' to a Calculated Point; thence

S02°20'51"W a distance of 4.46' to a set 2" aluminum cap stamped "Arkansas Dept. of Trans BDY 1731"; thence S02°41'59"E a distance of 60.42' to a 1 1/2" aluminum cap stamped "AHTD R/W"; thence S57°20'20"W a distance of 81.39' to a set 5/8" rebar and 2" aluminum cap stamped "Arkansas Dept. of Trans BDY 1731"; thence S73°58'39"W a distance of 120.55' to a set 5/8" rebar and 2" aluminum cap stamped "Arkansas Dept. of Trans BDY 1731"; thence N86°27'36"W a distance of 130.04' to the Point of Beginning, containing .49 acres, more or less. Subject to all roadways, easements and reservations that are of record or physically in place.

This property is not in the 100-year floodplain according to FEMA Map 05131C0040F, map effective date 03/01/2012.

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of SIX HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$690,000.00) from Ms. Yeager of Fort Smith, 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 Shirley Jean Yeager Revocable Living Trust; 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 Sebastian 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.

2023-078

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 67XR, Job No. 012326, from Richard W. Campbell and Jennifer L. Campbell, husband and wife, by Warranty Deed dated October 26, 2022, and filed of record on October 27, 2022, as File No. 2022-00035142, in the Circuit Clerk's office for Washington County, Arkansas; and

WHEREAS, James Larson of Springdale, Arkansas has requested to purchase Tract No. 67XR, Job No. 012326, which the District Engineer for District 4 has determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 67XR was acquired as surplus property by the Commission and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. Mr. Larson offered to purchase the tract for ONE HUNDRED TWENTY THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS

(\$120,750.00), representing the Fair Market Value for the fee acquisition as determined by two qualified appraisers.

WHEREAS, the Commission acquired Tract No. 67XR for FIVE HUNDRED NINETY-FIVE THOUSAND AND NO/100 DOLLARS (\$595,000.00), which the tract is more particularly described as follows:

Part of the South Half of the Northeast Quarter of the Northwest Quarter, of Section 35, Township 18 North, Range 31 West, Tontitown, Washington County, Arkansas, being more particularly described as follows:

Commencing at the Southeast corner of said Northeast Quarter of the Northwest Quarter; Thence North 87°08'52" West, 620.32 feet to a set iron pin and the Point of Beginning; Thence North 2°53'54" East, 307.63 feet to a set iron pin; Thence North 87°08'52" West, 708.00 feet to a set iron pin; Thence South 2°53'54" West, 307.63 feet to an aluminum monument; Thence South 87°08'52" East, 708.00 feet to the Point of Beginning, containing 5.00 acres and subject to any and all easements of record or fact.

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of ONE HUNDRED TWENTY THOUSAND SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$120,750.00) from Mr. Larson of Springdale, 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 properties to James and Patricia Larson, husband and wife; 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 Washington 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.

2023-079

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 65XR, Job No. 090224, from Westfield Commercial One, LLC, an Arkansas limited liability company, by Warranty Deed dated October 18, 2007, and filed of record on October 22, 2007, as Book 2007, Page 43275, in the Circuit Clerk's office for Benton County, Arkansas; and

WHEREAS, Rebecca Burkes of Bethel Heights, Arkansas has requested to purchase Tract No. 65XR, Job No. 090224, which the District Engineer for District 9 has

determined is not now, nor in the foreseeable future will be, needed for highway purposes; and

WHEREAS, Tract No. 65XR was acquired as surplus by the Commission and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. Ms. Burkes offered to purchase the tract for SIXTY THOUSAND AND NO/100 DOLLARS (\$60,000.00), representing the Fair Market Value as determined by three qualified appraisers.

WHEREAS, the Commission acquired Tract No. 65XR for TWENTY-TWO THOUSAND AND NO/100 DOLLARS (\$22,000.00), which the tract is more particularly described as follows:

Part of the Northwest Quarter of the Southeast Quarter of Section 7, Township 20 North, Range 31 West, Benton County, Arkansas, more particularly described as follows:

Starting at a computed point being used as the South East sixteenth corner of Section 7; thence North 02° 34' 19" East along the East line of the Northwest Quarter of the Southeast Quarter of Section 7 a distance of 660.22 feet for the point of beginning; thence North 87° 24' 54" West a distance of 885.10 feet to a point on the Southerly right of way line of Relocated U. S. Highway 71 as established by AHTD Job 090224; thence North 34° 09' 19" East a distance of 82.17 feet along said right of way to a point; thence North 69° 54' 44" East a distance of 658.98 feet along said right of way to a point; thence South 66° 19' 44" East a distance of 127.06 feet along said right of way to a point; thence North 68° 22' 27" East a distance of 126.52 feet along said right of way to a point on the East line of the Northwest Quarter of the Southeast Quarter of Section 7; thence South 02° 34' 19" West a distance of 330.20 feet along said East line to the POINT OF BEGINNING and containing 4.41 acres, or 192,129 square feet more or less as shown on plans prepared by the AHTD referenced as Job 090224.

NOW THEREFORE, the above-described property is declared surplus and upon receipt and consideration of the sum of SIXTY THOUSAND AND NO/100 DOLLARS (\$60,000.00) from Ms. Burkes of Bethel Heights, 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 properties to Plateau Properties, 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 Benton 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.

2023-080

WHEREAS, the Arkansas State Highway Commission (Commission) acquired properties identified as Tract Nos. 15, 16, and 17, Job No. 10272, more commonly known as “Paragould – Marmaduke Relocation Road” in Greene County, Arkansas, by Court Order dated January 29, 1946, and being recorded in County Court Records of Greene County, Arkansas in Book 18, Page 183; and

WHEREAS,, the District Engineer for District 10 has determined that the areas proposed for release of the existing right of way under Job No. 100633 are not now needed, nor in the foreseeable future will be needed, for highway purposes and recommends that these areas of the right of way be declared surplus property and revised by this Minute Order as more particularly described below:

SUPPLEMENTAL REVISED
CENTERLINE DESCRIPTION
JOB 10272
PARAGOULD – MARMADUKE RELOCATION ROAD
GREENE COUNTY

From designated Construction Centerline Station 151+50.00 to Station 152+75.00 of the originally executed Court Order for Job 10272, dated January 29, 1946 and being recorded in County Court Records of Greene County, Ar. In Book “18” Page 183 inclusive of said records shall hereby be revised, for reduction of Right of Way, as follows:

The width of the right of way conveyed to the left and right of the herein above described centerline shall be as follows:

FROM STATION	TO STATION	LIN. FT.	WIDTH LEFT	WIDTH RIGHT	TOTAL WIDTH
151+50.00	152+75.00	125	70'	60'	130'

NOTE: In all other respects the original Court Order shall remain as is.

NOW THEREFORE, the above-described right of way is hereby released to Greene County; that the Right of Way Division is authorized and directed to record a copy of this Minute Order in the records of Greene County; and, that the right of way shall, if necessary, be remonumented to reflect the new boundaries after the release

of the above-designated areas. Any Federal-Aid funds from this disposal shall be credited to Federal-Aid funds or otherwise credited as provided by Federal law.

2023-081

WHEREAS, the existing Central Office Administration Building in Little Rock located at 10324 I-30 was constructed in 1966; and

WHEREAS, a facility condition assessment identified the risk of a potential future failure of the building brick facade panels; and

WHEREAS, the removal of all existing brick panels is recommended to mitigate this risk; and

WHEREAS, the treatment to the underlying surface will be determined based on cost effectiveness and feasibility.

NOW THEREFORE, the Director is authorized to procure the services of an Architectural/Engineering firm and proceed with the design and construction for the brick facade removal and treatment of the underlying surface as funds become available.

Work to be done by contract as a Building Project.

2023-082

WHEREAS, the existing District 10 central shop in Paragould, on 2510 Hwy. 412 West, was constructed in 1966; and

WHEREAS, the central shop roof has exceeded its serviceable life and is in very poor condition; and

WHEREAS,, during a roof survey it was discovered that the integrity of the metal roof deck has failed to the point of needing to be replaced.

NOW THEREFORE, the Director is authorized to proceed with the required work to replace the roof on the District 10 central shop as funds become available.

Work to be done by contract as a Building Project.

2023-083

WHEREAS,, the City Council of Lavaca, by Resolution No. 2023-03, has requested that Bridge X1682 on Highway 96 in Lavaca, AR be designated as the “Corporal Terry Wayne Johnson Memorial Bridge”; 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 bridge, as requested by the City, in accordance with Commission Policy.

2023-084

WHEREAS, a number of communities have expressed interest in improving the aesthetics along highways and bridges by incorporating decorative features like gateway monuments, graphics, and transportation art; and

WHEREAS, aesthetically pleasing features will allow communities to express their sense of identity, welcome visitors, and enhance the roadside setting while providing minimum distraction for motorists; and

WHEREAS, the Department’s current City or County Welcome Sign Guidelines only addresses decorative signage and landscaping within the state highway right-of-way and does not address other forms of transportation art.

NOW THEREFORE, the Director is authorized to update current policies to incorporate gateway monuments and transportation art and define how, when and where it is appropriate to install such features, while ensuring a safe highway environment that adheres to both State and Federal laws and regulations.

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

MOTIONS

MOTION Vice Chairman Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to authorize the use of electronic signatures for the August 2, 2023, Minute Orders.

MOTION Vice Chairman Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to approve the Minutes from the June 21, 2023, Commission Meeting.

MOTION Vice Chairman Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to submit the Future I-49 from Highway 22 to I-40 project in Sebastian and Crawford Counties for the 2023 Multimodal Project Discretionary Grant (MPDG) Opportunity application cycle.

MOTION Commissioner Marie Holder moved, Vice Chairman seconded, and the motion passed to adopt the Internal Audit Charter and to authorize the Chairman of the Highway Commission to sign the charter.

MOTION Vice Chairman Philip Taldo moved, Commissioner Marie Holder seconded, and the motion passed to approve the 2024 Audit Plan.

OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the State Fiscal Year (SFY) 2023 Budgeted vs. Actual Operating Expenses for ARDOT. Overall expenses (maintenance, operations, administrative, and construction) for SFY 2023 were below budgeted by -3.1% (-\$5.1 million). Mr. Patton provided the year-end report for SFY 2023. Mr. Patton noted that State Highway Revenues to the Department from traditional sources for the year were down a total of -0.7% (-\$3.1 million) in State Fiscal Year (SFY) 2023 compared to SFY 2022. Revenue from the Natural Gas Severance Tax was higher compared to the previous year. Total revenues available in SFY 2023 were 2.4% (\$11.3 million) above last year. Actual

State Revenue received was 5.9% (\$27.3 million) above projected (budgeted) revenue for the year. Mr. Patton stated that June revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 18.13% higher, (\$3,757,464) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue was above projections by 13.90% (\$33,531,344). Since inception, this revenue source was 3.72%, or \$72.2 million, above DF&A's projections. This was the final report on the revenues from the 0.5% General Sales Tax for the Connecting Arkansas Program. Moving forward, this report will be included in the State Highway Revenues.

Jared Wiley, Chief of Preconstruction, provided an update on Federal Highway and Transit issues. Wiley updated on the status of the previously discussed Federal Highway funding discrepancy. Originally, the discrepancy, discovered in 2018, was totaled at \$3.5 billion, but has now been reduced by 70% to \$1 billion. An ongoing audit revealed that in 2005 a \$2.5 billion accounting operation was incorrectly coded in the USDOT system, which erroneously impacted the State's contract authority. This was restored in July and states now have access to the additional \$2.5 billion. Arkansas share of the \$4.7 billion is \$67.5 million. In April 2023, Arkansas was originally given access to 5% (3.3 million). Currently, Arkansas has access to 70% (\$47.2 million) this Fiscal Year. ARDOT will continue coordinating with AASHTO and FHWA to provide comments, feedback, and suggestions about this issue. Mr. Wiley notified the Commission that ARDOT received a \$25 million grant from the 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant application for the Highway 5 widening project in Bryant. This project begins at Highway 183 and continues eastward to the Pulaski County line. The City of Russellville was also awarded \$24 million in RAISE Grant funding to create approximately 13 miles of multi-use paths.

Kevin Thornton, Chief of Administration, provided the Federal and State Legislative updates to the Commission. As the end of the Federal Fiscal Year (FFY) approaches, Congress continues working to provide funding for FFY 2024. Both the Senate and the House have passed their 2024 Transportation Appropriations Bill out of Committee; however, there are differences between them that will have to be worked out before a bill can be sent to the President. Both bills provide enough to fully fund the formula funding that was authorized in the IIJA. However, they are significantly difference when it comes to the discretionary grant programs. Mr. Thornton also updated the Commission on the status of Community Project Funding from the June 21 meeting. While funding has not been awarded, multiple projects from across the State are included in these bills. A total of \$91 million is included for Future Interstate 49, Future Interstate 57, U.S. Highway 412, U.S. Highway 82, and Highway 10 – Greenwood Bypass.

Crystal Woods, Assistant Chief of Administration, provided an update on the Arkansas Legislative Council Efficiency Study Recommendations Rules for Implementation. The

monthly reports for the July and August were submitted and addressed the following recommendations:

- Recommendation #3 noted that the Department should "Publish status of construction projects and maintenance activities".
 - The proposed contract with Garver for the website was submitted to the HCRAS for their review and comment on June 19, and the public comment period was open from June 19 through July 5. This contract will be reviewed by the HCRAS in their August 24 meeting.
- Recommendation #4 noted that the Department should "implement a platform that tracks all stakeholder inquiries to resolution".
 - The GovQA platform, now known as Ask ARDOT continues to develop, including a list of Frequently Asked Questions as well as a list of Trending Topics to enhance the customer experience.
 - Branding and logo development for Ask ARDOT is underway, and a public launch date has not yet been determined.
- Recommendation #5 noted that the Department should "implement efficiencies in procurement and purchasing".
 - A draft Project Delivery Selection tool has been developed and workshops are being held with ARDOT staff to preview the tool.
- Recommendation #6 noted that the Department should "implement construction contractor performance measurement".
 - Metrics to define quality and desired performance of the prime contractor have been identified and a draft manual is currently under review.
 - A draft form has been developed for use by the Resident Engineer and other stakeholders to document their evaluations of the prime contractor. A pilot program is currently underway to determine how these evaluations will be compiled into a final evaluation.
- Recommendations #12 and #13 under the People Capabilities category noted that the Department should "Ensure staff can develop in their careers at the Department" and "Improve staff capabilities to align with current/future organizational needs".
 - Cross training in high turnover areas for high turnover positions continues.
 - A method for maintenance supervisors to track employee on-the-job training has been recently introduced.

In addition to the monthly reports submitted to the HCRAS, staff has been working with the Arkansas Department of Inspector General's Office of Internal Audit (OIA) to submit

information regarding the portion of the law that established the efficiency review. A draft report will be submitted for review prior to the final submission to the Arkansas Legislative Council on October 1.

Keli Wylie, Assistant Chief Engineer – Program Delivery provided the bid letting update from the June 28, 2023, bid letting.

Director Tudor updated the Commission on recent Department activities. Since the April 5 meeting, several noteworthy Department activities occurred as listed below:

- Director Tudor provided an Interstate 69 update to Congressman Bruce Westerman on June 26;
- On July 11, the Engineering Intern Orientation kicked off, with 43 Civil Engineering Interns representing 9 schools participating;
- Director Tudor participated in the annual SASHTO Scholarship drawing on July 18. \$500 scholarships were awarded to 30 students in a random drawing;
- On July 20 and 21, the Commission, Director Tudor and staff participated in the Northeast Arkansas Policy Event in Jonesboro, hosted by the Arkansas Good Roads Foundation;
- Chairman Farmer, Vice Chairman Taldo, Commissioner Holder, Director Tudor and staff participated in the fourth and final Tip of the CAP celebration in Little Rock on July 25; and
- Commissioner Holder, Director Tudor, and staff officially broke ground for the extension of Highway 83 in Monticello on July 28.

Maggie Garrett, Chief Auditor, presented the 2024 Annual Audit Plan. Audit standards require that this plan be presented to the Commission and approved annually.

Kevin White, Division Head of Right of Way, provided an overview of the Department's Right of Way Division.

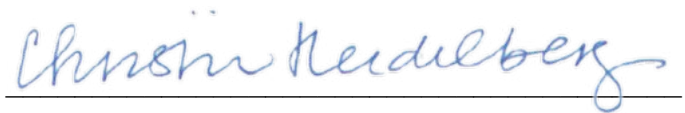
Director Tudor presented a list of upcoming meetings and events that the Director and Commission will be attending.

With no other business or discussion, the meeting concluded.

2023-085

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:58 a.m., August 2, 2023.

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 August 2, 202.

A handwritten signature in blue ink that reads "Christie Heidelberg". The signature is written in a cursive style and is positioned above a solid horizontal line.

Christie Heidelberg
Commission Secretary

*In accordance with Minute Order 2023-042, attached to this record is the awards list of the June 28, 2023 bid letting.



ARKANSAS DEPARTMENT OF TRANSPORTATION

ARDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2000

INTEROFFICE MEMORANDUM

July 17, 2023

TO: Recipients of Contract Awards List

FROM: Erica Adams, Division Engineer – Program Management

A handwritten signature in blue ink that reads 'Erica Adams'.

SUBJECT: Revision to Contract Awards List for June 28, 2023 Letting

Attached is the revised Contract Awards List for the June 28, 2023 letting. The status of Job 101077 has been revised from pending to tentatively awarded to Delta Asphalt of Ark., Inc., of Paragould, in the amount of \$4,824,696.93.

Attachment

ARKANSAS DEPARTMENT OF TRANSPORTATION
CONTRACTS AWARDED FROM LETTING OF JUNE 28, 2023

JOB NO.	STATUS	JOB NAME	ROUTE	CONTRACTOR	AMOUNT
A30021 DISTRICT 3 LITTLE RIVER & SEVIER		WILTON – WINTERS CREEK (S)	71		ALL BIDS REJECTED
A30022 DISTRICT 3 SEVIER		JOHNS BRANCH – LOCKESBURG (S)	71		ALL BIDS REJECTED
050415 DISTRICT 5 INDEPENDENCE	06	DOUBLE BRANCH STR. & APPRS. (S)	230	KESSER INTERNATIONAL, INC. P.O. BOX 723 LITTLE ROCK, AR 72203-0723 (501)244-2450	\$1,247,623.39
061750 DISTRICT 6 HOT SPRING & SALINE	06	ROCKPORT – HWY. 70 (S)	I-30	EMERY SAPP & SONS, INC. 2301 INTERSTATE 70 DR. N.W. COLUMBIA, MO 65202-1347 (573)445-8331	\$18,988,046.45
080648 DISTRICT 8 JOHNSON & POPE	06	HWY. 64 – HWY. 331 (S)	I-40	BLACKSTONE CONSTRUCTION, LLC P.O. BOX 11840 RUSSELLVILLE, AR 72812-1840 (479)968-1149	\$42,913,339.82
101077 DISTRICT 10 MISSISSIPPI	06	BLYTHEVILLE – MISSOURI STATE LINE (S)	I-55	DELTA ASPHALT OF ARK., INC. 11719 HWY. 412 W. PARAGOULD, AR 72450-8252 (870)573-6882	\$4,824,696.93
A00046 DISTRICT 10 GREENE	06	RANDOLPH CO. LINE – DELAPLAINE (S)	304	ATLAS ASPHALT, INC. P.O. BOX 2236 BATESVILLE, AR 72503 (870)251-2371	\$2,197,385.40
SA0447 DISTRICT 9 BENTON		BENTON RD. – HWY. 59 (OVERLAY) (S)	---	EMERY SAPP & SONS, INC. 2301 INTERSTATE 70 DR. N.W. COLUMBIA, MO 65202-1347 (573)445-8331	\$871,939.16
SA1773 DISTRICT 4 CRAWFORD		HWY. 282 – EAST (OVERLAY) (S)	---	FORSGREN, INC. P.O. BOX 368 FORT SMITH, AR 72902-0368 (479)782-1061	\$304,116.40
SA2043 DISTRICT 7 DALLAS		DALLAS COUNTY RESEAL NO. 3 (S)	---	SMACKOVER PAVING CO. P.O. BOX 8 SMACKOVER, AR 71762-0008 (870)725-2604	\$171,008.00
SA3278 DISTRICT 5 INDEPENDENCE		INDEPENDENCE CO. OVERLAY NO. 7 (S)	---	ATLAS ASPHALT, INC. P.O. BOX 2236 BATESVILLE, AR 72503 (870)251-2371	\$438,105.46


**ARKANSAS DEPARTMENT OF TRANSPORTATION
CONTRACTS AWARDED FROM LETTING OF JUNE 28, 2023**

JOB NO.	STATUS	JOB NAME	ROUTE	CONTRACTOR	AMOUNT
SA3942		LEE COUNTY LEVEL & RESEAL (S)	---		NO BIDS RECEIVED
DISTRICT 1					
LEE					

TOTAL AMOUNT FOR JOBS AWARDED TO CONTRACT \$71,956,261.01

- 01 SUBJECT TO THE CONCURRENCE OF THE FEDERAL HIGHWAY ADMINISTRATION
- 02 SUBJECT TO THE CONCURRENCE OF THE FEDERAL HIGHWAY ADMINISTRATION AND THE APPROPRIATE AGENCY
- 03 SUBJECT TO THE CONTRACTOR'S SATISFACTORY COMPLIANCE WITH ARKANSAS CONTRACTORS LICENSING LAWS
- 04 SUBJECT TO THE CONCURRENCE OF THE APPROPRIATE AGENCY
- 05 SUBJECT TO THE CONCURRENCE OF THE FEDERAL HIGHWAY ADMINISTRATION AND THE CONTRACTOR'S SATISFACTORY FULFILLMENT OF DBE REQUIREMENTS
- 06 SUBJECT TO THE CONTRACTOR'S SATISFACTORY FULFILLMENT OF DBE REQUIREMENTS
- 07 SUBJECT TO THE CONCURRENCE OF THE STATE AID STREET COMMITTEE
- 08 SUBJECT TO THE CONTRACTOR'S SATISFACTORY FULFILLMENT OF THE BID SCHEDULE AND BID SCHEDULE NARRATIVE REQUIREMENTS

APPROVED BY:



DIRECTOR 7/14/23
DATE

kw *JDW*