

ARKANSAS DEPARTMENT OF TRANSPORTATION  
LITTLE ROCK, ARKANSAS

September 10, 2018

ADMINISTRATIVE CIRCULAR NO. 2018-13

TO: ALL 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 29, 2018.

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.



Scott E. Bennett  
Director

c: Commission

MINUTES OF THE MEETING  
OF THE  
ARKANSAS STATE HIGHWAY COMMISSION

August 29, 2018

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, August 29, 2018. Members present were:

Dick Trammel, Chairman  
Thomas B. Schueck, Vice Chairman  
Robert S. Moore, Jr., Member  
Alec Farmer, Member  
Philip Taldo, Member

2018-075                   IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., August 29, 2018.

2018-076                   WHEREAS, the Purchasing Committee has awarded purchases on July 17, 27 and 30, 2018, and August 14, 2018, in the amount of \$405,900.00, \$323,618.00, \$197,440.00 and \$439,445.00, respectively, totaling \$1,366,403.00, 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.

2018-077                   WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has requested participation in the Fiscal Year 2019 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

2018-077 - Continued

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 Development of AASHTO Materials Standards (DAMS); Equipment Management Technical Services Program (EMTSP); Highway Safety Policy and Management Technical Service Program (SAFETY); Load and Resistance Factor Design (LRFD) Bridges and Structures Specification Maintenance; National Transportation Product Evaluation Program (NTPEP); National Operations Center of Excellence (NOCOE); Transportation Curriculum Coordination Council (TC3); and Transportation System Preservation Technical Service Program (TSP2); 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.

2018-078

WHEREAS, Act 1176 of 2013 enacted a 15 percent 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

2018-078 - Continued

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 to the appropriate applicants to implement these projects.

2018-079

WHEREAS, the Surface Transportation Assistance Act of 1982 authorized the installation of vending machines in Interstate Rest Areas; and

WHEREAS, the Act requires that states give priority to vending machines which are operated by state agencies for the blind, pursuant to the Randolph-Sheppard Act; and

WHEREAS, the Arkansas Department of Human Services, Division of Services for the Blind, has successfully provided vending machine service in Interstate Welcome Centers and Rest Areas in Arkansas under service agreements with the Department since 1986; and

WHEREAS, the current agreement with the Division of Services for the Blind expires in 2019.

NOW THEREFORE, the Director is authorized to renew the agreement with the Division of Services for the Blind to provide vending machine services at all Interstate Welcome Centers, Tourist Information Centers and Rest Areas within the State as may be practical.

2018-080

WHEREAS, Federal transportation planning regulations require the development of a multi-year, financially constrained statewide transportation improvement program for all areas of the State in accordance with the provisions of 23 CFR 450; and

2018-080 - Continued

WHEREAS, Arkansas' Statewide Transportation Improvement Program for Federal Fiscal Years 2019-2022 (STIP), has been prepared in accordance with the regulations and is ready for submittal to the appropriate agencies for approval.

NOW THEREFORE, the Director is authorized to submit the STIP to the Federal Highway Administration and the Federal Transit Administration for approval and to publish the STIP for distribution after approval by the federal agencies.

2018-081

WHEREAS, work continues on the Department's Federal Statewide Transportation Improvement Program and the voter approved Connecting Arkansas and Interstate Rehabilitation Programs; and

WHEREAS, it continues to be necessary for the Department to provide timely construction engineering and inspection services in order to complete these projects in accordance with program commitments; and

WHEREAS, on-call consultants continue to be an effective method of producing timely construction engineering and inspection services and supplement in-house capabilities including Critical Path Method scheduling assistance.

NOW THEREFORE, the Director is authorized to request proposals, select a consulting firm or firms, and enter into any necessary contracts and agreements to perform construction engineering and inspection services as needs are identified for the period of 2019 to 2021.

2018-082

WHEREAS, it is necessary for the Department to provide timely geotechnical investigations for the design and construction of highways; and

WHEREAS, work performed under on-call service contracts is an effective method of producing timely geotechnical services and supplementing in-house capabilities.

2018-082 - Continued

NOW THEREFORE, the Director is authorized to employ consultant engineering firms qualified to perform geotechnical investigations and engineering services, as needs are identified for Fiscal years 2019 through 2022.

2018-083                   WHEREAS, landslides have occurred and are anticipated to occur at numerous locations around the state; and

WHEREAS, these landslides need repair and stabilization to prevent additional damage to highway pavements, slopes and drainage structures, to prevent highway embankment material from moving beyond the right-of-way and possibly damaging waterways, public and private property, and to avoid long term impacts to traffic; and

WHEREAS, advanced techniques including permanently cased soil nails, self-drilling soil nails, launched soil nails, micropiles, tieback anchor systems, soldier pile walls, drilled rail, compaction grouting, and aggregate piers have shown to quickly and effectively repair damage and prevent future landslides; and

WHEREAS, the Department does not have the capability to perform these methods of repair and stabilization.

NOW THEREFORE, the Director is authorized to enter into on-call service agreements with Contractors experienced in repair and stabilization of landslides utilizing the methods above as funds become available.

2018-084                   WHEREAS, IN LEE COUNTY, Minute Order 2014-009 authorized a study to determine the need for and feasibility of a bypass of the railroad underpass on Highway 79 in the City of Marianna; and

WHEREAS, the Highway 79 Relocation Study has been prepared; and

WHEREAS, it has been determined that a bypass is not feasible due to the high cost and marginal benefits.

2018-084 - Continued

NOW THEREFORE, this study is adopted with no further action needed at this time.

2018-085

WHEREAS, the 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD) requires a YIELD or STOP sign be installed with a crossbuck assembly at passively controlled at-grade railroad crossings; and

WHEREAS, the Burlington Northern and Santa Fe Railway (BNSF) has proposed to partner with the Department to upgrade all passively controlled at-grade railroad crossings along BNSF's rail line to meet the MUTCD requirements; and

WHEREAS, Federal-aid Rail-Highway Crossing Safety funds are available for these improvements.

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

- No additional right-of-way shall be needed.
- Maintenance shall be performed by the Railroad Company at no additional cost to the state.
- Appropriate program approval from the Federal Highway Administration.

2018-086

WHEREAS, the Highway 67 Corridor is an important regional connector between Little Rock and St. Louis, Missouri; and

WHEREAS, Minute Order 2015-86 adopted a study to be used as a planning guide for scheduling improvement needs for the Highway 67 Corridor from Walnut Ridge to the Missouri State Line.

NOW THEREFORE, the Director is authorized to proceed with project development as funds become available.

2018-087

WHEREAS, IN BENTON COUNTY, IN THE CITY OF BENTONVILLE, Commission Minute Order 2017-008 authorized the Department to partner with the City to improve the Interstate 49 and Highway 71B interchange in exchange for the City providing additional funding and accepting ownership of Highway 71B between Highway 12 and Interstate 49 upon completion of the project; and

WHEREAS, the City now requests that the Department overlay Highway 71B from Highway 12 north to Interstate 49 and Highway 12 from Highway 112 to Highway 71B; and

WHEREAS, the City has expressed their willingness to assume ownership of Highway 71B from Highway 12 north to Interstate 49 and Highway 12 from Highway 112 to Highway 71B upon completion of these improvements.

NOW THEREFORE, the Director is authorized to enter into the necessary partnering agreements with the City and to proceed with these improvements upon receipt of a resolution from the City.

FURTHERMORE, upon completion of these improvements and official notification by the Deputy Director and Chief Engineer, the following segments will be removed from the State Highway System:

- Highway 71, Section 19B from Highway 12 north to Interstate 49.
- Highway 12, Section 2 from Highway 112 to Highway 71B.

2018-088

WHEREAS, IN GARLAND COUNTY, a crash analysis of Highway 227, Section 0 has been completed; and

WHEREAS, the predominant type of crashes in the study area is roadway departure crashes; and

WHEREAS, the Arkansas Strategic Highway Safety Plan (2017) identified roadway departure crashes as a primary emphasis area; and

2018-088 - Continued

WHEREAS, the analysis identified improvements that will provide substantial safety benefits such as ultra-thin bonded wearing course, minor shoulder widening and shoulder rumble stripes; and

WHEREAS, these improvements are eligible for Federal-aid Safety funds.

NOW THEREFORE, the Director is authorized to proceed with plans and construction of a safety improvement project on this section of Highway 227 as funds become available.

2018-089

WHEREAS, IN POPE COUNTY, IN THE CITY OF RUSSELLVILLE, it has been determined that adjacent to the Arkansas Tech University (ATU) campus, improvements are needed on Highway 7; and

WHEREAS, these improvements include widening, an enhanced drainage system and an additional entrance to ATU; and

WHEREAS, the City of Russellville and ATU have expressed interest in partnering with the Department to construct these improvements by providing all funding required for design, right of way, and utility relocation for the project; and

WHEREAS, the City has also agreed to accept ownership of Highway 326 between Highway 64 and Highway 7 upon completion of the project.

NOW THEREFORE, upon receipt of a resolution from the City and ATU, the Director is authorized to enter into any necessary partnering agreements and to proceed with surveys, plans, and construction of these improvements as funds become available.

FURTHERMORE, upon completion of these improvements and official notification by the Deputy Director and Chief Engineer, the portion of Highway 326, Section 1 between Highway 64 and Highway 7 will be removed from the State Highway System, as shown on the attached sketch.

2018-090

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

WHEREAS, Minute Order 2001-127 adopted the Pocahontas Bypass Feasibility Study as a planning guide to schedule improvements as funding became available; and

WHEREAS, an update to this study is necessary due to changes in traffic patterns as a result of recent developments in the area.

NOW THEREFORE, the Director is authorized to conduct an updated study to determine the need for and feasibility of a bypass around Pocahontas.

2018-091

WHEREAS, IN SCOTT COUNTY, IN THE CITY OF WALDRON, the Arkansas Southern Railroad (ARS) crosses Highway 71; and

WHEREAS, the Department has received numerous complaints regarding the condition of this at-grade crossing and has performed maintenance work on several occasions; and

WHEREAS, ARS has proposed to partner with the Department to improve the at-grade crossing; and

WHEREAS, Federal-aid Rail-Highway Crossing Safety funds are available for these improvements.

NOW THEREFORE, the Director is authorized to proceed with improvements at this crossing subject to the following conditions:

- No additional right-of-way shall be needed.
- Maintenance of the signals and surfaces shall be performed by the Railroad Company at no additional cost to the State.
- Appropriate funding approval from the Federal Highway Administration.

2018-092

WHEREAS, the Quorum Court of Fulton County, by Resolution 2018-02, has requested that the bridge over the South Fork of the Spring River on Highway 9 be named the “Fulton County Veterans Memorial Bridge”; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2014-23 and the County’s request meets these guidelines.

NOW THEREFORE, the Director is authorized to permit the installation of signs in each direction on Highway 9 at the South Fork of the Spring River Bridge, as requested by the County, in accordance with Commission Policy.

2018-093

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects at the September 12, 2018 letting; and

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110620	01	WOODRUFF	DITCH AT L.M. 10 96 STR. & APPRS (S)	17	N
110642	01	PHILLIPS	BEAVER BAYOU STR. & APPRS (S)	85	N
CA0201	02	ASHLEY & MOREHOUSE PARISH, LA	LOUISIANA STATE LINE – HWY 82 (WIDENING) (S)	425	Y
CA0202	02	ASHLEY	HWY. 425 – HAMBURG (WIDENING) (S)	82	Y
CA0203	02	ASHLEY & MOREHOUSE PARISH, LA	LOUISIANA STATE LINE – HAMBURG (WIDENING) (S)	82 & 425	Y
020581	02	LINCOLN	CANAL AT L.M. 20.98 STR. & APPRS (S)	11	N
020584	02	JEFFERSON	SANDY BAYOU STR. & APPRS (S)	54	N
020586	02	CHICOT	MAIN DITCH STR. & APPRS (S)	144	N
050315	05	CLEBURNE	WEST OF RIVER BLUFF RD. – EAST (PASSING LANE) (S)	16	Y
050323	05	IZARD	DITCH AT L.M. 1.43 STR. & APPRS (S)	69B	N
061335	06	SALINE	ALCOA RD. – HWY 183 (S)	5	Y
080500	08	POPE	CREEK AT L.M. 0 15 STR. & APPRS (S)	331	Y
090437	09	BOONE	MAIN ST /SPRUCE ST SIGNAL UPGRADE (HARRISON) (S)	---	-

2018-093 - Continued

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
090471	09	BENTON	HWY. 102B/SEBA RD. SIGNAL & PED IMPVTS (CENTERTON) (S)	102B	Y
CA1003	10	LAWRENCE & GREENE	HWY 67 – HWY 141 (WIDENING) (S)	412	Y
100870	10	GREENE	HWY 34 STRS. & APPRS (S)	34	N
100871	10	MISSISSIPPI	HWY 14 STR & APPRS (S)	14	Y
100976	10	POINSETT	SUNKEN LANDS BRIDGE PAINTING (I-555) (S)	I-555	Y
BB1101	03 & 07	HEMPSTEAD, CLARK & NEVADA	HWY. 299 – GURDON REST AREA (S)	I-30	Y
SA2864	10	GREENE	GREENE CO OVERLAY NO 2 (SEL. SECS.) (S)	---	-
SA3853	10	LAWRENCE	LAWRENCE CO OVERLAY NO 4 (SEL SECS ) (S)	---	-
SA4547	09	MARION	MARION COUNTY SURFACING NO 5 (SEL SECS ) (S)	---	-
SA5558	03	PIKE	PIKE CO PAVEMENT MARKINGS NO. 3 (SEL SECS ) (S)	---	-
SA6255	06	SALINE	CO RD. 29 – SOUTH (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 Dick Trammel opened the meeting by welcoming everyone in attendance. He asked Danny Keene, Division Head, Equipment and Procurement, to remind everyone about the 2018 Southeast Regional Roadeo to be held in Rogers, AR, on September 4-6.

MOTION                      Commissioner Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to approve the Minutes from the previous Commission Meeting of July 11, 2018.

MOTION                      Commissioner Alec Farmer moved, Commissioner Robert Moore seconded and the motion passed unanimously to release a statement from the Commission that was read by Director Bennett regarding the proposed Casino Gambling Amendment. Citizens need to understand that the proposal does not direct any of the revenue to be generated from the casinos to the state's highways, despite what some of the promotional advertisements are implying. The proposed Constitutional amendment is not a highway funding proposal.

MOTION                      Commissioner Philip Taldo moved, Commissioner Alec Farmer seconded and the motion seconded to have staff look into the concerns presented by the Mayor of Bryant, Jill Dabbs, regarding Job 061335, Alcoa Rd. - Highway 183 (S), Route 5, Section 8 in Saline County. Commissioner Taldo noted that this should not delay the September 2018 letting of the job.

## OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the July 2018 update on state highway revenue. Mr. Patton noted that state highway revenues to the Department from traditional sources are down a total of 1.1% (\$0.4 million) in the State Fiscal Year (SFY) 2019 compared to the same period for SFY 2018. Revenue from the Natural Gas Severance Tax is lower this year compared to last year, resulting in total revenues available being -4.4% (-\$1.6 million) below last year. Actual state revenue received is 3.6% (\$1.2 million) above projected (budgeted) revenue for this year.

In closing, Mr. Patton stated that July revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 0.87% higher, (\$140,940) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 0.87% (\$140,940). Since inception, this revenue source is 0.55%, or \$4.8 million, under DF&A's projections.

Director Bennett provided the latest information on the Federal highway and transit funding issues. Director Bennett noted that the passage of the FAST Act, passed in December 2015, provided increased funding over its five-year term. On February 9, 2018 Congress passed a budget for Federal Fiscal Years 2018 and 2019. On March 22, 2018 Congress passed a spending bill that provides funding at full levels of the Fixing America's Surface Transportation Act for Federal Fiscal Year 2018. Long-term funding for the Highway Trust Fund continues to be an issue. President Trump has stated that beginning in Federal Fiscal Year 2021, funding should be limited to revenue that is deposited into the Highway Trust Fund. This would result in a 40% reduction in the Federal-aid Highway Program.

In closing, Director Bennett stated that not only are there questions regarding future Federal-aid funding, but the source(s) of dependable long-term State revenue to provide the match for Federal-aid funds beyond 2018 and the additional State revenue needed to adequately maintain and improve Arkansas' transportation system have not been identified.

Director Bennett gave an update on the status of the 2011 Interstate Rehabilitation Program (IRP) and Connecting Arkansas Program (CAP). The 2011 Interstate Rehabilitation Program was approved by Arkansas voters in November 2011. Under this program, the Commission has the authority to issue up to \$575 million in GARVEE bonds for Interstate rehabilitation. Three series of bonds have been issued. The first was sold in September 2012 at a par value of \$197 million (true interest cost of 1.6%) with a premium of \$33 million (total of \$230 million available for construction). The second was sold in October 2013 at a par value of \$172 million (true interest cost of 2.2%) with a premium of \$29 million (total of \$201 million available for construction). The third was sold in November 2014 at a par value of \$206 million (true interest cost of 2.1%) with a premium of \$37 million (total of \$243 million available for construction).

The Connecting Arkansas Program was approved by Arkansas voters in November 2012. Under this program, the Commission has the authority to issue up to \$1.3 billion in revenue bonds for four-lane highway construction. The first series of bonds was sold in September 2013 at a par value of \$469 million (true interest cost of 3.1%) with a premium of \$25 million (total of \$494 million available for construction). No other bond sales under this program are expected.

Director Bennett presented a summary of the apparent low bids and bidders from the July 25, 2018, Bid Letting.

Director Bennett gave a report on Managing the Decline of the Highway System. He stated that much effort has been directed toward identifying the amount of funding needed to maintain the transportation system in the State. However a dedicated source for these funds has not been established. Therefore, if no additional funds are identified, a process should be developed to manage the decline. Director Bennett presented activities performed for other entities for which the Department received no revenue (Welcome Centers; Rest Areas and Tourist Information Centers; Institutional Drives; Utility and Driveway Permits; and Tourist Maps provided to Parks and Tourism).

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

Park Estes, Executive Director for the Arkansas Asphalt Pavement Association, presented the Department with a Perpetual Pavement Award. This is the 8th Perpetual Pavement Award for ARDOT. This year's winner was a 2-mile section of Highway 24 in Ouachita County, west of Camden.

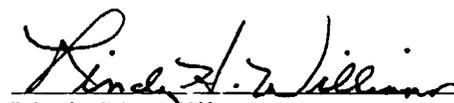
D. B. Hill with the Arkansas Good Roads Foundation, presented \$5,000 scholarships to Melissa Boyd of Tulsa and Kevin Weston of Benton, both civil engineering majors studying at the University of Arkansas, Fayetteville.

Mayor Jill Dabbs of Bryant made a plea to the Commission for a change order in Job 061335, Highway 5 in Saline County in an area in front of New Life Church. This job is scheduled to be let in September of 2018. A motion was passed regarding this.

2018-094

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 12:05 p.m., August 29, 2018.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas Highway Commission at its meeting on August 29, 2018.

  
Lindy H. Williams  
Commission Secretary