

ARKANSAS DEPARTMENT OF TRANSPORTATION

LITTLE ROCK, ARKANSAS

October 28, 2019

ADMINISTRATIVE CIRCULAR NO. 2019-13

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 October 23, 2019.

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, P.E.
Director

c: Commission

MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

October 23, 2019

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, October 23, 2019. Members present were:

Thomas B. Schueck, Chairman
Robert S. Moore, Jr., Vice Chairman
Philip Taldo, Member
Keith Gibson, Member

2019-096

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., October 23, 2019.

2019-097

WHEREAS, the Purchasing Committee has awarded purchases on September 10, 2019 and October 2, 2019, in the amount of \$149,610.00 and, \$606,379.00 respectively, totaling \$755,989.00, 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.

2019-098

WHEREAS, Amendment 42 to the Arkansas Constitutional vests the State Highway Commission with all the powers and duties now or hereafter imposed by law for the administration of the State Highway Department (now the Arkansas Department of Transportation), together with all powers necessary or proper to enable the Commission or any of its officers or employees to carry out fully and effectively the regulations and laws relating to the Department; and

WHEREAS, Ark. Code Ann. §27-65-107(a)(19) empowers the Highway Commission to provide the Highway Commission Review and Advisory Subcommittee of the Legislative Council with a report on the progress of each public road construction project of ten million dollars (\$10,000,000) or more at least quarterly or as required by the Highway Commission Review and Advisory Subcommittee of the Legislative Council; and

WHEREAS, Ark. Code Ann. §27-65-122 provides that the Director of State Highways shall be the chief executive officer of the Arkansas Department of Transportation and, subject to the approval of the Commission, have direct and full control and management of the affairs relating to state highways.

NOW THEREFORE, the Director is authorized to provide the Highway Commission Review and Advisory Subcommittee of the Legislative Council with the report or reports required by Ark. Code Ann. § 27-65-107(a)(19).

2019-099

WHEREAS, Amendment 42 to the Arkansas Constitutional vests the State Highway Commission with all the powers and duties now or hereafter imposed by law for the administration of the State Highway Department (now the Arkansas Department of Transportation), together with all powers necessary or proper to enable the Commission or any of its officers or employees to carry out fully and effectively the regulations and laws relating to the Department; and

WHEREAS, Ark. Code Ann. §27-65-107(a)(16) empowers the Highway Commission to restrict certain trucks traveling on freeways with six (6) or more lanes from traveling in the furthestmost left lane of the highways, and to post the required informational signs compliant with the Manual on Uniform Traffic Control Devices; and

WHEREAS, Ark. Code Ann. §27-65-122 provides that the Director of State Highways shall be the chief executive officer of the Arkansas Department of Transportation and, subject to the approval of the Commission, have direct and full control and management of the affairs relating to state highways.

NOW THEREFORE, the Director is authorized to implement restrictions on certain trucks from traveling in the furthestmost left lane of freeways with six (6) or more lanes, and to post appropriate signs.

2019-100

WHEREAS, the Commission adopted the current Restore Sign Visibility Policy (RSVP) on July 12, 2016; and

WHEREAS, the RSVP provides procedures whereby sign owners may obtain permits from the Department to restore the visibility to their signs located adjacent to State Highways; and

WHEREAS, the Department's Good Neighbor Policy is currently a separate policy that allows property owners whose property abuts the highway right of way on non-controlled access roads to mow and maintain their frontage under certain circumstances under the authority of A.C.A. § 27-64-103. For controlled access freeways, a permit is required from the appropriate District Headquarters.

WHEREAS, billboard and property industry stakeholders have requested that the two policies be combined into one to increase consistency in issuing permits for these activities; and

WHEREAS, in consultation with stakeholders, the Restore Property Visibility Policy has been developed; and

WHEREAS, it is in the best interest of the industries and the Department to replace the Restore Sign Visibility Policy and the Good Neighbor Policy with the attached Restore Property Visibility Policy.

NOW THEREFORE, the attached Restore Property Visibility Policy (RPVP) is adopted, and the Director is authorized to implement it immediately.

2019-101

WHEREAS, the Great Arkansas Cleanup is an important anti-litter program, which improves the scenic beauty of the State's highways; and

WHEREAS, the Arkansas Department of Transportation spends approximately \$5 million annually to remove litter from the State Highway System; and

WHEREAS, the Department's previous contributions to the Keep Arkansas Beautiful Foundation have been helpful in continuing the Great Arkansas Cleanup.

NOW THEREFORE, the Director is authorized to make a contribution of \$25,000 this year to the Keep Arkansas Beautiful Foundation for use in conducting the Great Arkansas Cleanup Campaign.

2019-102

WHEREAS, the American Association of State Highway and Transportation officials AASHTO re:source program (formerly the AASHTO Materials Reference Laboratory (AMRL)) is operated by AASHTO and is authorized and approved by the Executive Committee of AASHTO; and

WHEREAS, the services of the AASHTO re:source program are necessary for the Department to establish and maintain proficiency in sampling and testing material; and

WHEREAS, the participation in funding the services of the AASHTO re:source program supports the laboratory accreditation program and provides technical support in maintaining the AASHTO standards for materials testing; and

WHEREAS, the Department has received notice that its share of support for Fiscal Year 2020 is \$20,000.00.

NOW THEREFORE, the Director is hereby authorized to pay the Department's share of the cost of support for this AASHTO program for Fiscal Year 2020.

2019-103

WHEREAS, Minute Order 2017-060 adopted the Strategic Plan 2017-2022 as a guide for the Department's priorities and resources; and

WHEREAS, this plan identified strategic goals to deliver safe and efficient transportation solutions; and

WHEREAS, Minute Order 2017-061 adopted the updated Long Range Intermodal Transportation Plan as a guide for future transportation planning and implementation; and

WHEREAS, this plan identified goals to invest in a reliable and resilient transportation system; and

WHEREAS, Transportation Systems Management and Operations (TSMO) refers to multimodal transportation strategies to maximize efficiency, safety, and utility of existing and planned transportation infrastructure; and

WHEREAS, a TSMO Plan is needed in order to determine next steps to implement the goals from the Strategic Plan 2017-2022 and Long Range Intermodal Transportation Plan, including procedures, processes, and policies related to the management and operations of highway facilities and intelligent transportation system assets.

NOW THEREFORE, the Director is authorized to request proposals from qualified consulting firms and proceed with a TSMO Plan for the Department.

2019-104

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 4, Job No. 020070, from the Roman Catholic Diocese of Little Rock, by Anthony B. Taylor, Bishop, by Warranty Deed dated February 1, 2010, and filed for record in Book 879, Page 541 on February 18, 2010, in the Circuit Clerk's office of Jefferson County, Arkansas; and

WHEREAS, Tract No. 4, Job No. 020070 was acquired as right of way by the Commission for the sum of SEVEN THOUSAND AND NO/100 DOLLARS (\$7,000.00) and part of which is being reacquired by the former owner. The tract is more particularly described as follows:

Part of Lots 1 and 2 of Block 11 of Dorris Addition (West) of Brumps Bayou to the City of Pine Bluff, Township 5 South, Range 9 West, Jefferson County, Arkansas, more particularly described as follows:

Commencing at a point being used as the Southeast corner of Lot 6 of Block 11 of Dorris Addition (West) of Brumps Bayou to the City of Pine Bluff, said point also being on the Northerly right of way line of West Pullen Avenue as established by the Plat of Dorris Addition (West) of Brumps Bayou to the City of Pine Bluff recorded in Plat Cabinet "A", Slide 103; thence North 00° 34' 48" East along East line of Block 11 of Dorris Addition (West) of Brumps Bayou to the City of Pine Bluff a

distance of 320.34 feet to a point on the North line of Lot 1, Block 11 also being on the Easterly right of way line of U.S. Highway 79B as established by the Plat of Dorris Addition (West) of Brumps Bayou to the City of Pine Bluff recorded in Plat Cabinet "A", Slide 103; thence North 89° 10' 44" West along said right of way line a distance of 67.64 feet to a point on the Easterly right of way line of U.S. Highway 79B as established by AHTD Job 020070 for the POINT OF BEGINNING; thence South 30° 57' 51" West along said right of way line a distance of 101.13 feet to a point; thence North 10° 28' 09" East along said right of way line a distance of 88.71 feet to a point on the North line of Lot 1, Block 11 also being on the Easterly right of way line of U.S. Highway 79B as established by the Plat of Dorris Addition (West) of Brumps Bayou to the City of Pine Bluff recorded in Plat Cabinet "A", Slide 103; thence South 89° 10' 44" East along said right of way line a distance of 35.92 feet to the point of beginning and containing 0.04 acres or 1,571 square feet more or less as shown on plans prepared by the AHTD referenced as Job 020070.

WHEREAS, Fr. Joe Marconi, Pastor of St. Joseph Catholic Church, has offered to purchase Part of Tract No. 4 for the sum of ONE THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$1,200.00), representing the current fair market value of the property as opined by three (3) qualified appraisers, on behalf of the Roman Catholic Diocese of Little Rock; and

WHEREAS, the District Engineer for District Two has determined that the property is not now, nor in the foreseeable future will be, needed for highway purposes.

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of ONE THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$1,200.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to Anthony B. Taylor, Bishop of the Roman Catholic Diocese of Little Rock, this Minute Order along with a copy of the deed shall be recorded in Jefferson 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.

2019-105

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract No. 88XR, Job No. 090373, from Stephen L. Palmer and Teresa L. Palmer, Co-Trustees of the Palmer

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(Continued)

October 23, 2019

Family Trust, u/t/d September 22, 2004, by Trustee Warranty Deed dated June 18, 2015, and filed for record in Book 2015, Page 35398 on July 1, 2015, in the Circuit Clerk's office of Benton County, Arkansas; and

WHEREAS, Tract No. 88XR, Job No. 090373 was acquired as surplus property by the Commission for the sum of FORTY-EIGHT THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS (\$48,800.00) and is exempt from reacquisition by the former owners under Ark. Code Ann. § 27-67-322. The tract is more particularly described as follows:

Part of the Northeast Quarter of the Northeast Quarter of Section 36, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows:

Commencing at a point being used as the Section Corner of Sections 25 and 36; thence South 02°21'47" West along the East line of the Northeast Quarter of the Northeast Quarter of Section 36 a distance of 644.05 feet to the POINT OF BEGINNING; thence continue South 02°21'47" West along said East line a distance of 659.62 feet to a point on the South line of the Northeast Quarter of the Northeast Quarter of Section 36; thence North 86°51'39" West along said South line a distance of 222.77 feet to a point on the Easterly right of way line of Relocated Arkansas State Highway 265 as established by AHTD Job 090373; thence North 38°51'10" East along said right of way line a distance of 79.36 feet to a point; thence North 07°08'24" East along said right of way line a distance of 596.57 feet to a point; thence South 86°51'58" East a distance of 125.89 feet to the point of beginning and containing 2.35 acres more or less as shown on plans prepared by the AHTD referenced as Job 090373.

WHEREAS, Colby Palmer has offered to purchase Part of Tract No. 88XR for the sum of TWENTY-NINE THOUSAND AND NO/100 DOLLARS (\$29,000.00), representing the current fair market value of the property as opined by three (3) qualified appraisers, on behalf of the Palmer Family Trust, u/t/d September 22, 2004. Since acquisition, the Department relocated a structure on the property valued at TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00); said property being described as follows:

Part of the Northeast Quarter of the Northeast Quarter of Section 36, Township 19 North, Range 30 West, Benton County, Arkansas, more particularly described as follows:

Commencing at a point being used as the Section Corner of Sections 25 and 36; thence South 02°21'47" West along the East line of the Northeast Quarter of the Northeast Quarter of Section 36 a distance of 644.05 feet to the POINT OF BEGINNING; thence continue South 02°21'47" West along said East line a distance of 659.62 feet to a point on the South line of the Northeast Quarter of the Northeast Quarter of Section 36; thence North 86°51'39" West along said South line a distance of 170.63 feet to a point on the Easterly right of way line of Relocated Arkansas State Highway 265 as established by AHTD Job 090373; thence North 06°52'01" East along said right of way line a distance of 476.13 feet to a point; thence North 04°38'47" East along said right of way line a distance of 184.49 feet to a point; thence South 86°51'58" East a distance of 125.89 feet to the point of beginning and containing 2.21 acres more or less as shown on plans prepared by the AHTD referenced as Job 090373.

WHEREAS, the District Engineer for District Nine has determined that that part of the property is not now, nor in the foreseeable future will be, needed for highway purposes.

NOW THEREFORE, the above-described property is declared surplus; upon receipt of the consideration of TWENTY-NINE THOUSAND AND NO/100 DOLLARS (\$29,000.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to Stephen L. Palmer and Teresa L. Palmer, Co-Trustees of the Palmer Family Trust, u/t/d September 22, 2004; this Minute Order along with a copy of the deed shall be recorded in Benton 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.

FURTHER, the remaining 0.14 acres of the original tract is transferred from capital assets to right of way.

2019-106

WHEREAS, it has been determined that improvements are warranted to enhance safety at the three on-system and six off-system railroad crossings indicated on the attached list; and

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

WHEREAS, local road authorities and one railroad have indicated their willingness to provide required 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 Railroad Company at no cost to the State.
- All required right-of-way shall be furnished at no cost to the State.

2019-107

WHEREAS, there is a 3,980 square foot building located on 2.27 acres directly behind the District 3 Headquarters at Hope, Arkansas; and

WHEREAS, the building layout contains sufficient office, training, laboratory, and six ADA compliant restrooms with seventeen parking spaces; and

WHEREAS, the Arkansas Highway Police office located at District 3 Headquarters is less than 330 square feet and is inadequate in size for their present level of staffing; and

WHEREAS, the Resident Engineer office at Hope, Arkansas has approximately 1,450 square feet of office space; and

WHEREAS, the purchase of the building located behind the District 3 Headquarters would allow the Resident Engineer office and the District Materials Supervisor office and laboratory to relocate to the building, allowing the Arkansas Highway Police office to move into the existing Resident Engineer office, thus providing sufficient space for each.

NOW THEREFORE, the Director is authorized to procure the property and make the necessary moves to accommodate the Arkansas Highway Police office, the new Resident Engineer office and the District Materials Supervisor office and laboratory.

2019-108

WHEREAS, two properties located at 10300 Interstate 30, Little Rock, Arkansas 72209, and 10206 Interstate 30, Little Rock, Arkansas 72209, which are both adjacent to the Department's main campus, have become available for purchase; and

WHEREAS, acquiring these conveniently located properties is considered an excellent opportunity to meet our immediate and future needs; and

WHEREAS, the listed prices for these properties are within the fair market value for this area.

NOW THEREFORE, the Director is authorized to proceed with the acquisition of the properties located at 10300 Interstate 30, and 10206 Interstate 30, as funds become available.

2019-109

WHEREAS, the existing Buena Vista Rest Area, on Highway 79 in Ouachita County, has exceeded its service life, is in poor condition; and

WHEREAS, the facility will require extensive upgrades and repairs to remain in service; and

WHEREAS, the rest area is no longer needed due to the recently constructed service station with rest rooms and truck parking, which is less than one mile from the existing rest area; and

WHEREAS, the usage of this facility has significantly decreased.

NOW THEREFORE, the Director is authorized to close the existing Buena Vista Rest Area, remove the buildings and dispose of the property.

2019-110

WHEREAS, the Materials Testing Laboratory is the only building in the Central Office Complex which does not have an emergency generator backup system; and

WHEREAS, humidity and temperature control are necessary to meet the requirements of the American Association of State Highway and Transportation Officials Materials Reference Laboratories (AMRL), the Cement Concrete Reference Laboratories (CCRL), and the American Society for Testing Materials (ASTM) to obtain AASHTO certification and accreditations to allow continued acceptance and testing of materials used on federally funded construction projects; and

WHEREAS, when electrical power is interrupted for even short periods of time most tests in progress will be required to be restarted with some samples taking days to prepare for re-testing; and

WHEREAS, installation of backup generators would allow the Materials Laboratory to remain fully functional during periods of electrical power interruption from the local utility company; and

WHEREAS, the Department has an agreement with the Arkansas Division of the Federal Highway Administration (FHWA) to allow the use of the Materials Division Building as a contingency headquarters in the event of an emergency that results in the temporary or permanent inability of FHWA to access its main facility.

NOW THEREFORE, the Director is authorized to proceed with the acquisition and installation of a backup generating system that will supply electrical power to the Materials Testing Laboratory as funds become available.

2019-111

WHEREAS, IN PULASKI COUNTY, traffic congestion on Interstate 430 across the Arkansas River continues to increase; and

WHEREAS, the Department recognizes the need to utilize various techniques to address congestion in a growing region; and

WHEREAS, allowing the shoulder to be used as a travel lane during times of peak congestion is a transportation system management and operation strategy that has proven to be effective in many states; and

WHEREAS, the Department has determined that allowing the shoulder to be used as a travel lane during times when adjacent lanes are

congested is a feasible and efficient strategy to mitigate congestion on Interstate 430 across the Arkansas River; and

WHEREAS, reconstruction of the existing shoulders is needed in order to support traffic when the shoulders are used as a travel lane; and

WHEREAS, the cost to reconstruct the shoulders is considered a feasible and efficient strategy as compared to widening Interstate 430.

NOW THEREFORE, the Director is authorized to proceed with these improvements as funds become available.

2019-112

WHEREAS, the Greenwood City Council, by Resolution 119-05, has requested that the Highway 10 bridge over Heartsill Creek in Greenwood, be designated as the “SSG Justin “Dutch” Estes Memorial Bridge”; and

WHEREAS, the Arkansas Highway Commission has adopted guidelines for the installation of commemorative signs by Minute Order 2014-023 and the City’s requests meet these guidelines.

NOW THEREFORE, the Director is authorized to permit the installation of signs at each end of the bridge, as requested by the City, in accordance with Commission Policy.

2019-113

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the November 6, 2019 letting; and

JOB NO.	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
110574	01	CROSS	HWY. 350 STRS. & APPRS. (S)	350	N
110617	01	ST. FRANCIS	FIFTEENMILE & CUTOFF BAYOUS STRS. & APPRS. (S)	50 & 79	Y
030008	03	SEVIER	JOHNS BRANCH STR. & APPRS. (S)	71	Y
040622	04	CRAWFORD	WASHINGTON CO. LINE – SOUTH STRS. & APPRS. (S)	59	Y
R60140	06	GARLAND	HWY. 70 EAST – HWY. 7 NORTH (F)	7	Y

061166	06	PULASKI	47TH ST. – REMOUNT RD. SAFETY IMPVTS. (NLR) (S)	176	Y
061460	06	HOT SPRING	HWY. 84 STRS. & APPRS. (OAK GROVE) (S)	84	N
061574	06	GARLAND	HWY. 270B/LAKESIDE RD. SIGNAL (HOT SPRINGS) (S)	270B	Y
CA0701	07	CALHOUN	HWY. 167 IMPROVEMENTS (HAMPTON) (S)	167	Y
070378	07	COLUMBIA	SPRING BRANCH STR. & APPRS. (S)	98	N
070380	07	UNION	HAYNES CREEK STR. & APPRS. (S)	335	N
070417	07	CALHOUN & OUACHITA	TWO BAYOU CREEK STR. & APPRS. (S)	274	Y
080495	08	YELL	HWY. 10 – HWY. 7 (SAFETY IMPVTS.) (SEL. SECS.) (S)	27	Y
080504	08	MONTGOMERY	DEER CREEK STR. & APPRS. (S)	27	Y
080508	08	FAULKNER	I-40/HWY. 65 INTCHNG. IMPVTS. (CONWAY) (S)	I-40, 65, & 65B	Y
090423	09	MADISON & CARROLL	HUNTSVILLE – EUREKA SPRINGS (SAFETY IMPVTS.) (SEL. SECS.) (S)	23	Y
090430	09	MADISON	PIGEON CREEK STR. & APPRS. (S)	74	N
090445	09	BENTON	HWY. 12/HWY. 43 INTERS. SAFETY IMPVTS. (S)	12 & 43	N
100834	10	MISSISSIPPI	DITCH AT L.M. 0.82 STR. & APPRS. (S)	312	N
100835	10	CRAIGHEAD	HWY. 18/CARAWAY RD. INTERS. IMPVTS. (JONESBORO) (S)	18	Y
100959	10	CRAIGHEAD	HWY. 63B – HWY. 18 (S)	I-555	Y
012318	06 & 08	GARLAND & PERRY	MIDDLE FORK SALINE RIVER & DRY RUN CREEK STRS. & APPRS. (S)	7	Y
012340	01 & 10	CRITTENDEN & POINSETT	I-55 – HWY. 149 (S)	I-555	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 Schueck opened the meeting by welcoming those in attendance.

MOTIONS

MOTION Vice Chairman Robert Moore moved, Commissioner Philip Taldo seconded and the motion passed to approve the Minutes from the previous Commission Meeting of September 4, 2019.

MOTION The Commission approved Minute Order 2016-036 on April 20, 2016, authorizing the Department to advertise for consultant services for On-Call Design Services for calendar years 2017 through 2020. Commissioner Philip Taldo moved, Commissioner Keith Gibson seconded and the motion passed to accept the Staff's recommendation to enter into negotiations to provide on-call design services for 2019-2020 with the following firms:

CEI Engineering Associates, Inc.
Fisher & Arnold, Inc.

Halff Associates, Inc.
Horner & Shifrin, Inc.
ICONIC Consulting Group, Inc.
Jacobs Engineering Group, Inc.
McClelland Consulting Engineers, Inc.
Neel-Schaffer, Inc.
Pickering Firm, Inc.
B & F Engineering, Inc.
NTB Associates, Inc.
Pinnacle Consulting Management Group, Inc.

Firms with * are selected at this time to provide only Right of Way Plan Development Services.

OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the September 2019 update on state highway revenue. Mr. Patton noted that state highway revenues to the Department from traditional sources are up a total of 1.2% (\$1.2 million) in the State Fiscal Year (SFY) 2020 compared to SFY 2019. Revenue from the Natural Gas Severance Tax is lower this year compared to last year, resulting in total revenues available being -0.2% (-\$0.2 million) below last year. Actual state revenue received is 2.4% (\$2.5 million) above projected (budgeted) revenue for this year.

In closing, Mr. Patton stated that September revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was .11% lower, (-\$17,732) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by .33% (\$168,190). Since inception, this revenue source is 0.66%, or \$7.3 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 August 2, 2019, Congress passed a budget for Federal Fiscal Year 2020. However, Congress has not been able to pass a spending bill for Federal Fiscal Year 2020. They were able to avoid a shutdown by passing a Continuing Resolution, which President Trump signed on September 27, 2019. The Continuing Resolution will provide funding until November 21, 2019. If Congress fails to act by November 21, 2019, we will be facing another shutdown. 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 50% reduction in the Federal-aid Highway Program.

In closing, Director Bennett stated that during the 92nd General Assembly, two highway-funding measures were passed as part of the Governor's Highway Funding Package. Act 416 is estimated to provide \$95 million annually to the Department to be used for system preservation. House Joint Resolution 1018 refers a proposed constitutional amendment to be considered by the voters of Arkansas. If passed, the ½-cent sales tax is estimated to provide an additional \$205 million annually to the Department. This revenue, in conjunction with Act 1 of 2016, will provide adequate State revenue that can be used to provide the match for Federal-aid and maintain and improve Arkansas' transportation system.

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 updated the Commission on the Guidehouse Efficiency Review. Act 298 of 2019 requires the Arkansas Legislative Council to hire a consultant to conduct a study of the processes and functioning of the Department without limitation of the Department's processes, procedures, procurement procedures, projects, expenditures, and appeals process. The purpose of the study is to examine and identify areas of potential improvement within the overall functioning of the Department and to recommend legislation to the General Assembly in order to:

1. Maximize the Department's use of taxpayer dollars
2. Improve the efficiency and overall functioning of the Department

3. Ensure responsiveness of the Department to the needs of the State of Arkansas and its citizens with regard to improvement of the state highways and roads
4. A report on the study's activities, findings, and recommendations are due on or before December 1, 2020

On August 23, 2019, the Arkansas Legislative Council entered into a contract with Guidehouse, LLP of McLean, VA to conduct the study. On September 18, Guidehouse held a kickoff meeting with the Highway Commission Review and Advisory Subcommittee (HCRAS). On September 24, Guidehouse submitted to the Department a comprehensive initial document/data request list. This request is divided into several topical sections: Portfolio Planning, Procurement, Expenditures, Organizational Structure, People Capabilities, and IT. On September 27, a teleconference with ARDOT and Guidehouse was held to discuss and answer questions about the Document/Data request. Between October 14 and 16, Guidehouse was on site to conduct a kickoff meeting along with interviewing several key Department Staff. As of October 22, 585 files have been uploaded to Guidehouse to fulfill their request for Documents/Data request. It is anticipated that all information will be submitted to Guidehouse by October 25.

Director Bennett presented the Commission with a list of Regional Town Hall meeting dates and locations to inform the public and solicit comments regarding the New Highway Program. These Regional meetings will take place in twelve locations across the State from January – April 2020. Director Bennett also noted that the Governor will hold a press conference to kick off the Highway Program Campaign on November 15.

Director Bennett presented a list of upcoming meetings and events that the Commissioners and Director will be attending along with the Annual Safety and Service Award Ceremonies for the Districts and Central Office Complex.

Director Bennett recognized the System Information and Research Division on receiving the AASHTO Research Advisory Committee 'Sweet Sixteen' Award for a project titled 'Mapping Subsurface Conditions for Transportation Applicants'. These awards are selected each year through regional competitions. The winners were invited to present their projects at a poster session at the AASHTO RAC/TRB Representatives' Annual Meeting in Santa Fe, New Mexico, in July 2019. This award represents the best in research among state DOTs across the country.

Director Bennett recognized the Department for receiving the Governor's Quality Challenge Award for "Adopting and Applying Quality Principles to Achieve Performance Excellence". This award recognizes excellence in the state of Arkansas, and is mostly given to private companies. Very few public agencies apply for the Governor's Quality Award and this is the first time for the Department to participate.

Director Bennett recognized Lorie Tudor for receiving the Alfred E. Johnson Achievement Award at the AASHTO Annual Meeting in St. Louis, MO. This award recognizes a department of transportation official in middle management who has made outstanding contributions in either engineering or management. Director Bennett noted that Lorie's exceptional organizational, technical, and analytical skills helped transform ARDOT's process for bidding and vetting construction contracts. Director Bennett also noted that in 2018, the University of Arkansas inducted Lorie into its Academy of Civil Engineering, becoming the 30th ARDOT engineer—and the first ARDOT female engineer—to achieve this distinction in the Academy's nearly 40-year history.

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IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:55 a.m., October 23, 2019.

I hereby certify that the above and foregoing is a true record of the proceedings taken by the Arkansas State Highway Commission at its meeting on October 23, 2019



Christie Heidelberg
Commission Secretary