

ARKANSAS DEPARTMENT OF TRANSPORTATION  
LITTLE ROCK, ARKANSAS

August 4, 2020

**ADMINISTRATIVE CIRCULAR NO. 2020-14**

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 July 22, 2020.

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

July 22, 2020

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, July 22, 2020. Members present were:

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

2020-053

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 10:00 a.m., July 22, 2020.

2020-054

WHEREAS, the Purchasing Committee has awarded purchases on July 14, 2020, totaling \$6,841,043.00, 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.

2020-055

WHEREAS, the Highway System in Arkansas facilitates safe mobility, economic development, and tourism enhancement throughout the State; and

WHEREAS, public information and education activities play an important role in providing the citizens of our State with pertinent information relative to the issues facing the Commission and Department; and

WHEREAS, the Arkansas Good Roads Foundation serves as an effective group to provide this information and education to transportation stakeholders, elected officials, and the public.

NOW THEREFORE, the Director is authorized to make a contribution of \$15,000 to the Arkansas Good Roads Foundation for its public information and education activities for the time period July 1, 2020 through December 31, 2020.

2020-056

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.

2020-057

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

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

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

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

WHEREAS, the Arkansas Economic Development Commission has requested \$1 million in State Fiscal Year 2019 State Surplus funds to support infrastructure improvements that will be needed to safely and efficiently handle increased traffic volumes associated with the new Amazon facility under construction at the Port of Little Rock; and

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

NOW THEREFORE, the Director is authorized to commit \$1 million from the State Fiscal Year 2019 State Surplus funds for infrastructure improvements at and near the Port of Little Rock as requested by the Arkansas Economic Development Commission.

2020-058

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has requested participation in the Fiscal Year 2021 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 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); Transportation System Preservation Technical Service Program (TSP2); and Transportation and Civil Engineering (TRAC) and Roadways Into Developing Elementary Students (RIDES); 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.

2020-059

WHEREAS, it is necessary for the Department to provide timely design services for selected projects in order to proceed with construction; and

WHEREAS, in accordance with Minute Order 2016-036 passed on April 20, 2016, the Department currently has on-call contracts to conduct indefinite delivery design services through 2020; and

WHEREAS, these on-call contracts have been found to be an effective method of producing timely design services and supplementing in-house capabilities.

NOW THEREFORE, the Director is authorized to extend the contract duration through calendar year 2021.

2020-060

WHEREAS, the Arkansas Strategic Highway Safety Plan (2017) identified the full deployment of an improved crash data system (eCrash) as a priority safety strategy; and

WHEREAS, through Minute Order 2017-076, the Department partnered with the Arkansas State Police (ASP) in assisting 37 local law enforcement agencies in the implementation of the eCrash system; and

WHEREAS, ASP has requested the Department's assistance in funding additional law enforcement agencies in their implementation of eCrash; and

WHEREAS, continued augmentation of the eCrash system will be highly beneficial to the safety of our transportation system by providing more complete, accurate and timely data; and

WHEREAS, Federal-aid safety funds are eligible for these activities.

NOW THEREFORE, the Director is authorized to partner with the ASP to assist local law enforcement agencies in upgrading computer systems for the eCrash system.

2020-061

WHEREAS, U.S. Highway 64 through downtown Fort Smith is a primary route connecting western Arkansas to Oklahoma and points west; and

WHEREAS, traffic volumes and truck traffic have presented traffic operation challenges along the U.S. Highway 64 corridor in the City; and

WHEREAS, this corridor plays an integral role in supporting the City's economic competitiveness and quality of life; and

WHEREAS, local officials have adopted the Fort Smith Downtown Traffic and Truck Study which has identified potential improvements for further consideration.

NOW THEREFORE, the Director is authorized to conduct a study to recommend needed improvements to the State Highway System in and surrounding downtown Fort Smith including the feasibility of constructing a new U.S. Highway 64 river crossing.

2020-062

WHEREAS, Minute Order 2008-038 adopted the Highway 63 Traffic Operations Study as a planning guide for scheduling improvements on Highway 63 and adjacent roadways between Highway 49 South (Southwest Drive) and Highway 49 North (Red Wolf Boulevard) in the City of Jonesboro; and

WHEREAS, various projects have since been implemented or are scheduled within the study area; and

WHEREAS, a portion of Highway 63 has since been redesignated as Interstate 555; and

WHEREAS, traffic patterns have changed as a result of growth and development necessitating an update to the existing study.

NOW THEREFORE, the Director is authorized to conduct a study to determine the need for and feasibility of improvements to the Interstate 555/Highway 63 corridor between Highway 91 and Nestle Road in Jonesboro.

2020-063

WHEREAS, Minute Order 98-068 adopted the US 412 Corridor Planning Study as a guide for future development between Norfolk Lake in Baxter County and the Missouri State line; and

WHEREAS, Minute Order 2017-101 authorized an update to that planning study and expanded the study area from the Oklahoma State line to the Missouri State line; and

WHEREAS, the Highway 412 Corridor Planning Study Update (Oklahoma to Missouri) has been prepared and has identified preservation, safety, mobility, and capital improvement needs across the study area.

NOW THEREFORE, this study is adopted for use as a planning guide for future improvements to the Highway 412 corridor.

2020-064

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the August 5, 2020 letting; and

JOB NO	DISTRICT	COUNTY	JOB NAME	ROUTE	APHN
A20008	02	ARKANSAS	HWY. 165 – WEBER (S)	44	N
A20009	02	ASHLEY & CHICOT	HWY. 82 – HWY. 65 (S)	160	N
061309	06	GARLAND & HOT SPRING	MITZI PKWY. – HWY. 290 (SAFETY IMPVTS.) (SEL. SECS.) (S)	7	Y
061620	06	GARLAND	HWY. 70 – OAKGROVE RD. (SAFETY IMPVTS.) (S)	227	N
070562	07	CLARK	HWY. 26 – CADDO VALLEY (S)	I-30	Y
080662	08	CONWAY & FAULKNER	HWY. 65 – WEST (S)	I-40	Y
090472	09	BENTON	LITTLE SUGAR & TANYARD CREEKS STRS. & APPRS. (BELLA VISTA) (S)	340	Y
090502	09	CARROLL	PINEY CREEK STR. & APPRS. (S)	21	N
090551	09	MARION	LOCUST CREEK STR. & APPRS. (S)	268	N
090563	09	MADISON	HENDERSON CREEK STR. & APPRS. (MADISON CO.) (S)	127	N
100837	10	CRAIGHEAD	I-555/HWY. 49 INTCHNG. IMPVTS. (RED WOLF BLVD.) (JONESBORO) (S)	I-555 & 49	Y
100872	10	CRAIGHEAD	HWY. 18/MAIN ST./HIGHLAND DR. INTERS. IMPVTS. (JONESBORO) (S)	18	Y
100998	10	MISSISSIPPI	DITCH NO. 13 STR. & APPRS. (S)	151	N
101008	10	MISSISSIPPI	LITTLE CYPRESS DITCH STR. & APPRS. (S)	308	N
012290	05 & 08	FAULKNER & WHITE	HWY. 64 – HWY. 5 (SAFETY IMPVTS.) (SEL. SECS.) (S)	36	Y
BR0406	09	BENTON	OSAGE CREEK STR. & APPRS. NO. 2 (S)	---	-
SA2670	06	GARLAND	HWY. 7 – EAST (OVERLAY) (S)	---	-
SA3052	06	HOT SPRING	HWY. 128 – CO. RD. 14 (OVERLAY) (S)	---	-
BR3107	03	HOWARD	BLUE BAYOU STR. & APPRS. (S)	---	-
FA3610	08	JOHNSON	PANTHER CREEK STR. & APPRS. (S)	---	-

WHEREAS, a thorough bid review and analysis is undertaken by the Department to ensure that only those projects are awarded which are judged to be in the best interests of the State; and

WHEREAS, the right is retained to reject any or all proposals, to waive technicalities, or to advertise for new proposals, also as judged to be in the best public interests of the State; and

WHEREAS, the Commission desires to expedite work on these important projects; and

WHEREAS, in accordance with Amendment 42 of the Arkansas Constitution, Section 6, as well as other laws of this State, the Commission has the authority to delegate certain powers to the Director of Highways and Transportation.

NOW THEREFORE, upon the contractors furnishing the necessary performance and payment bonds and submitting all additional information required for the above mentioned projects, the Director is hereby authorized to enter into contracts and supplemental agreements for any projects deemed to be in the best interests of the State.

FURTHERMORE, the Director is authorized to reject any or all proposals, to waive technicalities, and/or to advertise for new proposals whenever deemed to be in the best interests of the State.

Chairman Moore opened the meeting by welcoming those in attendance in-person, as well as those who were watching online. Chairman Moore expressed his appreciation to Director Tudor and staff for their work in bringing employees back to work during the COVID-19 pandemic. Chairman Moore also commended Governor Hutchinson for his leadership during the uncertain times.

### MOTIONS

MOTION Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to approve the Minutes from the June 10, 2020 Commission Meeting.

MOTION Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to authorize the use of electronic signatures for the July 22, 2020 Minute Orders.

MOTION Vice Chairman Alec Farmer moved, Commissioner Philip Taldo seconded and the motion passed to authorize a 2.2% Performance Based pay increase for employees.

### OTHER DISCUSSION ITEMS

Patrick Patton, Chief Fiscal Officer, provided the June 2020 update on State Highway Revenue. Mr. Patton noted that State Highway Revenues to the Department from traditional sources are up a total of 7.7% (\$32.0 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. Total revenues available are 3.2% (\$13.6 million) above last year. Actual State Revenue received is 3.7% (\$15.8 million) above projected (budgeted) revenue for this year. Mr. Patton stated that June revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 5.69% higher, (\$975,519) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 2.01% (\$3,992,033). Since inception, this revenue source is -0.28%, or \$3.5 million, under DF&A's projections.

Director Tudor presented the Commission with the financial impacts of COVID-19 to the Department. Director Tudor noted that while the largest decrease in travel occurred during the first few weeks of April, traffic is continuing to return to normal levels. Passenger vehicle traffic was down by 10% and truck traffic was down by 5% compared to July 2019. Director Tudor noted that staff was continuing to run different case scenarios and cash forecasts to make the best decisions on State Highway revenues. Currently, there are no changes in bid letting plans.

Director Tudor provided the Commission with an update on COVID-19 and how it relates to the Department's operations. On June 23, the Department began Phase 2 of the Returning to Full Operations plan, bringing more employees back to the office. These employees are those who cannot work from home and are not high-risk. The Department developed and implemented a Contact Tracing plan based on guidance from the Centers for Disease Control and Prevention (CDC).

Kevin Thornton, Assistant Chief of Administration, updated the Commission on the status of Federal Highway and Transit funding issues. Congress is still faced with the need for reauthorization of the FAST Act, which expires on September 30, 2020. The U.S.

House passed their version of the next Surface Transportation bill as part of a larger infrastructure bill. The Moving Forward Act would provide \$494 billion over five years. This bill would provide \$319 billion for highways and \$83 billion in FFY 2021 to reduce the impact due to COVID-19. The U.S. Senate version, known as the America's Transportation Investment (ATI) Act will provide \$287 billion over 5 years. This bill would provide \$249 billion for highways, but does not provide any money to reduce the impact due to COVID-19. There is a significant difference in the two bills and both sides are working together towards a final bill.

Director Tudor updated the Commission on the three Infrastructure for Rebuilding America (INFRA) grant projects for which the Department had previously applied. Of the three applications, \$40 million was awarded to the Highway 67 Corridor Improvements (Future I-57). This will allow ARDOT to complete the widening of Highway 67 up to Highway 89 as a single project.

Director Tudor provided a brief review of the recent Guidehouse Efficiency Review, which began on September 24, 2019. On June 17, 2020, Guidehouse presented their recommendations to the Highway Commission Review and Advisory Subcommittee (HCRAS). There were 13 recommendations over six focus areas. The HCRAS will divide the recommendations by focus areas into multiple meetings, with the first meeting occurring on July 22, 2020. At each of the Subcommittee meetings, Guidehouse will present a summary report on each recommendation focus area. The Department will provide input regarding each particular recommendation presented at the meeting. The Subcommittee Chairs will ask whether there is any interest from a Subcommittee member to move forward with the recommendation. The Subcommittee has one of four options for a course of action:

- Request a Bill be drafted;
- Request for additional information;
- Include it in the draft report; or
- Take no action and the recommendation is considered dead.

At its October 2020 meeting, the Subcommittee will review the draft report containing all recommendations that have been advanced to that point, including any supporting draft legislation. At the November 2020 meeting, the Subcommittee will vote on the final report, which will contain all recommendations that have made it that far, and the final report will be presented to the full Arkansas Legislative Council at its meeting on November 20, 2020.

Director Tudor updated the Commission on the Renew Arkansas Highways Program. Director Tudor noted that the Department is refocusing presentations to educate the public regarding Issue 1. A list of scheduled presentations to local civic organizations was presented, with plans to add more as scheduling allows. The Assistant Chiefs, along

with District Engineers have been instructed to give the presentation to their respective employees in order to educate the 3,700 ARDOT employees so they can make a more informed decision when voting in November.

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

Director Tudor updated the Commission on one newly completed Connecting Arkansas Program project on Highway 82 in Ashley County. Director Tudor also notified the Commission of two awards received by the American Concrete Pavement Association (ACPA).

Gold Winners

- US Highway 67 – Vandenberg Blvd. to Highway 5 (Widening) in the Divided Highway Urban category.
- US Highway 67 – US Highway 67 Interchange (North of Cabot) in the Divided Highway Rural category.

Silver Winner

- Interstate 630 – Baptist Hospital to University Avenue (Widening) in the Divided Highway Urban category.

Randy Ort, Deputy Director and Chief Operating Officer, briefed the Commission on the recent indictment on a fraud investigation involving Crossland Construction and ARDOT.

2020-065

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 10:55 a.m., July 22, 2020.

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 July 22, 2020.



Christie Heidelberg  
Commission Secretary