

**MINUTES
OF
MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD**

Central Office Auditorium
1221 East Broad Street
Richmond, Virginia

February 15, 2006
12:00 p.m.

The meeting of the Commonwealth Transportation Board was held in the Central Office Auditorium of the Department of Transportation in Richmond, Virginia on February 15, 2006. The Chairman, Pierce R. Homer, presided and called the meeting to order at 12:08 p.m.

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Present: Messrs. Bowie, Davies, Keen, Martin, McCarthy, Sevila, Watson, Witt, Ms. Carter, Ms. Hanley; Vice Chairman Whirley, and Ms. Rae, ex officio, Director of the Department of Rail and Public Transportation.

Absent: Ms. Connally, Dr. Davis, Ms. Dragas, Mr. White

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Public Comment Period:

None

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Approval of Minutes of Prior Meeting:

Action on Approval of the Minutes of the Meeting of January 18, 2006. Copy of approved minutes on file with the Virginia Department of Transportation (VDOT) Commissioner's Office and posted on the VDOT Internet website: www.virginiadot.org and the Virginia Regulatory Town Hall.

Moved by Mr. Keen, seconded by Mr. Watson.
Motion carried, minutes approved.

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LOCAL ASSISTANCE DIVISION :

Agenda Item 1A: Action on Authorizing Action on Highway Designations specifically Route 340- Warren County, Intersection with Skyline Drive to the Warren/Page County Line Referenced by attachment of Resolution and Decision Brief.

Moved by Mr. Bowie, seconded by Ms. Hanley.
Motion carried, resolution approved.

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Agenda Items 2: Action on Authorizing Revenue Sharing specifically Fauquier County Original Project Number 0605-030-350, C502 (UPC 79007), New Project Number 0605-030-354, N501 (UPC 79990); Original Project Number 0602-030-352, C501, (UPC 79009), New Project Number 0605-030-354, N501, (UPC 79990); Original Project Number 0676-030-351, C501,(UPC 79008), New Project Number 0605-030-354, N501,(UPC 79990); Original Project Number 0652-030-353,C501, (UPC 79010), New Project Number 0605-030-354,N501,(UPC 79990)

Referenced by attachment of Resolution and Decision Brief.

Moved by Mr. Davies, seconded by Mr. Bowie.

Motion carried, resolution approved.

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Agenda Item 3A: Action on Recreational Access specifically, Prince Edward County Project No.: 0774-073-202, M501, Poplar Hill Golf Course De-Allocation

Referenced by attachment of Resolution and Decision Brief.

Moved by Mr. Watson, seconded by Ms. Carter.

Motion carried, resolution approved.

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LOCATION AND DESIGN DIVISION:

Agenda Item 4A: Action on Location Approval specifically, Town of Wytheville Project U000-139-107, PE-101, RW-201, C-501

Referenced by attachment of Resolution and Decision Brief.

Moved by Mr. Bowie, seconded by Mr. Keen.

Motion carried, resolution approved.

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RIGHT OF WAY AND UTILITIES DIVISION:

Agenda Item 5A: Action on Land Conveyances specifically Routes 1389 and 218 Project No. 0218-089-V05, RW-201, Stafford County

Referenced by attachment of Resolution and Decision Brief.

Moved by Ms. Carter, seconded by Ms. Hanley.

Motion carried, resolution approved.

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DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION:

Agenda Item 6A: Action on Rail Industrial Access Program specifically, City of Salem Transfer & Storage Corporation. Referenced by attachment of Resolution and Decision Brief.

Moved by Mr. Martin, seconded by Mr. Bowie.
Motion carried, resolution approved.

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Agenda Item 7A: Action on FY06 Supplemental Allocation to the FY2006 Rail Preservation Program of Projects specifically Augusta, Bath, Hanover, and Rockbridge Counties Buckingham Branch Railroad, Richmond and Alleghany Division

Moved by Mr. McCarthy, seconded by Mr. Watson.
Motion carried, resolution approved.

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SCHEDULING AND CONTRACT DIVISION:

Agenda Item 8: Action on Bids for Interstate, Primary, Secondary, Urban and Miscellaneous Projects Received December 2005 and January 2006, for projects in excess of \$2 million for award and authorized execution of contracts by the Commissioner, or Chief Engineer. Referenced by attachment of Bid Results Report.

Prior to approval of the Bids Mr. Coburn called the Board's attention to information that was placed at the District Board Member's seat relative to the Plant Mix Schedule for their districts which the Board would be asked to approve. The At-Large members did not receive this information.

The Chairman, Secretary Homer, requested that the At-Large members be provided the information for the area's they reside.

Mr. Coburn then cited order numbers H01 and H05, he was informed from the State Corporation Commission that there was an issue with the firm, Bizzack, Incorporated. Upon consultation with the Attorney Generals' office, Mr. Coburn has requested that order numbers H01 and H05 be deferred.

Page 1 and 2 of the attached report, recommending award of order number G52 and deferral of order numbers H01 and H05 to a later Commonwealth Transportation Board Meeting.

Moved by Mr. McCarthy, seconded by Mr. Bowie.

Motion carried, bid approved with deferral of order numbers H01 and H05.

Page 3 of the attached report, recommending rejection of order number H18
Moved by Mr. Keen, seconded by Mr. Sevila.
Motion carried, bid rejected.

Page 4 of the attached report, recommending award of order number G94.
Moved by Mr. Bowie, seconded by Mr. Keen.
Motion carried, bid approved.

Page 5 of the attached report recommending award of order number 1005.
Moved by Mr. McCarthy, seconded by Mr. Martin.
Motion carried, bid approved.

Page 6 of the attached report recommending award of order number 02-06.
Moved by Mr. Davies, seconded by Ms. Hanley.
Motion carried, bid approved.

Prior to approval on Page 7; Ms. Hanley questioned Mr. Coburn's comment that the project was a good value as the amount is 12 million dollars over the budget.

Mr. Coburn indicated it is 12 million dollars over the published budget. In consultation with the Programming Division, the funds can be adjusted to bring this amount to date. There will have to be some STIP amendments.

Mr. Keen questioned the amounts in the *CN from 6 Year Program*. Mr. Keen thought this column showed the funds that were available for the project today, which does not appear to be the case. Mr. Keen would like to see this column show the funds that are available for the project if it was awarded today.

Mr. Martin indicated he would like to keep the *CN from 6 Year Program* column as is and add a third column with the information Mr. Keen requested.

The Chairman asked if the layout of the Bid Results form could be discussed after the conclusion of Bids were voted on. There was no objection from the Board to delay the discussion.

The Chairman asked if these contracts have fixed completion dates.

Mr. Coburn responded yes, that the contracts have fixed completion dates.

Chairman Homer noted for the record, referencing the Mercury Boulevard and Battlefield Boulevard projects, this is the same contractor. It is very important that we make it known to the Contractor and the Public that this is a fixed date project.

Mr. Witt asked if the fixed date is not met, are penalties in the contract.

Mr. Coburn responded yes.

Mr. McCarthy asked if this fixed date could be adjusted by weather delays.

Mr. Coburn responded no, that the contract does not provide additional time for weather delays.

Page 7 of the attached report recommending award of order number G63.

Moved by Mr. Witt, seconded by Mr. Martin.

Motion carried, bid approved.

Prior to approval on pages 8 – 15; Mr. Bowie indicated he felt the Board should have been provided with the Plant Mix information prior to the Board Meeting given the amount of money that was involved.

Pages 8 - 15 of the attached report recommending award of order numbers 106, 109, 110, 208, 214, 215, 217, 308, 310, 312, 313, 509, 510, 604, 606, 607, 707, 709, 710, 808, 809, and 810.

Moved by Mr. Bowie, seconded by Mr. Martin.

Motion carried, bids approved.

Prior to approval on pages 16 and 17; Ms. Hanley noted that the Board awarded this vendor contracts in a previous action and the Board was now being asked to reject contracts to this same vendor. Ms. Hanley asked why this vendor was successful in one contract but not another.

A general discussion ensued regarding the effect that a district's budget may have on the award of contracts as well as the recipe of the asphalt mix.

Page 16 - 17 of the attached report recommending rejection of order numbers 511, 512, 608, and 812,

Moved by Mr. Martin, seconded by Mr. Bowie.

Motion carried, bids rejected.

Page 18 – 20 of the attached report recommending award of order numbers 408, 415, 420, 904, 905, 906, 909, 910, and 911.

Moved by Ms. Hanley, seconded by Mr. McCarthy.

Motion carried, bids approved.

Page 21 of the attached report recommending rejection of order numbers 903, 907, and 908.

Moved by Ms. Hanley, seconded by Mr. Watson.

Motion carried, bids rejected.

Page 22 of the attached report recommending award of order number 1005.
Moved by Mr. McCarthy, seconded by Mr. Martin.
Motion carried, bid approved.

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NEW BUSINESS

The Chairman took up the formatting question on the Bid Results form. There is a distinction between the Six Year Program, developed over a year ago, versus the Engineer's Estimate. This difference can be attributed to various items i.e. the scope may have changed from a year ago. The Six Year Program numbers were used to try to enforce accountability. The Chairman indicated he would prefer to use the Six Year Program number.

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An updated contact list for the Board Members was distributed to the Board.

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Ms. Hanley reviewed the *TransAction 2030 Transportation Summary Report* at the request of Chairman Homer.

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The Chairman reviewed the presentation he made to the Senate Finance Committee the previous week.

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A tentative schedule for the Commonwealth Transportation Board was set for the remainder of 2006. This schedule will be revisited again in March as other events are finalized.

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The Chairman recognized Ms. Karen Rae, noting this was her last official Commonwealth Transportation Action Board Meeting as she moves on to her new position. Ms. Rae thanked the Board members for their support.

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ADJOURNMENT

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The meeting adjourned at 1:39 p.m. The next meeting will be held on Thursday, March 16, 2006, beginning at 12:00 p.m. in the VDOT Central Auditorium, 1221 East Broad Street, Richmond, VA

Approved:

Chairman

Secretary