ARKANSAS DEPARTMENT OF TRANSPORTATION
LITTLE ROCK, ARKANSAS

February 10, 2020

ADMINISTRATIVE CIRCULAR NO. 2020-02

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 February 5, 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.

Scott E. Bennett, P.E.
Director

c: Commission
MINUTES OF THE MEETING
OF THE
ARKANSAS STATE HIGHWAY COMMISSION

February 10, 2020

Following is the record of proceedings of the Arkansas State Highway Commission in Little Rock, Arkansas, February 5, 2020. Members present were:

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

2020-001
IT IS ORDERED that a meeting of the Arkansas State Highway Commission be opened at 9:30 a.m., February 5, 2020.

2020-002
WHEREAS, the Purchasing Committee has awarded purchases on December 19, 2019, January 7, 2020 and January 29, 2020, in the amount of $134,460.00, $642,753.00, and $765,338.42 respectively, totaling $1,542,551.42, 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.

2020-003
WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has billed the Arkansas Department of Transportation for membership dues for the year 2020; and

WHEREAS, this membership is regarded as being highly beneficial to the Department.
NOW THEREFORE, IT IS ORDERED that the Director is authorized to process payment for membership dues for the year 2020 in the amount of $42,365.76.

2020-004

WHEREAS, Minute Order 2017-060 adopted the Strategic Plan 2017-2022 as a guide that identified strategic goals to champion transportation solutions that promote quality of life and economic development; and

WHEREAS, Minute Order 2017-061 adopted the updated Long Range Intermodal Transportation Plan as a guide to improve transportation system connectivity, efficiency, and mobility to support existing industries and strengthen national and regional economic competitiveness; and

WHEREAS, additional funding is needed in order to further the goals of the Strategic Plan 2017-2022 and Long Range Intermodal Transportation Plan; and

WHEREAS, Act 1 of the 90th General Assembly’s Third Extraordinary Session established the Arkansas Highway Improvement Plan of 2016, which provides funding to help address highway construction needs of the State; 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.

NOW THEREFORE, the Director is authorized to dedicate up to $15 million in Act 1 Surplus Funding received by the Department to be used in State Fiscal Year 2020 to support projects that promote economic development and economic competitiveness.

2020-005

WHEREAS, the 91st General Assembly of the State of Arkansas enacted Act 705 during the 2017 Regular Session, which established the distribution of highway revenue interest income from the State Highway and Transportation Department Fund to create the Future Transportation Research Fund and the Transportation-Related Research Grant Program (TRRGP); and

WHEREAS, the purpose of the TRRGP is to support the study of materials and sources in order to establish facts and reach new conclusions to provide resilient
and sustainable logistics, processes, materials, and methods to ensure cost-effectiveness and the furtherance of education and economic development concerning all forms of transportation; and

WHEREAS, the Arkansas Department of Transportation is responsible for administration of the TRRGP.

NOW THEREFORE, the Director is authorized to advertise for TRRGP applications for State Fiscal Year 2021 in accordance with the Arkansas Legislative Council’s approved promulgated rules.

2020-006

WHEREAS, the Arkansas State Highway Commission (Commission) acquired property known as Tract 313, Job No. 8462, from Ivan Cheney and Louise Cheney, husband and wife, by Warranty Deed dated November 19, 1964, filed for record on December 4, 1964, in the Circuit Clerk’s office of Johnson County, Arkansas, in Deed Record Book 120, Page 324; and

WHEREAS, the property was purchased as a capital asset by the Commission for the sum of TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) and Part of which is being acquired by a new owner, and therefore, is not subject to re-acquisition by a prior owner pursuant to Ark. Code Ann. § 27-67-322. The property is more particularly described as follows:

Part of the Southwest Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 23 West Johnson County, Arkansas, more particularly described as follows:

Commencing at point being used as the Northeast corner of the Southwest Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 23 West, Johnson County, Arkansas; thence North 87°17’30” West along the North line of the Southwest Quarter of the Northeast Quarter of Section 8 a distance of 1,264.54 feet to a point on the Westerly right of way line of Interstate 40 as established by AHTD Job 8462 Sec 3 for the POINT OF BEGINNING; thence South 09°50’50” West along said right of way line a distance of 259.02 feet to a point on the West line of said Southwest Quarter of the Northeast Quarter of said Section 8; thence North 01°26’39” East along said West line a distance of 257.08 feet to a point being used as the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 8; thence South 87°17’30” East along the North line of the Southwest Quarter of the Northeast Quarter of Section 8 a distance of 37.86 feet to the point of beginning and

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(Continued)
containing 0.11 Acres or 4,865 square feet more or less as shown on AHTD plans referenced as Job 080340.

WHEREAS, DeVille Children Holdings, LLC, a Georgia Limited Liability Company, has agreed to purchase Part of Tract No. 313, Job 8462 for the sum of THIRTY-FIVE THOUSAND TWO HUNDRED TWENTY-FIVE AND NO/100 DOLLARS ($35,225.00) of which $3,225.00 represents administrative costs expended by the Arkansas Department of Transportation. Three (3) qualified appraisers have opined as to the current fair market value of the property and the Commission has accepted the appraised amount of THIRTY-TWO THOUSAND AND NO/100 DOLLARS ($32,000.00); and the District Engineer for District Eight 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 THIRTY-FIVE THOUSAND TWO HUNDRED TWENTY-FIVE AND NO/100 DOLLARS ($35,225.00), the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to DeVille Children Holdings, LLC, a Georgia Limited Liability Company; this Minute Order along with a copy of the deed shall be recorded in Johnson 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.

2020-007

WHEREAS, the Arkansas State Highway Commission (Commission) acquired in fee land known as the Old Randolph County Area Headquarters from A.J. Baltz and Anna Baltz, husband and wife, by Warranty Deed dated December 29, 1955, recorded in Record Book 92, Page 199, of the public records of Randolph County, Arkansas, for the consideration of ONE AND NO/100 (DOLLARS) $1.00; and

WHEREAS, the Deed contained a reversionary interest in favor of the Chamber of Commerce of the City of Pocahontas, Arkansas (Chamber); and

WHEREAS, the Chamber assigned its interest in the Old Randolph County Area Headquarters to the City of Pocahontas, Arkansas, which has requested that the Commission declare the property as surplus; and

WHEREAS, the Commission’s property that is the subject of the City’s request is more specifically described as follows:

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(Continued)
PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 1 EAST, RANDOLPH COUNTY, ARKANSAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE 1/4 CORNER BETWEEN SECTIONS 15, AND 16 OF SAID TOWNSHIP 19 NORTH, RANGE 1 EAST, SAID POINT BEING A SET 5/8"REBAR WITH A 2"ALUMINUM CAP STAMPED 1/4CR SEC15,16 T19N, R1E PS 1731; THENCE N89°13’06”W ALONG THE SOUTH LINE OF THE SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16 A DISTANCE OF 39.98’ TO THE RIGHT OF WAY OF HWY 115 AS ESTABLISHED BY COURT ORDER 1077, WHICH IS THE POINT OF BEGINNING, SAID POINT BEING A SET 5/8"REBAR WITH A 2"ALUMINUM CAP STAMPED R/W PS 1731; THENCE LEAVING SAID RIGHT OF WAY AND CONTINUING ALONG SAID SOUTH LINE N89°13’06”W A DISTANCE OF 429.91’ TO A FOUND 1 3/8"PIPE; THENCE LEAVING SAID SOUTH LINE N00°56’25”W A DISTANCE OF 203.91’ TO A FOUND 1 3/4"PIPE; THENCE S89°21’09”E A DISTANCE OF 416.91’ TO A FOUND 1”PIPE ON THE RIGHT OF WAY OF HWY 115 AS ESTABLISHED BY COURT ORDER 1077; THENCE 205.76' ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2331.83’, THE CHORD OF WHICH IS S04°33’21"E FOR A DISTANCE OF 205.69' BACK TO THE POINT OF BEGINNING, CONTAINING 1.98 ACRES (86201.77 SQ FT) MORE OR LESS.

WHEREAS, the District Engineer for District Ten 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 a proper resolution from the City of Pocahontas, Arkansas, the Chairman of the Commission is authorized and directed to execute a Quitclaim Deed conveying said property to the City of Pocahontas, Arkansas; this Minute Order along with a copy of the deed shall be recorded in Randolph 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.

2020-008

WHEREAS, Minute Order 2010-102 authorized a study to determine the feasibility of extending high-speed intercity passenger rail service from Little Rock to Memphis and to develop a service development plan from Little Rock to Texarkana; and
WHEREAS, the *Arkansas High-Speed Passenger Rail Study* has been completed; and

WHEREAS, the findings have been submitted to and accepted by the Federal Railroad Administration; and

WHEREAS, the anticipated mode shift from automobile to rail is insignificant to provide meaningful relief on Arkansas’ highway system; and

WHEREAS, the study determined that enhancing passenger rail service from Texarkana to Little Rock and extending passenger services from Little Rock to Memphis is cost prohibitive at this time.

NOW THEREFORE, the *Arkansas High-Speed Passenger Rail Study* is accepted for use as a resource for future passenger rail planning in Arkansas.

2020-009

WHEREAS, in accordance with Minute Order 2019-108, the Arkansas Department of Transportation was given authority to purchase properties adjacent to the Central Office’s main campus; and

WHEREAS, an architectural/engineering assessment of the Central Office’s expanded main campus is required to determine both immediate and future needs for building maintenance and the most efficient use of the space available; and

WHEREAS, the architectural/engineering assessment required exceeds the staff’s capabilities.

NOW THEREFORE, the Director is authorized to solicit and evaluate proposals from architectural/engineering firms to conduct a building maintenance and space assessment of the Central Office’s main campus structures and to provide recommendations for future improvements.

2020-010

WHEREAS, IN FAULKNER COUNTY, Minute Order 2012-064 authorized a study to determine the need for and feasibility of improvements to Highway 65 and Highway 25 in the City of Greenbrier; and

WHEREAS, the Highways 65 and 25 Greenbrier Study has been prepared and has identified feasible improvements to enhance safety and traffic flow.
NOW THEREFORE, this study is adopted for use as a planning guide for future improvements in the area.

2020-011

WHEREAS, the Prairie County Quorum Court, by Resolution 5, has requested that the Highway 70 bridge over the White River in Prairie County, be designated as the “Glover-Roberts Bridge”; and

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

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

2020-012

WHEREAS, the Mississippi County Quorum Court, by Resolution 2019-07, has requested that the Highway 14 bridge over I-55 southwest of the Rivercrest School in Mississippi County, be designated as the “Cortez Kennedy Bridge”; and

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

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

2020-013

WHEREAS, the Arkansas State Highway Commission will accept bids on the following projects in the February 26, 2020 letting; and

<table>
<thead>
<tr>
<th>JOB NO.</th>
<th>DISTRICT</th>
<th>COUNTY</th>
<th>JOB NAME</th>
<th>ROUTE</th>
<th>APHN</th>
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<tr>
<td>A20001</td>
<td>02</td>
<td>CHICOT</td>
<td>Hwy. 144 North &amp; South (S)</td>
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<td>020644</td>
<td>02</td>
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<td>Hwyys. 63 &amp; 79 (Sel. Secs.) (Stuttgart) (S)</td>
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<td>DREW &amp; LINCOLN</td>
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<td>South of Little River - Co. Rd. 114 (S)</td>
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<td>LOGAN</td>
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<td>04</td>
<td>LOGAN</td>
<td>Paris West &amp; East (Sel. Secs.) (S)</td>
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<td>050404</td>
<td>05</td>
<td>INDEPENDENCE &amp; WHITE</td>
<td>S. of White Co. Line - Batesville (S)</td>
<td>167</td>
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<td>CA0701</td>
<td>07</td>
<td>CALHOUN</td>
<td>Hwy. 167 Improvements (Hampton) (S)</td>
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February 5, 2020
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<th>Project Code</th>
<th>Segment</th>
<th>Description</th>
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<td>070453</td>
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<td>CLARK Hwy. 51 - Hwy. 7 (Sel. Secs.) (S)</td>
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<td>070470</td>
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<td>UNION Hwy. 82B - East of Strong (Sel. Secs.) (S)</td>
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<td>DALLAS Hwy. 8 - Hwy. 273 (S)</td>
<td>229 N</td>
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<td>BB0807</td>
<td>08</td>
<td>CONWAY Plumberville - East (S)</td>
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<td>080504</td>
<td>08</td>
<td>MONTGOMERY Deer Creek Str. &amp; Apprs. (S)</td>
<td>27 Y</td>
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<td>080541</td>
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<td>YELL Hwy. 28 - Hwy. 80 (S)</td>
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<td>090526</td>
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<td>BENTON Hwy. 72 - Hwy. 71 (Bentonville) (S)</td>
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<td>MISSISSIPPI HWY. 61 – HWY. 158 (S)</td>
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<td>RANDOLPH Lawrence Co. Line - Hwy. 62 (S)</td>
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<td>MISSISSIPPI Hwy. 148 - Hwy. 18 (Blytheville) (S)</td>
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<td>CRAIGHEAD Bay - Poinsett Co. Line (S)</td>
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<td>012322</td>
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<td>VARIO Districts 3 &amp; 4 APHN Raised Pavement Markers (2020) (S)</td>
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<td>4 &amp; 7</td>
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<td>COLUMBIA EMERSON OVERLAY (S)</td>
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<td>GREENE PARAGOULD OVERLAY (S)</td>
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<td>LITTLE RIVER WINTHROP OVERLAY (S)</td>
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<td>C47011</td>
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<td>WHITE Letona Overlay (S)</td>
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<tr>
<td>C76022</td>
<td>04 &amp; 09</td>
<td>BENTON &amp; WASHINGTON Bethel Heights &amp; Lincoln Overlay (S)</td>
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<td>C76052</td>
<td>08</td>
<td>POPE &amp; YELL DARDANELLE &amp; POTTSVILLE OVERLAY (S)</td>
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</tbody>
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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 Alec Farmer seconded and the motion passed to approve the Minutes from the previous Commission Meeting of December 11, 2019.

MOTION  The Commission approved Minute Order 2015-017 on March 11, 2015, authorizing the Department to advertise for consultant services for on-call environmental services as needs are identified. The Environmental Division identified a need for assistance with bat surveys and a public advertisement was made on October 20, 2019. Commissioner Philip Taldo moved, and Commissioner Alec Farmer seconded and the motion passed to accept the Staff’s recommendation to enter into negotiations to provide on-call bat survey services for 2020-2024 with the following firms:

- Civil & Environmental Consultants, Inc. – Franklin, TN
- Copperhead Environmental Consulting, Inc. – Paint Lick, KY
- Environmental Solutions & Innovations, Inc. – Cincinnati, OH
- HDR Environmental, Operations and Construction, Inc. – Englewood, CO
- Mitigation Surveying Services, LLC – Benton, AR

MOTION  The Commission approved Minute Order 2019-066 on July 24, 2019 to advertise a Request for Qualifications for On-Call Independent Cost Estimating services for calendar years 2019-2024. Commissioner Keith Gibson moved and Commissioner Alec Farmer seconded and motion passed to accept the Staff’s recommendation to enter into negotiations to provide on-call Independent Cost Estimating services for future alternative delivery projects with the following firms:

- Innovative Contracting & Engineering – Ogden, UT
- Stanton Constructability Services – Salt Lake City, UT

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Patrick Patton, Chief Fiscal Officer, provided the December 2019 update on state highway revenue. Mr. Patton noted that state highway revenues to the Department from traditional sources are up a total of 6.9% ($14.2 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 3.6% (7.5 million) above last year. Actual state revenue received is 4.8% ($10.0 million) above projected (budgeted) revenue for this year.

In closing, Mr. Patton stated that December revenue from the 0.5% General Sales Tax for the Connecting Arkansas Program was 3.16% higher, ($548,732) than projected by the Department of Finance and Administration (DF&A) for the month. Year to date actual revenue is above projections by 2.18% ($2,199,184). Since inception, this revenue source is -0.46%, or $5.3 million, under DF&A's projections.

Director Bennett provided the latest information on the Federal highway and transit funding issues. Director Bennett noted that on August 2, 2019, Congress passed a budget for Federal Fiscal Year 2020. After two short-term extensions, Congress passed and the President signed all of the Federal Fiscal Year 2020 spending bills. This provides full funding until September 30, 2020. The FAST Act established increased funding levels over its five-year term, but it will also expire on September 30, 2020. Congress must pass a new transportation bill or temporarily extend the FAST Act before September 30, 2020, or federal funding for highway projects will be cutoff.

In closing, Director Bennett stated that the USDOT announced another notice of funding opportunity for the Infrastructure for Rebuilding America (INFRA) grant program. The FAST Act authorizes $906 million in INFRA grants for FY 2020 to be awarded on a competitive basis. This year there is another level of consideration for rural projects through the Rural Opportunities to Use Transportation for Economic Success (ROUTES) program. The key objectives for this program will support economic vitality, leverage federal funding to attract non-federal funding, use innovative approaches to improve safety and expedite project delivery and hold grant recipients accountable for performance and achievement. Director Bennett added that no more than three applications per agency can be submitted and the deadline for applications to be submitted is February 25, 2020. Director Bennett presented three projects which meet several of the key areas for INFRA grants:

- Highway 67 Corridor Improvements (Future I-57)
  - Total Estimate Cost: $273.0 Million – Requested INFRA: $50.0 Million
  - This application includes three projects
CA0604, Main Street to Vandenberg Blvd.
CA0605, Vandenberg Blvd. – Highway 5
061371, Highway 67 Interchange Improvements

- Widening, Reconstruction and Interchange Improvements
- Urban Area, but has economic benefits to rural areas
- NHS Route and Future I-57

Interstate 40/ Highway 59 Interchange
- Total Estimate Cost: $18.0 Million – Requested INFRA: $11.0 Million
- Improvements to I-40/Highway 59 Interchange
- Rural Area
- Freight Corridor

Future I-69 – Highway 278 to Highway 65
- Total Estimate Cost: $96.2 Million – Requested INFRA: $22.8 Million
- On Future I-69 in Drew and Desha Counties
- Includes one project that is included in the current STIP
  - 020678, Hwy. 278 – Hwy. 65
- New location project to construct two lanes of future four lanes divided
- Rural area
- Freight Corridor and Future I-69

Director Bennett provided an update on the status of the 2011 Interstate Rehabilitation Program (IRP) and Connecting Arkansas Program (CAP).

Director Bennett updated the Commission on the Guidehouse Efficiency Review. Since the December 11 meeting, additional data requests have been received from Guidehouse, and as of February 4, 2020, 1,173 files have been uploaded to Guidehouse to fulfill their requests. Additionally, staff has spent 3,442 hours working on requests for information. This is the equivalent of a full-time employee working 1.7 years.

Director Bennett gave a look back at the previous year - progress, accomplishments, significant events, etc. and an overview of what lies ahead for 2020.

Director Bennett updated the Commission on the Renew Arkansas Highways Program. The Regional Town Hall meetings kicked off on January 21 and to date, four meetings have been held in Monticello, West Memphis, Harrison and Texarkana. In those four
meetings, there have been 267 attendees, with 54 written comments and 26 people signed up to speak. Before the next Commission meeting on March 18, six more meetings are scheduled in Mena, Fort Smith, Hot Springs, Maumelle, Springdale and Batesville.

Commissioner Gibson commended the staff for their work on the Town Hall Meetings.

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

2019-014

IT IS ORDERED that a meeting of the Arkansas State Highway Commission be closed at 11:02 a.m., February 5, 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 February 5, 2020.

Christie Heidelberg
Commission Secretary