

ARIZONA STATE TRANSPORTATION BOARD
STATE TRANSPORTATION BOARD MEETING

REPORTER'S TRANSCRIPT OF PROCEEDINGS

TELEPHONIC MEETING

August 17, 2018

PREPARED FOR:
ADOT - STATE TRANSPORTATION BOARD

(Certified Copy)

1 Chairman Cuthbertson called this Special Telephonic Meeting
2 to order at 11:30a.m.

3

4 Roll call was done by Linda Priano, Board Secretary.

5 All were members participated telephonically.

6

7 Call to the Audience

8 No members of the public were present to address the Board.

9

10 PARTICIPANTS:

11 Board Members:

12

Bill Cuthbertson, Chair

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Jack Sellers, Vice Chair

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Sam Elters, Board Member

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Gary Knight, Board Member

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Michael Hammond, Board Member

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Steve Stratton, Board Member

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Jesse Thompson, Board Member

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BOARD MEETING AGENDA

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1 (Beginning of excerpt.)

2 MR. ROEHRICH: Mr. Chair, there are no public
3 members present for call --

4 CHAIRMAN CUTHBERTSON: (Inaudible.)

5 MR. ROEHRICH: So if you're ready, we can go
6 right to Item 1. So we'll go ahead.

7 Mr. Chair, you want to start with Item 1, the
8 consent agenda? I do have a couple of points I'd like to make.
9 There's some administrative corrections I want to make on the
10 consent agenda. They're not of a nature to affect the outcome
11 of the items. It's just under -- there are a couple of typos
12 I want to get corrected on the record.

13 On Item 1E, in the Board contracts, consent
14 agenda, there is a county identified. It's a project on State
15 Route 377. It's identified as being in Maricopa County. That
16 is incorrect. It is in Navajo County. That will be corrected
17 on the final version that goes into the meeting minutes.
18 Everything else, according to that item, is correct.

19 MR. ELTERS: Mr. Chairman, this is Sam Elters. I
20 am requesting to pull PPAC Item 2K from the consent agenda. The
21 reason I request to pull it out is I do want to recuse myself
22 from this item. I will not be discussing or voting on this
23 item.

24 CHAIRMAN CUTHBERTSON: Okay. So Chairman Elters
25 has pulled Item 2K. So are there any other --

1 MR. ROEHRICH: Mr. Chair, if I could, we're on
2 Item 1, the consent agenda. So we will acknowledge Mr. Elters'
3 request on Item 2, but can we finish Item 1, the consent agenda?
4 So --

5 CHAIRMAN CUTHBERTSON: Yes. Okay.

6 MR. ROEHRICH: So Item 1E --

7 CHAIRMAN CUTHBERTSON: I'm sorry. Okay. So any
8 board members have anything that they would like pulled for
9 individual discussion on the consent agenda?

10 MR. THOMPSON: Chairman?

11 CHAIRMAN CUTHBERTSON: Yes.

12 MR. THOMPSON: I would like to move for approval.

13 CHAIRMAN CUTHBERTSON: Okay. Motion to approve
14 by Board Member Thompson, I believe. Is that --

15 MR. KNIGHT: Second.

16 CHAIRMAN CUTHBERTSON: And a second. I heard a
17 second by --

18 MR. KNIGHT: Knight.

19 CHAIRMAN CUTHBERTSON: Okay. Member Knight. Any
20 discussion?

21 MR. ROEHRICH: Yeah. Mr. Chair, this is Floyd.
22 One more item, because there were two corrections I needed to
23 make on the consent agenda. Item 1E, which is the county, and
24 Item 1F, the next item, again, its various locations, and under
25 -- under the route number, it says local, that's incorrect.

1 It's statewide. So these are various locations that are
2 statewide. Again, nothing else is affected by material affect
3 that would allow the Board to go ahead and approve the consent
4 agenda. We'll just correct those two typos in the final
5 version. Other than that, everything else is correct in the
6 consent agent.

7 MR. THOMPSON: Chairman, the correction is
8 included in my motion to approve.

9 CHAIRMAN CUTHBERTSON: Okay. So we have a -- we
10 have a motion and we have a second, and Floyd has given us a
11 little more (inaudible) know that?

12 MR. ROEHRICH: So now it's up to the Board if you
13 would like to vote on the motion to approve.

14 CHAIRMAN CUTHBERTSON: All in favor indicate by
15 saying aye.

16 BOARD MEMBERS: Aye.

17 MR. ROEHRICH: I counted seven ayes. So we're
18 good, right?

19 MS. PRIANO: Any nays?

20 MR. ROEHRICH: Okay. It's approved, Mr. Chair.

21 If you want to go to Item 2. And on Item 2, PPAC
22 we'll have Mr. Byres present that with the understanding that
23 Item 2K will be pulled out of his recommendation, and we'll
24 address that one separately.

25 MR. BYRES: So the Priority Planning Advisory

1 Committee brings forth for -- with a recommendation for
2 approval. I'm going to break it into two categories. The first
3 is project modifications, which are Items 2A through 2D, 2E, 2G,
4 and 2I.

5 UNIDENTIFIED SPEAKER: Okay. Say that one more
6 time, Chairman.

7 MR. BYRES: I'm bringing forth Items 2A through
8 2D, Item 2E, 2G, and 2I. Those are the project modifications.

9 MR. ROEHRICH: So is there a motion?

10 MR. THOMPSON: I've reviewed -- Chairman, I did
11 review those pages, and again, I'd like to move for approval.

12 MR. ELTERS: I second.

13 MS. PRIANO: (Inaudible.)

14 MR. ROEHRICH: So Mr. Chair, that was a motion to
15 approve Items 2A through 2D, 2E, 2G and 2I. It was made by
16 Mr. Thompson, and it was seconded by -- who made the second?

17 MR. ELTERS: Elters.

18 MR. ROEHRICH: Mr. Elters. Okay.

19 So Mr. Chair, if you accept that motion and
20 second, then you can call for any -- any comments or call for
21 the vote. Mr. Chair, did you drop off? I know a lot of you
22 might be traveling or moving around. Did we lose --

23 CHAIRMAN CUTHBERTSON: Yeah. I don't know. I'm
24 talking, but I don't know if -- is that better?

25 MR. ROEHRICH: Yes. We can hear you now.

1 CHAIRMAN CUTHBERTSON: Okay. All right. I think
2 I had a -- have a faulty speakerphone. So I'm on the handset
3 now.

4 Okay. Any --- was there any discussion? We've
5 got a motion on the table to pass all the items with the
6 exception of 2K, which was pulled. And I've got a motion and a
7 second.

8 All in favor indicate by saying aye?

9 BOARD MEMBERS: Aye.

10 CHAIRMAN CUTHBERTSON: All opposed, nay? Okay.
11 The ayes have it. The motion passes.

12 MR. BYRES: Thank you Mr. Chair.

13 We also have items for new projects, and these
14 items are Items 2F, 2H, 2J and 2L.

15 CHAIRMAN CUTHBERTSON: Okay. 2F, 2H, 2J and 2L,
16 are there any of those items the Board would like to discuss?
17 Okay. Do I hear a motion to accept Items 2F, 2H, 2J and 2L as
18 presented?

19 MR. STRATTON: Move for approval.

20 MR. ELTERS: Second.

21 CHAIRMAN CUTHBERTSON: Okay. I've got a motion
22 to approve by Board Member Stratton.

23 MR. ELTERS: Elters seconding that motion.

24 CHAIRMAN CUTHBERTSON: And a second by Board
25 Member Elters.

1 Okay. All in favor indicate by saying aye.

2 BOARD MEMBERS: Aye.

3 CHAIRMAN CUTHBERTSON: All opposed, nay? Okay.

4 The ayes have it.

5 Mr. Byres.

6 MR. BYRES: Mr. Chairman, we have one more item.

7 It's a new project. This is Item 2K.

8 CHAIRMAN CUTHBERTSON: Okay. And I guess for the
9 record, Board Member Elters has recused himself from this, this
10 item. Anybody else have -- have any discussion regarding item
11 2K? Okay. Hearing none, do I have a motion to accept Item 2K
12 as presented?

13 MR. KNIGHT: So moved. This is Knight.

14 MR. HAMMOND: Second. Hammond.

15 CHAIRMAN CUTHBERTSON: Okay. So moved by Board
16 Member Stratton, seconded by Board Member Hammond? Did I get
17 that?

18 MS. PRIANO: Knight.

19 MR. ROEHRICH: Mr. Chair, I think the motion was
20 made by Board Member Knight, I believe.

21 CHAIRMAN CUTHBERTSON: Okay.

22 MR. ROEHRICH: And then seconded by Board Member
23 Hammond.

24 CHAIRMAN CUTHBERTSON: Hammond. Okay. Yeah.
25 Correct -- moved by Board Member Knight, seconded by Board

1 Member Hammond.

2 All in favor indicate by saying aye.

3 BOARD MEMBERS: Aye.

4 CHAIRMAN CUTHBERTSON: All opposed, nay? Okay.

5 The ayes have it. The motion passes.

6 MR. BYRES: Thank you.

7 CHAIRMAN CUTHBERTSON: Okay. So I guess we'll
8 move on to Item 3 on the agenda, construction contracts, and
9 Floyd will present the recommended construction project awards
10 that were not on the consent agenda, for discussion and possible
11 action.

12 MR. ROEHRICH: Okay. Thank you, Mr. Chair,
13 members of the Board.

14 So on the consent agenda, just real quickly, this
15 month we would -- looks like we've got -- we have 12 projects to
16 bring to you. You've done -- you've approved the six on the
17 consent agenda, and there's six additional. It does show that
18 under the state engineer's estimate that we're about \$424,000
19 under. So this month we do have a number that are under but a
20 few over, and then a few other issues that we're going to talk
21 about them.

22 On Item No. 3A, it's a city of Flagstaff project
23 that's on Fourth Street. This project had a low bid of
24 \$596,000. The State's estimate was \$517,197.50, or a difference
25 of 78,800 and a little bit more, or 15.2 percent over. The

1 overage seems to be in the additional costs related to the
2 concrete and material base, as well as the mobilization on this
3 item. Obviously we're seeing some material changes in some of
4 the products that we're getting. It is a local city project.
5 They have the additional funding for this. After staff has
6 reviewed it, we do view it as a responsive and responsible bid,
7 and we are recommending awarding of project 3A in the amount of
8 \$596,000.

9 CHAIRMAN CUTHBERTSON: Okay. Do I have a motion
10 to accept and approve staff's recommendation to award the
11 contract for Item 3A to KAZ Construction, Inc., as presented?

12 MR. THOMPSON: Mr. Chairman, this is Member
13 Thompson. I'd like to move for approval.

14 CHAIRMAN CUTHBERTSON: Okay. Got a motion to
15 approve by Board Member Thompson.

16 MR. KNIGHT: Second by Knight.

17 CHAIRMAN CUTHBERTSON: Second by Board Member
18 Knight. Any discussion?

19 All in favor indicate by saying aye.

20 BOARD MEMBERS: Aye.

21 CHAIRMAN CUTHBERTSON: All opposed nay? Okay.
22 The ayes have it. The motion passes.

23 MR. ROEHRICH: So Item 3B. Item 3B is a shared
24 use path in the city of Glendale. We're recommending
25 postponement of this project. The issue that we're having to

1 discuss through is there are some disadvantaged business
2 enterprise, DBE, issues related to the apparent low bidder, as
3 well as some of the other information that was presented by the
4 bidders. Staff needs to finish its analysis of that before we
5 can come forward with a recommendation to award or not award
6 this project.

7 So at this time, we would ask the Board to
8 postpone Item 3B, which is a city of Glendale project.

9 MR. KNIGHT: Mr. Chair, this is Knight.

10 MR. ELTERS: Second.

11 MR. KNIGHT: I move to postpone Item 3B.

12 CHAIRMAN CUTHBERTSON: Okay. I have a motion to
13 postpone item -- to accept and approve staff's recommendation to
14 postpone Item 3B by Board Member Knight.

15 MR. ELTERS: Second by Elters.

16 CHAIRMAN CUTHBERTSON: Seconded by Board Member
17 Elters. Any questions or discussion?

18 Okay. All in favor indicate by saying aye.

19 BOARD MEMBERS: Aye.

20 CHAIRMAN CUTHBERTSON: Opposed nay? Okay. The
21 ayes have it.

22 MR. ROEHRICH: So on Item 3C, this is a project
23 in the city of Apache Junction. It's on Winchester Road,
24 between Southern Ave. and 16th Avenue. Let's see. The low bid
25 on the project was \$2,152,000. The State's estimate was

1 \$1,701,015. So it's an overage by \$450,000, 26.5 percent. At
2 this time we're asking to postpone because of the overage. We
3 need to work with City of Apache Junction as a local project.
4 Do they have sufficient funding to cover the overage, and that's
5 what we're in the process of coordinating. So at this time we
6 will ask the Board to postpone Item 3C to allow staff to
7 continue to work with the local government on the additional
8 funding needed.

9 MR. STRATTON: So moved.

10 CHAIRMAN CUTHBERTSON: Okay. Motion to accept
11 and approve staff's recommendation to postpone the contract as
12 presented. That was made by Board Member Stratton, correct?

13 MR. STRATTON: Yes.

14 MR. THOMPSON: Second by Board Member Thompson.

15 CHAIRMAN CUTHBERTSON: Second by Board Member
16 Thompson. Any questions?

17 All in favor indicate by saying aye.

18 BOARD MEMBERS: Aye.

19 CHAIRMAN CUTHBERTSON: Opposed, nay? Ayes have
20 it. Motion passes.

21 MR. ROEHRICH: On Item 3D is, again, a local
22 government project. It's in the city of Apache Junction. Low
23 bids were opened. The low bid was \$267,169. The State's
24 estimate was \$230,898.80, a difference of \$36,270.20, or 15.7
25 percent over. The reason for the overage is we looked at is,

1 again, some of the material costs, the ethernet communications,
2 cable and some of the closed-circuit TV cameras, as well as
3 mobilization for the specialty equipment to address this work.
4 We have reviewed this work. We've talked with the City of
5 Apache Junction on the overage on this project. They do have
6 the \$36,270.20. They have authorized us to go ahead and commit
7 that additional funding. So we are recommending to the Board
8 that this is a responsive, responsible bid, and we recommend
9 award of this contract, with the understanding the Apache -- the
10 City of Apache Junction has the additional funds to cover the
11 overage.

12 MR. STRATTON: So moved.

13 CHAIRMAN CUTHBERTSON: Okay. We've got a motion
14 to accept and approve staff's recommendation to award the
15 contract for Item 3D to CS Construction, Inc., as presented by
16 Board Member Stratton.

17 MR. KNIGHT: Second by Knight.

18 CHAIRMAN CUTHBERTSON: Seconded by Board Member
19 Knight. Any discussion?

20 All in favor indicate by saying aye.

21 BOARD MEMBERS: Aye.

22 CHAIRMAN CUTHBERTSON: Opposed, nay?

23 MR. ROEHRICH: Item 3E is a local project in the
24 city of San Luis. It's on the Juan Sanchez Boulevard, which is
25 in Yuma County. The low bid was \$134,848.27. The State's

1 estimate was \$176,846, or it's under the amount by \$41,997.76.
2 That's 23.7 percent. In analyzing the underage, we are in this
3 case seeing enough of a limited amount of work that they saved
4 some efficiencies in their pavement markings and pavement
5 obliteration costs because of the sequencing of work and the
6 work effort they have. On a small project like this, that was a
7 significant enough issue to really bring it under. Materially,
8 the rest of the project scope is good. We have reviewed this
9 project, and we feel that it is responsive and responsible, and
10 staff recommends awarding this project to Sunland Contracting,
11 LLC.

12 MR. KNIGHT: So moved. Knight.

13 CHAIRMAN CUTHBERTSON: Okay. I have a motion to
14 accept and approve staff's recommendation to award the contract
15 to item -- for Item 3E to Sunland Contracting, LLC, as presented
16 by Board Member Knight. Do I have a second?

17 VICE CHAIR SELLERS: Sellers.

18 CHAIRMAN CUTHBERTSON: Okay. Got a second by
19 Board Member Thompson?

20 MR. THOMPSON: No.

21 CHAIRMAN CUTHBERTSON: No.

22 VICE CHAIR SELLERS: Sellers.

23 CHAIRMAN CUTHBERTSON: Oh, Board Member Sellers.

24 Sorry. Sorry. Vice Chair Sellers seconded. Any discussion?

25 Okay. All in favor indicate by saying aye.

1 BOARD MEMBERS: Aye.

2 CHAIRMAN CUTHBERTSON: Opposed, say nay? Ayes
3 have it. Motion passes.

4 MR. ROEHRICH: And the final contract, Item No.
5 3F, this is a project on State Route 95 out in Mohave County.
6 On this project, we are asking for postponement. We are
7 seeing another similar issue with some of the DBE, disadvantaged
8 business enterprise requirements the contractors are supposed to
9 submit. We are analyzing the low bid, but this might end up
10 becoming an issue with either -- the second low bidder as well.
11 So we're having to review a number of the requirements. These
12 requirements are contract document require -- requirements to be
13 resolved before moving forward. At this time, staff has not
14 completed that work. We recommend to the Board to postpone Item
15 3F as staff continues to evaluate the contract documents.

16 CHAIRMAN CUTHBERTSON: Okay. Any questions by
17 board members? Do I have a motion --

18 MR. KNIGHT: Motion to approve.

19 CHAIRMAN CUTHBERTSON: -- to accept and -- okay.
20 Motion to accept and approve the staff's recommendation to
21 postpone the contract as presented on 3F by Board Member?

22 MR. KNIGHT: Knight.

23 CHAIRMAN CUTHBERTSON: Knight. Do I have a
24 second?

25 MR. ELTERS: Seconded by Elters.

1 CHAIRMAN CUTHBERTSON: Seconded by Board Member
2 Elters. Any discussion or questions?

3 All in favor indicate by saying aye.

4 BOARD MEMBERS: Aye.

5 CHAIRMAN CUTHBERTSON: All opposed, nay? The
6 ayes have it. The item passes.

7 Okay. Moving on to Item 4, do we have any
8 suggestions for future board member -- board meeting agendas?

9 MR. ROEHRICH: And Mr. Chair, members of the
10 Board, just a reminder that the next meeting is September 20th.
11 It's in the city of Florence.

12 MS. PRIANO: September 21st.

13 MR. ROEHRICH: I'm sorry. September 21st --
14 thank you, Linda -- in the city of Florence. There has been
15 some agenda -- or some festivity activities and coordination
16 that Linda will be doing. So you'll be hearing all of that, and
17 at this time, if you have any other topics, please let us
18 know.

19 (End of requested excerpt.)

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Adjournment

A motion to adjourn the August 17, 2018, State Transportation Board Special Telephonic meeting was made by Board Member Knight and seconded by Board Member Thompson. In a voice vote, the motion carried.

Meeting adjourned at 11:53 a.m. MST.

William F. Cuthbertson, Chairman
State Transportation Board

Floyd Roehrich, Jr., Executive Officer
Arizona Department of Transportation

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