

MINUTES
OF
MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

Jonesville, Virginia

October 15, 1987

The monthly meeting of the Commonwealth Transportation Board was held in the Lee County Courthouse, Jonesville, Virginia, on October 15, 1987. The chairman, Mr. Ray D. Pethel, presided.

Present: Messrs. Pethel, Bacon, Davidson, Guiffre, Howlette, Humphreys, Leafe, Malbon, Musselwhite, Quicke and Smalley and Mrs. Kincheloe and Dr. Thomas.

Absent: Messrs. Beyer and Kelly.

Mr. Edgar Bacon, Board Member representing the Bristol District, welcomed the members to the area.

Mr. John L. Robertson, President, Utility Location Services, Inc. spoke to the Board regarding his firm's protest of the award of utility designating and locating services contracts under consideration by the Board. Mr. Robertson asked that copies of letters from Senator Clarence A. Holland, Delegate Glenn R. Croshaw and Delegate Glenn B. McClanan be included as a part of the minutes of this meeting. Copies are attached.

Delegate Ford C. Quillen, representing the 1st District, welcomed the Board Members to Jonesville and the Bristol District, urged further improvements to Route 58 and 58A and thanked the members for their assistance in funding projects in the area.

On motion of Mr. Smalley, seconded by Dr. Thomas, permits issued and canceled from September 17, 1987, to October 14, 1987, inclusive, as shown by the records of the Department, were approved.

10/15/87

Moved by Mr. Bacon, seconded by Dr. Howlette, that the Board approve additions and abandonments to the Secondary System from August 20, 1987 to September 24, 1987, inclusive, as shown by the records of the Department. Motion Carried.

Moved by Mr. Davidson, seconded by Dr. Thomas, that

WHEREAS, by proper resolutions, the Board of Supervisors of Richmond, Shenandoah, Southampton and Wise Counties have requested that certain roads which no longer serve as a public necessity be discontinued as parts of the Secondary System of Highways;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended, the following roads be discontinued as parts of the Secondary System of Highways, effective this date:

Richmond County - Section 1 - Route 9350 - From 0.04 mile East of North Int. Route 3 looping to South Int. Route 3	0.11 Mi.
Shenandoah County - Section 1 - Route 846 - From Route 42 to 0.12 mile east	0.12 Mi.
Southampton County - Section 1 - Route 616 - east of the new location, from Station 16+40 to Station 26+00	0.18 Mi.
Wise County - Section 1 - Route 610 - north of new location, from Station 89+25 to Station 102+64	0.25 Mi.

Motion carried.

Moved by Mr. Davidson, seconded by Dr. Thomas, that

WHEREAS, Route 39 in Bath County has been altered and reconstructed as shown on plans for Project: 0039-008-101, C-501 and

WHEREAS, one section of the old road is no longer necessary as a public road, the new road serving the same citizens as the old, and one section of the old road is no longer necessary for purposes of the State Highway System.

10/15/87

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 33.1-148 of the Code of Virginia of 1950, as amended, 0.35 mile of old Route 39, shown in blue and designated as Section one on the plat dated September 28, 1987, Project: 0039-008-101, C-501 be abandoned as a part of the State Highway System.

Motion carried.

Moved by Mr. Davidson, seconded by Dr. Thomas, that

WHEREAS, the Commonwealth Transportation Board is authorized under section 33.1-41.1 of the Code of Virginia, as amended, to make payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Principal-Minor Arterial Roads or Collector-Local Streets within the corporate limits of the City of Fredericksburg are eligible for such payment: and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the City of Fredericksburg for maintenance payments on additional Local Streets meeting the required criteria;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the City of Fredericksburg for additional Local Streets totaling 0.25 centerline mile and meeting the required criteria under the aforementioned section of the code, effective July 1, 1988. The additional Local Streets are described on the attached tabulation sheet numbered 4a.

The Local Street additions totaling 0.25 centerline mile increases the total mileage to 51.43 centerline miles of approved streets subject to maintenance payments.

Motion carried.

Moved by Mr. Davidson, seconded by Dr. Thomas, that

WHEREAS, the Commonwealth Transportation Board is authorized under section 33.1-41.1 of the Code of Virginia, as amended, to make payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Principal-Minor Arterial Roads or Collector-Local Streets within the corporate limits of the Town of Ashland are eligible for such payment: and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the Town of Ashland for maintenance payments on additional Local Streets meeting the required criteria;

10/15/87

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the Town of Ashland for additional Local Streets totaling 0.24 centerline mile and meeting the required criteria under the aforementioned section of the code, effective July 1, 1988. The additional Local Streets are described on the attached tabulation sheet numbered 4b.

The Local Street additions totaling 0.24 centerline mile increases the total mileage to 26.36 centerline miles of approved streets subject to maintenance payments.

Motion carried.

Moved by Mr. Davidson, seconded by Dr. Thomas, that

WHEREAS, the Commonwealth Transportation Board is authorized under section 33.1-41.1 of the Code of Virginia, as amended, to make payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain Principal-Minor Arterial Roads or Collector-Local Streets within the corporate limits of the City of Poquoson are eligible for such payment; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the City of Poquoson for maintenance payments on additional Local Streets meeting the required criteria;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the City of Poquoson for additional Local Streets totaling 1.00 centerline mile and meeting the required criteria under the aforementioned section of the code, effective July 1, 1988. The additional Local Streets are described on the attached tabulation sheet numbered 4c.

The Local Streets additions totaling 1.00 centerline mile increases the total mileage to 85.65 centerline miles of approved streets subject to maintenance payments.

Motion carried.

The bids received September 22, 1987 were approved/rejected as noted on the attached sheets numbered 4d through 4i.

REQUEST FOR STREET ADDITIONS OR DELETIONS
FOR MUNICIPAL ASSISTANCE PAYMENTS
Section 11.1-41.1
Code of Virginia

Page 1 of 1
157 QTR # 87-88
EFF # 7-1-88
Rec'd 9-30-87

MUNICIPALITY Town of Ashland

STREET NAME ROUTE NUMBER	FROM	TERMINI TO	R/W WIDTH (FEET)	PAVEMENT WIDTH (FEET)	CENTER LINE MILES	NUMBER OF LANES	LANE MILES	FUNC. CLASS. (FOUR USE ONLY)
Green Chimneys Court	U. S. Route 1 to dead end		50	36	.09	2	.18	
Slash Drive	Ashcake Road to dead end		50	36	.17	2	.34	
Amber Oak Lane	Winter Oak Drive to dead end		50	35	.09	2	.18	
Winter Oak Drive	150' north of Arbor Oak Dr. to dead end		50	35	.17	2	.34	
Ten Oaks Drive	Winter Oak Drive to dead end		50	35	.06	2	.12	
Round Oak Circle	Brown Bark Place to turnaround		50	35	.09	2	.18	
Brown Bark Place	150' north of Arbor Oak Drive to dead end		50	35	.12	2	.24	
Slash Court *	Slash Drive to turnaround		40	30	.09 .085	2	0.18 .17	
Five Oaks Lane*	Slash Drive to turnaround		40	30	.15	2	.30	
*	Cul-de-Sac				.24		0.48	

COUNCIL RESOLUTIONS & MAP ATTACHED

SIGNED [Signature] DATE 8-18-87
MUNICIPAL OFFICIAL

SIGNED [Signature] DATE 9-23-87
RESIDENT ENGINEER

CLASSIFIED BY TPD ENGINEER DATE

BIDS RECEIVED SEPTEMBER 22, 1987

JOB. DES. PROJECT NUMBER	RTE. NO.	LOCATION & WORK TYPE	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
INTERSTATE PROJECTS						
1 741	LS-88-87	I-81 From: M.P. 221.00 (Augusta Co.) To: M.P. 263.93 (Rockingham Co.) Augusta & Rockingham Co.'s Fertilizer Application	AWARD	PENN LINE SERVICE, INC. SCOTTSDALE, PA	3	\$62,600.00
2 285-87A	0066-079-103.C506 0066-029-103.B675 0066-079-103.B676 0066-96A-102.C501	66 From: 0.107 Mi. W. Int. Nutley St. To: 1.005 Mi. E. Int. Nutley St. (Cedar La.) AND From: Rte. 495 To: Fairfax Dr. Fairfax Co. & N. Va. District Bit. Conc. Base, Bit. Top	AWARD	MOORE BROTHERS CO., INC. VERONA, VA	7	\$15,906,394.58
3 744	07-0081-7122-A01 07-0081-7122-A02 07-0081-7122-A03 81-0064-7122-A04	I-81 Various Locations & Augusta & Rockbridge Co.'s I-64 Various Locations Slope Restoration	AWARD	ALLEGHENY CONSTR. CO., INC. ROANOKE, VA	7	\$219,240.25
4 747	LS-2-87	81 0.2 Mi. N. Rte. 787 Overpass Montgomery County Landscape Rest Area	AWARD	GILMORE PLANT & BULB CO. JULIAN, NC	3	\$37,325.80
5 750	FE-2-87	I-77 M.P. 5.5 SBL Carroll County Special Design Rock Barrier	AWARD	MACCO, INC. CHARLOTTSVILLE, VA	3	\$47,680.00

Moved by Mr. Musselwhite, seconded by Dr. Thomas, that the Board approve the bids listed above for award for the INTERSTATE SYSTEM PROJECTS and authorize execution of contracts by the Deputy Commissioner or Chief Engineer. Motion carried.

BIDS RECEIVED SEPTEMBER 22, 1987

JOB. DES. PROJECT NUMBER	RTE. NO.	LOCATION & WORK TYPE	RECOMMEND	CONTRACTOR	NO OF BIDS	LOW BID
PRIMARY PROJECTS						
1 244-87A	0010-020-118,C502	10 From: 0.18 Mi. W. Int. Rte. 1/301 To: Int. Rte. 1/301 Chesterfield County Entire Intersection Bit.Top,DrainSignals	AWARD	INTERSTATE CONSTR. CORP. RICHMOND, VA	5	\$1,104,613.80
2 24-87B	0182-001-102,C501 0182-001-102,B601	182 Br. & Approaches over Big Machipongo Rv.-0.8 Mi. W. Int. Rte. 605 Accomack County Bit. Conc. Base, Bit. Top & Br.	AWARD	TIDEWATER CONSTR. CORP. & SUB. NORFOLK, VA	3	\$805,199.00
3 220-87A	0040-015-S04,M501	40 From: Int. Rte. 40 To: 0.095 Mi. N. Int. Rte. 40 Campbell County Aggr. Base & Bit. S.T.	AWARD	D. S. NASH CONSTR. CO. & D. S. NASH & HARRIS D. NASH APPOMATTOX, VA	4	\$58,254.25
4 253-87A	0150-043-102,C501 0150-043-102,B601 0150-043-102,B602	150 From: 0.37 Mi. S. Rte. 650(River Rd.) To: 0.249 Mi. N. Rte. 650(River Rd.) Henrico County Bit. Conc. Base, Bit. Top & Brs.	AWARD	R. R. DAMSON BRIDGE CO. LEXINGTON, KY	7	\$27,733,061.22
5 287-87A	0028-053-103,C503	28 From: 1.388 Mi. N. Dulles Access Hwy. To: 2.053 Mi. N. Dulles Access Hwy. Loudoun County Bit. Conc. Base, Bit. Top, Drain. Str. Etc. Incld.	AWARD	MOORE BROTHERS CO., INC. VERONA, VA	9	\$1,027,708.20
6 734	0125-061-105,M501	125 From: Int. Rte. 10 To: 0.118 Mi. E. Rte. 10 City of Suffolk Drainage Improvements along Rte. 125	AWARD	THE BLAIR BROTHERS, INC. SUFFOLK, VA	2	\$79,896.75
7 735	0220-080-1831,SR01 0220-080-1833,SR01	220 Br. over MSW Hwy. & Roanoke Rv.; Br. over Franklin Rd. Roanoke County Br. Deck Repr. & Polymer Conc. Overlay	AWARD	LANFORD BROTHERS CO., INC. ROANOKE, VA	3	\$467,594.00

BIDS RECEIVED SEPTEMBER 22, 1987

JOB. DES. PROJECT NUMBER	RYE. NO.	LOCATION & WORK TYPE	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
8 743 BR-6-87	30	King William-New Kent CL Fredericksburg District Repr. to Br. over Panunkey Rv.	AWARD	CARPENTER CONSTR. CO., INC. VIRGINIA BEACH, VA	4	\$35,798.00
9 286-87A 6360-066-103,C507 6360-066-103,D601	360	From: 0.551 Mi. E. Int. Rta. 202(Callao) To: 2.253 Mi. E. Int. Rta. 202(Callao) Northumberland County Bit.Conc.Base,Bit.Top,Drain.Str.&Incids.	REJECT	KEY CONSTR. CO., INC. CLARKSVILLE, VA	2	\$2,075,418.78
10 748 BR-A-87	287	Rte. 287 over Hilltown Cr. Loudoun County Superstructure Replacement	REJECT	LANFORD BROTHERS CO., INC. ROANOKE, VA	3	\$133,870.00
URBAN PROJECTS						
1 282-87A 0220-105-102,B601	220	Br. over C & O Rwy. & Jackson Rv. City of Clifton Forge Superstructure Replacement	AWARD	FAIRFIELD BRIDGE CO., INC. A SUB. OF KOPPERS CO., INC. FISHERSVILLE, VA	7	\$1,435,930.50
2 265-87A 0000-131-111,B606	Br. Over	Chesapeake & Albemarle Canal City of Chesapeake Swing Span Rehabilitation	REJECT	CROWDER CONTRACTING CO., INC. VIRGINIA BEACH, VA	2	\$659,000.00
3 273-87A 0612-061-247,D621	612	Drainage Str. & Approaches at Chapel Swamp City of Suffolk Aggr Base, Bit. S.T. & Drainage Str.	REJECT	T. H. WIGGINS CO., INC. SUFFOLK, VA	2	\$113,360.00

Moved by Mr. Smalley, seconded by Dr. Howlette, that the Board approve the bids listed above for award for the PRIMARY SYSTEM PROJECTS and authorize execution of contracts by the Deputy Commissioner or Chief Engineer, and approve rejection of bids listed above for rejection and authorize readvertisement Motion carried.

Moved by Dr. Thomas, seconded by Mr. Davidson, that the Board approve the bids listed above for award for the URBAN SYSTEM PROJECTS and authorize execution of contracts by the Deputy Commissioner or Chief Engineer, and approve rejection of bids listed above for rejection and authorize readvertisement Motion carried.

BIDS RECEIVED SEPTEMBER 22, 1987

JOB. DES. PROJECT NUMBER	RTE. NO.	LOCATION & WORK TYPE	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
SECONDARY PROJECTS						
1	201-87A 0682-015-157,C501 0682-015-157,B625	682 From: 0.224 MI. S. of E. Int. Rte. 663 To: 0.139 MI. N. of E. Int. Rte. 663 Campbell County Aggr. Base, Bit. S.T. & Br.	AWARD	ALLEGHENY CONSTR. CO., INC. ROANOK, VA	5	\$487,809.25
2	219-87A 1030-013-345,M501 1030-013-345,B658	1030 From: Rte. 80 To: 0.3 MI. S. Rte. 80 Buchanan County Aggr. Base, Bit. Top & Br.	AWARD	CLECO CORP. SWORDS CREEK, VA	3	\$136,115.65
3	269-87A 0655-009-184,M501	655 From: Int. Rte. 122 To: S. Int. Rte. 654 Bedford County Aggr. Base, Entire Surf. Bit. Top	AWARD	MARVIN V. TEMPLETON & SONS, INC. LYNCHBURG, VA	4	\$532,381.55
4	270-87A 0707-013-708,M501	707 From: Rte. 83 To: 0.5 MI. N. Rte. 83 Buchanan County Bit. Conc. Base, Bit. Top	AWARD	CLECO CORP. SWORDS CREEK, VA	4	\$139,679.80
5	271-87A 0690-017-192,C501 0690-017-192,B633	690 BR. & Approaches over Pauls Cr. (0.5 MI. E. Rte. 620) Carroll County Aggr. Base, Bit. S.T. & Br.	AWARD	B & F CO. ROCKY MOUNT, VA	3	\$370,000.00
6	274-87A 0628-059-F70,M501	628 From: 0.25 MI. S. Rte. 689 To: 1.92 MI. S. Rte. 689 Page County Aggr. Base & Bit. S.T.	AWARD	R. W. HARRIS EXCAVATING INC. MADISON HEIGHTS, VA	4	\$364,501.00
7	275-87A 0758-070-150,M501	758 From: Int. Rte. 66 To: Patrick-Floyd CL Patrick County Aggr. Base & Bit. S.T.	AWARD	J. C. JOYCE TRUCKING & PAVING CO., INC. PATRICK SPRINGS, VA	8	\$495,416.87
8	276-87A 0841-071-236,C501	841 From: 0.095 MI. N. Rte. 648 To: 0.681 MI. N. Rte. 848 Pittsylvania County Aggr. Base & Bit. S.T.	AWARD	LESTER C. SCALES CONTRACTOR, INC. MARTINSVILLE, VA	3	\$172,287.33

BIDS RECEIVED SEPTEMBER 22, 1987

JOB. DES. PROJECT NUMBER	RTE. NO.	LOCATION & WORK TYPE	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
9 278-87A 0600-077-131,N501	600	From: 1.0 Mi. N. Rte. 606 To: 0.05 Mi. S. Rte. 602 Pulaski County Aggr. Base & Bit. S.T.	AWARD	CLECO CORP. SWORDS CREEK, VA	4	\$193,435.00
10 279-87A 0745-083-743,N501	745	From: Rte. 600 To: 1.0 Mi. N. Rte. 600 Russell County Bit. Conc. Base & Bit. Top	AWARD	D & D CONSTR. CO. CHILHOWIE, VA	7	\$193,491.20
11 280-87A 0724-095-139,N501	724	From: Int. Rte. 91 To: 1.629 Mi. S. Rte. 91 Washington County Aggr. Base	AWARD	D & D CONSTR. CO. CHILHOWIE, VA	8	\$124,858.60
12 281-87A 0632-097-T08,N501	632	From: Rte. 633 To: Rte. 637 Wise County Bit. Conc. Base & Bit. Top	AWARD	ESTES BROTHERS CONSTR., INC. JONESVILLE, VA	7	\$496,473.60
13 737 REN-1-87-481 REN-1-87-481	650 & 651	Various Locations Buchanan County Retaining Walls	AWARD	CLECO CORP. SWORDS CREEK, VA	5	\$253,755.00
14 739	640	From: Rte. 602 To: Rte. 750 Franklin County Aggr. Base & Bit. S.T.	AWARD	ROHAN CONSTR., INC. RIDGEMAY, VA	6	\$334,498.75
15 740	Var.	Various Locations Fauquier County Aggr. Base & Bit. S.T.	AWARD	GENERAL EXCAVATION INC. LURAY, VA	5	\$1,293,100.40
16 742	1605	From: Rte. 61 To: End State Maintenance Giles County Aggr. Base & Bit. S.T.	AWARD	FORT CHISMELL CONSTRUCTION CORPORATION, MAX MEADOWS, VA	4	\$156,010.00

BIDS RECEIVED SEPTEMBER 22, 1987

JOB. DES. PROJECT NUMBER	RTZ. NO.	LOCATION & WORK TYPE	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
17 745	0753-020-257,MS01	763 From: Int. Rte. 360 To: 0.09 Mi. S. Int. Rte. 360 Chesterfield County Reconstruct Intersection	AWARD	APAC-VA, INC. RICHMOND, VA	3	\$87,550.20
<p>Moved by Mr. Malbon, seconded by Mrs. Kincheloe, that the Board approve the bids listed above for award for the SECONDARY SYSTEM PROJECTS and authorize execution of contracts by the Deputy Commissioner or Chief Engineer. Motion carried.</p>						
<p>MISCELLANEOUS PROJECTS</p>						
1 746	GR-6A-87	Var. Various Locations Fredericksburg District Guardrail Installations	AWARD	L. S. LEE, INC. YORK, PA	6	\$138,255.00
2 749	A08-87	Var. Var. Locations Eastern Prince William Co. Prince William County Bit. Plant Mix	AWARD	LANNOR CORP. T/A THE MEGA GROUP RICHMOND, VA	3	\$171,750.00
3 751	SL-8A-87	Var. Various Locations Augusta County Conc. Slope Protection, Paved Ditch	REJECT	H & S CONSTR. CO. ROANOKE, VA	6	\$136,378.00

Moved by Dr. Howlette, seconded by Mr. Davidson, that the Board approve the bids listed above for award on the MISCELLANEOUS PROJECTS and authorize execution of contracts by the Deputy Commissioner or Chief Engineer, and approve rejection of bids listed above for rejection and authorize readvertisement. Motion carried.

10/15/87

Moved by Mr. Musselwhite, seconded by Dr. Thomas, that

WHEREAS, the recent flood of September 5 through 7, 1987, damaged many roadways and bridges in Bedford, Henry and Franklin Counties; and

WHEREAS, the Department determined this to be an emergency and immediate repair of the roadways and bridges is necessary to reopen the roads to traffic; and

WHEREAS, 33 contractors were contacted to bid on eight projects; and

WHEREAS, the following are the number of bids received on each project, the low bid received, and the contractor to whom each project was awarded:

Project No.: 33-0839-7125-A03
County: Franklin
Route: 839
A C Construction Co., Inc. \$132,015.00
Buchanan, Va.
Number of Bids Received: 3

Project No.: 09-0754-7125-A01
County: Bedford
Route: 754
A C Construction Co., Inc. \$152,216.50
Buchanan, Va.
Number of Bids Received: 3

Project No.: 33-0040-7125-B03;C03
County: Franklin
Route: 40
Marshall Construction Co., Inc. \$ 75,352.50
Danville, Va.
Number of Bids Received: 4

Project No.: 44-0683-7125-003
County: Henry
Route: 683
Lanford Brothers Co., Inc. \$264,248.00
Roanoke, Va.
Number of bids received: 2

Project No.: 33-0721-7125-A03;33-0722-7125-A03
County: Franklin
Route: 721 & 722
Worley Ready Mix Concrete, Inc. \$227,227.00
Rocky Mount, Va.
Number of Bids Received: 3

10/15/87

Project No.: 33-0900-7125-A02
County: Franklin
Route: 900
Lanford Brothers Company, Inc. \$294,220.00
Roanoke, Va.
Number of Bids Received: 4

Project No.: 33-089-7125-A03;33-0646-7125-A03;
33-0834-7125-A02
County: Franklin
Route: 890, 646 & 834
Fort Chiswell Construction Corp. \$120,630.00
Max Meadows, Va.
Number of Bids Received: 2

Project No.: 09-0747-7125-A02
County: Bedford
Route: 747
Lanford Brothers Co., Inc. \$ 86,866.50
Roanoke, Va.
Number of Bids Received: 6

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the award of the above eight projects as shown.

Motion Carried.

Moved by Mr. Humphreys, seconded by Mr. Malbon, that

WHEREAS, by resolution dated May 17, 1984, this Board (formerly Commission) designated a list of qualifying highways for the operation of larger trucks under the STAA of 1982;

WHEREAS, this same resolution provided that from time to time as appropriate and with due notice, this Board may modify any of the stated provisions and may, as well, add or delete designated and qualifying highways.

NOW, THEREFORE, BE IT RESOLVED, that the following route is designated as a Qualifying Highway for operation of larger trucks under the STAA:

<u>County or City</u>	<u>Route</u>	<u>From</u>	<u>To</u>
Grayson County/ City of Galax	89	Lineberry Road (City of Galax)	0.50 Mi. North Route 613 (Grayson County)

Motion carried.

10/15/87

Moved by Mr. Humphreys, seconded by Mr. Malbon, that

WHEREAS, by resolution dated May 17, 1984, this Board (formerly Commission) designated a list of qualifying highways for the operation of larger trucks under the STAA of 1982;

WHEREAS, this same resolution provided that from time to time as appropriate and with due notice, this Board may modify any of the stated provisions and may, as well, add or delete designated and qualifying highways.

NOW, THEREFORE, BE IT RESOLVED, that the following route can safely accommodate the larger vehicles providing special restrictions are adhered to and is necessary to provide reasonable access as provided by law and is, therefore, designated as a special permit use routing in addition to the one-half mile of access from the Qualifying Highways. These restrictions are as follows:

A. A front escort vehicle must be used while traversing along Route 613 in either direction of travel between Route 89 to 1.07 mile west of Route 89 (entrance to Kanowsky).

B. Travel on Route 613 is prohibited between the hours of 6:00 A.M. to 9:00 A.M. and 2:00 P.M. to 5:00 P.M.

C. Amber flashing lights are required on escort vehicle. Lights shall be visible for at least 500 feet. Lights must be of a type approved by the Superintendent of the Virginia Department of State Police.

D. OVERSIZE LOAD sign shall be mounted on front of escort vehicle. Lettering on sign shall be 8 -inch minimum height. Sign shall have black letters on a yellow background, mounted at least 18 -inches above the roadway surface. Sign must be neat, clean, legible and mounted securely on vehicle.

<u>County or City</u>	<u>Route</u>	<u>From</u>	<u>To</u>
Grayson County	613	Route 89	1.07 Mile West of Route 89

Motion carried.

10/15/87

Mr. David R. Gehr, Director of Operations, presented the Department's draft Antitrust Monitoring and Detection Program Policy. On motion of Mr. Guiffre, seconded by Mr. Musselwhite, amendments were made to the draft policy. On motion of Mr. Guiffre, seconded by Mr. Bacon, the Board accepted the amended policy statement, copy of which is attached.

Mr. J. S. Hodge, Director of Engineering, presented the Department's recommendations regarding the three utility designating and locating contracts. Motion was made by Mr. Humphreys, seconded by Mr. Malbon, that action on the contracts be tabled for a period of 30 days.

Motion did not carry; Messrs. Bacon, Davidson, Guiffre, Leafe, Musselwhite, Quicke and Smalley and Mrs. Kincheloe and Dr. Thomas voting no.

Moved by Mr. Guiffre, seconded by Mr. Davidson, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Utility Location Services, Inc., Virginia Beach, Virginia for subsurface utility designating and subsurface utility locating (test hole) services, for a two year period, on a Highway Construction District basis; Fredericksburg Highway Construction District; and

WHEREAS, the urgency of commencing, the magnitude, and time limit to complete the utility designating and locating work requires augmentation of the Department's survey staff; and

WHEREAS, careful consideration has been made to these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of an agreement with Utility Location Services, Inc., for the Fredericksburg Highway Construction District with total fees for the two years not to exceed \$400,000.00.

Motion carried; Messrs. Howlette and Humphreys voting no and Mr. Malbon abstaining.

Moved by Mr. Guiffre, seconded by Mr. Davidson, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of North American Locating, Inc., Chatham, Virginia for subsurface utility designating and subsurface utility locating (test hole) services, for a two year period, on a Highway Construction District basis;

10/15/87

Bristol, Lynchburg, Salem and Staunton Highway Construction Districts; and

WHEREAS, the urgency of commencing, the magnitude, and time limit to complete the utility designating and locating work requires augmentation of the Department's survey staff; and

WHEREAS, careful consideration has been made to these required services and just compensation for same as established and set forth in Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of an agreement with North American Locating, Inc., for the Bristol, Lynchburg, Salem and Staunton Highway Construction Districts with total fees for the two years not to exceed \$2,200,000.00.

Motion carried; Messrs. Howlette and Humphreys voting no and Mr. Malbon abstaining.

Moved by Mr. Guiffre, seconded by Mr. Davidson, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of So-Deep, Inc., Manassas, Virginia, for subsurface utility designating and subsurface utility locating (test hole) services, for a two year period, on a Highway Construction District basis; Culpeper, Northern Virginia, Richmond and Suffolk Highway Construction Districts; and

WHEREAS, the urgency of commencing, the magnitude, and time limit to complete the utility designating and locating work requires augmentation of the Department's survey staff; and

WHEREAS, careful consideration has been made to these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of an agreement with So-Deep, Inc., for the Culpeper, Northern Virginia, Richmond and Suffolk Highway Construction Districts with total fees for the two years not to exceed \$7,900,000.00.

Motion carried; Messrs. Howlette and Humphreys voting no and Mr. Malbon abstaining.

10/15/87

Moved by Dr. Thomas, seconded by Mr. Musselwhite, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Hayes, Seay, Mattern and Mattern, Roanoke, Virginia for the preparation of right of way and construction plans for a primary project in Rockingham County.

This work is identified as:

Route 42, Project 0042-082-106, C-502, C-503, C-504

WHEREAS, the urgency to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in the memorandum of agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an agreement with Hayes, Seay, Mattern and Mattern, which establishes a maximum total compensation not to exceed \$476,032.00 which includes a net fee of \$40,261.00.

Motion carried.

Moved by Mrs. Kincheloe, seconded by Mr. Davidson, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Sverdrup Corporation, Fairfax, Virginia for the preparation of preliminary engineering, traffic analysis, and a complete environmental study on Route 29 North in Albemarle County and the City of Charlottesville. This work is identified as:

Route 29, Project: 6029-002-122, PE-100

WHEREAS, the highly specialized nature of the work and the scheduled time for completing this type of study requires augmentation of the Department's environmental staff; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in memorandum of agreement:

NOW, THEREFORE, BE IT RESOLVED, that the Commission authorize the execution of a memorandum of agreement with Sverdrup Corporation which establishes a maximum total compensation not to exceed \$3,077,310, which includes a net fee of \$143,753.

Motion carried.

10/15/87

Moved by Dr. Howlette, seconded by Mr. Bacon, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Location and Design Public Hearing was held in the Chesterfield Residency Office of the Virginia Department of Transportation on August 4, 1987, at 7:00 P.M., for the purpose of considering the proposed location and design modifications to the Chippenham Parkway/Jahnke Road Interchange, in Chesterfield County and the City of Richmond, and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers with the addition of a right turn lane between the proposed relocated ramp and the hospital entrance, a traffic signal at the intersection of the relocated Chippenham Parkway ramp and Jahnke Road to be coordinated with other nearby signals, and additional minor design changes as necessary during the final design and construction of the project to minimize impacts on the Chippenham Hospital.

Motion carried.

Moved by Mr. Humphreys, seconded by Mr. Bacon, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Location and Design Public Hearing was held in the auditorium of the Gloucester County Intermediate School, on July 16, 1987, at 7:30 p.m., for the purpose of considering the proposed location and major design features of Route 636 from the intersection of Route 17 to 1.77 miles west of Route 17, in Gloucester County, State Project 0636-036-126, C-501, C-502; Federal Projects RS-720 (); M-5122 (), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

10/15/87

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers.

Motion carried.

Moved by Mr. Guiffre, seconded by Mr. Bacon, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Combined Location and Design Public Hearing was held in the Gar-Field Senior High School at 14000 Smoketown Road, on

August 11, 1987, at 7:30 p.m., for the purpose of considering the proposed location and major design features of Route 642 (Smoketown Road) from 1.03 miles northwest of Interstate Route 95 to the intersection of Route 640 (Davis Ford Road), in Prince William County, State Project 0642-076-226, C-501; Federal Project M-5401 (), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers with minor shifts in the alignment to follow the limits of the secured right of way as closely as practicable.

Motion carried.

10/15/87

Moved by Mr. Bacon, seconded by Mr. Musselwhite

that

WHEREAS, in connection with Route 623, State Highway Project 0623--037-121, C-501, the Commonwealth acquired certain lands from O. J. Pruitt and Betty P. Pruitt by deed dated February 17, 1967, recorded in Deed Book 108, Page 485; from O. J. Pruitt, et al, by deed dated February 17, 1967, recorded in Deed Book 108, Page 498; and from R. C. Valentine and Sheila B. Valentine by instrument dated March 9, 1967, case for which has been concluded, recorded in Deed Book 108, Page 127. These instruments are recorded in the Office of the Clerk of the Circuit Court of Goochland County; and

WHEREAS, in order to more fully develop the adjacent lands, the adjacent landowner has requested that the excess lands, so acquired, lying adjacent to his properties be conveyed; and

WHEREAS, the Commonwealth Transportation Board has certified in writing that the parcels of land containing approximately 4.315 acres, more or less, lying west of and adjacent to the west normal right of way limits of Route 623, from a point approximately 35 feet opposite approximate Station 1456+00 (Route 250 centerline) to a point approximate 65 feet opposite approximate Station 28+50 (Route 623 centerline), also lying east of and adjacent to the east normal right of way limits of Route 623, from a point approximately 35 feet opposite approximate Station 1460+75 (Route 250 centerline) to a point approximately 60 feet opposite approximate Station 42+75 (Route 623 centerline) do not constitute sections of the public road and are deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed without warranty conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

10/15/87

Moved by Mr. Bacon, seconded by Mr. Musselwhite

that

WHEREAS, in connection with Route 13, State Highway Project 0013-065-101, RW-202, the Commonwealth acquired certain lands from James I. Upshur by instrument dated July 24, 1963, case for which has been concluded, recorded in Deed Book 149, Page 221 in the Office of the Clerk of the Circuit Court of Northampton County; and

WHEREAS, in order to more fully develop the adjacent lands, the adjacent landowner has requested that the excess right of way lying outside the normal right of way limits of Route 13 be conveyed to him; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.06 acre, more or less, and lying west of the west normal right of way limits of Route 17, from a point approximately 80 feet opposite approximate Station 681+55 (proposed SBL Route 13 centerline) to a point approximately 80 feet opposite approximate Station 682+70 (proposed SBL Route 13 centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is hereby approved and the Commonwealth Transportation Commissioner is authorized to execute in the name of the Commonwealth a deed without warranty conveying same for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by

that

WHEREAS, in connection with Route 644, State Highway Project 0644-029-168, C-501, the Commonwealth acquired certain lands from Fairfax County Water and Sewer Corporation by deed dated August 1, 1963, recorded in Deed Book 2324, Page 548 in the Office of the Clerk of the Circuit Court of Fairfax County; and

WHEREAS, the Commonwealth is the apparent owner of old Route 644; and

WHEREAS, a section of Route 644 was relocated in a northern direction and serves the same citizens as the old location and has been approved by

10/15/87

the Commonwealth Transportation Commissioner; and

WHEREAS, at a meeting of the Board of Supervisors of Fairfax County, a resolution was passed abandoning the former right of way location of State Route 644, effective September 3, 1987; and

WHEREAS, the adjoining landowner has requested that the Commonwealth convey to him a portion of the excess right of way, so acquired, in order to more fully develop the adjacent property; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying south of the normal right of way limits of present Route 644, from a point approximately 55 feet opposite approximate Station 60+73 (office revised Route 644 centerline) to a point approximately 60 feet opposite approximate Station 64+42 (office revised Route 644 centerline), containing 0.3028 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, the conveyance of the said land, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed conveying same to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer and subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Bacon, seconded by Mr. Musselwhite

that

WHEREAS, in connection with Route 17, State Highway Project 652-GW, the Commonwealth acquired certain lands from Eva W. Wright and J. Luther Wright by deed dated May 1, 1939, recorded in Deed Book 654, Page 304; and from Virginia Electric and Power Company by deed dated May 1, 1939, recorded in Deed Book 664, Page 302; and in connection with State Highway Project 2064-09 (Project 0017-064-009), the Commonwealth acquired certain lands from County School Board of Norfolk County by deed dated January 10, 1956, recorded in Deed Book 1243, Page 77 in the Office of the Clerk of the Circuit Court of the City of Portsmouth (formerly Norfolk County); and

WHEREAS, under Project 0017-124-106, C-501, Route 17 has been relocated; and

WHEREAS, the City of Portsmouth has requested that a portion of the lands, so acquired, be conveyed to it; and

10/15/87

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 4,976 square feet, more or less, and lying north of Route 17 and the WBL of High Street and located in the west quadrant of Churchland Boulevard WBL and Stamford Street, from a point approximately 60 feet opposite approximate Station 14+08 (Churchland Boulevard centerline) to a point approximately 30 feet opposite approximate Station 10+24 (Stamford Street centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is hereby approved and the Commonwealth Transportation Commissioner is authorized to execute in the name of the Commonwealth a deed without warranty conveying same for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Bacon, seconded by Mr. Musselwhite

that

WHEREAS, in connection with Route 719, State Highway Project 0719-088-015, 016, the Commonwealth acquired certain lands from Dominick R. Orvine and Eleanor Orvine by deed dated December 9, 1959, recorded in Deed Book 191, Page 302 and by deed dated September 26, 1958, recorded in Deed Book 186, Page 396 in the Office of the Clerk of the Circuit Court of Spotsylvania County; and

WHEREAS, the Commonwealth is also the apparent owner of a parcel of land located on Route 719 in Spotsylvania County, Virginia; and

WHEREAS, the Lake Anna Land Corporation sold Mr. Hunter C. Perkinson lands in the Morgan Subdivision which included a portion of the Old Route 719 roadbed; and

WHEREAS, Mr. Hunter C. Perkinson has requested that the Commonwealth convey to him the excess land lying north of the north normal right of way limits of Route 719 in order to clear his title; and

WHEREAS, Route 719 has been altered and a new road has been constructed and approved, which the new road serves the same citizens as the old road; and

10/15/87

WHEREAS, by resolution passed by the Spotsylvania County Board of Supervisors, a section of Route 719 from Station 121+50 to Station 128+00, a distance of 0.13 mile, was abandoned, effective May 18, 1960; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying north of the north normal right of way limits of Route 719, from a point approximately 30 feet opposite approximate Station 1+60 (Route 719 centerline, Project 0719-088-145, V-023) to a point approximately 55 feet opposite approximate Station 6+05 (Route 719 centerline, Project 0719-088-145, V-023), containing 0.424 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, the conveyance of the said land, so certified, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Bacon, seconded by Mr. Musselwhite

that

WHEREAS, in connection with Route 878 (formerly Route 617), State Highway Project 1283-G, the Commonwealth acquired certain lands from Harry B. Pearson and Anna D. Pearson by deed dated May 22, 1944, recorded in Deed Book 435, Page 122; and from Richmond Land Corporation and Richmond, Fredericksburg and Potomac Railroad Company by deed dated February 6, 1945, recorded in Deed Book 448, Page 305. Both deeds are recorded in the Office of the Clerk of the Circuit Court of Fairfax County; and

WHEREAS, the adjacent landowner of record has requested that the Commonwealth convey that portion of the old road which lies within his property in order that he may more fully develop the adjoining lands; and

WHEREAS, Route 878 was abandoned by action of the Board of Supervisors of Fairfax County at its meetings of October 6, 1986 and March 23, 1987, effective May 21, 1987; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that old Route 878 from a point approximately 40 feet left of approximate Station 142+10 (Route 877 centerline, Project 1283-G) to a

10/15/87

point approximately 40 feet left of approximate Station 150+00 (Route 877 centerline, Project 1283-G), containing approximately 1.2601 acres, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, to the adjoining landowner is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Bacon, seconded by Mr. Musselwhite

that

WHEREAS, in connection with Route 81, State Highway Project 0081-034-001, RW-201, the Commonwealth acquired certain lands from Virginia Land Corporation by deed dated March 8, 1961, recorded in Deed Book 278, Page 696 in the Office of the Clerk of the Circuit Court of Frederick County; and

WHEREAS, a section of Route 641 was abandoned by action of the Board of Supervisors of Frederick County, effective November 17, 1966; and

WHEREAS, in order to more fully develop the adjacent lands, the adjoining landowner has requested that the excess right of way be conveyed; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing 0.19 acre, more or less, and lying east of and adjacent to the east normal right of way limits of Route 81, from a point approximately 108 feet opposite approximate Station 460+27 (office revised centerline NBL Route 81) to a point approximately 108 feet opposite approximate Station 462+55 (office revised centerline NBL Route 81) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a deed conveying same to the

10/15/87

adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

10/15/87

Moved by Dr. Thomas, seconded by Mr. Bacon, that

WHEREAS, Chapter 723, Item 634 of the Acts of the 1987 General Assembly provides financial assistance for local governing bodies, planning district commissions, transportation district commissions, or public transportation corporations to aid in public transportation promotion, operation studies and technical studies; and

WHEREAS, the Peninsula Transportation District Commission has submitted a proposal to the Department to perform an evaluation to assess the potential for adapting an automated telephone information system to their microcomputer system; and

WHEREAS, the Peninsula Transportation District Commission's governing body has certified that, if its proposal is approved, it shall use this assistance in accordance with the requirements of the grant program; and

WHEREAS, the staff of the Department has evaluated the proposal with regard to need, reasonableness, implementation capability, and potential for success; and

WHEREAS, the Board shall approve the projects and allocate the funds designated for the program;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby directs that \$2,500 be allocated to the Peninsula Transportation District Commission to conduct a feasibility study for automating their telephone information systems.

Source of Funding

Mass Transit Assistance (special program)	\$2,500
Local	<u>2,500</u>
Total	\$5,000

Motion carried.

Mr. Quicke, Chairman of the Internal Audit Committee, presented a report on the Committee's meeting of September 22, 1987. On motion of Mr. Quicke, seconded by Mr. Musselwhite, the Board adopted the report as follows:

"The Commonwealth Transportation Board's Internal Audit Committee met on September 22, 1987, with members of the Internal Audit Division and reviewed the Construction Division and Bristol District Reports. The committee accepts as adequate the action taken, or to be taken on these reports."

COMMONWEALTH OF VIRGINIA



CLARENCE A. HOLLAND
7TH SENATORIAL DISTRICT
VIRGINIA BEACH
P.O. BOX 3823
VIRGINIA BEACH, VIRGINIA 23455

SENATE

COMMITTEE ASSIGNMENTS:
AGRICULTURE, CONSERVATION AND
NATURAL RESOURCES
PRIVILEGES AND ELECTIONS
REHABILITATION AND SOCIAL
SERVICES
TRANSPORTATION

October 12, 1987

To: Members of the Transportation Board

From: Senator Clarence A. Holland, M. D.
7th Senatorial District

Subject: Consulting Services - Subsurface Utility
Designating & Locating Service (Test Hole)

My letter concerns the above subject and the letting of a consulting contract before you at your October 15, 1987 meeting of the VDOT. The amount is \$10,500,000.00 for the biennium.

A company - Utility Location Services, Inc. - has put in their bid for a portion of the contract. Only because this company is well qualified in their field and did not make a bid speculative on being awarded a larger portion of the consulting contract am I supportive of them. According to their bid, a selection committee within the department has made a recommendation of only \$400,000.00, or 4%, for this very well qualified company. The consulting service is split with two other firms, with one getting 75% and the other 21%. This disparity in the amounts is certainly in my mind not fair in it's distribution. The recommendation for Utility Location Services, Inc., who is eminently qualified, could save VDOT if a larger portion was awarded to them and it would be located in the Suffolk District.

I appreciate your deep concern in this most urgent matter, and hope that you can be helpful in bringing about equity and fairness.

Sincerely,

A handwritten signature in cursive script that reads "Clarence A. Holland".

Clarence A. Holland, M. D.
7th Senatorial District

CAH:pm



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

GLENN R. CROSHAW
TENTH FLOOR
ONE COLUMBUS CENTER
P.O. BOX 61888
VIRGINIA BEACH, VIRGINIA 23462
EIGHTY-FIRST DISTRICT

COMMITTEE ASSIGNMENTS:
COURTS OF JUSTICE
PRIVILEGES AND ELECTIONS
CHESAPEAKE AND ITS TRIBUTARIES

October 13, 1987

Ray D. Pethtel, Chairman
Commonwealth Transportation Board
1401 East Broad Street
Richmond, Virginia 23219

RE: Appeal of Utility Location Services, Inc.

Dear Mr. Pethtel:

I am writing to request that the Commonwealth Transportation Board consider revising its current plans for award of Subsurface Utility Designating & Locating Services from October, 1987, through September, 1989.

Utility Location Services, Inc., appears, based on criteria set forth by your Board and from past performance, to be qualified in all respects to perform substantially more of the Suffolk District work than your staff has currently decided. It would seem further that Utility Location Services, Inc., could save the Commonwealth and our taxpayers substantial sums of money if the Suffolk District work were awarded to them.

Given the combination of cost savings to the Commonwealth and the prior favorable experience of your Department with work performed and their capability of meeting criteria, I would respectfully request that the Department review this situation and favorably reconsider its selection of Utility Location Services, Inc.

Very truly yours,


Glenn R. Croshaw

GRC:nlr

cc: C. Roger Malbon, Commonwealth Transportation Board Member
John L. Robertson, President, Utility Location
Services, Inc.



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

GLENN B. McCLANAN
425 SOUTH WITCHAMUCK ROAD
VIRGINIA BEACH, VIRGINIA 23462
EIGHTH-FOURTH DISTRICT

October 12, 1987

COMMITTEE ASSIGNMENTS:
AGRICULTURE (CHAIRMAN)
GENERAL LAWS
CORPORATIONS, INSURANCE AND BANKING
INTERSTATE COOPERATION

Mr. Ray D. Pethtel, Chairman
Commonwealth Transportation Board
1401 East Broad Street
Richmond, Virginia 23219

Dear Ray:

John L. Robertson, President of Utility Location Services, Inc. has discussed with me the interest of his firm in providing additional high quality professional services, at a reasonable cost, to the Virginia Department of Transportation.

Fortunately, the history of this company providing high quality services at a reasonable cost is outstanding. Though the location of the business is not the prime criteria for selection, it is certainly our desire that all business men and women from all parts of Virginia have equal opportunity to provide quality services at a reasonable cost to all state agencies.

I am shocked to learn that in the area of services provided by Utility Location Services, Inc. that contractors east of Richmond are receiving less than 5% of the work.

I know Roger Malbon, Joe Leafe, Herb Kelly and others all join me in asking that the Department take such action as is necessary to assure that the work is fairly distributed among Virginians.

With appreciation and warm regards, I am,

Sincerely,

Glenn B. McClanan

10/15/87

The meeting was adjourned at 12:35 p.m. The next meeting will be held in Richmond, Virginia, on November 19, 1987.

Approved


Chairman

Attest


Secretary

**COMMONWEALTH OF VIRGINIA
DEPARTMENT OF TRANSPORTATION**

**ANTI-TRUST MONITORING
AND DETECTION
PROGRAM POLICY**



CONSTRUCTION DIVISION

ANTITRUST MONITORING AND DETECTION PROGRAM POLICY

Be it hereby affirmed that it is the policy of the Virginia Department of Transportation to promote the free market system and to ensure a competitive environment for the provision of construction related goods and services directly or indirectly to the Department. All contracting opportunities made available to businesses shall encourage trade and commerce unhampered by artificial and unreasonable constraints.

The Department will, therefore, provide a well defined program with the objective of maintaining a competitive environment promoting rewards obtainable through innovation, efficiency, and integrity in business practice. To fulfill this policy, the Department will assign the development, monitoring, and evaluation of this program to the Construction Division Administrator, who will be responsible for its direction and implementation. Adequate support staff will be assigned responsible functions within the program.

As Commissioner, I am directing the implementation of the Antitrust Monitoring and Detection Program in accordance with this policy.

Ray D. Pethel, Commissioner

Date

I. PREAMBLE - This policy and measures hereinafter describe operational procedures employed by the Virginia Department of Transportation regarding the Antitrust Monitoring and Detection Program. This program has been established to promote the free market system and ensure a competitive environment for the provision of construction related goods and services directly or indirectly to the Department.

II. PURPOSE - These measures reflect policies which seek to protect the interests of the citizens of the Commonwealth and the Department in the award of contracts to businesses or individuals participating in the competitive bidding process. These interests include, but are not limited to, equal access to the bidding process, cost containment through naturally occurring marketplace activities, and integrity in business practices. The Department, in its trustee role as a public contracting agency, is vested with wide discretion in the determination of a contractor's responsibility as it relates to moral and ethical considerations affecting the public procurement process.

These measures are specifically applied to Departmental cost control activities related to the bidding process and the Engineer's Estimating System. These measures apply to all actions undertaken by the Department, including all internal and external processes, communications, and procedures.

These measures will be used to protect the public interest and are not intended to be utilized as sanctions, penalties, or other forms of punishment. These measures do not apply directly to debarment, civil prosecution, or criminal prosecution, although results from the Program may have impact upon or initiate actions in each of these areas.

Insofar as possible in consonance with stated Federal and State systems of law and mandates, and to the extent that such use is practical, suitable, and feasible, these measures will be undertaken with the intent being to equalize considerations of the public and private sectors.

III. AUTHORITY - Authority for this policy is issued pursuant to Sections 33.1 - 12 & 13 of the Code of Virginia, which authorizes the Transportation Commission and Commissioner to do all acts necessary to further the interests of the Commonwealth in the area of transportation.

Free competition is the essence of the American economic system of private enterprise, and only through free markets that allow for the expression, preservation, and expansion of such competition can the economic well-being and security of our Commonwealth be assured. Based on this principle, the General Assembly has authorized the Department to provide funding for Program personnel

under Section 1-117.639 of Chapter 643, Acts of the Assembly [1986], and Section 1-117.639 of Chapter 723, Acts of the Assembly [1987].

Further, the Department has the responsibility to protect the public interest by monitoring the highway construction industry to insure that it complies with the Virginia Antitrust Act, Sections 59.1-9.1 et. seq., of the Code of Virginia; the Conspiracy to Rig Bids to Government Act, Sections 59.1 - 58.6 et. seq., of the Code of Virginia; the Virginia Governmental Frauds Act, Sections 18.2-498.1 et. seq., of the Code of Virginia; and the Virginia Public Procurement Act, Sections 11-35 et. seq., of the Code of Virginia.

IV. APPLICABILITY - This policy applies to participants and affiliates engaged directly or indirectly in the provision of construction related goods or services to the Department. Any person, partnership, corporation, joint venture, or business combination participating in the competitive bidding process, including but not limited to the supply of labor, materials, commodities, or support services, will be considered for monitoring and analysis activities. For purposes of this program, any participant who through the public procurement process, or whose actions or inactions may impact upon this process will be included.

V. DEFINITIONS - This part sets forth definitions used in or referred to in this policy and are to be applied throughout.

"Affiliate" means, any business entity which is closely connected or associated to another business entity so that one entity controls or has the power to control the other entity either directly or indirectly, or when a third party has the power to control or controls both, or where one business entity has been so closely allied with another business entity through an established course of dealings, including but not limited to the lending of financial wherewithal, engaging in joint ventures, etc., as to cause a public perception that the two firms are a single entity. Specific extensions of this definition are included in Volume 13, Code of Federal Regulations, Section 121.3 and Volume 14A, Code of Federal Regulations, Section 631.2A.

"Antitrust Monitoring and Detection Program", hereinafter referred to as "Program" means, any measures set forth in the Department's policy that describe, outline, specify, direct, or imply actions to be undertaken by the Department to protect the public from anticompetitive activities.

"Bid" means, a proposal submitted to the Department covering the fee for any work contemplated.

"Bidder" means, an individual, partnership, corporation, or joint venture, or business combination submitting a proposal for any work contemplated.

"Competitive Sealed Bidding" means, a method of contractor selection which includes the following elements:

1. Issuance of a written Invitation to Bid containing or incorporating by reference the specifications and contractual terms and conditions applicable to the procurement. Unless the public body has provided for prequalification of bidders, the Invitation to Bid shall include a statement of any requisite qualifications of potential contractors. When it is impractical to prepare initially a purchase description to support an award based on prices, an Invitation to Bid may be issued requesting the submission of unpriced offers to be followed by an Invitation to Bid limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.
2. Public notice of the Invitation to Bid at least ten days prior to the date set for receipt of bids by posting in a designated public area, or publication in a newspaper of general circulation, or both. In addition, bids may be solicited directly from potential contractors. Any such

additional solicitations shall include businesses selected from a list made available by the Office of Minority Business Enterprise.

3. Public opening and announcement of all bids received.
4. Evaluation of bids based upon the requirements set forth in the invitation, which may include special qualifications of potential contractors, life-cycle costing, value analysis, and any other criteria such as inspection, testing, quality, workmanship, delivery, suitability for a particular purpose, which are helpful in determining acceptability.
5. Award to the lowest responsive and responsible bidder. When the terms and conditions of multiple bids are so provided in the invitation to bid, awards may be made to more than one bidder.
6. Competitive sealed bidding shall not be required for procurement of professional services.

"Contractor" means, any person, partnership, corporation, or joint venture, or business combination which is eligible to bid or desires to bid on work awarded by the Department, or which is eligible to bid, or has previously been contracted to bid as a supplier to the Department.

"Debarment" means, a disqualification from contracting with the Department because of perceived or actual nonresponsiveness, nonperformance, or nonresponsibility of a contractor, including moral and ethical considerations affecting integrity in business practices.

"Engineer's Estimate" means, a cost estimate prepared for the confidential use of the Department in awarding contracts for construction or purchase of goods or services.

"Joint Venture" means, two or more individuals, partnerships or corporations, or combinations thereof, joining together for the purpose of bidding on and constructing a project, or supplying goods or services to the Department.

"Marketplace" specifically refers to, the organized market processes impacting upon public procurement activities engaged in by the Department through the competitive bidding endeavor. This term includes all businesses who directly or indirectly participate by virtue of product or process delineation and geographic scope; and whose activities, products, or services share related characteristics, uses, pricing or supply/demand considerations that are used to establish, maintain, or increase a respective business' marketshare; and may refer to the broad concept of the highway construction industry or to more closely defined markets or submarkets active within the industry at any given time.

"Minority Business Enterprise" means, a small business that is both owned and controlled by minorities or by women. This means that minorities or women must own fifty-one percent of the business and that they must control the management and daily operations of the business. Minorities include Blacks, Hispanics, Asian Americans, American Indians and Alaskan Natives and members of other groups or individuals who the Small Business Administration (SBA) has determined are economically and socially disadvantaged under Section 8(a) of the Small Business Act.

"Participant" means, any individual, partnership, corporation, joint venture or business combination, that engages in the Department's competitive bidding process that pertains to the obtaining of any goods, services, or construction.

"Responsible" or "Responsible Bidder" means, any person, business or business combination that has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability which will assure good faith performance, and who has been prequalified, if required.

"Responsive" or "Responsive Bidder" means, any person, business, or business combination that has submitted a bid which conforms in all material respects to the Department's Invitation to Bid.

VI. AUTHORIZED MEASURES - This part sets forth guidelines for actions to be undertaken by the Department to develop and implement the Program.

A. The Department will provide for a program to monitor the highway construction industry as well as markets and submarkets active within the industry, to insure that competitive practices are maintained. The focus of this Program is the reduction of potential antitrust violations, and the promotion of natural competition in contract award to industry participants. This Program is initiatory in nature and will refer detected irregular occurrences through a Uniform Reporting Procedure to appropriate outside agencies for further action.

B. The Department will provide for the technical development and full utilization of computerized systems to aid in the analysis process and the assessment of competitive acceptability. These systems will be continually refined and updated to adjust to change in marketplace environment, advances in technology and statistical detection procedures, and development of new concepts from economic research. All reasonable efforts will be employed to maintain validity and reliability of systems information, and justifiable precautions will be taken to maintain systems security.

C. The Department will provide for a multidisciplinary staff of professional analysts who will be responsible for the tracking and identification of unusual marketplace occurrences that may negatively impact the competitive bidding process. Their duties will include collection and development of information, and refinement of specific analysis techniques applied in the review of the bidding and estimate process and the initiation of Departmental referral procedures. Continual emphasis will be placed on advanced training of this staff in all areas referred to in and covered by this policy.

D. The Department will provide for and conduct marketplace sampling activities on a regular basis with the intent being to assess the economic health and competitive well-being of the industry as a whole, as well as various submarket components within it. Components to be monitored will include commodities, suppliers, equipment costs, labor costs, and financial conditions. Special attention will be directed toward keeping the Department current in and responsive to changes in line-item pricing, producer/contractor efficiency, capacity considerations, and expected levels of competition.

E. The Department will provide for all actions and activities necessary for Program support regarding exchange of information, concepts, or ideas to or from outside agencies, associations, groups or consultants. All necessary and reasonable efforts will be made to maintain security of information, procedures and systems deemed sensitive or restricted. The specific intent of these communications will be continual refinement of the Engineer's Estimate System and enhancement of monitoring and detection techniques utilized by the Department.

F. The Department will provide for an ongoing research effort to support the Program. Such research activities will provide adjustments to existing systems, both informational and conceptual, that parallel changes in marketplace environment, advances in ideas and technology, and modifications in legal opinions. Such research will set forth characteristics of markets and behaviors associated with high probability of noncompetitive practice, and provide defensible analytic designs for continuing empirical examination of the industry and component markets operating within the Commonwealth.

VII. SPECIAL CONDITIONS - This part acknowledges conditions heretofore referred to in Department policy that require special treatment regarding the analytical activities undertaken by the Program.

Such treatment is not intended to provide exemption from the stated purpose of this policy, but to acknowledge the necessity of analytical adjustment when dealing with such conditions. Special conditions may exist in reference to Minority Business Enterprises, and in reference to joint ventures or combinations thereof.

VIII. PROGRAM RESPONSIBILITY - This part applies to operational Department personnel and their responsibilities in undertaking all actions deemed necessary or convenient to execute the Program, and to fully comply with provisions of present and future State and Federal laws and mandates; to review, design, implement, and evaluate Program activities, and oversee the execution thereof and report thereon; and to initiate activities when necessary to further or protect the public interest. The Program will be overseen by the Construction Division Administrator who reports directly to the Director of Operations and secondarily to the Chief Engineer. Daily operational responsibility will be the charge of the Estimator/Bid Analyst Supervisor who will direct monitoring and analysis activities. The referral process will be the responsibility of the Chief Engineer upon recommendation of the Director of Operations and Construction Division Administrator. A professional staff of analysts will provide the functional support necessary to fulfill the trustee obligations of the Department in this area.

IX. UNIFORM REPORTING PROCEDURES - This part sets forth standard guidelines for the uniform reporting of Program findings, provides for continual review of regulations for debarment of contractors, and referral to outside agencies, of any circumstances that impact upon or are related to potential antitrust violations. Such reporting procedures will be selected, designed, and designated to provide for operational efficiency and adherence to appropriate protocol. Such reporting procedures will recognize and comply with stated Federal and State systems of law and other mandates, and will provide for adequate adjustment to any changes to such systems or mandates hereafter.

In order to meet obligations in this area, the referral process will emanate from the Department through procedures outlined in this policy under Program Responsibility to interested outside agencies. Interested parties include, but are not limited to, the Virginia Attorney General's Office and/or the Office of Inspector General, United States Department of Transportation. The specific lines of referral will be to the Virginia Assistant Attorney General in charge of the Antitrust Section, and/or the Chief Investigator of the Inspector General, respectively. The handling, processing, and transfer, of referral information will utilize all precautions deemed necessary and practical, in accordance with Program Security hereafter mentioned in this policy, with the intent to equalize and protect both the public and private interests.

X. PROGRAM SECURITY AND INFORMATION HANDLING - This part applies to the handling and transfer of information developed by, or in conjunction with, the Program. The Department will provide for all reasonable and practicable measures to assure the confidential treatment of any form of information, in compliance with State and Federal laws or mandates. Information will be utilized with discretion and integrity, and in this regard, both the public and private good will be judged equal. Program Security, directly tied to the Engineer's Estimate System, will be in accordance with existing Departmental guidelines. All participating personnel will be required to sign a Memorandum of Understanding, pledging nondisclosure of information or procedures, and to apply for and receive a minimum of a Class Four Systems Security Clearance. Violations of this Memorandum of Understanding will be dealt with in accordance with the Employee Standards of Conduct. All computer system access and printed files will be placed under coded or physical barriers, and Program discussions or meetings will be held in areas secure from non-involved operations personnel. All contacts and communications outside the Department will be undertaken in compliance with the Uniform Reporting Procedures and Program Responsibility outlined in this policy. For Program purposes, these measures will apply to printed, video, audio, verbal, and computer or data system related items, whether existing or to be developed.

XI. POLICY REVIEW - This part applies to regular review of this Program Policy. Because of the complexity and fluidity of the marketplace environment and the continued advancement of technology and research directly related to the measures instituted in this policy, it is to be regularly reviewed by the Construction Division Administrator and his advisors. Such review will occur at least annually. Any measures found unacceptable or unpracticable will be referred to the Commissioner for consideration of revision. This review will include, but is not limited to, procedural review of debarment regulations and referral procedures to outside agencies.