

Minutes of the Transportation Committee

The Transportation Committee of the McLean County Board met on Tuesday, February 5, 2002 at 7:30 a.m. in Room 700, Law and Justice Center, 104 West Front Street, Bloomington, Illinois.

Members Present: Chairman Bass, Members Emmett, Hoselton, Owens, Selzer

Members Absent: Member Johnson

Staff Members Present: Mr. Terry Lindberg, Assistant County Administrator;
Ms. Martha B. Ross, County Administrator's Assistant,
County Administrator's Office

Department Heads/
Elected Officials Present: Mr. Jack Mitchell, County Engineer, County Highway
Department

Others Present: Ms. Jennifer Sicks, Transportation Planner, McLean
County Regional Planning Commission;
Ms. Christine Brauer

Chairman Bass called the meeting to order at 7:30 a.m. Chairman Bass presented the minutes of the January 8, 2002 meeting for approval.

Motion by Selzer/Owens to approve and place on file the minutes of the January 8, 2002 meeting of the Transportation Committee. Motion carried.

Chairman Bass presented the bills as prepared and recommended for transmittal to the Transportation Committee by the Auditor's Office.

Motion by Selzer/Emmett to approve the Bills as presented and recommended by the Auditor's Office.

Mr. Jack Mitchell, County Engineer, presented the bid results from the January 31, 2002 letting. He noted that there are a variety of items addressed in this letting, the primary item being that of intermittent overlay and skip patching. Mr. Mitchell referred to the bid tabulation sheet, which summarizes all of the projects addressed in the letting. He noted that the Group 7 project, a cold mix project, received no bids. It will, therefore, be rebid.

Mr. Mitchell explained that the Group 8 project, known as Sylvax, is a cold mix project wherein the material contains an additive, which makes it more workable in the cold weather. Bids were received for this project, with McLean County Asphalt being the low bidder at 4% under estimate.

The Group 9 project involves the acquisition of hot mix which is when the County performs its own patching work. Again, McLean County Asphalt was the sole bidder on this project, bidding at 5.71% below estimate.

The Group 10 project includes a series of projects, with the first in the series addressing skip patching in short stretches to correct cracking. The low bidder for this project was McLean County Asphalt, with a low bid 2.24% below estimate. For the Allin Road District Section 02-01000-00-GM, McLean County Asphalt was the sole bidder, at 1.43% below estimate. Another section of Allin Road, which was bid in Group 14, received four (4) bids, with the low bid coming from Stark Materials, Inc. That bid, for seal coat aggregate, was 27.50% below estimate.

Group 10 also included bids to McLean County Asphalt as the single bidder, for the Chenoa Road project, and projects on Danvers Road, Dawson Road, Downs Road, Dry

Grove, Funks Grove, Lexington Road, Martin Road, Money Creek, Mount Hope, Normal Road, Randolph Road, Towanda Road, West Road, and White Oak Road.

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Mr. Mitchell noted that there were a few Road Districts where bids were not awarded. Those districts included: Cropsey Road in Group 10, Downs Road in Group 4, and Yates Road in Group 10. Those jobs will be re-bid.

Mr. Mitchell stated that the Non-Motor Fuel Tax culvert projects showed one bidder at 16.29% over the estimate and the other bidder at 17.85% over the estimate. He recommended rejection of those bids and a re-bid for these projects.

Mr. Owens asked whether the Motor Fuel Tax ("MFT") bid from McLean County Asphalt for the McLean County Section in Group 10 would decrease if the 2.24% over-estimate bid was rejected at this time. Mr. Mitchell responded that in the event that a bid is only a couple of percentage points over an estimate, the State will allow that bid to stand up to 5%. If the bid ranges from 5% -10% over the estimate, justification must be provided for that amount. Mr. Mitchell stated that, in this instance, for such a small overage, acceptance of the bid is recommended. There is little to be gained by re-bidding under such circumstances.

Mr. Hoselton asked how much the Unit Prices in the MFT Section have been increased since last year. Mr. Mitchell responded that the increases amount to only nominal amounts. He noted that asphalt prices have increased slightly, both as result of flat gasoline prices and increased demand for the material. Therefore, Unit Prices have been adjusted to reflect that increase from suppliers.

Motion by Emmett/Selzer to recommend approval of the bid results from the January 31, 2002 letting as presented in the Resolution.

Chairman Bass asked why bids are not received for certain projects, and suggested that the projects are considered too small to be significant by the potential bidders, or perhaps they already have sufficient business and do not have the resources to commit to small projects.

Motion carried.

Mr. Mitchell presented a Project Summary Form, which was developed in response to a request by Committee members for easily accessible information on all Highway Department projects. He asked whether the format used for this draft was acceptable to the Committee. He stated that the project used as the example, the Towanda-Barnes

Road project, from Route 9 to Fort Jesse Road, is a more complicated project than most of the other projects undertaken by the Highway Department.

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Mr. Owens remarked that he liked the proposed format for the Project Summary. He asked why some of the items in the Construction Estimates category were listed as 100% complete, but expenditures were significantly lower than projected costs. Mr. Mitchell responded that some of the completed work on this project was finished without exhausting the budgeted amounts.

Mr. Mitchell stated that with regard to right-of-way on this section of the Towanda-Barnes project, there might be a parcel that will proceed to court action. In that case, more funds may be expended than are currently indicated on the Project Summary.

Mr. Owens asked whether the amounts projected and expended for right-of-way on the Project Summary are for all three (3) sections of the Towanda-Barnes project. Mr. Mitchell responded that the amounts shown in the current Project Summary are for the section from Illinois Route 9 to Fort Jesse Road only.

Mr. Emmett asked what would happen to unexpended funds in the event that a project is completed under its projected cost. Mr. Mitchell responded that, in the case of the three Towanda-Barnes sections, for example, the County received a flat amount of funding from the Federal government. On the Route 9 to Fort Jesse Road section, Federal High Priority funds were listed at \$1,720,000. The same amount was designated for the middle section. The south section received slightly more, as it is a slightly longer section. Mr. Mitchell estimated that the total Federal monetary award for the whole Towanda-Barnes project was \$5.82 million. He stated that the County also received \$1.4 million through the efforts of Illinois Senator John Maitland, Jr. as a legislative add-on. The Truck Access Route Program ("TARP") funds, or 80,000 pound money, was also received from the State of Illinois.

Mr. Mitchell noted that all of those amounts are designated as "maximum – not to exceed" amounts. In the aggregate, their sum is \$2.5 million. The County's bid, however, is \$4.3 million. Therefore, the County is making up the difference with Motor Fuel Tax and matching funds. In this case, then, there can be no surplus of funds for which the County must account. He stated that over the term of the project, construction costs have risen to the point where they are more farther away from the initial estimates.

Mr. Mitchell commented that it is his understanding that the Committee would like the Highway Department to eventually track all of its projects throughout the year, using a format like the sample Project Summary presented here. However, at this time, the

Route 9 to Fort Jesse Road section of the Towanda-Barnes Road project is the only project to be tracked, for the purposes of experimentation.

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Mr. Hoselton asked whether the Auditor had received a copy of the Project Summary. Mr. Mitchell responded that the Auditor has not yet received the Project Summary, as he wanted to be sure the Committee approved of the format before moving forward. However, he will provide copies to the Auditor's Office.

Mr. Mitchell explained that with regard to this section of the Towanda-Barnes Road, construction costs have now exceeded the funds appropriated. Therefore, a supplemental appropriation will eventually become necessary.

Mr. Mitchell stated for the Committee's information, that the letting for the Towanda-Barnes Road was held on January 18, 2002 in Springfield. The letting covered material and contracts for the Illinois Route 9 to Ft. Jesse Road portion of the project. Mr. Mitchell noted that Rowe Construction Company was the sole and low bidder at \$4,358,248.13. This was 3.77% over Farnsworth and Wylie's estimate of \$4.2 million. He further noted that prior to acceptance, the bid must go through the State's Award Committee.

Mr. Hoselton asked whether the State assumes the 3.77% increase. Mr. Mitchell responded that the State does not make their estimates public. If the bids are over their estimates, that information will not be disclosed. Conversely, however, if a bid is under estimate, then the estimates are disclosed. He stated that this procedure has been in place for a few years.

Mr. Mitchell remarked that, in addition to the Towanda-Barnes Road project, the Veteran's Parkway/Pipeline Road interchange with Interstate 55 appeared on the same letting. The State has not yet decided how to proceed with this project yet. Rowe Construction Company bid \$37 million, Otto Baum bid \$48 million, and the State programmed approximately \$31 million. Consequently, there has recently been heavy discussion regarding how to handle bids that are over the estimates. In the event that there are certain items of concern, the bidders are requested to meet with the Awards Committee in Springfield and explain why certain items are bid as they are, versus what the State thought the estimate for a unit price would be.

Mr. Selzer asked when the Pipeline Road project would begin, once the award is made. Mr. Mitchell responded that the project would begin as soon as the weather breaks. The major completion date is the end of the year 2003, when the road is anticipated to be open to traffic.

Mr. Selzer asked whether Interstate 55 would be changed along with the interchange, or whether the interchange would be the only item altered in this project. Mr. Mitchell responded that one of the lanes is going to be moved. The interchange will be open to all
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legs so that movements in all four (4) areas will be possible. Only half such movement is presently possible.

Mr. Selzer asked whether the State of Illinois or the Federal government could pass legislation to take Motor Fuel Tax Funds from Counties, in order to address some of their budget shortfalls. Mr. Mitchell explained that the Motor Fuel Tax is governed by the State legislature, and could conceivably be applied to a budget shortfall. He further explained that the Federal government is considering the removal of \$9 million from the Federal Highway Program, which would result in a 30% cut in funding for all entities that depend on such funding. However, the Towanda-Barnes Project is a high-priority project and therefore, may not suffer too much reduction in funding, if any.

Mr. Owens asked whether there is a statute that details how much a local entity must contribute to any given project. Mr. Mitchell explained that the agreement which is passed through the County Board prior to a letting is the governing factor. As payments are made, the State will pay 80% of the estimates until the maximum is achieved. At that time, the County will be responsible for 100% of the amount due.

Mr. Mitchell presented the Project Overview for the East Side Corridor Feasibility Study. He noted that there was a recent meeting regarding the possibility of a by-pass on the east side of the community, and that this meeting was the second of three meetings scheduled to discuss the possibility of constructing a by-pass and where it will be located.

In referring to the map enclosed in the Project Overview, Mr. Mitchell noted that there are two (2) main north/south corridors shown, with several alternate connections at the end of the western corridor. He explained that the western corridor option begins at Towanda-Barnes Road in the north and extends southeast about three miles before moving to the east. The middle of the western corridor has Kickapoo Creek running down the middle of it. Between Kickapoo Creek, the Village of Towanda in the north, and the Village of Downs in the south, it would be difficult to place a third alternate in the middle of all of that. That is why there are only an east alternate and a west alternate.

Mr. Mitchell explained that the eastern alternate would tie in east of Towanda in the north and east of Downs in the south, with interchanges in both of those locations. There would also be interchanges at County Highway 14, Illinois Route 9, Fort Jesse Road, Ireland Grove Road and U.S. Route 150.

The western alternative has several different proposed connections, both north and south. The north end has a connection that swings back to the east that would intersect east of Towanda at the same place as the eastern alternative. There is also a run going west that would interchange with I-74 between Towanda and Pipeline Road. That would avoid the

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historic Duncan Manor, which is located just south of Towanda. That interchange would also require some relocation of I-55 to get it away from Route 66 and the railroad.

As the western corridor moves south, there would be interchanges at Towanda-Barnes Road, Fort Jesse Road, Illinois Route 9, Ireland Grove Road, U.S. Route 150 and back to I-74. At the south end of that alternate, the corridor just misses the Village of Downs and ends at Long Lane Road. The interchange that hits near the Colonial Motel would cause several more houses to be removed and would be a much more severe location to access. However, it is still a possibility.

Mr. Mitchell stated that another alternative would be to make both the north and the south connections to Towanda-Barnes Road, and not build in between. That would be a less expensive alternative, but the analysis needs to be made as to whether this alternative would handle the traffic sufficiently.

Mr. Mitchell remarked that the main reason for the corridor study is to allow the County to protect right-of-way. The County would like to avoid approving a subdivision somewhere and later discover that it is a location for a new road. If it is decided to develop a by-pass, Phase I engineering will be need to be started in order to reserve the right-of-way as development comes to it.

Ms. Jennifer Sicks, Transportation Planner, McLean County Regional Planning Commission, announced that the next public meeting is tentatively scheduled for the end of March 2002, but the specific date was not selected yet. Once the date is selected, it will be announced. She noted that approximately 114 people attended the last meeting.

Mr. Owens suggested that the Highway Department Office provide formal notice of the next public meeting to both the Transportation Committee members and the County Board at large. Mr. Mitchell stated that his office would send notice to the full Board when a date is secured.

Mr. Emmett asked whether there have been any lawsuits regarding the process of “taking” land or stopping landowners from developing their land. Mr. Mitchell responded that he is not aware of any court decisions that would disallow the “takings” option for government entities.

Chairman Bass stated that a landowner could be restrained from developing property for a project that may never come to fruition. Mr. Lindberg explained that there is a body of law that addresses how far a public entity can go with their power of condemnation. There have, in fact, been a few U.S. Supreme Court cases in California and Texas that have attempted to limit such governmental power, in favor of the landowner.

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Mr. Mitchell explained that, in this instance, there must be a payment at the time the land is acquired. This is not a situation where there is a “taking” without payment.

Mr. Emmett asked for clarification on his question that, once a by-pass route is selected, landowners must be paid for the portion of their land, reserved for the by-pass prior to any further actions. Mr. Mitchell responded that payment is only required for the landowner in the event that he announces plans to develop or sell the portion of land that the by-pass is on.

Mr. Selzer remarked that, even if the project doesn't materialize, at least the landowners in the area will know that further development is possible, and in fact, considered.

Mr. Hoselton asked whether the State of Illinois would make the final decision on the by-pass issue. Mr. Mitchell explained that the consultant would make a recommendation that will then go to the five (5) local governing bodies for ratification. Those five local governing bodies are: Bloomington, Normal, McLean County, Towanda and Downs. The State of Illinois will also be involved.

Mr. Owens asked what is the feeling of the general public with regard to the by-pass project. Ms. Sicks responded that there is no consensus, as yet, but that information is still being collected. The consultant is receiving all public comments and compiling them for future reference.

Ms. Sicks stated that, although the project is in a very preliminary stage, public opinion that has so far been offered tends toward the more western route, with the access at Towanda-Barnes Road. She noted that robust attendance at the public meetings has been encouraging, as well.

Mr. Owens asked whether an opinion survey would be done. Ms. Sicks responded that, at this stage, a survey is not planned. The focus of the study so far is on feasibility, engineering and environmental questions.

Mr. Owens asked whether the local governing bodies would hold a public hearing before actually beginning the by-pass construction. Mr. Mitchell stated that such action would be up to the local governing bodies themselves. However, once the consultant has returned with a recommendation, that may satisfy the hearing requirement.

Mr. Hoselton commented that maps he has viewed in Springfield, show Towanda-Barnes Road as having connection to Interstate 74 and Interstate 55. Ms. Sicks noted that it is too late to consider upgrading the Bloomington-Normal project into an Interstate-grade by-pass. She noted that there has been a plan proposed for some time to use the Towanda-Barnes access as the basis for an Interstate by-pass, with the same connections

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to I-55 and I-74. At this point, there isn't enough right-of-way to expand to do this. That is why the present by-pass plan utilizes Interstate-grade access points for Towanda-Barnes' north and south points. Those would later become the terminal points for a higher grade freeway-style road located east of Towanda-Barnes Road.

Mr. Selzer asked how long the by-pass project would take to complete. Mr. Mitchell projected that the consultant estimates a span of 20-25 years to complete the project. If the western alternative is selected, action on the Interstate connection could begin as early as ten years from now. Mr. Mitchell noted that there is an inherent advantage to using this alternative because construction can be accomplished in stages, rather than spending large amounts of money. Mr. Mitchell explained that the eastern by-pass alternative would need to complete the project all at once, rather than in stages.

Chairman Bass asked what is the condition of the various projects under the umbrella of the Towanda-Barnes project. Mr. Mitchell commented that there is a large amount of work still needed on the middle portion. Signals have been installed at the Ireland Grove Road intersection. Many areas need more lifts of asphalt and shoulder work. Seeding still needs to be done. The box culvert north of the subdivision is in place and the railroad crossings are constructed. The connections for the rail crossings will be installed as the paving work is done.

Chairman Bass asked how long the roadway was closed while awaiting the box culvert installation. Mr. Mitchell estimated the closure at a span of 6-8 weeks.

There being nothing further to come before the Committee at this time, the meeting was adjourned by Chairman Bass at 8:25 a.m.

Respectfully submitted,

Martha B. Ross
Recording Secretary