

Montana Transportation Commission

**August 28, 2025 Meeting
Commission Room
2701 Prospect Avenue
Helena, Montana**

IN ATTENDANCE

Loren Frazier, Transportation Commission Chair (District 3)
Kody Swartz, Transportation Commissioner (District 1)
Shane Sanders, Transportation Commissioner (District 2)
Noel Sansaver, Transportation Commissioner (District 4)
Scott Aspenlieder, Transportation Commissioner (District 5) Absent
Jess Bousliman, Commission Secretary
Dustin Rouse, Chief Engineer, MDT
Larry Flynn, Deputy Director, MDT
Valerie Balukas, Senior General Counsel, MDT
Doug McBroom, Statewide Planning & Modal Operations Administrator, MDT
Geno Liva, MDT District 2
Jim Wingerter, District Administrator MDT District 3
Dave Gates, Construction Engineer, MDT
Ryan Dahlke, Preconstruction Engineer, MDT
Paul Johnson, Project Analysis Manager, MDT
Aubrey Yerger, MDT
Tyler Moss, MDT
Wade Salyards, MDT
Dan Karlin
Chris Dorrington, Director, MDT (on line)
Shane Mintz, MDT District 4 (on line)
Mike Taylor, MDT District 5 (on line)
Joel Boucher, MDT (on line)
John Schmidt, MDT (on line)
Jeremy Herring (on line)

Please note: Minutes are available for review on the commission's website at https://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.aspx. Alternative accessible formats of this document will be provided upon request. For additional information, please contact transportation secretary Jess Bousliman at (406) 444-6201, jbousliman@mt.gov or visit the commission's website at http://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.aspx. For the hearing impaired, the TTY number is (406) 444-7696 or 1-800-335-7592 or call the Montana Relay at 711. Alternative accessible formats of this document will be provided upon request.

OPENING – Commissioner Loran Frazier

Commissioner Frazier called the meeting to order with the Pledge of Allegiance. Commissioner Sansaver offered the Invocation. Commissioner Frazier asked for introductions.

Commissioner Sansaver asked Director Dorrington to explain Doug McBroom's new position as well as the new reorganizational titles of employees. Director Dorrington said as of August 18, 2025, we implemented our final organizational charts for our larger move. There are four operations areas plus the Director's office – Project Development and Delivery led by Dustin Rouse, Statewide Planning and Modal Operations led by Doug McBroom, General Operations Group led by Sharon Duncan, Statewide Maintenance and Operations led by Jon Swartz. The change there, especially on the asset side is to capitalize on the good work that Paul Johnson has done over the years and further emphasize and centralize the data side, data systems and decision making and information systems. Overall, the bigger focus is on core purpose. Project development and delivery is exactly what they are into doing and are aimed at developing and delivering projects. That is the central focus. Gen Ops kind of speaks for itself and is our HR, IT, financial group.

Doug McBroom said I have all statewide planning operations, transit and behavioral safety, basically every mode other than highway and highway too and some of the grants for transit and safety. Commissioner Sansaver asked if he was taking over for Rob Stapley. Doug McBroom said yes. Commissioner Frazier asked about Environmental. Dustin Rouse said that is under Project Development and Delivery. We brought in Environmental which used to be within Engineering. We believe that Environmental is a key component to delivering projects. A couple of changes in my area – Stan Brelin has always been on the operational side of things and is now helping to set up a group with a focus on operations and bringing Signal Engineers into that group. They will work very closely with our communications center as we develop that out. We're excited about all the changes and standing up a true asset management and a more robust operations center. Commissioner Sansaver thanked Director Dorrington and welcomed Doug McBride, we appreciate having you here.

Approval of Minutes

The minutes for the Commission Meetings of May 27, 2025, June 17, 2025, June 26, 2025 and July 8, 2025 were presented for approval.

Commissioner Sansaver moved to approve the minutes for the Commission Meetings of May, 27, 2025, June 17, 2025, June 26, 2025, and July 8 2025. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 1: Local Construction Projects on State Highway System – Contract Labor City of Billings

Doug McBroom presented the Local Construction Projects on State Highway System, Contract Labor – City of Billings to the Commission. Under MCA 60-2-111 “letting of contracts on state and federal aid highways,” all projects for construction or reconstruction of highways and streets located on highway systems and state highways, including those portions in cities and towns, must be let by the Transportation Commission. This statute exists to ensure the safety of our system, protect transportation investments, and encourage better coordination between state and local infrastructure improvements. MDT staff reaches out to local governments to solicit local projects on state systems to ensure compliance with this statute.

The City of Billings is planning to design and build a transportation improvement project on the state highway system on Grand Avenue near 13th Street West. The project will be funded locally and will utilize contract labor. The project will be designed with input and concurrence from MDT staff to the extent practicable.

When complete, the City of Billings will assume all maintenance responsibilities associated with new project elements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed project.

On behalf of the local government, as required by MCA 60-2-111, staff requests that the Transportation Commission delegate authority to the City of Billings to let and award a contract for the project listed below.

Location Grand Avenue (U-1004), near the 13th Street West intersection, in Billings
Type of Work Cost (estimate) Fiscal Year Type of Labor Ped Crossings

Location	Type of Work	Cost (estimate)	Fiscal Year	Type of Labor
Grand Avenue (U-1004), near the 13 th Street West Intersection in Billings	Ped Crossings	\$100,000	2025	Contract

Staff Recommendation:

Staff recommends that the Commission approve this modification to the state highway system and requests that the Commission delegate its authority to let, award, and administer the contract for this project to the City of Billings pending completion of applicable state and local design review and approval processes.

Commissioner Sanders moved to approve the Local Construction Projects on State Highway System, Contract Labor – City of Billings. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 2: Construction Projects on State Highway System 400 Horses Casino, Polson

Doug McBroom presented the Construction Projects on State Highway System – 400 Horses Casino, Polson to the Commission. Under MCA 60-2-110 “Setting priorities and selecting projects,” the commission shall establish priorities and select and designate segments for construction and reconstruction on the national highway system, the primary highway system, the secondary highway system, the urban highway system, and state highways. This statute exists to ensure the safety of our system, protect transportation investments, and encourage coordination on public and private infrastructure improvement projects that impact MDT routes.

400 Horses Casino – Polson. S&K Gaming, LLC is proposing modifications to US-93 (N-5) in Polson to address traffic generated by their new casino (the 400 Horses Casino). Proposed improvements include the installation of turning lanes (on US-93) at the Irvine Flats Road intersection.

MDT headquarters and Missoula District staff have reviewed and concur with the recommended improvements. S&K Gaming, LLC will provide 100 percent of project funding and will be required to complete MDT’s design review and approval process to ensure that all work complies with MDT design standards.

When complete, MDT will assume all maintenance and operational responsibilities associated with the proposed improvements.

Staff recommendation:

Staff recommends that the Commission approve these modifications to US-93 - pending completion of applicable state and local design review and approval processes.

Commissioner Sansaver asked about the cost of the project. Doug McBride said they don’t give us the total cost associated with the project when developing a project. If we have it available for local projects then we provide that. In this case we don’t have an estimate. Commissioner Sansaver said the only interesting thing I find is when the cost is not included, it could be a bump across the road or an entire system that takes our road off course. Certainly we have people who go out and do the inspection or they are on-scene when the work is being done. I don’t know if this has been our practice over the years that we don’t include the cost but it would be good to know from a Commission standpoint how much we’re going to be effecting that stretch of the highway. I’m looking for an estimate.

Commissioner Frazier said that is a really good question. We have the design review and we have staff that looks at the developer's design and they look at the capacity, safety and operations of our highway first. I used to be one of those many years ago and I assume those duties are the same now. We looked at whether they needed a left-turn lane, a right-turn lane and the cost of those improvements are on the developer usually. Dustin Rouse said we believe a turning lane will be necessary at this location. We have Joel Boucher on line from the Missoula District who can speak to that but I want to assure you that our staff is looking at it and we expect a turning lane will be necessary.

Commissioner Sansaver said the reason I bring it up is because you're asking for Commission approval on these projects. Although we trust you immensely, I live on the other side of the state so I have no idea about this project. So for me to just blindly trust that we're doing this correctly and there is a dollar amount that will not be communicated to the Commission to move forward and give approval. I know you do a famous job and I've always praised you for the work you do at the state, but if someone were to ask me about this project outside of the meeting all I can say is they're putting in a turn lane so just trust me it's not going to affect the traffic flow. Thank you for your response.

Commissioner Swartz moved to approve the Construction Projects on State Highway System – 400 Horses Casino, Polson. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 3: Construction Projects on State Highway System – Contract Labor Custer Avenue, Helena

Doug McBroom presented the Construction Projects on State Highway System, Contract Labor – Custer Avenue, Helena to the Commission. Under MCA 60-2-111 “letting of contracts on state and federal aid highways,” all projects for construction or reconstruction of highways and streets located on highway systems and state highways, including those portions in cities and towns, must be let by the Transportation Commission. This statute exists to ensure the safety of our system, protect transportation investments, and encourage better coordination between state and local infrastructure improvements.

Custer Avenue – Helena. Lewis & Clark County is proposing modifications to Custer Avenue (U-5802) to improve traffic operations and safety near Henderson Street (U-5810). Proposed improvements include the installation of a roundabout at the intersection of Custer Avenue and Henderson Street.

MDT headquarters and District staff have reviewed and concur with the recommended improvements. Lewis & Clark County will provide 100 percent of project funding and will be required to complete MDT's design review and approval process to ensure that all work complies with MDT design standards.

When complete, Lewis & Clark County will assume all maintenance and operational responsibilities associated with the proposed improvements.

Staff recommendation:

Staff recommends that the Commission approve these modifications to Custer Avenue/Henderson Street in Helena and requests that the Commission delegate its authority to let, award, and administer the contract for this project to Lewis & Clark County - pending completion of applicable state (and local) design review and approval processes.

Commissioner Frazier said we have a project to improve Custer Avenue, is the design of this project and the construction going to coordinate with that so we won't be redoing a million dollar roundabout. Ryan Dahlke said I will emphasize, as discussed on the previous agenda item, all these improvements coordinate with the efforts we have with the City of Helena on Custer Avenue. That project is quite a ways in the future especially that end of it. The improvements at Henderson and Custer will be designed to accommodate all the future improvements we have planned or will be planned for Custer. Mr. Carlin, L&C County, said absolutely we at the county do not have a lot of extra dollars to redo work so we are super conscious of the Custer project itself and the traffic models you put together so integration is something we're very concerned about. Commissioner Frazier said I want to make sure we don't do something like what was done in Kalispell where we spent a lot of money building some improvement to just have them torn out and redone a few years later.

Commissioner Sansaver moved to approve the Construction Projects on State Highway System, Contract Labor – Custer Avenue, Helena. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 4: Tentative Construction Plan (TCP) Projects
Candidate Projects for Redistribution
Funding in FFY 2025**

Doug McBroom presented the Tentative Construction Plan (TCP) Projects, Candidate Projects for Redistribution Funding in FFY 2025 to the Commission.

Under MCA 60-2-110 “Setting priorities and selecting projects,” the commission shall establish priorities and select and designate segments for construction and reconstruction on the national highway system, the primary highway system, the secondary highway system, the urban highway system, and state highways. This statute exists to ensure the safety of our system, protect transportation investments, and encourage coordination on infrastructure improvement projects that impact MDT routes.

Last year, during the Tentative Construction Plan (TCP) meetings, the Transportation Commission approved a list of projects that would be eligible to move forward into FFY 2025 – if sufficient Redistribution funds became available at the end of the federal fiscal year. In recent conversations with the Federal Highway Administration (FHWA), it has been determined that this year’s Redistribution amount could be higher than expected. Thus, MDT is requesting Commission approval to add to the list of candidate projects eligible to receive Redistribution funds in FFY 2025.

At this time, MDT is advancing a list of additional candidate projects (shown on Attachment A) for Redistribution funds in FFY 2025. The Redistribution funds usually come out at the end of September so we’ll be able to finalize the amount we get at that time.

Staff recommendation:

Staff recommends that the Commission approve the addition of these projects to the list of candidate projects eligible to receive Redistribution funds in FFY 2025.

Commissioner Sansaver noted that District Five was not on the list. Ryan Dahlke said these are limited to projects that we’re adding to take advantage of some apportionment balances. We have a very robust list of redistribution projects and all five districts are receiving additional funding from redistribution. These are just new ones we’re adding to the list that you approved through the TCP process. The Glendive District received a good amount of redistribution funds.

Commissioner Swartz moved to approve the Tentative Construction Plan (TCP) Projects, Candidate Projects for Redistribution Funding in FFY 2025. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 5: Performance Programming Process (Px3)
2025 Px3 Analysis – Funding Distribution
Recommendations**

Paul Johnson presented the Performance Programming Process (Px3) 2025 Px3 Analysis – Funding Distribution Recommendations to the Commission. We are here to set the table for the Tentative Construction Meetings which will occur in October. In advance of those meetings we need an approval of the funding distribution and some reserves and we need some other funding issues to be discussed. That will set the table for our TCP meetings by setting up the funding framework that is necessary for those meetings. Some of this will be reviewed but there are some important points in here that will come up later about the future reauthorization. I'll cover some of the Infrastructure Investment and Jobs Act (IIJA) information as well which was signed into law in November 2021. This law establishes our federal apportionment levels from 2022-2026. That's important to Montana because 90% of our construction funds come from this federal funding source which will be ending at the end of next year. We have reauthorization discussion happening right now but at this moment in time we have one year left.

Within the IIJA we continued a lot of the FAST Act programs that you're familiar with and we've created a couple of new highway programs. Within IIJA we had a very nice bump in the first year of 2022 of about 20% and then 2% every year after that. That first bump was helpful but core funding did not keep up with inflation in the later four years. With new guidelines we had additional administrative and reporting requirements. One advantage was we had new opportunities to pursue discretionary funding and that was very helpful across the board. We also had opportunities to receive a fair amount of redistribution. We don't know if that will continue.

What was the new effect of IIJA? That was just enough to offset the inflation. So for this bill we held our own. Heading into the TCP meetings our current assumptions are that we'll have a program structure for the future that will be similar to IIJA. With that assumption there will be minimal changes to the MDT program structure. We assume our federal apportionment levels will increase at about 3% annually beyond IIJA which is similar to increases in the past. We anticipate that next year we'll see \$30-\$60 million in extra projects that will need to be identified for potential advancement for redistribution. The extra projects will be for fiscal year 2027 to 2030 as identified by the districts. These will be highlighted in the TCP and will be mostly core program projects.

Beyond IIJA we have some reauthorization discussions – there are some critical issues for the state of Montana. At this time there's been some discussions about the Federal Aid Highway Program formula and what we get out of that. The state of Montana has received a generous portion of the federal funding and any reduction to that share would have very significant consequences. I know we lobby heavily to keep our share and that is very important. Again, we only have one year left with the new

reauthorization and we have to do our best to insure that we receive what we've received historically.

Another critical point is funding flexibility. Each of our federal programs have a great degree of transferability which helps us do the things we want to do with our MDT programs. We don't want to see set-asides that put us in a box where we don't have funding flexibility. Transferability is one of the most important things we have so we can move funds between programs.

Bridges: We've had a great deal of support for bridges and continued funding is critical. In some cases that came through appropriations work and not reauthorization. We'd like that to continue and also to have it grow at a greater rate than inflation.

Our framework is built on the assumption that our federal program will continue similar to the past with a modest increase for inflation over time and that we don't get boxed into any corners or have funding diverted to other categories. That is the building blocks of this assumption. Of course it is up to Washington D.C. to execute this and we have to do our best to lobby in that direction.

Reporting Requirement: We do have some reporting requirements but Montana is up to date on those and we have no major issues. We will do a full performance progress report next year. We don't anticipate any issues. It means we don't have penalties for our funds. Some states see penalties and can't spend their money but Montana doesn't have any of those restrictions.

Budgetary Issues: When we do our analysis we are looking at a 10-year period. We typically see 3% and some as high as 5% and some as low as 2%. We anticipate about 3%. Inflation came in at 2.54% which means inflationary factors for highway construction costs have eased. Across the board we're seeing a similar situation and a good sign we can continue on the path we're on.

Last year the Commission asked that we reserve a little more on our annual exigency program, so we're going to reserve \$2.5 million this next year. This year we haven't spent a penny yet but the year's not over. If we don't spend that money it goes back to the districts in redistribution.

System Performance: TranPlanMT identifies the needs and Px3 is the tool for executing those which governs Interstate, NHS, Primary and Bridges. We access the data from MDT's Bridge and Pavement Management System to determine the current condition of the state's roadways and bridges. We analyze the effects of the various funding scenarios and develop an optimal funding plan designed to meet or exceed performance goals. Now we are presenting this to the Commission for concurrence. We monitor the MDT TCP to make sure future projects are in line with

the funding plan. MDT utilizes the Performance Programming Process (Px3) to develop an optimal funding allocation and investment plan based on strategic highway system performance goals and the continual measurement of progress toward these goals.

Pavement: Our objective has not changed; they've been very consistent over the last couple of years. The primary goal is to maintain or improve pavement condition on the Interstate, NHS, STPP systems. For 2025 our goal for the Interstate system is to maintain a state of good repair at 80 or above, for the NHS our goal is 76 or above, and the Primary system is 75 or above. One important consideration is we don't want to see any ride differences between districts. We do have a federal reporting requirement that has to do with good and poor pavement conditions on the Interstate and non-Interstate and NHS. So pavement is in pretty good shape state-wide. The federal requirements are unlikely to drive our investment decisions. We still utilize ride as our main indicator.

Commissioner Frazier asked about ride index. I ride all over the state so give me an example of "a ride of 80" and I would like an example of what stretch meets this because I find some of our Interstate in good shape but some is pretty rough. Where are the grade 80's? Paul said around the Missoula District on the Interstate, the smooth places are about 83 or 84. It would be smooth and you wouldn't notice anything noticeable. If you run into some rough places on the Interstate you'll be in the 70's. For the most part the rougher segments are in projects. Commissioner Frazier said if I hit my head on the top of my truck what would that be? Paul said that would be "undesirable". I would say it is rare to see too many of the Interstate segments where you would notice some sort of pavement issues. Typically our lowest level system, the Secondary System, you will notice some roughness and maybe some transverse cracks and that would be 70. Smooth and not noticing anything would be 80, little bit of roughness is 70, if you hit your head it is below 70 and you're near undesirable. Commissioner Frazier said I see a lot of room for improvement out there.

Commissioner Sansaver said you're talking about off-system roads being sub-80 to some extent. Why are they sub-80? Paul said it is due to funding. Going back to TranPlanMT, ideologically if you look at what people say and what they want, they want their Interstate System to be in as good a condition as it can be. Historically it's been around 80. Their number one priority is to keep the Interstate in good shape. That is our flagship. Number two is the NHS. We're in kind of a preservation mode for the Interstates but when we get to NHS and Primary, we see a lot more reconstruction, major rehabs, geometric issues and higher needs. So we need to balance preserving what we've got with doing the capital construction work – so it's a balance. If we had unlimited funding, yes. A lot of this comes out of our work with stakeholders and what the public wants. On the NHS, FHWA want us to maintain or improve, period. If we don't, then that causes problems. As part of our Asset

Management Plan we say that we are going to maintain or improve at a minimum the NHS routes and not let them decline. So we're trying to maintain what we've got or improve slightly. If we did not have bridge needs like we do then we could bump those numbers up. That's safe to say. It is a balancing act.

Bridge: This is an important topic. NBI rating system is how we decide the condition of our bridges. It looks at the deck, the superstructure and the substructure and gives them a rating of 0-9. It's a good system and the lowest number gives us the rating for the bridge. If we have a 9 on the deck and a 9 on the superstructure and a 4 on substructure, the bridge is in poor condition. To get a good bridge, you have to get greater than 6 on all the elements. A fair bridge then you have 5 and 6 as the lowest rating. Anything with one element under 5 is considered poor or structurally deficient. We have a reporting system. There is a federal requirement for poor or structurally deficient bridges, no more than 10% of the total bridge deck area can be classified as poor or structurally deficient. We are currently at 4% and that is mostly bridge decks. We have a ten-year state of good repair objectives for NHS: for good bridges we want to move from 17.4% to 25% and we're currently at 20.7%, for poor we want to move down from 7.3% to 3% and we're currently at 4%. We're meeting those standards at this point in time.

On System, non-NHS: Primary, Secondary, Urban and State Highways. We don't have performance requirements for these bridges. MDT gets to set our performance metrics and prioritization strategies. Goal Nol. 1 is 90% or above and reduce the percentage of poor and SD bridges over time. We look at a five-year window for this which corresponds to our TCP.

Off System: We have no state performance requirements for off-system bridges. Our federal funding level is \$10.3/year per IJJA. Our primary responsibility equals federally required bridge inspection duties and the funding helps with that. MDT serves as an informational resource and provides technical assistance to counties. We have minimal MDT funding available for off-system bridges. The duties fall mainly to the locals. Director Dorrington said we aren't going to change our allocation or increase our allocation to off-system bridges; we don't have the dollars to do that as our on-system needs outpace our funding. In the 2025 Session I strongly advocated for an off-system bridge funding package. I was hoping they would refund SB 536 but they didn't so we have a new grant program rolling out under Better Local Bridges Funding Program that has a one-time transfer and then some annual revenue in the \$4 million/year range for local structures. The off-system need is dramatically outpacing what the state is able to finance. It wasn't zero but it was not what we wanted for off system. I went to the podium several times advocating for off-system bridges. We have a billion dollar investment in bridge opportunities. If you look at the increase in funding from what we've had over the past years, it is a dramatic increase. We've loaded up the funding, now we have the projects, now we have to

build the project. Last year we delivered this program and we're on track for this year. There are lot of challenges with the bridge program.

Congestion and Reliability: At the federal level we do have congestion and reliability measures that we report on. On the statewide level we don't have reliability issues. In areas where we have congestion and reliability issues we initiate studies to determine the best course of action and then we initiate the project.

Looking forward at what we're trying to achieve, we're trying to keep our Interstate, NHS, Primary systems at the desired levels and have minimal undesirable pavements. If we look at the available funding and we divvy it up between the districts this is what we see (referring to slide). The actual allocations should be close to this when we get to the TCP, these are the allocations we'd be looking at for 2030. All other funding categories remain the same, we're just adding this year to the program.

We have two big drivers in regards to needs, one is lane miles and the other is wear and tear on the system and how it degrades. Glendive has the most lane miles. Missoula has a lot of lane miles.

Commissioner Frazier asked to see the dollar slide again. It looks pretty similar. Paul Johnson said with the needs, we flip a percentage every couple of years but as we get closer to having the districts at very similar conditions, it is drive by lane miles more than anything else. The degradation varies but lane miles is the major driver.

To end on a good note, our Px3 Process was cited in the PEW Research Center Report earlier this year and we were recognized as having Best Practice with regard to identifying solutions and demonstrating progress.

Each year, the Performance Programming (Px3) Process:

- Accesses data from MDT's Bridge, Pavement and Other Management Systems to determine the current condition of the state's roadways and bridges.
- Analyzes the effects of various funding scenarios on system performance – consistent with established MDT plans and processes.
- Develops an optimal funding plan designed to meet or exceed performance goals for all systems / programs.
- Presents the optimal funding plan to MDT staff and Montana's Transportation Commission for approval.

- Utilizes this optimal funding plan as the budgetary framework for MDT's Tentative Construction Plan (TCP)

At this time, MDT is advancing the 2025 Px3 Process funding distribution recommendations.

MDT is requesting Commission approval for the 2025 Px3 Process funding distribution recommendations - which will be utilized to establish program funding levels for this year's Tentative Construction Plan (TCP).

Staff recommendation:

Staff recommends that the Commission approve the 2025 Px3 Process funding distribution recommendations.

Commissioner Sansaver asked about the supplemental funding for bridges. How helpful is that? Are we talking about the main highway infrastructure bridges or the rural county bridges? How do you see right now where we're going to place what money we get and will it go to the county bridges or the main highway structure bridges? Ryan Dahlke said through IIJA and over the past 10 years it has increased pretty significantly. Primarily that is related to on-system bridges, however, baked into IIJA are certain requirements to be allocated to off-system local structures. So we follow those guidelines. As we've talked about over the last two years, the needs continue to greatly outpace the funding. It is very helpful that we've receive some additional bridge infrastructure funding but it's not enough. I can go down a long path of what MDT is doing to use some of that transferability to allocate more to address aging bridge infrastructure. That's a long conversation and we can have that at the TCP. Primarily it is going to on-system bridges and the big needs we have there, however, some of it goes to the counties.

Commissioner Sansaver said on behalf of Commissioner Aspenlieder and myself you know where we stand with off-system bridges and the needs, I don't know that we'll ever catch up but certainly to keep it in the front of our minds as we move forward with this bridge money. As you know there are a lot of bridges that need to be addressed and we're already putting load limits out there and I protested that. Keep that in the front of our minds that we have a lot of structures out there and District 4 and 5 have a lot of encouraging County Commissioners that are asking when we are going to address things. We've done some great work in District 4 on Hwy 2 but outside of that we need those county bridges taken care of as well. Ryan Dahlke said great point. Beyond IIJA and federal funding it's the work our state Legislature has done. Two sessions ago SB 536 put \$80 million towards that effort. To date, we've addressed 147 off-system bridges with that funding with more to come. In addition, this last Legislative Session HB 924 allocated some money to local bridges and we're working through the Administrative Rulemaking for that. I can assure you that it is

forefront in my mind. In fact Lewis and Clark County has a bridge MDT is participating in through SB 536 to the tune of \$730,000. We've seen some real good wins in local bridge infrastructure and hope that will continue.

Commissioner Sanders asked if we are sensing an increased alarm level right now that this is a building problem or a general concern that this could change. Doug said it is a red flag. It hasn't solidified yet. As they move along with these reauthorization discussions they have historically fallen back to the typical distribution they've used because it is going to be such a horrible process to go through that it prevents them from moving forward. There would have to be a huge momentum to want to change the way business is done. In the environment we see now, maybe that is the type of environment for a group to undertake that. How motivated are folks to extract our short share and redistribute to other areas? The good news is there are lot of other states in the same boat; most of the western states are similar to us. I would say it is a red flag. Nobody supports decreased funding. We've communicated the message already but we need to stay on this. Regarding bridges, that was a yearly appropriation so if we lose that it would be significant. We need to lobby across the board and we need to guard the threat.

Commissioner Sansaver moved to approve the Performance Programming Process (Px3) 2025 Px3 Analysis – Funding Distribution Recommendations. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Elected Official / Public Comment

No public comment was given.

Agenda Item 6: Speed Limit Recommendation MT 78 (P-78) – Absarokee

Dustin Rouse presented the Speed Limit Recommendation, MT 78 (P-78) – Absarokee to the Commission. In September of 2023, Stillwater County requested a speed study be performed on MT 78 with a point of emphasis at/near the intersection with Secondary 419 (S-419). After reviewing the study area, the study was expanded from milepost 25 to milepost 31. The county's main concern is the intersection with S-419 as they highlight serious safety concerns, including high amounts of mining traffic and local agricultural traffic for the area. There were no specific desires for the desired speed limit for this section.

Within this speed study, MT 78 is part of the primary state highway network (P-78) and classified as a minor arterial. Typical sections primarily consist of varying widths

between 3 feet and 4-feet. Shoulders do slightly expand near the intersection with S-419 in conjunction with the increased development for that area and transition to shorter shoulder widths as you leave the S-419 area. At the S-419 intersection, there is a southbound right-turn lane that can obstruct sight distance for vehicles waiting on S-419. There are no transitional zones for the study area. There is adequate sight distance both on and along on the roadway as the alignment is primarily both tangent and flat for the majority of the roadway. There are six curves where sight distance may be restricted, and one 50-mph advisory curve located just beyond milepost 27. Overall, the area is open with minimal sight obstructions. There are no striped passing zones located north of the intersection with S-419, however, there are striped passing zones located south of the intersection. The total amount of striped passing zones for the study length is 47% with total or partial passing restrictions in place along all six curves. It should be noted that the curve located at the Butcher Creek intersection has a partial passing restriction on it. Centerline and shoulder rumble strips are present along the entire study area. Average annual daily traffic volume from 2023 was estimated at about 661 vehicles south of the intersection with S-419 and about 1,898 vehicles north of the intersection. Peak AADT was observed in 2021, but this may be in response to the pandemic of 2020. Over the past 5-years there has been minimal change in the AADT north and south of S-419 with the exceptions of 2020 and 2021. It should be noted that traffic volumes north of the S-419 intersection were on average 38% higher and 46% higher south of the intersection during the summer months. The roadside environment is primarily rural. Near the intersection with S-419 there is increased development with a gas station, vacation cabins, bar and grille, and residences. South of the intersection with S-419 there is a small increase in development near Arena Drive, which includes the Anipro Event Center and Montana Fly Fishing Lodge. The majority of development is found off local roads on either side of the highway. The majority of the area within the study is primarily open agricultural land with East Rosebud Creek running near the roadway at times. Appropriate clear zones are not always present and are mitigated by guardrail or steep fill slopes.

Stillwater County does not agree with MDT's recommendation. Stillwater County agrees with the length of the proposed 55-mph speed zone; however, it would like to see the proposed 55-mph speed zone be 45-mph instead. This would be a 15-mph reduction from the existing 60-mph speed limit. Stillwater County states that a 5-mph reduction would have a negligible effect on increasing the safety level through this section. The average 50th percentile for the proposed area is 54-mph and the 85th percentile is 62-mph, a proposed speed zone of 45-mph would go below the 50th percentile by 9-mph and the 85th percentile by 17-mph. MDT internal research has shown that setting the speed limit of 10-mph or more from the engineering recommendation does increase crash rates and specifically injury crash rates. MDT would like to stress that the data does not support a 45-mph speed zone for this area.

Staff recommendation:

A 55-mph speed limit beginning approximately 1,500-ft south of the intersection with S-419 (straight-line station 245+00) and continuing north for an approximate distance of 3,000-ft, approximately 1,500-ft north of intersection with S-419 (straight-line station 275+00)

Commissioner Sanders moved to approve the Speed Limit Recommendation, MT 78 (P-78) – Absarokee. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 7: Speed Limit Recommendation
MT 83 (P-83) – Seeley Lake/Condon**

Dustin Rouse presented the Speed Limit Recommendation, MT 83 (P-83) – Seeley Lake/Condon to the Commission. In May of 2023, Missoula County working with the Swan Valley Community Council and Seeley Lake Community Council drafted a speed study request for MT 83. The limits suggested by the local councils were from milepost 15.5 to milepost 47.8 (Lake County / Missoula County line). Both community councils expressed a desire to lower the speed limit to 60-mph from the existing 70-mph for the entire study area limits with two 55-mph speed zone exceptions near the Condon post office and through the community of Condon. The two 55-mph speed zones requested are denoted as from MP 41.5 to 42.8, a distance of 1.3 miles and from MP 45.3 to 45.8, a distance of 0.5-miles. They believe that the current 70 mph speed limit is too fast because of the increase in approach density, high truck traffic, high summer traffic, limited visibility, challenging curvature and abundance of wild animals. The limits of this study are from milepost 15 to milepost 47.8 with data collection emphasis put on Condon post office and the community of Condon.

A review of the spot speed samples shows that the prevailing speeds along MT 83 can be characterized into two separate sections. Speeds from the start of the study until milepost 33 are generally lower than the posted 70-mph speed limit, while speeds after milepost 33 are generally higher than the posted 70-mph speed limit. The 85th percentile and upper limits of the pace for the section before MP 33 are for the most part within (+2 to -6)-mph of the 70 mph speed zone. The 85th percentile and upper limits of the pace for the section after MP 33 are for the most part within (+6 to -1)-mph of the 70-mph posted speed limit. The percentage within the pace is consistent throughout the study area at approximately 56.5% of drivers traveling within 10-mph of each other. The highest percentage within pace station occurred at/near milepost 30, while the lowest occurred at the Swan Valley School Zone. Although the prevailing speeds generally indicated appropriately set speed limits, roadway context indicated these speeds are slightly elevated above what should be

considered reasonable and prudent for the first half of the study. The 70-mph speed limit from the start of the study to milepost 33 is seemingly difficult for most vehicles to achieve. Speeds are generally depressed for this section which may in part be due to the significant amounts of curves for this section. There are 8 total advisory curves with two being posted at 45-mph. The roadway alignment generally straightens out after milepost 33 and the speed data changes to more consistently elevated speeds after this point. Several of the advisory curves have crash trends indicating vehicles are having trouble negotiating the curves at a reasonable speed either during adverse or normal roadway conditions. This indicates that driver expectations of a 70-mph speed limit mixed with at most a 25-mph speed differential along an advisory curve versus the posted speed limit, is leading to difficulties along these curves. Considering the shoulder width does not meet current guidance, we recommend utilizing the rounded down 85th percentile for the entire study area. This would result in a 65-mph speed zone beginning near milepost 16 and ending approximately at milepost 33 and a 70-mph speed zone from milepost 33 to the end of the study at the Missoula/Lake County line. The new 65-mph speed zone would better reflect the actual speed data for this section and lower the speed differential at those advisory curves, to a maximum of 20-mph instead of 25-mph, which could help drivers better navigate the curvature in this section. Prevailing speeds for the second half of the study are generally elevated above the posted speed limits; roadway context indicates the use of the rounded down 85th percentile. Utilizing the rounded down 85th percentile yields a recommendation of no-change to the existing speed limit configuration after milepost 33. It should be noted that speeds were taken in closer spacing around the areas of emphasis as stated in the original request.

Speeds data for the area of Condon that is being requested to be changed to 55-mph (MP41.5-42.8), shows an average 85th percentile speed of 73-mph and an average 50th percentile speed of 66-mph. The all crash rate is considered slightly elevated for this section and the suggested percentile to use in conjunction with not meeting shoulder width, is still the rounded down 85th percentile. If context could be found for utilizing the closest 50th percentile, the lowest recommendation we could make would be 65-mph, however, considering our minimum zone lengths of 3 miles and the adjacent speed data for that proposed 3-mile section, the recommendation would still be 70-mph as overall speeds for those proposed 3-miles are higher than the speeds in the 1.8-miles requested.

The second requested area near the Condon Post Office is requested to be changed to 55-mph (MP 45.3-45.8), shows an average 85th percentile speed of 74-mph and an average 50th percentile speed of 68-mph. The all-crash rate is considered elevated for this half-mile section and the suggested percentile to use in conjunction with not meeting shoulder width, is still the rounded down 85th percentile. If context could be found for utilizing the closest 50th percentile, the lowest recommendation would be 70-mph or no change, as the rounded down 85th percentile and closest 50th percentile yield the same result of 70-mph. It should be noted that the injury crash

rate for both sections is not considered elevated. For the two requested zones, we recommend no change from the existing speed limit configuration.

Missoula County agrees with some of MDT's recommendations. Missoula County reached out to both Swan Valley Community Council and Seeley Lake Community Council for official input. Seeley Lake Community Council agrees with MDT's recommendation, while Swan Valley Community Council does not. Swan Valley Community Council stated that they still wish to have the two 55-mph speed zones that were originally requested. Missoula County agrees with the Swan Valley Community Council and would like to see the 55-mph speed zones instated in the locations outlined in the study.

As mentioned in the study itself, MDT does not support a 15-mph reduction for those two proposed speed zones as the speed data shows clearly that speeds are generally at or above the posted 70-mph speed limit. Additionally, only 10-percent of speeding citations were written in the Condon area and only 4-percent for the Condon Post Office area. In contrast, the outskirts of Seeley Lake constituted 39-percent of all speeding citations for the entire study area, over twice the amount of both locations combined. Currently, enforcement heavily favors Seeley Lake, and steps are being taken to work towards more allocation of resources to the Condon area if possible. MDT would like to stress that setting the speed limit 15-mph or more below the engineering recommendation can increase crash rates and injury crash rates. MDT believes that there is no context or data to support a reduction in the posted speed limit for those locations. Missoula County concurs with the transition adjustments near Seeley Lake and also with the proposed 65-mph speed zone.

Staff recommendation:

A 45-mph speed limit beginning approximately 600-ft north of Milepost 15 (straight line station 106+00) and continuing north for an approximate distance of 1,600-ft, approximately 550-ft south of the intersection with Hemlock Drive (straight-line station 122+00)

A 55-mph speed limit beginning approximately 550-ft south of the intersection with Hemlock Drive (straight-line station 122+00) and continuing north for an approximate distance of 2,700-ft, approximately at Milepost 16 (straight-line station 149+00)

A 65-mph speed limit beginning approximately at Milepost 16 (straight-line station 149+00) and continuing north for an approximate distance of 17-miles, approximately at Milepost 33 (straight-line station 1035+00)

A 70-mph speed limit beginning approximately at Milepost 33 (straight-line station 1035+00) and continuing north for an approximate distance of 14.8-miles, approximately 400-ft north of the intersection with Elvis Presley Boulevard or the Lake/Missoula County Line (straight-line station 1801+25)

Commissioner Sansaver asked about the word “interim”. When you meet with these folks and you’ve spent a lot of time with the County Commissioners and Sheriff’s office, are they appreciative of these speed studies or conflicted with them? At every meeting when we go through these speed zones we talk about the speed studies and how reducing the speeds can create more accidents versus not having as many accidents. I imagine that is well spelled out to them, so what is their reply to that? Dustin Rouse said we typically see reductions in the speeds people travel when there is side friction, either an increase in approach density or when they see curb and gutter or see other features in the roadway that make them feel uncomfortable traveling at the speed they’re going. And that is the case here. Through these sections we’re seeing there is not the development or features along the roadway to indicate to drivers to reduce their speed. We are open to working with communities to have that as an option but other elements needs to be a part of any of these speed studies to effectively lower speeds. Enforcement is a critical issue and we brought that up. If areas are enforced then we see those numbers align with the posted speeds and we relay that to the counties. We convey to them the same information we convey to you but there are locals that say, “I just want it lower period.” There is an understanding that just posting a lower speeds does not result in motorists traveling at that lower speed. They are going to travel at what they feel comfortable along that route. Trying to convey that is something we do throughout the state at every opportunity to try and educate the locals. The public believes if you post it at 55 mph, drivers will drive 55 mph but that is not reality. We end up seeing speed differentials because some follow it and some don’t and we believe that creates other types of crash issues.

Commissioner Sansaver asked again about saying it is an “interim” speed study. Isn’t this the final? You’re recommending it be an interim speed limit. Dustin Rouse said this is an actual speed limit not an “interim” speed limit, so I would ask you to take action on that. Commissioner Frazier said to be clear this is an actual speed limit and not an interim speed limit. Dustin Rouse said correct.

Commissioner Swartz moved to approve the Speed Limit Recommendation, MT 83 (P-83) – Seeley Lake/Condon as recommended by staff with the exception of the removal of the word “interim”. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 8: Speed Limit Recommendation

Nye Road (S-419) – Fishtail

Dustin Rouse presented the Speed Limit Recommendation, Nye Road (S-419) – Fishtail to the Commission. In September of 2023, Stillwater County requested a speed study be performed on Nye Road with a point of emphasis at/near the intersection with MT 78 and the community of Fishtail. After reviewing the study area, the study was expanded from milepost 0 to milepost 5. The county's main concern is the intersection with MT 78 as they highlight serious safety concerns, including high amounts of mining traffic and local agricultural traffic for the area. There were no specific desires for the desired speed limit for this section besides expressing that locals are desiring the 70-mph speed limit be reduced near the intersection with MT 78.

A review of the spot speed samples shows that the prevailing speeds along S 419 do not match the set speed limits. The 85th percentile speeds and upper limits of the pace are for the most part within (-10 & +1) of the 70-mph speed limit. It should be noted that speeds are generally lower throughout the study area with the exception being inside of Fishtail. On average across the study area about 57% of drivers are all within 10-mph of each other. Notably in the transitional zone on the east end of Fishtail, this percentage drops to an average of 53%, however, directionally there are two different paces as westbound traffic is at 47% while eastbound is at 60%. This shows that westbound traffic that is transitioning into Fishtail is experiencing a hard time uniformly transitioning into the rural town environment. There are three distinct sections for this study, the section east of Fishtail, at or near the community of Fishtail and the section west of Fishtail. The section east of Fishtail has speeds that are generally near or below the set speed limit. When utilizing the rounded down 85th percentile for this section, yields a recommendation of 65-mph. This would be a 5-mph decrease from the posted 70-mph speed limit. Additionally, this section is relatively short and does not meet our speed zone length requirements by approximately 1.9-miles. This length would be further reduced if the transitions for Fishtail are adopted, being short by approximately 2.5-miles or half the recommended length. The creation of a 65-mph speed zone would also be short of the recommended length for a 65-mph speed zone by approximately 0.5-miles. However, considering vehicle speeds and using engineering judgement, we do not feel a 60-mph speed zone would be reasonable or prudent for this section. Vehicle speeds are on average 68-mph for the 85th percentile and 62-mph for the 50th percentile. A 60-mph speed zone would go below the 50th percentile by 2-mph and the roadway environment does not necessitate the use of the closest 50th percentile. The main concern for the creation of a 60-mph speed zone would be the potential to create a speed differential for this section, which is concerning given the high amounts of truck traffic on this route. Based on the roadway context/environment, vehicles speeds and engineering judgement that considers the unique nature of this section, we are recommending that a 65 mph speed zone be instituted for a length of 2.5-miles. The section in the immediate vicinity of Fishtail has speeds that are generally

elevated beyond the 25-mph speed limit. Due to the nature of the on-street parking and approach density for the community, it was difficult to accurately capture speed data. We were able to get data on the west end of Fishtail, but this was taken near the 35/25-mph transition and at the beginning of the roadway context change. The station yielded an 85th percentile speed of 43-mph and a 50th percentile speed of 37.5-mph. When utilizing the rounded down 50th percentile, it would yield a recommendation of 35-mph for Fishtail. However, since these speeds were taken at the existing transition, they should not be reflective of the actual speeds inside of Fishtail. Considering the rural town context, on-street parking and lack of pedestrian facilities, we recommend keeping the existing 25-mph speed limit for Fishtail. The section west of Fishtail is short and the majority is already addressed by the transitions.

A follow up study is in the planning stages that will begin at the end of this study or milepost 5 and continue to milepost 13. This area has a 70-mph speed limit that does not seem to fit the given curvature and context of the roadway. Additionally, speed data at milepost 5 show that speeds are not reaching 70-mph and further investigation is necessary to determine the appropriate speed limit for that section. As a result, we are recommending no-change for the short half-mile segment that is not addressed by the transitional changes. The transitions entering Fishtail will follow two different configurations. For the east end of Fishtail, we recommend a 25-35 50-65-mph transition configuration. The 25-mph speed zone inside of Fishtail will not be moved, however, the existing 35-mph speed zone length should be increased to 1,600-ft. This would increase the length of the 35-mph transitional speed zone by 950-ft. The 50-mph transition should be approximately a half-mile in length. The total transitional speed zone length will be 4,300-ft or 8/10 of a mile. For the west end of Fishtail, we recommend a 25 40-50-70-mph transition configuration. We recommend replacing the existing directional speed differential (35-mph eastbound and 25-mph westbound). For westbound traffic, the current transition is from 25-mph to 70-mph and is a 45-mph difference in speeds. Further complicating the issue is the 40-mph advisory curve located approximately 1,200-ft upstream from the 70-mph sign. This creates a potential conflict as vehicles will attempt to reach the posted 70-mph speed limit but immediately decelerate before the advisory curve. Creating a 40-mph transition that begins at the existing 25-mph speed zone and extends through the curve will allow more realistic transitioning speeds into Fishtail. Additionally, the 40-mph transition will be at the same speed as the posted advisory speed giving consistency to this section. We recommend the 40-mph transitional speed zone length be approximately 2,350-ft this will allow the transition to fully encompass the 40-mph advisory curve. The 50-mph transition should be approximately 2,800-ft in length, this will allow it to fully encompass the approximate 55-mph advisory curve that is not currently posted at an advisory speed. The total transitional speed zone length would be approximately 5,150-ft or 1-mile.

Stillwater County agrees with MDT's recommendations, and their concurrence is attached.

Staff recommendation:

A 65-mph speed limit beginning at the intersection with MT 78 (straight-line station 00+00) and continuing west for an approximate distance of 2.5-miles, approximately 2,700-ft east of Milepost 3 (straight-line station 130+50)

A 50-mph speed limit beginning approximately 2,700-ft east of milepost 3 (straight line station 130+50) and continuing west for an approximate distance of 2,700-ft, approximately at Milepost 3 (straight-line station 156+50)

A 35-mph speed limit beginning approximately at Milepost 3 (straight-line station 156+50) and continuing west for an approximate distance of 1,600-ft, approximately 500-ft east of East Main Street (straight-line station 172+50)

A 25-mph speed limit beginning approximately 500-ft east of East Main Street (straight-line station 172+50) and continuing west for an approximate distance of 1,600-ft, approximately 525-ft west of Rosebud Isle Road (straight-line station 188+50)

A 40-mph speed limit beginning approximately 525-ft west of Rosebud Isle Road (straight-line station 188+50) and continuing west for an approximate distance of 2,350-ft, approximately 300-ft west of Milepost 4 (straight-line station 212+00)

A 50-mph speed limit beginning approximately 300-ft west of Milepost 4 (straight line station 212+00) and continuing west for an approximate distance of 2,800-ft, approximately 1,300-ft west of West Rosebud Road (straight-line station 240+00)

Commissioner Sanders said as I read through this I was having a tough time discerning whether we actually got speed data where we're recommending the 40 mph and the 50 mph on the west end. There is a transition zone but is there data for that? My concern is the speed differential and whether we have data to support the 40 mph transition zone. Dustin Rouse said the data we have in that area and what's driving our recommendation is the low number of vehicles traveling at the same pace. We currently don't have consistent speeds at 40 mph and we believe by setting this and appropriately stepping traffic down through this area we'll see better conformance to the posted speeds and we'll see more vehicles traveling at the same

pace. Commissioner Sanders said the speed differential is one of the most important things you look at and I understand what you're trying to do but does the actual data support that from our speed study? I know we can't rely on road signs so does the data support these numbers? Dustin Rouse said yes. The data and what we've seen when we appropriately set step down signs support our recommendation. Dustin said when we have a posted 70-mph speed limit going into a community and then all of a sudden drivers have to drop down to 35 mph with no step down, we frequently see a pretty good variation in the way people handle that transition. Some people know that transition is there and they start slowing down before they get there but then you have tourists that aren't aware of that. What we're doing here is in alignment with what we've done at all those locations. We saw a bigger differential coming from the 70-mph side going into Fishtail than we saw on the other side and that's why we set a little different step down pattern. This isn't driven by the speeds they are traveling, this is state-of-the-practice as to how to get vehicles transitioned from a high speed highway environment into a low speed environment and setting them at the appropriate distance to adequately step down. In doing that we tend to see vehicles conforming to lowering their speeds in a similar pattern. Commissioner Sanders said then for the record we do believe that speed limits can actually force compliance? Dustin Rouse said when we set the speeds in a transition like this we believe that when done appropriately and set at appropriate distances, they can help travelers through that transition and speed.

Commissioner Frazier asked if this speed study was done during school time because in the 25 mph speed zone you have 64% of the people going between 36 mph and 46 mph in a 25 mph zone. So two thirds of the people are ignoring the 25 mph speed limit through here. My question is was this taken on or off school. Dustin Rouse said when we collect the speed profiles we like to get an accurate profile in the time of year to capture those things. I'd have to verify exactly when this was done and I'll provide that information.

Commissioner Swartz said we just looked at this on Agenda Item No. 6 and now we're doing it on Agenda Item No. 8 which is 300 miles away. I would suggest that you stay in the same area and look at the two that are related because obviously these two are related and requested at the same time by the same people because that intersection is dangerous as well. Moving forward brief us on that intersection and why we're doing two speed studies back-to-back and then go into those speed studies. That would be helpful. Dustin Rouse said I'm not sure why we did that so we'll align these in the future.

Commissioner Sanders said I'm not sure the data really supports what we're recommending here. I feel like we're going contrary to what we say we want to do. Commissioner Frazier said the data does not support a 25-mph speed zone but there is a statutory requirement for schools. I was also going to ask about the 40 mph speed zone. Ryan Dahlke said baked into the study there is a table on travel speed

characteristics that specifically details stations 10, 11 and 12 and the contextual characteristics talk about the advisory speed for the curve and all that was considered in studying that 40 mph and 50 mph transition on the west side. The summary on the blue sheet may not make it abundantly clear but the data in the table and travel speed characteristics do. There were stations where travel speeds were gathered and it lines out what the pace is and the 50th and 85th percentiles. That in conjunction with the context, particularly with the curve, is what was used to set that recommended speed limit. If you look back at the map a picture is worth a thousand words, the colored aerial has stations 10, 11, 12 and that is where the transition is and supports the transition. I know you are super familiar with this area. Commissioner Sanders and Commissioner Frazier said that helps tremendously. Commissioner Sanders said I withdraw my previous statement.

Commissioner Swartz moved to approve the Speed Limit Recommendation, Nye Road (S-419) – Fishtail. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 9: Speed Limit Recommendation West Broadway Street (N-131) – Missoula

Dustin Rouse presented the Speed Limit Recommendation, West Broadway Street (N-131) – Missoula to the Commission. In January of 2023, the City of Missoula supplied a public works memorandum detailing speed spot data they collected for West Broadway and for MDT to further evaluate the corridor through its own speed study process with the intent on lowering the 35-mph speed limit for a section of the corridor. The City of Missoula placed on emphasis on the section between North Russell Street and where the 25-mph speed limit begins, just west of the Bitterroot Branch railroad crossing. MDT upon reviewing the study area, decided to expand the study limits from the Reserve off ramps to the Bitterroot Branch railroad crossing. The City of Missoula believes the 35-mph speed limit gives false confidence to drivers that those speeds are achievable and that there is a significant interplay between congestion, access point conflicts, and pedestrian/cyclist safety with a significant emphasis on the pedestrian generators of this corridor.

A review of the spot speed samples shows that the prevailing speeds along West Broadway match with the set speed limits. The 85th percentile speeds and upper limits of the pace are for the most part within ± 4 -mph of the 35-mph and 45-mph posted speed limits. Within the 35-mph speed zone about 77 percent of drivers are all within 10-mph of each other. Within the 45-mph speed zone about 69 percent of drivers are within the pace. Although the prevailing speeds indicate appropriately set speed limits roadway context indicates these speeds are slightly elevated above what should be considered reasonable and prudent for the majority of the study area. For

the two-lane segment: the significant crash rates, vulnerable road users and high access point density necessitates the use of the closest 50th percentile. This would result in a recommendation of 30-mph, a 5-mph reduction from the posted 35 mph. This segment would begin at the existing 25/35-mph transition and extend until the intersection with Russell Street. For the small segment of 5-lane facility and the entire four lane facility segment, we recommend also utilizing the closest 50th percentile. The crash rates for these sections were also elevated and are elevated across the entire corridor. The 35-mph speed zone from the intersection of Russell Street to the existing 35/45-mph transition point, a distance of 0.6-miles, is recommended to stay at 35-mph. The 50th percentile for this segment is 34.5-mph and utilizing the closest 50th percentile yields the same speed limit. Speeds generally are noted to increase upon the expansion to a five-lane and four-lane facility, where the AADT per lane is less than on the two-lane segment. From the existing 35/45-mph speed limit until the end of the study at the Reserve off ramps, we recommend a 40-mph speed limit which is a 5-mph reduction from the existing speed limit. The elevated crash rates, pedestrian activity and access point density show that a lower speed is necessary for this segment.

The City of Missoula agrees with the majority of MDT's recommendation. The City of Missoula would like to see the proposed 30-mph speed zone extended from North Russell Street to Mullan Road. This extension would encompass the entire five lane segment that is currently proposed at 35-mph. The average 50th percentile for this section is 33-mph and the average 85th percentile being 36.5-mph. The data shows that the speeds generally start transitioning as they progress through the five-lane segment, and speeds are slightly more elevated in the five-lane segment compared to the 2-lane segment which has the proposed 30-mph. Although the closest 50th percentile is close to 30-mph, MDT believe that a 35-mph speed zone is more prudent and reasonable for this location.

Staff recommendation:

A 40-mph speed limit beginning at the Reserve Southbound off ramp (straight-line station 80+00) and continuing east for an approximate distance of 1.21 miles, approximately 450 feet east of the intersection with Turner Street (straight-line station 123+80)

A 35-mph speed limit beginning approximately 450-feet east of the intersection with Turner Street (straight-line station 123+80) and continuing east for an approximate distance of 0.60 miles, approximately at the intersection with Russell Street (straight line station 174+75)

A 30-mph speed limit beginning approximately at the intersection with Russell Street (straight-line station 174+75) and continuing east for an

approximate distance of 0.69 miles, approximately at the Bitterroot Branch Railroad Crossing (straight-line station 211+50)

Commissioner Swartz said as we discussed in reviewing the city's recommendations particularly the email from the Missoula City Transportation Engineer, I am of the opinion that the 30 mph to Mullen might be worth looking at just because of the congestion. Driving that stretch of road every day, you're never going 35 mph there and you're always backed up to Mullen. So preparing people for that might be a good option to amend that. Ryan's justification says we should be using the lower of the two because when you're heading east on Broadway you are starting to transition into five lanes so they are going to be traveling faster west, so I think 30 mph might be justified in that area. Dustin Rouse said when you look at the 50th percentile, they are driving 33 mph, and looking at the context of the area and considering that we do certainly consider that and you are in a transition from a congested area for a fairly short segment and then back into another congested area. Commissioner Swartz said the ADT is quite a bit more between Mullen and Russell than it is out west of Mullen. There are tons of people turning left on Mullen because that is where all the new development is so there's quite a bit more traffic. Right now most people are coming down Mullen heading downtown.

Ryan Dahlke said if the Commission takes action to extend the 30 mph limit to Mullen, I would ask the Commission to give MDT some measure of latitude. If that 30-mph zone goes to Mullen Road, that leaves a very short segment of 35 mph as recommended by Dustin. The latitude I request of the Commission is for our folks to take a look at the length of that segment to make sure it meets our minimum standard. Commissioner Swartz said we want that transition to be standardized for an urban area. Ryan Dahlke said it might even make sense to push the 35 mph to Palmer Road which is another spot where a bunch of traffic turns off of Broadway. Dustin Rouse said when you make the motion you can allow MDT to set the appropriate transition.

Commissioner Sansaver said between 30-35 mph in an area like that, most people are going to be traveling 33-35 mph. It balances out so for the extent of the study, I would think what you've laid out is an appropriate measure for the safety of the highway through there. How many people even recognize the difference they're traveling? In an area that gets congested is it going to make any difference? I don't see the Commission's place there other than what the Commissioner from that district and people are telling you. I think this is a good recommendation as it is.

Commissioner Frazier said in the last few years I've travelled through Missoula occasionally and I must hit it at congestion time every time because I haven't been able to drive anything but the posted speeds through that area because of traffic. That is probably during peak hours. Dustin said at certain times of the day there is

congestion but the rest of day people are driving that route and 35 mph is probably very appropriate. That also feeds into our recommendation. It's a balance we weigh.

Commissioner Frazier said the city's recommendation to extend it to Mullen Road makes sense to me. That does leave a short 35-mph zone, so in our motion if we leave room for the appropriate step down would that allow us to adjust that 35-mph zone or would it be simpler to run the 30 mph to Palmer and then step it up to 40 mph? Dustin said that has already been discussed and I would ask you allow us the latitude to appropriately step the transition.

Commissioner Swartz moved to approve the Speed Limit Recommendation, West Broadway Street (N-131) – Missoula with the modification to extend the 30-mph zone to Mullan Road and allow staff to make the appropriate step downs with that change. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 10: Speed Limit Recommendation West Broadway Street (N-132) – Missoula

Dustin Rouse presented the Speed Limit Recommendation, West Broadway Street (N-132) – Missoula to the Commission. In January of 2023, the City of Missoula supplied a public works memorandum detailing speed spot data they collected for West Broadway and for MDT to further evaluate the corridor through its own speed study process with the intent on lowering the 35-mph speed limit for a section of the corridor. In discussions with the City of Missoula and District Traffic Engineer, a second study was added in conjunction with the original request to cover the section from where the previous West Broadway study ended at the Reserve Street off ramps to Whippoorwill Drive. The City of Missoula highlighted the new signal installed at Mary Jane Boulevard, the existing 45/55-mph transition occurs between Flynn and Mary Jane Boulevard, the city working on installing sidewalks up to this intersection and discussions with MDT in turning the existing shoulders into bike lanes. The city desires the existing 45/55-mph transition be moved just west of the new signal at Mary Jane Boulevard.

A review of the spot speed samples shows that the prevailing speeds along West Broadway match with the set speed limits. The 85th percentile speeds and upper limits of the pace are for the most part within ± 6 -mph of the 55-mph and ± 10 -mph of the 45-mph posted speed limits. It should be noted that speeds are generally elevated throughout the entire study area with westbound traffic generally exceeding eastbound traffic in vehicle speeds. Within the 55-mph speed zone about 72 percent of drivers are all within 10-mph of each other. Within the 45-mph speed zone about 63 percent of drivers are within the pace. Although the prevailing speeds indicate appropriately set speed limits roadway context indicates these speeds are slightly

elevated above what should be considered reasonable and prudent for the majority of the study area. We recommend utilizing the closest 50th percentile for the entire study area, mainly in response to the cyclists and pedestrian users for this area and the rapidly changing roadway context from incoming development. This area only a few years ago was rural, however, in recent years it's becoming commercialized and suburbanized and utilizing the closest 50th percentile is a recognition of the changing context. Since speeds are currently elevated for the study area, the 50th percentile speeds generally yield the same results as the existing speed limits. However, the speeds west of Mary Jane and just east of the existing 45/55-mph show that drivers are meeting somewhere in between these two speed zones for roughly a half mile in length. Speeds in the 45-mph part of this area are elevated beyond the 45-mph speed limit and speeds in the 55-mph part of this area are lower than what they eventually reach further into the study area as the area becomes more rural in nature. This change in speeds reflects the changing roadside environment as it occurs where most of the development is also occurring. We recommend the creation of a 50-mph speed zone, approximately a half mile in length, to accommodate this change and further help transition users as they approach or leave the more developed parts of inner

Missoula. The City of Missoula agrees with the majority of MDT's recommendation. The City of Missoula would like to see the proposed 40-mph speed zone extended from the Reserve Overpass to just past Peggy Lane. MDT is not opposed to this extension and would be below the 500-ft threshold for commission action. The City of Missoula stated they would be in concurrence if this move could be done.

Staff recommendation:

A 50-mph speed limit beginning approximately 1,100-feet west of the intersection with Mary Jane Boulevard (straight-line station 25+00) and continuing east for an approximate distance of 0.53 miles, approximately 150-feet east of the intersection with Flynn Lane (straight-line station 53+00)

A 45-mph speed limit beginning approximately 150-feet east of the intersection with Flynn Lane (straight-line station 53+00) and continuing west for an approximate distance of 0.5 miles, approximately at the Reserve Overpass (straight-line station 80+00)

Ryan Dahlke said in looking at the map, there is a 45 mph speed limit sign right at the overpass, the lower corner there is a tiny spur street that is Peggy Lane. There is a 140-unit apartment complex that's right next to a hotel that is not shown on the map. The hotel has been built and just northwest of that hotel is the 140-unit apartment complex. Dustin said to incorporate the city's request we would ask for the flexibility to set that sign as the city requested. Commissioner Swartz said for full disclosure I was the Design Engineer for the 140-unit apartment complex.

Commissioner Sanders asked where Peggy Lane was on the larger map. Ryan Dahlke said it's on the little map, the blown up section. Commissioner Frazier said I had to have someone point it out to me. It would be nice if that had been included on the larger map. Dustin Rouse said that is noted. Commissioner Frazier said these printouts were hard to read.

Commissioner Sansaver moved to approve the Speed Limit Recommendation, West Broadway Street (N-132) – Missoula with the modification to extend the 40-mph zone to Peggy Lane and allow staff to make the appropriate step downs with that change. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 11: Speed Limit Recommendation King Avenue West (S-532) – Billings

Dustin Rouse presented the Speed Limit Recommendation, King Avenue West (S-532) – Billings to the Commission. Discussions regarding the speed limits on King Avenue West between 44th Street West and 72nd Street West began in July of 2024 at the district level. After some discussions with investigations and collection of limited speed spot data, Yellowstone County and MDT came to a consensus on an interim speed limit for the section listed. MDT and Yellowstone County agree that an interim 55-mph speed limit be instituted between for the limits given. This would be a reduction of 5-mph from the existing 60-mph speed limit. Yellowstone County highlighted that several safety improvement projects are currently in the works for this roadway that will significantly change the context of the roadway and MDT agrees. There are several improvement projects slated for this section of roadway, including planned roundabouts at 48th Street West and 64th Street West. In addition, a recent roundabout was installed at the intersection with 56th Street West. Yellowstone County also highlighted that this area is currently developing and is expected to continue to develop in the future. Yellowstone County believes that a 55-mph is prudent for this location considering the incoming roadway context changes and would like to see it reevaluated once the safety improvements have been completed. MDT concurs and once the improvements are completed, we are going to take a comprehensive look at the area and expand the limits if necessary. The interim 55-mph speed limit would extend from the existing 45/60-mph transition approximately 300-ft west of 48th Street West to approximately 300-ft west of 72nd Street West, an approximate total distance of 3-miles.

Speed spot data was collected at two locations for the interim area in April of 2025. The first was collected between 48th Street West and 56th Street West and the second between 56th Street West and 64th Street West. Speeds at both locations matched each other within 2-mph for either the 85th or 50th percentile, showing a

high degree of uniformity for the study area. The average 85th percentile was 59-mph and the average 50th percentile was 54-mph. If utilizing the rounded down 85th percentile, which is warranted considering the roadway doesn't meet shoulder width guidance, it would yield a recommendation of a 55-mph speed limit. A preliminary investigation into crashes yields 23 crashes occurred in the study area over the last three years with 19 of the 23 crashes being intersection related at the intersections with 72nd Street West, 64th Street West and 56th Street West. There were 8 injury crashes out of the 23 crashes, with injury crashes comprising 35% of the total crashes. All injury crashes occurred at the intersections of 64th Street and 56th Street, with both receiving improvements currently or in the future. When looking at the whole corridor, the crash rates are not considered elevated, and the injury crashes are being addressed with improvements. Roadway context does not support using the closest 50th percentile, however, in this case the rounded down 85th percentile and the closet 50th percentile yields the same result of a recommendation of 55-mph.

Staff recommendation:

An interim 55-mph speed limit beginning approximately 300-feet west of the intersection with 48th Street West and continuing west to a point approximately 300 feet west of the intersection with 72nd Street West an approximate distance of 3-miles.

Commissioner Sanders said I didn't see an end date on this. Would it be prudent to set an end date? Dustin Rouse said typically when we set an interim speed study we bring it back to you a year later and have a discussion on what we're seeing in the area. In this case we have two additional roundabouts that are in the works to be constructed. My request would be to allow the interim to stay in place until those are installed and then we will commit to go back out and do a more comprehensive study once those are installed. Commissioner Frazier said I would put the end date to match the reconstruction. Commissioner Sanders said my concern is we need a date so it doesn't end up being 10 years down the road.

Commissioner Sansaver said I had the same question but I feel it was outlined very well by Dustin that we have a number of projects in that area and it would be very hard to place an end date other than maybe five years. What is the length of the project? How long will it take to be built? You can't do a speed study until you have all the project done so you can digest the amount of traffic flow, etc. I don't know how they could possibly put an end date if you don't have the project bid yet. Commissioner Sanders asked if it could be event based. Dustin Rouse said if it's acceptable we could say the interim will be in place until the construction of the 48th Street and 64th Street roundabouts and once they are completed we will bring it back to the Commission.

Commissioner Sansaver moved to approve the Speed Limit Recommendation, King Avenue West (S-532) – Billings, with the addition of an end date for the interim to be after the conclusion of the 48th Street and 64th Street roundabout projects. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 12: Speed Limit Recommendation
Orchard Elementary School Zone (U-1024)
State Avenue – Billings**

Dustin Rouse presented the Speed Limit Recommendation, Orchard Elementary School Zone (U-1024) State Avenue – Billings to the Commission. In December of 2024, discussions between the District and Investigations began to determine a school speed zone for State Avenue. It was determined that a school speed zone for State Avenue (U-1024) between Hallowell Lane and Washington Avenue would be feasible. A memorandum supplied by the City of Billings detailing the proposed school speed zone was given and is attached to this agenda item. The desired speed for the proposed school speed zone is for a flashing 25-mph to be operated during school hours and the existing 35-mph speed zone to be in operation outside of school hours.

Currently there is no school speed zone on State Avenue for Orchard Elementary School. There currently are three signalized intersections for the proposed school zone area, the intersection at Hallowell Lane, Jackson Street and Washington Street. School aged pedestrian users are cited to frequent the signalized pedestrian crossings at Washington Street and Jackson Street. This proposed school zone covers both of the school crossings. The current existing speed limit on State Avenue is 35-mph and the speed data collected had 85th percentile speeds at or near 35-mph showing good compliance with the existing speed limit. However, considering the context of school aged pedestrians crossing/near the roadway, this speed limit should be supplemented with a school zone to further transition drivers down when school aged pedestrians will be frequenting the roadway. Typical sections include 12-foot travel lanes (one in each direction) and 3.5-foot-wide shoulders. AADT values were recorded at 7,500-vehicles in 2022. Peak AADT was observed in 2020 at 9,150 vehicles. The adjacent roadside environment resembles a suburban environment with a few commercial areas. There is curb and gutter present for the majority of the study area with no buffer between the roadway and sidewalk.

To conform to Section 61-1-101, MCA, for the definition of a school zone and Section 61-8-310, MCA, defining a special speed zone for a school, MDT recommends instituting a school zone for Orchard Elementary School on State Avenue. The western limit of the school zone is recommended to be located just east

of Hallowell Lane and continue for approximately a half mile until just east of Washington Street. At speeds less than 45 mph it is advisable to set the school zone speed limit 10 mph below the posted speed limit. The flashers should operate approximately an hour before and after school starts and ends, which translates from 7:00 am to 4:00 pm. Therefore, MDT recommends having these hours of operation for the school zone on State Avenue.

City of Billings agrees with MDT's recommendations, and their concurrence is in the memorandum.

Commissioner Sansaver said that is all well and good but the problem I have is the school hours. There is a lot after school activity that takes place, so if you restrict it to the school hours what happens to the activities that go on until 5 pm in the evening. Now you've increased the speed limit after school hours and I see a liability issue there. Dustin Rouse said the proposed hours for the school are consistent with how we set school zones throughout the state. In this case we are not aligning it exactly with the school hours, we're beginning an hour before and extending it for an hour after to allow arrival and departure of kids. For consistency sake and the typical high volume we see in the usage of the area, typically that is 7 am to 4 pm. It works in most areas and that time period is consistent with all the other locations in the state.

Commissioner Sansaver asked who carries the liability after 4 pm in a school zone if we have it posted from 7 am to 4 pm and the school has a recreation period after that until 5 or 5:30 which a lot of the schools are doing. Now we've got a lawsuit with a student getting hurt in that area after school hours. Valerie Balukas, MDT Legal, said it depends on the foreseeability aspect of whether or not the state was negligent in setting the speed limit. The consistency with a statewide approach to setting the time for school zones is a factor that would be considered and lead towards a reasonable decision without some evidence that in this specific location there were specific reasons to create an exception to what is being done in school zones consistently across the state. I would not recommend doing it differently in different locations unless there were something to support a change in hours. In general, if someone is operating within the speed limits, the driver is still going to bear the responsibility for not hitting a pedestrian. If there were some contributing factors to shift that liability to the state that the speed limit was a negligent abdication of duties, or there was a foreseeable reason why a child would get hit if the speed limit has gone back up to 35 mph at 5:15 pm.

Commissioner Frazier said this is something to be looked at legislatively. I would be nervous about setting hours differently than in any other town. Commissioner Sansaver said having been involved in an accident of this nature, it goes back to a lawsuit and attorneys pointing to the fact that it's a school zone and a judge thinking that makes sense. My question would be, when did we last look at this with the Legislature or our staff here? If you have somebody who lives across the street from

the school and their child is crossing the street to go to the park or play kickball, you're not going to win the battle. Maybe it is something we need to send to the Legislature that maybe the hours need to be from 7 am to 6 pm. I think it needs to be looked at. Valerie Balukas said the hours have been consistent since I started in 2019, so I don't think they've been looked at in the last six years. Commissioner Frazier said those hours were there 25 years ago. Valerie said we can certainly help analyze this question as to whether it should be something to look at and recommend as a legislative action. Commissioner Swartz said I would caution that we should probably look into it overall with the Legislature. As someone with small children who go to after school programs, every school now has after school programs until at least 5 pm. I think we should look at pushing that out. I understand we can't have it all the time and when there is extra-curricular activities at 6:30-7 pm kids would usually be with their parents at that time. But there are young high school kids watching my kids from 3:30 until 5:30 pm and we can't put that burden on them to make sure everything is good.

Dustin Rouse said that is a great question. I have my kids in multiple activities and it is not an 8 am to 3:30 situation; they are there all hours. This is consistent with what we've done in every other location in the state. I definitely want to maintain that consistency and our legal counsel recommends that as well. I commit to taking a look at this and see what other states are doing and do some research to make sure what we're doing is appropriate. Commissioner Sansaver said I just don't want to see the state get in a battle with any lawsuits because we increase the speed after 4 pm. I would like Dustin and Val to take a look into that and see if there is something we can do legislatively. Valerie said we can commit to that and to research other states to see if Montana is in line with what neighboring states are doing.

Staff recommendation:

A 25/35-mph school zone speed limit beginning 100-feet east of the intersection with Hallowell Lane and continuing east to a point 100-feet east from the intersection with Washington Street, an approximate distance of 2,750-feet.

Commissioner Swartz moved to approve the Speed Limit Recommendation, Orchard Elementary School Zone (U-1024) State Avenue – Billings. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 13: Proposed 2026 Letting Schedule

Dave Gates introduced Wade Salyards to the Commission. He serves as our Engineering Construction Contracting Supervisor. Wade and his staff are responsible

for executing the advertising, letting, and award process. The 2026 Letting Schedule is included in your packet.

Staff coordinated with the Montana Contractor's Association and have made all attempts to optimize the schedule for avoiding timing conflicts. With that, all proposed letting dates marked by MCA were satisfied including the weeks of January 9th, February 9th, March 23, August 10th and September 28th. We have a total of 16 lettings in 2026 versus what we had planned in 2025 which was 17. Dave Gates explained schedule adjustments.

Commissioner Frazier asked if the schedule was acceptable to the contractors. Dave Gates said yes. Commissioner Sansaver asked about the October Letting award date. Dave Gates said the award date for the October 22nd letting was moved to Wednesday 11/4 following Election Day since our normal award day is Tuesday.

Staff recommendations

MDT ECCS recommends adopting the attached schedule.

Commissioner Sansaver moved to approve the Proposed Letting Schedule 2026. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 14: Certificates of Completion May & June 2025

Dave Gates presented the Certificates of Completion for May & June 2025 to the Commission. Certificates of Completion serve as documentation of final acceptance by the Department, confirming the contract was completed in full compliance with the plans, specifications, and special provisions, as authorized by the Transportation Commission.

After a Certificate of Completion is accepted by the Transportation Commission, the Department will notify the Contractor and its Escrow Agent that the bid documents may be released.

Month	Total Contracts	Awarded Amount	Final Amount	Growth	Tied Contracts
May 2025	11	\$52,940,694.73	\$52,131,172.60	-0.037%	0
June 2025	6	\$42,328,928.69	\$42,328,607.49	-0.08%	2

Staff recommendation:

Staff recommends the Commission approve Certificates of Completion for May & June 2025.

Commissioner Swartz commended the staff, the contractors, and the design consultants on hitting the budget. Nice work.

Commissioner Swartz moved to approve the Certificates of Completion, May & June 2025. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 15: Bid Tabulation Policy
MDT POL 9-01-017**

Dave Gates presented the Bid Tabulation Policy MDT POL 9-01-017 to the Commission. As part of an FHWA Stewardship and Oversight request in June 2025, MDT was tasked with verifying compliance with 23 CFR 635.113(b), 635.113(b)(1), and 635.113(b)(2).

23 CFR 635.113(b) requires that the State DOT prepare and forward tabulations of bids to the (FHWA) Division Administrator and the tabulations shall be certified by a responsible State DOT official.

It was determined that MDT did not have a policy in place that ensured certification of the bid tabulations by a responsible State DOT official. Included in your packet is the draft bid tab policy.

The Bid Tabulation Policy, MDT POL 9-01-017 has been drafted for Transportation Commission consideration. The policy ensures that MDT meets the requirements of 23 CFR 635.113(b), 635.113(b)(1), and 635.113(b)(2).

Touching on some highlights – the procedure for this policy consists of the Construction Engineer, which will be modified to the new title Statewide Project Delivery Engineer. The designee will prepare and email bid tabulations to the FHWA Division Administrator. The bid tabulation shall show at a minimum bid item details for at least the three low acceptable bids and the total amount of all other acceptable bids. Bid comparison sheets may also be forwarded to the FHWA District Administrator. The transmittal of the bid tabs will simply state “I certify that the attached bid tabulation is correct and accurate to the best of my knowledge.” It will include the Statewide Project Delivery Engineer or designee signature and date. This is not intended to alter or reduce the confidentiality of the bid tabulation documentation process. The Statewide Project Delivery Engineer will protect such confidentiality.

Staff recommendations

Staff recommend the Commission approve MDT POL 9-01-017.

Commissioner Sanders asked if they had the correct terminology in their packet. If we approve this will it have to be amended? Valerie Balukas said similar to when you make a motion on the speed studies you modified, if the motion reflects the new title then you can correct that and send it to Commissioner Frazier for his signature.

Commissioner Sansaver asked if a policy change requires a Resolution for that policy to be changed. From my experience with national boards every time we change a policy it requires a Resolution by said entity to change that policy rather than an administrative policy change. Val said this is a new policy and this process has always existed, we just haven't had a Commission Policy that memorializes it as a department policy. Commissioner Sansaver asked how we memorialize it without a Resolution. Val said this action is the Resolution because the actual policy isn't in front of the Board and the Chair will sign it if the motion is passed.

Commissioner Frazier said section 4.1.1.1 says "show at a minimum bid item details for at least the three low acceptable bids." What if we only have two? In some cases we only have one and we recommend award. Where are you going to come up with others? It said the low three. Dave Gates said I would suggest in the scenario of one or two bidders, the correspondence of the Statewide Project Delivery Engineer communicates with the division office to inform them that this project only had one or two bidders. Commissioner Frazier said then you have an exception to the policy? This policy says you have to show at least three. Commissioner Sansaver said shouldn't it just read "responsive and responsible bidders" that way it doesn't limit you to one, two or three and it could be just one responsive/responsible bidder.

Val said this language was taken out of the CFR and I'd have to go back and look at the language to contemplate the question asked. I was reading this that if there were more than three then at a minimum the full bid tab for three were required, not that we're required to submit three. Commissioner Frazier said that is how this reads – at least three. Val said we can table this for today and bring it to the next meeting.

Commissioner Swartz said it should say, "at least three low bids unless less are provided" but it needs to be in compliance with the CFR. Val said I parroted CFR language but different eyes see different things.

Commissioner Sanders moved to Table the Bid Tabulation Policy, MDT POL 9-01-017 until the next meeting. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

Tabled.

Agenda Item 16: Kagy Boulevard, Bozeman – Removal of Limited Access Control Designation

Dustin Rouse presented the Kagy Boulevard, Bozeman – Removal of Limited Access Control Designation to the Commission. The City of Bozeman has asked MDT to remove the Limited Access Control designation on Kagy Boulevard. MDT implemented Limited Access Control on a 1.13 mile portion of Kagy Boulevard (U-1212) in Bozeman with project MT 10-1(25)3 (CN 0237-005) in 1989. We can all agree that the area around Kagy Boulevard has significantly changed since 1989 when this was initially instituted. MDT has since entered into a city-wide Maintenance Agreement with the city of Bozeman. Maintenance and permitting jurisdiction on Kagy Boulevard is now the city of Bozeman's responsibility based on that agreement. Since MDT is no longer responsible for maintenance and permitting on this section of highway, this section of Kagy Boulevard no longer needs to be designated as a Limited Access Control facility. It is MDT's Access Management Unit's opinion that the Limited Access Control designation for this section of Kagy Boulevard should be vacated.

Some history: we've brought this at a previous Commission meeting and the reason we didn't bring it forward was because a Resolution was adopted and we believed a second Resolution was needed to be approved by the Commission and signed by the Chair to remove that Limited Access Control. That was the delay in bringing this to you. We now have that the Resolution prepared and you have a copy in front of you. It also alludes to the fact that much has changed in the area and considering this Limited Access Control was initiated in 1989, we believe the Access Control served its purpose for that project and we're now about to move forward with a reconstruction of that area and segment of road. We believe that Limited Access Control was appropriate at the time and believe the project itself has served its useful life and we recommend removing it.

EXHIBITS – The following exhibits are attached for Commission information and review:

Exhibit A: A map of the area showing the portion of Kagy Boulevard that is currently an Access Controlled facility.

Exhibit B: A proposed resolution in draft form for the Commission's consideration.

MDT staff is agreeable to the proposed removal of the Limited Access Control designation on Kagy Boulevard. Since the Transportation Commission designated this section of Kagy Boulevard a Limited Access Highway, it is necessary for the Transportation Commission to remove the designation.

Staff recommendations

MDT staff recommends that the Transportation Commission remove the Limited Access Control designation on this section of Kagy Boulevard.

Commissioner Sansaver asked what Limited Access Control does. Dustin Rouse said typically we look at protecting our investment. If we reconstruct some segment of highway, we don't want uncontrolled additions of approaches throughout that segment. The intent is to designate appropriate locations for future development and where the approaches will be located. In order to secure that through landowner negotiations, we get agreements to designate and agree to certain locations for the approaches based on the characteristics of that road and area. When we reconstruct a highway we want to protect that investment so we put those controls in place to provide a safe and functioning highway. In this case it was done in 1989 and it was appropriate with the rural nature of Kagy at the time, obviously things have changed considerably in this location. The city now has jurisdiction here and they are looking at putting in a fire hall and there is a process to do that. From our standpoint we have delegated that authority and we think it is appropriate to remove it.

Commissioner Sansaver said within this 36 year period if they would have wanted to build a Walmart somewhere on Kagy, they would have had to come back to the state to have us approve that? Dustin said if they wanted to build a Walmart with this Limited Access Control in place, they would have had to build it in alignment with the existing approaches that were agreed to in that Resolution. Commissioner Sansaver said then they couldn't have put in any new approaches? There is no repealing that during that time period? Dustin said correct. Commissioner Sansaver said how to you go off 36 years with limited access. How does the state go out that far? People sell land and as quickly as building expands if I'm sitting on 20 acres and someone wants to give me \$20 million to build something on that, they are restricted during that 36-year period to limited access which may prohibit that entity from wanting to build there. So they can't come back in that time period and ask to repeal that? Is that a possibility? Dustin Rouse said the reason we set it was to protect our asset. It's not that we prohibit approaches, it's that we designate approaches at safe locations. That's in the title of that land so if a landowner sold that property, those hold. If a Walmart wanted to come in, we absolutely would want them to align with those existing approaches because we believe that's set up to operate in a safe manner. If there were some extenuating circumstance like what happened here, things change over time, and it's getting absorbed by the city and the whole area has changed then we can do exactly what we're doing here today. This makes sense and can bring it to you and ask for the change.

Commissioner Frazier said landowners can request changes to move an approach and they are compensated for not having that access. The big example is the Interstate. We get requests now and then for people to put an approach on the Interstate and the answer is uniformly no. Sometimes they will want an interchange there. Hwy 93 in Western Montana has a lot of access control on it to try and keep it functioning as a highway instead of a continual strip mall. It's to designate where approaches go – here's your approaches and here's your future for the foreseeable project life. This is 36 years and things have changed and the city is now in charge of the street.

Commissioner Sansaver said the follow-up then is what is the time limit we would set for Limited Access Control? We can't see out 36 years. Commissioner Frazier said it is unless they bring it back to us and ask us to remove it, it is forever. Commissioner Sansaver said then the answer is they can come in and ask us to change it. Dustin said we do get requests to modify a Limited Access Control designation, to adjust approaches, depending on different businesses that come in. If we do that we want to make sure we realign approaches on both sides of the highway to make it safe. There are instances where we do that. As far as the time frame, typically we secure these when we have a project and typically we want 20 years out of a project but when these are executed it is my understanding that they don't expire and carry on to the landowners and their successors. Unless there was a change like today, we would not make that change. Valerie Balukas said the legal descriptions needed to be updated and I handed out the correct descriptions for clarification.

Commissioner Sanders moved to approve the Kagy Boulevard, Bozeman – Removal of Limited Access Control Designation. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 17: Selection Criteria & Stipend Recommendations
for UPN 8931 – Kagy Blvd, S 19th to Willson
and UPN 10473 – Mill Creek Highway**

Dave Gates presented the Selection Criteria and Stipend Recommendations for UPN 8931 – Kagy Blvd, S 19th to Willson and UPN 10473 – Mill Creek Highway to the Commission. The Kagy Blvd – S 19th to Willson project includes reconstruction of 1.05 miles of Kagy Blvd in Bozeman. The City of Bozeman was awarded a Multimodal Planning Discretionary Grant (MPDG) to help fund the project and the City has requested MDT help deliver the project and meet critical funding deadlines required by the Grant Agreement.

The Mill Creek Highway project includes reconstruction of 4.89 miles of Secondary 569, more commonly known as Mill Creek Highway. Anaconda Deer Lodge County

was awarded a RAISE Grant to help fund the project and the County has asked MDT to help deliver the project and meet critical funding deadlines required by the RAISE Grant Agreement

Staff recommendations

Staff recommends the selection criteria weight of 60 percent technical proposal and 40 percent bid price proposal be utilized for determining the best value selection in the procurement of the Kagy Blvd – S 19th to Willson (UPN 8931) project.

Staff recommends the selection criteria weight of 60 percent technical proposal and 40 percent bid price proposal be utilized for determining the best value selection in the procurement of the Mill Creek Highway (UPN10473) project.

Staff recommends a stipend of \$125,000 be provided to the responsive, unsuccessful proposing Firms for the Kagy Blvd – S 19th to Willson (UPN 8931) project.

Staff recommends a stipend of \$90,000 be provided to the responsive, unsuccessful proposing Firms for the Mill Creek Highway (UPN 10473) project.

Commissioner Swartz asked do we limit the amount of proposals and cut it down to x amount of proposals. How many stipends could we potentially have? Aubrey Yerger said when we go out to solicitation, we first advertise our RFP and ask for qualifications then we then receive Statements of Qualifications from anyone who wants to propose on the project. With those Statements of Qualifications we short list down to three firms. So in any given solicitation we would pay no more than two stipends as they go to the unsuccessful firms.

Commissioner Sansaver moved to approve the Selection Criteria and Stipend Recommendations for UPN 8931 – Kagy Blvd, S 19th to Willson and UPN 10473 – Mill Creek Highway. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 18: Director's Discussion and Follow-up

Director Chris Dorrington

Agency Reorganization

Jess will be sending you an org chart for the agency realignment so you can see that.

Legislative Update

The Transportation Interim Committee meets September 12th and you are invited to represent yourselves on any of the interests in the interim. You can send a representative to represent the Commission if there were any items you want the Interim Committee to know. The Interim Budget Committee meets September 16th, The Legislative Audit Committee meets September 19th. So a busy September.

We are implementing HB 672 Rules from the 25 Session. HB 672 was the act generally revising relocation of utilities and those who didn't perform on time that harmed the delivery of construction projects in the subsequent development of rules for penalties. In that process, we've done a pretty extensive stakeholder outreach. Dustin led the bulk of that and did a great job. We're now ready to embark on the formal rulemaking process here shortly. In September we'll have a draft out for public comment. We've received really great participation both from the construction industry and the utility providers landing on some language that we can get our arms around and all agree to. That's no small feat.

The second one is SB 553. That bill allows the agency to engage in a rulemaking process for residential developments assigning future cost share for present day intersection of other improvements. As challenging as some of the problems we face, this is easily one of the most difficult without any real solution in mind. We are going to initiate rulemaking with some stakeholders first, not the formal process but definitely engage some stakeholders in what rulemaking would look like for SB 553. I do think as we engage in the rulemaking there will be quite a discovery process with the local platting capabilities, the local government and how they don't really even consider impacts to transportation but they are certainly good at platting subdivision development. So I anticipate this will be a difficult set of rules to get through but it is vital for the agency to lead this initiative. This initiative is also being led in our agency by Valerie Balukas and Tyler Moss. I'm happy about those two jumping in. Of course we'll have our Systems Impact folks side by side, but it is going to be a really heavy rulemaking effort.

**Agenda Item 19: Change Orders
May & June, 2025**

Dave Gates presented the Change Orders for May & June 2025 to the Commission. Monthly Change Order Reports for May & June 2025 are attached. This summary is for information only; Commission action is not required.

Month	Total Contracts	Total Change Orders	Total
May 2025	25	33	\$2,461,623.49
June 2025	23	28	\$4,038,895.63
Sum Total			\$6,500,519.12

Commissioner Sansaver said you have done a heck of a job in our bid lettings. When you have bid lettings that low there are going to be change orders. I don't see anything that gives me any concerns. Congratulations to your team.

Agenda Item 20: Letting Lists

Ryan Dahlke presented the upcoming Letting List to the Commission. I will highlight a few things. On the second page the proposed letting of October 9th, this letting includes the redistribution candidates.

A little information on timing – Commission agenda items have their public notice requirements and one additional project is added on the October 9th letting that isn't shown and that is the East Helena High Friction Surface Treatment Project that you approved earlier today. I couldn't put it on this Agenda item because you hadn't approved that item yet. So that will now be added to the October 9th letting. The bulk of the items on October 9th are redistribution projects.

Same exact story for the October 23rd letting. The bulk of those projects are redistribution projects and the D5 Bridge Decks Columbus Area was approved by the Commission earlier today so that one will be added to the October 23rd letting as a redistribution project.

Next Commission Meetings

The next Commission Conference Calls were scheduled for September 9, 2025, September 30, 2025, and October 21, 2025.

The next Commission Meeting was scheduled for October 30, 2025.

Note: October 29th is the informational meeting where we present the TCP.

Rumble Strips Update

Dustin Rouse said I handed out a summary of center line rumble strips and how they perform. It gives a history of some of the installations across the state and before and after information.

Commissioner Sansaver asked if there were complaints about rumble strips. Dustin said mostly no complaints. Commissioner Sansaver said Billings Heights complained

about the rumble strips. Dustin said one thing to note is we are looking at some swivel-type rumble strips in certain locations that are not as aggressive. We are determining where it's most appropriate to use those. The ones on the Billings Heights were aggressive and we've modified that.

Commissioner Sanders asked if he was surprised about the head-on collisions not being reduced. Dustin said yes. Looking through that information I was surprised by that one I but was encouraged by everything else. There were positive trends throughout. I find it a little odd that it didn't. Commissioner Frazier said he was hoping there would be more of a downward trend on fatalities. Dustin said over this time period traffic has increased.

Meeting Adjourned

Commissioner Loren Frazier, Chairman
Montana Transportation Commission

Chris Dorrington, Director
Montana Department of Transportation

Jess Bousliman, Secretary
Montana Transportation Commission