

AGENDA
STATE TRANSPORTATION BOARD MEETING
9:00 a.m., Friday, March 18, 2005
Hon-Dah Resort & Conference Center
777 Hwy 260
Pinetop, Arizona 85935

The Board may vote to go into Executive Session, which will not be open to the public, to discuss certain matters.

EXECUTIVE SESSION OF THE STATE TRANSPORTATION BOARD

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Arizona State Transportation Board and to the general public that the Board may meet in Executive Session for discussion or consultation for legal advice with legal counsel at its meeting on Friday, March 18, 2005, relating to any items on the agenda. Pursuant to A.R.S. 38.431.03(A), the Board may, at its discretion, recess and reconvene the Executive Session as needed, relating to any items on the agenda.

PLEDGE

The pledge of allegiance to the flag led by Chairman Dallas (Rusty) Gant.

OPENING REMARKS

DISTRICT ENGINEER REPORT

The District Engineer for Pinetop (Rick Powers) will provide an update on Projects/Issues of regional significance.

CALL TO AUDIENCE (Information and Discussion)

An opportunity for citizens to discuss Items of interest with the Board. **Please fill out an information sheet** and turn in to the Chairman or Secretary if you wish to address the Board.

CONSENT AGENDA (Action as Required)

- *ITEM 1:** Bring forward Items not to be included in the consent agenda. ("*" Indicates items recommended by ADOT staff for further discussion).
- *ITEM 2:** **Director's Report**
(Information, Discussion, Action as required – Victor Mendez, Director.)
- *ITEM 3:** **Legislative Report**
Staff will provide an update on Legislative Issues. (For Information and Discussion Only – Kevin Biesty.)
- *ITEM 4:** **Financial Report**

Staff will provide summary reports on revenue collections for Highway User Revenues and Maricopa Transportation Excise Tax Revenues, comparing fiscal year results to last year's actuals and forecasts, and report on interest earnings, HELP Fund status, and other financial information relative to the Board and Department. (For Information & Discussion Only – John McGee.)

***ITEM 5: Financing Program**

Staff will provide an update on financing issues affecting the Board and the Department, including HURF and RARF Bonding, GAN issuances and Board Funding Obligations. (For Information and Discussion Only – John McGee.)

***ITEM 6: Resolution Authorizing Issuance of Highway Revenue Refunding Bonds – Series 2005A**

Staff will present a Resolution authorizing the Board's anticipated issuance of Highway Revenue Refunding Bonds, Series 2005A in an amount not to exceed \$150,000,000. (For Information and Possible Action – John McGee.)

***ITEM 7: Appointment of Underwriters – Highway Revenue Refunding Bonds – Series 2005A**

Staff will present a Resolution recommending appointment of Underwriters for the Board's Anticipated issuance of Highway Revenue Refunding Bonds, Series 2005A. (For Information and Possible Action – John McGee.)

***ITEM 8: Transportation Enhancement Policy Changes**

Staff will present Transportation Enhancement Policy changes for inclusion in the Transportation Enhancement Handbook and the Transportation Enhancement Application to the Board for their approval. The changes the Board will consider are:

- Twelve eligible activities review
- Dollar limit on State Transportation Enhancement Projects
- Number of applications per MPO/COG based on available funding
- Membership/Voting of the TERC

(For Discussion and Possible Action – Cheryl Banta.)

ITEM 9: MINUTES – APPROVAL

January 21, 2005 – Board Meeting Minutes

February 1, 2005 – Special Board Meeting Minutes

February 1, 2005 – Study Session Minutes

ITEM 10: 2005 BOARD MEETING DATES AND LOCATIONS

SCHEDULE: FY 2005 New Project Request
SECTION: Dysart Road TI
TYPE OF WORK: Construct TI improvements
PROGRAM AMOUNT: New Project Request
PROJECT MANAGER: Evelyn Ma
PROJECT: H651001C
REQUESTED ACTION: Establish a new district minor project in the amount of \$750,000 in the FY 2005 Highway Construction Program. **Funds available from the FY 2005 Phoenix Maintenance District Minor Fund #73305.**
NEW PROGRAM AMOUNT: \$750,000

*ITEM 13: ROUTE NO: US 160 @ MP 389.50
COUNTY: Navajo
SCHEDULE: FY 2006 New Project Request
SECTION: Kayenta - Jct. IR 59
TYPE OF WORK: Pavement Preservation
PROGRAM AMOUNT: New Project Request
PROJECT MANAGER: James Schleich
PROJECT: H635601C
REQUESTED ACTION: Establish a new pavement preservation project in the amount of \$4,400,000 in the FY 2006 Highway Construction Program. **Funds available from the FY 2006 Pavement Preservation Fund #72506.**
NEW PROGRAM AMOUNT: \$4,400,000

*ITEM 14: ROUTE NO: US 191 @ MP 374.00
COUNTY: Apache
SCHEDULE: FY 2005 New Project Request
SECTION: Districtwide On US 191
TYPE OF WORK: Install cattle guards
PROGRAM AMOUNT: New Project Request
PROJECT MANAGER: Kee Yazzie/Lynn Sugiyama
PROJECT: H675001C
REQUESTED ACTION: Establish a new district minor project in the amount of \$250,000 in the FY 2005 Highway Construction Program. **Funds available from the FY 2005 Holbrook District Minor Fund #73305.**
NEW PROGRAM AMOUNT: \$250,000

*ITEM 15: ROUTE NO: I-10 @ MP 232.00
COUNTY: Pima
SCHEDULE: FY 2005
SECTION: Pinal Air Park - Marana, WB Frontage Road

TYPE OF WORK: Polymer seal coat
 PROGRAM AMOUNT: \$ 206,000
 PROJECT MANAGER: Steve Mishler
 PROJECT: H612901C Item #; 16705
 REQUESTED ACTION: Reduce program amount by \$54,000 to \$152,000 due to updated cost estimates. **Funds go to the FY 2005 Program Adjustment Fund #72305.**
 PROGRAM AMOUNT: \$206,000
 DECREASE AMOUNT: \$54,000
 NEW PROGRAM AMOUNT: \$152,000

*ITEM 16: ROUTE NO: I-10 @ MP 239.10
 COUNTY: Pima
 SCHEDULE: 2005
 SECTION: Marana - Ina Road, WB Frontage Road
 TYPE OF WORK: Polymer seal coat
 PROGRAM AMOUNT: \$ 283,000
 PROJECT MANAGER: Steve Mishler
 PROJECT: H613001C Item #; 16805
 REQUESTED ACTION: Reduce program amount by \$52,000 to \$231,000 due to updated cost estimates. **Funds go to the FY 2005 Program Adjustment Fund #72305.**
 PROGRAM AMOUNT: \$283,000
 DECREASE AMOUNT: \$52,000
 NEW PROGRAM AMOUNT: \$231,000

*ITEM 17: ROUTE NO: I-10 @ MP 246.9
 COUNTY: Pima
 SCHEDULE: 2005
 SECTION: Cortaro Road - Ina Road, EB Frontage Road
 TYPE OF WORK: ARFC & Polymer seal coat
 PROGRAM AMOUNT: \$ 77,000
 PROJECT MANAGER: Steve Mishler
 PROJECT: H613101C Item #; 16905
 REQUESTED ACTION: Increase program amount by \$106,000 to \$183,000 due to updated cost estimates. **Funds available from the FY 2005 Program Adjustment Fund #72305.**
 PROGRAM AMOUNT: \$77,000
 INCREASE AMOUNT: \$106,000
 NEW PROGRAM AMOUNT: \$183,000

*ITEM 18: ROUTE NO: Various Regional Freeways
 COUNTY: Maricopa
 SCHEDULE: Underway Program
 SECTION: Various Regional Freeways
 TYPE OF WORK: Construct quiet pavement Phase II

PROGRAM AMOUNT: \$ 10,035,555
PROJECT MANAGER: Steve Mishler
PROJECT: H637102C Item #: 21604
REQUESTED
ACTION: Reduce underway program amount by \$1,600,000 to \$8,435,555. **Funds go to the FY 2005 Program Adjustment Fund #72305.**

PROGRAM AMOUNT: \$10,035,555
DECREASE AMOUNT: \$1,600,000
NEW PROGRAM AMOUNT: \$8,435,555

*ITEM 19: ROUTE NO: Various Regional Freeways
COUNTY: Maricopa
SCHEDULE: 2006
SECTION: Various Regional Freeways
TYPE OF WORK: Construct quiet pavement Phase V
PROGRAM AMOUNT: \$ 1,900,000
PROJECT MANAGER: Steve Mishler
PROJECT: H648801C Item #: 17406
REQUESTED
ACTION: Increase program amount by \$1,600,000 to \$3,500,000 and advance project from FY 2006 to FY 2005. **Funds available from the FY 2005 Program Adjustment Fund #72305.**

PROGRAM AMOUNT: \$1,900,000
INCREASE AMOUNT: \$1,600,000
NEW PROGRAM AMOUNT: \$3,500,000

*ITEM 20: ROUTE NO: SR 386 @ MP 0.00
COUNTY: Pima
SCHEDULE: 2005
SECTION: Jct. SR 86 - Kitt Peak Observatory
TYPE OF WORK: Polymer seal coat
PROGRAM AMOUNT: \$ 365,000
PROJECT MANAGER: Steve Mishler
PROJECT: H615401C Item #: 19205
REQUESTED
ACTION: Increase program amount by \$100,000 to \$465,000 due to updated cost estimates. **Funds available from the FY 2005 Tucson District Minor Fund #73305.**

PROGRAM AMOUNT: \$365,000
INCREASE AMOUNT: \$100,000
NEW PROGRAM AMOUNT: \$465,000

*ITEM 21: ROUTE NO: SR 89 @ MP 278.00
COUNTY: Yavapai
SCHEDULE: FY 2006 New Project Request
SECTION: Yarnell - Peeples Valley Yard
TYPE OF WORK: Pavement preservation and culvert extension
PROGRAM AMOUNT: New Project Request

PROJECT MANAGER: Mazen Muradvich
 PROJECT: H635901C
 REQUESTED ACTION: Establish a new pavement preservation and district minor project in the amount of \$960,000 in the FY 2006 Highway Construction Program. **See funding sources below.**

FY 2006 Pavement Preservation Fund #72506	\$706,000
FY 2006 District Minor Fund #73306	\$254,000
NEW PROGRAM AMOUNT:	\$960,000

*ITEM 22: ROUTE NO: I-40 @ MP 52.00
 COUNTY: Mohave
 SCHEDULE: FY 2005 New Project Request
 SECTION: Stockton Hill Road - Harrison Street
 TYPE OF WORK: Construct multi-use pathway and Landscaping
 PROGRAM AMOUNT: New Project Request
 PROJECT MANAGER: Bob Gasser
 PROJECT: H605201C
 REQUESTED ACTION: Establish a new transportation enhancement project in the amount of \$370,000 in the FY 2005 Highway Construction Program. **Funds available from the FY 2005 Statewide Transportation Enhancement Fund #75305.**

NEW PROGRAM AMOUNT:	\$370,000
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*ITEM 23: ROUTE NO: I-19 @ MP 63.00
 COUNTY: Pima
 SCHEDULE: FY 2005 New Project Request
 SECTION: I-19/I-10 Traffic Interchange
 TYPE OF WORK: Construct pathways and landscaping
 PROGRAM AMOUNT: New Project Request
 PROJECT MANAGER: Bruce Cannon
 PROJECT: H619101C
 REQUESTED ACTION: Establish a new transportation enhancement project in the amount of \$600,000 in the FY 2005 Highway Construction Program. **Funds available from the FY 2005 Statewide Transportation Enhancement Fund #75305.**

NEW PROGRAM AMOUNT:	\$600,000
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*ITEM 24: ROUTE NO: I-17 @ MP 218.00
 COUNTY: Maricopa
 SCHEDULE: 2005
 SECTION: Happy Valley Road - Daisy Mountain Drive
 TYPE OF WORK: Pavement Preservation
 PROGRAM AMOUNT: \$ 2,200,000
 PROJECT MANAGER: Larry Scofield

PROJECT: H674701C Item #: 26505
REQUESTED Increase program amount by \$516,300 to
ACTION: \$2,716,300 due to updated cost estimate. **Funds available from the FY 2005 Preventive Pavement Preservation Fund #77305.**

PROGRAM AMOUNT: \$2,200,000
INCREASE AMOUNT: \$516,300
NEW PROGRAM AMOUNT: \$2,716,300

*ITEM 25: ROUTE NO: SR 77 @ MP 368.48
COUNTY: Navajo
SCHEDULE: FY 2005 New Project Request
SECTION: MP 368.48 - MP 372.92
TYPE OF WORK: Construct box culvert extensions
PROGRAM AMOUNT: New Project Request
PROJECT MANAGER: Haldun Guvenen
PROJECT: H641401C
REQUESTED Establish a new district minor project in the amount
ACTION: of \$535,000 in the FY 2005 Highway Construction Program. **Funds available from the FY 2005 Holbrook District Minor Fund #73305.**
NEW PROGRAM AMOUNT: \$535,000

- ITEM 26:
- Priority Planning Advisory Committee (PPAC) Minutes
 - Special Meeting of January 31, 2005;
 - Regular meeting of February 2, 2005;
 - Special Meeting of February 9, 2005; &
 - Special Meeting of February 23, 2005.
 - Summary of Changes to the FY 05 – 09 Highway Construction Program
 - Highway Program Monitoring Report.

ITEM 27: Next regular scheduled meetings of the Priority Planning Advisory Committee (PPAC). Times and dates of meetings could vary and will be announced at time of agenda distribution.
PPAC Meeting Dates will be held on Wednesdays @ 10:00 AM, unless otherwise noted, in the ADOT Transportation Board Room located at 206 S. 17th Ave. 1st Floor, Phoenix, AZ 85007.

- April 6, 2005
- May 4, 2005
- June 1, 2005
- June 29, 2005
- August 3, 2005
- August 31, 2005
- October 5, 2005
- November 2, 2005
- January 3, 2006

<http://ADOTPPAC.ORG/>

RIGHT OF WAY RESOLUTIONS (Action as Noted)

- ITEM 28:** RES. NO: 2005-03-A-018
PROJECT: U-089-C-801 / 089CN418H510602R
HIGHWAY: FLAGSTAFF - CAMERON
SECTION: East Flagstaff T.I.
ROUTE NO.: U.S. Route 89
ENG. DIST: Flagstaff
COUNTY: Coconino
RECOMMENDATION: Establish additional right of way as state highway to improve traffic operational characteristics and pedestrian safety in accordance with Intergovernmental Agreement #03-64, dated August 20, 2004
- ITEM 29:** RES. NO: 2005-03-A-019
PROJECT: S-078-A-701 / 078GE170H666901R
HIGHWAY: MULE CREEK (S.R. 78)
SECTION: Clifton Ranger Station
ROUTE NO.: State Route 78
ENG. DIST: Safford
COUNTY: Greenlee
PARCEL: 6-120 (HES 509)
RECOMMENDATION: Establish additional right of way as a state route and state highway for improvements to enhance safety of the traveling public
- ITEM 30:** RES. NO: 2005-03-A-020
PROJECT: N-900-0-700 / 999SW000H555101R
HIGHWAY: PARKER – BULLHEAD CITY
SECTION: Camp Mohave – Aztec Drainage
ROUTE NO.: State Route 95
ENG. DIST: Kingman
COUNTY: Mohave

RECOMMENDATION: Establish additional right of way as a state route and state highway for drainage improvements

ITEM 31: RES. NO: 2005-03-A-021
PROJECT: S-B40-C-800 / 040BYV145H621301R
HIGHWAY: ASH FORK BUSINESS ROUTE
SECTION: 3rd Street – 6th Street
ROUTE NO.: State Route B40
ENG. DIST: Prescott
COUNTY: Yavapai
RECOMMENDATION: Establish additional right of way as a state route and state highway for curb and sidewalk improvements

ITEM 32: RES. NO: 2005-03-A-022
PROJECT: I-010-F-801 / 010CH340H545501R
HIGHWAY: BENSON – STEINS PASS
SECTION: Fort Grant T.I.
ROUTE NO.: Interstate Route 10
ENG. DIST: Safford
COUNTY: Cochise
RECOMMENDATION: Establish additional right of way as a state route and state highway for traffic interchange improvements

ITEM 33: RES. NO: 2005-03-A-023
PROJECT: U-093-B-701 / 093MA198H582501R
HIGHWAY: KINGMAN - WICKENBURG
SECTION: Wickenburg Interim Bypass
ROUTE NO.: U.S. Route 93
ENG. DIST: Prescott
COUNTY: Maricopa
RECOMMENDATION: Establish additional right of way as a state highway for reconstruction and widening improvements

ITEM 34: RES. NO: 2005-03-A-024
PROJECT: S-188-A-800 / 188GI214H615501R
HIGHWAY: CLAYPOOL – JAKES CORNER
SECTION: S.R. 188, Wheatfields – Jct. U.S. 60
ROUTE NO.: State Route 188
ENG. DIST: Globe
COUNTY: Gila

RECOMMENDATION: Establish additional right of way as a state route and state highway for reconstruction improvements to enhance safety for the traveling public

STATE ENGINEER'S REPORT (Information Only – Mike Ortega)

***ITEM 35:** Report on construction and projects completed in February, 2005.

***ITEM 36:** Right of Way Acquisition Report for February, 2005.

CONSTRUCTION CONTRACTS

(Action As Noted – Mike Ortega)

Interstate, Non-Federal Aid

***ITEM 37:** BIDS OPENED: February 4, 2005
HIGHWAY: TUCSON-BENSON HWY (I-10)
SECTION: Valencia to Wilmot
COUNTY: Pima
ROUTE NO: I-10
PROJECT: I-010-E-504 010 PM 267 H613201C
FUNDING: 100% State
LOW BIDDER: Granite Construction Company
AMOUNT: \$ 107,288.00
STATE ESTIMATE: \$ 154,904.00
\$ UNDER: \$ 47,616.00
%UNDER: 30.7%
NO. BIDDERS: 3
RECOMMENDATION: AWARD

ITEM 38: BIDS OPENED: February 4, 2005
HIGHWAY: GLOBE-SHOW LOW HWY (US 60)
SECTION: US 60 @ MP 316.3
COUNTY: Gila
ROUTE NO: US 60
PROJECT: U-060-E-508 060 GI 316 H596401C

FUNDING: 100% State
LOW BIDDER: Show Low Construction, Inc.
AMOUNT: 790,826.95
STATE ESTIMATE: \$ 861,887.42
\$ UNDER: \$ 71,060.47
%UNDER: 8.2%
NO. BIDDERS: 5

RECOMMENDATION: AWARD

ITEM 39: BIDS OPENED: March 4, 2005
HIGHWAY: PHOENIX-CORDES JUNCTION HWY (I-17)
SECTION: Happy Valley Rd to Daisy Mountain Dr
COUNTY: Maricopa
ROUTE NO: I-17
PROJECT: I-017-A-515 017 MA 218 H674701C
FUNDING: 100% State
LOW BIDDER: FNF Construction, Inc.
AMOUNT: \$ 2,316,740.00
STATE AMOUNT: \$ 2,476,430.00
\$ UNDER: \$ 159,690.00
%UNDER: 6.4%
NO. BIDDERS: 4
RECOMMENDATION: AWARD

Non-Interstate, Non-Federal Aid

ITEM 40: BIDS OPENED: February 18, 2005
HIGHWAY: BENSON-DOUGLAS HWY (SR 80)
SECTION: Bisbee Tunnel to Lowell Circle
COUNTY: Cochise
ROUTE NO: SR 80

PROJECT: S-080-A-502 080 CH 339 H667501C
FUNDING: 100% State
LOW BIDDER: Granite Construction Company
AMOUNT: 368,458.00
STATE ESTIMATE: \$343,830.00
\$ OVER: 24,6258.00
%OVER: 7.2%
NO. BIDDERS: 4
RECOMMENDATION: AWARD

*ITEM 41: BIDS OPENED: February 18, 2005
HIGHWAY: PIMA FREEWAY (SR 101L)
SECTION: I-17 to SR 51
COUNTY: Maricopa
ROUTE NO: SR 101L
PROJECT: RAM-101-B-506 101 MA 023 H663101C
FUNDING: 100% State
LOW BIDDER: Quest Civil Constructors, Inc.
AMOUNT: \$ 312,312.00
STATE ESTIMATE: \$ 227,040.00
\$ OVER: \$ 85,272.00
%OVER: 37.6%
NO. BIDDERS: 2
RECOMMENDATION: AWARD

ITEM 42: BIDS OPENED: February 18, 2005
HIGHWAY: SHOW LOW-McNARY-EAGER HWY (SR 260)
SECTION: Eager to Rodeo Grounds
COUNTY: Apache

ROUTE NO: SR 260
PROJECT: S-260-C-507 260 AP 395 H669201C
FUNDING: 100% State
LOW BIDDER: Combs Construction Company, Inc.
AMOUNT: \$ 517,002.00
STATE ESTIMATE: \$ 489,245.00
\$ OVER: \$ 27,757.00
%OVER: 5.7%
NO. BIDDERS: 4
RECOMMENDATION: AWARD

Interstate Federal-Aid (required FHWA concurrence and compliance with DBE regulations)

ITEM 43: BIDS OPENED: February 4, 2005
HIGHWAY: FLAGSTAFF-HOLBROOK HWY (I-40)
SECTION: MP 201 to Walnut Canyon T.I.
COUNTY: Coconino
ROUTE NO: I-40
PROJECT: IM-040-D(014)A 040 CN 201 H613801C
FUNDING: 94% Federal 6% State
LOW BIDDER: Fisher Sand & Gravel Co. DBA Southwest
Asphalt Paving
AMOUNT: \$ 3,149,351.29
STATE ESTIMATE: \$ 3,435,810.55
\$ UNDER: \$ 286,459.26
%UNDER: 8.3%
NO. BIDDERS: 5
RECOMMENDATION: AWARD

(Non-Interstate Federal-Aid ("A", "P" projects do not need FHWA concurrence, but must comply with DBE regulations; other projects are subject to FHWA and/or local government concurrence and compliance with DBE regulations)

ITEM 44: BIDS OPENED: February 11, 2005
HIGHWAY: SHOW LOW-SPRINGERVILLE-EAST HWY (US 60)
SECTION: MP 343 to Rocky Arroyo
SECTION: Rocky Arroyo-Jct. SR 61

SECTION: MP 352
COUNTY: Navajo
ROUTE NO: US 60
PROJECT: NH-060-F(003)A 060 NA 343 H614101C
PROJECT: NH-060-F(002)A 060 NA 348 H525001C
FUNDING: 94% Federal 6% State
PROJECT: U-060-F-501 060 NA 352 H620001C
FUNDING: 100% State
LOW BIDDER: Fann Contracting, Inc.
AMOUNT: \$ 2,446,858.25
STATE ESTIMATE: \$ 2,585,886.00
\$ UNDER: \$ 139,027.75
%UNDER: 5.4%
NO. BIDDERS: 4
RECOMMENDATION: AWARD

*ITEM 45: BIDS OPENED: February 11, 2005
HIGHWAY: QUARTZSITE-PARKER-TOPOCK HWY (SR 95)

SECTION: Parker-Lakeside
SECTION: Parker Southbound Lane Drop
COUNTY: La Paz
ROUTE NO: SR 95
PROJECT: NH-095-C(005)B 095 LA 143 H511801C
FUNDING: 94% Federal 6% State
PROJECT: S-095-C-512 095 LA 142 H603601C
FUNDING: 100% State
LOW BIDDER: Fann Contracting, Inc.
AMOUNT: \$ 9,827,204.00
STATE ESTIMATE: \$ 8,475,831.80
\$ OVER: \$ 1,351,372.20
%OVER: 15.9%
NO. BIDDERS: 3
RECOMMENDATION: AWARD

*ITEM 46: BIDS OPENED: February 11, 2005

HIGHWAY: SPRINGERVILLE-ALPINE-STATE
LINE HWY (US 180)
SECTION: Nutrioso-Alpine
COUNTY: Apache
ROUTE NO: US 180
PROJECT: STP-180-C(002)A 180 AP 416 H585701C
FUNDING: 94% Federal 6% State
LOW BIDDER: Meadow Valley Contractors, Inc.
AMOUNT: \$ 3,040,933.25
STATE ESTIMATE: \$ 3,075,214.00
\$ UNDER: \$ 34,280.75
%UNDER: 1.1%
NO. BIDDERS: 5

RECOMMENDATION: REJECT ALL BIDS AND READVERTISE PROJECT

COMMENTS: The apparent low bidder, Meadow Valley Contractors, Inc. (MVICI), submitted its bid electronically. MCVI stated in its bid that it had made good faith efforts to meet the Disadvantaged Business Enterprise goal but was unable to do so. MVICI presented evidence that it met the goal, but the scrolling mouse on its computer system caused an inadvertent change in the option from "HAS" to 'HAS NOT' met the goal.

The Department has confirmed that some computer systems using a scrolling mouse allow the operator to scroll through options presented in a "drop down menu" until the option is finally selected by some affirmative act of the operator (such as by clicking outside the window). The use of the scrolling mouse may therefore cause the operator to inadvertently change the selected option after the operator believes the selection has been finalized.

Two other contractors have said that this kind of error occurs on their computer systems.

Based on this information, the State Engineer believes that bidding has not met the statutory requirement of "informed, free, open and competitive bidding on a common basis." ARS §28-6923(C)(1).

ITEM 47: BIDS OPENED: February 4, 2005
 HIGHWAY: CITY OF GLENDALE
 SECTION: Glendale Avenue, 99th Ave to 107th Ave
 COUNTY: Maricopa
 ROUTE NO: N/A
 PROJECT: CM-GLN-0(023)A 0000 MA GLN SS50201C
 FUNDING: 94% Federal 6% City of Glendale
 LOW BIDDER: Bison Contracting Co., Inc.
 AMOUNT: \$ 1,212,935.00

 STATE ESTIMATE:\$ 1,214,562.00
 \$ UNDER: \$ 1,627.00
 %UNDER: 0.1%
 NO. BIDDERS: 6
 RECOMMENDATION: AWARD

*ITEM 48: BIDS OPENED: January 28, 2005
 HIGHWAY: CITY OF PEORIA
 SECTION: 83rd Ave at Union Hills Dr.
 COUNTY: Maricopa
 ROUTE NO: N/A
 PROJECT: CM-PEO-0(006)A 0000 MA PEO SS52501C
 FUNDING: 81% Federal 19% City of Peoria
 LOW BIDDER: Archon, Inc.

 AMOUNT:\$ 1,874,000.00
 STATE ESTIMATE: \$ 1,670,307.00
 \$ OVER: \$ 203,693.00
 %OVER: 12.2%
 NO. BIDDERS: 8
 RECOMMENDATION: AWARD

*ITEM 49 : **CONSENT AGENDA** (Approval)
 Consideration of all items included in the consent agenda.

ADJOURN