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July 25, 2018

The Honorable Lt. Gov. Tate Reeves
400 High Street, Suite 316
Jackson, MS 39201

Re: Highway 25/Lakeland Drive

Dear Lt. Gov. Reeves:

This letter is in response to your letter dated July 11, 2018, concerning the Highway 25/Lakeland Drive widening project.

First, regarding your initial assertion that the Highway 25/Lakeland Drive expansion and the frontage road are two separate projects, MDOT's environmental and construction program defines the frontage road as part of the widening project included in MDOT's 2015 appropriation bill. It is very common for infrastructure issues to arise during larger construction projects, such as the Highway 25/Lakeland Drive expansion, warranting further review by the Department. These infrastructure issues are known as secondary effects, and MDOT immediately addresses each issue or secondary effect during the ongoing construction project in order to avoid continuing safety concerns.

The mission of the Mississippi Department of Transportation (MDOT) is to provide the traveling public with a safe and effective transportation system and to act as good stewards of taxpayer dollars. Since 2000, highway construction costs have increased over 300% while annual funding has remained relatively unchanged. Due to ongoing funding shortfalls and to ensure the continuing safety of the traveling public, the three elected Mississippi Transportation Commissioners instructed the Department to prioritize road network system preservation over road network system expansion, in accordance with Mississippi Code §65-3-97 (Vision 21). The cost to preserve or restore all MDOT pavements and bridges to a state of good repair in order to meet minimum safety standards is approximately \$4.4 billion if all of these repair projects were undertaken at the cost of today's construction dollar. This cost to taxpayers will continue to increase as the highway system falls further into disrepair since roadway needs far exceed available funding.

The Vision 21 (§65-3-97) statute requires MDOT to develop and implement a statewide systematic methodology for identifying and prioritizing needs and then advancing road and bridge projects to construction. The Department uses national traffic engineering and roadway design standards which incorporate crash statistics and other safety metrics to prioritize projects statewide based on greatest need and available funding. The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) has analyzed MDOT's prioritization process and affirmed that MDOT's procedures fully comply with the requirements of the Vision 21 statute.

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The Highway 25/Lakeland Drive earmark in MDOT's 2015 appropriation bill bypassed the statutory Vision 21 program management and priority planning process by requiring the project begin immediately but not providing additional funding for it. This legislative mandate forced MDOT to divert funding and significantly delay multiple road and bridge preservation projects across the state. In contrast, the Legislature separately funded infrastructure expansion projects like the Nissan, Toyota, and Continental Tire road system expansions, so that they did not interfere with the statutory Vision 21 project prioritization requirement. While the Department acknowledges that there has been considerable growth in Rankin County, it is also important to bear in mind that many other areas of the state have substantial safety and capacity needs that go unmet due to inadequate transportation funding.

MDOT has never hesitated to pursue the Highway 25/Lakeland Drive project earmark included in MDOT's 2015 appropriation once passed into law, as confirmed in my August 7, 2014 letter to you. Furthermore, I have never indicated any inappropriate, unacceptable, or unlawful communication with a member of the Legislature – and cannot find any media reports stating the same. It is perfectly within the duties and responsibilities of legislators to inquire, discuss, debate, and otherwise seek ways to improve the transportation system for State and local constituents.

My definition of "political pressure" is any Legislative prioritization mandate that undermines the statutory Vision 21 requirement whereby professional transportation engineers and planners utilize national standards to evaluate the entire state owned network: identifying, prioritizing, and advancing projects which yield the most benefit for the entire state system. Ignoring the statutory requirement causes the State's road network system preservation program to fall further behind, costing taxpayers more money. MDOT has elucidated in multiple open Legislative committee hearings over the past several years that regularly scheduled pavement maintenance and bridge repair projects provide taxpayers and business owners with the greatest financial value and the safest and most efficient transportation system.

Once the widening project began, discussions ensued regarding the infrastructure issue of perceived safety of cross traffic on Lakeland Drive at the crossover adjacent to Oakridge Trail and Belle Meade Boulevard. You and/or your staff as well as other entities were informed of the safety options under consideration, e.g. traffic signal, J-turn, and frontage road. Since the addition of a traffic signal was not a viable solution from an engineering (safety and mobility) standpoint and because of legislative wrangling over the Lakeland Drive expansion project within our FY2015 appropriation bill that required a special Legislative Session to resolve, the frontage road option was pursued.

As acknowledged in your letter, the Lieutenant Governor communicates infrequently with MDOT. As a result, the Office of Lieutenant Governor's ongoing interest in the Highway 25/Lakeland Drive widening project assigned heightened importance and priority to this project. In the course of our regular project updates, your staff was made aware of utility delays that had the potential of slowing the construction schedule. Your staff took the highly unusual step of communicating directly with utility providers and worked to resolve various issues to keep the project on schedule – using political authority that MDOT does not possess.

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MDOT staff regularly engages in countless conversations with various project stakeholders. MDOT's daily operations include involvement from the public and elected officials – including many undocumented verbal conversations. The verbal communications and negotiations that occur during project planning, design, and construction phases are a constant and well-managed process for the Department. As you know, undocumented verbal conversations may very quickly turn into a "she said, he said" scenario – otherwise known as hearsay. The questions posed by your letter have caused the Department to consider additions to our documentation policy to ensure all information requests are captured.

In closing, the Mississippi Legislature faces a series of difficult challenges in addressing the rapidly deteriorating system of State and local roads, highways, and bridges and in managing the State's budget. The elected Commission, Executive Director, and Department will never cease to work with the Legislative and Executive branches to develop solutions while continuing to improve and provide the citizens of the State with the safest, most efficient, and reliable transportation network possible with the resources appropriated to us. Thank you for this opportunity to clarify matters important to transportation.

Respectfully,



Melinda L. McGrath, P.E.
Executive Director

MLM

cc: Commissioner Dick Hall
Commissioner Mike Tagert
Commissioner Tom King