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Issue Number 89, September 2019

# State Aid E-Scene

## Local Partnership Program

By: Mao Yang, Assistant Operations Engineer

Over the last few years, State Aid and MnDOT have been transforming the [Local Partnership Program \(LPP\)](#) (formerly the Cooperative Agreement Program) to focus on development of long term and sustainable partnerships, collaboration of transportation system needs, leveraging of agency investments, and minimizing project time and cost. The program is now in every district and offers partnership opportunities with cities and counties to lead and construct highway improvements that are mutually beneficial at locations that may not be programmed on state highways.

This program is managed by the District State Aid Engineers (DSAE) and state aid staff dedicated to LPP. The state aid staff assists local agencies with project development, schedule coordination, scope and budget management, and communication of the project design requirements. Contact your DSAE for information on the LPP and how you can get involved.



*The Beltrami County CSAH 15 and MnDOT TH 71 roundabout project was a cooperative agreement using the LPP process. Through the LPP process, the county's project schedule from initial project discussion to completion was 19 months. Initial project discussions between Beltrami County and MnDOT started in February 2018. Once the decision was made to move forward, both partners worked together on geometric layout, design, and cooperative agreement requirements for an early 2019 letting. The project was awarded in April and the contractor was able to start construction in June. The CSAH 15 and MnDOT TH 71 roundabout project was completed and opened to traffic on August 22, 2019.*

*The partnership between MnDOT and Beltrami County demonstrated that good work can be achieved in an efficient manner. This roundabout project also benefited users on the county and state highway system, reduced project schedule and cost, and minimized construction impacts to the traveling public.*

*Photo provided by John Noehring (Beltrami County).*

# Revised environmental documentation for federally funded projects

By: Mike Scott, Assistant Project Development Engineer

Earlier this August, the FHWA Minnesota Division, sent a memo to MnDOT to clarify some of the environmental documentation requirements for CATEX actions under 23 CFR 771.117.

The FHWA provided an explanation on use of the word “alternatives.” Clarification came in the way of explaining that for CATEX’s, alternatives really are referring to design choices or features that are required to avoid or minimize environmental impacts. They are not true alternatives like “No Build” or “Other Location.”

In addition, FHWA clarified that MnDOT can now use the categorical exclusion (c)(23) – Projects with Limited Federal Funding (less than \$5,500,515.05) even

though the existing Programmatic Agreement currently precludes use of (c)(23). We are beginning work with the FHWA to update and revise this agreement to reflect these changes and to update some of the thresholds which had triggered FHWA involvement in the past.

Moving forward, projects which will receive less than \$5,500,515.05 in federal funds and have no unusual circumstances that would require an Environmental Assessment (EA) to determine if an Environmental Impact Statement (EIS) is required, meet the requirements of (c)(23) and therefore will no longer be required to perform a separate alternative analysis other than for avoiding or minimizing environmental impacts. If using PM Writer, the local agency will just need to describe the selected

Alternative and then state in the section for alternative analysis: Project meets (c)(23) – no alternatives are required.

In addition to using PM writer, State Aid is exploring other documentation options for projects with lesser impacts, that may be able to be documented in a form format with attachments added as necessary.

If you have any questions, comments or suggestions in regards to environmental documentation, please contact Mike Scott at [mike.scott@state.mn.us](mailto:mike.scott@state.mn.us) or 651-366-3825, or Lynnette Roshell at [lynette.roshell@state.mn.us](mailto:lynette.roshell@state.mn.us) or 651-366-3822.

# Retainage: Minnesota Statutes 15.72: Progress Payments of Public

By: Elisa Bottos, Project Delivery Engineer

A new state law ([MN Statutes 15.75, Subd. 2 Retainage](#)) took effect on August 1, 2019, preventing more than 1% retainage held for public contracts. This new law applies to cities, counties, and MnDOT.

The new law states that retainage must be released 60 days after Substantial Completion. (Substantial Completion is when all traffic control devices and ongoing inspections are no longer required.)

Retainage of 1% or \$500 (whichever is greater) can be held for paperwork submittals from the contractor; IC 134 forms, material certifications and warranties, labor hold releases, DBE final clearance, NPDES Permit termination, Indian

employment tracking form, etc.

A contracting agency can withhold 250% of the cost to correct or complete work. Agencies must give contractor notice on what and why they are holding back funds.

## What if I have federal funds in my project?

Code of Federal Regulation prompt payment law applies to projects with federal funds, and requires payment to contractors and subs within 30 days of work being substantially complete. Substantially Complete according to federal regulation includes the completion of documentation not just physical work.

Therefore, if an agency is holding funds for documentation and paperwork, the project has not yet met the federal definition of substantially complete, and is still compliant with federal regulations.

The provided DCP Packet or [Electronic Proposal Tool webpage](#) have all the correct special provisions for federal projects to make them compliant with the federal regulations. Take care when adding other language related to retainage as it may conflict with state law or federal regulations.

# On the horizon, new electronic fillable load rating forms

By: Dave Conkel, State Aid Bridge Engineer and Moises Dimaculangan, State Aid Bridge Load Rating & Permitting Engineer

Since the year 2010, our local agencies have been extremely aggressive in their pursuit to make sure our entire local bridge inventory is properly load rated and load posted for our family of legal trucks, standard overweight permit trucks, and emergency vehicles. This statewide effort has primarily been accomplished through multiple and ongoing federally funded Special Hauling Vehicle consultant contracts. The result of this effort has helped our local bridge owners to better manage their bridge inventory. However, it has also resulted in nearly 5,000 new and ongoing load ratings to date, which places greater demands on the MnDOT Bridge Inventory Management (BIMU) and State Aid Bridge Unit to process this information into the Structure Information Management System (SIMS).

Seeing a need to automate the existing process from a hard copy load rating form hand signed by the local agency program administrator which requires manual entry of load rating data by the BIMU into SIMS, we're in the process of developing new electronic fillable load rating forms to make this process and data entry automatic, error free and more efficient. The electronic load rating forms have been developed and are currently being beta tested by the County Engineers Bridge Committee, Local Bridge Consultants, and internal MnDOT Load Rating Engineers. We anticipate moving to the electronic forms over several months, and our traditional hard copy load rating forms will still be allowed until our local agencies and consultants acquire a comfort level processing them electronically.

The new electronic load rating forms will require electronic signatures for the process to be efficient. We will be providing very easy to follow steps on creating and inserting your electronic signature, and we will be available to assist you with any questions. We realize a majority of our local bridge owners and consultants already process their bridge plans and specifications electronically, so moving to an electronic load rating form should not be too intimidating to implement. We look forward to helping you implement your electronic load rating forms in the very near future, and we very much appreciate your great work and dedication to keep Minnesota local bridges the best managed bridge inventory in the country!

If you have any questions, please contact Moises Dimaculangan at [moises.dimaculangan@state.mn.us](mailto:moises.dimaculangan@state.mn.us) or 651-366-4522, or Dave Conkel at [dave.conkel@state.mn.us](mailto:dave.conkel@state.mn.us) or 651-366-4493.

The image shows a screenshot of the MnDOT Bridge Rating and Load Posting Report form. The form is titled 'FORM RC-CL MnDOT BRIDGE RATING AND LOAD POSTING REPORT FOR COUNTY AND LOCAL AGENCIES'. It contains various input fields and checkboxes for bridge information, rating basis, and analysis methods. At the bottom, there are signature lines for the engineer and program administrator, along with a date field.

New electronic fillable load rating forms will be posted on the State Aid Bridge website under the Forms tab.

# FLAP—call for projects is open

By: Lynnette Roshell, Special Programs Project Development Engineer

Applications are open for the next round of the Federal Lands Access Program (FLAP) funds until October 15, 2019. Qualified projects are those which improve access, mobility, and promote economic development in and around federally owned properties. Applications are being taken for about \$1.2 million in funding in each of federal fiscal years 2021 and 2022. We suggest projects of at least \$700,000 in size for construction costs.

The goal of FLAP is to improve transportation facilities that provide access to, are adjacent to, or are located within federal lands. The program is managed through the FHWA Federal Lands Highway Division. Please note, this is a Title 23 federal aid highway reimbursable program and not a lump sum grant program.

Please explore the [Eastern Federal Lands \(EFL\) FLAP website](#) and follow the links to Minnesota's FLAP website to download the application, review the state's program goals and view the call for projects standard operating procedure and associated scoring criteria.

Applications should be submitted via email to [EFL.planning@dot.gov](mailto:EFL.planning@dot.gov) by the end of the day (11:59 PM) on October 16, 2019 to be considered. If required, applications via mail, FedEx, UPS or fax will also be accepted. Applications for Minnesota may be submitted to Lynnette Roshell at [lynnette.roshell@state.mn.us](mailto:lynnette.roshell@state.mn.us) for a preliminary review prior to October 1, 2019. This is highly suggested, but not required.

(continue of page 4)

# ...continued, FLAP—call for projects is open

## What is the purpose of FLAP?

The purpose of the FLAP is to provide safe and adequate transportation access to and through federal lands for visitors, recreationists, and resource users. The FLAP supplements state and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on high-use recreation sites and economic generators.

## Where can projects be located?

Proposed projects must be associated with a public highway, road, bridge, trail or transit system that is located on, is adjacent to, or provides access to federal lands for which the transportation facility's title or maintenance responsibility is vested with a state, county, city, township, tribal, municipal or other local government entity.

## Who is eligible to apply?

Eligible applicants include county, tribal or city government agencies that own or maintain the transportation facility. The term "transportation facility" means a public highway, road, bridge, trail or transit system that is located on, is adjacent to, or provides access to federal lands for which title or maintenance responsibility is vested in a county, town, township, tribal, municipal, or local government. Maintenance means the preservation of the entire roadway surface, shoulders, roadside ditches, drainage structures, bridges, and traffic control devices necessary for safe and efficient operations. Vested maintenance responsibility means that the majority of the cost for these activities is borne by the county, town, township, tribal, municipal, or local government.

The FLAP program applicant must be the facility owner, have maintenance responsibility or must supply a letter

from the facility owner/maintainer indicating that the application is being submitted on their behalf. Early coordination between the appropriate federal land management agency whose access would be improved by the proposed action and the applicant state/county/local/tribal government is encouraged to ensure adequate time for input and signature of concurrence before the submittal due date.

## What types of projects will be considered?

FLAP supplements state and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on the improvement of access to federally owned high use recreation sites and federal economic generators. FLAP funds are intended for: capital improvement, enhancements, surface preservation, transit, research, or safety.

## Are matching funds required?

The program requires matching funds of approximately 20 percent of the estimated project construction costs. Applicants may also provide additional funds beyond the minimum required matching funds to contribute to the project. Because of limited FLAP funding available in each state in any given federal fiscal year, proposals will receive additional consideration when funding is leveraged from other sources.

## How would the projects be delivered?

FLAP will be administered through the MnDOT SALT Division and the EFL Highway Division rather than the FHWA Minnesota Division, but the rules are pretty much the same. From

the guidance we have received from FHWA, it can be any federally owned property, although the scoring is more targeted to federal recreational land and economic generators. Eligible applicants are the owners of the access facilities such as cities, counties and tribal governments. Applicants must be state aid agencies, be tribal governments or have a state aid agency to act as a sponsor. Projects must have the support of the federal landowner that the project will provide access to. If more than one project is submitted related to a federal landowner, the owner will be asked to prioritize the projects.

## What if I have questions?

Visit the [Minnesota FLAP website](#) further information and resources, including: FAQs, scoring criteria, state goals, tip sheet, and more. If you have any additional questions contact Lynnette Roshell, Lewis Grimm or Richelle Ellis.

Lynnette Roshell, MnDOT FLAP Coordinator at [lynette.roshell@state.mn.us](mailto:lynette.roshell@state.mn.us) or 651-366-3822.

Lewis Grimm, Planning Team Leader EFLHD/FHWA at [lew-is.grimm@dot.gov](mailto:lew-is.grimm@dot.gov) or 703-404-6289.

Richelle Ellis, Access Program Planning Coordinator EFLHD/FHWA at [richelle.ellis@dot.gov](mailto:richelle.ellis@dot.gov) or 703-404-6333.



# Upcoming HSIP solicitation

By: Tara Olds, Program Support Engineer

A solicitation for the Highway Safety Improvement Program (HSIP) will open in early September, and will close November 27th. The goal of HSIP is to reduce fatal and serious crashes throughout Minnesota through a data-driven systemic approach of constructing lower-cost and high-benefit projects. Funding is available for years 2021 through 2024.

Please review the current HSIP solicitation guidebook and application for requirements of reactive and proactive projects. The current guidebook and application are expected to be posted in

early September on the [SALT Traffic Safety webpage](#).

Please reach out to Tara Olds at [tara.olds@state.mn.us](mailto:tara.olds@state.mn.us) or 651-366-3830 if you have any questions about the program, and/or would like to discuss potential candidate projects for HSIP funding.



# Variance request process

By: Joel Ullring, Pavement Engineer

Do you believe you need a variance on your project? The first step is to check with your DSAE. If you do, then check out the newly updated [Variance webpage](#). The page includes a revised [Design Element Variance Justification Checklist](#) to help you identify the type of information needed and assure the documentation is prepared correctly for review by the Variance Committee. Several resources are listed for you, including submittal due dates and committee meeting dates.

Contact Joel at [joel.ullring@state.mn.us](mailto:joel.ullring@state.mn.us) or 651-366-3831 if you have questions.

# Coming soon: Safe Routes to School engineering studies solicitation

By: Sara Pflaum, Program Support Engineer

State Aid has selected a consultant and is finalizing the contract to conduct a solicitation and prepare up to 20 engineering studies for locations that already have a Safe Routes to Schools plan, but need additional engineering studies in order to prioritize potential infrastructure projects. The engineering studies can be tailored to the needs of the local agency engineer, but will typically include a traffic engineering analysis of the school area and the walking and bicycling routes to the school. The study could include: reviewing the existing transportation system, conducting a traffic analysis, crash analysis, identifying safety risks and recommending strategies to address the identified safety risks. Projects would then be prioritized by cost and effectiveness, the benefits and potential usage. Additional measures can be added for the evaluation.

In 2016, State Aid awarded grants for

two engineering study pilot projects.

Joe Gustafson, Washington County Traffic Engineer, managed one of the pilot projects for Cottage Grove Elementary School.

*“The SRTS engineering plan study gave us an opportunity to develop a data-driven approach to improving non-motorized access to schools. In addition to identifying critical gaps in the non-motorized network, the study also looked systematically at the suitability of every existing route segment and roadway crossing, and identified realistic and proven strategies that could be deployed to improve safety and comfort along these routes. The study quantified the number of homes that connect to the school via each route, to allow for the improvements to be strategically implemented to maximize the number of homes connected to the school via high-quality routes.”*

Victor Lund, St. Louis County Traffic Engineer, managed the second of the pilot project for the Hibbing School District.

*“The SRTS pilot study was a great opportunity to consider what is truly essential in creating a valuable Safe Routes to School Plan. The pilot study found that modeling the SRTS plan off the County Road Safety Plans provided off-the-shelf projects that local communities and schools could implement in the near term as well as plan for implementing larger projects in the long term.”*

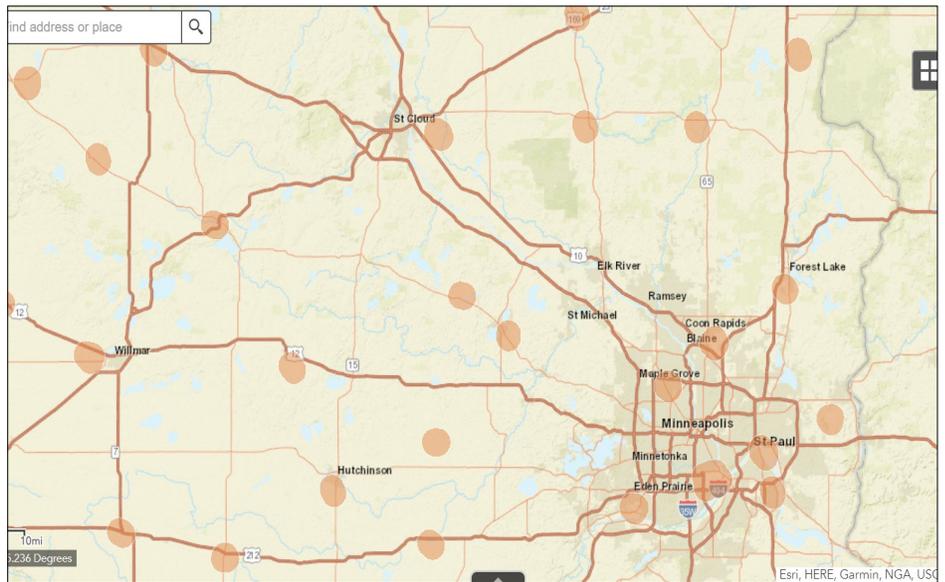
The solicitation will open in October and will be advertised via the [SRTS infrastructure webpage](#). If you have any questions, please contact Sara Pflaum at [sara.pflaum@state.mn.us](mailto:sara.pflaum@state.mn.us) or 651-366-3827.

# Project coordination within Airport Influence Areas

By: Cedric Williams, Office of Aeronautics

MnDOT's Office of Aeronautics provides technical and financial assistance for 133 publicly funded airports throughout Minnesota. Collectively, this system of airports requires large public investments and generates significant economic activity, while providing essential transportation links for communities across the state.

For these reasons, various Minnesota and federal laws protect airports from incompatible land-uses that can pose a risk to airport operations and public safety. In order to protect these investments and ensure the public's safety, the Office of Aeronautics conducts compatibility reviews for all forms of development typically located within 10,000 feet of an airport (otherwise known as an Airport Influence Area (AIA)), including roads and many other infrastructure projects. This review process is necessary for both federally funded and non-federally funded state aid projects.



Interactive AIA web map on MnDOT's Aeronautics website.

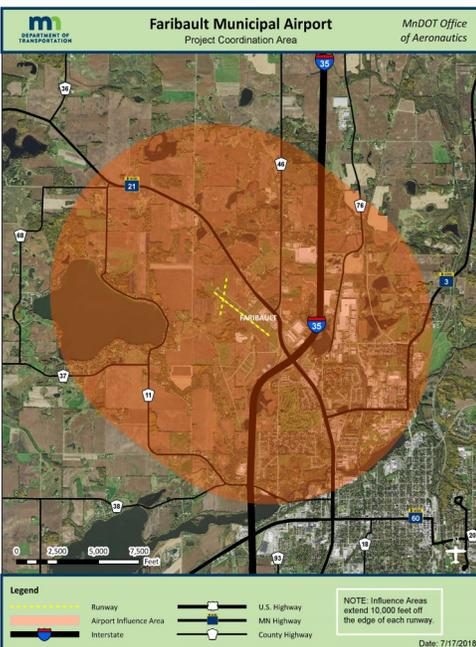
Typically, if a project has the potential to affect navigable airspace, a Notice of Proposed Construction or Alteration (FAA Form 7460-1) needs to be filed with the Federal Aviation Administration (FAA). Title 14, Part 77 of the Code of Federal Regulations establishes the criteria for filing Form 7460-1. The criteria covers factors such as height, location, and airport proximity. Further, state law prohibits certain land uses and infrastructure in airport Safety Zones, as established in Minnesota Statute 8800.

Our team of planners will review your project and provide a response within 30 days. Upon completion of our review, we will notify you of our determination, and what, if any, additional steps are required.

Here are the key facts to know and steps to follow when scoping for a new project.

1. Check to see if your project falls within in [AIA](#).
  - a. Visit the [MnDOT Aeronautics website](#).

- b. Select the Airports tab at the top of the webpage.
  - c. Under the heading "Public Airport Information", select "[Airport Influence Area Maps](#)."
2. If your project falls within a AIA, please notify our office by sending an email to Cedric Williams at [cedric.williams@state.mn.us](mailto:cedric.williams@state.mn.us). Please include the following information in the email.
    - a. Geographical representation of the project's location.
    - b. Type of road and/or bridge construction project.
    - c. Project and equipment heights.
    - d. Potential hazards for aircraft, such as bright lights, reflective signs, etc.
- We are here to help, so please feel free to [reach out to us](#) if you have any questions or concerns regarding a project near a public airport.



Example of an AIA map available on MnDOT's Aeronautics website.

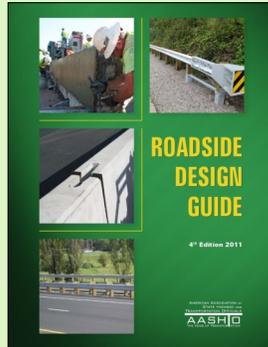
# NHI Roadside Safety Design course

By: Tara Olds, Program Support Engineer

The National Highway Institute (NHI) class on Roadside Safety Design will be offered this fall and 10 out of the 30 seats available are open for public enrollment. This class cost is \$525 per participant and is scheduled for three days (November 5 through November 7, 2019) in Shoreview. The class focuses on the AASHTO Roadside Design Guide and covers MASH crash testing compared to NCHRP 350. Tara Olds ([tara.olds@state.mn.us](mailto:tara.olds@state.mn.us)) and Girma Feyissa ([girma.feyissa@state.mn.us](mailto:girma.feyissa@state.mn.us)) both attended the class earlier this spring and

would be happy to answer any questions.

Class Information and registration can be found on the [NHI website](#).



# Required specifications for contracts

By: Elisa Bottos, Project Delivery Engineer

The State Aid Manual ([Chapter 5.4 Plans and Proposals, VIII, J Specifications](#) (PDF)) requires the use of the latest approved [MnDOT Standard Specifications for Construction](#) for state aid and federal aid projects for the basis of contract documents. This is to ensure contracts are compliant with state law and federal regulations. The use of any other standard specifications could jeopardize funding.

The use of Engineer's Joint Contract Document Committee (EJCDC) Construction Series specifications or any other specifications are not allowed on federal projects because they may not comply with the required language of the Code of Federal Regulations. The FHWA Minnesota Division has approved MnDOT Standard Specifications for Construction as the accepted standard specifications.



# Gravel Road Management Tool

By: Joel Ulring, Pavement Engineer

Have you been wondering, "how do I manage the gravel roads in my system?"

The Local Road Research Board (LRRB) has developed a guide and tool to assist you. These were completed and released in March of this year. A hard working group of county engineers, along with the assistance of SRF Consulting, have developed a guide and spread sheet to help you better manage your gravel roads. The spreadsheet tool and guide are located on the [LRRB Gravel Road Management Tool webpage](#).

If you have any questions, please contact Joel Ulring at [joel.ulring@state.mn.us](mailto:joel.ulring@state.mn.us) or 651-366-3831.

**Gravel Road Management Tool**

HOW ARE YOU MANAGING YOUR GRAVEL ROADS?

There are approximately 142,000 miles of roads in Minnesota, and over half of them are dirt or gravel-surfaced. These roads often have little to no service remote areas, so tools for their management and maintenance have been lacking. At the same time, the time and cost to maintain and service these roads is significant. In an effort to support local agencies that manage gravel roads, a simple spreadsheet tool was designed for agencies to better track their roadway data.

The spreadsheet can be used as both an inventory and planning tool, providing one location for keeping track of gravel road:

- Construction data
- Maintenance and treatment activities
- Gravel thickness
- Surface condition ratings
- Costs

Download the spreadsheet: [mndot.gov/research/reports/2019/2019R033.xls](https://mndot.gov/research/reports/2019/2019R033.xls)

Supplemental guidance: [mndot.gov/research/reports/2019/2019R033.pdf](https://mndot.gov/research/reports/2019/2019R033.pdf)

Gravel Road Management Tool on LRRB website.

# Employee news

## **Staff updates**

We are pleased to announce Kristine Elwood as State Aid's new State Aid Engineer. Kristine is taking over for Mitch Rasmussen, who retired this July. Kristine has been serving as our Deputy State Aid Engineer since April 2018. Prior to this, she served in a leadership role at Dakota County for over 17 years in a variety of positions, including: the Transit and Multi-Modal Programs Manager, Transit Engineer, Cedar Ave – METRO Red Line Project Manager, and Transportation Program Engineer. She also has over four years of experience at the city of Minneapolis in a variety of positions, including Project Engineer, Paving Engineer and Sewer Construction Engineer. Kristine can be reached at [kristine.elwood@state.mn.us](mailto:kristine.elwood@state.mn.us) or 651-366-4831.

Lisa Bigham has been selected as District State Aid Engineer for District 7. Lisa has been acting DSAE for D7 since July 2018. She is a longtime D7 employee and has served in many capacities since 1983 – she was District Planning Director for 18 years, she's worked in various positions in the Construction, Materials and Project Management offices, and has also served as D7's acting Assistant District Engineer for Program Delivery from 2011-2012. Lisa can be reached at [lisa.bigham@state.mn.us](mailto:lisa.bigham@state.mn.us) or 507-304-6105.

Mohamed Farah has accepted the position of State Aid Special Fund and Bond Program Administer. Mohamed served as State Aid Federal Aid Program Administrator in State Aid Finance since late 2018. Mohamed can be reached at [mohamed.m.farah@state.mn.us](mailto:mohamed.m.farah@state.mn.us) or 651-366-3166.

## **New staff**

State Aid Metro is happy announce Gennadiy Begelman as a Federal Aid Project Manager. Gennadiy comes to State Aid from MnDOT Signals and with previous MnDOT time in Metro Design, Bridges and Innovative Contracting. He also has 10 years of construction experience in Russia. Gennadiy can be reached at [gennadiy.begelman@state.mn.us](mailto:gennadiy.begelman@state.mn.us) or 651-234-7761.

State Aid Finance is excited to welcome Greg Schauff as Federal Aid Program Administrator. He will be responsible for DCP projects, including DCP payments and federal SA's, CO's, WO's, and Overruns. Previous to coming to SAF, he worked in MnDOT Finance's Federal Highway Projects Unit for almost eight years. Greg can be reached at [greg.schauff@state.mn.us](mailto:greg.schauff@state.mn.us) or 651-366-4864.

## **Retirements**

On July 5th, Mitch Rasmussen retired from MnDOT. Mitch served as our Division Director since 2014. Before coming to MnDOT he worked as Scott County Public Works Director/County Engineer, Burnsville City Engineer,

Dakota County Construction Engineer, and Rice County Engineer. Mitch's replacement is Kristine Elwood who has been promoted from Deputy State Aid Engineer.

On July 12th, Merry Daher retired from MnDOT. Merry worked over 35 years with MnDOT and started as a Grad Engineer. She began in State Aid in 2002 as Federal Plans Engineer and served as Project Delivery Engineer from 2014-2019. Before coming to State Aid, Merry worked in the project development section in the Office of Project Management and Technical Support. Merry's replacement is Elisa Bottos, see more about Elisa in our [June E-Scene](#) (PDF).

On July 18th, Gary Reihl retired from MnDOT. Gary worked over 34 years with MnDOT and started as a Grad Engineer in D6. He worked in State Aid for 11 years, he also worked in the Materials Office and D6 Pre-design/Final Design and Right of Way. State Aid is currently in the process of filling this position.

On August 8th, Greg Coughlin retired from MnDOT. Greg worked over 31 year with MnDOT. He began his career in D2, working in Traffic Engineer and Materials Offices. He then moved to the Metro District where is he held positions in several offices, including: Traffic Engineering, State Aid, Final Design, and Maintenance. The last three years Greg has been a Project Engineer, working out of our central office in St. Paul.

Best wishes to all the retirees as they begin a new chapter in their lives and thank you to all for their contributions to MnDOT and State Aid.



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