



COLORADO

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DATE: February 15, 2019
TO: Transportation Commissioners, Executive Director, Executive Management Team, Branch Managers, and Office Directors
FROM: Andy Karsian, Office of Policy & Government Relations
RE: Legislative Update

Every year the legislature meets for 120 days. Legislative sessions flow differently based on how the dynamics play. The legislative session is divided roughly into three segments. The first, which is almost over, is when the majority of the high priority legislation passes or dies. The second includes the annual balanced budget bill, and the third is when time and tempers become short.

This year's legislative session is now almost a third over. Legislators did not introduce as many transportation issues as years past. As we get closer to the introduction of the state budget, more conversations are happening on funding and late session bills. Freshmen legislators, of which there is a large class this year, had until Friday to introduce their final two bills, which means there will be a new round of legislation to begin tracking next week.

Legislation

As of today, CDOT is tracking 18 bills for possible direct or indirect impacts to CDOT, its employees, and the state's transportation network. Below are summaries of a few bills introduced or heard this week.

Senate Bill 19-076 (Fixed Bid for CDOT Consultant Contracts):

As introduced this bill required consultants to use a fixed amount when bidding on construction contracts. Consultants currently use an hourly rate that critics claim can delay project completion. The sponsor narrowed the scope of the bill to design bid build projects only, however, implementing this policy would still be complex and expensive. After conversations with stakeholders and additional conversation with the department, the sponsor agreed to allow CDOT's Efficiency and Accountability committee study the issue over the interim. A sincere and special thank you to Director Lew for taking the time to testify in front of the Senate Transportation committee on CDOT's commitment to move forward on this issue.

Senate Bill 19-125 (Supplemental Appropriations for CDOT):

Every year the Joint Budget Committee finalizes budgets for all of the state departments before turning its attention to the next fiscal year's budget. CDOT only has a few line items in the state budget and most of the time this annual supplemental bill garners little attention. Last year's passage of SB18-001 changed that. SB18-001 passed after the annual budget bill so the money identified for the Multimodal Transportation Options Fund (MTOF) was not allocated. This year's budget supplemental bill allocated the \$71 million from last year's legislation to this new fund, which is also a new line item in the annual budget bill for CDOT.

The multimodal funding is divided two ways, 85% (\$80 million) passes through CDOT to local governments statewide, and 15% (\$14 million) comes to CDOT for state uses. The Southwest Chief/Front Range Rail Commission also gets \$2.5 million of the MTOF money. The Transportation Commission approved a new committee to focus the pass through funds to grant recipients. Local governments, transit providers, and other multimodal advocates will make up the nine-member committee. Funding will follow a weighted distribution formula that considers such factors as population, disadvantaged populations, transit revenue miles, and employment numbers. Legislators asked for a 50/50 match between locals and the state for MTOF, yet, there is flexibility for the committee to use a sliding scale or address matching fund needs on a case by case basis.

