

**Resolution #TC-19-03-02**

FY 2018-19 through FY 2021-22 FASTER Transit Distribution.

**Approved by the Transportation Commission on March 21, 2019.**

**WHEREAS**, the Colorado Transportation Commission (the Commission) has statutory authority pursuant to §43-1-106 to approve, accept, and amend various planning documents resulting from Section 135 Title 23 of the U.S.C. and §43-1-1101 through 1105 C.R.S.; and

**WHEREAS**, the Division of Transit & Rail, through C.R.S. 24-1-128.7 (2013) re: State of Colorado Government and C.R.S. 43-1-117.5 (2013) re: duties and powers of Division of Transit & Rail, is responsible for the planning, development, operation, and integration of transit and rail, including, where appropriate, advanced guideway systems, into the statewide transportation system; shall, in coordination with other transit and rail providers, plan, promote, and implement investments in transit and rail services statewide;

**WHEREAS**, the Commission previously approved and adopted in January 2016 (TC-16-1-9, Policy Directive 704.0) such that the Commission's role is to determine what type of projects are eligible for FASTER funding and sets out the pools of FASTER revenues; and

**WHEREAS**, the CDOT Transportation Commission previously approved and adopted this resolution in November 2017 (TC-17-11-13) and the 2019 resolution makes minor changes below; and

**WHEREAS**, the Denver Regional Council of Governments (DRCOG) and the Regional Transportation District (RTD) collaboratively requested a net-neutral fiscal swapping of fund types, with the intent being for the easier and better use of federal funding for transit serving seniors and persons with disabilities;

**NOW THEREFORE BE IT RESOLVED** that CDOT should enter into such a Memorandum of Understanding (MOU), to be subsequently elaborated by a "grant agreement" which including provisions for termination of the MOU if results are unsatisfactory after one year; and

**NOW THEREFORE IT BE FURTHER RESOLVED**, the FASTER Transit Distribution arrived at with the above actions, input, and collaboration, shall allocated \$15 Million per year as follows:

\$2.1 Million small agency capital (all except MMT, Transfort, RTD)  
\$2.0 Million small agency admin & operating (all except MMT, Transfort, RTD)  
\$0.9 Million large urban capital (MMT @ \$0.7 M/yr & TransFort @ \$0.2 M/yr)

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\$5.0 Million Local Pool

\$1.0 Million for DTR Administration, Planning, Tech. Assistance  
\$3.5 Million for CDOT Bustang Interregional Express (IX) Bus Services  
\$2.5 Million Operating Assistance for Other Regional / Interregional Bus Services  
\$2.0 Million for large urban capital (RTD), reduced from \$3.0 Million previously approved  
\$1.0 Million for DRCOG to offer as a TIP set-aside, with the MOU requirement that DRCOG provide RTD an equal \$1.0 Million in other Federal Funding (i.e. CMAQ) in a swap agreement.

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\$10.0 Million Statewide Pool



Herman Stockinger, Secretary  
Transportation Commission of Colorado

3-21-19

Date



**Memorandum of Understanding (MOU) amongst the Colorado Department of Transportation (CDOT), Regional Transportation District (RTD), and the Denver Regional Council of Governments (DRCOG) for Awarding Projects for DRCOG's Transportation Improvement Program (TIP) Human Service Transportation Set Aside (HST Set Aside)**

**A) Introduction**

The DRCOG Board of Directors adopted the HST Set Aside to provide \$4 million over four years (FFY 2020-2023) through the TIP using Congestion Mitigation and Air Quality Improvement (CMAQ) funds to fund underfunded/underserved trips and rolling stock to improve service and mobility options for vulnerable populations in the Denver region including individuals with disabilities, older adults, people with low-income, and veterans. Since the monies are to be allocated through the TIP, they are intended for projects conducted within the DRCOG Metropolitan Planning Organization (MPO) boundaries. This agreement describes the roles each party agrees to for implementing the HST Set Aside feasibly and in a way that enables subrecipients to use HST Set Aside dollars toward the local match requirement for FTA 5310 funding.

**B) Terms and Provisions**

- a) Timeline: April 1, 2019-December 31, 2020- FTA 5310: this allows for a HST Set Aside contracting period with subrecipients in calendar year 2020.
- b) Agreement continuation clause: After the expiration of this agreement, the parties may elect to continue this agreement, making any updates or amendments that all parties agree to.

**C) Roles and Responsibilities**

- a) RTD will forgo \$1 million in Funding Advancements for Surface Transportation and Economic Recovery Act of 2009 (FASTER) funds for calendar year 2020 currently set aside annually.
- b) DRCOG will allocate \$1 million in CMAQ funds to RTD. This will not impact RTD's ability to apply for and potentially receive any DRCOG allocated funding in the future.
- c) CDOT will continue to allocate and administer \$2 million in FASTER funds to RTD and allocate and administer \$1 million in FASTER funds to DRCOG.
- d) CDOT and DRCOG will issue a joint call for projects for FTA 5310 Denver-Aurora urban funds and the HST Set Aside, making this money available for the 2020 calendar year.
- e) DRCOG, as a subrecipient of FASTER funds under CDOT, will manage contracts with HST Set Aside project sponsors. If FASTER funds is matched to FTA-5310 Denver- Aurora grants, then CDOT should issue the grant agreements for these FASTER projects.
- f) CDOT will manage subrecipient grant agreements for FTA-5310 Denver-Aurora funds.

**D) Objectives**

The result of this agreement is intended to improve efficiency and effectiveness in the provision of human services transportation in the Denver region by the following:

- a) DRCOG and CDOT conducting a joint call for projects for the HST Set Aside and FTA 5310 in the Denver-Aurora Urbanized Area will allow for more holistic project funding decisions making it easier for both parties and subrecipients to make project decisions in a less siloed way, and
- b) Making it easier for subrecipients to access more federal funding by reducing federal local match requirements by allocating state FASTER funds in place of HST Set Aside funds.

**E) Signatures**

**CDOT**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**RTD**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**DRCOG**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_