

Resolution #TC-2021-01-12

Approving the Memorandum of Understanding between CDOT and HPTE.

Approved by the Transportation Commission on January 21, 2021.

WHEREAS, the Transportation Commission is responsible, pursuant to C.R.S. 43-1-106(8), for formulating the general policy of the Colorado Department of Transportation (CDOT); and

WHEREAS, the General Assembly created the Colorado High Performance Transportation Enterprise ("HPTE"), pursuant to Section 43-4-806, C.R.S., as a government-owned business within CDOT to pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, the Parties entered into that certain Memorandum of Understanding (MOU), dated September 30, 2013, to advance and promote the respective mission of CDOT and the HPTE by defining their operating roles and responsibilities as they relate to those missions; and

WHEREAS, the Parties now desire to update the roles and responsibilities therein to account for changes in staffing, reorganizations, and other operating procedures; and

WHEREAS, upon the effective date of this MOU, the prior MOU dated September 30, 2013 shall terminate and be of no further force and effect and shall be superseded and replaced in its entirety by this MOU; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the MOU between CDOT and HPTE in substantially the form presented to the Transportation Commission and authorizes CDOT's Executive Director to sign the MOU with such changes therein and additions thereto, not inconsistent with this Resolution.

BE IT FURTHER RESOLVED, the Transportation Commission also authorizes CDOT's Executive Director and CDOT staff to deviate from the CDOT roles and responsibilities outlined in the MOU if a particular project or circumstance warrants such a deviation.

Herman F. Stockinger III

Herman Stockinger, Secretary
Transportation Commission of Colorado

1/21/2021

Date