

Resolution #BTE-2023-12-02

Adoption of the Third Amended Articles of Organization and Third Amended Board Bylaws of the Statewide Bridge and Tunnel Enterprise

Approved by the Bridge and Tunnel Enterprise Board of Directors on December 20, 2023.

WHEREAS, in 2009, the Colorado General Assembly created the Colorado Bridge Enterprise (BE) in Section 43-4-805, C.R.S as a government-owned business within CDOT for the business purpose of financing, repairing, reconstructing, and replacing Designated Bridges, defined in Section 43-4-803(10) C.R.S. as those bridges identified as structurally deficient or functionally obsolete and rated poor; and

WHEREAS, in May 2023, Governor Polis signed HB 23-1276 Scope Of the Bridge and Tunnel Enterprise into law. The signing of the new bill expanded the scope of the legacy Bridge and Tunnel Enterprise to include preventative maintenance to good and fair bridges and fair bridge rehabilitation and replacements when bundled with a poor bridge under certain conditions, Section 43-4-805(2)(a)(I), C.R.S.; and

WHEREAS, Article IX of the Statewide Bridge and Tunnel Enterprise Second Amended Articles of Organization allows the BTE Board to amend, supplement, repeal, or adopt new Articles with a majority vote of the members at any regular meeting of the Board; and

WHEREAS, Article VII, Section A of the Statewide Bridge and Tunnel Enterprise Board Bylaws allows the BTE Board to amend, supplement, repeal, or adopt new Board Bylaws by a majority vote of all members; and

WHEREAS, the Enterprise Board desires to make changes to the Statewide Bridge and Tunnel Enterprise Second Amended Articles of Organization including, but not limited to, expanding the scope of the legacy Bridge and Tunnel Enterprise to include preventative maintenance to good and fair bridges and fair bridge rehabilitation and replacements when bundled with a poor bridge under certain conditions; and

WHEREAS, the Enterprise Board desires to make changes to the Statewide Bridge and Tunnel Enterprise Board Bylaws including, but not limited to, the recognition of Colorado Legislature approving the expansion of the Bridge and Tunnel Enterprise to include expanding the scope of the legacy Bridge and Tunnel Enterprise to include preventative maintenance to good and fair bridges and fair bridge rehabilitation and replacements when bundled with a poor bridge projects under certain conditions; and

NOW THEREFORE BE IT RESOLVED, after review and consideration, the Statewide Bridge and Tunnel Enterprise Board adopts the Statewide Bridge and Tunnel Enterprise Third Amended Articles of Organization and Third Amended Board Bylaws as amended and attached hereto.

Herman
Stockinger

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Herman Stockinger
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Herman Stockinger, Secretary
Bridge and Tunnel Enterprise Board of Directors

Date

