

Resolution #BTE-2023-07-02

Committing a BTE funding match for the Fiscal Year (FY) 2023 Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Discretionary Grant Program to address one Bridge and Tunnel Enterprise eligible structure as part of the SH 7 over Boulder Creek bridges replacement project.

Approved by the Bridge and Tunnel Enterprise Board of Directors on July 19th, 2023.

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

WHEREAS, in 2021, the Colorado General Assembly passed Senate Bill 21-260, which was signed into law by the Governor on June 17, 2021, expanding the BE to include both designated bridge projects and surface transportation infrastructure projects for tunnels, and renaming the expanded enterprise the Statewide Bridge and Tunnel Enterprise (BTE), C.R.S. § 43-4-805(2)(a)(I); and

WHEREAS, the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law or IIJA) authorized and appropriated \$848 million to be awarded by the US Department of Transportation (USDOT) for FY 2022 and FY2023 for PROTECT Discretionary Grant Program to fund projects that address the climate crisis by improving the resilience of the surface transportation system; and

WHEREAS, a Notice of Funding Opportunity (NOFO) was issued by the USDOT on April 21, 2023 for the FY 2023 PROTECT Grant Program; and

WHEREAS, applications for the FY 2023 PROTECT Grant Program are due to the USDOT by 11:59 PM E.S.T on August 18, 2023; and

WHEREAS, the FY 2023 PROTECT Grant Program will award discretionary funds to surface transportation projects that will plan for and strengthen surface transportation to be more resilient to natural hazards, including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through formula and competitive discretionary grants; and

WHEREAS, the USDOT's evaluation of FY 2023 PROTECT Grant Program applications will be based on key program objectives that improve resilience to natural hazards and climate change impacts, such as reducing damage and disruption to the transportation system, improving the safety of the traveling public, and improving equity by addressing the needs of disadvantaged populations that are often the most vulnerable to hazards; and

WHEREAS, Staff performed an evaluation of potential projects for the Department to submit under a unified grant application and identified one project with BTE-eligible scope that will be submitted based on the key program objectives; and

WHEREAS, Staff recommends the SH 7 over Boulder Creek bridges replacement project as a priority candidate for the FY 2023 PROTECT Grant Program:

WHEREAS, the BTE Board is being asked to commit BTE funds to address a deficient structure through this project and increase the competitiveness of the Department's common applications; and

NOW THEREFORE BE IT RESOLVED, the BTE Board commits to providing up to \$13 million of BTE state matching funds for one BTE-eligible structure under the grant application for the SH 7 ML WBND over Boulder Creek Project in Region 4 if this grant application is successful; and

NOW THEREFORE BE IT FURTHER RESOLVED, in order to show the Department's financial commitment to the recommended project, the BTE may commit funding in an amount not-to-exceed the limits stated herein for future federal discretionary grant opportunities.

Herman
Stockinger

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Herman Stockinger
Date: 2023.07.26
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Herman Stockinger, Secretary
Bridge Enterprise Board of Directors

Date