

Resolution #BTE-2023-11-04

Committing BTE funds for the Fiscal Year (FY) 2023 Bridge Investment Program Discretionary Grant Opportunity to replace nine bridges as part of the I-270 Corridor Improvements Bridge Project.

Approved by the Bridge and Tunnel Enterprise Board of Directors on (November 16th, 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, in 2023, the Colorado General Assembly passed House Bill 23-1276, which was signed into law by the Governor on May 15, 2023, approving the expansion of the scope of the BTE authority to include preventative maintenance for bridges rated as fair and good and to include the repair, reconstruction, replacement, and maintenance of bridges rated as fair if they are bundled with a project to address a designated bridge; and

WHEREAS, the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law or BIL) established the Bridge Investment Program (BIP) to provide grants, on a competitive basis, to improve bridge condition and the safety, efficiency, and reliability of the movement of people and freight over bridges; and

WHEREAS, the BIL authorizes and appropriates up to \$9.62 billion to be awarded through the BIP by the US Department of Transportation (USDOT) in FYs 2023 through 2026 for Large Bridge Projects; and

WHEREAS, a Notice of Funding Opportunity (NOFO) for the FY 2023 BIP Grants was issued by the USDOT on September 27, 2023; and

WHEREAS, the NOFO establishes one BIP funding categories: Large Bridge Projects for projects with total eligible project costs of greater than \$100 million; and

WHEREAS, applications for Large Bridge Projects, Bridge Projects are due to the USDOT by 11:59 PM E.D.T on November 27, 2023; and

WHEREAS, the FY 2023 Large Bridge Project BIP grant will award discretionary funds for bridge projects on a competitive basis for bridge replacement, rehabilitation, preservation, and protection projects with total eligible costs of greater than \$100 million that: (1) improve the safety, efficiency, and reliability of the movement of people and freight over bridges; and (2) improve the condition of bridges in the United States by reducing (a) the number of bridges, and

total person miles traveled over bridges, that are in poor condition or that are in fair condition and at risk of falling into poor condition within the next three years, or (b) the number of bridges, and total person miles traveled over bridges, that do not meet current geometric design standards or cannot meet the load and traffic requirements typical of the regional transportation network; and

WHEREAS, the USDOT has designated six project outcome criteria which will be used to evaluate and rate the responsiveness of an application for the Large Bridge Project and Bridge Project funding categories: (1) state of good repair, (2) safety and mobility, (3) economic competitiveness and opportunity, (4) climate change, sustainability, resiliency, and the environment, (5) equity and quality of life, and (6) innovation; and

WHEREAS, Staff performed an evaluation of potential projects for the Department to submit under a BIP grant application and selected one project with BTE eligible scope that is recommended for submittal based on the USDOT's evaluation criteria; and

WHEREAS, Staff recommend the I-270 Corridor Improvements Bridge Project as a priority candidate under the Large Bridge Project funding category and;

WHEREAS, the recommended project is included in the CDOT 10-Year Plan and aligned with the Department's strategic vision, and

WHEREAS, the BTE Board is being asked to commit BTE funds to address these deficient structures and increase the competitiveness of the Department's application.

NOW THEREFORE BE IT RESOLVED, in order to show the Department's financial commitment to the recommended project the BTE commits to providing up to maximum of \$100,000,000 of funding to replace nine bridges as part of the I-270 Corridor Improvements Bridge Project if the Department's application is awarded a grant by the USDOT.

Herman
Stockinger

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

Date