

Attachment A:

**Resolution #TC-16-6-**

Approving a First Amendment to the Fee for Service Intra-Agency Agreement between CDOT and HPTE for FY 2016-17

**Approved by the Transportation Commission on June 16, 2016**

**WHEREAS**, the Transportation Commission is responsible, pursuant to Section 43-1-106(8), C.R.S., for formulating the general policy with respect to the management, construction and maintenance of public highways and other transportation systems in the State; and

**WHEREAS**, the Transportation Commission promulgates and adopts all budgets for the Colorado Department of Transportation (“CDOT”) and state transportation programs; and

**WHEREAS**, HPTE and CDOT previously entered into that certain *Fee for Service Intra-Agency Agreement*, dated September 9, 2015 (the “Agreement”), in which CDOT acknowledged that HPTE possesses expertise and legal powers unavailable to CDOT, and agreed to compensate HPTE for the fair market value of certain services to be provided to CDOT during the 2015-16 fiscal year; and

**WHEREAS**, the Agreement expressly contemplated that it may be extended for additional one-year terms by mutual agreement of the parties; and

**WHEREAS**, the Transportation Commission has reviewed both the Agreement and the *First Amendment (FY 2016-17) to Fee for Service Intra-Agency Agreement* (the “Amendment”), and by this Resolution accepts and confirms the findings and statements contained in the recitals to each; and

**WHEREAS**, the Transportation Commission has reviewed the FY 2016-17 Scope of Work attached as Exhibit A to the Amendment, and finds the compensation amounts set forth to constitute fair and reasonable compensation for the services to be provided by HPTE to CDOT during the 2016-17 fiscal year.

**NOW THEREFORE BE IT RESOLVED**, the Transportation Commission hereby approves the Amendment in substantially the form presented and authorizes the CDOT Executive Director to execute the Amendment with such changes therein and additions thereto, including revisions or modifications to the FY 2016-17 Scope of Work, as the HPTE Director may determine to be necessary or appropriate.

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Herman Stockinger, Secretary  
Transportation Commission of Colorado

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Date