

Resolution #TC-16-9-11

Approval of the 1st Amendment to the HPTE 2016/17 Scope of work.

Approved by the Transportation Commission on Sept. 15, 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 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 "FY 2015-16 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; and

WHEREAS, on June 16, 2016, the Transportation Commission approved that certain *Fiscal Year 2016-17 Fee for Service Agreement*, which incorporated the terms of conditions of the FY 2015-16 Agreement and set forth a new scope of services to be provided by HPTE to CDOT during the 2016-17 fiscal year; and

WHEREAS, CDOT has subsequently requested additional services from HPTE for the 2016-17 fiscal year, which HPTE has agreed to provide for a fee, and which are described in the *First Amendment to the Fiscal Year 2016-17 Fee for Service Agreement* (the "Amendment"); and

WHEREAS, the Transportation Commission has reviewed the Amendment and finds the compensation amounts set forth to constitute fair and reasonable compensation for the additional 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 further revisions or modifications to the fiscal year 2016-17 scope of work as the Executive Director may determine to be necessary or appropriate.



Herman Stockinger, Secretary
Transportation Commission of Colorado

_____ 9-15-16
Date of Approval