

Resolution # TC-1863

Allowing CDOT to work with the HPTE to apply for a TIFIA loan

WHEREAS, the Colorado Department of Transportation (CDOT) was awarded a \$10 million Transportation Investments for Generating Economic Recovery (TIGER) Challenge grant by the U.S. Department of Transportation (US DOT) in February of 2010 for the US 36 Corridor Managed Lanes Project; and

WHEREAS, the intent of the TIGER Challenge grant is to provide incentive to Colorado to pursue up to \$100 million in funding for the corridor through the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program; and

WHEREAS, the High Performance Transportation Enterprise (HPTE) was authorized by the Colorado Legislature to aggressively pursue innovative means of more efficiently financing transportation projects in the State of Colorado; and

WHEREAS, HPTE is the appropriate entity to apply for a TIFIA loan; and

WHEREAS, May 20, 2010 is the deadline for CDOT to communicate its intent or lack of intent to pursue the TIFIA loan option and to describe how the TIGER grant funds would be used in the event that a TIFIA loan is not sought or cannot be secured; and

WHEREAS, certain studies and work are necessary prior to submitting a TIFIA loan application, including completion of an investment grade Traffic and Revenue Study; and

WHEREAS, US DOT has confirmed that up to \$900,000 of the \$10 million TIGER grant to CDOT may be used for doing work that is necessary to submit a TIFIA loan application; and

WHEREAS, there is benefit to having HPTE conduct and pay for this preliminary work so that expenses for the managed lane project can accrue to HPTE rather than CDOT for purposes of TABOR;

NOW THEREFORE BE IT RESOLVED: The Transportation Commission desires to work in partnership with the HPTE, RTD, DRCOG, and US 36 MCC to take the steps necessary to maintain the option to apply for a TIFIA loan for the US 36 Corridor Managed Lanes Project. To that end the Transportation Commission authorizes CDOT staff to:

1. Work with partner agencies to identify funding to fill the gap for a minimum \$160 Million project.
2. Communicate the Commission's intent to maintain HPTE's option to apply for a TIFIA loan. Final direction to submit a TIFIA loan application would be subject to future action by the HPTE and the Commission.
3. Communicate a backup plan for utilizing the \$10 million TIGER grant for a smaller project in the event that a TIFIA loan is not sought or secured.

NOW THEREFORE BE IT FURTHER RESOLVED: The Transportation Commission authorizes transfer of up to \$900,000 of the \$10 million TIGER grant funds from CDOT to HPTE and reflection of that funding in the State Transportation Improvement Program (STIP) to conduct work required prior to submitting for a TIFIA loan for the US 36 Managed Lanes project.