

Resolution #TC-1949

BE IT HEREBY RESOLVED, the Transportation Commission's Special and Regular Meeting Minutes of January 19 & 20, 2011 are hereby approved as published in the official agenda of the February 16 & 17, 2011 Meeting.

**Transportation Commission of Colorado
Regular Meeting Minutes
January 19 & 20, 2011**

Chairman Les Gruen convened the meeting at 9:39 a.m. in the auditorium of the headquarters building in Denver Colorado.

PRESENT WERE: Les Gruen, Chairman, District 9
Trey Rogers, District 1
Jeanne Erickson, District 2
Gary Reiff, District 3
Heather Barry, District 4
Doug Aden, District 7
Gilbert Ortiz, Sr., District 10
Kimbra L. Killin, District 11
Herman Stockinger/Secretary, Government Relations Director

EXCUSED: Bill Kaufman, District 5
Steve Parker, Vice Chair, District 8

ALSO PRESENT: Peggy Catlin, Deputy Executive Director
Jennifer Finch, Transportation Development Director
Heidi Bimmerle, Director, Division of Human Resources and Administration
Casey Tighe, Audit Director
Scott McDaniel, Staff Services Director
Ben Stein, CFO
Stacey Stegman, Public Relations Director
Mark Imhoff, Division of Transit and Rail Director
Michael Cheroutes, High Performance Transportation Enterprise Director (Acting CDOT Executive Director)
Tony DeVito, Region 1 Transportation Director
Tim Harris, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Richard Reynolds, Region 5 Transportation Director
Reza Akhavan, Region 6 Transportation Director
Harry Morrow, Chief Transportation Counsel

John Cater, FHWA
Vince Rogalski, Statewide Transportation Advisory
Committee (STAC) Chairman
Dave Wieder, Maintenance and Operations Branch Manager

AND: Other staff members, organization representatives,
the public and the news media

Two audiotapes of the meeting were made and supporting documents are filed in the Transportation Commission office.

Audience Participation

Chairman Les Gruen stated that there were no members of the audience signed up wishing to speak.

Individual Commissioner Comments

Commissioner Rogers mentioned that he wanted to thank Mike Cheroutes for filling the position of Acting Executive Director of CDOT while staff and the Commission await the arrival of the new Director, Don Hunt.

Commissioner Reiff reported that since the last meeting of the Transportation Commission he had the opportunity to visit with the elected officials in the Arapaho County area and that it reminded him of the importance of CDOT's local planning partners. He stated that he met with the mayors of Centennial and Greenwood Village and with two Arapahoe County Commissioners. He declared that their specific knowledge of the projects and input on the importance of the projects in their areas and how the projects should be prioritized helps CDOT staff and the Commission immensely.

Commissioner Killen reported that it was a pleasure to work with Mike Cheroutes closely again and she thanked him for filling the interim position.

Commissioner Erickson reported that she had attended the last I-70 Pact Meeting and that the meetings continue to be held on a monthly basis. She stated that she has a deep concern for the I-70 east corridor as well as the west and that she is happy to be involved in the process.

Commissioner Aden stated that he wanted to acknowledge the great work of the Region 1 and Region 3 Maintenance forces. He declared that when you drive over the top of Vail Pass there has been so much snow it is like you are in a tunnel and he felt that the staff had done a great job of keeping that road in very good condition under some pretty trying circumstances. He asked RTDs Dave Eller and Tony DeVito to pass along his thanks to the folks in the field who do a terrific job. He mentioned that Michelle Halstead was leaving CDOT and he wished her the very best.

Commissioner Barry stated that she wanted to thank Mike Cheroutes for serving as the interim Executive Director and that she was looking forward to working with the new Executive Director, Don Hunt and learning what his vision will be for the organization in the coming months. She addressed Michelle Halstead stating that she would be missed at the early morning meetings of Bagels with Barry and many other experiences they have shared.

Chairman Gruen stated that he too wanted to acknowledge Michelle and her service at CDOT for 3 years and that she would be missed. Chairman Gruen reported that Pam Hutton had been named WTS Woman of the Year and would be honored on February 24, 2011 at an awards dinner for the Women's Transportation Seminar he stated that the Commission was proud of CDOT's Chief Engineer for receiving this award and many other accomplishments. He stated that the Conference on Minority Transportation Officials will be honoring Mark Imhoff at the Thursday, January 20, 2011 membership meeting.

Executive Director's Report

Acting Executive Director, Mike Cheroutes thanked the Commissioners for their kind words and stated that he was honored to sit in the chair of Executive Director for the short period that he will be there and declared that it was a chance for him to demonstrate how much he cared about CDOT. He said that Senior Staff and all those in the building had been extraordinarily helpful and kind and he stated that CDOT could mostly run itself. He stated that he would try to be a good steward of the Department while he is there and try to take care of whatever emergencies arise and that he looks forward to the arrival of Don Hunt who he had breakfast with the day before. He stated that Don Hunt was an enormously engaging guy and that he has good executive experience and is very empathetic to the situation at CDOT to include the staff members who are working hard without any cost of living increases over the last 3 years and that he understands the degree of loyalty that is being demonstrated by those people. Mike reported that he thought staff would find Mr. Hunt sympathetic to a lot of the issues that are important to staff. Mike declared that just as important, was the fact that Don is a decisive guy and he will make decisions that will help all. He said that there are some good times ahead, in terms of the Director and that these characteristics of the new leader are not intended to cast any poor light on the outgoing Director, Russ George who Mike felt was exactly the right person for the job when he took the post.

Chief Engineer Report

Chief Engineer Pam Hutton was excused from the meeting.

High Performance Transportation Enterprise (HPTE) Director's Report

Michael Cheroutes stated that the major activity for the HPTE in terms of projects involves US 36. He mentioned that the Annual Report for the HPTE was filed and that it was available on the CDOT website under the HPTE tab. He encouraged people to take a look at the document to see more detail for the Enterprise's accomplishments for the year. He said that for US 36, many stakeholders had put together a financing plan

to move the project farther and a little earlier than it would have gone forward. He stated that this had happened with some good help from the RTD people, Federal Highways and DRCOG and that the project had been pushed to the point that there is pretty good assurance that US 36 will be able to be re-built to the Interlocken Intersection. He reported that the staff at Region 6 had been through some trying requests from the HPTE and that they had responded brilliantly. He mentioned there would be continuing requests from RTD and others to cooperate with them and meet some of their goals. He reported that one thing that gets forgotten is that the managed lanes for CDOT are highway managed lanes and that for RTD, they will be BRT Lanes He declared that they are interested in getting that part of their FAST Tracks commitment out quickly. Mike reported that part of the quid pro quo for RTD's generosity in fronting some of the money for the project would be continuing pressure to keep the schedule moving and to get the project started. Mike confirmed that the group is pleased with the project and that the TIFIA Loan Application was projected to be filed by the end of January. He reported that the loan will produce approximately \$70M for the project and when that sum is put together with \$120M contributed by RTD, \$50M by DRCOG and \$34M approved by the Transportation Commission it will go a long way to get the project underway.

FHWA Division Administrator Report

John Cater reported that he wanted to discuss a couple of things:

Federal Transportation Authorization bill expires March 3, 2011

- Momentum is building for a re-authorization bill for Summer of 2011
- FHWA is working on an Administration Proposal as part of the basis for a re-authorization bill
- Federal agencies are likely to see a freeze or decline in operating budgets
- Tight budgets will force them to be even more frugal

Technology deployment funds for Colorado were obtained to allow scanning tours to look at technologies and innovations done elsewhere in the country

- The tours will facilitate going there, seeing what is being done, and talking to the people who made it happen
- discuss the issues of implementing them, challenges that were overcome and ways that Colorado could implement the technologies and innovations
 - Diverging Diamond Interchange
 - ✓ New concept where the frontage road lanes cross over where vehicles would drive on the left instead of right and then once through the interchange vehicles would go back to the right
 - ✓ Advantage is that every turn is made without left turns across traffic
 - ✓ All turns are made without conflict
 - ✓ Much more traffic is moved through the interchange
 - ✓ Used in Missouri and Utah

- ✓ A group from CDOT and local government traveling to Utah to observe, meet the people responsible for the project and see if there is any applicability for Colorado
- Water Quality and Run off from Construction projects
 - ✓ Increasing concern around the country
 - ✓ A team will go look at projects done in New Hampshire, Maryland and North Carolina
 - ✓ Talk with the people who completed the projects
 - ✓ Meetings with local transportation agencies and local water quality agencies
 - ✓ Ideas on resolving issues in these states
 - ✓ Possibly bring ideas back to Colorado to be used on projects

STAC Report

Vince Rogalski stated that the STAC had its regular meeting on Friday, January 14, 2011 and discussed the following topics:

- Federal and State Legislation
 - Earmarks reviewed
 - ✓ 142 earmarks since 2004
 - ✓ Represent \$359M
 - ✓ 30 earmarks totaling \$35M that needed work
 - ✓ Structural issue for communication between CDOT and FHWA
- New Bill 1046 calls for Elimination of planning outside of Metropolitan Planning Organizations
 - STAC is distressed by the bill
 - Would eliminate the TPRs and the STAC
 - Entities are coming closer and closer together and viewing the transportation plan as a statewide plan
- Bridge Enterprise Summary
 - \$300M Bonding review
 - Non-Metropolitan Local Officials Consultant process
- 2035 Plan Amendment
- Local Transit Grants
- New Transit Advisory Committee
- Profile of Grand Junction MPO 2035 Plan

Committee Reports

Efficiency and Accountability

Commissioner Erickson reported that in Mary Beth Lewis-Baker's absence, she would give an update on Efficiency and Accountability Committee Meeting because she is a

member of the Committee and she delivered the following report of the December 20, 2010 Meeting:

- The Committee received an update on the energy savings audit being conducted by Johnson Controls on behalf of CDOT. From the presentation, it appears CDOT has the opportunity to cut energy use and energy costs by investing in improvements to some CDOT facilities. However, it is also clear that some building modifications will not be cost effective so CDOT needs to be careful in selecting what actions to take to try and reduce energy costs.
- The Committee approved its 1st annual report for the legislature. The report was submitted to the legislature a few days ago.
- The Committee continues to work on:
 - Evaluating CDOT's permit fee structure and the process used for setting different permit fees.
 - Analyzing fixed and variable costs for CDOT operations
 - Access management and the planning process.

Act on Consent Agenda Act on Consent Agenda

Chairman Gruen mentioned that the next item was the Approval of the Consent Agenda. He then asked for a motion on the Consent Agenda. Commissioner Aden moved for adoption of the Consent Agenda. Commissioner Rogers seconded motion and on a vote of the Commission, the following resolutions were unanimously adopted.

Approve the Special & Regular Meeting Minutes of December 15 & 16, 2010

Resolution #TC-1939

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of December 15 and 16, 2010 are hereby approved as published in the official agenda of the January 19 & 20, 2011 meeting.

Resolution # TC-1940

Resolution to Approve STIP Policy Amendment Package for Amendment #33

**Approved by the Transportation Commission on:
January 20, 2011**

WHEREAS, the Colorado Transportation Commission has statutory authority pursuant to 43-1-106, C.R.S. to approve, accept, and amend various planning documents resulting from Section 135 Title 23 of the USC, and 43-1-1101 through 1105 C.R.S.; and

WHEREAS, the Commission adopted the 2008 – 2013 Statewide Transportation Improvement Program (STIP) in March, 2008; and

WHEREAS, the STIP is occasionally amended due to significant changes in project scope or projects need to be programmed in or out of the first four years of the STIP, thereby requiring a policy amendment to the STIP; and

WHEREAS, the Section 450 Title 23 of the CFR requires a public process be implemented for review and comment on proposed policy amendments, as well as Transportation Commission approval of said amendments; and

WHEREAS, the public process for the policy amendments set before the Commission for the month of Amendment #33 was provided from December 16, 2010 through January 19, 2011, and no comments were received; and

WHEREAS, it is requested that the Transportation Commission approve these policy amendments to the STIP, which are detailed in the attached table, and direct staff to forward this approval to the Federal Highway Administration and the Federal Transit Administration for concurrence.

NOW, THEREFORE, BE IT RESOLVED, the attached STIP Policy Amendment package for Amendment #33 be adopted and forwarded to the Federal Highway Administration for concurrence.

BE IT FURTHER RESOLVED, after said concurrence is received from the Federal Highway Administration, staff from the CDOT Office of Financial Management and Budget will finalize the policy amendments in the STIP Database.



**Herman Stockinger, Secretary
Transportation Commission of Colorado**

Resolution #TC-1941
2011 Standard Specifications for Road and Bridge Construction

Approved by the Transportation Commission on:
January 20, 2011

WHEREAS, in accordance with Section 43-2-107, C.R.S. 1973, it is the responsibility of the Transportation Commission to adopt and approve the standards of construction of the Department of Transportation; and

WHEREAS, the Department of Transportation has held many meetings and devoted much time to research to develop the 2011 Standard Specifications for Road and Bridge Construction for the State of Colorado; and

WHEREAS, the Department of Transportation has prepared and published the 2011 Standard Specifications for Road and Bridge Construction for the State of Colorado; and

WHEREAS, the Transportation Commission has requested the Department of Transportation to submit the 2011 Standard Specifications for Road and Bridge Construction for its consideration and approval; and

WHEREAS, the preparation and publications of the 2011 Standard Specifications for Road and Bridge Construction provides an orderly process whereby the Commission and the Department discharge their respective responsibilities; and

WHEREAS, the Transportation Commission previously adopted the 2005 Standard Specifications for Road and Bridge Construction; and

WHEREAS, the Transportation Commission has reviewed the modifications proposed to be made to the 2005 edition for inclusion in the 2011 edition.

NOW THEREFORE BE IT RESOLVED, that the 2011 Standard Specifications for Road and Bridge Construction is hereby adopted and approved by the Transportation Commission as the standards of construction to be used on specified projects advertised for bids in February and March 2011 and thereafter to be used on all projects advertised on or after May 5, 2011.



Herman Stockinger, Secretary
Transportation Commission of Colorado

Resolution #TC-1942
Parcel 23X, Washington County, Excess Declaration

Approved by the Transportation Commission on:
January 20, 2011

Project Code: None
Project Nos: LSI 80S-2(1)
I 80S-2(2)88
Locations: I-76 MM108
County: Washington

WHEREAS, the Colorado Department of Transportation (Department, fka Division of Highways) acquired right of way in 1963 and 1964 under Project Number LSI 80S-2(1) to be used as a roadside rest area on westbound Interstate 76 ((I-76) (fka State Highway 2)) at approximately mile marker 108;

WHEREAS; the Department acquired additional property in 1972 for the construction of a leach field under Project Number I 80S-2(2)88;

WHEREAS; a portion of that property is identified as Parcel 23 and is composed of 11.557 acres;

WHEREAS, improvements on the property include a perimeter fence, a shallow groundwater well, and a small shed containing the groundwater well;

WHEREAS, a perimeter fence is located along the northwest property boundary and separates the parcel from grazing land abutting Parcel 23 on the northwest;

WHEREAS; construction of the improvements for the roadside rest area were never completed;

WHEREAS, the Region 4 Transportation Director and Right of Way Manager agree the property will not be needed for transportation purposes now or in the foreseeable future, and that the property is outside of the right of way needed for I-76;

WHEREAS, Parcel 23 will be re-designated Parcel 23X;

WHEREAS, the abutting property owner has offered to acquire Parcel 23X for use as grazing land;

WHEREAS, the current access-control line will be moved to coincide with the westbound I-76 right-of-way line as a condition of sale;

Resolution #TC-1943
Parcel 616, Mesa County, Excess Declaration

Approved by the Transportation Commission on:
January 20, 2011

Project Code: 75039
Project No.: I 70-1(45) Sec 6
Location: I-70 Frontage Road
De Beque, CO
Parcel No: 616 Rev2 X

WHEREAS, the Division of Highways acquired Parcel 616 Rev2 under Colorado Department of Transportation (CDOT) Project Number I 70-1(45) Sec 6 for US 6 Right of Way in 1979;

WHEREAS, the CDOT has leased a portion of Parcel 616 Rev2 to the adjacent landowner since June 1, 2009 for use as an access drive to a gas station development;

WHEREAS, the portion of Parcel 616 Rev2 that has been leased to the adjacent landowner by the CDOT has been labeled as Parcel 616 Rev2 X;
WHEREAS, Parcel 616 Rev2 X contains 1,791 square feet, fronts Roan Creek Road (a local street, not part of the State Highway System) and has no frontage to US 6;

WHEREAS, Parcel 616 Rev2 X is too small to be developed as a stand-alone parcel by local public agencies and has value to only the abutting property owner;

WHEREAS, pursuant to 43-1-210 (5)(a)(III) K&G as the abutting property owner will have right of first refusal to purchase the property.
WHEREAS, the CDOT's, Region 3, recommends that Parcel 616 Rev2 X of the CDOT Project Number I 70-1(45) Sec 6 be declared excess Right of Way and no longer needed for highway purposes in the foreseeable future;

WHEREAS, the Department of Transportation, has declared through Pamela Hutton as Chief Engineer, that Parcel 616 Rev2 X is no longer needed for highway purposes in the foreseeable future;

WHEREAS, the Transportation Commission concurs with the Chief Engineer Parcel 616 Rev2 X is no longer needed for highway purposes in the foreseeable future;

NOW THEREFORE BE IT RESOLVED, that the Department of Transportation be given authority to declare Parcel 616 Rev2 X of the CDOT Project Number I

Discuss and act on a Resolution for the approval of the 8th Budget Supplement

Ben Stein mentioned that the budget included 2 changes from what was provided in the mailing packet. Ben said that the first change was for Region 3 in the amount of \$3.6M for the Skippers Island project requesting a change in the funding mix to be \$1.5M from the MLOS fund up from \$750,000 and he asked Dave Eller to come forward and explain.

Dave Eller stated that the brief reason they were requesting to move MLOS funds to a project was that there are 5 structures with a variety of repair needs and rehabilitation on I-70 and CDOT Maintenance forces have been given requests for critical repairs on 3 of the structures and the estimates for them to go out on a maintenance contract to do the work and there was an engineering project for preventative maintenance on the other structures and it would be more efficient for there to be on set of managers for the whole stretch and the way to accomplish that is to move the MLOS funds into the engineering project in the area. Commissioner Reiff mentioned that he had questioned Dave earlier in regards to the change and that Dave had answered his questions to his satisfaction but, that he would request of all of the RTD's that where MLOS funds are being transferred having an explanation in writing of the surrounding facts would be helpful. Commissioner Reiff said that from the Commission's point of view they are sensitive to the Policy of Resource allocation is consistently applied throughout all Regions. Commissioner Reiff thanked Dave for the excellent explanation.

Ben stated that the second item was SB1 money on an ARRA project request from Region 1 of \$300 for the I-70 Truck Parking Project and that despite the small dollar amount; the projects come to the Commission for approval.

Region 5 request for a transfer of \$1.2M from Engineering to MLOS

Richard Reynolds stated that the Region needed to ask permission from the Commission to allow Maintenance to administer a project instead of Engineering administering the project. He stated that the project was set to go to ad and have a contractor selected to do the work but, the request is to have it done through Maintenance Forces because it is a chip seal project and in Region 5 Maintenance does the better job of managing it because it is a task the perform regularly in their work.

Chairman Gruen asked for a motion of approval on the item and Commissioner Killin motioned for approval of the Budget Supplement and Commissioner Erickson seconded the motion. On a vote of the Commission, the 8th Budget Supplement was unanimously approved.

Resolution #TC-1944

BE IT RESOLVED THAT, the Eighth Supplement to the Fiscal Year 2010-2011 Budget be approved by the Transportation Commission.

Chairman Gruen asked for a motion of approval on the item and Commissioner Killin motioned for approval of the Resolution and Commissioner Erickson seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

Discuss and Act on Resolution to approve the 2010-2012 LOCAL FASTER Transit Projects grants

Mark Imhoff stated that he was there to request the approval of the Resolution included in the Agenda and that the projects were listed in table form. He declared that on Wednesday, January 19, 2011 during the Transit Workshop that the process and summary of the projects had been reviewed and that if there were no further questions, he would ask for approval of the Resolution.

Chairman Gruen asked for a motion of approval on the item and Commissioner Erickson motioned for approval of the Resolution and Commissioner Ortiz seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

Resolution # TC -1945

Award of FASTER Local Transit Funds

Approved by the Transportation Commission on:

January 20, 2011

WHEREAS, pursuant to 43-4-811 (c)(2) the Department will receive, from the Local share of the FASTER program, five million dollars for state fiscal year 2009-10 and for each succeeding state fiscal year, to be used by the Department "to provide grants to local governments for local transit projects;" and

WHEREAS, this funding is herein referred to as the FASTER Local transit program; and

WHEREAS, the Transportation Commission considered a variety of options for how the funds could be distributed and awarded; and

WHEREAS, the Commission selected an option that called for maximum cooperation and collaboration between the CDOT Engineering Regions, TPRs and MPOs, Division of Transit and Rail and Division of Transportation Development in order to maximize the coordination with the FASTER State transit funding program; and

WHEREAS, the Transportation Commission, in Resolution No. 1864, dated May 20, 2010, described that option and established written guidelines to be followed in implementing the selected option for State Fiscal Years 2010 through 2012; and

WHEREAS, the CDOT Engineering Regions and the Division of Transit and Rail distributed the guidelines throughout the State and issued calls for projects throughout the State in cooperation with TPRs, MPOs, and the Colorado Association of Transit Agencies; and

WHEREAS, the CDOT Engineering Regions received applications for FASTER funding and discussed with the Division of Transit and Rail which project applications should be considered for FASTER State transit funds, given that some requests were eligible for either program and given that requests greatly exceeded the available amount; and

WHEREAS, the CDOT Engineering Regions removed from consideration projects that were awarded FASTER State transit funds; and

WHEREAS, the CDOT Engineering Regions scored the applications considered for FASTER Local transit funds using five evaluation criteria, those being

criticality, financial capacity, financial need, project impacts, and readiness;
and

WHEREAS, the CDOT Engineering Regions prioritized projects in cooperation with their TPR and MPO planning partners, and made final recommendations in line with available funding;

NOW THEREFORE BE IT RESOLVED, the Commission directs staff to award \$15.0 million in FASTER Local Transit funds for Fiscal Years 2010 through 2012 using "Table A: Summary of Proposed FASTER Local Transit Awards By Region and Year," dated January 10, 2010, as contained in the official agenda, contingent upon the projects' inclusion in the appropriate MPO Transportation Improvement Program and the Statewide Transportation Improvement Program (STIP), using the implementation procedures set forth below:

- A. Projects awarded funds for 2010 and 2011 will generally be expected to begin project implementation within calendar year 2011 or at least demonstrate considerable and sustained progress towards implementation; projects awarded funds for 2012 will generally be expected to begin project implementation within State Fiscal Year 2012 or at least demonstrate considerable and sustained progress towards implementation. Funding may be withdrawn by the Commission from projects failing to begin project implementation or failing to at least demonstrate considerable and sustained progress towards implementation projects within the awarded year. Funding withdrawn from projects may be requested for consideration for future FASTER award. Funds withdrawn from projects may be transferred to another project which requested but was not awarded FASTER funds or was not awarded full funding.
- B. The CDOT Engineering Regions and Division of Transit and Rail will negotiate scopes of work for the projects and may establish timelines and expectations related to the project as set forth in the application.
- C. All local projects must have a 20 percent local match in cash or property linked directly to the project, except that local match for equipment must be in cash. Federal funds may not be used as local match, but the FASTER funds may be used to match a Federal grant.
- D. The CDOT Engineering Regions shall work in collaboration with the Division of Transit and Rail to implement the projects, based on the type of project. Equipment-related projects, studies and projects that are part of a larger Federal Transit Administration grant will normally be administered by the Division of Transit and Rail as grants and construction-related projects would be administered and overseen by the CDOT Engineering Regions as pass-through local projects.
- E. CDOT funding commitments will be held to the dollar amount awarded herein, not to the final project cost. Recipients will be responsible for any increased costs to finalize and accomplish the project as proposed in

its application. Any reductions in original scope must be approved by CDOT.

- F. No State funds may be used to pay for Local Agency staff unless otherwise provided for by CDOT. Local construction oversight may be accepted as local match.
- G. All projects shall be developed assuming there may be Federal funds used for a portion of the project, and that Federal regulations must be followed as a result. If a local agency does not plan to use Federal funds for the project, this shall be explicitly stated in the negotiated scope of work. In such cases, Federal funds may not later be used for the project, since it would be too late to comply with Federal regulations.

Herman F. Stockinger III

**Herman Stockinger, Secretary
Transportation Commission of Colorado**

Discuss and Act on Resolution to approve the Transfer of Assets from CDOT to the Bridge Enterprise

Ben Stein addressed the Commission and stated that he had two Resolutions that involved the transfer of Assets and requested that the Commission approve the two of them with one vote. He confirmed that one Resolution was to transfer bridge D-17-AK, State Highway 66 over the St. Vrain River to the Bridge Enterprise. Ben stated that the second Resolution was to transfer bridge E-17-AH from the Bridge Enterprise back to the ownership of the Transportation Commission in Region 6 as discussed at the Bridge Enterprise Workshop on Wednesday, January 19, 2011 and asked if there were any questions.

Chairman Gruen asked for a motion of approval on the item and Commissioner Aden motioned for approval of the Two Resolutions and Commissioner Rogers seconded the motion. On a vote of the Commission, the following Resolutions were unanimously approved.

Resolution #TC -1946
Transfer of Assets CDOT to Bridge Enterprise

Approved by the Transportation Commission on:
January 20, 2011

WHEREAS, the following structure is part of Region 4 bridge plan and is scheduled for construction in Fiscal Year 13 Bridge Enterprise program,

D-17-AK SH 66 ML over ST. Vrain River; and

WHEREAS, design and right of way acquisition for structure D-17-AK must occur in the current fiscal year; and

WHEREAS, in order to utilize Bridge Enterprise funding for completion of this project, the ownership of the structure listed above must be transferred to the Bridge Enterprise; and

WHEREAS, at the time of the conversion to GASB 34, which required state government to begin capitalization and depreciation of their infrastructure assets, roads, and bridges; the structure listed above was not included in CDOT's Fixed Asset Database, due to the historical cost of this structure falling below the capitalization threshold; and

WHEREAS, the structure listed above carries no value according to CDOT financial records; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes the staff to transfer the structure listed above to the Bridge Enterprise at no cost.


Herman Stockinger, Secretary
Transportation Commission of Colorado

Resolution Number TC -1947
Transfer Bridge Asset back to CDOT from the Bridge Enterprise

Approved by the Transportation Commission on:
January 20, 2011

WHEREAS, Section 43-4-805(5)(f), C.R.S. authorizes the Bridge Enterprise Board to enter into agreements with the Commission or CDOT; and,

WHEREAS, the following Region 6 structure was previously transferred from CDOT to the Bridge Enterprise by Board Resolution,

E-17-AH Near SH2 over BNSF RR; and

WHEREAS, it was subsequently determined that CDOT had previously executed an Inter-Governmental Agreement (IGA) with the City and County of Denver (City) dated August 29th 2001; and,

WHEREAS, within the IGA CDOT assumed the financial responsibility to repair or replace the structurally deficient bridge to the satisfaction of the City; and,

WHEREAS, upon completion of the necessary bridge repair or replacement work CDOT would then abandon the bridge and transfer bridge ownership to the City; and,

WHEREAS, since the bridge asset is scheduled to be transferred back to the City per the IGA it has been determined that this would be an inappropriate use of Bridge Enterprise funding; and,

WHEREAS, this bridge asset should be transferred back to CDOT, and CDOT reassumes the responsibility associated with the IGA requirements; and,

WHEREAS, at the time the bridge asset was initially transferred from CDOT to Bridge Enterprise the structure carried no value and currently carries no value; and,

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby authorizes the transfer of the bridge asset listed above back to CDOT at no cost.



Herman Stockinger, Secretary
Transportation Commission of Colorado

Discuss and Act on the Resolution to approve the Amendment of the Bridge Inspection and Routine Bridge Maintenance Agreement

Ben Stein stated that when this Resolution was discussed at the Bridge Enterprise Workshop on Wednesday, January 19, 2011 it was explained that when the costs that would be imposed on the Bridge Enterprise to be reimbursed to CDOT for Bridge Maintenance it was not taken into account that when a bridge is replaced or rehabilitated its maintenance costs are less and the Resolution adjusts for that event to make sure the cost charged are fair and equitable. Ben asked if there were any questions.

Commissioner Rogers asked Ben if there were any possibilities of billings back after the work is done and it is known what the actual dollars are. Ben stated that the figures were worked up in conjunction with Maintenance and the basis for the funds is that the average cost of bridge maintenance across the state and applying it at a per square foot basis which is believed to arrive at an equitable number over time using averages.

Chairman Gruen asked for a motion of approval on the item and Commissioner Ortiz motioned for approval of the Resolution and Commissioner Killin seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

Resolution #TC - 1948
Amend Bridge Inspection and Routine Bridge Maintenance Agreement

Approved by the Transportation Commission on:
January 20, 2011

WHEREAS, Section 43-4-805(5)(f), C.R.S. authorizes the Bridge Enterprise Board to enter into agreements with the Commission or CDOT; and

WHEREAS, Bridge Enterprise and CDOT entered into an Agreement on November 18, 2010 entitled Agreement for Bridge Inspection and Routine Bridge Maintenance Services establishing the terms for CDOT's inspection and maintenance of Designated Bridges on behalf of the Bridge Enterprise and the Bridge Enterprise's reimbursement to CDOT of the costs of such inspection and maintenance; and,

WHEREAS, since there will be a minimal amount of anticipated maintenance work and associated cost required for the first ten years on newly constructed bridges; and,

WHEREAS, the Bridge Enterprise and CDOT hereby agree to amend Article One of the Agreement regarding reimbursement of the newly constructed bridges to be pro-rated starting at 10% of the calculated maintenance and inspection costs for the first year increasing incrementally at 10% per year (over a ten year period) to a maximum of 100%; and,

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby amends the Agreement as noted above by this Resolution.



Herman Stockinger, Secretary
Transportation Commission of Colorado

Acknowledgements

Achievement Awards presented by Mike Cheroutes and Peggy Catlin

Mike Cheroutes stated that Achievement awards are given out and that over the past 15 years they've gone to many people. He stated that three employees who took on major CDOT projects on short notice in addition to their regular job responsibilities.

Mike handed the presentation over to Peggy Catlin who nominated the employees. She reported that each time there is a gubernatorial change, each State agency is asked to prepare a document for briefing on each agency. She reported that a team was developed to complete the document for CDOT. Peggy declared that she wanted to honor the dedicated employees who really stepped up and prioritized this project in spite of their regular duties, spending 100's of hours compiling and organizing the materials. Peggy confirmed that it was her honor to present achievement awards to:

Tracy McDonald

Belinda Arbogast

Adrienne Raiche

Other Matters:

A presentation was given by Dianna Litvak, Senior Historian, Region 6, on Janet Bonnema, the first woman to work on a CDOT tunnel project. The presentation included many interesting facts, stories and photos.

Adjournment

The meeting was adjourned at 10:40 a.m.



Herman Stockinger, Secretary
Transportation Commission of Colorado

