

**Resolution #TC-1967**

**Request to enter into an agreement with the proposer to permit non-exclusive access to CDOT ROW for installation of fiber optic telecommunications cable and DAS**

**Approved by the Transportation Commission on: March 17, 2011**

WHEREAS, on July 23, 2009 the Transportation Commission of Colorado approved TC-1756 regarding the Department's request to issue a Request for Proposal (RFP) to solicit proposals from interested companies/parties that desired either to install fiber optic telecommunications cable or to access existing CDOT dark fiber in exchange for a private contribution in accordance with the Public-Private Initiatives Program (PPIP) Act, C.R.S. 43-1-1201 et seq.; and

WHEREAS, on September 30, 2010 the Department issued RFP HAA 11-51-CD requesting competitive sealed proposals pursuant to CRS 24-103-203 from qualified individuals and/or firms (proposer) interested in obtaining non-exclusive longitudinal access to CDOT Rights-of-Way (ROW) on US 6 from Mile Post (MP) 257.08 to MP 271.68 and on SH 119 from MP 0.00 to MP 4.90 "the Corridors" to install fiber optic telecommunications cable and Distributed Antenna Systems (DAS) "cellular radio systems infrastructure" for the proposer's private commercial purposes; and

WHEREAS, RFP HAA 11-51-CD required the proposer to provide commensurate form of private value compensation to CDOT in exchange for the public value of the CDOT ROW on the Corridors and CDOT permitting non-exclusive longitudinal access to the CDOT ROW on the Corridors to install fiber optic telecommunications cable and DAS infrastructure for the proposer's private commercial purposes; and

WHEREAS, RFP HAA 11-51-CD specifically defined compensation as cash compensation and in-kind goods and services preferring in-kind goods and services in the form of twenty-four strand fiber optic telecommunications cable, closed circuit television camera network and real-time trip-travel time infrastructure on the Corridors including maintenance services consisting of; weekly inspection of the fiber optic backbone, replacing or reinstalling knocked down or missing fiber markers, cleaning debris from pull boxes, vaults and manholes, performing locates on all utilities within the Corridors and performing routine and emergency splicing on the fiber optic backbone and all lateral fiber optic connections; and

WHEREAS, on January 6, 2011 the Department received a proposal in response to RFP HAA 11-51-CD; and

WHEREAS, the Department evaluated the proposal in accordance with the PPIP and all applicable terms and conditions contained in RFP 11-51-CD, and believes the proposal is the most advantageous and best value to the Department and recommends that the Transportation Commission authorize the Department to enter into an agreement to permit non-exclusive longitudinal access to CDOT ROW on the Corridors including installation of fiber optic telecommunications cable and DAS infrastructure in exchange for in-kind goods and services.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves the Department's request to enter into an agreement with the proposer which provided the best value for the Department with the intent to permit non-exclusive longitudinal access to CDOT ROW on the Corridors including installation of fiber optic telecommunications cable and DAS infrastructure in exchange for in-kind goods and services.

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