

Transportation Commission Resolution #20250608

Intergovernmental Agreement Creating Joint Service Executive Oversight Committee

Approved by the Transportation Commission on June 18, 2025

Whereas, the General Assembly of the State of Colorado approved Senate Bill 24-184 (“SB24-184”), which was signed by Governor Jared Polis on May 16, 2024, and which implemented, *inter alia*, § 32-22-103(5), C.R.S., which authorizes RTD, FRPRD, CDOT, and CTIO (the Parties) to develop an implementation plan for using their respective authorities to deliver, construct, and operate passenger rail service from Denver Union Station, located in Denver, Colorado, to Fort Collins, Colorado (the Project), as the first phase of front range passenger rail service;

Whereas, § 43-1-106(8)(q.5), C.R.S. authorizes the Transportation Commission (Commission), on behalf of CDOT, to (among other things) enter into a standalone intergovernmental agreement (Agreement) to implement the completion of construction and operation of passenger rail service from Denver Union station to Fort Collins as the first phase of front range passenger rail service;

Whereas, § 43-1-117.5(3)(a)(II), C.R.S, authorizes CDOT to promote, plan, design, build, finance, operate, maintain, and contract for transit services, including passenger rail, and advanced guideway systems services through its Division of Transit and Rail;

Whereas, the Parties established a joint committee for the purpose of investigating the combination of the Parties’ powers and resources to build and operate passenger rail service from Denver Union Station to Fort Collins;

Whereas, the Parties intend that passenger rail service from Denver Union Station to Fort Collins will require the use of freight rail lines operated by BNSF, which has expressed a strong preference for the Parties to work together to provide one service instead of each Party providing its own service;

Whereas, FRPRD and CDOT currently are using their respective authorities to complete a Service Development Plan for submission to the Federal Railroad Administration in connection with proposed rail projects in certain locations in the State, including locations within the boundaries of the Project and outside the boundaries of the Project;

Whereas, the Parties recognize that pursuing the Project will require significant investments of time and resources from each of them and that particularly with respect to upgrading infrastructure and certain capital construction projects, they are unlikely to be reimbursed for such investments except to the extent required by law.

Whereas, the Parties desire to enter into an agreement setting forth the principles of intergovernmental cooperation upon which they will use their respective authorities and funding streams and establish a plan and structure for the delivery by a single operator of passenger rail service from Denver Union Station to Fort Collins; and

Whereas, required approval, clearance, and coordination to enter into this Agreement have been accomplished from and with appropriate State agencies to the extent required by law;

Now Therefore Be It Resolved, that the Transportation Commission hereby approves the Agreement in substantially the form presented and authorizes the Commission Chair to execute the Agreement on behalf of the Commission and CDOT.



Herman Stockinger, Secretary
Transportation Commission of Colorado