

Transportation Commission of Colorado
Regular Meeting Minutes
November 21, 2013

Chairman Doug Aden convened the meeting at 12:32pm in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Doug Aden, Chairman, District 7
Shannon Gifford, District 1
Ed Peterson, District 2
Gary Reiff, District 3
Kathy Connell, District 6
Sidny Zink, District 8
Les Gruen, District 9
Bill Thiebaut, District 10
Steven Hofmeister, District 11

EXCUSED: Heather Barry, District 4
Kathy Gilliland, District 5

ALSO PRESENT: Scot Cuthbertson, Chief Operating Officer
Gary Vansuch, Director of Process Improvement
Debra Perkins-Smith, Director of Division of Transportation
Tim Harris, Chief Engineer
Heidi Humphreys, Director of Admin & Human Resources
Scott McDaniel, Director of Staff Services
Soctt Richrath, CFO
Herman Stockinger, Director of Policy and Government Relations
Mike Cheroutes, Director of HPTE
Mark Imhoff, Director of Division of Transit and Rail
David Gordon, Aviation Director
Ryan Rice, Director of Operations Division
Tony DeVito, Region 1 Transportation Director
Tom Wrona, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Myron Hora, Acting Region 4 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
John Cater, FHWA
Vince Rogalski, Statewide Transportation Advisory Committee (STAC)

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

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

Audience Participation

Chairman Aden stated that there were no members of the audience wishing to address the Commission. Because the meeting began early, Chairman Aden stated that he would return to this item at the posted time in case someone arrived who wanted to address the Commission.

Individual Commissioner Comments

Commissioner Reiff stated that he had his annual meeting with the Aurora Chamber of Commerce. Things are very busy in Aurora, and they are very appreciative and supportive of all the transportation activities in their area.

Commissioner Thiebaut thanked Executive Director Hunt for inviting him to the listening tour in La Junta. It was well attended by many from Southeast Colorado. Director Hunt did a great job, and there is a lot of interest in the communities about the positive direction that CDOT is taking there.

Commissioner Connell stated that she has been traveling the state attending County Commission meetings and developing lessons learned.

Commissioner Zink attended the Colorado Forum. The presentation by Chairman Aden and Executive Director Hunt were very well received. She stated that she is proud to represent the Commission to the Colorado Forum.

Chairman Aden stated that he and Executive Director Hunt attended the Colorado Forum to discuss transportation funding, RAMP, flood recovery and a number of other issues. Coincidentally, the Forum was the day after the election, and the Forum had been a supporter of Amendment 66. There was interesting "post-mortem" type of discussion on Amendment 66 and the effect that might have on future ballot initiatives, including the one that MPACT 64 is considering. He participated in a conference call with former Transportation Commissioner Parker about where the MPACT 64 group is headed with their discussions. He stated that he attended county meetings in Delta County and Montrose County with Dave Eller and the staff of Region 3. The local governments are interested in CDOT's work and have forged great working relationships.

Executive Director's Report:

Chairman Aden stated that there would not be an Executive Director's report because Executive Director Hunt could not be present today.

Chief Engineer's Report:

Tim Harris reminded the regions that the Executive Director's Cup is open for competition. Write ups are due December 9, 2013, and the cup will be presented at the December Transportation Commission meeting.

He thanked all the regions and Headquarters for the response to the floods through the Incident Command Center. At the peak of the response, there were approximately 100 CDOT employees at the Command Center, about half from Region 4 and half

from the other regions and Headquarters. It showed what can get accomplished. They will process lessons learned in order to help not only in future emergencies but also in the larger CDOT program. It was a great response overall from CDOT, our industry partners and FHWA. There is still a lot to be done, but it has been a tremendous success so far.

High Performance Transportation Enterprise (HPTE) Director's Report

Mike Cheroutes stated that the HPTE Board met on November 20, 2013, for the regular board meeting. The agenda is beginning to fill. They welcomed back Trey Rogers to the Board. They have pending an appointment from Colorado Springs who may be able to join them in January. The Board took critical action with respect to the private activity financing piece of the US-36 project. The HPTE will act as a conduit issuer for approximately \$20 million worth of bonds procured solely by repayments from plenary that are derived from toll revenues. HPTE has no liability for the payment of those bonds. It was noted that many Commissioners are familiar with the conduit issuance structure of the federal tax laws, and the HPTE is simply providing their name for the issuance of those bonds so that the bonds can go out at a tax exempt interest rate, which will save on interest costs.

In addition, the Board took action as part of the I-70 West peak period shoulder lane project to establish tolls in the new lanes, including part of the additional lane in the Twin Tunnels scheduled to be opened in December 2013. HPTE hopes to be part of a joint workshop in December 2013 with the Transportation Commission about I-70 East in Denver. There will be advisor presentations and staff recommendations.

FHWA Division Administrator Report

John Cater reiterated Tim Harris' comments about the flood response from the Incident Command Center. The employees there have done a fabulous job. FEMA stated that this is the best disaster response that they have ever dealt with around the country. This is a credit to CDOT and the entire Colorado government. The FHWA has had employees from Wyoming, Kansas and Michigan who have been augmenting our staff for weeks at a time. It has been great learning experience and response from our employees.

The staff did a review of the High Performance Monitoring System (HPMS). This is a database to get information nationally about transportation. This information can be used to make national judgments about how the highway system is working. This is particularly important right now because MAP-21 has less than a year to run, and then there will be a reauthorization process. Good data is necessary for this. The review of CDOT through HPMS showed that CDOT is doing a very good job because the Department has a more robust data system than the national standards. CDOT is able to make better decisions with better data. He commended Kelly Abbott and Phyllis Snider, who did a great job with HPMS and have helped make it one of the top data systems in the country.

STAC Report

Vince Rogalski stated that STAC met on November 15, 2013. The first thing on the agenda was an MPACT-64 report from Herman Stockinger and Jim Gunning, the

mayor of Lone Tree and chair of the metro mayor's caucus. They review what is going on with MPACT-64. Mayor Gunning explained how the defeat of Amendment 66 affected the future of MPACT-64. The discussion centered on the fact that Amendment 66 and MPACT-64 are two different things in terms of what is being asked for funding. MPACT-64 is clearer about what the funding will be spent on. Amendment 66 vaguely stated it would go back into classrooms, but it lacked specifics. There was optimism. They will be doing some polling and return with updates about the future direction.

Kurt Morrison provided a state and legislative update. Barbara Gold provided a review on the audit of FASTER-Safety funding, including the concerns and some of the things that need to be completed. Scott Richrath provided an update on the FY'2015 budget. The concerns centered on whether the budget included RAMP, the floods and other kinds of items. STAC wanted to see a document that included all the money that is being spent, even those that are outside the budget. After reviewing all these things, a motion was passed to approve the draft budget as it was presented.

Tim Harris provided an update on RAMP and the flood, and there was some confusion about when letters are due. He reiterated those letters are due on January 6, 2013, except for areas that were affected by the flood. Those letters are due on April 6, 2013. The IGAs are in June 2014. STAC commented on the exceptional job that they have done on crisis management and getting the roads open.

Program distribution was a large discussion. They separated specialized programs from a segment of CMAQ and decided to vote on each one separately. The first one was RPP. STAC agreed that the subcommittee had looked at various formulas and elements, deciding that the differences were not that large. They decided to stay with the historic 45-40-15 formula. This formula is acceptable as long as RPP is only \$10 million. Should the amount go to \$50-60 million, DRCOG would like the formula to be reassessed. That particular element was approved. STAC discussed increasing RPP, but they were not sure how that would happen.

Subcommittee formula recommendations were approved in terms of TAP, which is the new MAP-21 program that encompasses several programs including Safe Routes to School, enhancement, trails and others.

STAC then discussed CMAQ in terms of what goes to the various municipalities. The subcommittee recommended the formula be based on population because that is a measure of contributions to pollution or air quality. Several STAC members disagreed with that formula, so they requested more information and delayed a vote until the next STAC meeting.

The second element of the CMAQ money was the request from the Office of Energy for the Governor to provide \$30 million over four years to establish Compressed Natural Gas (CNG) stations around the state. The subcommittee recommended an advisory committee from STAC members that would work with the Office of Energy to provide assistance and accountability. They also recommended annual appropriations to ensure that the money is used for the CNG stations. This motion was approved and recommended to the Transportation Commission.

They had short reports on Statewide Plan, especially dealing with the website coloradotransportationmatters.gov and the Interregional Express Bus plan.

Audience Participation

Chairman Aden returned to the request Audience Participation since the listed time had arrived. Chairman Aden stated that there were no members of the audience wishing to address the Commission.

Act on Consent Agenda

Chairman Aden entertained a motion on the Consent Agenda. Commissioner Connell moved for approval of the Consent Agenda, Items A, B and C. Commissioner Peterson seconded the motion. On a vote of the Commission, the Consent Agenda was unanimously approved.

Resolution #TC-3110

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes of October 17, 2013, are hereby approved as published in the official agenda of November 20 & 21, 2013.

Resolution #TC-3111

Resolution #TC-3111

Adoption of the 2013 Master Calendar

Approved by the Transportation Commission on November 21, 2013

**TRANSPORTATION COMMISSION OF COLORADO
2014 MASTER CALENDAR**

<u>January</u>		
January 1 st	Holiday	New Year's Day
January 14 th		Regional Transportation Committee
January 15 th		Workshops/Committee Meetings
January 16 th		Regular Commission Meeting
January 20 th	Holiday	Martin Luther King, Jr. Day
<u>February</u>		
February 17 th	Holiday	Presidents' Day
February 18 th		Regional Transportation Committee
February 19 th		Workshops/Committee Meetings
February 20 th		Regular Commission Meeting
<u>March</u>		
March 18 th		Regional Transportation Committee
March 19 th		Workshops/Committee Meetings
March 20 th		Regular Commission Meeting
<u>April</u>		
April 15 th		Regional Transportation Committee
April 16 th		Workshops/Committee Meetings
April 17 th		Regular Commission Meeting
<u>May</u>		
May 13 th		Regional Transportation Committee
May 14 th		Workshops/Committee Meetings
May 15 th		Regular Commission Meeting
May 26 th	Holiday	Memorial Day
<u>June</u>		
June 17 th		Regional Transportation Committee
June 18 th		Workshops/Committee Meetings
June 19 th		Regular Commission Meeting
<u>July</u>		
July 4 th	Holiday	Independence Day
July 15 th		Regional Transportation Committee
July 16 th		Workshops/Committee Meetings
July 17 th		Regular Commission Meeting

		<u>August</u>	
August 19 th			Regional Transportation Committee
August 20 th			Workshops/Committee Meetings
August 21 st			Regular Commission Meeting
		<u>September</u>	
September 1 st	Holiday		Labor Day
September 16 th			Regional Transportation Committee
September 17 th			Workshops/Committee Meetings
September 18 th			Regular Commission Meeting
		<u>October</u>	
October 13 th	Holiday		Columbus Day
October 14 th			Regional Transportation Committee
October 15 th			Workshops/Committee Meetings
October 16 th			Regular Commission Meeting
		<u>November</u>	
November 4 th			Election Day
November 11 th			Veterans' Day
November 18 th			Regional Transportation Committee
November 19 th			Workshops/Committee Meetings
November 20 th			Regular Commission Meeting
November 27 th	Holiday		Thanksgiving Day
		<u>December</u>	
December 16 th			Regional Transportation Committee
December 17 th			Workshops/Committee Meetings
December 18 th			Regular Commission Meeting
December 25 th	Holiday		Christmas Day

BE IT HEREBY RESOLVED that the 2014 Master Calendar of the Transportation Commission of Colorado is hereby approved as contained in the Official Agenda of November 20 & 21, 2013.

Herman F. Stockinger III
Herman Stockinger III, Secretary
Transportation Commission of Colorado

12-5-13
Date

Resolution #TC-3112

Resolution #TC-3112

Disposal of Excess Property 103XA-XF

Approved by the Transportation Commission on November 21, 2013

PROJECT #: IM 0703-273

LOCATION: SH 40 in Golden,
CO

PARCEL #: 103-XA through XF

COUNTY: Jefferson

WHEREAS, the Department of Transportation acquired Right of Way in Golden CO, Jefferson County, as a part of CDOT Project #IM 0703-273 for us as SH 40; and

WHEREAS, the Transportation Commission declared Parcel 103-X of the above referenced project excess via Resolution TC-1685 dated January 21, 2009; and

WHEREAS, Parcel 103-X was sold for the fair market value price of \$90,000 in October, 2013; and

WHEREAS, upon completion of the sale of Parcel 103-X, a survey was completed that indicated the retaining wall on the adjacent property, built by a previous owner, encroaches on CDOT right of way; and

WHEREAS, there are a total of six (6) encroachments on CDOT Right of Way that total 200 square feet; and

WHEREAS, the developer who acquired Parcel 103-X is also the new owner of the adjacent property where the sound wall was built; and

WHEREAS, the new owner of the adjacent property would like to clean up the encroachments by purchasing Permanent Easements (PE's) from CDOT to allow for the continued existence of the retaining wall; and

WHEREAS, the PE's are labeled 103-XA, 103-XB, 103-XC, 103-XD, 103-XE, 103-XF; and

WHEREAS, the sale of the PE's will not affect the operation, maintenance, use or safety of CDOT's facility; and

WHEREAS, the fair market value of parcel 103-X was established by the appraisal process outlined by Colorado revised Statute 43-1-210(5); and

WHEREAS, the PE's will be sold based on the same \$/sf value as 103-X; and

WHEREAS, the Department of Transportation, Region 1 has declared through Timothy Harris as Chief Engineer, that the property is not needed for transportation purposes; and

WHEREAS, the Chief Engineer and the Department of Transportation are authorized pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3) and 43-1-210(5) to make determinations regarding land to be declared excess and not needed for transportation purposes now or in the foreseeable future; and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this property is not needed for transportation purposes now or in the foreseeable future; and

NOW THEREFORE BE IT RESOLVED, pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3), 43-1-210 Code of Federal Regulations and Title 23, Part 710, Section 409 (23 CFR 710.409), the Department of Transportation be given authority to declare properties described as 103-XA, 103-XB, 103-XC, 103-XD, 103-XE, 103-XF of Project # IM 0703-273 be excess land.

BE IT FURTHER RESOLVED, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.


Herman Stockinger III, Secretary
Transportation Commission of Colorado

12-5-13
Date

Discuss and Act on the 6th Supplement to the FY2014 Budget

Scott Richrath asked if there were any questions on the projects other than the relocation of the Region 4 Headquarters. There were no questions.

He stated the Region 4 relocation is now in a resolution before the Commission for approval during this meeting. He thanked Commissioner Peterson for taking the lead on this project. The Executive Director, Commissioner Peterson and staff were heavily involved in looking at two different sites that were considered for the Greeley location. The property management team, working with consultants, looked at 10 years of expense *pro forma*, including initial cost outlay and a projection looking forward at net present value. There is a preference for the West Yard site. Even though the original capital outlay is higher, there will be cost savings over the course of 10 years.

The supplemental request is not for the total cost of the building. It is for \$2 million needed to move forward. This is not contingency funding. It is advancement of FY'2015 property management budget. If the Commission chooses the Certificate of Participation route, through the course of the process the CFO would return to the Commission to request the full amount to restore the property management FY'2015 budget.

Chairman Aden entertained a motion to approve the 6th Supplement to the FY14 budget. Commissioner Peterson moved to approve the resolution, and Commissioner Gruen seconded the motion. On vote of the Commission, the Budget Supplement was unanimously approved.

Resolution #TC-3113

BE IT SO RESOLVED THAT the 6th Supplement to the Fiscal Year 2014 Budget be approved.

Discuss and Act on the Emergency Relief Supplement

Scott Richrath stated that the Commissioners previously received a handout that reconciled the cost of the flood. There was not significant net activity in the previous month; however, large invoices will begin to arrive soon on the temporary repair work that has been completed. A little more than \$60 million of the Commission's contingency is budgeted for the flood. The cash forecasts for the baseline program, RAMP, and for the flood show that CDOT will likely not spend much more than \$60 million - \$100 million. Percentages are not yet certain, and these depend on how much betterment is done in each of the corridors.

In future months, he will not seek to tie up the full amount of project estimates since \$60 million is already tied up. There will begin to be net inflows and outflows as reimbursements begin to come from the FHWA. FEMA reimbursements take longer to receive. Future requests will be dependent on these reimbursements.

He sought approval for the contingency reconciliation to account for the flood. The contingency then stood at \$35,805,000.

Chairman Aden entertained a motion to approve the 2nd Emergency Relief Supplement. Commissioner Connell moved to approve the resolution, and Commissioner Hofmeister seconded the motion. On a vote of the Commission, the resolution passed unanimously.

Resolution #TC-3114

BE IT SO RESOLVED that the Second Supplement to the Emergency Relief Funding be approved.

Discuss and Act on the Adoption of the COP Authorization for the Relocation of Region 4 Headquarters

Scott Richrath stated that two years ago CDOT undertook a consulting initiative for the relocation of three different region headquarters buildings (Region 4, Region 2 and Headquarters). It was determined that the regional headquarter buildings were a higher priority. Region 4 had a willingness to move forward. There is now a resolution that seeks to move forward with the Region 4 project and seeks approval to look into Certificates of Participation (COP). Even though the department trying to work down the cash balance through cash management, he requested for the possibility of borrowing money.

He can return to make a formal request in a few months when the final flood numbers come in. As they look toward permanent recovery after the flood, there will be more exact numbers as to the cash flow impact.

Commissioner Thiebaut asked Scott Richrath about the COP. The Commissioner was concerned that the resolution gives the department permission to issues COPs. Without any information about the debt service repayment plan, the narrative of the \$2 million supplement seems to indicate that the department intends to seek COPs. The Commissioner asked if COPs will be sought and if so what the terms are.

Scott Richrath stated that before the flood, this building was going to be paid for in cash and the next would be funded with COPs because they would be able to absorb the \$20 million. Prior to the workshop yesterday, he had intended to seek authority to issue COPs. There is a greater than 50% chance that after January 1, when all permanent flood restoration efforts have been assessed, he would be looking for permission to issue COPs.

Commissioner Reiff stated that there are a variety of items on which the use of COPs can be concerning but that he is less concerned about their use on these types of buildings, trying to match utilization with expenditure. The COP takes what would have otherwise been a lease payment if the building was rented and allows CDOT to match it over the utilization of the time period. For these types, it is exactly what the Commission should consider. The utilization of COPs can sometimes save on equipment. But the Commission does not have to make that decision today because they do not have the underlying information in respect to how much money is authorized, what the interest rate is, and the repayment range. He would be uncomfortable authorizing the COPs without that background information. However, these are the types of things COPs should be used for because the utilization of the asset matches the expenditure of the asset.

Scott Richrath stated that although he did not bring the background information with him, they have done preliminary investigation. Ten year COPs have a much more favorable yield rate than some of the longer terms. The utilization or capitalization time period might be 30 year or greater. They were looking at a ten year, and then would be seeking a repayment budget of approximately \$2 million per year to the property management line. Hearing commissioner comments, he was willing to withdraw the resolution for approval to issue COPs but still requested the original \$2 million.

Chairman Aden stated that the Commission already approved the \$2 million to begin the project in the budget supplement resolution and that they would defer the decision on COPs until the Commission has more detail.

Discuss and Act on the Adoption of the FY'2015 Draft Budget

Scott Richrath stated the difference from the packet to the new resolution is in reference to two items. The first is asset management evolution. Executive Director Hunt conferred with Scott Richrath about the amount of detail that should be included in the resolution, and the changes are in the new draft. The second is moving the Regional Priority Program (RPP) from \$10 million to \$50 million by assigning approximately \$40 million from FASTER-Safety to safety elements within the \$500 million asset management program.

The resolution builds into it the 45-40-15 formula for RPP, and this will sunset on June 30, 2014. The program distribution will drive a discussion on a formula

replacement. In the next few months, they will already know what formula will be adopted for FY'2016.

Chairman Aden entertained a motion to approve the resolution to adopt the FY'2015 budget. Commissioner Hofmeister moved to approve the resolution, and Commissioner Gifford seconded the motion. On vote of the Commission, the resolution passed unanimously.

Resolution #TC-3115

Resolution # TC-3115

Resolution for the FY 2014-2015 Budget

Approved by the Transportation Commission on November 21, 2013

WHEREAS, § 43-1-113 (2), C.R.S. requires the Transportation Commission of Colorado (“Commission”) to submit a draft budget allocation plan for the moneys subject to its jurisdiction for the fiscal year beginning on July 1, 2014 to the Joint Budget Committee, the House Transportation Committee, the Senate Transportation Committee and the Governor on or before December 15, 2013 for their review and comment; and

WHEREAS, the Delphi workgroup—a group comprised of Director Hunt and other members of senior management, regional transportation directors, asset managers and staff from the Division of Transportation Development and the Office of Financial Management and Budget as well as the regions—met on August 27, 2013 and in a 6 hour Delphi process came to consensus on a recommendation to the Asset Management Committee of the Commission for the FY2014-2015 budget and RAMP program (sized at \$165 Million) for all asset management programs; and

WHEREAS, on September 18, 2013, the results of the Delphi Workshop including specific asset management projects or plans were presented to the Asset Management Committee of the Commission, who requested certain revisions to the recommendations; and

WHEREAS, there were also revisions to the recommendations based on an update of the Bridge Enterprise revenue projections, and an organizational change which moved responsibility for some traffic signals from MLOS to ITS; and

WHEREAS, the chart below shows the baseline FY 2014-2015 budget recommendations (with adjustments as noted) and the recommended FY 2014-2015 RAMP program allocations for each asset.

(In Millions)	FY15 Delphi Baseline Budget	Adjustments	FY15 Budget Recommendation to TC	Delphi RAMP \$165M Average	FY15 Total With RAMP
Surface Treatment	\$149.5		\$149.5	\$85.7	\$235.2
Bridge, BE & Bridge Fixed Costs	\$135.0	\$4.5	\$139.5	\$28.7	\$168.2
MLOS	\$253.1	-\$1.8	\$251.3	\$0.0	\$251.3
Road Equipment	\$14.0		\$14.0	\$6.9	\$20.9
ITS	\$11.6	\$3.2	\$14.8	\$12.8	\$27.6
Rockfall	\$5.1		\$5.1	\$4.0	\$9.1
Buildings & Buildings COPs	\$9.6		\$9.6	\$11.2	\$20.8
Tunnels	\$1.5	\$1.0	\$2.5	\$9.9	\$12.4
Culverts	\$3.6		\$3.6	\$6.0	\$9.6
Walls	\$0.0		\$0.0	\$0.0	\$0.0
Total	\$583.0	\$6.9	\$589.9	\$165.2	\$755.1

WHEREAS, the Delphi presentation by the Property Program included a budget request for \$8.9 Million and RAMP request of \$13.5M RAMP Program 1, and the program was recommended to receive \$9.6 Million Baseline Budget and \$11.2M RAMP Program 1, which was proposed to be allocated thus:

\$9.6M Baseline Budget, including COPs:

- \$2.7 Million for Certificates of Participation (COPs)
- \$2.0 Million for Controlled/Deferred Maintenance
- \$0.1 Million for code review
- \$2.7 Million for 8 sand sheds
- \$0.73 Million for Twin Lakes Extensions and Roof
- \$1.13 Million for Crook Six Bay
- \$0.24 Million for Sugar City South

\$11.2M RAMP:

- \$9.7 Million for Region 1 KOA Master Improvement
- \$1.5 Million for Region 3 Walden Vehicle Storage Facility Replacements; and

WHEREAS, the Delphi presentation by the Tunnel Program included a baseline request for \$1.5 Million and a RAMP request of \$7.4 Million of RAMP Program 1; and the Asset Management Committee recommended that tunnels receive an additional \$1.0 Million, for a total of \$2.5 Million in the baseline budget. Tunnels were recommended to receive \$9.9 Million in RAMP Program 1. Proposed projects for these funds as follows:

\$2.5M Baseline Budget:

- \$0.5 Million for Hanging Lake Tunnel Backup Generator
- \$2.0 Million for Tunnels Inspections

\$9.9M RAMP:

- \$4.7 Million for Eisenhower – Johnson Memorial Tunnel Switchgear
- \$3.0 Million for Hanging Lake Tunnel VMS/CMS/LUS Replacement
- \$0.9 Million for No Name Tunnel and Beaver Tail Tunnel Lighting
- \$0.6 Million for Hanging Lake Tunnel CP6 Vertical Lift Doors
- \$0.33 Million for Hanging Lake Tunnel Lighting (may be modified pending CDC request)
- \$0.3 Million for Hanging Lake Tunnel Emergency Power Units
- \$0.05 Million for Hanging Lake Tunnel Fire Suppression Upgrade
- \$0.03 Million for Wolf Creek Tunnel Cameras to Monitor Tunnel Interior; and

WHEREAS, the Surface Treatment, Bridge On-System, Road Equipment, Intelligent Transportation Systems and Culverts programs utilize existing models or systems for prioritizing projects, managers of those assets shall ensure the model will guide project

selection for the amount approved by the Transportation Commission Asset Management Committee following the FY'15 Delphi presentation; and

WHEREAS, the Rockfall Mitigation program is managed through the Rockfall Management Plan and is currently being further developed to also manage a broader range of geohazards, and until the comprehensive geohazard management plan is formally developed, the Rockfall Mitigation manager shall seek Transportation Commission approval of projects that in total will not exceed the amount approved by the Transportation Commission; and

WHEREAS, at a November 20, 2013 workshop, the Transportation Commission directed staff to increase Regional Priority Program (RPP) from \$10M to \$50M for the FY2015 budget. This will be accomplished by reducing the FASTER Safety line in the FY2015 budget by \$40M and redirecting those funds to safety elements of Asset Management programs, and using the \$40M of flexible funding from those Asset Management programs to increase RPP to the required \$50M; and

WHEREAS, at the same November 20, 2013 workshop, the Transportation Commission directed that the distribution of the FY2015 RPP funding was to be calculated using the 45% VMT, 40% Lane Miles, 15% Truck VMT formula. This formula will sunset after the FY2015 budget and further Transportation Commission discussions will result in a formula for the 2040 Statewide Plan and for the FY2016 budget.

NOW THEREFORE BE IT RESOLVED, that the Colorado Department of Transportation's draft FY 2014-2015 budget allocation plan for the period of July 1, 2014, including \$589.9 Million allocated to Asset Management Programs as indicated above, and \$50 Million for RPP allocated by the 45/40/15 formula for FY2015 only, is approved by the Transportation Commission and forwarded to the Joint Budget Committee, the House Transportation and Energy Committee, the Senate Transportation Committee and the Governor on or before December 15, 2013.

BE IT FURTHER RESOLVED, that the Colorado Transportation Commission accepts staff recommendations for funding RAMP Asset Management in FY 2014-2015 with modifications outline in this resolution and with the understanding that staff will implement the projects and spirit and intent of the plans as presented to the Transportation Asset Management Committee or shall return to that Committee for approval of revision to those projects or plans.



Transportation Commission Secretary

12-5-13

Date

Discuss the Overview of RAMP Bridge Asset Management

Josh Laipply stated they would be discussing RAMP Bridge for FY'2014, which is \$33 million. Through asset management, it has been determined that the investment in that is mainly going to be in preventative maintenance projects. The walk budget item to begin the project was brought before the Commission in July, and consultants were brought on board in August. From August until now, they have gotten FOR, which is a 90% level plan set for approximately 141 bridges. The two main investment categories in preventative maintenance are leaking decks and bridge joints. Joint replacement adds 15 years, and a deck replacement adds 20 years to the life of the bridge.

The candidates had to meet a lot of criteria, but originally they had to have a leaking joint or they had to have a deck that was not sealed. There were nearly 1000 candidate bridges. They worked with the regions to determine a group of projects that could be completed quickly in order to spend the money before December of the following year.

There were about 10 consultants working on the project. About \$30 million in construction is slated to go in the Spring of 2014. The first AD dates are January 23, 2014. The 141 bridges touch 27 counties, and the preventative maintenance will add about 2107 years of life to the system, using the 15 and 20 year estimates previously mentioned. If we were replacing a bridge in kind without an expansion or improvement, it would be approximately \$600/sq ft. Preventative maintenance is approximately \$14.50/sq ft.

Each region will have the following number of bridges: Region 4 – 45 bridges, Region 3 – 36 bridges, Region 5 – 12 bridges, Region 2 – 27 bridges, Region 1 – 21 bridges. Josh Laipply highlighted one bridge from each region.

This was an update about how the \$33 million of bridge asset management money is being spent.

Chairman Aden stated that this has been a great program. It looks like this will save a lot of money in the future.

Commissioner Peterson congratulated the staff on the incredible effort they have put forth in not only identifying the cost-savings for the state and the preservation of the state system but also the rapid turnaround time. This will pay huge dividends for the state.

Other Matters

Chairman Aden stated that there were no other matters to come before the Commission.

Acknowledgements

Chairman Aden stated that Scot Cuthbertson had some acknowledgements.

Scot Cuthbertson first acknowledged our CDOT Procurement Director who recently received a statewide award from a Procurement Professional Agency made up of state agencies, local governments, and the private sector. Our employee was recognized for going above and beyond his regular job description and contributing to the greater procurement community. Specifically, our employee has been working for the last several months to help state agencies and local governments to share their pricing agreements and contracts in order to reduce response time to customers and avoid unnecessary redundancies. On October 29, 2013, our CDOT Purchasing Director Bob Corman was given the First Annual Excellence in Procurement Award.

Bob Corman stated that he and his team figured out a way to make the rules more efficient. He took a moment to recognize his staff and thank them for all their hard work. They are the unsung heroes that make the day to day operations of CDOT happen.

Chairman Aden also congratulated Bob Corman and his staff on a job well done.

Scot Cuthbertson then acknowledged two employees, providing a reminder that when CDOT employees go to work, they can truly affect people's lives. On October 11, 2013, the families of two men reported they were missing after not returning home. Six days later on October 17, 2013, one of our maintenance employees was driving a front end loader on his way from a work project on US 50. Because of the height of the device, a glint of metal caught his eye in a ravine off the side of a highway. He stopped the vehicle, scrambled down the steep and dangerous cliff and found a wrecked pick up truck. Inside the truck were two men, one of whom was still alive.

Our maintenance employee climbed out of the ravine, alerted a manager and flagged down another employee assigned to the project. Emergency employees were notified and on their way. Our employees went back to the truck to comfort and assist the surviving man. An emergency helicopter arrived and took the man to a Colorado Springs hospital, where he continued to recover.

It took enormous amounts of courage and compassion on the part of our employees. Our engineering employee had been a first responder at the scene of a similar accident before and had knowledge of what to do, and she did everything just right. These are our everyday heroes: Calhan Telck and Christine Genger.

Chairman Aden congratulated both employees. He stated that our employees come to work every day and do far more than maintain the system. They impact people's lives. This man will be forever grateful for the day they showed up on the scene.

Adjournment

Chairman Aden announced that the meeting was adjourned.

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Office of Policy and Government Relations
4201 East Arkansas Avenue, Room 275
Denver, Colorado 80222
(303) 757-9772



To: Transportation Commission

From: Herman Stockinger / Scott McDaniel

Re: Request to Repeal 315.0 “Contract Time and Contract Time Extensions for Construction Contracts”

Date: November 27, 2013

Executive Summary: CDOT continues to review and assess its policies and procedural directives in an effort to reduce the number of directives as a step towards greater efficiency. The Transportation Commission adopted Policy Directive 315.0 on December 17, 2009. The Department has determined that this policy is unnecessary, given that it instructs CDOT employees to refer to the CDOT Construction Manual. Such direction is unnecessary as CDOT employees already consider the manual as the main source of information and do not require a policy to direct them to utilize it.

1. Action Requested: Repeal Policy Directive 315.0 “Contract Time and Contract Time Extensions for Construction Contracts”
2. Documents Included in this Agenda Submission
 - A. Memorandum from Herman Stockinger / Scott McDaniel
 - B. Policy Directive 315.0 proposed for repeal
 - C. Proposed Resolution
3. Reviewed by CDOT Senior Management: Reviewed and recommended repeal.

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE	
Subject Contract Time and Contract Time Extensions For Construction Contracts			Number 315.0
Effective 12/17/09	Supersedes 4/16/03	Originating office Project Development Branch	

PURPOSE

To establish uniform statewide policy and cause to be established uniform statewide procedures governing the administration of contract time and contract time extensions.

AUTHORITY

Colorado Transportation Commission
23 CFR 635.121, Contract time and contract time extensions.

APPLICABILITY:

To the establishment, charging of, and extension of contract time.

POLICY:

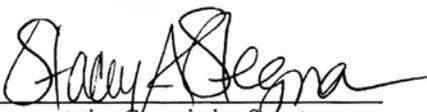
It is the policy of the Department to develop, implement, and administer procedures for the charging of contract time and contract time extensions pursuant to the procedures outlined in CDOT's Construction Manual.

IMPLEMENTATION:

This policy shall be effective immediately and implemented by the Project Development Branch Unit upon the approval by the Transportation Commission.

REVIEW DATE:

This policy shall be reviewed by December 2014.



Transportation Commission Secretary

12/17/09

Date

Resolution # TC-

Repeal of Policy Directive 315.0 “Contract Time and Contract Time Extensions for Construction Contracts”

WHEREAS, under the Colorado Revised Statutes 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies and establish rules for the Colorado Department of Transportation (CDOT); and

WHEREAS, the Transportation Commission supports the Department’s efforts to eliminate when possible directives which are no longer necessary, are out of date or are duplicative of federal and state laws and regulations; and

WHEREAS, Policy Directive 315.0 was adopted by the Transportation Commission on December 17, 2009; and

WHEREAS, this Policy Directive merely instructs employees to follow the procedures identified in the CDOT Construction Manual when the Construction Manual is already identified as the main source of information for the Department on all construction matters.

NOW THEREFORE BE IT RESOLVED, the Commission herein REPEALS Policy Directive 315.0 “Contract Time and Contract Time Extensions for Construction.”

Transportation Secretary

Date

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION
Office of Policy and Government Relations
4201 East Arkansas Avenue, Room 275
Denver, Colorado 80222
(303) 757-9772



To: Transportation Commission

From: Herman Stockinger / Scott Richrath

Re: Request to Repeal 720.0 “Colorado State Infrastructure Bank (SIB) Policy”

Date: November 27, 2013

Executive Summary: CDOT continues to review and assess its policies and procedural directives in an effort to reduce the number of directives as a step towards greater efficiency. The Transportation Commission adopted Policy Directive 720.0 on April 21, 2011, along with Procedural Directive 720.1 by the same name. The Department has determined that a separate policy is unnecessary, given that Procedural Directive 720.1 will remain in place. Additionally, there is adequate authority governing the Colorado State Infrastructure Bank, both in statute, (§ 43-1-113.5, C.R.S.), and CDOT Rules (2 CCR 605-1).

1. Action Requested: Repeal Policy Directive 720.0 “Colorado State Infrastructure Bank (SIB) Policy
2. Documents Included in this Agenda Submission
 - A. Memorandum from Herman Stockinger / Scott Richrath
 - B. Policy Directive 720.0 proposed for repeal
 - C. Proposed Resolution
 - D. Procedural Directive 720.1 (for information only)
3. Reviewed by CDOT Senior Management: Reviewed and recommended repeal.

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject COLORADO STATE INFRASTRUCTURE BANK (SIB) POLICY		Number 720.0
Effective 04/21/11	Supersedes None	Originating Office Office of Financial Management and Budget

PURPOSE

The purpose of this policy is to clarify and delineate the policies for the administration and operation of the Colorado State Infrastructure Bank (CO SIB).

AUTHORITY

Transportation Commission
43-1-113.5(3) CRS
2 CCR 605-1

APPLICABILITY

This policy directive applies to any public or private project sponsor of public transportation projects within the State of Colorado and to any division, office or region within the Colorado Department of Transportation (CDOT).

POLICY

The CO SIB program, developed as part of a federal pilot program, makes interest bearing loans available to a public or private project sponsor of public transportation projects in all areas of Colorado, to help fund transportation projects.

All CDOT employees that work to administer Fund 715 or to process CO SIB loans and/or payments shall use function code (1140) to code their time working on SIB related task in the SAP timesheet. Employees shall not change their main cost center or charge leave time using this function.

The Office of Financial Management and Budget (OFMB) shall prepare a financial summary and review of the Transportation Infrastructure Revolving Fund (Fund 715) on a periodic basis. The OFMB shall present the report to the Colorado Transportation Commission (TC) at its monthly meeting in August for the period ending June 30th of the previous State fiscal year, and as a mid-year review, in February for the period ending December 31st of the current State fiscal year.

IMPLEMENTATION PLAN

This Policy is effective immediately upon signature approval.

REVIEW DATE

This directive shall be reviewed no later than April 2016.

Herman J. Stockinger III

4/21/11

Transportation Commission Secretary

Date of Approval

REPEAL

COLORADO DEPARTMENT OF TRANSPORTATION		<input type="checkbox"/> POLICY DIRECTIVE <input checked="" type="checkbox"/> PROCEDURAL DIRECTIVE
Subject COLORADO STATE INFRASTRUCTURE BANK (SIB) PROCEDURE		Number 720.1
Effective 4/7/2011	Supersedes None	Originating Office Office of Financial Management and Budget

PURPOSE

The purpose of this procedural directive is to establish procedures for the CO SIB loan process.

AUTHORITY

Transportation Commission
 CDOT Policy 720.0, Colorado State Infrastructure Bank (SIB) Policy
 43-1-113.5(3) CRS
 2 CCR 605-1

APPLICABILITY

This policy directive applies to any public or private project sponsor of public transportation projects within the State of Colorado and to any division, office or region within the Colorado Department of Transportation (CDOT).

DEFINITIONS

Transportation Infrastructure Revolving Fund (Fund 715):
 Colorado State Infrastructure Bank (CO SIB):

PROCEDURE FOR CREATING AND UPDATING DIRECTIVES

The following outlines the CO SIB loan process:

- 1) The application for a CO SIB loan shall be comprised of four sections and each section shall include the following:
 - a) Section 1 shall request pertinent information from the applicant such as the name of the borrower; employer ID#; brief description of the project or purchase; business address; name of the contact person; phone number; fax number; e-mail address; name and pertinent information about the borrower's third party fiduciary.
 - b) Section 2 shall request financial information about the loan such as: the amount requested to be loaned; the desired terms to repay the loan; particulars about additional debt on the project; and if applicable, a rating letter from the rating organization that evaluated the entity's last bond issue indicating the rating and when it was established. In addition, this section shall

- request pertinent financial information about the applicant including: a plan that identifies the anticipated funding or revenue sources pledged to repay the loan; a plan that identifies other funds, anticipated revenue, or securities that are available to secure the loan; the latest financial statements for the organization making the application; and a resolution from the applicant's council or board authorizing this application and borrowing from the CO SIB.
- c) Section 3 shall request information about the project or purchase such as: a statement of work of the project or a detailed description of the purchase; the total cost (estimate) of the project, the property appraisal or an invoice for a purchase; a brief explanation of the need for the project; a brief explanation of how this project enhances the overall transportation system and the benefits such as congestion mitigation, environmental mitigation, safety, economic development, and connectivity; a brief explanation that identifies the extent to which CO SIB assistance accelerates project implementation; a brief description of the likely negative effects of not receiving CO SIB assistance. In addition, in this section, the applicant shall indicate: the type of project i.e., highway, transit, aviation, or rail; if the project is part of a local, regional or the Statewide Transportation Improvement Program plan (STIP); if the project meets the federal-aid eligibility requirement; if the project involves a public/private partnership; if the project involves the formation of a Local Improvement District (LID) or an Urban Renewal District (URD) or similar entity.
 - d) Section 4 shall request acknowledgement and certification of the applicant that the information provided in the application is true and understand that any intentional or negligent misrepresentation of information contained in the application may result in civil liability and/or criminal penalties under the state statutes of Colorado, and liability for monetary damages to the lender, its agents, successors and assigns, insurers and any other person who may suffer any loss due to reliance upon any misrepresentation which has been made on the application.
- 2) The process for executing CO SIB loan contracts begins when a project sponsor submits an application for CO SIB assistance for an eligible project to any Colorado Department of Transportation (CDOT) divisional or regional office or to the CDOT Office of Financial Management and Budget (OFMB).
 - a) If an application is submitted to a CDOT divisional or regional office that office shall forward the application to the OFMB.
 - b) When the OFMB receives an application it shall prepare the application for evaluation by the review committee (the committee) and set up a loan file for the prospective borrower.
 - 3) The committee shall evaluate and document each loan and make a recommendation on the loan for presentation to the Colorado Transportation Commission (TC).

- 4) The TC shall act on the committee's recommendation and evaluation.
- 5) The committee may submit a recommendation to the TC for a loan amount based on a preliminary cost estimate; subsequently, the loan amount shall be adjusted to an amount based on the actual invoice amount or final cost estimate.
 - a) If the adjusted loan amount is equal to or below the preliminary loan amount, OFMB shall prepare the contract based on the adjusted loan amount.
 - b) If the adjusted loan amount is above the preliminary loan amount, the process shall resume at step 3.
- 6) If the TC approves the loan, the OFMB shall:
 - a) Prepare a loan contract document, using an unaltered template approved by the Colorado Department of Law and the State Controller's Office, as directed by the TC;
 - b) Enter specific loan contract information into the contract management system (CMS) for the purpose of tracking the loan;
 - c) Enter specific loan contract information into the SAP system creating the loan in the system; and
 - d) Send five copies of the contract document to the approved project sponsor for review.
- 7) After receiving the contract documents, the approved sponsor shall take one of the following three courses:
 - a) If in agreement with all of the terms and provisions of the loan contract, sign and return all five copies of the contract documents to the OFMB.
 - b) If the approved sponsor disagrees with any of the terms and provisions of the loan contract and intends to forgo the loan, the sponsor shall notify the OFMB of its intent to forgo the loan; or
 - c) If the approved sponsor seeks to negotiate or alter certain terms or provisions, the sponsor shall identify any specific disagreement(s) within the contract and propose alternative language.
- 8) After receiving such notice, the OFMB shall act accordingly:
 - a) If it is the intent of the sponsor to forgo the loan, the OFMB shall withdraw the loan request; close the sponsors file and notify the TC of the withdrawal.

- b) If it is the intent of the sponsor to negotiate certain terms and provisions within the contract document, the OFMB shall then forward the specifics to the State Controller's Office and, if needed, the Department of Law for legal review and/or assistance in the negotiation. When the State Controller's Office and the Department of Law, if applicable, provide the negotiated language, the process shall resume at step 6.
- 9) Upon receiving signed contract documents from an approved sponsor, the OFMB shall secure signatures from the following:
 - a) The CDOT Executive Director office
 - b) The Department of Law
 - c) The CDOT Controller—the contract shall be deemed executed with the Controller signature. If, however, changes were made to the contract template, the State Controller's Office shall sign the contract in lieu of the CDOT Controller.
- 10) The OFMB shall distribute one of the five copies of the executed contract documents to each of the following:
 - a) The Controller's office
 - b) The project sponsor (borrower)
 - c) The respective CDOT divisional or regional office
 - d) The Department of Law
 - e) The sponsor's loan file (in the OFMB)
- 11) After the contract documents have been signed by a Controller, CDOT Accounting shall:
 - a) disburse the loan
 - b) pay and clear the customer payment
 - c) posts loan receivables to the customer accounts
- 12) The OFMB shall send the loan check and the official payment schedule to the sponsor's third party fiduciary/escrow agent or administrator of the loan.
- 13) The approved sponsor shall make all scheduled payments in full and on time.
- 14) CDOT Accounting shall process and post all incoming loan payments.

- 15) If a loan falls into default:
 - a) Accounting shall notify the sponsor and the OFMB of the condition. If the sponsor cures within thirty (30) days, the loan shall no longer be in default and accounting shall notify OFMB of the cure action.
 - b) The OFMB shall notify the appropriate CDOT divisional or regional office and the committee of any loans in the condition of default, and also of any loans where the condition of default has been cured. Subsequently, the OFMB shall notify the TC of any default.
 - c) If the default of a loan that has been cured occurred because of failure to make a scheduled loan payment, the committee shall determine if a late charge will be assessed and the amount of such assessment.
- 16) If the sponsor fails to cure within thirty (30) days of default:
 - a) Accounting shall notify the OFMB that the loan has not been cured.
 - b) The OFMB shall then collaborate with the Department of Law, CDOT Controller's office and the committee to determine the best course of action for CDOT.
 - c) The OFMB shall notify the sponsor of the department's intentions to remedy the loan condition.
- 17) If the sponsor submits a scheduled payment early, makes a payment for more than the amount due, or both, the CDOT Chief Financial Officer shall have authority to adjust the loan payment schedule.
- 18) Except for the provision in step 17, any proposed amendment to the terms of a contract after it is executed shall be forwarded to the OFMB.
 - a) The OFMB shall review the proposed amendments and, if necessary, forward the amendments to the Department of Law for legal review and/or the CDOT Controller for fiscal review.
 - b) After reviewing and/or receiving legal and/or fiscal reviews on the matter, OFMB shall prepare the proposed amendment to be reviewed by the committee.
- 19) The committee shall review any proposed amendments and make its recommendation to the TC.
- 20) The TC shall act on the committee's recommendation and provide direction to the OFMB for amending the contract.

- 21) The OFMB shall:
- a) Prepare an amended contract based on direction from the TC;
 - b) If necessary, adjust the loan contract information in the CMS and SAP systems; and
 - c) Send five copies of the amended contract document to the approved project sponsor for review.
- 22) After receiving the amended contract documents, the approved sponsor shall sign and return all five copies of the amended documents to the OFMB. The process shall then resume with the necessary actions beginning at step 9.

IMPLEMENTATION PLAN

This Procedural Directive shall become effective immediately upon approval by the Executive Director and shall be implemented by the OFMB.

REVIEW DATE

This procedural directive shall be reviewed by April 2016.



EXECUTIVE DIRECTOR

04/07/11

Date of Approval

Resolution # TC-

Repeal of Policy Directive 720.0 “Colorado State Infrastructure Bank (SIB) Policy”

WHEREAS, under the Colorado Revised Statutes 43-1-106(8), the Transportation Commission of Colorado has the statutory responsibility to set policies and establish rules for the Colorado Department of Transportation (CDOT); and

WHEREAS, the Transportation Commission supports the Department’s efforts to eliminate when possible directives which are no longer necessary, are out of date or are duplicative of federal and state laws and regulations; and

WHEREAS, Policy Directive 720.0 was adopted by the Transportation Commission on April 21, 2011; and

WHEREAS, this policy is no longer necessary as Procedural Directive 720.1, statutory authority 43-1-113.5, C.R.S., and CDOT rules currently in place, 2 CCR 605-1, adequately provide for requirements and processes regarding the Colorado State Infrastructure Bank (SIB).

NOW THEREFORE BE IT RESOLVED, the Commission herein REPEALS Policy Directive 720.0 “Colorado State Infrastructure Bank (SIB) Policy.”

Transportation Secretary

Date

STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION

Chief Engineer
4201 East Arkansas Avenue
Denver, CO 80222-3400
(303) 757-9206
(303) 757-9656 Fax



TO: Transportation Commissioners

PROJECT #: F005-3(26)

FROM: Timothy J. Harris, P.E.
Chief Engineer

LOCATION: SH 40 near Golden,
CO

PARCEL #: 21XA, 21XB, 21XC

COUNTY: Jefferson

DATE: November 27, 2013

SUBJECT: Transportation Commission Agenda for December 19th, 2013

Requested Action:

Declaration of Excess Property: Parcels 21XA, 21XB, and 21XC of CDOT Project F005-3(26).

Background:

The right of way was originally acquired in conjunction with the construction of the improvements to the SH 40 (Colfax Avenue) segment in this area that was built under Project F005-3(26) in the late 1960's to widen SH 40.

The subject parcels are outside of the right of way necessary for State Highway 40, and have no highway improvements constructed upon them. These parcels are of use only to the adjacent property owner. The disposal of these parcels to the adjacent property owner will straighten the right of way line and will result in a more consistent right of way width within this street block. Additionally, it will relieve CDOT of any liabilities associated with these vacant lands beyond the curb.

The three described parcels of property together contain a total area of 2,463 square feet, more or less, (approximately 0.057 acres) in unincorporated Jefferson County. The sale of the parcels will have no effect upon the operation, use, maintenance or safety of the highway facility. The Region is asking that the Transportation Commission approve the sale of the three (3) parcels of excess right of way.

The parcels will be appraised to determine the actual fair market value prior to sale. The total estimated value of all three parcels combines is \$28,000.00+.

Subsequent to the passage of the excess parcel declaration, CDOT will proceed with the sale of the parcels for fair market value, in accordance with Colorado Revised Statute 43-1-210(5). Revenue generated by the sale of the parcel will be reinvested into future CDOT projects.

EXCESS LAND FINDING

I, Timothy J. Harris, Chief Engineer of the DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, having examined the official files and records of the Department, and being fully advised in the premises, DO HEREBY FIND:

That the following described properties, to wit:

PARCEL 21XA

A PORTION OF LOT 13, BLOCK 25, PLEASANT VIEW SECOND FILING, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE S69°39'51"E, 2859.62 FEET TO THE NORTHWEST CORNER OF SAID LOT 13, BLOCK 25, PLEASANT VIEW SECOND FILING AND THE **POINT OF BEGINNING**;

THENCE N90°00'00"E ALONG THE NORTH BOUNDARY LINE OF SAID LOT 13, 63.50 FEET;

THENCE S70°43'40"W, 46.13 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 109°16'20", A DISTANCE OF 28.61 FEET TO A POINT OF TANGENCY;

THENCE N00°00'00"E, 1.07 FEET TO THE **POINT OF BEGINNING**,

CONTAINING A CALCULATED AREA OF 602 SQUARE FEET OR 0.014 ACRES.

PARCEL 21XB

A PORTION OF LOT 12, LOT 38 AND THE 16-FOOT ALLEY, BLOCK 25, PLEASANT VIEW SECOND FILING, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE S70°58'03"E, 2970.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, BLOCK 25, PLEASANT VIEW SECOND FILING AND THE **POINT OF BEGINNING**;

THENCE N32°37'09"E, 29.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 38;

THENCE N90°00'00"E ALONG THE NORTH BOUNDARY LINE OF SAID LOT 38, 63.50 FEET;

THENCE S70°43'40"W, 151.49 FEET TO A POINT AT THE MIDPOINT OF THE SOUTH BOUNDARY LINE OF SAID LOT 12;

THENCE N00°00'00"E, 25.00 FEET TO A POINT AT THE MIDPOINT OF THE NORTH BOUNDARY LINE OF SAID LOT 12;

THENCE N90°00'00"E, 63.50 FEET TO THE **POINT OF BEGINNING**,
CONTAINING A CALCULATED AREA OF 1787 SQUARE FEET OR 0.041 ACRES.

PARCEL 21XC

A PORTION OF LOT 39, BLOCK 25, PLEASANT VIEW SECOND FILING, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE S71°54'08"E, 3038.19 FEET TO A POINT AT THE MIDPOINT OF THE SOUTH BOUNDARY LINE OF SAID LOT 39 AND THE **POINT OF BEGINNING**;

THENCE N68°31'30"E, 64.96 FEET TO A POINT ON A NON-TANGENT CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 33°32'10", A DISTANCE OF 8.78 FEET, THE CHORD OF WHICH BEARS S53°57'35"W, 8.65 FEET TO A POINT OF TANGENCY;

THENCE S70°43'40"W, 56.62 FEET TO THE **POINT OF BEGINNING**,
CONTAINING A CALCULATED AREA OF 74 SQUARE FEET OR 0.002 ACRES.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, MONUMENTED AT THE WEST ONE-QUARTER CORNER BY A 1" ROD IN RANGE BOX MARKED "WATER" AND MONUMENTED AT THE SOUTHWEST CORNER OF SECTION 1 BY A 2 ½" ALUMINUM CAP IN RANGE BOX STAMPED "14112" WITH THE LINE ASSUMED TO BEAR S00°08'51"E.

IT IS THEREFORE ORDERED, that the Department dispose of the above land in the manner prescribed by law, subject to approval of the Transportation Commission.

DONE at Denver, Colorado, this ____ day of December, 2013.

TIMOTHY J. HARRIS, P.E.
Chief Engineer

FEDERAL ROAD REGION NO.	DISTRICT	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	FC05-3(26)	6	8

RIGHT-OF-WAY W. COLFAX AVE
Jct. U.S. 6 & 40 - 170

SW 1/4 Sec. 1 T4S R70W

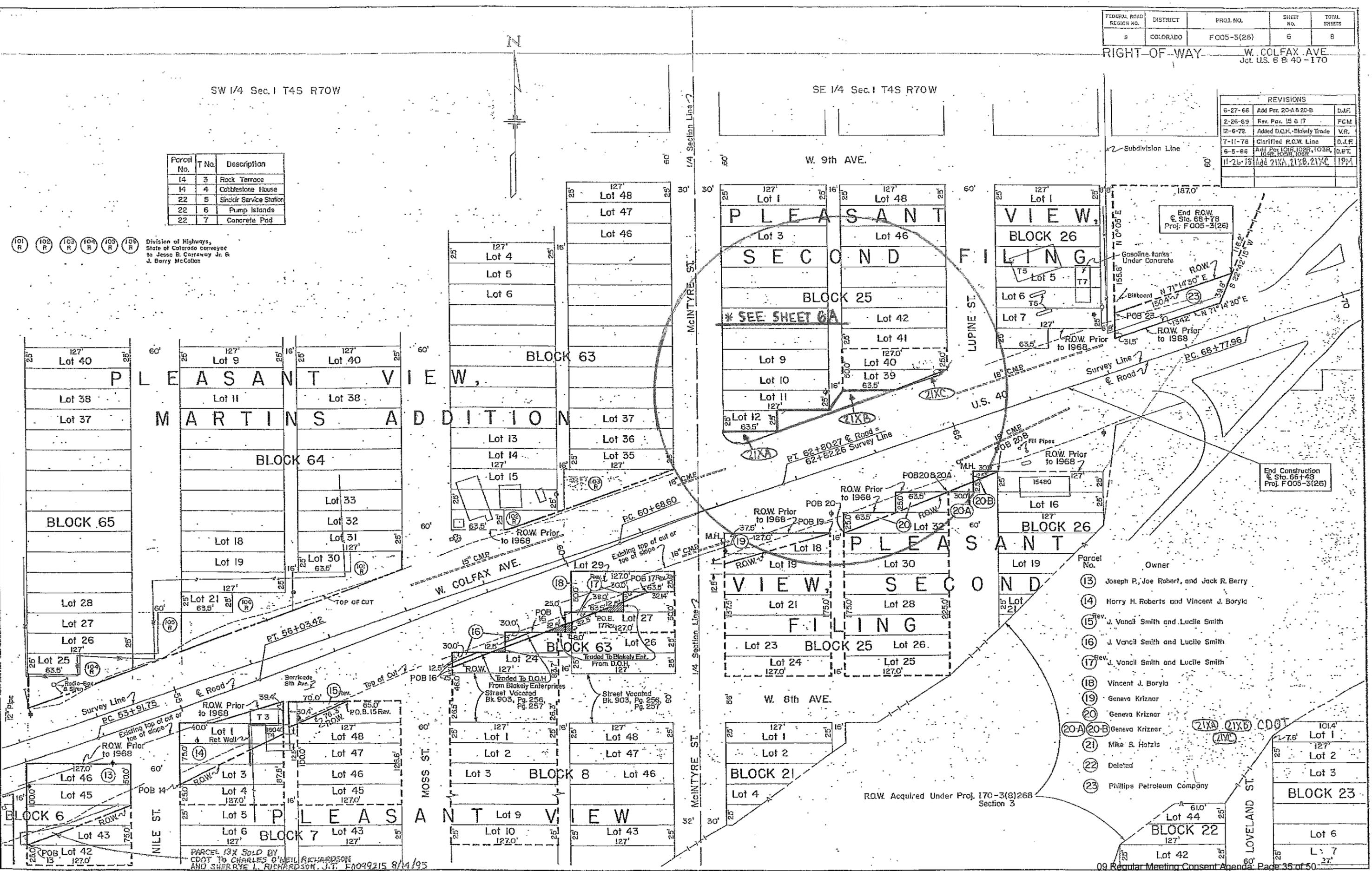
SE 1/4 Sec. 1 T4S R70W

Parcel No.	T No.	Description
14	3	Rock Terrace
14	4	Cobblestone House
22	5	Shed Service Station
22	6	Pump Islands
22	7	Concrete Pad

REVISIONS		
6-27-66	Add Par. 20-A & 20-B	D.J.F.
2-26-69	Rev. Par. 15 & 17	FCM
12-6-72	Added D.O.H. Blockly Trade	V.R.
7-11-78	Clarified R.O.W. Line	D.J.F.
6-5-86	Add Par. 101A, 102B, 103R, 104B, 105B, 106B	D.B.T.
11-26-13	Add 21XA, 21XB, 21XC	1974

- (101 R)
- (102 R)
- (103 R)
- (104 R)
- (105 R)
- (106 R)

Division of Highways,
State of Colorado conveyed
to Jesse B. Caraway Jr. &
J. Berry McCollon



Parcel No.	Owner
(13)	Joseph P., Joe Robert, and Jack R. Berry
(14)	Harry H. Roberts and Vincent J. Boryla
(15) Rev.	J. Vancil Smith and Lucile Smith
(16)	J. Vancil Smith and Lucile Smith
(17) Rev.	J. Vancil Smith and Lucile Smith
(18)	Vincent J. Boryla
(19)	Geneva Kriznar
(20)	Geneva Kriznar
(20A)(20B)	Geneva Kriznar
(21)	Mike S. Hatzis
(22)	Deleted
(23)	Phillips Petroleum Company

PARCEL 13X SOLD BY
CDOT TO CHARLES & NEIL RICHARDSON
AND SHERRY L. RICHARDSON, J.T. E099215 8/14/95

FEDERAL ROAD REGION NO.	DISTRICT	PROJ. NO.	SHEET NO.	TOTAL SHEETS
9	COLORADO	FO05-3(26)	5A	8

RIGHT-OF-WAY W. COLFAX AVE
Jct. U.S. 6 & 40-170

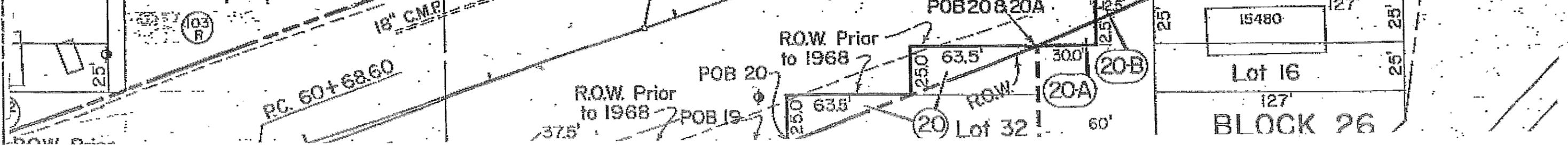
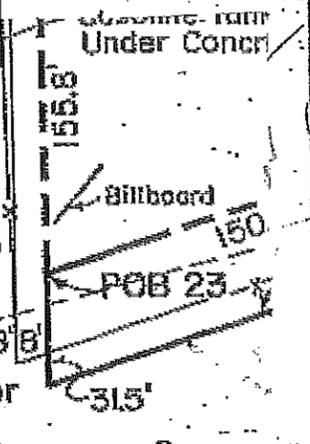
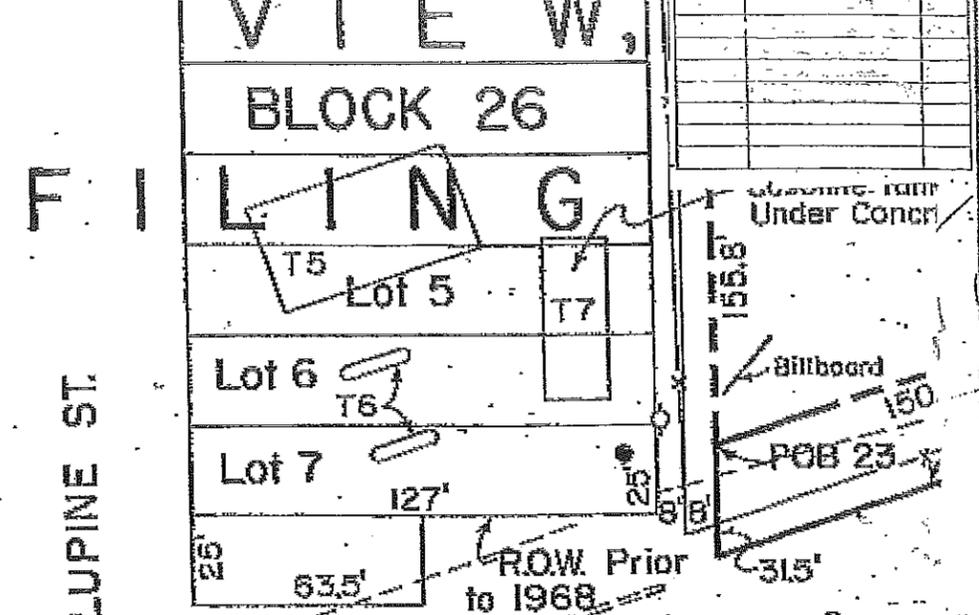
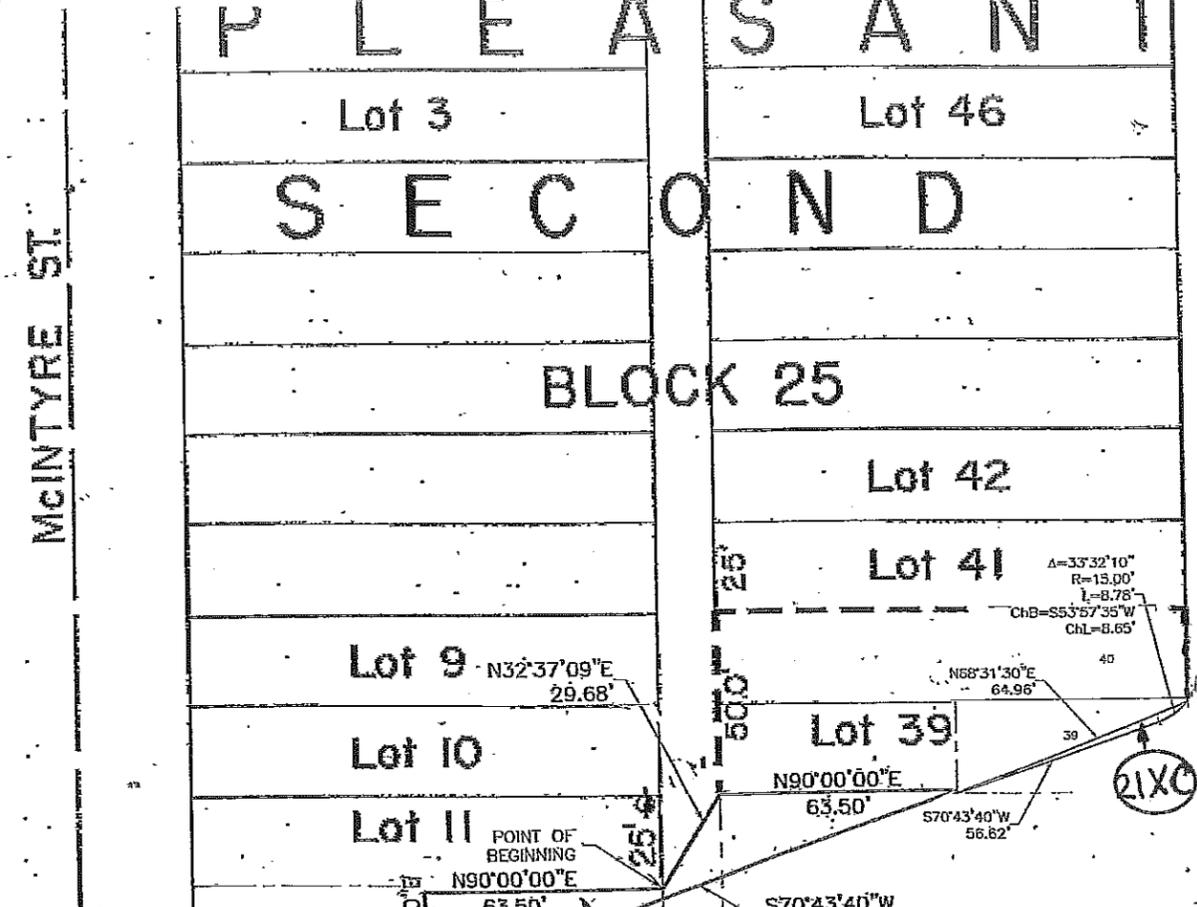
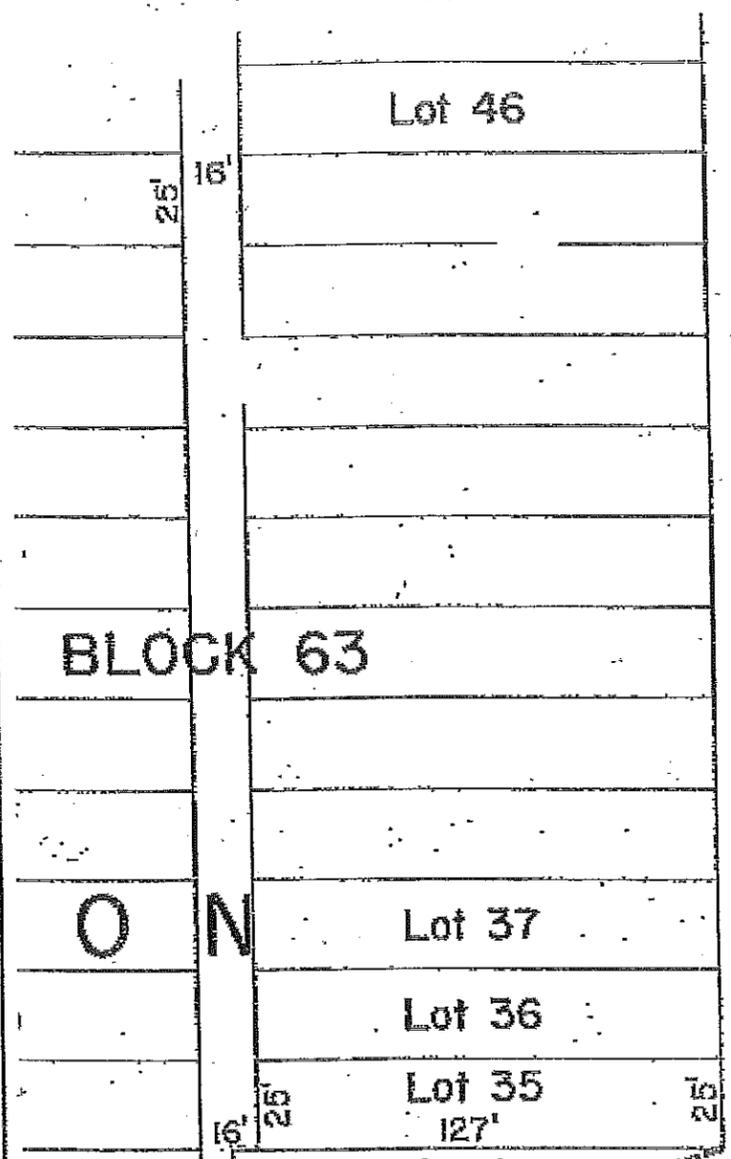
SW 1/4 Sec. 1 T4S R70W

P L E A S A N T
S E C O N D

V I E W,
B L O C K 26

F I L I N G

REVISIONS	



PARCEL	OWNER
21XA	C.D.O.T.
21XB	
21XC	

EXHIBIT A
PARCEL 21XA

LEGAL DESCRIPTION

A PORTION OF LOT 13, BLOCK 25, PLEASANT VIEW SECOND FILING, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, MONUMENTED AT THE WEST ONE-QUARTER CORNER BY A 1" ROD IN RANGE BOX MARKED "WATER" AND MONUMENTED AT THE SOUTHWEST CORNER OF SECTION 1 BY A 2 ½" ALUMINUM CAP IN RANGE BOX STAMPED "14112" WITH THE LINE ASSUMED TO BEAR S00°08'51"E.

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE S69°39'51"E, 2859.62 FEET TO THE NORTHWEST CORNER OF SAID LOT 13, BLOCK 25, PLEASANT VIEW SECOND FILING AND THE **POINT OF BEGINNING**;

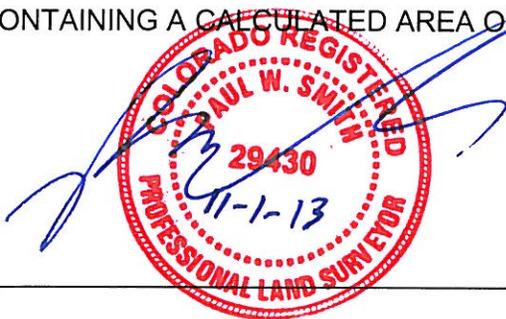
THENCE N90°00'00"E ALONG THE NORTH BOUNDARY LINE OF SAID LOT 13, 63.50 FEET;

THENCE S70°43'40"W, 46.13 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 109°16'20", A DISTANCE OF 28.61 FEET TO A POINT OF TANGENCY;

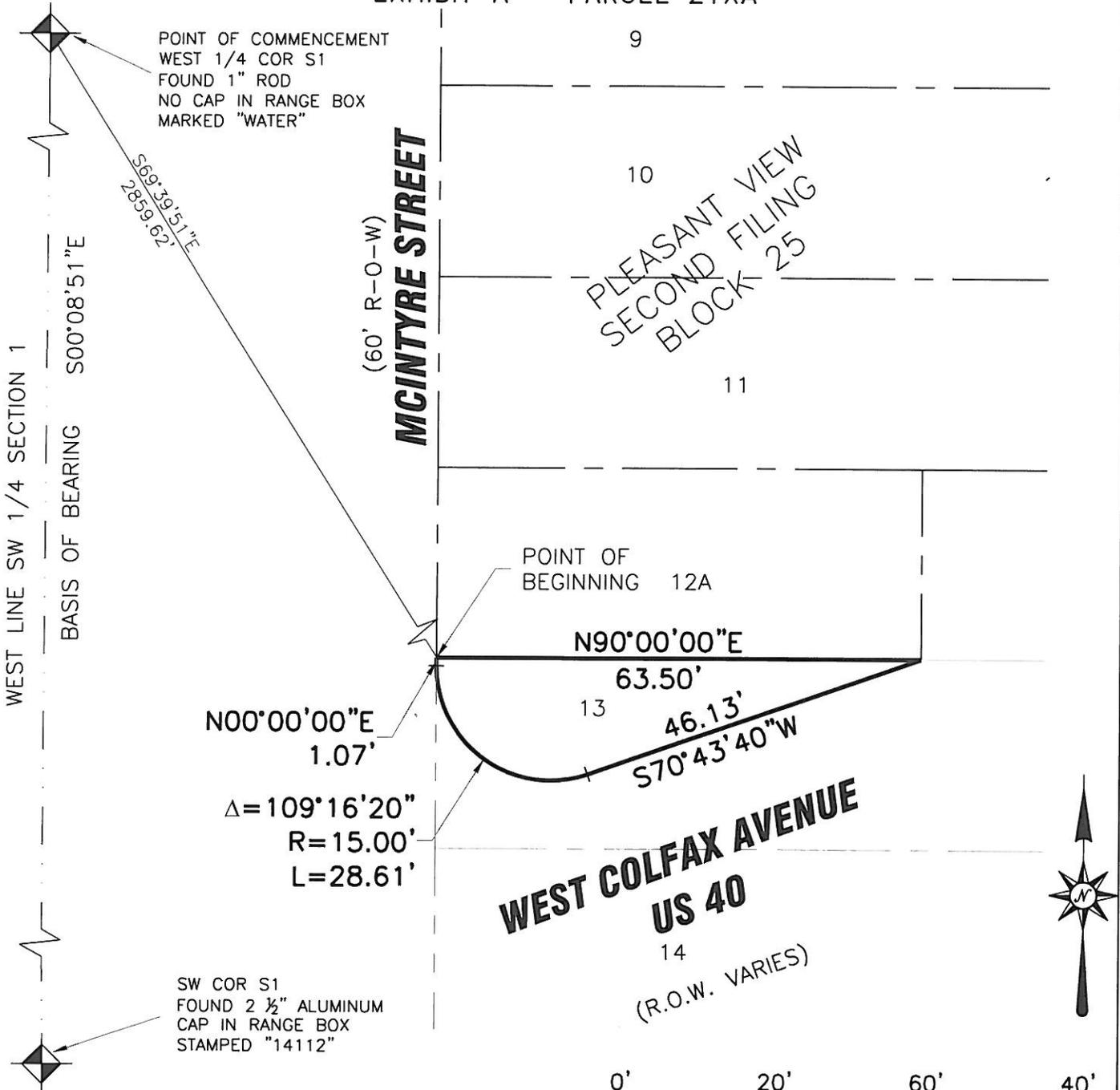
THENCE N00°00'00"E, 1.07 FEET TO THE **POINT OF BEGINNING**,

CONTAINING A CALCULATED AREA OF 602 SQUARE FEET OR 0.014 ACRES.



PREPARED BY: PAUL W. SMITH, PLS #29430
FOR AND ON BEHALF OF R&R ENGINEERS-SURVEYORS, INC.
710 WEST COLFAX AVE.
DENVER, COLORADO 80204
JOB #: PH12006
NOVEMBER 1, 2013

SE 1/4 SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST, 6TH P.M.
 ----- COUNTY OF JEFFERSON, STATE OF COLORADO -----
 EXHIBIT A - PARCEL 21XA



NOTE
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.



SCALE: 1" = 20'

PARCEL CONTAINS 602 SQ. FT. OR 0.014 ACRES

PARCEL 21XA		Sheet 2 of 2		R&R ENGINEERS-SURVEYORS, INC.	
				710 WEST COLFAX AVE.	
				DENVER, COLORADO 80204	
				PH: 303-753-6730	
				FAX: 303-753-6568	

EXHIBIT A
PARCEL 21XB

LEGAL DESCRIPTION

A PORTION OF LOT 12, LOT 38 AND THE 16-FOOT ALLEY, BLOCK 25, PLEASANT VIEW SECOND FILING, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, MONUMENTED AT THE WEST ONE-QUARTER CORNER BY A 1" ROD IN RANGE BOX MARKED "WATER" AND MONUMENTED AT THE SOUTHWEST CORNER OF SECTION 1 BY A 2 ½" ALUMINUM CAP IN RANGE BOX STAMPED "14112" WITH THE LINE ASSUMED TO BEAR S00°08'51"E.

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE S70°58'03"E, 2970.78 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, BLOCK 25, PLEASANT VIEW SECOND FILING AND THE **POINT OF BEGINNING**;

THENCE N32°37'09"E, 29.68 FEET TO THE NORTHWEST CORNER OF SAID LOT 38;

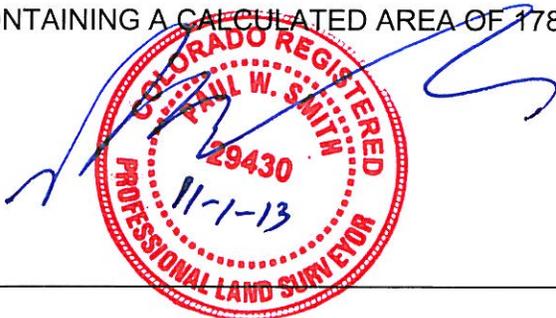
THENCE N90°00'00"E ALONG THE NORTH BOUNDARY LINE OF SAID LOT 38, 63.50 FEET;

THENCE S70°43'40"W, 151.49 FEET TO A POINT AT THE MIDPOINT OF THE SOUTH BOUNDARY LINE OF SAID LOT 12;

THENCE N00°00'00"E, 25.00 FEET TO A POINT AT THE MIDPOINT OF THE NORTH BOUNDARY LINE OF SAID LOT 12;

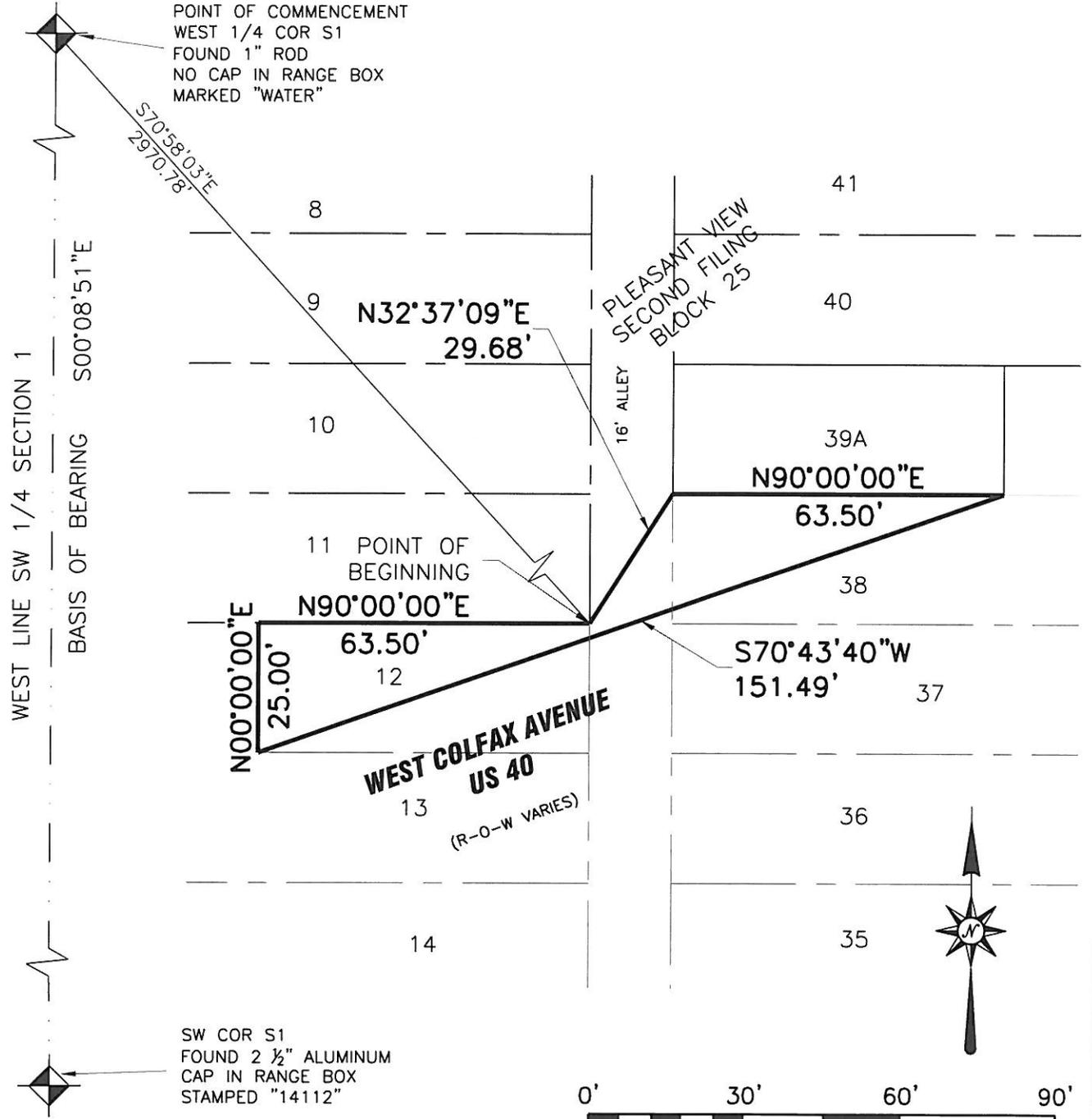
THENCE N90°00'00"E, 63.50 FEET TO THE **POINT OF BEGINNING**,

CONTAINING A CALCULATED AREA OF 1787 SQUARE FEET OR 0.041 ACRES.



PREPARED BY: PAUL W. SMITH, PLS #29430
FOR AND ON BEHALF OF R&R ENGINEERS-SURVEYORS, INC.
710 WEST COLFAX AVE.
DENVER, COLORADO 80204
JOB #: PH12006
NOVEMBER 1, 2013

SE 1/4 SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST, 6TH P.M.
 ----- COUNTY OF JEFFERSON, STATE OF COLORADO -----
 EXHIBIT A - PARCEL 21XB



NOTE
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.



SCALE: 1" = 30'

PARCEL CONTAINS 1787 SQ. FT. OR 0.041 ACRES

PARCEL 21XB		Sheet 2 of 2		R&R ENGINEERS-SURVEYORS, INC.	
				710 WEST COLFAX AVE.	
				DENVER, COLORADO 80204	
				PH: 303-753-6730	
				FAX: 303-753-6568	

EXHIBIT A
PARCEL 21XC

LEGAL DESCRIPTION

A PORTION OF LOT 39, BLOCK 25, PLEASANT VIEW SECOND FILING, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, MONUMENTED AT THE WEST ONE-QUARTER CORNER BY A 1" ROD IN RANGE BOX MARKED "WATER" AND MONUMENTED AT THE SOUTHWEST CORNER OF SECTION 1 BY A 2 ½" ALUMINUM CAP IN RANGE BOX STAMPED "14112" WITH THE LINE ASSUMED TO BEAR S00°08'51"E.

COMMENCING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 1; THENCE S71°54'08"E, 3038.19 FEET TO A POINT AT THE MIDPOINT OF THE SOUTH BOUNDARY LINE OF SAID LOT 39 AND THE **POINT OF BEGINNING**;

THENCE N68°31'30"E, 64.96 FEET TO A POINT ON A NON-TANGENT CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 33°32'10", A DISTANCE OF 8.78 FEET, THE CHORD OF WHICH BEARS S53°57'35"W, 8.65 FEET TO A POINT OF TANGENCY;

THENCE S70°43'40"W, 56.62 FEET TO THE **POINT OF BEGINNING**,

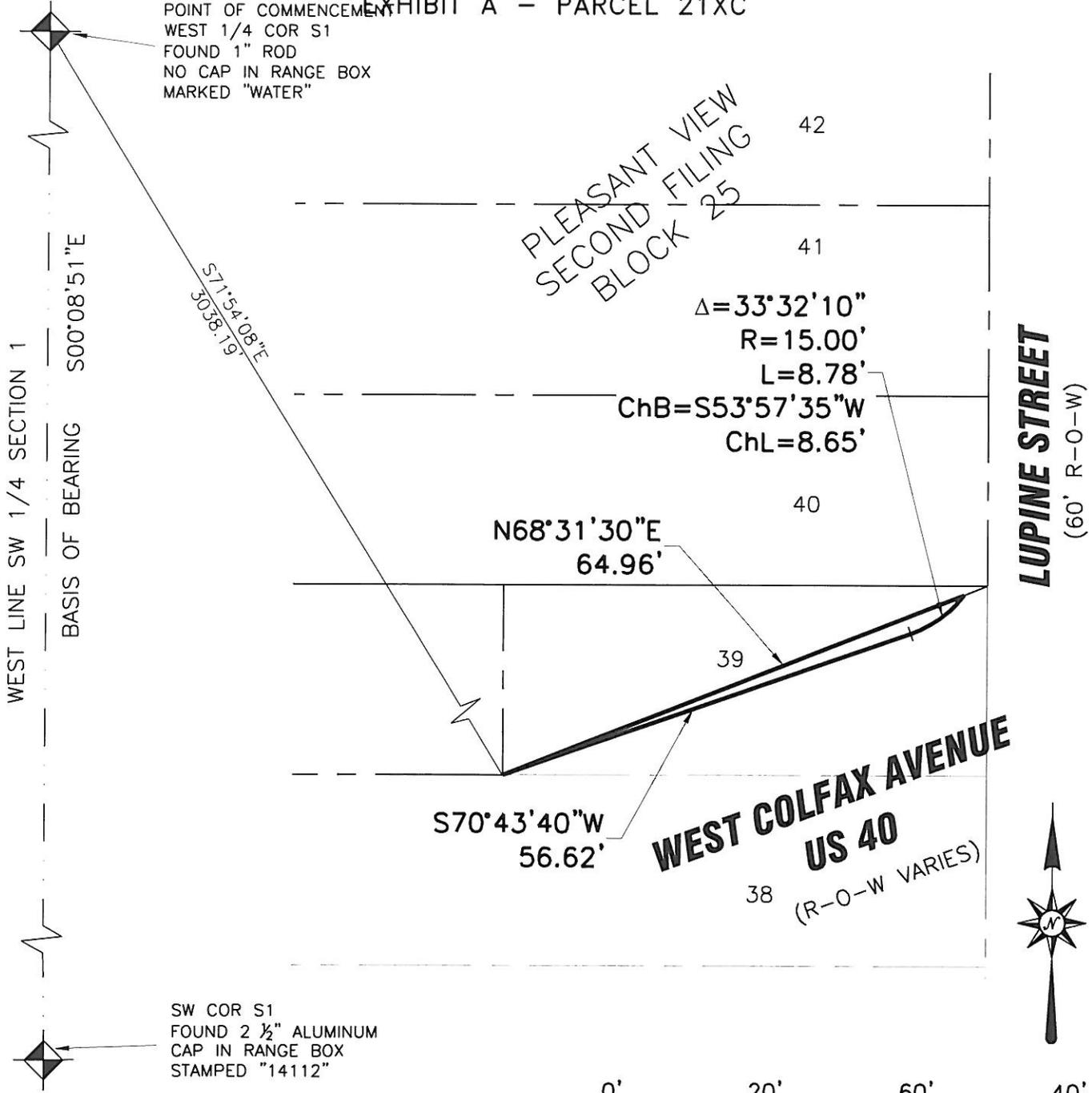
CONTAINING A CALCULATED AREA OF 74 SQUARE FEET OR 0.002 ACRES.



PREPARED BY: PAUL W. SMITH, PLS #29430
FOR AND ON BEHALF OF R&R ENGINEERS-SURVEYORS, INC.
710 WEST COLFAX AVE.
DENVER, COLORADO 80204
JOB #: PH12006
NOVEMBER 1, 2013

SE 1/4 SECTION 1, TOWNSHIP 4 SOUTH, RANGE 70 WEST, 6TH P.M.
 ----- COUNTY OF JEFFERSON, STATE OF COLORADO -----

EXHIBIT A - PARCEL 21XC



NOTE
 THIS DRAWING IS MEANT TO DEPICT THE ATTACHED LEGAL DESCRIPTION AND IS FOR INFORMATIONAL PURPOSES ONLY. IT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.

PARCEL 21XC		Sheet 2 of 2		R&R ENGINEERS-SURVEYORS, INC. 710 WEST COLFAX AVE. DENVER, COLORADO 80204 PH: 303.753-6730 FAX: 303.753-6568
Date: 11/01/13				
Drawn: MDW				
Checked: PWS				
Job No.: PH12006				



COLORADO DEPARTMENT OF TRANSPORTATION CATEGORICAL EXCLUSION DETERMINATION	Date: <u>10-22-13</u>	Revision Date:	Project Code #:
	Project # <u>F005-3(25)</u>		
Project Name: <u>Property Disposal US40 (Colfax Ave)</u>			
Project Description: <u>between McDermott St. & Lupine St, Golden CO</u>			

A. Categorical Exclusion Project Determination

1. This project has a Federal nexus (yes or no) N.
2. This project fits Categorical Exclusion or Programmatic CE number No
3. CDOT _____ design plans dated _____ were referenced in selecting the Clearance Actions required in Block B of this form.

B. Clearance Actions

REQUIRED <small>If not checked is Not Applicable</small>	DATE COMPLETED	REQUIRED <small>If not checked is Not Applicable</small>	DATE COMPLETED
<input type="checkbox"/> Air Quality (hot spot analysis)	_____	<input type="checkbox"/> Paleontology	_____
<input type="checkbox"/> Noise	_____	<input type="checkbox"/> Archaeology	_____
<input type="checkbox"/> Hazardous Waste	_____	<input type="checkbox"/> History	<u>10-21-13</u>
<input type="checkbox"/> - ISA Checklist	<u>10-21-13</u>	<input type="checkbox"/> Historic Bridge	_____
<input type="checkbox"/> - MESA (or Phase I)	_____	<input type="checkbox"/> 4(f)	_____
<input type="checkbox"/> Threatened or Endangered Species	<u>10-22-13</u>	<input type="checkbox"/> 6(f) Agreements	_____
<input type="checkbox"/> Wetland Delineation (survey)	<u>10-22-13</u>	<input type="checkbox"/> Other	_____

All required clearance actions indicated have been completed for the work described in the design plans referenced above. No significant environmental impacts will result from this project. All Permits and Additional Requirements indicated in Part C below will be obtained before project advertisement/construction. Implementation of project shall include required mitigation commitments.

RPEM Signature [Signature] Date 10-22-13 Region # 1

I concur in the above category designation and the scope of environmental clearance/permits indicated.
 FHWA Division Administrator Signature (when required) (Please return form to RPEM) N/A Date _____

C. Permits and Additional Requirements

REQUIRED <small>If not checked is Not Applicable</small>	DATE COMPLETED	REQUIRED <small>If not checked is Not Applicable</small>	DATE COMPLETED
<input type="checkbox"/> 404 Permit	_____	<input type="checkbox"/> CO Parks & Wildlife SB 40	_____
<input type="checkbox"/> 401 Certification	_____	<input type="checkbox"/> Wetland Finding	_____
<input type="checkbox"/> 402 Certification	_____	<input type="checkbox"/> APCD Bridge/Structure Demo Permit	_____
<input type="checkbox"/> Const Dewatering Permit	_____	<input type="checkbox"/> Hazardous Materials (Phase II)	_____
<input type="checkbox"/> Const Stormwater Permit	_____	<input type="checkbox"/> 6(f) Completion	_____
<input type="checkbox"/> Floodplains Development Permit	_____	<input type="checkbox"/> Other	_____

D. Comments

E. Environmental Project Certification

All clearance and permit requirements for this project have been completed and mitigation included in the _____ set of plans and specifications dated _____. The appropriate documentation is on file in the Region office.

RPEM Signature _____ Date _____

Note to Project Manager: Any changes to the plans and specifications after the date of the RPEM signature in Part B that affect environmental impacts or mitigation must be approved by the RPEM.

PROJECT #: F005-3(26)
LOCATION: SH 40 near Golden, CO
PARCEL #: 21XA, 21XB, 21XC
COUNTY: Jefferson

PROPOSED RESOLUTION

WHEREAS, the Department of Transportation acquired Right of Way in 1968 in unincorporated Jefferson County, near Golden, Colorado as a part of CDOT Project #F005-3(26) for use as SH 40; and

WHEREAS, the abutting property owner has requested that portions of the right of way be disposed of to the owner for future development purposes; and

WHEREAS, there are a total of three (3) parcels of right of way requested that combined together total 2,463 square feet, more or less; and

WHEREAS, the right of way parcels are labeled Parcels 21XA, 21XB, and 21XC; and

WHEREAS, the sale of the parcels will not affect the operation, maintenance, use or safety of CDOT's facility; and

WHEREAS, the fair market value of parcels 21XA, 21XB, and 21XC will be established by the appraisal process outlined by Colorado revised Statute 43-1-210(5); and

WHEREAS, the Department of Transportation, Region 1 has declared through Timothy Harris as Chief Engineer, that the property is not needed for transportation purposes; and

WHEREAS, the Chief Engineer and the Department of Transportation are authorized pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3) and 43-1-210(5) to make determinations regarding land to be declared excess and not needed for transportation purposes now or in the foreseeable future; and

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this property is not needed for transportation purposes now or in the foreseeable future; and

NOW THEREFORE BE IT RESOLVED, pursuant to C.R.S. 43-1-106(8)(n); 43-1-110; 43-1-114(3), 43-1-210 Code of Federal Regulations and Title 23, Part 710, Section 409 (23 CFR 710.409), the Department of Transportation be given authority to declare properties described as 21XA, 21XB, and 21XC of Project # F005-3(26) be excess land.

FURTHER, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

MEMORANDUM

DEPARTMENT OF TRANSPORTATION

4201 East Arkansas Avenue
Denver, Colorado 80222
(303) 757-9011



DATE: December 2, 2013

TO: Transportation Commission

FROM: Debra Perkins-Smith, Director, Division of Transportation Development

SUBJECT: Statewide CMAQ Program for Compressed Natural Gas (CNG)

Purpose

This memorandum summarizes information on the use of CMAQ funds for a statewide program to support a Compressed Natural Gas (CNG) Program in Colorado. A resolution is attached for adoption at the December Transportation Commission meeting.

Action Requested

Transportation Commission adoption of the attached resolution at its December meeting.

Background

Last month at the Commission Statewide Plan workshop, a summary of work done to date and of collaboration with planning partners on a statewide CMAQ program in support of CNG was presented. The Commission provided direction to proceed with the necessary steps for approval for the use of CMAQ funds for this program in years 2014-2017 in an amount not to exceed \$30 million total.

The purpose of the Congestion Mitigation and Air Quality (CMAQ) improvement program is to provide a flexible funding source for transportation projects and programs that assist non-attainment and attainment/maintenance areas in meeting National Ambient Air Quality Standards (NAAQS). Under MAP-21 federal legislation, "special rules" for CMAQ allow for the eligibility of Electric Vehicle (EV) and Natural Gas Vehicle (NGV) infrastructure in any location throughout the state as a means of achieving this goal. In light of this change and in keeping with Governor Hickenlooper's strong support of Colorado's natural gas industry, CDOT staff has worked in collaboration with the Colorado Energy Office (CEO), Regional Air Quality Council (RAQC), and our planning partners to develop a framework for a statewide CMAQ-funded compressed natural gas (CNG) fueling network and vehicle fleets. The goal of the program is to spur the establishment of a sustainable CNG market in Colorado.

The proposal developed by CEO, reviewed by CDOT staff and RAQC staff, and presented to the DRCOG board, North Front Range Planning Council, Upper Front Range TPR, and the STAC, makes use of \$30 million CMAQ funds spread over four years. The proposal calls for \$10 million to be distributed in FY 2014, with \$6-\$7 million to follow in each of the three remaining years. Per the DRCOG Board request, CEO will also investigate opportunities for funding EV fueling stations or vehicles in conjunction with this program.

Program goals for the four year period are to establish a statewide network of 25-30 new CNG stations and 2-4 new Liquefied Natural Gas (LNG) stations while partially subsidizing the incremental cost of 1,100 new CNG/LNG vehicles that are based in the non-attainment or maintenance areas. Criteria for fueling station projects will include strategic location along major statewide corridors (as identified by CEO), local government and community support, CNG demand in the form of current or anticipated CNG fleets, and quality and foresight of station planning.

Administration of the program will be carried out primarily by CEO and the RAQC. CDOT will execute grant

contracts to permit use of CMAQ funds for this program. Reporting requirements will document the use of funds and the air quality benefits produced by the projects.

Next Steps

Transportation Commission adoption of the resolution authorizing use of CMAQ funds for the statewide program to support CNG fueling stations and purchase of vehicles.

**Resolution Number TC-XXX
Statewide CMAQ Program
Transportation Commission of Colorado, December 19, 2013**

WHEREAS, the Congestion Mitigation and Air Quality (CMAQ) improvement program was established under the Intermodal Surface Transportation Efficiency Act (ISTEA), continued under the Transportation Equity Act for the 21st Century (TEA-21), and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and has been further continued under Moving Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, the purpose of the CMAQ program is to provide a flexible funding source for transportation projects and programs that assist non-attainment and attainment/maintenance areas in meeting National Ambient Air Quality Standards (NAAQS); and

WHEREAS, MAP-21 included "Special Rules" for the CMAQ program including eligibility for Electric Vehicle (EV) and Natural Gas Vehicle (NGV) infrastructure at any location in the state; and

WHEREAS, purchase of alternative fuel vehicles continue to be eligible pursuant to CMAQ program guidelines; and

WHEREAS, federal regulations provide guidance on how to administer the CMAQ program, while allowing the state to determine how funds will be allocated; and

WHEREAS, TC-1832, approved February 18, 2010, provided for the allocation of CMAQ funds for Federal Fiscal Year (FFY) 2012 through FFY 2017 and established a CMAQ fund reserve; and

WHEREAS, the Colorado Energy Office (CEO) has proposed using CMAQ funds for a statewide CNG program to support the development of fueling stations on key corridors and the purchase of vehicles as allowed with CMAQ funds and the inclusion of EV stations and vehicles as appropriate; and

WHEREAS, CEO staff and CDOT staff have collaborated with the transportation planning partners that are primary recipients of CMAQ funds, and CEO has presented to STAC concerning this program and STAC has recommended funding with CMAQ in an amount of \$30 million over four years; and

WHEREAS, there are sufficient CMAQ funds within the planned CMAQ reserve for years 2014-2017 for this statewide program to be funded in an amount not to exceed \$30 million over those four years, which is approximately 20 percent of projected CMAQ funds for that time period, in the amounts of \$10 million in 2014, \$7 million in 2015, \$7 million in 2016, and \$6 million in 2017;

NOW THEREFORE BE IT RESOLVED, that the Transportation Commission approves the use of CMAQ funds in an amount not to exceed \$30 million over the years 2014-2017 for the support of a statewide Compressed Natural Gas (CNG) program in Colorado including development of CNG fueling stations along key corridors and purchase of vehicles pursuant to Federal guidelines for use of CMAQ funds, and also funding of EV stations and vehicles as deemed appropriate by CEO.

FURTHER, BE IT RESOLVED, that CMAQ fund recipients will continue to report annually in writing to the CDOT staff on the effectiveness of their projects and CDOT staff will compile results into reports for the

Commission and the FHWA. If review of the CMAQ program indicates concern about the effectiveness of the use of CMAQ funds, the Commission reserves the option to review and alter the allocation of funds.

FURTHER, BE IT RESOLVED, that this resolution supersedes the portion of TC Resolution 1832 that pertains to the allocation of the CMAQ reserve funds by allocating planned reserve funds first to this CEO statewide program as outlined above and then distributing remaining reserve funds to eligible recipients.