Transportation Commission of Colorado
Regular Meeting Minutes
May 15, 2014

Chairman Doug Aden convened the meeting at 9:50am 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
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Connell, District 6
Sidny Zink, District 8
Les Gruen, District 9
Bill Thiebaut, District 10
Steven Hofmeister, District 11

ALSO PRESENT: Don Hunt, Executive Director
Scot Cuthbertson, Deputy Executive Director
Gary Vansuch, Director of Process Improvement
Debra Perkins-Smith, Director of Division of Transportation
Scott McDaniel, Acting Chief Engineer
Heidi Humphreys, Director of Admin & Human Resources
Amy Ford, Public Relations Director
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 the Operations Division
Darrell Lingk, Director of the Office of Transportation Safety
Tony DeVito, Region 1 Transportation Director
Karen Rowe, Region 2
Dave Eller, Region 3 Transportation Director
Johnny Olson, 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 recognized Mark Larson to speak.

Mark Larson stated that he was there on behalf of the Colorado Wyoming Petroleum Marketers Association (CWPMA). He stated that he wanted to address the process that CDOT used for the Tunnel Rules revision and revisitation. He stated that he was happy to come before the Commission to report that state government is working and that the Department did an extraordinary job. They went the extra distance to ensure that all the stakeholders were at the table and that all the input was genuinely and readily accepted. He acknowledged CDOT and the highway users both had a fiduciary responsibility. Although not everyone agreed, they knew what each person believed. He stated that he was speaking in order to endorse the final rules that would come before the Commission during the meeting.

He also stated that he wanted to mention to the Commission that as CDOT begins through the process of installing sprinklers in the Tunnel that the CWPMA should be included in that process. It is important to include them in getting the funding, including TIGER grants. He stated that hopefully, the sprinklers would be state of the art technology so that the tunnles would be available at even more hours.

He thanked the Commission, CDOT, Mary Frances Nevans and Tony DeVito for the hard work and the due diligence that went into the new Tunnel Rules.

Chairman Aden thanked Mark Larson for commenting.

Individual Commissioner Comments

Commissioner Gifford stated that the big news in Denver for the previous month was the opening of Union Station. She stated that she got involved in Union Station twelve years ago as part of the public involvement process and that CDOT has been involved even longer than that. It has been a long run, but it opened on May 9, 2014. The city should be very proud of it, but the state should also be proud due to its contributions.

Commission Thiebaut stated that he participated in two telephone Town Hall meetings over the previous month. One dealt with the South East TPR and one with the South Central TPR. They were both well-utilized by the citizens in respective areas. He congratulated the staff that did a remarkable job, as well as the hosts and cohosts from the various regions who helped with answers to the questions from citizens, in particular Karen Rowe from Pueblo. She did a remarkable job answering the technical questions. He thanked everyone for the great effort.

Commission Zink stated that she also participated in a telephone town hall in the Southwest Colorado one out of Durango that was very successful. There was much of the same team, and they were ready to go. She stated that it was so successful that she hopes the Commission considers doing it on a regular basis.

Commissioner Reiff stated that he participated with Commissioners Gruen and Aden on the SIB Committee Review of the Colorado Springs Airport Application. He stated that he appreciated the cooperation from Colorado Springs and the airport in working

through a very complex application and understanding how the committee was looking at it. He stated that the committee also worked to understand how the airport was looking at it, and the process was very cooperative. He also thanked those at DRCOG. He participated with several commissioners and the executive director at an executive meeting of DRCOG to discuss a lot of important issues. They understand where CDOT is coming from in regards to funding and why at this time the MOU process is not the best for the state of Colorado. He stated that appreciated the cooperation and support from CDOT's local partners.

Commissioner Peterson stated that there is another telephone town hall meeting for the Denver Metro Area and surrounding counties on May 15, 2014. He stated that he would be hosting and co-hosting with Jack Hilbert, a county commissioner from Douglas County. He stated that he strongly supports these, and the cosponsor for this one would also be DRCOG. He stated that he is pleased to see that CDOT is building cooperative interlinks with partners across the state and in the metropolitan area.

Commissioner Barry thanked Bagels with Barry host from the previous week, the town of Louisville. It was a good conversation about what is happening in the north metro area. She stated that North I-25 is definitely in the cone zone with lane shifts and lots of construction. Everyone is happy to see those improvements happening. She stated that CDOT will start pushing a lot of communication in June and July as detours begin for the 88th Avenue bridge. That will be a large component in which the highway will be shut down. They are working on getting those communications up and ready as well as getting citizens in the region prepared for that.

Commissioner Connell stated that she attended a telephone town hall on May 13, 2014. She was the host, and the co-hosts were Steve Ivancie and Routt County Commissioner and Dave Eller. She saw success and marvelous support from staff. In her area, people are heavily concerned with surface treatment, safety, maintenance and plowing. If the road looks good and feels good, that is what people are happy about. She stated that was important to keep in mind as the Commission makes decisions in the future about surface treatment funds.

Commissioner Gilliland stated that she also attended the Denver Union Station opening and that is was spectacular, looking at the entire area. It pulls the transit programs together in a single hub and provides economic development for downtown Denver. She stated that she also sat in the P3 conference earlier that same day in which Executive Director Don Hunt sat on the panel. There were many good questions and discussion from that. She also attended the MAX kickoff in Fort Collins. They have established a BRT system in a corridor the length of Fort Collins. They have been working on this for 15 years. It is a block off the main 287 college avenue on Mason Street. The bus will be on ten minute intervals from very early in the morning until midnight, Monday through Satruday. That was a huge event for Fort Collins. She also attended the I-25 Coalition meeting. The group is starting to coalesce, and business community along the corridor is coming together and building a business coalition that will join the I-25 Coalition. This is bringing the elected officials together with the business community so there can be a common voice on I-25.

Chairman Aden stated that he participated in the Intermountain TPR telephone town hall, which is second one he has done. Like other Commissioners, he believes this is a great idea that CDOT should build on and continue to do. In that part of the state, many of the questions were relative to the I-70 corridor. He also attended, along with Director Hunt and John Cater from the FHWA, the ribbon cutting for the first Diverging Diamond Interchange in Colorado in Grand Junction. It was very well received. He thanked Director Hunt for staying after that ribbon cutting to have a meeting with representatives from Club 20 and from the local MPO in Grand Junction. It was a good discussion, and Director Hunt has made a real effort to reach out to groups in other parts of the state, which has been worthwhile.

Executive Director's Report

Executive Director Don Hunt stated that the event was the first time he had an opportunity to discuss with a local group the results of the January survey that made it clear that there will not be a ballot measure any time soon to increase transportation funding. There would need to be another marked increase in economic wellbeing across the state. People are still feeling it in their pocketbooks, and problems may have to get yet another notch worse before transportation moves up the roster in terms of needs in Colorado. It is a sobering message to take to the citizens, but he was with Colorado Cooperation on May 10, 2014. CDOT has to be very careful with each dollar that it has and to ensure all funds are deployed across the state as efficiently as possible. CDOT may be stuck with the current funding for the next ten years.

He stated that the legislative session ended the previous week. There was no damage done to the ability to deliver transportation in the state of Colorado, except one bill. He thanked Kurt Morrison for his hard work, stating that this one of the most difficult session to navigate. Kurt and the entire Government and Policy Office did a great job. In terms of the P3 transparency bill, which came out of the controversy that emerged at the very end of the US 36 project, the governor has a dilemma. On the one hand, CDOT strongly supports the transparency clauses in that bill. HPTE voted yesterday to implement those. On the other hand, there were three contract limiting terms in that bill that were opposed heavily by industry and local government. Letters are pouring into the governor's office asking for a veto, especially because of the 35 year term limit on P3s. It is a tough situation for the governor to be in, supporting the transparency measures and transit measures in that bill but also questioning whether this is the right time to limit P3s in Colorado and HPTE's ability to get projects done during the quiet funding crisis. That decision will be made in the next few weeks.

He stated that a few weeks ago he met with the directors of the western states of WASHTO. It was the first time there was meeting with a free form agenda. It is possible to learn a lot in that type of exchange. A lot of items were discussed. There were two items that took up the most time. The first was moving the discussion in the federal government from crisis management in backfilling the Highway Trust Fund to a longer term move toward user fee funding of the transportation system. This probably means tolling the freeway system, which the Administration left that opening in the bill they put forward, or some type of mileage-based user fee in the future. Maybe someone will come up with a different idea, but those are the two basic ideas for user fees that have been on the table. AASHTO is going to try to pass a

resolution that will take a stronger position representative of the 50 states that will move the Administration towards studying or acknowledging that the gasoline tax is a dying tax. It will take a long time to decide what the next federal funding form for transportation will be. The other big item that was discussed was the state DOT workforce of the future. There was recognition that DOT is a broadening operations business. With the kind of technology that will be available in the next decade, there will be a need for people skilled in logistics, operations, financial analysis, data analytics. They will need to be able to manipulate the highway system in the same way as the railroad or the airline system to enhance movement throughout. As states in the West face huge numbers of retirements in the coming years, there is an opportunity to reposition state DOTs to be more effective in the future.

He stated that he too attended the Denver Union Station opening. This is almost as big as DIA in what it means to this region economically and the vision of how Denver travels and moves. He is very proud of CDOT for choosing to be a funding member of that project long before he arrived.

High Performance Transportation Enterprise (HPTE) Director's Report

Mike Cheroutes stated that the HPTE met in regular session on May 14, 2014. The Board asked CDOT to initiate a procedural directive process over the next several months which will embrace the transparency measures brought forth by the legislature and even go farther in some cases. That will be a public process, and the community will be invited to comment throughout the process. There was also discussion and procurement around the need to better communicate around the HPTE and its mission. There may be some outside education about what this particular method of is and is not. The Commission will see HPTE taking on a higher profile in some of the discussions.

FHWA Division Administrator Report

John Cater stated that there were a few things he wanted to make the Commission aware of for the month. As was alluded to earlier, the Administration put forward their transportation proposal, and it was called the GROW AMERICA Act. The act allows a state option to toll the interstates, which would be up to the states to decide. He stated that he asked local officials what they would think about having to pay tolls on the interstates. They did not say no, but they understood that it is one more tool to consider in order to pay for transportation. He stated that it would likely not be popular with the public, but departments need more options. This would be one more for the states to take advantage of. The bill also proposes several competitive programs similar to the TIGER program, a nationally competitive program. The proposal is to have them in several areas, including freight and intermodal. The thought is to reward those areas that are thinking outside the box. Colorado could compete very well for that type of grant. The administration bills typically do not get passed intact, but it does provide a basis for discussion going forward to find a reauthorization solution. The deadline for that reauthorization for MAP-21 is September 30, 2014. The Highway Trust Fund is going to go dry in August, and all these things will have to be considered.

He stated that GROW AMERICA is an acronym: Generating Renewal, Opportunity and Work with Accelerating Mobility, Efficiency and Rebuilding Infrastructure and

Communication throughout America. The other initiative that came out on May 14 was an Implementation Plan for the Presidential Memorandum on Modernizing Infrastructure Permitting. The purpose of this would be to increase the efficiency of the federal permitting process for projects. The good news is that there are many things that can be done nationally to make that happen. Many of the things that Colorado does have been used as examples in the proposal, so there will not necessarily be a lot of differences here. Part of this is communication, and CDOT works well with contacts in other federal permitting agencies. So there will not be radical improvement because these things are already done. There has been some talk about this nationally in order to do things concurrently instead of sequentially and to set firmer deadlines to get through the permitting processes.

STAC Report

Vince Rogalski stated that STAC met on Friday, May 9, 2014. He stated that there was a glimmer of hope with the draft reauthorization bill that there would be 30% increase in funding for transportation with at 70% increase in transit. That came with the caution that this was only a draft.

STAC then discussed Senate Bill 228 and the possibility of getting transportation funding from that. STAC was cautioned that it was based on the legal and political issues as to whether the transfers actually take place. While there is some hope, they will wait to see what happens as it goes along.

STAC then discussed the I-70E Viaduct Partially Covered and Lowered (PCL) Highway Project. Many options and questions were discussed in the meeting that have been discussed by the Commission, including moving the school and moving the highway. He stated that he told STAC all these options had come before the Commission but the PCL was determined to be the preferred option. He told STAC that CDOT has been working with the local communities to determine how to connect them. The $1.8 billion cost was one of the biggest concerns. The STAC was concerned that all the other projects around the state would have to wait until this project is paid for in order to continue. He stated that he cautioned STAC that the Commission is very particular about ensuring that the rest of the projects continue during the I-70E PCL project. He told STAC that the sources of funding are currently be analyzed and discussed by the Commission.

STAC also asked about the rest of the 7th Pot projects and how they would be completed, as were voted on and approved by the voters. They stated that if CDOT is going to do any kind of vote in the future it is necessary to fulfill what was promised in the past. Otherwise CDOT will not have the trust of the voters.

STAC then had a cash management update. They discussed what was happening in terms of reviewing the TIPs and the STIPs. Maria Sobota will be updating the STAC regularly on how that is working and where it is going.

STAC then discussed the formula programs, starting with the FASTER Safety distribution. They examined the National Safety Council's statistics and how that would work in. They also looked at regional distributions. STAC voted and recommended their Option #4. Then they discussed the RPP formula distribution. The formula from STAC has been put forward for the last two months, and he

reaffirmed that formula recommendation. They struggled and compromised to put this formula together in a reasoned way. They STAC wrote a letter to the Commission, which each of the Commission members received. The STAC believed that to put population, as a non-usage direct indicator, in place of VMT, which is a direct indicator of highway usage, is not logical. It is not responsive nor does it deal with the use of the highways. They discussed tourism and how people leave the metropolitan areas to go to the rural areas, which is not reflected in population as a measurement. There are small, rural towns whose population can multiply five or ten times. VMT is the best way to reflect these increases in uses of the highway. STAC reaffirmed the formula in which they included some population but retained VMT in a sense of compromise. That was voted on and approved by majority. The non-majority was DRCOG, Colorado Spring and Pueblo; the Front Range major metropolitan areas wanted to stick with population.

STAC then discussed the TAP program, one of the issues that is dear to many around the state. It is the replacement for the enhancement program. It was a chance for the people to put forward projects related to transportation in their local communities. Everyone was anxious to get these issues out and get the call for projects out.

STAC then discussed local agency project guidance and tracking tools that would enhance everyone's ability to see what was happening on a more timely basis.

Act on Consent Agenda

Chairman Aden entertained a motion to approve the one item on the Consent Agenda. Commissioner Connell moved to approve the Consent Agenda, and Commissioner Gilliland seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-3157

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for April 17, 2014, are approved as published in the official agenda of the May 14 & 15, 2014, meeting.

Discuss and Act on the 12th Supplement to the FY2014 Budget

Scott Richrath stated that he would discuss each of the requests against the Contingency. There is a $2.5 million request for State Highway 5 in Mount Evans. There is a memo that this is a safety concern today on that state highway. There is a $4 million request for a Vasquez pump station at 59th Avenue. It is not as big a safety concern at the present as the State Highway 5 request, but discussions with Tony DeVito demonstrate that each year it becomes a bigger flooding concern. The alternative funding proposal for this project is not guaranteed. It is a possible candidate to take to the Capital Development Committee in the next round. But that is a FY'2016 budget request. Even if it was approved, and the one request from this year was not approved, those dollars would not be available until July 1, 2016 at the earliest from a budget standpoint. From a cash standpoint, it could be funded earlier, but it would not have approval for another full year.

There is a $928,000 request for rockfall mitigation on US 550. Earlier this year, there was a request for design funds and for temporary repairs. Since substantial progress on the design process was completed, there is now a better idea of how much the permanent repair work will cost, which led to this request.

Another request is for the next bundle of funding CMGC contract on I-70 Eastbound Peak Period Shoulder Lanes. Tony DeVito detailed the $18.6 million ready to move forward in July. Because it is CMGC, there is not 100% certainty on funding or scope of that project. It is designed and built as the project progresses, with input from contractor and the manager of the project. Tony spoke to the backstop for funding if the TIGER grant is not approved on the total project. Because these are RAMP dollars that form part of the project, this request is to move approval beyond the 5% level for that RAMP project up to the level needed to do construction work. However, the project will remain in the red area on the RAMP update sheets while scope and budget continues to be defined.

There is a contingency reconciliation slide that shows the balance of the Commission Contingency would move from around $80 million to $70 million, if the Commission approves all the requests.

Scott Richrath then described the walk on culvert project from Region 3 that would also come out of the Contingency. The low bid came in larger than the budget allowed for, so the request would be to grow the budget for the project.

Commissioner Zink asked about the Vasquez Pump Station. She stated that it seemed like an odd request to be coming against the Contingency fund. Scott Richrath stated that as CDOT has gone through the Asset Management process, many asset management categories have been developed, in fact more than most state DOTs have. There is a culvert prioritization process, one for tunnels, a Maintenance Level of Service (MLOS) program. One option would be to go to a MLOS program in an effort to pay for that. While MLOS is a $250 million per year program, that money is divided into nine different program areas. That is then split out among maintenance sections. There is no section one the chart that has $4 million to pay for that. There have been discussions about have a risk-based asset management process in which underserved assets, projects without a dedicated funding source, would have a source to turn to. One option would be to delay this, allow it to continue to flood and manage the floods as they get worse each year. Then wait for the next asset management project in that area to envelope the pumping need. It is not a typical Contingency request, but there is no currently dedicated funding source for assets like these. A risk-based asset management plan, when fully executed, would be a good way to go to the Capital Development Committee and make an argument for an incremental budget. But when Executive Director Hunt talks about the next ten years being relatively flat in terms of budget and there are nine asset managers who come before us and make valid arguments for why the asset management funding should grow, there are incremental projects like these that do not have a place to turn.

Chairman Aden entertained a motion to approve the 12th Supplement to the FY'2014 budget, including the walk on item from Region 3. Commissioner Hofmeister moved to approve the Supplement, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-3158

BE IT SO RESOLVED, That the Twelfth Supplement to the Fiscal Year 2013-2014 Budget be approved by the Commission.

Discuss and Act on the CO SIB Application

Scott Richrath mentioned that CDOT has worked cooperatively with the Colorado Springs Airport, who initially came forward with an application to the State Infrastructure Bank Committee. The parties were far apart on the initial application. He thanked Troy Stover for working with CDOT diligently and Bryan Stelmack from Stifel CDOT's financial advisor for helping bring all the parties together. He also thanked Commissioners Reiff, Gruen and Aden for coaching along the staff side of the SIB. Everyone helped put together a proposal that CDOT felt comfortable with terms and conditions that includes securitization of aviation fuel tax revenues. There was a financial analysis of their Passenger Fare Charges (PFC) revenues, which would also be pledged at par within the loan. The SIB Committee makes a request to the Commission for a $2.3 million State Infrastructure Bank loan to the Colorado Springs Airport.

Chairman Aden thanked everyone from Colorado Springs airport, CDOT staff, and the other commissioners who worked on this to get to a good outcome for everyone.

Chairman Aden entertained a motion to approve the CO SIB resolution. Commissioner Gruen moved for approval of the resolution, and Commissioner Reiff seconded the motion. Upon a vote of the Commission, the resolution passed unanimously.

Resolution #TC-3159

Resolution Number TC-3159
Authorize Colorado State Infrastructure Bank Loan to Colorado Springs Airport

Approved by the Transportation Commission on May 15, 2014

WHEREAS, the Colorado State Infrastructure Bank (bank) is a transportation investment bank with the ability to make loans to public and private entities for the formation of public transportation projects within the state; and

WHEREAS, the General Assembly passed Legislation (43-1-113.5 CRS) that made certain provisions for the bank and established within the bank, a highway account, a transit account, an aviation account and a rail account; and

WHEREAS, a loan application has been submitted by the Colorado Springs Airport (borrower), to borrow $2,336,000 from the aviation account for taxiway rehabilitation and equipment purchases; and

WHEREAS, the Transportation Commission has adopted rules, pursuant to 43-1-113.5 CRS, in 2 CCR 605-1 regarding the eligibility requirements, disbursement of funds, interest rates, and repayments of loans from the bank; and

WHEREAS, pursuant to 2 CCR 605-1, Rule VI, Section 4 the Review Committee has reviewed and is in support of the application; and

WHEREAS, 2 CCR 605-1, Rule VI, Section 6 (2) provides "loan agreements for construction will specify that funds will be disbursed in their entirety to a third party fiduciary or escrow agent" unless the Transportation Commission provides a specific exemption; and

WHEREAS, the borrower has expressed its intent to attain Wells Fargo Bank (the agent) as the third party fiduciary, escrow, or administrative agent to confirm proper documentation from the borrower for loan draws, with the CDOT Division of Aeronautics, directly disbursing funds to the borrower upon receipt of the agent's confirmation; and

WHEREAS, the Division of Aeronautics and the Colorado Aeronautic Board have approved this aviation project on technical merit; and

WHEREAS, a sufficient amount is available to loan in the aviation account;

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes CDOT, under the guidance and direction of the Chief Financial Officer, to execute a loan agreement secured by aviation fuel tax revenues with the borrower in an amount of $2,336,000.00 under the terms and provisions set forth in the adopted rules.

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

6-9-14
Date

Discuss and Act on a Resolution to Approve RPP Distribution Formula

Deb Perkins-Smith stated that the one resolution in the packet was divided into two separate resolutions, based on a request from Chairman Aden. The two resolutions are similar to the original, but the bottom formulas are split into separate resolutions. She stated that she would discuss RPP first and ask for action on RPP and then go to FASTER Safety.

RPP has been discussed in workshop for the last couple of months. For the record, she identified the letters that had been received regarding RPP over the last several months supporting the STAC recommendation from the following organizations: STAC, Snowmass, the Intermountain TPR, the Southwest TPR and the I-70 Coalition. She stated that she wanted to go over some items from the STAC discussion on RPP. As Vince Rogalski stated earlier, population does not account for VMT necessarily, especially for pass through traffic. The STAC-proposed formula was a compromise among STAC members. All but three members supported the STAC formula.

Chairman Aden asked for questions and comments from Commissioners regarding the distribution formula.

Commissioner Hofmeister stated that he would be voting no on the resolution. His district encompasses all of the Eastern TPR. The Eastern TPR is part of Region 4, which includes District 5. The Eastern TPR is concerned that with the population component included that the bigger share of the funds will go to the Front Range and leave the rural areas of the Eastern TPR not properly funded. He stated that with that said, he will 100% support the final vote of the Commission.

Commissioner Connell stated that she has been in a dilemma over this because it is an extremely important issue. The majority of the people in her region are very afraid of the formula and do not want the use of population for all the reasons stated. In the STAC meeting, the three that voted against the STAC recommendation were the three on the Front Range, which shows they are facing the same urban versus rural issue that the Commission has been dealing with. She then stated that the Commission must break that way of thinking for the state; people must start thinking about the greater good. She stated that people in northwest Colorado are concerned with safety, snow plowing and maintenance, which are all surface treatment. Right now the lion's share of the budget goes to surface treatment, which benefits greatly the rural areas. There are major infrastructure needs for the population of the Front Range. In the spirit of trying to get to the greater good, she is convinced about what staff and the Commission is saying about compromise. She does not want to lose those surface funds or see this division grow. In order for that not to happen, it is necessary to recognize that spirit of competition. So many constituents do not recognize the great improvements in the rural areas from surface treatment. Since the Commission's goal is to look at the greater good, she intended to vote in favor of the staff recommendation.

Commissioner Zink stated that she has struggled with the decision too, in terms of looking at the broader picture, and whether or not to look at all or most of the funding sources relative to where they end up in the state or why or to look at RPP without those other considerations. Because RPP is a unique pot of money, she stated that she leans toward considering it on its own. The arguments to not weight it

so heavily on population are compelling. The attempt to include VMT was in a sense of compromise, and that is respectable. She stated that she will be voting against the staff recommendation.

Commissioner Reiff thanked his fellow commissioners because this has a very complex and difficult analysis. Each commissioner has delved into it closely, thought about their districts and thought about the state needs. He stated that he appreciates that analysis and any vote they have on this subject. He stated that he appreciated where STAC and the rural groups are coming from. He has struggled to avoid a rural/urban dichotomy. The problem with picking out population versus VMT is that lane miles are still in the formula. That could begin a long conversation that 35% of the formula is road mileage, whether or not anyone drives on them. Then the formula could be 100% VMT, which would mean even more money to the metro areas than the formula we are voting on today. It is a very complex dynamic. People in the metro area think it is too little, but it is necessary to look at all the pots of money including CMAQ, STP-Metro, where people travel for surface treatment. He stated that he appreciates the time that has come from the TPRs, from STAC and especially from the other Commissioners. This formula allows the Commission to move forward and take on some of the greater and broader issues that it is trying to avoid and trying to address.

Chairman Aden stated that he is also in a dilemma. The people he represents are not in favor of this formula, although he planned to vote in favor of it. It does represent a compromise on the part of the Commission to help move the process forward. The "fair share" argument never goes away, but it still important to look at the bigger picture. There is a lot of focus on the $50 million, which is a little more than 4% of the total budget. It is necessary to look at FASTER Safety, at the resurfacing program, at the maintenance dollars. It is a much broader picture.

Chairman Aden entertained a motion to approve the Regional Priority Program formula. Commissioner Thiebaut moved to approve the resolution, and Commissioner Gifford seconded the motion. Chairman Aden asked if there was any further discussion.

Commissioner Gilliland stated that in her district that she has urban and rural, so it is a dilemma for everyone. All the discussions over the last several months have been about what is fair and equitable. Even though STAC believes that the Commission may not be listening, their input has been very valuable. The discussions have been valuable for everyone across the state. She planned to vote in support of the resolution, knowing that there is not a perfect solution for this formula. In the good of moving the process forward and know that there are other buckets of money that need to continue to be equitable. The Commission needs to support these rural communities that have more traffic at different times of the year. The infrastructure is just as important to those areas as the infrastructure is in the urban areas. This has been a struggle to determine which way is the best decision.

Chairman Aden asked for a roll call vote for the resolution.

Commissioner Gifford – AYE
Commissioner Reiff – AYE
Commissioner Barry – AYE
Commissioner Gilliland – AYE
Commissioner Connell – AYE
Commissioner Zink – NAY
Commissioner Gruen – AYE
Commissioner Thiebaut – AYE
Commissioner Hofmeister – NAY
Vice Chairman Peterson – AYE
Chairman Aden – AYE

Upon a vote of the Commission, the resolution passed 9-2.

Resolution #TC-3160

Resolution #TC-3160
FY 2016 – 2040 Program Distribution Allocation Methodology for the Regional Priority Program (RPP)

Approved by the Transportation Commission on May 15, 2014

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

WHEREAS, the Commission adopts long range Program Distribution assignment of anticipated state and federal transportation revenues for use in development of the federally required Statewide Transportation Plan and Regional Transportation Plans; and

WHEREAS, a forecast of revenues upon which Program Distribution is based was adopted by the Commission in April 2013 (TC Resolution 3070); and

WHEREAS, the Commission adopted Program Distribution to reflect planned levels of funding to various programs based on the limited revenue expected for the period 2016-2040 on February 14, 2014 (TC Resolution 3139); and

WHEREAS, the Commission recognizes that future fund receipts may vary from these estimates, and that the assignment of funds reflected in Program Distribution is for planning purposes and does not represent a future funding commitment, and that the annual CDOT budget may vary from Program Distribution; and

WHEREAS, the Commission, as part of Program Distribution, also adopts allocation methodologies for certain programs allocated by formula;

WHEREAS, the Commission elects to allocate Regional Priority Program (RPP) funds to the CDOT Regions; and

WHEREAS, the Commission previously adopted in April, 2014 allocation methodologies for Surface Transportation – Metro (STP-M), Metropolitan Planning (Metro-PL), Transportation Alternatives Program (TAP), and Congestion Mitigation and Air Quality Improvement Program (CMAQ); and

WHEREAS, the FY 2016-2040 Program Distribution allocation methodology for this formula program for use in the next Statewide Transportation Plan and the next Statewide Transportation Improvement (STIP) is as follows:

1) **Regional Priority Program (RPP):** Based on 50% Population, 35% state highway Lane Miles, and 15% state highway Truck VMT.

NOW THEREFORE BE IT RESOLVED, that the Commission approves the FY 2016 – 2040 Program Distribution allocation methodology listed above for the Regional Priority Program (RPP) for use in developing the 2016-2040 Statewide Transportation Plan, Regional Transportation Plans, and to guide the development of the 2016 STIP.

FURTHER BE IT RESOLVED, that the Commission will periodically review the fund allocations that are directed by TC decision to ensure the effectiveness of the use of funds and the Commission reserves the option to alter the allocation of those funds.

Herman F. Stockinger III
Herman Stockinger, Secretary
Transportation Commission

6-9-14
Date

Discuss and Act on a Resolution to Approve FASTER Safety Distribution Formula

Deb Perkins-Smith stated that this formula concerned FASTER-Safety mitigation. No letters were received for this particular program. There is a very specific goal for this program: an overall crash reduction and a reduction in the severity of accidents. With that the formula that was developed for this program was developed based on metrics to achieve those goals. The structure for this program is a statewide program with regional planning estimates, which is stated in the resolution. This was discussed at STAC, and unanimously recommended adoption. Even though some areas including DRCOG will receive less money under the new formula, they support it due to the metric because it fits the purpose of the program. The formula that will be used weights crash severity and is based on economic costs for crash type that was developed by the National Safety Council.

Chairman Aden entertained a motion to approve the FASTER-Safety formula distribution resolution. Commission Connell moved to approve the resolution, and Commissioner Peterson seconded the motion. Upon a vote of the Commission, the resolution passed unanimously.

Resolution #TC-3161

Resolution #TC-3161
FY 2016 – 2040 Program Distribution Allocation Methodology for FASTER Safety Mitigation Program

Approved by the Transportation Commission on May 15, 2014

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

WHEREAS, the Commission adopts long range Program Distribution assignment of anticipated state and federal transportation revenues for use in development of the federally required Statewide Transportation Plan and Regional Transportation Plans; and

WHEREAS, a forecast of revenues upon which Program Distribution is based was adopted by the Commission in April 2013 (TC Resolution 3070); and

WHEREAS, the Commission adopted Program Distribution to reflect planned levels of funding to various programs based on the limited revenue expected for the period 2016-2040 on February 14, 2014 (TC Resolution 3139); and

WHEREAS, the Commission recognizes that future fund receipts may vary from these estimates, and that the assignment of funds reflected in Program Distribution is for planning purposes and does not represent a future funding commitment, and that the annual CDOT budget may vary from Program Distribution; and

WHEREAS, the Commission, as part of Program Distribution, also adopts allocation methodologies for certain programs allocated by formula;

WHEREAS, the Commission elects to allocate a portion of FASTER Safety funds to the FASTER Safety Mitigation Program to be maintained as a statewide pool with Region Planning Estimates;

WHEREAS, the Commission previously adopted in April, 2014 allocation methodologies for Surface Transportation – Metro (STP-M), Metropolitan Planning (Metro-PL), Transportation Alternatives Program (TAP), and Congestion Mitigation and Air Quality Improvement Program (CMAQ); and

WHEREAS, the FY 2016-2040 Program Distribution allocation methodology for this formula program for use in the next Statewide Transportation Plan and the next Statewide Transportation Improvement (STIP) is as follows:

1) **FASTER Safety Mitigation Program:** Based on total crash data weighted according to National Safety Council values for crash type.

NOW THEREFORE BE IT RESOLVED, that the Commission approves the FY 2016 – 2040 Program Distribution allocation methodology listed above for the FASTER safety mitigation program for use in developing the 2016-2040 Statewide Transportation Plan, Regional Transportation Plans, and to guide the development of the 2016 STIP.

FURTHER BE IT RESOLVED, that the Commission will periodically review the fund allocations that are directed by TC decision to ensure the effectiveness of the use of funds and the Commission reserves the option to alter the allocation of those funds.

Herman F. Stockinger III — 6-9-14

Herman Stockinger, Secretary — Date

Transportation Commission of Colorado

Discuss and Act on the Resolution to Adopt the Rules Governing CDOT Tunnels

Tony DeVito stated that the biggest focus has been on changes associated with the Eisenhower-Johnson Memorial Tunnel (EJMT), even though these rules govern all tunnels and snowsheds on the highway system. These rules state which HAZMAT materials are prohibited at all times from using the EJMT and which materials may use the tunnel when Loveland Pass is closed. HAZMAT transportation statewide is under the authority of the Colorado State Patrol with the exception of CDOT tunnels. The rules were opened on January 16, 2016, which allowed the Department to take all steps necessary to update the state Administrative Procedure Act. On that day, the Commission adopted temporary rules that expire on May 16, 2014. While the temporary rules were in effect, Colorado experienced a significant snow season which allowed the rules to be tested under real life situations. There were changes made from the temporary rules due to these experiences.

As Mark Larson said, CDOT worked very closely with the Colorado-Wyoming Petroleum Marketers' Association. CDOT also worked closely with the Colorado Motor Carriers' Association and the Colorado State Patrol. The changes are shown in a strike through version in the packet. The changes to rules were discussed at several meetings. An opportunity to comment was provided to the public at the rule making hearing on March 28, 2014. The administrative hearing officer's findings and the transcript are also included in the packet.

This is a culmination of a year and a half's worth or work between all the parties, as well as other interested parties along the I-70 Mountain Corridor, including the I-70 Coalition, the BLM and the US Forest Service. He thanked Mary Frances Nevans, Danny Wells, Jason Wallace, and Mike Solomon, the tunnel superintendent. He stated that he is very excited about the changes made in the rules.

The Commission's adoption of these rules today will allow the Department to take the final steps. The rules will then become effective on July 15, 2014. This set of rules will benefit the traveling public, including the motor carriers, the Colorado State Patrol and most importantly the CDOT staff that try to day to day enforce and operate. There is now a clearer set of color-guided placarding that is easily recognizable by staff. It has been many years in the waiting to get something that workers can actually utilize.

He requested the Commission approve the resolution to update the Tunnel Rules.

Chairman Aden entertained a motion to approve the resolution to update the Tunnel Rules. Commission Gilliland moved to approve the resolution, and Commissioner

Peterson seconded the motion. Upon a vote of the Commission, the resolution passed unanimously.

Chairman Aden thanked Mark Larson and all the other industry partners for the valuable input.

Resolution #TC-3162

Resolution #TC-3162
Adoption of Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8.

Approved by the Transportation Commission on May 15, 2014

WHEREAS, § 43-1-106(8)(k), C.R.S., § 42-4-106 (7)(a) and (b), C.R.S., and § 42-20-301(3), authorize the Transportation Commission of Colorado (the "Commission") to promulgate rules governing the use of tunnels on Colorado state highways; and

WHEREAS, by Resolution TC-3132 dated January 22, 2014, the Commission opened the rule-making process and authorized the Department to take all steps necessary in compliance with the State Administrative Procedure Act, 24-4-103, C.R.S. including holding a public rule-making hearing; and

WHEREAS, by Resolution TC-3132 dated January 22, 2014, the Commission adopted the revised Tunnel Rules on a temporary basis; and

WHEREAS, in conformance with Governor Hickenlooper's Executive Order D 2012-002, the proposed rules reflect a collaborative process between the Department and members of industry and other key stakeholders focused on improving the use of the Eisenhower Johnson Memorial Tunnels when Loveland Pass is closed; and

WHEREAS, an Administrative Hearing Officer, acting with delegated Commission authority, presided over a public rule-making hearing on March 28, 2014; and

WHEREAS, the rule-making process conducted by the Department has met the requirements of the State Administrative Procedure Act with regard to both temporary rules and the adoption of permanent rules; and

WHEREAS, the Department requests that the Commission adopt the proposed Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission herein adopts the Rules Governing the Use of Tunnels on Colorado State Highways, 2 CCR 601-8.

Herman F. Stockinger III — 6-9-14

Herman Stockinger, Secretary — Date
Transportation Commission of Colorado

Other Matters

Chairman Aden stated that it was time to appoint the nominating committee for the changing of the guard. He stated that he asked Commissioner Reiff to chair that committee. He stated that he appointed Commissioners Gruen, Zink and Gifford. He then thanked them for their willingness to serve. He asked them to come forward with a recommendation for a chair and vice chair in the June Commission meeting. There will also be the election of officers.

He also reminded the committee that there will need to be a recommendation for someone to serve as Commission Secretary.

Acknowledgements

Johnny Olson stated that he had the honor to receive an award on behalf of CDOT because the executive director was not able to attend the ceremony. So often, CDOT works with economic development to move things forward. The Economic Development Council of Colorado recognized CDOT for the flood response and the efforts CDOT put forth as the Economic Development Partner of the Year. As he stated when he received the award, the vision and the leadership of the Department of Transportation comes from the Governor, the Executive Director and the Transportation Commission. Without that dedication and vision, CDOT does not move forward. It shows the dedication of this Commission when it helped CDOT reconnect communities and lives in northern Colorado. He stated that it was an honor for him to present the award to the Commission.

Chairman Aden thanked Johnny and stated that their part of the job was relatively easy. This is a tribute to all the people who gave an extraordinary effort in that flood response in 2013.

Adjournment

Chairman Aden announced that the meeting was adjourned at 10:50am.

COLORADO
Department of Transportation
Office of Policy and Government Relations

4201 E. Arkansas, Room 275
Denver, CO 80222

MEMORANDUM

TO: Transportation Commission
FROM: Kurtis Morrison, Office of Policy & Government Relations
DATE: June 1, 2014
SUBJECT: State Highway System Naming Resolutions

Commission Action Requested

Approval of a resolution confirming three General Assembly resolutions, enacted during the 2014 legislative session, naming components of the state highway system.

Background

Policy Directive 803 provides that once the Colorado General Assembly approves a resolution to designate a state highway system component in memory of an individual, group, or event, the Transportation Commission confirms the designation by resolution. Once confirmed, the Department staff may print and install signs as directed in each resolution. During the 2014 legislative session, the General Assembly approved three resolutions memorializing or designating components of the state highway system. Table 1 summarizes each resolution, the designation, and the location of the signage to be installed. A resolution has been placed on the Commission's agenda to confirm the designations.

Table 1
2014 State Highway System Memorial/Designation Resolutions
Approved by the General Assembly

Resolution	Name Designation/ Sign Text	State Highway System Component	Region
SJR 14-015	SSG Justin L. Vasquez Memorial Bridge	SH 207 Arkansas River Bridge *(Otero County, CO)*	2
SJR 14-016	Veterans Memorial Tunnels	I-70 Twin Tunnels *(Clear Creek County, CO)*	1
SJR 14-025	Arreda Hamilton Overpass	U.S. 85 Pedestrian Overpass *(Adams County, CO)*	1

During the legislative session, CDOT staff assisted the legislative sponsors and bill drafters with each of these measures, ensuring that sign locations were feasible and that only private gifts, grants, and donations would be used to cover sign costs.

If you have any questions regarding this memorandum or the resolutions, please contact Kurt Morrison at (303) 757-9703 or kurtis.morrison@state.co.us.

Resolution Number TC-_____
Confirming state highway component memorializing and designation resolutions enacted by the General Assembly during the 2014 legislative session

Approved by the Transportation Commission on:

WHEREAS, the Transportation Commission adopted Policy Directive 803 to establish a consistent statewide process regarding designation or memorializing of a highway, bridge, or any other highway component; and

WHEREAS, the Colorado General Assembly has the authority, by Act or Resolution, to approve designations or memorialize highways, bridges, or other components of the state highway system; and, the Transportation Commission has the authority to confirm such requests from the Colorado General Assembly; and

WHEREAS, in 2014, during the Second Regular Session, the State of Colorado's Sixty-ninth General Assembly adopted the following resolutions:

- Senate Joint Resolution14-015, designating the State Highway 207 bridge spanning the Arkansas River approximately 1.5 miles north of Manzanola in Otero County with signs stating "SSG Justin L. Vasquez Memorial Bridge";
- Senate Joint Resolution 14-016, designating the Interstate 70 Twin Tunnels in Clear Creek County with signs stating "Veterans Memorial Tunnels"; and
- Senate Joint Resolution 14-025, designating the U.S. Highway 85 and Southern Street pedestrian overpass in Adams County with signs stating "Arreda Hamilton Overpass".

NOW THEREFORE BE IT RESOLVED, that the Transportation Commission hereby confirms SJR 14-015, SJR 14-016, and SJR 143-025.

NOW THEREFORE BE IT FURTHER RESOLVED, that CDOT shall print and install signs to mark the stated locations provided in each resolution.

_____
Herman Stockinger, Secretary
Transportation Commission of Colorado

COLORADO
Department of Transportation
Division of Highway Operations
& Management

Maintenance & Operations Branch
15285 South Golden Road,
Building 45
Golden, CO 80401

Date: June 2, 2014
To: Colorado Transportation Commission
From: Division of Highway Maintenance
Subject: FY 15 over $50,000 project list

Purpose

The Maintenance Sections have identified projects valued at between $50,000 and $150,000 for construction in FY 15.

Action Requested

Maintenance and Operations is seeking the Transportation Commission's approval of the projects, in accordance with CRS 24-92-109, and PD 1000.0.

Background

CRS 24-92-109, and PD 1000.0 require CDOT to prepare estimates of proposed work exceeding $50,000 for Transportation Commission approval prior to undertaking the work. The same statute limits the value of these projects to $150,000 each. Historically the Maintenance sections accomplish these small projects in support of pavement management to keep the highways usable for the traveling public and commerce.

Details

Region 1 - Metro & EJMT				
Highway	Begin MP	End MP	Type	Estimate
46A	0.4	2	Machine patch	$ 140,000.00
46A	5	6.2	Machine patch	$ 105,000.00
74A	0.4	1.4	Machine patch	$ 91,000.00
40A	243	243.7	Machine patch	$ 102,000.00
40B	270.5	2271.5	Machine patch	$ 124,000.00
70F	232.2	233	Machine patch	$ 82,000.00
70F	336	336	Machine patch	$ 140,000.00
25a	@E470		Machine patch	$ 100,000.00
36	130.2	130.65	Machine patch	$ 118,000.00
36	134.3	134.8	Machine patch	$ 148,000.00
70Ramps	@E470		Machine patch	$ 95,000.00
70A	281	282	Machine patch	$ 124,000.00
72A	9.5	10.66	Machine patch	$ 147,000.00

128B	0.02	1.2	Machine patch	$ 150,000.00
		Total - Region 1		**$ 1,666,000.00**
Region 2 - Pueblo				
Highway	Begin MP	End MP	Type	Estimate
09A	15.00	16.00	Machine Patch	$ 149,636.00
09C	72.50	76.60	Chip Seal	$ 136,399.00
10A	33.10	34.15	Machine Patch	$ 130,555.00
12A	53.29	54.70	Chip Seal	$ 74,779.00
12A	67.23	67.80	Machine Patch	$ 108,636.00
21A	135.40	136.90	Chip Seal	$ 147,068.00
24G	319.50	320.00	Machine Patch	$ 108,503.00
24G	322.90	325.00	Chip Seal	$ 147,229.00
25A	94.00	99.00	Various Machine Patch	$ 149,996.00
50A	250.60	251.60	Machine Patch	$ 149,667.00
50B	334.00	341.50	Chip Seal	$ 148,490.00
50B	452.20	452.80	Machine Patch	$ 149,930.00
50C	3.50	4.00	Machine Patch	$ 149,745.00
50C	9.57	15.00	Chip Seal	$ 148,490.00
67C	66.00	70.00	Chip Seal	$ 132,687.00
67D	97.50	100.00	Chip Seal	$ 85,786.00
69A	29.00	30.00	Machine Patch	$ 146,696.00
69A	34.00	36.50	Chip Seal	$ 79,552.00
71C	23.95	25.00	Machine Patch	$ 148,609.00
71C	43.75	48.50	Chip Seal	$ 148,293.00
78A	8.70	9.70	Machine Patch	$ 93,872.00
78A	17.00	18.70	Machine Patch	$ 148,769.00
89A	19.00	24.40	Chip Seal	$ 149,121.00
96B	79.75	84.50	Chip Seal	$ 148,293.00
96C	129.50	130.62	Machine Patch	$ 147,076.00
96C	144.10	145.20	Machine Patch	$ 147,015.00
96C	154.00	155.10	Machine Patch	$ 147,015.00
96D	192.50	197.00	Chip Seal	$ 149,995.00
109A	12.00	13.00	Machine Patch	$ 149,994.00
116A	2.90	7.50	Chip Seal	$ 148,344.00
116A	17.00	20.00	Machine Patch	$ 148,959.00

116A	26.80	32.20	Chip Seal	$ 149,121.00
160A	300.00	301.70	Chip Seal	$ 135,238.00
160B	305.70	306.02	Machine Patch	$ 99,470.00
160C	345.25	346.50	Machine Patch	$ 133,457.00
160C	354.50	355.80	Machine Patch	$ 141,525.00
160C	370.70	372.60	Machine Patch	$ 137,896.00
160C	374.60	377.65	Chip Seal	$ 97,053.00
160C	392.00	393.00	Machine Patch	$ 149,994.00
160C	477.50	482.00	Chip Seal	$ 145,625.00
160C	489.00	493.65	Chip Seal	$ 149,704.00
196A	0.00	4.80	Chip Seal	$ 144,459.00
196A	7.50	8.90	Machine Patch	$ 149,997.00
209A	0.00	1.52	Machine Patch	$ 138,769.00
285D	216.60	218.60	Chip Seal	$ 145,557.00
385B	119.00	121.50	Chip Seal	$ 149,916.00
385B	123.70	123.90	Machine Patch	$ 144,926.00
389A	7.75	9.00	Machine Patch	$ 136,183.00
		Total - Pueblo		**$ 6,568,089.00**
Region 3 - Grand Junction				
Highway	Begin MP	End MP	Type	Estimate
6A	11	19	Various Patching	$ 128,000.00
6M	66	70	Various Patching	$ 140,000.00
6M	76	88	Various Patching	$ 143,500.00
139A	15	27	Various Patching	$ 145,000.00
141A	112	130	Various Patching	$ 140,000.00
65A	17	22	Chip Seal	$ 144,000.00
141A	130	135	Chip Seal	$ 144,000.00
70F	19	23	Chip Seal	$ 148,000.00
70F	136	137	Various Patching	$ 80,000.00
6E	149	150	Various Patching	$ 80,000.00
82A	64.5	85.5	Various Patching	$ 110,000.00
24A	149	169	Various Patching	$ 87,000.00
24A	180	184	Chip Seal	$ 130,000.00
133A	42.9	50	Various Patching	$ 135,000.00
82A	58.5	59.5	Various Patching	$ 145,000.00
82A	1.5	25	Various Patching	$ 100,000.00

6F	113.5	116.5	Chip Seal	$ 145,000.00
70A	97	133	Various Patching	$ 125,000.00
114A	1	6	Chip Seal	$ 149,500.00
347A	0	3	Various Patching	$ 130,000.00
348A	11	12	Chip Seal	$ 50,000.00
92A	18	34	Various Patching	$ 125,000.00
133A	15	22	Various Patching	$ 125,000.00
50F	85	87	Chip Seal	$ 65,000.00
347A	4	7.5	Various Patching	$ 135,000.00
6F	223.6	224.6	Various Patching	$ 133,000.00
9D	123	124	Various Patching	$ 133,000.00
70A	209.5	210.3	Various Patching	$ 147,000.00
70A	191.5	192	Various Patching	$ 77,000.00
9C	85.5	94	Various Patching	$ 149,500.00
		Total - Grand Junction		**$ 3,688,500.00**
Region 3 - Craig				
Highway	Begin MP	End MP	Type	Estimate
40A	138.70	139.21	Machine Patch	$ 148,104.00
40A	161.00	162.00	Machine Patch	$ 145,200.00
40A	190.00	190.50	Machine Patch	$ 78,650.00
125A	30.10	31.2	Machine Patch	$ 146,410.00
125A	41.50	42.00	Machine Patch	$ 66,550.00
14A	18.00	18.83	Machine Patch	$ 141,110.00
14A	32.00	32.50	Machine Patch	$ 84,700.00
40A	125.30	126.30	Machine Patch	$ 145,250.00
325A	8.30	9.20	Machine Patch	$ 145,200.00
13B	102.30	103.80	Machine Patch	$ 149,375.00
13A	15.30	16.20	Machine Patch	$ 141,625.00
40A	74.00	74.70	Machine Patch	$ 118,580.00
40A	107.60	108.25	Machine Patch	$ 136,327.00
		Total - Craig		**$ 1,647,081.00**
Region 4 - Greeley				
Highway	Begin MP	End MP	Type	Estimate
52	56.35	60.7	Chipseal	$ 148,735.00
85 L	301	306	Chipseal	$ 149,460.00
257	7.6	11.2	Chipseal	$ 148,650.00

14C	222.6	223	Overlay	$ 122,219.56
138A	41.2	42.6	Overlay	$ 136,032.09
14C	223	223.53	Overlay	$ 140,747.06
138A	32.5	38.05	Armor Coat	$ 147,470.49
SH 52	103.5	104.25	Overlay	$ 139,993.00
SH 71 E	175.94	176.28	Overlay	$ 136,665.50
SH 34	159	162.3	Chipseal	$ 135,021.00
SH 63	29	35	Chipseal	$ 135,389.00
SH 119B	45.1	46	Overlay	$ 149,800.00
170A	0	2.8	Overlay	$ 148,960.00
I-25 F	245	248	Chipseal	$ 149,900.00
24G	367.6	370.6	Chipseal	$ 148,950.00
24G	373.6	376.6	Chipseal	$ 145,900.00
70A	379.3	380	Overlay	$ 62,000.00
		Total - Greeley		**$ 2,345,892.70**
Region 5 - Durango				
Highway	Begin MP	End MP	Type	Estimate
160A	111.5	113	Machine Patch	$ 144,584.93
160A	132.5	133.5	Machine Patch	$ 130,468.57
160A	143.3	144	Machine Patch	$ 111,036.35
140A	0	4	Chip Seal	$ 147,057.46
84A	5.5	6	Machine Patch	$ 50,210.16
145A	46.5	50.5	Chip Seal	$ 129,019.00
145A	28	32	Chip Seal	$ 125,322.79
160A	15.75	18	Chip Seal	$ 140,170.69
041A	4.75	7.8	Chip Seal	$ 133,281.92
145A	100	102	Chip Seal	$ 124,744.58
90A	16	20	Chip Seal	$ 113,802.07
141A	69	73	Chip Seal	$ 122,556.07
550B	68.7	72.7	Chip Seal	$ 129,465.01
550B	49.8	53	Chip Seal	$ 120,015.01
97A	0	0.2	Mill and Fill	$ 74,140.80
145A	115.4	115.5	Machine Patch	$ 144,588.89
90A	14	14.5	Machine Patch	$ 142,500.00
145A	113	113.5	Machine Patch	$ 116,611.69
		Total - Durango		**$ 2,199,575.99**
Region 5 - Alamosa				

Highway	Begin MP	End MP	Type	Estimate
285A	16.5	19.5	Chip Seal	$ 145,500.00
285A	23.5	26.6	Chip Seal	$ 145,500.00
285B	111.95	114.5	Chip Seal	$ 145,500.00
160A	155	155.6	Machine Patch	$ 135,500.00
142A	4.7	5.7	Machine Patch	$ 135,000.00
159A	21.5	24.5	Chip Seal	$ 145,500.00
114A	45.8	50.8	Chip Seal	$ 141,000.00
114A	30.5	31.5	Chip Seal	$ 147,500.00
149A	1.5	6.5	Chip Seal	$ 146,000.00
50A	239.5	241	Machine Patch	$ 145,000.00
24A	204	206.5	Chip Seal	$ 145,500.00
17A	0	4	Machine Patch	$ 147,000.00
17B	92.7	96.8	Chip Seal	$ 115,000.00
17B	101.8	105	Chip Seal	$ 141,000.00
17B	115	116	Machine Patch	$ 147,000.00
17A	16.8	17.4	Machine Patch	$ 135,000.00
112A	16.7	17.7	Machine Patch	$ 135,000.00
291A	1.6	4	Chip Seal	$ 122,000.00
		Total - Alamosa		**$ 2,521,000.00**
		Statewide Total		**$20,636,138.69**

Sufficient funds exist within the appropriate MPA's to pursue these additional projects. The projects are in accordance with the directive and all other requirements. Maintenance and Operations recommends approval of the FY 15 over $50,000 project list.

Key Benefits

Approval of these projects will allow the Maintenance forces to proceed with these projects ensuring the safety and mobility of the traveling public and enabling the continuation of commerce along the state highway system.

Next Steps

Upon approval, the Maintenance forces will proceed with construction of these projects after July 1, 2015 as weather permits.

Attachments

TC Resolution titled – Fiscal Year 2015 over $50,000 project list approval.

Resolution #TC-
Fiscal Year 2015 over $50,000 project list approval

Approved by the Transportation Commission on: June 19, 2014

WHEREAS, under Senate Bill 98-148, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the "Construction Bidding for Public Projects Act;" and

WHEREAS, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed $50 thousand, but are less than or equal to $150 thousand for submission to the Transportation Commission for review and approval; and

WHEREAS, CDOT staff have prepared cost estimates for these projects to be done in Fiscal Year 2015 as detailed in the memorandum entitled; FY 15 over $50,000.00 project list dated June 2, 2014; and

WHEREAS, the funding for these projects are contained in the Fiscal Year 2015 Budget.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission has reviewed the cost estimate, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the project therein.

Region 1 - Metro & EJMT				
Highway	Begin MP	End MP	Type	Estimate
46A	0.4	2	Machine patch	$ 140,000.00
46A	5	6.2	Machine patch	$ 105,000.00
74A	0.4	1.4	Machine patch	$ 91,000.00
40A	243	243.7	Machine patch	$ 102,000.00
40B	270.5	2271.5	Machine patch	$ 124,000.00
70F	232.2	233	Machine patch	$ 82,000.00
70F	336	336	Machine patch	$ 140,000.00
25a	@E470		Machine patch	$ 100,000.00
36	130.2	130.65	Machine patch	$ 118,000.00
36	134.3	134.8	Machine patch	$ 148,000.00
70Ramps	@E470		Machine patch	$ 95,000.00
70A	281	282	Machine patch	$ 124,000.00
72A	9.5	10.66	Machine patch	$ 147,000.00
128B	0.02	1.2	Machine patch	$ 150,000.00

		Total - Region 1		**$ 1,666,000.00**
Region 2 - Pueblo				
Highway	Begin MP	End MP	Type	Estimate
09A	15.00	16.00	Machine Patch	$ 149,636.00
09C	72.50	76.60	Chip Seal	$ 136,399.00
10A	33.10	34.15	Machine Patch	$ 130,555.00
12A	53.29	54.70	Chip Seal	$ 74,779.00
12A	67.23	67.80	Machine Patch	$ 108,636.00
21A	135.40	136.90	Chip Seal	$ 147,068.00
24G	319.50	320.00	Machine Patch	$ 108,503.00
24G	322.90	325.00	Chip Seal	$ 147,229.00
25A	94.00	99.00	Various Machine Patch	$ 149,996.00
50A	250.60	251.60	Machine Patch	$ 149,667.00
50B	334.00	341.50	Chip Seal	$ 148,490.00
50B	452.20	452.80	Machine Patch	$ 149,930.00
50C	3.50	4.00	Machine Patch	$ 149,745.00
50C	9.57	15.00	Chip Seal	$ 148,490.00
67C	66.00	70.00	Chip Seal	$ 132,687.00
67D	97.50	100.00	Chip Seal	$ 85,786.00
69A	29.00	30.00	Machine Patch	$ 146,696.00
69A	34.00	36.50	Chip Seal	$ 79,552.00
71C	23.95	25.00	Machine Patch	$ 148,609.00
71C	43.75	48.50	Chip Seal	$ 148,293.00
78A	8.70	9.70	Machine Patch	$ 93,872.00
78A	17.00	18.70	Machine Patch	$ 148,769.00
89A	19.00	24.40	Chip Seal	$ 149,121.00
96B	79.75	84.50	Chip Seal	$ 148,293.00
96C	129.50	130.62	Machine Patch	$ 147,076.00
96C	144.10	145.20	Machine Patch	$ 147,015.00
96C	154.00	155.10	Machine Patch	$ 147,015.00
96D	192.50	197.00	Chip Seal	$ 149,995.00
109A	12.00	13.00	Machine Patch	$ 149,994.00
116A	2.90	7.50	Chip Seal	$ 148,344.00
116A	17.00	20.00	Machine Patch	$ 148,959.00
116A	26.80	32.20	Chip Seal	$ 149,121.00
160A	300.00	301.70	Chip Seal	$ 135,238.00
160B	305.70	306.02	Machine Patch	$ 99,470.00

160C	345.25	346.50	Machine Patch	$ 133,457.00
160C	354.50	355.80	Machine Patch	$ 141,525.00
160C	370.70	372.60	Machine Patch	$ 137,896.00
160C	374.60	377.65	Chip Seal	$ 97,053.00
160C	392.00	393.00	Machine Patch	$ 149,994.00
160C	477.50	482.00	Chip Seal	$ 145,625.00
160C	489.00	493.65	Chip Seal	$ 149,704.00
196A	0.00	4.80	Chip Seal	$ 144,459.00
196A	7.50	8.90	Machine Patch	$ 149,997.00
209A	0.00	1.52	Machine Patch	$ 138,769.00
285D	216.60	218.60	Chip Seal	$ 145,557.00
385B	119.00	121.50	Chip Seal	$ 149,916.00
385B	123.70	123.90	Machine Patch	$ 144,926.00
389A	7.75	9.00	Machine Patch	$ 136,183.00
		Total - Pueblo		**$ 6,568,089.00**
Region 3 - Grand Junction				
Highway	Begin MP	End MP	Type	Estimate
6A	11	19	Various Patching	$ 128,000.00
6M	66	70	Various Patching	$ 140,000.00
6M	76	88	Various Patching	$ 143,500.00
139A	15	27	Various Patching	$ 145,000.00
141A	112	130	Various Patching	$ 140,000.00
65A	17	22	Chip Seal	$ 144,000.00
141A	130	135	Chip Seal	$ 144,000.00
70F	19	23	Chip Seal	$ 148,000.00
70F	136	137	Various Patching	$ 80,000.00
6E	149	150	Various Patching	$ 80,000.00
82A	64.5	85.5	Various Patching	$ 110,000.00
24A	149	169	Various Patching	$ 87,000.00
24A	180	184	Chip Seal	$ 130,000.00
133A	42.9	50	Various Patching	$ 135,000.00
82A	58.5	59.5	Various Patching	$ 145,000.00
82A	1.5	25	Various Patching	$ 100,000.00
6F	113.5	116.5	Chip Seal	$ 145,000.00
70A	97	133	Various Patching	$ 125,000.00
114A	1	6	Chip Seal	$ 149,500.00
347A	0	3	Various Patching	$ 130,000.00

348A	11	12	Chip Seal	$ 50,000.00
92A	18	34	Various Patching	$ 125,000.00
133A	15	22	Various Patching	$ 125,000.00
50F	85	87	Chip Seal	$ 65,000.00
347A	4	7.5	Various Patching	$ 135,000.00
6F	223.6	224.6	Various Patching	$ 133,000.00
9D	123	124	Various Patching	$ 133,000.00
70A	209.5	210.3	Various Patching	$ 147,000.00
70A	191.5	192	Various Patching	$ 77,000.00
9C	85.5	94	Various Patching	$ 149,500.00
		Total - Grand Junction		**$ 3,688,500.00**
Region 3 - Craig				
Highway	Begin MP	End MP	Type	Estimate
40A	138.70	139.21	Machine Patch	$ 148,104.00
40A	161.00	162.00	Machine Patch	$ 145,200.00
40A	190.00	190.50	Machine Patch	$ 78,650.00
125A	30.10	31.2	Machine Patch	$ 146,410.00
125A	41.50	42.00	Machine Patch	$ 66,550.00
14A	18.00	18.83	Machine Patch	$ 141,110.00
14A	32.00	32.50	Machine Patch	$ 84,700.00
40A	125.30	126.30	Machine Patch	$ 145,250.00
325A	8.30	9.20	Machine Patch	$ 145,200.00
13B	102.30	103.80	Machine Patch	$ 149,375.00
13A	15.30	16.20	Machine Patch	$ 141,625.00
40A	74.00	74.70	Machine Patch	$ 118,580.00
40A	107.60	108.25	Machine Patch	$ 136,327.00
		Total - Craig		**$ 1,647,081.00**
Region 4 - Greeley				
Highway	Begin MP	End MP	Type	Estimate
52	56.35	60.7	Chipseal	$ 148,735.00
85 L	301	306	Chipseal	$ 149,460.00
257	7.6	11.2	Chipseal	$ 148,650.00
14C	222.6	223	Overlay	$ 122,219.56
138A	41.2	42.6	Overlay	$ 136,032.09
14C	223	223.53	Overlay	$ 140,747.06
138A	32.5	38.05	Armor Coat	$ 147,470.49
SH 52	103.5	104.25	Overlay	$ 139,993.00
SH 71 E	175.94	176.28	Overlay	$ 136,665.50

SH 34	159	162.3	Chipseal	$ 135,021.00
SH 63	29	35	Chipseal	$ 135,389.00
SH 119B	45.1	46	Overlay	$ 149,800.00
170A	0	2.8	Overlay	$ 148,960.00
I-25 F	245	248	Chipseal	$ 149,900.00
24G	367.6	370.6	Chipseal	$ 148,950.00
24G	373.6	376.6	Chipseal	$ 145,900.00
70A	379.3	380	Overlay	$ 62,000.00
		Total - Greeley		**$ 2,345,892.70**
Region 5 - Durango				
Highway	Begin MP	End MP	Type	Estimate
160A	111.5	113	Machine Patch	$ 144,584.93
160A	132.5	133.5	Machine Patch	$ 130,468.57
160A	143.3	144	Machine Patch	$ 111,036.35
140A	0	4	Chip Seal	$ 147,057.46
84A	5.5	6	Machine Patch	$ 50,210.16
145A	46.5	50.5	Chip Seal	$ 129,019.00
145A	28	32	Chip Seal	$ 125,322.79
160A	15.75	18	Chip Seal	$ 140,170.69
041A	4.75	7.8	Chip Seal	$ 133,281.92
145A	100	102	Chip Seal	$ 124,744.58
90A	16	20	Chip Seal	$ 113,802.07
141A	69	73	Chip Seal	$ 122,556.07
550B	68.7	72.7	Chip Seal	$ 129,465.01
550B	49.8	53	Chip Seal	$ 120,015.01
97A	0	0.2	Mill and Fill	$ 74,140.80
145A	115.4	115.5	Machine Patch	$ 144,588.89
90A	14	14.5	Machine Patch	$ 142,500.00
145A	113	113.5	Machine Patch	$ 116,611.69
		Total - Durango		**$ 2,199,575.99**
Region 5 - Alamosa				
Highway	Begin MP	End MP	Type	Estimate
285A	16.5	19.5	Chip Seal	$ 145,500.00
285A	23.5	26.6	Chip Seal	$ 145,500.00
285B	111.95	114.5	Chip Seal	$ 145,500.00
160A	155	155.6	Machine Patch	$ 135,500.00
142A	4.7	5.7	Machine Patch	$ 135,000.00
159A	21.5	24.5	Chip Seal	$ 145,500.00

114A	45.8	50.8	Chip Seal	$ 141,000.00
114A	30.5	31.5	Chip Seal	$ 147,500.00
149A	1.5	6.5	Chip Seal	$ 146,000.00
50A	239.5	241	Machine Patch	$ 145,000.00
24A	204	206.5	Chip Seal	$ 145,500.00
17B	92.7	96.8	Chip Seal	$ 115,000.00
17B	101.8	105	Chip Seal	$ 141,000.00
17B	115	116	Machine Patch	$ 147,000.00
17A	16.8	17.4	Machine Patch	$ 135,000.00
17A	0.00	4.00	Machine Patch	$ 147,000.00
112A	16.7	17.7	Machine Patch	$ 135,000.00
291A	1.6	4	Chip Seal	$ 122,000.00
		Total - Alamosa		**$ 2,520,000.00**
		Statewide Total		**$20,636,138.69**

Sufficient funds exist within the appropriate MPA's to pursue these projects. The projects are in accordance with the directive and all other requirements.

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Herman Stockinger, Secretary
Transportation Commission of Colorado

COLORADO
Department of Transportation
Office of Policy and Government Relations

4201 East Arkansas Avenue, Room 275
Denver, CO 80222-3406

To: Transportation Commission

From: Debra Perkins-Smith / Herman Stockinger

Re: Approval of Policy Directive 1903.0: Hazardous Materials Routing Procedure

Date: May 30, 2014

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1. Name of Policy Directive: 1903.0 "Hazardous Materials Routing Procedure"

2. Date of Document this Directive Supersedes: May 20, 2010.

3. Executive Summary. This Policy Directive sets forth the process to petition the Colorado State Patrol for changes to hazardous materials routes maintained by the Department. Requests for petitions may be submitted by the Department, by local governments, or private industry. Requests for petitions are analyzed by the Department's Mobility Analysis Section, Division of Transportation Development. The Transportation Commission must review and approve any petition submitted to the Colorado State Patrol. Policy Directive 1903.0 was reviewed as part of the revisions to the CDOT Rules Governing Tunnel on State Highways, adopted by the Commission on May 15, 2014, which concern hazardous material loads using the Eisenhower Johnson Memorial Tunnels when Loveland Pass is closed.

4. Changes to Policy Directive 1903.0: The Department recommends these revisions having had the benefit of working through the routing change petitioning process for several years. The revisions to this Policy Directive are minor and conform to the changes to Procedural Directive 1903.1, approved by the Executive Director on May 27, 2014. The changes to that document include: requiring additional documentation to complete a petition application, clarifying the internal deadline for review of an application, and giving the Transportation Secretary oversight of the request for an internal extension beyond 180 days for review.

5. Individuals/Entities Impacted by Procedural Directive: Division of Transportation Development, Mobility Analysis Section, local governments and private industries submitting requests to petition the Colorado State Patrol for changes to hazardous materials routes maintained by the Department.

6. Procedural Directive will be Implemented by: DTD, Mobility Analysis Section.

7. Fiscal / Legal Impact to Implementation: beneficial only

8. Action Requested: Approval of Policy and Procedural Directive.

COLORADO DEPARTMENT OF TRANSPORTATION			X POLICY DIRECTIVE ☐ PROCEDURAL DIRECTIVE
Subject **Hazardous Materials Routing Policy**			**Number** **1903.0**
Effective **TBD**	**Supersedes** **05/20/2010**	**Originating Office** **Division of Transportation Development**	

I. PURPOSE

Title 42, Article 20 of the Colorado Revised Statutes governs the routing of Hazardous Materials by Motor Vehicles on all public roads. The Colorado State Patrol has sole authority to designate which public roads shall be used and which shall not be used by Motor Vehicles transporting Hazardous Materials. Pursuant to the provisions of § 42-4-106 (7)(a), C.R.S., the Department of Transportation maintains authority over tunnels on the state highway system.

The Department of Transportation ("Department") is the petitioning authority with respect to any public road maintained by the state that is not located within a town, city, or city and county. In addition, the Transportation Commission ("Commission") must approve any petition the Department wishes to make to the Colorado State Patrol regarding changes to hazmat routes. The purpose of this policy is to provide a process by which the Department shall consider changes made to hazmat routes on roads maintained by the Department. The process includes the submission of petitions to the Commission for its consideration and approval according to the criteria established in this Policy Directive.

II. AUTHORITY

Transportation Commission pursuant to § 43-1-106 (8)(a), C.R.S.

Hazardous Materials Transportation Act of 1987, § 42-20-101 through 511, C.R.S.

Federal Hazardous Material Transportation Law, 49 U.S.C., Section 5101-5128

Federal Hazardous Material Regulations, HMR, 49 CFR, Parts 100-185

III. APPLICABILITY

This Policy Directive applies to all Divisions and Offices of the Colorado Department of Transportation.

IV. DEFINITIONS

"Applicant" means regional Department staff, local government, or private industry who requests the Department to act on its behalf as petitioner to the Colorado State Patrol. See § 42-20-302(1)(a), (b) and (c), C.R.S.

“Department” means the Colorado Department of Transportation pursuant to § 43-1-103, C.R.S.

“Hazardous Materials” “Hazmat” means those materials listed in tables 1 and 2 of 49 CFR 172.504, excluding highway route controlled quantities of radioactive materials as defined in 49 CFR 173.403 (l), excluding ores, the products from mining, milling, smelting, and similar processing of ores, and the wastes and tailing therefrom, and excluding special fireworks as defined in 49 CFR 173.88 (d) when the aggregate amount of flash powder does not exceed fifty pounds.

“Motor Vehicle” means any device which is capable of moving from place to place upon public roads. The term includes, but is not limited to, any motorized vehicle or any such vehicle with a trailer or semi-trailer attached thereto. §42-20-103 (4), C.R.S.

“Petition” means the Colorado State Patrol Hazardous Material Route Designation Petitioning Packet, including the route analysis process, worksheets, and petition resolution.

V. POLICY

A. When considering whether to petition the Colorado State Patrol to change hazmat routes, the Department shall follow a consistent, systematic and deliberative process regarding the submission of a petition by an Applicant.

B. The Department has established a procedure for consideration of hazmat route changes, including a process for outside entities to request an analysis from CDOT as set forth in greater detail in Procedural Directive 1903.1.

C. The Department shall not bring a hazmat route change recommendation to the Commission for consideration unless it finds that, at a minimum, the routes available for the transportation of hazardous materials by motor vehicle pursuant to § 42-20-303(8), C.R.S. under consideration:

a) Are feasible, practicable, and not unreasonably expensive for such transportation;

b) Are continuous within a jurisdiction and from one jurisdiction to another;

c) Provide greater safety to the public than other feasible routes;

d) Do not unreasonably burden interstate or intrastate commerce;

e) Do not include arbitrary designations or are intended by the petitioner merely to divert the transportation of hazardous materials to other communities;

f) Do not interfere with the pickup or delivery of hazardous materials; and

g) Are consistent with all applicable state and federal laws and regulations.

D. The Division of Transportation Development ("DTD") shall be the lead section for consideration of hazmat route change requests. To assist in each analysis, DTD shall convene a HAZMAT Route Advisory Team, consisting of appropriate Department personnel with expertise to consider the safety, environmental, traffic, and policy implications of any suggested change.

E. The Department may not submit a petition for the same route more than once within 365 days from the issuance date of the Colorado State Patrol's decision.

VI. IMPLEMENTATION PLAN

This Policy Directive shall be effective upon signature.

VII. REVIEW DATE

This Policy Directive shall be reviewed on or before June 2019.

_____ _____

Secretary, Transportation Commission Date of Approval

COLORADO DEPARTMENT OF TRANSPORTATION	X POLICY DIRECTIVE ☐ PROCEDURAL DIRECTIVE	
Subject **Hazardous Materials Routing Policy**		**Number** **1903.0**
Effective **TBD**	**Supersedes** **05/20/2010**	**Originating Office** **Division of Transportation Development**

I. PURPOSE

Title 42, Article 20 of the Colorado Revised Statutes governs the routing of Hazardous Materials by Motor Vehicles on all public roads. The Colorado State Patrol has sole authority to designate which public roads shall be used and which shall not be used by Motor Vehicles transporting HazardousMm Materials. (hazmat) notwithstanding the provisions of 42-4-106 C.R.S. concerning tunnels on the state highway system which remain under the authority of the Transportation CommissionPursuant to the provisions of § 42-4-106 (7)(a), C.R.S., the Department of Transportation maintains authority over tunnels on the state highway system.

However, tThe Department of Transportation ("Department") is the petitioning authority with respect to any public road maintained by the state that is not located within a town, city, or city and county. In addition, the Transportation Commission ("Commission") must approve any petition the Department wishes to make to the Colorado State Patrol regarding changes to hazmat routes. The purpose of this policy is to put in placeprovide a process by which the Department shall consider changes made to hazmat routes on roads maintained by the Department. The process includes the submission of petitions to the Commission for its consideration and approval according to the criteria established in this Policy Directive.

II. AUTHORITY

Transportation Commission pursuant to § 43-1-106 (8)(a), C.R.S.

Hazardous Materials Transportation Act of 1987, (CRS § 42-20-101 through 511, C.R.S.)

Federal Hazardous Material Transportation Law, 49 CFRU.S.C., Section 5101-5128

Federal Hazardous Material Regulations, HMR, 49 CFR, Parts 100-185

III. APPLICABILITY

This Policy Directive applies to all Divisions and Offices of the Colorado Department of Transportation.

IV. DEFINITIONS

"Applicant" means regional Department staff, local government, or private industry who requests the Department to act on its behalf as petitioner to the Colorado State Patrol. See § 42-20-302(1)(a), (b) and (c), C.R.S.

"Department" means the Colorado Department of Transportation pursuant to § 43-1-103, C.R.S.

"Hazardous Materials" "Hazmat" -means those materials listed in tables 1 and 2 of 49 CFR 172.504, excluding highway route controlled quantities of radioactive materials as defined in 49 CFR 173.403 (l), excluding ores, the products from mining, milling, smelting, and similar processing of ores, and the wastes and tailing therefrom, and excluding special fireworks as defined in 49 CFR 173.88 (d) when the aggregate amount of flash powder does not exceed fifty pounds.

"Motor Vehicle" means any device which is capable of moving from place to place upon public roads. The term includes, but is not limited to, any motorized vehicle or any such vehicle with a trailer or semi-trailer attached thereto. §42-20-103 (4), C.R.S.

"Petition" means the Colorado State Patrol Hazardous Material Route Designation Petitioning Packet, including the route analysis process, worksheets, and petition resolution.

V. POLICY

A. When considering whether to petition the Colorado State Patrol to change hazmat routes, ~~it is important for~~ the ~~d~~Department ~~to~~ shall follow a consistent, systematic and deliberative process regarding the submission of a petition by an Applicant. ~~in analyzing whether the department and commission should recommend changes, whether those requests for changes come from department staff, local government, or private industry.~~

B. The Department has established ~~shall develop~~ a procedure for consideration of hazmat route changes, including a process for outside entities to request an analysis from CDOT as set forth in greater detail in Procedural Directive 1903.1.

C. The Department shall not bring a hazmat route change recommendation to the Commission for consideration unless it finds that, at a minimum, the routes ~~under consideration~~available for the transportation of hazardous materials by motor vehicle pursuant to § 42-20-303(8), C.R.S. under consideration:

a) Are feasible, practicable, and not unreasonably expensive for such transportation;

b) Are continuous within a jurisdiction and from one jurisdiction to another;

c) Provide greater safety to the public than other feasible routes;

d) Do not unreasonably burden interstate or intrastate commerce;

e) Do not include arbitrary designations or are intended by the petitioner merely to divert the transportation of hazardous materials to other communities;

f) Do not interfere with the pickup or delivery of hazardous materials; and

g) Are consistent with all applicable state and federal laws and regulations.

D. The Division of Transportation Development ("DTD") shall be the lead section for consideration of hazmat route change requests. To assist in each analysis, DTD shall convene a HAZMAT Route Advisory Team, consisting of appropriate Department personnel with expertise to consider the safety, environmental, traffic, and policy implications of any suggested change.

E. The Department may not submit a petition for the same route more than once within 365 days from the issuance date of the Colorado State Patrol's decision.

VI. IMPLEMENTATION PLAN

This Policy Directive shall be effective upon signature.

VII. REVIEW DATE

This Policy Directive shall be reviewed on or before June 2019.

_____ _____

Secretary, Transportation Commission Date of Approval

Resolution # TC-

Adoption of Policy Directive 1903.0 "Hazardous Materials Routing Procedure"

WHEREAS, pursuant to § 43-1-106(8)(a), C.R.S., the Colorado Transportation Commission ("Commission") is charged with formulating general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, The Commission, pursuant to § 42-20–302, C.R.S., is required to approve the submission of Petitions by the Department to the Colorado State Patrol for the designation or a change in the designation as a hazardous materials route of any public road within CDOT's jurisdiction; and

WHEREAS, the Commission adopted Policy Directive 1903.0 "Hazardous Materials Routing Procedure" on May 10, 2010 to provide a process by which the Department would consider routing changes requested by local governments, private industry or the Department staff to hazardous materials routes on roads maintained by the Department; and

WHEREAS, the Department recommends minor changes to the existing Policy Directive 1903.0 as a result of reviewing applications for several years and in the interest of improving the process; and

WHEREAS, Procedural Directive 1903.1 "Hazardous Materials Routing Procedure" has been updated and approved by the Executive Director on May 27, 2014; and

NOW THEREFORE BE IT RESOLVED, the Commission herein approves Policy Directive 1903.0 "Hazardous Materials Routing Procedures."

DATE: June 6, 2014

TO: Transportation Commission

FROM: Mark Imhoff, Director, Division of Transit & Rail

SUBJECT: Action Item: FASTER Transit Distribution of Funds

Purpose
The purpose of this memo is to request approval of the FASTER Transit Redistribution Resolution included in your packet; policy and administrative changes to the distribution and award of the $15 Million/year of FASTER Transit funds.

Action Requested
Approval of the FASTER Transit Distribution Resolution

Executive Summary
The Division of Transit & Rail (DTR) has developed a recommendation for distributing the FASTER Transit funds to begin in FY 2016, with emphasis on achieving the PD 14 performance objectives:

- Performance Goal, Infrastructure Condition; Transit Asset Condition.
- Performance Goal, System Performance; Transit Utilization and Transit Connectivity.

DTR has facilitated a process through the Transportation Commission Transit & Intermodal Committee and the Transit & Rail Advisory Committee (TRAC), including the Region Planners and CASTA, to devise a more effective and performance-based distribution of funds and project selection process. Using PD 14 objectives, and four related guiding principles, DTR provides the following recommendations to the Transportation Commission:

- $4.1 Million small agency capital (all operators eligible except MMT, Transfort, & RTD)
- $0.9 Million local urban area capital (MMT & TransFort)
  $5.0 Million Local Pool

- $1.0 Million for DTR Administration, Planning, Tech. Assistance
- $3.0 Million for CDOT Interregional Express (IX) Bus Service
- $1.0 Million for Other Regional / Interregional Bus Service Operating Assistance
- $3.0 Million for large urban capital (RTD)
- $2.0 Million Statewide Competitive Capital Pool
  $10.0 Million Statewide Pool

Annual FASTER Transit award recommendations will be brought to the Transportation Commission in February for approval, consistent with current practice.

Background/Details

Since its inception in 2010, the FASTER Transit program has been used exclusively for capital projects. The FASTER Local funds were distributed to the Regions by formula, and each Region selected the respective projects following an application process and working in conjunction with the local MPOs and TPRs. FASTER Statewide funds were distributed based on statewide competition, using an application and evaluation process. Both the FASTER Local and Statewide processes followed a two-year planning horizon.

Four large changes have prompted consideration of new ways to distribute FASTER Transit dollars:

1. Changes at the federal level, particularly to the FTA Section 5309/5339 capital funds pools, have meant less federal money available for vehicle replacements in Colorado,
2. Changes at both the federal and state levels are directing transportation funding decisions to become increasingly performance-based and coordinated,
3. The Transportation Commission has approved using a portion of the FASTER Statewide pool for the Interregional Express bus operations, and
4. Through the *Intercity and Regional Bus Network Study*, both CDOT and Colorado transit agency partners have identified an additional narrow class of regional and interregional services with operating assistance needs that are difficult to create, fund, and deliver at the local level.

In response, guiding principles developed over time, and discussed at a Transportation commission Workshop in January 2014 were:

- Transit Utilization - Fund the highest priority transit projects throughout the state.
- Transit Asset Condition – With a capital and asset inventory of vehicles, equipment, and facilities, identify a replacement schedule for transit vehicles statewide. The goal to replace all local transit vehicles over time (subject to funding availability) is an equitable distribution of FASTER Local transit funds.
- Transit Connectivity – The annual allocation of FASTER Statewide Transit funds to the Interregional Express bus program is a key element of the redistribution. With careful eligibility and performance criteria, connectivity may be enhanced even further by regional and interregional service coordination and partnerships with Colorado transit agencies.
- Streamline the FASTER Transit distribution process with the changes above, and with administrative upgrades already under-way within DTR.

A TRAC Sub-Committee worked with DTR staff to develop redistribution concepts that were presented and discussed with the Transportation Commission Transit & Intermodal Committee in April, and at a Transportation Commission Workshop in May:

- FASTER Local pool of $5 M/year should emphasize bus replacements.
    - Distributions to be guided by performance-based asset management tools, and the statewide capital and asset replacement schedule.

- DTR should provide an annual pre-call meeting/process to address variances and solicit input from grant partners.
- Colorado's three large urban area agencies receive vehicle funding directly from FTA: Mountain Metro Transit (Colorado Springs), TransFort (Fort Collins) and RTD (Denver region). These large urban areas have robust asset management programs, including vehicle replacements, and are monitored by FTA. Thus, these three agencies are exempt from the statewide bus replacement schedule and, instead, are required to submit a list of eligible capital projects for evaluation and ranking. Annually, the top ranked projects will be awarded to Mountain Metro ($700K) and TransFort ($200K).
- RTD to be defined as a "regional/statewide" entity, leaving more adequate funding in the local pool for all other agencies around the state.
- Only local transit agencies will be eligible for the FASTER Local pool of funds.

- FASTER Statewide pool of $10 M/year should emphasize the statewide transit network, connecting urban and rural populations to employment and essential service centers, and funding projects of regional, inter-regional, and statewide significance:
  - $1.0M per year for DTR administrative, planning and technical assistance activities.
  - $3.0M per year for the Interregional Express (IX) Bus service.
  - RTD (large urban area) is required to submit a list of eligible capital projects for evaluation and ranking. Annually, $3.0M top ranked projects will be awarded.
  - A $1.0 Million sub-pool is established to provide opportunity for state partnerships in supporting and creating fixed-route regional and interregional services. Operating assistance will be offered for regional and interregional fixed-route services operated by local transit agencies. Local entities can apply for operating assistance where the local entity provides a regional or interregional fixed-route service; with a FASTER contribution of up to 50% of operating costs or $200,000 cap (whichever is lower). Evaluation criteria will exist to evaluate eligibility, and performance measures to evaluate success. The annual operating assistance will continue as long as the regional or interregional service maintains the minimum threshold for performance and success.
  - Remaining $2.0 Million for the statewide competitive capital pool. In any given year, if the regional/interregional operating assistance pool is not fully utilized, the excess pool will be added to the statewide competitive capital pool.

<u>Key Benefits</u>
Beginning in FY2016, achieve a better utilization of the FASTER Transit funds, alignment with the PD 14 performance objectives and coordination with the award of FTA capital funds.

<u>Next Steps</u>
If approved, DTR will implement these changes administratively for FY16. Evaluation criteria and operating performance standards will be reviewed with the Transit & Intermodal Committee in July. DTR will prepare a draft call-for-projects and provide a pre-call input process to seek transit agency/grant partner and CDOT Region review in July/August. After review, the call-for-

projects would then be released in August/September. The usual schedule for FASTER Transit evaluation and project selection would be observed through the fall, with draft project award list to the Transportation Commission in January, and approval of the award list in February.

<u>Resolution # TC-</u>

FY 2016 – 2018 FASTER Transit Distribution

Transportation Commission of Colorado

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

WHEREAS, the Commission recognizes that future fund receipts may vary from these estimates and that the assignment of funds reflected in the FASTER Transit Distribution is for planning purposes and does not represent a future funding commitment, and that the annual CDOT budget may vary from FASTER Transit Distribution; and

WHEREAS, the Commission directed the Division of Transit and Rail to enhance and improve the Distribution of FASTER Transit funds through performance planning; and

WHEREAS, the Division of Transit & Rail, through C.R.S. 24-1-128.7 (2013) re: State of Colorado Government and C.R.S. 43-1-117.5 (2013) re: duties and powers of Division of Transit & Rail, is responsible for the planning, development, operation, and integration of transit and rail, including, where appropriate, advanced guideway systems, into the statewide transportation system; shall, in coordination with other transit and rail providers, plan, promote, and implement investments in transit and rail services statewide;

WHEREAS, the Division of Transit & Rail has engaged transit partners through both a CDOT subcommittee known as the Transit & Rail Advisory Committee (TRAC) and through many briefings in various forums to gather input and refine the methodology; and

WHEREAS, the Division of Transit & Rail has followed the guidance of Policy Directive 14, regarding state of good repair for capital assets such as vehicles, equipment, and facilities; and also regarding the goals of efficiency (ridership) and connectivity (revenue service miles of regional, inter-regional, and inter-city service); and

WHEREAS, the Commission previously approved and adopted in January 2014 (TC-3133), the Interregional Express Bus service as a CDOT commitment of $3.0 Million per year in operating expendures,

WHEREAS, the intent of the FASTER Transit Distribution method is to implement performance-based allocation of funds, and fulfill federal requirements of performance-based planning and administration of Federal funds alongside State FASTER funds, and

WHEREAS, the intent of the FASTER Transit Distribution method should guide decisions for at least a three-year period FY 2016 – 2018 prior to re-evaluation; and

WHEREAS, the FASTER Transit Distribution method arrived at through the above actions, input, and collaboration, is as follows:

$4.1 Million small agency capital (all except MMT, Transfort, RTD)
$0.9 Million large urban capital (MMT & TransFort)

$5.0 Million Local Pool

$1.0 Million for DTR Administration, Planning, Tech. Assistance
$3.0 Million for CDOT Interregional Express (IX) Bus Service
$1.0 Million Operating Assistance for Other Regional / Interregional Bus Service
$3.0 Million for large urban capital (RTD)
$2.0 Million Statewide Competitive Capital Pool

$10.0 Million Statewide Pool

NOW THEREFORE BE IT RESOLVED, the Commission approves the FY 2016 – 2018 FASTER Transit Distribution methodology listed above for use in accepting and reviewing applications for the award of these funds, and to guide the development of the 2016 STIP; and

FURTHER BE IT RESOLVED, that the Commission will annually review the award and allocations of these FASTER Transit funds to ensure the effectiveness of the use of funds, and the Commission reserves the option to alter the award and allocation of the funds.

_____ _____
Transportation Commission Secretary Date