

Transportation Commission of Colorado
Regular Meeting Minutes
July 16, 2015

Chairwoman Kathy Connell convened the meeting at 9:05 a.m. in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Kathy Connell, Chairwoman, District 6
Gary Reiff, Vice Chair District 3
Shannon Gifford, District 1
Ed Peterson, Chairman, District 2
Kathy Gilliland, District 5
Sidny Zink, District 8
Steven Hofmeister, District 11

Excused: Bill Thiebaut, District 10

ALSO PRESENT: Shailen Bhatt, Executive Director
Josh Laipply, Chief Engineer
Debra Perkins-Smith, Director of Transportation Development
Amy Ford, Communications Director
Maria Sobota, Acting CFO
Herman Stockinger, Government Relations Director
Mark Imhoff, Director, Division of Transit and Rail
Karen Rowe, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
Barb Gold, Audit Director
Scott McDaniel, Staff Services Director
Mike Cheroutes, HPTE Director
Ryan Rice, Operations Division Director
Tony DeVito, I-70 East Project Director
Vince Rogalski, STAC Chairman
Gary Vansuch, Process Improvement Director

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

Chairwoman Connell opened the meeting for general public comment. There were no public comments.

Individual Commissioner Comments

Chairwoman Connell gave Commissioner Peterson a gift of a gavel and thanked him for his service as Chair of the Commission.

Commissioner Gifford congratulated the Bustang team for setting up the new program. She hopes for good ridership for the new regional bus service. She announced that Denver City Council had passed an Intergovernmental Agreement on Monday night with Bridge Enterprise for the I-70 East Project. She was happy with how CDOT staff made a cooperative action with CCD.

Commissioner Gilliland attended the Bustang opening in Fort Collins and Denver. She thought the group did a great job of setting up a brand new service, and thinks it will be valuable to the state. Additionally, she attended the US 36 Grand Opening. She said it is very excited, and wanted to compliment Mike Cheroutes, the team and HPTB Board for bringing bringing the project together. She mentioned the excitement of the bikeway, and noted that it is built for commuting, rather than recreation.

Chairwoman Connell thanked her fellow commissioners for appointing her chairwoman for the year. She looks forward to working towards the goal of becoming the best DOT in the country. She encourages open and honest discussions with staff to achieve that goal.

Executive Director's Report

Executive Director Shailen Bhatt stated that the number one resource in becoming the number one DOT in the nation is staff, great things like US 36 and Bustang aren't possible without an excellent staff. He was present for the US 36 bike lane opening and noted that it will be incredibly important.

Shailen noted that John Valero, a member of the Bustang team unfortunately had succumbed to cancer, and that a celebration of his life will be held.

Director Bhatt recognized Ty Ortiz, who recently traveled to Oklahoma at the request of the Oklahoma DOT to assist them with some rock fall issues after a recent flood.

Last month Shailen represented the Governor in Washinton, DC to testimony in front of the Senate Finance committee in discussing funding options for State Departments of Transportation. At the testimony, Director Bhatt was asked to comment on the concept of devolving the federal gas tax to the states. This is an idea that would be devastating to Colorado, as 2/3 of the state's construction dollars comes from the federal government. To increase the state gas tax to fill that gap, it would be necessary to go to a vote to create a higher state gas tax, leaving CDOT in a \$500 million hole if voters rejected the proposal.

Chief Engineer's Report

Chief Engineer Josh Laipply informed the commission of the passing of the former Region 3 director Ed Fink. Ed was with CDOT for 30 years, and will be remembered.

Senate bill 228 will release 80% of the funds in April of the transfer, with the remaining 20% being released in January. The majority of these funds will go to the I-70 Viaduct, with a percentage of it going to transit. Mark Imhoff will be working with RTD's to figure out how to disperse those funds.

FHWA Division Administrator Report

Shaun Cutting, team leader of the Colorado FHWA Office filled in for John Cator. Mr. Cutty wanted to recognize the successes CDOT has had working with FHWA. CDOT and FHWA have a unique relationship and is one of the most effective in the nation. The partnership helps both sides accomplish great things in the state and within congress

HPTE Director's Report

Mike Cheroutes echoed Shawn Cuttys statements on the positive relationship between FHWA and CDOT, and stated the relationship has been very helpful over the past few years to HPTE.

At the HPTE Board Meeting, discussion was started on toll structure for the peak period shoulder lane project. As the project progresses, the structure will be discussed internally and with the public for input on the toll rates. Additionally, the HPTE board agreed to the CCD I-70 East IGA.

Act on Consent Agenda

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Gilliland moved for approval of the resolution, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-7-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for June 18, 2015, are approved.

Resolution #TC-15-7-2

Resolution Number TC-15-7-2

Establish Disadvantaged Business Enterprise participation goals for 2016, 2017 and 2018 for FHWA funded projects.

Approved by the Transportation Commission on July 16, 2015

WHEREAS, in accordance with 49 CFR Part 26, CDOT must establish an overall goal for Disadvantaged Business Enterprise (DBE) participation on all FHWA-funded contracts for Federal Fiscal Years 2016, 2017 and 2018; and

WHEREAS, CDOT must follow the methodology established by 49 CFR Part 26 to establish the overall goal; and

WHEREAS, from March to June 2015 CDOT consulted with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and efforts to establish a level playing field for the participation of DBEs; and

WHEREAS, CDOT published its proposed goal on its website, provided notice to all DBEs that the proposed goal was available for review and public comment and held a final public meeting in June to accept comments on the proposed goal; and

WHEREAS, CDOT has reviewed and considered all public comments submitted; and

WHEREAS, 49 CFR Part 26 requires that the maximum feasible portion of the goal be met with race-neutral measures.

NOW THEREFORE BE IT RESOLVED:

- By August 1, 2015, CDOT shall submit to FHWA an overall goal of 12.15% DBE participation on all FHWA-funded contracts, with 3.45% to be met with race-neutral measures and 8.74% to be met with race-conscious measures.
- Following approval from FHWA, the overall goal for DBE participation on FHWA-funded contracts during Federal Fiscal Years 2016, 2017 and 2018 shall be 12.15%.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date

Resolution #TC-15-7-3

Resolution Number TC-15-7-3

Approval of the disposal of parcels 16Rev-EX and 17-EX of Project CR 01-0182-07

Approved by the Transportation Commission on July 16, 2015

WHEREAS, CDOT acquired Parcels 16Rev-EX and 17-EX as right of way for the purposes of US 6 right of way as part of project CR 01-0182-07 in 1955;

WHEREAS, Parcel 16Rev EX contains .56 acres / 24,321 square feet;

WHEREAS, Parcel 17Rev EX contains .68 acres / 29,613 square feet;

WHEREAS, the adjacent property owner has requested to acquire Parcels 16Rev-EX and 17-EX;

WHEREAS, the disposal of the property will not affect the operation, maintenance, use or safety of CDOT's Facility;

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply, P.E. as Chief Engineer, that the 53,934 sf is not needed for transportation purposes;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

WHEREAS, the Department has determined that the 53,934 sf of US 6 right of way is of use only to the adjacent property owner;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

WHEREAS, the adjacent property owner desires to exercise its right of refusal to purchase the 53,934 sf of US 6 right of way which is no longer needed for transportation purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcels 16Rev-EX and 17-EX as excess property and

dispose of the 53,934 sf of US 6 right of way which is no longer needed for transportation purposes for fair market value.

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

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

7-20-15
Date

Resolution #TC-15-7-4

Resolution # TC-15-7-4

Repeal of Policy Directives:

- 384.0, "Subletting a Construction Contract" dated 12.17.09;
- 512.0, "Development of CDOT Construction Projects from Inception to Advertisement" dated 2.18.10;
- 513.0 "Construction Project Specification and Construction Project Standard Plans" dated 12.17.09, and
- 548.0 "Safety Considerations on 3R Projects" dated 12.17.09

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

WHEREAS, the Department continues to review Policy Directives to determine whether they still offer value; and

WHEREAS, the Chief Engineer is conducting a wholesale review of existing Directives under his authority and has conducted a thorough review with staff of Policy Directives 384.0, 512.0, 513.0 and 548.0, and

WHEREAS, the Department has determined that these four Policy Directives no longer provide value; and

WHEREAS, the Department has concluded that all necessary terms in the Directives continue to be binding on the Department either through federal regulation, state law and the Department's governing documents; and

WHEREAS, the relevant terms of PD 384.0 are included in CDOT's Standard Specifications, which are required by the Stewardship Agreement and annually reviewed and approved by the Executive Director and the Federal Highway Administration ("FHWA") Division Administrator; and

WHEREAS, the relevant terms of PD 512.0 requiring that a uniform process be in place for developing construction projects is set forth with greater specificity in the CDOT Project Development Manual; and

WHEREAS, the relevant terms of PD 513.0 are addressed in Procedural Directives 513.1 and 513.2 which govern the development and implementation of the Specifications and Standards; and

WHEREAS, the relevant terms of PD 548.0 requiring that CDOT have a uniform process in place for assuring the consideration of safety on resurfacing, restoration, and rehabilitation (3R) type projects are set forth in Project Development Manual.

NOW THEREFORE BE IT RESOLVED, the Commission repeals Policies Directives 384.0, 512.0, 513.0 and 548.0 as being no longer necessary.


Herman Stockinger, Secretary
Transportation Commission of Colorado

7-20-15
Date

Resolution #TC-15-7-5

Resolution #TC-15-7-5

Approval of Updated Policy Directive 1503.0 "Memorial Naming and Designations" and Repeal of Policy Directive 803.0 "Naming Highways, Bridges or Components of the Highway"

Approved by the Transportation Commission on July 16, 2015

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

WHEREAS, the Commission has supported the Department's efforts to review governing Policy and Procedural Directives on an ongoing basis and recommend repeal, consolidation or updating Directives where necessary; and

WHEREAS, Policy Directive 1503.0 contains language from Procedural Directive 1503.1 which will be submitted for repeal in order to provide one document to the General Assembly and citizens seeking to obtain memorial signing and designations; and

WHEREAS, updated Policy Directive 1503.0 conforms to the Manual on Uniform Traffic Code Devices ("MUTCD") which proscribes the permissible types of signs and dimensions for memorial or dedication signs; and

WHEREAS, updated Policy Directive 1503.0 reflects current Department practice regarding memorial or dedication signs; and

WHEREAS, Policy Directive 803.0 "Naming Highways, Bridges or Components of the Highway" is no longer necessary and was superseded by Policy Directive 1503.0 approved in May 21, 2009 but not repealed at that time.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves revised Policy Directive 1503.0 "Memorial Naming and Designations"; and

BE IT FURTHER RESOLVED, the Transportation Commission repeals Policy Directive 803.0 "Naming Highways, Bridges or Components of the Highway" approved July 20, 2000.


Herman Stockinger, Secretary
Transportation Commission of Colorado

7-20-15
Date

Resolution #TC-15-7-6

BE IT SO RESOLVED, that the 1st Supplement to the Fiscal Year 2015-2016 Budget as amended be approved by the Commission.

Discuss and Act on 1st Budget Supplement of 2016

Interim Finance Director Maria Sobota drew the commission's attention to the four projects up for approval. The project from Region 1 requires approval to get the project on line with the original scope. Two items from TC reserve request, one of the projects expects to have the funds reimbursed. Commissioner Reiff mentioned that a lengthy discussion was held on the project in Region 3. He stated that local support is extremely important, and therefore was more than willing to support the project. He encourages Region 3 to continue to encourage the locals to support the project. Chairwoman Connell entertained a motion to approve the 1st Budget Supplement of

2016. Commissioner Reiff moved for approval of the resolution, and Commissioner Connell seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Maria Sobota went on to walk the board through the contingency funds charts printed in the TC Packet. Commissioner Reiff expressed his concern for a \$60 million contingency as it is very tight. He advocated that CDOT continue to monitor this contingency to allow a response to any unexpected expenses.

Acknowledgements

Michael Cheroutes thanked everyone for their complements on HPTE, but wanted to identify a number of people on the HPTE Team for their hard work. Through these people, HPTE has proven itself as a driver of ideas and progress within the institution. The following people have helped HPTE reach this status:

- Nick Farber
- Kari Grant
- Jane Hickey
- Karen Delgado
- Megan Castle
- Kay Hruska
- Piper Frode

Gary Vansuch acknowledged the Access Permits Process Improvement Team. The team of Alex Karami, Richard Solomon, Valerie Sword, Daniel Roussin, Gloria Hice-Idler, Jim Horn and Kirk Allen created an interactive system that resulted in a 38% reduction of the time it takes to issue a permit. For their efforts the team was selected as one of the 40 finalists for the 2015 Team Excellence Award Process. As part of that, they were invited to the 2015 World Conference on Quality and Improvement in Nashville. Gary Vansuch presented the Improvement Team with the award they earned a finalist trophy for making the final 40. At the Conference, the team won the award for best customer impact.

Commissioner Peterson thanked the team and noted as a customer of the state in his professional field, he has noticed a huge improvement in the permitting process. Executive Director Bhatt thanked the team for their hard work.

Executive Director Shailen Bhatt recognized David Ulane as the new Aeronautics Director.

Adjournment

Chairwoman Connell closed the July Transportation Commission meeting at 9:40 a.m.



COLORADO

Department of Transportation

Office of Policy and Government Relations

4201 E. Arkansas, Room 275
Denver, CO 80222

DATE: July 29, 2015
TO: Transportation Commission
FROM: Herman Stockinger / Ryan Rice
SUBJECT: Repeal of Policy Directive 805.0

Purpose: To repeal Policy Directive 805.0 as part of the Department's initiative to streamline Directives and repeal those that are no longer necessary. The Department continues to review Policy Directives due for review and suggesting repeal of those that do not require Commission involvement or high-level policy issues.

Action: To approve the repeal of Policy Directive 805.0 "Work Zone Safety and Mobility" dated 10.16.08.

Background:

- This Policy is no longer necessary because the Department has updated the companion Procedural Directive 1502.1 (previously numbered as 805.1) that will provide guidance on safety in work zones including the safe and efficient movement of both motorized and non-motorized traffic and worker safety.
- Updated Procedural Directive 1502.1 will meet the requirements of 23 U.S.C. 603.1006 which mandates that clear direction be given regarding work zone safety. Therefore, a separate Policy Directive is unnecessary.

Key Benefits

The Department continues to review Directives and request that the Commission repeal Policies that are no longer necessary, in an effort to reduce the number of Directives, and increase the effectiveness of the remaining Directives.

Options and Recommendations

- Repeal Policy Directive 805.0 (staff supported).
- Table the repeal of the Policy Directive and request further information.
- Decline to repeal Policy Directive 805.0

Attachments

- Existing Policy Directive 805.0
(Updated Procedural Directive 1502.1 is available upon request)



Resolution # TC

Repeal of Policy Directive 805.0, “Work Zone Safety and Mobility” dated 10.16.08

WHEREAS, § 43-1-106, C.R.S. gives authority to the Transportation Commission of Colorado (“Commission”) to formulate general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, the Department continues to review Policy Directives to determine whether they still offer value; and

WHEREAS, the Department has determined that this Policy Directive 805.0 no longer provides value given that the companion Procedural Directive 1502.1 (formerly 805.1) contains sufficient guidance on the safe and efficient movement of both motorized and non-motorized traffic through or around temporary traffic control work zones, and the protection for workers and equipment located within those work zones.; and

WHEREAS, updated Procedural Directive 1502.1 will meet the requirements of 23 U.S.C. 603.1006 which mandates that clear direction be given regarding work zone safety; and

WHEREAS, in addition to the updated Procedural Directive, the relevant terms of Policy Directive 805.0 are included in CDOT’s “Work Zone Safety and Mobility Rule Protocol” which is reviewed bi-annually by the Federal Highway Administration (“FHWA”) Division Administrator.

NOW THEREFORE BE IT RESOLVED, the Commission repeals Policy Directive 805.0 as being no longer necessary.

Herman Stockinger
Transportation Secretary

Date

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE	
Subject Work Zone Safety and Mobility Policy		Number 805.0	
Effective 10/16/08	Supersedes New	Originating office Safety and Traffic Engineering Branch	

PURPOSE

To establish policy for the systematic consideration and management of work zone safety and mobility impacts.

AUTHORITY

1. Transportation Commission
2. 23 USC, 109 (b)(c)(n)(o)(p)
3. 23 CFR 630, Subparts J and K

APPLICABILITY

This directive shall apply to all construction and maintenance highway work, regardless of funding source.

POLICY

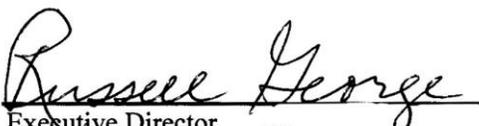
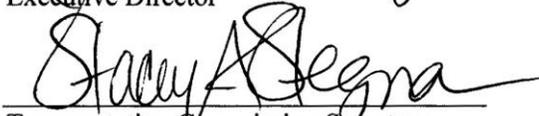
The objective of the work zone safety and mobility policy is to provide safe and efficient movement of both motorized and non-motorized traffic through or around temporary traffic control work zones and provide protection for workers and equipment located within those work zones. Emphasis will begin at the preliminary planning stages and will be carried through to the completion of all work, including post construction reviews.

IMPLEMENTATION

This Policy Directive shall become effective immediately upon adoption by the State Transportation Commission and shall be implemented by the CDOT and all parties involved in the work. The CDOT and all parties involved in the work shall follow the procedures for implementation as described in CDOT’s Project Development Manual, Construction Manual, Manual of Maintenance Procedures, and CDOT Work Zone Safety and Mobility Rule *Procedures Document*.

REVIEW DATE

This policy shall be reviewed before October 2013.

 _____ Executive Director	10/16/08 _____
 _____ Transportation Commission Secretary	10/16/08 _____



COLORADO

Department of Transportation

Office of Policy and Government Relations

4201 E. Arkansas, Room 275
Denver, CO 80222

DATE: July 29, 2015
TO: Transportation Commission
FROM: Herman Stockinger / Kevin Furman
SUBJECT: Repeal of PD 1222.0 "Driving Record and License Requirements"

Purpose: To repeal Policy Directive 1222.0 as part of the Department's initiative to streamline Directives and repeal those that are no longer necessary. The Department continues to review Policy Directives due for review and suggesting repeal of those that do not require Commission involvement or high-level policy issues.

Action: To approve the repeal of Policy Directive 1222.0 "Driving Record and License Requirements" dated 8.4.2010.

Background:

This Policy is no longer necessary because the Department has updated the companion Procedural Directive 1222.1 that will provide guidance on the Department's procedures and requirements regarding employee maintaining valid drivers' licenses when a license is required for their jobs. The updated Procedural Directive provides guidance in compliance with federal regulations regarding employees holding CDL certifications.

Key Benefits

The Department continues to review Directives and request that the Commission repeal Policies that are no longer necessary, in an effort to reduce the number of Directives, and increase the effectiveness of the remaining Directives.

Options and Recommendations

- Repeal Policy Directive 1222.0 (staff supported).
- Table the repeal of the Policy Directive and request further information.
- Decline to repeal Policy Directive 1222.0

Attachments

- Existing Policy Directive 1222.0
(Updated Procedural Directive 1222.1 is available upon request)



Resolution # TC

Repeal of Policy Directive 1222.0 “Driving Record and License Requirements”

WHEREAS, § 43-1-106 (8)(a) C.R.S. gives authority to the Transportation Commission of Colorado (“Commission”) to formulate general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, the Department continues to review Policy Directives to determine whether they still offer value; and

WHEREAS, the Department has determined that Policy Directive 1222.0 no longer provides value with the recent updated of Procedural Directive 1222.1 “Driving Record and License Requirements” which now conforms to current practices and legal requirements; and

WHEREAS, providing all information in one document rather than two supports the goal of Department efficiency and transparency.

NOW THEREFORE BE IT RESOLVED, the Commission repeals Policy Directive 1222.0 as being no longer necessary.

Transportation Secretary

Date

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject DRIVING RECORD AND LICENSE REQUIREMENTS		Number 1222.0
Effective 08/18/10	Supersedes New	Originating Office DIVISION OF HUMAN RESOURCES AND ADMINISTRATION/CHRM

PURPOSE

It is the purpose of the policy to disseminate the department’s commitment to the safety of its employees and that of the general public and provide a uniform process of implementing the Governor’s Executive Order on Executive Department Code of Ethics, and all applicable statutes and rules as they apply to driving privileges in the State of Colorado while providing equitable support to employees.

AUTHORITY

Transportation Commission
Colorado Driver’s Manual, Department of Revenue, Division of Motor Vehicles, www.mv.state.co.us
Drug and Alcohol Policy 81.0

APPLICABILITY

This directive shall apply to all permanent and temporary CDOT employees who are required to drive as part of their assigned duties.

POLICY

CDOT has a legal responsibility and obligation to ensure a safe work environment and to protect the public. Toward that end, CDOT shall require its employees, who are required to drive as part of their assigned duties, to maintain a valid driver’s license.

IMPLEMENTATION

This directive shall be implemented upon approval by the Transportation Commission.

REVIEW DATE

This directive shall be reviewed no later than April 2016.



Transportation Commission Secretary

08/19/2010

Date of Approval



DATE: August 20, 2015

TO: Transportation Commission

FROM: Joshua Laipply, P.E. Chief Engineer

SUBJECT: SH 285 at Lafayette - Disposal to Adjacent Property Owner and City of Englewood

Purpose

CDOT is proposing to dispose of 7,799 sf of SH 285 right of way that is no longer needed for transportation purposes. Part of the property, Parcel 3A-EX 6,854 sf, will be sold to the adjacent property owner and the other part, Parcel 3B-EX 954 sf, will be quit claimed to the City of Englewood.

Action

CDOT R1 is requesting a resolution approving the disposal of 7,799 sf of SH 285 ROW that is no longer needed for transportation purposes.

Background

Parcel 3A was originally acquired in conjunction with the construction of SH 285 (Hampden) that was built under Project F002-2(33) in 1956. It is believed that 53 Rev was part of that acquisition however not clear in the deed. In order to insure clear title, the City of Cherry Hills Village, who may have an interest, quit claimed their interest, if any, of 53 Rev to CDOT. Parcels 3A and 53Rev have been combined into Parcel 3A-EX and consists of 6,854 square feet. Parcel 3B-EX consists of 945 square feet.

Details

Parcel 3A-EX is of use only to the adjacent property owner. CDOT Region 1 intends to offer to sell Parcel 3A-EX to the adjacent property owner. Parcel 3B-EX is currently being used as an alley and the City of Englewood would like to continue using it as an alley. CDOT Region 1 has determined that this property is not needed for highway purposes. CDOT Region 1 intends relinquish Parcel 3B-EX to the City of Englewood. The sale of Parcel 3A-EX will be at fair market value in accordance with 43-1-210(5) and the relinquishment of Parcel 3B-EX will be at a nominal value in accordance with 23 CFR 710.403. The sale and relinquishment of the subject parcels will have no effect upon the operation, use, maintenance or safety of the highway facility.

Key Benefits

CDOT will be relieved of maintenance responsibilities and liability associated with these parcels. proceeds from the sale of Parcel 3A-EX will be reinvested into transportation Infrastructure projects in accordance with 23 CFR 710.403.

Next Steps

Upon approval of the Transportation Commission, CDOT will execute a quitclaim deed to convey Parcel 3B-EX to the City of Englewood and proceed with the sale of Parcel 3A-EX. The deeds will be recorded in office of the Arapahoe County Clerk and Recorder

Attachments

Proposed Resolution

Exhibit Depicting the Exchange Parcels

Project #: F002-2(33)
Location: SH 285 at Lafayette
Parcel #: 3A-EX and 3B-EX
County: Arapahoe

PROPOSED RESOLUTION

WHEREAS, CDOT acquired Parcel 3A in 1956 in Arapahoe County, in Englewood, Colorado as a part of CDOT Project # F002-2(33) for use as SH 285;

WHEREAS, CDOT believes it also acquired title to Parcel 53-Rev 3A in 1956 in Arapahoe County, in Englewood, Colorado as a part of CDOT Project # F002-2(33) for use as SH 285;

WHEREAS, the title work for Parcel 53-Rev indicated that Cherry Hills Village may have some interest in Parcel 53-Rev;

WHEREAS, the City of Cherry Hills Village quit claimed any interest they may have in Parcel 53-Rev to CDOT on March 2, 2015 to give CDOT clean title to the property;

WHEREAS, the combined Parcels 3A and 53Rev have been combined into Parcel 3A-EX and consists of 6,854 square feet;

WHEREAS, the Department of Transportation intends to sell Parcel 3A-EX to the adjacent property owner for Fair Market Value in accordance with C.R.S. 43-1-210(5);

WHEREAS, Parcel 3B-EX consists of 945 square feet and is currently being used for an alley;

WHEREAS, the City of Englewood would like to maintain Parcel 3B-EX as its current use, an alley;

WHEREAS, the Department of Transportation intends to relinquish Parcel 3B-EX to the City of Englewood;

WHEREAS, the disposal of Parcel 3A-EX and relinquishment 3B-EX will not affect the operation, maintenance, use or safety of CDOT's facility;

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply as Chief Engineer, that the 7,799 sf is not needed for transportation purposes;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes;

WHEREAS, the Department has determined that Parcel 3A-EX consisting of 6,854 sf of SH 285 right of way is of use only to the adjacent property owner;

WHEREAS, the Department has determined that Parcel 3B-EX consisting of 945 sf of SH 285 right of way is of use only to the City of Englewood;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

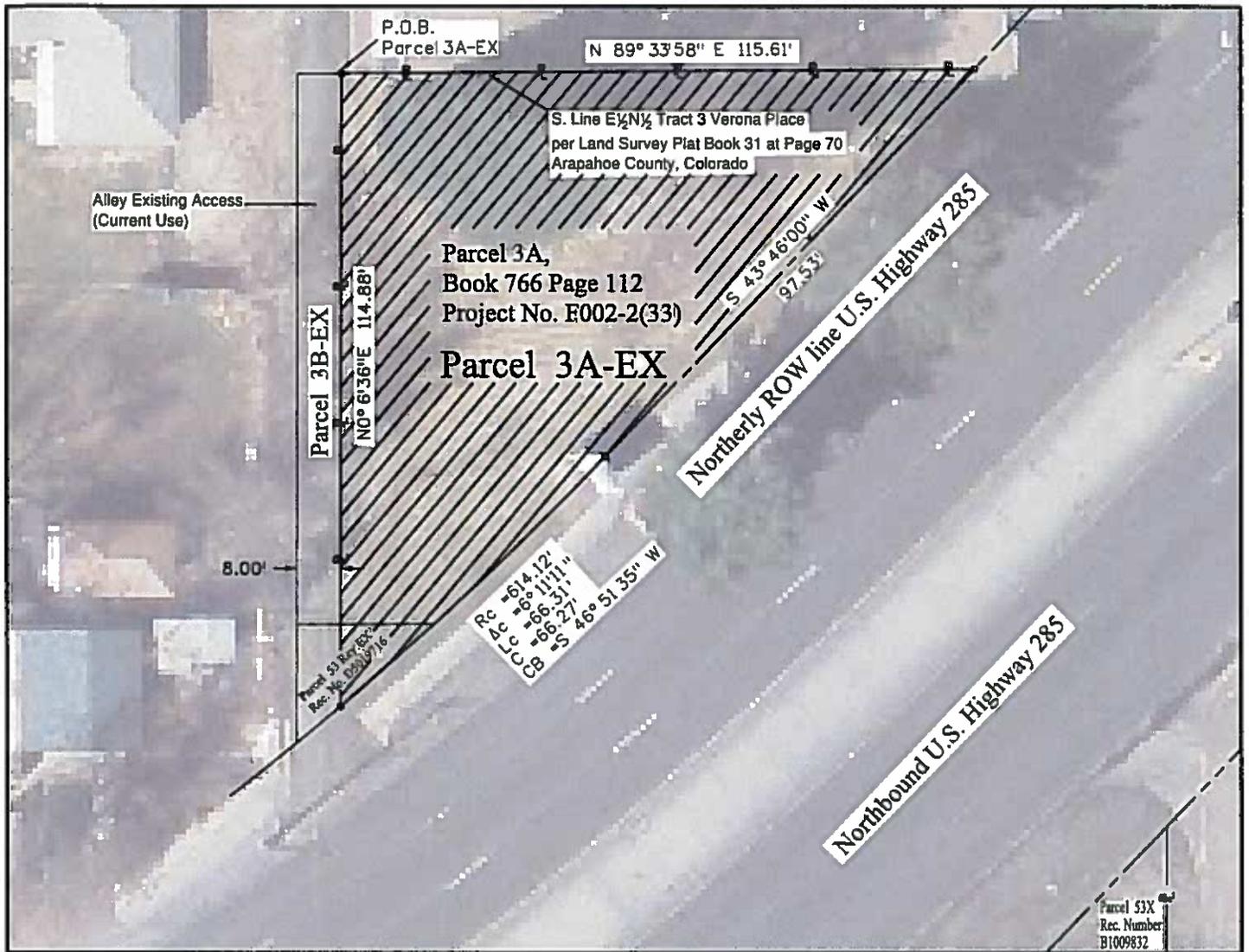
WHEREAS, 23 CFR 710.403(d)(1) allows CDOT to convey property to other governmental entities for nominal value if the property is used for continued transportation purposes;

WHEREAS, if Parcel 3B-EX ever ceases to be used for transportation purposes the property will revert back to CDOT ownership;

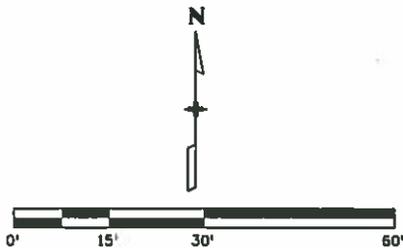
WHEREAS, the City of Englewood desires to exercise its right of refusal to purchase the 945 sf of SH 285 right of way which is no longer needed for transportation purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcels 3A-EX and 3B-EX as excess property and dispose of the 6,854 sf (3A-EX) of SH 285 right of way which is no longer needed for transportation purposes for fair market value and relinquish the 945 sf (3B-EX) of SH 285 right of way which is no longer needed for transportation purposes for nominal value.

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



Section 2
T5S, R68W of the 6th P.M.
COUNTY OF
Arapahoe



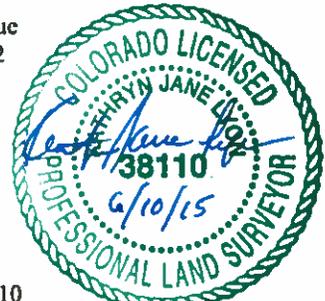
Parcel 3A-EX

Owner(s):
Colorado Department of Transportation

Mailing Address:
4201 E. Arkansas Avenue
Denver, Colorado 80222
Property Address: N/A

Site:
Contains 6,854 sq. ft.
(0.157 Acres)

Authored by:
Kathryn Lyon, PLS 38110
CDOT, Region 1 R.O.W./Survey Central Unit
2000 S. Holly St.
Denver CO 80222
303-757-9923



Representation of Exhibit A

Colorado Department of Transportation



2000 S. Holly
Denver, CO 80222
Phone: 303-757-9923

Region 1

KJL

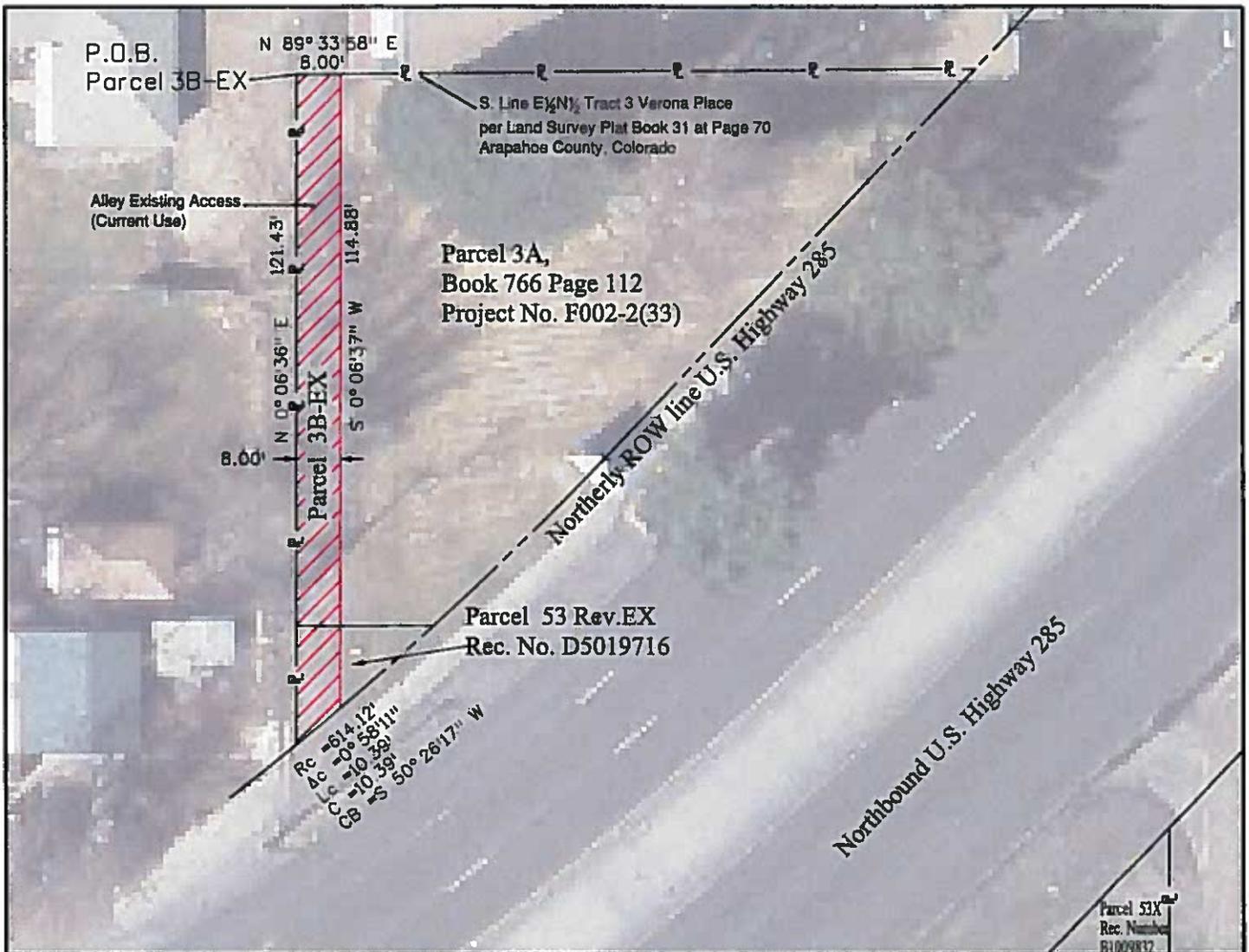
This drawing graphically depicts the attached legal description only.
This drawing does not represent a Land Survey.

Project Number: F002-2(33)

Project Location: SH 285; Hampden Ave.

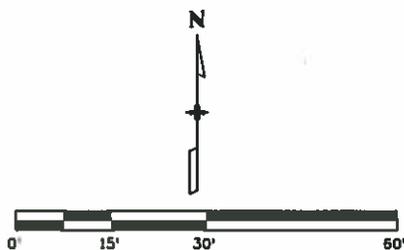
NW 1/4 Sec. 2, T5S, R68W/6th PM

Project Code:	Last Mod. Date	Subset	Sheet No.
N/A	06-07-2015		1



Section 2
T5S, R68W of the 6th P.M.

COUNTY OF
Arapahoe



Parcel 3B-EX

Owner(s):
Colorado Department of Transportation

Mailing Address:
4201 E. Arkansas Avenue
Denver, Colorado 80222
Property Address: N/A

Site:
Contains 945 sq. ft.
(0.022 Acres)

Authored by:
Kathryn Lyon, PLS 38110
CDOT, Region 1 R.O.W./Survey Central Unit
2000 S. Holly St.
Denver CO 80222
303-757-9923



Representation of Exhibit A

This drawing graphically depicts the attached legal description only.
This drawing does not represent a Land Survey.

Project Number: F002-2(33)

Project Location: SH 285; Hampden Ave.

NW 1/4 Sec. 2, T5S, R68W/6th PM

Project Code:	Last Mod. Date	Subset	Sheet No.
N/A	05-19-15		1

Colorado Department of Transportation



2000 S. Holly
Denver, CO 80222
Phone: 303-757-9923

Region 1

KJL



DATE: August 7, 2015
TO: Transportation Commission
FROM: Kevin Furman, Strategic Workforce Solutions
Herman Stockinger, Interim Director, Division of Administrative Services

SUBJECT: Confirmation of CDOT Divisions for Purpose of Clearly Defining Appointing Authorities

Purpose

The purpose of this memo is to confirm/establish divisions within the department to ensure all employees are placed within a division and that there is an appropriate Appointing Authority for each division in order to administer HR functions as required in State Personnel Board Rules.

Action

Staff is requesting the Transportation Commission confirm that the CDOT organizations contained in this memo and the attachments are considered “divisions” within CDOT for the purpose of identifying appropriate Appointing Authorities for each division.

Background

There are three ways a CDOT division may be established and recognized.

1. The division is created within state statute
2. The Transportation Commission shall create divisions of CDOT as described in statute.
3. The Executive Director may create a division with the concurrence of the Governor.

Details

If employees are not placed in clearly defined divisions, with an appropriate Appointing Authority identified by statute, by virtue of their status as a Division Director, or through a delegation of authority via the appropriate Appointing Authority (such as the Executive Director), there could be questionable authority for their hiring and a lack of authority for their performance evaluations, corrective actions, disciplinary actions, etc. All positions within state agencies have to be placed within a division such that the proper appointed authority can be exercised.

The Department currently has a number of divisions/offices that have no clear record of being established through any of these mechanisms.

Therefore, pursuant to the authority under C.R.S. § 43-1-104 (2)(a), (b)(l) and (c), it is requested that the Transportation Commission confirm the creation/existence of the following non-statutorily created divisions in order to establish the appropriate Appointing Authorities for these divisions:

- Division of Administrative Services.
- Division of Accounting & Finance.
- Division of Transportation Systems Management and Operations.
- Office of Program Management.
- Office of Communications.
- Office of Policy & Government Relations.



- Division of Project Support.
- Office of Major Project Development.
- Office of Emergency Management.
- Regional One.
- Regional Two.
- Regional Three.
- Regional Four.
- Regional Five.

Key Benefits

Approval of this request will mitigate risk associated with HR-related issues by ensuring every employee has a properly designated Appointing Authority in order to carry out HR actions. No policy or structural changes are being requested.

Next Steps

Upon approval of the Transportation Commission, CDOT will execute appropriate delegations of authority so all employees have a clear and proper Appointing Authority.

Attachments

Traditional CDOT Organizational Chart

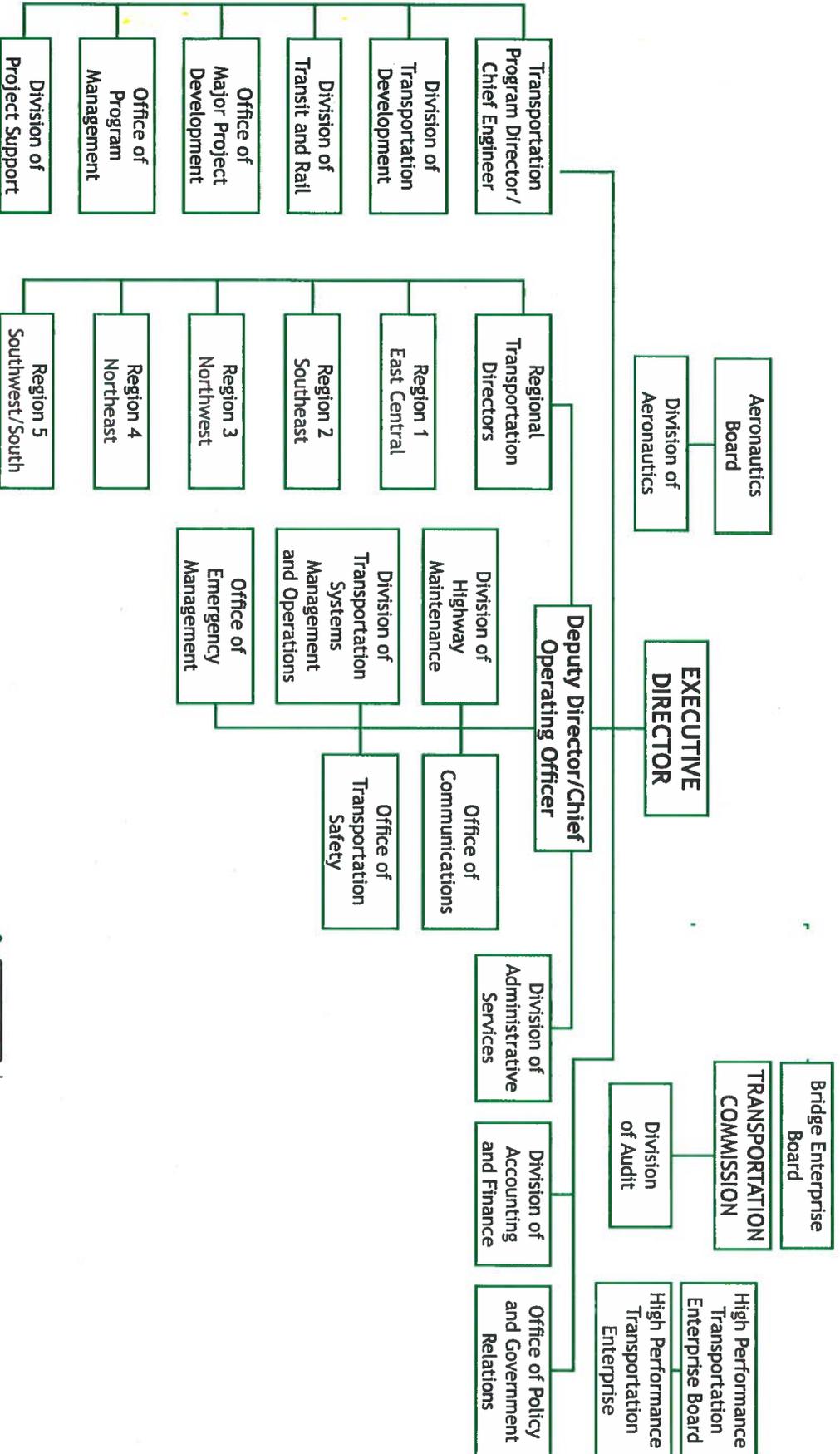
Additional CDOT Organizational Chart that outlines the status of CDOT offices

Resolution approving divisions



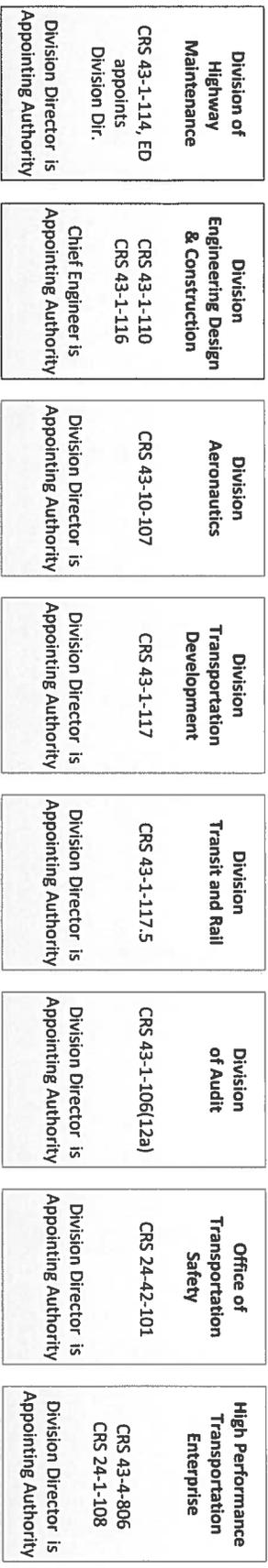
Organizational Chart

Updated December 2014

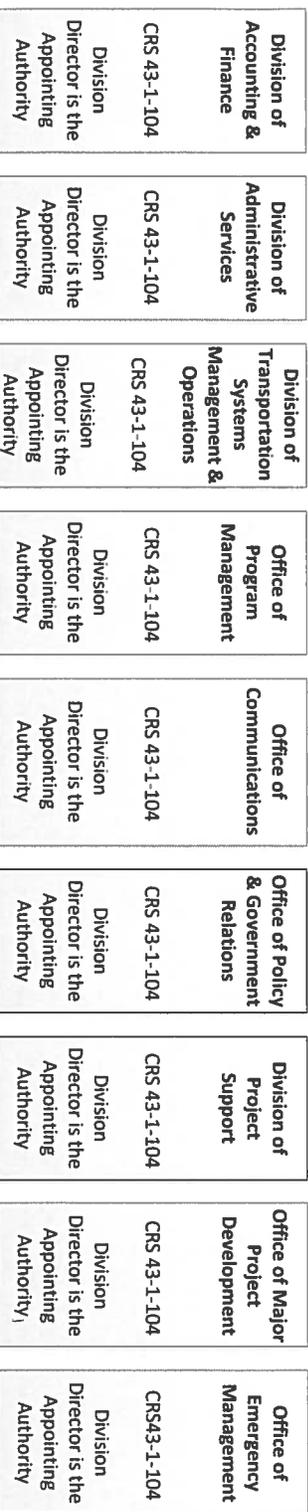


COLORADO
Department of Transportation

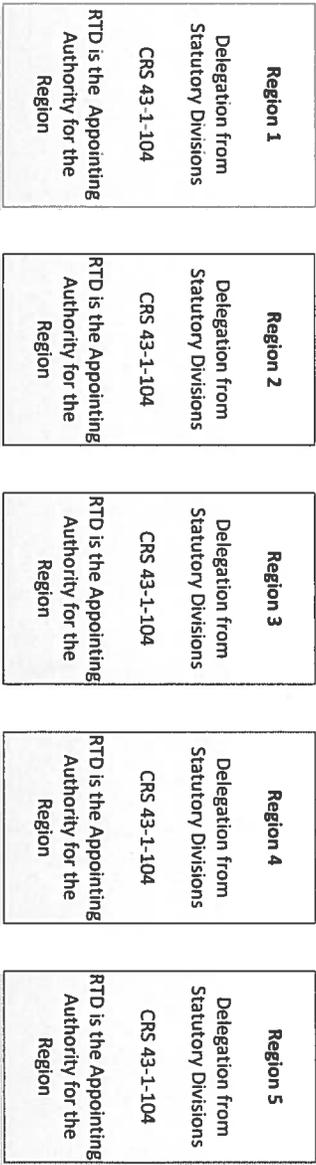
CDOT Division Delegation of Appointing Authority



Statutory Divisions



Non Statutory Divisions CRS 43-1-104



Delegation from Statutory Divisions/Non Statutory Divisions CRS 43-1-104

Resolution #

Confirmation of CDOT Divisions for purpose of clearly defining Appointing Authorities

WHEREAS, the Colorado Department of Transportation ("CDOT") is an executive department of the State of Colorado; and

WHEREAS, the Colorado State Transportation Commission (the "Commission") is the governing body of CDOT; and

WHEREAS, CDOT is presently comprised of a number of offices and divisions; and

WHEREAS, the Transportation Commission, pursuant to their authority under C.R.S. 43-1-104 (2) (a), (b)(1) and (c) may establish divisions with the department; and

WHEREAS, it is necessary for every employee to be placed in a division with an appropriate Appointing Authority for the purpose of hiring, performance evaluations, job descriptions, corrective actions, creation/abolishment of positions, and as otherwise established in the State Personnel Board Rules.

NOW, THEREFORE, BE IT RESOLVED, the Commission herein confirms the following non-statutory divisions as division of the department:

- Division of Administrative Services
- Division of Accounting & Finance
- Division of Transportation Systems Management and Operations
- Office of Program Management
- Office of Communications
- Office of Policy & Government Relations
- Division of Project Support
- Office of Major Project Development
- Office of Emergency Management
- Regional One
- Regional Two
- Regional Three
- Regional Four
- Regional Five



COLORADO

Department of Transportation

Division of Highway Maintenance

4201 East Arkansas Ave, 3rd Floor
Denver, CO 80222

TRANSPORTATION COMMISSION REQUEST

TO: Transportation Commission
FROM: Kyle Lester, Director of Highway Maintenance
CC: Michael P. Lewis, CDOT Chief Operating Officer

DATE: July 21, 2015
SUBJECT: Additions to FY 16 Maintenance \$50,000 to \$150,000 project list

Purpose

The Maintenance Sections have identified projects valued at between \$50,000 and \$150,000 for construction in FY 15 that need to be carried over to FY 16.

Action Requested

Division of Highway Maintenance 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.

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

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 carry over approval of the FY 16 over \$50,000 project list.



Region 1 Metro				
Highway	Begin MP	End MP	Type	Estimate
40A	243	243.7	Machine Patch	\$102,000.00
36	130.2	130.65	Machine Patch	\$118,000.00
I-70	Ramps	E-470	Machine Patch	\$95,000.00
Total - Region 1 Metro				\$315,000.00
Region 2 - Pueblo				
Highway	Begin MP	End MP	Type	Estimate
101A	0	5	Chip Seal	\$149,340.00
Total - Pueblo				\$149,340.00
Region 4 - Greeley				
Highway	Begin MP	End MP	Type	Estimate
60	0		Machine Patch	\$125,508.00
County Rd 40			Total Greeley	\$125,508.00
Region 5 - Durango				
Highway	Begin MP	End MP	Type	Estimate
184	.3	1.1	Machine Patch	\$112,470.76
145 A	39	43	Chip Seal	\$125,322.79
160 A	11.25	13.75	Chip Seal	\$140,170.69
140 A	13.2	17.7	Chip Seal	\$145,621.57
550 B	68.7	72.7	Chip Seal	\$129,465.01
550 B	49.8	53	Chip Seal	\$129,465.01
Total - Durango				\$642,345.14
Region 5 Alamosa				
Highway	Begin MP	End MP	Type	Estimate
114 A	45.8	50.8	Chip Seal	\$147,500.00
17 B	115	116	Machine Patch	\$147,000.00
Total - Alamosa				\$294,500.00
Statewide Total				\$1,526,693.14

Attachments

TC Resolution titled - Fiscal Year 2016 over \$50,000 project list approval.



Resolution #TC-

Additions to Fiscal Year 2016 over \$50,000 project list approval

Approved by the Transportation Commission on: August 20, 2015

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 a cost estimate for these projects to be done in Fiscal Year 2016 as detailed in the memorandum entitled; Addition to FY 16 over \$50,000.00

WHEREAS, the funding for this project is contained in the Fiscal Year 2016 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

Highway	Begin MP	End MP	Type	Estimate
40A	243	243.7	Machine Patch	\$102,000.00
36	130.2	130.65	Machine Patch	\$118,000.00
I-70	Ramps	E-470	Machine Patch	\$95,000.00
Total - Region 1 Metro				\$315,000.00

Region 2 - Pueblo

Highway	Begin MP	End MP	Type	Estimate
101A	0	5	Chip Seal	\$149,340.00
Total Region 2 Pueblo				\$149,340.00

Region 4 - Greeley

Highway	Begin MP	End MP	Type	Estimate
60/County Rd 40	0		Machine Patch	\$125,508.00
Total Region 4 Greeley				\$125,508.00

Region 5 - Durango

Highway	Begin MP	End MP	Type	Estimate
184	.3	1.1	Machine Patch	\$112,470.76
145 A	39	43	Chip Seal	\$125,322.79
160 A	11.25	13.75	Chip Seal	\$140,170.69
140 A	13.2	17.7	Chip Seal	\$145,621.57
550 B	68.7	72.7	Chip Seal	\$129,465.01
550 B	49.8	53	Chip Seal	\$129,465.01
Total Region 5 Durango				\$642,345.14

Region 5 Alamosa

Highway	Begin MP	End MP	Type	Estimate
114 A	45.8	50.8	Chip Seal	\$147,500.00
17 B	115	116	Machine Patch	\$147,000.00
Total Region 5 Alamosa				\$294,500.00

Statewide Total			\$1,526,693.14
------------------------	--	--	-----------------------

Sufficient funds exist within the appropriate MPA's to pursue this project. The project is in accordance with the directive and all other requirements.

Herman Stockinger, Secretary
 Transportation Commission of Colorado