



I-70 East

4201 East Arkansas Avenue
Denver, CO 80222-3406

DATE: June 17, 2015

TO: Transportation Commission

FROM: Tony DeVito, Project Director, I-70 East Project

SUBJECT: Quarterly Update

Purpose

This memo summarizes the status of the I-70 East project across three key areas:

- Preparation of the final Environmental Impact Statement
- Project delivery and procurement
- Funding status and commitment from the City of Denver

Action

No actions are requested at this time, this memo is for information purposes only.

Background

Commission Resolution 3179 (July 21, 2014) directed staff to prepare quarterly updates on the development of the I-70 East Project and related procurement efforts.

Details

Environmental Impact Statement (EIS)

The final EIS is scheduled to be released in January of 2016, with initial internal/cooperating agency review of the document beginning this summer. This document will identify the Partial Cover Lowered Alternative as the preferred alternative for I-70 East. Additional public outreach will be held this summer and fall on key aspects of the EIS and full corridor-wide public meetings and a 30-day comment period will follow its release.

A Record of Decision (ROD) for Phase 1 is expected in the summer of 2016. Future phases will require the completion of additional RODs. Phase 1 is the initial project as identified by the Commission in December 2014.

- Lowering the highway between Colorado Blvd and Brighton Blvd
- Placing a landscaped cover over the highway between Columbine and Clayton Streets
- Adding one additional express toll lane in each direction from I-25 to I-225

Project Development and Procurement

Following the Commission's decision in February 2015 to pursue a Design Build Finance Operate Maintain (DBFOM) method of delivery for I-70 East, staff has moved forward to engage industry in the I-70 East project. Previous and upcoming milestones include:

- March 11, 2015: Industry Forum
- March 25, 2015: Release of Request for Qualifications (available publically)
- June 22, 2015: Deadline for receipt of Statement of Qualifications
- July 24, 2015: Announcement of shortlisted teams
- August 18-19, 2015: HPTE Pre-Draft RFP Public Meetings
- September 2015: Release of Draft Request for Proposals (available publically)
- Spring 2016: Final Request for Proposals (RFP) (available publically)
- End of 2016/Early 2017: Financial Close

Transparency

CDOT and HPTE continue to implement provisions of Executive Order D 2014-010 requiring additional transparency measures in the development of projects utilizing public-private partnerships. In addition to the public release of the above noted procurement documents, a second series of outreach meetings will occur in advance of the public release of the Draft RFP. These meetings are tentatively scheduled for August 18-19, 2015.



Project Funding

Staff has made considerable progress toward securing a funding commitment from the City of Denver to help address the \$90M shortfall resulting from the forecasted reduction in SB 228 revenues. An Intergovernmental Agreement (IGA) with the City of Denver is currently under legal review. It will be considered by the Denver City Council this month, with a final vote expected by the end of June. This IGA provides funding support in the form of an annual availability payment totaling \$37M and in-kind contributions to the efficiency and risk reduction of the I-70 East project (\$46M). In addition, the City of Denver has agreed to make the I-25 and Alameda project (est \$30M) the City's top priority for DRCOG funding in the next TIP cycle. The Transportation Commission will be asked to formally approve the IGA at its July 2015 meeting.

Another important component of the IGA is an agreement for CDOT to support drainage improvements that provide early action on key elements of the drainage system needed for I-70 East and additionally support creation of a complimentary system that further protects the interstate in large storm events.

Lastly, staff continues to monitor the quarterly forecasts of SB228 revenues. The next quarterly forecast is expected later this month. Should these forecasts show a change in projected revenues, staff will provide a prompt update to the Commission on the financial impact of this change to the project.

Next Steps

TC Resolution 3179 also directed staff to develop a comprehensive program addressing disadvantaged and small business utilization and workforce development on the I-70 East project. Staff intends to provide an update on the status of this work at the July Commission meeting.

Attachment

Initial IGA Term Sheet May 2015



Item	Dollar Value (millions)	Form of Contribution	Current Status	Outstanding Issues	Notes
City of Denver Contributions					
Cover Enhanced Landscaping	10	Availability Payment	In agreement	None	Covers delta between basic and enhanced cover design
Cover Bookends	8	Availability Payment	In agreement	None	Includes cost of structure and design
Widening of Peoria and Quebec	2	Availability Payment	In agreement	None	Bridges built to accommodate future widening of Peoria and Quebec streets.
Slip Ramps and Bypass Lanes	17	Availability Payment	In agreement	None	Parties commit to cost saving factor in proportion to investment percentage
Right-of-Way	13	In-kind but reflects true value	Near agreement	CDOT currently supports an upper value of \$25.7M	Reflects the delta between a set CDOT purchase price of \$12.7M for ROW and the City's estimate.
Subtotal	\$50				
I-25/Alameda Partnership	30	Funding for another priority project for the regional transportation system	Parties agree: 1) jointly pursue I-25/Alameda as top priority for DRCOG funding in the 2018 TIP request to DRCOG 2) IGA will include language solidifying the commitment to this partnership 3) CDOT to support City's TIGER grant application for I-25/Broadway	CDOT offers to split local match 50% (est \$6M of \$30M total cost) required for DRCOG funding. CDOT will no longer require the City to provide a financial backstop. Access permit for Gates Re-development will be re-evaluated in the same spirit it was originally approved, in obvious consideration with new development projections once those are submitted	
Total	\$80				
Partnering Efficiencies					
Risk Reduction	10	In-kind	In agreement		
Relief of City permit fees	15	In-kind	In agreement		
Fill Dirt	3	In-kind	In agreement		
Devolution of Brighton Blvd	5	In-kind	In agreement		
Total	\$33				

CDOT Drainage Cost Summary for CCD Negotiations		
Description	CDOT	CCD
	Cost	
Total TBDP (as received 5-25)		\$134,000,000
CDOT proposes 40/60 split	\$53,600,000	\$80,400,000
	CDOT	CCD
EADP	\$42,200,000	\$26,800,000
Remainder of TBDP	\$11,400,000	\$53,600,000
Total Contribution	\$53,600,000	\$80,400,000
CDOT Contribution as shown in Draft IGA	\$53,600,000	
CDOT I-70 Offsite Remnant Drainage System with TBDP (see note 1)	\$14,900,000	
Brighton Blvd Concrete Box Culvert - Pond 7 to 41st (see note 2)	\$2,500,000	
CDOT total Expenditure on Drainage	\$71,000,000	

Handwritten notes and signatures:

By B. Vito 5/26/2015

John Bant 26 May 2015

CDOT commits to paying this at 100%

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In order for CDOT to pay for costs associated with work within NEPA cleared area and those of contributions towards benefits of Denver's TBDP, CDOT proposes to remove the Remnant and Brighton Box costs from proposed split and cover those costs at 100%. However, in doing so CDOT needs to then reduce the percent contributed to Denver's project to 40%. *CDOT's contribution of 40% will be based upon actual project costs @ award or financial close.*

- Note 1 - CDOT Offsite Remnant System includes system to capture remnant Park Hill and Montclair Basin local flows and will be designed and constructed with CDOT's I-70 East project.
- Note 2 - Brighton Blvd Box Culvert is proposed to be constructed in CCD's Brighton Blvd project and will be designed to drain CDOT's Remnant Drainage System (Pond 7).
- Note 3 - Denver's contribution to Availability payment (currently estimated at \$37 Million) to be based on Denver's proportionate share of final costs.
- Note 4 - CDOT and Denver will participate in each other's developer/contractor selections.