

## Colorado Transportation Commission

Schedule & Agenda

December 14, 2022

For link to YouTube meeting access please see website:

<http://www.coloradodot.info/about/transportation-commission/meeting-agenda.html>

Don Stanton, Chair

Arvada, District 2

Yessica Holquin

Denver, District 1

Eula Adams

Arapahoe County, District 3

Karen Stuart

Broomfield, District 4

Kathleen Bracke

Fort Collins, District 5

Barbara Vasquez

Cowdrey, District 6

Kathy Hall

Grand Junction, District 7

Mark Garcia

Pagosa Springs, District 8

Lisa Hickey

Colorado Springs, District 9

Terry Hart

Pueblo, District 10

Gary Beedy, Vice-Chair

Genoa, District 11

### THE CHAIRMAN MAY ALTER THE ITEM SEQUENCE OR TIMES

The times indicated for each topic on the Commission agenda are an estimate and subject to change. Generally, upon the completion of each agenda item, the Commission will immediately move to the next item. However, the order of agenda items is tentative and, when necessary to accommodate the public or the Commission's schedules, the order of the agenda items are subject to change.

Documents posted at <http://www.coloradodot.info/about/transportation-commission/meeting-agenda.html> no less than 24 hours prior to the meeting. The documents are in draft form and for information only until the Commission takes final action.

### **TRANSPORTATION COMMISSION WORKSHOPS**

Wednesday, December 14, 2022

12:30 p.m. North I-25 Segment 5 Project Delivery (Keith Stefanik)

1:15 p.m. Budget Workshop (Jeff Sudmeier and Bethany Nicholas)

- FY 23 Budget Amendment
- State Infrastructure Bank Rate Update
- Vail Pass Climbing Lanes

1:45 p.m. Amendments to PD 1610 (GHG Mitigations) to Include Disproportionately Impacted Communities (DICs) (Commissioner Hickey, Rebecca White, Marsha Nelson, and Theresa Takushi)

2:15 p.m. Transportation Alternatives Program (Rebecca White, Herman Stockinger)

2:45 p.m. Adjournment

## **TRANSPORTATION COMMISSION MEETING**

Wednesday, December 14, 2022

- 2:45 p.m. 1. Call to Order, Roll Call
- 2:50 p.m. 2. Public Comments
- 3:05 p.m. 3. Comments of the Chair and Individual Commissioners
- 3:20 p.m. 4. Executive Director's Management Report (Shoshana Lew)
- 3:25 p.m. 5. Chief Engineer's Report (Steve Harelson)
- 3:30 p.m. 6. CTIO Director's Report (Nick Farber)
- 3:35 p.m. 7. FHWA Division Administrator Report (John Cater)
- 3:40 p.m. 8. STAC Report (Vincent Rogalski)
- 3:45 p.m. 9. Act on Consent Agenda
- a) Proposed Resolution #1: Approve the Regular Meeting Minutes of November 17, 2022 (Herman Stockinger)
  - b) Proposed Resolution #2: IGA Approval >\$750,000 (Steve Harelson)
  - c) Proposed Resolution #3: Adoption of Policy Directive 20.0 Rule Making Policy (Herman Stockinger and Sari Weichbrodt)
  - d) Proposed Resolution #4: Adoption of Policy Directive 1.0 Policy Directives & Procedural Directives (Herman Stockinger and Sari Weichbrodt)
  - e) Proposed Resolution #5: Disposal: Calhan Maintenance Site (Jason Ahrens)
  - f) Proposed Resolution #6: Disposal: US 40 West Trail Connectivity ROW Disposal (Jason Smith)
- 3:50 p.m. 10. Discuss and Act on Proposed Resolution #7: Budget Supplement of FY 2023 (Jeff Sudmeier and Bethany Nicholas)
- 3:55 p.m. 11. Discuss and Act on Proposed Resolution #8: FY23 Budget Amendment (Jeff Sudmeier)
- 4:00 p.m. 12. Discuss and Act on Proposed Resolution #9: STIP Policy Amendment 1 – Inclusion of the NEVI Program Funds in the STIP (Rebecca White and Jamie Collins)
- 4:05 p.m. 13. Discuss and Act on Proposed Resolution #10: State Infrastructure Bank Rate Update (Jeff Sudmeier)
- 4:10 p.m. 14. Discuss and Act on Proposed Resolution #11: North I-25 Segment 5 Project Delivery Method (Keith Stefanik)
- 4:15 p.m. 15. Discuss and Act on Proposed Resolution #12: Amendments to PD 1610 (GHG Mitigations) (Rebecca White and Marsha Nelson)

- 4:20 p.m. 16. Discuss and Act on Proposed Resolution #13: Advancement of Vail Pass in the 10-YP (Jeff Sudmeier and Rebecca White)
- 4:25 p.m. 17. Discuss and Act on Proposed Resolution #14: Transportation Alternative Programs (Herman Stockinger and Rebecca White)
- 4:30 p.m. 18. Recognition: 2022 CDOT Innovations Challenge Awards (Gary Vansuch)

**Judges Panel:**

- 1st Place: Plow Blade Installer Cart - Chuck Kline and Brian Manguso (Region 2)  
2nd Place: Rumble Strip Retriever - Bradey Varner and Damian Baroz (Region 5)  
3rd Place: Rumble Strip Basket Installer - Scott Claussen (Region 3)

**People's Choice:**

- 1st Place: LIDAR-based Viewshed Analyses - Liia Mai Koiv-Haus (DTD), Jennifer Kerns (DTD), and Veronica McCall (Region 1)  
2nd Place: Plow Blade Installer Cart - Chuck Kline and Brian Manguso (Region 2)  
3rd Place: Mobile Inventory Setup - Breanna Payne, (DMO)

4:45 p.m. 19. Other Matters

4:50 p.m. 20. Adjournment

The Bridge Enterprise Board of Directors meeting will begin immediately following the adjournment of the Transportation Commission Meeting. Est. Start Time: 4:50 p.m.

**BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS MEETING**

Wednesday, December 14, 2022

- 4:50 p.m. 1. Call to Order and Roll Call
2. Public Comments
3. Act on Consent Agenda
- Proposed Resolution #BTE1: to Approve the Regular Meeting Minutes of November 17, 2022 (Herman Stockinger)
4. Discuss and Act on Proposed Resolution #BTE2: 5th Budget Supplement FY2023 (Jeff Sudmeier)
5. Other Matters
6. Adjournment

**INFO ONLY**

- Project Budget/Expenditure Memo (Jeff Sudmeier)
- TC Grants Memo (Hannah Reed)
- Clean Transit Enterprise Annual Report (Kay Kelly)
- Non-Attainment Air Pollution Mitigation Enterprise (NAAPME) Annual Report (Kay Kelly)
- Clean Fleet Enterprise - (Steve McCannon, CDPHE)
- Community Access Enterprise – (Rebecca White)



**MEMORANDUM**

**TO:** THE TRANSPORTATION COMMISSION  
**FROM:** JEFF SUDMEIER, CHIEF FINANCIAL OFFICER  
BETHANY NICHOLAS, BUDGET DIRECTOR  
**DATE:** DECEMBER 14, 2022  
**SUBJECT:** FY 2022-23 BUDGET AMENDMENT

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**Purpose**

To review the third budget amendment to the FY 2022-23 Annual Budget in accordance with Policy Directive (PD) 703.0.

**Action**

The Division of Accounting and Finance (DAF) is requesting the Transportation Commission (TC) to review and adopt the third budget amendment to the FY 2022-23 Annual Budget, which consists of five items that require TC approval. The third budget amendment reallocates \$79.5 million from the TC Program Reserve to several budget lines as discussed below. The third budget amendment was reviewed in detail in the November TC workshop.

**FY 2022-23 Budget Amendments**

As discussed with the Commission during the November TC meeting, staff is requesting approval for the following items that would reallocate \$79.5 million from the TC Program Reserve Fund.

<b>Budget Amendment Request:</b>	<b>Amount:</b>
Capital Construction Cost Escalation Fund	\$30.0 M
Mountain Corridor Resiliency Projects	\$20.0 M
Strategic Pavement Investments	\$24.0 M
Backfill Bridge and Tunnel Enterprise BABs Subsidy	\$4.1 M
Workers' Compensation Budget Shortfall	\$1.4 M
<b>Total Request from TC Program Reserve</b>	<b>\$79.5 M</b>

### **Capital Construction Cost Escalation Fund**

The Division of Accounting and Finance (DAF) is requesting \$30.0 million to create a Capital Construction Cost Escalation Fund to ensure sufficient funds are available to address recent cost escalation in capital construction projects without causing undue delay to projects. The third budget amendment reallocates \$30,000,000 to a separate account within the TC Program Reserve line (Line 73), and renames the line, "Commission Reserve Funds".

### **Mountain Corridor Resiliency Projects**

The Department is requesting \$20.0 million to support resiliency improvements associated with key mountain travel corridors. The third budget amendment reallocates \$20,000,000 from the TC Program Reserve (Line 73) to the 10 Year Plan Projects - Capital AM line (Line 10). *Although this is not a 10-Year Plan Project, for programming and delivery purposes the TC Program Reserve funds allocated to this project will be allocated to the 10-Year Plan -Capital AM budget program.*

### **Strategic Pavement Investments**

The Division of Transportation Development (DTD) is requesting \$24.0 million for strategic paving investments. The third budget amendment reallocates \$24,000,000 million from the TC Program Reserve (Line 73) to Surface Treatment (Line 4).

### **Backfill Bridge and Tunnel Enterprise (BTE) Subsidy**

The BTE is requesting \$4.1 million to help cover its debt service obligations in FY 2022-23. The third budget amendment reallocates \$4,118,562 from the TC Program Reserve (Line 73) to Agency Operations (Line 66), which will be transferred to the Debt Service-BTE line (Line 89) to backfill the lost Build America Bonds subsidy and cover debt service obligations in FY 2022-23.

### **Workers' Compensation Budget Shortfall**

DAF is requesting \$1.4 million to address a budget shortfall in the Workers Compensation budget for FY 2022-23. The third budget amendment reallocates \$1,447,207 from the TC Program Reserve (Line 73) to the Agency Operations line (Line 66) to cover additional workers' compensation costs for FY 2022-23.

### **Attachments**

- Attachment A - FY 2022-23 Amended Revenue Allocation Plan
- Attachment B - Presentation

**Attachment A: FY 2022-23 CDOT AMENDED ANNUAL BUDGET (December 2022)**

Line	Budget Category / Program	Rollforward from FY 2021-22	FY 2022-23 Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EMT and Staff Approved Adjustments	Total FY23 Program Budget Available including Changes	Directed By	Funding Source
<b>1</b>	<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>								
<b>2</b>	<b>Capital Construction</b>	<b>\$1,318.0 M</b>	<b>\$656.8 M</b>	<b>\$44.0 M</b>	<b>\$15.5 M</b>	<b>\$345.7 M</b>	<b>\$2,379.9 M</b>		
<b>3</b>	<b>Asset Management</b>	<b>\$103.2 M</b>	<b>\$392.3 M</b>	<b>\$44.0 M</b>	<b>\$15.5 M</b>	<b>-\$5.0 M</b>	<b>\$550.0 M</b>		
4	Surface Treatment	\$16.5 M	\$225.6 M	\$24.0 M	\$0.0 M	-\$2.3 M	\$263.8 M	TC	FHWA / SH / SB 09-108
5	Structures	\$9.8 M	\$62.5 M	\$0.0 M	\$0.0 M	\$0.2 M	\$72.6 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$3.1 M	\$26.9 M	\$0.0 M	\$0.0 M	-\$1.4 M	\$28.5 M	TC	FHWA / SH
7	Geohazards Mitigation	\$6.9 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.9 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$2.3 M	\$6.5 M	\$0.0 M	\$0.0 M	\$1.4 M	\$10.1 M	TC	FHWA / SH
9	Emergency Relief	\$9.1 M	\$0.0 M	\$0.0 M	\$0.0 M	-\$2.9 M	\$6.2 M	FR	FHWA
10	10 Year Plan Projects - Capital AM	\$55.5 M	\$60.9 M	\$20.0 M	\$15.5 M	\$0.0 M	\$151.9 M	TC / FR	FHWA
<b>11</b>	<b>Safety</b>	<b>\$46.6 M</b>	<b>\$121.6 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$40.0 M</b>	<b>\$208.2 M</b>		
12	Highway Safety Improvement Program	\$18.0 M	\$39.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$57.4 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$2.8 M	\$3.6 M	\$0.0 M	\$0.0 M	-\$0.2 M	\$6.2 M	FR	FHWA / SH
14	Hot Spots	\$0.5 M	\$2.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$2.6 M	TC	FHWA / SH
15	FASTER Safety	\$12.1 M	\$69.2 M	\$0.0 M	\$0.0 M	\$40.2 M	\$121.5 M	TC	SB 09-108
16	ADA Compliance	\$13.2 M	\$7.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$20.4 M	TC	FHWA / SH
<b>17</b>	<b>Mobility</b>	<b>\$1,168.2 M</b>	<b>\$142.9 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$310.6 M</b>	<b>\$1,621.7 M</b>		
18	Regional Priority Program	\$45.9 M	\$50.0 M	\$0.0 M	\$0.0 M	\$1.5 M	\$97.4 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$1,086.8 M	\$72.2 M	\$0.0 M	\$0.0 M	\$309.1 M	\$1,468.2 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$35.5 M	\$20.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$56.1 M	FR	FHWA / SH / SL
<b>21</b>	<b>Maintenance and Operations</b>	<b>\$35.7 M</b>	<b>\$372.3 M</b>	<b>\$0.0 M</b>	<b>\$11.5 M</b>	<b>\$5.5 M</b>	<b>\$423.3 M</b>		
<b>22</b>	<b>Asset Management</b>	<b>\$29.7 M</b>	<b>\$336.1 M</b>	<b>\$0.0 M</b>	<b>\$11.5 M</b>	<b>\$5.0 M</b>	<b>\$380.7 M</b>		
23	Maintenance Program Areas	\$1.6 M	\$273.8 M	\$0.0 M	\$0.0 M	\$0.8 M	\$274.5 M		
24	Roadway Surface	\$0.0 M	\$37.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$37.7 M	TC	SH
25	Roadside Facilities	\$0.0 M	\$22.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$22.8 M	TC	SH
26	Roadside Appearance	\$0.0 M	\$10.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.8 M	TC	SH
27	Structure Maintenance	\$0.0 M	\$5.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.7 M	TC	SH
28	Tunnel Activities	\$0.0 M	\$6.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.4 M	TC	SH
29	Snow and Ice Control	\$0.0 M	\$84.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$84.1 M	TC	SH
30	Traffic Services	\$0.0 M	\$71.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$71.9 M	TC	SH
31	Materials, Equipment, and Buildings	\$0.0 M	\$18.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.2 M	TC	SH
32	Planning and Scheduling	\$0.0 M	\$16.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.1 M	TC	SH
33	Express Lane Corridor Maintenance and Operations	\$1.5 M	\$11.0 M	\$0.0 M	\$0.0 M	\$1.8 M	\$14.3 M	TC	SH
34	Property	\$0.0 M	\$27.9 M	\$0.0 M	\$6.5 M	\$1.8 M	\$36.2 M	TC	SH
35	Capital Equipment	\$19.6 M	\$23.4 M	\$0.0 M	\$0.0 M	\$0.7 M	\$43.7 M	TC	SH
36	Maintenance Reserve Fund	\$7.0 M	\$0.0 M	\$0.0 M	\$5.0 M	\$0.0 M	\$12.0 M	TC	SH
<b>37</b>	<b>Safety</b>	<b>\$1.1 M</b>	<b>\$12.2 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$13.3 M</b>		
38	Strategic Safety Program	\$1.1 M	\$12.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$13.3 M	TC	FHWA / SH
<b>39</b>	<b>Mobility</b>	<b>\$4.9 M</b>	<b>\$24.0 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.5 M</b>	<b>\$29.3 M</b>		
40	Real-Time Traffic Operations	\$0.6 M	\$14.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.6 M	TC	SH
41	ITS Investments	\$4.3 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.5 M	\$14.7 M	TC	FHWA / SH
<b>42</b>	<b>Multimodal Services &amp; Electrification</b>	<b>\$206.8 M</b>	<b>\$46.3 M</b>	<b>\$0.0 M</b>	<b>\$35.1 M</b>	<b>\$33.2 M</b>	<b>\$321.4 M</b>		
<b>43</b>	<b>Mobility</b>	<b>\$206.8 M</b>	<b>\$46.3 M</b>	<b>\$0.0 M</b>	<b>\$35.1 M</b>	<b>\$33.2 M</b>	<b>\$321.4 M</b>		
44	Innovative Mobility Programs	\$13.0 M	\$8.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$21.9 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$8.4 M	\$11.3 M	\$0.0 M	\$0.0 M	\$3.2 M	\$22.9 M	FR	FHWA
46	10 Year Plan Projects - Multimodal	\$164.2 M	\$17.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$181.4 M	TC	FHWA / SB 17-267, SB 21-260
47	Rail Commission	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	SL	SL
48	Bustang	\$21.3 M	\$8.8 M	\$0.0 M	\$35.1 M	\$30.0 M	\$95.2 M	TC	SB 09-108 / Fare Rev.
<b>49</b>	<b>Suballocated Programs</b>	<b>\$525.7 M</b>	<b>\$373.2 M</b>	<b>\$0.0 M</b>	<b>-\$35.1 M</b>	<b>\$78.0 M</b>	<b>\$941.7 M</b>		
<b>50</b>	<b>Aeronautics</b>	<b>\$12.3 M</b>	<b>\$35.3 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$30.2 M</b>	<b>\$77.8 M</b>		
51	Aviation System Program	\$12.3 M	\$35.3 M	\$0.0 M	\$0.0 M	\$30.2 M	\$77.8 M	AB	SA
<b>52</b>	<b>Highway</b>	<b>\$268.8 M</b>	<b>\$143.9 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.4 M</b>	<b>\$413.0 M</b>		
53	STBG-Urban (STP-Metro)	\$177.3 M	\$61.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$239.2 M	FR	FHWA / LOC
54	Congestion Mitigation and Air Quality	\$55.3 M	\$51.7 M	\$0.0 M	\$0.0 M	-\$2.3 M	\$104.7 M	FR	FHWA / LOC
55	Metropolitan Planning	\$9.7 M	\$10.7 M	\$0.0 M	\$0.0 M	\$0.7 M	\$21.1 M	FR	FHWA / FTA / LOC
56	Off-System Bridge Program	\$26.5 M	\$19.5 M	\$0.0 M	\$0.0 M	\$2.0 M	\$48.1 M	TC / FR	FHWA / SH / LOC
<b>57</b>	<b>Transit and Multimodal</b>	<b>\$244.6 M</b>	<b>\$194.1 M</b>	<b>\$0.0 M</b>	<b>-\$35.1 M</b>	<b>\$47.4 M</b>	<b>\$450.9 M</b>		
58	Recreational Trails	\$1.2 M	\$1.6 M	\$0.0 M	\$0.0 M	-\$0.6 M	\$2.1 M	FR	FHWA
59	Safe Routes to School	\$9.3 M	\$3.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.4 M	TC	FHWA / LOC
60	Transportation Alternatives Program	\$37.4 M	\$20.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$58.0 M	FR	FHWA / LOC
61	Transit Grant Programs	\$81.7 M	\$61.0 M	\$0.0 M	\$0.0 M	\$6.1 M	\$148.7 M	FR / SL / TC	FTA / LOC / SB 09-108
62	Multimodal Options Program - Local	\$91.1 M	\$97.6 M	\$0.0 M	-\$35.1 M	\$0.0 M	\$153.6 M	SL	SB 21-260
63	Carbon Reduction Program - Local	\$0.0 M	\$9.5 M	\$0.0 M	\$0.0 M	\$9.3 M	\$18.7 M	FR	FHWA / LOC
64	Revitalizing Main Streets Program	\$24.0 M	\$0.7 M	\$0.0 M	\$0.0 M	\$32.7 M	\$57.3 M	SL / TC	SB 21-260
<b>65</b>	<b>Administration &amp; Agency Operations</b>	<b>\$23.7 M</b>	<b>\$105.3 M</b>	<b>\$5.6 M</b>	<b>-\$6.5 M</b>	<b>-\$4.7 M</b>	<b>\$123.2 M</b>		
66	Agency Operations	\$23.1 M	\$59.7 M	\$5.6 M	-\$7.5 M	-\$6.7 M	\$74.2 M	TC / AB	FHWA / SH / SA / SB 09-108
67	Administration	\$0.0 M	\$42.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$42.9 M	SL	SH
68	Project Initiatives	\$0.5 M	\$2.6 M	\$0.0 M	\$1.0 M	\$2.0 M	\$6.1 M	TC	SH
<b>69</b>	<b>Debt Service</b>	<b>\$230.4 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$230.4 M</b>		
70	Debt Service	\$230.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$230.4 M	DS	SH
<b>71</b>	<b>Contingency Reserve</b>	<b>\$83.0 M</b>	<b>\$0.0 M</b>	<b>-\$49.6 M</b>	<b>-\$5.0 M</b>	<b>\$130.0 M</b>	<b>\$158.4 M</b>		
72	Contingency Fund	\$38.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.8 M	\$43.8 M	TC	FHWA / SH
73	Commission Reserve Funds	\$45.0 M	\$0.0 M	-\$49.6 M	-\$5.0 M	\$124.2 M	\$114.6 M	TC	FHWA / SH
<b>74</b>	<b>Other Programs</b>	<b>\$56.2 M</b>	<b>\$29.5 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>-\$16.4 M</b>	<b>\$69.3 M</b>		
75	Safety Education	\$22.5 M	\$14.1 M	\$0.0 M	\$0.0 M	\$2.0 M	\$38.7 M	TC/FR	NHTSA / SSE
76	Planning and Research	\$6.7 M	\$15.1 M	\$0.0 M	\$0.0 M	\$0.8 M	\$22.6 M	FR	FHWA / SH
77	State Infrastructure Bank	\$27.0 M	\$0.3 M	\$0.0 M	\$0.0 M	-\$19.2 M	\$8.0 M	TC	SIB
<b>78</b>	<b>TOTAL - CDOT</b>	<b>\$2,479.3 M</b>	<b>\$1,583.3 M</b>	<b>\$0.0 M</b>	<b>\$15.5 M</b>	<b>\$571.2 M</b>	<b>\$4,649.3 M</b>		

	Budget Category / Program	Rollforward from FY 2021-22	FY 2022-23 Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EMT and Staff Approved Adjustments	Total FY23 Program Budget Available including Changes	Directed By	Funding Source
<b>79</b>	<b>COLORADO BRIDGE &amp; TUNNEL ENTERPRISE</b>								
80	Capital Construction	\$36.2 M	\$94.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$130.7 M		
81	Asset Management	\$36.2 M	\$94.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$130.7 M		
82	Bridge Enterprise Projects	\$36.2 M	\$94.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$130.7 M	BTEB	SB 09-108, SB 21-260
83	Maintenance and Operations	\$0.5 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M		
84	Asset Management	\$0.5 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M		
85	Maintenance and Preservation	\$0.5 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M	BTEB	SB 09-108
86	Administration & Agency Operations	\$3.9 M	\$1.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.8 M		
87	Agency Operations-BTE	\$3.9 M	\$1.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.8 M	BTEB	SB 09-108
88	Debt Service	\$2.1 M	\$48.0 M	\$0.0 M	\$0.0 M	-\$17.2 M	\$33.0 M		
89	Debt Service-BTE	\$2.1 M	\$48.0 M	\$0.0 M	\$0.0 M	-\$17.2 M	\$33.0 M	BTEB	FHWA / SH
90	<b>TOTAL - BRIDGE &amp; TUNNEL ENTERPRISE</b>	<b>\$42.8 M</b>	<b>\$145.2 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>-\$17.2 M</b>	<b>\$170.8 M</b>		

<b>91</b>	<b>COLORADO TRANSPORTATION INVESTMENT OFFICE (CTIO)</b>								
92	Maintenance and Operations	\$53.6 M	\$36.1 M	\$0.0 M	\$0.0 M	\$11.4 M	\$101.1 M		
93	Express Lanes Operations	\$53.6 M	\$36.1 M	\$0.0 M	\$0.0 M	\$11.4 M	\$101.1 M	CTIOB	Tolls / Managed Lanes Revenue
94	Administration & Agency Operations	\$3.3 M	\$4.1 M	\$0.0 M	\$0.0 M	\$2.4 M	\$9.7 M		
95	Agency Operations-CTIO	\$3.3 M	\$4.1 M	\$0.0 M	\$0.0 M	\$2.4 M	\$9.7 M	CTIOB	Fee for Service
96	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
97	Debt Service-CTIO	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	CTIOB	Fee for Service
98	<b>TOTAL - COLORADO TRANSPORTATION INVESTMENT OFFICE</b>	<b>\$56.9 M</b>	<b>\$40.1 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$13.8 M</b>	<b>\$110.9 M</b>		

<b>99</b>	<b>CLEAN TRANSIT ENTERPRISE</b>								
100	Suballocated Programs	\$0.0 M	\$6.8 M	\$0.0 M	\$0.0 M	-\$1.3 M	\$5.6 M		
101	Transit and Multimodal	\$0.0 M	\$6.8 M	\$0.0 M	\$0.0 M	-\$1.3 M	\$5.6 M		
102	CTE Projects	\$0.0 M	\$6.8 M	\$0.0 M	\$0.0 M	-\$1.3 M	\$5.6 M	CTB	SB 21-260
103	Administration & Agency Operations	\$0.1 M	\$1.4 M	\$0.0 M	\$0.0 M	\$1.3 M	\$2.7 M		
104	Agency Operations-CTE	\$0.1 M	\$0.6 M	\$0.0 M	\$0.0 M	\$1.3 M	\$1.9 M	CTB	SB 21-260
105	Contingency Reserve-CTE	\$0.0 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.8 M		
106	Debt Service	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M		
107	Debt Service-CTE	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	CTB	SB 21-260
108	<b>TOTAL - CLEAN TRANSIT ENTERPRISE</b>	<b>\$0.1 M</b>	<b>\$8.3 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$8.3 M</b>		

<b>109</b>	<b>NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE</b>								
110	Multimodal Services & Electrification	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$6.3 M		
111	Mobility	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$6.3 M		
112	NAAPME Projects	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$6.3 M	NAAPMEB	SB 21-260
113	Administration & Agency Operations	\$0.1 M	\$0.4 M	\$0.0 M	\$0.0 M	\$0.3 M	\$0.8 M		
114	Agency Operations-NAAPME	\$0.1 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.3 M	\$0.6 M	NAAPMEB	SB 21-260
115	Contingency Reserve-NAAPME	\$0.0 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 M		
116	Debt Service	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M		
117	Debt Service-NAAPME	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	NAAPMEB	SB 21-260
118	<b>TOTAL - NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE</b>	<b>\$0.1 M</b>	<b>\$7.1 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$7.2 M</b>		
119	<b>TOTAL - CDOT AND ENTERPRISES</b>	<b>\$2,579.1 M</b>	<b>\$1,784.0 M</b>	<b>\$0.0 M</b>	<b>\$15.5 M</b>	<b>\$567.8 M</b>	<b>\$4,946.5 M</b>		



**COLORADO**

Department of Transportation

# December 2022 FY23 Budget Amendment





## Agenda:

- TC Program Reserve Reconciliation
- FY23 Budget Amendments
  - Capital Construction Cost Escalation Fund
  - Mountain Corridor Resiliency
  - Strategic Pavement Investments
  - Bridge and Tunnel Enterprise BABs Subsidy
  - Workers Compensation Budget Shortfall





# TC Program Reserve Reconciliation

<b>October Beginning Balance</b>	<b>\$59,812,379</b>
<b>Revenue Reconciliation</b>	
FY22 Flexible HUTF	\$18,346,530
FY22 Flexible FHWA	(\$32,126,644)
FY22 Miscellaneous Revenue	(\$3,513,235)
<b>Total after Revenue Reconciliation</b>	<b>\$42,519,030</b>
FY22 FHWA Redistribution	\$102,000,000
<b>TOTAL</b>	<b>\$144,519,030</b>





# FY23 Budget Amendments

Staff requests \$79.5 from the TC Program Reserve for the following initiatives:

<b>Budget Amendment Request:</b>	<b>Amount:</b>
Capital Construction Cost Escalation Fund	\$30.0 M
Mountain Corridor Resiliency Projects	\$20.0 M
Strategic Pavement Investments	\$24.0 M
Backfill Bridge and Tunnel Enterprise BABs Subsidy	\$4.1 M
Workers' Compensation Budget Shortfall	\$1.4 M
<b>Total Request from TC Program Reserve</b>	<b>\$79.5 M</b>



**MEMORANDUM**

**TO:** The Transportation Commission  
**FROM:** Jeff Sudmeier, Chief Financial Officer  
 Steve Harelson, Chief Engineer  
 Jason Smith, Region 3 Transportation Director  
 Karen Berdoulay, Region 3 East Program Engineer  
**DATE:** December 15, 2022  
**SUBJECT:** Request approval to add the I-70 Vail Pass Safety and Operations Project to the 10-Year Plan in the FY 23-26 period

**Purpose**

The purpose of this memorandum is to request the Transportation Commission’s approval to change the funding allocation within the 10 Year Plan for the I-70 West Vail Pass project. This adjustment would add \$17M to the “I-70 West: Vail Pass Safety Improvements Phase 1” project in the FY 23-26 period and reduce \$17M from the “I-70 West Vail Pass Auxiliary Lanes” project in the Planned FY 27+ period. This would result in no change to the scope of the Vail Pass Safety Improvements Project.

**Action**

CDOT Staff is seeking Transportation Commission approval of these adjustments.

**Background**

The I-70 Vail Pass Safety and Operations Project is identified in the previously approved 10-Year Plan in two periods including: 1) I-70 West: Vail Pass Safety Improvements - Phase 1 with \$33.5M funded in FY 19-22, and 2) I-70 West Vail Pass Auxiliary Lanes with \$50M funded in FY 27+. Both projects in the 10-Year Plan define the same goal which is to deliver portions of the larger I-70 Vail Pass Safety and Operation Improvements project including adding auxiliary lanes and safety improvements on I-70 between MM 180-190.

CDOT was awarded a \$60.7M INFRA grant in 2020 to design and construct the I-70 Vail Pass Safety and Operations project. The scope identified in the grant included the addition of a third lane to I-70 Eastbound between MM 185-190, I-70 Westbound curve correction at MM 186 and 188, relocation of the recreation path between MM 185-187 to make room for the third lane, MM 185 bridge

Vail Pass Construction Project Status		
Construction Package	Delivery Status	Budget Status
Package 1	Construction Completed	Funded
Package 2	Construction Completed	Funded
Package 3 - BTE	Construction Started in August 2022. Completion date of November 2023.	Funded
Package 4	Advertisement planned March 2, 2023. Completion date of November 2025.	Not fully Funded
Package 5 - BTE	CAP planned for Fall 2023. Completion date of November 2025.	Funded

reconstruction, MM 182 truck ramp reconstruction, and various other safety improvements.

The project will be delivered over five construction packages with the following status, as also defined in Table 1 below: two construction packages are completed, one package is in construction with

*Table 1: Vail Pass Construction Project Status*





completion in November 2023, and the last two packages are in design. The last two packages are scheduled for advertisement/CAP in March 2023 and September 2023. Four packages will be delivered via the Construction Manager/General Contractor delivery method, and one package will be delivered via Design-Bid-Build.

The total preconstruction and construction phase budget is currently \$233.5M. The current estimate for the remaining work is \$250.5M, a difference of \$17M. The funding shortfall is for Package 4 scope, which does not include BTE scope or funding.

The project team has incorporated significant value engineering and scope refinement where possible -while still meeting grant commitments-to reduce the project estimate. Some examples of value engineering and scope refinement include:

- Reduction of export/import of material by modifying wall design type from MSE wall to SMSE wall
- Partnership with the Forest Service for tree seedlings for landscaping
- Partnership with nearby CDOT Rest area project which needed material and the project had excess export material
- Defined an expanded truck parking lot near the top of Vail Pass which helped the project as a material export location and added truck parking benefits.

In recent months, CDOT has also added additional funding to close the funding gap which is reflected in the above budget. Additional funds recently added include: \$4M FASTER funding and \$7M RPP funding. CDOT is maximizing use of future year funds which is in line with the anticipated spending on the project which will continue through FY 26. The project is also recommended as a recipient of an additional \$12.9M of Freight funding, which is also included in the above budget.

### Next Steps

CDOT requests the Transportation Commission's approval to add \$17M to the I-70 West: Vail Pass Safety Improvements Phase 1 Project in the FY 23-26 period and reduce \$17M from the I-70 West Vail Pass Auxiliary Lanes project in the Planned FY 27+ period. If the Transportation Commission approves these changes, CDOT will move towards construction of the project with the current scope per the schedule outlined in Table 1.





**I-70 VAIL PASS SAFETY AND OPERATIONS  
TRANSPORTATION COMMISSION  
12/15/2022**



# AGENDA

1. Project Background and Scope
2. Project Status
3. Project Budget and Estimate
4. Value Engineering and Scope Refinement
5. Request for approval of updated 10-Year Plan



## Project Background

In June 2020, CDOT was awarded a \$60.7M INFRA grant for the first phase of the project to improve safety and traffic operations:

- MP 185 – 190 EB I-70 auxiliary lane
- MP 186 and 188 curve reconstruction
- MP 185.3 EB and WB bridge replacement (WB added in Sept. 2021)
- MP 182 Truck ramp reconstruction
- Six wildlife underpasses and fencing
- MP 185-187 Two miles of Vail Pass recreational trail relocation

**40% Reduction in crashes  
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**#1 Highest on I-70  
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Crashes/Million vehicle  
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**306**

TOTAL HOURS OF FULL  
CLOSURE DUE TO  
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# PROJECT STATUS

Vail Pass Construction Project Status		
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# PROJECT BUDGET AND ESTIMATE

Total Project Budget	Total Project Estimate	Funding Shortfall
\$233.5M	\$250.5M	\$17M

**CDOT recently identified the following additional funds to increase the budget to \$233.5M including:**

\$4M FASTER

\$7M RPP (including FY 24, 25, 26 and 27 funds)

The Freight Advisory Council (FAC) also recently recommended the project for a \$12.9M Freight grant which is also included in the above budget.



# VALUE ENGINEERING AND SCOPE REFINEMENT

Innovations	# of Innovations	Potential Savings
Approved	57	\$55,239,237

## Value Engineering Highlights

- Reduced export/import by modifying wall design from MSE to SMSE
- Generating on-site riprap from rock excavation
- Partnership with the Forest Service for tree seedlings for landscaping
- Identified nearby locations for disposal of excess excavation
  - Vail Pass Rest Area embankment (35,000 CY) – win/win for CDOT, saves Rest Area project cost of importing material
  - East Vail Berm (13,000 CY)
  - Truck parking embankment (36,000 CY)



# REGION 3 10-YEAR PLAN

	Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Funded FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Interstate 70	I-70 Auxiliary Lane Frisco East to Silverthorne	\$25 M	\$25 M		\$25 M			◆	<a href="#">0043</a>
	I-70 West: Vail Pass Safety Improvements - Phase 1	\$140 M	\$33.5 M	✓	\$33.5 M			◆	<a href="#">0042</a>
	Summit County Transit Operations Center (Design & Engineering)	\$0.531 M	\$0.425 M	✓	\$0.425 M				
	I-70B East of 1st Street to 15th Street - Phase 5	\$16 M	\$16 M		\$16 M				
	North Avenue Transit Infrastructure Improvements	\$1.5 M	\$1.5 M		\$1.5 M				
	Grand Junction Mobility Hub	TBD	\$4.08 M	✓	\$4.08 M				<a href="#">2747</a>
	I-70 and CO 9 (Exit 203) Interchange Improvements	\$44 M	\$44 M			\$25 M	\$19 M		<a href="#">1157</a>
	I-70 West Vail Pass Auxiliary Lanes	\$50 M	\$50 M				\$50 M		<a href="#">1161</a>
	Vail Intermodal Site	\$15 M	\$6.4 M			\$6.4 M			
	I-70 Interchange Improvements in Garfield County	\$15 M	\$15 M	✓		\$10.68 M	\$4.325 M		
	I-70 West: Dowd Canyon Safety and Capacity Improvements	\$14 M	\$14 M				\$14 M		
	I-70 Glenwood Canyon Critical Asset Repair	\$50 M	\$50 M				\$50 M		<a href="#">1151</a>
	I-70 Business (Pitkin Avenue) Corridor Improvements between First Street and 15th Street	\$40 M	\$39.19 M	✓	\$8.11 M	\$31.08 M			<a href="#">2568</a>
	I-70 Business Corridor Improvements between 32 Road and I-70 in Grand Junction	\$5 M	\$5 M				\$5 M		<a href="#">2569</a>
I-70 Business Corridor Improvements between Main Street and 32 Road	\$14 M	\$14 M				\$14 M		<a href="#">2570</a>	

Amend to move \$17M to FY 23-26

FY 27+ would reduce to \$33M



## REQUESTED ACTION AND NEXT STEPS:

- Requested Action:  
CDOT requests the Transportation Commission's approval to add \$17M to the I-70 West: Vail Pass Safety Improvements, Phase 1 Project in the FY 23-26 period and reduce \$17M from the I-70 West Vail Pass Auxiliary Lanes project in the Planned FY 27+ period.
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If the Transportation Commission approves these adjustments, CDOT will move towards construction of the project with the current scope per the schedule.



**COLORADO**

Department of Transportation

# December 2022 FY23 Budget Amendment



## Agenda:

- TC Program Reserve Reconciliation
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  - Capital Construction Cost Escalation Fund
  - Mountain Corridor Resiliency
  - Strategic Pavement Investments
  - Bridge and Tunnel Enterprise BABs Subsidy
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**I-70 VAIL PASS SAFETY AND OPERATIONS  
TRANSPORTATION COMMISSION  
12/15/2022**



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## REQUESTED ACTION AND NEXT STEPS:

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- Next Steps:  
If the Transportation Commission approves these adjustments, CDOT will move towards construction of the project with the current scope per the schedule.



**DATE:** December 14, 2022  
**TO:** Transportation Commission  
**FROM:** Marsha Nelson, Chief Equity Officer  
Rebecca White, Director, Division of Transportation Development  
Theresa Takushi, Greenhouse Gas Program Specialist  
Herman Stockinger, Deputy Director

**SUBJECT: Amendments to GHG Mitigation Measures (Policy Directive 1610) to incorporate Disproportionately Impacted Communities.**

**Purpose**

This memo summarizes proposed amendments to Policy Directive 1610.0 - *GHG Mitigation Measures* (PD-1610) to address Disproportionately Impacted Communities.

**Action**

Approve amendments to PD-1610.

**Background**

The Transportation Commission, via Resolution #TC-2022-15-12, required that CDOT update PD-1610 to address Disproportionately Impacted Communities by December 2022. These proposed amendments respond to this requirement.

**Details**

Over the past several months, CDOT has worked with stakeholders through a series of four equity stakeholder meetings in order to craft and vet these amendments and the approach they propose.

In March of 2022, thanks to comment letters from environmental organization partners, CDOT staff became aware of a tool called the *Transportation Equity Scorecard*, developed for the Center for Transportation Equity Decisions and Dollars by the University of Southern Florida Center for Urban Transportation Research. It was developed through a meta-analysis of nationwide metropolitan planning organization (MPO) practices for integrating equity in project prioritization and planning, with over 35 case studies.

This tool is designed to measure the benefits to disproportionately impacted communities of transportation projects. This tool has its limitations, however it serves as a good first step in measuring benefits when GHG mitigation measure project specifics are known. A subsequent effort to prioritize mitigation projects in disproportionately impacted communities will follow, once CDOT's Environmental Justice and Equity Branch has completed a more comprehensive transportation equity framework. Discussion of this framework will be included in the presentation, including a five year roadmap.

**Next Steps**

CDOT's Environmental Justice and Equity Branch is embarking on a more comprehensive transportation equity framework which will further inform staff's work to measure and prioritize mitigation measures. In the meantime, the GHG team will begin to apply the scorecard to eligible projects in current mitigation documents and provide those results to the Transportation Commission.

**Attachments**

- Attachment A - Requested Amendments to PD-1610
- Attachment B - Presentation - Amendments to PD-1610 to incorporate equity & Update on the Broader Equity Program

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>
<b>Subject</b> <b>Greenhouse Gas Mitigation Measures</b>		<b>1610.0</b>
<b>Effective</b> <b>12/155/19/22</b>	<b>Supersedes</b> <b>New</b>	<b>Originating Office</b> <b>Division of Transportation Development</b>

**I. PURPOSE**

The purpose of this Policy Directive is to fulfill the requirements of the Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions (the Rule), which directs the Colorado Department of Transportation (CDOT), in consultation with the Metropolitan Planning Organizations (MPOs), to establish an ongoing administrative process and guidelines for selecting, measuring, confirming, verifying, and reporting Greenhouse Gas (GHG) Mitigation Measures. CDOT and MPOs may use GHG Mitigation Measures in order to assist them in meeting the Regional GHG Planning Reduction Levels in 2 CCR 601-22. This Policy Directive sets forth the intent and principles of GHG mitigations and the process for establishing, tracking, and verifying mitigation measures. It further establishes the quantification methodology and the associated GHG reductions/scores for each measure.

**II. AUTHORITY**

Transportation Commission pursuant to § 43-1-106 (8)(a), C.R.S.  
 § 43-1-128, C.R.S.  
 2 CCR 601-22, Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions (the “Rule”).

**III. APPLICABILITY**

This Policy Directive shall apply to all CDOT Divisions, Regions, Branches, and Offices as well as to the state’s current five MPOs: Denver Regional Council of Governments (DRCOG), North Front Range Metropolitan Planning Organization (NFRMPO), Pikes Peak Area Council of Governments (PPACG), Grand Valley Metropolitan Planning Organization (GVMPO), and Pueblo Area Council of Governments (PACOG), as well as any MPOs created during the lifetime of the Rule.

#### **IV. BACKGROUND**

The broad purpose of this Policy Directive is to help achieve the objectives of the Rule, which is intended to reduce GHG emissions from the transportation sector. Specifically, the Policy Directive fulfills the following requirement within 2 CCR 601-22, Section 8.02.4:

“By May 1, 2022, CDOT in consultation with the MPOs shall establish an ongoing administrative process and guidelines, through a public process, for selecting, measuring, confirming, verifying, and reporting GHG Mitigation Measures. CDOT and MPOs may incorporate one or more GHG Mitigation Measures into their plans in order to assist in meeting the Regional GHG Planning Reduction Levels in Table 1. Such a process and guidelines shall include, but not be limited to, how CDOT and MPOs shall determine the relative benefits and impacts of GHG Mitigation Measures, and measure and prioritize localized benefits to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both regional and community benefits.”

GHG Mitigation Measures are an important, but voluntary, component of the Rule as they provide an additional option to demonstrate compliance with the GHG Reduction Levels (Table 1 in the Rule). For this reason, the GHG reductions achieved by GHG Mitigation Measures must be real, additional, quantifiable, and verifiable. GHG Mitigation Measures will be considered additional if it is not currently listed as a specific and quantified action in the GHG Roadmap or captured in an agency’s model. The GHG Mitigation Measures included in this Policy Directive--and the scores or reduction levels assigned to these measures--are based on the best available research, calculation methodology and forecasting tools available nationwide.

It also is important to understand how GHG Mitigation Measures relate to transportation plans (“Applicable Planning Documents” in the Rule), which include a range of projects-- from roadway expansions to new transit and bike lanes. The Rule requires CDOT and MPOs to model “at a minimum... Regionally Significant Projects” to demonstrate compliance. The words “at a minimum” give the flexibility to model projects that are not Regionally Significant. This approach has the benefit of providing a full analysis of all the projects within a plan and, further, of realizing the benefits of a model to capture the interrelationships of these strategies across the transportation network. However, not all projects can be accurately modeled yet. This is either because they are too small to be detected within a model (e.g. a segment of bike lane) or are beyond the current overall capability of an agency’s model. Thus, this Policy largely focuses on GHG Mitigation Measures that cannot yet be accurately quantified within CDOT or an MPO’s travel demand modeling runs. The Commission recognizes that this dynamic will

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change over time. As models continue to improve, transportation system elements currently treated as GHG Mitigation Measures may be incorporated into the models which may require amendments to this Policy.

**V. DEFINITIONS**

The defined terms in this Policy Directive have the same meaning as in the Rule except as explicitly set forth herein. Some definitions are repeated here for convenience.

“Applicable Planning Document”, as stated in the Rule (1.02), are MPO Fiscally Constrained Regional Transportation Plan (RTP), Transportation Improvement Program (TIP) for MPOs in Non-Attainment Areas, CDOT’s 10-Year Plan and Four-Year Prioritized Plan in Non-MPO areas, and amendments to the MPO RTPs and CDOT’s 10-Year Plan and Four-Year Prioritized Plan in Non-MPO areas that include the addition of Regionally Significant Projects.

“Disproportionately Impacted Communities”, as stated in the Rule (1.11), is defined in § 24-38.5-302(3), C.R.S. as a community that is in a census block group, as determined in accordance with the most recent United States Decennial Census where the proportion of households that are low income is greater than forty percent (40%), the proportion of households that identify as minority is greater than forty percent (40%), or the proportion of households that are housing cost-burdened is greater than forty percent (40%).

“Greenhouse Gas (GHG)”, as stated in the Rule (1.16), are pollutants that are anthropogenic (man-made) emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, nitrogen trifluoride, and sulfur hexafluoride

“GHG Mitigation Measure Equity Standards” is a document being developed in collaboration with CDOT’s Environmental Justice and Equity Branch and the MPOs which will guide the process of evaluating benefits and burdens of GHG Mitigation Measures for Disproportionately Impacted Communities.

“Greenhouse Gas (GHG) Mitigation Measures”, as stated in the Rule (1.18) or “Mitigation Measures”, are non-Regionally Significant Project strategies that reduce transportation GHG pollution and help meet the GHG Reduction Levels.

“Greenhouse Gas (GHG) Reduction Level”, as stated in the Rule (1.17), is the amount of the GHG expressed as CO2e reduced that CDOT and MPOs must attain through transportation planning.

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“GHG Transportation Report” is the report that is required to be submitted as part of the Rule which shows compliance toward meeting the reductions levels.

“Metropolitan Planning Organization” or “MPO”, as stated in the Rule (1.28), is an organization designated by agreement among the units of general purpose local governments and the Governor, charged to develop the Regional Transportation Plans (RTPs) and programs in a Metropolitan Planning Area pursuant to 23 U.S.C. § 134. Colorado currently includes five designated MPOs: DRCOG, PPACG, PACOG, GVMPO and NFRMPO.

“Mitigation Action Plan” (MAP) is an element of the GHG Transportation Report that specifies which GHG Mitigation Measures shall be implemented that help achieve the GHG Reduction Levels.

“Off-Model” means tools are better suited to use independent of the travel model, including calculation methodology in order to quantify or estimate the effects of GHG reductions.

“Policy Directive” is a document adopted by the Transportation Commission that specifies organizational and Commission goals and policies and is used to help implement the Rule.

“Regionally Significant Project”, as stated in the Rule (1.42), is a transportation project that is on a facility which serves regional transportation needs (such as access to and from the area outside of the region, major activity centers in the region, major planned developments such as new retail malls, sports complexes, etc., or transportation terminals as well as most terminals themselves) and would normally be included in the modeling of a metropolitan area's transportation network or state transportation network, including at a minimum all principal arterial highways and all fixed guideway transit facilities that offer an alternative to regional highway travel. Modifications of this definition shall be allowed if approved by the State Interagency Consultation Team. If the MPOs have received approval from the Environmental Protection Agency (EPA) to use a different definition of regionally significant project as defined in 40 C.F.R. § 93.101, the State Interagency Consultation Team will accept the modified definition. Necessary specificity for MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team. The Transportation Commission may issue guidance for implementation of this definition based on population density or other defined factors from time to time.

“State Interagency Consultation Team” (IACT), as stated in the Rule (1.44), consists of the Division Director or the Division Director’s designee, the Colorado Department of Public Health and Environment (CDPHE) Director of Air Pollution Control Division or the Director’s

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designee, the Director of each MPO or their designee, and the Colorado Energy Office Director or Director’s designee. The Division Director may appoint additional member(s) from outside of these organizations. The State Interagency Consultation Team works collaboratively and consults appropriately to approve modifications to Regionally Significant definitions, to address classification of projects as Regionally Significant, and to consult on issues that may arise regarding modeling assumptions and projects that reduce GHG emissions.

**VI. POLICY**

The Transportation Commission adopts the processes and priorities stated herein to guide the development of GHG Mitigation Measures, the approval of new GHG Mitigation Measures, the elements of a Mitigation Action Plan and GHG Mitigation Measure Status Report, and the analysis of the efficacy of GHG Mitigation Measures. Due to the evolving nature of evaluation techniques it is expected that this Policy may be reviewed and amended in the early months and years of its adoption.

**A. Overall Process for Establishing GHG Mitigation Measures**

This Policy Directive includes a list of approved GHG Mitigation Measures (Appendix A) that have been reviewed, vetted, and scored by the Department’s subject matter experts, reviewed and recommended by the Interagency Consultation Team, and provided to the Air Pollution Control Division as required by the Rule, Section 8.04.2.

This Policy recognizes the need to balance appropriate analytical rigor around the expected reductions of GHG Mitigation Measures with encouraging new ideas and adapting to advancements in measurement methodologies. Further, the Commission recognizes that in the early compliance period for the Rule, MPOs may identify valid and quantifiable GHG Mitigation Measures that are not contemplated in Appendix A. Thus, this Policy provides two pathways for including mitigation measures in a MAP: 1) Using an approved measure listed in Appendix A or 2) Proposing a new measure so long as the process outlined below for validating and reviewing a measure is followed.

A locally-driven project, not otherwise prompted or developed as a result of CDOT or MPO action (e.g. funded or directly incentivized) may be included in the Mitigation Action Plan if it is a GHG Mitigation Measure contained in Appendix A of this Policy.

**1. Proposing and Approving New GHG Mitigation Measures**

a. Inclusion in Appendix A:

Any individual or organization may nominate a new GHG Mitigation Measure for review and potential approval. CDOT shall develop an online form on CDOT's website to receive these nominations. Staff, in consultation with the Transportation Commission, reserves the discretion to prioritize newly nominated GHG Mitigation Measures based on the information available and the effort required to assess.

Additionally, CDOT staff will establish a regular process of inventorying best practices from around the country with a focus on identifying a range of effective GHG Mitigation Measures for urban, suburban, and rural contexts throughout the state. Staff shall engage CDOT's Environmental Justice branch in this process to help ensure that GHG Mitigation Measures and policy updates are regularly adapted to, and developed with, input from Disproportionately Impacted Communities.

In order to be included in Appendix A as an approved GHG Mitigation Measure, all new measures must follow the process outlined below:

- Assessment by CDOT GHG Program staff according to the framework listed in Table 1. The individual or group submitting the new measure shall be expected to provide, to the extent possible, this information and data upon submission of a proposed GHG Mitigation Measure.
- Review and recommendation by the Interagency Consultation Team.
- Confirmation and verification by the Air Pollution Control Division (APCD) (as required by 8.04.2).
- Approval by the Transportation Commission for incorporation into Appendix A.



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Table 1: Framework for Submitting New GHG Mitigation Measures

New GHG Mitigation Measure Submission Components	Description of New GHG Mitigation Measure
Strategy Description	Describe the overall strategy, including: <ul style="list-style-type: none"> <li>• The nexus with the transportation sector</li> <li>• Description of what the strategy achieves or implements</li> <li>• Description of how the strategy reduces CO<sub>2</sub>e emissions</li> <li>• If possible, identification of how the strategy is not already reflected-- or cannot be accurately measured by-- land use and travel modeling tools, thus warranting an off-model estimate of CO<sub>2</sub>e emission reductions</li> <li>• Description of additionality. A GHG Mitigation Measure will be considered additional if it is not currently listed as a specific and quantified action in the GHG Roadmap or captured in an agency's modeling.</li> </ul>
Quantification Methodology	Describe the methodology for quantifying CO <sub>2</sub> e emissions reductions from the strategy, including: <ul style="list-style-type: none"> <li>• Empirical evidence supported by verifiable data sources</li> <li>• Clearly document all assumptions, sources of data, and calculations</li> </ul>
Challenges and Constraints	<ul style="list-style-type: none"> <li>• Potential challenges and constraints with quantifying and implementing strategy</li> </ul>

b. Including a Mitigation Measure in a MAP not included in Appendix A. If a GHG Mitigation Measure is not included in Appendix A, but submitted as part of a MAP, such measures must include the information in Table 1 and follow the process outlined below. CDOT staff shall work expeditiously to review new Mitigation Measures and support each submittal through this process.

- Assessment by CDOT GHG Program staff according to the framework listed in Table 1.
- Review and approval by the Interagency Consultation Team.
- Confirmation and verification by the Air Pollution Control Division (APCD) (as required by 8.04.2).

The Commission shall revisit this provision by May 2023 to determine its necessity and effectiveness based on the experience of the initial compliance period (i.e. October 2022 deadline).

**B. Process for Scoring Approved GHG Mitigation Measure**

Approved GHG Mitigation Measures will be scored and the scores included in Appendix A. The scoring is related to the ability of a GHG Mitigation Measure to reduce GHG emissions relative to a certain metric (e.g. per mile of bike lane). It also provides a way to distinguish and value the location and context of GHG Mitigation Measures.

The scores are based on the following factors:

1. Metric (e.g. per mile of bike lane)
2. Points/metric
3. Additional multipliers
4. Adjustment for effectiveness over time, and
5. A total expected lifetime of each measure

**C. Measuring and Prioritizing GHG Mitigation Measures Benefits to Disproportionately Impacted Communities**

Section 8.02.4 of the Rule stipulates that this Policy Directive shall include a process and guidelines for “how CDOT and MPOs should determine the relative benefits and impacts of GHG Mitigation Measures, and measure and prioritize localized benefits to communities and Disproportionately Impacted Communities in particular”. To measure the benefits of project-specific GHG Mitigation Measures in Disproportionately Impacted Communities, agencies shall use the tool outlined in the GHG Mitigation Measures Equity Standards document developed in partnership with CDOT’s Environmental Justice and Equity Branch and MPOs. The GHG Mitigation Measure Equity Standards will be updated as needed to reflect the best practices and latest data on measuring transportation inequity relief.

Prioritizing project benefits in Disproportionately Impacted Communities will be addressed in a subsequent effort by CDOT’s Environmental Justice and Equity Branch to establish a more comprehensive transportation equity framework.

Given the nearly 30-year lifetime of the rule, some planned GHG Mitigation Measures in agencies’ GHG Mitigation Action Plans may lack the specificity needed to measure project benefits to communities and Disproportionately Impacted Communities. As such, agencies may either measure equity benefits in GHG Mitigation Action Plans or in GHG Mitigation Measure Status Reports, as project specifics become clearer. As noted above, this tool currently is only applicable to project-based mitigation measures.

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**D. GHG Mitigation Action Plan**

Subsection 8.02.6.3 of the Rule states as follows: “If (GHG) Mitigation Measure(s) are needed to count toward the GHG Reduction Levels in Table 1, the MPO or CDOT may submit a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet the GHG Reduction Levels within Table 1”. The Transportation Commission will evaluate Mitigation Action Plans and determine their sufficiency to assure that the Plan meets the GHG Reduction Levels needed for compliance.

The following information must be included in a Mitigation Action Plan:

- a. GHG Emissions Reductions: Summary of emissions analysis from GHG Transportation Report, including the estimated gap to achieve the GHG Reduction Levels specified for each horizon year.
- b. GHG Mitigation Measure Summary/Description: Each measure shall include the following details as listed in Table 2.

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Table 2: Description for Each Mitigation Measure

Component	Description of information to be submitted with application.
Measure Description	A description of the measure, including scale, location, and how it would affect travel activities expected to result in GHG reductions.
Timing	Anticipated start date, completion date, and dates of any other key milestones.
GHG Reductions	<p>If using the points as set up in Appendix A, record the GHG reductions and associated technical data in each year of the project’s lifetime.</p> <p>If agencies would like to substitute specific local data for the inputs or parameters that form the basis of the calculation methodologies of the strategies in Appendix A, document the GHG reductions and associated technical data. Agencies shall work with CDOT technical staff to verify the new technical data inputs.</p> <p>If using a GHG Mitigation Measure that is not included in Appendix A, document the GHG reductions and associated technical data listed in Table 1 used to calculate the GHG emissions reductions of the strategy. The Commission notes that there is a risk of disapproval under this scenario due to the Commission reviewing without the benefit of being pre-approved through the Appendix A process.</p>
Co-benefits	Quantification, where possible, of specific co-benefits including reduction of co-pollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership, etc. as applicable), for each relevant compliance year in the project’s lifetime.
Benefits to Disproportionately Impacted Communities	A description of the benefits <u>and burdens</u> to Disproportionately Impacted Communities <u>based on the methodology in the GHG Mitigation Measure Equity Standards document</u> and <u>a description of any</u> stakeholder engagement conducted with those communities. Include an accounting of the amount of mitigation dollars directly spent in--or designed to serve--Disproportionately Impacted Communities as a subset of total dollars.
Measure Origin and History	<p>Include a description of the origin of the measure, including, where applicable, the role of the MPO or CDOT. Description must explain how the GHG Mitigation Measure is additional per the guidance provided above.</p> <p>A GHG Mitigation Measure will be considered additional if it is not currently listed as a specific and quantified action in the GHG Roadmap or captured in an agency’s modeling. A locally-driven project, not otherwise prompted or developed as a result of CDOT or MPO action (e.g. funded or directly incentivized) may be included in the Mitigation Action Plan if it is a GHG Mitigation Measure contained in Appendix A of this Policy.</p>

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	If a project was specifically identified in a previous fiscally constrained plan as of January 30, 2022, it is not eligible as a GHG Mitigation Measure in a new plan UNLESS the new GHG Mitigation Measure is funded from a pool of non-specific projects (and not otherwise modeled in a previous plan), in which case it may be used as a GHG Mitigation Measure in the new plan.
Funding/ Resources/ Partnerships	Funding source(s), including if those funds are confirmed if any partnerships have been made or in-kind/matches are included.
Other Info As Needed	Any other relevant information that may be needed for thorough review of the proposed GHG Mitigation Measure.

**ED. GHG Mitigation Measure Status Reports and Follow-Up Analysis.**

**1. Submitting a GHG Mitigation Measure Status Report.**

Following the approval of a GHG Mitigation Action Plan, CDOT and the MPOs are required to submit an annual status report for each GHG Mitigation Measure to the Transportation Commission starting on April 1 of each calendar year subsequent to the approval of the MAP. The following information shall be included in each status report (as outlined in the Rule):

- The implementation timelines;
- The current status
- For measures that are in progress or completed, quantification of the annual benefit of such measures
- For measures that are delayed, canceled, or substituted, an explanation of why that decision was made and, how these measures or the equivalent will be achieved
- For measures located in a Disproportionately Impacted Community that are delayed, canceled, or substituted, an explanation of why that decision was made and, how these measures or the equivalent will still be achieved in Disproportionately Impacted Communities
- Description of the benefits and burdens to Disproportionately Impacted Communities based on the methodology in the GHG Mitigation Measure Equity Standards document and a description of any stakeholder engagement conducted with those communities

If an agency fails to implement or find a substitute for a delayed or canceled GHG Mitigation Measure, the Commission will need to consider whether an Applicable Planning Document is in compliance, as per subsection 8.02.6.4 of the Rule. The Commission shall consider failure to

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submit reports and any analysis therein in subsequent review of future plans presented for consideration.

**2. Analyzing the Efficacy of GHG Mitigation Measures.**

CDOT shall create a process to evaluate the effectiveness of implemented GHG Mitigation Measures against predicted achievement of those measures by no later than the end of 2026 and annually thereafter if needed. Such analysis shall be provided to the Interagency Consultation Team for their review and consideration as to whether this information merits a change to the score applied to relevant measure(s). The Commission shall incorporate subsequent review and revisions into this Policy Directive. Further, CDOT and MPOs shall conduct ongoing review in advance of the next plan update in order to better understand how GHG Mitigation Measures are being developed and implemented.

**V. IMPLEMENTATION PLAN**

This Policy Directive shall be effective immediately upon approval by the Transportation Commission.

The Office of Policy and Government Relations shall post this Policy Directive on CDOT’s intranet as well as on public announcements.

**VI. REVIEW DATE**

This Directive shall be reviewed by January 2023, following the adoption of various transportation plans in 2022.

\_\_\_\_\_  
Herman Stockinger  
Transportation Commission Secretary

\_\_\_\_\_  
Date of Approval



**COLORADO**

**Department of Transportation**

**Amendments to PD-1610-GHG Mitigation Measures to address  
Disproportionately Impacted Communities  
& Update on the Broader Equity Program  
December 2022**



# Agenda

- Background PD-1610 (GHG Mitigation Measures)
- Specific PD Language Changes
- Background of tool being considered
- How this fits into the broader Equity Program





# Background

- The GHG Transportation Planning Standard required CDOT to establish a process to “measure and prioritize” the localized benefits of mitigation measures to Disproportionately Impacted Communities (DICs).
- In developing Policy Directive 1610 (GHG Mitigation Measures), staff determined that there was not sufficient time (as, per the Rule, the PD had to be finished by May ‘22) to work with stakeholders and determine the best approach.
  - However, recognizing the importance of continuing this work, the Commission required in Resolution #TC-2022-05-12 that staff work to amend PD-1610 to address DICs no later than **December 2022**.



# GHG Mitigations: Background

- GHG mitigation measures are a key concept within the GHG Rule; providing another pathway toward meeting the GHG reduction levels in the Rule.
- These measures can be used by CDOT and the 5 MPOs included in the rule: Currently DRCOG and CDOT are using GHG Mitigation Measures to comply with the Rule.



# Proposed Approach

- In approaching this work, CDOT partnered with CDOT's Environmental Justice and Equity Branch and worked together to host a series of workshops with members of the statewide Environmental Justice Taskforce and other stakeholders.
- The team also was referred to an existing tool, the Transportation Equity Scorecard, which was developed by the University of South Florida's Center for Transportation Equity, Decisions and Dollars.
  - Developed through a meta-analysis of nationwide MPO practices for integrating equity in project prioritization/planning-- over 35 case studies.
  - The tool provides an option for how to **measure benefits** and only works when project specifics are known.
- Staff is proposing that we use this scorecard to **measure** benefits of mitigations (where feasible) and tackle the work to prioritize projects through the Environmental Justice and Equity Branch's more comprehensive transportation equity framework.



# Scorecard Process Steps

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1. Identify Disproportionately Impacted Communities
2. Collect data relevant to scoring categories
3. Locate and define project coverage
4. Conduct evaluation
  - a. DIC concentration score
  - b. Category scores



# Scores are Based On

Score = measuring benefits

## 1. Access to opportunity

- a. Jobs
- b. Educational facilities
- c. Community services

## 2. Health and environment

- a. Health care
- b. Healthy food
- c. Environment - livability

## 3. Safety and emergency evacuation

## 4. Affordability

- a. Housing and transportation costs
- b. Housing
- c. Transportation

## 5. Mobility

- a. Active transportation
- b. Transit access and service
- c. ADA

## 6. Burdens



# PD-1610 Proposed Language Changes

**Please note: New language is in red**

## V. DEFINITIONS

“GHG Mitigation Measure Equity Standards” is a document being developed in collaboration with CDOT’s Environmental Justice and Equity Branch and the MPOs which will guide the process of evaluating benefits and burdens of GHG Mitigation Measures for Disproportionately Impacted Communities.



# PD-1610 Proposed Language Changes

## **C. Measuring and Prioritizing GHG Mitigation Measures Benefits to Disproportionately Impact Communities**

Section 8.02.4 of the Rule stipulates that this Policy Directive shall include a process and guidelines for “how CDOT and MPOs should determine the relative benefits and impacts of GHG Mitigation Measures, and measure and prioritize localized benefits to communities and Disproportionately Impacted Communities in particular”. To measure the benefits of project-specific GHG Mitigation Measures in Disproportionately Impacted Communities, agencies shall use the tool outlined in the GHG Mitigation Measures Equity Standards document developed in partnership with CDOT’s Environmental Justice and Equity Branch and MPOs. The GHG Mitigation Measure Equity Standards will be updated as needed to reflect the best practices and latest data on measuring transportation inequity relief.

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# PD-1610 Proposed Language Changes

## Mitigation Action Plan Reporting

Benefits to Disproportionately Impacted Communities	A description of the benefits <u>and burdens</u> to Disproportionately Impacted Communities <u>based on the methodology in the GHG Mitigation Measure Equity Standards document</u> and <u>a description of any</u> stakeholder engagement conducted with those communities. Include an accounting of the amount of mitigation dollars directly spent in--or designed to serve--Disproportionately Impacted Communities as a subset of total dollars.
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## GHG Mitigation Measure Status Report

- Description of the benefits and burdens to Disproportionately Impacted Communities based on the methodology in the GHG Mitigation Measure Equity Standards document and a description of any stakeholder engagement conducted with those communities



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# Environmental Justice & Equity Branch Roadmap





# CDOT Equity, Diversity and Inclusion Statement

CDOT recognizes our unique role in the **advancement of transportation** using a context sensitive approach that embraces equity, diversity, and inclusion. Our CDOT Values, including those of “People” and “Excellence and Accountability” highlight how our diversity brings us strength and makes our organization better. We acknowledge that **inclusive excellence requires us to remove barriers** that prevent under-represented people and communities from feeling valued, fully engaged, and fully benefiting from transportation and transit services throughout our State. As we work to maintain and build the transportation infrastructure that serves Colorado’s diverse regions and communities **we acknowledge and prioritize equity in transportation** as we serve the greater good.

We honor the cultural integrity of our Colorado communities and commit to promoting awareness of and sensitivity to human differences and lived experiences by addressing inequities affecting all, from our employees to the communities in which we serve. **CDOT commits to engaging diverse voices in public processes, policy evaluation, planning, and project delivery.** We believe that through this collaborative approach we protect public investments, increase access to our full range of transportation and transit services, advance the interests of disadvantaged groups, and offer additional resources that nurture the relationship between CDOT and the community. **CDOT’s commitment to equity, diversity and inclusion is a commitment to all.**



# Strategic EDI Focus Areas

## **1 - Employee Experience**

Purpose: Build an inclusive organizational culture characterized by a sense of belonging which enables all employees to fulfill their highest potential, engage in meaningful work, learning and professional growth.

- Objective 1: Expand employee involvement in EDI programs
- Objective 2: Inclusive Recruitment and Retention
- Objective 3: Leadership Training and Professional Development

## **2 - Community Outreach & Engagement and Local Business Partnerships**

Purpose: To integrate transportation equity into processes, policy evaluation, planning and project delivery to increase access and opportunity to all communities – emphasizing underserved, overburdened, diverse and disproportionate impacted communities.

- Objective 1: Foundation - To build capacity for staff and decision-makers to apply the lenses necessary to advance transportation equity and environmental justice.
- Objective 2: Community Outreach & Engagement - Continue to elevate external outreach and engagement to expand community voice in transportation decisions.
- Objective 3: Local Business Partnerships - Maximize contract opportunities to increase business capacity.

## **3 - Accessibility and Access to Information**

Purpose: To improve accessibility and access to information for the general public and CDOT staff, prioritizing the most external facing websites and applications the department has with the public.

Objective 1: Public Facing Website Accessibility



# Introducing



## What is EQUITY360?

EQUITY360 describes an agency mindset and philosophy that establishes a holistic approach toward integrating equity, inclusion and diversity principles into processes, procedures and programs that directly impact the residents, businesses and visitors in which CDOT serves. This philosophy will guide the Equity & Environmental Justice Branch in developing strategic plans and initiatives over the next 3-5 years to embed EDI principles into the CDOT organizational culture, in partnership with the Internal Inclusion Excellence team.

## Mission:

Develop the best and most efficient route to equity, inclusion and cohesiveness.





# Environmental Justice & Equity Branch

Justice Branch



## Environmental Justice

Integrates community engagement & outreach into planning & project delivery processes to impact agency decisions

Equity & Environmental



## Nondiscrimination Compliance

Project delivery & compliance: Ensures compliance with regulatory requirements (state & federal)

## Workforce

Establishing a diverse applicant pool & linking people to work-based learning to help them be successful



# Environmental Justice & Equity Branch Roadmap

Program Area		Key Effort	Associated Dates	Priority	Resources Needed	
Nondiscrimination Compliance	Project Delivery	FTA DBE Goal Methodology and Plan	December 2021-August 2022	X		
		Small Business Compliance	ESB Mentor Protégé Program	December 2021 - present (ongoing effort)	X	
		Labor Compliance	Certified Payroll Training &OJT Program Enhancements	December 2021 - present (ongoing effort)		X
		Subrecipient Project Oversight	Implementation of two new software systems (B2GNow/LCPtracker)	December 2021 - present (ongoing effort)	X	X
		Prompt Payment	Training and Program Enhancements	December 2021 - present (ongoing effort)		X
	External Programs	ADA Title II	Update agency ADA Transition Plan	December 2021 - present (ongoing effort)	X	
		Accessibility	Website accessibility compliance	December 2021 - present (ongoing effort)	X	
		Title VI	Implementation Plan	(ongoing effort)	X	X



# Environmental Justice & Equity Branch Roadmap

Program Area	Key Effort	Associated Dates	Priority	Resources Needed
Equity and Environmental Justice	Equity Plan/Report	December 2021-June 2022 (ongoing effort)	X	X
	EQUITY 360	April 2022-June 2022 (ongoing effort)	X	X
	Development of WIGS	April 2022-June 2022	X	
	Environmental Justice Action Task Force (EJATF)	December 2021-December 2022	X	
	Health Equity Commission	June 2022-present (ongoing effort)		
	All Roads Lead to Health Cabinet	June 2022-present (ongoing effort)		
	Advancing Transportation Safety	April 2022-present (ongoing effort)		
	R1/270	June 2022-present (ongoing effort)		
	GHG Mitigation	June 2022-present (ongoing effort)		X
Budgeting	April 2022-present (ongoing effort)			
Workforce Development	Cradle to Career	TBD	X	X
	Garrett A. Morgan Transportation Technology Program	TBD	X	X
	Construction & Transportation in Middle School (STEM)	TBD		
	National Summer Transportation Institute (NSTI)	December 2021-June 2022	X	X
	Connection to High School Apprenticeships & Internship Program	TBD		
	CDL Permit Support Program	TBD		
	Highway Construction Workforce Partnerships	December 2021 - present (ongoing effort)	X	X



# Environmental Justice & Equity Branch Roadmap

Thorough Title VI review to determine if the program area is complying with Title VI of the Civil Rights Act of 1964 and federal regulations and guidance. They schedule is/will be flexible.

	Year 2023				Year 2024				Year 2025				Year 2026				Year 2027			
	Oct-Dec	Jan-Mar	Apr-Jun	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	July-Sept
<b>Strategic Focus Areas</b>																				
<b>Communications &amp; Public Outreach &amp; Engagement (Kickoff 12.13.2022)</b>																				
<i>Analysis</i>	x	x																		
<i>Development</i>		x	x																	
<i>Implementation</i>			x	x																
<b>Transportation Planning</b>																				
<i>Analysis</i>	x	x	x	x	x															
<i>Development &amp; Implementation</i>					x	x	x	x												
<b>Environmental &amp; Right of Way</b>																				
<i>Analysis</i>	x	x	x	x	x	x	x	x	x											
<i>Development &amp; Implementation</i>									x	x	x	x								
<b>Construction</b>																				
<i>Analysis</i>	x	x	x	x	x	x	x	x	x	x	x	x	x							
<i>Development &amp; Implementation</i>													x	x	x	x				
<b>Safety</b>																				
<i>Analysis</i>	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x			
<i>Development &amp; Implementation</i>																	x	x	x	x





# Long-Term Vision: Sustainable Equity Ecosystem (Living)





**COLORADO**  
Department of Transportation

Questions?



MEMORANDUM

**TO:** TRANSPORTATION COMMISSION  
**FROM:** KEITH STEFANIK, DEPUTY CHIEF ENGINEER  
HEATHER PADDOCK, REGION 4 TRANSPORTATION DIRECTOR  
**DATE:** DECEMBER 14, 2022  
**SUBJECT:** I-25 NORTH EXPRESS LANES SEGMENT 5 - PROJECT DELIVERY METHOD

**Purpose**

The purpose of this memorandum is to provide the Transportation Commission background on the project delivery of I-25 North Segment 5 to date and how the transparency and accountability requirements of Senate Bill 21-260 apply to alternative delivery projects. CDOT staff will be seeking approval of a resolution to either utilize the existing Preconstruction Services Contract and continue the current project delivery method (Option A) or complete a new project delivery selection process in accordance with the accountability and transparency requirements of Senate Bill 21-260 (Option B).

**Action**

Pass Resolution 11 (depending on Option A or Option B) for the I-25 North Segment 5 project delivery method.

**Background**

The I-25 North Express Lanes Segment 5 project will deliver interstate upgrades that support the rapidly expanding communities along the corridor by bringing critically important safety and mobility improvements that will benefit the economy, environment, and quality of life of Coloradans. This reach of I-25 carries 80,000+ vehicles per day, including over 10% trucks. The added Express Lane will provide trip reliability and will increase operational efficiency for Bustang service. This Express Lane will utilize the center loading mobility hub actively being constructed at County Road 56 and Centerra.

The I-25 North Segment 5 project was initially procured in combination with the I-25 North Express Lanes Segment 6 project as a Construction Manager/General Contractor (CM/GC) delivery method. It was competitively advertised and awarded in late 2018 to the RLW/SEMA Joint Venture (JV). Senate Bill 21-260 was passed in June 2021 and required numerous accountability and transparency measures, one of which requires Transportation Commission (TC) approval of the recommended project delivery method (if alternative delivery is recommended). Prior to the passing of Senate Bill 21-260, all necessary steps for selecting the project delivery method and contractor selection process were completed per CDOT's alternative delivery policies and procedures.

However, as noted in the attached presentation, the previous procurement did not meet all the future Senate Bill 21-260 requirements. This workshop is intended to provide the transparency of the previous decisions and to provide the necessary accountability and transparency requirements of Senate Bill 21-260, thus allowing the project to move forward.



### **Next Steps**

Consider and adopt Resolution 11 Option A (utilize the existing Preconstruction Services Contract and continue the current project delivery method) or Resolution 11 Option B (complete a new project delivery selection process in accordance with the accountability and transparency requirements of Senate Bill 21-260).

### **Attachments**

- Presentation - I-25 North Express Lanes Segment 5 Project Delivery





**COLORADO**

Department of Transportation

I-25 North Express Lanes Segment 5 Project Delivery  
Transportation Commission Workshop  
December 14, 2022

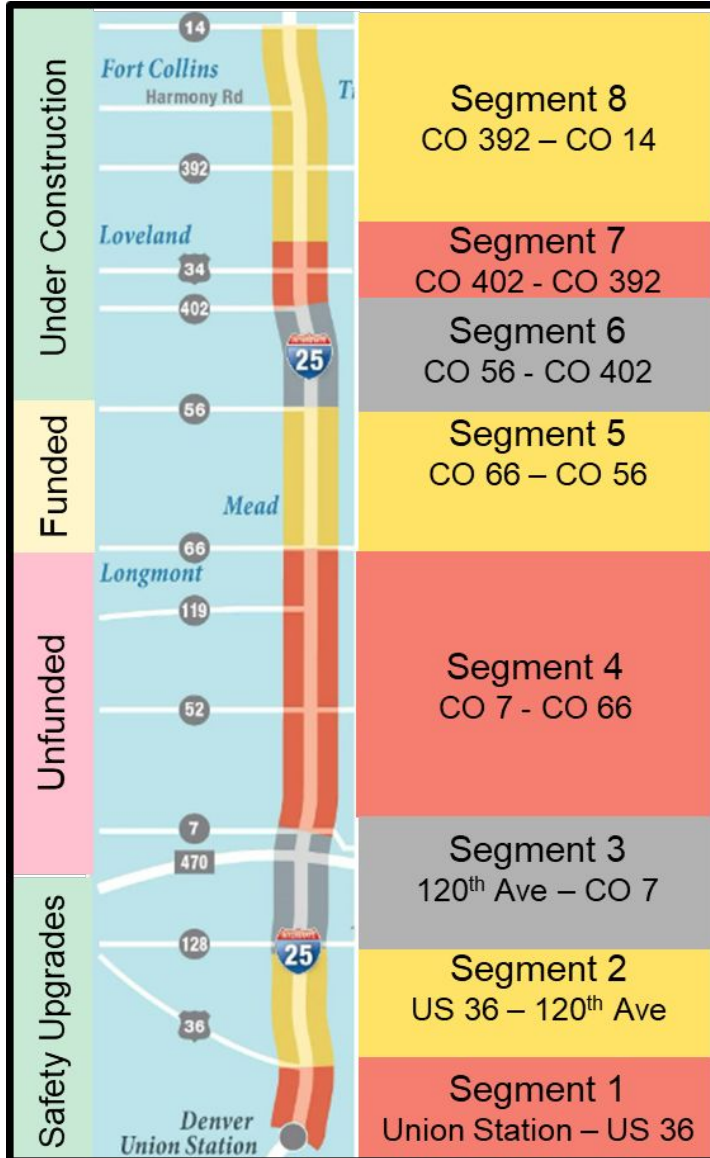


# I-25 North Segment 5 Project Delivery Workshop Agenda

- 1) I-25 North Express Lanes Corridor Overview
- 2) I-25 North Segment 5&6 Request for Proposals (RFP) Information from 2018
- 3) Existing Contract as a Result of the 2018 RFP
- 4) Current I-25 North Segment 6 Project Status
- 5) I-25 North Segment 5 - Project Scope of Work
- 6) I-25 North Segment 5 - Project Status Update & Timeline
- 7) SB 21-260 Accountability & Transparency Requirements for Alternative Delivery
- 8) SB 21-260 Accountability & Transparency Comparison to 2018 RFP
- 9) Review Proposed Transportation Commission Resolution Options



# I-25 North Express Lanes Corridor Overview



- **Segment 7&8 Project**

- Construction Start: September 2018
- Anticipated Construction Completion: Q1 2024
- Project Delivery Method: Design/Build
- Contractor: Kraemer/Scott Contracting Joint Venture
- Total Estimated Program Cost: ~\$600M

- **Segment 6 Project**

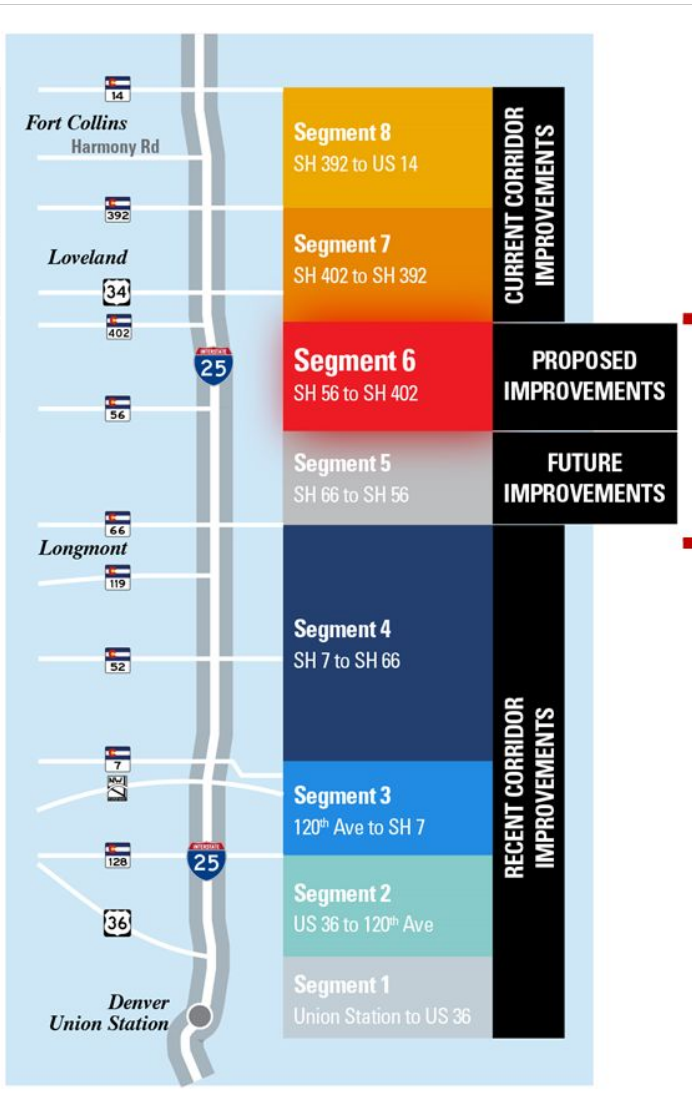
- Construction Start: September 2019
- Anticipated Construction Completion: Q1 2024
- Project Delivery Method: Construction Manager/General Contractor (CM/GC)
- Contractor: Ralph L Wadsworth/SEMA Joint Venture
- Total Estimated Program Cost: ~\$300M

- **Segment 5 Project**

- 10-Year Plan funding plan recently identified by CDOT
- Discuss delivery options with Transportation Commission
- Total Estimated Program Cost: \$350M (From 10-Yr Plan)



# I-25 North Segment 5&6 RFP Information from 2018



Focus Area (SH 66 to s/402)

- Project Limits
  - Focus Area: SH66 to SH402 (Segment 5 & 6)
  - Priority Section: Little Thompson to SH402 (Segment 6)
  - Project is located within:
    - DRCOG & North Front Range MPOs
    - Mead, Berthoud, and Weld counties
- Funding
  - Described Potential Program Cost of \$650M
- Project Duration/Schedule
  - 2-year design; 3-year construction for Priority Section
  - If additional funding is secured time periods will be extended
- Fixed Limit of Construction Cost
  - Up to \$420M





# I-25 North Segment 5&6 RFP Information from 2018



## Request For Proposals

Construction Manager/General Contractor  
(CM/GC) Services

PROJECT NUMBER: IM 0253-220  
PROJECT LOCATION: I-25, SH 7 to SH 1  
PROJECT CODE: 18319

July 26, 2018

Colorado Department of Transportation  
2829 West Howard Place  
Denver, CO 80204

## SECTION 1 - SCOPE OF WORK AND PROJECT INFORMATION

### 1.1. SCOPE OF THIS RFP FOR CMGC SERVICES SELECTION

CDOT is soliciting CMGC services for the North I-25: SH 66 to SH 402 Project (the "Project"). The Project Approach limits extend south to SH 7 and north to SH 1. The Focus Area of the Project is anticipated to include improvements from SH 66 to SH 402. The Priority Section of the Project will concentrate on improvements from the Little Thompson Bridges to SH 402; as additional funds are obtained, the selected Proposer may be retained for the remainder or elements of work within the Focus Area and/or Project Approach limits. The selected Proposer (also referred to as "Contractor") will provide preconstruction phase Construction Management (CM) services and will have the opportunity to be the General Contractor (GC) during the construction phase. However, the construction contract is not guaranteed, and is dependent on successful Construction Agreed Price (CAP) negotiation.

Colorado Department of Transportation  
Request for Proposal - Project No. IM0253-220/18319  
North I-25: SH 66 to SH 402 Project

Should the work described above for the Focus Area be completed with additional funds remaining, and the team is performing well, subsequent work packages in the remainder of the Project Approach limits may be progressed.



# I-25 North Segment 5&6 - Existing Contract Resulting from 2018 RFP

STATE OF COLORADO  
DEPARTMENT OF TRANSPORTATION

CM / GC AGREEMENT BETWEEN



&

RLW/SEMA, A Joint Venture, L.P.

CM / GC PRE-CONSTRUCTION SERVICES  
North I-25: SH 66 to SH 402

CONSTRUCTION MANAGER/GENERAL CONTRACTOR  
PRE-CONSTRUCTION SERVICES AGREEMENT

CONTRACT ROUTING NUMBER	19-HA4-ZF-00007
PURCHASE ORDER NUMBER	451000310
PROJECT NUMBER	IM 0253-220 (22831)
PROJECT	North I-25: SH 66 to SH 402 Pre-Construction CM/GC Services

STATE OF COLORADO DEPARTMENT OF TRANSPORTATION  
CM/GC PRECONSTRUCTION SERVICES RECITALS

Contract Routing # 19-HA4-ZF-00007 SAP PO # 451000310  
Project # IM 0253-220 (22831)  
CMS # 19-HA4-ZF-00007

- 1. PARTIES.** THIS CM/GC AGREEMENT ("**Agreement**") is entered into by and between the STATE OF COLORADO, acting by and through the Colorado Department Of Transportation, the State or CDOT, ("**Principal Representative**"), Colorado Bridge Enterprise and RLW/SEMA, A Joint Venture, L.P., or (Contractor), having its offices at 166 Ease 14000 South, Suite 200, Draper, UT 84020, CDOT Vendor # 1109182 engaged to serve as Construction Manager/General Contractor ("**Contractor**").
- 2. EFFECTIVE DATE AND NOTICE OF NONLIABILITY.** This Agreement shall not be effective or enforceable until it is approved and signed by the State Controller or his designee ("**Effective Date**"), but shall be effective and enforceable thereafter in accordance with its provisions. The State shall not be liable to pay or reimburse Contractor for any performance hereunder including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.
- 3. RECITALS.**

**WHEREAS**, North I-25: SH 66 to SH 402 CM/GC  
CDOT Project # IM 0253-220 (18319) as further defined in Section 4 "Project";

**WHEREAS**, authority exists in the Law and Funds have been budgeted, appropriated, and otherwise made available, and a sufficient unencumbered balance thereof remains available for payment in Fund Number 400, General Ledger Account Number 4192000010, WBS Element 22831.10.30, Fund Center R4230-010, SAP Purchase Order # Number 451000310;

**WHEREAS**, required approval, clearance and coordination have been accomplished from and with appropriate agencies;

**WHEREAS**, the Principal Representative has established the Fixed Limit of Construction Cost ("**Fixed Limit of Construction Cost**") in the amount of \$420,000,000.00;

**WHEREAS**, in accordance with Section 9.1, *Compensation*, the Contractor's CMGC Preconstruction Fee for the Project is \$2,100,000.00 (through the Pre-Construction Phase) (the "**CMGC Preconstruction Fee**");



# I-25 North Segment 6 Project Status Update

- **Percent Completion Stats**
  - Preconstruction = 98% complete
  - Construction = 70% complete
- **Highly Functional Team**
  - Successfully negotiated (7) construction packages totaling \$177M
  - (1) construction package remaining to negotiate
  - Shifted \$2M in unused risk contingency to deliver extra scope
  - Maintained design and construction schedule through duration of project
  - On-time on budget completion of Q1 2024
- **Project Office (Co-Location)**
  - Setup to deliver Segment 5&6
  - Managed and maintained by current CM/GC





# I-25 North Segment 5 Project Scope of Work

- Interstate reconstruction and capacity improvements (6 miles)
- Weld County Road 34 Interchange Reconstruction
- Bridge Replacements (8)
- Railroad Crossing Structure (1)
- Floodplain Passage Structure (1)
- Numerous Utility Relocations (water, gas, electric, irrigation, fiber)
- Multiple ROW Acquisitions (approximately 25-35)
- Environmental (11 historic properties, wetlands, water quality ponds)
- Closing portions of the East Frontage Road



# I-25 North Segment 5&6 Procurement & Delivery Timeline

Date	Major Milestone Items
August 2018	Final RFP for I-25 North Segment 5&6 Issued by CDOT
November 2018	Construction Manager Preconstruction Services Contract Executed
December 2018	I-25 North Segment 6 - Design Started
October 2019	I-25 North Segment 6 - Construction Started
<b>June 2021</b>	<b>Senate Bill 21-260 Signed into Law</b>
January 2023 to June 2023	I-25 North Segment 5 - Project Design Estimated Start Date Range <i>(Dependent on Delivery Method; see slide 12)</i>
December 2023	I-25 North Segment 6 - Anticipated Construction Substantial Completion
April 2024 to December 2025	I-25 North Segment 5 - Construction Estimated Start Range <i>(Dependent on Delivery Method; see slide 12)</i>
January 2028 to June 2030	I-25 North Segment 5 - Construction Estimated Substantial Completion Range <i>(Dependent on Delivery Method; see slide 12)</i>



# SB-260 Accountability & Transparency Comparison to Segment 5&6 2018 RFP

No	SB-260 Accountability and Transparency Items	Segment 5&6 RFP Procurement Steps	SB-260 Staff Conclusion
1	Hold public meetings with the construction industry and the general public to discuss the justification for selecting the alternative delivery method.	CDOT issued a Letter of Interest solicitation for the Segment 5&6 Project which included project information, CM/GC delivery method details and proposed RFP schedule. CDOT received (10) responses to the solicitation. CDOT held informal One-on-One Meetings with five interested contractors.	<b>Partially</b> Construction Industry meeting held, but did not include general public meeting justifying CMGC
2	Obtain approval for the use of the selected alternative delivery method from the Transportation Commission.	Approvals were required from the CDOT Chief Engineer and Regional Transportation Director. Both approvals were received.	<b>No</b> TC approval was not required
3	Publish the justification for selecting the alternative delivery on the CDOT website.	CDOT issued a Letter of Interest for Segments 5 & 6 Project, which included the limits, scope, CM/GC delivery method, goals, and RFP timeline.	<b>No</b> Justification was not published on CDOT website
4	During the procurement process, include the justification for selecting the alternative delivery method in any Request for Qualifications and in the Request for Proposals.	CDOT held a Mandatory CM/GC Pre-Bid Meeting and provided project background and overview, project goals, RFP process and CM/GC delivery information. The sign-in sheet contained (68) attendees.	<b>Partially</b> Justification was discussed but PDSM was not included in the RFP as an attachment
5	CDOT shall not exclude a participating entity from a short list, prepared and announced by CDOT of responding participating entities that have been determined to be most qualified to receive a Request for Proposals for an alternative delivery contract for a public project based solely on the participating entity's lack of experience in delivering a project in the State of Colorado by the alternative delivery method used for the public project.	Seven proposals were received in response to the Final RFP solicitation issued by CDOT. Three of seven Proposers were shortlisted and proceeded to the interview phase. Evaluation criteria did not require a Proposer to have experience in delivering a project in the State of Colorado.	<b>Yes</b> All interested entities received RFP and CDOT did not evaluate based on experience within State of Colorado
6	Following the award of the alternative delivery contract to a participating entity, if CDOT awards a contract, CDOT shall publish on the CDOT website the evaluation scores for each step of the solicitation phase for all solicitations received and evaluated.	CDOT held individual meetings with Proposers after selection (if requested). During these meetings, CDOT discussed evaluation strengths and weaknesses with Proposers. CDOT met with all but one Proposer.	<b>Partially</b> Scores were not published, all interested parties received their evaluation scores and comments
7	From the time the alternative delivery contract is executed until CDOT's final acceptance of the completed public project, provide, maintain, and update on CDOT's website a transparency platform such as a dashboard that indicates the ongoing status of the public project.	CDOT maintains a project-specific <a href="#">website</a> for the North I-25 Segment 6 Project and sends out weekly update emails to an email distribution list that consists of approximately (325) email addresses.	<b>Yes</b> Website and weekly update emails have been distributed



# Project Delivery Option A Maintain Existing Contract

Factors	Benefits (Pros)	Disadvantages (Cons)
Delivery Method	<ul style="list-style-type: none"> <li>CM/GC project delivery method has been successful (on-time &amp; on-budget)</li> </ul>	<ul style="list-style-type: none"> <li>Potential team fatigue</li> <li>May not lead to new innovations</li> </ul>
Contract	<ul style="list-style-type: none"> <li>Segment 5 project scope of work (SOW) was included in both the July 2018 RFP and existing Construction Manager Preconstruction Services Contract</li> <li><b>AG's Office has concluded that the RFP procurement is valid and CDOT could retain RLW/SEMA but are not obligated to keep</b></li> </ul>	<ul style="list-style-type: none"> <li>Potential concerns from public or accountability stakeholders that SB 21-260 requirements were not followed on this "new" project</li> </ul>
Schedule	<ul style="list-style-type: none"> <li>Construction delivery procurement process is complete</li> <li>Proceed to construction quicker</li> </ul>	
Cost	<ul style="list-style-type: none"> <li>No further construction delivery procurement costs</li> <li>Construction Manager Management Price Percentage of 7% (lower than current industry rate)</li> <li>Current contractor team is mobilized with equipment and resources</li> </ul>	<ul style="list-style-type: none"> <li>The Fixed Limit of Construction Cost (FLCC) within existing contract is \$420 million</li> <li>North I-25 Segment 6 project has utilized \$193 million of the FLCC, leaving \$227 million remaining for Segment 5. This will be tight, may require a future amendment to the FLCC.</li> </ul>
Innovative Financing	<ul style="list-style-type: none"> <li>Inclusion of eligible project costs in the current North I-25 TIFA loan application will secure funding in 2023</li> <li>Streamline the TIFA loan administrative and due diligence process</li> </ul>	
Performance	<ul style="list-style-type: none"> <li>RLW/SEMA Joint Venture has proven record on Segment 6 (quality, schedule, partnership, budget)</li> </ul>	
FHWA	<ul style="list-style-type: none"> <li>Agrees North I-25 Segment 5 project SOW included in previous RFP solicitation</li> <li>Agrees previous RFP solicitation was competitively procured and evaluation factors relevant for Segment 5</li> </ul>	
Industry	<ul style="list-style-type: none"> <li>Much of industry believes previous RFP solicitation and contract is valid for Segment 5 project scope of work</li> </ul>	<ul style="list-style-type: none"> <li>No market competition, same firms delivering</li> <li>Potential concerns regarding SB 21-260 Accountability and Transparency procurement requirements</li> </ul>



# Project Delivery Option B

## Re-evaluate Project Delivery Method

Factors	Benefits (Pros)	Disadvantages (Cons)
Delivery Method	<ul style="list-style-type: none"> <li>Project risks are better known now when compared to previous Project Delivery Selection process which could influence/change delivery method</li> <li>Staff will get Transportation Commission approval on delivery method, meet all SB 21-260 accountability and transparency requirements</li> </ul>	<ul style="list-style-type: none"> <li>Different contractor team and/or project delivery method could produce new risks for CDOT (project performance has been established with current contractor team)</li> </ul>
Contract	<ul style="list-style-type: none"> <li>New contract with accurate Fixed Limit of Construction Cost (FLCC) and schedule</li> </ul>	<ul style="list-style-type: none"> <li>Likely result in termination of existing contract with current contractor team which could result in disagreement and potential delays</li> </ul>
Schedule	<ul style="list-style-type: none"> <li>Could provide small time buffer to traveling public by not increasing the length of construction work zone (existing Segment 6, 7 &amp; 8 workzone)</li> </ul>	<ul style="list-style-type: none"> <li>Construction start delay depending on new project delivery method (see next slide)</li> </ul>
Cost	<ul style="list-style-type: none"> <li>Competitive industry pricing depending on new selected delivery method</li> <li>Potential new innovations from industry</li> <li>Increased flexibility with Fixed Limit of Construction Cost</li> </ul>	<ul style="list-style-type: none"> <li>Additional cost for procurement depending on new project delivery method</li> <li>Aggressive 2026 mid-point of construction with assumed 3% inflation could produce additional costs (approximately \$1 million per month of delay)</li> <li>Additional cost if new contractor team is selected (mobilization, patch plants, gravel pits, etc)</li> </ul>
Innovative Financing	<ul style="list-style-type: none"> <li>Possible improvement in market conditions (better interest rates)</li> <li>CTIO could also explore other financing options (not limited to TIFIA)</li> </ul>	<ul style="list-style-type: none"> <li>New financing option would require additional administrative and due diligence work and costs</li> <li>Eligible costs cannot be included in current North I-25 TIFIA loan application</li> </ul>
Performance	<ul style="list-style-type: none"> <li>CDOT has a track record of selecting quality contractors through a procurement process and has strong plans and specifications to meet high quality performance</li> </ul>	<ul style="list-style-type: none"> <li>Unknown performance with new contractor team on this corridor</li> </ul>
FHWA	<ul style="list-style-type: none"> <li>Would support direction of the Transportation Commission and CDOT's project delivery selection process and subsequent procurement</li> </ul>	
Industry	<ul style="list-style-type: none"> <li>Provides new competitive process</li> </ul>	<ul style="list-style-type: none"> <li>Current team could be re-selected based on new project delivery method (could be negatively viewed as unneeded process inefficiency)</li> </ul>





# North I-25 Segment 5 Delivery Options Timelines

North I-25 Segment 5 - Timeline Comparison of Potential Delivery Method Options

Option	Year		2023				2024				2025				2026				2027				2028				2029				2030				Total Project Duration (Years)
	Quarter		Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4					
	Monthly Duration		3	6	9	12	15	18	21	24	27	30	33	36	39	42	45	48	51	54	57	60	63	66	69	72	75	78	81	84	87	90	93	96	
Option A	Current CMGC Contract	Designer Procurement	■	■																														5.25	
		CM Procurement	■																																
		Preconstruction			■	■	■	■	■	■	■	■	■	■																					
		Construction							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
Option B (Potential delivery methods)	CMGC	PDSM & TC Approval	■																														6		
		Designer Procurement		■	■																														
		CM Procurement		■	■																														
		Preconstruction				■	■	■	■	■	■	■	■	■																					
	Construction								■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■			
	Design Build	PDSM & TC Approval	■																															6.75	
		Owner's Rep Procurement		■	■																														
		RFP Drafting & Industry				■	■	■	■	■	■	■	■	■																					
		Design													■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■		
	Construction																																		
	Design, Bid, Build	PDSM	■																															7.5	
		Designer Procurement		■	■																														
Design					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■			
Advertise																																			
Construction																																			



# Transportation Commission Proposed Resolution Options

## Option A

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the use of the existing Preconstruction Services Contract with RLW/SEMA, a Joint Venture, L.P. which utilizes Construction Manager/General Contractor as the main Alternative Delivery Method for the Project and requests CDOT to publish on CDOT's website, the justification for selecting the Construction Manager/General Contractor for the Project.

## Option B

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby requests CDOT to complete a new project delivery selection process for the Project.



# Questions/Discussion



## **DRAFT Transportation Commission (TC) Meeting Minutes**

### **Workshops – Wednesday, November 16, 2022, 1:30 pm – 5:00 pm**

Recording (YouTube): <https://youtu.be/CJJQz3NkluU>

#### **Call to Order, Roll Call – Timestamp 00:00:00**

All eleven Commissioners were present: Commissioners Don Stanton (TC Chair), Gary Beedy (TC Vice Chair), Karen Stuart, Kathleen Bracke, Mark Garcia, Lisa Tormoen Hickey, Barbara Vasquez, and Eula Adams, Kathy Hall and Terry Hart. Commissioner Yessica Holguin absent and excused.

#### **1. Budget Workshop (Jeff Sudmeier and Bethay Nichols) – Timestamp 00:00:00**

**Purpose & Action:** 1) To review the third budget amendment to the FY 2022-23 Annual Budget in accordance with Policy Directive (PD) 703.0. The Division of Accounting and Finance (DAF) is requesting the TC to review the third budget amendment to the FY 2022-23 Annual Budget. 2) To review and approve the Proposed FY 2023-24 Annual Budget Allocation Plan. DAF) is requesting TC review and approval of the Proposed FY 2023-24 Annual Budget Allocation Plan. The TC will be asked to adopt the final budget at the meeting in March 2023 after the plan is updated based on the December 2022 revenue forecast.

#### **Discussion Summary:**

- \$20M requested for Region 3 mountain resiliency program to be used as either a match for a \$100M grant program or a \$20M Non-Grant Package.
  - If approved, this item will move to a line item labeled '10 year plan' but this is not part of the 10 year plan.
- Strategic Pavement Investments
  - Strategic Pavement Maintenance: \$10M
  - Poor Interstate Fund: \$10M
  - I-70 near Kansas border: \$4M
- Requesting \$4.1M for Bridge and Tunnel Enterprise BABS Subsidy.
- Requesting \$1.4M for Workers Compensation Budget Shortfall.
- If all is approved, there would still be a budget of \$65M left over.
  - New calculation is based on claims from prior years and how insurance rates are calculated.
- Will request budget approval in January.
- Redistribution is out of control of CDOT and is based on how quickly USDOT can get federal dollars out. Hopefully the trend of moving fast and getting a large amount of federal dollars will last into next year and future years.
- Requesting approval of FY2023-24 budget plan to submit to the legislature on December 15th.
- Review budget here: <https://www.codot.gov/business/budget/cdot-budget>
- Adjustments to proposed budget:
  - Bottom line has changed by \$40m dollars due to an adjustment to the multimodal options fund.
  - There is now a column on the right side of your budget sheet to show changes.
  - Reduction of \$56 in MMOF funds for FY24.
  - Total FY24 revenue allocated to 10 Yr Plan projects is now \$118.0M.
  - Contingency fund was reduced to \$13.3M from \$15M.
- There is a \$29m increase in debt service in FY24 because of a legislative decision that came out of SB 260. This is not a rate increase on existing debt.
- Any future budget amendments over \$1M will be brought to the commission in February.
- There will be another quarterly update in December.
- CDOT's Capital Requests: \$3.96M (Legislature will make decision in Spring)
  - Vail Pass snow supporting structures.

- EJMT West Portal Avalanche System Upgrade
- Statewide Decision Items: \$2.32M (CDOT share)
  - OIT, Department of Personnel and Administration for cybersecurity ,myColorado expansion, IT asset management, data governance, annual fleet request.
- More budget approval in January, February and March

**2. FY 2023-2026 Transportation Asset Management Plan (Rebecca White and William Johnson) – Timestamp 01:14:22**

**Purpose & Action:** To describe and present to the TC CDOT’s 2022 Transportation Asset Management Plan (TAMP). The requested action is informational only.

**Discussion Summary:**

- Guidebook on how decisions are made on assets.
- There are 12 diverse asset categories.
- CO’s 2022 TAMP:
  - Exceeds FHWA requirements.
  - Designed to memorialize CDOT’s business practices.
  - Built in a modular fashion.
  - Graphical Executive Summary.
- This is a very large and involved plan. Please read the 12 page summary to get an overview of what the plan is about.

**3. Freight, Regional, & Interstate Mobility Committee (Rebecca White and Craig Hurst) – Timestamp 01:36:10**

**Purpose and Action:** The Freight Mobility and Safety Branch has advanced several key studies and initiatives throughout 2022 that will improve safety, mobility and efficiency of goods movement. Important accomplishments highlighted this quarter include: 1. Share a research based study to evaluate the opportunity and potential impacts of an inland port in the metro Denver area. 2. Deploying a playbook to guide local municipalities and planning partners regarding best practices in designing, coordinating and implementing truck parking partnerships. 3. Distributing state designated National Highway Freight Program funds through an inclusive, strategic, and outcome-driven process. This workshop is for informational purposes only.

**Discussion:**

- Truck Parking Partnerships Playbook and Update
  - In 2019 the state conducted the first truck inventory. In 2022, the truck parking playbook was built.
  - Challenges Identified:
    - Limited parking in/near major urban areas, including issues due to zoning and infrastructure that is already in place. Other communities around the country have found ways to incorporate truck infrastructure and parking and we could draw on what they have done.
    - Need for safe, convenient facilities.
    - Need for emergency operations parking.
    - Federal regulations on hours of service.
    - Continued demand for truck movement.

- Opportunities:
  - NHFP funding available.
  - CDOT rest area program.
  - Public-Private Partnerships
  - Grant programs available.
- Inland Port Study Overview
  - Inland Port Feasibility Study
    - Gather insights into future development surrounding DEN.
    - Support freight and logistics in CO.
    - Understand potential impacts on state transportation system.

**4. Joint Office of Innovative Mobility/Freight Regional and Interstate Mobility Committee Meeting (Kay Kelly, Rebecca White, Ashley Nysten, and Craig Hurst) – [Timestamp 02:09:00](#)**

**Purpose and Action:** To provide to the TC an overview of the content covered in the joint Office of Innovative Mobility and Freight, Regional and Interstate Mobility Committee meeting. No action requested.

**Connected Vehicle and Freight Program Discussion:**

- Connected vehicle technology: Any way a vehicle can communicate with other systems.
- Sample cases:
  - Communicating workers' presence on the road.
  - ABS events to detect spot weather.
    - Greater situational awareness down to the spot of the incident.
    - All maintenance fleet vehicles have this connected availability.
  - Traffic signal priority for snow plow operation.
- In 2022, this program now links to and supports other CDOT programs.
- OIM grant program: One time gift to receive RSU and OBU.
- Internal CDOT CV Manager shows where data is being gathered and all data is accessible and available on this site.
- Work zone data integration merges planned and real-time work information.
- Connected freight pilot concept:
  - Delivering dynamic work zone information to freight operators in a timely manner is great for safety.
  - Will be delivered directly to freight by working with the private market.
  - Data will be available for CDOT to do evaluations.
  - Two component research evaluation: general evaluation and evaluate driver reaction.

**5. Eisenhower-Johnson Memorial Tunnel (EJMT) TC/BTE Board Joint Workshop (Patrick Holinda, Neal Retzer, and Jeff Sudmeier) – [Timestamp 02:37:56](#)**

**Purpose & Action:** This workshop is intended to provide a progress update on the delivery of projects which will address the existing maintenance and repair backlog at the EJMT facility and to inform the Bridge and Tunnel Enterprise Board of Directors (Board) of upcoming budgetary needs. No approval action is being requested this month. CDOT Staff is requesting Board and TC feedback on proposed BTE funding contributions in advance of the budget supplement request for the Plenum Liner project planned for December 2022.

## Discussion:

- EJMT Program Overview
- About 60M vehicles go through the tunnel annually.
  - EJMT is identified as the most significant area of need by BTE and CDOT.
  - \$100M in funding approved in June '22 by the BTE board.
  - The new SB260 bridge and tunnel impact and retail delivery fees are expected to create over \$500M in the next 10 years.
- Status Update for Current SB260 Projects:
  - Criteria: Safety, Damage to another part of the tunnel, Aspect that can cause a sudden/prolonged closure
  - Current projects include drainage, plumbing, heat trace, grout repair, property management, design for plenum liner and ITS project totalling over \$52M.
  - Estimated funding gap of \$29M
  - Estimated cost to BTE to close the funding gap is almost \$30M.
  - Project list has been reprioritized.
- Prioritization of Future Projects
  - Funded though BTE revenue
  - Liner issue and building ice inside the tunnel.
  - Generator replacement (replaces natural gas w/diesel) which improves safety during an emergency.
- Other Project Considerations
  - Project will tackle known risks.
  - Follow up projects may be required.
  - Most lane closures will be at night so as not to impact freight movement.
- Next Steps:
  - Staff will return to the board in December to request a budget supplement.
  - Staff will continue to monitor revenue to ensure there is enough to fund planned projects.
  - Design funding request for generator replacement expected in early 2023.

**Workshops concluded at approximately 4:50pm**

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## Regular Meeting - Thursday, November 17, 2022, 9:00 am to 10:30 am

**Recording Link (YouTube):** <https://youtu.be/AQQ1HBienp0>

### 1. **Call to Order, Roll Call** – [Video link 00:01:29](#)

Ten of eleven commissioners were present: Commissioners (TC Chair) Don Stanton (TC Vice Chair), Gary Beedy, Karen Stuart, Terry Hart, Kathleen Bracke, Mark Garcia, Lisa Tormoen Hickey, Eula Adams, Kathy Hall, and Barbara Vasquez, with Commissioner Yessica Holguin absent and excused.

### 2. **Public Comments** – [Video link 00:02:05](#)

- Janelle Jenkins (02:05:00 - 10:18:00) resident of Denver - Had an initial reaction of frustration and anger based on fear. She uses Central 70 three times a day to commute to care for mother. Janelle takes the toll lane on I-70. Initially it felt safe using it. Today was the last straw - speeding is an issue, and cars jumping in and out in front of her is a huge concern. Requested CDOT to take into consideration the unsafe use of toll lanes and that she is now afraid to use. Requested that CDOT get more cameras up and more monitoring of this situation. If the lane, the milepost location, and time of day observations were recorded, would that help to report these incidents? Get education

for non-english speaking folks driving. Drivers interpret the double white line as a suggestion not to cross, and not considered as law as it should be. The CoTrip app, found out about it recently, and now will put it to use. CDOT should get more notoriety on this. Consider using bus stops as a place to access via a posting of a QR code. This would make COTrip more visible to the public. Need to know how and where to report problems online to CDOT. The Department of Human Services, and others are having meetings now, please reach out to them during these meetings. Please send Janelle the link for future TC meetings. CDOT needs to do more outreach to the public.

- Angela James Folkestad (00:10:18 - 00:14:41) , Executive Director of the American Concrete Paving Association CO/WY Chapter. Concerned with the health of our industry. Listened to discussions yesterday at the workshops. The lack of concrete paving projects coming up for bid recently is a great concern. Figure 11 of drivability life - US 287 is an example- about half of lane miles with 25 years of drivability life is where concrete paving exists. Believe in the approach of the mix of fixes (asphalt and concrete is the answer). Missing opportunities to have asphalt compete with concrete paving on bids. Want CDOT to be made aware of this. Need a healthy two pavement type competition and this competition helps to keep both pavement type costs lower.
- Steve Barr (00:14:41 - 00:22:10) - - Is a member of City Council in Littleton and on the DRCOG Board of Directors, and works for small and disadvantaged communities. Appreciates the TC work on GHG rulemaking and benefit analysis included for disadvantaged communities and this work is encouraging. Gives these communities safe and affordable transportation options. Holding off on these community policies is a concern, some projects have moved forward without disadvantages community concerns included at this point. Hope to see equity considered in final projects. Also would like to see clear performance metrics to support consideration of disadvantaged communities in the planning process. Examples could be parking management metrics and strategic land use planning. To Accommodate growth on front range, work with Councils of Governments (COGs) on this. Need to address long time injustices that have occurred and it is understood that changes don't occur overnight. Put funding towards staffing to make sure work towards all of this happens.
- John Clark (00:22:10 - 00:25:50) , Mayor of Ridgway - Is a town of over 1,000 in San Juan Mountain. Surrounding US 550 and SH 62. Will echo comments of Steve Barr, as John is also a member of Colorado Communities for Climate Action (CC4CA). Small population and long distances make providing access to transit more difficult. In the greenhouse gas (GHG) rule development and policy directive (PD) 1610, CDOT considered an equity multiplier; however, this action was deferred due to lack of ability to measure equity. The equity multiplier is important to include, and start inclusion in PD 1610 with more clear measures to be considered for disadvantaged communities, also need to determine how to prioritize projects for disadvantaged communities. Expressed concerns with diesel fumes and resulting air pollution, and stressed the need to convert to electric vehicles (EVs) to help disadvantaged communities.
- Scott James (00:25:55 - 00:29:19), Weld County Commissioner - Thanked TC for tour of I -25 North projects. Disappointed about the decision of CTIO to move forward on a rebid of Segment 5 of I-25 North. The onus is on CDOT to communicate a way to move forward on Segment 5. Segment 6 had a different bid process than Segment 7 and 8. Understood Segment 6 included bringing on Segment 5. Consider sticking with the original plan as the rebid of Segment 5 will delay the progress too much, and potentially increase project costs. Keep Segment 5 online to occur jointly with Segment 6 as initially planned.
- Sandra Solin (00:29:19 - 00:33:55) of Northern Colorado Legislative Alliance and partner to North I-25 Coalition. Visited with TC previously regarding the TIFIA loan for the I-25 Segment 5. Eager to see Segment 5 progress. Tour last month was very important to see the progress of Segments 6-8, but also see what work still needs to be done. We need to stay ahead of the curve and the toll lane is important. We have commented to you numerous times. Disappointed with not having federal grant funds for the North I-25 project. Disappointed in yesterday's decision to rebid Segment 5.



Public Private Partnerships are another option to be considered and are encouraged. Would like to see a plan for the entire I-25 corridor and how to move forward. Grateful for partnership with CDOT, but need to work creatively to identify solutions for the corridor.

### **3. Comments of the Chair and Individual Commissioners – [Video Link 00:33:55](#)**

- Richard Zamora was recognized and thanked for his service and work at CDOT by the Transportation Commissioners. Relationships with Region 2 constituents improved under Rich's leadership.
- CDOT staff and Enterprise staff were also thanked and recognized for their contributions to project successes by the TC members.
- Safety is a key concern for the TC and driver behavior that is more aggressive with speeding has been observed. It was noted we need to look at our own behavior and attitudes while driving as a start. Noted the first comment today related to this concern also.
- Several Commissioners commented on being impressed and appreciative of the I-25 North tour that occurred last month, and also the joint meeting with the Region Transportation District (RTD) Board of Directors last evening.
- It is a season of thanks at this time and the public commenters were thanked and recognized for coming today to give their comments by the TC members.
- The Colorado Energy Office launched the EV.CO.colordao.gov website for education on EV ownership. Colorado has 12 EVs registered for every 1,000 people in Colorado, which is encouraging.
- Bustang Outrider plans were exciting to hear about at County meetings in northern Colorado. Amber Blake was thanked for her work and presence at these meetings. Marsha Nelson, CDOT Office of Environmental Justice and Equity was recognized for working to bring equity to CDOT plans and projects, especially to disadvantaged communities.
- Jason Smith, CDOT Region 3 RTD was recognized for this work, as county leadership seems grateful for attention from CDOT and Jason's leadership.

### **4. Executive Director's Management Report (Shoshana Lew) – [Video link 01:06:02](#)**

- Rich Zamora was recognized and thanked for his work at CDOT.
- Congratulations to teams that work towards preparation for winter - either project closure or winter shutdown.
- Central 70 project progress has much new paving.
- Along I-25 CDOT is making progress with several projects with an unprecedented amount of work going on. A lot of improvements large and small have occurred since last year and this year.
- In terms of maintenance it was noted that people having a CDL now puts them in a great place for hiring potential. John Lorme, CDOT Maintenance and Operations Director, was recognized for his work to recruit maintenance staff. Kristi Gitkin, CDOT Director of Human Resources, also was recognized for her contribution to offering more benefits to maintenance staff including housing stipends and bonuses, and COWINS negotiations have also helped attract employees.
- CDOT has trained CDL drivers coming into the workforce with over 100 people trained in the past year. The demand for this training is high.
- There has been progress in providing employment housing in Fairplay, Basalt and Steamboat Springs and CDOT is moving forward with executing these programs quickly.
- Maintenance patrols have been short staffed and staff is joining from other areas of the state for winter maintenance.
- Recognized Jason Smith, CDOT Region 3 RTD, and Region 3 staff for their work in hiring and organizing staff.
- John Lorme, CDOT Maintenance and Operations Director, and Kevin MacVittie, Maintenance and Operations Training, in the training team were recognized for their great work.

5. **Chief Engineer's Report (Steve Harelson) – [Video link 01:13:01](#)**

- Joined in chorus to honor Richard Zamora as he prepares for retirement.
- Went down to Miami for a Tunnel Conference - gave a speech about fire suppression on EJMT and Central 70.
- Book of the Month is Everest 1922 by Mick Conefrey. Story of the first expedition to climb Mount Everest. Good advice on project management teams for CDOT.

6. **Colorado Transportation Investment Office (CTIO) Director's Report (Nick Farber) – [Video link 01:18:27](#)**

- Noting the first public commenter of today and their concerns, the CTIO BOD meeting discussed enforcement for mountain express lanes when they close and are using inappropriate vehicles in the lanes. WB Mtn ETL have new tolling equipment installed and 81 pages violations of the rules were reported.
- Kelly Brown the Tolling Operations Manager is leading a pilot project to determine the best approach for enforcement, by using Bliss A tool that will detect vehicle weaving in and out of the ETL and identify misuse of lanes. Discussed the business rules associated with this also with the Board. The plan is to give a month to transition to enforcement. Offering incentives to comply with \$150 fines levied for violations of misuse. However, if the fine is paid within 4 weeks, those fined will get 50% off. Also attempting to make payment options easy, by use of scanned QR codes. Janelle Jenkins was provided Nick's contact information.
- A budget amendment was approved by CTIO Board to pay off a loan to CDOT next tuesday as they are soon closing on a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan.
- ROADIS decision on the unsolicited proposal under review for the last year, was decided that CDOT will not be moving forward with their P3 proposal. CDOT delivered three similar public private partnerships (P3) projects. US 36, Central 70, and C-470, and Nick explained why P3s were selected for this approach for these projects. CDOT came to the current decision to forego the proposal after a year of consideration that included extensive project analysis.
  - Commissioner Stuart noted that the CTIO Board is committed to completing the I-25 North managed lane system from Segment 2 to Segment 8. Environmental clearance is also needed and support exists for transit, High Occupancy Vehicle (HOV) lanes, etc. Commissioner Stuart thanked CTIO staff for their work on this, and explained that the evaluation process for this proposal was profound.

7. **FHWA Division Administrator's Report (John Cater) – [Video link 01:33:08](#)**

- Attended the national conference, and noted lots of changes at FHWA.
- Shailen Bhat has been nominated for the Administrator's Position. We also have a new Executive Director, Gloria Shepherd. New focus will be on:
  - Internal - Workforce Development
  - Internal - Employee Health - Physical and Mental
  - External - Safety - numbers going in wrong direction - look for fresh ideas there
  - External - Innovation and Technology
- Implementation of BIL (the federal authorization bill) and new things coming from that. Direct grants to non-DOT recipients will be a challenge to process and Federal staff are working through this.
- An event on November 2 in Durango was the Tribal (transportation) Summit held recently with the Bureau of Indian Affairs (BIA) along with FHWA and CDOT, about tribal transportation issues in Colorado. The Ute Mountain Ute (UMU) Tribal Council Chairman: Manuel Heart- and the Southern Ute Indian Tribe (SUIT) Tribal Chairman, Melvin Baker attended with staff from CDOT Region 5, who led this annually held event, with Region 5 Regional Transportation Director, Julie

Constan. A wildlife overpass project on US 160 was discussed with other transportation issues going forward. It was a great meeting.

- Richard Zamora started his career in transportation with FHWA. Rich has been a great asset to CDOT, and to transportation in Colorado during the years of his service.

**8. Statewide Transportation Advisory Committee (STAC) Report (Vince Rogalski) – [Video link 01:37:36](#)**

- Honored Rep. Hugh McKean, Colorado House Minority Leader, who passed away suddenly.
- Legislative Report covered state bills that had passed including: EV charging in Public ROW, transit voting membership in the TPRs, Funding of Bridge and Tunnel Enterprise, Fiber in CDOT ROW, increases to fines for chain law violations, and Vince announced that Andy Karsian, the State Legislative Liaison, is leaving CDOT to serve as General Manager for Front Range Passenger Rail.
- Colorado Association of Transit Agencies (CASTA) presentation from Anne Rajewski, that covered Federal funding updates for transit, EV funds and other funding increases. Anne also reported on transit challenges in post COVID. CASTA conducted an August zero fare month, and may do that next year also.
- Jeff Sudmeier, CDOT Chief Financial Officer, presented the FY 2024 budget anticipated to be adopted by TC in March 2023. The budget is \$1.8B. Went over the budgeting process that includes drafts and the approval process. STAC unanimously recommended approval of the current draft budget.
- Federal Land Access Program (FLAP) overview - Keith Baker of San Luis Valley TPR is to replace Bentley Henderson on the FLAP Decision Committee, with Kristin Stephens to serve as alternate.
- Regarding the Transportation Alternatives Programs (TAP) program, a call for projects is now planned for early January 2023. Commissioner Beedy stressed the importance of the TAP program and keeping the Regional selection process, if possible.
- Next STAC meeting is scheduled for December 1, 2022.

**9. Consent Agenda – [Video link 01:46:36](#)**

A Motion by Commissioner Hickey to approve the Consent Agenda, and seconded by Commissioner Bracke, passed unanimously.

- a) Proposed Resolution #1: Approve the Regular Meeting Minutes of October 20, 2022
- b) Proposed Resolution #2: IGA Approval >\$750,000
- c) Proposed Resolution #3: Abandonment: SH 95 (MM 14-14.24 and 14.34-14.5) to City of Westminster
- d) Proposed Resolution #4: Disposal: I-25 & Broadway (Parcels 6-EX, 615C-EX, PE605-EX & 605-EX)
- e) Proposed Resolution #5: Disposal: SH 95 (Sheridan) & US 36 (Parcel 4-EX & 72-Rev-EX)
- f) Proposed Resolution #6: Property Exchange and Relocation: R2 Mtc. Site, Pueblo
- g) Proposed Resolution #7: Adoption of Policy Directive 600.0 Equal Employment Opportunity and Affirmative Action Policy
- h) Proposed Resolution #8: Adoption of Policy Directive 1500.0 Guide Signing Policy

**10. Proposed Resolution #9: Budget 5th Supplement of FY 2023 (Jeff Sudmeier and Bethany Nichols) – [Video link 01:47:06](#)**

A Motion by Commissioner Hart to approve, and seconded by Commissioner Hall passed unanimously.

**11. Proposed Resolution #10: FY 2024 Draft Proposed Annual Budget (Jeff Sudmeier and Bethany Nicholas) – [Video link 01:48:45](#)**

A Motion by Commissioner Vasquez to approve and seconded by Commissioner Hickey passed unanimously.

**12. Recognition – [Video link 01:53:39](#)**

Richard Zamora, CDOT Region 2 RTD was recognized for his years of service to CDOT.

**13. Meeting Adjourned: 10:54 am**



**COLORADO**  
**Department of Transportation**  
Office of the Chief Engineer

Engineering Contracts  
2829 W. Howard Place, Ste. 339  
Denver, CO 80204-2305

## Memorandum

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**TO: Transportation Commission**

**FROM: Lauren Cabot**

**DATE: December 1, 2022**

**SUBJECT: Intergovernmental Agreements over \$750,000.00**

Purpose Compliance with CRS §43-1-110(4) which requires intergovernmental agreements involving more than \$750,000 must have approval of the Commission to become effective. In order stay in compliance with Colorado laws, approval is being sought for all intergovernmental agencies agreements over \$750,000 going forward.

Action CDOT seeks Commission approval for all IGAs contracts identified in the attached IGA Approved Projects List each of which are greater than \$750,000. CDOT seeks to have this approval extend to all contributing agencies, all contracts, amendments and option letters that stem from the original project except where there are substantial changes to the project and/or funding of the project.

Background CRS §43-1-110(4) was enacted in 1991 giving the Chief Engineer the authority to negotiate with local governmental entities for intergovernmental agreements conditional on agreements over \$750,000 are only effective with the approval of the commission.

Most contracts entered into with intergovernmental agencies involve pass through funds from the federal government often with matching local funds and infrequently state money. Currently, CDOT seeks to comply with the Colorado Revised Statutes and develop a process to streamline the process.



Next Steps Commision approval of the projects identified on the IGA Project List including all documents necessary to further these projects except where there are substancial changes to the project and/or funding which will need reapproval. Additionally, CDOT will present to the Commission on the Consent Agenda every month listing all of the known projects identifying the region, owner of the project, project number, total cost of the project, including a breakdown of the funding source and a brief description of the project for their approval. CDOT will also present any IGA Contracts which have already been executed if there has been any substantial changes to the project and/or funding.

Attachments IGA Approved Project List





**COLORADO**  
**Department of Transportation**  
Office of Policy and Government Relations

2829 W. Howard Place  
Denver, CO 80204-2305

**MEMORANDUM**

**DATE:** December 2, 2022  
**TO:** Transportation Commission  
**FROM:** Herman Stockinger, Deputy Executive Director and OPR Director  
Sari Weichbrodt, Rules, Policies, and Procedures Advisor  
**SUBJECT:** Adopting Updated Policy Directive 20.0 “Rule Making Policy”

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**Purpose**

This memorandum provides a summary of the proposed changes to Policy Directive 20.0 “Rule Making Policy” for its adoption by the Transportation Commission (the Commission).

**Action**

To pass a resolution adopting the updated Policy Directive 20.0 “Rule Making Policy.”

**Background**

Policy Directive 20.0 “Rule Making Policy” was last updated in 2011 and was due for review in 2016. The Directive guides the process the Colorado Department of Transportation (CDOT) follows when engaging in rulemaking pursuant to the State Administrative Procedure Act.

**Details**

After 11 years, the Directive required updating to ensure they are current, clarify roles and responsibilities, and formalize the authority to delegate hearings to a Hearing Officer appointed by the Commission or the Colorado Department of Transportation. This proposed update specifies the formal steps that must be taken by the statutory authority for the rule (including our enterprises), clarifies that only the appropriate statutory authority for the rule may adopt the rule, and formalizes the recent practice of the Commission’s appointment of a Commission representative or ad hoc committee to represent it during the rulemaking process.

**Next Steps**

CDOT will continue to follow the Directive’s guidance in all rulemaking actions and comply with the provisions of the State Administrative Procedure Act.

**Attachments**

Attachment b: Redlined Version of Policy Directive 20.0  
Attachment c: Clean Version of Policy Directive 20.0



<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b>
		<input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>
<b>Subject</b> <b>RULE MAKING POLICY</b>		<b>Number</b> <b>20.0</b>
Effective <b>4/21/11</b>	Supersedes <b>4/21/11</b> <b>08/15/02</b>	Originating Office <b>Office of Policy &amp; Government Relations</b>

## I. PURPOSE

The purpose of this ~~directive~~ Policy Directive is to establish a policy concerning the promulgation of rules and regulations by the Colorado Department of Transportation (CDOT or Department) and the Transportation Commission of Colorado (TC or Commission).

## II. AUTHORITY

Transportation Commission, § 43-1-106, C.R.S.  
~~Colorado Governor's Executive Order, D2011-005~~  
 Administrative Procedures Act, § 24-4-103, C.R.S.

## III. APPLICABILITY

This ~~Policy D~~irective shall apply to all Offices, Branches, Regions, and Divisions within CDOT that create, revise, amend, or repeal ~~Rules—rules~~ affecting the Colorado Department of Transportation.

## IV. POLICY

~~The Colorado Department of Transportation~~ CDOT and the ~~Transportation~~ Commission of Colorado shall adopt all rules and regulations in accordance with ~~§ 24-4-103 C.R.S. of the~~ Administrative Procedure Act (APA), § 24-4-103 C.R.S. ~~The CDOT employee identified as the Rule Making Coordinator within the Office of Policy and Government Relations shall ensure CDOT's compliance with the requirements of the APA.~~ Legal advice from the Attorney General's Office will be sought whenever rules are being promulgated. All rules developed by the Department and the Commission shall be consistent with the enabling legislation, any existing rule, and in compliance with state statutes, and applicable Executive Orders. A pProgram Mmanager must be assigned for each rule and will be listed as such on the Department's websites. Any rulemaking by the Commission, the Executive Director, or other statutory authority shall only commence through a Resolution adopted by the Transportation Commission, a memorandum signed by the Executive Director, or official action taken by the statutory authority documented in meeting minutes. The CDOT employee identified as the Rule Making Coordinator within the Office of Policy and Government Relations shall ensure CDOT's compliance with the requirements of the APA.

The Commission or the Executive Director, as appropriate, may delegate the conduct of a rulemaking hearing to a Hearing Officer familiar with APA requirements. Any delegation of the



conduct of the rulemaking hearing shall be in writing, through a memo from the Executive Director or by Resolution of the Transportation Commission. In no event may the Commission or Executive Director delegate adoption of the rules. All rules shall be adopted by the appropriate entity consistent with statute. For rules under the authority of the Commission, at the discretion of the Chair, the Commission may appoint a Commission representative or ad hoc committee to work with CDOT staff and represent the Commission during the rulemaking process.

~~Any new rule or edit to existing rule must follow Executive Order D2011-005 incorporating instruction allowing for local governments to have more flexibility to design solutions to problems without excessive interference or oversight, or unnecessary regulation, from state government.~~

Rules and regulations shall reflect the goals and objectives of the Transportation Commission and the ~~Department, and~~ Department and shall be implemented in accordance with Procedural Directive 20.1. –The Procedural Directive shall include a process to actively solicit the meaningful and timely input of all relevant stakeholders, including elected officials and other representatives of local governments into the development of regulatory proposals affecting local government, and CDOT shall include those procedures on its website.

The Executive Management Team Member whose ~~De~~ Division or ~~Of~~ Office is responsible for the rule shall be the signer of the request to the Transportation Commission or Executive Director to initiate a formal rulemaking process.

The process, steps, and rules calendar shall be maintained on the Department website.

## V. IMPLEMENTATION PLAN

This ~~P~~ Policy ~~D~~ Directive shall be effective immediately upon adoption by the Commission. ~~The Office of Policy and Government Relations will disseminate a copy to the Colorado Municipal League, Colorado Counties, Inc., Program Managers responsible for existing CDOT rules, and CDOT Hearing Officers that assist in rule making. Additionally, the policy directive shall be posted on CDOT Public Announcements and e-mailed to all EMT members.~~

The Office of Policy and Government Relations shall post this Policy Directive on CDOT's intranet as well as on public announcements.

## VI. REVIEW DATE

This ~~P~~ Policy ~~D~~ Directive will be reviewed ~~by on or before August~~ December 2016 ~~2016~~ 2027.

~~Herman J. Stockinger III~~

4/21/11

<b>Subject</b> Rule Making Policy	<b>Number</b> 20.0
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\_\_\_\_\_  
Secretary, Transportation Commission

\_\_\_\_\_  
Date of Approval

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>	
<b>Subject</b> <b>RULE MAKING POLICY</b>			<b>Number</b> <b>20.0</b>
<b>Effective</b>	<b>Supersedes</b> 4/21/11 8/15/02	<b>Originating Office</b> <b>Office of Policy &amp; Government Relations</b>	

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This Policy Directive shall apply to all Offices, Branches, Regions, and Divisions within CDOT that create, revise, amend, or repeal rules affecting the Colorado Department of Transportation.

## IV. POLICY

CDOT and the Commission shall adopt all rules and regulations in accordance with the Administrative Procedure Act (APA), § 24-4-103, C.R.S. The CDOT employee identified as the Rule Making Coordinator within the Office of Policy and Government Relations shall ensure CDOT's compliance with the requirements of the APA. Legal advice from the Attorney General's Office will be sought whenever rules are being promulgated. All rules developed by the Department and the Commission shall be consistent with the enabling legislation, any existing rule, state statutes, and applicable Executive Orders. A Program Manager must be assigned for each rule and will be listed as such on the Department's website. Any rulemaking by the Commission, the Executive Director, or other statutory authority shall only commence through a Resolution adopted by the Transportation Commission, a memorandum signed by the Executive Director, or official action taken by the statutory authority documented in meeting minutes.

The Commission or the Executive Director, as appropriate, may delegate the conduct of a rulemaking hearing to a Hearing Officer familiar with APA requirements. Any delegation of the conduct of the rulemaking hearing shall be in writing, through a memo from the Executive Director or by Resolution of the Transportation Commission. In no event may the Commission or Executive Director delegate adoption of the rules. All rules shall be adopted by the appropriate entity consistent with statute. For rules under the authority of the Commission, at the discretion of the Chair, the Commission may appoint a Commission representative or ad hoc

<b>Subject</b> Rule Making Policy	<b>Number</b> 20.0
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committee to work with CDOT staff and represent the Commission during the rulemaking process.

Rules and regulations shall reflect the goals and objectives of the Transportation Commission and the Department and shall be implemented in accordance with Procedural Directive 20.1. The Procedural Directive shall include a process to actively solicit the meaningful and timely input of all relevant stakeholders, including elected officials and other representatives of local governments into the development of regulatory proposals affecting local government, and CDOT shall include those procedures on its website.

The Executive Management Team Member whose Division or Office is responsible for the rule shall be the signer of the request to the Transportation Commission or Executive Director to initiate a formal rulemaking process.

The process, steps, and rules calendar shall be maintained on the Department website.

**V. IMPLEMENTATION PLAN**

This Policy Directive shall be effective immediately upon adoption by the Commission.

The Office of Policy and Government Relations shall post this Policy Directive on CDOT’s intranet as well as on public announcements.

**VI. REVIEW DATE**

This Policy Directive will be reviewed on or before December 2027.

\_\_\_\_\_  
Secretary, Transportation Commission

\_\_\_\_\_  
Date of Approval



**COLORADO**  
**Department of Transportation**  
Office of Policy and Government Relations

2829 W. Howard Place  
Denver, CO 80204-2305

**MEMORANDUM**

**DATE:** December 2, 2022  
**TO:** Transportation Commission  
**FROM:** Herman Stockinger, Deputy Executive Director and OPR Director  
Sari Weichbrodt, Rules, Policies, and Procedures Advisor  
**SUBJECT:** Adopting Updated Policy Directive 1.0 “Policy Directives and Procedural Directives”

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**Purpose**

This memorandum provides a summary of the proposed changes to Policy Directive 1.0 “Policy Directives and Procedural Directives” for its adoption by the Transportation Commission.

**Action**

To pass a resolution adopting the updated Policy Directive 1.0 “Policy Directives and Procedural Directives.”

**Background**

Policy Directive 1.0 “Policy Directives and Procedural Directives” was last updated in 2011 and was due for review in 2017. The Directive guides the process the Colorado Department of Transportation (CDOT) follows when reviewing, updating, adopting, or repealing a Directive.

**Details**

After 11 years, the Directive required updating to clarify current roles and responsibilities and make minor, non-substantive changes.

**Next Steps**

CDOT will continue to follow the Directive’s guidance in reviewing, revising, and implementing Policy Directives and Procedural Directives.

**Attachments**

Attachment b: Redlined Version of Policy Directive 1.0  
Attachment c: Clean Version of Policy Directive 1.0



<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>
Subject <b>POLICY DIRECTIVES AND PROCEDURAL DIRECTIVES</b>		Number <b>1.0</b>
Effective <b>03/17/2011</b>	Supersedes <b>3/17/11</b> <b>06/19/08</b>	Originating Office <b>Office of Policy &amp; Government Relations</b>

## I. PURPOSE

The purpose of this ~~directive~~ Directive is to establish and outline a uniform and streamlined process to create, amend, review, repeal and/or implement Policy and Procedural Directives of the Colorado Department of Transportation (Department).

## II. AUTHORITY

~~Transportation Commission (Commission)~~  
Executive Director, pursuant to C.R.S. § 43-1-105,  
Transportation Commission, pursuant to C.R.S. § 43-1-106,

## III. APPLICABILITY

This ~~D~~irective shall apply to all subsequent Policy Directives adopted or updated by the Transportation Commission, and all Procedural Directives adopted or updated by the Executive Director.

## IV. POLICY

The Transportation Commission has the responsibility to formulate general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state.

~~The Executive Director has the responsibility to exercise general supervisory control over and coordinate the activities, functions, and employees of the department Department and its divisions.~~

To carry out those responsibilities, the Transportation Commission may adopt Policy Directives for the ~~department~~ Department, and the Executive Director may adopt Procedural Directives for the ~~department~~ Department.

~~The Executive Director has the responsibility to exercise general supervisory control over and coordinate the activities, functions, and employees of the Department and its Divisions.~~

The Office of Policy & Government Relations (OPGR) shall be the coordinating office for all Policy ~~and~~ Procedural Directives, and shall establish and outline a uniform procedure to create,

amend, review, repeal and/or implement Policy and Procedural Directives of the ~~department~~Department.

## V. IMPLEMENTATION PLAN

This ~~P~~Policy Directive shall be effective immediately and implemented by ~~the Office of Policy & Government Relations (OPGR)~~ upon the approval by the Commission. ~~The OPGR office will identify frequent users of the directive and provide it to them within one month of the adopted directive. Additionally, the directive will be posted on Public Announcements and e-mailed to all Branch Managers and Region Management Team Members within one month after adoption by the Transportation Commission.~~ post this Policy Directive on the Department's internal website as well as on the Department's public announcements.

## REVIEW DATE

This Policy Directive shall be reviewed ~~by on or before April November 2017~~2027.

Herman J. Stockinger III

Transportation Commission Secretary

~~03/24/11~~

Date

Herman Stockinger, III

Transportation Commission Secretary

Date

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>
Subject <b>POLICY DIRECTIVES AND PROCEDURAL DIRECTIVES</b>		Number <b>1.0</b>
Effective	Supersedes <b>3/17/11</b> <b>6/19/08</b>	Originating Office <b>Office of Policy &amp; Government Relations</b>

## **I. PURPOSE**

The purpose of this Directive is to establish and outline a uniform and streamlined process to create, amend, review, repeal and/or implement Policy and Procedural Directives of the Colorado Department of Transportation (Department).

## **II. AUTHORITY**

Executive Director, pursuant to C.R.S. § 43-1-105.  
Transportation Commission, pursuant to C.R.S. § 43-1-106,

## **III. APPLICABILITY**

This Directive shall apply to all subsequent Policy Directives adopted or updated by the Transportation Commission, and all Procedural Directives adopted or updated by the Executive Director.

## **IV. POLICY**

The Transportation Commission has the responsibility to formulate general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state.

To carry out those responsibilities, the Transportation Commission may adopt Policy Directives for the Department, and the Executive Director may adopt Procedural Directives for the Department.

The Executive Director has the responsibility to exercise general supervisory control over and coordinate the activities, functions, and employees of the Department and its Divisions.

The Office of Policy & Government Relations (OPGR) shall be the coordinating office for all Policy and Procedural Directives, and shall establish and outline a uniform procedure to create, amend, review, repeal and/or implement Policy and Procedural Directives of the Department.

## **V. IMPLEMENTATION PLAN**



This Policy Directive shall be effective immediately and implemented by OPGR upon the approval by the Commission. OPGR will post this Policy Directive on the Department's internal website as well as on the Department's public announcements.

**REVIEW DATE**

This Policy Directive shall be reviewed on or before November 2027.

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Herman Stockinger, III  
Transportation Commission Secretary

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Date



**MEMORANDUM**

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**TO: THE TRANSPORTATION COMMISSION**  
**FROM: STEPHEN HARELSON, P.E. CHIEF ENGINEER**  
**DATE: DECEMBER 15, 2022**  
**SUBJECT: DISPOSAL CALHAN MAINTENANCE SITE**

**Purpose**

CDOT Region 2 is proposing to dispose of a maintenance site on Golden Street, between 4<sup>th</sup> Street and 5<sup>th</sup> Street in Calhan, CO, comprising 17,500 sq ft (0.4 acres) that is no longer needed for transportation or maintenance purposes.

**Action**

CDOT Region 2 is requesting a resolution, in accordance with C.R.S. 43-1-210, approving the disposal 17,500 sq ft (0.4 acres) of property that is no longer needed for transportation or maintenance purposes.

**Background**

CDOT acquired the subject parcel for use as a maintenance site. The original maintenance facility was relocated between 1995-1996 to a site approximately one block north of the subject parcel. The property is not adjacent to any state highway and is located in a residential neighborhood.

CDOT would like to dispose of the parcel at this time to provide revenue that is needed for maintenance properties throughout the region.

**Next Steps**

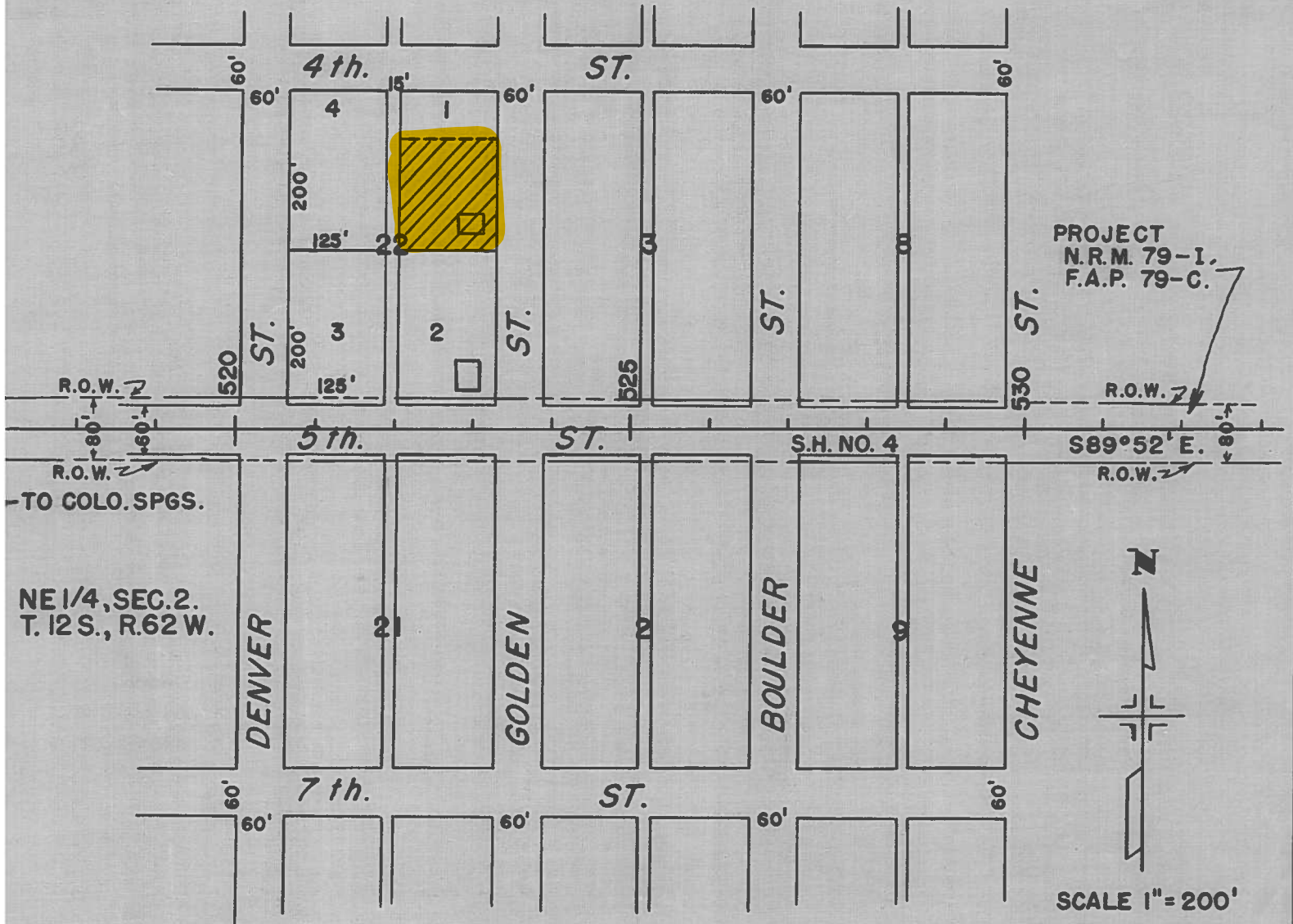
Upon approval of the Transportation Commission, CDOT will sell the parcels in accordance with C.R.S. 43-1-210(5). CDOT will execute quitclaim deeds to convey the subject properties in exchange for fair market value. The deeds will be recorded in the office of the El Paso County Clerk and Recorder. Funds from the disposal shall be disbursed in accordance with Section 7.2.16 of the CDOT Right of Way Manual.

**Attachments**

Exhibits Depicting the Disposal Property



MAINTENANCE PROPERTY, CALHAN  
SECTION 4, PATROL NO. 10.



DESCRIPTION

A tract or parcel of land in the City of Calhan, El Paso County, in the NE 1/4 of Section 2, Township 12 S., R. 62 W., of the 6th P.M. in El Paso County, Colorado, said tract or parcel being more particularly described as follows:

The South 140.0 feet of Lot 1, in Block 22, in the original Town of Calhan, El Paso County, Colorado.

REVISIONS

1a	
2-54	ADDED RECORDING DATA.



**MEMORANDUM**

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**TO: THE TRANSPORTATION COMMISSION**  
**FROM: STEPHEN HARELSON, P.E. CHIEF ENGINEER**  
**DATE: SEPTEMBER 15, 2022**  
**SUBJECT: DISPOSAL PARCEL 13-EX, US 40 MP 129.5 TO 129.8, STEAMBOAT SPRINGS**

**Purpose**

CDOT Region 3 is proposing to dispose of Parcel 13-EX, which is a narrow strip of right of way adjacent to US Hwy 40 between MP 129.5 and 129.8 near Steamboat Springs. This property is no longer needed for transportation or maintenance purposes.

**Action**

CDOT Region 3 is requesting a resolution, in accordance with C.R.S. 43-1-210, approving the disposal 13,826 sq ft (0.317 acres) of right of way that is no longer needed for transportation or maintenance purposes.

**Background**

CDOT acquired Parcel 13-EX as an overflow channel. The property is situated between privately-owned land and the extended Steamboat Springs recreation path. CDOT would like to dispose of the subject property, as it is no longer needed for transportation or maintenance purposes.

**Next Steps**

Upon approval of the Transportation Commission, CDOT will sell the subject parcel in exchange for fair market value in accordance with C.R.S. 43-1-210 and 23 CFR 710.403. The revenue from the sale of the parcel will be dispersed in accordance with CDOT ROW Manual Chapter 7.2.16. CDOT will execute quitclaim deeds to convey the subject properties. The deeds will be recorded in the office of the Routt County Clerk and Recorder.

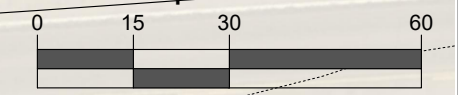
**Attachments**

Exhibits Depicting the Disposal Property



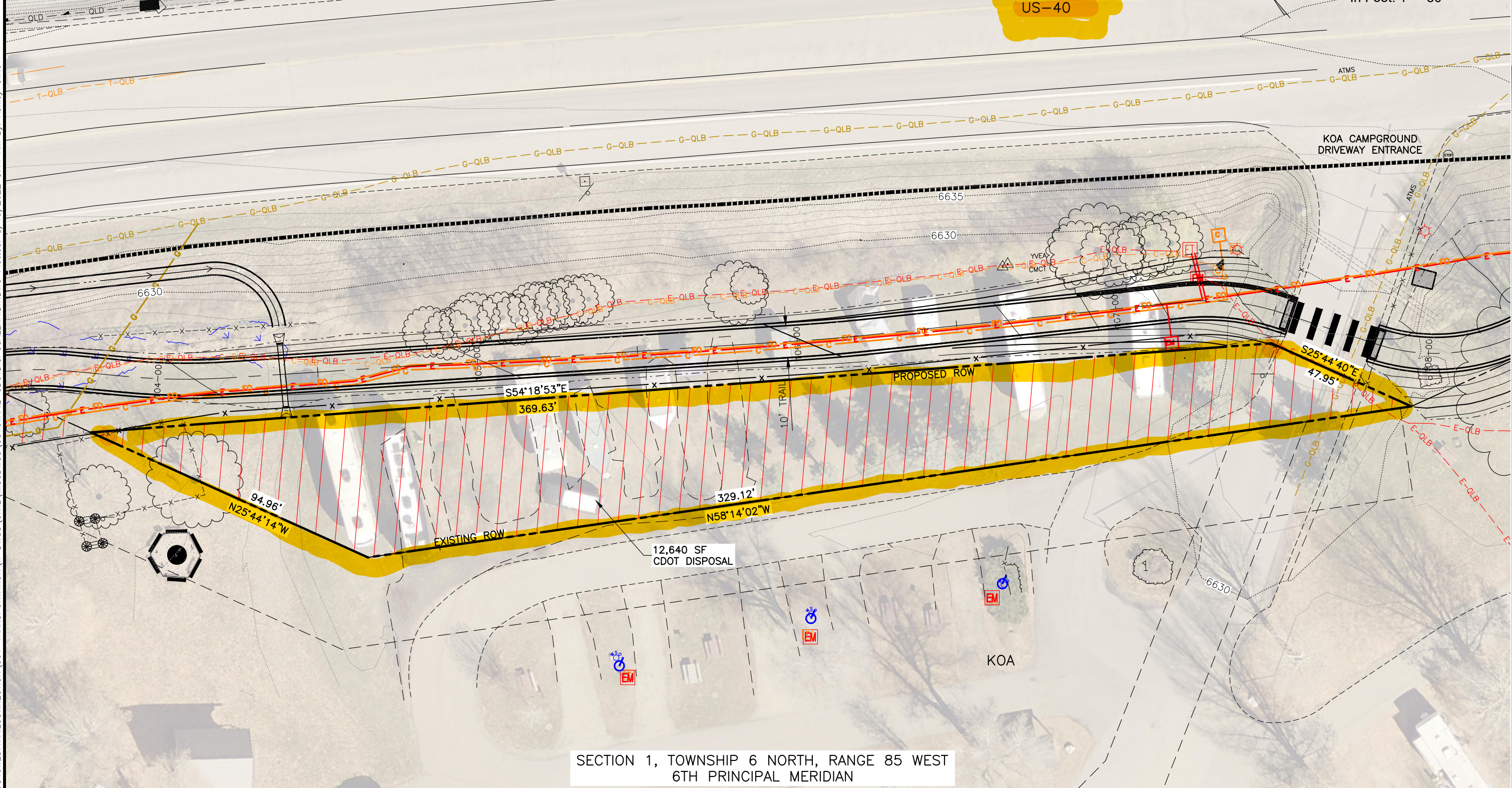
I:\2021\2021-380-US40WESTTRAILCONNECTION\001-TRANSPORTATION\H-DWGS\CIVIL\MISC\DWGS\_US40TRAIL-CDOTDISPOSAL\EXHIBIT.DWG Plotted: 8/19/2022 8:44 AM By: Ashley Cline

Graphic Scale



In Feet: 1" = 30'

US-40



SECTION 1, TOWNSHIP 6 NORTH, RANGE 85 WEST  
6TH PRINCIPAL MERIDIAN

Computer File Information		Sheet Revisions				City of Steamboat Springs		SGM		As Constructed		US-40 WEST TRAIL CONNECTION CDOT DISPOSAL EXHIBIT			Project No./Code	
Print Date: 8/19/22		Rev.	Date	Comments	Init.			No Revisions:		Engineer: AMC		Structure Numbers		Project No. / Code		
Last Modification Date: 09/09/21		1						Revised:		Drawn By: AMC						
Drawing File Name: US40Trail-CDOTDisposalExhibit								Void:		Sheet Subset: PP		Subset Sheets: -- of --		Sheet Number: ----		
Autocad Ver. 2020 Scale: As Shown																
SGM Project No.: 2021-380.001	Quality Control: RGN															

118 West Sixth Street, Suite 200  
Glenwood Springs, CO 81601  
970.945.1004 www.sgm-inc.com



**MEMORANDUM**

**TO: THE TRANSPORTATION COMMISSION**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**BETHANY NICHOLAS, BUDGET DIRECTOR**  
**DATE: DECEMBER 14, 2022**  
**SUBJECT: SIXTH BUDGET SUPPLEMENT - FY 2022-2023**

**Region 2**

**\$990,078 - FASTER Safety - US 50 & SH 71/CR 18 INTERSEC IMPROVEMENTS**

The Region is requesting additional funds to award project 23292. Review of the bid tabulations showed higher than expected cost for pavement items, such as asphalt removal, ABC Class 6, HMA paving along with higher-than-expected cost for concrete retaining walls. Staff attribute these costs to geographic location of project and availability of qualified sub-. This project has already completed the Advertisement by Review (ABR) process to award a low responsive bidder. Although the bids were above the engineer's estimate, the traffic signal pay items were competitive and not unreasonable. The low bidder's prices for Removal of Asphalt (\$19.2/sy), ABC Class 6 (\$71.5/ton), HMA Paving (\$270/ton), and Concrete Retaining Wall (\$100/sf) were driven by limited availability of subcontractors. Funds will be awarded from the Region 2 FASTER Safety pool. Additional information included in attached memo.

**US 50 & SH 71/CR 18 INTERSECTION IMPROVEMENTS**  
*Budget Components by Phase, Funding Program, Fiscal Year*

Phase of Work	Funding Program	Original Budget	Funding Request			Total Adjustment Percent	Revised Budget	Expended To-Date
			Previous Adjustments	Current Request	Total Adjustments			
Right-of-Way	<i>Regional Priority Program</i>	\$33,284	\$0	\$0	\$0		\$33,284	\$34,299
	<b>Total ROW</b>	<b>\$33,284</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>	<b>\$33,284</b>	<b>\$34,299</b>
Utilities	<i>FASTER Safety</i>	\$334,974	\$0	\$0	\$0		\$334,974	\$0
	<b>Total Utilities</b>	<b>\$334,974</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>	<b>\$334,974</b>	<b>\$0</b>
Design	<i>Regional Priority Program</i>	\$270,994	\$0	\$0	\$0		\$270,994	\$261,981
	<b>Total Design</b>	<b>\$270,994</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0%</b>	<b>\$270,994</b>	<b>\$261,981</b>
Construction	<i>Regional Priority Program</i>	\$295,722	\$0	\$0	\$0		\$295,722	\$0
	<i>FASTER Safety</i>	\$2,520,000	\$0	\$990,078	\$990,078		\$3,510,078	\$0
	<b>Total Construction</b>	<b>\$2,815,722</b>	<b>\$0</b>	<b>\$990,078</b>	<b>\$990,078</b>	<b>\$0</b>	<b>\$3,805,800</b>	<b>\$0</b>
<b>Total Project</b>		<b>\$3,454,974</b>	<b>\$0</b>	<b>\$990,078</b>	<b>\$990,078</b>	<b>29%</b>	<b>\$4,445,052</b>	<b>\$296,280</b>

*Per Policy Directive 703.0, this project is being included in the Budget Supplement as an increase of greater than 15% of the original budget and greater than \$500,000.*



**10 Year Plan Project Funding Adjustments**

Adjustments to 10-Year Plan projects which reallocate funds between 10-Year Plan projects are summarized below.

- CO 194A Surface Treatment and Drainage Improvements will achieve asphalt leveling course, asphalt overlay, new drainage pipe installations, guardrail, roadway profile improvements, signing, and striping. Funds are available from the award savings of CO 96 Near Eads to Sheridan Lake.

Planning ID	Description	Original Amount	Change Request	Updated Total
28	CO 194A Surface Treatment and Drainage Improvements	\$5,980,000	\$2,020,000	\$8,000,000
25	SH96 Near Eads to Sheridan Lake	\$21,400,000	(\$2,020,000)	\$19,380,000

Additional information included in attached memo.

*Per Policy Directive 703.0, this project is being included in the Budget Supplement as it is a reprioritization of the 10 Year Plan and Pandemic Relief funds greater than \$1 million.*

**Attachments:**

- A\_Region 2 FASTER Intersection Project
- B\_Region 2 10 Year Plan Change 12-2022



**Transportation Commission Contingency Reserve Fund Reconciliation  
Sixth Supplement FY 2023 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-22	<i>Balance 12S21</i>		<b>\$33,005,416</b>	
July-22	<i>Balance 1S23</i>		<b>\$32,405,631</b>	
September-22	<i>Balance 3S23</i>		<b>\$32,135,631</b>	
October-22	<i>Balance 4S23</i>		<b>\$32,135,631</b>	
November-22	<i>Balance 5S23</i>		<b>\$31,681,154</b>	
	<i>Return surplus ER funding</i>	331,350.00		Various
December-22	<i>Pending Balance 6S23</i>		<b>\$32,012,504</b>	

**Transportation Commission Maintenance Reserve Reconciliation  
Sixth Supplement FY 2023 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-22	<i>Balance 12S22</i>		<b>\$6,993,697</b>	
July-22	<i>Balance 1S23</i>		<b>\$12,000,000</b>	
August-22	<i>Balance 2S23</i>		<b>\$12,000,000</b>	
September-22	<i>Balance 3S23</i>		<b>\$12,000,000</b>	
October-22	<i>Balance 4S23</i>		<b>\$12,000,000</b>	
November-22	<i>Balance 5S23</i>		<b>\$12,000,000</b>	
December-22	<i>Pending Balance 6S23</i>		<b>\$12,000,000</b>	

**Transportation Commission Program Reserve Fund Reconciliation  
Sixth Supplement FY 2023 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-22	<i>Balance 12S22</i>		<b>\$45,008,409</b>	
July-22	<i>Balance 1S23</i>		<b>\$41,622,106</b>	
August-22	<i>Balance 2S23</i>		<b>\$41,752,379</b>	
September-22	<i>Balance 3S23</i>		<b>\$41,752,379</b>	
October-22	<i>Balance 4S23</i>		<b>\$59,812,379</b>	
November-22	<i>Balance 5S23</i>		<b>\$59,812,379</b>	
	<i>FHWA 2022 August Redistribution</i>	\$ 102,000,000		1000307269
	<i>FY22 Flexible HUTF Revenue Adjustment</i>	\$ 18,346,530		Pending
	<i>FY22 Flexible FHWA Revenue Adjustment</i>	\$ (32,126,644)		Pending
	<i>FY22 Miscellaneous Revenue Adjustment</i>	\$ (3,513,235)		Pending
	<i>Establish Cost Escalation Pool</i>	\$ (30,000,000)		Pending
	<i>Mountain Corridor Resiliency Projects</i>	\$ (20,000,000)		Pending
	<i>Strategic Pavement Investments</i>	\$ (24,000,000)		Pending
	<i>Bridge Enterprise Debt Service Backfill</i>	\$ (4,118,562)		Pending
	<i>Workers Compensation</i>	\$ (1,447,207)		Pending
	<i>Year End Savings from Cost Centers</i>	\$ 2,373,514		1000308964
December-22	<i>Pending Balance 6S23</i>		<b>\$67,326,775</b>	





FY 2022-2023 Contingency Reserve Fund Balance Projection		
November TC Contingency Balance (Emergencies)	\$31,681,154	
<i>Pending Requests:</i>		
Return ER Savings	\$331,350	
Pending December TC Contingency Reserve Balance	\$32,012,504	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
I-70 Glenwood Canyon Slides Remaining Repayments	\$0	\$8,520,000
Projected FY 2022-2023 YE Contingency Balance	\$32,012,504	\$40,532,504
<b>TCCRF Surplus (Deficit) to Reach \$25M Balance July 1, 2023</b>	<b>\$7,012,504</b>	<b>\$15,532,504</b>

FY 2022-2023 Cost Escalation Pool	
November Cost Escalation Pool Balance	\$0
<i>Pending Requests:</i>	
Establish Cost Escalation Pool	\$30,000,000
Pending December TC Program Reserve Fund Balance	\$30,000,000

FY 2022-2023 Maintenance Reserve Fund Balance Projection	
November TC Maintenance Reserve Balance	\$12,000,000
<i>Pending Requests:</i>	
No Pending Requests	\$0
Pending December TC Maintenance Reserve Fund Balance	\$12,000,000



FY 2022-2023 Program Reserve Fund Balance Projection		
November		
TC Program Reserve Balance	\$59,812,379	
<b><i>Pending December Requests:</i></b>		
FHWA 2022 August Redistribution	\$102,000,000	
FY22 Flexible HUTF Revenue Adjustment	\$18,346,530	
FY22 Flexible FHWA Revenue Adjustment	(\$32,126,644)	
FY22 Miscellaneous Revenue Adjustment	(\$3,513,235)	
Establish Cost Escalation Pool	(\$30,000,000)	
Mountain Corridor Resiliency Projects	(\$20,000,000)	
Strategic Pavement Investments	(\$24,000,000)	
Bridge Enterprise Debt Service Backfill	(\$4,118,562)	
Workers Compensation	(\$1,447,207)	
Year End Savings from Cost Centers	\$2,373,514	
Pending December		
TC Program Reserve Fund Balance	\$67,326,775	
<b><i>Projected Outflow:</i></b>		
	Low Estimate	High Estimate
	\$0	\$0
<b><i>Projected Inflow:</i></b>		
	Low Estimate	High Estimate
	\$0	\$0
Projected FY 2022-2023 YE Program Reserve Balance	\$67,326,775	\$67,326,775





**COLORADO**  
Department of Transportation  
Region 2

REGION TRANSPORTATION DIRECTOR  
5615 Wills Boulevard  
Pueblo, CO 81008

DATE: December 14, 2022  
TO: Transportation Commission  
FROM: Jason Nelson  
Acting Region 2 Transportation Director  
SUBJECT: Budget Increase Request for Advertising US 50 & CO 71 (Otero County) Intersection Improvements` (#23292)

Purpose

The purpose of this memorandum is to request approval from the Transportation Commission for a budget increase of \$987,890 to the intersection improvement project at US 50 and CO 71.

Action

Per Policy Directive 703.0, dated August 27, 2014, Appendix C states that Transportation Commission approval is needed for requests of greater than or equal to 15% and greater than or equal to \$500,000 above the approved amount. As such, the Transportation Commission is being asked to approve this funding request so that CDOT advertise the project in January 2023.

Background

The project improvements include installing a signal at the intersection, improving pavement cross section to the railroad crossing along with operational improvement for turning vehicles through realignment of CO 71 and adding southbound left turn lanes, realignment of eastbound and westbound left turn lanes, installing and coordinating railroad closure gates, crown correction of US 50 to address drainage sheet flows.

The project is a Region Priority project and is in the top priority project list for Southeast Transportation Planning Region. The Region has received several concerns and request to fix the intersection from Otero County Commissioners, Rocky Ford Fire Department, Otero County Sherriff's office and CDOT Regional Maintenance staff. The location currently experiences higher than expected broadside crashes. From July 1, 2014 through December 31, 2000, the intersection had 27 broadside crashes with 34 individuals experiencing injuries.



## Details

The total award amount is \$4,442,873.51. \$987,890 is needed to award. The funding to award the project has been identified as follows:

\$304,959 from FY 23 Faster Safety funds  
\$682,941 from FY 24 Faster Safety funds

Review of the bid tabulations showed higher than expected cost for pavement items, such as asphalt removal, ABC Class 6, HMA paving along with higher-than-expected cost for concrete retaining wall bid prices. Staff attribute these cost to geographically location of project and availability of qualified sub-contractors available for these work elements.

Otero County has contributed available RPP funds to ensure the project was awarded.

## Options

Staff has identified 2 options for consideration

1. Approve the budget adjustment for the project using unprogrammed faster safety funding within the Region 2 pools. **(Staff recommendation)**.
2. Review the design to determine if operational improvements can be eliminated.

## Next Steps

If the Transportation Commission approves the funding request, the Resident Engineer will submit a Budget Action Request to the Region 2 Business Office who will work with OFMB and the Contract Unit to complete the necessary steps to take the project to advertisement.

## Attachments

None.





**COLORADO**  
**Department of Transportation**  
Region 2

REGION TRANSPORTATION DIRECTOR  
5615 Wills Boulevard  
Pueblo, CO 81008

DATE: December 14, 2022  
TO: Transportation Commission  
FROM: Jason Nelson  
Acting Region 2 Transportation Director  
SUBJECT: Transfer Between 10 Year Plan Projects due to Increased Estimate  
SH 194 Bent County Surface Treatment and Drainage Improvements  
MP 10.1-20.3 (#24198)

Purpose

The purpose of this memorandum is to request approval from the Transportation Commission for a budget increase of \$2,020,000 between previously approved Senate Bill 267 projects: Plan ID 0028 - *SH 194 Bent County Surface Treatment and Drainage Improvements* from Plan ID 0025 - *SH96 Near Eads to Sheridan Lake*.

The scheduled AD date for this project is January 26, 2023.

Action

Per Policy Directive 703.0, dated August 27, 2014, Appendix C states that Transportation Commission approval is needed for requests of greater than or equal to 15% and greater than or equal to \$500,000 above the approved amount. As such, the Transportation Commission is being asked to approve this funding request so that CDOT advertise the project in January 2023.

Background

The project designated as Plan ID 0028 - *CO 194A Surface Treatment and Drainage Improvements* includes asphalt leveling course, asphalt overlay, new drainage pipe installations, guardrail, roadway profile improvements, signing, and striping.

The original cost estimate did not include the asphalt leveling course. However, the roadway surface on SH194 between MP 10.1-20.3 has deteriorated significantly in the last few years. Without the leveling course, the final product of the resurfacing could be still rough.

At the interchange of SH 194 and US 50B, the highway endures significant water overtopping resulting in full closure multiple times per year. The original scope of work was going to install cross-drain pipes and a pond with a pump. During the design phase, water rights and wetland issues were discovered. No ponds could be installed. To reduce the frequency of water overtopping the roadway, the project is going to raise the profile of SH194 near the interchange of SH194/US50B.

Details



The total approved budget of the project is \$5,980,000 which includes \$350,000 for pre-construction phase. The current construction cost estimate is at \$7,650,000. The overall difference between the current construction budget and the estimated costs is \$2,020,000. In the same TPR area, the Plan ID 0025- *SH96 Near Eads to Sheridan Lake* rural paving project has more than \$3 million savings. Therefore, the \$2,020,000 can be moved from the SH96 project to SH194 project.

### Options

Staff has identified 3 options for consideration

1. Approve the budget adjustment for the project using unprogrammed funding from project savings within the Region 2 pool. **(Staff recommendation).**
2. Eliminate the leveling course and other project improvements to meet the current budget.

### Next Steps

If the Transportation Commission approves the funding request, the Resident Engineer will submit a Budget Action Request to the Region 2 Business Office who will work with OFMB and the Contract Unit to complete the necessary steps to take the project to advertisement.

### Attachments

None.





# COLORADO

## Department of Transportation

Division of Transportation Development  
2829 W. Howard Place  
Denver, CO 80204-2305

### MEMORANDUM

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**TO:** TRANSPORTATION COMMISSION  
**FROM:** REBECCA WHITE, DIRECTOR, DIVISION OF TRANSPORTATION DEVELOPMENT  
JAMIE COLLINS, STIP MANAGER, DIVISION OF TRANSPORTATION DEVELOPMENT  
**DATE:** DECEMBER 14, 2022  
**SUBJECT:** APPROVAL FOR STIP AMENDMENT #1 FOR THE *FY2023 - FY2026 STIP* - ADDING NEVI FUNDING TO THE STIP

#### Purpose

The purpose of this memo is to inform the Transportation Commission of the pending STIP Policy Amendment #1 to incorporate funding for the National Electronic Vehicle Infrastructure (NEVI) program into the *FY2023 - FY2026 STIP*.

#### Action

Department staff is requesting your approval of the attached amendment package so that CDOT may subsequently submit the amendment to the Federal Highway Administration Colorado Division Office. Once the Amendment is approved, this funding will move from its 'pending' status to 'approved' in the STIP database in SAP.

#### Background

NEVI is a new program included in the federal transportation authorization bill, IIJA (Infrastructure Investment and Jobs Act). The program allocates five years of funding to state DOTs for the planning, construction, and operation of electric vehicle DC Fast Charging (DCFC) stations within 1 mile of federally designated alternative fuel corridors nationwide. Colorado's five-year allocation of funding is approximately \$56.5 million. The state currently has 13 designated corridors eligible for investment. Per federal regulations, new funding must be amended into the STIP to fund eligible projects.

CDOT developed and submitted the required NEVI Plan to federal authorities on August 1, 2022. It was approved on September 16, 2022, authorizing the first two years of funding. The Colorado NEVI Plan will be updated annually and there will be regular open calls for projects over the lifetime of the program until all the funds are expended.

The NEVI program itself will be managed by the Colorado Energy Office (CEO) through an interagency agreement with CDOT. Grant funds will be awarded to local government, private companies, nonprofits, and electric utilities who will commit to construct NEVI-compliant DCFC sites and then maintain them for a minimum of five years.

Per federal requirements (23 CFR 451.212), CDOT has conducted a public involvement outreach for review and comment on this proposed amendment. This outreach was initiated via e-mail to members of the Statewide Transportation Advisory Committee, County Commissions and County planning staff. The amendment has also been available for review on the CDOT website at: <https://www.codot.gov/programs/planning/transportation-plans-and-studies/stip>.

The public comment period opened on November 4, 2022 and will close on December 14, 2022. To date, no comments have been received. If any comments are received between now and December 14, 2022 will be summarized for the Transportation Commission and presented at the regular meeting on December 14, 2022.

### **Next Steps**

Once approved, Department staff will:

- Forward the Amendment package to FHWA; and
- Approve the amendment in the STIP database in SAP

### **Attachments**

- Attachment A - STIP Amendment table detailing the funding being added to the STIP





CDOT Region	STIP ID	STIP Description	Funding Program	Amounts in Dollars				Reason for Amendment
				FY2023 Amount	FY2024 Amount	FY2025 Amount	FY2026 Amount	
ST	SST7103	National Electric Vehicle Infrastructure Program	EVP	\$20,410,322	\$12,042,129	\$12,042,139	\$12,042,164	<p>The National Electric Vehicle Infrastructure (NEVI) Program was established as a new federal formula program by the Infrastructure Investment &amp; Jobs Act (IIJA) in 2021. It allocates 5 years of funding to state departments of transportation for the planning, construction, and operation of electric vehicle DC Fast Charging (DCFC) stations within 1 mile of federally-designated alternative fuel corridors nationwide. Colorado's 5-year allocation of funds is approximately \$56.5 million and the state currently has 13 designated corridors eligible for investment.</p> <p>CDOT developed and submitted the required NEVI Plan to the federal authorities on August 1st and it was approved on September 16th, authorizing the first two years of funding. NEVI-funded grant programs will be managed by the Colorado Energy Office (CEO) through an interagency agreement with CDOT and grant funds will be awarded to local governments, private companies, nonprofits, and electric utilities who commit to construct NEVI-compliant DCFC sites and then maintain and operate them for a minimum of 5 years. The Colorado NEVI Plan will be updated annually and there will be regular open calls for projects over the lifetime of the program until all funds are expended.</p> <p>NOTE: The funding for FY2022 (\$8.4m) and FY2023 (\$12m) have been combined for FY2023 for inclusion in the STIP.</p>

If you have any questions or comments regarding the amendment actions above, please submit them to:

Jamie Collins, Colorado Department of Transportation  
jamie.collins@state.co.us  
303-757-9092

Comments will be taken until close of business on **December 14, 2022.**



**MEMORANDUM**

**TO: THE TRANSPORTATION COMMISSION**  
**FROM: JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER**  
**DATE: DECEMBER 15, 2022**  
**SUBJECT: STATE INFRASTRUCTURE BANK (SIB) INTEREST RATE RECOMMENDATION FOR THE SECOND HALF OF FISCAL YEAR 2022-23**

**Purpose**

The purpose of this memorandum is to outline the proposed State Infrastructure Bank (SIB) interest rate for loans originating in the second half of State Fiscal Year 2022-23 and the origination fee schedule for Fiscal Year 2022-23.

**Action**

The Division of Accounting and Finance (DAF) recommends that the Transportation Commission (TC) increase the current SIB interest rate to 3.50% for loans originating in Fiscal Year 2022-23 Q2/Q3, and maintain the recommended origination fee schedule detailed in the memorandum.

**Background**

SIB Loan Rates: The SIB, established in 43-1-113.5(3) CRS. Rule V. Article 2 of 2CCR 605-1, requires that the TC set bi-annual interest rates for SIB Loans. Established rates over the past 18 months have been:

FY 2021-22 Q1/Q2: 2.00%	FY 2021-22 Q3/Q4: 2.00%	FY 2022-23 Q1/Q2: 3.00%
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Origination Fee Schedule: Rule V, Article 3 of 2 CCR 605-1 outlines the following origination fee schedule to be maintained for the current fiscal year as adopted by the TC. The TC may at their discretion apply the fee, the maximum of:

- 1.00% for loan proceeds up to \$1 million
- 0.75% on the loan proceeds over \$1 million up to \$2.5 million
- 0.50% on the loan proceeds over \$2.5 million up to \$5 million
- 0.25% on the loan proceeds over \$5 million

**Rate Recommendations/Interest Rate Outlook for US Treasury Market**

The current U.S. Treasury market and Federal Funds Rate, as well as the Department’s Financial Advisor’s projections for the US Treasury market and Federal Funds Rate are used to determine the SIB interest rate. Current interest rates (Taxable and Tax-Exempt) are over 200 basis points higher than at the beginning of 2022. The market consensus projections have interest rates continuing to increase over the next year. The Fed is likely to implement yet another 50 basis point rate hike at their next meeting, bringing the Fed Funds Rate to 4.50% by the end of 2022. Notably, the 10-year US Treasury yield, which serves as the benchmark for the SIB interest rate, is projected to rise above 4.00% by the end of the year.

This recommendation is based on the following:

- Interest rates have seen increased volatility over the last several months. The 10-year treasury alone has risen over 2.00% since the beginning of the 2022.
- As the economy continues to recover from the COVID-19 pandemic, inflation has continued to rise as a result of the additional Federal Stimulus packages, which has put upward pressure on interest rates.
- The Fed is likely to implement another 50 basis point rate hike at their December meeting, and potentially smaller 25 basis point hikes at the February and March meetings, which could take the Fed Funds Rate to 5.00% by Q1 2023.
- While overall interest rates have increased substantially since the last SIB reset and the current CDOT SIB rate setting methodology would indicate raising the rate to 4.00%. DAF is proposing a more modest increase of 50 basis points and re-evaluating market conditions for the next semi-annual reset in six months.

Market Consensus Interest Rate Forecast					
	Current	Q4 2022	Q1 2023	Q2 2023	Q3 2023
Fed Funds Rate	4.00	4.50	5.00	5.00	4.90
US 2-Year	4.33	4.56	4.56	4.36	4.08
US 10-Year	3.57	4.03	4.01	3.89	3.74
US 30-Year	3.61	4.17	4.12	4.00	3.88

Source: Bloomberg (12/2/2022)

### **Options and Recommendation**

1. **Staff Recommendation:** Increase the interest rate to 3.50% for all SIB loans originating in Fiscal Year 2022-23 Q2/Q3, and maintain the recommended origination fee schedule for all loans during the same period.
2. Adopt a new interest rate determined by the Transportation Commission.
3. Deny the recommended SIB loan interest rate, request additional staff analysis, and/or delay approval consideration for a future month.

### **Next Steps**

If approved as recommended, Department staff will apply the approved interest rate and origination fee schedule to all SIB loans originating in the second half of Fiscal Year 2022-23.

### **Attachments:**

Attachment A: Proposed SIB Rate Resolution

**Colorado Bridge and Tunnel Enterprise Board**  
**Meeting Minutes**  
**November 17, 2022**

PRESENT: Don Stanton, District 2  
Eula Adams, District 3  
Karen Stuart, Chair, District 4  
Kathleen Bracke, District 5  
Barbara Vasquez, District 6  
Kathy Hall, Vice Chair, District 7  
Mark Garcia, District 8  
Lisa Hickey, District 9  
Terry Hart, District 10  
Gary Beedy, District 11

EXCUSED: Yessica Holguin, District 1

AND: Staff members, organization representatives, and broadcast publicly

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

In October, the Bridge and Tunnel Enterprise Board of Directors approved:

- Regular Meeting Minutes of October 20, 2022
- Draft FY2024 Budget Allocation Plan



## MEMORANDUM

**TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**DATE: DECEMBER 15, 2022**  
**SUBJECT: FIFTH SUPPLEMENT TO THE FISCAL YEAR 2022-23 BRIDGE AND TUNNEL ENTERPRISE BUDGET**

### Purpose

This month the Bridge Tunnel Enterprise (BTE) Board of Directors (Board) is being asked to approve a budget supplement request for two projects located in Region 1 and Region 2:

- 1) Region 1: To establish the construction phase budget for the Eisenhower Johnson Memorial Tunnels (F-13-Y and F-13-X) Plenum Liner Consolidated Grouting project in Clear Creek and Summit Counties.
- 2) Region 2: To increase the construction phase budget for I-25 ML Southbound over US 160 ML, RR Spur (N-17-AD) in Huerfano County.

### Action

Staff is requesting Board approval of Proposed Resolution #BTE-2, the fifth budget supplement to the Fiscal Year 2022-23 BTE budget.

### Background

Region 1: To establish the construction phase budget for the Eisenhower Johnson Memorial Tunnels (F-13-Y and F-13-X) Plenum Liner Consolidated Grouting project

Ground water infiltration through the tunnel plenum liner in the Eisenhower Johnson Memorial Tunnels (EJMT) has caused damage to the plenum liner (a large concrete structural liner that houses the supply and exhaust ducts of the tunnel), surrounding utilities, and grout beds supporting the tile lined wall panels. The water infiltration also results in potentially hazardous levels of ice formation on areas of the plenum above traffic. Through the freeze/thaw cycle, water has also been able to seep to the wall panel grout beds and has resulted in movement of the wall panels through ice/frost heave. The Plenum Liner Consolidated Grouting project aims to reduce water penetration through drilling and injecting grout behind the tunnel liner at multiple select areas throughout the tunnel. The grouting will “push” water away from the liner, fill voids, and decrease the overall permeability of the interstitial space.

This project will decrease engineering and maintenance costs by increasing the longevity and resiliency of the Eisenhower Johnson Memorial Tunnels and repairing a defect that has resulted in damage to numerous



tunnel elements. The ongoing maintenance related to water infiltration have been a significant burden on financial and personnel resources, leading staff to prioritize the Plenum Liner Consolidated Grouting project.

I-70 Eisenhower Johnson Memorial Teunnel in Clear Creek County  
(Old F-13-Y and F-13-X) (No New) (SAP Project # 25280/1000...)  
*Budget Components by Phase, Funding Program, Fiscal Year*

Phase of Work	Funding Program	Current Budget	BE Supplement Action				Revised Budget	Expended To-Date
			Year of Budget			Total Request		
			FY 2023	FY 2024	FY 2025			
Construction	<i>FASTER Bridge Funds</i>	\$ -	\$ 6,000,000	\$ 11,822,300	\$ 4,078,600	\$ 21,900,900	\$ 21,900,900	\$ -
	<b>Total Construction</b>	\$ -	\$ 6,000,000	\$ 11,822,300	\$ 4,078,600	\$ 21,900,900	\$ 21,900,900	\$ -
<b>Total Project Budget &amp; Expenditure</b>		\$ -	\$ 6,000,000	\$ 11,822,300	\$ 4,078,600	\$ 21,900,900	\$ 21,900,900	\$ -
		Year of Expenditure			Total Request			
			FY 2023	FY 2024	FY 2025			
			\$ 4,000,000	\$ 6,510,000	\$ 11,390,900	\$ 21,900,900		

Region 2: To increase the construction phase budget for I-25 ML Southbound over US 160 ML, RR Spur (N-17-AD) to award the project.

The original construction budget of \$20,132,600 was approved by the Board on August 18, 2022 (ref: Resolution #BTE22-08-02, the second supplement to the Fiscal Year 2022-23 BTE budget). When the project was advertised in October 2022, multiple bids were received, and the bids were more than 10% above the CDOT engineer’s estimate. After performing a bid analysis, it was decided that the low bid would be accepted as the bids were reflective of current market conditions. It should be noted that the bids were competitive with a 1.93% variance between the low bid and second low bid. The increasing number of planned and unplanned repairs required to keep the bridge operating safely and the level of effort required to execute third party agreements for the project were also considered in the decision to accept the low bid. Additionally, it was determined that BTE funds are available to award the project without impacting other planned projects.

The cost increase is primarily attributable to several bid items including, Embankment Material (CIP), Hot Mix Asphalt, Drilled Shaft (72”), and 30 Inch Welded Steel Pipe (Jacked). Additionally, inflation has increased the cost estimate for the majority of remaining project bid items. The structure is in the top tier of the July 2022 BTE Bridge Prioritization Plan.

I-25 ML SB over US 160 ML, RR Spur in Huerfano County  
(Old N-17-AD) (New N-17-ADA) (SAP Project # 22350/1000...)  
*Budget Components by Phase, Funding Program, Fiscal Year*

Phase of Work	Funding Program	Current Budget	BE Supplement Action				Revised Budget	Expended To-Date
			Year of Budget			Total Request		
			FY 2023	FY 2024	FY 2025			
ROW	<i>FASTER Bridge Funds</i>	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 5,511
	<b>Total ROW</b>	\$ 12,000	\$ -	\$ -	\$ -	\$ -	\$ 12,000	\$ 5,511
Utilities	<i>FASTER Bridge Funds</i>	\$ 241,685	\$ -	\$ -	\$ -	\$ -	\$ 241,685	\$ 15,808
	<b>Total Utilities</b>	\$ 241,685	\$ -	\$ -	\$ -	\$ -	\$ 241,685	\$ 15,808
Design	<i>FASTER Bridge Funds</i>	\$ 1,282,500	\$ -	\$ -	\$ -	\$ -	\$ 1,282,500	\$ 1,232,233
	<b>Total Design</b>	\$ 1,282,500	\$ -	\$ -	\$ -	\$ -	\$ 1,282,500	\$ 1,232,233
Construction	<i>FASTER Bridge Funds</i>	\$ 20,132,600	\$ 1,500,000	\$ 2,500,000	\$ 1,551,839	\$ 5,551,839	\$ 25,684,439	\$ -
	<b>Total Construction</b>	\$ 20,132,600	\$ 1,500,000	\$ 2,500,000	\$ 1,551,839	\$ 5,551,839	\$ 25,684,439	\$ -
<b>Total Project Budget</b>		\$ 21,668,785	\$ 1,500,000	\$ 2,500,000	\$ 1,551,839	\$ 5,551,839	\$ 27,220,624	\$ 1,253,552
		Year of Expenditure			Total Request			
			FY 2023	FY 2024	FY 2025			
			\$700,000	\$0	\$4,851,839	\$5,551,839		

**Next Steps**



- 1) Approval of the budget supplement and Proposed Resolution #BTE-2 will provide the necessary budget to allow for the EJMT Plenum Liner Consolidated Grouting project to proceed to advertisement.
- 2) Approval of the budget supplement and Proposed Resolution #BTE-2 will provide the necessary budget to award the construction contract for N-17-AD.





**MEMORANDUM**

**TO: THE TRANSPORTATION COMMISSION**  
**FROM: JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER**  
**DATE: DECEMBER 14, 2022**  
**SUBJECT: MONTHLY CASH BALANCE UPDATE**

**Purpose**

To provide an update on cash management, including forecasts of monthly revenues, expenditures, and cash balances in Fund 400, the State Highway Fund.

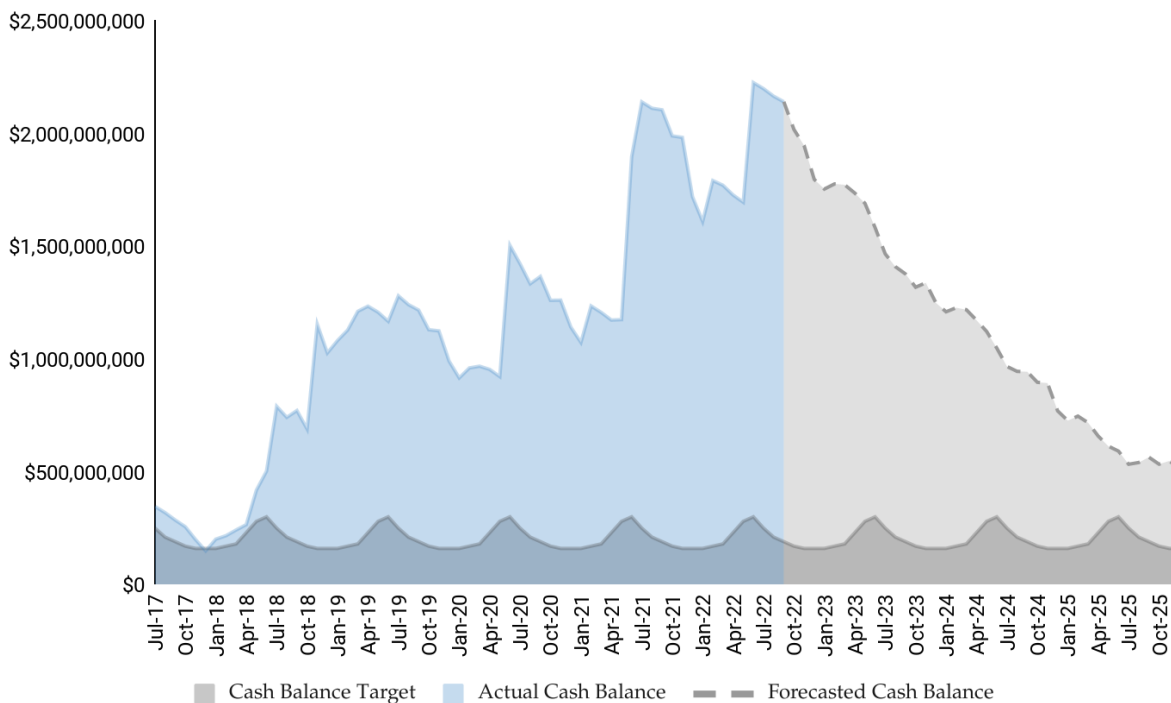
**Action**

No action is requested or required at this time.

**Background**

Figure 1 below depicts the forecast of the closing Fund 400 cash balance in each month, as compared to the targeted minimum cash balance for that month (gray shaded area). The targeted minimum cash balances reflect the Transportation Commission’s directive (Policy Directive #703) to limit the risk of a cash overdraft at the end of a month to, at most, a probability of 1/1,000 (1 month of 1,000 months ending with a cash overdraft).

**Figure 1 – Fund 400 Cash Forecast**







**Summary**

The actual closing cash balance for October 2022 was \$2.01 billion; \$1.85 billion above that month’s cash minimum cash balance target of \$190 million. October’s cash balance consists of \$707.18 million in the State Highway Fund and \$1.34 billion in the Senate Bill 267 trustee account. The actual cash balance for October 2022 was \$30.2 million higher than forecasted due to higher than expected FHWA reimbursements.

The large cash balance results from the additional revenues listed in the section below.

**Cash Revenues**

The cash balance forecast is limited to the State Highway Fund (Fund 400 and affiliated funds and trustee accounts), and does not include other statutory Funds including the Multimodal Mitigation and Transportation Options Fund and Funds associated with the following Enterprises:

- Colorado Transportation Investment Office
- Statewide Bridge and Tunnel Enterprise
- Clean Transit Enterprise
- Nonattainment Area Air Pollution Mitigation Enterprise

The State Highway Fund revenue forecast includes revenues from:

- **Highway Users Tax Fund** - This primarily includes Motor Fuel Taxes, Vehicle Registration Fees, Road Usage Fees, and Retail Delivery fees.
- **Miscellaneous State Highway Fund Revenue** - This revenue includes proceeds from the sale of state property, interest earned on the money in the cash fund, the issuance of oversize/overweight permits, and revenue from various smaller sources.
- **SB 17-267** - This bill directed the State Treasurer to execute lease-purchase agreements on existing state facilities to generate revenue for priority transportation projects. A summary of this revenue can be found in the table below.
- **Other Legislative Sources**- This includes revenue transferred from the General Fund to the State Highway Fund through legislation passed by the Colorado General Assembly. A summary of this revenue can be found in the table below.

Cash balances will be drawn down closer to the target balances over the course of fiscal years 2022, 2023, and 2024 as projects funded with SB 17-267 and other legislative sources progress through construction.

Legislative Initiatives	2019	2020	2021	2022	2023
SB 21-267	\$424,154,455	\$559,809,594	\$620,559,397	\$624,425,703	\$0
SB 18-001	\$346,500,000	\$105,000,000	\$0	\$0	\$0
SB 19-262	\$0	\$60,000,000	\$0	\$0	\$0
SB 21-110	\$0	\$0	\$30,000,000	\$0	\$0
SB 21-260	\$0	\$0	\$182,160,000	\$170,000,000	\$6,748,728
SB 22-176	\$0	\$0	\$0	\$0	\$6,500,000
SB 22-180	\$0	\$0	\$0	\$40,000,000	\$0
SB 21-265	\$0	\$0	\$0	\$124,000,000	\$0





**Cash Payments to Construction Contractors**

The current forecast of payments to construction contractors under state contracts (grants paid out under inter-government agreements for construction are accounted for elsewhere in the expenditure forecast) from Fund 400 is shown in Figure 2 below.

**Figure 2 – Forecasted Payments - Existing and New Construction Contracts**

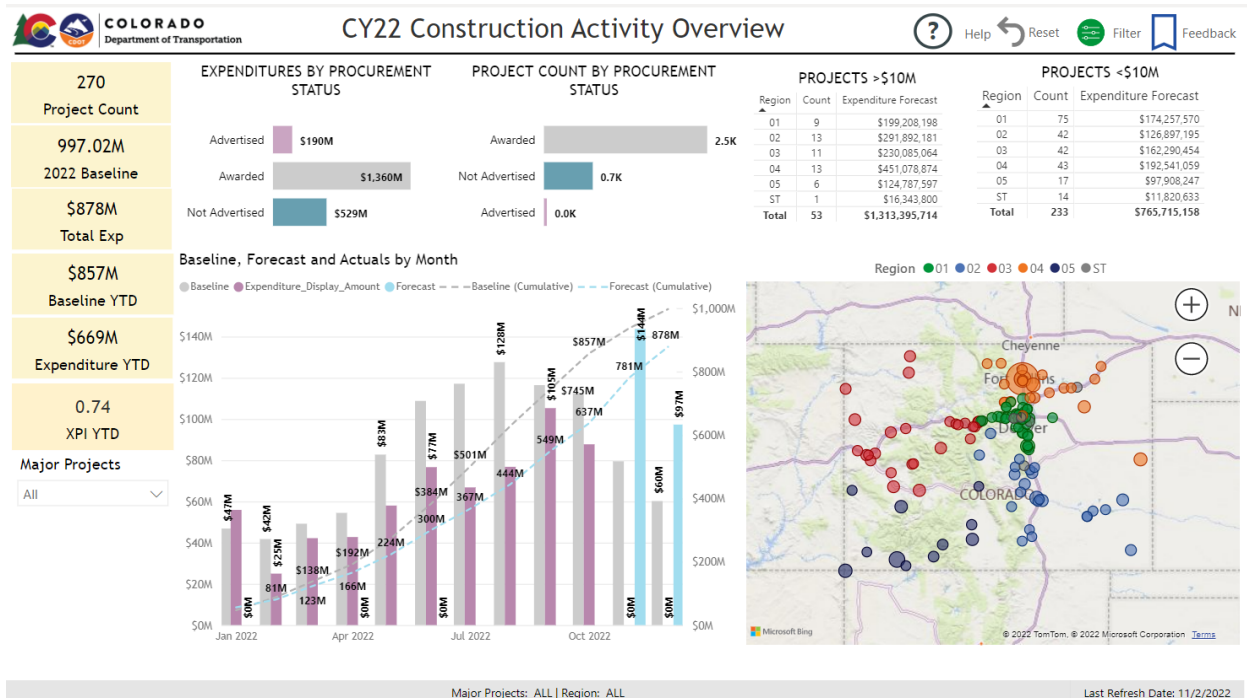
\$ millions	CY 2017 (actual)	CY 2018 (actual)	CY 2019 (actual)	CY 2020 (actual)	CY 2021 (actual)	CY 2022 (forecast)	CY 2023 (forecast)	CY 2024 (forecast)
Expenditures	\$642	\$578	\$669	\$774	\$615	\$850	\$850*	\$850*

\*This is preliminary information based on the 10-Year Plan update which was considered by the Transportation Commission for approval in September. This information will be updated as additional project schedule detail becomes available.

Figure 3 details CY22 baseline, forecast, and actual expenditures for the State Highway Fund (see Figure 2 above) as well as Bridge and Tunnel Enterprise. CDOT sets the CY baseline in January each year, using the best estimates, forecast, and schedule information available at the time.

Including Bridge Enterprise, CY 22 expenditures are forecasted to total \$878 M. As of October month end, actual expenditures total \$669M, which corresponds with an Expenditure Performance Index (XPI) of .74 (actual expenditures vs. baseline). Figure 3 also outlines the number of projects planned to incur construction expenditures in CY22; a listing of CY22 baseline and project count by procurement status (awarded, not advertised and advertised); and count of projects by region that have CY22 forecast greater than \$10 million dollars and less than \$10 million dollars.

**Figure 3 - CY 22 Construction Activity Overview**





# COLORADO

Department of Transportation

Office of Policy and Government Relations

## MEMORANDUM

**TO:** COLORADO TRANSPORTATION COMMISSION  
**FROM:** HANNAH L. REED, FEDERAL GRANTS COORDINATOR IN OPGR  
**DATE:** DECEMBER 14<sup>TH</sup>, 2022  
**SUBJECT:** UPDATE TO TRANSPORTATION COMMISSION ON SUBMITTED, IN PROGRESS, AND FORTHCOMING GRANT APPLICATIONS TO IJJA DISCRETIONARY PROGRAMS

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### Purpose

To share progress on submitted applications, and current and future coordination of proposals to anticipated federal discretionary programs under the Infrastructure Investment Jobs Act (IIJA).

### Action

Per PD 703.0, when the department intends to apply for grants with a match consisting of previously approved funding, no action is necessary by the Commission, but we provide the Commission with the projects we intend to pursue.

If the match requires an additional commitment of funds not already approved by the Commission, or Bridge & Tunnel Enterprise (BTE), staff brings the projects to the Commission as an action item, with the additional funding being made contingent on a successful application and grant award.

### Background and Details

#### **RECENTLY SUBMITTED**

The following discretionary grant programs for FY22 have already closed:

1. REBUILDING AMERICAN INFRASTRUCTURE with SUSTAINABILITY and EQUITY (RAISE)
  - Two applications were submitted by CDOT
    - MOVE: Westward Three mobility hub project in Region 3
      - **\$24.24M AWARDED!**
    - 6th & Wadsworth interchange reconstruction in Region 1
  - A third was submitted with CDOT's strong support
    - US 119 Safety and Mobility project in Region 4
2. MULTIMODAL PROJECTS DISCRETIONARY GRANT PROGRAM (MPDG)
  - Three applications were submitted by CDOT
    - Floyd Hill to Veterans Memorial Tunnels Improvements Project in Region 1
      - **\$100M AWARDED!**
    - MOVE: W3 (resubmission) in Region 3
    - US 40 Passing Lanes & Red Dirt Hill Improvements in Region 3
      - w/collaboration from Grand County
  - Three more were submitted with CDOT's strong support
    - US 50 Safety Highway Improvements for Freight and Travel (SHIFT) in Region 2
      - Submitted by Otero County
    - I-76 Phase IV Reconstruction and Repavement Project in Region 4
      - Submitted by Morgan County w/Weld County support
    - US 160 Safety and Mobility Improvement Project in Region 5
      - Submitted by La Plata County
3. 5339(b) and 5339(c): Bus and Bus Facilities and the Low or No Emission Vehicle programs, respectively

- CASTA and FHU Consulting coordinated 20 applications from 15 different entities. CDOT submitted all applications under the State DUNS/UEI
    - Only 5339b
      - Montrose Multi-Modal Transit Center in Region 5
      - Town of Estes Park Electric Trolley Facility Construction in Region 4
      - Glenwood Springs Bus Shelter Replacement Project in Region 3
      - Mountain Express Bus Storage, Maintenance, and Operations Facility in Region 3
      - Mountain Village Phase 2 Maintenance Shop Remodel in Region 5
      - RFTA 12 Diesel Buses Replaced with 10 CNG Buses and 2 Diesel Buses in Region 3
        - a. **\$5.7M AWARDED!**
      - Rifle Gateway Park-n-Ride: Relocation & Expansion in Region 3
        - a. **AWARDED via MOVE: W3**
      - SMART Vehicle Replacement and Fleet Expansion Project in Region 5
        - a. **\$2.6M AWARDED!**
      - Winter Park Transit Maintenance Facility - Phase II in Region 3
    - Only 5339c
      - ECO Transit's E-Bus Replacement Project in Region 3
    - Both
      - Breckenridge two Diesel/Hybrid bus Replacements and E-Bus Barn Rehabilitation in Region 3
      - Steamboat Springs Transit Bus Replacement and Overhaul Project in Region 3
        - a. **\$2.4M AWARDED!**
      - Summit County 100% Electric, Fleet Storage, Charging and Operation Transit Facility in Region 3
        - a. **\$34.8M AWARDED!**
      - Vail 2 Battery Electric Buses and Associated Charging Infrastructure in Region 3
        - a. **\$1.8M AWARDED!**
      - Via Mobility Services Bus Facility Replacement Supporting a Zero-Emissions Fleet Transition in Metro Denver in Region 1 & 4
4. NATIONAL SCENIC BYWAY PROGRAM (NSBP)
- DTD Colorado Byways Team received 26 project proposals from local agencies statewide. Three eligible and competitive applications were submitted by CDOT:
    - Alpine Loop and Silver Thread Facilities, Safety, and Recreation Upgrades in Regions 3 & 5
    - Scenic Highway of Legends Wayfinding and Interpretive Materials Implementation in Region 2
    - Mount Evans Collaborative Renaming, Re-signing, and Educational Emphasis in Region 1
5. TRANSIT-ORIENTED DEVELOPMENT PLANNING PROGRAM (TOD)
- CDOT supported the City of Longmont on an application for the 1st & Main Mobility Hub and TOD opportunities surrounding the site
6. BRIDGE INVESTMENT PROGRAM (BIP)
- Planning subprogram:
    - Pre-Scoping Bridge Bundle in Region 1
    - Timber Replacement in Region 3
    - Railroad Overpasses in Region 3
  - Large Bridge subprogram:
    - I-270 Critical Bridge Bundle in Region 1
  - "Other" Bridge subprogram:
    - I-76 Phase V in Region 4
    - US 160 Florida River Bridge in Region 5

- Y6 BPM in Region 5
  - 6th & Wads Interchange in Region 1
    - Resubmission
7. SAFE STREETS & ROADS FOR ALL (SS4A)
    - As a state entity, CDOT was ineligible to submit our own proposal to this opportunity, but we supported the applications of the following local partners:
      - Grand Valley MPO
      - Montrose County
      - City of Fort Collins
      - City of Glenwood Springs
  8. Enabling Middle Mile Broadband
    - CDOT submitted a \$119M proposal to build 7 new middle mile fiber corridors across the state
      - Region 3: 46 miles of fiber between Grand Junction and Delta
      - Region 2: 119 miles of fiber between Pueblo and Lamar.
      - Region 2 & 4: 119 miles of fiber Lamar to Burlington.
      - Region 4: 37 miles of fiber between Greeley and Wiggins
      - Region 4: 60 miles of fiber from Sterling to the Nebraska State Line.
      - Region 4: 5 miles of fiber between Boulder and Longmont.
      - Region 5: 115 miles of over pull fiber from South Fork to Walsenburg.
  9. RAILROAD CROSSING ELIMINATION (RCE)
    - A planning application to study the elimination of two at-grade highway-rail crossings on US 34 in Region 4
    - CDOT also provided letters of support for two local applications in Fort Collins
  10. RECONNECTING COMMUNITIES PILOT PROGRAM (RCP)
    - CDOT co-sponsored a planning proposal with Trinidad to mitigate the impacts of the I-25 viaduct that divides the City.
  11. STRENGTHENING MOBILITY and REVOLUTIONIZING TRANSPORTATION (SMART)
    - CDOT-led ATMA proposal with MN DOT, OK DOT, and WI DOT as subrecipients
    - I-25 Coordinated and AI-based Ramp Metering System in Region 1
  12. FTA's ADVANCED DRIVER ASSISTANCE SYSTEMS (ADAS)
    - Install ADAS demonstrative technologies into three of CDOT's Bustang fleet
  13. CONSOLIDATED RAIL INFRASTRUCTURE & SAFETY IMPROVEMENTS (CRISI)
    - US 50/US 550 Reconfigured Intersection for Safety and Consolidation (RISC) in Region 3

## IN PROGRESS

CDOT is actively pursuing the following discretionary grant program(s):

1. RAISE 2023
  - The preliminary NOFO was released on Nov. 30th; full NOFO to come by Dec. 14th.
  - CDOT intends to prioritize the previously submitted 6th & Wadsworth Interchange Reconstruction proposal, as it received a "Project of Merit" designation in 2022.
  - CDOT will continue to partner with Boulder County in revising and resubmitting the 119 Safety and Mobility proposal.
  - Idaho Springs has requested CDOT's support in preparing a RAISE application for a local mobility hub and pedestrian bridge over I-70.

## NEW & FORTHCOMING OPPORTUNITIES

The following discretionary programs have either recently released, or are expected to release in the near future, Notices of Funding Opportunities (NOFO). CDOT is interested in pursuing eligible and competitive projects or partnerships for each program:

1. PROMOTING RESILIENT OPERATIONS for TRANSFORMATIVE, EFFICIENT, and COST-SAVING TRANSPORTATION (PROTECT): Funding to make existing transportation assets, particularly evacuation routes, more resilient to extreme weather events and other natural disasters. The formula funding for this program was announced in Summer 2022; it is anticipated that the discretionary program will be announced before the end of 2022, or early in 2023.

- CDOT is preparing a scalable proposal to address resiliency on corridors related to Glenwood Canyon, including I-70, US 40, SH 13, and SH 9.

**Next Steps**

- RAISE 2023 final NOFO will be released by Dec. 14, 2022; applications are due Feb. 28, 2023



## MEMORANDUM

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**TO:** THE TRANSPORTATION COMMISSION  
**FROM:** Kay Kelly, Program Administrator, Clean Transit Enterprise  
**DATE:** December 14, 2022  
**SUBJECT:** Clean Transit Enterprise Annual Report

**Purpose:** Informational

**Action:** No action required

**Background:**

In 2021, the Clean Transit Enterprise (CTE) was established within the Colorado Department of Transportation (CDOT) to support public transit electrification planning efforts, facility upgrades, fleet vehicle replacements and the purchase and installation of electric vehicle (EV) charging and fueling infrastructure. Created by Colorado Senate Bill 21-260, the Enterprise imposes a Clean Transit Retail Delivery Fee to fund its operations and has the power to issue grants, loans and rebates to support the electrification of public transit in Colorado.

The CTE is required to prepare an annual report regarding its activities and funding and to present this report to the CDOT Transportation Commission, along with the Transportation and Local Government and Energy and Environment Committees of the House Of Representatives and the Transportation and Energy Committee of the Senate.

The initial year of activities for the CTE consisted primarily of administrative activities related to seating the Enterprise Board of Directors, electing officers, approving bylaws and articles of organization, setting a budget, drafting a 10-year plan and conducting a rulemaking to govern the CTE processes and fees, as described in the attached report.

**Next Steps:** Please feel free to follow up with CTE staff if you have any questions or comments.

**Attachments:** Clean Transit Enterprise Annual Report CY2022



# Clean Transit Enterprise 2022 Annual Report

Reporting Period encompasses January 1 - December 1, 2022

## Background

In 2021, the Clean Transit Enterprise (CTE) was established within the Colorado Department of Transportation (CDOT) to support public transit electrification planning efforts, facility upgrades, fleet vehicle replacements and the purchase and installation of electric vehicle (EV) charging and fueling infrastructure. Created by Colorado Senate Bill 21-260 (SB 21-260), the Enterprise imposes a Clean Transit Retail Delivery Fee to fund its operations and has the power to issue grants, loans and rebates to support the electrification of public transit in Colorado.

The primary business purpose of the CTE is to “reduce and mitigate the adverse environmental and health impacts of air pollution and greenhouse gas emissions produced by motor vehicles used to make retail deliveries by supporting the replacement of existing gasoline and diesel transit vehicles with electric motor vehicles, including motor vehicles that originally were powered exclusively by internal combustion engines but have been converted into electric motor vehicles, providing the associated charging infrastructure for electric transit fleet motor vehicles, supporting facility modifications that allow for the safe operation and maintenance of electric transit motor vehicles, and funding planning studies that enable transit agencies to plan for transit vehicle electrification” (CRS 43-4-1203). The statute defines electric motor vehicles to include battery electric, plug-in hybrid electric and hydrogen fuel cell electric vehicles. It also allows for funding of compressed natural gas vehicles fueled by at least 90 percent recovered methane in circumstances where an electric vehicle is not practically available.

Public transit electrification projects funded by the CTE will help the state reach its targets of 1,000 zero-emission transit vehicles (ZEVs) on Colorado roads by 2030 and a 100% zero-emission transit fleet by 2050. These targets, which were established by the 2020 Colorado EV Plan and further elaborated in the 2021 Colorado Transit Zero-Emission Vehicle Roadmap, apply to rubber-tired, conventionally fueled transit buses, cutaways, vans, minivans and automobiles. They do not apply to commuter rail, light rail and gondola systems, as they are frequently powered by electricity.

## Calendar Year 2022 Accomplishments

The initial year of activities for the CTE consisted primarily of administrative activities related to seating the Enterprise Board of Directors, electing officers, approving bylaws and articles of organization, setting a budget, drafting a 10-year plan and conducting a rulemaking to govern the CTE processes and fees.



## Board of Directors

All of the powers of the CTE, as described in Section 43-4-1203, et seq., C.R.S., and as otherwise provided by law, are vested in the CTE Board. The CTE Board manages the business and affairs of the Enterprise and consists of nine members determined pursuant to the composition and qualifications outlined in Section 43-4-1203(2)(a)(I), C.R.S.

The Governor appointed six members on September 29, 2021. One of the Governor's initial appointees, Deya Zevala of Westminster, was originally appointed for a term expiring September 28, 2024 to represent a transportation-focused organization that serves an environmental justice community, but was unable to complete her term. She was subsequently replaced by Dawn Block of La Junta on February 18, 2022. All Board members received the approval of the Senate Transportation and Energy Committee on March 15, 2022 and confirmation from the Colorado Senate on March 21, 2022. The remaining three members were designated by the heads of the state agencies - CDOT, Colorado Department of Public Health and Environment (CDPHE) and Colorado Energy Office (CEO).

### For terms expiring 9/28/2024

- Matt Frommer (Denver): Member with an expertise in zero-emissions transportation, motor vehicle fleets or utilities
- Bonnie Trowbridge (Berthoud): Member representing a public advocacy group that has transit or comprehensive transit expertise
- Dawn Block (La Junta): Member representing a transportation-focused organization that services an environmental justice community

### For terms expiring 9/28/2025

- Mark Garcia (Pagosa Springs): Member of the Transportation Commission and have statewide transportation expertise
- Cris Jones (Boulder): Member representing an urban area, having transit expertise
- David Averill (Telluride): Member representing a rural area having transit expertise

### State Agency Appointments

- Theresa Takushi: Colorado Department of Transportation designee
- Kelly Blynn: Colorado Energy Office designee
- Richard Coffin: Colorado Department of Public Health and Environment designee

## Articles of Organization and Bylaws

The CTE Articles of Organization and Bylaws were approved by the Board on February 22, 2022. The Articles of Organization cover the name, authority, purpose, TABOR exemption, enterprise board, officers, powers, revenues and expenditures and process for amendments to the Articles of Organization. The Bylaws cover the Board composition, duties and responsibilities; Meetings of the Board; Open Meetings and Open Records; Officers and Staff; Fiscal Year and Budget; Amendment Process and other Miscellaneous provisions.

## Election of Officers

The CTE Board, using the directions provided in the Bylaw and Articles of Organization elected officers at the February 22, 2022 Board Meeting. Matt Frommer was elected Chair and David Averill was elected Co-Chair. In addition, the Board approved Kay Kelly, Chief of Innovative Mobility at CDOT, as the CTE Program Administrator and Deseri Scott, Program Assistant in the Office of Innovative Mobility at CDOT, as the CTE Secretary at the July 13, 2022 Board Meeting.

## Rulemaking

SB 21-260 established several new fees on the delivery of items that are subject to the state sales tax, including the retail delivery fee, a portion of which funds the activities of the CTE. The CTE was required by CRS 43-4-1203 (6)(g) to conduct a rulemaking in accordance with the administrative procedures act “to promulgate rules to set the amount of the clean transit retail delivery fee at or below the maximum amount authorized in this section and to govern the process by which the enterprise accepts applications for, awards, and oversees grants, loans and rebates...”. CRS 43-4-1203 (7)(b) initially set the rate at \$0.03 per delivery, which is the maximum amount established by SB 21-260, although the fee may be adjusted for inflation in future years.

The CTE Board initiated the rulemaking process on February 22, 2022 to set the Clean Transit Retail Delivery Fee and to govern the process for awarding and overseeing grants, loans and rebates. In accordance with administrative procedures, the proposed rule was filed with the Secretary of State on February 25 and a public comment period was open from March 10 through April 7. A public hearing was held on April 12, 2022 and the Board adopted 2 CCR 607-1, Rules Governing Clean Transit Enterprise Processes and Fees on the same day. The final rule can be found online [here](#).

The CTE Board will work with staff of CDOT, the Colorado Department of Revenue (DOR) and other subject matter experts on how and when to adjust the retail delivery fee to account for inflation over time.

## Ten Year Enterprise Plan

No later than June 1, 2022, the CTE was required to publish a 10 Year Plan that details how the Enterprise will execute its business purpose during state fiscal years 2022-2023 through 2031-2032 and estimates the amount of funding necessary to do so. As per statute, information regarding the implementation of the 10 Year Plan will be maintained and regularly updated in a public accountability dashboard that can be accessed via the CTE website.

To ensure transparency and accountability of the CTE, a 10 Year Plan was developed reflecting the vision and expertise of the CTE Board, along with valuable input from Colorado’s transit

agency partners, transit advocates, public stakeholders and staff from CDOT’s Office of Innovative Mobility and Division of Transit and Rail. The 10 Year Plan includes background information on the national and Colorado transit zero emission fleet, along with common barriers, anticipated timelines and costs to ZEV transition. It details the estimated financial resources and expenditures for FY2023-2032 and describes the CTE funding strategy. The 10 Year Plan also provides detailed information on the four categories of funding programs - planning, facility modification, vehicle acquisition and charging/fueling infrastructure programs.

The CTE Board intends for this 10 Year Plan to function as a living document which will be updated and refined over time to account for changes in ZEV technologies, developing vehicle markets, emerging industry best practices and the specific feedback and input of transit stakeholders - most importantly, the implementing transit agencies themselves. To this end, the CTE Board intends to review this plan at least every 2 years following its adoption in order to evaluate the need for updates. The CTE Board may adjust the regular review schedule in future years as more in-state experience and overall market predictability is gained.

The CTE 10 Year Plan was approved by the CTE Board at its May 25, 2022 meeting and is posted on the CTE Website [here](#).

## Budget

The CTE did not have an operating budget or source of funding prior to August 2022 when CTE began receiving revenue from the Clean Transit Retail Delivery Fee. All FY21-22 CTE expenses were paid through a loan from the CDOT Transportation Commission (TC), which was approved by the TC in December of 2021 and by the CTE Board in February of 2022. Once CTE received fee revenue for the month of August 2022, the Transportation Commission Loan was repaid in full with interest per the terms of the loan agreement. The CTE spent \$13,735 of the \$74,350 loan in FY22. In October of 2022, the CTE Board voted to transfer the remaining balance of the loan proceeds to the 2023 Programmed Funds budget.

CLEAN TRANSIT ENTERPRISE FY21-22 (Loan from CDOT Transportation Commission)		
Expense Description	Quantity	FY22 Funding
Director	5.0% of 1.0 FTE	\$6,500
Office of Innovative Mobility (OIM) Chief	2.5% of 1.0 FTE	\$3,500
OIM Staff	50.0% of 1.0 FTE	\$37,500
Program Assistant	5.0% of 1.0 FTE	\$2,750
Division of Accounting & Finance (DAF) Staff	15.0% of 1.0 FTE	\$15,000
Policy Staff	2.5% of 1.0 FTE	\$2,500
Board Travel/Reimbursement	\$1,000 per meeting for 6 meetings	\$6,000
Meeting Expenses	\$100 per meeting for 6 meetings	\$600
<b>TOTAL</b>		<b>\$74,350</b>

The CTE Board established and approved its initial budget for FY 22-23 at the May 25, 2022 Board meeting. Elements of the annual budget include Administrative and Agency Operations to support day-to-day operations of the enterprise, Contingency Reserve to handle unexpected expenses that are outside the range of the usual budget, and Programmed Funds that will be made available in the form of grants, loans, rebates and revenue bonds to transit agencies to support zero emission vehicle transition. The CTE does not anticipate having dedicated staff members, but will leverage existing CDOT staff to support Enterprise work. Those positions are denoted in the budget table below.

### FY23 CTE Budget

CTE LINE ITEM	FY2022-23
<b>TOTAL REVENUES</b>	<b>\$ 8,280,329</b>
Clean Transit Retail Delivery Fee	\$ 8,280,329
<b>ADMINISTRATION &amp; AGENCY OPERATIONS</b>	<b>\$ 626,628</b>
<b>Staff Salaries</b>	<b>\$ 411,900</b>
Program Administrator	\$ 15,000
Board Secretary	\$ 5,500
DTR Director	\$ 6,500
DTR Staff	\$ 300,000
OIM Staff	\$ 37,500
Enterprise Controller/Accountant	\$ 15,000
DAF Budget Analyst	\$ 10,000
DAF Procurement Staff	\$ 20,000
OPGR Rules Coordinator	\$ 2,400
<b>Attorney General's Office Fees</b>	<b>\$ 5,000</b>
<b>Office of State Audit - Annual Financial Audit</b>	<b>\$ 2,000</b>
<b>Professional Services</b>	<b>\$ 100,000</b>
<b>Language Translation Services</b>	<b>\$ 25,000</b>
<b>Administrative Expenses</b>	<b>\$ 6,600</b>
Board/Staff Travel	\$ 5,000
Board Meeting Expenses	\$ 600
Miscellaneous	\$ 1,000
<b>Loan Payments</b>	<b>\$ 76,128</b>
<b>CONTINGENCY RESERVE</b>	<b>\$ 828,033</b>
Board Reserve Fund (10.00%)	\$ 828,033
<b>PROGRAMMED FUNDS</b>	<b>\$ 6,883,239</b>
Programmed Funds	\$ 6,825,668
Balance from Initial Loan Fund	\$ 57,571
<b>TOTAL - CTE</b>	<b>\$ 8,337,900</b>

## Financial Status Report

Funding from the CTE will be a key enabler for assisting transit agencies with ZEV transition. The fees established in SB21-260 are on-going revenue streams and CDOT staff have estimated revenue amounts for the next ten years. The projections anticipate that the Clean Transit Retail Delivery Fee will result in \$8.2 million in revenue in the first full year of

implementation, growing to \$20.6 million by 2032. Anticipated fee revenue amounts for 2033 and beyond will be calculated in the future.

### Clean Transit Retail Delivery Fee

FY 2022-23 to FY 2031-32

Fiscal Year	Estimated Rate	
	Per Trip	Total
FY 2021-22	\$0.000	\$0
FY 2022-23	\$0.030	\$8,280,329
FY 2023-24	\$0.031	\$9,132,872
FY 2024-25	\$0.031	\$9,834,347
FY 2025-26	\$0.032	\$11,134,125
FY 2026-27	\$0.033	\$12,308,104
FY 2027-28	\$0.034	\$13,617,560
FY 2028-29	\$0.034	\$14,712,367
FY 2029-30	\$0.036	\$16,716,268
FY 2030-31	\$0.037	\$18,549,225
FY 2031-32	\$0.037	\$20,606,029
<b>10-Year Total</b>		<b>\$134,891,225</b>

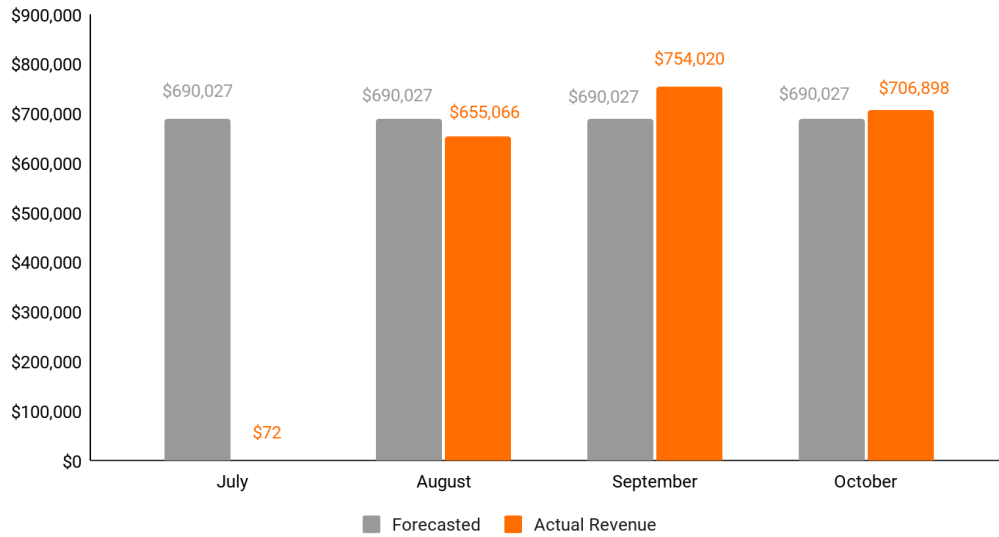
A proposed spending plan for FY23-32 was developed as part of the CTE 10 Year Plan.

### Clean Transit Enterprise 10-Year Plan - Proposed Spending Plan

LINE ITEM	FY2022-23	FY2023-24	FY2024-25	FY2025-26	FY2026-27	FY2027-28	FY2028-29	FY2029-30	FY2030-31	FY2031-32
1 TOTAL REVENUES	\$ 8,280,329	\$ 9,132,872	\$ 9,834,347	\$ 11,134,125	\$ 12,308,104	\$ 13,617,560	\$ 14,712,367	\$ 16,716,268	\$ 18,549,225	\$ 20,606,029
2 Clean Transit Retail Delivery Fee	\$ 8,280,329	\$ 9,132,872	\$ 9,834,347	\$ 11,134,125	\$ 12,308,104	\$ 13,617,560	\$ 14,712,367	\$ 16,716,268	\$ 18,549,225	\$ 20,606,029
3 ADMINISTRATION & AGENCY OPERATIONS	\$ 626,628	\$ 560,917	\$ 575,838	\$ 591,281	\$ 607,265	\$ 623,808	\$ 640,930	\$ 658,652	\$ 676,994	\$ 695,977
4 Staff Salaries	\$ 411,900	\$ 426,317	\$ 441,238	\$ 456,681	\$ 472,665	\$ 489,208	\$ 506,330	\$ 524,052	\$ 542,394	\$ 561,377
5 Program Administrator	\$ 15,000	\$ 15,525	\$ 16,068	\$ 16,631	\$ 17,213	\$ 17,815	\$ 18,439	\$ 19,084	\$ 19,752	\$ 20,443
6 Board Secretary	\$ 5,500	\$ 5,693	\$ 5,892	\$ 6,098	\$ 6,311	\$ 6,532	\$ 6,761	\$ 6,998	\$ 7,242	\$ 7,496
7 DTR Director	\$ 6,500	\$ 6,728	\$ 6,963	\$ 7,207	\$ 7,459	\$ 7,720	\$ 7,990	\$ 8,270	\$ 8,559	\$ 8,859
8 DTR Staff	\$ 300,000	\$ 310,500	\$ 321,368	\$ 332,615	\$ 344,257	\$ 356,306	\$ 368,777	\$ 381,684	\$ 395,043	\$ 408,869
9 OIM Staff	\$ 37,500	\$ 38,813	\$ 40,171	\$ 41,577	\$ 43,032	\$ 44,538	\$ 46,097	\$ 47,710	\$ 49,380	\$ 51,109
10 Enterprise Controller/Accountant	\$ 15,000	\$ 15,525	\$ 16,068	\$ 16,631	\$ 17,213	\$ 17,815	\$ 18,439	\$ 19,084	\$ 19,752	\$ 20,443
11 DAF Budget Analyst	\$ 10,000	\$ 10,350	\$ 10,712	\$ 11,087	\$ 11,475	\$ 11,877	\$ 12,293	\$ 12,723	\$ 13,168	\$ 13,629
12 DAF Procurement Staff	\$ 20,000	\$ 20,700	\$ 21,425	\$ 22,174	\$ 22,950	\$ 23,754	\$ 24,585	\$ 25,446	\$ 26,336	\$ 27,258
13 OPGR Rules Coordinator	\$ 2,400	\$ 2,484	\$ 2,571	\$ 2,661	\$ 2,754	\$ 2,850	\$ 2,950	\$ 3,053	\$ 3,160	\$ 3,271
14 Attorney General's Office Fees	\$ 5,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
15 Office of State Audit - Annual Financial Audit	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000	\$ 2,000
16 Professional Services	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
17 Language Translation Services	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
18 Administrative Expenses	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600	\$ 6,600
19 Board/Staff Travel	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
20 Board Meeting Expenses	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600	\$ 600
21 Miscellaneous	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000
22 Loan Payments	\$ 76,128	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
23 CONTINGENCY RESERVE	\$ 828,033	\$ 913,287	\$ 983,435	\$ 1,113,413	\$ 1,230,810	\$ 1,361,756	\$ 1,471,237	\$ 1,671,627	\$ 1,854,923	\$ 2,060,603
24 Board Reserve Fund (10.00%)	\$ 828,033	\$ 913,287	\$ 983,435	\$ 1,113,413	\$ 1,230,810	\$ 1,361,756	\$ 1,471,237	\$ 1,671,627	\$ 1,854,923	\$ 2,060,603
25 PROGRAMMED FUNDS	\$ 6,825,668	\$ 7,658,668	\$ 8,275,075	\$ 9,429,432	\$ 10,470,029	\$ 11,631,996	\$ 12,600,200	\$ 14,385,989	\$ 16,017,309	\$ 17,849,449
26 Programmed Funds	\$ 6,825,668	\$ 7,658,668	\$ 8,275,075	\$ 9,429,432	\$ 10,470,029	\$ 11,631,996	\$ 12,600,200	\$ 14,385,989	\$ 16,017,309	\$ 17,849,449
27 TOTAL - CTE	\$ 8,280,329	\$ 9,132,872	\$ 9,834,347	\$ 11,134,125	\$ 12,308,104	\$ 13,617,560	\$ 14,712,367	\$ 16,716,268	\$ 18,549,225	\$ 20,606,029

As of October 31, 2022, the Clean Transit Retail Delivery Fee has collected \$2,116,056 in revenue to support the business purpose of the CTE.

Clean Transit Enterprise Retail Delivery Fee Forecasted to Actual



## Upcoming Activities

Now that revenue from the Clean Transit Retail Delivery Fee has begun to flow into the enterprise, the CTE will be turning its attention to issuing the inaugural call for projects. The statewide transition to zero-emission transit vehicles will be a long and challenging process requiring commitment, partnership and resources from stakeholders across Colorado. The CTE was established to play a central role in this effort by helping to provide the funding support to transit agencies that was previously insufficient to achieve the state’s goal of 1,000 transit ZEVs by 2030 and 100 percent transit ZEVs by 2050. As the Board, staff and stakeholders of the CTE move from creation and planning to implementation and scaling, it will be critical for this close partnership to be maintained and strengthened, and for more voices and partners to be added to the conversation. While the path will not be easy, success in this effort will lead to cleaner, healthier and more efficient mobility for Coloradans in the years to come.



**COLORADO**  
**Department of Transportation**  
Nonattainment Area Air Pollution  
Mitigation Enterprise

2829 W. Howard Place  
Denver, CO 80204-2305

## MEMORANDUM

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**TO:** THE TRANSPORTATION COMMISSION  
**FROM:** DARIUS PAKBAZ, NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE PROGRAM ADMINISTRATOR  
**DATE:** DECEMBER 14, 2022  
**SUBJECT:** NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE 2022 ANNUAL REPORT

### Purpose

The Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) is required by C.R.S. § 43-4-1303 (10)(a)(IV) to submit an annual report regarding its activities and funding to the Transportation Commission. The annual report for the Enterprise is presented to the Commission for calendar year 2022.

### Action

Informational only, no action required.

### Background

The Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) was created as part of SB21-260 legislation in 2021. The Enterprise is a government-owned business within CDOT to execute the business purpose as outlined in statute. The Enterprise's business purpose is *"to mitigate the environmental and health impacts of increased air pollution from motor vehicle emissions in nonattainment areas that results from the rapid and continuing growth in retail deliveries made by motor vehicles and in prearranged rides provided by transportation network companies by providing funding for eligible projects that reduce traffic, including demand management projects that encourage alternatives to driving alone or that directly reduce air pollution, such as retrofitting of construction equipment, construction of roadside vegetation barriers, and planting trees along medians."*

### Next Steps

Please follow up with NAAPME staff with any questions regarding the 2022 Annual Report.

### Attachments

Attachment A - Nonattainment Area Air Pollution Mitigation Enterprise 2022 Annual Report





**COLORADO**

**Department of Transportation**

Nonattainment Area Air Pollution  
Mitigation Enterprise

# Nonattainment Area Air Pollution Mitigation Enterprise 2022 Annual Report

Pursuant to C.R.S. § 43-4-1303 (10)(a)(IV)

REPORTING PERIOD ENCOMPASSES JANUARY 1, 2022 TO DECEMBER 31, 2022



## Background

In 2021, the Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) was established within the Colorado Department of Transportation (CDOT) to support projects that mitigate the environmental and health impacts of increased air pollution from motor vehicles in nonattainment areas of Colorado. Created by Colorado Senate Bill 21-260 (SB 21-260), *Sustainability of the Transportation System*, the Enterprise imposes an Air Pollution Retail Delivery Fee and an Air Pollution per Ride Fee to fund programs and projects that fulfill the Enterprise's business purpose.

The primary business purpose of the NAAPME is to “mitigate the environmental and health impacts of increased air pollution from motor vehicle emissions in nonattainment areas that results from the rapid and continuing growth in retail deliveries made by motor vehicles and in prearranged rides provided by transportation network companies by providing funding for eligible projects that reduce traffic, including demand management projects that encourage alternatives to driving alone or that directly reduce air pollution, such as retrofitting of construction equipment, construction of roadside vegetation barriers, and planting trees along medians.” Nonattainment areas in Colorado are designated areas from the U.S. Environmental Protection Agency (EPA) that do not meet ambient air pollution levels. In Colorado, ozone pollution is the only identified pollutant in which parts of Colorado are currently in nonattainment for these standards. Currently Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, a portion of Larimer, and Weld counties are in the designated ozone nonattainment area within the state.

Projects funded by the NAAPME will look towards reducing the impact of air pollution from ozone, from increased usage of retail deliveries and rideshare services provided by transportation network companies (TNCs). The Enterprise has identified three focus areas in which projects can support this objective, as outlined in the Enterprise's 10-Year Plan.

## Calendar Year 2022 Accomplishments

NAAPME business for the initial year consisted primarily of administrative activities. These included seating of the Board of Directors and election of officers, approving administrative documents for the board including the Articles of Organization and board bylaws, rulemaking, and establishing the initial level of fee collection for the Enterprise. Additionally, the Board adopted its initial 10-Year Plan, as required by statute, approved the Enterprise's budget for fiscal year 2022-23, and began work on establishing a program for funding projects that fit within the business purpose of the Enterprise and its 10-Year Plan.

## Board of Directors

All the powers of the NAAPME, as described in C.R.S. § 43-4-1303 (3), and as otherwise provided by law, are vested in the NAAPME Board. The NAAPME Board of Directors manages

the business and affairs of the Enterprise and consists of seven members determined pursuant to the composition and qualifications outlined in C.R.S. § 43-4-1303 (2).

The Governor appointed five members on September 29, 2021. All Board members received the approval of the Senate Transportation and Energy Committee on March 15, 2022, and confirmation from the Colorado Senate on March 21, 2022. The remaining two members were designated by the heads of the state agencies - CDOT and the Colorado Department of Public Health and Environment (CDPHE).

#### Governor Appointments:

- **Danielle “Stacy” Suniga (Greeley):** Serves as an individual with expertise on environmental, environmental justice, or public health issues.
- **Lynn Baca (Brighton):** Serves as an elected official of a disproportionately impacted community that is a member of the Denver Regional Council of Governments (DRCOG).
- **Kristin Stephens (Fort Collins):** Serves as an elected official of a local government that is a member of the North Front Range Metropolitan Planning Organization.
- **Yessica Holguin (Denver):** Serves as a representative of disproportionately impacted communities.
- **Leanne Wheeler (Aurora):** Serves as a representative of disproportionately impacted communities.

#### State Agency Appointments:

- **Herman Stockinger:** Colorado Department of Transportation designee.
- **Jessica Ferko:** Colorado Department of Public Health and Environment designee.

## Articles of Organization and Bylaws

The NAAPME Articles of Organization were approved by the Board of Directors on April 14, 2022. The Articles of Organization cover the name, authority, purpose, TABOR exemption, enterprise board, officers, powers, revenues and expenditures and process for amendments to the Articles of Organization. The Bylaws were approved on February 24, 2022, and cover the Board composition, duties and responsibilities, meetings of the Board, open meetings and open records, officers and staff, fiscal Year and budget, amendment process, and other miscellaneous provisions.

## Election of Officers

The NAAPME Board, using the directions provided in the Enterprise’s Bylaws and Articles of Organization elected officers at the February 24, 2022, Board of Directors Meeting. Director Kristin Stephens was elected Chair and Director Lynn Baca was elected Vice-Chair. In addition, the Board of Directors approved Darius Pakbaz, Deputy Director of the Division of Transportation Development (DTD) at CDOT, as the NAAPME Program Administrator and Jenni Fogel, Program Assistant for DTD at CDOT, as the NAAPME Board Secretary at the April 14, 2022, Board of Directors Meeting.

## Rulemaking

SB 21-260 established several new fees, including the retail delivery fee and the prearranged ride fee, a portion of which funds the activities of the NAAPME. The NAAPME was required by C.R.S. § 43-4-1303 (6)(h) to conduct a rulemaking in accordance with the administrative procedures act “to promulgate rules for the sole purpose of setting the amounts of the air pollution mitigation per ride fee and the air pollution mitigation retail delivery fee at or below the maximum amounts authorized...”.

C.R.S. § 43-4-1303 (7)(b) initially set the maximum amount for the air pollution prearranged ride fee at 11 ¼ cents for each prearranged ride in a carshare ride or which the driver transports the rider in a zero emissions vehicle, and 22 ½ cents for every other prearranged ride. C.R.S. § 43-4-1303 (8)(b) initially set the maximum air pollution retail delivery fee at seven-tenths of one cent. Statute allows for these fees to be adjusted for inflation in future years.

The NAAPME Board of Directors initiated the rulemaking process on February 24, 2022, to set the air pollution mitigation per ride fee and the air pollution mitigation retail delivery fee for state fiscal year 2022-23. In accordance with administrative procedures, the proposed rule was filed with the Secretary of State on February 25, 2022, and a public comment period was open from March 10, 2022 through April 7, 2022. A public hearing was held on April 14, 2022 and the Board adopted [2 CCR 608-1, Rules Governing Nonattainment Area Air Pollution Mitigation Fees](#) on the same day.

The NAAPME Board of Directors will work with staff of CDOT, the Colorado Department of Revenue (DOR), and other subject matter experts on how and when to adjust the retail delivery fee to account for inflation over time.

## Ten Year Enterprise Plan

No later than June 1, 2022, the NAAPME was required to publish a 10-Year Plan that details how the Enterprise will execute its business purpose during state fiscal years 2022-2023 through 2031-2032 and estimates the amount of funding necessary to do so. As per C.R.S. § 43-4-1303 (10)(a)(I), information regarding the implementation of the 10 Year Plan will be maintained and regularly updated in a public accountability dashboard that can be accessed via the NAAPME website.

To ensure transparency and accountability of the NAAPME, a 10-Year Plan was developed reflecting the vision and expertise of the NAAPME Board of Directors, along with valuable input from Colorado communities and local governments, through a public outreach process that elicited input from almost 200 members of the public and comments from three transportation planning regions that fall within the ozone nonattainment area.

The 10-Year Plan includes background information on designation of a nonattainment area for criteria pollutants and the current nine-county area currently in nonattainment for ozone. The plan also details estimated financial resources and expenditures for fiscal years 2022-23 through 2032-33 and describes the NAAPME funding strategy. Finally, the plan provides information on the three categories of funding programs - sustainably reduce traffic congestion, reduce the environmental and health impacts of transportation, and improve neighborhood connectivity for communities adjacent to highways.

The NAAPME Board of Directors intends for this 10-Year Plan to function as a living document which will be updated and refined over time to allow additional information on funding programs to be added over the timespan of the plan as the Enterprise Board of Directors determines the best way to allocate funds within its business purpose. To this end, the NAAPME Board of Directors intends to review this plan at least annually following its adoption to evaluate the need for updates.

The [NAAPME 10-Year Plan](#) was approved by the NAAPME Board of Directors at its June 23, 2022 meeting and is posted on the [NAAPME website](#).

## Budget

The NAAPME did not have an operating budget or source of funding prior to August 2022 when NAAPME began receiving revenue from the retail delivery fee. All fiscal year 2021-22 expenses were paid through a loan from the Colorado Transportation Commission (TC), which was approved by the TC in December of 2021 and by the NAAPME Board of Directors in February of 2022.

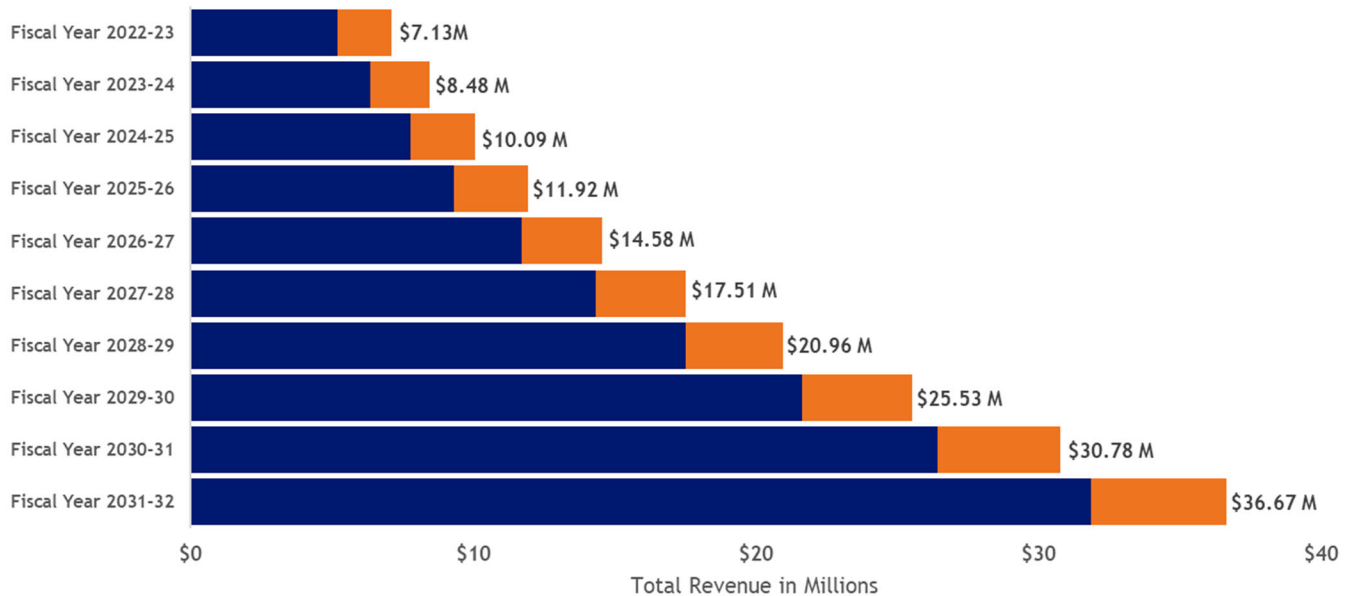
Once NAAPME received fee revenue for the month of August 2022, the NAAPME Board of Directors approved repayment of the Transportation Commission Loan in full, with interest, per the terms of the loan agreement, in late October 2022. The NAAPME spent \$24,917 of the \$74,700 loan in fiscal years 2021-22 and 2022-23. In October of 2022, the NAAPME Board of Directors voted to transfer the remaining balance of the loan funds to the 2023 Programmed Funds budget.

The NAAPME Board of Directors approved its initial budget for fiscal year 2022-23 at the June 23, 2022, Board of Directors meeting. Elements of the annual budget include Administrative and Agency Operations to support day-to-day operations of the Enterprise, Contingency Reserve to handle unexpected expenses that are outside the range of the usual budget, and Programmed Funds that will be made available to fund programs and projects that are within the business purpose of the Enterprise and have been approved by the Board of Directors. The NAAPME does not anticipate having dedicated staff members but will leverage existing CDOT staff to support Enterprise work.

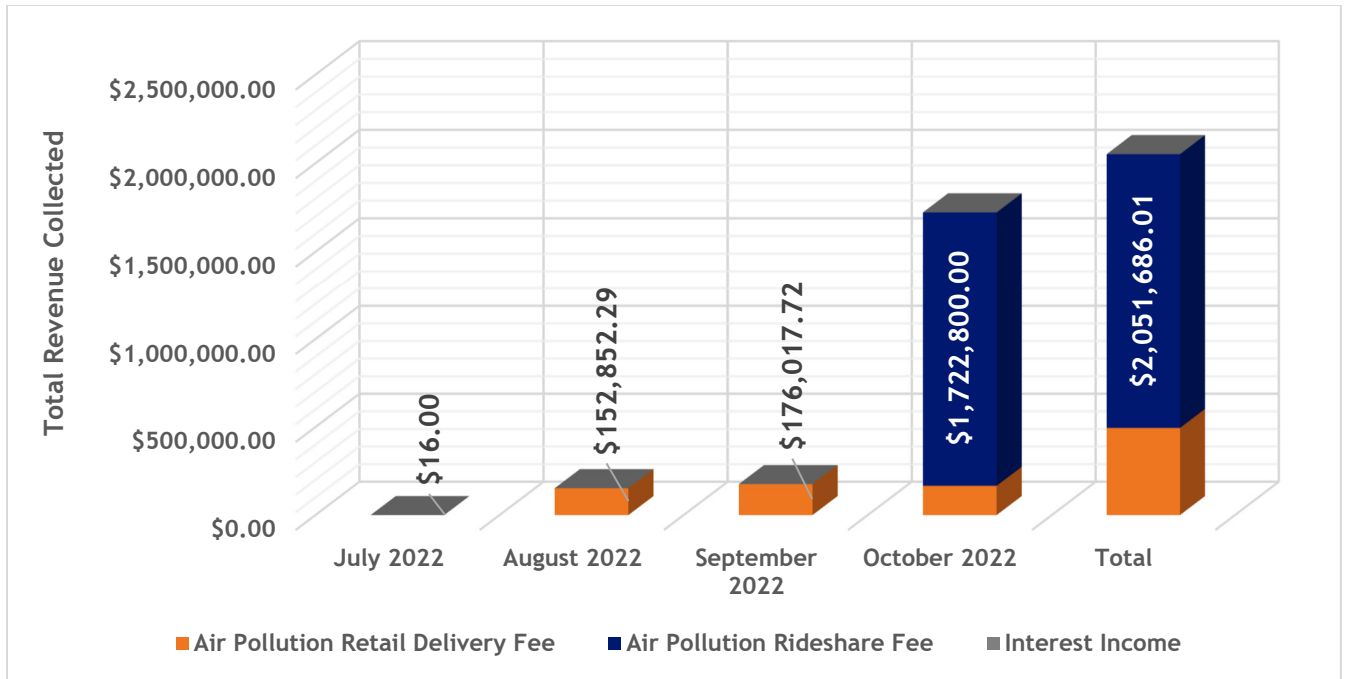
Revenue Allocation Category	Estimated Rollforward from FY 2021-2022	FY 2022-23 Final Allocation Plan	FY 2022-23 Total Available Budget
Program Funds	\$49,783.00	\$6,621,089.75	\$6,670,872.75
Administration & Agency Ops.	\$0.00	\$227,650.00	\$227,650.00
Debt Service	\$0.00	\$76,486.25	\$76,486.25
Contingency Reserve	\$0.00	\$200,000.00	\$200,000.00

## Financial Status Report

The fees established in SB21-260 are on-going revenue streams and CDOT staff have estimated revenue amounts for the next ten years. The projections anticipate that retail delivery fee and ride share fee will result in \$7.2 million in revenue in the first full year of implementation, growing to \$36.7 million by fiscal year 2031-32.



A proposed spending plan for fiscal years 2022-23 through 2031-32 was developed as part of the [NAAPME 10 Year Plan](#), available on page 15. As of December 1, 2022, NAAPME has collected \$2.05 million in revenue from both fees.



## Upcoming Activities

Now that revenue from both fees has begun to be received by the Enterprise, the NAAPME will be turning its attention to determining its initial program of projects for the latter half of fiscal year 2022-23 and into fiscal year 2023-24. The Board of Directors has heard from numerous voices across the nine-county area of where assistance can be provided within the three focus areas identified in the Enterprise’s ten-year plan.

The Board of Directors will begin the early part of 2023 soliciting information about proposed Bus Rapid Transit corridors being established in both the Denver Metro Area and the North Front Range area to see if the Enterprise can support projects which could provide first mile/last mile connections in those corridors. Additionally, the Enterprise will continue its outreach efforts to identify other areas of need that can help fund projects and programs that will help reduce ozone pollution and improve connectivity in neighborhoods in the nonattainment area.



**COLORADO**  
**Clean Fleet Enterprise**  
Department of Public Health & Environment

To: Transportation Commission of Colorado

From: Steve McCannon, Clean Fleet Enterprise Acting Board Administrator

Re: Members of the Transportation Commission please find attached the Clean Fleet Annual Report submitted to the General Assembly. Statute also requires that the report be provided to the Transportation Commission, (25-7.5-103(11)(a)(IV) C.R.S). If you have any questions please have staff contact Steve McCannon.

November 30, 2022

Colorado General Assembly  
200 E Colfax Avenue  
Denver, CO 80203

Re: Colorado Clean Fleet Enterprise Board Annual Report

Dear State Senators and Representatives:

Senate Bill 21-260, Sustainability of the Transportation System, established the Colorado Clean Fleet Enterprise Board (CFE or board). Pursuant to Section 25-7.5-103(11)(a)(IV), C.R.S., CFE is required to prepare an annual report regarding its activities and funding and present the report to the Transportation Commission, the Transportation and Local Government and Energy and Environment Committees of the House of Representatives, and the Transportation and Energy Committee of the Senate. CFE is also required to post the annual report on its website. This first annual report covers CFE's activities during State Fiscal Year 2021-2022.

As detailed in Section 25-7.5-103(3) C.R.S., the business purpose of the CFE is to incentivize and support the use of electric motor vehicles, including motor vehicles that originally were powered exclusively by internal combustion engines but have been converted into electric motor vehicles, and to the extent temporarily necessitated by the limitations of current electric motor vehicle technology for certain fleet uses, compressed natural gas motor vehicles that are fueled by recovered methane, by business and governmental entities that own or operate fleets of motor vehicles, including fleets composed of personal motor vehicles owned or leased by individual contractors who provide prearranged rides for transportation network companies or deliver goods for a third-party delivery service.

The Board members were appointed on September 29, 2021 and CFE held its first public meeting on November 9, 2021. On February 24, 2022, CFE fulfilled its statutory obligations by approving a clean fleet retail delivery fee and a clean fleet per ride fee. Prior to adopting the fee, the board held multiple meetings in order for the public to learn about the enterprise and potential projects that could be developed by the CFE. Both written and public comments were gathered to inform the board's rulemaking action. During FY 2021-22, the board has received presentations and obtained valuable input from subject matter experts in the transportation field, including private companies, state and local agencies, nongovernmental organizations and the public to better understand how best to incentivize and support the use of electric motor vehicles and other clean vehicle technologies used by motor vehicle fleets.

As required by SB21-260, on May 26, 2022 CFE adopted a Ten-Year Plan and posted it on its website ([CFE Ten-Year Plan](#)). This plan details how CFE will execute its business purpose and provides funding estimates for how to accomplish that. To develop the plan, staff within CDPHE's Mobile Source Program as well as CFE's contractor Felsburg Holt & Ullevig conducted



an extensive literature review and researched what other agencies and programs throughout the country were doing in this arena. With that literature review as a guide, staff held six stakeholder meetings focused on Disproportionately Impacted Communities, Transportation Network Companies and varied audiences and conducted an online survey to inform our programs and funding opportunities. CFE added over 1,400 contacts to our comprehensive stakeholder list, had approximately 140 stakeholders attend our public meetings, and received over 90 survey responses. In the end, the board decided to break the next ten years down into near term (2022-2025), mid term (2025-2028) and long term actions (2028 to 2032) and adopted five different portfolios to carry out our business purpose. Those portfolios are summarized below and the full plan available on CFE's website - as well as guidance which is being developed - goes into much greater detail about eligibility, reporting and the timeline for implementation.

- **Clean Fleet Vehicle and Technology Portfolio**- Potential grant projects include helping purchase or lease clean vehicles and funding pilot projects for fleets to experiment with zero emission technologies. They may also include projects to install idle reduction technologies on certain vehicles. CFE envisions that this will be the largest portfolio and it would account for around 90% of the revenue collected from the retail delivery fee. The goal is to begin soliciting projects for funding in the first or second quarter of 2023.
- **Clean Fleet Transportation Network Company (TNC) Portfolio**-This portfolio will complement existing fleet sustainability goals and programs to incentivize, support and accelerate the adoption of clean vehicles and increase the percent of prearranged rides completed in zero emission vehicles. Essentially, it would provide a per-ride incentive and potentially other incentives to help offset the higher costs of renting or owning these vehicles.
- **Remote Sensing Prioritization Portfolio**- This portfolio will reduce emissions by using on-road remote sensing technology to identify the oldest, highest emitting vehicles for replacement through the Clean Fleet Vehicle and Technology Portfolio. It will focus on disproportionately impacted communities and other communities with known vehicle-related air quality issues.
- **Clean Fleet Vehicle Workforce Development Portfolio**- This portfolio will include developing efforts focused on driver and maintenance training to make sure the necessary supply of workers can meet demand as the market for these technologies grows.
- **Clean Fleet Planning, Research and Evaluation Portfolio**-This portfolio will support and engage fleets to develop strategies for electrifying vehicles. It would research new technology, and periodically evaluate these other program areas to identify opportunities for improvement and efficiency gains.

In order to implement CFE's business purpose and portfolios, on July 1, 2022, the Department of Revenue (DOR) began collecting fees from retail deliveries and prearranged rides. At this time, the amount of revenue collected to-date in FY23 is approximately \$4.3M. Staff will continue to let this funding build to fund grants in FY23. Staff will continue to assess how the

revenue projections/estimates contained in the Ten-Year Plan compare to the actual fee revenue amounts being collected by DOR.

Next year's annual report will include an update on grant programs (including an overview of projects funded) and additional information about how much revenue has been collected.

If you have additional questions, please contact [steve.mccannon@state.co.us](mailto:steve.mccannon@state.co.us).

Regards,

Steve McCannon  
Interim Board Administrator  
Colorado Clean Fleet Enterprise

CC: Deborah Nelson, CDPHE  
Trisha Oeth, CDPHE



**COLORADO**  
Energy Office

**TO:** Transportation Commission  
**FROM:** Carrie Atiyeh, Board Administrator, Community Access Enterprise  
**DATE:** December 9, 2022  
**SUBJECT:** Community Access Enterprise Annual Report

**Purpose:** Informational

**Action:** No action required

**Background:**

Senate Bill 21-260, Sustainability of the Transportation System, created the Community Access Enterprise (CAE or enterprise), housed within the Colorado Energy Office (CEO). Pursuant to section 24-38.5-303(10)(a)(IV), C.R.S., the CAE is required to prepare an annual report regarding its activities and funding. This first annual report covers the CAE's activities and funding during Fiscal Year 2021-2022 (FY22).

The business purpose of the CAE is to support the widespread adoption of electric motor vehicles, including motor vehicles that originally were powered exclusively by internal combustion engines but have been converted into electric motor vehicles, in an equitable manner by directly investing in transportation infrastructure, making grants or providing rebates or other financing options to fund the construction of electric motor vehicle charging infrastructure throughout the state, and incentivizing the acquisition and use of electric motor vehicles and electric alternatives to motor vehicles in communities, including but not limited to disproportionately impacted communities, and by owners of older, less fuel efficient, and higher polluting vehicles.

**Next Steps:** Please feel free to follow up with CAE staff if you have any questions or comments.

**Attachments:** Community Access Enterprise FY2022 Annual Report





## Community Access Enterprise FY22 Annual Report

Senate Bill 21-260, Sustainability of the Transportation System, created the Community Access Enterprise (CAE or enterprise), housed within the Colorado Energy Office (CEO). Pursuant to section 24-38.5-303(10)(a)(IV), C.R.S., the CAE is required to prepare an annual report regarding its activities and funding and present the report to the Transportation Commission, the Transportation & Local Government and Energy & Environment Committees of the House of Representatives, and the Transportation & Energy Committee of the Senate. In addition, the enterprise is required to post the annual report on its [website](#). This first annual report covers the CAE's activities and funding during Fiscal Year 2021-2022 (FY22).

As detailed in section 24-38.5-303(3) C.R.S., the business purpose of the CAE is to support the widespread adoption of electric motor vehicles, including motor vehicles that originally were powered exclusively by internal combustion engines but have been converted into electric motor vehicles, in an equitable manner by directly investing in transportation infrastructure, making grants or providing rebates or other financing options to fund the construction of electric motor vehicle charging infrastructure throughout the state, and incentivizing the acquisition and use of electric motor vehicles and electric alternatives to motor vehicles in communities, including but not limited to disproportionately impacted communities, and by owners of older, less fuel efficient, and higher polluting vehicles.

The governing board of the CAE was appointed on September 29, 2021 and board members meet the statutory requirements in section 24-38.5-303(2) C.R.S. The board held its first meeting on November 4, 2021. Over the course of FY22, the board fulfilled its statutory obligations by approving a retail delivery fee through a rulemaking hearing, and publishing and posting a Ten-Year Plan (details below). In addition, state staff and external stakeholders presented to the board regarding CAE-related issues including medium- and heavy-duty transportation electrification, federal programs, policies and funding sources, hydrogen, utility transportation electrification programs (TEPs), car sharing, and more.

On March 10, 2022, the board held a rulemaking hearing and unanimously approved the community access retail delivery fee for Fiscal Year 2022-23 (FY23) of six and nine-tenths cents (\$0.069). Prior to adopting the fee, the board held two public meetings, including one with Spanish interpretation, in order for members of the public to learn about the enterprise, the fee, and provide public comment. Written comments were also accepted and public comment was included at the rulemaking hearing. Collection of the community access retail fee began on July 1, 2022 by the Department of Revenue on behalf of the CAE as detailed in section 24-38.5-303(7) C.R.S. The enterprise operated on a loan from the CEO of \$315,738 for FY22 through an intergovernmental agreement since collection of the community access retail delivery fee did not begin until July 1, 2022 as permitted by section 24-38.5-303(5)(b), C.R.S. The enterprise is required to repay the loan plus interest.





On May 12, 2022, the board unanimously approved the Ten-Year Plan for the enterprise, which was published and posted to the enterprise website, as required by section 24-38.5-303(10)(a)(I) C.R.S. The plan details how the enterprise will execute its business purpose during state fiscal years 2022-23 through 2031-32 and estimates the amount of funding needed to implement the plan. The plan includes an extensive literature review of programs throughout the United States and provides recommendations for programs and funding levels. Five stakeholder engagement meetings were held, an online survey was conducted, and opportunities for oral and written comments were provided. The final plan recommends that the CAE provide funding to continue the growth of successful, existing CEO programs as well as the establishment of new programs that fill needs and gaps. A list of these programs is below and full details can be found in the Ten-Year Plan on the enterprise website.

Existing Programs	Can Do Colorado ebike Program
	Research + Technical Support + Stakeholder Engagement
	Charge Ahead Colorado
	DC Fast-Charging Plazas
New Programs	Community Accelerated Mobility Project (CAMP)
	Vehicle Investment for Sustainable Transportation Access (VISTA)
	Service Plan Upgrade + Residential Resources (SPURR)
	Fleet Infrastructure Resources (FIR)
	Sustainable Hydrogen Investments for a New Economy (SHINE)





# COLORADO

## Department of Transportation

Division of Transportation Development  
2829 W. Howard Place  
Denver, CO 80204-2305

**DATE:** December 14, 2022  
**TO:** Colorado Transportation Commission  
**FROM:** Rebecca White, Director, Division of Transportation Development  
**SUBJECT:** Transportation Alternatives Program Update

### Purpose

This memo provides an update on the Transportation Alternatives Program (TAP).

### Action

N/A

### Background

The main purpose of the federal TAP program is to implement non-motorized transportation projects. Federal funds are allocated under the TAP program to transportation improvement projects that expand travel choice, strengthen the local economy, improve quality of life, and protect the environment. Many TAP projects enhance non-motorized forms of transportation like biking and walking. TAP was authorized in 2012 by federal transportation legislation, MAP-21, and is now continued under the current IIJA.

### Eligible Activities

TAP funds may support the following project eligibilities:

- On- and off-road pedestrian and bicycle facilities
- Safe Routes for Non-Drivers
- Vulnerable Road user safety assessments
- Conversion of Abandoned Railway Corridors to Trails
- Scenic Turnouts and Overlooks
- Outdoor Advertising Management
- Historic Preservation & Rehabilitation of Historic Transportation Facilities
- Vegetation Management
- Archaeological Activities
- Stormwater Mitigation
- Wildlife Management
- Projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways



## **Upcoming CDOT Call for TAP Projects**

The next CDOT call for projects will cover fiscal years 2024-2026. The minimum request is \$50,000 in federal dollars. There is no maximum request. There is approximately \$42.6 million anticipated to be available through the CDOT-directed call.

Projects require a 20% local match, though these funds may be paired with MMOF funds which have a tiered match rate based on jurisdiction. TAP funds may be used to satisfy the match requirements of MMOF and vice versa.

Projects will be scored by a competitive statewide process. The proposed review committee process has been revised based on the motion made by the Statewide Transportation Advisory Committee (STAC) at their December 1st meeting. Staff is proposing that there be five review committees, one for each CDOT Region. Each committee would include:

- 1 CDOT Division of Transportation Development (DTD) representative (e.g. bike/ped planner) selected by DTD Director
- 1 CDOT Division of Transit and Rail (DTR) representative (e.g. transit planners) selected by DTR Director
- 3 CDOT regional representatives (e.g. planners, engineers, safety) selected by the CDOT Region Transportation Director
- Transportation Planning Region (TPR) Chair (or representative) from each TPR within a region
- Committee size will range from 6 (Region 1) to 10 (Region 2), depending on the number of TPRs within a given CDOT Region.

## **Next Steps**

CDOT intends to announce the call for TAP projects in February, following the February STAC meeting. TAP guidance, application, and a detailed timeline will be made available on the CDOT website.

<https://www.codot.gov/programs/planning/grants/tap-fiscal-years-2023-25>

## **Attachments**

TAP Presentation





**COLORADO**

Department of Transportation

# Transportation Alternatives Program Update

December 2022





# What is TAP?

## Program Purpose:

- TAP stands for Transportation Alternatives Program, and its main purpose is to implement non-motorized transportation projects.
- Federal funds are allocated under the TAP program to transportation improvement projects that expand travel choice, strengthen the local economy, improve quality of life, and protect the environment.
  - Many TAP projects enhance non-motorized forms of transportation like biking and walking.
- TAP was authorized in 2012 by federal transportation legislation, MAP-21, and is now continued under the current IIJA.





# Project Eligibilities

## Eligible Activities:

- On- and off-road pedestrian and bicycle facilities
  - Safe Routes for Non-Drivers
  - Vulnerable Road user safety assessments
  - Conversion of Abandoned Railway Corridors to Trails
  - Scenic Turnouts and Overlooks
  - Outdoor Advertising Management
  - Historic Preservation & Rehabilitation of Historic Transportation Facilities
  - Vegetation Management
  - Archaeological Activities
  - Stormwater Mitigation
  - Wildlife Management
- Projects for planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways





## Program Funding:

- Population driven, with a little over 30% of the overall federal funding directly suballocated to the large MPOs (DRCOG, NFR & PPACG) based on their urbanized area populations, who hold their own competitive process for selecting projects.
- Remaining funds are CDOT-directed and are divided between the CDOT regions using a formula of 45% VMT, 40% lane miles / 15% truck VMT. CDOT holds a competitive call for TAP projects every 3 years. The large MPOs that receive direct suballocations of funding may also compete for funding in the CDOT competitive call for projects.
- The next CDOT call for projects will cover fiscal years 2024-2026. The minimum request is \$50,000 in federal dollars. There is no maximum request. There is approximately \$62 million total for TAP projects statewide during this timeframe, with approximately \$42.6 million total available through the CDOT-directed call.



# TAP Selection in Previous Rounds (CDOT-directed funds)

- Process determined and implemented by CDOT regions.
- Each region took a different approach in terms of how they solicited and picked projects with some running a process entirely internally and others involving TPRs.

Region	Selection Committee	TPR Rep?
1	Planners, local agency staff, engineers and staff from specialty units.	No
2	Region staff + MPO and TPR reps.	Yes
3	Local agency staff, Resident Engineer, specialty units, and HQ local agency office.	No
4	Planning Mgr. moderates, one member from each of four TPRs, and the RPEM <u>or</u> RTD.	Yes
5	One rep. from each of three planning regions, CDOT staff members (e.g. Local Agency Engineer, Planner).	Yes



# Process Objectives & STAC Input

- Standardize project selection across all regions providing consistent involvement of CDOT and stakeholders.
- Ensure a voice for local governments to provide input (e.g. projects that cross multiple jurisdictions within a county).
- Provide alignment with other CDOT grant programs and priorities (e.g. RMS, Transit, GHG goals).

## STAC Input 12/1/22

- Voted to “recommend to the Commission that TPR Chairs or their representatives be part of the TAP selection process”.

***Importantly, the project selection process discussed here has no impact on the amount of TAP funding provided to the MPOs or Regions as that is determined by Program Distribution.***



# 2024-2026 Recommended Application Process: Review and Scoring

1. Initial region engineer review for fatal flaws/feedback
  - Opportunity to flag and address any immediate scope and feasibility issues before final application deadline
2. Projects scored by five regional interdisciplinary review committees, one for each CDOT Region. Each committee would include:
  - 3 CDOT regional representatives (e.g. planners, engineers, safety) selected by the CDOT Region Transportation Director
  - 1 CDOT Division of Transportation Development (DTD) representative (e.g. bike/ped planner) selected by DTD Director
  - 1 CDOT Division of Transit and Rail (DTR) representative (e.g. transit planners) selected by DTR Director
  - 1 Transportation Planning Region (TPR) Chair (or representative) from each TPR within a CDOT region



# Draft TAP Schedule

February 2023	March 2023		April 2023	May 2023	June 2023	Summer 2023
<p>Call for projects open following February STAC meeting.</p> <p>Attend mandatory pre-application meeting with your CDOT Region.</p>	<p>Draft application deadline: March 24</p>	<p>Engineer Review/ Feedback period: March 24-April 7</p>	<p>Final Application deadline April 21</p>	<p>Projects scored</p>	<p>Projects awarded</p>	<p>Projects programmed in TIP/STIP</p>

- NOTE: Based on input received during STAC, additional time was added to the draft schedule to better accommodate TPR schedules.**



# Questions





## MEMORANDUM

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**TO:** The Transportation Commission  
**FROM:** Gary Vansuch, Director of Process Imp  
**DATE:** December 14, 2022  
**SUBJECT:** Winners And Runners-Up From The 2022 CDOT Innovations Challenge

### Purpose

To recognize the innovator who were winners and runners-up for the 2022 CDOT Innovation Challenge.

### Action

The Office of Process Improvement is requesting the opportunity to highlight for the Commission the innovators who developed and implemented in the innovations which were winners and runners-up for the 2022 CDOT Innovations Challenge. Those innovators and their innovations are listed here.

#### **Awards from the Judges Panel:**

1st Place: Plow Blade Installer Cart created by Chuck Kline and Brian Manguso, Region 2.  
2nd Place: Rumble Strip Retriever System created by Bradey Varner and Damian Baroz, Region 5.  
3rd Place: Rumble Strip Basket Installer created by Scott Claussen, Region 3.

#### **Awards from the People's Choice voting:**

1st Place: LIDAR-based Viewshed Analyses created by Liia Mai Koiv-Haus and Jennifer Kerns from the Division of Transportation Development, and Veronica McCall from Region 1.  
2nd Place: Plow Blade Installer Cart created by Chuck Kline and Brian Manguso, Region 2.  
3rd Place: Mobile Inventory Setup created by Breanna Payne, from the Division of Maintenance and Operations.

### Background

The CDOT Innovations Challenge is an internal CDOT competition to highlight and recognize the “Best of the Best” improvement and innovations, developed and implemented by members of Team CDOT. More details are available here.

<https://sites.google.com/state.co.us/process-improvement/lei-innovation-engagement-services/2022-innovation-challenge>

### Next Steps

None.

### Attachments

PowerPoint Presentation

# 2022 Innovations Challenge

Statewide Winners: Judges Panel & People's Choice



Wednesday, December 14, 2022

# Congratulations to the statewide winners!!

## Judges Panel Awards

1st Place: Plow Blade Installer Cart created by Chuck Kline and Brian Manguso from Region 2

2nd Place: Rumble Strip Retriever created by Bradey Varner and Damian Baroz from Region 5

3rd Place: Rumble Strip Basket Installer created by Scott Claussen from Region 3



## People's Choice Awards

1st Place: LIDAR-based Viewshed Analyses created by Liia Koiv-Haus and Jennifer Kerns from the Division of Transportation Development, and Veronica McCall from Region 1

2nd Place: Plow Blade Installer Cart created by Chuck Kline and Brian Manguso from Region 2

3rd Place: Mobile Inventory Setup created by Breanna Payne from the Division of Maintenance and Operations



# CDOT INNOVATIONS CHALLENGE

Innovate Your State



Plow Blade Installer



## Improving Safety With the Plow Blade Installer Cart

Maintenance



### Challenge

High number of injuries from installing or removing plow blades

Video of the plow blade installer cart in action

### Innovation

A cart to help install or remove plow blades safely



### Parts Used

Metal

### Benefits

- Improves safety
- Saves time and money
- Improves internal customer experience



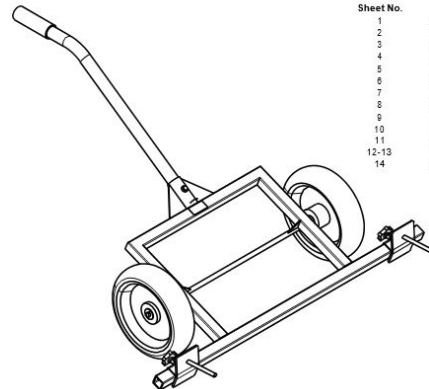
Region 2  
Chuck Kline  
Brian Manguso

[CLICK HERE FOR MORE DETAILS](#)

## Department of Transportation State of Colorado

Project: Snow Plow Blade Installer Cart

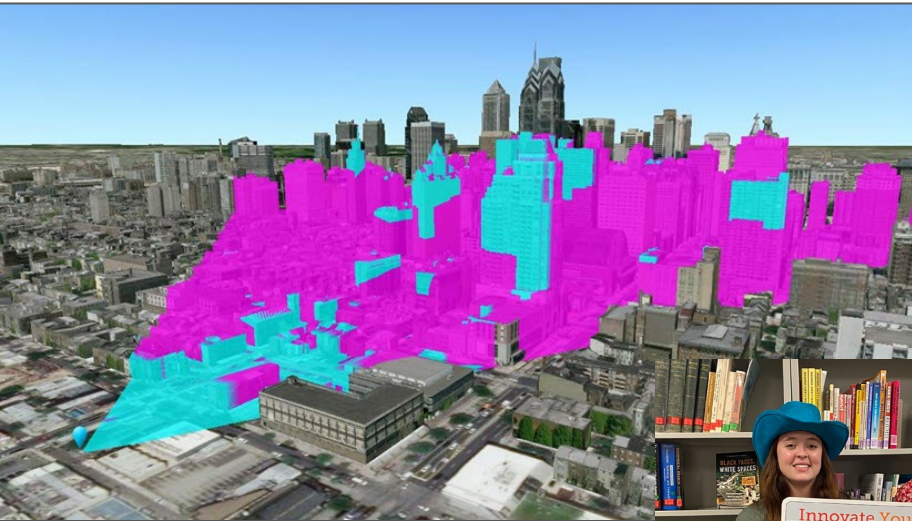
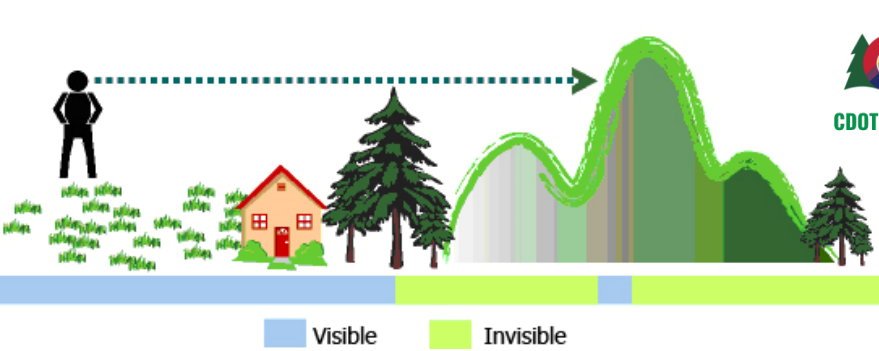
Sheet No.	Index of Sheets
1	Title Sheet
2	General Notes
3	Stock List
4	Bill of Materials
5	Part Drawings: ST-1, ST-2, ST-4, & H-2
6	Part Drawings: H-1
7	Part Drawings: CF-2, CF-7, & ST-3
8	Part Drawings: CF-3, CF-4, & CF-5
9	Part Drawings: CF-1, CF-8
10	Subassembly Drawings: SA-1
11	Subassembly Drawings: SA-2
12-13	Subassembly Drawings: SA-3
14	Main Assembly Drawing: SPBIC-1



Revisions		
Date	Comments	Job



Design By: <b>B. Manguso</b>	Project: <u>Snow Plow</u> Blade Installer Cart
Drawing By: <b>J. McDowell</b>	Subset: <u>Title Sheet</u>
Print Date: <b>12/08/2021</b>	Subset Sheets: 1 of 1   Sheet Number: 1



## A series of LIDAR-based viewshed analyses that can be customized to a CDOT project

Environmental, Pre-Construction Engineering, and Transportation Development.



**Challenge** Lack of standardized viewshed analysis process across CDOT regions

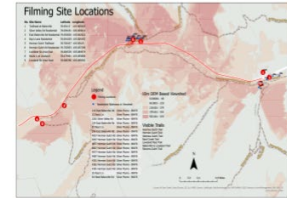
**Innovation** A series of LIDAR-based viewshed analyses that can be customized to a CDOT project

**Parts Used** ArcGIS Pro - Spatial Analyst & 3D Analyst

**Benefits**

- Saves Time
- Saves Money
- Improves External Customer Experience

EJMT to Bakerville\_10mDEM\_Viewshed



Department of Transportation Development, Environmental Programs Branch, Landscape Architecture Section

[Lija Koiv-Haus](#), Landscape Specialist (HQ), [Jennifer Kerns](#), Temporary Aide (HQ), [Veronica McCall](#), EPS II (Region 1), [Evan Kirby](#), CDOT Consulting Partner

[CLICK HERE FOR MORE DETAILS](#)

# Improving Safety with the Binford Retriever 9000

Maintenance



## Challenge

Workers had to enter travel lanes to retrieve heavy rumble strips and manually load them onto the truck

## Innovation

Created a device that pulls the rumble strip onto the truck

## Parts Used

Click below for more details and the complete parts list

## Benefits

- Improves safety and internal customer experience
- Saves time and money

Retrieving a Rumble Strip with The Binford Retriever 9000



Region 5  
Bradey Varner, Damian Baroz

[CLICK HERE FOR MORE DETAILS](#)



Published: 6/15/2022



**CDOT INNOVATIONS CHALLENGE**  
Innovate Your State

# Improving Safety With the Rumble Strip Basket Installer

Maintenance



## Challenge

To make the installation, removal, and storage of 300 lb baskets a one person operation.

## Innovation

Build rolling legs with crank height adjustability.

## Parts Used

- Two lift jacks
- Four wheels
- Miscellaneous scrap metal

## Benefits

- Improves safety
- Saves time

## The Rumble Strip Basket Installer



Region 3

[Scott Claussen](#) -  
EO3, Patrol 1



# Increasing efficiency with the Mobile Inventory Setup!

Maintenance and Administration



## Challenge

Too much time spent to manage and take inventory in a warehouse when printing out spreadsheets and recording counts by hand. The handheld scanner in place does not work the best for everyone's system.

## Innovation

A cart with a docking station and battery to work wirelessly issuing items directly as they leave and enter the warehouse. Label printer on cart to properly label and barcode everything in warehouse to scanned into SAP.

## Parts Used

- Laptop
- tool cart
- label printer
- scan gun

## Benefits

- Saves time and money
- Improves internal customer experience

## An example of a Mobile Inventory Setup



[CLICK HERE FOR MORE DETAILS](#)

Headquarters  
[Breanna Payne](#)



**COLORADO**  
Department of Transportation

Published: 6/13/22 by Rebekah Roux



**CDOT INNOVATIONS CHALLENGE**  
Innovate Your State



# Spotlight on Innovation

Visit the CDOT Innovation, Improvement, and Engagement Hub to watch interviews with these CDOT Innovators!



A screenshot of the CDOT website's 'PROCESS IMPROVEMENT' section. The header includes the Colorado Department of Transportation logo, the text 'COLORADO Department of Transportation', and 'PROCESS IMPROVEMENT'. Navigation links for 'Home', 'C2P: Business Project &amp; Ch...', 'LEI: Innovation &amp; Engagem...', and 'More' are visible. The main content area features a photograph of a woman in a high-visibility vest and sunglasses sitting at a table with various items, with the text 'SPOTLIGHT ON INNOVATION' overlaid in large white letters. Below the photo is a blue banner with white text: 'Here at CDOT, one of our main values is Excellence! To accomplish this standard, we strive to innovate and create the best possible DOT for Colorado and ourselves. The following individuals took this goal to an entirely new level of success through their hard work and dedication to innovation. We want to highlight their stories to not only recognize their achievements, but to also inspire others to do the same! Great work, team CDOT!' The footer of the screenshot shows the CDOT logo and the text 'CDOT INNOVATIONS CHALLENGE Innovate Your State'.





**CDOT INNOVATIONS CHALLENGE**  
Innovate Your State



# Launching the 2023 Innovations Challenge!!

Open NOW - June 30th  
Judging begins in July