

Colorado Transportation Commission

Schedule & Agenda

July 20-21, 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 Retreat

9:00 a.m. Location: HQ Auditorium

TRANSPORTATION COMMISSION WORKSHOPS

Wednesday, July 20, 2022

12:00 p.m. Commissioner Lunch (as part of morning retreat)

1:30 p.m. Budget Workshop (Jeff Sudmeier, Bethany Nicholas)

1:45 p.m. 10-Year Plan Update (Rebecca White & Aaron Willis & Marissa Gaughan)

2:45 p.m. CDOT GHG Compliance Update (Commissioner Hickey, Rebecca White & Theresa Takushi)

3:30 p.m. GHG Rules Update (Herman Stockinger & Sari Weichbrodt)

3:45 p.m. Rural Transit - Workshop Roadshow (Amber Blake)

4:15 p.m. Office of Environmental Justice & Equity - EDI beyond Compliance (Commissioner Vasquez, Marsha Nelson, Greg Diehl, Anna Mariotti, Brian Fauver, Marie Nakagawa, Jun Arcilla)

5:00 p.m. Adjournment

TRANSPORTATION COMMISSION MEETING

Thursday, July 21, 2022

8:00 a.m. Commissioner Breakfast

9:00 a.m. 1. Call to Order, Roll Call

9:05 a.m. 2. Public Comments

9:30 a.m. 3. Comments of the Chair and Individual Commissioners

9:50 a.m. 4. Executive Director's Management Report (Shoshana Lew)

10:00 a.m. 5. Chief Engineer's Report (Steve Harelson)

10:05 a.m. 6. CTIO Director's Report (Piper Darlington)

10:10 a.m. 7. FHWA Division Administrator Report (John Cater)

10:15 a.m. 8. STAC Report (Vincent Rogalski)

10:20 a.m. 9. Act on Consent Agenda

a) Proposed Resolution #1: Approve the Regular Meeting Minutes of June 16, 2022 (Herman Stockinger)

b) Proposed Resolution #2: IGA Approval >\$750,000 (Steve Harelson)

c) Proposed Resolution #3: Santa Fe/470 Maintenance Site Storm Drainage Easement (David Fox)

d) Proposed Resolution #4: Legislative Highway Memorial Designations (Andy Karsian)

e) Proposed Resolution #5: MMOF Match Reduction Request (Rebecca White and Michael Snow)

f) Proposed Resolution #6: Adoption of Commission Committee Assignments (Herman Stockinger)

10:25 a.m. 10. Discuss and Act on Proposed Resolution #7: 1st Budget Amendment of FY 2023 (Jeff Sudmeier and Bethany Nicholas)

10:30 a.m. 11. Discuss and Act on Proposed Resolution #8: 1st Budget Supplement of FY 2023 (Jeff Sudmeier and Bethany Nicholas)

10:35 a.m. 12. Discuss and Act on Proposed Resolution #9: Adoption of Emergency Rules to 2 CCR 601-22 (Herman Stockinger and Sari Weichbrodt)

- 10:40 a.m. 13. Discuss and Act on Proposed Resolution #10: Authorize Opening of Permanent Rules for 2 CCR 601-22 and Appointment of a Hearing Officer (Herman Stockinger and Sari Weichbrodt)
- 10:45 a.m. 14. Recognition
- 10:45 a.m. 15. Other Matters
- 10:50 a.m. 16. Adjournment

The Bridge Enterprise Board of Directors meeting will begin immediately following the adjournment of the Transportation Commission Meeting. Est. Start Time: 11:00 a.m.

BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS MEETING

Thursday, July 21, 2022

- 11:00 a.m. 1. Call to Order and Roll Call
2. Public Comments (provided to commissioners in writing before meeting)
3. Act on Consent Agenda
- Proposed Resolution #BTE1: to Approve the Regular Meeting Minutes of June 16, 2022 (Herman Stockinger)
4. Discuss and Act on Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 1st Budget Supplement for FY'23 (Jeff Sudmeier)
5. Discuss and Act on Proposed Resolution #BTE3: Bridge and Tunnel Enterprise Federal Bridge Improvement Program Grant Funding Commitment (Jeff Sudmeier)
6. Other Matters
7. Adjournment

INFO ONLY

- Project Budget/Expenditure Memo (Jeff Sudmeier)
- Quarterly Revenue Forecast Update (Jeff Sudmeier and Bethany Nicholas)
- ARC approved October 21, 2021 Minutes (Frank Spinelli)
- Construction Oversight Audit Report (Frank Spinelli)
- Grants Update (Hannah Reed)

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
BETHANY NICHOLAS, BUDGET DIRECTOR
DATE: JULY 20, 2022
SUBJECT: FY 2022-23 BUDGET AMENDMENT

Purpose

To review the first 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 approve the first budget amendment to the FY 2022-23 Annual Budget, which consists of three items that require TC approval. The first budget amendment reallocates \$35.9 million from the 10 Year Plan Projects - Multimodal line to Bustang to expand Bustang's operations, allocates \$15.5 million to the 10 Year Plan Projects - Capital AM line to administer the FHWA bridge replacement and rehabilitation program, and reallocates \$5.0 million from the TC Program Reserve to the Maintenance Reserve Fund to address any unforeseen contingencies that arise during FY 2022-23.

FY 2022-23 Budget Amendments

Transfer CDOT Portion of the Multimodal Transportation and Mitigation Options Fund (MMOF) Allocation to Bustang

Staff is requesting to transfer \$35.9 million of the CDOT share of the MMOF from the 10 Year Plan Projects - Multimodal line to Bustang to expand regional Bustang Service. Of the total \$35.9 million, \$18.9 million is part of the balance of the FY 2021-22 allocation that was rolled forward into FY 2022-23, and \$17.0 million is in the FY 2022-23 allocation that is appropriated in the FY 2022-23 Long Bill. This action leaves a balance of \$3.3 MMOF in the 10 Year Plan Projects - Multimodal line to address remaining obligations, such as initiatives for GHG modeling, an assessment on the Revitalizing Main Streets Program, Front Range Passenger Rail activities, and any other non-Bustang related commitments. The commitment of the state share of the MMOF to support the expansion of regional Bustang service was the subject of Transportation Commission workshops in May.

The first budget amendment reallocates \$35,926,066 from the 10 Year Plan Projects - Multimodal (Line 46) to Bustang (Line 48) to expand Bustang operations.

Allocate new FHWA Bridge Replacement and Rehabilitation Program Funds to 10 Year Plan Projects - Capital Asset Management (AM)

The 2022 federal Department of Transportation Appropriations Act sets aside \$1.1 billion of the 2022 Highway Infrastructure Program funds for a bridge replacement and rehabilitation program. Colorado's

apportionment for this program is \$15.5 million. These funds will be added to the 10 Year Plan Projects - Capital AM line in the Revenue Allocation Plan.

The first budget amendment allocates \$15,500,015 to the 10 Year Plan Projects - Capital AM line (Line 10) to administer the newly authorized FHWA bridge replacement and rehabilitation program.

Increase Maintenance Reserve Balance

The FY 2022-23 Revenue Allocation Plan that was adopted by the Transportation Commission in March of 2022 did not include an allocation of new funding for the Maintenance Reserve Fund. Any excess state revenue that was available was diverted to the Faster Safety Program to backfill lost revenue as a result of the temporary reduction in the Road Safety Surcharge fee under SB21-260. Staff planned to monitor the Maintenance Reserve balance and request funding from the TC Program Reserve to augment the Fund if needed. Based on the current balance of \$7.0 million, staff is requesting to reallocate \$5.0 million from the TC Program Reserve to return the balance in the Fund to the target balance of \$12.0 million for FY 2022-23.

Reallocate \$5,006,303 from the TC Program Reserve (Line 73) to the Maintenance Reserve Fund (Line 36) to address any unforeseen contingencies that arise during FY 2022-23.

Information Only Items

In addition to the budget amendments listed above, staff made several changes to the FY 2022-23 Revenue Allocation Plan that do not require Transportation Commission approval per PD 703.0. These changes result from new legislation that was passed during the 2022 legislative session and other miscellaneous adjustments since the Annual Budget was adopted in March 2022.

Impacts from 2022 legislation:

- **SB22-176 Early Stage Front Range Passenger Rail Funding** transfers \$1.9 million from the General Fund to the Southwest Chief Fund to support district operations and Burnham Yard development and \$6.5 million to CDOT to support environmental assessment activities for Burnham Yard. The bill also directs the State Treasurer to issue a warrant to the newly created Front Range Passenger Rail District for any remaining unencumbered funds in the Southwest Chief Fund on June 30, 2022.

Since the Southwest Chief Fund is repealed effective July 1, new funds are not reflected in the Revenue Allocation Plan. Staff added the \$6.5 million for Burnham Yard to the 10 Year Plan Projects - Capital Mobility line (Line 19).

- **SB22-180 Programs to Reduce Ozone through Increased Transit** transfers \$30 million from the General Fund to the State Highway Fund (to DTR) to support a 3-year pilot project to expand Bustang. It also transfers \$10 million from the General Fund to the State Highway Fund for the Revitalizing Main Streets program. Additionally, it creates the Ozone Season Transit Grant Program in the Colorado Energy Office and transfers \$28 million from the General Fund to this program. The grant funding will be used by transit agencies to provide new or expanded free transit services during ozone season.

Staff added \$30 million to Bustang (Line 48) and \$10 million to Revitalizing Main Streets (Line 64) for FY 2022-23.

- **HB22-1133 Family Medical Leave Insurance Fund** provides advanced payment of premiums for state employee family and medical leave insurance coverage from the Revenue Loss Restoration Cash Fund and reduces appropriations in the FY 2022-23 Long Bill that were made for the same purpose. For CDOT, the Administration line in the Long Bill was reduced by \$29,126.

To account for this change, staff reallocated \$29,126 from the Administration line (Line 67) in the Revenue Allocation Plan to the Agency Operations line (Line 66) to keep the overall budget balanced to forecasted revenue for FY 2022-23.

- **HB 22-1254 - Vehicle Taxes & Fees Late Registrations** requires drivers who pay their vehicle registration late to pay prorated registration fees and non-SOT taxes from the date they were required to register their vehicle, in addition to standard late fees. To offset this increase in registration revenue, the bill decreases the age of vehicle registration fees. This fee amount must be adjusted in future years to make this bill revenue neutral. This bill also allows DOR to collect \$1 from every age of vehicle fee assessment. This will result in about \$5.3 million being diverted from the statewide HUTF allocations to DOR annually.

The estimated revenue reduction resulting from this bill is not reflected in the FY 2022-23 Revenue Allocation Plan. This will be captured when staff completes the revenue reconciliation process at the end of the fiscal year.

- **HB22-1321 Study of Devices Assessing Motorist Impairment** requires CDOT to issue an RFP to study and report on the viability of devices that are capable of assessing cognitive and physical impairment of motorists by detecting drugs other than alcohol. The bill includes an FY 2022-23 appropriation of \$751,649 from the Marijuana Tax Cash Fund to fund this study.

This appropriation is reflected as a staff adjustment in the Safety Education line (Line 75) in the Revenue Allocation Plan.

- **HB22-1351 Temporarily Reduce Road User Charges** delays the implementation of the Road Usage Fee created in SB 21-260 from July 1 to April 1, 2023. It also extends an \$11.10 reduction to the Road Safety Surcharge through 2023. This bill is expected to decrease CDOT revenue by about \$47.1 million over the next two fiscal years. This lost fee revenue is backfilled by General Fund in FY 2022-23.

Description	FY 2022-23	FY 2023-24
Fee Reduction	(\$36,900,000)	(\$10,200,000)
General Fund Backfill	\$47,100,000	
Grand Total	\$10,200,000	(\$10,200,000)

Of the \$47.1 million transferred to the State Highway Fund, \$26.9 million is intended to backfill lost Road Usage fee revenue and this is not reflected in the Revenue Allocation Plan. This transfer provides the revenue that will support allocations made in the FY 2022-23 budget and will be accounted for when staff completes the revenue reconciliation process at the end of the fiscal year.

The remaining \$20.2 million transfer is intended to backfill the lost Road Safety Surcharge fee revenue that supports the FASTER Safety Program. Of this amount, \$10.0 million addresses the revenue impact in FY 2022-23 so this will be a net zero change in the Revenue Allocation Plan, and \$10.2 million will be rolled forward to address the revenue impact in FY 2023-24. The Revenue Allocation Plan reflects an increase of \$10.2 million to the FASTER Safety Program (Line 15) and this will be included as a roll forward for the FY 2023-24 budget.

Other adjustments to the FY 2022-23 Revenue Allocation Plan:

- **Revitalizing Main Streets (Line 64):** SB21-260 included a conditional transfer of \$6.9 million General Fund to the State Highway Fund to use for the Revitalizing Main Streets Program. The transfer is conditional on actual state revenue relative to the TABOR cap, and based on the 2021 Legislative Council Services revenue forecast, the full transfer is expected to occur in FY 2022-23. Therefore, staff increased the allocation to Revitalizing Main Streets by \$6.2 million, for a full allocation of \$6.9 million in FY 2022-23 to align with SB21-260.
- **Transfer the allocation for Carbon Reduction Program - CDOT to 10 Year Plan Projects - Capital Mobility (Line 19):** Staff moved the \$8.8 million allocation for the CDOT portion of the new Carbon Reduction Program to the 10 Year Plan Projects - Capital Mobility line (Line 19) to align with what the Commission approved for this program beginning in FY 2021-22 (April 2022 Budget Amendment, resolution TC-2022-04-07).
- **Allocations for new SB21-260 Enterprises (Lines 99 through 118):** The Boards for the Clean Transit and Nonattainment Area Air Pollution Mitigation Enterprises adopted budget allocations for FY 2022-23 and those allocations are now reflected in the associated Enterprise sections of the Revenue Allocation Plan.

Attachments

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

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

Line	Budget Category / Program	Rollforward from FY 2021-22 *Estimated	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
1 COLORADO DEPARTMENT OF TRANSPORTATION									
2	Capital Construction	\$1,081.4 M	\$656.8 M	\$15.5 M	\$0.0 M	\$16.7 M	\$1,770.3 M		
3	Asset Management	\$31.8 M	\$392.3 M	\$15.5 M	\$0.0 M	\$0.0 M	\$439.6 M		
4	Surface Treatment	\$0.0 M	\$225.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$225.6 M	TC	FHWA / SH / SB 09-108
5	Structures	\$0.0 M	\$62.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$62.5 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$6.5 M	\$26.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$33.4 M	TC	FHWA / SH
7	Geohazards Mitigation	\$0.0 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.0 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$1.0 M	\$6.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.5 M	TC	FHWA / SH
9	Emergency Relief	\$5.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.1 M	FR	FHWA
10	10 Year Plan Projects - Capital AM	\$19.1 M	\$60.9 M	\$15.5 M	\$0.0 M	\$0.0 M	\$95.5 M	TC / FR	FHWA
11	Safety	\$21.4 M	\$121.6 M	\$0.0 M	\$0.0 M	\$10.2 M	\$153.2 M		
12	Highway Safety Improvement Program	\$10.7 M	\$39.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$50.1 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$2.1 M	\$3.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.7 M	FR	FHWA / SH
14	Hot Spots	\$0.0 M	\$2.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$2.2 M	TC	FHWA / SH
15	FASTER Safety	\$8.6 M	\$69.2 M	\$0.0 M	\$0.0 M	\$10.2 M	\$88.0 M	TC	SB 09-108
16	ADA Compliance	\$0.0 M	\$7.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.2 M	TC	FHWA / SH
17	Mobility	\$1,028.2 M	\$142.9 M	\$0.0 M	\$0.0 M	\$6.5 M	\$1,177.6 M		
18	Regional Priority Program	\$10.0 M	\$50.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$60.0 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$977.1 M	\$72.2 M	\$0.0 M	\$0.0 M	\$6.5 M	\$1,055.8 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$41.2 M	\$20.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$61.8 M	FR	FHWA / SH / SL
21	Maintenance and Operations	\$35.7 M	\$372.3 M	\$5.0 M	\$0.0 M	\$0.0 M	\$413.0 M		
22	Asset Management	\$31.0 M	\$336.1 M	\$5.0 M	\$0.0 M	\$0.0 M	\$372.1 M		
23	Maintenance Program Areas	\$0.0 M	\$273.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$273.8 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 & Operations	\$0.0 M	\$11.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$11.0 M	TC	SH
34	Property	\$2.0 M	\$27.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$29.9 M	TC	SH
35	Capital Equipment	\$15.2 M	\$23.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$38.6 M	TC	SH
**36	Maintenance Reserve Fund	\$13.9 M	\$0.0 M	\$5.0 M	\$0.0 M	\$0.0 M	\$18.9 M	TC	SH
37	Safety	\$1.8 M	\$12.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.0 M	TC	FHWA / SH
38	Strategic Safety Program	\$1.8 M	\$12.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.0 M	TC	FHWA / SH
39	Mobility	\$2.9 M	\$24.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$26.9 M		
40	Real-Time Traffic Operations	\$2.9 M	\$14.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.9 M	TC	SH
41	ITS Investments	\$0.0 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.0 M	TC	FHWA / SH
42	Multimodal Services & Electrification	\$184.2 M	\$46.3 M	\$0.0 M	\$0.0 M	\$30.0 M	\$260.5 M		
43	Mobility	\$184.2 M	\$46.3 M	\$0.0 M	\$0.0 M	\$30.0 M	\$260.5 M		
44	Innovative Mobility Programs	\$17.1 M	\$8.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$26.1 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$4.2 M	\$11.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$15.5 M	FR	FHWA
46	10 Year Plan Projects - Multimodal	\$155.1 M	\$17.2 M	-\$35.9 M	\$0.0 M	\$0.0 M	\$136.4 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	
48	Bustang	\$7.8 M	\$8.8 M	\$35.9 M	\$0.0 M	\$30.0 M	\$82.6 M	TC	SB 09-108 / Fare Rev.
49	Suballocated Programs	\$553.6 M	\$373.2 M	\$0.0 M	\$0.0 M	\$16.2 M	\$943.0 M		
50	Aeronautics	\$8.8 M	\$35.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$44.0 M	AB	SA
51	Aviation System Programs	\$8.8 M	\$35.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$44.0 M	AB	SA
52	Highway	\$246.5 M	\$143.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$390.4 M		
53	STBG-Urban (STP-Metro)	\$175.1 M	\$61.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$237.0 M	FR	FHWA / LOC
54	Congestion Mitigation and Air Quality	\$49.7 M	\$51.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$101.4 M	FR	FHWA / LOC
55	Metropolitan Planning	\$0.4 M	\$10.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$11.1 M	FR	FHWA / FTA / LOC
56	Off-System Bridge Program	\$21.3 M	\$19.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$40.9 M	TC / FR	FHWA / SH / LOC
57	Transit and Multimodal	\$298.3 M	\$194.1 M	\$0.0 M	\$0.0 M	\$16.2 M	\$508.5 M		
58	Recreational Trails	\$2.8 M	\$1.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$4.4 M	FR	FHWA
59	Safe Routes to School	\$7.7 M	\$3.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.8 M	TC	FHWA / LOC
60	Transportation Alternatives Program	\$30.3 M	\$20.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$51.0 M	FR	FHWA / LOC
61	Transit Grant Programs	\$149.4 M	\$61.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$210.3 M	FR / SL / TC	FTA / LOC / SB 09-108
62	Multimodal Options Program - Local	\$84.7 M	\$97.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$182.3 M	SL	SB 21-260
63	Carbon Reduction Program - Local	\$0.0 M	\$9.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$9.5 M	FR	FHWA / LOC
64	Revitalizing Main Streets Program	\$23.3 M	\$0.7 M	\$0.0 M	\$0.0 M	\$16.2 M	\$40.2 M	SL / TC	SB 21-260
65	Administration & Agency Operations	\$3.0 M	\$105.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$108.3 M		
66	Agency Operations	\$3.0 M	\$59.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$62.8 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	\$0.0 M	\$2.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$2.6 M	TC	SH
69	Debt Service	\$223.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$223.5 M	DS	SH
70	Debt Service	\$223.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$223.5 M	DS	SH
71	Contingency Reserve	\$75.8 M	\$0.0 M	-\$5.0 M	\$0.0 M	\$0.0 M	\$70.7 M		
72	Contingency Fund	\$43.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$43.3 M	TC	FHWA / SH
73	Reserve Fund	\$32.5 M	\$0.0 M	-\$5.0 M	\$0.0 M	\$0.0 M	\$27.5 M	TC	FHWA / SH
74	Other Programs	\$16.3 M	\$29.5 M	\$0.0 M	\$0.0 M	\$0.8 M	\$46.6 M		
75	Safety Education	\$11.8 M	\$14.1 M	\$0.0 M	\$0.0 M	\$0.8 M	\$26.7 M	TC/FR	NHTSA / SSE
76	Planning and Research	\$4.4 M	\$15.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$19.5 M	FR	FHWA / SH
77	State Infrastructure Bank	\$0.17 M	\$0.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.5 M	TC	SIB
78	TOTAL - CDOT	\$2,173.4 M	\$1,883.3 M	\$15.5 M	\$0.0 M	\$63.7 M	\$3,835.9 M		

Key to Acronyms:
 TC = Transportation Commission
 FR = Federal
 SL = State Legislature
 AB = Aeronautics Board
 SH = State Highway
 SIB = State Infrastructure Bank
 LOC = Local
 SB = Senate Bill
 DS = Debt Service
 SA = State Aviation

Line	Budget Category / Program	Rollforward from FY 2021-22 *Estimated	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
79	COLORADO BRIDGE & TUNNEL ENTERPRISE								
80	Capital Construction	\$34.5 M	\$94.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$129.0 M		
81	Asset Management	\$34.5 M	\$94.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$129.0 M		
82	Bridge Enterprise Projects-CBTE	\$34.5 M	\$94.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$129.0 M	BTEB	SB 09-108, SB 21-260
83	Maintenance and Operations	\$0.8 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.5 M		
84	Asset Management	\$0.8 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.5 M		
85	Maintenance and Preservation-CBTE	\$0.8 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.5 M	BTEB	SB 09-108
86	Administration & Agency Operations	\$0.0 M	\$1.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.9 M		
87	Agency Operations-CBTE	\$0.0 M	\$1.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.9 M	BTEB	SB 09-108
88	Debt Service	\$0.0 M	\$48.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$48.0 M		
89	Debt Service-CBTE	\$0.0 M	\$48.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$48.0 M	BTEB	FHWA / SH
90	TOTAL - BRIDGE & TUNNEL ENTERPRISE	\$35.3 M	\$145.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$180.5 M		

91	COLORADO TRANSPORTATION INVESTMENT OFFICE (CTIO)								
92	Maintenance and Operations	\$0.0 M	\$36.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$36.1 M		
93	Express Lanes Operations-CTIO	\$0.0 M	\$36.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$36.1 M	CTIOB	Tolls / Managed Lanes Revenue
94	Administration & Agency Operations	\$3.0 M	\$4.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.0 M		
95	Agency Operations-CTIO	\$3.0 M	\$4.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.0 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	TOTAL - COLORADO TRANSPORTATION INVESTMENT OFFICE	\$3.0 M	\$40.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$43.1 M		

99	CLEAN TRANSIT ENTERPRISE								
100	Suballocated Programs	\$0.0 M	\$6.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.8 M		
101	Transit and Multimodal	\$0.0 M	\$6.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.8 M		
102	CTE Projects	\$0.0 M	\$6.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.8 M	CTB	SB 21-260
103	Administration & Agency Operations	\$0.0 M	\$1.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.4 M		
104	Agency Operations-CTE	\$0.0 M	\$0.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.6 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	TOTAL - CLEAN TRANSIT ENTERPRISE	\$0.0 M	\$8.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$8.3 M		

109	NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE								
110	Multimodal Services & Electrification	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.6 M		
111	Mobility	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.6 M		
112	NAAPME Projects	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.6 M	NAAPMEB	SB 21-260
113	Administration & Agency Operations	\$0.0 M	\$0.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.4 M		
114	Agency Operations-NAAPME	\$0.0 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 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	TOTAL - NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE	\$0.0 M	\$7.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.1 M		
119	TOTAL - CDOT AND ENTERPRISES	\$2,211.7 M	\$1,784.0 M	\$15.5 M	\$0.0 M	\$63.7 M	\$4,074.9 M		

*Roll forward budget is budget from a prior year that hasn't been committed to a project or expended from a cost center prior to the close of the fiscal year. Estimated Roll forward budget will be incorporated prior to finalizing the FY 2023 budget, and updated after the close of FY 2022.

** \$10M of the FY22 Maintenance Reserve roll forward budget is specifically allocated for Snow and Ice Control.

** \$10M of the FY22 Maintenance Reserve roll forward budget is specifically allocated for Snow and Ice Control



COLORADO

Department of Transportation

July 2022 TC Workshop *FY23 Budget Amendment*



Agenda

Budget Amendments Requiring TC Approval:

- Transfer CDOT Portion of the Multimodal Transportation and Mitigation Options Fund (MMOF) Allocation to Bustang
- Allocate new FHWA Bridge Replacement and Rehabilitation Program Funds to 10 Year Plan Projects - Capital Asset Management (AM)
- Increase Maintenance Reserve Balance

Information-only Adjustments to FY23 Budget:

- 2022 legislation
- Other Misc Adjustments





Budget Amendment Transfer CDOT MMOF to Bustang

Budget Amendment #1: Reallocate \$35,926,066 from the 10 Year Plan Projects - Multimodal (Line 46) to Bustang (Line 48) to expand Bustang operations

Description	FY 2021-22	FY 2022-23
MMOF Budget	\$146,840,000	\$114,800,442
15% CDOT Share	\$22,026,000	\$17,220,066
Existing Obligations	(\$3,120,000)	(\$200,000)
<i>MPO GHG Modeling</i>	<i>(\$1,000,000)</i>	<i>(\$200,000)</i>
<i>RMS Assessment Project</i>	<i>(\$500,000)</i>	
<i>Front Range Passenger Rail</i>	<i>(\$1,620,000)</i>	
Total Transfer to Bustang	\$18,906,000	\$17,020,066





Budget Amendment

FHWA Bridge Replacement & Rehabilitation Program



Budget Amendment #2: Allocate \$15,500,015 to the 10 Year Plan Projects - Capital AM line (Line 10) to administer the newly authorized FHWA bridge replacement and rehabilitation program



Budget Amendment

Increase Maint. Program Reserve Fund



Budget Amendment #3: Reallocate \$5,006,303 from the TC Program Reserve (Line 73) to the Maintenance Reserve Fund (Line 36) to increase the fund balance back to \$12 million to address any unforeseen contingencies that arise during FY 2022-23.



Information-only Items

2022 Legislative Session Impacts

Description	Purpose	Amount	Budget Line Impacted
SB22-176 Early Stage Front Range Passenger Rail Funding	General Fund Transfer to Southwest Chief - transfer to Rail District	\$1.9M	N/A - Fund in CDOT is repealed July 1, 2022
SB22-176 Early Stage Front Range Passenger Rail Funding	General Fund Transfer for Burnham Yard	\$6.5M	10 Year Plan Projects - Capital Mobility line (Line 19)
SB22-180 Programs to Reduce Ozone through Increased Transit	General Fund Transfer for Bustang expansion	\$30M	Bustang (Line 48)
SB22-180 Programs to Reduce Ozone through Increased Transit	General Fund Transfer for Revitalizing Main Streets	\$10M	Revitalizing Main Streets (Line 64) for FY 2022-23
HB22-1133 Family Medical Leave Insurance Fund	Reduce Long Bill appropriations for premiums for state employee Family Medical Leave insurance coverage	(\$30K)	Reduction to Administration line (Line 67) Increase to Agency Operations line (Line 66)
HB 22-1254 Vehicle Taxes & Fees Late Registrations	Allows Department of Revenue to retain \$1 from every age of vehicle fee assessment resulting in a revenue reduction to CDOT	(\$5.3M)	N/A - captured during fiscal year end revenue reconciliation
HB22-1321 Study of Devices Assessing Motorist Impairment	Appropriation to CDOT from the Marijuana Tax Cash Fund for study	\$.8M	Safety Education line (Line 75)
HB22-1351 Temporarily Reduce Road User Charges	General Fund transfer to backfill FY23 road usage fee revenue	\$26.9M	N/A - captured during fiscal year end revenue reconciliation
HB22-1351 Temporarily Reduce Road User Charges	General Fund transfer to backfill FY23 & FY24 FASTER revenue	\$20.2M	FASTER Safety Program (Line 15)



Information-only Items

Other Misc Changes to the Budget

In addition to changes resulting from 2022 special bills, CDOT staff made several other adjustments to the FY23 Budget to align with statute or other previous decisions. Noteworthy adjustments include:

- **Revitalizing Main Streets (Line 64):** Increased the allocation to Revitalizing Main Streets by \$6.2 million, for a full allocation of \$6.9 million in FY 2022-23 to align with SB21-260.
- **Transfer the allocation for Carbon Reduction Program - CDOT to 10 Year Plan Projects - Capital Mobility (Line 19):** Staff moved the \$8.8 million allocation for the CDOT portion of the new Carbon Reduction Program to the 10 Year Plan Projects - Capital Mobility line (Line 19) to align with what the Commission approved for this program beginning in FY 2021-22 (April 2022 Budget Amendment, resolution TC-2022-04-07).
- **Allocations for new SB21-260 Enterprises (Lines 99 through 118):** The Boards for the Clean Transit and Nonattainment Area Air Pollution Mitigation Enterprises adopted budget allocations for FY 2022-23 and those allocations are now reflected in the associated Enterprise sections of the Revenue Allocation Plan.



MEMORANDUM

TO: COLORADO TRANSPORTATION COMMISSION
FROM: REBECCA WHITE, DIRECTOR, DIVISION OF TRANSPORTATION DEVELOPMENT
DATE: JULY 8, 2022
SUBJECT: 10-YEAR PLAN UPDATE

Purpose

The purpose of this memo is to discuss the draft, updated 10-Year Plan and notable project changes with the Transportation Commission and provide an overview of the strategies that will be used to demonstrate greenhouse gas (GHG) reduction compliance.

Action

No action is required. This update discussion is for informational and discussion purposes only.

Background

The 10-Year Plan has been updated to reflect state SB21-260 and federal infrastructure bill revenues, along with the recently adopted GHG pollution reduction planning rules, and the progress thus far in delivering the original first four years of the 10-Year Plan.

TPR/MPO Prioritization: Staff has updated the 10-Year Plan project tables based on approved sets of highway and multimodal projects from each TPR and MPO. The updated tables show what has been funded in the first four years of the plan (FY 19-22), and proposed funding over the next four years (FY 23-26) which include both new and deleted projects. Lastly, staff has included a new column for project status to better track progress made toward delivering the 10-Year Plan.

GHG Model Overview: The GHG Planning Rule requires CDOT to update its 10-Year Plan to be in compliance with the Rule by October 1, 2022. To date, the modeling team has conducted several model runs and also is analyzing potential reductions from various mitigation measures--as outlined in Policy Directive 1610. Continuing modeling work will consist of using the GHG Mitigation Policy calculations with a likely emphasis on land use changes, transit expansion, and alternative travel choices. Staff plans to present a full overview of GHG compliance analysis at the August 2022 Commission meeting. The NFRMPO and DRCOG also must demonstrate compliance with the GHG Rule by October 1, 2022, and are similarly working on updating their plans and conducting modeling runs.



Next Steps

In August, CDOT staff will review the 10-Year plan narrative with TC and discuss any changes to projects. Additionally, staff will complete the briefing on the GHG compliance analysis. The full updated draft 10-Year Plan will be made available for a public review and comment period, with adoption of the 10-Year Plan and GHG compliance report to occur in September.

Attachments

10-Year Plan Presentation

Draft Updated 10-Year Plan Project Tables - Redline Version





COLORADO

Department of Transportation

10-Year Plan Update Transportation Commission July 2022



Presentation Overview

- 10-Year Plan Update - A Refresher
- Transportation Commission Guiding Principles
- Notes about Inflation and Safety in the Updated Plan
- Draft Project Tables - Regions 2, 3, and 5
- Next Steps & Schedule



Updating the 10-Year Plan

Why are we updating the 10-Year Plan?

- New revenue: SB260 was passed to help deliver the 10-Yr Plan. Additionally, the federal infrastructure bill brings new transportation dollars to the state.
- Greenhouse Gas Rulemaking: In December 2021, the Transportation Commission adopted the new GHG Pollution Reduction Planning Rule. The 10-Year Plan must comply with the new standard for reduced greenhouse gas emissions.
- Progress delivering the first four years of the 10-Year Plan: Looking across the entire time period of the current plan, we are transitioning from completing the last year of the original 4-year list (FY22) to determining the next 4-year set of projects (FYs 23-26).



Funding Assumptions: A Refresher

We have a phased approach to deliver and update the 10-year plan:






1. Fully deliver on the original 4-yr priority list (FY 19-22) and to “close out” regional equity across this period.
 - Strategic funding = \$380 M statewide for FY 22, including 10% minimum to transit
2. Build the next 4-yr priority list (FY 23-26)
 - Strategic funding = \$325 M / year on average statewide, including 10% minimum to transit (\$1.3 Billion total in strategic funding over next four year prioritized list of projects)
2. Plan outyears (FY27+)
 - Remaining 10-Year Plan projects will be listed in the new outyears of the plan (FY 27+).

Strategic funding (10 Yr Plan) assumptions include:

- SB 267 COPs
- SB 260 HUTF
- STBG (IIJA)
- Carbon Reduction (IIJA)
- Flexible funding and specific funding for bridges and risk/resiliency (IIJA)



Updated TC Guiding Principles

 Safety	 Mobility	Economic Vitality 	Asset Management 	 Strategic Nature	Regional Priority
Potential Criteria	Potential Criteria	Potential Criteria	Potential Criteria	Potential Criteria	Potential Criteria
Extent to which project addresses safety deficiencies at locations with known safety issues (as indicated by Level of Safety Service (LOSS) 3 or 4), or other known or projected safety issues	Extent to which a project addresses a mobility need and reduces greenhouse gas emissions, including congestion reduction, improved reliability, new or improved connections, eliminations of "gaps" or continuity issues, new or improved multimodal facilities, improves efficiency through technology or improved access to multimodal facilities.	Extent to which a project supports the economic vitality of the state or region and ensures disproportionately impacted communities realize the economic benefits of a project, such as supporting business, freight, agricultural or energy needs, or providing or improving access to recreation, tourism, job, military, healthcare or other significant activity centers.	Extent to which project addresses asset life, including improving Low Drivability Life pavement or poor rated structures	Strategic nature of project, regional or statewide significance, leverages innovative financing and partnerships, and balances short term needs vs. long term trends.	Priority within the Region, based on planning partner input including priorities expressed in Regional Transportation Plans
TC Guiding Principle	TC Guiding Principle	TC Guiding Principle	TC Guiding Principle	TC Guiding Principle	TC Guiding Principle
Safety	Mobility Programs and projects leveraging new technology development Integrated System Impacts and Benefits Reduction of Greenhouse Gas Emissions	Economic Impacts Statewide Equity Social Equity	Asset Management / Preservation Benefits Impact of Asset Management decision on asset life and function	Financial Leverage, Financial innovation, and Partnerships Short term projects vs. Accommodating Long-Term Projects trends How does the system look in 30 years and how does this project fit in?	Is the project consistent with the 2045 Statewide and Regional Plans and the projects identified as part of that collaborative process? Regional flexibility / Collaborative agreement on smaller scale projects included in the 10-year Plan

→ Consistent with how we built the original 10-Year Plan, the TC Guiding Principles were [Page 20 of 245](#) guide the plan update. 5



A note about inflation & updated project costs

Inflation is rising and economic patterns are uncertain.

- Given the levels of input costs and bid prices for construction observed in the Colorado Construction Cost Index (CCCI) and the Producers Price Index (PPI), CDOT continues monitoring market indicators, making estimates to review and update the 10-Year Plan projects to the best of our ability.
- The 10-Year Plan is a planning document and, as such, funding amounts are planning-level estimates and will need to be adjusted as projects move from planning to delivery.
- This means that we'll need to develop and adjust project scopes to budgets where we can, or figure out ways to address funding gaps for projects that are not scalable as we go along. Project teams and regions are working on many innovative ways to address those possible funding gaps.



- While safety is a component of nearly every project in the plan, an additional \$25M in HSIP funding provided by IJA gives us an opportunity to increase this focus.
- Staff proposes using these dollars to further support safety elements within the plan by adding an additional dedicated funding line, **“Advancing Transportation Safety”** in the project list for each Region.
- This additional HSIP money would be added to existing 10-Year projects to fund qualifying safety elements of those projects. Examples of qualifying safety elements include median barriers, centerline /shoulder rumble strips, adding/widening shoulders, safer pedestrians crossings, and signing/striping improvements aimed at mitigating crashes associated with roadway departures or vulnerable roadway users.



10 Year Plan Redlined Version

PROJECT PIPELINE

ADOPTED MAY 2020 | UPDATE ADOPTED AUGUST 2022



NORTHEAST PROJECTS

We are here!

Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID
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Highway & Transit– Region 4

Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Berthoud Mobility Hub	\$14.5 M	\$12.5 M	✓	\$12.5 M			◆	2729
Centerra-Loveland Mobility Hub	\$21 M	\$6.5 M	✓	\$6.5 M			◆	2742
Firestone - Longmont Mobility Hub (Phase 1)	\$6.823 M	\$6.823 M	✓	\$6.823 M				2730, 2731
Firestone - Longmont Mobility Hub (Phase 2)	\$16.5 M	\$15.5 M	✓	\$15.5 M				2732
Firestone - Longmont Mobility Hub Access Improvements	\$2.0 M	\$2.0 M	✓	\$2 M				2750
Harmony Road Park-n-Ride Expansion	\$0.5 M	\$0.5 M	✓	\$0.5 M				2733
I-25 and CO 14 Interchange Improvements	\$60 M	\$30.5 M	✓		\$3.5 M	\$27 M		2604
I-25 North Express Lanes: Segment 5 (CO 56 to CO 66)	\$350 M	\$196.4 M	✓		\$98.2 M	\$98.2 M		2603
I-25 North Express Lanes: Segment 6 (CO 56 to CO 402)	\$293.38 M	\$231 M	✓	\$231 M			◆	0059
I-25 North Express Lanes: Segment 7 & 8 (CO 402 to CO 14)	\$598.62 M	\$138.8 M	✓	\$138.8 M			◆	0058
I-25 Bustang Service in Region 4 Fleet Expansion	\$2.5 M	\$2.5 M				\$2.5 M		2690
North I-25 Transit Service Fleet Purchase	\$3 M	\$3 M			\$1.5 M	\$1.5 M		1802
Essential Bus Service between Burlington and Denver	\$2.42 M	\$2.42 M						4094
I-70 Arriba Rest Area	\$2 M	\$2 M				\$2 M		1572
I-70 Bethune to Burlington	\$175 M	\$31.22 M	✓		\$31.22 M			TBD
I-70 Replacing Failing Pavement	\$59.1 M	\$59.1 M		\$59.1 M			✓	0090
Resurfacing Select Segments of I-70 between Scibert and Stratton	\$175 M	\$28.72 M					\$28.72 M	2684
Rural Roads Bridge Package 1 Rehabilitation and Repair I-70 Bridges near Limon	\$4.28 M	\$4.28 M			\$3.8 M	\$0.48 M		2670
I-76 Atwood Bridge Rehabilitation and Repair	\$0.27 M	\$0.27 M				\$0.27 M		2671
I-76 CO 144 West, Westbound Diamond Grind and Slabs MP 55.1 to MP 61.9	\$8.05 M	\$8.05 M		\$8.05 M			◆	0069
I-76 Corridor Improvements and Preservation	\$200 M	\$26.48 M	✓		\$26.48 M			1022
I-76 East of Sterling (Part 2) - Slabs and Diamond Grind	\$8.25 M	\$8.25 M		\$8.25 M			●	2683
I-76 New Local Fixed-Route Transit Service in Fort Morgan	\$1.55 M	\$1.55 M			\$1.55 M			1426
I-76 Reconstruction from Fort Morgan to Brush	\$125 M	\$45 M	✓		\$20 M	\$25 M		1430, 1428
I-76 Sterling East: MP 124.7 to MP 128.2	\$8.05 M	\$8.05 M		\$8.05 M			●	0072
I-76 US 34 East, Slabs and Diamond Grind both directions from MP 66 to MP 73.9	\$11.5 M	\$11.5 M				\$11.5 M		0070
Outrider Improvements at Brush, Fort Morgan, Hudson, and Lochbuie	\$0.32 M	\$0.32 M		\$0.32 M				2490
Outrider Improvements at Sterling	\$80 K	\$80 K		\$80 K				2491

Staff has prepared a draft red-lined version of the updated 10-Year Plan project tables, which was included as an attachment to this presentation.

- Regions 2, 3 and 5 will now walk you through their updated project tables.
- In the interest of time and given the additional GHG requirements for the DRCOG and NFR projects, Regions 1 and 4 will walk through their project lists at the TC meeting in August.
- New projects / elements are indicated in green, deleted projects / elements are indicated in red for transparency about what changed. Once plan update is adopted, it will not have this mark-up.

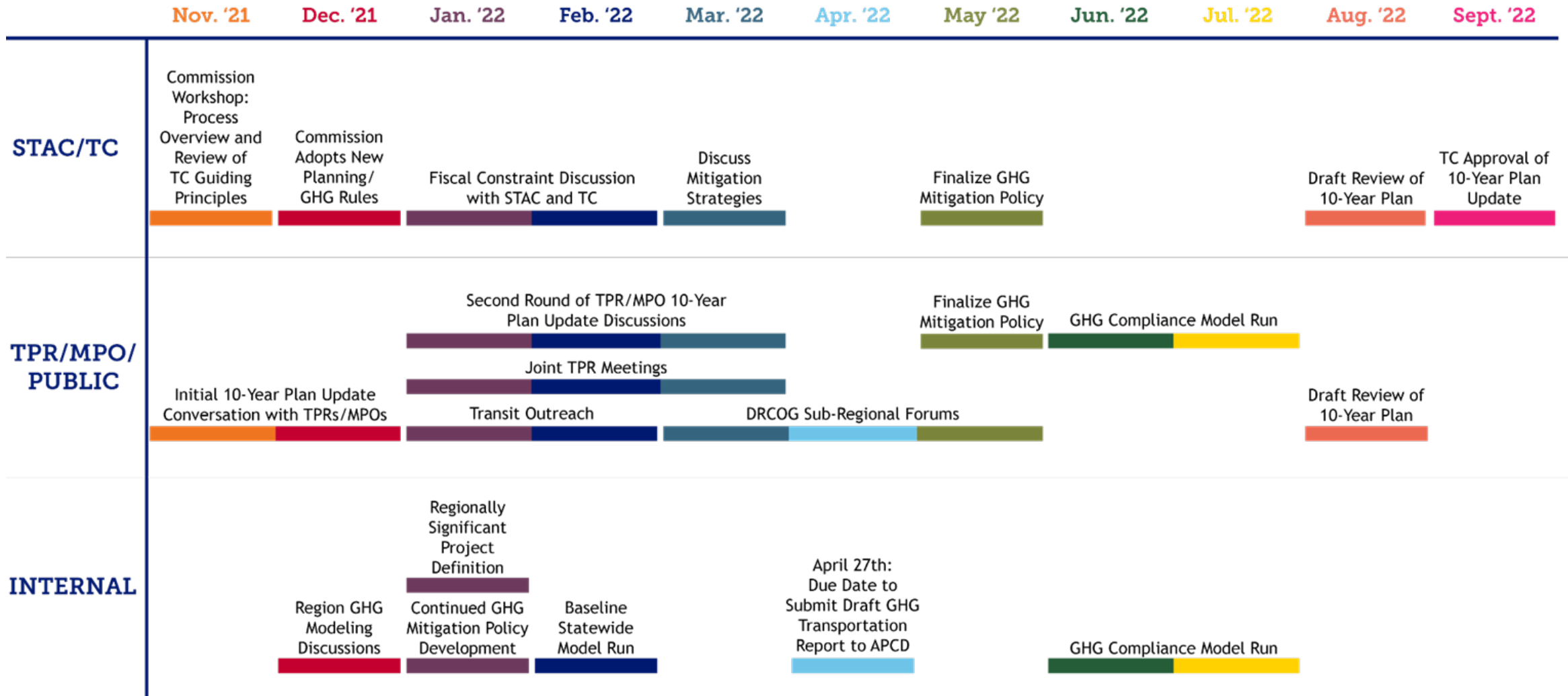


Next Steps

- CDOT, in partnership with the MPOs and TPRs, remains committed to delivering the 10-Year Plan.
- Up next on the TC agenda is a presentation about GHG Compliance. The GHG Compliance presentation will build on the information shared during this presentation to discuss how we plan to deliver our 10-Year Plan while also meeting the GHG air quality standards.
- Staff will bring the full draft plan to TC in August, with final TC adoption in September.



10 Year Plan Update Timeline





COLORADO

Department of Transportation

Questions?

PROJECT PIPELINE

ADOPTED MAY 2020 | UPDATE ADOPTED SEPTEMBER 2022



SOUTHEAST PROJECTS

We are here!

	Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Highway & Transit– Region 2									
Interstate 25	I-25 Paving and Mobility - Fillmore to Garden of the Gods	\$50 M	\$43 M	✓	\$43 M				0016
	I-25 Colorado Springs Ramp Metering - Phase 2	\$6 M	\$6 M		\$6 M			◆	0017
	Outrider Improvements at Tejon Park-n-Ride	\$80 K	\$80 K		\$80 K				2725
	Woodmen Road Mobility Hub	\$6 M	\$6 M		\$6 M				2720
	Monument Park-n-Ride	\$0.5 M	\$0.5 M		\$0.5 M				2721
	Bijou Street Storage and Maintenance Facility	\$3 M	\$3 M		\$3 M			✓	2722
	I-25 through Pueblo New Freeway	\$140 M	\$91 M	✓	\$76.57 M	\$14.43 M			0014, 2560
	I-25 and CO 94 Safety and Mobility Improvements (MAMSIP)	\$157.6 M	\$44.3 M	✓	\$44.3 M			◆	0015
	I-25 Raton Pass Safety and Interchange Improvements	\$14 M	\$14 M		\$14 M			◆	0013
	I-25 at Exit 104 - Dillon Drive Improvements	\$9.8 M	\$4.5 M	✓	\$1.5 M	\$3 M			2565
	North Pueblo Mobility Hub	\$6 M	\$6 M		\$6 M				2723
	Pueblo Administrative and Maintenance Facility	TBD	\$2.18 M	✓	\$2.18 M				2724
	Southwest Chief Thru-Car Study - CRISI Grant Match	\$0.45 M	\$50 K	✓	\$50 K			✓	2734
	South Central Storage and Maintenance Facility	\$3.29 M	\$2.63 M	✓	\$2.63 M				1270
	Outrider Improvements at Colorado City Corners, Walsenburg, and Aguilar	\$0.2 M	\$0.2 M		\$0.2 M				2497
	I-25 HOV Lanes in Colorado Springs	\$55 M	\$55 M						2702
	Bustang Mobility Hub in Fountain Fountain Mobility Hub	\$8.2 M	\$8.2 M			\$8.2 M			2703
	I-25 Exit 108 (Purcell Boulevard) Replace Single Box Culvert Crossing Under I-25	\$11 M	\$11 M			\$2 M	\$9 M		2562
	I-25C and US 160 Intersection Improvements	\$5 M	\$5 M			\$5 M			1502
	I-25C North to I-25	\$5 M	\$5 M			\$5 M			TBD
Implement Recommendations from Trinidad Traffic Study	\$5 M	\$5 M			\$5 M			TBD	
Safety and Operational Improvements Exit 135 South Academy to Exit 138 Circle/Lake	\$48.7 M	\$27.1 M	✓			\$27.1 M		TBD	
US 24	US 24 Shoulder Widening	\$10 M	\$10 M				\$10 M		1642
	US 24 East Widening	\$50 M	\$50 M			\$50 M			2548
	US 24 West over Ridge Road (Overpass)	\$33.4 M	\$33.4 M				\$33.4 M		2549
	New Regional Fixed-Route Transit Service in Teller County	\$0.6 M	\$0.6 M			\$0.6 M			1068
US 50	US 50 and Purcell Drive Interchange	\$47 M	\$38.6 M	✓	\$38.6 M			◆	0009
	Outrider Improvements at Pueblo West	\$80 K	\$80 K		\$80 K				2726
	Outrider Improvements at Lamar, Fort Lyon, Las Animas, La Junta, Swink, Rocky Ford, Manzanola, & Fowler	\$0.6 M	\$0.6 M		\$0.6 M				2495
	Outrider Improvements at Cañon City and Cotopaxi	\$0.16 M	\$0.16 M		\$0.16 M				2496
	Southwest Chief Track Improvements - RAISE Grant Match	\$23.41 M	\$1 M	✓	\$1 M			◆	2735
	US 50 Passing Lanes East of Salida	\$8.5 M	\$8.5 M						4009
	Expanded Golden Shuttle Fixed-Route Service in Fremont County	\$1.33 M	\$1.33 M				\$1.33 M		1070
	Expanded Local Fixed-Route Service between Florence-Penrose-Cañon City	\$0.76 M	\$0.76 M				\$0.76 M		1071
	Business US 50 Drainage Improvements at 36th Lane	\$5.5 M	\$5.5 M				\$5.5 M		2563
	La Junta Multimodal Transit Center	\$4 M	\$4 M				\$4 M		1285
	La Junta to Fowler Fixed-Route Service	\$0.6 M	\$0.6 M				\$0.6 M		1287
	City of La Junta Bus Barn Rehabilitation	\$0.2 M	\$0.2 M			\$0.2 M			1288
	Expand Deviated Fixed-Route Services in La Junta	\$0.4 M	\$0.4 M				\$0.4 M		1289
New Regional Transit Service between Campo and Lamar; Expanded Baca County Demand Response Services	\$0.5 M	\$0.5 M			\$0.5 M			1049	
US 50 Passing Lanes between Fowler and Kansas State Line	\$15 M	\$15 M			\$15 M			1614	
Realign US 50 as a Part of US 287 Reliever Route Project	\$34.2 M	\$34.2 M				\$34.2 M		1617	
US 50 Safety Improvements west of Canon City	\$15 M	\$8.5 M	✓			\$8.5 M		TBD	
US 160	US 160 Curve Alignment	\$1 M	\$1 M				\$1 M		1628
	US 160 Freight and Safety Improvements	\$13.2 M	\$13.2 M				\$13.2 M		1508
	Kim Transit Garage	\$0.5 M	\$0.5 M			\$0.5 M			1044
	Expanded Regional Transit Service for Branson, Kim, and Baca County	\$0.6 M	\$0.6 M			\$0.6 M			1045
	Baca County Bus Facility	\$0.4 M	\$0.4 M			\$0.4 M			1048
US 285	US 285/CO 9 Intersection Improvement with Bridge Widening	\$15 M	\$7 M	✓	\$7 M			●	0008
	Fairplay Mobility Hub	\$4 M	\$4 M		\$4 M				1084
US 287	US 287 Lamar Downtown PCCP - Phase 1 and Phase 2	\$18 M	\$18 M		\$18 M			◆	0010
	US 287 Bridge Preventative Maintenance - Phases 1 and 2	\$5 M	\$5 M		\$5 M			✓	0007
	Prowers County Bus Barn Office Extension	\$0.131 M	\$0.105 M	✓	\$0.105 M			◆	2485
	Kiowa County Bus Storage Facility	\$0.35 M	\$0.35 M	✓	\$0.35 M				1281
US 350	US 350 Shoulder Widening and Safety Improvements	\$5.5 M	\$5.5 M				\$5.5 M		1511
US 385	Passing Lanes on US 385	\$5 M	\$5 M			\$5 M			1631
CO 10	CO 10 Shoulder Widening	\$10 M	\$10 M				\$10 M		1626
CO 12	CO 12 PEL Implementation - Shoulder Widening (Southern Mountain Loop Trail)	\$10 M	\$10 M		\$4 M		\$6 M		1039
	Expanded Regional Transit Service between Trinidad and CO 12 Communities	\$2 M	\$2 M				\$2 M		1267
	CO 12 ADA Ramps and Sidewalk Improvements in La Veta and Trinidad	\$1 M	\$1 M				\$1 M		1493

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SOUTHEAST PROJECTS

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Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID	
Highway & Transit– Region 2 (continued)									
CO 21	CO 21 and Research Parkway Interchange	H	\$38 M	\$38 M	✓	\$19.5 M		◆	0011
	CO 21 and Airport Road DDI Interchange Construction	H	\$49 M	\$49 M		\$4 M	\$45 M		2547
CO 45	CO-45 North Extension Study	H	\$1 M	\$1 M					2564
CO 47	CO 47 Four-Lane Extension to US 50	H	\$8 M	\$8 M			\$8 M		2561
CO 67	Cripple Creek Administration and Operations Facility	T	\$2.2 M	\$2.17 M	✓	\$0.12 M	\$2.05 M		1075, 1078
	CO 67 Passing Lanes	H	\$10.5 M	\$10.5 M			\$10.5 M		1010
	CO 67 North of Woodland Park	H	\$10 M	\$6.5 M	✓		\$6.5 M		TBD
CO 69	CO 69 Shoulder and Safety Improvements	H	\$10 M	\$10 M			\$10 M		2567
	CO-69 Safety Improvements	H	\$6.2 M	\$6.2 M					1037
	Westcliffe Vehicle Housing	T	\$0.46 M	\$0.46 M			\$0.46 M		1079
CO 71	CO 71 Passing Lanes	H	\$6 M	\$6 M			\$6 M		1633
CO 96	CO 96 Shoulder Widening	H	\$10.5 M	\$10.5 M			\$10.5 M		1665
	CO 96 and CO 71 Intersection Improvements	H	\$0.8 M	\$0.8 M			\$0.8 M		1625
	CO 96 West of Pueblo	H	\$11.5 M	\$11.5 M			\$11.5 M		2559
	Expand Crowley County Transit Service in Crowley County and Sugar City	T	\$0.4 M	\$0.4 M			\$0.4 M		1294
CO 109	CO 109 La Junta Bridge Repair over US 50B	H	\$3 M	\$3 M		\$3 M		●	0012
CO 115	CO 115 Safety and Paving Improvements	H	\$42 M	\$42 M		\$42 M		●	0018
	CO 115 Shoulders and Safety Improvements	H	\$10.5 M	\$10.5 M			\$3.5 M	\$7 M	1080
	New Interregional Transit Service between Cañon City-Florence-Colorado Springs	T	\$0.84 M	\$0.84 M			\$0.84 M		1081
Non-Corridor Specific	Bridge Preventative Maintenance - CO 12 and CO 194	H	\$2.5 M	\$2.5 M		\$2.5 M		◆	0019
	Bridge Preventative Maintenance on I-25, CO 16, and US 24 in Colorado Springs	H	\$5.5 M	\$5.5 M		\$5.5 M		◆	0020
	Bustang Fleet Purchases for Region 2	T	\$1.25 M	\$1.25 M		\$1.25 M			TBD
	Colorado Springs Transit Center	T	\$20 M	\$8 M	✓	\$8 M			2719
	High-Capacity Corridor Improvements in El Paso County	H T	\$0.85 M	\$0.85 M			\$0.85 M		2552
	BNSF Corridor Purchase for Multimodal Facilities	H	\$1.1 M	\$1.1 M					2553
	Transfer Facilities for Regional Transit Services (Cripple Creek, Cañon City, Woodland Park)	T	\$0.39 M	\$0.39 M			\$0.39 M		1004
	Mobility Management and Expansion of Upper Arkansas Area Council of Governments (UAACOG)	T	\$0.1 M	\$0.1 M			\$0.1 M		1635
	Expanded Regional Transit Service between Walsenburg-La Veta-Gardener-Cuchara	T	\$1.4 M	\$1.4 M			\$1.4 M		1038
	Expanded Regional Transit Service in Kiowa County	T	\$0.4 M	\$0.4 M			\$0.4 M		1047
	Mountain Metropolitan Transit Fixed-Route Service Expansion - Stage 1	T	\$7.8 M	\$4.8 M			\$4.8 M		2556
	Pueblo Transit Fixed-Route Bus/Vehicle Replacements	T	\$7.24 M	\$7.24 M			\$3.9 M	\$3.34 M	2566
	Fort Carson Circulators/Service to PPCC	T	\$1.5 M	\$1.1 M	✓		\$1.1 M		TBD
Academy Boulevard/Hancock Expressway Transfer Center	T	\$3 M	\$3 M			\$3 M		TBD	
Bustang Expansion on I-25 Rolling Stock Expansion	T	\$1.4 M	\$1.4 M		\$1.4 M			TBD	

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SOUTHEAST PROJECTS

	Rural Paving – Region 2	Total Strategic Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+
	Total for all Rural Paving Projects	\$223.105 M	\$83.985 M	\$53.75 M	\$85.32 M

		Project Status	Planning Project ID
I-25	I-25 Business Route through Walsenburg		2616
	US 24 between Trout Creek Pass and Hartsel		2610
US 24	US 24 Hartsel to East of Wilkerson Pass, US 24 East of Wilkerson Pass to Lake George, US 24 between Lake George and Divide (MP 245..9 - 275.1)		2611 , 2612 , 2613
	US 24 East of Wilkerson Pass to Lake George		2612
	US 24 between Lake George and Divide		2613
US 50	US 50 Texas Creek East*	✓	0022
	US 50 between Penrose and the Fremont/Pueblo County Line		2607
US 160	US 160 Walsenburg West		2617
	US 160 between North La Veta Pass and Junction CO 12		2621
	US 160 between I-25 Business Route (Walsenburg) and I-25		2622
	US 160 between Pritchett and Kim		2626
	US 160 between Springfield and CO 100 and CO 100 from MP 0 to MP 0.42	●	0030
US 285	US 285 South of Bailey to Park/Jefferson County Line		2609
US 350	US 350 between La Junta and Delhi		2627
US 385	US 385 North of Sheridan Lake to Kiowa/Cheyenne County Line		2628
	US 385 between Granada and Junction CO 96		2629
CO 10	CO 10 Walsenburg East		2618
	CO 10 Otero/Pueblo County Line East		2624
CO 12	CO 12 Junction US 160 South		2619
	CO 12 East of Valdez to Trinidad		2620

		Project Status	Planning Project ID
CO 67	CO 67 from CO 96 to Florence		0027
	CO 67 between Florence and US 50		2614
CO 69	CO 69 between Westcliffe and Fremont County Line	✓	0026
CO 101	CO 101 between Las Animas and Toonerville		2625
CO 96	CO 96 East of Ordway to Arlington	◆	0024
	CO 96 near Eads to Sheridan Lake	◆	0025
CO 109	CO 109 between US 160 and Otero County Line	✓	0029
CO 115	CO 115 between Canon City and US 50		2608
CO 116	CO 116 between US 287 and Kansas Border	✓	0023
CO 120	CO 120 East of Florence to US 50		2615
CO 160	CO-160 between Pritchett and Kim		2626
CO 194A	CO 194A Surface Treatment and Drainage Improvements		0028
CO 350	CO-350 between La Junta and Delhi		2627
CO 389	CO 389 between CO/NM State Line and Junction US 160		2623

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NORTHWEST PROJECTS

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	Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Highway & Transit – Region 3									
Interstate 70	I-70 Auxiliary Lane Frisco East to Silverthorne	\$25 M	\$25 M		\$25 M			●	0043
	I-70 West: Vail Pass Safety Improvements - Phase 1	\$140 M	\$33.5 M	✓	\$33.5 M			◆	0042
	Summit County Transit Operations Center (Design & Engineering)	\$0.531 M	\$0.425 M	✓	\$0.425 M			◆	1165
	I-70B East of 1st Street to 15th Street - Phase 5	\$16 M	\$16 M		\$16 M			✓	0041
	North Avenue Transit Infrastructure Improvements	\$1.5 M	\$1.5 M		\$1.5 M				2727
	Grand Junction Mobility Hub	TBD	\$4.08 M	✓	\$4.08 M				2747
	I-70 and CO 9 (Exit 203) Interchange Improvements	\$44 M	\$44 M			\$26 M	\$18 M		1157
	I-70 West Vail Pass Auxiliary Lanes	\$50 M	\$50 M				\$50 M		1161
	Vail Intermodal Site	\$15 M	\$6.4 M			\$6.4 M			1903
	I-70 Interchange Improvements in Garfield County	\$15 M	\$15 M	✓		\$10.68 M	\$4.325 M		1171
	I-70 West: Dowd Canyon Safety and Capacity Improvements	\$14 M	\$14 M				\$14 M		1952
	I-70 Glenwood Canyon Critical Asset Repair	\$50 M	\$50 M				\$50 M		1151
	I-70 Business (Pitkin Avenue) Corridor Improvements between First Street and 15th Street	\$40 M	\$40 M	✓	\$8.11 M	\$31.08 M			2568
	I-70 Business Corridor Improvements between 32 Road and I-70 in Grand Junction	\$5 M	\$5 M				\$5 M		2569
I-70 Business Corridor Improvements between Main Street and 32 Road	\$14 M	\$14 M				\$14 M		2570	
US 6	US 6 Fruita to Palisade Safety Improvements	\$36 M	\$36 M		\$35.95 M				0031
	US 6 Corridor Improvements in Mesa County	\$13 M	\$13 M			\$13 M			2571
US 24	US 24 Safety Improvements between Minturn and Leadville	\$9.6 M	\$9.6 M				\$9.6 M		1203
US 40	Winter Park Transit Maintenance Facility - Phases 1 and 2	\$25.2 M	\$2.8 M	✓	\$2.8 M				1244
	Outrider Improvements at Winter Park and Tabernash	\$0.16 M	\$0.16 M		\$0.16 M				2749
	Outrider Improvements at Fraser, Granby, Kremmling, and Hot Sulphur Springs	\$0.3 M	\$0.3 M		\$0.3 M				2494
	Outrider Improvements at Steamboat Springs, Milner, Hayden, and Craig	\$0.32 M	\$0.32 M		\$0.32 M				2748
	US 40 Capacity Improvements around Fraser	\$25 M	\$25 M				\$25 M		1259
	US 40 Red Dirt Hill Safety Improvements	\$40 M	\$27 M			\$7 M	\$20 M		TBD
	US 40 Shoulder Improvements West of Kremmling	\$21 M	\$21 M				\$21 M		1258
	US 40 Passing Lanes West of Kremmling	\$12 M	\$12 M			\$12 M			1710
	US 40 Passing Lanes between Craig and Steamboat Springs	\$55 M	\$55 M				\$55 M		1712
	US 40 and Downhill Drive Intersection Improvements	\$8 M	\$8 M	✓		\$8 M			1729
	US 40/US 34 Intersection Improvement	\$5 M	\$5 M				\$5 M		1697
	Steamboat Springs Transit Fleet Expansion	\$2.4 M	\$2.4 M			\$2.4 M			1245
	Redesign and Construct the Steamboat Springs Transportation Center - Phase 1	\$2.3 M	\$2.3 M			\$2.3 M			1246
	Steamboat Springs Bus Rapid Transit Planning Study	\$0.25 M	\$0.25 M		\$0.25 M	\$0.25 M			1254
US 50	US 50 Windy Point/Blue Creek Canyon	\$39 M	\$18.5 M	✓	\$18.5 M			◆	0033
	US 50 Passing Lanes Blue Mesa	\$6 M	\$6 M		\$6 M				0034
	US 50 Grand Junction to Delta Repairs	\$15.46 M	\$15.46 M		\$15.46 M			◆	0035
	US 50/US 550 Intersection Improvements	\$3.5 M	\$3.5 M		\$3.5 M				0040
	Western Slope Maintenance Facility	\$2.7 M	\$2.7 M			\$2.7 M			2340
	US 50 Asset Management North of Montrose	\$15 M	\$15 M				\$15 M		1462
	Region 3 Outrider Storage in Montrose	\$0.5 M	\$0.5 M		\$0.5 M				2746
	Montrose Multimodal Transit Center (All Points Transit)	TBD	\$3.235 M	✓	\$3.235 M				1096
	Outrider Improvements at Montrose, Delta, and Gunnison	\$0.25 M	\$0.25 M		\$0.25 M				2454
US 50 Safety East of Gunnison	\$15 M	\$15 M				\$15 M		1469	
US 550	US 550 Montrose to Ouray County Line Safety Improvements	\$24 M	\$12.25 M		\$12.25 M				0032
CO 9	Frisco Transit Center - Phase 2	\$5.538 M	\$3.438 M	✓	\$3.438 M			◆	1191
	CO 9 between Iron Springs and Main Street (Frisco)	\$18 M	\$15.5 M	✓	\$15.5 M			✓	0036
CO 13	CO 13 Fortification Creek	\$10.8 M	\$10.8 M		\$10.8 M			◆	0038
	CO 13 Garfield County Rio Blanco Hill	\$29 M	\$29 M		\$29 M			◆	0037
	CO 13 Rio Blanco	\$18.3 M	\$18.3 M		\$18.3 M			✓	0088
	CO 13 Wyoming South	\$32.2 M	\$32.2 M		\$32.2 M			✓	0089
CO 82	RFTA Aspen Maintenance Facility Improvement - Phase 9	\$1.25 M	\$1.0 M	✓	\$1.0 M			✓	1217
	RFTA Glenwood Maintenance Facility - Phases 3 and 7	\$46.1 M	\$2.98 M	✓	\$2.98 M				1210
CO 92	CO 92 Rogers Mesa and Hotchkiss	\$7 M	\$7 M		\$7 M				0039
	CO 92 Safety Improvements West of Hotchkiss	\$40 M	\$27 M			\$27 M			1107
CO 135	Gunnison Valley RTA Storage Facility	\$2.226 M	\$2.2 M	✓	\$2.2 M				1110
CO 141	CO 141 (32 Road) Safety and Capacity Improvements	\$15 M	\$15 M				\$15 M		2573

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NORTHWEST PROJECTS

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Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Highway & Transit– Region 3								
CO 149	New Demand-Response Human-Services-Transportation-in-Hinsdale-County	F	\$0.15 M	\$0.15 M		\$0.15 M		4127
CO 340	CO 340 Safety Improvements	H	\$9 M	\$9 M		\$9 M		2572
Non-Corridor Specific	Shoulder Improvements in Mesa County	H	\$1.5 M	\$1.5 M		\$1.5 M		2574
	Shoulder Improvements in the Gunnison Valley Transportation Planning Region	H	\$13.6 M	\$13.6 M		\$13.6 M		1484
	Regional Transit Service between Montrose and Telluride	T	\$1.2 M	\$1.2 M		\$1.2 M		1028
	New Regional Transit Service between Montrose and Delta	F	\$0.2 M	\$0.2 M		\$0.2 M		4098
	New Interregional Transit Service between Montrose and Grand Junction	F	\$0.2 M	\$0.2 M		\$0.2 M		4101
	Snowmass Transit Center	T	\$10.5 M	\$4.5 M	✓	\$4.5 M		1231
	New Essential Bus Service between Grand Junction and Craig and between Craig and Frisco (Proposed Bustang Outrider Service)	T	\$0.4 M	\$0.4 M			\$0.4 M	1032, 2125
	Grand Valley Transit Bus Replacement	T	\$2 M	\$2 M		\$1.2 M		2666
	Grand Valley Transit System Enhancements	T	\$1.79 M	\$1.79 M		\$1.25 M		2667
	Grand Valley Transit Maintenance Facility	T	\$1.5 M	\$1.5 M		\$1.5 M		2668
	Grand Valley Transit Compressed Natural Gas Storage and Production Facility	T	\$0.54 M	\$0.54 M	✓	\$0.54 M		2669
	Mountain Express Transit Center	T	TBD	\$1 M		\$0.5 M	\$0.5 M	TBD
	Gunnison to Montrose Outrider Expansion (Rolling Stock)	T	\$0.9 M	\$0.9 M		\$0.9 M		TBD
Gunnison Transit Center	T	TBD	\$1 M		\$1 M		TBD	



NORTHWEST PROJECTS

	Total Strategic Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+
Rural Paving – Region 3	\$218.78 M	\$80.92 M	\$44.32 M	\$91.15 M
Total for all Rural Paving Projects				

Project ID	Project Name	Project Status	Planning Project ID
US 24	US 24 Leadville South	✓	0050
US 34	US 34 Grand Lake	✓	0047
US 40	US 40 East of Hayden - Phase 1		2643
	US 40 East of Hayden - Phase 2		2646
	US 40 West of Tabernash		2653
US 50	US 50 South of Delta		2654
	US 50 South of Olathe		2657
	US 50 Olathe Business Loop		2663
CO 9	CO 9 South of Green Mountain Reservoir		2644
	CO 9 Green Mountain Reservoir - Phase 1		2647
	CO 9 Green Mountain Reservoir - Phase 2		2650
CO 14	CO 14 Grizzly Ranch North	●	0052
CO 64	CO 64 Meeker West	✓	0046
	CO 64 East of Rangely		2659
CO 65	CO 65 between CO 92 and Orchard City		2645
	CO 65 Grand Mesa		2651
CO 90	CO 90 West of Montrose		2661, 2662

Project ID	Project Name	Project Status	Planning Project ID
CO 92	CO 92 Crawford East	✓	0045
	CO 92 between Hotchkiss and Crawford		0044
	CO 92 between CO 65 and Austin		2658
CO 114	CO 114 Parlin West		0056
CO 125	CO 125 Walden North	●	0055
	CO 125 North of Walden		2656
	CO 125 South of Cowdrey to CO 127		2660
CO 135	CO 135 South of Crested Butte		2648
CO 139	CO 139 Douglas Pass North	●	0053
	CO 139 Dinosaur Diamond	●	0054
	CO 139 between the Garfield/Rio Blanco County Line and Douglas Creek		2652
	CO 139 between Douglas Creek and Rangely		2655
CO 149	CO 149 Lake City North	◆	0051
CO 300	CO 300 Leadville West	✓	0049
CO 318	CO 318 Browns Park East		0048
	CO H 318 between the Colorado/Utah State Line and Sunbeam		2649
CO 345	CO 348 between Olathe and US 50		2664
	CO 348 West of Olathe		2665

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SOUTHWEST PROJECTS

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	Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Proposed FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Highway & Transit – Region 5									
US 24	US 24 Intersection Improvements in Buena Vista	\$6 M	\$4 M	✓			\$4 M		2039
	Buena Vista Park-n-Ride and Intermodal Facility	\$1.04 M	\$1.04 M		\$1.04 M				1297
US 50	US 50 and US 285 Intersection Reconstruction	\$6.07 M	\$5.37 M	✓	\$3.9 M	\$1.47 M			0073
	US 50 Corridor Improvements in Poncha Springs	\$2 M	\$2 M				\$2 M		2456
	Outrider Improvements at Poncha Springs	\$80 K	\$80 K		\$80 K				2752
	Salida Transit Capital Improvements	\$0.6 M	\$0.48 M	✓	\$0.48 M				2751
US 62	Outrider Improvements at Placerville, Ridgway, and Telluride	\$0.25 M	\$0.25 M		\$0.25 M				2455
US 160	US 160 Towaoc Passing Lanes	\$9 M	\$9 M		\$9 M			✓	0091
	US 160 McCabe Creek Major Structure Replacement	\$7.37 M	\$7.37 M	✓	\$6.737 M			◆	0075
	US 160 Multimodal Improvements in Alamosa	\$8.8 M	\$8.8 M				\$8.8 M		2038
	Alamosa Transit Center	\$2.8 M	\$2.8 M				\$2.8 M		1309
	US 160 Intelligent Transportation Systems (ITS) Infrastructure	\$30.56 M	\$10 M	✓			\$10 M	◆	1303
	US 160 Elmore's Corner East	\$71.45 M	\$34.53 M	✓		\$27.6 M	\$6.93 M		1334
	US 160 and CR 225 Intersection Improvements	\$6.8 M	\$0	✓	(This project has been funded by other funding sources)				2091
	US 160 and Piedra Road Intersection Improvements	\$0.3 M	\$0	✓	(This project has been funded by other funding sources)			●	2092
	US 160 East of Fort Garland Safety and Wildlife Mitigation	\$13.417 M	\$6.747 M		\$3.419 M	\$3.328 M			1315
	Pagosa Springs' Main Street Reconstruction and Multimodal Improvements	\$14.455 M	\$13.8 M		\$13.8 M				1339
	Pagosa Springs/Archuleta County Multimodal Facility	\$3.125 M	\$2.68 M	✓	\$1.08 M	\$1.6 M			1326
	Bustang Outrider Service between Pagosa Springs and Durango	\$2.69 M	\$2.69 M			\$2.69 M			2523
	Wildlife Mitigation on US 160 between Cortez and Durango (near CR 30.1)	\$4.5 M	\$2.88 M				\$2.88 M		2089
Intersection Improvements at US 160 and Pike Avenue	\$3 M	\$3 M	✓			\$3 M		2061	
Intersection Improvements at US 160 and CR 30.1 (Phil's World)	\$1.5 M	\$1.5 M				\$1.5 M		2087	
US 285	Outrider Improvements at Johnson Village, Moffat, and Alamosa at Adams State	\$0.25 M	\$0.25 M		\$0.25 M				2492
	US 285 Safety and Mobility Improvements between Center and Saguache	\$59.52 M	\$33.68 M			\$20.6 M	\$13.08 M		1051
	US 285 Improvements in Saguache	\$0.75 M	\$0.75 M	✓					2069
US 550	US 550 and US 160 Connection	\$98.6 M	\$68.6 M	✓	\$68.6 M			◆	0074
	US 550 Billy Creek Resurfacing, Wildlife Underpass	\$3.7 M	\$3.7 M						4133
	US 550 Pacochupuk South Roadway Mobility, Safety, and Billy Creek Wildlife Improvements	\$13.5 M	\$10.78 M	✓	\$8.29 M	\$2.49 M			0085
	US 550 Billy Creek Safety and Widening Shoulder Improvements, Deer Fencing, and Animal Underpass	\$37.53 M	\$22.95 M	✓		\$10.53 M	\$12.42 M		1133
Non-Corridor Specific	Durango Transit Capital Improvement	\$4.5 M	\$4.5 M	✓	\$2.0 M	\$2.5 M			1365
CO 17	Northeast San Luis Valley Transit Service	\$0.56 M	\$0.56 M			\$0.56 M			2532
CO 112	CO 112 Pedestrian Crossing in Center	\$0.75 M	\$0.75 M	✓	(This project has been funded by other funding sources)				2050
CO 145	Multimodal Improvements on CO 145	\$5 M	\$3.38 M	✓		\$0.68 M	\$2.7 M		1482
	Outrider Improvements at Durango, Mancos, Cortez, Dolores, and Rico	\$0.4 M	\$0.4 M		\$0.4 M				2493
	SMART Purchase of Existing Real Property for Admin & Maintenance Facility	\$2.5 M	\$1.86 M	✓	\$1.86 M			✓	1123
Non-Corridor Specific	Intersection and Pedestrian Improvements at CO 291 and US 50	\$7 M	\$7 M			\$7 M			2070
	CDOT's Region-5 Shoulder Study	\$18.72 M	\$18.72 M						1490
	Regional Transit Service between Montrose and Telluride	\$2.12 M	\$2.12 M		\$2.12 M				1028

✓ Completed. ◆ Currently under construction/in progress. ● Planned for construction in 2022. H: Highway | T: Transit

[LEARN MORE](#) YTP.codot.gov | YTP@state.co.us

PROJECT PIPELINE

ADOPTED MAY 2020 | UPDATE ADOPTED SEPTEMBER 2022



SOUTHWEST PROJECTS

We are here!

Total Strategic Funding

Funded FY 19-22

Proposed FY 23-26

Planned FY 27+



Rural Paving – Region 5

Total for all Rural Paving Projects

\$136.74 M

\$84.47 M

\$21.13 M

\$31.14 M

		Project Status	Planning Project ID
US 24	US 24 between Buena Vista and Granite		2634
US 50	US 50 North of US 285 Junction		0077
US 160	US 160 between New Mexico and Aztec Creek	◆	0078
CO 15	CO 15 West of La Jara		2630
CO 17	CO 17 West of Antonito		2634
CO 17	CO 17 Surface Treatment & Widening Hooper to US 285 Junction	✓	0080
CO 114	CO 114 US 50 East		0084
CO 136	CO 136 East of La Jara		2630

		Project Status	Planning Project ID
CO 141	CO 141 between Naturita and Nucla		2633
CO 141	CO 141 Slickrock and CO 145 Redvale	✓	0082
CO 141	CO 141 North of Naturita	✓	0083
CO 145	CO 145 Dolores East		TBD
CO 149	CO 149 North of Creede	◆	0081
CO 151	CO 151 between Ignacio and US 160		2635
CO 172	CO 172 between New Mexico to Ignacio		2632
CO 370	CO 370 between CO 15 and CO 285	◆	0079
CO 371	CO 371 between CO 15 and CO 368		2637

Your Transportation Priorities is an evolving list of proposed projects to address the needs and concerns of Coloradans across the state. This list will be updated on an ongoing basis.

Please visit YTP.codot.gov for the most up-to-date information.



✓ Completed.

◆ Currently under construction/in progress.

● Planned for construction in 2022.

H: Highway | T: Transit



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COLORADO
Department of
Transportation

DATE: July 7, 2022

TO: Transportation Commission

FROM: Rebecca White, Director, Division of Transportation Development
Theresa Takushi, Greenhouse Gas Program Specialist
Herman Stockinger, Deputy Director

SUBJECT: CDOT GHG Compliance

Purpose

This memo provides an overview of the compliance strategy for CDOT to meet the GHG Pollution Standard (GHG Planning Rule).

Action

N/A

Background

The GHG Planning Rule requires CDOT to update its 10 Year Plan to be in compliance with the Rule by October 1, 2022. This determination is made by modeling the 10 Year Plan using CDOT's travel demand model and EPA's MOVES model. To date, the modeling team has conducted several model runs and also is analyzing potential reductions from various mitigation measures--as outlined in Policy Directive 1610. Staff plans to present a full overview of GHG compliance analysis at the August TC meeting.

Details

CDOT is subject to the following requirements of the GHG Planning Rule:

- 30 days prior to the adoption/amendment of any applicable planning document, MPOs/CDOT must submit a GHG Transportation Report to the Transportation Commission. Staff is planning to bring the GHG Transportation Report to the Transportation Commission Workshop in August for review.
- Submit GHG Report to CDPHE 45 days before adoption of a new plan. Staff is planning to submit the draft GHG Transportation Report to CDPHE by August 1st, 2022.
- Requested TC adoption of the updated 10 Year Plan to comply with the GHG Planning Rule. CDOT staff is planning to bring the updated 10 Year Plan to the TC Workshop in September.

Next Steps

- Complete GHG Analysis of Modeling
- Add GHG Mitigations to reach GHG Reduction Levels
- Complete GHG Transportation Report for TC (and CDPHE Review)

Attachments

- GHG Pollution Standard for Transportation Planning - CDOT Compliance Presentation



COLORADO

Department of Transportation

**GHG Pollution Standard for Transportation Planning:
CDOT Compliance
July 2022**

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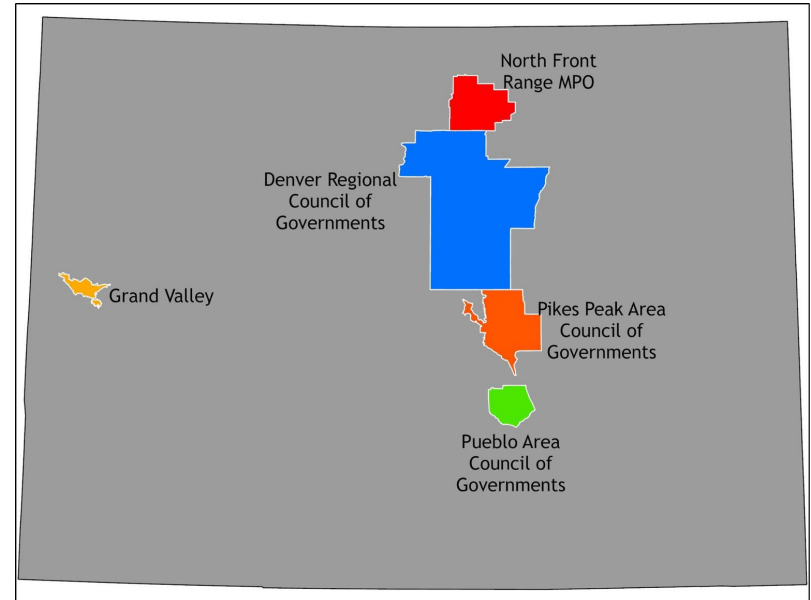
Today's Workshop

- 1-Overview of compliance requirements
- 2-CDOT's travel demand model
- 3-Process for demonstrating compliance
- 4-Results to date
- 5-Next steps



Compliance Requirements

- Senate Bill 21-260 and the GHG Planning Rule have a deadline to submit an updated 10 Year Plan by October 1, 2022
- CDOT's obligation is for non-MPO areas only
- "Regionally significant projects" must be modeled





Compliance Requirements

Table 1: GHG Transportation Planning Reduction Levels in MMT of CO₂e

Regional Areas	2025 Reduction Level (MMT)	2030 Reduction Level (MMT)	2040 Reduction Level (MMT)	2050 Reduction Level (MMT)
DRCOG	0.27	0.82	0.63	0.37
NFRMPO	0.04	0.12	0.11	0.07
PPACG	N/A	0.15	0.12	0.07
GVMPO	N/A	0.02	0.02	0.01
PACOG	N/A	0.03	0.02	0.01
CDOT/Non-MPO	0.12	0.36	0.30	0.17
TOTAL	0.43	1.5	1.2	0.7



Modeling Approach

In order to demonstrate compliance, two models must be run:

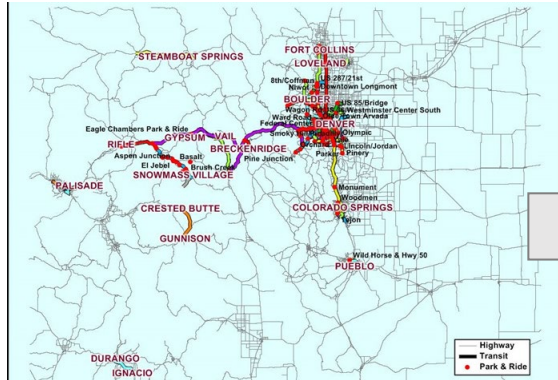
- 1-CDOT's activity based travel demand model
 - CDOT has one of the most sophisticated travel models of any DOT in the nation
- 2-The EPA MOVES model
 - Typically run by CDPHE however CDOT is moving this capability in-house

CDOT and MPOs have been meeting and coordinating for months to discuss modeling practices and assumptions.

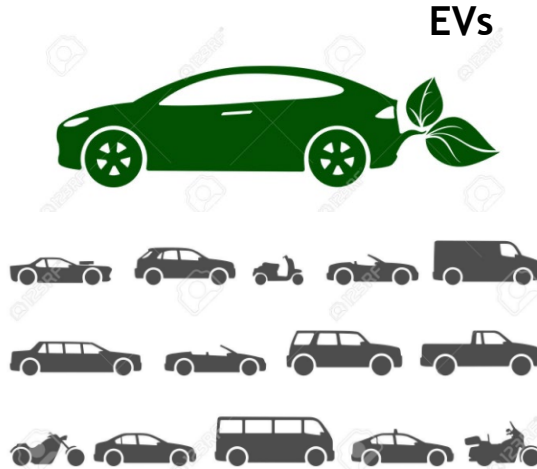


How Are Emissions Calculated?

CDOT TRAVEL MODEL



EPA MOVES MODEL



TOGETHER
these models show

TRANSPORTATION
GHG
EMISSIONS

Outputs: VMT,
congestion/speed

Fleet Mix/Age & Fuel Type

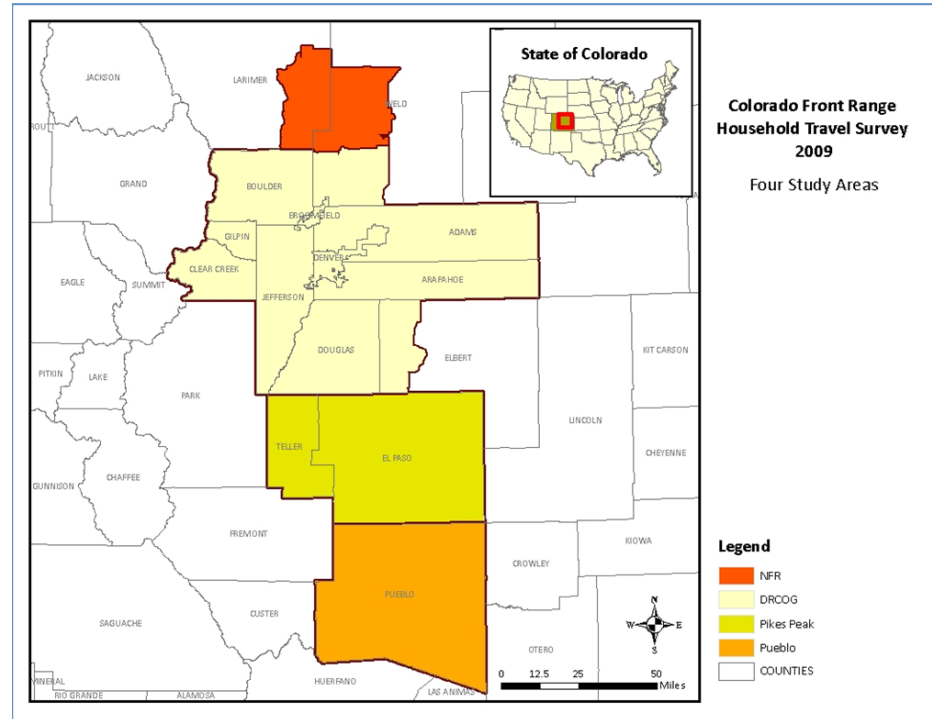
Baseline = existing transportation plan.

Compliance = [update plan](#) **Page 44 of 245**



Travel model is built on data

- 12,000 households
- 30,000 people
- “Travel diary” is what it sounds like
 - Where, when, why, how
- Survey also gathers a lot of demographic data
 - On the household
 - On each person
 - About their vehicles
- People make choices based on:
 - Things about themselves
 - Things about their household
 - Things about the choice they select
 - Things about choices they didn’t select



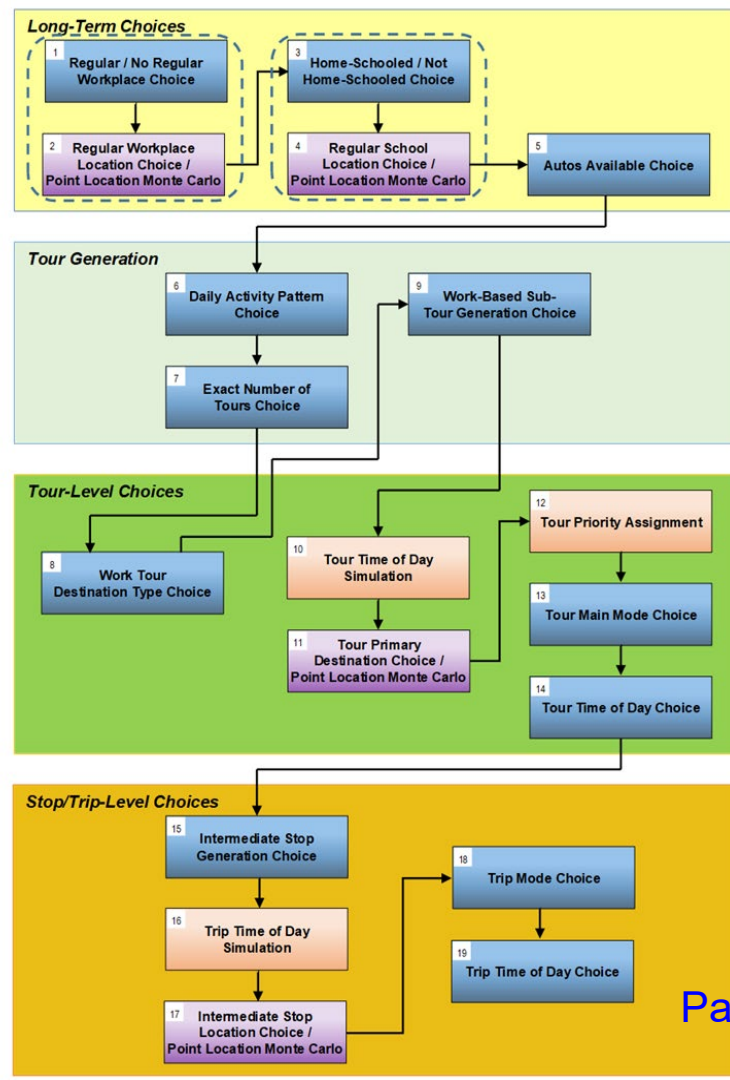


The general idea

- Use survey data to build a “behavioral” model
 - Feed in characteristics of each person and their travel options
 - The model step-by-step builds a travel diary for each person
 - Just like the ones the survey respondents provided
- Then....
 - Depict the transportation system (“maps” of roads and transit)
 - Depict the “development” (people/households and jobs/firms at their street addresses)
- Verify results by comparing them to traffic and transit counts, observed speeds, etc.
- Then...
 - Build “what if” scenarios to examine possibilities of interest
 - Including simulations of possible future years



The Model





Process to Meet the GHG Reduction Levels

Step 1:
Baseline GHG
Values for
2025 & 2030

Complete.

10 Year Plan
Baseline

- Existing Transportation Network
- Land Use Forecasts
- VMT Forecasts

Step 2:
Model
Updated
Plan for
2025 &
2030

Complete.

Adopted 10 Year Plan
+ Updated Forecasts

- Existing Transportation Network
- 10 YR Plan regionally significant projects
- Land Use, Telework and Bike/Ped Assumptions Updated

Step 3:
Further
examine
other key
factors

Results
pending.

**Step 4: GHG
Mitigation
Measures**

- Land Use
- Transit
- TDM
- MD/HD

Results
pending.

**Step 5: Final
compliance
results
(modeling +
mitigation
measures)**

Results
pending.



Addressing 2040 and 2050

Limitation

- CDOT's 10 Year Plan only has projects identified through ~2030.
- Therefore projections can only be accurately calculated for 2025 & 2030 compliance years.

Approach

- Based on modeling we have a sense of what types of projects will achieve GHG Reductions into the future
- CDOT will look at scenarios for the types of projects that should be considered as part of the next 10 year plan update in order to assure that we meet the reduction levels into 2040 & 2050



Step 1: Baseline Model

Baseline for CDOT is the 10 Year Plan as adopted by the Commission in 2019.

Also includes existing transportation network for each future analysis year.

Includes existing land use as built. Future county-level growth totals from DOLA, located in buildable areas, not yet informed by comp plans.

Result: Baseline GHG emission values for 2025 and 2030.

CDOT (non-MPO area) Reduction Levels	2025	2030	2040	2050
GHG Baseline (2019 10 Year Plan) (MMT)	6.3	4.84	n/a	n/a
Table 1 Reduction Target (MMT)	0.12	0.36	0.30	0.17
% Reduction from Baseline	1.9%	7.4%	n/a	n/a



Step 2: Model the Updated 10 Year Plan

Model is run again with updated 10 Yr Plan.

- Includes all regionally significant projects within the plan.
- Includes key project changes and investment updates (e.g. Pegasus service on Floyd Hill)

Assumes some key changes in travel behavior we are seeing now and into the future:

- Significant increase in work from home due to pandemic (baseline assumed ~6% WFH, compliance run assumes 20%).
- Increase in tele-health and university in rural areas due to broadband expansion.
- Increased speeds in biking (e-bikes) and walking due to MMOF, Revitalizing Main Streets and like investments.
- More biking/walking across all demographic groups due to safer, more complete, more connected system.



Step 3: Further Examine Other Key Factors

Transit

Rural Transit

National modeling practice has limited experience in addressing long-distance rural transit services, so lower confidence in those outcomes at present with our model.

Because Colorado has one of the largest rural transit networks in the nation--made possible by the investments and support CDOT provides through FASTER Transit and FTA funding--we want to quantify the GHG benefits of this system.

Additionally, CDOT has invested considerable resources into helping these rural transit providers return to pre-COVID ridership levels.

Bustang

Recent legislation has made it possible to significantly expand Bustang service along I-25 and I-70.

For the same reasons as noted above, the CDOT model can't fully depict the GHG benefits of this expansion.



Step 3: Further Examine Other Key Factors

Land Use

Land use density is a very significant--perhaps the most significant--factor influencing travel behavior.

Our model's forecasts of land use location are more approximate, however, because we do not have comp plan / zoning information from local governments.

We are, however, seeing many communities (particularly along I-70) adopt more urban (denser and transit-oriented) land use patterns due to the unique topographic and economic factors of mountain resort regions



Step 3: Further Examine Other Key Factors

CDOT's full suite of modeling tools can help us quantify the benefits of rural transit and land use and we are working hard to do that work now.

The Mitigation PD also includes estimates--based on the best available research nationwide--on the GHG reductions of these measures.



Step 4: Mitigations

PD 1610 provides a number of options eligible to CDOT to help achieve compliance.

Currently we are examining the following:

- TDM investments
- Replacing diesel transit buses with electric
- Transit improvements
- Make strategic investments and develop policy changes to encourage high density rezoning



Preliminary Results

Steps 1 and 2 completed for 2025 and 2030.

These results show us that:

- For 2025: reduction level can be met
- For 2030: achieve significant percentage of the GHG reduction target but falls short

There is a remaining delta of X tons to fully demonstrate compliance in 2025 and 2030

Results Pending



Next Steps

- Complete compliance analysis for 2025 and 2030.
- Scenario modeling to determine compliance for 2040 and 2050.
- Prepare GHG Report and Mitigation Action Plan (rule requirement).



Questions?

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COLORADO
Department of Transportation
Office of Policy and Government Relations

2829 W. Howard Place
Denver, CO 80204-2305

MEMORANDUM

DATE: July 20, 2022

TO: Transportation Commission

FROM: Herman Stockinger, Transportation Commission Secretary
Sari Weichbrodt, Rules, Policies and Procedures Advisor
Rebecca White, Division of Transportation Development Director

SUBJECT: Adopt Proposed Changes to Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions, 2 CCR 601-22 Through Emergency Rulemaking, and Authorize the Opening of Permanent Rules

Purpose

To update the Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions (“the Planning Rules”) 2 CCR 601-22, to clarify that for plans adopted before October 1, 2022 that fail to meet the required GHG reduction levels, the restriction on funds includes **both** the statutory restriction on Multimodal & Mitigation Options Fund (MMOF) **and** the rule restrictions on Congestion Mitigation & Air Quality (CMAQ), Surface Transportation Block Grants (STBG), and CDOT 10-Year Plan Funds. The rule is not as clear as it could be in this regard, and some stakeholders have interpreted the restriction of funds to only be for the MMOF, and not the other funds listed in the rule.

During the Permanent Rulemaking process, we also anticipate making several small, non-substantive changes to the rule.

Action

The Agency Coordination Committee (Ad Hoc Committee), CDOT staff and the Attorney General’s Office agree that a two-pronged approach is best:

1. Adopt Emergency Rules that provide the necessary clarification. The Rules become effective immediately, giving needed clarity to CDOT and our MPO planning partners.
2. Authorize the opening of Permanent Rules and allow a Hearing Officer to conduct the necessary rulemaking hearing. Emergency Rules are effective for only 120 days, so Permanent Rules which will follow the standard Administrative Procedures Act (APA) requirements must begin immediately to avoid a lapse in the rule. Other non-substantive edits may be included in

the Permanent Rules, particularly those noted by the Office of Legislative Legal Services (OLLS) which reviews every adopted rule.

Background on Necessity to Clarify Language and Confirm Intent

With the continued conversations with our MPO partners on the Planning Rule, a question came up regarding Rule 8.02.5, Timing for Determining Compliance. That section is broken into three parts (see below for full section). Rule 8.02.5.1 details statutory requirements for CDOT, DRCOG and NFRMPO that those plans must be updated by October 1, 2022 and meet the Table 1 reduction levels or meet the statutory requirements (which includes a restriction on MMOF funds) *and* restrictions on funds.

The “and restrictions on funds” is intended to be the same restrictions contained in 8.02.5.2 and 8.02.5.3, which pertain to documents adopted or amended *after* October 1, 2022. Those restrictions, per Rules 8.02.6.4.2 and 8.02.6.4.3 include the restrictions on CDOT 10-Year Plan funds, STBG funds (if applicable) and CMAQ funds (if applicable).

CDOT staff and the AG office agree this section *could* be read to limit the restriction on funds for Plans adopted before October 1, 2022, to only include MMOF, and not the other restrictions on funds contained in the rule. Because that was not the intent of the Rule, nor do we believe it was the intent of statute, we agree a clarification of the language is necessary to make it clear that the “and restrictions on funds” phrase in 8.02.5.1 pertains to CDOT 10-Year Plan funds, STBG funds (if applicable) and CMAQ funds (if applicable) *as well as* the MMOF funds as indicated in statute.

Current Rule Language

8.02.5 Timing for Determining Compliance

8.02.5.1 By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs pursuant to § 43-4-1103, C.R.S. and meet the reduction levels in Table 1 or the requirements pursuant to § 43-4-1103, C.R.S and restrictions on funds.

8.02.5.2 CDOT must for each Applicable Planning Document, adopted or amended after October 1, 2022, meet either the reduction levels within Table 1 for Non-MPO areas or the requirements as set forth in Rule 8.02.6.4.1.

8.02.5.3 MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.02.6.4.2 or Rule 8.02.6.4.3, as applicable. This provision shall not apply to MPO TIP Amendments.

Proposed Substantive Change to the Rule

In 2021 the Transportation Commission opened the entire Planning Rule for update. For this rulemaking CDOT proposes the Transportation Commission only open the Planning Rules to limited

edits, including 8.02.05.1 and a few sections for non-substantive corrections. New proposed additions are in red and underlined, while proposed changes to strike language are ~~struck through~~.

Proposed Change to the Rule to Clarify Language and Intent

8.02.5 Timing for Determining Compliance

8.02.5.1 By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs ~~pursuant to § 43-4-1103, C.R.S.~~ and meet the reduction levels in Table 1 or MMOF will be restricted ~~the requirements~~ pursuant to § 43-4-1103, C.R.S. and the restrictions set forth in Rule 8.02.6.4, as applicable, shall also apply. ~~and restrictions on funds~~

Public Meeting Opportunity Held July 12, 2022

While Emergency Rules do not require a public meeting per the APA, CDOT staff has continued the extensive outreach that has been a hallmark of this Planning Rule by reaching out to all organizations and members of the public that engaged in the 2021 rulemaking effort and provided their contact information (several hundred individuals and organizations), inviting them to a public meeting which was held virtually on July 12, to provide them an overview of the proposed Emergency Rulemaking and the reason for it, and articulated the timing for the Permanent Rulemaking that will immediately follow.

Twenty-three people signed up for the meeting, and we had several public comments in support of the rule changes. No one spoke against the rule changes. As a result of the public comment process, we are making a few changes to both the emergency rule and permanent rule to ensure the original intent of the rule is being successfully fulfilled, and no unintended consequences result from the rule changes.

Next Steps

Should the Transportation Commission adopt the proposed emergency rules and open them for permanent rulemaking, the Department will file both actions with the Secretary of State. The rulemaking process will follow the Rulemaking Calendar contained in the PowerPoint presentation.

Attachments

- A: PowerPoint
- B: Emergency Rule to be Adopted
- C: Permanent Rule to be Filed
- D: Resolution to Adopt Emergency Rules for Planning Rules (in Resolution folder)
- E: Resolution to Open Permanent Rulemaking and Appoint a Hearing Officer (in Resolution Folder)

Link to current version of the rules:

<https://www.coloradosos.gov/CCR/GenerateRulePdf.do?ruleVersionId=9986>



Proposed Changes to Rules Governing Statewide Transportation Planning Process and Transportation Planning Regions



Background

Conversations between Ad Hoc Committee, CDOT Staff, the AG’s office, and MPO partners have highlighted the need for clarification regarding the restrictions of funds discussed in 8.02.5 “Timing for Determining Compliance”

- The current language in 8.02.5.1 *could* be interpreted as only restricting MMOF funds for Plans adopted before October 1, 2022 if reduction levels are not met.
- Clarification of the language would make it explicitly clear that “restrictions of funds” in 8.02.5.1 pertains not only to MMOF funds, but also:
 - CDOT 10-Year Plan Funds
 - CMAQ Funds (if applicable)
 - STBG Funds (if applicable)
- The proposed changes to this subsection and other non-substantive changes would ultimately help to confirm the intent of the rule, and the statute as a whole.



Current Rule Language

8.02.5 Timing for Determining Compliance

8.02.5.1 By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs pursuant to § 43-4-1103, C.R.S. and meet the reduction levels in Table 1 or the requirements pursuant to § 43-4-1103, C.R.S. **and restrictions on funds.**

8.02.5.2 CDOT must for each Applicable Planning Document, adopted or amended after October 1, 2022, meet either the reduction levels within Table 1 for Non-MPO areas or the requirements as set forth in Rule **8.02.6.4.1.**

8.02.5.3 MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in **Rule 8.02.6.4.2 or Rule 8.02.6.4.3**, as applicable. This provision shall not apply to MPO TIP Amendments.



Proposed Changes

- CDOT proposes the Transportation Commission only open the Planning Rules to limited edits, including 8.02.05.1 and a few sections for non-substantive corrections.
- Clarify the intent of Rule 8.02.5.1 through the following language changes (in red):

8.02.5 Timing for Determining Compliance

8.02.5.1 By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs ~~pursuant to § 43-4-1103, C.R.S.~~ and meet the reduction levels in Table 1 or MMOF will be restricted the requirements pursuant to § 43-4-1103, C.R.S. and the restrictions set forth in Rule 8.02.6.4, as applicable, shall also apply. ~~and restrictions on funds~~



Public Outreach

- Emergency Rules do not require a public meeting per the APA.
- However, extensive outreach has been a hallmark of this Planning Rule.
- CDOT staff have continued reaching out to all organizations and members of the public that engaged in the 2021 rulemaking effort and provided their contact information (several hundred individuals and organizations).
- CDOT held a public meeting on July 12, 2022- providing an overview of the proposed Emergency Rulemaking and the reason for it, and articulated the timing for the Permanent Rulemaking that will immediately follow.



Next Steps

Should the Transportation Commission adopt the proposed emergency rules and open them for permanent rulemaking, the Department will file both actions with the Secretary of State. The rulemaking process will follow the Rulemaking Calendar further outlined in Attachment A.

IMPORTANT STEPS	DATE	TIME
PUBLIC MEETING	July 12, 2022	9:30-11:30 a.m.
OPEN PERMANENT RULE/ADOPT EMERGENCY RULE	July 21, 2022	a.m.
FILE RULES (ER AND PR)	July 21, 2022	p.m.
PERMANENT RULEMAKING HEARING	September 2, 2022	10:00 a.m.-12:00 p.m.?
ADOPT PERMANENT RULE	September 15, 2022	a.m.
EFFECTIVE DATE OF PERMANENT RULE	November 14, 2022	n/a



Non-substantive OLLS Proposed Changes

1. In the preamble, in the third paragraph under the heading "What Relevant Regulations Currently Apply to Transportation Planning", the quotation to §43-1-1103 (1)(d), C.R.S., omits a number of words without using ellipses to show that language has been omitted.

Proposed correction:

Regional Transportation Plans must account for the “expected environmental, social, and economic impacts of the recommendations in the **transportation** plan, including... [a] full range of reasonable transportation alternatives...in order to provide for the transportation and environmental needs of the area in a safe and efficient manner.” *see* § 43-1-1103(1)(d), C.R.S.

2. In Rule 1.34, statutory references to §§ 43-4-1003, 43-4-1002(5), and 43-4-1002(4.5), C.R.S., should be changed to references to §§ 43-4-1103, 43-4-1102(5), and 43-4-1102(4.5), C.R.S.;

Proposed correction:

1.34 Multimodal Transportation and Mitigation Options Fund (MMOF) - a program created in the State Treasury pursuant to § ~~43-4-1003~~ **43-4-1103**, C.R.S. which funds bicycle, pedestrian, transit and other Multimodal projects as defined in § ~~43-4-1002~~ **43-4-1102**(5), C.R.S. and GHG Mitigation projects as defined in § ~~43-4-1002~~ **43-4-1102**(4.5), C.R.S.



Non-substantive OLLS Proposed Changes

3. In Rule 8.05.2, clarity would be enhanced if the language after the colon in the introductory paragraph was removed and if Rules 8.05.2.3 and 8.05.3 were respectively renumbered as Rules 8.05.3 and 8.05.4.

Proposed correction:

8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.6 have not been met, the Commission shall restrict the use of funds pursuant to Rule 8.02.6.4, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG emissions. Prior to the implementation of such restriction, an MPO, CDOT (upon concurrence with the applicable MPO) or a TPR in a Non-MPO area, may, pursue one or both of the following actions: ~~seek a waiver or ask for reconsideration accompanied by an opportunity to submit additional information.~~

8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions.

8.05.2.1.1 By April 1, 2022, CDOT staff in consultation with the MPOs shall develop a waiver form for use by CDOT, MPOs, or TPRs when requesting a waiver.

8.05.2.1.2 A waiver may be requested at any time, including concurrently with the submission of a GHG Transportation Report.

8.05.2.1.3 The Commission may waive the restrictions on specific projects when applicants use CDOT's waiver form that specifies the GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions.

8.05.2.1.4 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required GHG Reduction Levels in this Rule.

8.05.2.2 Request reconsideration of a non-compliance determination by the Commission and provide written explanation of how the requirements of Rule 8.02.6 have been met.

~~8.05.2.3~~ 8.05.3 The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission meeting, whichever is later.

~~8.05.3~~ 8.05.4 Notwithstanding any other provision of this Rule, CDOT, DRCOG and NFRMPO must meet the requirements of § 43-4-1103, C.R.S



Non-substantive CDOT Staff and Stakeholder Proposed Changes

1. A “3” should be added after 8.02.6.4. in the third section; we have the "." with nothing after it between .2 and .4
Proposed correction:
8.02.6.4.3 In MPO areas that are in receipt of federal...
2. Baseline - For each MPO area and for the Non-MPO areas of the state, for each of the model years 2025, 2030, 2040, and 2050: the GHG emissions, in million metric tons (MMT), produced by the most recently adopted model for that area, together with the current EPA-approved version of MOVES or its successors in the format currently run by APCD, resulting from modeling the MPO RTP or CDOT 10-year plan adopted as of ~~the effective date of this rule~~ January 30, 2022.



COLORADO

Department of Transportation

Questions?

Emergency Rules to be Adopted in July

DEPARTMENT OF TRANSPORTATION

Transportation Commission

**RULES GOVERNING STATEWIDE TRANSPORTATION PLANNING PROCESS AND
TRANSPORTATION PLANNING REGIONS**

2 CCR 601-22

8.02.5 Timing for Determining Compliance

8.02.5.1 By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs pursuant to ~~§ 43-4-1103, C.R.S.~~ and meet the reduction levels in Table 1 or ~~MMOF will be restricted the requirements~~ pursuant to § 43-4-1103, C.R.S. and the restrictions set forth in Rule 8.02.6.4, -as applicable, shall also apply and restrictions on funds

8.02.5.2 CDOT must for each Applicable Planning Document, adopted or amended after October 1, 2022, meet either the reduction levels within Table 1 for Non-MPO areas or the requirements as set forth in Rule 8.02.6.4.1.

8.02.5.3 MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.02.6.4.2 or Rule 8.02.6.4.3, as applicable. This provision shall not apply to MPO TIP Amendments.

Permanent Rules to be Opened in July

DEPARTMENT OF TRANSPORTATION

Transportation Commission

**RULES GOVERNING STATEWIDE TRANSPORTATION PLANNING PROCESS AND
TRANSPORTATION PLANNING REGIONS**

2 CCR 601-22

What Relevant Regulations Currently Apply to Transportation Planning

Transportation planning is subject to both state and federal requirements. Under federal law governing transportation planning and federal-aid highways, it is declared to be in the national interest to promote transportation systems that accomplish a number of mobility objectives “while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes...” see 23 U.S.C. § 134; see also 23 U.S.C. § 135(a)(1). In the metropolitan planning process, consideration must be given to projects and strategies that will “protect and enhance the environment, promote energy conservation, improve the quality of life...” see 23 U.S.C. § 134(h)(1)(E); see also 23 C.F.R. Part 450, Subpart B (federal regulations governing statewide transportation planning and programming). The same planning objective applies to statewide transportation planning. see 23 U.S.C. § 135(d)(1)(E); see also 23 C.F.R. Part 450, Subpart C (governing metropolitan transportation planning and programming). Further, the Statewide Transportation Plan shall be developed, as appropriate, in consultation with State...local agencies responsible for...environmental protection...” see 23 U.S.C. § 135(f)(2)(D)(i).

Under conforming Colorado law, the Statewide Transportation Plan is developed by integrating and consolidating Regional Transportation Plans developed by MPOs and regional transportation planning organizations into a “comprehensive statewide transportation plan” pursuant to rules and regulations promulgated by the Commission. see § 43-1-1103(5), C.R.S. The Statewide Transportation Plan must address a number of factors including, but not limited to, “environmental stewardship” and “reduction of greenhouse gas emissions.” see § 43-1-1103(5)(h) and (j), C.R.S.

Regional Transportation Plans must account for the “expected environmental, social, and economic impacts of the recommendations in the [transportation](#) plan, including... [a] full range of reasonable transportation alternatives...in order to provide for the transportation and environmental needs of the area in a safe and efficient manner.” see § 43-1-1103(1)(d), C.R.S. Further, in developing Regional Transportation Plans, MPOs “[s]hall assist other agencies in developing transportation control measures for utilization in accordance with state...regulations...and shall identify and evaluate measures that show promise of supporting clean air objectives.” see § 43-1-1103(1)(e), C.R.S.

- 1.04 Baseline – For each MPO area and for the Non-MPO areas of the state, for each of the model years 2025, 2030, 2040, and 2050: the GHG emissions, in million metric tons (MMT), produced by the most recently adopted model for that area, together with the current EPA-approved version

of MOVES or its successors in the format currently run by APCD, resulting from modeling the MPO RTP or CDOT 10-year plan adopted as of ~~the effective date of this rule~~ January 30, 2022.

- 1.34 Multimodal Transportation and Mitigation Options Fund (MMOF) - a program created in the State Treasury pursuant to § 43-4-1~~903~~, C.R.S. which funds bicycle, pedestrian, transit and other Multimodal projects as defined in § 43-4-1~~902~~(5), C.R.S. and GHG Mitigation projects as defined in § 43-4-1~~902~~(4.5), C.R.S.

8.02.5 Timing for Determining Compliance

8.02.5.1 By October 1, 2022, CDOT shall update their 10-Year Plan and DRCOG and NFRMPO shall update their RTPs ~~pursuant to § 43-4-1103, C.R.S.~~ and meet the reduction levels in Table 1 or ~~the requirements pursuant to MMOF will be restricted the requirements~~ pursuant to § 43-4-1103, C.R.S. and the restrictions set forth in Rule 8.02.6.4, as applicable, shall also apply and restrictions on funds.

8.02.5.2 CDOT must for each Applicable Planning Document, adopted or amended after October 1, 2022, meet either the reduction levels within Table 1 for Non-MPO areas or the requirements as set forth in Rule 8.02.6.4.1.

8.02.5.3 MPOs must for each Applicable Planning Document adopted or amended after October 1, 2022, meet either the corresponding reduction levels within Table 1, or the relevant MPO and CDOT each must meet the requirements as set forth in Rule 8.02.6.4.2 or Rule 8.02.6.4.3, as applicable. This provision shall not apply to MPO TIP Amendments.

8.02.6.4 If an Applicable Planning Document does not meet the GHG Reduction Levels as described in Rule 8.02.6.1, the GHG Transportation Report may be deemed in compliance if certain funds are restricted as applicable in this section.

8.02.6.4.1 In Non-MPO areas the Department shall award 10-Year Plan funds anticipated to be expended on Regionally Significant Projects on projects or approved GHG Mitigation Measures that reduce GHG emissions as necessary to achieve the GHG Reduction Levels in MMT of CO₂e for each compliance year in Table 1.

8.02.6.4.2 In MPO areas that are not in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the Department shall award 10-Year Plan funds on projects or approved GHG Mitigation Measures as necessary to achieve the GHG Reduction Levels in MMT of CO₂e for each compliance year in Table 1.

8.02.6.4.3 In MPO areas that are in receipt of federal suballocations pursuant to the CMAQ and/or STBG programs, the MPO shall award those funds anticipated to be expended on projects or approved GHG Mitigation Measures that reduce GHG emissions, and the Department shall award 10-Year Plan funds on projects or approved GHG Mitigation

Measures as necessary to achieve the GHG Reduction Levels in MMT of CO₂e for each compliance year in Table 1.

8.02.6.4.4 The restrictions in Rule 8.02.6.4 do not apply to projects which have been advertised for construction with funding identified prior to the adoption of the Applicable Planning Document or are not contained in an Applicable Planning Document.

8.02.6.4.5 The restrictions in 8.02.6.4 do not apply to funding sources where adherence to those restrictions would violate federal or state statutory requirements for those funding sources.

8.05.2 If the Commission determines, by resolution, the requirements of Rule 8.02.6 have not been met, the Commission shall restrict the use of funds pursuant to Rule 8.02.6.4, as applicable, to projects and approved GHG Mitigation Measures that reduce GHG emissions. Prior to the implementation of such restriction, an MPO, CDOT (upon concurrence with the applicable MPO) or a TPR in a Non-MPO area, may, pursue one or both of the following actions: ~~seek a waiver or ask for reconsideration accompanied by an opportunity to submit additional information.~~

8.05.2.1 Request a waiver from the Commission imposing restrictions on specific projects not expected to reduce GHG emissions.

8.05.2.1.1 By April 1, 2022, CDOT staff in consultation with the MPOs shall develop a waiver form for use by CDOT, MPOs, or TPRs when requesting a waiver.

8.05.2.1.2 A waiver may be requested at any time, including concurrently with the submission of a GHG Transportation Report.

8.05.2.1.3 The Commission may waive the restrictions on specific projects when applicants use CDOT's waiver form that specifies the GHG Transportation Report reflected significant effort and priority placed, in total, on projects and GHG Mitigation Measures that reduce GHG emissions.

8.05.2.1.4 In no case shall a waiver be granted if such waiver results in a substantial increase in GHG emissions when compared to the required GHG Reduction Levels in this Rule.

8.05.2.2 Request reconsideration of a non-compliance determination by the Commission and provide written explanation of how the requirements of Rule 8.02.6 have been met.

8.05.2.3 The Commission shall act, by resolution, on a waiver or reconsideration request within thirty (30) days of receipt of the waiver or reconsideration request or at the next regularly scheduled Commission meeting, whichever is later.

8.05.43 Notwithstanding any other provision of this Rule, CDOT, DRCOG and NFRMPO must meet the requirements of § 43-4-1103, C.R.S.



MEMORANDUM

TO: The Transportation Commission
FROM: Amber Blake, Director, Division of Transit and Rail
DATE: July 20, 2022
SUBJECT: Rural Transit Roadshow

Purpose: This memorandum provides an update on rural transit operations in Colorado and introduces the three rural transit agencies who will be participating in the Rural Transit Roadshow presentation.

Action: Informational briefing. No action required at this time.

Background: The Division of Transit and Rail seeks to enhance the quality of life and the environment of the citizens of Colorado by creating an integrated transportation system that focuses on safely moving people and goods by offering convenient linkages among modal choices. DTR is responsible for planning, developing, operating, and integrating transit and rail into the statewide transportation system. Part of that responsibility includes serving as a pass-through agency for Federal Transit Administration (FTA) funds to local agencies.

The Formula Grants for Rural Areas program (FTA 5311) provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations of less than 50,000, where many residents often rely on public transit to reach their destinations. The program also provides funding for state and national training and technical assistance through the Rural Transportation Assistance Program. Eligible recipients for FTA 5311 include states and federally recognized Indian Tribes. Subrecipients may include state or local government authorities, nonprofit organizations, and operators of public transportation or intercity bus service.

Currently CDOT DTR has 41 transit agencies as sub-recipients of the FTA 5311 program. According to the National Transit Database in 2020, Colorado's rural agencies provided over 15 million revenue service miles of transit service, making Colorado the **number one** rural transit provider in the United States.

Rural transit provides a myriad of economic and social benefits to rural communities, in addition to reducing greenhouse gasses that contribute to climate change and other emissions that are harmful to public health.

Representatives from three rural transit agencies will join the workshop to provide a brief overview of their services:



- Dawn Block, Transit Coordinator, City of La Junta
- Jonathan Flint, Transit Manager, Steamboat Springs Transit
- Kenneth Mooney, Executive Director, Northeastern Association of Local Governments

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

Attachment: 2022-07-20 TC Rural Transit Roadshow.ppt





COLORADO

Department of Transportation

Rural Transit Roadshow

Colorado Transportation Commission
Page 79 of 245
July 20, 2022



CDOT Division of Transit and Rail

VISION

To enhance the quality of life and the environment of the citizens of Colorado by creating an integrated transportation system that focuses on safely moving people and goods by offering convenient linkages among modal choices.

MISSION

To provide the best multi-modal transportation system for Colorado that most effectively and safely moves people, goods, and information.



Colorado Rural Transit Overview

- 41 Transit Agencies in Colorado are sub-recipients for FTA's Formula Grants for Rural Areas Program (Section 5311) through CDOT DTR.
- In 2022, \$10,376,892 were awarded to these agencies for operations
- In 2020, Colorado provided over 15 Million miles of rural transit service. (#1 in the country).
- Rural transit provides economic, social and environmental benefits to Colorado, including but not limited to:

Section 5311 Rural Transit agencies provide public transportation in rural areas with populations less than 50,000 people

ECONOMIC

- Provides access to jobs, shopping and other destinations
- Creates jobs
- Provides businesses with access to a broader labor market with more diverse skills

SOCIAL

- Provides transportation options to access destinations
- Reduces household expenditures on transportation
- Provides accessibility to all population segments

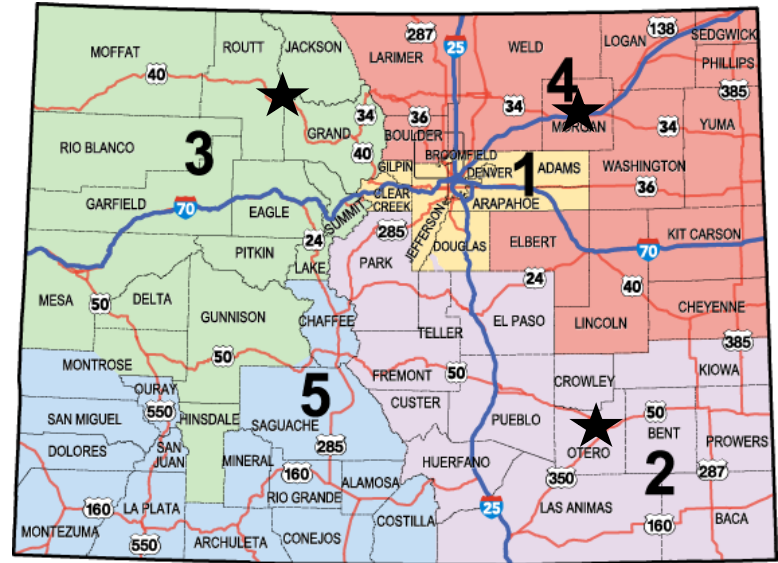
ENVIRONMENTAL

- Reduces Greenhouse Gas emissions
- Reduces criteria pollutant emissions
- Improves air quality and public health



Rural Transit Roadshow

- Dawn Block, Transit Coordinator, City of LaJunta and CDOT Clean Transit Enterprise Board of Directors
- Jonathan Flint, Transit Manager, Steamboat Springs Transit
- Kenneth Mooney, Executive Director, Northeastern Colorado Association of Local Governments





5 full-time employees

2 part-time employees

57% total ridership under the age of 65

Demand-response system

- 15,000 riders annually – 21,000 riders annually pre COVID
- \$255,000 annual operating budget
- 43% total ridership to employment and education site
- 2 full-time buses 12 passenger and 22 passenger
- Both lift equipped
- 25,000+ miles operated per year within city limits of La Junta and 4 miles outside city limits

- 25 Vehicles * 50+ Employees * 1.1 – 1.2 million passengers (pre-COVID)
- This past winter, each bus averaged 42 passengers per hour. The national average is 27 passengers per bus, per hour.
- Annual average is \$5.02 per passenger - \$2.00 per passenger in the winter. The national average is \$8.17 per passenger.
- Steamboat Springs Transit provides a multitude of services including – Regional Bus Service, Fixed Route, Deviated Fixed Route, Express Fixed Route, Paratransit and On Demand Micro-Transit.

- Transitioning to a fleet of all Diesel/Electric Hybrid buses for the Fixed Route Fleet.
- Benefits:
 1. Removes hundreds of thousands of car trips from local roads and highways.
 2. Allows visitors to utilize mass transit as their sole source of transportation.
 3. Enables households to save ten to twelve thousand dollars per year, on



- Thank you -

Location of Operations

- County Express operates demand/ response transit in the Six (6) Northeast Counties of Colorado
 - Logan
 - Morgan
 - Phillips
 - Sedgwick
 - Washington
 - Yuma



Location of Offices

- County Express has three hubs to provide service to all six counties.
 - Logan
 - Morgan
 - Yuma



Services Provided

- **Prairie Express**

- NECALG contracts with the South Platte Valley Regional Transit Association (SPVRTA) to operate this fixed route transit service in the City of Sterling

- **Medicaid Brokerage**

- NECALG has provided their own Medicaid Brokerage which provides the service that Intelleride was providing. This allows us to verify client's coverage, and appointments prior to booking the NEMT transportation.
- With this service we are also able to do our own billing through Medicaid for the transit service we provide.

- **Outrider - Coming Soon!!!!**

- Sterling to Denver
- Sterling to Greeley

Future Planning

- Morgan County Regional Fixed Route Service
- City of Fort Morgan Fixed Route Service





- Snapshot of the significant impacts rural transit plays on our transportation system.
- Highlight State/Local partnership through transit in driving the economy, social and environmental benefits.

ECONOMIC

- Provides access to jobs, shopping and other destinations
- Creates jobs
- Provides businesses with access to a broader labor market with more diverse skills

SOCIAL

- Provides transportation options to access destinations
- Reduces household expenditures on transportation
- Provides accessibility to all population segments

ENVIRONMENTAL

- Reduces Greenhouse Gas emissions
- Reduces criteria pollutant emissions
- Improves air quality and public health



Thank you!





COLORADO

Department of Transportation

Office of the Chief Engineer

2829 W. Howard Place
Denver, CO 80204-2305

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: CHIEF EQUITY OFFICER, MARSHA NELSON
DATE: 7.8.2022
SUBJECT: SUSTAINABLE EQUITY BEYOND COMPLIANCE

Purpose

CDOT is in the process of updating its 3-year DBE goal methodology for the Federal Transit Administration (FTA) for FFY 2023-2025, which is separate from the DBE goal methodology for FHWA that was presented to the Transportation Commission last year. CDOT's DBE goal methodology for FTA is 100% race-neutral, which means that CDOT does not set DBE contract goals on FTA-assisted contracts. The DBE goal methodology must receive concurrence from the Transportation Commission prior to submission to FTA on August 1, 2022.

The Chief Equity Officer will also discuss the current Civil Rights compliance programs being monitored by the Civil Rights and Business Resource Center. This presentation will provide the Transportation Commission with short and long-term opportunities to expand equity initiatives beyond compliance and the resources needed to support that transition.

Action

The FTA 3-year DBE goal methodology will be presented to the Transportation Committee for approval on Thursday, July 21, 2022. The presentation during the Small Business and Diversity Committee meeting will provide Commissioners with additional information related to the updated goal methodology and explain the differences between FHWA and FTA funded contracting opportunities.

Following the discussion regarding short and long term opportunities to expand equity initiatives beyond compliance, Commissioners will be able to have an open dialogue with the Chief Equity Officer regarding required resources for program development.

Background

FTA DBE goal: The last FTA 3-year DBE goal methodology was approved by the Transportation Commission in 2019. The USDOT DBE regulations require the methodology be updated on a triennial basis. The draft methodology has been presented to industry at the quarterly small business collaborative forums and CDOT held a public meeting on July 7, 2022.

Equity beyond compliance: In April 2022, the Chief Equity Officer presented an initial appraisal and highlighted strategic opportunities associated with an "EQUITY360" vision designed to further the integration of EDI principles across the Department. This presentation builds upon those concepts to provide a more detailed strategy to approach equity initiatives that expand beyond Civil Rights compliance, which is currently monitored by the Civil Rights and Business Resource Center.

Next Steps

Present FTA 3-year DBE goal methodology. Gain support from the Transportation Commission on equity initiatives beyond existing Civil Rights compliance monitoring, and identify needed resources to begin program development, followed by an upcoming implementation plan.

Attachments

Presentation – Title: *Sustainable Equity Beyond Compliance*

Small Business and Diversity Committee Meeting Minutes - April 2022

Small Business and Diversity Committee Meeting Minutes - August 2021



COLORADO

Department of Transportation

Sustainable Equity Beyond Compliance

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Workshop Agenda



Equity Beyond Compliance

- Short-term Functions
- Long-term Vision

Understanding Civil Rights Compliance

Triennial FTA Statewide DBE Goal



COLORADO

Department of Transportation

Triennial FTA Statewide DBE Goal

Jun Arcilla & Marie Nakagawa

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DBE Program Fundamentals

Federally-Mandated

- US DOT program administered by CDOT Civil Rights & Business Resource Center
- Federal regulation 49 CFR Part 26
- Helps disadvantaged business owners compete for transportation contracts by leveling the playing field

Qualifications

- Small for-profit business concern
- 51% owned and controlled by socially and economically disadvantaged individual(s)
- Minority and women presumed to be disadvantaged
- Business size standard and personal net worth cap
- Certified in specific work types (NAICS)

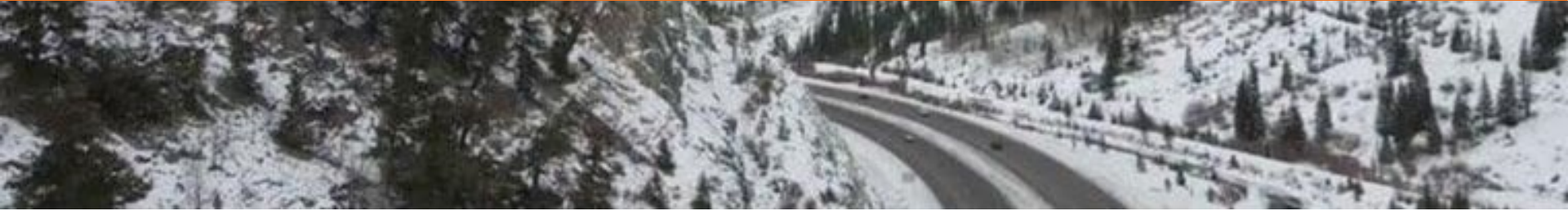


Triennial Overall FTA DBE Goal Setting

- US DOT requires CDOT to set overall annual DBE goals every 3 federal fiscal years (FFY)
- CDOT Civil Rights & Business Resource Center is responsible for conducting a DBE goal analysis: “DBE Goal Setting Methodology”
- Different overall DBE goals for FHWA (highway and bridge) and FTA (transit) funded contracts
 - Current FHWA DBE goal is 11.89%
 - Current FTA DBE goal is 2.5%
- Proposed FTA DBE goal for FFY 2023 - 2025 is 2.44%



Division of Transit & Rail



- FTA DBE goal applies to contracts that are awarded by CDOT Division of Transit and Rail (DTR) and 80+ transit organizations that receive FTA grant funds from CDOT DTR
- These include municipal governments and transit operators that have services such as city buses, trolleys, light rail, passenger trains, and bus rapid transit
- Large transit organizations like RTD and Mountain Metro Transit have their own overall annual DBE goal separate from CDOT



Contracting Opportunities

Transit contract opportunities are for goods and services such as:

- Transportation planning
- Building construction
- Vehicle maintenance
- Office supplies
- Accounting services
- Advertising and marketing
- Information technology
- Drug and alcohol testing
- Uniforms
- And more...





DBE Goal Methodology

- Uses a specific formula prescribed by US DOT
- Determines the relevant market area for FTA-assisted contracts
- Determines availability of DBEs for future FTA-assisted contracts by NAICS
- Weights availability by the expected amount of contract opportunities in each NAICS
- Makes adjustments to the resulting percentage based upon qualitative factors





Example: FFY 2020-2022 Methodology

Contracting Opportunity	NAICS Code	NAICS Description	# of DBEs	Total Firms	Relative Availability	Forecast Weight	Weighted Availability
Office-related Supplies	424120	Stationery and Office Supplies Merchant Wholesalers	2	84	2.38%	1.02%	0.02%
Fuel	424710	Petroleum Bulk Stations and Terminals	0	80			
	424720	Petroleum and Petroleum Products Merchant Wholesalers (except Bulk Stations)	2	38			
		Subtotal	2	118	1.69%	14.40%	0.24%
Fixed route	485210	Interurban and Rural Bus Transportation	0	5			
	485113	Bus and Other Motor Vehicle Transit	0	8			
		Subtotal	0	13	0.00%	14.65%	0.00%
Paratransit	485999	All Other Transit and Ground Passenger Transportation	2	54	3.70%	18.88%	0.70%
Legal Services	541110	Attorney's Office and	0	3556			
	541199	All Other Legal Services	3	94			
		Subtotal	3	3650	0.08%	0.05%	0.00%
Accounting	541211	Offices of Certified Public Accountants (CPA)	7	1450			
	541219	Accounting Services (except CPA's)	2	1357			



FTA DBE Goal Setting Schedule

- **Public Participation: Through July 21, 2022**
 - Draft available on the [CDOT Civil Rights website](#)
 - Notice of proposed FTA DBE goal on Connect2DOT, B2G, and CDOT website
- **Review & Approval: July - August**
 - Transportation Commission Workshop - July
 - Transportation Commission Resolution - August





CDOT Mindset & Philosophy



EQUITY360 Review

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.





Equity Beyond Compliance



EQUITY360



EQUITY360 mindset and philosophy allows CDOT to go beyond simply navigating regulations.

CDOT has an opportunity to pave the way and be a leader in equity, diversity, and inclusion.



Civil Rights and Business Resource Center

Project Delivery

Small Business Compliance (DBE and ESB Program)

Labor Compliance (Certified Payroll)

Subrecipient project oversight

Prompt Payment (subcontractors, subconsultants, vendors, and suppliers)

On-The-Job Training Program




External Programs

Title VI

ADA Title II







Project Delivery Civil Rights Compliance

	Construction			Professional Services		
	FTA-Funded	FHWA-Funded	State-Funded	FTA-Funded	FHWA-Funded	State-Funded
 Certified Payroll (Davis-Bacon)	✓	✓	✓	✗	✗	✗
 On-the-Job Training Program	✗	✓	✗	✗	✗	✗
 Prompt Payment	✓	✓	✓	✓	✓	✓
 DBE Participation	✓ (Race-Neutral)	✓ (Race-Conscious)	✗	✓ (Race-Neutral)	✓ (Race-Conscious)	✗
 Subrecipient / Local Agency Projects Oversight	✓	✓	✓	✓	✓	✓



External Program Civil Rights Compliance

	 ADA Title II Requirements for CDOT	 ADA Title II & Title III Requirements for Subrecipients	 Title VI Requirements for CDOT	 Title VI Requirements for Subrecipients
FHWA Oversight Requirements	X	N/A	X	X
FTA Oversight Requirements	X	X	X	X



Evolving Compliance & Opportunities

Compliance Changes

CRS 24-92-202 *Senate Bill 19-196*

Effective for projects
advertised on or after
July 1, 2021

*Requires certified payroll
compliance on all CDOT projects
regardless of funding type*

Highway Local Agency/Subrecipient Compliance

Effective for contracts
advertised by Local Agencies
on or after July 1, 2021

Contracts monitored in Civil Rights
compliance software systems
*FY 19 Local Agency Audit report
recommendations*

Transit Project Delivery Program Development

On-going

*Beginning to pilot projects
in Civil Rights Compliance
software systems*

Opportunities

- ESB Participation Targets on state-funded construction projects and state-funded professional services contracts
- Research and potential implementation of Local Hire preference program on identified projects



Moving Beyond Compliance



With EQUITY360, CDOT is empowered to go beyond simply navigating regulations. This agency has an opportunity be a leader for Colorado through cultivating equity, diversity, and inclusion on a holistic, statewide level.



Short Term Functions: Soil Preparation

CDOT-specific recommendations for Environmental Justice Action Task Force (EJATF)

- Examples:
 - Development of CDOT-specific guidelines for conducting equity analysis
 - Recommend approach to definitions that are comprehensive and applicable to CDOT

Environmental Justice Executive Order 12898

- Minority
- Low-income



Title VI Civil Rights Act of 1964

- Race, color, national origin
- Limited English proficiency



Senate Bill 21-260

Per census block group, where more than 40% of households are one of the following:

- low income (less than or equal to 200% of federal poverty line)
- Identify as minority
- Housing cost-burdened (spends more than 30% of income on housing)



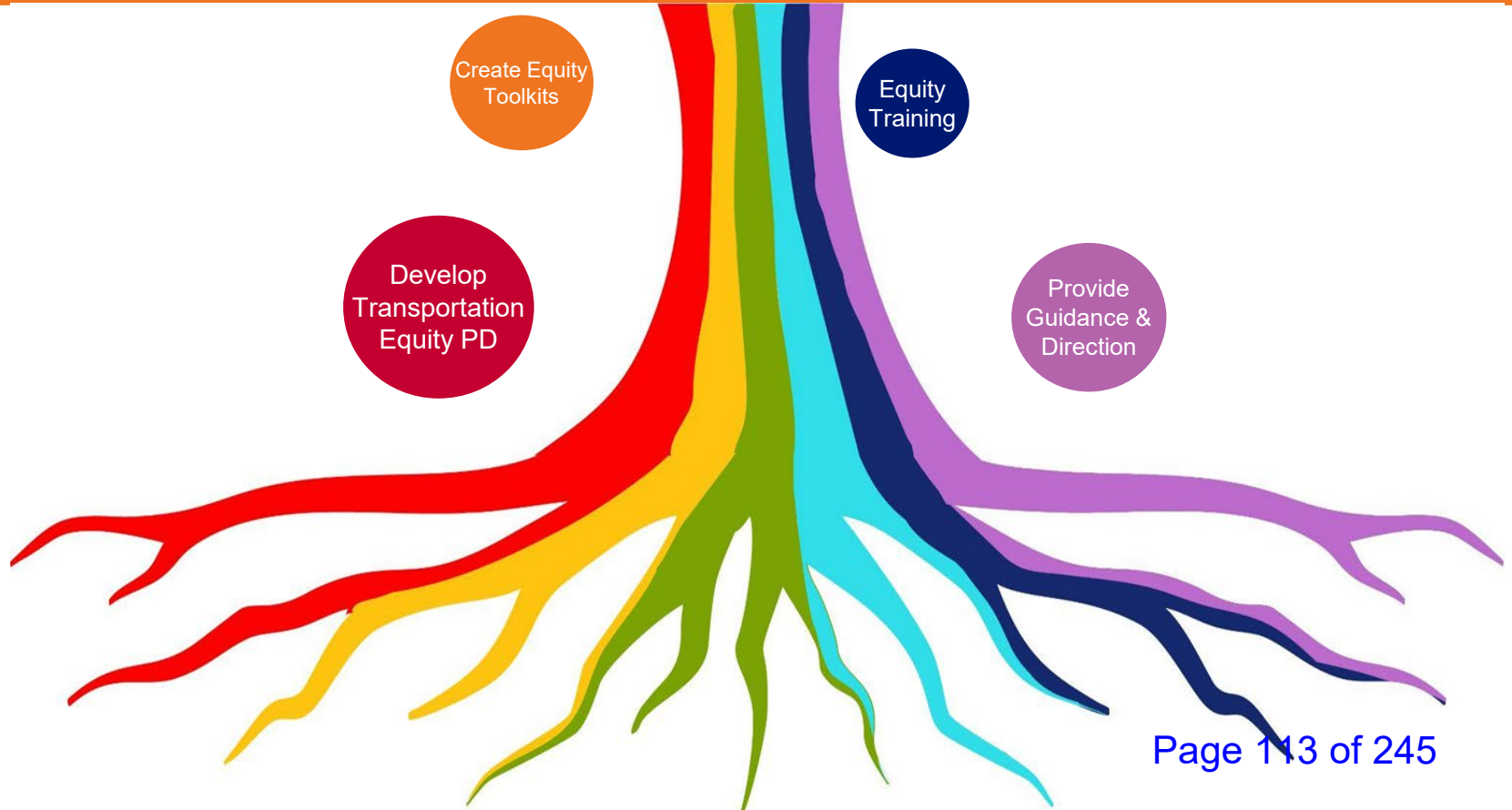


Short-Term Functions: Establishing Roots



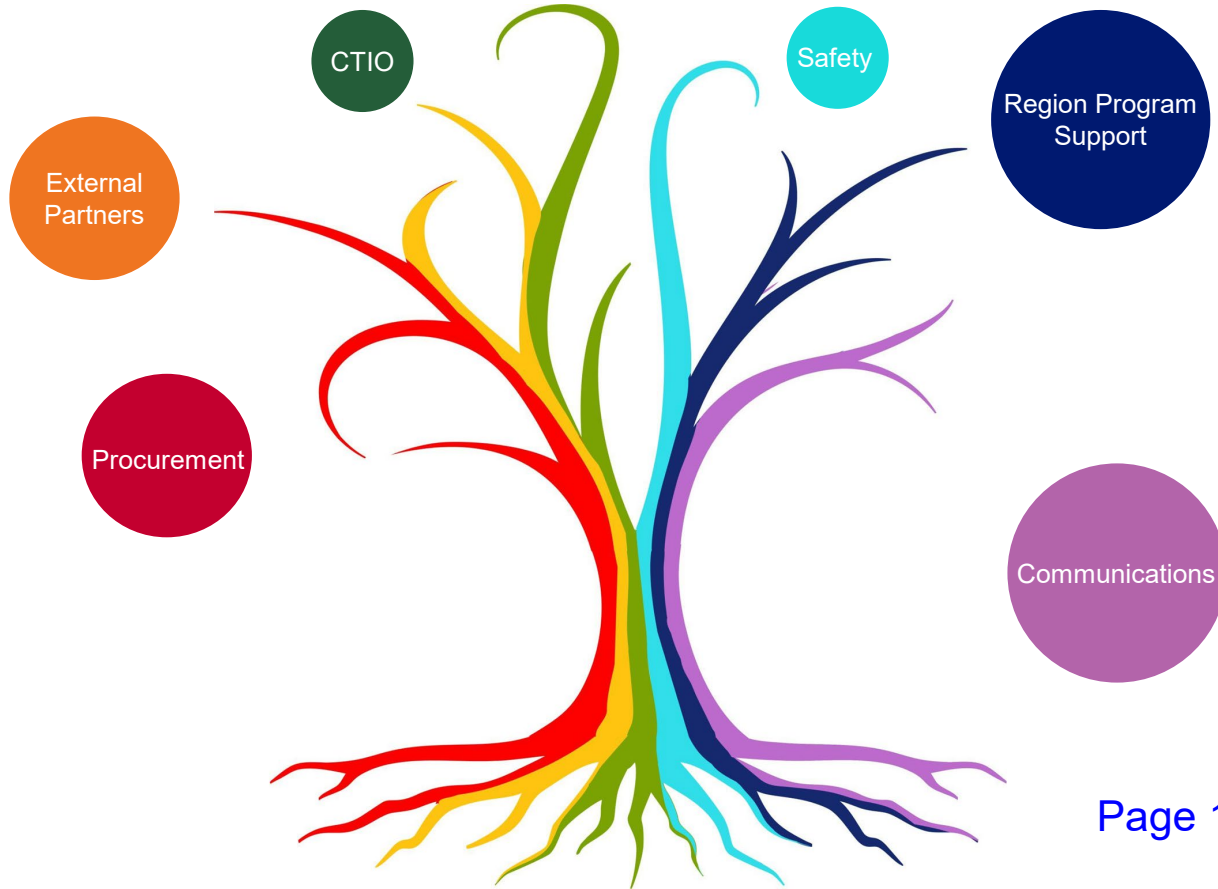


Long-Term Vision: Building a Strong Base



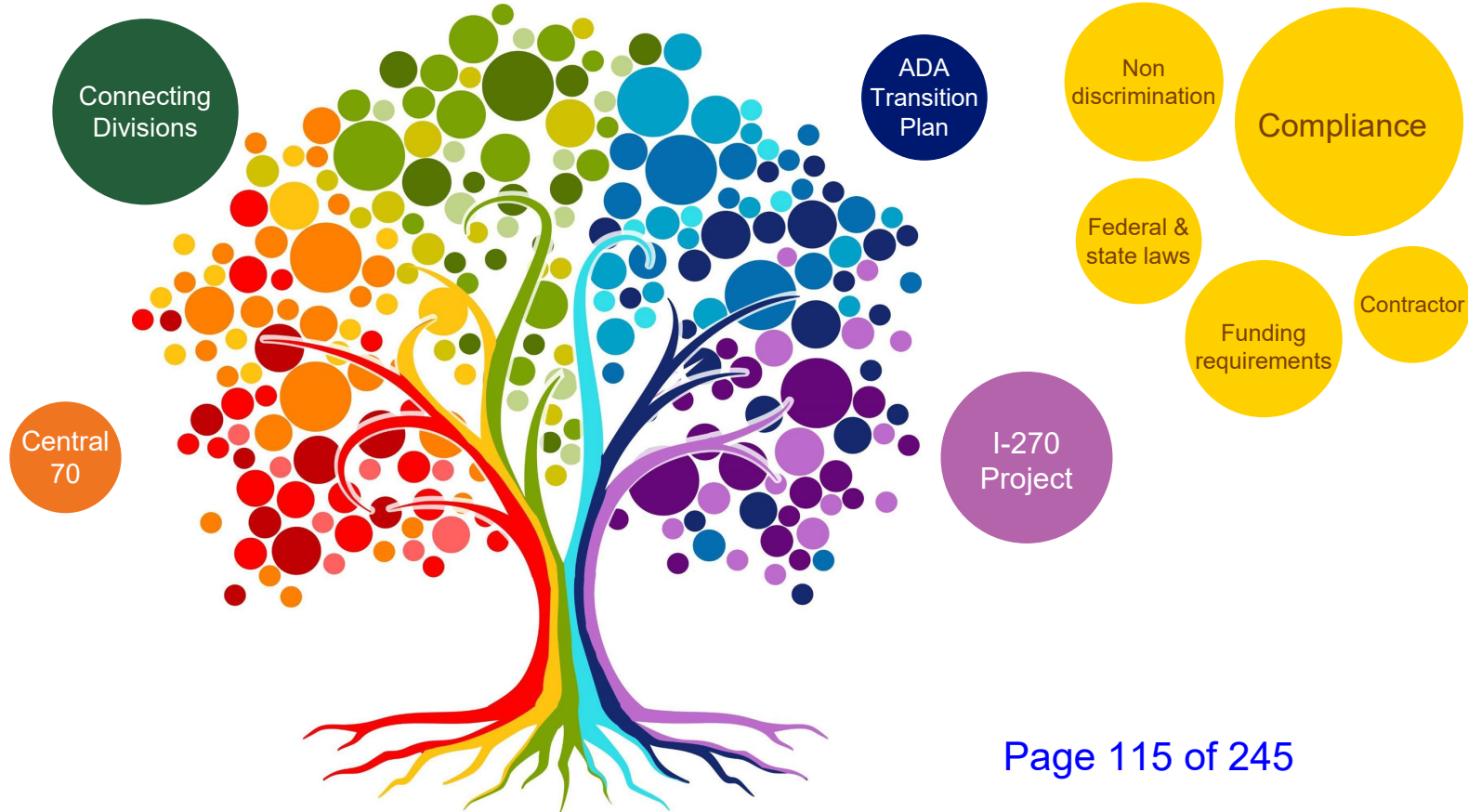


Long-Term Vision: Opportunity to Branch Out





Long-Term Vision: Sustainable Equity Ecosystem





Environmental Justice and Equity Branch

Mapping out the Future

Phase 2 (Short-Term)

Form Steering Committee
Develop Equity Framework
Defining Transportation Equity
EQUITY360 Roadshow

Phase 1

Listening Sessions
Develop EQUITY360

Phase 3 (Long-Term)

Transportation Equity PD
Develop Equity Training
Create Equity Toolkit(s)



Environmental Justice and Equity Branch

Potential and Possibilities

Civil Rights Compliance

Support related to Compliance Changes/Updates

Program Development:

- ESB Participation Target Program
- Local Hire Preference Program

Equity & Environmental Justice

Equity Program Development

- Collaboration with Inclusive Excellence Team (Human Resources)

Environmental Justice Program Development

- Community Liaison(s)
- NEPA
- Data Analysis

Workforce Development

Program Development

Thank you

Small Business and Diversity Committee Meeting Minutes - August, 2021

Meeting called to order by meeting chair Commissioner Kathy Hall

Members present:

Chair Commissioner Kathy Hall

Commissioner Gary Beedy

Commissioner Barbara Vasquez

Commissioner Eula Adams

Commissioner Don Stanton

Commissioner Lisa Hickey

Greg Diehl - CRBRC

Jun Arcilla - CRBRC

Emily Crespín - CRBRC

May committee minutes approved. Committee voted to move forward with the meeting

Agenda - Greg Diehl

- Brief overview of small business certifications recognized in CO, highlight CDOT certifications
- Federal DBE Program
 - Contract goals
 - Proposed statewide triennial FHWA DBE goal
 - FFY22-24
 - 11.89% Overall Goal
 - 7.56% Contract Goals
 - 4.33% Small Business Initiatives
- Supportive Services
- Questions, Comments, and Next Steps

Small Business Certifications - Jun Arcilla

- DBE administered at state level, but is Federal program
- CDOT oversees DBE (Federal) and ESB (CDOT)
 - Main differences:
 - DBE:
 - Race/gender conscious
 - Levels playing field for historically underutilized companies (as defined by FHWA DBE program guidelines)
 - ESB: Race/gender neutral

- Facilitate more small business utilization to increase competition and decrease cost
- CDOT specific program

Federal DBE Program - Jun Arcilla

- Ownership & business size are main guiding factors
- Narrowly tailored subcontract goals
- DBE certification isn't blanket certification. Only certified in certain work areas (NAICS codes)
- Subcontract goal setting
 - Means to achieve overall statewide DBE goal as an agency
 - Overall goal may impact project goals
 - Broken out into:
 - Available DBEs
 - Upcoming opps
 - Absent the fact of discrimination
 - DBE Methodology:
 - Prescribed by steps outlined in Federal regulations (2 steps)
 - Establish base figure with criteria mentioned above & FHWA guidelines
 - Once base figure is established, take into account contextual information and make adjustments
 - Reach out to stakeholders for further assessment and to fill in gaps
 - Reminder: no DBE goals on State funded projects due to it being a Federal program
 - Some base figure adjustments to the recent Triennial DBE Methodology and goal
 - Consultant availability vs past data
 - Pandemic
 - Disparity studies
- Proposing DBE goal of **11.89%** for FFY22-24 statewide
 - Stakeholder outreach is large piece of DBE Methodology
 - Work with associations and other industry partners
- Whatever aspect of the DBE goal is not met through race-neutral means will be made up with race-conscious goals (contract goals)

Supportive Services - Jun Arcilla & Emily Crespin

- Business development
- Leverage ESB program initiatives

- Aiming to build out robust small business development initiatives to increase race-neutral means of meeting the DBE goal instead of relying as heavily on race-conscious elements
 - Regardless, CDOT tracks DBE participation
- Color of money plays into goal setting
 - Embedded into contract language
 - State Procurement units use different processes & different funding
 - How can we tailor each color of money and each small business opportunity to help increase small business utilization
- Questions/Comments
 - Commissioner Adams: I'm a member of COMTO and go to the meetings and talk to folks. There are plenty of people who would love to do more business with CDOT, but there are difficulties. Some of the reactions I get from people would trouble you....this is excellent work. I applaud the analysis and the work you have done. I do think as a commission, if we really care about this, we need to think about what else people need to do business with CDOT...I think it's all about working capital and getting paid, and some of the early requirements. We should be bothered with a 4.8% race-neutral goal. To me, that is too low and should be unacceptable. We are growing too fast and there are too many businesses in our community that we have opportunities for. That's just my opinion.

Questions & Next Steps - Greg Diehl

- Request to move forward with resolution to adopt triennial DBE goal statewide during Transportation Commission meeting 8/19/21

Meeting adjourned by Commissioner Hall at 5:20pm

Small Business and Diversity Committee Meeting Minutes - April 20, 2022

Meeting called to order by meeting chair Commissioner Kathy Hall

Members present:

Chair- Commissioner Vasquez
Commissioner Adams
Commissioner Beedy
Commissioner Garcia
Commissioner Hickey
Commissioner Holguin
Steve Harleson - CDOT Chief Engineer
Marsha Nelson - CDOT Chief Equity Officer
Greg Diehl - Civil Rights & Business Resource Center
Anna Mariotti - Civil Rights & Business Resource Center
Emily Crespin - Civil Rights & Business Resource Center
Chessie Price - Civil Rights & Business Resource Center
Amber Blake - Division of Transit & Rail

Topic: EQUITY360

Presenter: Marsha Nelson

Overview

Transportation is the common denominator to building communities. Equity is in everything and allows us to connect with communities throughout the state. Equity is embedded with everything we do. If, as an agency, we want to be a leader in any initiatives, we have to have equity.

Initial findings

- CDOT is nationally recognized by DOTs for our programs on nondiscrimination compliance
- There are a number of equity efforts occurring within the agency, but things are not as connected and collaborative as they could be.

Current Atmosphere & Future Goals

- Many people on different teams are looking for help implementing equity, and the goal is to help connect it all. An element of this goal is to ensure that the CDOT regions are also connected to these efforts.
- Equity & Environmental Justice branch is housed under the Office of the Chief Engineer
- Right now, the Chief Equity Officer envisions the branch being built on three legs, as outlined in the next section

1. Civil Rights & Business Resource Center - Presenter for this section: Anna Mariotti
 - a. Our existing team is broken out into branches
 - i. Project Delivery
 - Project and Contract Compliance
 - a. Prompt Payment
 - b. Certified Payroll
 - c. Small Business Participation Compliance
 - d. On-The-Job Training
 - ii. External Programs
 - Title VI,
 - ADA Title II
 - iii. Also have two additional elements that support the team in these efforts:
 - Supportive Services
 - a. Small Business
 - b. Workforce
 - Small Business Certifications
 - b. Initiatives & Opportunities
 - i. ESB targets & potential incentives for state-funded construction projects
 - ii. Goal of the ESB Program is to build capacity of small businesses & have them engage on CDOT projects
 - Not just as subs, but as primes
 - iii. Current programs
 - Connect2DOT
 - ESB Mentor-Protege
2. Environmental Justice
 - a. Working with DTR & DTD to increase strategic communications for public citizens & traveling public
 - b. Working with our communities to get input and engage them in CDOT
 - c. We have to build trust with our communities and avoid outreach fatigue.
 - d. We have to do better as an agency with how we work with other agencies to gain support.
3. Workforce Development
 - a. In order to create a diverse workforce, we must build an equitable and diverse agency. It must be done organically.
 - b. Currently have programs that work with youth (gr. 6-8) and adults (16+)
 - c. Future Goal: Cradle to Career Investment opportunity

- i. Focused effort on engaging with children at earlier stages to help set them up for future success. By starting in kindergarten and being present through college, we can begin to build this industry so we have transportation leaders. We have to build the pool of transportation professionals so this industry can move forward.

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.
- Think holistically. Equity touches everything that we do in this agency. Currently, we are working with the Office of the Chief Engineer, but our impact is CDOT as an agency, which impacts the state, which impacts the nation.
- Guiding principles
 - Proactive compliance
 - Creativity & innovation
 - Knowledge
 - Humility & respect
- Currently, we are trying to navigate this hodgepodge of different initiatives, which is difficult. We are looking at how we can approach this from a holistic perspective, which is EQUITY360
- EQUITY360 paves a path for CDOT vs trying to navigate through everything.

Questions/Comments

Commissioner Garcia -- you are looking at the next 3 to 5 years, is that correct?

Marsha Nelson - Yes, but also looking at things now. The 3-5 year timing helps establish some foundational elements and initial strategic goals, but they need to become embedded in what CDOT does so that CDOT can continue to always work toward improving equity. It isn't only a 3-5 year goal.

Commissioner Bracke - It was great to see all that you have accomplished in the short time you have been here. How can we help you and your team as the Transportation Commission?

Marsha Nelson- Thank you, and I appreciate that. Everyone has a different view of equity, and I understand that. I'm meeting with many teams and once I have more information I will come back to you with more details.

Commissioner Adams - Your presentation clearly shows the dynamics of what we have created. We are not going to sort it out overnight. You have my total support as a commissioner to get you

whatever you need...creating this culture, this holistic approach, is what it should be. I like that it is all around.

Commissioner Hickey - I'm in full support too and yet it should be something that we don't have to support. It should be baked in, and I look forward to you leading us there... We don't want to miss out on opportunities for small business. This is good for us in an economic sense. I object to notions of this being a political discussion. This is a foundational issue.

Commissioner Beedy - There is a feeling that there is a wall for small businesses. There are bureaucratic hurdles small businesses have to deal with because they don't have the staff. How can we take the regs we have to abide by and simplify and help people through those projects? I would like us to expand on that somewhere in the future. I think your office could play a major piece in this. Also confusion and issues with contracts. Back and forth between lawyers months on end, I still don't understand why that takes so long when it is the same stuff over and over again. From what you presented, you are looking at things holistically, and I appreciate that. Things seem to be getting more and more complicated.

Marsha Nelson - It is a gap in knowledge for small businesses on how to work with CDOT and government. There shouldn't be a barrier and they will never be successful if we don't provide a bridge to them on how to work with us. The ability to grow small businesses will benefit CDOT as well. We don't want things going over budget. We want to support small businesses as much as we can.

Commissioner Stuart - I appreciate the presentation & the approach you are taking, Marsha. It is an important one. It is evident by the people who have come to you. You are taking on a big task with lots of energy & ideas & I support you.

Commissioner Holguin - I agree. We need a more inclusive environment. Lack of trust in communities is very real and stems from something. I think the only way we build trust is through actions. You can't do it all by yourself. We need to support you through other efforts. Commissioner Beedy's comment, providing support to entrepreneurs of color and disproportionately impacted communities is good for all Coloradans. I am excited you are here and any way I can support you, let me know.

Marsha Nelson - Thank you. I also wanted to add that I am serving on the EJ task force and look forward to partnering with folks there to help communities we serve.

Commissioner Vasquez - We demonstrate our values by how we invest. I hope we can spend the state's money in a way that supports Marsha & these efforts.

Commissioner Beedy - Last TPR meeting, had companies apply for Revitalizing Main Streets, but with the additional requirements it seems like things cost 3x as much for something like replacing a sidewalk. Some of the costs that I see when we do grants and things really concern me. The costs go up so much from grants going through CDOT and it's frustrating to me. I would like to figure out how we can fix that, especially with something like sidewalks.

Steve Harleson - This does have something to do with equity. These are often ADA projects focused on improving sidewalks and pedestrian crossings. CDOT uses PROWAG as the standard and it is heavily regulated. The curb ramp program runs through CDOT's Civil Rights office. The cost is high because ADA & PROWAG requirements have been updated and are much trickier than they used to be. It's things you wouldn't always think about, like the angle of the ramp, etc.. It was very tricky and took time to understand. I think this is because curb ramps are a lot more difficult than they seem.

Commissioner Hall - I would like to bring up what an incredible job Greg Diehl and his group did on Central 70, since none of the current commissioners were serving at that time. Greg really started this process then, and I was so impressed with the work that was done.

Greg Diehl - Thank you for that. It was definitely a team effort, an integrated approach at CDOT. Thank you for mentioning that.

Commissioner Adams - Commissioner Beedy, I share your pain and frustration. As a business person, I can tell you that how someone is dealing with CDOT may vary, but there are issues with dealing with CDOT. In the end, that costs more. I'm finding the profitability of doing business with CDOT effects who places bids and CDOT's cost in the end. If we can reduce the cost of doing business with CDOT, it would be a win-win.

Meeting adjourned

Transportation Commission (TC) Workshop & Meeting Minutes

Workshops – Wednesday, June 15, 2022, 1:00 pm – 5:00 pm, Virtual via Zoom Meeting

Recording link: https://youtu.be/CzZzY_Obalo

Call to Order, Roll Call – Timestamp 00:00:27

Ten Commissioners were present: Commissioners Kathy Hall (TC Chair), Don Stanton (TC Vice Chair), Karen Stuart, Gary Beedy, Kathleen Bracke, Mark Garcia, Lisa Tormoen Hickey, Barbara Vasquez, Yessica Holguin, and Terry Hart. Commissioner Eula Adams was not in attendance.

1. FY 2021 - 2022 Budget Workshop (Jeff Sudmeier and Bethany Nicholas) – Timestamp 00:01:10

Purpose & Action: To review the eighth budget amendment to the FY 2021-22 Annual Budget in accordance with Policy Directive (PD) 703.0. The Division of Accounting and Finance (DAF) is requesting the TC to review and approve the eighth budget amendment to the FY 2021-22 Annual Budget, which consists of one item that requires TC approval. The eighth budget amendment reallocates \$2.4 million from the 10 Year Plan Projects - Capital Mobility line to Agency Operations to provide the Colorado Transportation Investment Office (CTIO) with funding to procure a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan for the I-70 Floyd Hill project.

A second purpose of the budget workshop was to outline the proposed State Infrastructure Bank (SIB) interest rate for loans originating in the first half of State Fiscal Year 2022-23 and the origination fee schedule for Fiscal Year 2022-23. The Division of Accounting and Finance (DAF) seeks the TC to approve the increase of the current SIB interest rate to 3.00% for loans originating in Fiscal Year 2022-23 Q1/Q2 and maintain the recommended origination fee schedule detailed in the TC packet materials.

Discussion:

- Commissioners considered raising the interest rate on State Infrastructure Bank (SIB) loan rate from 2% to 3%, which would be effective for 6 months before Commission considers the rate again.

2. Vail Pass Workshop – Bridge & Tunnel Enterprise (BTE) workshop (Rob Beck, Karen Berdoulay, and Jeff Sudmeier) – Timestamp 00:06:25

- **Purpose & Action:** This workshop was prepared to review the current financial status of the Vail Pass project with the Bridge and Tunnel Enterprise (BTE) Board of Directors (Board). Due to design refinements and cost escalation, the Board is being asked to approve a resolution to increase the BTE funding commitment to Vail Pass from \$61.5 million to \$93.4 million to fully fund the project and allow for the completion of two deficient BTE eligible bridges.

Discussion:

- Staff requests Board approval of Proposed Resolution #BTE-2 to increase the BTE funding commitment to the project from \$61.5 million to \$93.4 million, which includes design and construction of two BTE eligible structures F-12-AT (WB) and F-12-AS (EB). The two bridges will proceed to construction at different times with F-12-AT (WB) progressing to construction in June 2022 and F-12-AS (EB) in Summer 2023. Staff also requests approval of Proposed Resolution #BTE-3 to establish the construction phase budget for F-12-AT I-70 WB over Polk Creek, a \$49.5 million budget supplement, which is part of the overall \$93.4 million funding commitment for both bridges.
- Project cost increases are due to market cost increases and not by interest rate increases.
- Staff provided an overview of general strategies CDOT is employing to minimize fuel usage on both maintenance operations and construction activities.
- Contingency funding is included in the project to prepare for continuing increases to project costs, and assumes a 7% inflation rate throughout the project.

3. 10-Year Plan Update (Rebecca White and Aaron Willis) – [Timestamp 00:37:28](#)

Purpose & Action: The purpose of this workshop was to provide the TC with an update on the 10-Year Plan ahead of sharing an updated draft. No action is required.

Discussion:

- Commissioners suggested inclusion of discussion on the regionally significant projects and their impact on GHG modeling and to consider integrating safety and GHG emission reduction benefits in project fact sheets. The Plan should also communicate impacts of rising costs and inflation on projects.
- Staff are working on completing the project cost estimates currently marked TBD.

4. Freight Committee (Rebecca White and Craig Hurst) – [Timestamp 01:01:04](#)

Purpose & Action: To 1) update the TC on the contents of the Scope of Work for the Colorado Freight Plan Update, 2) request TC approval of the amended PD 1903.0 that provides a process for CDOT to advise the Colorado State Patrol when third-parties make requests for off-system roads to become designated hazmat routes, and 3) request \$350,000 of National Highway Freight Program (NHFP) funds go to a project to continue the Eisenhower Johnson Memorial Tunnel Hazmat Study.

Discussion:

- Staff work very hard to limit detour lengths for hazmat vehicles and to minimize chances of movement on non-hazmat roadways, but they do happen.

5. Greenhouse Gas (GHG) Mitigation Measures PD 1610 – Appendix A Amendments (Rebecca White and Theresa Takushi) – [Timestamp 01:45:28](#)

Purpose & Action: This workshop provided a summary presentation to the TC on the proposed minor amendments to the Greenhouse Gas (GHG) Mitigation Measures Policy Directive (PD-1610), which the Transportation Commission (TC) adopted on May 19, 2022. The action requested is to amend PD 1610 via a TC resolution.

Discussion:

- These amendments demonstrate that CDOT is responsive to new information and input from stakeholders and to increase sophistication in the modeling. This includes changes to the points attributed to various mitigations.
- Commissioners and committee members will continue to receive and consider input and new information received on the mitigation measures and the Policy Directive. The committee reviews input and makes recommendations to the Commission for changes to the Policy, if and when appropriate.

6. I-270 Critical Bridge Replacement Project Alternative Delivery Recommendation (Andrew Statton, and Adam Parks) – [Timestamp 02:14:28](#)

Purpose & Action: The purpose of this TC workshop was to outline the staff recommendation to deliver the I-270 Critical Bridge Replacements Project (Project) utilizing Construction Manager/General Contractor (CM/GC) as the Alternative Delivery Method. The requested action is for the TC to adopt a resolution that supports the staff recommendation.

Discussion:

- Staff's proposal to look at the critical bridge replacement needs first, makes it possible to address those state-of-good-repair issues separately from the longer-term aspects that require community conversation.

7. Audit Review Committee (ARC) Meeting (Frank Spinelli) – [Timestamp 02:32:15](#)

The Committee agenda covered the following topics:

- Approval of the October 21, 2021 Meeting Minutes was made and approved.
- Motion Regarding Release of Construction Project Oversight Audit Report was made and approved, prior to discussion.
- Audit Division Plan was approved as proposed.
- FY 2022 Audit Division Results
- Outstanding Recommendations Update

Discussion:

- The committee follow up will include validating whether the improvements were implemented.
- An internal audit is recommended of aspects of CDOT's OnBase system including the implementation and internal controls and for Alternative Audits of Division of Transit & Rail, Division of Policies, and Division of Human Resources. Projected cost of the audit plan is \$223,000. The cost is not an incremental cost, but already included in the Audit Division's budget.
- Commissioner Beedy recommended in the future we look at programs like the Multimodal Transportation and Mitigation Options, where TPRs are involved but don't have staff to support it, to make sure those funds are tracked and being used efficiently.

Workshops concluded at 4:02pm

Regular Meeting - Thursday, June 16, 2022, 9:00 am to 10:30 am

Recording Link: <https://youtu.be/sh3KvUJ6Exk>

1. Call to Order, Roll Call – [Timestamp 00:00:00](#)

Ten Commissioners were present: Commissioners Kathy Hall (TC Chair), Don Stanton (TC Vice Chair), Karen Stuart, Terry Hart, Yessica Holguin, Gary Beedy, Kathleen Bracke, Mark Garcia, Lisa Tormoen Hickey, and Barbara Vasquez. Commissioner Eula Adams was not in attendance.

2. Public Comments – [Timestamp 00:01:47](#)

- Rachel Hultin of Bicycle Colorado thanked CDOT for all the work on PD 1610, and expressed gratitude for considering all the comments, and for leading such a transparent process.

Provided to the Commission in writing prior to the meeting:

- Comments from Matt Frommer were entered into the record.

3. Comments of the Chair and Individual Commissioners – [Timestamp 00:03:30](#)

- Commissioners commented on topics ranging from the monumental efforts involved in the development of PD1610, new tools like Enviroscreen, the prospect of broadband expansion, work on the Nonattainment Enterprise, and the Clean Transit Enterprise boards, TPR meetings that they attended, road safety and the importance of accounting for inflationary pressures in planning for the future.

4. Executive Director's Management Report (Shoshana Lew) – [Timestamp 00:24:00](#)

- Director Lew memorialized all the great progress on CDOT projects throughout the state pointing to several projects that are underway and near completion in each CDOT Region.
- The Director also attended a few recent recognition events in each Region.

5. Chief Engineer's Report (Steve Harelson) – [Timestamp: 00:27:15](#)

- Reported on some recent construction impacts related to inflation. Of 15 recent projects with a value of \$55M and on average they came in 12% over the engineer's estimate. There were two avalanche mitigation projects where they received no bids, and several projects had 3 or more bids that came in under the Engineer's estimate.
- *Power Broker*, a book about Robert Moses by Robert Caro, is the Engineer's book club book of the month.

6. Colorado Transportation Investment Office (CTIO) (Formerly HPTE) Director's Report (Nick Farber) – [Timestamp: 00:39:15](#)

- Board approved measures in response to the HB22-1074 toll enforcement rule. No public comment was received, and will go into effect in August. Fine amount still needs to be determined before going into effect.
- Toll rate adjustments approved to go into effect July 7th. Increased 9% related to inflation and operations and maintenance cost.
- Westbound Mountain Express lane will go live July 7th.

7. FHWA Division Administrator's Report (John Cater) – [Timestamp: 00:45:40](#)

- Travel and Safety: Lots of successes to celebrate over the last several weeks. Project on SH13 north of Rifle will address high crash rates and dangerous conditions on a corridor with high truck traffic.
- Recognized Chair Hall for her leadership over the past year.

8. Discuss and Act on Consent Agenda – [Timestamp: 00:55:52](#)

A Motion by Commissioner Beedy to approve, and seconded by Commissioner Bracke, passed unanimously.

a. Proposed Resolution #1: Approve the Regular Meeting Minutes of May 19, 2022 (Herman Stockinger)

b. Proposed Resolution #2: IGA Approval >\$750,000 (Steve Harelson)

c. Proposed Resolution #3: Disposal: US 24 (I-70 Business) and CO 71 (Heather Paddock)

d. Proposed Resolution #4: Disposal: 605 25th Greeley (Parcel 43-EX) (Heather Paddock)

e. Proposed Resolution #5: Disposal: Sterling Maintenance Site (Heather Paddock)

f. Proposed Resolution #6: Disposal: SH 21 & Platte, R-209, R-211, R-212, R-214 (Heather Paddock)

g. Proposed Resolution #7: Convey Camp George West Buildings to Colorado State Patrol (David Fox)

h. Proposed Resolution #8: FY23 Maintenance Projects \$150k-\$250k (Tyler Weldon)

9. Discuss and Act on Proposed Resolution #9: 8th Budget Amendment of FY 2022 (Jeff Sudmeier and Bethany Nicholas) – [Timestamp: 00:56:32](#)

A Motion by Commissioner Stuart to approve, and seconded by Commissioner Bracke, passed unanimously.

- 10. Statewide Transportation Advisory Committee (STAC) Report (Vince Rogalski) – [Timestamp: 00:59:02](#)**
 - No meeting was held last Friday. The new STAC meeting time going forward is the first Thursday of every month. STAC will be virtual only and in-person for the October and May meetings.

- 11. Discuss and Act on Proposed Resolution #10: 12th Budget Supplement of FY 2022 (Jeff Sudmeier and Bethany Nicholas) – [Timestamp: 1:00:27](#)**

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

- 12. Discuss and Act on Proposed Resolution #11: State Infrastructure Bank Rate Update (Jeff Sudmeier and Bethany Nicholas) – [Timestamp: 1:03:18](#)**

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

- 13. Discuss and Act on Proposed Resolution #12: GHG Mitigation Measures Policy Directive (Rebecca White and Theresa Takushi) – [Timestamp: 1:05:12](#)**

A Motion by Commissioner Stanton to approve, and seconded by Commissioner Bracke, passed unanimously.

- 14. Discuss and Act on Proposed Resolution #13: First Amendment to the HPTE/CDPT Floyd Hill Intra Agency Agreement (Nick Farber) – [Timestamp: 1:08:13](#)**

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

- 15. Discuss and Act on Proposed Resolution #14: PD 1903.0 Hazmat Routing Policy (Rebecca White and Craig Hurst) - [Timestamp:1:09:52](#)**

A Motion by Commissioner Beedy to approve, and seconded by Commissioner Stanton, passed unanimously.

- 16. Discuss and Act on Proposed Resolution #15: I-270 Critical Bridge Replacements Projects Alternative Delivery Recommendation (Andrew Statton and Adam Parks) - [Timestamp: 1:11:11](#)**

A Motion by Commissioner Stuart to approve, and seconded by Commissioner Stanton, passed unanimously.

- 17. Discuss and Act on Proposed Resolution #16: Acknowledgement of New Chair, Vice Chair and Secretary (Commissioner Karen Stuart) NO PRINTED RESOLUTION - [Timestamp: 1:13:42](#)**

Commissioner Don Stanton nominated as new Chair; Commissioner Gary Beedy nominated as Vice Chair; Herman Stockinger nominated as Secretary. Motion approved unanimously.

- 18. Recognition – [Timestamp: 1:20:43](#)**
 - R1 Engineer Rotation Training Pilot Program (Jessica Myklebust, Daylin Gray, Koudouss Makara, Karen Pasapera Calcina)

Meeting Adjourned: 10:46am



COLORADO
Department of Transportation
Office of the Chief Engineer

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

Memorandum

TO: Transportation Commission

FROM: Lauren Cabot

DATE: June 30, 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



July 2022- IGAs > \$750,000

Region	Project Number(s)	Agency	Contract Value	Federal \$	State \$	Local \$	Description
R1	25038	Arapahoe Co	\$1,735,000	\$1,015,000	\$500,000	\$220,000	Parker Road Multimodal Study: Mississippi-Hampden.
	23008	Douglas County	\$4,200,000	\$0	\$0	\$4,200,000	Revenue contract - SH83: Bayou Gulch to El Paso.
R3	24829	Delta	\$2,500,000	\$0	\$2,000,000	\$500,000	Delta Hillside Street Project (RMS).



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: STEPHEN HARELSON, P.E. CHIEF ENGINEER
DATE: JULY 14, 2022
SUBJECT: WADSWORTH/C-470 MAINTENANCE SITE GRANT OF STORM DRAINAGE EASEMENT TO DOUGLAS COUNTY

Purpose

To obtain Transportation Commission approval to grant Douglas County a Storm Drainage Easement across CDOT's maintenance site located in the southeast quadrant of Wadsworth and C-470

Action

CDOT HQ is requesting a resolution, in accordance with C.R.S. 24-82-202, approving the grant of a Storm Drainage Easement to Douglas County across CDOT's maintenance site located in the southeast quadrant of Wadsworth and C-470

Background

CDOT is replacing the existing outdated, undersized vehicle storage facility at its Wadsworth and C-470 maintenance site with a new 7-bay facility that meets the needs of the patrol. This project is part of the approved assement management project plan. As a part of the project, CDOT is required to address storm water on the site as a result of the site being located in and MS4 area. Douglas County requires this easement because the storm draininge lines feed into their storm water system. C.R.S. 24-82-202 requires approval of the Transportation Commission for CDOT to grant an easement.

Next Steps

Upon approval of the Transportation Commission, CDOT will execute a storm drainage easement in accordance with C.R.S. 24-82-202. The easement will be recorded in the records of the Douglas County Clerk and Recorder

Attachments

Copy of the Proposed Storm Drainage Easement.



**GRANT OF EASEMENT
STORM DRAINAGE**

THIS GRANT OF EASEMENT (“Grant”) is given this ____ day of _____, 20__ , by Colorado Department of Transportation (“Grantor”), whose address is 2829 W. Howard Place, Denver, CO 80204 , to THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO (“Grantee”), whose address is 100 Third Street, Castle Rock, Colorado, 80104.

The parties hereby covenant and agree as follows:

1. Easement Property. The “Easement Property” shall mean the real property owned by Grantor and located in the County of Douglas, State of Colorado, more particularly described on **Exhibit A**, attached hereto and incorporated herein, and substantially as depicted on **Exhibit B**, attached hereto and incorporated herein.

2. Consideration. Grantor makes this Grant as a gift without consideration other than the keeping by Grantee of the covenants and agreements herein contained.

3. Grant of Easement. Grantor hereby grants to Grantee, its successors and assigns, a non-exclusive easement (“Easement”) on, over, under, through and across the Easement Property for the purpose of accessing, maintaining, and repairing storm water management improvements, including, but not limited to, inlets, pipes, culverts, channels, ditches, hydraulic structures, riprap, detention basins, forebays, micro-pools, and water quality facilities (collectively, the “Facilities”) in the event Grantor fails to satisfactorily maintain or repair said Facilities.

4. Maintenance and Repair. The maintenance and repair of the Facilities located on the Easement Property shall be the responsibility of Grantor. In the event such maintenance and repair are not performed by Grantor to the satisfaction of Grantee, then Grantee shall have the right, but not the obligation, to enter said Easement Property after ten (10) days prior written notice to Grantor, unless there is an emergency, in which case Grantee shall give notice as soon as practicable, to perform all necessary work, the cost of which shall be paid by Grantor upon billing. In the event Grantor fails to reimburse Grantee within thirty (30) days after submission of the bill for the costs incurred, Grantee shall have the right to enforce such obligation by appropriate legal action. It is Grantor’s responsibility to construct, maintain and repair the Facilities in a manner consistent with all applicable plans approved or accepted by Grantee.

5. Retained Rights of Grantor. Grantor reserves the right of ownership, use and occupancy of the Easement Property insofar as said ownership, use and occupancy does not impair the rights granted to Grantee in this Grant. Grantee’s rights hereunder are non-exclusive, and Grantor shall have the full right and authority to grant other easements or rights to use the Easement Property. It is also understood by Grantee that Grantor may in the future desire to modify and/or eliminate the Facilities. Such a modification and/or elimination shall not be realized until written approval is obtained for said modifications and/or elimination from Grantee. Upon such approval, both the Grantee and Grantor agree to vacate this Easement.

6. Binding Effect. This Grant shall extend to and be binding upon the successors and assigns of the respective parties hereto. The terms, covenants, agreements and conditions in this Grant shall be construed as covenants running with the land.

IN WITNESS WHEREOF, the parties hereto have executed this Grant the day and year first above written.

GRANTOR:

STATE OF COLORADO
Jared Polis Governor, Acting by and through the
Department of Transportation

By: _____
For the Executive Director

Name: _____

Title: _____

APPROVED

STATE OF COLORADO
Department of Personnel & Administration
Real Estate Programs

By: _____
For the Executive Director

Name: _____

Title: _____

APPROVED:

STATE OF COLORADO
Philip J. Weiser, Attorney General

By: _____

Name: _____

Title: _____

Attest:

By: _____

Name: _____

Title: _____

STATE OF COLORADO)
) ss.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by _____ as _____ of _____.

My commission expires: _____.

Witness my hand and official seal.

Notary Public

GRANTEE:

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS,
STATE OF COLORADO

BY: _____
Chair

STATE OF COLORADO)
) ss.

COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this ____ day of _____,
20__ by the Chair of the Board of County Commissioners of the County of Douglas, State of Colorado.

My commission expires:_____

Witness my hand and official seal.

Notary Public

EXHIBIT A
LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND NO. 102R2 REV. OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, IN THE NW 1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN DOUGLAS COUNTY, COLORADO, SAID TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF U.S.A. TRACT 165 AS DESCRIBED BY THE DEED RECORDED IN BOOK 192 AT PAGE 147-148 OF THE CLERK AND RECORDER'S OFFICE OF DOUGLAS COUNTY, FROM WHICH THE NW CORNER OF SAID SECTION 5, BEARS N 15°10'44" W, A DISTANCE OF 1,365.26 FEET, SAID SOUTHWESTERLY CORNER ALSO BEING ON THE EASTERLY RIGHT OF WAY LINE OF S.H. 85 (OCTOBER 1996);

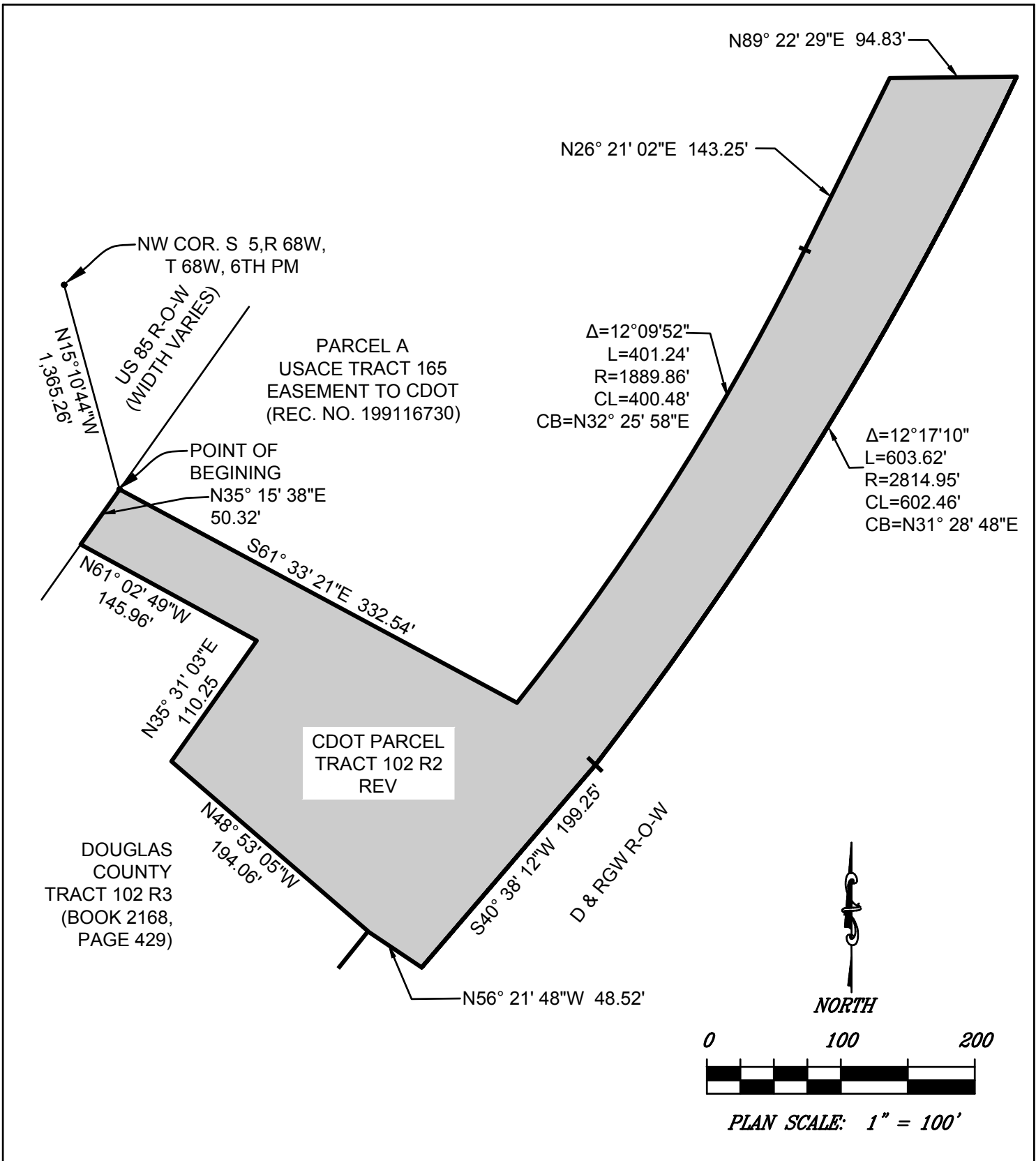
1. THENCE ALONG THE SOUTHERLY LINE OF SAID U.S.A. TRACT 165 S 61°33'21" E, A DISTANCE OF 332.54 FEET, TO THE SOUTHEASTERLY CORNER OF SAID U.S.A. TRACT 165;
2. THENCE ALONG THE EASTERLY RIGHT OF WAY OF U.S.A. TRACT 163 TO 165 OF SAID BOOK 192 PAGES 147 TO 148, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1,889.86 FEET, A DISTANCE OF 401.24 FEET, (THE CHORD OF SAID ARC BEARS N 32°25'58" E, A DISTANCE OF 400.48 FEET);
3. THENCE CONTINUING ALONG SAID EASTERLY LINE N 26°21'02" E, A DISTANCE OF 143.25 FEET;
4. THENCE N 89°22'29" E, A DISTANCE OF 94.83 FEET, TO THE WESTERLY RIGHT OF WAY LINE OF THE DENVER & RIO GRANDE WESTERN RAILROAD (OCTOBER 1996);
5. THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2,814.95 FEET, A DISTANCE OF 603.62 FEET, (THE CHORD OF SAID ARC BEARS S 31°28'48" W, A DISTANCE OF 602.46 FEET);
6. THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, S 40°38'12" W, A DISTANCE OF 199.25 FEET;
7. THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE, N 56°21'48" W, A DISTANCE OF 48.52 FEET TO THE NORTHEAST CORNER OF A PARCEL OF LAND DESCRIBED IN QUIT CLAIM DEED RECORDED IN DOUGLAS COUNTY CLERK AND RECORDERS OFFICE NOVEMBER 1, 2001 IN BOOK 2168 AT PAGE 429;
8. THENCE ALONG A NORTH LINE OF SAID TRACT N 48°53'05" W, A DISTANCE OF 194.06 FEET;
9. THENCE CONTINUING ALONG A NORTH LINE OF SAID TRACT N 35°31'03" E, A DISTANCE OF 110.25 FEET;
10. THENCE CONTINUING ALONG A NORTH LINE OF SAID TRACT N 61°02'49" W, A DISTANCE OF 145.96 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF US 85;
11. THENCE CONTINUING ALONG SAID EASTERLY RIGHT OF WAY LINE, N 35°15'38" E, A DISTANCE OF 50.32 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

BASIS OF BEARING: THE WEST LINE OF THE NW 1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE 6TH P.M., BEARS N 01°08'39" E AS DESCRIBED IN STATE HIGHWAY PROJECT IXFU 470-I(2) PHASE I.

EXHIBIT ATTACHED AND MADE A PART HEREOF.

JAMES V. HASTINGS
COLORADO LICENSED PROFESSIONAL LAND SURVEYOR NO. 22917
FOR AND ON BEHALF OF ANDERSON & HASTINGS CONSULTANTS, INC.
7175 W. JEFFERSON AVENUE, SUITE 4350, LAKEWOOD, CO 80235
(720) 452-0520

EXHIBIT B



NOTE: THIS DRAWING DOES NOT REPRESENT A MONUMENTED LAND SURVEY AND IS ONLY INTENDED TO DEPICT THE ATTACHED LEGAL DESCRIPTION

<p>DWG: MBB CHK: JVH DATE: 05/11/2022 SCALE: 1"=100'</p>	<p>Anderson & Hastings Consultants Inc. 7175 W. Jefferson Ave, #4350 Lakewood, Colorado 80235 (720)452-0520 e-mail: jvhastings@ahceinc.com</p> 	<p>DRAINAGE EASEMENT CDOT SANTA FE VSF 8400 S. SANTA FE DR. LITTLETON, CO 80125</p>
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DATE: July 22, 2022
TO: Transportation Commission
FROM: Andy Karsian - CDOT Legislative Liaison
SUBJECT: 2020 Legislative Memorial Designations

Purpose: During the 2022 legislative session the General Assembly passed 5 memorial designations of state highways.

Action Confirm the resolutions passed by the Colorado House and Senate on the consent agenda.

Background TC Policy Directive 1503.0 establishes a consistent statewide process regarding designation or memorializing of highways, bridges or other highway components. The TC has the authority to accept and approve such requests from the legislature.

Details: All legislative memorial designations allow CDOT to accept gifts, grants and donations for the installation of these signs. As such, no state funds will be used to produce, erect, or install these signs.

House Joint Resolution 22-1014 passed designating the portion of State Highway 21 from Kettle Creek to Woodmen Road in El Paso County as the "SFC Will Lindsay Memorial Highway" in honor of Sergeant First Class Will Lindsay's lifetime of honorable service and heroic sacrifice:

House Joint Resolution HJR 22-1015 passed designating the portion of Colorado State Highway 115 from Mile Marker 42 to Mile Marker 43 be designated as the "CW3 Scott A. M. Oswell Memorial Highway":

House Joint Resolution HJR 22-1018 passed designating the portion of Colorado State Highway 14 in Weld County from Mile Marker 153 to Mile Marker 154 be designated as the "Colonel Stan Cass Memorial Highway":

House Joint Resolution HJR 22-1019 passed designating the portion of Colorado State Highway 85 from the intersection of Colorado State Highway 85 and 1st Street in Ault to the intersection of Colorado State Highway 85 and E Main Avenue in Pierce be designated as the "Pvt. Joe P. Martinez Memorial Highway":

Senate Joint Resolution SJR 22-012 passed designating The of Colorado State Highway 115 in Fremont County from Mile Marker 15 to Mile Marker 27 be designated as the "Veterans of Foreign Wars Warriors Memorial Highway".

Attachments: Transportation Commission Resolution



MEMORANDUM

TO: TRANSPORTATION COMMISSION (TC)
 FROM: REBECCA WHITE, DIRECTOR, DIVISION OF TRANSPORTATION DEVELOPMENT
 DATE: JULY 21, 2022
 SUBJECT: MATCH REDUCTION REQUESTS, MULTIMODAL TRANSPORTATION & MITIGATION OPTIONS FUND

Purpose

To consider requests for reduction of the required match funding rates on local Multimodal Transportation & Mitigation Options Fund (MMOF) candidate projects.

Action

CDOT staff recommends the Transportation Commission adopt a Resolution to approve reduced or eliminated match funding rate requirements on four local candidate MMOF projects.

Background

The MMOF program, governed by Title 43-4-1103(1) of the Colorado Revised Statutes, requires projects to be funded by other matching sources in an amount that is equal to or greater than the MMOF award. The TC is also permitted to adopt a formula for reducing or exempting this minimum 50% match requirement for local governments or agencies due to their size or any other special circumstance. In December 2021, the TC adopted Resolution 2021-12-10 which automatically reduced or eliminated these match requirements for the majority of Colorado’s counties and cities. The formula, which is based on economic indicators that demonstrate the fiscal hardship of local governments, grants counties and cities either a match rate reduced to 25% or it eliminates their match requirement altogether.

In addition to reducing match requirements by formula, the statutes permit the TC to grant further match reductions on individual projects if those reductions are recommended by CDOT staff. Applicants seeking reduced match rates beyond those given by the TC formula must obtain the approval and support of the Metropolitan Planning Organization (MPO) or rural Transportation Planning Region (TPR) awarding the local MMOF funds in their planning region based on a demonstration of special circumstances or economic conditions. The MPOs/TPRs submitting the requests for reduced match rates on the candidate projects below have determined the reduced rates are justified and in the best interest of their regions.

Attached to this memo are the supporting documents submitted on behalf of four projects, including the following:

Planning Region	Sponsor	Project Name	Required Match Rate	Requested Match Rate
North Front Range Upper Front Range	Weld County	VIA Mobility Services	50%	25%



Planning Region	Sponsor	Project Name	Required Match Rate	Requested Match Rate
Central Front Range	Town of Fairplay	Town of Fairplay River Park Phase 2	50%	25%
Central Front Range	Town of Calhan	Sidewalk Rehabilitation/Installation	25%	0%
Eastern	Phillips County	Courthouse Square Sidewalk Project	25%	0%

Note: Weld County was awarded funding and support for reduced match requirements from both Upper Front Range and North Front Range regions on their candidate project.

Recommendation

Unless there are outstanding circumstances, CDOT staff generally look to the MPOs/TPRs as the local MMOF awarding agency to determine the best use of its allocated MMOF funding and to determine the merits of individual match reductions beyond those granted by the TC formula. Therefore, CDOT recommends the TC adopt the proposed Resolution granting the reduced or eliminated match rates on the four projects proposed above.

Options

- Adopt the proposed Resolution approving the four recommended match funding rate reductions; or
- Deny match funding rate reductions on any or all of the requested projects.

Attachments

Draft TC Resolution PR7
 TPR/MPO Chair documents supporting match reduction
 Project applicant documents requesting match reduction





STATE OF
COLORADO

Snow - CDOT, Michael <michael.snow@state.co.us>

CFR-TPR

Dwayne McFall <dwayne.mcfall@fremontco.com>

Wed, Jun 15, 2022 at 1:48 PM

To: "Snow - CDOT, Michael" <michael.snow@state.co.us>

Cc: "Pettit - CDOT, Wendy" <wendy.pettit@state.co.us>, Lachelle Davis - CDOT <lachelle.davis@state.co.us>, Samantha Hughes <samantha.hughes@uaacog.com>

Transportation Commission

The CFR-TPR has approved, by vote, the request for match requirements to be lowered to 0% for Calhan.

Fairplay has requested theirs be lowered from 50% to 25%.

Both letters are attached.

The CFR-TPR request that you approve these to allow for projects to move ahead.

Thank you!

Dwayne McFall

CFR-TPR Chairman

Fremont County Commissioner District 3

615 Macon Ave., Canon City, CO 81212

719-276-7300



2 attachments



letter to mmof for match.docx

250K



Fairplay Match Reduction Request.pdf

127K

TOWN OF CALHAN COLORADO

556 Colorado Avenue, P.O. Box 236

Phone: (719)347-2586

Mayor: Roger Lemesany

web address: calhan.co



Calhan, Co. 80808-0236

Fax: (719)347-2581

Clerk: Cindy Tompkins

May 3, 2022

State of Colorado

Transportation Planning Organization

To Whom it May Concern:

The Town of Calhan has been talking to the Colorado Department of Transportation about the grant opportunity with the Multimodal Transportation and Mitigation Options Fund. This sounds like a great opportunity for our small town to do some much needed improvements to our sidewalks, curb and gutter. We have an older population that relies on our sidewalks to navigate around town, as well as our main sidewalk down 8th Street for school children. Our budget is just not enough to do the needed repairs to sidewalks when our streets are deteriorating rapidly.

We are currently working on the application and understand the requirements for this funding. We are ready to do the necessary engineering, environmental, right of ways and utility locates. We are anxious to get started if we can.

The MMOF has designated Calhan as a 25% match, and we are requesting this be changed to a 0% match. While we would love to do these improvements, we just do not have the funds for a 25% match. We have a street fund for road improvements but am using all of those funds (and still short) to do the necessary repairs to our roadways.

I have enclosed photos of some of our most needed improvements. We have already identified 29,500 feet of necessary repairs or installation.

I appreciate your consideration and look forward to hearing from you.

Cordially,

Cindy M Tompkins, CMC

Town Clerk

enclosure



Town of Fairplay

901 Main Street • P.O. Box 267
Fairplay, Colorado 80440
(719) 836-2622
www.fairplayco.us

June 2, 2022

Colorado Department of Transportation
Multimodal Transportation and Mitigation Options Fund (MMOF)
Colorado Transportation Commission & Central Front Range Transportation Planning Region
Pueblo, CO

Honorable Commission and TPR Members:

Please let this letter serve as the official request from the Town of Fairplay, Colorado, a small, rural community, for a reduction in the local match funding requirement for Multimodal Transportation and Mitigation Options Fund (MMOF) Grant Program Funding. The Town respectfully requests a reduction from 50% to 25% for the Town of Fairplay River Park Phase 2 project application.

Thank you for your consideration of this request and please let me know if you have any questions or require any related information.

Respectfully,

Janell Sciacca, Town Administrator

cc: file

Scott Weaver
Co-Chair Eastern TPR
310 Ash Street, Suite A
Wray, CO 80758
June 16th, 2022

CDOT

RE: Eastern TPR MMOF Funding Awards

Michael Snow,

The Eastern TPR approved the following projects to be awarded using the Eastern TPR FY22 MMOF Funds:

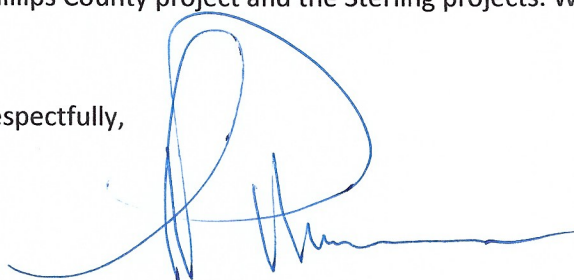
1. Limon Biking and Walking Improvements: **\$1,800,551** (FEDERAL MMOF & STATE MMOF)
2. Wray: **\$1,224,182** (STATE MMOF)
3. Hugo Intersection Project: **\$85,267** (STATE MMOF)
4. Phillips County: Additional funding request for existing project with MMOF dollars. **\$80,000** (STATE MMOF)

For a total of TOTAL: \$3,190,000

In addition to the above mentioned the eastern TPR approved a match reduction from 25% to Zero on the additional \$150,000.00 from the old MMOF funds and the \$80,000.00 from the FY22 MMOF funds for Phillips County. The explanation for the reduction is added to this email as an attachment.

Also, during the June 13th meeting the Eastern TPR approved one-year extensions for both the Phillips County project and the Sterling projects. Which puts the date out to June 2024.

Respectfully,



Scott Weaver
Co-Chair Eastern TPR

CDOT representative(s),

It is Phillips County understanding that we have already been awarded MMOF funds in the amount of \$104,693.00 for our sidewalk project request. This amount was awarded by Eastern TPR during it's March 9, 2020 quarterly meeting in Limon Colorado. And confirmed by CDOT representative, Karen Schneider via an email sent on March 11, 2020.

Per Andrea Calhoun, Administrator for Yuma County, CDOT is currently requesting further explanation on why Phillips County cannot meet the 50/50 match requirement. Phillips County is eligible for a match reduction due to:

1. Economic disadvantage
2. Phillips County has a population of less than 50,000 (as of 2017), and the median poverty rate is 10.8%.
3. Municipality Amherst has a population of less than 20,000 (as of 2017), with a poverty rate at 12%.
4. According to CDOT MMOF Fund Overview documentation, municipality Haxtun has a population of less than 20,000 (as of 2017), with a poverty rate of 13.17%.

Phillips County is economically disadvantage because:

1. For 2020 Phillips County's budget comprises of \$7,412,096 in revenue, and expenditures of 8,238,025. A negative difference of \$825,929. Major factors that affected this deficit are:
 - a. Property insurance increased 19%.
 - b. Non-elected employee wages increased 2%, but all wages are still well below Colorado small county median.
 - c. New and updated computer hardware, software and monthly contract increased 33% from 2019.
 - d. Road & Bridge and Weed & Pest large equipment will have to be purchased.
 - e. Three general elections this year, 100% increase from 2019.
 - f. Removal of all process wood that has accumulated over the years, and hiring a landfill consultant, 17% increase.
 - g. For the Communication Center console equipment and transitioning to ESInet system will cause a 19% increase from 2019.
 - h. Major seal coating project.
2. Phillips County has almost zero revenue from oil and gas.
3. Commissioners have reduced their wages to 60% to assist with the budget deficit.
4. Due to COVID-19:
 - a. Revenue from Phillips County Pavilion and Event Center rentals will decrease 50+%
 - b. Employee benefit costs, medical reimbursements, subsidizing for lost wages, wages for substitute employee will increase exponentially.

Additionally, according to US Census statistics,

(<https://www.census.gov/quickfacts/fact/table/phillipscountycolorado/IPE120218>):

- Phillips County has a population of 4,286, of which 10.8% are categorized at the poverty level.
- The town of Amherst has a population of 58, of which it is estimated that more than 12% are at the poverty level.

According to CDOT statistics:

- City of Haxtun has a population of 858, of which 13.17% are categorized at the poverty level.
- City of Holyoke has a population of 2,265, of which 5.08% are categorized at the poverty level.
- City of Paoli has a population of 72, of which 2.78% are categorized at the poverty level.

Also 86.6% of the population of Phillips County, CO has health coverage, with 31.9% on employee plans, 18.1% on Medicaid, 10.9% on Medicare, 23.5% on non-group plans, and 2.16% on military or VA plans.
(<https://datausa.io/profile/geo/phillips-county-co>)

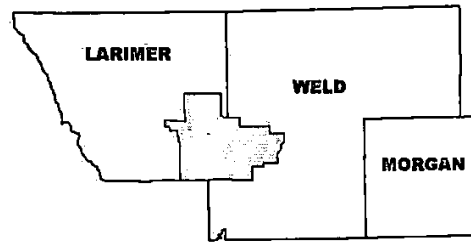
According to Data USA, 246 people use Health Care and Social Assistance, or 6% of Phillips County.
<https://datausa.io/profile/geo/phillips-county-co#economy>

Please let me know if you have any questions and thank you for your consideration.

Administrator, Phillips County
221 South Interocean
Holyoke, CO 80734
(970) 854-3778

**UPPER FRONT RANGE
TRANSPORTATION PLANNING REGION
REGIONAL PLANNING COMMISSION**

P.O. BOX 758, GREELEY, COLORADO 80632



RESOLUTION OF ADOPTION

Upper Front Range Multi Modal Transportation and Mitigation Options Fund (MMOF) Support of Match Reduction Request

UPPER FRONT RANGE REGIONAL PLANNING COMMISSION

WHEREAS, the Multimodal Transportation & Mitigation Options Fund (MMOF), created within the State Treasury under Colorado Senate Bill 2018-001, was amended under Colorado Senate Bill 2021-260; and

WHEREAS, the Colorado Transportation Commission (TC) is required in the legislation to establish a distribution formula for the MMOF Local Fund based on population and transit ridership criteria; and

WHEREAS, the Transportation Commission is responsible for ensuring the use of MMOF Local Funds complies with the goals, purposes and requirements of the MMOF Program Guide for project selections made by municipalities and counties within the MPO's & TPR's; and

WHEREAS, the Upper Front Range Regional Planning Commission is reviewing a Weld County MMOF application for contracted on-demand transit services as an eligible project in partnership with many Weld County communities contributing local match funding; and

WHEREAS, Weld County has a match rate requirement of fifty percent (50%) per TC Resolution 2021-12-10, adopted December 16, 2021; and

WHEREAS, Weld County provided documents supporting the match reduction request in accordance with the program guidelines; and

WHEREAS, both Larimer and Morgan Counties border Weld County, who are members of the Upper Front Range Transportation Planning Region, were granted twenty-five percent (25%) rate reductions.

NOW THEREFORE BE IT RESOLVED, the Upper Front Range Regional Planning Commission recommends support of a match rate reduction from fifty percent (50%) to twenty-five percent (25%) for Weld County.

A handwritten signature in black ink, appearing to be 'h' followed by a long horizontal stroke.

**Scott James, Weld County Commissioner
Chair of the Upper Front Range Transportation Planning Region**

June 2, 2022

Date

LARIMER COUNTY
COMMISSIONER KRISTIN STEPHENS
MARK PETERSON, P.E., ENGINEERING
(970) 498-7002

WELD COUNTY
COMMISSIONER SCOTT JAMES
ELIZABETH RELFORD, PUBLIC WORKS
(970) 356-4000, EXT 3748

MORGAN COUNTY
COMMISSIONER JON BECKER
BRUCE BASS, PUBLIC WORKS DIRECTOR
(970) 542-3500



DEPARTMENT OF PUBLIC WORKS

1111 H Street
Greeley, Colorado 80631
Website: www.weldgov.com
Email: epinkham@weldgov.com
Phone: (970) 400-3750
Fax: (970) 304-6497

May 18, 2022

RE: FY 2022-2023 MMOF Call for Projects – On-demand Transit Program Local Match Reduction

Dear Upper Front Range TPR Chair,

Weld County is formally requesting a reduction to the local match requirement for MMOF funding as determined by the Colorado Transportation Commission and stated in the MMOF Program Overview. Weld County is looking to contract transportation service with Via Mobility on behalf of nine Weld County communities to deliver a much-needed transit mobility program to the region. The proposed on-demand transit service MMOF application would provide on-demand transportation services to a portion of our community that currently does not have dependable transportation options. The proposed project would serve our 60+ community as well as individuals living with a disability with transportation to a variety of regional destinations at no cost to the rider. This much needed program will promote a complete and integrated multimodal system in Upper Front Range region. The proposed program meets several of the funding goals of MMOF including:

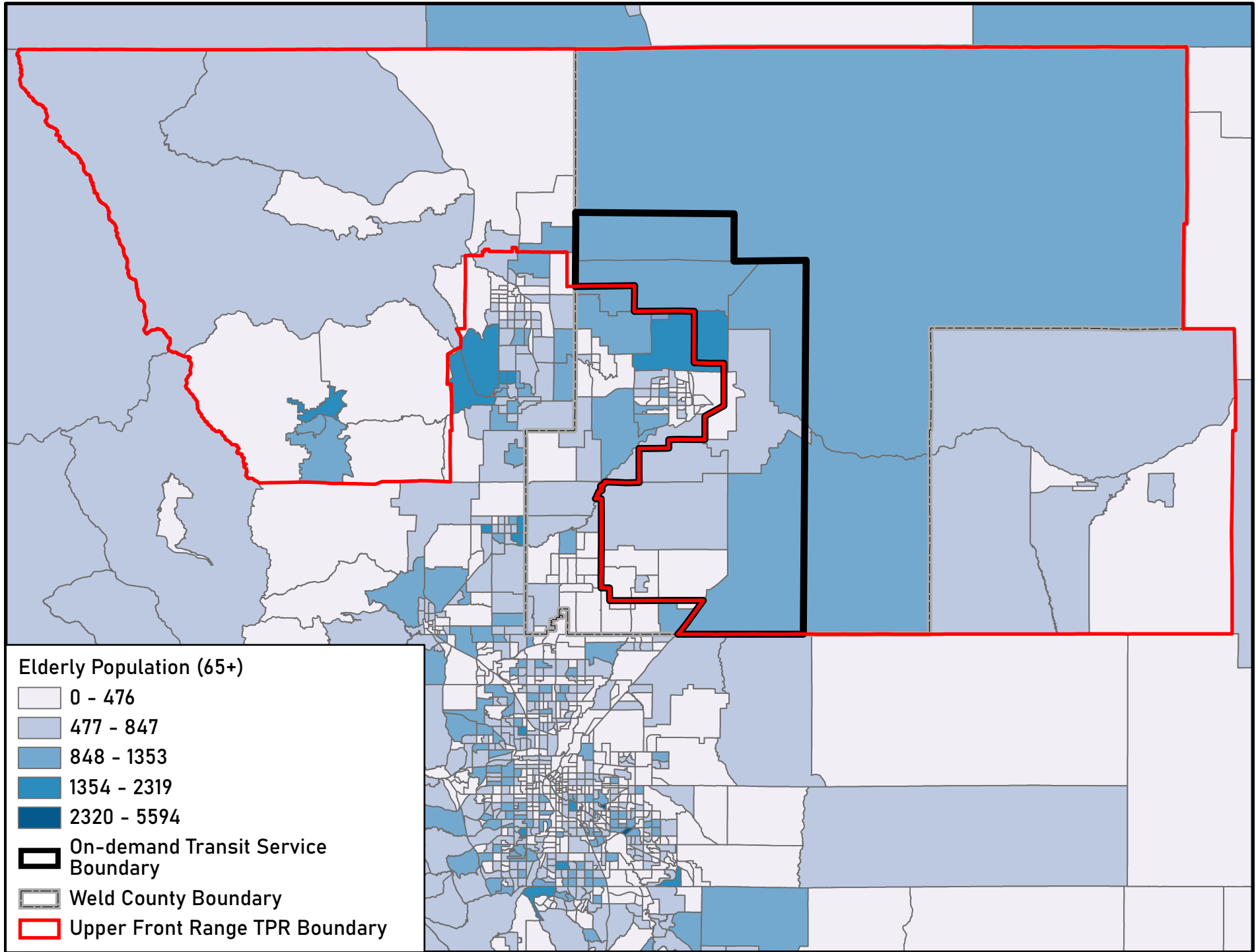
- Benefits seniors by making aging in place more feasible.
- Benefits residents of rural and disproportionately impacted communities by providing them with more access and flexible public transportation services.
- Provides enhanced mobility for persons with disabilities.
- Reduces emissions of air pollutants and greenhouse gases.

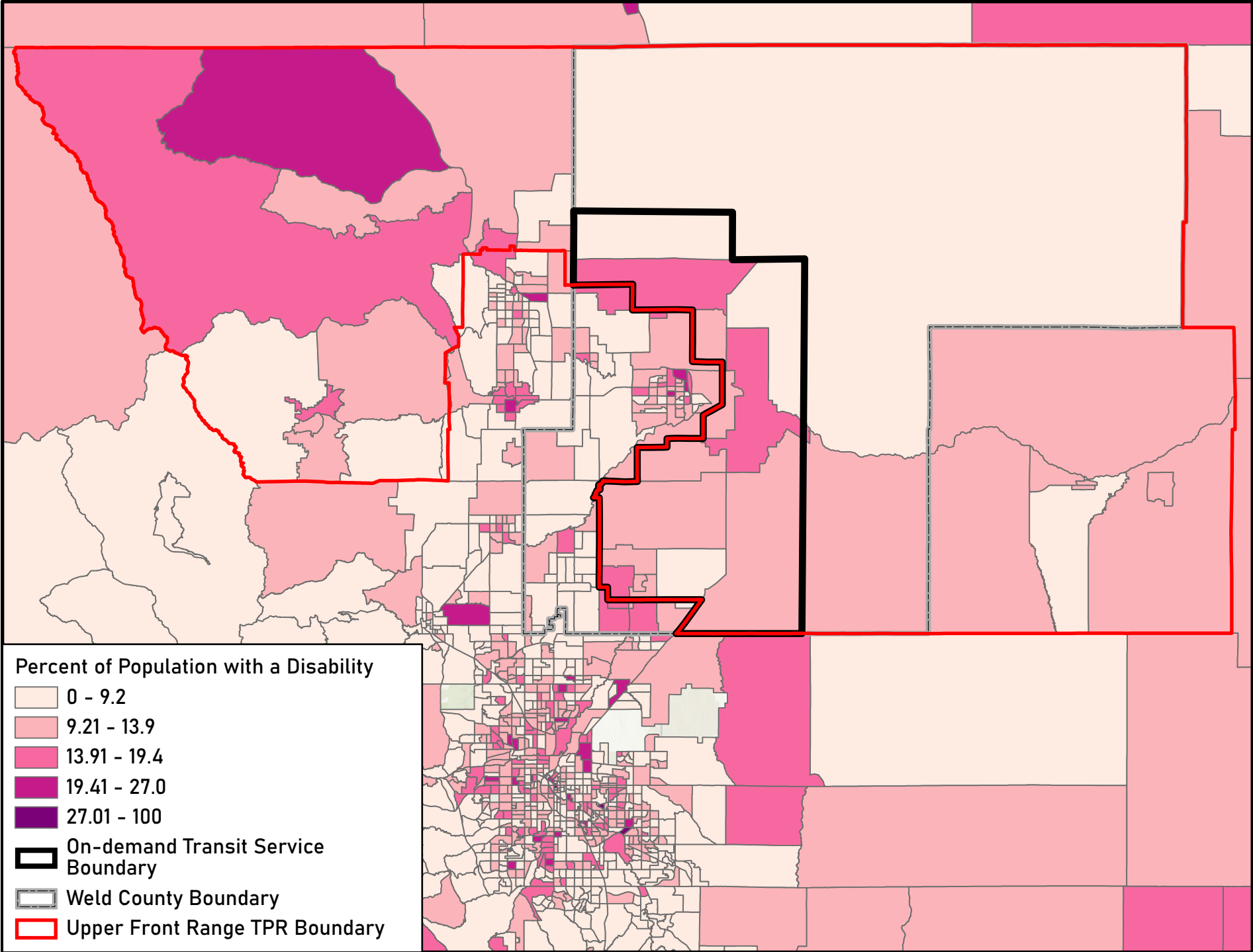
Weld County requests a lowered local match amount due to budget constraints with several of our partner communities. The communities of Ault, Fort Lupton, Gilcrest, Hudson, Keenesburg, Kersey, Nunn, Pierce, and Platteville are looking to provide a portion of the local match for the program, however struggle to come up with the proportional amount needed. According to the MMOF Program Overview, Weld County is required to match MMOF funding at 50%. We are requesting this amount be reduced to 25% to align with our other UFR counties who were both granted 25% match rate requirements, especially considering Weld County is not as affluent as Larimer County and has similar characteristics to Morgan County as depicted on the attached maps. For geographical consistency and due to the financial hardship the larger match requirement creates for small communities, we appreciate your consideration in this very important matter.

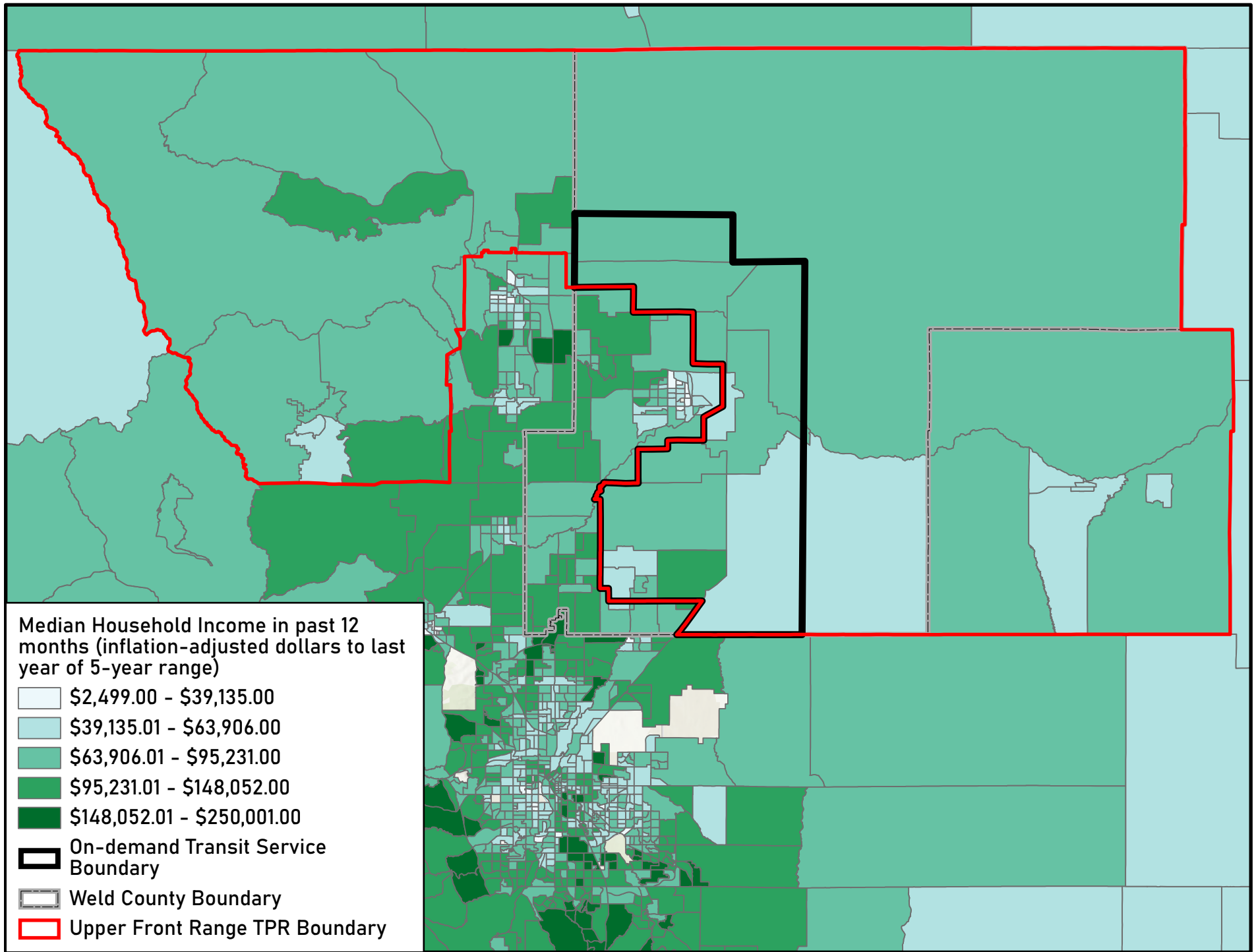
Weld County and our partner communities look forward to providing this service to our residents and municipal partners. Thank you for your consideration of reducing Weld County's MMOF local match from 50% to 25% to be able to contract this very important transportation service to our unincorporated residents and small rural communities.

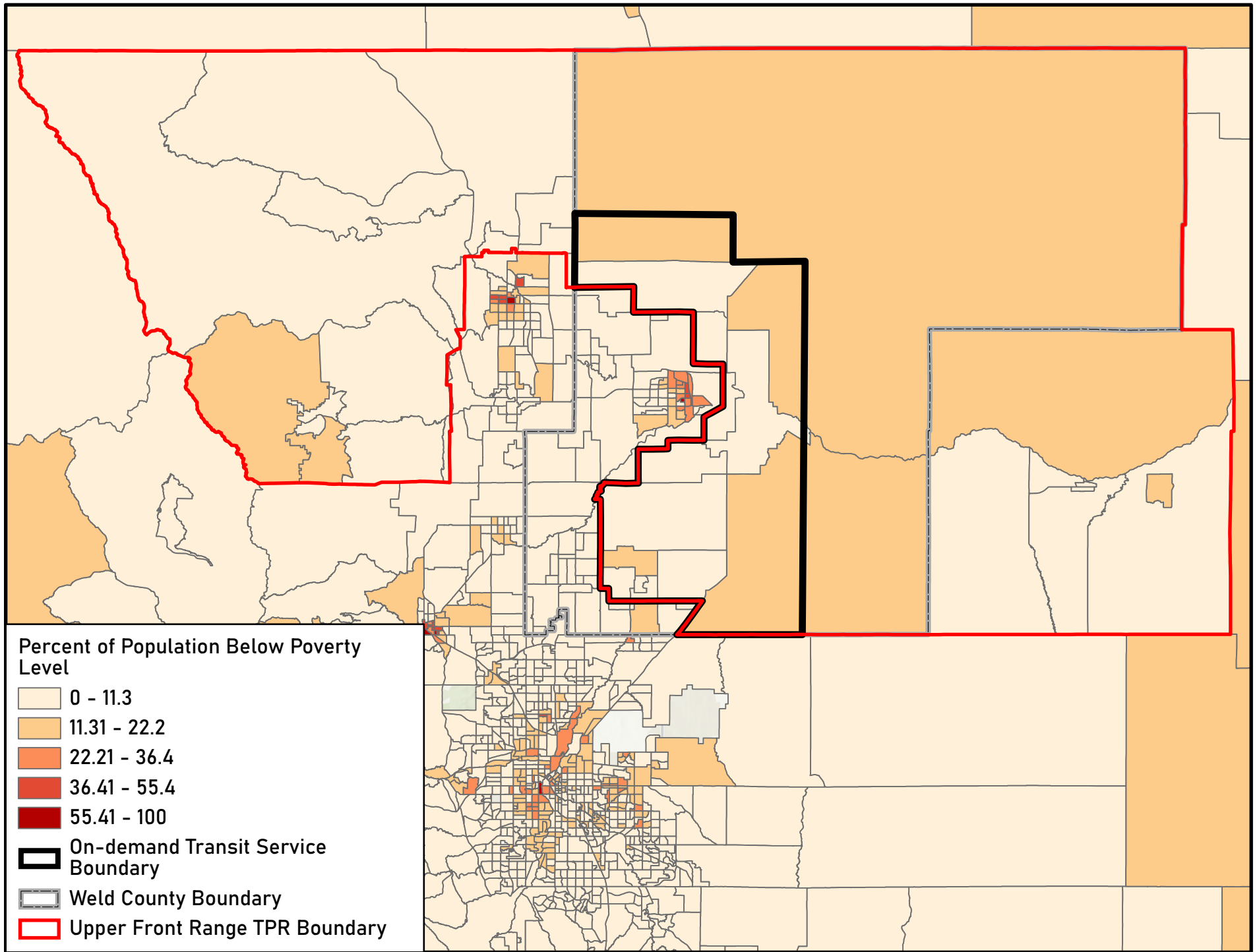
Sincerely,

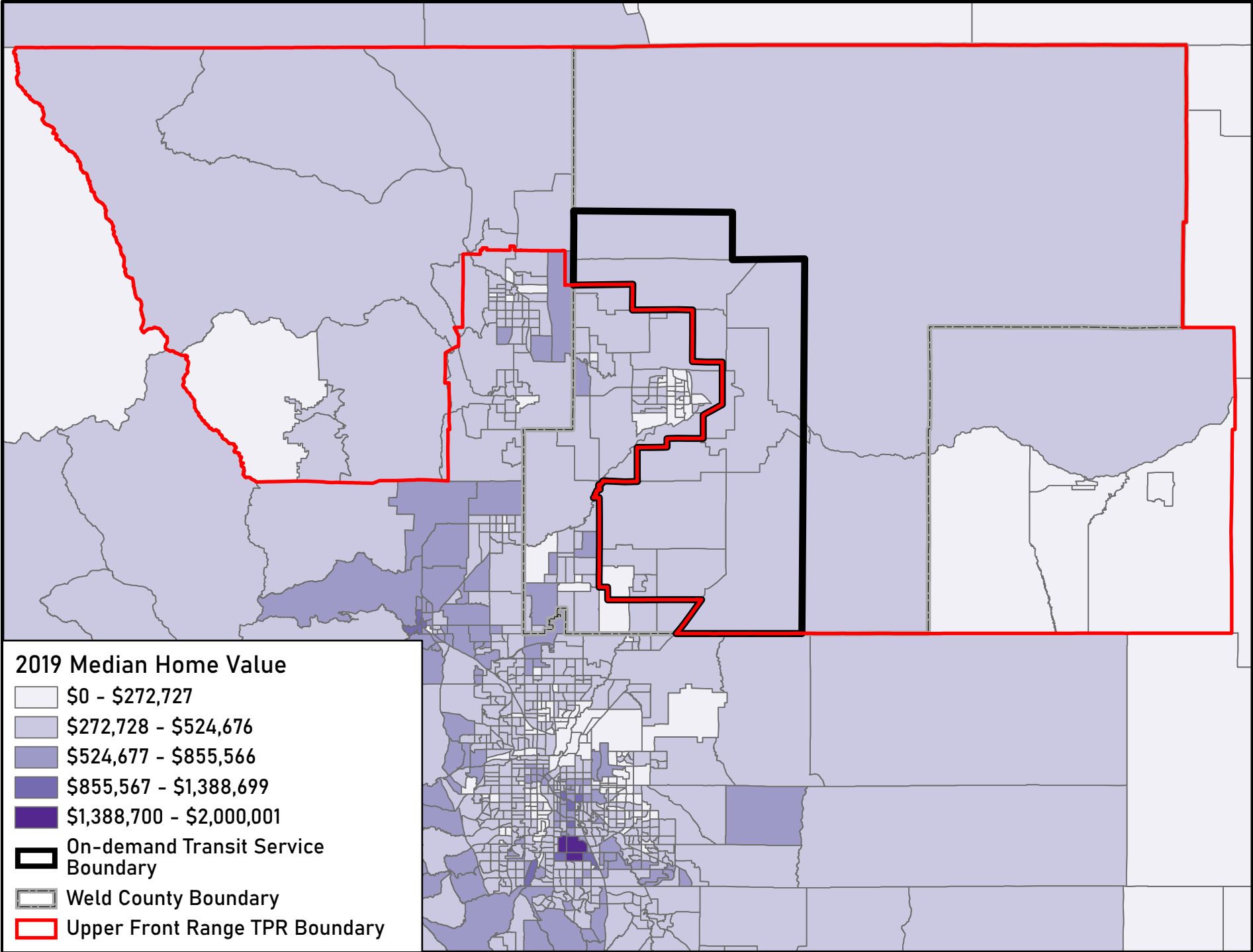
Evan Pinkham, MPA
Transportation Planner
Weld County Public Works











RESOLUTION NO. 2022-21
OF THE NORTH FRONT RANGE TRANSPORTATION & AIR QUALITY PLANNING COUNCIL
APPROVING MULTIMODAL TRANSPORTATION AND MITIGATION OPTIONS FUND (MMOF) MATCH RELIEF
REQUEST FOR THE *WELD COUNTY ON-DEMAND TRANSIT PROGRAM* PROJECT

WHEREAS, Colorado Senate Bill (SB) 21-260 requires a match rate of 50 percent for every Multimodal Transportation and Mitigation Options Fund (MMOF) project; and

WHEREAS, the Transportation Commission (TC) is allowed to create a formula for reducing the match requirement for local agencies; and

WHEREAS, with the *Weld County On-Demand Transit Program* project application submitted during the 2022 MMOF Call for Projects, Weld County submitted a letter and documentation requesting a match rate reduction from 50 percent to 25 percent; and

WHEREAS, NFRMPO Staff have deemed the request reasonable; and

WHEREAS, the MMOF Scoring Committee have recommended the project be funded with the requested match rate with the understanding that if the requested rate is not approved Weld County and project partners must either meet the required match rate of 50 percent of the award will be revised.

NOW, THEREFORE, BE IT RESOLVED, the North Front Range Transportation & Air Quality Planning Council hereby requests the TC grant the *Weld County On-Demand Transit Program* project a 25 percent match rate.

Passed and approved at the regular meeting of the North Front Range Transportation & Air Quality Planning Council held this 7th day of July 2022.



William Karspeck, Chair

ATTEST:



Suzette Mallette, Executive Director



DEPARTMENT OF PUBLIC WORKS

1111 H Street
Greeley, Colorado 80631
Website: www.weldgov.com
Email: epinkham@weldgov.com
Phone: (970) 400-3750
Fax: (970) 304-6497

May 25, 2022

RE: FY 2022-2023 MMOF Call for Projects – On-demand Transit Program Local Match Reduction

Dear North Front Range MPO Chair,

Weld County is formally requesting a reduction to the local match requirement for MMOF funding as determined by the Colorado Transportation Commission and stated in the MMOF Program Overview. Weld County is looking to contract transportation service with Via Mobility to deliver a much needed mobility program to Johnstown, as well as unincorporated Weld County residents in the NFRMPO region. The program proposed in our MMOF application would provide on-demand transportation services to a portion of our community that currently does not have dependable transportation options. The proposed project would serve our 60+ community as well as individuals living with a disability with transportation to a variety of regional destinations at no cost to the rider. This much needed program will promote a complete and integrated multimodal system in the North Front Range region. The proposed program meets several of the funding goals of MMOF including:

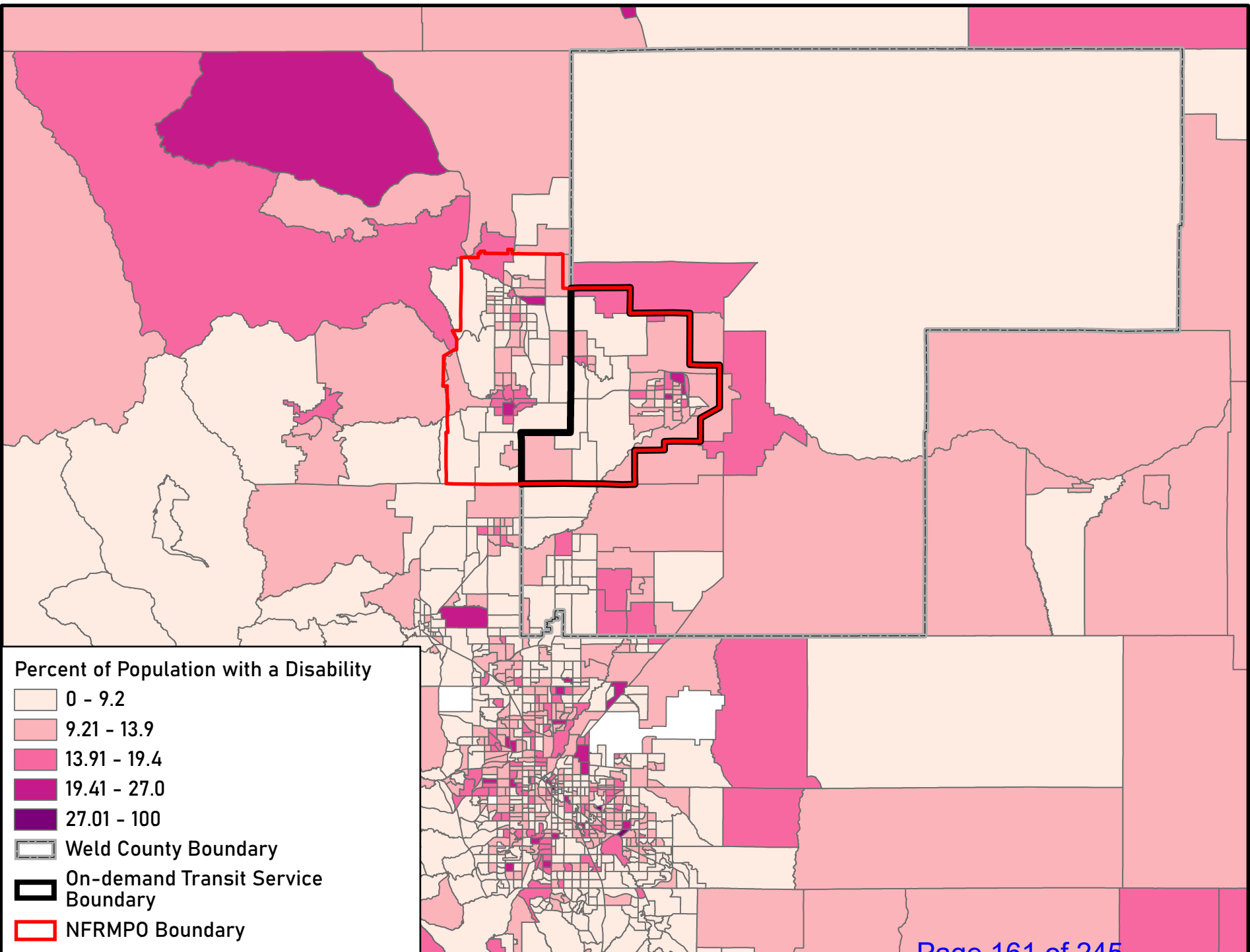
- Benefits seniors by making aging in place more feasible.
- Benefits residents of rural and disproportionately impacted communities by providing them with more access and flexible public transportation services.
- Provides enhanced mobility for persons with disabilities.
- Reduces emissions of air pollutants and greenhouse gases.

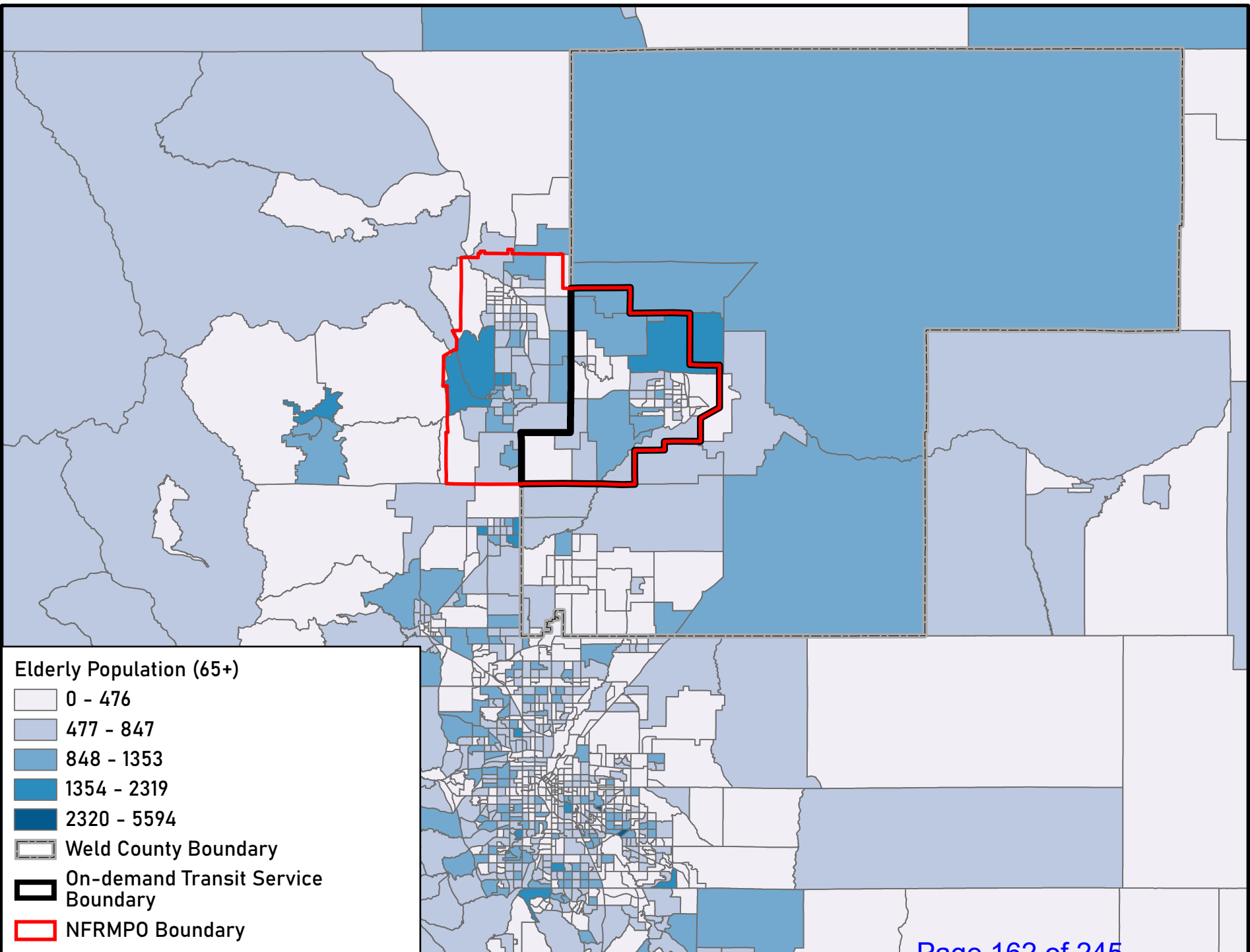
Weld County is proposing a lowered local match amount due to budget constraints for this program. According to the MMOF Program Overview, Weld County is required to match MMOF funding at 50%. We are requesting this amount be reduced to 25% to align with Larimer and Morgan Counties, who were granted 25% match rate requirements, especially considering Weld County is not as affluent as Larimer County and has similar characteristics to Morgan County as depicted on the attached maps. We appreciate your consideration in this very important matter.

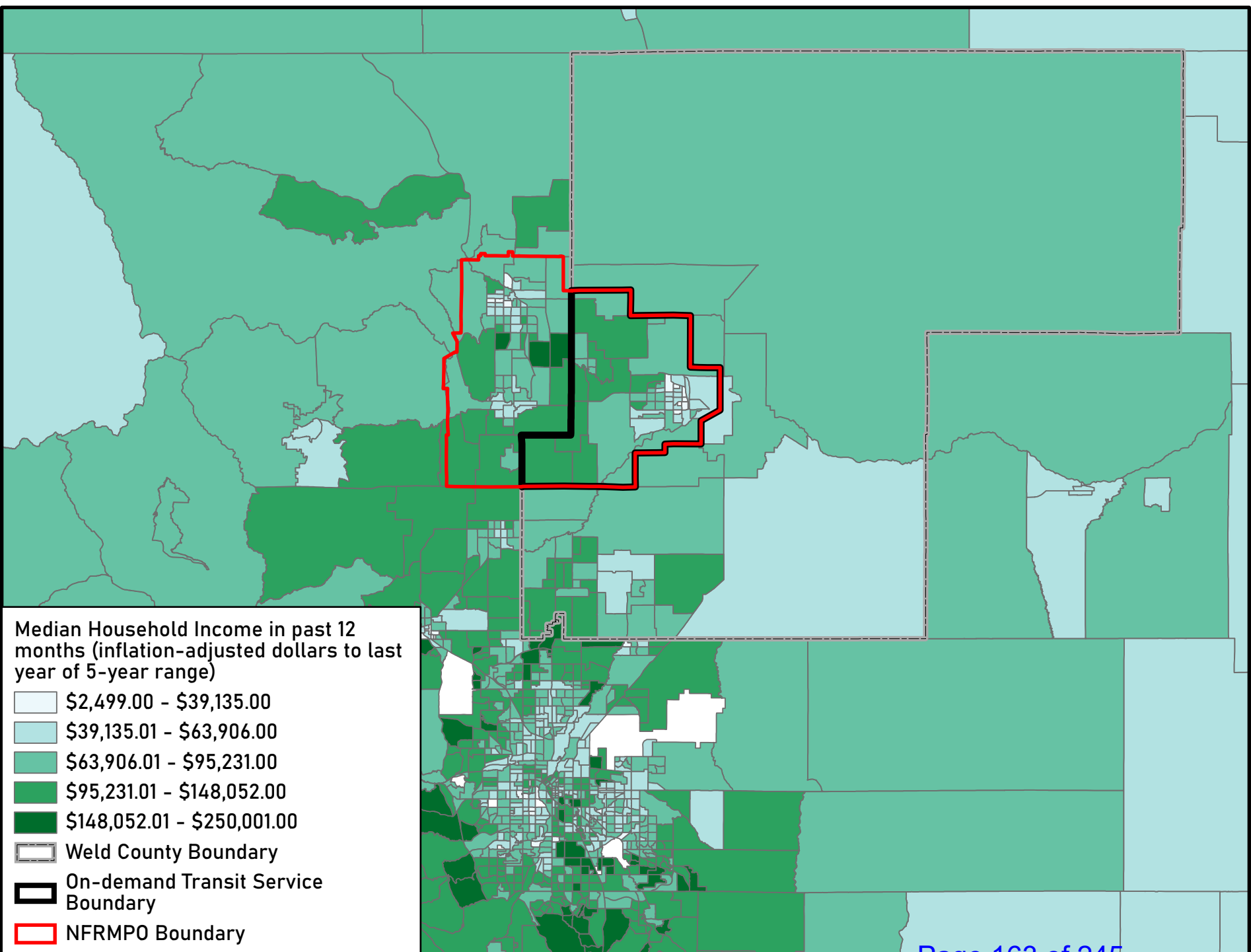
Weld County and Johnstown look forward to providing this service to our residents. Thank you for your consideration of reducing Weld County's MMOF local match from 50% to 25% to be able to contract this very important transportation service.

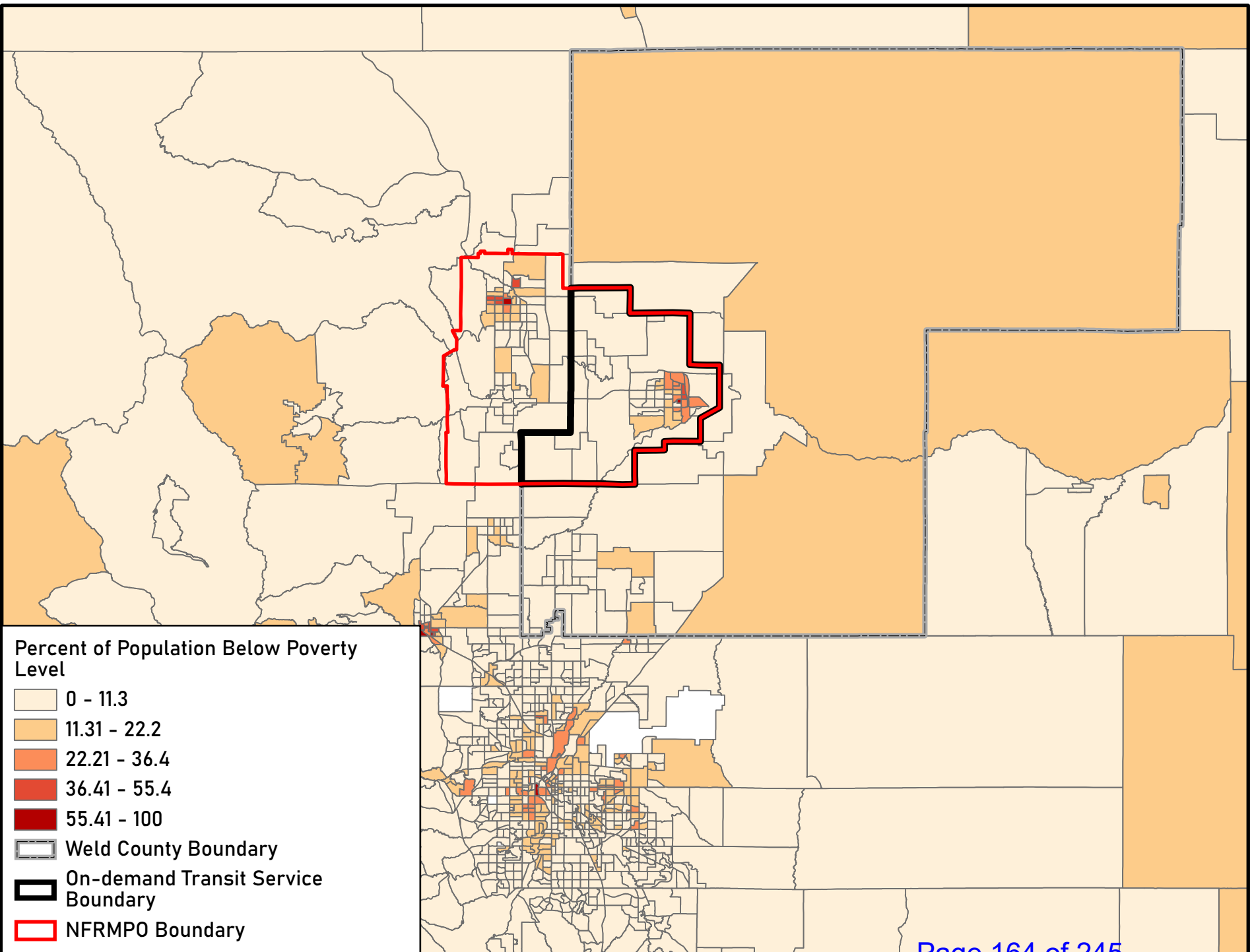
Sincerely,

Evan Pinkham, MPA
Transportation Planner
Weld County Public Works











MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
 BETHANY NICHOLAS, BUDGET DIRECTOR
DATE: JULY 21, 2022
SUBJECT: FIRST BUDGET SUPPLEMENT - FY 2022-2023

REGION 4

\$3,500,000 - **Surface Treatment- CO14C: Pawnee Pass to Sterling Part 2** - This contract modification order is written to extend the project termini limits 2.375 miles west on CO14 to remove the currently deteriorated asphalt pavement through full depth reclamation and replace it with new hot mix asphalt pavement. Due to the rapid rising costs for fuel and asphalt cement, the Department stands to realize a substantial savings by including the miles here rather than a subsequent project planned for FY25. The additional funds were recently made available due to the rejected bids of another project which will be readvertised in the future.

SH14C: Pawnee Pass to Sterling Part 2
Budget Components by Phase, Funding Program

Phase of Work	Funding Program	Original Budget	Funding Request				Revised Budget	Expended To-Date
			Previous Adjustments	Current Request	Total Adjustments	Total Adjustment Percent		
Design	<i>Surface Treatment</i>	\$35,258	\$0	\$0	\$0		\$35,258	\$35,258
	Total Design	\$35,258	\$0	\$0	\$0	0%	\$35,258	\$35,258
Construction	<i>Bridge</i>	\$50,000	\$0	\$0	\$0		\$50,000	\$50,000
	<i>Regional Priorities</i>	\$250,000	\$0	\$0	\$0		\$250,000	\$0
	<i>Surface Treatment</i>	\$11,053,927	\$0	\$3,500,000	\$3,500,000		\$14,553,927	\$801,231
	Total Construction	\$11,353,927	\$0	\$3,500,000	\$3,500,000	31%	\$14,853,927	\$851,231
	Total Project	\$11,389,185	\$0	\$3,500,000	\$3,500,000	31%	\$14,889,185	\$886,489

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

REGION 5

\$1,626,603 - **Contingency Reserve- Monarch Pass Culvert Failure** - On May 31, 2022, CDOT R5 Maintenance staff discovered sinkholes around an 84-inch culvert under an emergency escape ramp on the east side of Monarch Pass, at approximately MM 204.1 on US 50. A temporary repair was in place as of June 22. The funding request is for permanent repair of the escape ramp by replacement of the culvert.

For additional information see attached memo.

Per Policy Directive 703.0, this project is being included in the Budget Supplement as it requests the use of Contingency Reserve greater than \$1 million.



Division of Maintenance and Operations

\$1,049,199 - IT Investments and FASTER Safety- CO74, US285, I-70 Variable Message Signs - Additional funding is needed in order to award the project to the low bidder. This project had higher than anticipated bid prices, primarily related to mobilization, delivery costs of the message boards, traffic control and use of the mobile attenuator. It is not anticipated that readvertisement will result in lower bid prices.

SH74 AND US285 VMS AND I-70 VSL SIGN
Budget Components by Phase, Funding Program

Phase of Work	Funding Program	Original Budget	Funding Request				Revised Budget	Expended To-Date
			Previous Adjustments	Current Request	Total Adjustments	Total Adjustment Percent		
Utilities	<i>IT Investments</i>	\$20,000	\$0	\$0	\$0		\$20,000	\$2,858
	Total Utilities	\$20,000	\$0	\$0	\$0	0%	\$20,000	\$2,858
Design	<i>IT Investments</i>	\$24,000	\$0	\$0	\$0		\$24,000	\$0
	<i>FASTER Safety</i>	\$101,424	\$0	\$0	\$0		\$101,424	\$58,305
	Total Design	\$125,424	\$0	\$0	\$0	0%	\$125,424	\$58,305
Construction	<i>IT Investments</i>	\$1,350,000	\$0	\$524,599	\$524,599		\$1,874,599	\$0
	<i>FASTER Safety</i>	\$58,576	\$0	\$524,600	\$524,600		\$1,083,176	\$0
	Total Construction	\$1,908,576	\$0	\$1,049,199	\$1,049,199	55%	\$2,957,775	\$0
	Total Project	\$2,054,000	\$0	\$1,049,199	\$1,049,199	51%	\$3,103,199	\$61,163

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

Division of Transportation Development

\$1,620,000 - Multimodal Options Fund- Front Range Passenger Rail-These funds will replace the previously approved TC Program Reserve Funds, which will then be returned to the Program Reserve. The funds are being used for a Federal Rail Administration (FRA) grant-funded feasibility study led by CDOT to examine a starter passenger rail service from Fort Collins to Pueblo. In addition to CDOT, local and state funding for the study also comes from the Front Range Passenger Rail District, City of Trinidad, City of Pueblo and ColoRail.

For additional information see attached memo.

Per Policy Directive 703.0, this project is being included in the Budget Supplement as it identifies a new use of the Multimodal Options Fund not previously approved.

Attachments:

- A_R5 ER Funds for Monarch Culvert Repair US 50
- B_FRPR MMOF Loan



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

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S21</i>		\$33,005,416	
	<i>ER Project Savings</i>	\$ 26,818		1000304123
	<i>Monarch Pass Culvert Failure</i>	\$ (1,626,603)		Pending
	<i>Return unused COVID Reserve</i>	\$ 1,000,000		N/A
July-22	<i>Pending Balance 1S23</i>		\$32,405,631	

**Transportation Commission Contingency COVID Reserve Fund Reconciliation
First Supplement FY 2023 Budget**

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S22</i>		\$1,000,000	
	<i>No Requests this Month</i>			
	<i>Return unused COVID Reserve</i>	\$ (1,000,000)		N/A
July-22	<i>Pending Balance 1S23</i>		\$0	

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

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S22</i>		\$45,008,409	
	<i>Front Range Rail Plan Loan Repayment</i>	\$ 1,620,000		Pending
	<i>Reallocation to Maintenance Reserve</i>	\$ (5,006,303)		Pending
July-22	<i>Pending Balance 1S23</i>		\$41,622,106	

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

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S22</i>		\$6,993,697	
	<i>Reallocation from Program Reserve</i>	\$ 5,006,303		Pending
July-22	<i>Pending Balance 1S23</i>		\$12,000,000	



FY 2022-2023 Contingency Reserve Fund Balance Projection		
June		
TC Contingency Balance (Emergencies)	\$34,005,417	
<i>Pending Requests:</i>		
ER Repair Savings	\$26,818	
Monarch Pass Culvert Failure	(\$1,626,603)	
Pending July		
TC Contingency Reserve Balance	\$32,405,632	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
I-70 Glenwood Canyon Slides Repayment	\$0	\$14,250,000
Projected FY 2022-2023 YE Contingency Balance	\$32,405,632	\$46,655,632
<i>TCCRF Surplus (Deficit) to Reach \$25M Balance July 1, 2023</i>	<i>\$7,405,632</i>	<i>\$21,655,632</i>

FY 2022-2023 Program Reserve Fund Balance Projection		
June		
TC Program Reserve Balance	\$45,008,409	
<i>Pending Requests:</i>		
Front Range Rail Plan Loan Repayment	\$1,620,000	
Reallocation to Maintenance Reserve	(\$5,006,303)	
Pending July		
TC Program Reserve Fund Balance	\$41,622,106	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
Reimbursement for US85 Settlement Loan Region 4	\$18,060,000	\$18,060,000
Projected FY 2022-2023 YE Program Reserve Balance	\$59,682,106	\$59,682,106

FY 2022-2023 Maintenance Reserve Fund Balance Projection		
June		
TC Maintenance Reserve Balance	\$6,993,697	
<i>Pending Requests:</i>		
Reallocation from Program Reserve	\$5,006,303	
Pending July		
TC Maintenance Reserve Fund Balance	\$12,000,000	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
Projected FY 2022-2023 YE Maintenance Reserve Balance	\$12,000,000	\$12,000,000





COLORADO

Department of Transportation

Region 5

Office of the Region Transportation Director
3803 N. Main Avenue, Ste. 306
Durango, CO 81301-4034

TO: Transportation Commission
FROM: Julie Constan, PE, Region 5 Transportation Director
DATE: July 21, 2022
SUBJECT: Request for Contingency Reserve for pipe repair at a truck escape ramp on US 50 at approximately MM 204.1

Purpose

Region 5 requests the use of \$1,626,603 of Transportation Commission Contingency Reserve to fix a culvert that failed due to sinkholes.

Background

On May 31, 2022, CDOT R5 Maintenance staff discovered sinkholes around an 84-inch culvert under an emergency escape ramp on the east side of Monarch Pass, at approximately MM 204.1 on US 50. The sinkholes were severe enough to negatively affect the safety of the pavement of the ramp, so the ramp was closed on the same date. Since that time Region staff has made site visits to assess the situation and have been considering options for repairs. The Region plans to approach this safety issue with a two-pronged approach:

1. CDOT Maintenance made a temporary repair to the areas around the culvert so the emergency escape ramp can be reopened on June 22, 2022. The work entailed removal of the asphalt pavement over the pipe to ensure the pavement is not “bridging” voids, and backfilling and compact the sinkholes and any depressions around the culvert. The expectation is that this temporary repair will allow the Region to reopen the truck ramp and will give the Region some time to complete a design for a permanent repair.
2. R5 Engineering has been researching strategies to replace the existing 84” culvert. The culvert conveys the South Arkansas River and spring runoff has made visual inspections difficult, however the flows are falling quickly and Staff Bridge has scheduled an inspection within the next two weeks. Region staff has a conceptual design for the permanent repair and has contacted suppliers and contractors to determine availability of materials and construction staffing. The current estimate for the replacement of the culvert is \$1,626,603.

The traffic on US 50 at this location is 2600 vehicles per day, of which approximately 10% are trucks. The safety concerns of having a closed emergency escape ramp reinforces the urgency for both the temporary maintenance repair as well as the permanent repair – i.e. replacement of the compromised culvert.

Recommendation

Staff recommends allocation of \$1,620,000 in Program Reserve to the project.







MEMORANDUM

TO: TRANSPORTATION COMMISSION
FROM: AMBER BLAKE, DIRECTOR, DIVISION OF TRANSIT AND RAIL
DATE: JULY 21, 2022
SUBJECT: FRONT RANGE PASSENGER RAIL - REPAYMENT OF TC PROGRAM RESERVE LOAN BY MULTIMODAL TRANSPORTATION AND MITIGATION OPTION FUND

Purpose

To allocate Multimodal Transportation & Mitigation Options (MMOF) funds to the Front Range Passenger Rail Program budget and replace TC Program Reserve funding previously allocated to the Program in October, 2021.

Action

The TC is requested to approve a Resolution allocating State MMOF Program funding to the Rail Commission Budget Program and returning an equal amount of funding to the TC Program Reserve previously loaned to the Program under TC Resolution #2021-10-05.

Background

In October 2021, the TC approved a budget amendment which allocated \$1,620,000 from the Transportation Commission Program Reserve to the Rail Commission Budget Program. These funds were an internal loan to provide a state match for a Federal Rail Administration (FRA) grant-funded feasibility study led by CDOT to examine a starter passenger rail service from Fort Collins to Pueblo. In addition to CDOT's funding, non-federal funding for the study also comes from the Front Range Passenger Rail District, City of Trinidad, City of Pueblo and ColoRail.

These funds were approved by the TC in anticipation that, at a later date, they would be fully or partially returned to the Transportation Commission Program Reserve. It was the TC's intention, per Resolution #TC-2021-10-05, that funds from MMOF or another eligible source fully fund this need long-term and not its Program Reserve. The State MMOF Program, which receives 15% of all MMOF funding and is programmed to eligible projects by the TC, currently has a balance of \$38,241,000 of Federal Recovery (ARPA) dollars. Previous project allocations of these funds by the TC include \$1.0M for Greenhouse House Gas modeling and \$500,000 for a statewide Revitalizing Main Streets assessment. This leaves \$36,741,000 to fund this proposed allocation (\$1,620,000) and the remaining \$35,121,000 for Bustang operations proposed in a separate item on today's agenda.

Recommendations

CDOT recommends the approval of allocating \$1,620,000 in State MMOF Program funds for Front Range Passenger Rail and returning an equal amount to the Program Reserve as part of the First Supplement of FY2022 -2023 Budget.



Colorado Bridge and Tunnel Enterprise Board
Meeting Minutes
June 16, 2022

PRESENT: Yessica Holguin, District 1
 Don Stanton, District 2
 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

ABSENT OR EXCUSED: Eula Adams, District 3

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 June, the Bridge and Tunnel Enterprise Board of Directors:

- Approved Resolution #BTE1: the minutes from the May Board Meeting
- Approved Resolution #BTE2: Increase the BTE Funding Commitment to the I-70 Vail Pass Project
- Approved Resolution #BTE3: Bridge & Tunnel Enterprise 10th Budget Supplement for FY'22
- Approved Resolution #BTE4: Asset Ownership of BTE Funded and Completed Structures
- Approved Resolution #BTE5: EJMT Funding Commitment
- Approved Resolution Approval to Impose a Bridge and Tunnel Impact Fee and a Bridge and Tunnel Retail Delivery Fee per SB 260 Requirements
- Approved Resolution #BTE7: Adopt Proposed Revisions to Policy Directive BE16.0



MEMORANDUM

TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
DATE: JULY 21, 2022
SUBJECT: FIRST 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 three projects located in Region 2, Region 3, and Region 4:

- 1) Region 2: To increase the construction phase budget for H-13-A (US 285 ML over Middle Fork South Platte River in Park County).
- 2) Region 3: To increase the construction phase budget for D-04-G and D-03-A (SH 64 over Strawberry Creek and White River) in Rio Blanco County.
- 3) Region 4: To increase the construction phase budget for C-22-K and D-24-O, Eastern Plains Timber Bridge Construction Package #2 (US 6 ML over UPRR, Platte and Beaver Creek and US 34 ML over Draw) in Morgan and Washington Counties.

Action

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

Background

Region 2: To increase the construction phase budget for H-13-A.

The original construction budget of \$4,561,100 was approved by the Board on January 26, 2022 (ref: Resolution #BTE22-01-02, the sixth budget supplement to Fiscal Year 2021-22 BTE budget), to replace structure H-13-A as part of the larger US 285 / CO 9 Intersection Improvement Project. The larger project is a CDOT 10-Year Plan Project located in Region 2 near Fairplay which also includes roadway widening and reconstruction to accommodate additional through lanes and acceleration/deceleration lanes, new traffic light installation, ADA ramp work, storm sewer and drainage improvements, and sidewalk and curb and gutter replacement.

The project was advertised in March 2022, but the bids were more than 10% above the CDOT estimate. All bids were rejected, and a revised estimate was produced by CDOT to better reflect current market conditions. Based on the revised estimate, the budget need for the BTE eligible project scope has increased by \$1,287,700 due to inflation. This structure is in the third tier of the February 2022 Bridge Prioritization



Plan but is being advanced to capitalize on the economies of scale and schedule acceleration gained by replacing the bridge as part of the US 285 / CO 9 Intersection Improvement Project.

US 285 ML over Middle Fork South Platte River in Park County
(Old H-13-A) (New H-13-J) (SAP Project # 24052/1000...)
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>	\$ 4,561,100	\$ 1,287,700	\$ -	\$ -	\$ 1,287,700	\$ 5,848,800	\$ -
	Total Construction	\$ 4,561,100	\$ 1,287,700	\$ -	\$ -	\$ 1,287,700	\$ 5,848,800	\$ -
Total Project Budget & Expenditure		\$ 4,561,100	\$ 1,287,700	\$ -	\$ -	\$ 1,287,700	\$ 5,848,800	\$ -
			Year of Expenditure			Total Request		
			FY 2023	FY 2024	FY 2025			
			\$ -	\$ 638,900	\$ 648,800	\$ 1,287,700		

Region 3: To increase the construction phase budget for D-04-G and D-03-A.

The original construction budget of \$8,858,400 was approved by the Board on October 21, 2021 (ref: Resolution #BTE21-10-02, the third supplement to the Fiscal Year 2021-22 BTE budget). When the project was advertised in January 2022, only one bid was received, and the bid was more than 10% above the CDOT estimate. The bid was rejected, and a revised estimate was produced by CDOT to better reflect market conditions. The project team has since made minor modifications to the plans and adjusted the tabulation of certain pay items to better reflect project risks. Based on the revised estimate, the budget need has increased by \$5,244,900. The cost increase is primary attributable to several bid items including, the temporary bridge, removal of existing bridges, detour and removal of detour, water control, mobilization, and clearing and grubbing. Additionally, inflation has increased the cost estimate for the majority of remaining project bid items. Both structures are in the top tier of the February 2022 BTE Bridge Prioritization Plan.

SH 64 over Strawberry Creek and White River in Rio Blanco County
(Old D-04-G) (New D-04-GA) (Old D-03-A) (New D-03-AA) (SAP Project # 23061/1000...)
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>	\$ 46,950	\$ -	\$ -	\$ -	\$ -	\$ 46,950	\$ 19,321
	Total ROW	\$ 46,950	\$ -	\$ -	\$ -	\$ -	\$ 46,950	\$ 19,321
Utilities	<i>FASTER Bridge Funds</i>	\$ 22,400	\$ -	\$ -	\$ -	\$ -	\$ 22,400	\$ 16,502
	Total Utilities	\$ 22,400	\$ -	\$ -	\$ -	\$ -	\$ 22,400	\$ 16,502
Design	<i>FASTER Bridge Funds</i>	\$ 601,800	\$ -	\$ -	\$ -	\$ -	\$ 601,800	\$ 531,608
	Total Design	\$ 601,800	\$ -	\$ -	\$ -	\$ -	\$ 601,800	\$ 531,608
Construction	<i>FASTER Bridge Funds</i>	\$ 8,858,400	\$ 5,244,900	\$ -	\$ -	\$ 5,244,900	\$ 14,103,300	\$ 16,502
	Total Construction	\$ 8,858,400	\$ 5,244,900	\$ -	\$ -	\$ 5,244,900	\$ 14,103,300	\$ 16,502
Total Project Budget		\$ 9,529,550	\$ 5,244,900	\$ -	\$ -	\$ 5,244,900	\$ 14,774,450	\$ 583,933
			Year of Expenditure			Total Request		
			FY 2023	FY 2024	FY 2025			
			\$0	\$4,962,800	\$282,100	\$5,244,900		

Region 4: To increase the construction phase budget for Eastern Plains Timber Bridge Construction Package #2 (C-22-K and D-24-O).

The original construction budget of \$326,500 was approved by the Board on April 21, 2022 (ref: Resolution #BTE22-04-02, the eighth supplement to the Fiscal Year 2021-22 BTE budget) and was used to accelerate the purchase of concrete box culverts (CBCs) using Long Lead Time Procurement (LLTP) through construction manager general contractor (CM/GC) project delivery. LLTP allows the project to better manage schedule and cost risk associated with material availability and inflationary pressure. The \$4,159,600 budget being requested will be used to fully fund the construction phase and replace the two



existing BTE eligible structures. Both structures are in the top tier of the February 2022 BTE Bridge Prioritization Plan.

Eastern Plains Timber Bridge Project - Package 2 in Morgan and Washington Counties
(C-22-K, D-24-O) (New 006J372826BL, 034B198852BL) (SAP Project # 24405/1000...)
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			
Design	<i>FASTER Bridge Funds</i>	\$ 30,700	\$ -	\$ -	\$ -	\$ -	\$ 30,700	\$ -
	Total Miscellaneous	\$ 30,700	\$ -	\$ -	\$ -	\$ -	\$ 30,700	\$ -
Construction	<i>FASTER Bridge Funds</i>	\$ 326,500	\$ 4,159,600	\$ -	\$ -	\$ 4,159,600	\$ 4,486,100	\$ -
	Total Miscellaneous	\$ 326,500	\$ 4,159,600	\$ -	\$ -	\$ 4,159,600	\$ 4,486,100	\$ -
Total Project Budget & Expenditure		\$ 357,200	\$ 4,159,600	\$ -	\$ -	\$ 4,159,600	\$ 4,516,800	\$ -
			Year of Expenditure			Total Request		
			FY 2023	FY 2024	FY 2025			
			\$ 2,065,400	\$ 2,094,200	\$ -		\$ 4,159,600	

Next Steps

- 1) Approval of the budget supplement and Proposed Resolution #BTE-2 will provide the necessary budget to allow H-13-A to proceed to advertisement.
- 2) Approval of the budget supplement and Proposed Resolution #BTE-2 will provide the necessary budget to allow D-04-G and D-03-A to proceed to advertisement.
- 3) Approval of the budget supplement and Proposed Resolution #BTE-2 will provide the necessary budget to allow the Eastern Plains Timber Bridge Construction Package #2, including C-22-K and D-24-O, to proceed to the construction agreed price (CAP) negotiations.





MEMORANDUM

TO: BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
DATE: JULY 21, 2022
SUBJECT: RESOLUTION TO APPROVE BRIDGE AND TUNNEL ENTERPRISE FEDERAL BRIDGE IMPROVEMENT PROGRAM GRANT FUNDING COMMITMENT

Purpose

The Statewide Bridge and Tunnel Enterprise Board of Directors (Board) is being asked to approve the attached resolution that commits Statewide Bridge and Tunnel Enterprise (BTE) funding for the replacement of six BTE eligible bridges as part of the I-270 Critical Bridges Project and advancement of planning activities for 17 BTE eligible bridges under the Region 1 Bridge Pre-scoping Project as state match funding for the USDOT Bridge Investment Program (BIP).

Action

Staff is requesting Board approval of Proposed Resolution #BTE3: Committing BTE funds for the Fiscal Year (FY) 2022 Bridge Investment Program Discretionary Grant Opportunity

Background

In June 2022, the U.S. Department of Transportation (USDOT) released a Notice of Funding Opportunity (NOFO) for the BIP. The BIP provides grants, on a competitive basis, to improve bridge condition and the safety, efficiency, and reliability of the movement of people and freight over bridges. Staff performed an evaluation to identify projects with the highest probability of award based on the evaluation criteria outlined in the NOFO. Through this process, the two projects described in this memo were identified as top candidates for submission. Both projects include BTE eligible scope, were vetted by the Executive Management Team, and are a high priority for CDOT, BTE, and the numerous other project stakeholders. Additionally, the projects are included in the CDOT 10-Year Plan and aligned with the Department's strategic vision.

The NOFO establishes three BIP funding categories: (1) Large Bridge Projects for projects with total eligible project costs of greater than \$100 million, (2) Bridge Projects for projects with total eligible project costs of \$100 million or less, and (3) Planning Projects for planning, feasibility analysis, and revenue forecasting associated with the development of a project that would subsequently be eligible to apply for assistance under the BIP. Staff are bringing recommended projects for the Planning Project and Large Bridge Project categories to the Board in July due to the upcoming application deadlines of July 25, 2022 and August 9, 2022, respectively. Staff anticipate returning to the Board with recommended projects for the Bridge Project category in August since the September 8, 2022 application deadline provides additional time for project vetting. There is no limit to the number of applications that can be submitted in each funding category.



Details

Region 1: Bridge Pre-scoping Project – Planning Category

The Region 1 Bridge Pre-scoping Project will plan for the reconstruction of 38 bridges throughout CDOT Region 1. 17 of these bridges are eligible for BTE funding and are tabulated below. These bridges have been identified as high priority structures by Region staff due to safety and mobility risks associated with the condition of the bridge decks and the intensive level of maintenance that is required to keep these bridges in service. Over time, the frequency and severity of planned and unplanned (emergency) bridge deck repairs have increased on numerous corridors in Region 1 due to potholes and deck deterioration on these structures. This intensive level of maintenance creates more strain on CDOT maintenance forces, consumes limited funding resources available for bridge repair and rehabilitation, and results in more frequent lane closures, traffic congestion, and impacts to the travelling public on major interstate corridors such as I-70 and various US and state highways in the region. Completion of this pre-scoping project will accelerate the delivery of the Regionwide Bridge Maintenance and Repair Project which is in the CDOT 10-year Plan.

<u>Structure ID</u>	<u>Description</u>	<u>County</u>	<u>Deck Area (sq. ft.)</u>	<u>BTE Prioritization Tier</u>
F-16-HK	I-70 WB over West 20 th Ave	Jefferson	7,728	1st
F-15-D	I-70 Frontage Rd over Clear Creek	Clear Creek	3,918	1st
F-20-BB	I-70 WB over US 40 Frontage Rd	Arapahoe	3,950	1st
F-20-BA	I-70 EB over US 40 Frontage Rd	Arapahoe	3,950	1st
F-20-C	I-70 Service Rd over Rattlesnake Creek	Arapahoe	7,567	1st
F-17-AA	SH 177 ML over Little Dry Creek	Arapahoe	5,608	1st
G-17-AC	CR107 (Liggett RD) over I-25	Douglas	7,276	1st
E-16-HS	SH 121 SB over US 287, RR SPUR	Broomfield	19,902	2nd
F-20-F	US 40 over East Bijou Creek	Arapahoe	15,952	2nd
F-16-BC	SH 88 over Bear Creek	Arapahoe	7,567	2nd
F-16-GG	Perry St over US 6	Denver	5,278	2nd
F-19-AF	Kiowa-Bennett Rd over I-70	Adams	7,296	2nd
G-17-AG	Happy Canyon Rd over I-25	Douglas	5,414	2nd
F-19-F	US 36 over Draw	Arapahoe	3,379	2nd
F-19-AJ	I-70 Strasburg Spur over UPRR	Arapahoe	4,542	2nd
E-16-DP	SH 391 over Clear Creek	Jefferson	12,207	2nd
F-15-Q	US 40 over Beaver Brook	Jefferson	1,636	3rd
Total:			123,170	

These structures are primarily rated in poor condition due to concrete deck deterioration, with the exception of F-20-BB and F-20-BA. Map cracking, efflorescence, delamination, and spalling defects are common on these bridge decks. In some cases, these defects have led to full-depth potholes and concrete falling on roadways, railroads, waterways, and trails below the bridges. Structures F-20-BB and F-20-BA are rated in poor condition due to heavy cracking, spalling, and exposed rebar on the substructure pier caps.

BTE Staff is requesting \$1,281,000 in BTE state match funding to advance this program and begin planning activities for the replacement of the 17 BTE eligible structures. Current program forecasts indicate that this project can be accommodated in FY2022-23 and FY2023-24 using unprogrammed bridge safety surcharge or SB21-260 bridge and tunnel fee revenues. Allocation of these funds will be contingent on the award of a grant through the BIP. With the requested BTE funding commitment and the existing \$918,010 in CDOT funding allocated to the project for the non-eligible structures, the project, \$2,600,000, will be fully funded if the \$400,000 BIP grant is awarded.



Region 1: I-270 Critical Bridges Project – Large Bridge Project Category

The I-270 corridor provides a vital connection from I-70 to I-25. Approximately 100,000 vehicles per day utilize this corridor to bypass the friction of downtown Denver to move goods, services, information, and people from the eastern edge of the city to north of the city. The I-270 Critical Bridges Project will replace eight bridges within a one-mile segment of the corridor between York Street and Vasquez Boulevard that have been the source of many challenges to the mission of this corridor. Six of these bridges are BTE eligible and are tabulated below. This project is included in the CDOT 10-year plan and is aligned with the Department’s strategic vision.

<u>Structure ID</u>	<u>Description</u>	<u>County</u>	<u>Deck Area (sq. ft.)</u>	<u>BTE Prioritization Tier</u>
E-17-ID	I-270 ML WB over S. Platte River	Adams	12,518	1 st
E-17-IE	I-270 ML EB over S. Platte River	Adams	12,518	1 st
E-17-IF	I-270 ML WB over Burlington Canal	Adams	8,869	1 st
E-17-IG	I-270 ML EB over Burlington Canal	Adams	8,869	1 st
E-17-IH	I-270 ML WB over SH 265 ML & RR	Adams	14,951	1 st
E-17-IJ	I-270 ML WB over Service Rd. & RR	Adams	13,692	1 st
Total:			71,417	

Over time, the frequency and severity of planned and unplanned (emergency) bridge deck repairs on the I-270 corridor have increased due to potholes and deck deterioration on these structures. This intensive level of maintenance creates more strain on CDOT maintenance forces, consumes limited funding resources available for bridge repair and rehabilitation, and results in more frequent lane closures, traffic congestion, and impacts to the travelling public. The corridor lacks redundancy, and any detours during these emergency repairs require use of local roads or significant out-of-direction movements. Over 300 emergency repairs have been performed to the bridges along this corridor since 2006.

BTE Staff is requesting a \$57.5 million maximum in BTE state match funding to replace six BTE eligible structures as part of the I-270 Critical Bridges Project. Allocation of these funds will be contingent on the award of a grant through the BIP. The \$57.5 million in BTE funds will be coupled with \$20 million in SB17-267 funds to achieve the minimum required 50% state funding match of \$77.5 million required for the grant application. The project, which has a total estimated cost of \$155 million, will be fully funded if the \$77.5 million BIP grant is awarded.

BTE program forecasts indicate that financing and/or reprioritization of Region 1 projects being funded through BTE will be required to fund the project and maintain the current project delivery timeline. In June 2022, the Transportation Commission approved the use of construction manager general contractor delivery (CM/GC). Various financing options are being evaluated by BTE and a project funding plan will be completed once the scope, cost, and schedule of the project’s construction packages are more clearly defined.

Next Steps

1. CDOT will submit a grant application for the recommended Large Bridge Project and Planning Project in advance of the August 9, 2022 and July 25, 2022 deadlines, respectively.
2. CDOT and BTE will continue vetting projects that meet the criteria for the Bridge Project category and will return to the Board with recommended projects in August 2022.
3. If a grant is awarded, BTE staff will return to the Board requesting funding as part of the monthly budget supplement process.
4. If a grant is not awarded, CDOT and BTE will evaluate the viability of advancing these projects to construction with other funding sources.





MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER
DATE: JULY 21, 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.

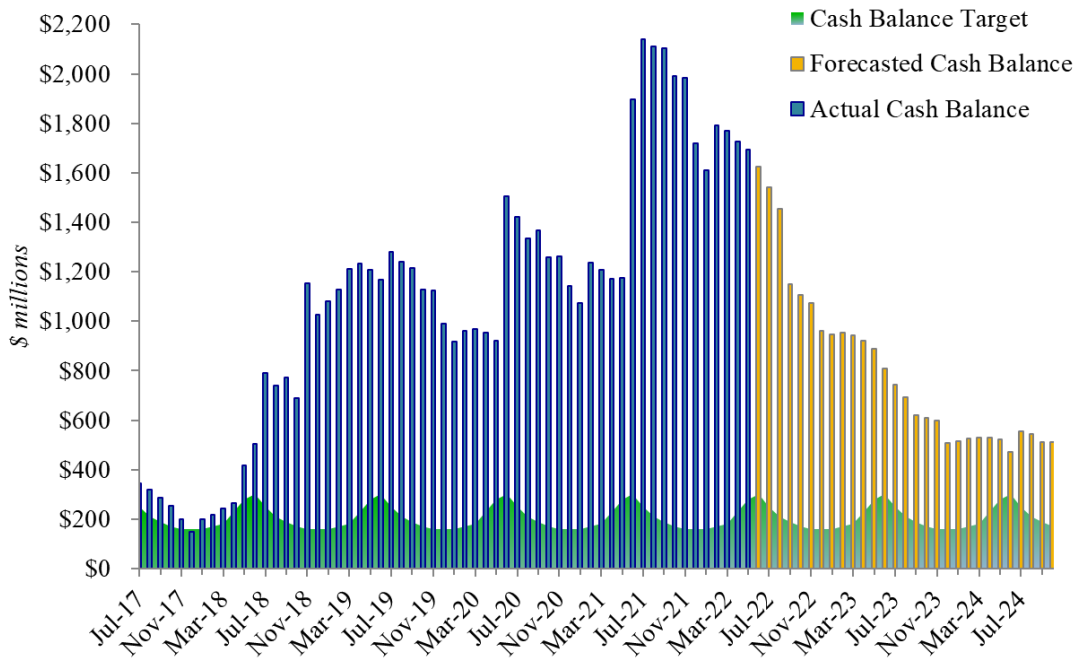
Action

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 (green 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

Due to the events in response to the global COVID-19 pandemic, the Department anticipated a significant and immediate impact to revenue collections, followed by a longer downturn overall. The current forecast continues to assume a 2.5% reduction in pre-pandemic monthly gross gallons of gasoline consumed from July 2021 through June 2022. Staff will modify fuel sale assumptions as traffic patterns continue to adjust.

The actual closing cash balance for May 2022 was \$1.69 billion; \$1.41 billion above that month's cash balance target of \$20 million. May's cash balance is comprised of \$792 million in the State Highway Fund, and \$903 million in the Senate Bill 267 trustee account. The May 2022 forecasted vs. actual cash balance was \$13M lower. Despite lower than expected FHWA reimbursements and State revenue, this revenue was offset by lower than expected expenditures.

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

Cash Revenues

The forecast of revenues and capital proceeds includes:

Senate Bill 17-267: \$425 million in November 2018, \$560 million in June 2020, \$623 million in June 2021. The proceeds from the 4th tranche were issued in June, and will be incorporated as projects are identified through the 10 Year Plan process.

Senate Bill 18-001: \$346.5 million in July 2018, and \$105 million in July 2019.

Senate Bill 19-262: \$60 million in July 2019.

Senate Bill 21-110: \$30 million in May 2021

Senate Bill 21-260: \$182 million in June 2021, and \$170 million in July 2021

Senate Bill 21-265: \$124 million in July 2021

The forecast does not include approximately \$625 million of revenues in FY22 from SB 17-267 COP proceeds. The cash balance forecast continues to report on only projects and revenues related to the State Highway Fund, and does not include revenue and expenditures associated with any pre-existing or new enterprises created through SB 21-260, including:

- Statewide Bridge and Tunnel Enterprise
- Clean Transit Enterprise
- Nonattainment Area Air Pollution Mitigation Enterprise

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 18-001, SB 17-267, and SB 19-262 progress through construction.





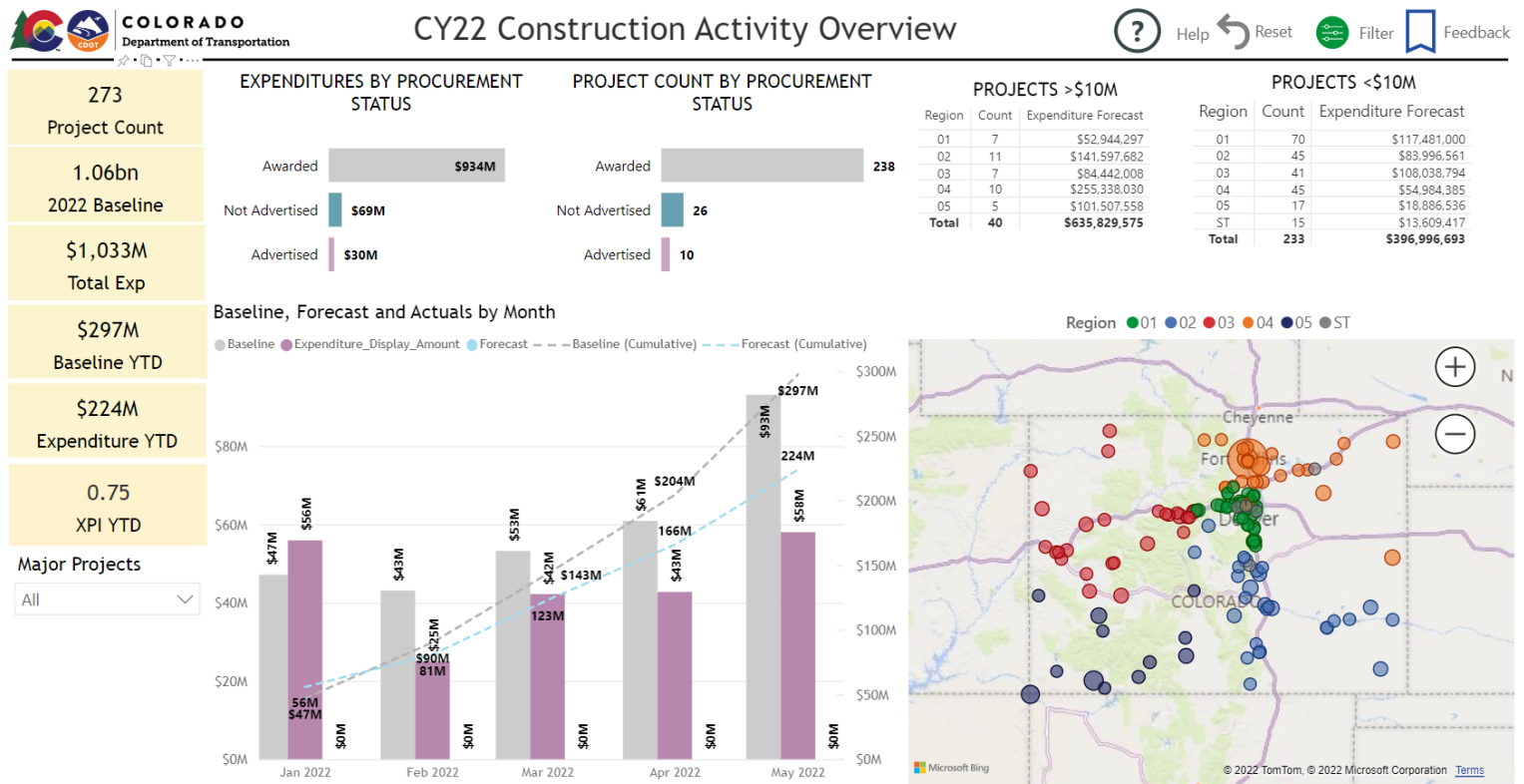
Cash Payments to Construction Contractors

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	\$929	\$739	\$412

The graph below details CY22 baseline, forecast, and actual expenditures (based on May month end SAP data). Results to date correlate with an XPI of .75 (actual expenditures vs. baseline); listing of number of projects planned to incur construction expenditures in CY22; 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.





MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
DATE: JULY 21, 2022
SUBJECT: FY 2021-22 Q4 ANNUAL REVENUE FORECAST UPDATE

Purpose

To provide a quarterly update to the annual Highway User Tax Fund (HUTF) revenue forecast.

Action

This is for information purposes only. No action is requested from the Transportation Commission at this time.

Background

The Office of Financial Management and Budget (OFMB) maintains an annual revenue model that is used to guide CDOT's budget-setting process. OFMB's revenue team updates the model each quarter to monitor the course of a current year's fiscal performance, as well as inform the budget for future out-years. Some of the data used by the model includes, but is not limited to:

- National economic performance indicators, such as the year-over-year percent change in real U.S. GDP growth.
- State population and demographic data, annual vehicle miles traveled (VMT) in Colorado, and the historical performance of the state's HUTF.
- Bureau of Labor Statistics & Bureau of Economic Analysis data, such as historical and forecasted year-over-year percent changes in personal income and the consumer price index.
- The forecasted and aggregated annual interest rates on new car loans, and future retail gasoline prices from the Energy Information Administration.
- Estimated vehicle costs, including federal or state rebates for certain vehicles, as well vehicle fuel efficiency, and annual vehicle scrappage rates.

The model also includes federally or state-appropriated funding from grants or other sources, such as the Federal Highway Administration and Federal Transit Administration (FHWA & FTA), and the National Highway Traffic Safety Administration (NHTSA).

The Department uses the revenue forecast to develop the Annual Revenue Allocation Plan using outputs from this model. During the annual budget development process, CDOT staff reconcile annual projected revenues with approved requests for expenditures. Staff provides draft and final versions of the Revenue Allocation Plan for formal review and approval by the Transportation Commission. The final plan becomes CDOT's official budget for the next fiscal year.

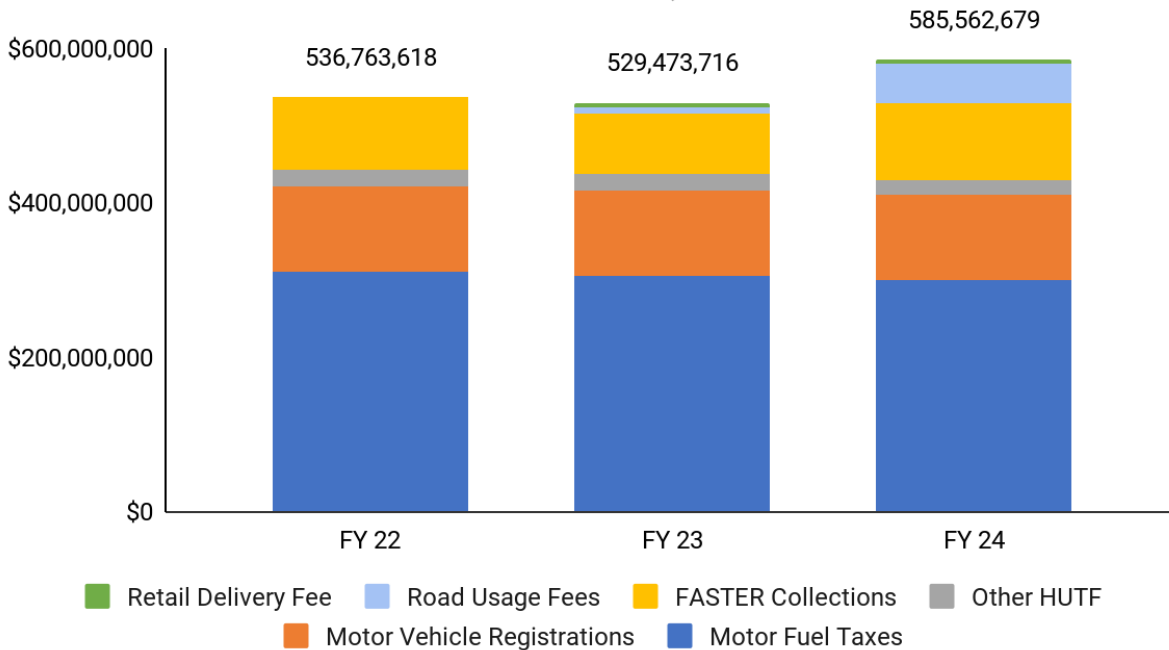
Summary

CDOT's revenue forecast for motor fuel consumption and vehicle registrations in FY 2021-22 and FY 2022-23 is largely the same as last quarter's projection. The figure below summarizes the estimated HUTF distributions to CDOT based on the latest quarterly forecast update.





Forecasted CDOT Revenue - FY 22 Q4



Inflation

The inflationary pressures in the economy are expected to continue through 2022 and 2023. The Consumer Price Index for all urban consumers increased 8.6 percent from May 2021 to May 2022, which was the largest 12-month increase since December 1981. Further, according to the June 2022 economic forecast from Legislative Council staff, headline inflation for the Denver-Aurora-Lakewood area is forecasted to rise 7.9 percent in 2022 and 4.6 percent in 2023.

Gasoline prices have risen to historical highs in 2022 as global demand for crude oil conflicts with supply chain disruptions. These disruptions are expected to continue throughout the year, with high fuel and vehicle prices continuing to increase price pressures in the transportation sector. Additionally, the Federal Reserve is expected to increase the federal funds rate several times throughout 2022 to combat the increase to inflation. In the event that this leads to a rapid tightening in monetary policy, access to credit for borrowers would become more scarce.

Colorado VMT

The state's Vehicle Miles Traveled (VMT), as measured by the Division of Transportation Development (DTD), has largely recovered from earlier in the pandemic. Average traffic volumes in 2021 were 99.5 percent of the traffic volumes in 2019. Additionally, traffic volumes this spring surpassed the 2019 average in April and May.

To the extent that high fuel prices depress demand for travel, it may slow overall VMT growth throughout the summer months. As of this writing, motor fuel data is only available through March 2022 and it is difficult to predict how inflationary pressures will impact VMT and gasoline demand in future months. Staff will continue monitoring these impacts through the spring and summer months and adjust the forecast as necessary.





Fee Reduction Package

HB 22-1351 “Temporarily Reduce Road User Charges” delays the implementation of the Road Usage Fee created in SB 21-260 from July 1, 2022, to April 1, 2023. It also extends an \$11.10 reduction to the Road Safety Surcharge through 2023. This bill is expected to decrease CDOT revenue by about \$47.1 million over the next two fiscal years. This lost fee revenue is backfilled by General Fund in FY 2022-23.

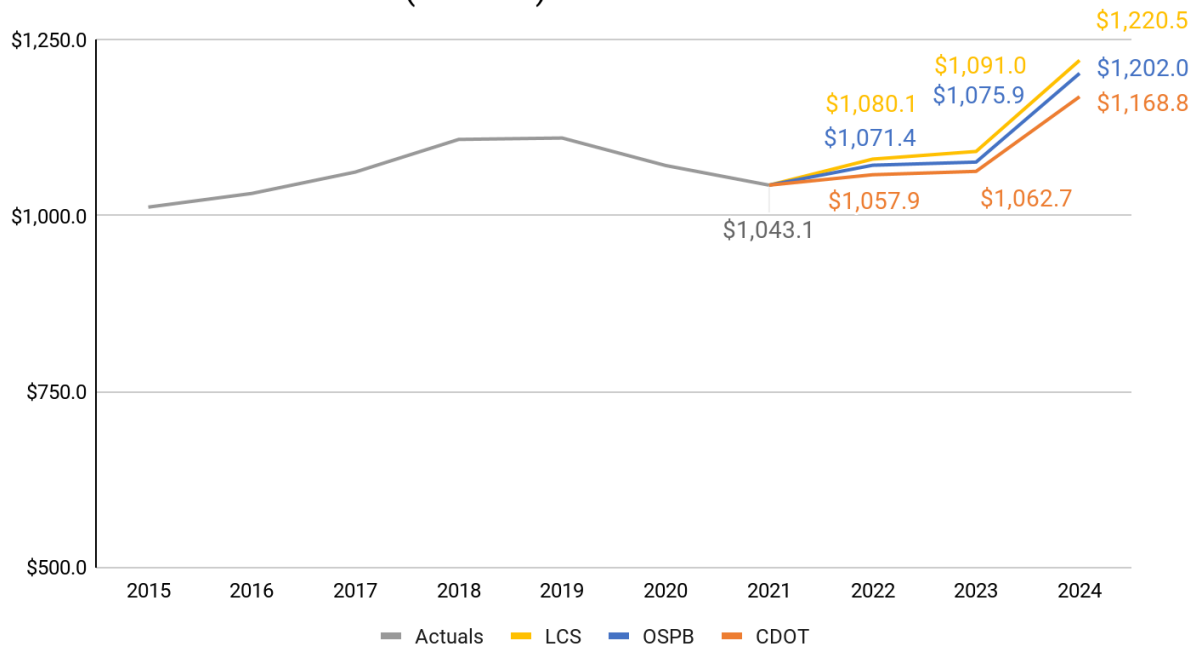
Description	FY 2022-23	FY 2023-24
Fee Reduction	(\$36,900,000)	(\$10,200,000)
General Fund Backfill	\$47,100,000	
Grand Total	\$10,200,000	(\$10,200,000)

Of the \$47.1 million transferred to the State Highway Fund, \$26.9 million is intended to backfill lost Road Usage fee revenue. The remaining \$20.2 million transfer is intended to backfill the lost Road Safety Surcharge fee revenue that supports the FASTER Safety Program.

Office of State Planning and Budget (OSPB) and Legislative Council Staff (LCS) June Forecasts

Each quarter, the Office of State Planning and Budgeting (OSPB) and Legislative Council Staff (LCS) provide quarterly forecasts to the Joint Budget Committee. These forecasts are used as the basis for statewide budget planning. A summary of the June HUTF forecasts is provided in the chart below.

Statewide HUTF Forecast (millions)



TABOR Refunds

Both statewide forecasts show state revenue surpassing the Referendum C TABOR Cap by more than \$3.0 billion in FY 2021-22. Much of this revenue increase is being driven by higher than expected income tax revenue. Since TABOR refunds are paid from the General Fund, the higher than expected revenue will squeeze the General Fund budget in future years. However, this will be slightly mitigated in FY 2023-24 due to rapid inflation increasing the TABOR cap.





While this won't directly impact CDOT cash fund revenue, it may disrupt future General Fund transfers if the General Assembly decides to reallocate the General Fund budget elsewhere to cover other commitments.





COLORADO
Department of Transportation
Division of Audit

**Colorado Transportation Commission
Audit Review Committee (ARC) Meeting
October 21, 2021
11:06 a.m. - 12:35 p.m.
CDOT Headquarters**

AUDIT COMMITTEE MEMBERS: Karen Stuart; Terry Hart; and Eula Adams, Chair. Other commissioners in attendance were Kathleen Bracke, Yessica Holguin, Lisa Hickey, Barbara Vasquez, Gary Beedy, and Mark Garcia

EXECUTIVE MANAGEMENT TEAM: Frank Spinelli, Audit Director; Shoshana Lew, Executive Director; Herman Stockinger, Deputy Director; Jeffrey Sudmeier, Chief Financial Officer (CFO); Stephen Harrelson, Chief Engineer; and Rebecca White, Transportation Development Director

AUDIT TEAM: Jim Ballard, Audit Supervisor; Robyn Lamb, Audit Supervisor; Daniel Pia, Audit Supervisor; Marcus Prochazka, Auditor II; and Judy Woods, Auditor II

Call to Order

Chair Adams called the meeting to order at 11:06 a.m. All ARC members were present.

Approval of June 16, 2021 Minutes

Chair Adams made a MOTION to approve the June 16, 2021, minutes. Commissioner Stuart moved to approve, and Commissioner Hart seconded it. There were no questions on the June minutes. All ARC members voted in favor.

Fiscal Year (FY) 2022 CDOT Risk Assessment Results

Mr. Spinelli provided an overview of the risk assessment results. The risk assessments were based on over 50 in-person interviews with internal stakeholders that included: executive management, traffic managers, maintenance managers/staff, resident engineers, civil rights managers, project engineers, and design engineers. Interviews were also conducted with external stakeholders that included local agencies, Disadvantaged Business Enterprise contractors, and Federal Highway Administration staff. In addition, Audit reviewed work that was performed internally as well as by external (Non-CDOT) auditors.

The top five risk factors identified were: 1) project management, 2) insufficient staffing, 3) talent management, 4) policies and procedures, and 5) contract cost.

Audit identified 30 organizational risks, which were ranked by impact and likelihood of occurrence as shown on the matrix. Chair Adams stated the objective of the risk assessment is to help to identify the areas that the audit team intends to focus on within the next 12 months with the limited resources they have available. The whole idea behind this effort is to narrow in on the areas that have the biggest risks and exposure to direct more resources in examining these risks. Chair Adams also stated the matrix uses a heat map approach where red indicates the higher risk areas and where Audit plans to spend their time.



Mr. Spinelli next discussed Audit's FY 2022 proposed internal audit plan. Mr. Spinelli introduced the Audit staff that was present and thanked them for their efforts with conducting the risk assessments. The proposed audit is to assess the efficiency and effectiveness of certain aspects of the construction management process, which may include a review of daily diaries, change orders, minor contract revisions, force account diaries, engineering training, staffing, contract terms, and other applicable policies and procedures. The risk factors addressed by the proposed audit also include the same high-risk factors identified by the risk assessment—project management, insufficient staffing, talent management, policies and procedures, and contract cost.

Mr. Spinelli stated that the FY 2022 capital construction budget is over \$1.2 billion, indicating improvements in processes and internal controls could significantly reduce CDOT construction cost. Audit reviews of disputes and claims, as well as risk interviews indicate a high risk of inefficiencies. During FY 2017-2021, Audit reviewed over \$65 million in contractor disputes and claims of which over \$30 million was deemed to be unallowable. In addition, during this same period, there were 481 change orders totaling nearly \$38 million. Although the amount of the change orders is not considered significant in relation to the total budget, the sheer number of change orders indicates inefficiencies. Mr. Spinelli stated the estimated Audit Project cost is \$190,000 including both labor and travel cost. The estimated saving is projected to be approximately \$6 million.

Mr. Spinelli asked if there were any questions on the proposed audit. Chair Adams made one observation, stating that as a former professional internal audit team member, when he looks at the scope and the depth of the internal audit team's plan, he thinks it is important to understand that a highly visible active audit team looking at whatever level of transactions selected has a much greater payback than just with the savings identified. It communicates throughout the organization that we are going to have a high level of controls. Chair Adams stated that the savings will be even greater than the \$6 million because it does not include the savings achieved through a strong control environment that results in improved behavior of everyone involved including employees and contractors. Executive Director Lew stated that she strongly supports the audit group and is very pleased with the effort of the audit team. Executive Director Lew further stated that over the course of the last year or so, in order to reduce overhead, the department has taken a closer look at expenses and has made improvements. The tangible and intangible benefits of keeping controls in spending is a positive value and she appreciates the Audit Division with taking on a leadership role.

Commissioner Garcia inquired as to if the amount of \$38 million in change orders was significant. Mr. Spinelli stated that this amount is not significant compared to the total highway construction budget and change orders will occur on most projects because of items, such as a new guard rails or fencing, that are initially overlooked. Chair Adams that that the amount of the \$38 million in change orders is insufficient compared to the \$1.2 billion budget but the objective is to increase the focus on improving efficiencies in the construction management function that could be achieved through improved education and an emphasize in controls.

Motion to Approve the FY 2022 Audit Plan

Chair Adams asked for a motion to approve the FY 2022 Audit Plan, which was made by Commissioner Hart and seconded by Commissioner Stuart. All ARC members voted in favor.

Outstanding recommendations

Mr. Spinelli provided an update on outstanding audit report recommendations stating that there are 12 open recommendations and 3 recommendations that have been closed. Mr. Spinelli provided a summary of the open recommendations showing the initial implementation date, number of extensions, the current implementation date, and the impact. Chair Adams said that the open recommendations are an area of concern that requires continued attention to ensure the items are addressed and improved or they will never get corrected. He further stated that he looked at the recommendation that have a high impact and would like these items presented to the committee on a regular basis in order to determine the progress being made.

Chair Adams inquired as to whether any of the open recommendations are past due. Mr. Spinelli stated that none of the recommendations are past due because of approved justified time extensions. For example, OnBase is an electronic solution that is not an easy process to implement. Mr. Spinelli further stated that Enterprise Resource Planning (ERP) systems are very complex and auxiliary software needs to be integrated requiring a great deal of effort. CFO Sudmeier stated that he completely agrees that each recommendation must be addressed. He continued by stating that CDOT takes every recommendation very seriously, and that open recommendations are being actively addressed. With regard to time extensions, CFO Sudmeier stated that the time extensions were not the result of management ignoring the recommendations but rather due to the complexity associated with implementing the recommendations. CFO Sudmeier provided two examples: 1) OnBase is an electronic invoicing system, which involves staged roll outs that occur over an extended time period and therefore, will probably not be fully implemented until next July, and 2) Addressing utility account issues was incredibly complex and some of the items took much longer than the original six-month timeframe to complete.

Chair Adams remarked that it is easy to underestimate the time necessary to implement recommendations regarding ERP systems, which are very comprehensive and complex. As such, people tend to underestimate the time necessary to implement changes. Chair Adams continued by stating that he hopes that we have a rigorous approval process for granting time extensions for recommendations in place that ensures staff are making these improvements and have the necessary resources and a reasonable timeline to complete the implementation.

Commissioner Stuart inquired whether the implementation of these recommendations was impacted by remote working or lack of staffing. Mr. Spinelli stated that he believes that remote work was not an issue. CFO Sudmeier stated that he believes that remote working had a minimum impact with regard to the implementation of the recommendations. He further stated that recommendations are prioritized, and adequate staff are assigned to complete the recommendations. Chair Adams stated that it is important that the Commission ensure that attention is being provided to address the recommendations and with a sense of urgency for implementation. Chair Adams further stated that the time allowed to implement recommendations may be excessive and challenged Audit not to be easily persuaded to grant time extensions and establish hard deadlines. CFO Sudmeier stated that many of the recommendations are made at a very high level, which often translates to numerous actions that require additional implementation time.

Chair Adams stated that he appreciates the time Mr. Spinelli spent with him reviewing the Audit Plan as well as with the Executive and Deputy Director who are supportive of the Audit Division's activities and the importance of creating and maintaining a strong control environment.

Mr. Spinelli provided an update on the three closed recommendations and stated that Civil Rights revised two manuals, which is also an effective means of training in order to address Audit's recommendations.

Closing Remarks and Adjournment

Chair Adams thanked the audit staff for their efforts. The meeting was adjourned at 12:30 pm.



COLORADO
Department of Transportation
Division of Audit

REPORT NUMBER 22-001

Construction Project Oversight Released Report



April 2022

The Colorado Department of Transportation (CDOT) Audit Division (Audit) is an independent, internal audit function authorized pursuant to Colorado Revised Statutes Section 43-1-106(12) to perform audits and furnish other information or assistance to help ensure the financial integrity, and efficient and effective operations of CDOT. Audit reports directly to an Audit Review Committee (ARC) that provides independent oversight, thereby ensuring the division is free from internal and external influences in order to provide objective and independent assessments. Audit is responsible for examining and evaluating CDOT's various operations in order to improve efficiency and effectiveness.

Audit Review Committee

Eula Adams, Member, Chair, District 3
Karen Stuart, Member, District 4
Terry Hart, District 10

Audit Division Staff

Frank Spinelli, Audit Director, CPA, CIA
James Ballard, Internal Audit Supervisor, MBA, CPA, CIA, CGAP, CFE
Judith Woods, Auditor II
Marcus Prochazka, Auditor II
Peter Hemschoot, Auditor II

You can obtain copies of this report (Number 22-001) by contacting us at:



CDOT Audit Division
2829 W. Howard Place, Room 417, Denver, CO 80204
P 303.757.9687 • F 303.757.9671



Transportation Commission
2829 W. Howard Place
Denver, CO 80204-2305

June 16, 2022

The attached report presents the results of the Construction Project Oversight Audit (report number 22-001, dated April 2022). This report was reviewed and released by the CDOT Audit Review Committee (ARC) on June 15, 2022 and adds value by assisting management with improving its processes associated with construction project oversight. In addition, Audit conservatively estimates that through better construction project oversight, a 3 percent cost reduction in highway spending, approximately \$19 million annually, could be achieved.

We conducted this review as part of our FY 2022 audit plan and performed this work in accordance with Government Auditing Standards. This report presents our findings, conclusions, recommendations, and the responses of CDOT management.

Frank Spinelli, CPA, CIA
Director, Audit Division

cc: Shoshana Lew, Executive Director
Herman Stockinger, Deputy Director and Director of Policy
Sally Chafee, Chief of Staff
Stephen Harelson, Chief Engineer
Jeffrey Sudmeier, Chief Financial Officer



REPORT HIGHLIGHTS



Background

CDOT spent an average of \$648 million on highway construction during Fiscal Year (FY) 2017 through FY 2021, which represented approximately 34 percent of total CDOT expenditures. Consequently, effective project oversight is essential to delivering projects on time and within budget.

Project oversight requirements differ among project types of which CDOT uses three: Design Bid Build (DBB), Design-Build (DB), and Construction Management/ General Contractor (CM/GC).

DBB: CDOT or consultant staff design the project and bids are solicited for its construction. The construction contract is usually awarded to the lowest bidder.

DB: A design-build team is selected that works under a single contract to provide both design and construction services.

CMGC: During design development, a construction manager provides pricing, reviews, and risk analysis. Once construction begins, the Prime Contractor performs a significant percentage of the work while CDOT or a consultant manages the project.

Highlights

The Audit Division (Audit) assessed the Colorado Department of Transportation's (CDOT) construction project oversight process by examining seven construction projects that utilize different project delivery methods and concluded that CDOT's processes were generally effective and working as intended. However, Audit found that project engineers have an excessive amount of job responsibilities, which hampers the Department's ability to further improve project oversight, resulting in occasional project delays and cost overruns. Audit identified several symptoms including: Project documentation was not always completed (e.g., project diaries, speed memos, Inspector's Reports for Force Account Work, and meeting minutes); Risk assessments were not completed properly; Significant issues were not well documented; There is a heavier reliance on consultants to provide project oversight; High project engineer turnover; ProjectWise was not being fully utilized; Projects were not always closed timely; and Funds were tied up in closed projects. We also found that the *Construction Manual* was thorough and provided clear guidance, although management should consider some minor revisions.

If CDOT could reduce project engineer responsibilities, allowing for additional time for daily project oversight and project documentation, the Department could potentially reduce highway construction expenses, the number and amount of contractor claims and disputes, improve highway construction quality, reduce the risks of adverse media attention, and improve highway and employee safety. We conservatively estimate that through better construction project oversight, a 3% cost reduction in highway spending, or approximately \$19 million annually, could be achieved.

To improve construction project oversight, Audit recommends the following:

1. Develop a DBB procurement method that grants awards based upon best qualified contractor rather than solely low bid;
2. Allow for a risk-based approach in management of DBB projects;
3. Change the contractor evaluation process so that it is confidential and not automatically shared with outside parties;
4. Provide training to engineering personnel on the five risk assessment steps;
5. Develop additional training for engineers at various organizational levels and specialties; and
6. Perform a salary study for the seasoned PE I position, those with 5 to 10 years of experience, and other engineer positions if warranted

Objective

The Audit Division (Audit) assessed the Colorado Department of Transportation's (CDOT) construction project oversight process.

Scope and Methodology

Our audit sampled seven construction projects (Projects) that were judgmentally selected, representing a mix of Design-Bid-Build (DBB), Design-Build (DB), and Construction Manager/General Contractor (CM/CG) delivery methods. Audit also analyzed and compared various trends related to our audit objective. We conducted this performance audit from October 2021 through April 2022 in accordance with the 2018 generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence that provides a reasonable basis for our findings and conclusions based on the audit objective. We believe the evidence provides a reasonable basis for our findings and conclusions based on our audit objective. We did not assess the reliability of data from SAP but, through interviews with CDOT staff, determined that the data were sufficiently reliable for the purposes of this report.

The methods that Audit used to achieve our objective were:

- Analyzing trends in expenditures, project closure timeliness, excess project funds, and consultant-related construction oversight expenditures for fiscal year (FY) 2017 through FY 2021;
- Conducting onsite observations from December 2021 through January 2022 for select projects;
- Reviewing Project documents, including project diaries, meeting minutes, Change Modification Orders (CMO) and speed memos;
- Analyzing SAP, ProjectWise, and SiteManager Project support data and documentation;
- Reviewing the following CDOT guidance:
 - *Construction Manual* (2019) for DBB,
 - *Construction Manager/General Contractor Manual* (January 2015),
 - *Design-Build Manual* (September 2016), and
 - *Standard Specifications for Road and Bridge Construction* (2021);
- Reviewing the following State of Colorado Office of the State Auditor reports:
 - *Department of Transportation Cash and Project Management Performance Audit* (Feb. 2000) and
 - *Department of Transportation Operational Risk Areas* (May 2019);
- Reviewing the following General Accountability Office (GAO) reports:
 - *Cost and Oversight Issues on Major Highway and Bridge Projects* (Report Number GAO-02-702T, May 2002) and

- *Increased Reliance on Constructors Can Pose Oversight Challenges for Federal and State Officials (Report Number GAO-08-198, January 2008);*
- Reviewing applicable federal and state statutes; and
- Interviewing CDOT staff.

Background

CDOT currently uses three types of construction project delivery and contracting methods: Design-Bid-Build (DBB), Design-Bid (DB), and Construction Manager/General Contractor (CM/GC).

Design-Bid-Build:

DBB has been and continues to be the most utilized project delivery method for CDOT. Most CDOT staff are very comfortable with DBB and familiar with the way it works. The linear nature of the Planning, Preconstruction, and Construction phases is well known and practiced. In this delivery method, CDOT or consulting staff design a project. When construction plans are complete, the project is posted for bidding by the construction industry. Typically, the lowest bidder wins the project, and construction occurs under CDOT oversight. Using this delivery method, CDOT allocates the majority of responsibility for risk to itself.

CDOT's *Construction Manual (CM)* for DBB Projects defines the criteria and processes that are to be used in project administration. We reviewed this manual and found that it is an excellent resource, well written, and nicely coordinates with CDOT's *Standard Specifications for Road and Bridge Construction (2021)*. During its review, Audit identified several characteristics of the CM, including that it:

- Is complete, offering guidance from contract award to project completion;
- Provides numerous examples of lessons learned from decades of knowledge;
- Provides many examples of completed forms and sample letters;
- Includes helpful checklists;
- Provides significant detail for construction activities;
- Provides information on how to contact specific Subject Matter Experts if further assistance is needed; and
- Contains explanations and procedures for compliance with both state and federal requirements.

While CDOT primarily uses the DBB project delivery method, characterized by established project oversight standards and conditions that CDOT staff are familiar with, the design-build and construction manager/general contractor delivery types have been growing in popularity and use. However, we found that staff were not as familiar with the DB and CM/GC delivery methods, which use a risk assessment or risk registers approach throughout the Construction phase. For example, staff did not

always follow the risk assessment steps outlined in DB and CM/GC manuals. These steps are:

1. Identify the risk;
2. Assess and analyze the risk;
3. Mitigate and plan for the risk;
4. Allocate the risk; and
5. Monitor and control the risk.

The purpose of the risk assessments is to assist project personnel in identifying and correcting problems sooner, which could, in turn, reduce project costs. Training may be necessary to ensure staff are properly performing risk registers for DB and CM/GC projects.

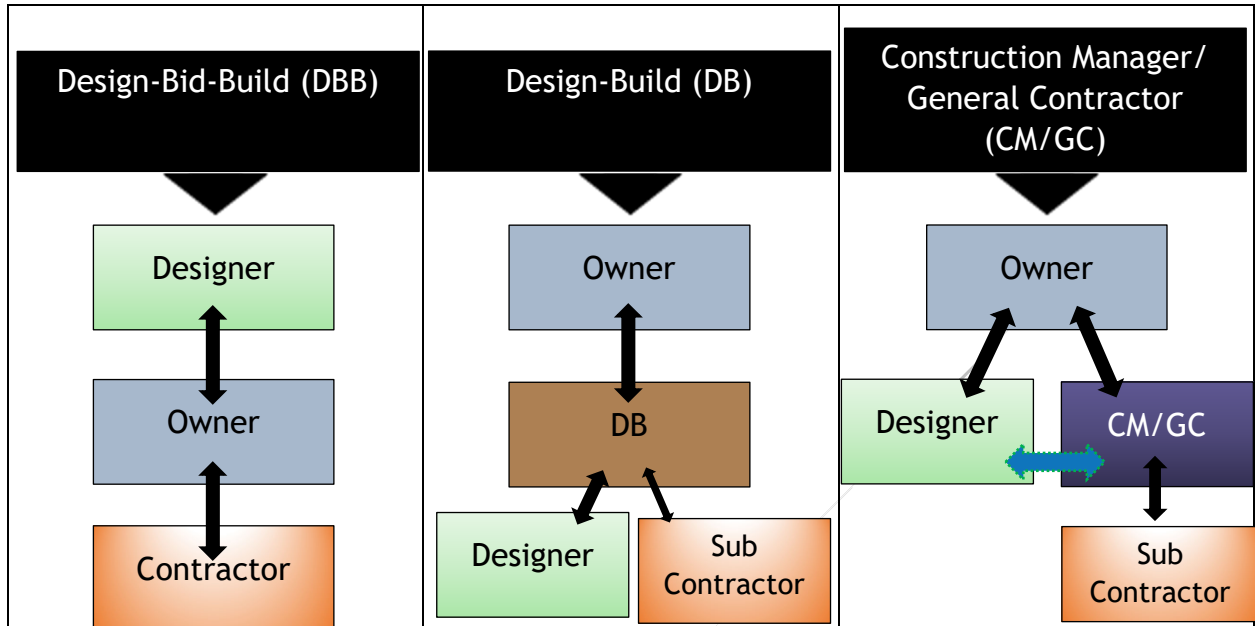
Design-Build:

DB is one of the more recent alternative project delivery methods that CDOT began using in the 1990s and has since become a more frequently used delivery method. In DB projects, the Owner (CDOT) procures a DB team (a paired Contractor and Design Consultant) with a GMP or best-value procurement package. The selected DB team uses the project's preliminary design and prepares the final design. When construction packages are ready, the contractor builds the packages until the project is complete. During this delivery method, the majority of responsibility for design and construction is allocated to the DB team. However, for DB management to be effective, the Owner must recognize which risks it is better able or more suited to manage, then properly allocate each risk to the most suitable party.

Construction Management/General Contractor:

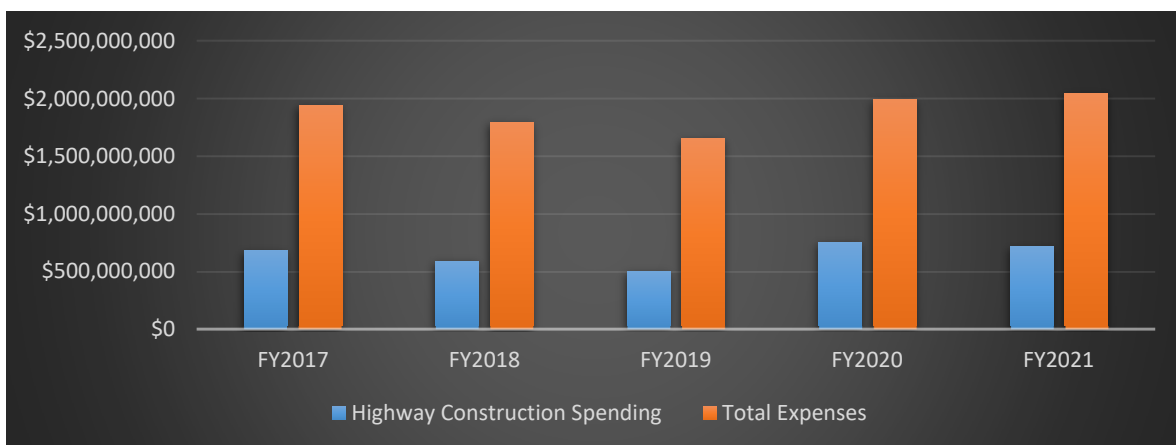
In CM/GC projects, the Owner is the primary Project Manager, much like in DBB project delivery. However, with this method, the Owner takes on new roles while managing separate contracts with a selected CM/GC Services Contractor and its Design Consultant team. The Owner must act as facilitator, negotiator, decision maker, collaborator, manager, and leader and must be an active participant in every step of the Preconstruction and Construction phases. Strong Project Managers are required for CM/GC delivery to work well, and the majority of CDOT Project Managers with projects using this method have only one project assigned to them at a time. [See Figure 1](#) for a comparison of DBB, DB, and CM/GC project delivery methods.

Figure 1: Interaction Flow Comparison of Design-Bid-Build, Design-Build, and Construction Manager/General Contractor Delivery



As additional background, the average spent by CDOT on highway construction during FY 2017 through FY 2021 was \$648 million, which represents approximately 34 percent of total CDOT expenditures (See Chart 1).¹ Highway construction spending modestly increased by 5 % in between FY 2017 and 2021. Since construction spending represents a significant portion of CDOT expenses, ensuring these monies are spent in an efficient manner is a major CDOT objective; effective project oversight is necessary to achieving this goal.

Chart 1: CDOT Highway Construction Spending and Total Expense Comparison FY 2017 - FY 2021



¹ Highway construction spending figures are based on actual contractor payments made during FY 2017 through FY 2021; these amounts do not include expenses associated with construction project design.

Findings and Conclusions

Audit assessed CDOT's construction project oversight process and concluded that CDOT's processes were mostly effective and working as intended. However, it also appears the PE I position has an excessive amount of job responsibilities, which may contribute toward oversight deficiencies Audit has identified. Audit believes some of these deficiencies have contributed towards additional project costs as well as contractor claims, delays, and/or, at times, litigation.

Audit will provide examples of these process deficiencies and their impact on the Projects we examined later in this report. These deficiencies have led Audit to develop the following six recommendations:

1. Develop a DBB procurement method that grants awards based upon best qualified contractor rather than solely low bid;
2. Allow for a risk-based approach in the management of DBB projects;
3. Make the contractor evaluation process confidential, such that information is not automatically shared with outside parties;
4. Provide training to engineering personnel on the five risk assessment steps;
5. Develop additional training for engineers at various organizational levels and specialties;
6. Perform a salary study for the seasoned PE I position, those with 5 - 10 years of experience, and other engineer positions if warranted

In our review of CDOT's construction guidance, Audit identified an extensive list of project oversight-related PE I job responsibilities. We believe that if additional daily time is available for project engineers to perform duties deemed vital to the overall success of construction project oversight and delivery, the Department could potentially reduce highway construction expenses and improve highway safety. We conservatively estimate that through better construction project oversight, a 3% cost reduction in highway spending, approximately \$19 million annually, could be achieved.

Project Engineer (PE I) Workload for Design-Bid-Build:

The PE I workload directed by the *Construction Manual (2019) (CM)*, one of the primary documents governing DBB projects, appears excessive. Audit identified at least 213 PE I job responsibilities within the CM. Audit then grouped these requirements by category (e.g., documentation, budget, work/materials, OJT/DBE, etc.) to develop an alternate method of reviewing engineer responsibilities (*see Table 1*). Many of these categories had entries and/or requirements located in different places within the CM.

Table 1: Project Engineer Responsibilities

Category	Number of Responsibilities
Contract completion	24
Disadvantage Business Enterprise documentation	6
Disputes and Claims	17
Support documentation	42
Force Account documentation	7
General	49
Inspections	20
On the Job Training documentation	7
Payment	18
Safety	3
Scheduling	20
Total	213

Based on Audit’s observations and interviews with engineers, we found that project engineers are unable to thoroughly complete all of these tasks and provide quality project oversight in an eight-hour workday. According to our interviewees, it is necessary for project engineers to work much more than a 40-hour week to stay current with their responsibilities. Consequently, during our review of Project documentation, we identified lapses in maintaining daily dairies, Form 10s, meeting minutes, and other support documentation deemed vital to successful project delivery and/or necessary for compliance with federal and state requirements. Evaluating PE I job responsibilities and determining whether some of these responsibilities can be 1) deemed unnecessary and eliminated; 2) handled via an electronic solution; or 3) assigned to other personnel could help project engineers prioritize their time to provide better oversight of construction projects. *See Appendix A for a sample of PE I responsibilities. See also Appendix B for one responsibility outlined in the Construction Manual at Section 120.5, with additional content guidance from Section 120.6.*

Symptoms, Impact, and Recommendations:

As a result of excessive workload, Audit identified lapses in construction project oversight. The symptoms of this lack of oversight included:

- Project documentation was not always completed (e.g., project dairies, speed memos, Inspector’s Reports for Force Account Work, and meeting minutes);
- Risk assessments were not completed properly;
- Significant issues were not well documented;
- There was a heavier reliance on consultants to provide project oversight;
- High project engineer turnover;
- ProjectWise was not fully utilized;
- Projects were not always closed timely; and
- Funds were tied up in closed projects.

Following is discussion of these symptoms and potential impacts by the three project types based on our sample selection:

1. Design-Bid-Build Projects:

A \$36 million DBB Project had a design issue and an environmental concern that resulted in cost and time overruns, as well as lacked important information in various documentation and forms required by the Construction Manual. The design issue resulted in \$500k in extra cost while the environmental concern cost currently stands around \$3 million and the project engineer is unable to determine if additional funds will be needed.

Audit realizes that projects will always experience challenges; however, when issues do arise, the project engineer should prioritize their responsibilities using a risk-based approach. For additional context, this Project began over 20 months ago; the design issue was discovered at the start of construction and the environmental concern shortly thereafter. Although the \$500k design issue was addressed over 20 months ago, the PE I has yet to complete a CMO (Form 90) to pay for the design change. The environmental concern became known over 18 months ago and remains ongoing. Audit believes the Project's information we reviewed did not appropriately document these matters. For instance:

- Over 83% of the project diaries (Form 103) were missing;
- Speed memos (Form 105) were not always prepared;
- Inspector's Report for Force Account Work (Form 10) were not prepared; and
- The Storm Water Management Plan (SWMP) was not properly maintained.

Daily Diaries and Meeting Minutes, and Form 10s:

A review of project diaries (Form 103) and meeting minutes for this Project showed few indications of the design and environmental issues this Project was facing or discussion of steps that would be taken to mitigate these issues. For example, the first indication of a potential difficulty within Project documentation, is a note accompanying the submission of a revised schedule; these challenges were not noted in the meeting minutes until a month after the submission date. and little to no information regarding either issue could be found within the diaries. In addition, as of March 2022, the Project was still active and five months past the agreed-upon construction completion date. The construction documents on file had very little discussion regarding the Project delay or comments to help the reader understand the reasons for or extent of it.

Daily Diaries: Diaries are used to document daily construction site progress. They ensure any Project issues or claims can easily be traced back to a site diary or other document and considered the memory of a Project. [See Appendix B for the Diary Completion requirements.](#)

Speed Memos: Form 105 is used to communicate with the prime contractor regarding contract changes, responses to contractor requests, reminders of required documents, etc.

Force Account Work: Form 10 is used to establish a method of payment for contract changes or extra work when there is a price dispute, price reasonableness cannot be determined, and/or the extent of the work is unknown.

The lack of Form 10s required by the *Construction Manual* took on a greater significance in this Project because of the \$500k design issue/change and more so for the ongoing \$3 million-plus environmental concern. This Form is used to document the number of daily labor hours, equipment, and materials for engineers to better monitor the costs and then compare to invoices for reasonableness. Through February 2022, there should be 18 months of invoices related to the environmental cleanup; however, the PE I provided 11. Supporting documentation for these 11 invoices ranged from eight pages (Oct 2021) to 67 pages (May 2021). The invoices included costs for labor, materials, administrative work, subcontractor work, rental equipment, and diesel fuel; none show evidence of review or approval by the project engineer. Without documentation for 18 months of force account work or the monitoring provided by use of the Form 10, determining the reasonableness of over \$3 million of additional construction costs becomes very difficult.

Storm Water Management Plan:

The monthly SWMP inspection report for this Project had the exact same wording for each of the 17 months following identification of the water-related environmental concern:

CDOT has conducted a water quality control inspection on [date] and recorded non-compliance findings as defined in CDOT Standard Specifications for Road and Bridge Construction, subsection 208.09(a)(3). Correct and report corrective actions to all findings in accordance to timelines noted in subsection 208.09.

Audit suggested to the PE I that the various Project documents could have more fully indicated the scope of the environmental concern, how it would be addressed to better mitigate costs, and an estimate of when the work would be completed. Even the minutes for meetings where these concerns were discussed did not identify or address the environmental concern in this manner. The PE I agreed and stated that it would have been helpful. Also, when we discussed our observations with the PE I, a couple of reasoning for the lack of some vital information, which included:

- They [inspection and engineering staff] were tired at the end of the day and
- Form 105s were just one more thing to do on top of all their other work and not always necessary

Also, this past summer Audit performed a CDOT state-wide risk assessment and interviewed nearly 50 CDOT employees, many of which from engineering such as the Chief and Deputy Chief Engineer, Program Managers, Resident Engineers, Project Engineers, and others, who stated the project engineer workload is excessive. See [Table 2](#) for specific project engineer workload comments:

Table 2: Project Engineer Workload Comments

Too much paperwork and things get missed.
Staff stretched too thin.
Regulation-related paperwork can be ridiculous and an overwhelming amount.
Creates a huge paperwork burden. ✓ Notes that a good project is not the same as good paperwork.
CDOT has more projects than it has the resources to manage. ✓ People without any experience are being sent out on projects.
Many requirements to wade through with new ones added every year.
Paperwork demands are very heavy.
Possible that PE is missing things due to lack of knowledge/experience, being overwhelmed, and juggling too much.
Spending majority of time handling paperwork.
Significant paperwork burden.
Required paperwork amount is cumbersome.
Cannot rely on consultants the same way as employees. ✓ May not have proper skillset (firm may send new people, skill inflation may be an issue, etc.)
Believes that many people are wearing too many hats to ensure transparency and clarity.
Need a better focus on schedule management and believes we do not do this well. ✓ Possible reasons for this are lack of time, difficulty in analyzing schedules, and/or lack of experience
Engineers/inspectors overseeing too many projects. Quality Assurance (QA) is done after the fact, not during. QA and Quality Control is lacking from consultants.
No benefit for Professional Engineer to want to do construction over design (construction has longer hours - especially in the summer, a more difficult work environment, etc.)
Technicians who may not have a degree are sent out to the field. They have experience but not enough to be comfortable and/or might be assigned to types of projects they have never done before.

Table 2: Project Engineer Workload Comments (Continued)

The challenge is the magnitude of information, including the <i>Construction Manual</i> and contract
Amount of information in different manuals and references can be overwhelming. People do not know what information is there or how/where to access what they need.
Large amount of information can be overwhelming, causing decision paralysis or could make someone choose to ignore something. <ul style="list-style-type: none"> ✓ Might be too much information, too many regulations, etc. for an individual to handle.
Guidance is coming from multiple sources/divisions. <ul style="list-style-type: none"> ✓ Stuff/memos/information that is pushed out to staff does not always fit the core [division] mission(s) ✓ Who controls/makes decisions on what information/memos, etc., get pushed to employees? Is there quality/topic/audience control?
Subject matter expert deficiency.
Would ideally have a second person as assistant PE or similar to handle paperwork, check diaries, etc. <ul style="list-style-type: none"> ✓ People are promoted above their capabilities without the necessary experience.
Lack of training contributes to people not keeping necessary documentation/well-written, relevant, consistent daily diaries.

Another concern Audit identified during last summer’s risk assessment interviews and this audit is the contractor evaluation process. CDOT personnel would feel a lot more comfortable if the contractor evaluations were confidential. Also, although CDOT could keep its Project contractor evaluations confidential, it would not preclude management from asking the contractors any questions that may be derived from the evaluation results. Some of the things we heard concerning the evaluation process are as follows:

- Would be better if project engineer could do confidential evaluations than current system where everyone can review and challenge
- Project staff nervous about creating written evaluations for contractors because of potential repercussions
 - ✓ PE and staff may have different ideas about how things went on a project
 - ✓ Evaluations should be more objective, supported with documentation
 - ✓ CDOT staff needs to see the value in providing evaluations - currently do not see that anything happens with or because of them and feel they are not worth the effort
- Some PEs fill out evaluations at the end of every contract (some do not), but evaluations have been in place for 10+ years and nothing has changed in terms of the process or types of bid winners

- No outcome on evaluation processes; staff often feel not worth their time to complete

Also, currently the traditional DBB Project is a low bid vs. best qualified firm winning the bid. Based upon Audit's work these last nine months, we believe CDOT could be able to obtain better efficiency and effectiveness on construction projects at an overall lower cost if the DBB bid evaluation was best qualified based rather than solely low bid. On many occasions, Audit heard the following during the risk assessment interviews last summer as well as during this audit:

- If CDOT engineers had a mechanism to boot contractors, they would use it
 - ✓ Some contractors fight CDOT every step of the way for more money
 - ✓ Bad evaluations of contractors do not do anything
 - ✓ No consequences for contractors, which is frustrating

Some metrics that an Evaluation Team can weigh for scoring that considers both a best qualified and price approach are as follows:

- Past performance from "confidential" contractor evaluations and experience
- Design and technical approach to the Project
- Project schedule capabilities, including contractor's financial resources, equipment, management personnel, etc.
- Price (should not exceed 15% of the weighted score)
- Craft labor capabilities, including adequacy of craft labor supply

In addition, the Evaluation Team should be comprised of only CDOT personnel with no more than five on the panel, with the Project Manager(s) involved in the design as one or two panel members, a Project Engineer (PE I) and Resident Engineer (PE II) from the Region in which the Project will be managed as two others, and CDOT specialty personnel, if needed. One of the Region's Program Managers and its Regional Transportation Director (RTD) should be CDOT personnel as part of the review and approval process after the Evaluation Team panel have made their selection.

CDOT could work with FHWA concerning 23 CFR 112 "Letting of Contracts" approach:

"Subsection (a)(1) states: Subject to paragraphs (2) and (3), construction of each project, subject to the provisions of subsection (a) of this section, shall be performed by contract awarded by competitive bidding, ***unless the State transportation department demonstrates, to the satisfaction of the Secretary, that some other method is more cost effective*** or that an emergency exists. ***Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility.***"

The process by which FHWA reviews the methods of solicitation for both CM/GC and DB procurement methods are similar to the one suggested by Audit for DBB projects.

Therefore, it is likely a change for the DBB bid solicitation process warrants a change as well. In addition, the design of CDOT's *Construction Manual* for DBB Projects can mandate only the requirements/job responsibilities deemed vital to the overall success of a project with other defined criteria and processes being a risk-based approach.

2. Design-Build Project:

DB projects use a risk-based approach to managing project risk, in which potential risks to the project are identified during the initial phases of project scoping and reviewed throughout the project. The *Design Build Manual* (2016) identifies five risk assessment steps (pg. 2-4 - 2-5):

1. Identify the risk.
2. Assess and analyze the risk.
3. Mitigate and plan for the risk.
4. Allocate the risk.
5. Monitor and control the risk.

During the construction phase, risk registers are maintained in order to monitor the risks previously identified as well as to track any newly identified potential risks.

One of the DB Projects that Audit analyzed ended in litigation. This Project showed signs that CDOT personnel need additional training on the five risk assessment steps noted above. Audit review of Project documents found: 1) project diaries, although not mandated for DB projects, were not always completed; 2) there appeared to be more than the usual number of contractor issues concerning workmanship and proceeding with work without appropriate CDOT personnel present; and 3) a known significant risk and its potential consequences were not documented in the Project's risk register.

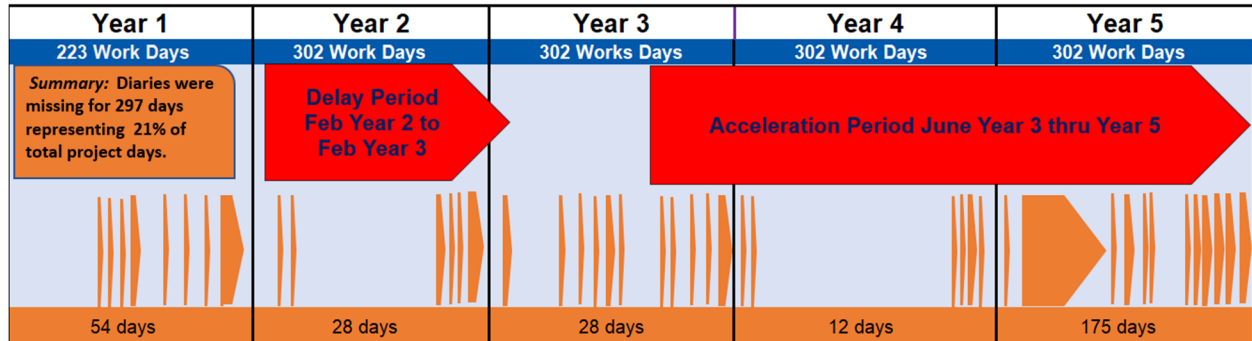
Project Diaries and Contractor Workmanship:

The project diaries for this five-year Project described numerous incidences of nonconforming work, Prime Contractor's and Subcontractors' (Contractors') questionable behavior—perhaps trying to conceal poor workmanship—and Contractors' frequent failure to adhere to approved Methods of Handling Traffic (MHTs), among other noted items that Audit considered to be concerning. Individually, or even considering some of the noted issues collectively, Audit may have considered such incidences to be typical for a project of this size. However, it was the sheer number of errors and conditions documented ([See Appendix C for issue excerpts](#)) compared to the other Projects we analyzed, as well as the delays, Contractor claims, litigation, and traffic fatality that has led Audit to a position of concern on this Project.

While project diaries were written most days, a significant proportion were missing. [See Figure 2](#) for a comparison of diaries to the five-year Project life. The diaries that were present often described nonconformance with the Project design and/or material specs, though many entries were general in nature. If CDOT can close these

gaps—diaries not being prepared and/or not providing the proper information—it is possible that delays, claims, and/or litigation associated with Projects could be avoided or mitigated.

Figure 2: Diary Completion compared to Project life



When Audit discussed these matters with the construction Project team, they agreed that identifying and correcting various risks sooner could help reduce project costs. They also stated the following:

- Training may be necessary to ensure staff are properly performing risk analyses;
- With additional staff, better oversight could be provided;
 - Insufficient staff levels place CDOT in a position of relying on consultants
- The procedural and regulatory requirements of projects and project management have increased far more than the number of CDOT personnel in the last 20 years; and
- Project diaries are lacking everywhere
 - The Project team is aware of the importance in completing project diaries with relevant information, but also aware many people do not want to add diary tasks to the end of their day after spending hours on site; diary completion thus becomes an afterthought

We also discussed whether there were mechanisms to remove Contractors from a project; the Project team stated that a Prime Contractor has removed Subcontractors at times but removing a Prime Contractor is difficult. They also said that if CDOT’s contractor rating tool were more effective, eliminating substandard Prime Contractors during a “best qualified” bid evaluation process would be easier.

Project Risk Register:

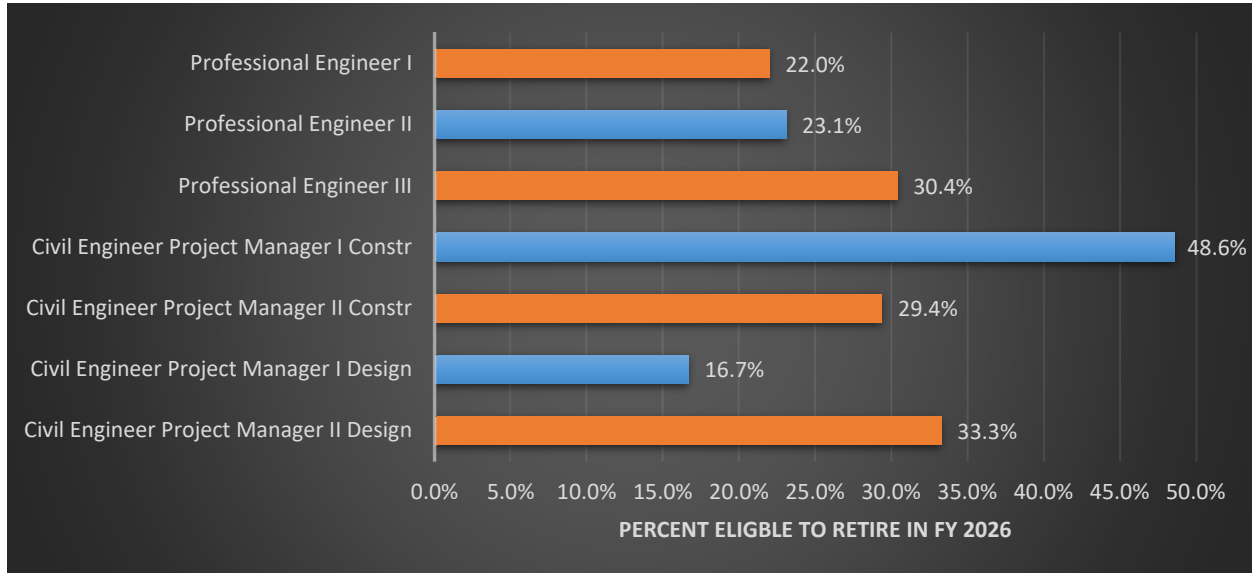
This DB project experienced a delay, multiple claims, and litigation and although the workmanship for this Project appeared problematic, Audit was advised by the RTD that the delay was due to an easement that CDOT was unable to procure. The project engineer on this Project concurred with the RTD, stating CDOT was aware of and accepted this risk at the start of the Project. Yet neither this risk nor its potential

consequences were included within the risk register. Also, prior to officially learning that the easement was not going to be obtained, management authorized construction work to progress based upon an oral agreement with the easement's owner. The easement was not obtained. In addition to millions of dollars in sunk costs, CDOT paid over \$10 million via CMOs related to this matter, none of which were identified within the Project's risk register.

When Audit further discussed the risk register with the project engineer, they indicated that ongoing monitoring of potential risks via a risk register relies heavily on participation by the Prime Contractor. Contractors, however, are generally reluctant (at best) to note potential or actual issues in writing for fear of consequences. The project engineer also attributed certain process breakdowns to a lack of transparency, communication, and experience, both internally and on the Contractor's side.

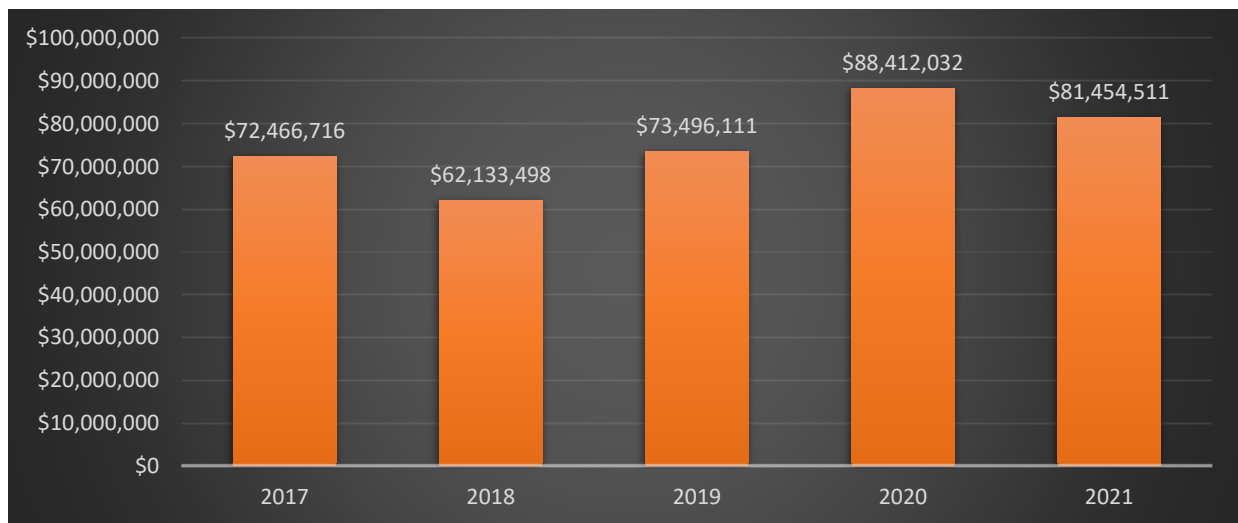
The results from the second DB project Audit analyzed were very different. Project documentation was thorough, well organized, and appeared complete. However, procuring contractor engineering and administrative services for work CDOT could perform can be expensive. As the PE I for this Project said, CDOT was "paying a premium for quality." With the number of major projects being planned over the next 5 to 10 years, CDOT should consider reducing its reliance upon consultants, except when specific technical expertise is needed, by increasing its own staff. Based upon Audit's observations and discussions with CDOT personnel, the DB project approach is good but perhaps the blend between consultant personnel and CDOT staff could be weighted more towards CDOT. Also, if the runway of projects can support additional engineer personnel over the next 5 to 10 years, this approach will also help CDOT with succession planning. *See Chart 2 for engineer personnel retirement eligibility by FY 2026 (4 years away; 5 to 10-year retirement eligibility will be greater)* Lastly, based upon the results of the first DB project that Audit examined, it is recommended that CDOT personnel receive training on the five risk assessment steps.

Chart 2: CDOT Civil and Professional Engineers Eligible to Retire in FY 2026

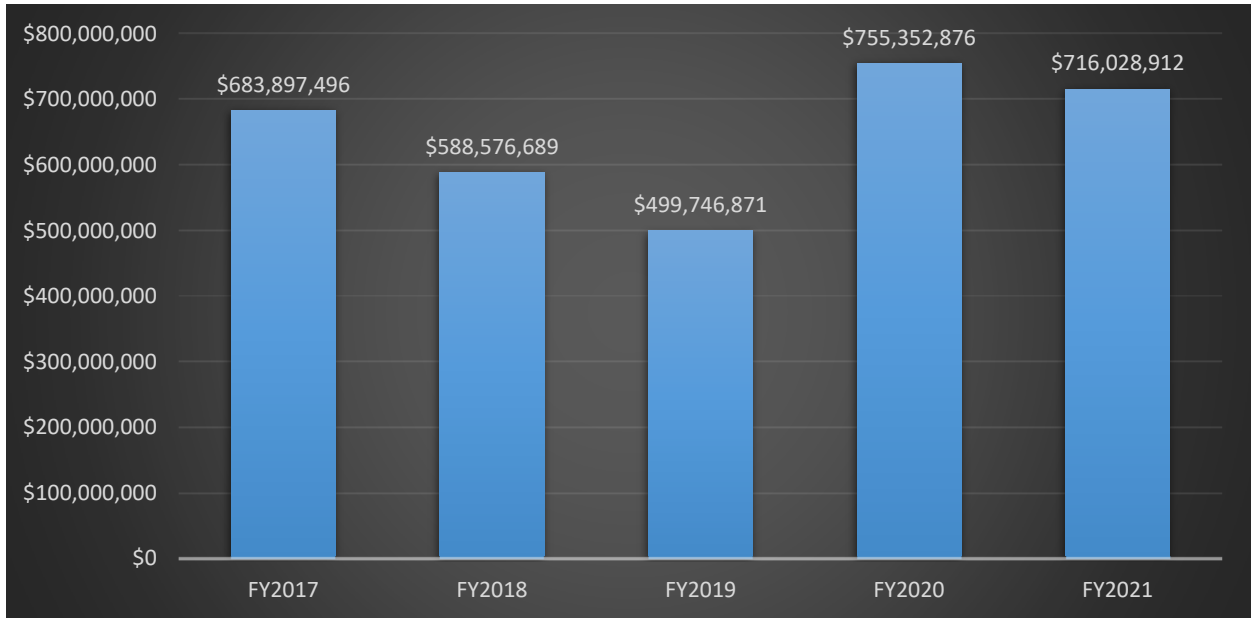


Audit investigated certain matters discussed with engineering personnel further and found that CDOT spending for consultant’s personnel to manage projects has increased more compared to both highway construction spending and the number of CDOT engineering staff. For example, from FY 2017 to FY 2021, expenditures for consultants managing projects have increased over 12% (*see Chart 3*) while highway construction spending increased just 4.7% (*see Chart 4*) and CDOT PE I staff decreased by about 2% (*see Chart 5*).

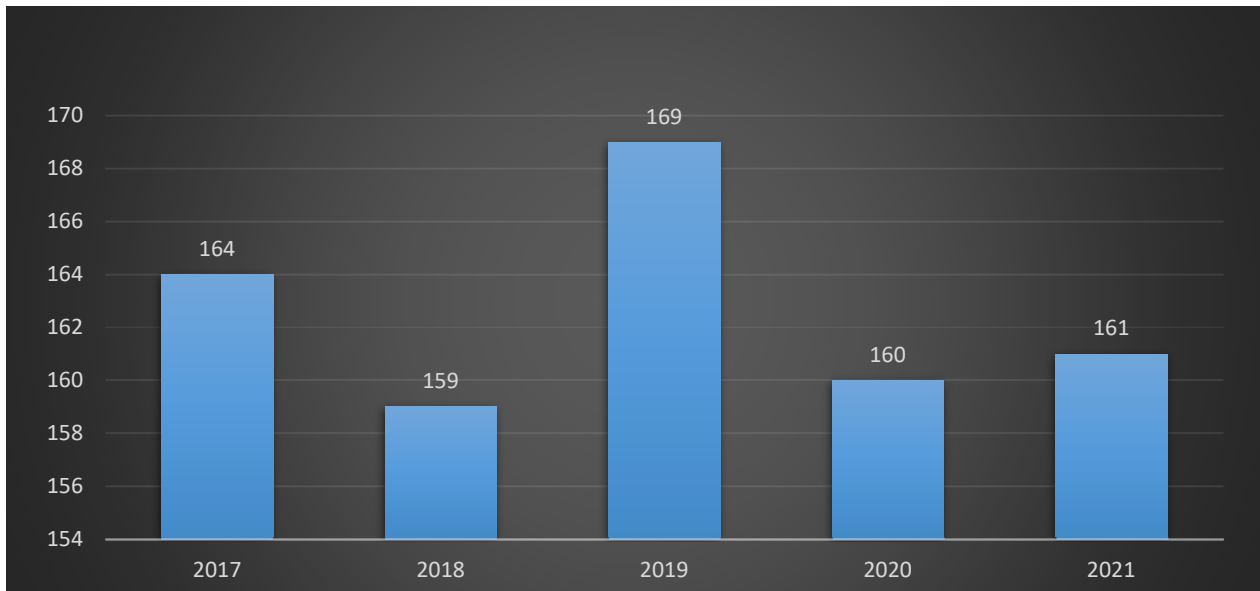
Chart 3: Consulting Spending for Construction Project Oversight FY 2017 to FY 2021



**Chart 4: Highway Construction Spending
FY 2017 to FY 2021**



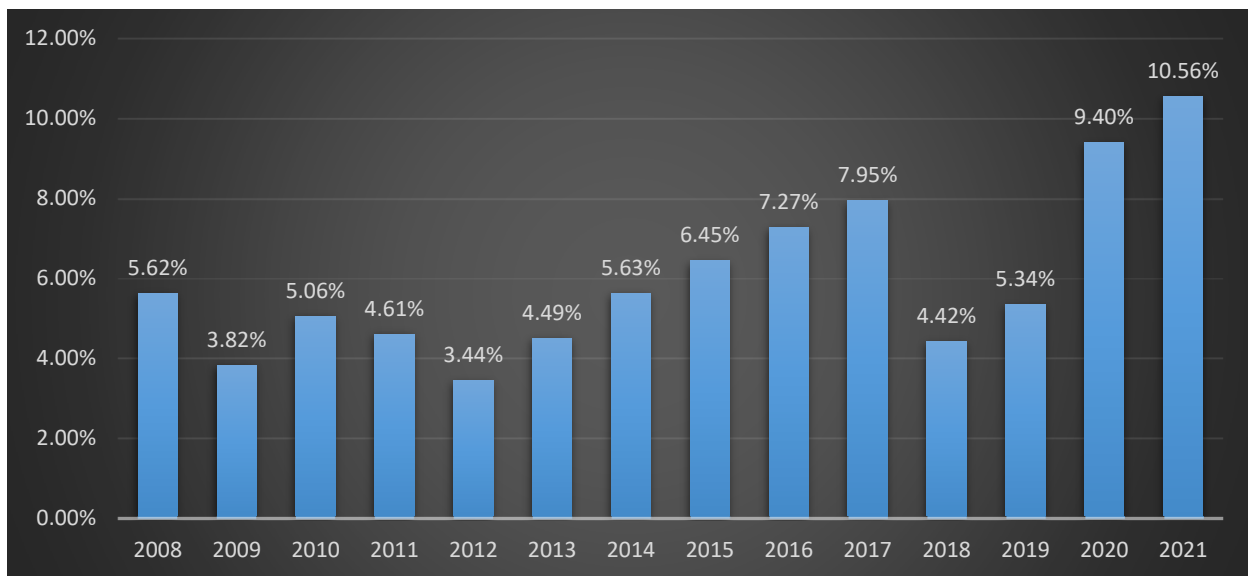
**Chart 5: Number of CDOT PE I
FY 2017 to FY 2021**



In addition, the turnover rate for PE I staff is at its highest level of thirteen years; [see Chart 6](#). This increased turnover may be due to several factors; potential explanations expressed to Audit by engineering personnel included that there were too many duties,

salaries for experienced engineers (those with 5 to 10 years of experience) were too low, and that contractors pay much better. Consequently, CDOT construction management oversight may not be as effective as it could be because new engineers must be hired and trained.

**Chart 6: CDOT PE I Turnover Rate
FY 2008 to FY 2021**



Comments from our 2021 risk assessments also included:

- CDOT may not have certain expertise in-house
 - Construction side hires techs who then learn on the job
 - Techs in the field might just take what consultants say at face value
- Rely on consultants because we lost a significant amount of expertise
- People promoted too quickly who lack knowledge and experience in running projects
- People are learning on the job, but may not be learning correctly
- Inexperienced/unskilled staff may be unnecessarily pushing back against contractor-requested changes/information
- Staff are missing core competencies and information
 - Overall, there is a need for a more robust training program to create a core knowledge base
 - Online training is ineffective/insufficient, does not necessarily cover needed material
- A trial by fire/sink or swim approach to personnel
 - Bring in a new person and drop them into job duties with little preparation
- Engineers in Training (EIT) put on projects before ready and drinking from a firehose is an area that seems to be repeated
 - Currently bringing in consulting teams to support EITs
- There are issues with keeping construction staff:

- PE I makes 60% of consultant salary because of hourly and overtime pay
- Difficult to get and keep people
- Strongly seasonal work and CDOT recommends people use comp time during the off season rather than receive overtime pay
- Inexperienced techs sent out on projects may not observe/recognize issues
- Unable to grow and develop staff due to salary caps
- Paying consultants a lot of money to handle administrative paperwork

In addition to developing the training needed for engineers at various organizational levels and specialties, Audit also recommends that CDOT perform a salary study for a seasoned PE I, 5 to 10 years of experience, and other engineer positions if warranted.

3. Construction Management/General Contractor:

The one CM/GC Project that Audit analyzed appeared to have most of its documentation in order and appeared relatively complete. Most of the Project documentation was maintained by outside parties, which can be more expensive. As with the DB Projects, CDOT should consider reducing reliance upon consultants and weigh personnel on projects more towards CDOT. Audit also recommends that CDOT:

- Provide training to the engineering personnel on the five risk assessment steps
- Develop additional training for engineers at various organizational levels and specialties
- Perform a salary study for a seasoned PE I, 5 - 10 years of experience and other engineer positions if warranted

Other Observations:

ProjectWise Usage:

It does not appear that documentation within ProjectWise is well organized.² Among other observations, Audit found that project folders in ProjectWise frequently contain multiple copies of documents, are missing information, and/or contain documents from other projects. Moreover, Audit found that over 300 folders are maintained in ProjectWise with many engineers unclear as to the use of these folders and what support documentation to maintain.

Project Closure Timeliness:

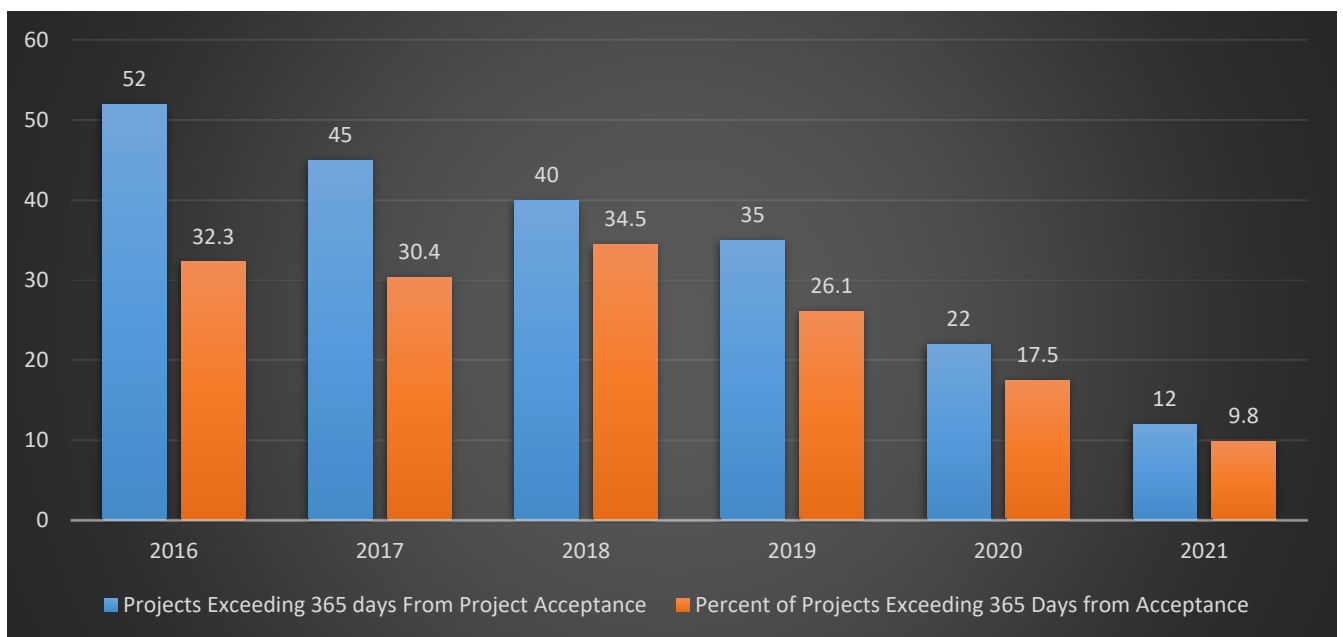
Audit found that project engineers may not have sufficient time to close projects within the 365 day timeframe following substantial completion required by statute.³ Our

² CDOT uses ProjectWise to maintain project records, which is an engineering project collaboration software from [Bentley Systems](#) that allows project teams to manage, share, distribute, and review engineering project content from within a single platform.

³ Colorado Revised Statutes. (2021). § 43-1-123(1).

analysis found that CDOT has made significant improvements with closing projects within the legal timeframe from project acceptance, but improvements are still possible through better project oversight. Although their finding was based on a more stringent CDOT policy of project closure within six months, as opposed to the state requirement, not closing projects timely was also identified as an audit finding by the Office of the State Auditor.⁴ In FY 2021, 12 (9.8%) of the projects were closed late based on the 365 day state requirement, although this represented a substantial improvement from FY 2016, which had 52 projects (32%) closed untimely (*see Chart 7*).

Chart 7: Projects Closed Late Based on 365 Days from Project Acceptance Date FY 2017 to FY 2021

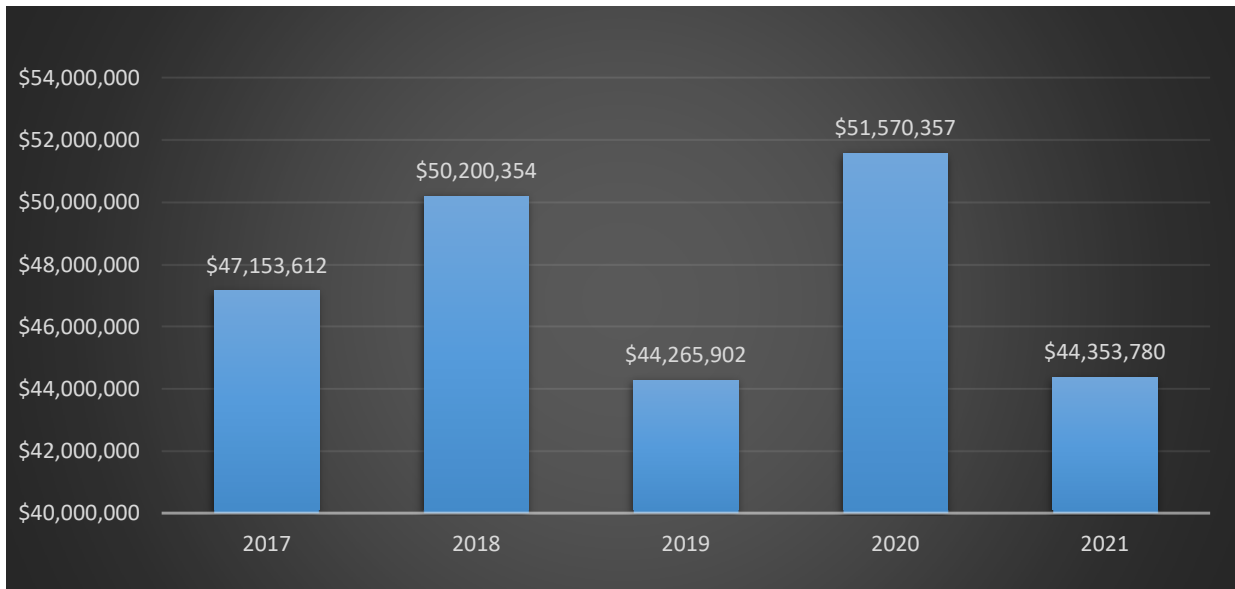


Release of Excess Construction Funds:

Our analysis of projects that were not closed within 365 days found that from FY 2017 to FY 2021, a total of \$237 million—an average of over \$47 million per year—in excess construction project funds could have been released sooner (*see Chart 8*). The Office of the State Auditor also identified a similar finding in their May 2019 report, finding \$29.3 million in excess construction funds that could have been released sooner based on the *Construction Manual* (2019) criteria of project closure within six months within final project acceptance.

⁴ State of Colorado, Office of the State Auditor. (2019). *Department of Transportation, Transportation Commission Operational Risk Areas*. https://leg.colorado.gov/sites/default/files/documents/audits/1750p_operational_risk_areas_cdot.pdf

**Chart 8: Construction Project Funds Remaining Based on 365 Days from Project Acceptance Date
FY 2017 to FY 2021**



Other Matters

Although the *Construction Manual (2019)* appears thorough and provides clear guidance, management should consider the following minor revisions:

- Changing the project closure timeframe from six months from the project acceptance date to match the state requirement of 365 days (Section 121.3.4);
- Simplifying guidance on signature types for various documents (Section 120.1.1);
- Simplifying the required file format for all schedules. Section 108.3 currently requires electronic copies of all schedules in both native file format and PDF;
- Condensing multiple requirements into a single form via incorporation of multiple forms. The following forms are provided as an example of items that could be combined while providing all necessary information in a single form and using less staff time completing required forms:
 - Over and Unders report could be combined with Form 65, Project Financial Report
 - Explanation Letter could become part of the Form 90, CMO

Recommendations

To improve construction project oversight, Audit recommends the following:

1. Develop a DBB procurement method that grants awards based upon best qualified contractor rather than solely low bid.

2. Allow for a risk-based approach in the project management of DBB Projects.
3. Change the contractor evaluation process so that it is confidential and not automatically shared with outside parties.
4. Provide training to engineering personnel on the five risk assessment steps.
5. Develop additional training for engineers at various organizational levels and specialties.
6. Perform a salary study for the seasoned PE I position, those with 5 to 10 years of experience, and other engineer positions if warranted.

Management Comments

Management agrees with the findings and recommendations contained in this report. See [Appendix D for additional information](#) and [Appendix E for Management's Official Comments](#). The Audit Division considers management's comments responsive to the recommendations and corrective actions should resolve the issues identified in this report.

Appendix A: PE I Job Responsibilities	<i>Construction Manual Reference</i>
Administers contracts according to CDOT Policies and Procedures	105.14.2
<ul style="list-style-type: none"> a. Reviews agreements between local agency and CDOT to ensure applicable issues are addressed in local agency projects b. Performs random project reviews and provides advice to the project engineer of the local agency 	122.4 122.6
Ensures applicable project documentation conforms to contract requirements and established CDOT policies and practices	105.14.2
<ul style="list-style-type: none"> a. Strives to be as paperless as practical, generating and keeping all documentation in an electronic format b. Seeks approval for exceptions to electronic document requirements 	120
Ensures that all documents in a project record contain the project number and project code (subaccount)	120.1
Ensures that the proper signature method is used for documents. For example, Adobe Sign for Signature Type 1 documents and a different method (Acrobat Pro DC certified signature, Blue Beam, login verification, scanned signature, etc.) for Signature Type 2 documents	120.1.1
Ensures that project records are accurate, complete, and easily understood.	120.1.2
Compiles and verifies project documentation and archives project records on a continuing basis	120.1.2 Figure 100-15 120.1.4 120.1.7.2 120.2
Manages the project within the approved construction budget authorization or approved budget changes	105.14.2
Monitors financial status of project (Form 65)	120.6.2.1
Maintains Overs & Unders report in AASHTOWare	120.6.2.1.1
<ul style="list-style-type: none"> a. Requests additional funds (if necessary) using Form 1186 at least two weeks prior to payment that will exceed project commitment amount and obtains necessary approvals <ul style="list-style-type: none"> - Enters SAP purchase requisition and provides a draft of Form 90 (CMO) with explanation letter and any pertinent information for funding letter requests related to CMOs b. Enters SAP purchase requisition and provides documentation, including Form 65 and Overs/Unders report, regarding project scope changes requiring increase / decrease 	120.6.2.2 120.6.2.3.1 120.6.2.3.2
Notifies Area Engineer upon receipt of Value Engineering Change Proposal (VECP)	104.7

Appendix A: PE I Job Responsibilities	<i>Construction Manual Reference</i>
a. Determines if VECP qualifies for consideration and evaluation in concert with resident engineer.	104.7
b. Categorizes VECP proposal.	104.7
c. Assembles a panel of subject matter experts to evaluate VECP proposal.	104.7
d. If agreed to, processes VECP using Form 90.	104.7
Ensures that all work and materials used on the project conform to contract requirements and established CDOT policies and practices	105.14.2
a. Ensures project construction is performed in accordance with the plans	105.14.2
b. Enforces governing specifications and special provisions of the project & contract	105.14.2
c. Resolves after-the-fact discovery of inadvertent incorporation of excess foreign materials on a case-by-case basis and submits resolution to the FHWA for approval	106.11
d. Reviews & signs Form 626 submitted by project materials tester for materials outside specified limits	120.12.2
e. Evaluates materials or work for price reduction if materials, work, or finished product do not conform to the contract	120.12.3
Ensures DBE (Disadvantaged Business Enterprise), On the Job Training (OJT), and related state/federal requirements are fulfilled	105.14.2
a. Discusses federal requirements (e.g., Davis-Bacon, EEO, OSHA, etc.) incorporated via FHWA Form 1273 with contractor and subcontracting entities at preconstruction conference	107.1-107.1.1.1
b. Reminds contractor of OJT goals and status at weekly project meetings	107.1.4.2
c. Works with Civil Rights Officer (CRO) to evaluate requests for DBE or OJT waivers or modifications	107.1.4.5
Holds all necessary conferences with contractor regarding CDOT expectations and project details (e.g., preconstruction conference(s), pre-paving conference, pre-pour conference, etc.)	120.13
a. Provides complete copy of the agenda and meeting minutes to each attendee after each conference	120.13.1.4
Ensures compliance with environmental mitigation commitments	107.12
a. Conducts environmental preconstruction conference that addresses environmental requirements	107.12
b. Receives, reviews, and approves spill response plan and method statement for containing pollutant byproducts from contractor	107.25.2.20
Ensures contractor has been informed of importance of preserving protected archaeological and paleontological sites	107.23.1
a. Ensures protected sites are marked before construction begins	107.23.1

Appendix A: PE I Job Responsibilities	Construction Manual Reference
b. Halts construction activity and notifies CDOT Cultural Resources Staff if archaeological or paleontological resources are discovered during construction	107.23.2
Responds to Contractor requests in writing as directed by the Resident Engineer using Form 105	105.14.2
a. If Contractor refuses to sign Form 105 upon receipt, must note refusal on the form.	120.4
b. Sends Form 105 via registered mail to Contractor home office address	120.4
Ensures contract time is managed in a way that benefits the project	105.14.2
Ensures timely completion of the project based on the original project schedule and approved schedule revisions	105.14.2
a. Uses CPM scheduling and good engineering judgment to determine contract time for completing the project and documents analysis on Form 859	108.8
b. Determines and documents project time charges on Form 262 or Form 263	108.8.5.1
c. Reviews and approves/requests revision of MS Project or Primavera Critical Path Method preliminary, baseline, updated, and revised project schedules and schedule reports from contractor <ul style="list-style-type: none"> - Baseline schedule is required from contractor by 45th day after award - Bar chart or critical path method 90-day project schedule is required from contractor at least five working days prior to the start of work - Progress schedules & methods statement are required monthly & at least five days prior to start of work 	108.3 108.3.1 Standard Special Provision 108.03(c) 108.3.2 108.3.5 120.11.1 120.11.1 120.11.2
d. Provides a written response to contractor for all schedules within 10 days of receipt	108.3.1
e. Conducts schedule review meetings for each schedule submitted as soon as feasible after receipt of schedule (with enough time to respond as required above)	108.3.1
f. Requires contractor to follow Request for Extension of Contract Time process if necessary	108.3.1
g. Determines whether an extension of contract time is warranted, and issues change order(s) as appropriate	108.8.6
h. Requires revised schedule from contractor (in writing) when there is a major contract or schedule change or when baseline schedule no longer reflects how work is being performed	108.3.1

Appendix A: PE I Job Responsibilities	Construction Manual Reference
i. Issues Form 105 advising contractor of liquidated damages when contractor is unlikely to complete the work within allotted time	108.9
j. Notifies Residence Engineer (RE), Contracts and Market Analysis Area Engineer, Program Engineer, and Region Transportation Director (RTD) of any significant delay or other situation that may lead to the default or termination of any construction contract, contractor, or consultant	108.10
Reviews and approves contractor's drawdown (payment) schedule. Estimates and maintains drawdown schedule for project's encumbered funds not in contractor's control	108.4.1
a. Receives and reviews payment schedule update monthly by the 1 st of each month	108.4.1
b. Enters drawdown schedule information into SAP	108.4.2
Conducts safety critical element conference two weeks prior to beginning construction on each safety critical element identified by contractor in construction plan	107.6.1
a. Reviews contractor safety management plan for adequacy and compliance with specifications	107.6.3
b. Ensures safety critical work is only performed when PE is onsite	107.6.1
Documents items properly and ensures project records and other documentation are proper and current	105.14.2
Reviews contract and eliminates unnecessary items using Form 105	109.5
Generates or prints Form 110 or Form 517 project status reports	120.6.1
Prepares Form 103 (project diary) for all events that occur during construction and/or the administration of the contract	120.5
a. Documents responses, instructions, and directions to contractor, property owners, CDOT staff, and other agency personnel in the project diary (Form 103)	105.14.2 120.5 Figure 100-15
b. Documents reasons for time charges using Form 262/263	120.6
Generates Form 65 (project financial status report) monthly and submits with progress payment estimate from SiteManager	120.6.2.1.2
Completes and updates the required document checklist (monthly) to verify & document all required documents have been received from Contractor and submits to RE with each monthly pay estimate	120.1.6 Figure 100-16
Notes receipt and retains a copy of signed agreement between contractor and owner of private property in project records	106.1
Ensures that the contractor provides the appropriate project material documentation regarding steel and iron material delivered to the project which includes Buy America Certifications and all original material and certified test reports	106.11 106.12 106.13

Appendix A: PE I Job Responsibilities	Construction Manual Reference
Reviews contractor Certificate of Insurance for requirement compliance and monitors insurance coverage cancellations.	107.15 Standard Specifications 107.15
a. Issues a written stop work order to the contractor If insurance coverage expires.	107.15
b. Receives and reviews in-service report for any scales newly installed at location	109.1.1
c. Verifies manual weighing operations and computerized scales	109.1.2.1 109.1.2.2
Receives and documents (Form 46) concrete truck mixer inspection certification	120.12.4.1
Ensures batch plant has current scale and water meter certifications	120.12.4.2
a. Retains electronic copies of all schedules in native file format and pdf form	108.3
b. Prepares various checklists as appropriate that include: <ul style="list-style-type: none"> • Checklist 1: schedule completeness • Checklist 2: schedule review meeting • Checklist 3: project schedule update • Checklist 4: issues that require schedule revision & resubmission • Checklist 5: need for schedule consultant 	108.3.1 Figure 100-6 Figure 100-7 Figure 100-8 Figure 100-9 Figure 100-10
Completes a change order for force account work that was not included in contract	120.15.3.4
Directs any force account work according to specified guidelines	120.15.3.4
Monitors force account work and determines if these is an opportunity to convert to an agreed price	120.15.3.3
Prepares Form 10, Inspectors Report for Force Account Work, for all force account work and ensures key information is present	109.4.2 120.15.3.5
Reviews alternative Form 10 prepared by the contractor for price disputes that the contractor believes are eligible for payment prior to starting the work in question on the next working day	109.4.2
Negotiates with contractor to determine if agreement can be reached on price	120.15.3.3
Retains Form 580 for equipment rental with all other required information	120.15.3.6
Receives and reviews Form 205 from contractor for subletting work (if applicable); required for all specialty work prior to work start	108.1 120.10
a. Consults with region EEO / Civil Rights Specialist prior to Form 205 approval	120.10.2
b. Forwards any Form 1425 (material suppliers) to Civil Rights Officer (CRO)	120.10.2

Appendix A: PE I Job Responsibilities	Construction Manual Reference
c. Ensures that written subcontract and certified payrolls are received from the contractor with Form 205 unless otherwise excepted	120.10.2
d. Ensures that Form 205 is prepared for leased or rented equipment on federal aid projects	120.10.3
e. Verifies partial item percentage price, unit prices, extensions, totals, and percentage calculations on Form 205 before submitting	120.10.4.1
Obtains completed and signed Form 789 if CDOT holds option to buy material as soon as practical after completion of the work in and around the pit site	120.14.1
Receives and reviews mining permit or letter from contractor using material from any source	120.14.2
Prepares change orders (Form 90) with reference to Form 65 (financial status report) for major and minor changes to contract scope, payment, or time including: <ul style="list-style-type: none"> • Major design changes • Differing site conditions • Additional work • Compensation for costs incurred for items eliminated from contract • Increases to OJT force account • VECP • Any overrun or extension 	105.14.2 120.6.2.1.1 120.7 109.2.2 109.4.1 109.5 120.7
Obtains Resident Engineer (RE) pre-approval on any CMO	120.7.5.1
Prepares Form 90 in a clear and concise way and includes all necessary information	120.7
Ensures that the Form 90 is signed by the appropriate CDOT personnel and contractor before start of added or changed work <ul style="list-style-type: none"> • Provides specific & detailed written authorization to proceed to contractor if Form 90 cannot be signed before work begins 	120.7
Incorporates changes into the As-Constructed Plans	120.7 121.2.3.2
Routes change order(s) and supporting documentation in electronic format whenever possible	120.7.5.2 120.7.9
Archives final executed change order in ProjectWise	120.7.5.3
Submits a copy of Minor Change Order Items summary worksheet monthly to RE and program engineer for review	120.7.3.1
Forwards any completed Form 838 from contractor to CRO	107.1.4.2

Appendix A: PE I Job Responsibilities	Construction Manual Reference
Sends Form 105 to contractor if contractor has not submitted Form 838 and required documentation at least 10 days prior to the progress payment	107.1.4.2
Receives, reviews, and approves Form 832 from contractor monthly including any request to waive or modify OJT goal and completes Form 1336 if the request is approved.	107.1.4.2
Issues to the contractor Form 105 requiring written explanation if OJT goal is not met and Form 105 notifying contractor of disincentive decisions	107.1.4.6
Forwards any Form 1420 or Form 1415 to CRO	120.9.1
Completes third set of questions on Form 1432 for each DBE and forwards to the CRO	120.9.2
Informs CRO of any potential commercially useful function issues	120.9.2
Tracks Form 280 for EEO and labor compliance interviews	107.1.5.2
Receives and reviews certified payrolls for all specialty work on federal aid projects	109.4.3.3
Receives and reviews Form 1391 or contractor workforce report annually for required period	107.1.5.3
a. Acquires necessary resources, if designated, for response to emergency	120.8.3
b. Procures contractor for emergency situation according to specified procedures	120.8.3 120.8.4
c. Provides for oversight of contractor activities	120.8.3
d. Updates region authority periodically regarding progress	120.8.3
e. Submits a written request for emergency contracting by the end of the next business day following the emergency	120.8.3 120.8.5
f. Submits a report to the controller no later than the end of the next business day following the emergency	120.8.3 120.8.5
g. Submits contracting information to the Agreements Unit or Procurement Office as soon as practical	120.8.3 120.8.6
Ensures the contractor is paid timely for all contract items satisfactorily completed in accordance with the contract	105.14.2
a. Prepares monthly partial payment estimates for work performed each month - Provides estimate to contractor - Notifies contractor in writing of reason for any delays - Submits required documents with payment estimate	109.6.1 120.6.2.1.2 120.1.6
b. Independently verifies work that has been completed pursuant to the specifications and determines if materials quantities are reasonable	109.1

Appendix A: PE I Job Responsibilities	Construction Manual Reference
c. Ensures that the Contractor has complied with the Buy America specification before paying Contractor for steel and iron products in monthly pay estimate	106.11
d. Holds payment until either complete baseline schedule or project schedule updates are approved e. Notifies and obtains concurrence from RE and program engineer	108.3.4 Standard Special Provision 108.03(d)
Documents pay items included in contract in SiteManager daily work report	120.15.1.1
Approves progress payments based on interim quantities documented and specified guidelines	120.15.1.2 120.15.5
Makes contract cost adjustments for fuel or asphalt cement costs (Form 85 must be completed as part of bid) once per month	109.6.1
Makes additional payment for inadvertent omission of pay item(s)	109.2
Denies any payment to Contractor that is not supported based on the facts and contract requirements (administrative settlement)	120.7.2
Verifies contractor recording of payments to subcontractors in B2GNow	109.6.1
Processes payments for force account work via itemized invoice or calculation and ensures all necessary documentation is present	120.15.3.9
Reviews and makes payment for stockpiled material after testing, receipt of all certificates of compliance and documentation, and acceptance by CDOT	120.15.4
Inspects, measures, and furnishes final quantities for all work listed on subcontractor Form 205 when subcontractor work is complete <i>All subcontractor paperwork must be submitted and complete before PE authorizes final quantities for work</i>	109.6.2.1
Oversees daily activities of firms and ensures DBEs are performing a commercially useful function	107.1.3.5
Monitors the condition of the traveled way with the project inspector and ensures the Contractor properly places and maintains traffic control devices in compliance with specified requirements	104.4
Performs spot checks of truck mixers throughout project and documents in project diary	120.12.4.1
Inspects and records condition of batching equipment and material storage areas	120.12.4.2
Ensures the work is inspected daily and as required to ensure reasonable conformance to the contract	105.14.2
a. Documents observations of contractor operations, equipment, and personnel	108.6.1

Appendix A: PE I Job Responsibilities	Construction Manual Reference
b. Requires removal of contractor or subcontractor personnel as necessary for reasons of unsafe work practices, workplace violence, etc.	107.6.1 108.6.2 108.7
c. Immediately attempts to resolve quality concerns with the Contractor Superintendent	105.14.3
d. Documents and brings to RE attention items that do not meet the contract or accepted CDOT guidelines	105.14.2
e. Seeks guidance from RE on nonconforming work	105.14.3
f. Obtains additional guidance from Region Materials Engineer, Region Program Engineer, Materials and Geotechnical Branch, and/or Area Engineer on nonconforming work	105.14.3
g. Considers potential suspension of Contractor work in nonconforming area(s)	105.14.3
h. If work has been suspended, does not allow it to resume until the problem has been corrected	105.14.3
Requires Contractor to bring nonconforming item(s) into conformance.	105.3.1- 105.3.3
a. Issues stop work order for the item(s) until the problem is satisfactorily corrected if contractor does not comply	105.3.1- 105.3.3
b. Implements a price reduction documented by a change order for nonconforming but reasonably acceptable work	105.3.1- 105.3.3
c. Ensures that unacceptable nonconforming work is removed, replaced, or otherwise corrected at no additional cost to the Department	105.3.1- 105.3.3
Notifies contractor of any maintenance problems with roadway or structure	105.20
a. Determines what restoration expenses are attributable to contractor on sections where contractor has not been granted relief from restoration expenses	107.17
b. Ensures that maintenance problems are resolved and If contractor does not take action, has the problem fixed and deducts from the money due the contractor	105.20
Monitors the status of each dispute or claim on their project(s) using Form 1318	105.22.1.2
a. Provides contractor with written acknowledgement of dispute	105.22.1.2
b. Submits Form 1318 to Area Engineer at dispute initiation and whenever the status of a dispute or claim changes	105.22.1.2
c. Reviews contractor's Request for Equitable Adjustment package to verify whether a contractual and factual basis for dispute exists	105.22.2.2
d. Requests additional information from Contractor in writing (if necessary)	105.22.2.2

Appendix A: PE I Job Responsibilities	Construction Manual Reference
e. Gathers supplemental data, including force account records (Form 10), records of conversations, agreements, and actions from daily dairies (Form 103), and takes photographs and video of disputed work where appropriate	105.22.1.2
f. Seeks advice and / or guidance from RE and region program engineer, as well as Area Engineer before rendering a decision	105.22.1.2
g. Provides FHWA Operations Engineer with written notification of disputes exceeding \$250,000 on federal aid projects and all disputes on full oversight projects	105.22.1.2
h. Follows up written notification to FHWA with copies of all dispute information	105.22.1.2
i. Requests audit to evaluate contractor damages as soon as practical after receiving complete REA or dispute (may)	105.22.2.2
j. Seeks approval from RE to use a consultant to determine impacts of delays, dispute validity, and compensation due	105.22.2.2
k. Follows contract subsection 105.22(c) with regard the timing of rendering a decision	105.22.2.2
l. Initiates dispute review board (DRB) process according to contract subsection 105.23(a) when a dispute has not been resolved	105.23
m. Selects DRB members and informs them of project participants in order to avoid a conflict of interest	105.23
n. Notifies Area Engineer after selecting DRB members and submits Third Party Agreement to Area Engineer for signature	105.23
o. Remains involved in dispute process by maintaining the claim record and ensuring the specification is followed	105.24
p. Prepares CDOT claim package and creates, maintains, and distributes claim records, adding additional documentation as required	105.24.1
Ensures final project records are present and complete in the required format in a timely manner	121.1
a. Actively pursues completion of final documentation even if contractor has not submitted required documentation	121.1.2
b. Completes and submits final documentation to the final's administrator within 45 calendar days of issuing the acceptance letter	121.1.2
c. Ensures that final project records contain documentation supporting pay quantities, civil rights and labor compliance, surveys, as-constructed plans, materials, and anything else required by CDOT specifications, FHWA, or other regulations	121.2.6
d. Itemizes any documentation that has not been received at the time of project acceptance in the project acceptance letter	121.2.7

Appendix A: PE I Job Responsibilities	Construction Manual Reference
e. Follows required escalation procedure when having difficulty obtaining required documentation from contractor	121.3.1
Ensures final documentation is present based on how the contractor is to be paid (e.g., linear foot, ton, etc.)	121.2.1 121.2.2
a. Ensures all quantities have been checked before final estimate is paid	121.1.2
b. Ensures that quantities on final estimates must agree with the summary of final quantities on the as-constructed plans	121.2.4
Determines response to potential contractor request to reduce amount of retainage or securities withheld	109.6.2.2
Schedules a Final Inspection Review meeting	109.9.1
Performs a final inspection	105.21.2
a. Ensures that the contractor corrects any unacceptable work	105.21.2
b. Notifies CRO if contractor has not met OJT goal, issues Form 105 requiring written explanation from contractor, and determines whether disincentives should be imposed, also using Form 105 to notify contractor	107.1.4.6
c. Issues written final acceptance letter with required documentation regarding retainage, required documents & forms from Contractor, etc.	105.21.2 109.9.1 109.9.2 120.3.2
Begins final acceptance process by preparing Form 1212, Final Acceptance Report, and submits to RE for verification.	105.21.3 109.9.2
a. Ensures that final payment authorization is submitted to accounting within 45 calendar days after receiving all contractor submittals and resolving all contractor claims & supplier liens	121.1.1
b. Estimates and submits value of outstanding force account billings to regional finals administrator if final billings on force accounts have not been received within 90 days after final settlement advertised and final checking completed	121.2.4
Ensures that project is closed within six months after the project acceptance date	121.3.4
a. Initiates project fund escrow procedures if a lengthy extension period is anticipated	121.3.4 121.3.5

Appendix B: Diary Completion Requirements (Construction Manual 120.5 and 120.6)

All events that occur during construction and the administration of the Contract, including:

- a. work in progress,
- b. labor and equipment used,
- c. acceptability of materials used,
- d. details of problems encountered, and
- e. contacts with or directions issued to the Contractor.

Type of work performed.

All discussions with Contractor personnel, property owners, CDOT Staff, and other agency personnel regarding the project.

Location where work was performed.

Prospective bidders (company and individual's name) who looked at the project, comments made, questions asked, and CDOT response.

Visitors to the project site.

Total days charged to date, elapsed days, hours worked, approximate number of employees, and supervisory personnel.

Alteration of plans, character of work and quantities (including both anticipated and actual).

Concise description of any changed condition, anticipated effect on Contract work underway, action required, and nature of increased work to the Contractor, including estimated time and cost to correct. Continue to document activities until the impacted work is completed.

Conditions leading to extra work.

Traffic conditions, roadway conditions, signing, flagging, detours, etc.

Traffic incidents, detour shifts, etc.

Access to site or work area.

Use of materials found in the excavation. Conditions imposed on their use.

Directions or interpretations given to the Contractor.

Information leading to any decision on acceptance or rejection of work based on reasonable conformity.

Discrepancy in Contract documents and the decision as to which will be followed.

Objective comments on the competency of supervision and organization of Contractor.

Utility conflicts, status and details concerning any delay to Contract progress. Record the Contractor's effort to locate and protect utilities.

Include date and discussions of unacceptable work including remedial action or rejection and ultimate resolution.

Problems concerning legal load restrictions.

Contractor efforts to maintain Contract work

Actions of project engineer if Contractor does not perform required maintenance.

Actions taken in relation to partial or final acceptance. Include directions for completion of or correction of unsatisfactory work.

Record detail documentation covering all project activities and any impacts on the Contractor's activities when a contract claim is anticipated or has been started.

Appendix B: Diary Completion Requirements (Construction Manual 120.5 and 120.6)
Pit conditions before, during, and after removal of material; method of working; haul road; and any other problems noted, as well as contact with property owners.
Storage of Materials including storage locations, permissions, and the condition of the site at completion of the project.
Damage and problems caused by transportation of material including methods, production procedures, etc.
Materials delivered to the project.
Record source, quality, cost, and handling of CDOT furnished materials.
Contacts made concerning non-domestic steel and actions taken.
Compliance with applicable laws
Comments by property owners or the public.
Equipment deliveries, breakdowns, and equipment stored on the project.
Compliance with the Manual on Uniform Traffic Control Devices and the Traffic Control Plan.
Conditions and discussions related to opening portions of work to traffic, including CDOT and Contractor responsibilities.
Contractor efforts to protect work from damage.
Subcontractors working on the project.
Documentation of work progress as it relates to the Progress Schedule.
Changes in weather conditions during working hours.
Weather, temperature, and other factors related to time charges.
Any time changes and reasons for the changes.
Events leading to default or termination of the Contract.
Inspection of scales and weigher certifications.
Conformance to specifications and suitable storage conditions for materials on hand.
Daily assessment of contract time, especially when less-than-full-time charges are assessed.

APPENDIX C: Workmanship/Contractor Issues	Month
Year 1 Issues	One
Exploratory drilling performed without informing CDOT	Day: 7
Traffic control not conforming to Method of Handling Traffic plan; standard signage not installed	20
Radar exploration performed without informing CDOT.	20
Second instance of contractor not informing CDOT of work	21
Consultant overseeing project noted numerous contractor errors	22
Certificate of Compliance not provided on anchor bolts	22
Approach slab that was not fully consolidated resulted in several voids	25
Missing diaries for 12% of the second month	Two
Rock socks not installed correctly upstream of existing drainage; some are damaged and need replacement. Berms not up to specifications	Three Day: 30
Missing diaries for 83% of the third month	
Newly installed erosion log installed incorrectly	Four Day: 7
Erosion control measures (BMPs) were installed incorrectly & in wrong locations.	9
Erosion control measures (BMPs) on subsequent reviews still not installed correctly, with contractor staff stating they were unaware of BMP standards.	13
Contractor crew removing fence using skid steer with chains not rated for the activity.	16
Trench box installed but a significant amount of material still exposed and protective blankets placed in a different manner than described. Contractor also damaged parts of concrete sidewalk during trench box install. Most of damage repaired but some damaged pieces left in place. Contractor crew left without sweeping sidewalk or street.	17
A flagger was suggested to contractor because construction vehicles were consistently pulling out of lane closure without knowing if there was oncoming traffic and making U-turns in a large blind spot area. Contractor declined, stating that flagger was too expensive.	20
Contractor crew blindly chipping away the abutment and began to chip below construction joint. Contractor also installed partial vehicle tracking pad near stockyard, but simply laid fabric down and covered it with rocks, not according to standards.	28
Demolition work is non-conforming. Excavation depth could cause roadway undermining. Bearing elevation at construction joint never verified. Contractor working at a site location without a Method of Handling Traffic plan in place. Contractor has also neglected to replace barrier at site on several occasions.	29
Work at abutment caused concrete chunks to roll down the sidewalk; contractor eventually set up construction fence to catch debris. Two reinforcing steel cages for caisson were missing several hoops and had hoop lap rotation issues because contractor was not following the plan.	30

APPENDIX C: Workmanship/Contractor Issues	Month
Contractor personnel working unsupervised on demolition and using wrong tool. Potholing operations on site not covered.	31
Methods of Handling Traffic issues - some commuters driving in wrong lane, going head-to-head with oncoming traffic. Contractor tied CSL tubes to steel cages incorrectly / not following plan.	Five Day: 4
Shaft not aligned properly and outside of allowable variation	5
Contractor used incorrect set of drawings for falsework	17
U-stirrup bars placed incorrectly resulting in clearance issues. Extra steel was also tied with incorrectly placed bars, so required length could be achieved, and some steel could be cut where clearance was an issue.	Six Day: 24
Protruding tie rod removed from concrete surface; patch not finished smoothly or evenly as required by specifications. Holes left by tie rod hoops not patched. Ongoing issues regarding some u-bars bent and vertical portions of unequal lengths.	29
Contractor did not make requested changes / corrections prior to concrete pour.	Seven Day: 6
Problem with placement of bearing device templates and bolts - pier cap steel is an obstruction to required bolt location.	9
Cylinder breaks.	13
Curb concrete at toe of slope poured without any testing.	14
Ongoing issues with groundwater in excavation. Also having trouble with steel plates sinking / falling toward existing water main. Contractor requested they level everything already placed.	27
Dowel holes drilled incorrectly	28
Wall material has to be reprocessed; deflection is too high	29
U-bars required at ends of diaphragms not delivered in steel package for deck reinforcing	Eight Day: 4
Improper installation of galvanic anodes, diaphragm end cap u-bars and lap bars.	9
Work on wall continues without tech rep present as required by specifications. Corner panel set incorrectly.	17
Cars passing under bridge start to merge back to right lane but swerve into left lane because closure extends across the bridge	18
Contractor improperly adding water to the surface of the footing concrete for finishing purposes against project specifications.	25
Concrete placed without any testing taking place was too stiff to effectively place or consolidate, and water could not be added. New load had to be ordered.	Nine Day: 7
Positioning bearing devices not correctly placed per specifications and use of grout pad was not approved	8
Form removal shows severe honeycombing as well as a visible seam at the cold joint	9
Contractor crews twice started to install cribbing without giving inspectors the opportunity to check concrete surface.	10

APPENDIX C: Workmanship/Contractor Issues	Month
<i>Missing diaries for 64% of the ninth month</i>	
Year 2 Issues	Ten
Method of Handing Traffic improperly set up; devices terminated early for north bound traffic	Day: 14
Rocker setting was incorrect. Contractor was not planning on verifying thickness of existing deck before placing angle irons, thickness of existing deck is inconsistent and would have caused problems	16
Adequate equipment not onsite for dewatering	20
Dowel holes being drilled into existing deck do not achieve required embedment	Eleven Day: 9
Issues at abutment ends. Waterline excavation roughly 10 feet shy of elevation provided for flowline by survey but is very close to potentially compromising structure above it.	10
Contractor has been tying top mat steel of deck reinforcement without having spliced bottom mat to bottom dowels. Contractor misunderstood previous directions given.	15
Discovered a few top mat dowels embedded only about 14.5 inches; discussed with contractor about having agreed to achieve at least 16 inches of embedment.	17
Pile placed incorrectly.	23
Missing signs & sidewalk closure not implemented. Also, shift to right lane closure after coming through deck pour closure was implemented earlier than discussed, causing inadequate space for work vehicle parking and making additional warning signs necessary (but none in place). Arrow board on incorrect setting & missing advanced warning signs. Rejected concrete in first few concrete trucks; deck pour postponed.	26
Crew working to adjust the incoming invert elevation of the manhole that was placed at incorrect elevation due to discrepancy between drainage plan sheets. Manhole riser cast incorrectly.	Twelve Day: 7
It was originally agreed that working on the drainage line would require a partial road closure, but the entire road is closed.	15
Flared end section not placed properly according to survey stake because of Contractor beginning pipe installation in the middle of the run instead of downstream	16
Contractor crew walking across tops of girders (on trucks - 10 ft above ground) to attach shackles for life without wearing any fall protection	21
Native soil (previously excavated) not cleared for project use was placed into the trench on top of clean embankment material.	31
Steel had several issues that required corrections	Thirteen Day: 4
Approach slab not properly consolidated, resulting in voids. Contractor had personnel begin dry packing defective area before inspection was performed.	25

APPENDIX C: Workmanship/Contractor Issues	Month
There was a delivery of the 10M Bridge rail that was not communicated to the Contractor.	Fourteen Day: 5
Girder seat elevation was not in compliance with the plans.	5
Contractor working on the underdeck falsework without falsework drawing or CDOT approval.	11
Alignment of column projecting steel needed to be readjusted but concrete already in place made this more difficult	18
Crew does not have sufficient filter material to meet plan requirements for underdrain and had to complete later	20
Contractor working on the joist overhangs without shop drawings or CDOT approval.	26
Contractor continues constructing falsework decking without plans being submitted for approval by CDOT	31
Issues with bolt placement / alignment including insufficient contact with the plate and insufficient projection. Plan sheet indicated incorrect projection of the bolts, and there is a conflict between plan sheet, shop drawings, and actual fabrication	Fifteen Day: 13
Bolts embedded into the concrete curb were not installed according to specifications.	13
Contractor constructing scaffolding without pins/bolts at leg joints/connections as required.	16
Initial construction of cap formwork called survey into question and crew had to build the forms for the bottom of the cap differently than the plans indicate.	21
Bolts installed in locations incorrect relative to the cap	23
Surveyed points for cap corners were not square, meaning they were not built correctly.	24
Bolts were in the wrong location and pier caps were out of square.	24
Contractor was going to use 30 lb. hammers rather than the required 15 lb. hammers for potholing activity.	Sixteen Day: 5
Limits of repair ended up doubled from what was originally designated due to contractor's use of incorrect equipment/tools.	6
Contractor using 60lb and 90lb hammers for entire depth of removal rather than 15lb and 30lb hammers that were noted on the plan. Roughly 2/3 of removal was completed before crew switched to correct equipment.	14
Multiple loads of concrete failed testing and were rejected; remainder of concrete placement was suspended. Placement of concrete caused issues (foam block for joint pushed out of place, major voids discovered under block out, etc.).	Seventeen Day: 3
Concrete that did not pass air content was accepted but later was determined to be out of specification.	4
After concrete placed, some bars were omitted that were shown on plan sheet. Contractor had to be reminded of specifications.	17

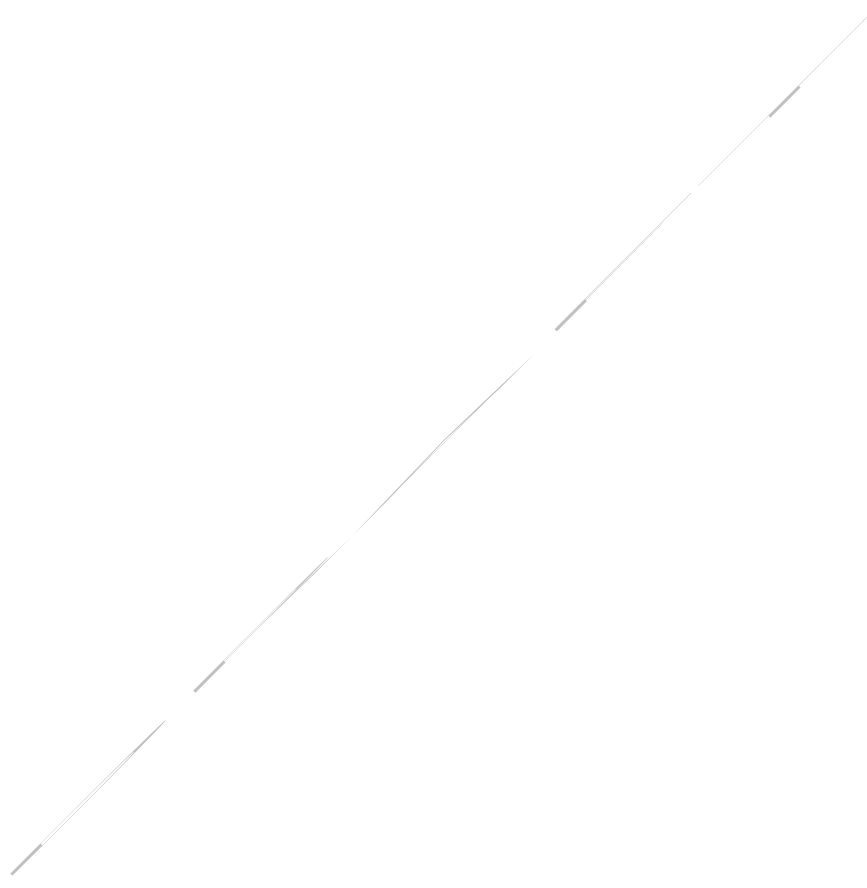
APPENDIX C: Workmanship/Contractor Issues	Month
Water Department stated they were unable to get passing flushing tests and were concerned it may be due to project work	30
Contractor mistakenly applied curing compound to concrete at construction joint (violation of specifications).	Eighteen Day: 12
Contractor suspended header beams from bottom of deck in order to hoist without any engineered drawings depicting hoisting plan.	13
Discovered column height and decking at wrong elevation due to survey providing wrong elevation for falsework decking.	14
Contractor had to be reminded that no work could begin on proposed deck demo plan until the plan was approved	15
Contractor drilling holes at proposed anchor points corresponding to proposed deck demo plan which is still awaiting approval	16
Contractor removed formwork from Pier 3 cap in violation of specifications. Beams in overhang falsework not being installed according to engineered drawings.	19
Structure backfill exceeded maximum thickness per specification	21
Some bearing device anchor bolts and abutment / pier / intermediate diaphragms in conflict with one another causing misalignment throughout the whole system.	27
Missing diaries for 30% of the eighteenth month	
Contractor damaged some shear channels during removal and was advised to use smaller hammers to avoid further damage.	Nineteen Day: 7
Contractor ruptured gas line.	14
Contract unable to find proper chairs for second mat of deck reinforcing per shop drawings and instead finds chairs of different size; tells crew deck can be poured high to accommodate which is the wrong approach.	Twenty Day: 2
Sign structure scheduled for caisson drilling to start but survey was not provided, and underground utilities were not verified.	7
Contractor modifying construction of overhang falsework; joists did not fully support edge of deck formwork, causing issues with Bidwell support and causing the work to be out of specification.	9
All forms of Bidwell are too high and will need to be adjusted.	15
No approved roadway plans for asphalt overlay removal.	15
Inlet set at wrong elevation due to rim vs. throat plan discrepancy.	23
Contractor using adhesive not on approved products lists.	29
Concrete pour cancelled due to survey issues; improper alignment of sleeper slab. Crew notified that steel that had not yet been incorporated was fabricated too short. Survey contacted in regard to error in information provided. Survey error also resulted in sleeper slab being constructed too far from abutment. Roadway survey also had errors as well, causing bridge and roadway discrepancies.	Twenty-One Day: 12

APPENDIX C: Workmanship/Contractor Issues	Month
During concrete placement, low spots were observed in the approach slab. Informed contractor, who argued fixing it would not be possible.	20
Missing diaries for 29% of the twenty-first month	
Year 3 Issues	
Rail was not fabricated per plan. Both inner and outer tubes were supposed to be slotted at locations of tube splice, only inner tube was slotted.	Twenty-Two Day: 17
Traffic switch was not completed during overnight work as planned. There was a roll-over accident at 1 pm, and at the time of the accident, no project traffic control was in place.	Twenty-Three Day: 2
Contractor was using a Kobelco 50K pound excavator on the deck with abutment shoring A large excavator is prohibited while structural shoring designed for dead load is in place.	8
When removing the curb, Contractor had very limited girder delineation and was removing curb entirely to outside edge of girder flange. In addition, the curb head was to be removed first, and the remainder of curb was to be removed with slab removal operations	9
Contractor was using 30 lb. hammers rather than 15 lb. hammers for removal work, which damaged some of the existing reinforcing.	9
Contractor was using improperly sized saw blades to complete the removal by saw cutting methods, resulting in spalling past the removal limit. Consequently, a portion of backwall needed to be replaced.	22
Control was not maintained at the vertical limit of removal, resulting in a portion of the backwall needing to be reconstructed to be in accordance with the specifications.	23
Contractor was unaware that all areas of loose and delaminated concrete in the substructure were to be repaired as per the contract and plan.	27
Crew had to be reminded that there is a proper weave pattern for temp wall reinforcing straps after they had incorrectly installed several.	Twenty-Four Day: 3
Deck overhang bars had to be reordered after it was discovered that the bars originally delivered were not bent correctly. In addition, the new bars were offloaded without a quality inspection.	24
The survey seems to potentially be in error making it difficult to determine if work was performed correctly. The work was deemed to be AT-RISK.	28
Curing not properly performed. Curing has to take place immediately after concrete is placed, not at the end of the day or whenever the Contractor chooses to do so.	29
Missing diaries for 16% of the twenty-fourth month	
Motor vehicle accident took place at 8:30 am. Flagger was nearby (but not flagging) at the time of the accident.	Twenty-Five Day: 5

APPENDIX C: Workmanship/Contractor Issues	Month
Water was improperly added to concrete on truck making it non-compliant, but contractor still placed concrete that had to be later removed.	26
Crew began placing top mat reinforcing but initially placed top mat longitudinal reinforcing incorrectly to match bottom mat.	Twenty-Six Day: 22
Curb steel placed incorrectly. Contractor did not determine locations for 10M posts and was not spacing the reinforcing according to plans.	23
Missing diaries for 10% of the twenty-sixth month	
Contractor had no foreman or superintendent present during today's work. Crew's work had to be stopped because they were hauling material with no flagger present.	Twenty-Seven Day: 5
The final post on the west end of the bridge does not land where it should according to dimensions provided for the final post and its proximity to end of curb. It is discovered that layout should be done horizontally, to this point the layout was done by measuring along the bridge profile. Foreman is notified of this and agrees to lay it out horizontally.	13
Missing diaries for 32% of the twenty-eighth month	
Illegal lane closure: this particular method of handling traffic was no longer allowed to be utilized.	Twenty-Nine Day: 8
Missing diaries for 6% of the twenty-ninth month	
Crew does not match existing asphalt outside of taper correctly on south side, which is pointed out to foreman. Crew comes back to match but then matches through the taper, eliminating the taper. To correct this, the crew back drags with skid steer to create the taper, but this creates an uneven riding surface. Additionally, there are several other areas where joints were not matched properly. Crew does not have consistent rolling pattern, leaving visible lines/depressions/uneven paving throughout newly paved section north of bridge.	Thirty Day: 17
Contractor was informed yesterday that revision should be made to overhang falsework drawing to depict the support/formwork of sidewalk section. Current approved drawings do not specify, and Contractor has plans to construct something that is not currently detailed on approved falsework drawings.	28
Missing diaries for 16% of the thirtieth month	
No significant Issues noted	Thirty-One
No significant Issues noted	Thirty-Two
No significant Issues noted	Thirty-Three
Year 4 Issues	

APPENDIX C: Workmanship/Contractor Issues	Month
Concrete and pump trucks were on-site, but the pour had to be cancelled due to grade issues.	Thirty-Four Day: 25
Upon first install of geomembrane, crew had not graded properly and there were areas with no drainage whatsoever.	Thirty-Five Day: 22
Grader works to widen the area, but cuts below grade significantly and wipes out survey hubs.	Thirty-Six Day: 22
Contractor attempted to pull panel back with excavator; panel broke at top section and had to be removed and replaced.	Thirty-Seven Day: 30
Temporary wall basket built too narrow. Contractor began filling incorrectly.	Thirty-Eight Day: 8
Contractor began demolition on north bound pier. This is a concern because the deck dropped and is close to the basket wall.	Thirty-Nine Day: 5
No significant Issues noted	Forty
West wing wall built to wrong skew; step too close to the corner and Contractor could not set the panels as needed. Contractor reset wall footings.	Forty-One Day: 13
Column 3 (east) poured 2' low and column 1-3 had substantial voids.	17
West edge of sleeper positioned incorrectly (won't tie in or go over inlet correctly on approach).	23
Issue with curb & gutter; curb was not legal according to the plans to install the type 3 rail	Forty-Two Day: 17
No significant Issues noted	Forty-Three
Missing diaries for 13% of the forty-fourth month	Forty-Four
Missing diaries for 22% of the forty-fifth month	Forty-Five
Year 5 Issues	
No significant Issues noted	Forty-Six
No significant Issues noted	Forty-Seven
Missing diaries for 77% of the forty-eighth month	Forty-Eight
Missing diaries for 100% of the forty-ninth month	Forty-Nine
Missing diaries for 100% of the fiftieth month	Fifty
Missing diaries for 80% of the fifty-first month	Fifty-One
Contractor installing incorrect caps on bridge down spouts that will not work	Fifty-Two Day: 12
Missing diaries for 22% of the fifty-second month	Fifty-Two

APPENDIX C: Workmanship/Contractor Issues	Month
<i>Missing diaries for 48% of the fifty-third month</i>	Fifty-Three
<i>Missing diaries for 6% of the fifty-fourth month</i>	Fifty-Four
Contractor traffic fatality at construction site	Fifty-Five
<i>Missing diaries for 45% of the fifty-fifth month</i>	Fifty-Five
<i>Missing diaries for 40% of the fifty-sixth month</i>	Fifty-Six
<i>Missing diaries for 58% of the fifty-seventh month</i>	Fifty-Seven



Appendix D: Management's Comments

Construction Project Oversight Audit Report 22-001

Opportunities exist to improve oversight of construction projects	Agrees or Disagrees with Audit Finding: Agrees
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Narrative for Findings

Audit assessed CDOT's construction project oversight process and concluded that CDOT's processes were mostly effective and working as intended. However, it also appears those in the PE I position have an excessive amount of job responsibilities, which may contribute toward the deficiencies Audit has identified. Audit believes some of these deficiencies have contributed towards additional project costs as well as contractor claims, delays, and/or, at times, litigation.

As a result of excessive workload, Audit identified lapses in construction project oversight. The symptoms of this lack of oversight included:

- Project documentation was not always completed (e.g., project diaries, speed memos, Inspector's Reports for Force Account Work, and meeting minutes);
- Risk assessments were not completed properly;
- Significant issues were not well documented;
- There is a heavier reliance on consultants to provide project oversight
- High project engineer turnover
- ProjectWise was not being fully utilized,
- Projects not always being closed timely;
- Funds being tied up in closed projects:

To improve construction management oversight, Audit recommends the following:

- 1) Develop a DBB procurement method that grants awards based upon best qualified contractor rather than solely low bid
- 2) Allow for a risk-based approach in the project management of DBB Projects
- 3) Change the contractor evaluation process so that it is confidential and not automatically shared with outside parties
- 4) Provide training to engineering personnel on the five risk assessment steps
- 5) Develop additional training for engineers at various organizational levels and specialties
- 6) Perform a salary study for the seasoned PE I position, those with 5 - 10 years of experience, and other engineer positions if warranted

Management's Response to Recommendations:

Management agrees with the recommendations. See Appendix E for [Management's Official Comments](#).

Target Date to Complete Implementation Activities	Name of Specific Point of Contact for Implementation
1) May 2023	1) Stephen Harelson
2) May 2023	2) Stephen Harelson
3) May 2023	3) Stephen Harelson
4) May 2023	4) Stephen Harelson
5) May 2023	5) Stephen Harelson
6) December 2022	6) Kristi Graham-Gitkind

Appendix E: Management's Official Comments



COLORADO
Department of Transportation
Office of the Chief Engineer

May 6, 2022

Frank Spinelli
CDOT Audit Director
2829 W Howard Place
Denver, CO 80204

RE: Construction Project Oversight Report

Dear Frank,

CDOT Management has reviewed the Construction Project Oversight Report 22-001 and would like to thank the Audit division for a well presented and enlightening report. The audit division examined seven different construction projects of varying size and delivery methods, and based on that examination, provided six recommendations intended to improve construction project oversight. CDOT management agrees with the recommendations-so much so that efforts to address several of the issues identified were underway prior to this audit. A summary of the recommendations and CDOT management's response to each follows.

1. *Develop a Design Build Bid (DBB) procurement method that grants awards based upon best qualified contractor rather than solely low bid;*

As the audit notes on page 11, the letting of DBB contracts is controlled by 23 CFR 112, which mandates that work be awarded on the basis of lowest responsive bid. CDOT has in place a system of prequalification for all bidding opportunities, where contractors can be prequalified for contracts of varying size based upon their capacity, assets, and bonding capability. The prequalification process does not emphasize skill or past performance on CDOT projects-or any expertise or experience on a particular project situation. Recognizing this, CDOT has experimented over the years with techniques to introduce project specific qualification-based selection in parallel with price on DBB contracts. Most recently, in 2019, a DBB project was let using a project specific qualification-based evaluation. Interested contractors were asked a series of questions regarding their approaches to scheduling, project management and approach, subcontracting, and their experience working on similar projects in similar environments. The top

scoring contractors in this process were then invited to bid on the work-and then the low bid won. CDOT is committed to continuing to experiment with this type of selection. However, it should be noted that this type of selection is not without risk. The qualification measures must remain objective, as there can be no favoritism or appearance of favoritism to any contractor or group of contractors. CDOT must balance the desire for quality contractors with the necessity of competitive bidding, and multiple bidders on all our work. We look forward to expanding our qualification-based procurement in a fair, transparent, and objective manner. Within three months, CDOT will provide to audit a summary of the qualification-based criteria that CDOT has historically used in selecting “best value” contractors, along with the pros and cons of each. Within one year, CDOT will develop and provide to audit a qualification based DBB procurement; and a recommendation for its appropriate use.

2. *Allow for a risk-based approach in management of DBB projects;*

For the last five years, CDOT’s Project Reporting and Transparency Office (formerly known as PMO) has encouraged, and then mandated the production of Project Management Plans (PMPs) for all projects in the preconstruction phase. A critical element included in the PMP is a risk register, which identifies, quantifies, and assigns project risks-as well as attempts to direct the project team to retire those risks.

Admittedly, this PMP and risk register is focused on the preconstruction phase of project management. However, as part of the “Project First” specification, construction project engineers and contractor superintendents are directed to develop a similar risk matrix, focused on construction risks. CDOT recognizes that these two approaches to risk identification could be better integrated. As part of the PMWeb project management system deployment, now underway, the PMP for preconstruction risks is readily available to all users of the system. CDOT is working to move from the long used Sitemanager software used for construction project management to a modern PMWeb platformed system. This transformation will allow the Preconstruction PMP (and associated risk register) to easily move into the construction phase. While the shared software platform will certainly make the risk register transfer simpler, it should be noted that software solutions do not always solve systemic problems. It is recognized that CDOT must do more to work with staff to ingrain the culture of risk management into all phases of project delivery, and to make sure the risks identified are properly tracked and managed throughout the project lifecycle. The preconstruction PMWeb transformation is nearly complete-and all Preconstruction project management and portfolio management data pulls are expected to be made from the PMWeb database starting July 1, 2022. The construction PMWeb application is under development. It is expected that several pilot projects will use the system in fall of 2022, and all projects will move to it in the summer of 2023. Work will immediately begin to ensure the risk management strategies that this software simplifies will be fully

taken advantage of. While tracking the risks becomes easier with these software packages on the same platform, assigning them to the appropriate party will sometimes require changes in our construction specifications. There currently exist two major risk mitigation specifications the Asphalt Cement Cost Adjustment Spec, and the Fuel Cost Adjustment Spec. Other risks, both global and project specific, could be similarly approached. Within three months, CDOT will provide audit a report of the existing risk-based approaches used in CDOT DBB projects. Within one year, CDOT will provide audit a list of expanded use of such risk-based approaches, and how that expansion is codified in our specifications and construction guidance.

3. *Change the Contractor Evaluation Process so that it is confidential and not automatically shared with outside parties;*

CDOT has long struggled with the Contractor Evaluation Process. It must be structured so that it is constructive, and not punitive; objective, not subjective; and transparent, yet somewhat discrete. CDOT will immediately partner with the various contractor trade groups to identify ways to improve the existing process so that it provides meaningful feedback for both contractors and project staff, who are similarly evaluated. Within three months, CDOT will provide audit with documentation of the current state of the Contractor Evaluation Process, and within one year, will provide suggested changes developed in partnership with the various contractor trade groups.

4. *Provide training to engineering personnel on the five risk assessment steps;*

As part of developing the PMPs required in the PMWeb tool, Preconstruction Project Managers are required to identify risks, assess, and analyze the risks, mitigate, and plan for the risks, allocate the risks, and monitor and control the risks. Through our Project First program, Construction Project Engineers identify and partner with contractors to address project risks in a similar manner. CDOT recognizes that these two approaches should be more unified and will introduce more training regarding risk assessment specifically-and risk awareness throughout the project delivery process as part of our Transportation Engineering Training Program (TETP). Within three months, CDOT will provide audit documentation of our existing risk training in both the PMWeb arena and the Project First Arena; and within one year, will provide unified training materials that link risk analysis between the preconstruction and construction phases of project delivery.

5. *Develop additional training for engineers at various organizational levels and specialties;*

CDOT has developed a weeklong engineering training program that is targeted to young engineers. It is a comprehensive, cradle to grave training for the entire CDOT project lifecycle. For more experienced engineers, CDOT has relied on specialty training programs for materials, structural engineering, hydraulics, and traffic modeling. These trainings are delivered as demand necessitates-and are focused on

specialist engineers, rather than the “jacks of all trades” that perform the bulk of our project management duties. Our project management training has been developed by the Project Reporting and Transparency Office and has been focused on the portfolio reporting needs of the department. Within three months of this audit, CDOT will provide to audit staff a catalogue of existing training opportunities, as well as a list of identified shortfalls in our training program. Within one year, CDOT will establish training courses for these identified shortfalls.

6. *Perform a salary study for the seasoned PE I position-those with 5 to 10 years of experience; and other engineer positions if warranted.*

This effort is underway and is being undertaken by CDOT Human Resources in concert with the Colorado Department of Personnel Administration, as required by statute. Our consulting engineering partners have repeatedly told us over the last several years that the market for qualified civil engineering personnel is extremely competitive. The apparent shortage of these professionals is believed to be an industry wide problem, not isolated to CDOT. The results of the salary study will be provided to audit by December 31, 2022.

Again, CDOT management appreciates the fine quality of the work provided by the audit division and looks forward to addressing the shortcomings identified.

Sincerely,

Stephen

Digitally signed by Stephen

Harelson

Harelson
Date: 2022.05.06 15:40:22
-06'00'

Stephen Harelson, P.E.

Chief Engineer



COLORADO
Department of Transportation
Office of Policy and Government Relations

MEMORANDUM

TO: COLORADO TRANSPORTATION COMMISSION
FROM: HERMAN STOCKINGER, DEPUTY DIRECTOR AND DIRECTOR OF POLICY &
HANNAH L. REED, GRANTS COORDINATOR IN OPRG
DATE: JULY 20TH, 2022
SUBJECT: UPDATE TO TRANSPORTATION COMMISSION ON SUBMITTED, IN PROGRESS, AND
FORTHCOMING GRANT APPLICATIONS TO IJJA DISCRETIONARY PROGRAMS

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 required necessitates 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.

This month, for the FY22 Bridge Investment Program (BIP) Planning and Large Bridge grant opportunities, the staff requests BTE action to approve contingent funding for up to \$1.281M of state matching funds for the Region 1 Bridge Pre-scoping Planning Project, and up to \$57.5M of state matching funds for the I-270 Critical Bridges Project, contingent on grant application success.

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
 - 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
 - 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
 - Rifle Gateway Park-n-Ride: Relocation & Expansion in Region 3
 - SMART Vehicle Replacement and Fleet Expansion Project in Region 5
 - 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
 - Summit County 100% Electric, Fleet Storage, Charging and Operation Transit Facility in Region 3
 - Vail 2 Battery Electric Buses and Associated Charging Infrastructure in Region 3
 - 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

IN PROGRESS

CDOT is actively pursuing the following discretionary grant programs for FY22:

1. Transit-Oriented Development Pilot Planning Program (TOD) seeks to fund the “integration of land use and transportation planning with a new fixed guideway or core capacity improvement transit capital project”
 - CDOT is collaborating with the City of Longmont on an application for the final design of a Mobility Hub to increase capacity along US 287 and CO 119 in Region 4, as well as study TOD opportunities within a quarter mile of the new transit station.
2. BIP funding supports bridge replacement, rehabilitation, preservation, and protection projects that ultimately (1) improve safe and efficient movement of people and freight over bridges; and (2) improve the overall condition of bridges in the United States (eligible bridges for this program must be in poor or imminently poor condition).
 - CDOT's Staff Bridge worked with every region team to determine priority, eligible, and competitive applications for each subprogram of BIP:
 - Planning subprogram applications:
 - Pre-Scoping Bridge Bundle in Region 1
 - Timber Replacement in Region 3

- Railroad Overpasses in Region 3
 - Large Bridge subprogram applications:
 - I-270 Critical Bridge Bundle in Region 1
 - For the “Other than Large” Bridge subprogram, CDOT is reviewing a list of seven competitive projects for submission:
 - H-03-BL in Region 3
 - I-76 Phase V in Region 4
 - I-25 and CO 14 Interchange Improvements in Region 4
 - Elmores in Region 5
 - I-12-T in Region 5
 - Y6 BPM in Region 5
 - BE Culverts in Region 5
- 3. Enabling Middle Mile Broadband Infrastructure (MM)
 - CDOT is applying to expand rural broadband to currently under- and unserved areas.

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. SAFE STREETS and ROADS FOR ALL (SS4A): Supports initiatives to prevent roadway deaths and serious injuries. States are *not eligible* to apply, but resource-sharing and collaboration with eligible entities is encouraged.
2. RECONNECTING COMMUNITIES (RCC): Funding for projects that reconnect communities cut off from opportunities by transportation infrastructure through the removal, retrofitting, mitigation, or replacement of existing transportation facilities.
3. RAILROAD CROSSING ELIMINATION (RCE): Funding for highway-rail or pathway-rail grade crossing projects that improve safety and mobility of people and goods.
4. Station Accessibility and Rail Vehicle Replacement programs NOFOs are expected in July 2022
5. CONSOLIDATED RAIL INFRASTRUCTURE & SAFETY IMPROVEMENTS (CRISI) program NOFO is expected in August 2022
6. STRENGTHENING MOBILITY and REVOLUTIONIZING TRANSPORTATION (SMART) program NOFO is expected in September 2022
7. “Thriving Communities” discretionary technical assistance and capacity building resource program NOFO is expected in Fall 2022

Options and Recommendation

The Bridge and Tunnel Enterprise (BTE) Board of Directors is supporting the Region 1 Bridge Pre-scoping Planning Project and I-270 Critical Bridges Large Grant application with a resolution to commit \$1.281M and \$57.5M, respectively, in BTE matching funds.

Next Steps

TOD and BIP Planning applications are due July 25th, 2022.

BIP Large Bridge applications are due Aug. 9th, 2022.

BIP “Other than Large” Bridge applications are due Sept. 8th, 2022.

SS4A applications are due Sept. 15th, 2022.

MM applications are due Sept. 30th, 2022.

RCE applications are due Oct. 4th, 2022.

RCC applications are due Oct. 13th, 2022.