

**Colorado Transportation Commission**

Schedule & Agenda

March 16-17, 2022

For link to youtube meeting access please see website:

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

Kathy Hall, Chair

Grand Junction, District 7

Yessica Holquin

Denver, District 1

Don Stanton, Vice-Chair

Arvada, District 2

Eula Adams

Arapahoe County, District 3

Karen Stuart

Broomfield, District 4

Kathleen Bracke

Fort Collins, District 5

Barbara Vasquez

Cowdrey, District 6

Mark Garcia

Pagosa Springs, District 8

Lisa Hickey

Colorado Springs, District 9

Terry Hart

Pueblo, District 10

Gary Beedy

Genoa, District 11

THE CHAIRWOMAN MAY ALTER THE ITEM SEQUENCE OR TIMES

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

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

**TRANSPORTATION COMMISSION WORKSHOPS**

Wednesday, March 16, 2022

12:00 p.m. Commission Lunch (Optional)

1:00 p.m. **JOINT SESSION with CTIO and TC:** Central 70 Globeville and Elyria-Swansea Low-Income Program (Nick Farber and Simon Logan)

1:30 p.m. ROW Condemnation (Stephen Harelson)

1:45 p.m. Budget Workshop (Jeff Sudmeier)

2:15 p.m. Rest Area Update (Hope Wright)

2:45 p.m. GHG Mitigation Policy Directive Update (Rebecca White and Theresa Takushi)

3:30 p.m. 10 Year plan and Transit Update (Rebecca White and Amber Blake)

4:15 p.m. CDOT's ITS Fiber Program (John Lorme and Bob Fifer)

5:00 p.m. Adjournment

## **TRANSPORTATION COMMISSION MEETING**

Thursday, March 17, 2022

- 8:00 a.m. Commissioner Breakfast
- 9:00 a.m. 1. Call to Order, Roll Call
- 9:05 a.m. 2. Public Comments
- 9:20 a.m. 3. Comments of the Chair and Individual Commissioners
- 9:35 a.m. 4. Executive Director's Management Report (Shoshana Lew)
- 9:40 a.m. 5. Chief Engineer's Report (Steve Harelson)
- 9:45 a.m. 6. CTIO (Formerly HPTE) Director's Report (Nick Farber)
- 9:50 a.m. 7. FHWA Division Administrator Report (John Cater)
- 9:55 a.m. 8. STAC Report (Vincent Rogalski)
- 10:00 a.m. 9. Legislative Report (Andy Karaian)
- 10:10 a.m. 10. Act on Consent Agenda
- a) Proposed Resolution #1: Approve the Regular Meeting Minutes of February 17, 2022 (Herman Stockinger)
  - b) Proposed Resolution #2: IGA Approval >\$750,000 (Steve Harelson)
  - c) Proposed Resolution #3: Former Kit Carson Maintenance Site Disposal (Heather Paddock)
  - d) Proposed Resolution #4: FTA 5311 Distribution (Amber Blake)
  - e) Proposed Resolution #5: Right of Way Condemnation Authorization Request 1 (Steve Harelson)
- 10:10 a.m. 11. Discuss and Act on Proposed Resolution #7: 6<sup>th</sup> Budget Supplement of FY 2022 (Jeff Sudmeier and Bethany Nicholas)
- 10:15 a.m. 12. Discuss and Act on Proposed Resolution #8: FY2022-23 Final Budget Allocation Plan (Jeff Sudmeier)
- 10:20 a.m. 13. Discuss and Act on Proposed Resolution #9: FY 2022-23 CTIO Fee for Service IAA Approval (Nick Farber)
- 10:25 a.m. 14. Recognitions
- 10:30 a.m. 15. Other Matters
- 10:35 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: 10:35 a.m.

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

Thursday, February 17, 2022

10:35 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 February 17, 2022 (Herman Stockinger)

4. Discuss and Act on Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 7th Budget Supplement for FY'22 (Jeff Sudmeier)

5. Discuss and Act on Proposed Resolution BTE#3: FY2022 RAISE Grant Applications (Jeff Sudmeier)

6. Discuss and Act on Proposed Resolution BTE#4: FY2022-23 Final Budget Allocation Plan (Jeff Sudmeier)

7. Other Matters

8. Adjournment

**INFO ONLY**

- Project Budget/Expenditure Memo (Jeff Sudmeier)
- RAISE Grant Update (Hannah Reed)



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**TO:** THE COLORADO TRANSPORTATION COMMISSION  
**FROM:** NICK FARBER, CTIO DIRECTOR, AND SIMON LOGAN, CTIO LIAISON AND PROGRAM COORDINATOR  
**SUBJECT:** CENTRAL 70 GLOBEVILLE & ELYRIA-SWANSEA (GES) TOLLING EQUITY PROGRAM  
**DATE:** MARCH 16, 2022

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**Purpose:**

Provide background information related to the proposed Central 70 GES Low-Income Program.

**Action**

No action at this time - this memo is Informational only.

**Background:**

The 2017 Record of Decision (ROD) for the Central 70 project included a commitment for CTIO to explore ways to provide discounted access to the Express Lanes for low-income residents of the Globeville-Elyria-Swansea (GES) neighborhoods. As a result, CTIO embarked on a year-long process to comply with this commitment. This effort has included significant engagement with peer agencies nationwide, the GES community, and other local stakeholders.

As a first step, CTIO established a Steering Committee and Stakeholder Advisory Group to guide the process (details on the roles, responsibilities, and makeup of each group can be found in Attachment B). CTIO also conducted a literature review and interviews with other tolling agencies across the nation that have or are in the process of implementing a tolling equity program. See Attachment C for the full report on other national tolling equity/low-income tolling programs.

Numerous meetings were held with the Steering Committee, the Stakeholder Advisory Group, GES residents, and Denver City council members. Two public meetings in the GES community were conducted, and a public survey was circulated to residents to understand community needs and travel patterns. The survey was particularly successful with almost three hundred responses received (Attachment D details key findings from the survey).

**Recommended Program Details:**

Based on all the feedback received as part of this effort, CTIO staff working under the guidance provided by the Steering Committee developed the following recommendation for the CTIO Board of Directors to consider for approval:

- **Recommended Benefit:**
  - All eligible participants will receive a switchable transponder and promotional credit totaling a monetary value of \$100 when they enroll in the program.
  - Additional funds will be available annually for the GES community to decide how to allocate the funds either towards free transit passes or to add credit to the previously enrolled tolling equity Express Lanes accounts after the first year.
- **Eligibility:**
  - Residents of GES with an annual household income below 200 percent of the federal poverty level (FPL) and households displaced from GES due to eminent domain for the I-70 Central Project with an annual household income below 200 percent of the FPL. CDOT holds a list of these displaced households.
- **Budget/Available funds:**
  - CTIO will cover the initial cost of the free transponder and promotional credit for all eligible residents.
  - Each subsequent year, 15 percent of net toll revenue from the Central 70 Express Lanes will be allocated to the GES community to pay for the ongoing benefits.





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CTIO explored three levels of funding for the program, which were 7.5, 10, and 15 percent of projected net toll revenue based on current Express Lanes toll revenue estimates. In order to provide a significant benefit to GES residents and given the unique nature of the project's impacts on the community, CTIO committed to making 15 percent of annual net toll revenue available for this program. This 15 percent, as currently proposed, doesn't include administrative/start-up costs and is significantly higher than the amount carved out for similar programs in other states.

CTIO and CDOT also explored a possible contribution to the program from CDOT. After discussions with Executive Management Team on the need for toll revenues to be used to provide maximum benefit to the impacted community, CDOT agreed to cover the costs associated with start-up and program administration in the initial years with the funding drawn from the existing Central 70 project contingency fund. The administration costs are estimated at an average of \$100,000 per year over ten years, totaling \$1 million, based on anticipated costs to administer the program by a third-party vendor that is active and trusted by the community.

Key elements of the administration costs include third-party vendor staff time to register eligible residents of GES on the program, marketing, promotion, public outreach, and engagement of GES residents on the distribution of the budget available for free transit passes or to add credit to the previously enrolled low-income Express Lanes accounts after the first year, and periodic program evaluation costs. Small incentives will also be offered to encourage GES residents to complete surveys or engage with other tools to solicit feedback on the program.

#### **Next Steps**

The following Item will be brought to the Transportation Commission and CTIO Board of Directors during the April 2022 meetings:

- **Transportation Commission/CTIO Board:** Execution of an Intra Agency Agreement (IAA) between CDOT and CTIO for start-up/administration costs in the initial years totaling \$1 million. Funds will be drawn from the Central 70 project contingency fund in one lump sum payment.

#### **Attachments**

- A. Joint TC/CTIO Board Workshop Presentation: GES Tolling Equity Program (March 16, 2022)
- B. Central 70 GES Low-Income Program Development Summary
- C. Report on Toll Agencies with Low-Income Programs
- D. GES residents survey summary report



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# Central 70 Globeville and Elyria-Swansea (GES) Tolling Equity Program Program

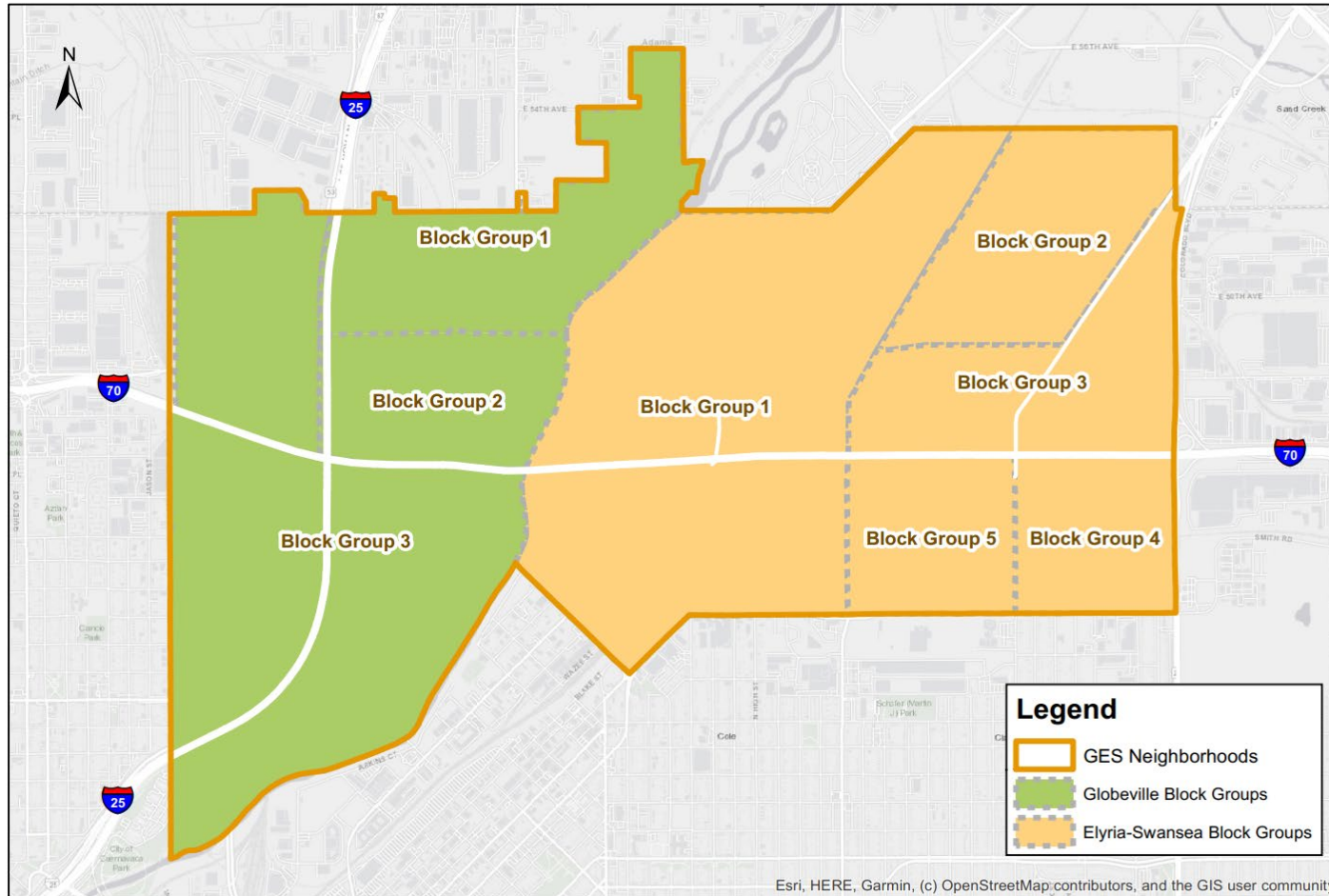
Joint CTIO Board and TC Workshop (March 16, 2022)

# Agenda

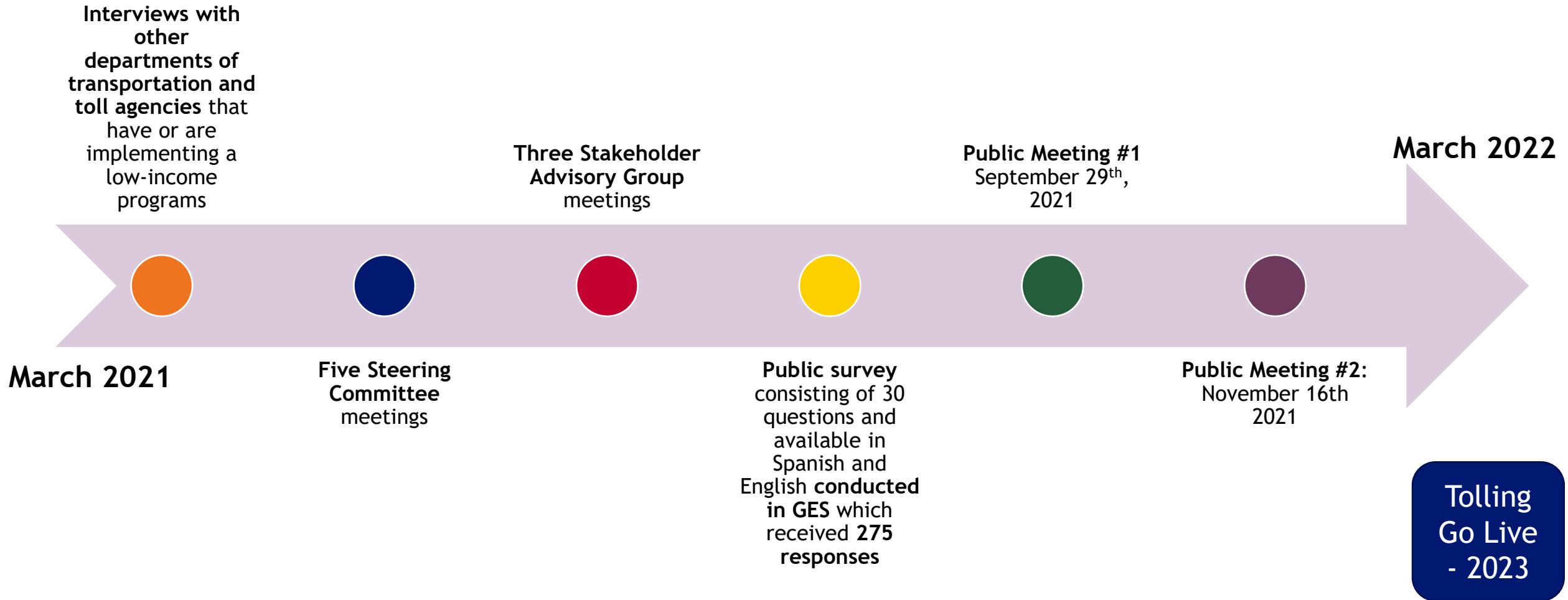
**Purpose:** Brief CTIO Board and TC members on the steps taken to develop a recommended program option for the Central 70 GES Low-Income Program.

1. Program background
2. Steps we have taken
3. Program selection criteria and considerations
4. Community engagement: survey and public meetings
5. Program budget
6. Recommended program
7. Next steps

# Globeville-Elyria-Swansea Neighborhoods



# What Steps Have We Taken?



# Community Engagement: Public Survey

June/July 2021 (online and hard copy in  
Spanish and English)

Responses received: 275

# Survey: What Were The Key Takeaways?

Category	Takeaway
Car ownership	7% do not own a car, 25% have a car-lite household
Preferred alternative mode	27% would not take alternative mode, 26% would use transit (bus and/or light rail)
Travel mode	72% drive alone, 13% use the bus, 4% use light rail
Use of I-70	84% use it at least once a week. 45% use it less than 5 times a week.
Toll Tag	83% do not have an ExpressToll Tag.
Banking	55% do not have a credit card and 30% do not have a bank account

# Program Options



# Program Considerations

## Eligibility

- Residence within a geographic boundary
- Income threshold based on Federal Poverty Guidelines

## Enrollment

- Frequency
- In-person or online

## Verification

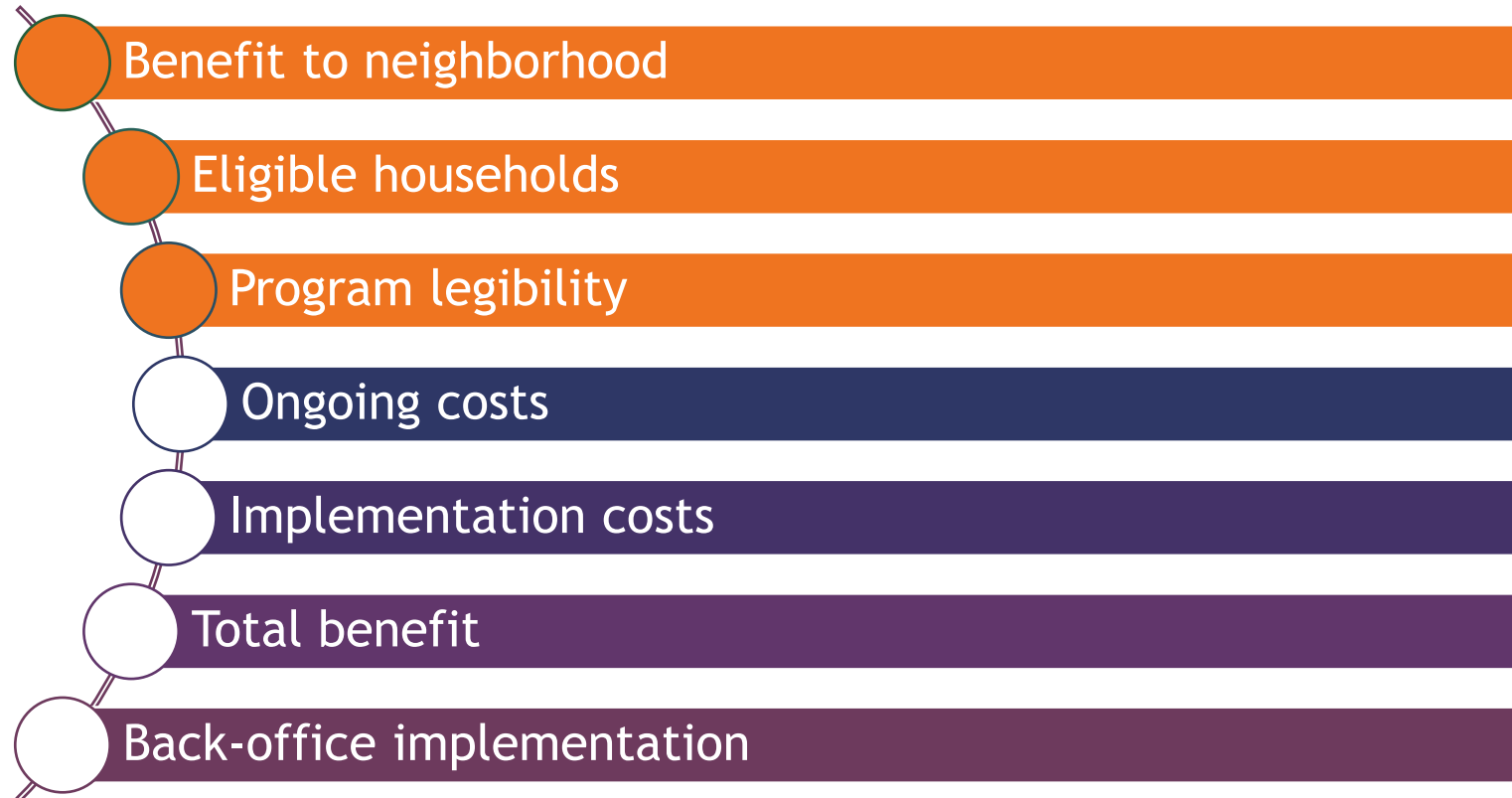
- Enrollment in another program
- Proof of residence and household income
- Concerns for undocumented residents

## Accessibility

- Technology
- Banking
- Program awareness

# Program Selection Considerations: Steering Committee

Three key areas, highlighted in orange below, were identified as critical to the program



# Program Option Categories

1- Flat benefits

2- Neighborhood benefits

3- Frequency-based benefits (retired)

4- Waivers (retired)

5- Caps (retired)

# Three Shortlisted Program Options

1.

Identify a popular program in GES expected to end after construction of Central-70 and continue to fund and manage it (e.g. RTD bus passes)

2.

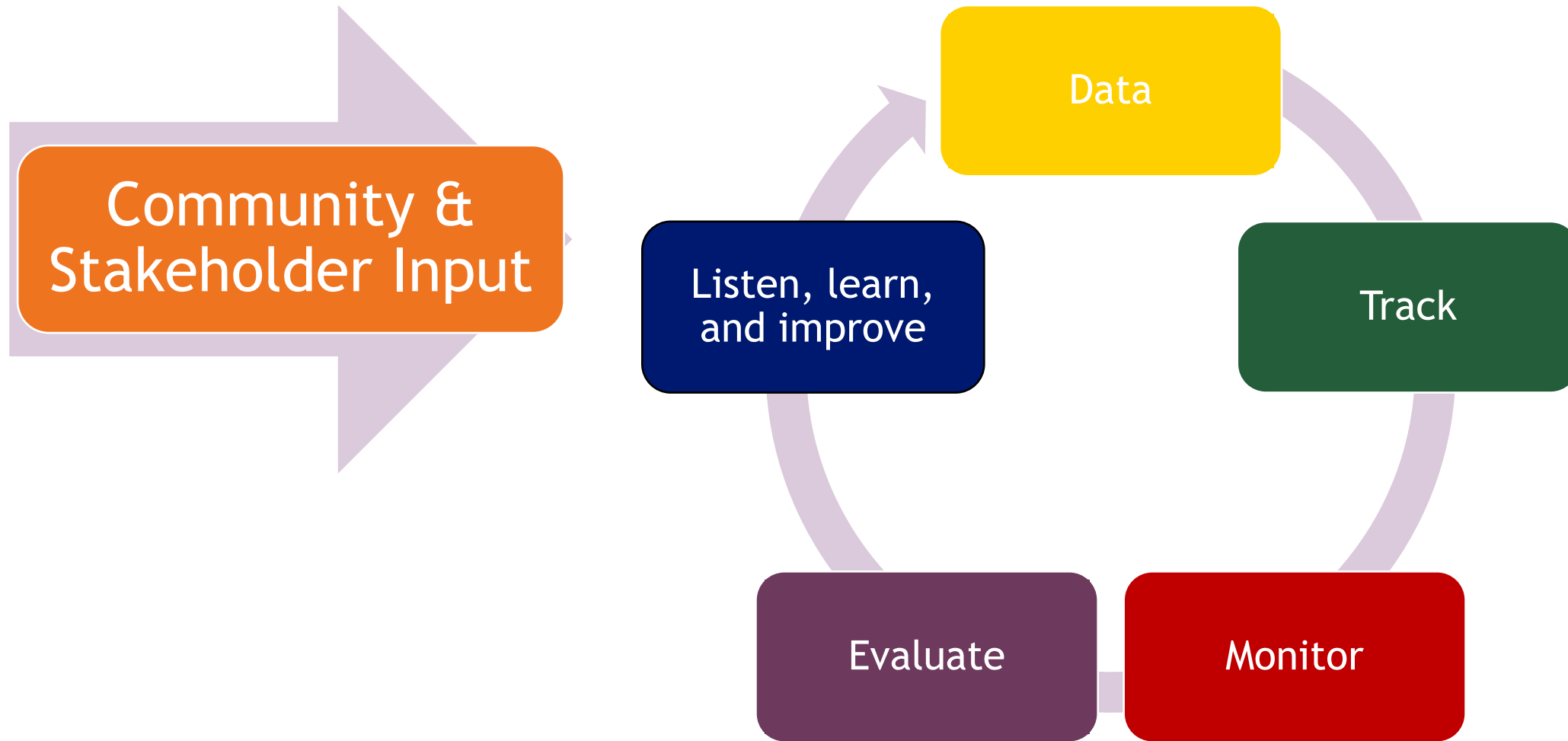
Transponder with an initial balance (amount TBD)

3.

Combination of options 1 & 2

# Community Engagement: Public Meetings

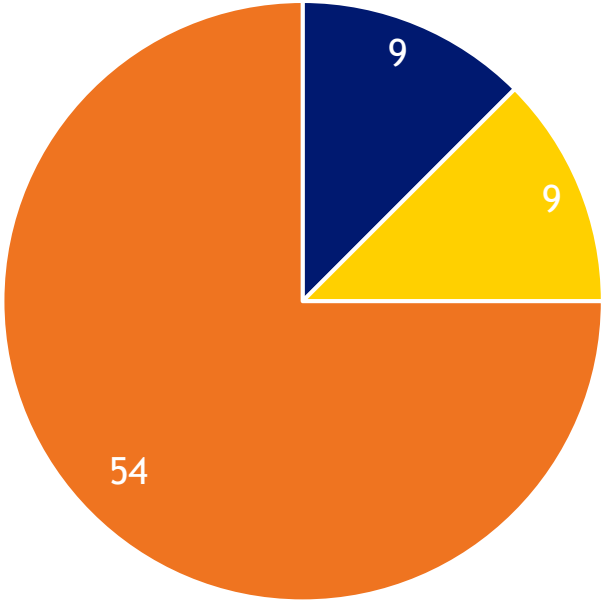
# Creating Impact and Accountability



# Public Meeting #1 Outcome Summary (29<sup>th</sup> September, 2021)

- **Location:** Swansea Rec Center + online comment form
- **Attendance:** 25 GES residents, Council members Ortega and CdeBaca, and their staff
- **Program options presented:** Three

Preferred Program Option



- Existing neighborhood program/transit passes
- Free transponder with an initial balance
- Combination of previous two

# Public Meeting #2 - How We Adjusted

**Federal Poverty level should be higher than 185%**

- Ask the community if they would like to increase this to 200%.

**Percentage vs. flat amount of revenue from tolls should be allocated to the program**

- CTIO is proposing 15 percent net revenue, excluding admin and cost of the transponder/credit.

**Community needs to decide how the money is spent**

- CTIO offered the opportunity for the community to decide how the funds are spent on transit passes and Express Lanes toll credit beginning in the second year.

**Residents who lost their homes through eminent domain should also benefit**

- The program will be extended to GES residents that lost their homes through eminent domain and income qualify. This is the only exception to the eligibility criteria.



# Public Meeting #2 Program Options Presented

**Location:** Virtual + online comment form

**Attendance:** 30 GES

residents and

Councilwoman Ortega

**Program options**

**presented: Two**

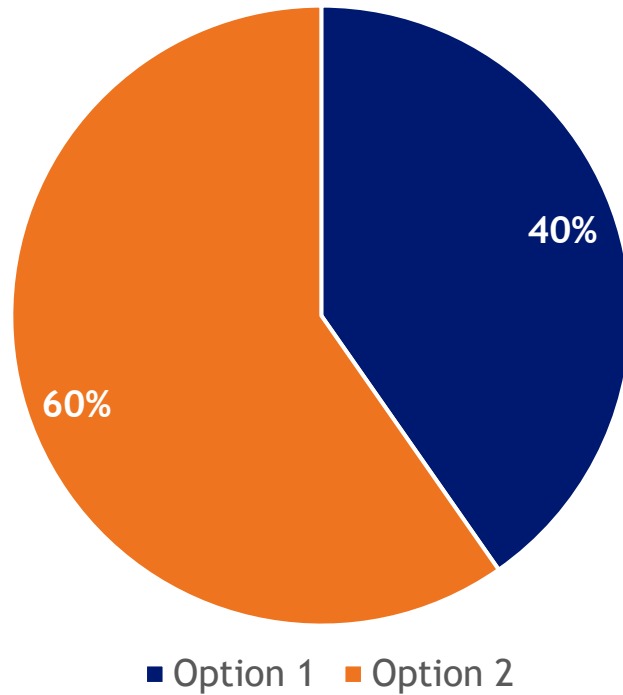
## Two options - based on community feedback

**Option 1 :** A one-time Express Lanes transponder with \$100 credit and additional money would be used for transit passes for GES residents each year.

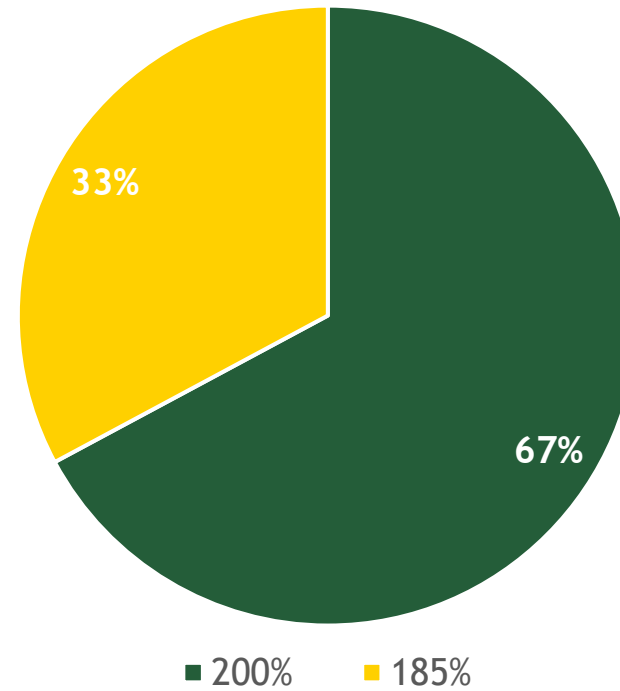
**Option 2:** A one-time Express Lanes transponder with \$100 credit and GES residents decide to spend the additional money on either transit passes or adding credit to Express Lanes accounts.

# Public Meeting #2 Outcome Summary (November 16, 2021)

Preferred Option



Federal Poverty Level Threshold



- 67 responses received - 47 English and 20 in Spanish

# Implementation and Recommended Program Option

# Implementation of Program Options: Approach approved by the Steering Committee



# Recommended Program Option

- Transponder and promotional credit totaling a monetary value of \$100 in the first year.
- 15% of the net toll revenue from Central 70 Express Lanes to provide free transit passes or to add credit to participants' ExpressToll accounts subsequent years
- Split based on input provided by GES residents annually, after the first year.
- **Eligibility:** Resident of GES and below 200% FPL household income threshold; exception is displaced household due to eminent domain for I-70 Central(167 households).

# Program Budget

# Toll Revenue: What can it be spent on?

Toll Revenue can only be spent on certain items, per **federal regulations**. They include:

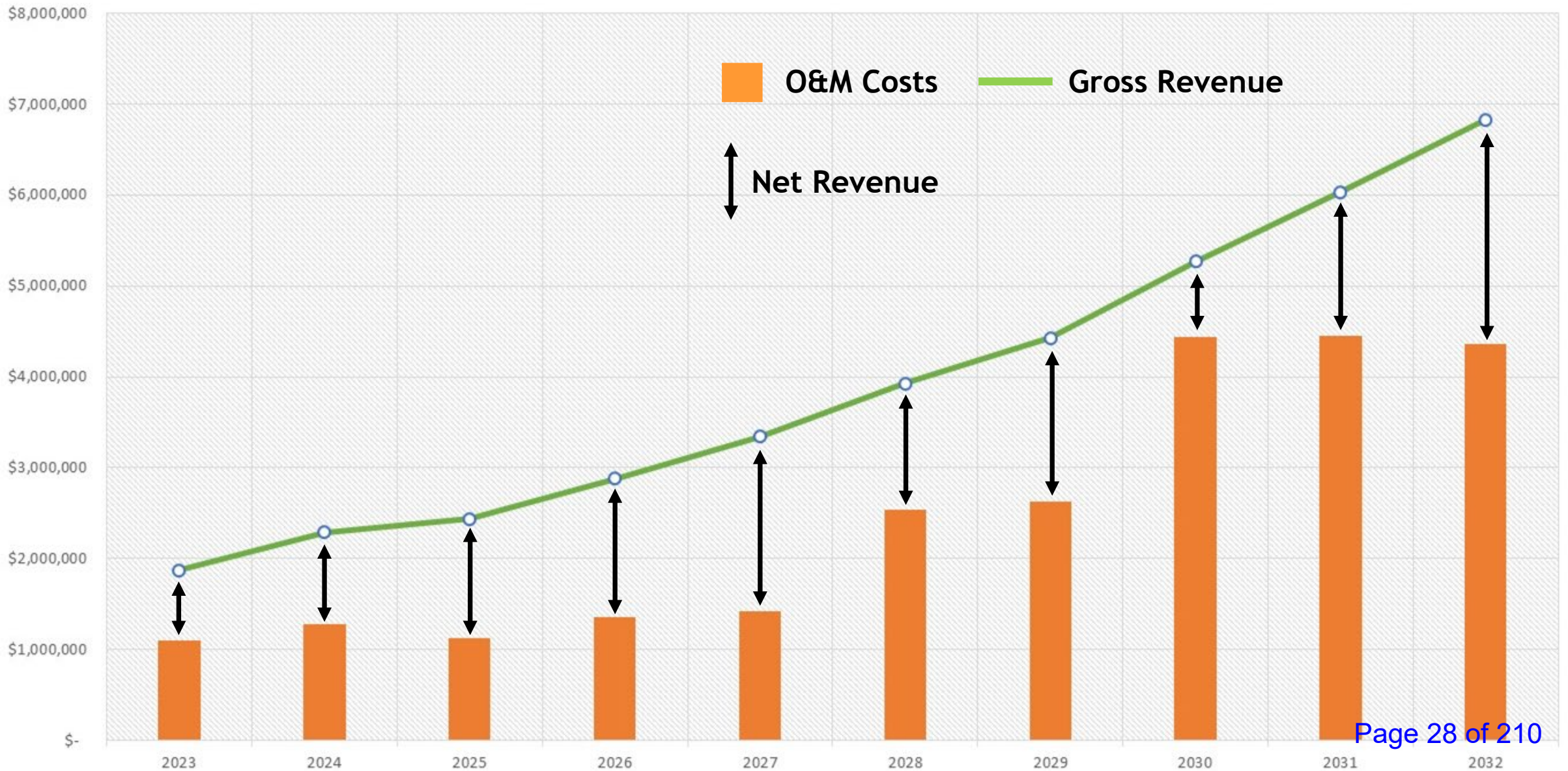
Transit Passes

Express Lanes  
Transponders  
and credit

Administrative  
costs

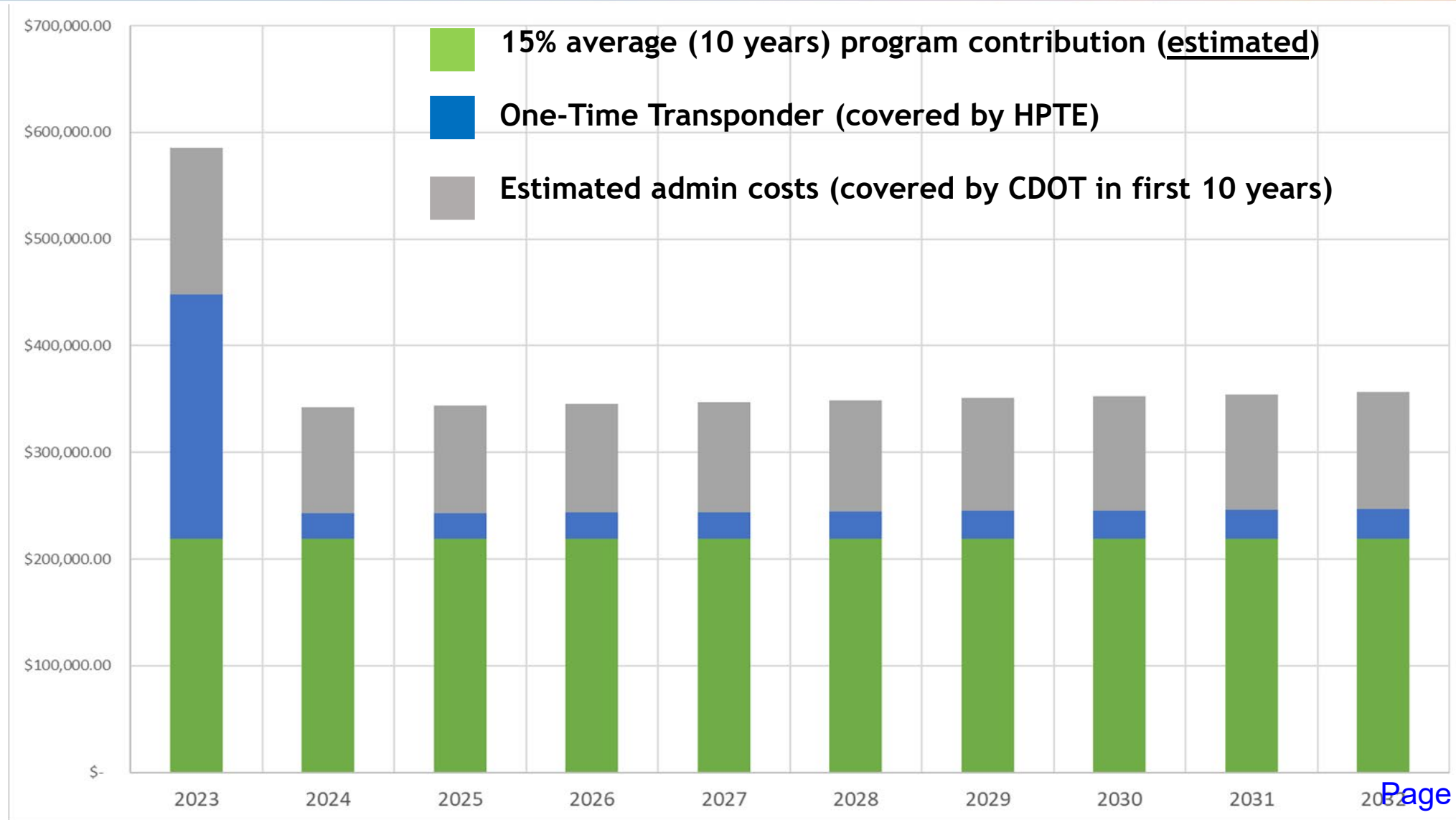


# Revenue and Operations and Maintenance (O&M) Costs





# Total Program Costs



# Next Steps

- Coordination with E-470 on the implementation of the program.
- April 2022: CTIO Board consideration of recommended program option and CDOT consideration of start-up and admin costs (totaling \$1 million) from existing Central 70 project contingency funds.
- April 2022: Joint Steering Committee and Stakeholder Advisory Group Meeting (April 2022) to discuss program implementation progress.
- Final public meeting #3 (Date TBD) to promote the program and encourage eligible residents to apply.
- Program go live will align with the Central 70 Express Lanes opening - anticipated in early 2023.

Thank you!



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## Transportation Investment Office

### Central 70 Globeville and Elyria-Swansea Tolling Equity Program Development Summary

*March 2022*

## Overview

The ongoing construction of Central 70 will redesign ten miles of Interstate 70 (I-70) in Denver, Colorado, from Interstate 25 (I-25) on the west to Chambers Road on the east. The improvements will provide new capacity in the form of one new tolled Express Lane in each direction, with the potential to add a second Express Lane between Brighton Boulevard and I-270 in the future. The Final Environmental Impact Statement (FEIS) (2016) and the 2017 I-70 East Record of Decision (ROD) for the Central 70 project included an extensive discussion of environmental justice concerns.

One issue identified in that discussion was how the project might impact low-income populations living in the areas adjacent to the project. Low-income community representatives participated extensively in public involvement opportunities expressing their concerns that those with lower incomes would not be able to use the tolled Express Lanes due to affordability issues.

To mitigate this potential equity impact of Express Lanes on low-income populations, the ROD included a commitment for the High Performance Transportation Enterprise (HPTE), now doing business as the Colorado Transportation Investment Office (CTIO), of the Colorado Department of Transportation (CDOT), to explore ways to provide a means for some type of discounted access to the Express Lanes for low-income populations in the Globeville-Elyria-Swansea (GES) neighborhoods.

This document summarizes the process, research, and robust engagement conducted with key stakeholders, council members, and the GES community to identify a recommended program option to be considered by the CTIO Board of Directors for approval in early 2022.

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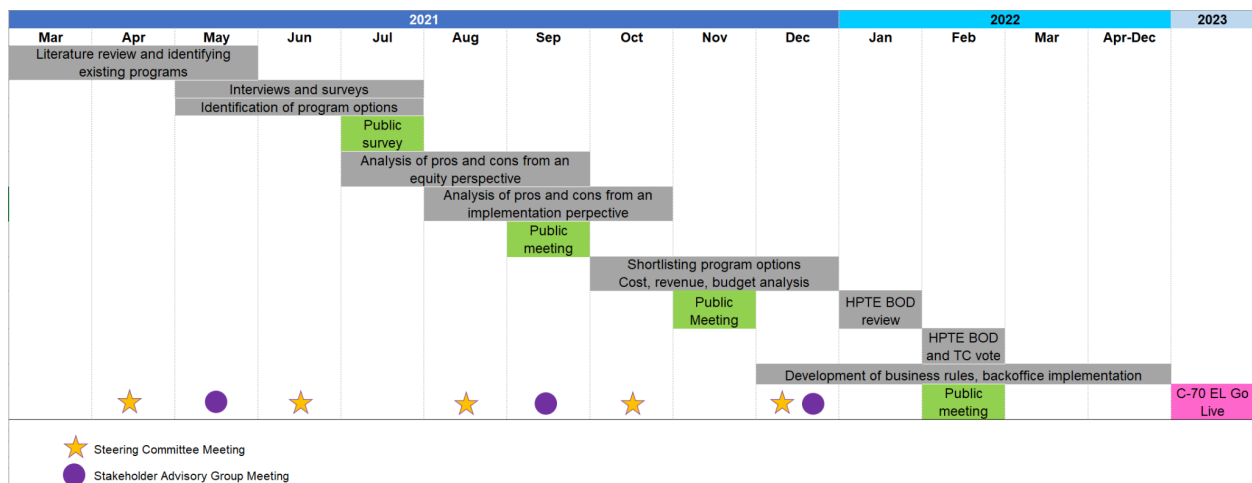
# 1. Record of Decision (ROD): Addressing Equality Impacts Of Access To The Tolled Express Lanes

The average household incomes of the population living in the GES neighborhoods are lower than those in other parts of the City and County of Denver raising a concern of potential equity impacts of the Central 70 tolled express lanes on these populations. CDOT decided to mitigate those impacts by developing an operational program and policies to enhance access to the Express Lanes for those residents. The program to be developed is outlined in the ROD as follows:

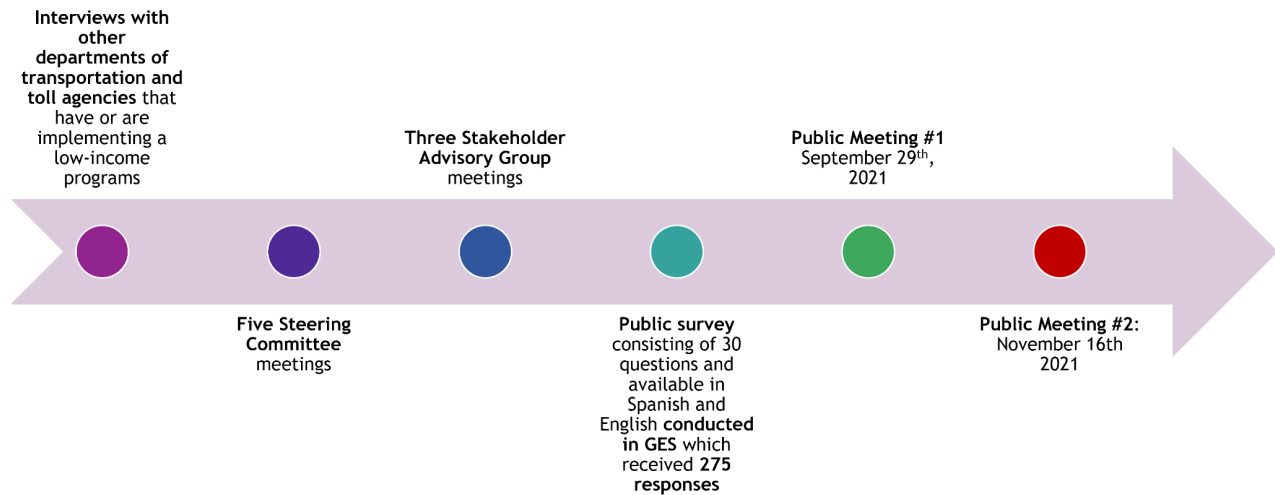
*“Equity impacts for the financial burden of access to the tolled Express Lanes will be mitigated by providing to eligible residents of Globeville, Elyria, and Swansea free transponders, pre-loading of tolls or other means determined prior to the opening of the tolled Express Lanes. Eligibility and the duration of the program are expected to be determined based on factors including, but not limited to, residency, financial burden, number of vehicles per resident or household, etc.”*

According to the ROD, residence in GES neighborhoods forms the base criterion for eligibility to receive a benefit. Other criteria would be determined as part of the program development process, including inputs from multiple stakeholders and significant community outreach.

## 2. Schedule



### 3. Key milestones outline



### 4. Report on Toll Agencies with Tolling Equity Programs

A literature review and interviews were conducted between May and June 2021 to gather information from other agencies across the nation that are either developing or have developed and implemented a low-income mitigation program. The following paragraphs in this section summarize the key findings of that report.

#### Agencies with Tolling Equity Programs

A national scan of tolling equity programs for toll lanes indicated that several agencies have or plan to have some form of equity program to benefit low-income or historically disadvantaged users of the tolled Express Lanes/facility. These programs are in various stages of development, with some in the early stages of becoming fully operational. The project team selected five programs and interviewed respective agency representatives, which included:

1. Los Angeles County, California: Low-Income Assistance Plan
2. Virginia DOT: Toll Relief Program, Portsmouth and Norfolk, Virginia
3. San Mateo County, California: SM 101 Toll Equity Program
4. San Francisco Bay Area, California: Means-Based Toll Discount Program
5. Washington State: I-405 and SR 167 Low-Income Toll Program

#### Key Takeaways

The high-level key takeaways from the report included:

- There is a trade-off between the number of program participants and the amount of the benefit. Given the limited nature of program budgets, an agency can provide a

relatively large benefit to a few people or a small benefit to many more people. CTIO will have to balance both elements to ensure that the final program benefit offered is both meaningful to its recipients and readily accessible to all those who are potentially eligible.

- All agencies implemented or are proposing to implement the program as a pilot when it opens. This alerts the public to expect changes to the program based upon how it performs once actually implemented and also provides the agency some room to modify the program before making it permanent.
- Tapping into systems that are already in place by other agencies cuts program implementation costs and timelines. It also can reduce the barrier to program entry for applicants who already use these other systems. On the other hand, it does potentially limit program flexibility.
- When a program is adopted, a thoughtful communication plan must be implemented to ensure maximum participation of eligible residents.

The report noted that there is no one-size-fits-all approach for developing a tolling equity program for tolled Express Lanes. CTIO must consider its priorities, compliance with the ROD for the program, and the priorities of the GES neighborhoods' residents and then develop a shortlist of program options accordingly.

## 5. Project Groups

Participating agencies and stakeholders were organized into one of four key groups to provide meaningful involvement in the project and make the best use of participants' time:

- Project Management Team
  - ***Function:*** Oversight of overall project communications, decision-making, and task identification and assignment. Ensure the project remains on schedule and budget, serves as a media contact point, and determines the recommendations and presentation of decision items to the CTIO Board.
- Steering Committee
  - ***Function:*** Integrate various disciplines and perspectives of agencies and stakeholders into the study; make recommendations on critical issues and decisions at project milestones; provide guidance; receive project updates and participate in bi-monthly progress meetings.
- Stakeholder Advisory Committee
  - ***Function:*** Advise and provide recommendations on project activities and plans from a stakeholder perspective, particularly related to implementation and accessibility of benefits to residents; receive project updates at critical milestones.
- GES residents, including Businesses and Special Interests within the community.
  - ***Function:*** Participate at their option in public meetings, provide inputs and concerns during public meetings;

Appendix A summarizes the membership of each of the groups noted above and Appendix B provides a summary of the key stakeholders and GES organizations outreached as part of the community engagement process outlined below.



## 6. Project Group Meeting Summaries

The Steering Committee met five times between April and December in 2021. The Stakeholder Advisory Group met three times in the same time period. A high-level summary of the key topics of discussion and recommendations (if any) are included below.

In addition to the meetings of these two groups, individual meetings with Councilwoman At-Large Ortega and Councilwoman CdeBaca were held on three occasions in total to solicit their feedback on the progress, program options, and budget. CTIO would like to thank them for their contributions and help in gathering feedback from GES residents that will benefit from the implemented program.

### Steering Committee and Stakeholder Advisory Group Meetings

Group	Meeting Number and Date	Key Items Discussed	Outcome/Recommendation
Steering Committee	#1 May 5, 2021	Overview of the program development process and timeline. Presented the findings from the interviews conducted with other agencies across the nation that have implemented or are working on implementing a tolling equity/low-income toll program.	N/A
Stakeholder Advisory Group	#1 June 9, 2021	Discussion on the program development process, schedule, possible program selection criteria, and case studies of other tolling equity/low-income programs implemented or benign implemented by other toll agencies.	N/A
Steering Committee	#2 June 23, 2021	Consider survey questions/outreach, program selection criteria, the income threshold for the program, and the preliminary list of program options.	Set the income threshold to 185% of FPL for household income based on other programs, including RTD, that use this level for low-income residents.
<b>Public Survey - open 25th June - 1st August 2021</b>			
Steering Committee	#3 August 10, 2021	Survey responses discussion and direction on shortlisted program	Three program options were selected to present during

		options for the first public meeting in September.	<p>the first public meeting and included:</p> <ol style="list-style-type: none"> <li>1. Identity a popular program in GES expected to end after the construction of Central 70 is complete and continue to fund and manage it (e.g. RTD bus passes).</li> <li>2. Transponder with an initial balance (amount TBD)</li> <li>3. Combination of options one and two.</li> </ol>
Stakeholder Advisory Group	#2 September 17, 2021	Discussion of survey results and responses and program options and eligibility.	<p>The group recommended that participants should not be required to be on RTD's LiVE program as this would create a significant barrier to residents' access to the benefits.</p> <p>The group recommended that the community should help with the distribution of transit passes to make it as easy as possible for eligible residents to access.</p>
Public Meeting #1 - September 29, 2021			
Steering Committee	#4 October 7, 2021	Discuss the public meeting/feedback and consider if/how program options should change.	<ol style="list-style-type: none"> <li>1. Let the community decide if the FPL household income level should increase to 200% (the highest of any tolling equity programs across the nation)</li> <li>2. Reduce the program options from three to two and focus on the combination.</li> <li>3. Empower the community to decide how the money is spent by providing this as</li> </ol>

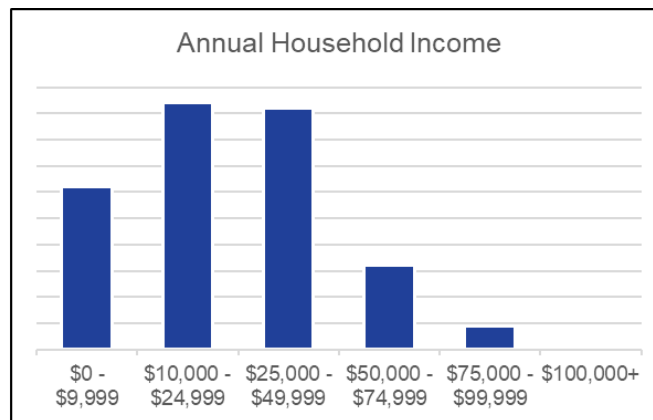
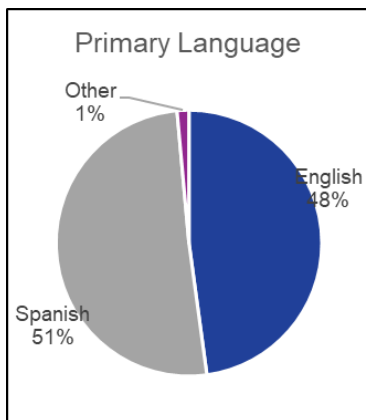
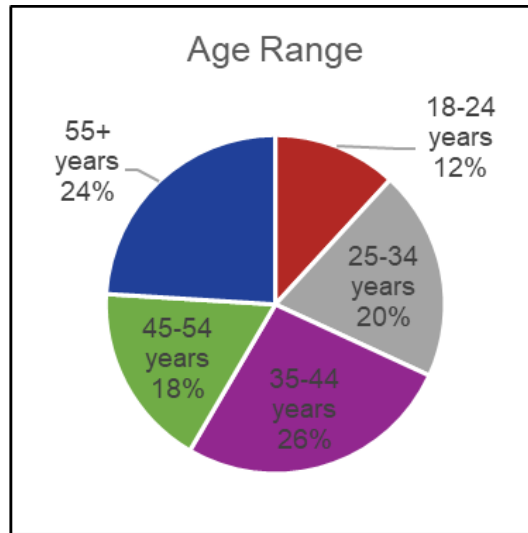
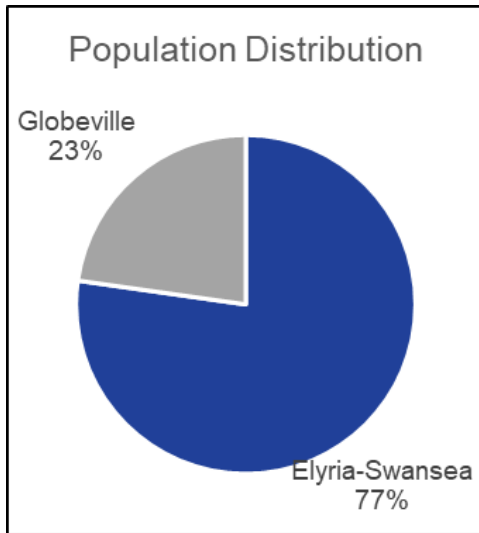
			<p>one of the shortlisted program options.</p> <p>4. Make the program as accessible as possible by considering a contract with a third-party vendor to implement it locally.</p>
CTIO Board of Directors	20th October 2021	Presentation that covered an overview of the process and steps taken to date to develop a program.	N/A
Public Meeting #2 - November 16, 2021			
Steering Committee	#5 December 7, 2021	Discuss the program budget, public meeting #2 feedback, and decide what the provisional preferred program option should be.	<p>Recommended program unanimously agreed by the Steering Committee:</p> <p>Program: Transponder and promotional credit totaling a monetary value of \$100 in the first year. 15% of the net toll revenue from Central 70 Express Lanes to provide free transit passes or to add credit to participants' ExpressToll accounts subsequent years</p> <p>Split based on input provided by GES residents annually, after the first year.</p> <p>Eligibility: Resident of GES and below 200% FPL household income threshold; the exception is displaced household due to eminent domain for I-70 Central(167 households).</p>
Stakeholder Advisory Group	#3 December 14, 2021	Discuss feedback from public meetings #1 and #2, recommended program option, and eligibility	

# 7. Public Survey

CTIO distributed and promoted a survey targeted at GES residents with the support of North East Transportation Connections (NETC), a traffic demand management organization that has close ties to the GES communities, that identified various events and opportunities to solicit feedback from residents.

To incentivize community members to complete the 30 question survey, five \$50 gift cards were distributed every Friday between June 25th and August 1st, 2021, when the survey was open. This incentive, along with promotion at community events, helped to generate 275 responses from GES residents.

The sample size had a margin of error of plus or minus 5 percent at a 90 percent level of confidence. The responses are reasonably representative of the overall neighborhood in terms of age and language. There was a higher representation of low-income residents, particularly from the Elyria Swansea neighborhood, as demonstrated by the charts below.



## Survey Key Takeaways

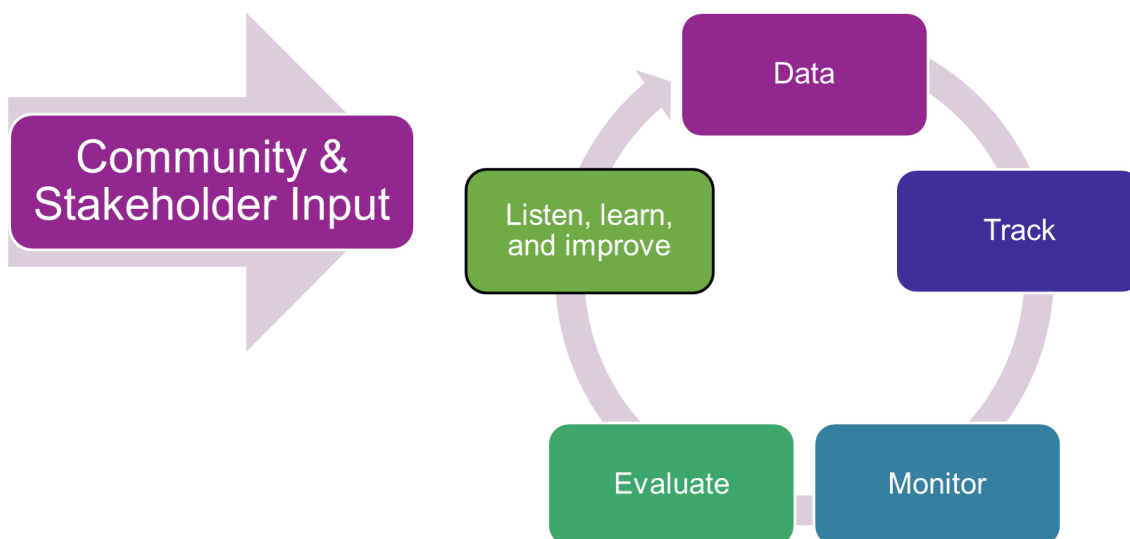
Category	Takeaway
<b>Banking</b>	55% of respondents do not have a credit card and 30% do not have a bank account
<b>Neighborhood programs</b>	65% of respondents do not use any neighborhood transportation programs
<b>Neighborhood residence</b>	Over 60% of respondents have lived in the neighborhood for over 10 years
<b>Car ownership</b>	7% do not own a car, 25% have a car-lite household i.e. fewer cars than the number of drivers in the house
<b>Travel mode</b>	72% drive alone, 13% use the bus, 4% use light rail
<b>Preferred alternative mode</b>	27% would not take an alternative mode (other than drive alone), 26% would use transit (bus and/or light rail)
<b>Use of I-70</b>	84% of respondents use it at least once a week. 45% use it less than 5 times a week.
<b>Meaning of affordability</b>	Over 55% of respondents prefer some form of discount, 24% prefer some free trips a year.  Over 70% of current users of EL prefer some form of discount.
<b>Use of C-70 EL</b>	25% of respondents said they would use C-70 occasionally or frequently. 35% of those said they would be in HOV mode occasionally or frequently.
<b>Toll Tag</b>	83% of respondents do not have an ExpressToll Tag.

## 8. Public Meeting Summaries

Two public meetings were held in 2021. One was on September 29th in the Elyria-Swansea Recreation Center and the second was held on November 16th (virtually). All materials

associated with the meetings were presented in both Spanish and English, and Spanish translation was available at both meetings. CTIO has continued to reshape and adjust the proposed program based on the public comments received.

### Accountability and adjustment process for program development



### Public Meeting #1: September 29, 2021

The first meeting was focused on providing an overview of the process to develop a program for GES residents to access the tolled Express Lanes for a discounted rate and the key highlights from the public survey that received 275 responses from GES residents. Three program options, informed by the survey and input from the Steering Committee, were presented to the estimated 30 residents that participated, including Councilwoman At Large Ortega and Councilwoman CdeBaca, which included:

1. Identify a popular program in GES expected to end after the construction of Central 70 is complete and continue to fund and manage it (e.g., RTD bus passes).
2. Transponder with an initial balance (amount TBD)
3. Combination of options one and two.

For residents who could not participate in person, online comment and feedback forms were made available for two weeks after the meeting in Spanish and English to gather as much feedback as possible. GES residents that participated in this meeting and those that responded to the comment form provided a range of comments and feedback. The below word cloud highlights the key items that were raised. The larger the word(s), the more times it was mentioned.



## Public Meeting #2: November 16, 2021

The second public meeting was held virtually at the request of Councilwoman CdeBaca and Councilwoman At-Large Ortega. The focus of the meeting was on the proposed budget for the program, how CTIO adjusted the possible program based on feedback from the first meeting (highlighted in the below diagram), including increasing the income threshold for eligibility and reducing the program options from three to two. Both of the options presented to the community related to a combination, which was the most popular choice during the first meeting, and included:

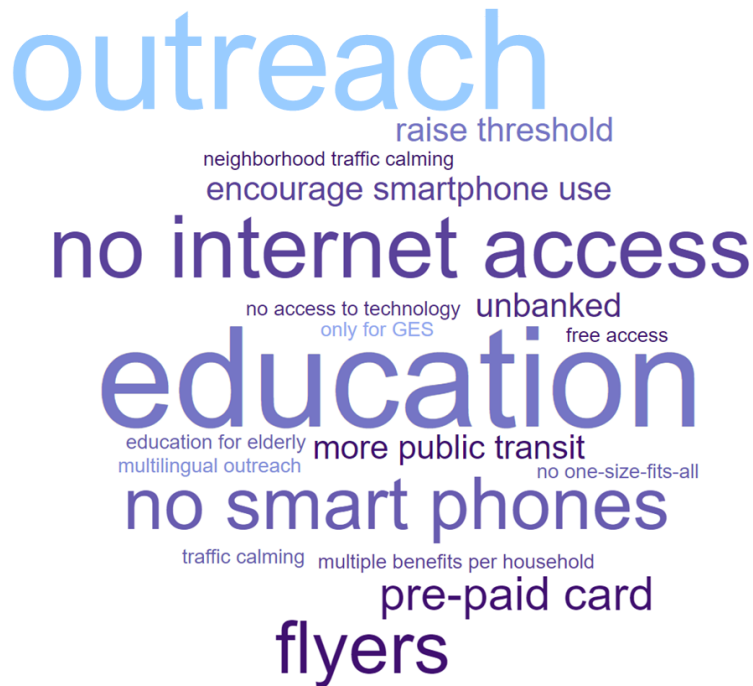
1. A one-time Express Lanes transponder and credit totaling \$100 and any additional money available would be used for transit passes for GES residents each year.
2. A one-time Express Lanes transponder and credit totaling \$100 and GES residents deciding annually to spend the additional money on either transit passes or adding credit to Express Lanes accounts.

### Listening, Learning, and Improving: How CTIO Adapted Based on Public Meeting #1 Feedback

<b>Federal Poverty level should be higher than 185%</b>	<ul style="list-style-type: none"><li>• Ask the community if they would like to increase this to 200%.</li></ul>
<b>Percentage vs. flat amount of revenue from tolls should be allocated to the program</b>	<ul style="list-style-type: none"><li>• CTIO is proposing 15 percent net revenue, excluding admin and cost of the transponder/credit.</li></ul>
<b>Community needs to decide how the money is spent</b>	<ul style="list-style-type: none"><li>• CTIO offered the opportunity for the community to decide how the funds are spent on transit passes and Express Lanes toll credit beginning in the second year.</li></ul>
<b>Residents who lost their homes through eminent domain should also benefit</b>	<ul style="list-style-type: none"><li>• The program will be extended to GES residents that lost their homes through eminent domain and income qualify. This is the only exception to the eligibility criteria.</li></ul>

GES residents that participated in this meeting and those that responded to the online comment form (available for two weeks after the meeting) provided a range of comments and feedback. The below word cloud highlights the key items that were raised. The larger the word(s), the more times it was mentioned.

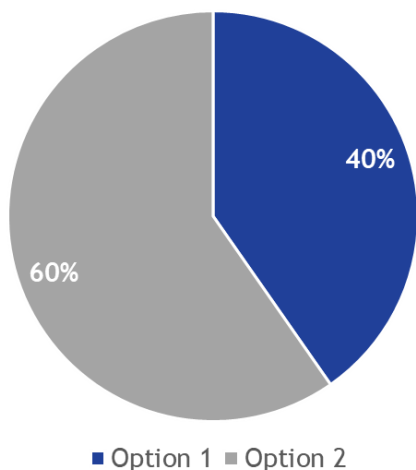




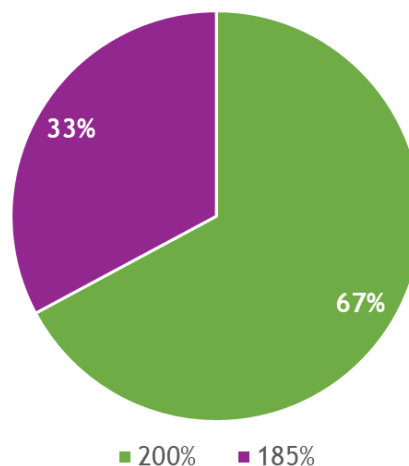
Almost seventy GES residents provided feedback via the comment form which was available in both English and Spanish. There were two critical questions raised in the comment form. The first was which of the two program options the community preferred, and the second was if the income threshold should be increased to 200% or remain at 185% - an estimated increase of 10% or 1000 residents if the higher percentage was chosen.

Respondents clearly indicated that their preference was for the program to follow option two (one-time transponder with \$100 credit and GES residents to annually decide how to spend the additional money on eligible items i.e., transit passes and toll credit) and to increase the income threshold to 200% of the FPL for household income. The transit passes are particularly helpful to residents who do not own a car or cannot drive, while the toll credit only benefits residents who own vehicles.

Preferred Option



Federal Poverty Level Threshold



At the time of writing, the third and final public meeting, which will be used to promote the program and educate GES residents on how to access the benefits, is yet to be scheduled but is anticipated to be held in the summer or fall of 2022.

## 9. Program Budget

Per federal regulations ([23 USC 129: Toll roads, bridges, tunnels, and ferries](#)) and confirmation from FHWA staff, toll revenue in the context of this program can only be spent on the following:

1. Administration of the program.
2. Transit passes.
3. Transponders and toll credit.

### Budget rationale

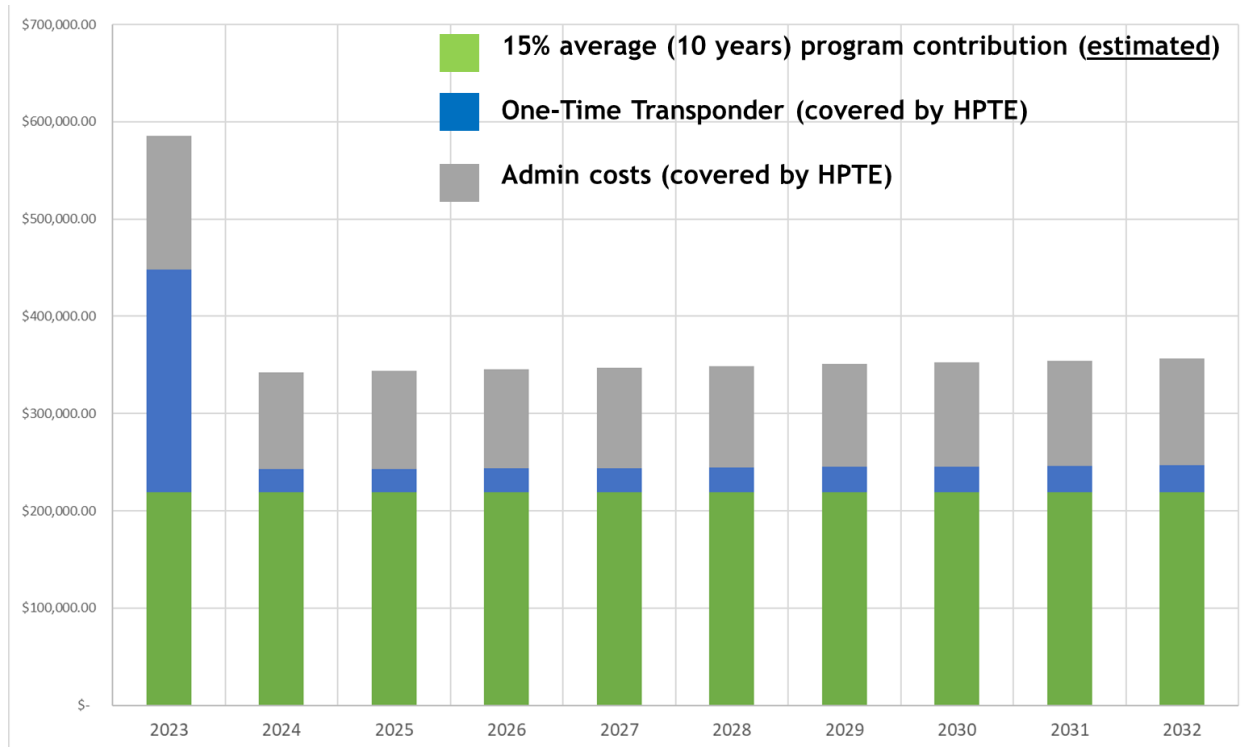
CTIO explored three levels of funding for the program - 7.5, 10, and 15 percent of anticipated net revenue based on current Express Lanes toll revenue estimates. In order to provide a significant benefit to GES residents, CTIO determined to make 15 percent of net revenue available for this program using a projected 10-year average. This equates to an estimated \$220,000 in the first year and would provide 7,800 local ten-ride RTD passes based on current projections.

The 15 percent calculation was based on a CTIO evaluation of other possible uses of the Central-70 revenues for other projects, including I-270. This 15 percent figure is significantly higher than the level of funds allocated to similar programs in other states.

In addition, based on the number of GES residents that are anticipated to sign up for the program in the first year, CTIO will contribute up to 100% of net revenue in this start-up year to ensure that everyone that is eligible for the benefits receives them.

It is important to note that while the benefit received by the community is 15% of net revenue, the actual overall percentage of revenue budgeted for the program is higher. It is closer to 25% when you take into account the administrative costs associated with operating the program, which CDOT will cover in the initial years, and that CTIO will cover the initial costs of the transponder and credit (\$100 per recipient), as demonstrated by the below chart.

### Total Program Costs



The budget was presented to GES residents during the second public meeting in November 2021. CTIO did not receive any feedback during that meeting or in the comment form, which was open to all GES residents for two weeks after the meeting, that either questioned the rationale for the budget or indicated the percentage should be higher. The discussions centered around the implementation of the program.

At the time of writing, there are several factors to keep in mind related to the budget:

1. The CTIO Board of Directors still needs to consider the program and approve the budget at a formal meeting in early 2022.
2. The current budget is based on toll revenue estimates, but real-time data, collected once the Express Lanes are open, will be used to determine the budget for the community after the first year.
3. A review of the net revenue provided for the program will be included in the periodic evaluation criteria to see if the goals of the program are met.

# 10. Program Option Selection Process

CTIO followed a rigorous process to evaluate the possible program options. The steering committee and stakeholder advisory group's input in this process were key criteria to aid in reaching a shortlist of options to bring to the public meetings to solicit feedback from GES residents.

In addition, the input from GES residents was also vital to identifying the best possible program fit for the community. Empowering the residents to make decisions at key stages was not only a goal of this effort, it was also invaluable to moving it forward.

Key program selection metrics considered included:

- Program legibility: is the program easy to understand?
- The number of eligible households: does the eligibility criteria ensure that maximum number of low-income families will be eligible?
- The benefit to neighborhood: Does the selected program enhance the value of the neighborhood in general and not just residents?
- Back-office implementation feasibility: Can the program be implemented given the existing back-office structure?
- Implementation cost: Can the program be implemented at a reasonable cost?
- Ongoing costs: What will ongoing costs for the program look like?
- Impact on Express Lane performance: Will the program result in more traffic congestion in the Express Lanes?

CTIO identified twenty potential program options for the Steering Committee and Stakeholder Advisory Group to consider. The twenty program options were generally classified into the following five categories:

1. Flat Benefits: Programs that do not require residents to spend money upfront to obtain a benefit. For example, free transit passes, or free transponders with credit.
2. Neighborhood Benefits: Programs that add value to the neighborhood and enhance the sense of living of all residents. For example, adding bicycle lanes and sidewalks, providing bus shelters, and making other infrastructural upgrades
3. Frequency-Based Benefits: Programs that incentivize participants to use the Express Lanes or transit buses a certain number of times before they receive any benefits. This category of program options posed a huge barrier to benefit and was discarded from consideration. It would also require significant changes to the back-office structure to implement such benefits, substantially raising implementation costs.
4. Waivers: These programs do not provide a direct benefit, however, they waive fines or fees associated with the transponder account such as waiving minimum balance requirements or ExpressLane penalties or interest on penalties. These programs will not be feasible to implement since they go against CTIO's contractual requirements with E-470.
5. Caps: These programs cap the total amount that a participant spends paying tolls per day or per month. Such programs also pose a large barrier to access the benefit as they require the participant to spend some money each day/month before receiving any benefits.

Of the twenty options that were selected, twelve options in the frequency-based benefit,

waivers, and caps were ruled out, either because they could not be implemented using the current CTIO back office or they posed a large barrier to the benefit and were not relevant to this particular program.

That left eight options under the flat and neighborhood benefits categories for the Steering Committee and Stakeholder Advisory Group to provide feedback on during meetings held in August and September 2021. It was decided that the eight options should be consolidated, where possible, to provide the maximum flexibility to the community to decide how funds are spent. Following this direction, three options were selected and presented during the first public meeting held in September 2021:

1. Identify a popular program in GES expected to end after the construction of Central 70 is complete and continue to fund and manage it (e.g. RTD bus passes).
2. Transponder with an initial balance (amount TBD)
3. Combination of options one and two.

The overwhelming majority of respondents, around 80%, preferred the combination option and there was significant feedback that giving the community the power to decide how the money was spent would be well received. Following a review of the possible options based on this feedback, the three options were narrowed down to two for the second public meeting held in November 2021:

1. A one-time Express Lanes transponder with \$100 credit and additional money would be used for transit passes for GES residents each year.
2. A one-time Express Lanes transponder with \$100 credit and GES residents decide to spend the additional money on either transit passes or adding credit to Express Lanes accounts.

Again the majority, around 60%, of respondents preferred the second program option for the community to decide how the money is spent on transit passes or toll revenue in addition to the one-time transponder/credit.

During Steering Committee meeting #5, this option was recommended by CTIO staff to move forward for implementation, review, and approval by the CTIO Board of Directors in early 2022. The Steering Committee unanimously agreed with the recommendation as did the Stakeholder Advisory Group, which includes two GES community representatives.

# 11. Recommendation

Over the space of the past year, CTIO conducted a literature review and interviews with other agencies across the nation that have implemented or are implementing a tolling equity program, held numerous meetings with key stakeholders, GES residents, and council members, conducted two public meetings in the GES community, and completed a public survey that received almost three hundred responses. Based on all the feedback received as part of this process CTIO staff concluded, based on a recommendation from the Steering Committee established to guide program development, that the following program should be recommended to the CTIO Board of Directors for consideration in March/April 2022:

- Recommended Benefit:
  - All eligible participants will receive a switchable transponder and promotional credit totaling a monetary value of \$100 when they enroll in the program.
  - Additional funds will be available annually for the GES community to decide how to allocate the funds either towards free transit passes or to add credit to the previously enrolled tolling equity Express Lanes accounts after the first year.
- Eligibility:
  - Residents of GES with an annual household income below 200 percent of the federal poverty level (FPL) and households displaced from GES due to eminent domain for the I-70 Central Project with an annual household income below 200 percent of the FPL. CDOT holds a list of these displaced households.
- Budget/Available funds:
  - Each year, 15 percent of projected net toll revenue from the Central 70 Express Lanes will be allocated to the GES community to pay for the benefits. This excludes program administration costs and the cost of the initial free transponder and promotional credit which will be funded from other sources.

# Appendix A: Table 1: Project Groups Membership

Function	Agencies/Businesses	Participant
<b>Project Management Team</b>		
Oversight of overall project communications, decision-making, and task identification and assignment. Ensure the project remains on schedule and budget, serve as a contact point for media, ultimately determine the recommendations and presentation of decision items to the CTIO Board	CTIO  Atkins North America, Inc. (Atkins)	Simon Logan  Rami Harb, Rinal Chheda, and Ben Stein
<b>Steering Committee</b>		
Integrate various disciplines and perspectives of agencies into the study; make recommendations on key issues and decisions at project milestones; provide guidance; receive project updates and participate in bi-monthly progress meetings.	CTIO  CDOT Region 1  Central 70 Project  CDOT Department of Transportation Development  Federal Highway Administration (FHWA)  Denver Regional Council of Governments (DRCOG)  CTIO BOD Representative  E-470  North East Transportation Connections (NETC)  Communication Infrastructure Group (CIG)	Simon Logan, Nick Farber, Piper Darlington, Kelly Brown, Maria Johnson  Tim Hoover, Vanessa Henderson Stacia Sellers, Bob Hayes  Rebecca White  Monica Pavlik, Shaun Cutting  Alvan-Bidal Sanchez  Karen Stuart, CTIO Vice-Chair  Jessica Carson  Angie Malpiede, Lacey Champion  Kristi Estes

	Atkins	Rami Harb, Rinal Chheda, Ben Stein
<b>Stakeholder Advisory Group</b>		
Advise and provide recommendations on project activities and plans from a stakeholder perspective; receive project updates at key milestones	City and County of Denver (CCD) Denver Public Schools  Globeville Resident Elyria-Swansea Resident  NETC  Atkins	Tim Sandos, Shannon Gifford  Vanessa Trussell  Anthony Garcia Anthony Maes  Angie Malpiede, Lacey Champion Rami Harb, Rinal Chheda, Ben Stein
<b>Special Interest Groups</b>		
Participate at their option in public meetings, provide inputs and concerns during public meetings; a personalized public meeting invitation will be sent to this group to encourage their attendance	Councilwoman Debbie Ortega’s Office Councilwoman Candi CdeBaca’s Office Clayton United Cross Community Coalition Elyria Swansea Neighborhood Association Focus Points Globeville Elyria Swansea Livewell Groundwork Denver North Area Transportation Alliance Northeast Transportation Connections GES Coalition Smart Commute Metro North United Community Action Network of Metro Denver	



## Appendix B: Summary of stakeholders and GES organizations outreached

Public communication on aspects of the program was distributed through the following outlets:

- Call for Community Representatives on Stakeholder Group (June 2021)
- Baseline Survey for Program Recommendation (July 2021)
- Public Meeting Sept 29th (Aug/Sept 2021)
- Community Feedback Survey 1 (Sept/October 2021)
- Public Meeting November 16th (November 2021)
- Community Feedback Survey 2 (November 2021)

Organizations contacted with information blasts:

- Birdseed Collective/Globeville Recreation Center
- Swansea Recreation Center
- Johnson Recreation Center
- 5090 Broadway Recreation Center
- C70 Public Information Office
- GES Coalition
- Swansea Elementary
- Garden Place Academy
- Focus Points
- GrowHaus
- Tepeyac Community Health
- UCAN
- EGS and Partners
- Elyria-Swansea RNO
- Globeville First
- Valdez-Perry Library
- Councilwoman Ortega's Office
- Councilwoman CdeBaca's Office

Flyers to promote public meetings, comment forms, and the surveys were distributed through:

- Food boxes at Birdseed Collective (100) and Growhaus (400): each information blast
- Garden Place Virtual folders and Swansea Elementary Friday Folders (450): first public meeting and on.
- Email blast to email lists and text blast to phone numbers collected from the July survey: first public meeting and on.

- Swansea Elementary YMCA Summer Program: baseline survey
- Garden Place Elementary YMCA Summer Program: baseline survey

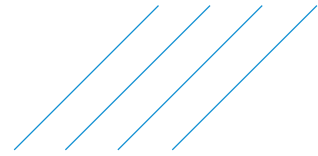
**Information and surveys were also physically and verbally distributed at the following locations/Events:**

- NETC community office hours
- Food Distributions at Globeville Recreation Center
- We Don't Waste Event at Focus Points
- Globeville Rec grand opening
- Washington St CAG public open house
- Community Partner Meetings
- Tacos El Huequito
- Targeted Facebook Ads for 80216 zip code  
Valdez Perry Library
- Focus Points

**Misc:**

The project survey information also went out to every single household in 80216 via a mailed newsletter in June to ask for community representatives (with compensation mentioned) which included information on what the program is about and to encourage GES residents to complete the community survey.

Incentives to fill out the public survey (30 winners- each winning \$50 gift card), both public comment forms following the public meetings (drawing for \$50 gift card), and community representatives (\$250 each) were provided to help encourage engagement.



# Memorandum

<b>To:</b>	Simon Logan, HPTE		
<b>From:</b>	Rinal Chheda, Atkins	<b>Email:</b>	rinal.chheda@atkinsglobal.com
<b>Date:</b>	June 21, 2021	<b>Phone:</b>	720-258-0163
<b>Ref:</b>	Central 70 Globeville/Elyria-Swansea Low-Income Program Study	<b>cc:</b>	Rami Harb, Atkins Ben Stein, Atkins
<b>Subject:</b>	Report on Toll Agencies with Low-Income Programs		

## 1. Introduction

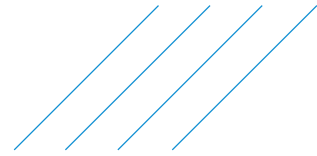
The Colorado Department of Transportation (CDOT) is currently reconstructing Interstate 70 (I-70) between Tower Road and Interstate 25 (I-25). A key element of this reconstructed portion of the interstate is the addition of a tolled express lane in both directions. The project’s Record of Decision from the Federal Highway Administration required CDOT’s High Performance Transportation Enterprise (HPTE) to explore options to mitigate the financial burden of access to the tolled express lanes for the low-income residents of the Globeville and Elyria-Swansea (GES) neighborhoods, through which the project area runs.

HPTE has tasked Atkins North America, Inc. (Atkins) with the development, analyses, and provision of recommendations of potential low-income program mitigation options for Central 70 Express Lanes. As part of this task, Atkins completed a literature review, gathering information from other agencies across the nation that are either developing or have developed and implemented a low-income mitigation program as part of their toll lane implementation plan. This memorandum summarizes those low-income mitigation programs, looking primarily at key program aspects such as eligibility, accessibility, public outreach, costs, funding, and program development challenges.

Section 2 of this memorandum discusses in detail each of the five low-income mitigation programs that were selected from across the nation. Section 3 provides a comparison of various program elements among the five programs. Section 4 discusses the key lessons learned from these programs, which will be considered in the development of the Central 70 GES low-income mitigation program options.

## 2. Agencies with Low-Income Programs for Toll Lanes

A national scan of low-income programs for toll lanes indicated that several agencies have or plan to have some form of equity program to benefit low income or historically disadvantaged users of the tolled lanes/facility. These programs are in various stages of development, with some in the early stages of becoming fully operational. For the purposes of this memorandum, the project team



selected five low-income programs and interviewed respective agency representatives. The following subsections describe in detail key program elements and implementation challenges.

## 2.1. Low-Income Assistance Plan, Los Angeles County, California

Los Angeles County Metropolitan Transportation Authority (Metro)'s low-income program is called the Low-Income Assistance Plan (LIAP). It was implemented in 2012 and was the first program of this type implemented in the United States. The impetus for this program's creation was a state law (Senate Bill [SB] 1422, 2008) that required Metro to analyze the impact of converting existing carpool lanes on Interstate 10 (I-10) and Interstate 110 (I-110) to high-occupancy toll (HOT) lanes. These lanes are called ExpressLanes. FasTrak is the provider of the electronic toll collection system and toll tags (transponders) for these lanes.

**Program Description:** Qualifying Los Angeles County residents receive a one-time \$25 credit when they first set up their FasTrak account. The \$25 credit can be applied to either the transponder deposit or used as a pre-paid toll deposit. The credit does not expire, but it is not convertible to cash. It can only be used to offset tolls. This discount is restricted to one transponder/account per household. The FasTrak transponders can be used to pay tolls on Metro ExpressLanes toll facilities and any California toll facility bearing the FasTrak logo. Thus, the \$25 credit can be spent on any FasTrak facility within California. In addition, the \$1 monthly account maintenance fee FasTrak normally charges its customers is waived under the LIAP.

The program was first implemented as a year-long pilot and subsequently has been implemented permanently. Of the 500,000 Metro ExpressLanes FasTrak accounts, 16,670 (3.3 percent) are LIAP accounts.

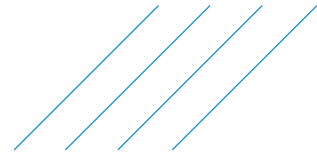
**Transit Rewards Program:** In addition to the LIAP, Metro also has implemented a Transit Rewards Program for all users of the I-10 and I-110 HOT lanes. Transit riders can link their transit card to their FasTrak toll accounts. Frequent transit riders who are FasTrak account holders earn a \$5 toll credit each month toward use on the I-10 and I-110 Metro ExpressLanes. Initially, to receive toll credit, transit riders had to use their registered transit card for 32 one-way trips during peak hours along the I-10 El Monte Busway or I-110 Harbor Transitway. These are the bus services that operate via the Metro ExpressLanes. In 2019, this threshold was reduced from 32 to 16 one-way trips.

Approximately 18,380 accounts were enrolled in the Transit Rewards Program as of June 2018. On an average, the program pays out \$20,000 in benefits annually.

**Eligibility and Verification:** Participants in the LIAP must be residents of Los Angeles County and must have an income level lower than 200 percent of the federal poverty level. To verify income, participants can present a paycheck stub, current tax return, or proof of enrollment in MediCal, Lifeline, Public Benefit, Los Angeles Unified School District (LAUSD) Lunch Program, or Electronic Benefits Transfer (EBT) for Food Stamps. Participants are encouraged to enroll in person. For those enrolling by phone, a proof of income and residency must be submitted for the account to become active.

Enrollment, eligibility verification, and back office services are provided by a third party. Metro does not reverify LIAP accounts after enrollment, since the credit is a one-time incentive. However, in 2020, all participants were audited to ensure they are still LA county residents. Those who were no longer in LA County lost the monthly charge waiver and access to the Transit Reward Program.

**Payment Options and Accessibility:** LIAP provides an option for unbanked or underbanked residents to open a cash/check account with manual payments. The minimum pre-payment amount for cash/check accounts is \$50 plus the transponder deposit. These accounts are required to have a minimum balance of \$25. Subsequent manual payments for account replenishment are required



to be at least \$50. In comparison, debit/credit card accounts have a lower initial pre-payment amount of \$40 with no transponder deposit required. The minimum balance requirement for these accounts is \$10, and a minimum replenishment of \$40 occurs automatically when the minimum account balance is reached. Of all the LIAP accounts, 9.5 percent are cash/check accounts with manual replenishment.

Cash/check accounts can be reloaded at the two Metro customer service centers near each corridor (I-10 and I-110). In addition, customers can reload their accounts with PayNearMe, an electronic billing and payment platform, at any 7-11 store. PayNearMe charges a \$1.99 fee for each cash replenishment transaction.

Cash/check accounts that are not replenished after the minimum balance is reached receive a reminder to replenish within a 15-day period. When an account owes more than \$14.99, it is cancelled.

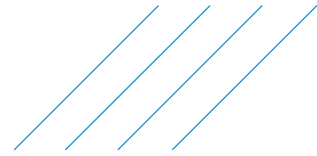
**Public Outreach:** Metro promotes these two programs by advertising on billboards, bus backs, and running videos at gas stations and McDonald's restaurants, and through online ads. Metro ExpressLanes also provides outreach at different community events, festivals, and transportation workshops throughout the year to promote the plan. In fact, Metro spends more each year on marketing the program and doing public outreach than on actual benefits.

**Costs and Funding:** Metro was unable to provide the total cost of the program, including program administration costs and cost of benefits. Metro budgets for marketing of the programs each year but not for the costs of administering the program. It uses toll revenues to fund the program.

**Program Evaluation Metrics:** During the pilot year (2012 to 2013), Metro considered using the following performance measures to evaluate the LIAP and Transit Rewards Program:

- Number of low-income commuters who signed up for a transponder
- Number of peak-period low-income users of HOT lanes (and percentage of overall HOT lane users)
- Usage of HOT lane credits for low-income drivers (credit redemptions)
- Mode choice of low-income drivers (carpool vs. single-occupant vehicle), compared with mode choice before the project was implemented
- Performance of transit service in the ExpressLanes corridors during the pilot period
- General-purpose lane speeds during the pilot period
- Account balance problems of low-income commuters compared with non-low-income commuters
- Share of time savings by low-income ExpressLanes drivers in comparison with the share of tolls and transponder costs they pay.
- Trends in trip distance and trip time by low-income commuters compared with non-low-income commuters
- Toll revenue reinvestment

**Program Challenges and Lessons Learned:** The largest challenge Metro ExpressLanes continues to face is marketing the program effectively. Initial surveys indicated that very few residents knew about the existence of the LIAP and Transit Rewards Program. They have since increased their marketing efforts and budget, but it remains a concern.



## 2.2. VDOT Toll Relief Program, Portsmouth and Norfolk, Virginia

The Elizabeth River Midtown and Downtown tunnels are all lanes tolled tunnels which connect the cities of Portsmouth and Norfolk in Virginia. The construction of these tunnels was completed through a full concession Public-Private Partnership (P3) contract with Elizabeth River Crossings, LLC (ERC). When the tunnels opened to the public in 2016, there were initial setbacks with operating the tolls, including a large backlog of transactions. To make up for these initial operating issues and as a gesture of goodwill, ERC now provides \$500,000 in funds per year for a 10-year toll relief program. In 2020, ERC extended the funding for Virginia Department of Transportation (VDOT) Toll Relief by another 10 years. The total program funding is \$10 million for 20 years. The program is administered by VDOT and was first executed as a year-long pilot before being fully implemented. EZPass operates the toll accounts and electronic toll collection system.

**Program Description:** Program participants receive a \$0.75 refund credited to their EZPass account for each trip after they record eight or more trips through the Elizabeth River Tunnels in a month. They also must have an EZPass transponder to participate in the program. This discount is equivalent to 32 percent during the peak period and 40 percent during the off-peak period.

The main goal of this program is to encourage low-income residents to purchase and set up an EZPass transponder account. License plate toll rates are much higher than EZPass rates. About 70 percent of all users pay the EZPass rates, and the remaining 30 percent pay the license plate toll rates.

In the past, VDOT experimented with increasing the refund to \$1 but doing so resulted in the toll discounts exceeding the \$500,000 annual allowance. As toll rates increase each year, VDOT re-examines the need to adjust either the income qualification criterion or the value of the toll discount so as not to exceed the available funding.

Typically, between 2,000 and 2,300 low-income users register for the program each year, approximately 1.5 percent of all users. VDOT had a decline in registrations in 2021 due to COVID-19 with only 1,500 low-income users enrolling.

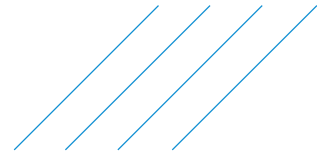
**Eligibility and Verification:** Participants must enroll in person each year to receive program benefits. The enrollment period begins in December and runs through mid-February. The toll relief benefit year runs from March 1 to February 28. To qualify for Toll Relief, participants must: (1) Reside in Norfolk or Portsmouth, (2) earn \$30,000 or less per year, (3) have or obtain a Virginia EZPass transponder and registered account, and (4) record eight trips or more during a calendar month through the Downtown or Midtown tunnels. Individuals who do not have a Virginia EZPass account can open one with \$20, all of which goes to the payment of tolls. The transponder is free. On closing the account, they are required to return the transponder or are charged a \$10 fee. VDOT uses standard transponders and doesn't have sticker transponders.

Qualifying participants receive a toll relief number at enrollment. They must then register this toll relief number with the EZPass office to link it to their transponder.

There is no cap on the number of qualified people who can participate. Often there are multiple individuals per household. Each person within the household has his or her own toll relief number and qualifies individually. VDOT verifies the individual's income and not that of the household.

During the enrollment window, the back office dedicates two to three employees to the Toll Relief Program enrollment. VDOT also has a toll-free number where people can get information about the program.

**Payment Options and Accessibility:** Application must be done in person at either the Norfolk or Portsmouth EZPass Customer Service Centers. The centers are open on weekdays and Saturdays, from 8:30 a.m. to 7:00 p.m. Both centers are along bus lines and have transit connectivity. During



2021, VDOT allowed repeat applicants to enroll remotely and mail their documentation due to COVID-19 restrictions. Between 35 percent and 40 percent of applicants chose that option. First-time applicants were still required to enroll in person.

EZPass accounts can be replenished online through credit card, by phone, in person, or by mailing payment to the EZPass Customer Service Centers. Minimum replenishment amount for general accounts is \$35. Minimum replenishment amount may be adjusted to accommodate a person's average toll usage and minimize the number of times he or she needs to replenish the account. All EZPass users have the option of using cash to purchase a reload card with the reloaded cash value. Each reload card transaction has a fee of \$1.50.

EZPass requires a minimum account balance of \$10. This minimum amount is waived for Toll Relief accounts as long as the balance is not negative. If the account balance is zero or negative during a trip, that trip is not counted toward the eight trips required to claim the discount.

**Program Development:** A steering committee was formed to guide the development of the program. The committee members were designated by the Governor and the committee was headed by the deputy secretary of transportation. The steering committee had members from area social services agencies, local college graduates, business representatives, military representatives, and local government officials. VDOT enlisted consultant help for modeling, analysis, and quantifying expenses, number of trips, and people benefitted by the Toll Relief Program.

**Public Outreach:** The Toll Relief Program was not a high-profile public project. Since program administration costs are an overhead expense for VDOT, it does not run many paid promotions. The program is marketed through social media promotion, limited advertisements on TV channels, and emailing existing customers to re-enroll. ERC likes to highlight the program and it actively promotes it on its social media. Overall, the program has not received any negative feedback from the public.

**Costs and Funding:** The budget for program benefits is \$500,000 per year, paid by ERC. If the whole budget is not spent in one year, the balance rolls over. The program administration cost is borne by VDOT. Administration costs during the first year were close to \$100,000. In subsequent years, the annual program administration cost has been between \$55,000 and \$70,000.

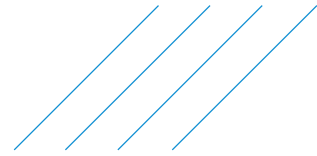
On a typical day, 120,000 trips are made through the Elizabeth River Tunnels. The toll revenue generated per month is between \$3.5 million and \$4 million.

**Program Evaluation Metrics:** VDOT evaluates the program based on two main metrics: (1) number of people enrolled each year, and (2) amount of money distributed as a Toll Relief benefit.

#### **Program Challenges and Lessons Learned:**

- **Program expansion:** Some low-income people who would qualify based on their income live in neighboring cities. However, VDOT does not intend to expand the program because it would be a trade-off between giving many people a small benefit or giving fewer people a more meaningful benefit. Currently participants receive an average of \$28 per month in toll relief.
- **Participant audit:** VDOT does a cursory audit of Toll Relief applicants. They typically find only three to four cases of fraudulent documentation each year. As a result, VDOT does not spend funds on doing more-detailed audits.
- **Exception to the enrollment window:** Since a large portion of the population of Portsmouth is military, VDOT allows military personnel to enroll in the program at any time of the year if they were out on deployment during the enrollment window.





- Partnerships with other agencies: VDOT noted that it has considered partnering with other local agencies for enrollment and verification purposes. However, the other local agencies were understaffed or did not have the workforce to do so. Currently, VDOT's perspective is that running it in-house gives VDOT better control over program operations.

### 2.3. SM 101 Toll Equity Program, San Mateo, California

The San Mateo (SM) 101 Express Lanes in San Mateo County are managed and operated by the San Mateo County Express Lanes Joint Powers Authority (SMCEL JPA). The SMCEL JPA board consists of three San Mateo County Transportation Authority (SMCTA) Board members and three City/County Association of Governments of San Mateo County (C/CAG) Board members. The board adopted the toll equity program for SM 101 in May 2021 and will implement it in 2022 after the construction of SM 101 Express Lanes is complete. The toll equity program was developed voluntarily by SMCEL JPA and there were no legal requirements to do so. FasTrak operates the toll accounts and electronic toll collection system.

**Program Description:** The toll equity program will pay for the \$20 transponder deposit and provide preloaded \$50 toll tags as a one-time benefit for all qualifying participants. In addition, participants can also receive a \$50 credit annually loaded on their regional transit card as an ongoing benefit. As part of the program, SMCEL JPA will assist qualifying participants in enrolling for the ClipperSTART (Bay Area low-income transit program) and FasTrak START (Bay Area low-income toll program) programs offered by Metropolitan Transportation Commission (MTC) for ease of regional travel and to reduce any barriers of entry into these programs. A part of the funding will be reserved to run program awareness and education campaigns and to conduct enrollment drives.

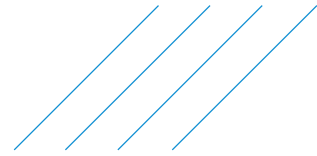
**Eligibility and Verification:** SMCEL JPA will largely rely on existing regional systems for determining program eligibility, enrolling residents, and for eligibility verification. The regional standard for income eligibility is 200 percent of the federal poverty level.

**Payment Options and Accessibility:** For payments, SMCEL JPA will also tap into existing payment infrastructure. Several accessibility aspects of the program, such as minimum account balance, minimum replenishment, and options for cash accounts, will be dependent on FasTrak's existing capabilities and so SMCEL JPA's flexibility is quite limited.

**Program Development:** SMCEL JPA started with 10 program options and shortlisted four options for consideration for the toll equity program. These included (1) providing a one-time \$50 preloaded toll tag, (2) providing a \$50 credit on the regional transit card, (3) funding place-based infrastructural improvements in disadvantaged neighborhoods, and (4) providing carpool benefits of \$50 per year to qualifying participants. The last two options were rejected because these were already being addressed by other agencies or other programs in San Mateo County. In California, a \$20 toll tag deposit is required for all cash-based accounts, which is a barrier to entry for unbanked residents. Hence, providing a free toll tag to program applicants was a popular aspect of the first option. The benefit amount was developed based on high-level technical analysis, but it may be adjusted in subsequent years.

**Public Outreach:** SMCEL JPA involved local community-based organizations in the process of identifying a preferred option via a Stakeholder Advisory Committee. The committee was tasked with understanding what equity meant for the local communities. Based on input received from its discussions, a list of 10 initial program options was developed. A subsequent shortlist of four program options was developed based on additional committee meetings and, from there, two programs options were selected for adoption—providing free toll tags with a preloaded credit and providing an annual transit credit to qualifying participants. During the program development, SMCEL JPA also interviewed community leaders to obtain their input.





SMCEL JPA noted that the Bay Area has a very engaged and articulate public and that it has received positive feedback on the toll equity study so far. There is a push from the public to ensure local agencies focus on equity.

For marketing the adopted program to the public, SMCEL JPA will conduct a separate standalone campaign.

**Costs and Funding:** The program will have \$1 million available in funding in the first year and \$600,000 annually thereafter. The budgetary source for these funds is toll revenues. SMCEL JPA also will be using toll revenues to repay loans it received to construct the lanes and to cover the costs for the monthly operations and maintenance of the facility. However, it indicated that funding the toll equity program was a high priority and came before loan repayment on their funding waterfall.

**Program Evaluation Metrics:** During the initial years of the program, SMCEL JPA will evaluate the program based on number of people enrolled, the amount of benefits given, and managing program costs.

**Program Challenges and Lessons Learned:** SMCEL JPA expects that one of the larger challenges of providing benefits for using the toll lanes will be managing the level of operations in the lanes. Clean air vehicles (CAVs) receive a discount in the express lanes, and over the last three years, CAVs have been the largest selling vehicles in the county. In a dynamic pricing regime, this could disproportionately impact other users of the express lanes who will have to make up for those discounted rides by paying higher tolls.

Most of the analysis for development of the program was high level and not accurate, given the lack of data. SMCEL JPA has been clear in their communication to the political leadership and the public that the program will be adopted as a pilot and will undergo changes. One of the lessons learned is to make additive changes only to avoid the need to remove any benefits when the program is implemented.

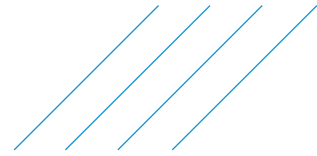
## 2.4. Means-Based Toll Discount Program, San Francisco Bay Area, California

Given the focus on equity in the state of California, the Metropolitan Transportation Commission (MTC) is developing a means-based toll discount program for residents of the San Francisco Bay area. The program will be implemented as an 18-month pilot for the Interstate 680 (I-680) and Interstate 880 (I-880) express lanes starting in 2022. The pilot is intended as a feasible near-term action to address equity issues for express lane access. It will leverage the enrollment, verification, and other systems developed for Clipper® START program. Clipper® START is the means-based transit discount program launched by MTC in summer of 2020. In addition, MTC has contracted with FasTrak to provide electronic toll collection systems, back-office services, and toll tags for the Bay area express lanes and has to work within FasTrak's policies and rules to develop the means-based toll discount program.

**Program Description:** MTC is in the early stages of program development and no options have been shortlisted yet.

**Eligibility and Verification:** The current scope envisions using all the systems developed for the Clipper® START program as the basis for the means-based toll discount program including third-party customer service and eligibility verification services. Bay area residents with a household income under 200 percent of the federal poverty level will be eligible to apply. Participants' eligibility will be reverified every two years.

**Payment Options and Accessibility:** Procedures surrounding payment options for underbanked and unbanked users and improving accessibility for the means-based program are largely controlled by FasTrak policies. MTC is working with FasTrak to develop a more accessible toll



system and a discounted fee structure for low-income communities. FasTrak also has the authority to put drivers' vehicle registrations on hold for failure to pay violation penalties on time. Such policies impact low-income users disproportionately as they tend to have a higher delinquency rate.

**Public Outreach:** MTC will have a public engagement plan in place before the pilot is launched. It will conduct telephone townhalls and public meetings to gather public opinion about the program.

MTC has also involved regional stakeholders in the program development process through an advisory committee. These stakeholders include bridge operators and other express lane operators in the region. MTC also has an equity and access subcommittee as part of the advisory committee. This subcommittee is comprised of various regional advocacy organizations.

**Costs and Funding:** MTC has approved \$3 million for the pilot including cost of benefits, back-office costs, payments to third-party services for enrollment and verification, and other administrative costs. The pilot will be funded using toll revenues.

**Program Evaluation Metrics:** Some of the metrics MTC is considering for evaluation include performance of the express lanes, administrative difficulty of program implementation and operation, improvements to toll lane accessibility, and program awareness. It will develop a comprehensive evaluation plan before the pilot is launched.

**Program Challenges:** There are four express lane operating agencies in the Bay area. One of the biggest program challenges for MTC will be to ensure consistency of rules across regional low-income toll discount programs and increasing program awareness. The Clipper® START transit discount program provides two levels of discounts (20 percent or 50 percent) across various transit agencies within the region, depending on each transit agency's budget. Such inconsistency can result in low enrollment and user confusion.

Another challenge will be working with FasTrak to ensure any policies changes occur in time for the pilot launch to provide maximum benefit to low-income participants.

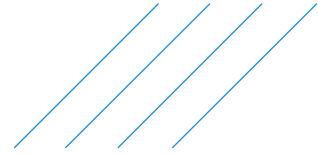
## 2.5. I-405 and SR 167 Low-Income Toll Program, Washington State

In 2019, the Washington State Legislature directed the Washington State Transportation Commission (WSTC) to develop a low-income toll program for Washington (WA) state residents. The mandate also included a requirement to study the feasibility of implementing the recommended program. This process is now well underway with a final recommendation will planned for July 2021. The program will be implemented on the Interstate 405 (I-405) and State Route 147 (SR 147) Express Lanes. Tolls are paid on these roads through the use of the GoodToGo! pass. The pass is linked to a GoodToGo! account which is managed by Washington Department of Transportation (WSDOT).

**Program Description:** WSTC has two program options under consideration.

The first option entails providing a toll credit equal to the tolls paid by the average express lane user. This option is flexible as it allows users choice of whether they would use the credit for the occasional high-cost trip or a large number of low-cost trips.

The second option includes providing ten free express lane trips per month to qualifying users. This option would encourage the use of express lanes for infrequent high-value trips. Additionally, WSTC has identified several standard program components which will be part of whichever Low-Income Toll Program it adopts. These include providing a free GoodToGo! Flex Pass to program users; recommending an advisory panel comprised of low-income and diverse community members to evaluate the pilot program; providing program information in visual formats when possible; providing program documentation in all the primary languages used in the region; and requiring readily accessible physical program enrollment locations.



The program will start as a two-to-five year pilot with evaluation and iteration on an annual basis. A permanent program will be implemented only if it is determined to be financially sustainable. The recommended timeline for the launch of the pilot program is 2024-2025.

**Eligibility and Verification:** All Washington state residents with a household income lower than 200 percent of the federal poverty level will be eligible. The study recommends that program enrollment and verification of documentation be done using Washington State Department of Social and Health Services (DSHS)'s eligibility system for cost effectiveness and to increase program access. Since the department of transportation has a biennial budget, WSTC anticipates that reverification of participants will occur on a biennial basis.

**Payment Options and Accessibility:** Study recommendations for improving program accessibility for low-income unbanked and underbanked users include enabling more and cheaper opportunities to use cash to reload toll accounts, lowering requirements for account minimums and having cards on file, lowering the size of automated account reloading amounts, and considering changes to application of civil penalty charges.

**Program Development:** The study team completed a national scan of other toll discount programs in the country and developed an initial list of twenty program options for consideration. It conducted extensive workshops with stakeholder groups including with WSDOT, DSHS, and Kings County Metro to shortlist five options. These were scored based on metrics such as benefit to users, operational impact on the express lanes, feasibility constraints with program implementation, and program costs. Additionally, the team conducted a survey of I-405 and SR 147 corridor users to evaluate their preference for the five options. Results of the survey preferences and metric-based scores were used to select two options described earlier. These options are being analyzed in detail to determine high-level program costs and impacts.

**Public Outreach:** The primary mode of outreach for the study is the monthly public commission meeting. These are shown on television channels and available through Zoom links. All presentations for the low-income program study made to WSTC are available on the internet for review. The study team reached out to community-based organizations and held discussions with service providers to understand perception of low-income communities towards the program options. The team conducted two surveys targeting low-income residents in the larger Seattle metro area.

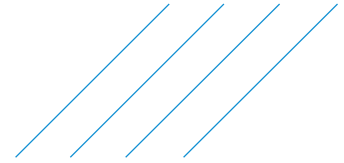
WSTC's recommendation from this study is to conduct further public outreach to potential program users before and as part of the pilot.

**Costs and Funding:** Preliminary cost estimates from the study indicate a total program cost between \$3-9 million. It includes back-office system costs (\$1-3 million), DSHS enrollment and verification tool integration costs (\$0.5-2 million), customer service center training and translation services (\$0-2 million), marketing and program promotion costs (\$0.5-1.5 million), initial flex pass distribution cost (\$0.1-\$0.8 million) and other administrative and oversight costs.

Funding sources for implementing the low-income program have not been identified yet. WSTC's study recommends using toll revenues as a source of funding.

**Program Evaluation Metrics:** WSTC recommends further study of the two shortlisted program options. Program evaluation metrics will be developed as part of the future study before the pilot program is implemented.

**Program Challenges:** WSTC anticipates that effective public outreach and marketing will be one of the most challenging aspects. The other challenge will be developing a legible and well-defined program so that there is no confusion among the corridor users. For example, from a driver's perspective, a trip is a point-to-point journey from the origin to their destination even if they use multiple express lanes along the way. For a tolling agency, each segment of the express lane and each express lane facility can be defined as an individual trip.



### 3. Comparison Summary of Program Elements

Table 1 through Table 5 show a comparison summary of key program elements for each of the agencies.

Table 1. Comparison of Program Benefits

Agency	Benefit
<b>Metro</b>	<ul style="list-style-type: none"> <li>• One-time \$25 credit</li> <li>• Monthly account maintenance fee of \$1 waived</li> <li>• Limited to one person per household</li> <li>• Transit users earn a \$5 credit for taking 16 one-way transit trips along Express Lanes routes during peak hours</li> </ul>
<b>VDOT</b>	<ul style="list-style-type: none"> <li>• \$0.75 discount per transaction after the 8th transaction in a month</li> </ul>
<b>SMCEL JPA</b>	<ul style="list-style-type: none"> <li>• Provide one-time benefit through preloaded \$50 toll tags and \$20 transponder deposit</li> <li>• Provide cash value of \$50 on regional transit card as an annual ongoing benefit</li> <li>• Enroll eligible users in regional low-income transit and toll programs</li> </ul>
<b>MTC</b>	<ul style="list-style-type: none"> <li>• Under development, will be launched as an 18-month pilot</li> </ul>
<b>WSTC</b>	<ul style="list-style-type: none"> <li>• Free switchable transponder</li> <li>• Provide toll credit of \$48 (equal to the tolls paid by the average Express lane user, use it or lose it) OR 10 free trips per month</li> </ul>

Table 2. Comparison of Program Eligibility

Agency	Eligibility
<b>Metro</b>	<ul style="list-style-type: none"> <li>• 200% of federal poverty level</li> <li>• Los Angeles County residents</li> </ul>
<b>VDOT</b>	<ul style="list-style-type: none"> <li>• Individual annual income less than \$30,000 (equivalent to 140% of federal poverty level for a three-person household)</li> <li>• Norfolk or Portsmouth residents only</li> <li>• Have a Virginia EZpass transponder</li> </ul>
<b>SMCEL JPA</b>	<ul style="list-style-type: none"> <li>• 200% of federal poverty level (same as other regional agencies)</li> <li>• San Mateo County residents</li> </ul>
<b>MTC</b>	<ul style="list-style-type: none"> <li>• 200% of federal poverty level (same as other partnering agencies)</li> <li>• Bay Area residents</li> </ul>
<b>WSTC</b>	<ul style="list-style-type: none"> <li>• 200% of federal poverty level</li> <li>• Washington state residents</li> </ul>

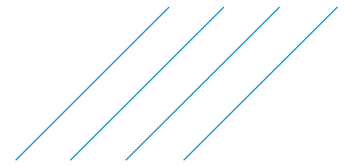


Table 3. Comparison of Program Enrollment

Agency	Enrollment & Accessibility for Unbanked/Underbanked
<b>Metro</b>	<ul style="list-style-type: none"> <li>• Users can enroll through phone or at customer service center</li> <li>• Cash loading of transponder at customer service center and all 7-11 stores through PayNearMe with \$1.99 transaction fee</li> <li>• 16,670 active accounts</li> </ul>
<b>VDOT</b>	<ul style="list-style-type: none"> <li>• Applicants must reapply each year in person at customer service centers—one in each town (COVID exception)</li> <li>• Limited enrollment period of 2.5 months</li> <li>• No minimum balance required for participants</li> <li>• 2,200 average annual participants</li> </ul>
<b>SMCEL JPA</b>	<ul style="list-style-type: none"> <li>• Study recently completed.</li> <li>• Program will tap into MTC systems as much as possible, highly dependent on FasTrak policies</li> </ul>
<b>MTC</b>	<ul style="list-style-type: none"> <li>• Program under development</li> </ul>
<b>WSTC</b>	<ul style="list-style-type: none"> <li>• Study recently completed. Recommendations include enabling opportunities to use cash to reload toll accounts, lowering account minimums and removing need for having cards on file, lowering the amount of automated account reloading, changes to application of civil penalty charges.</li> </ul>

Table 4. Comparison of Applicant (Re)Verification Process

Agency	Applicant (Re)Verification
<b>Metro</b>	<ul style="list-style-type: none"> <li>• Verify income and residency once at customer service center</li> <li>• Does not reverify</li> </ul>
<b>VDOT</b>	<ul style="list-style-type: none"> <li>• Applicants must reapply each year in person at customer service centers—one in each town (COVID exception)</li> </ul>
<b>SMCEL JPA</b>	<ul style="list-style-type: none"> <li>• Utilize MTC's verification system to reduce costs and minimize barriers to entry</li> </ul>
<b>MTC</b>	<ul style="list-style-type: none"> <li>• Will leverage other systems for verification</li> <li>• Considering reverification every 2 years</li> </ul>
<b>WSTC</b>	<ul style="list-style-type: none"> <li>• Use existing WA Department of Social and Health Services infrastructure to enroll and verify users</li> <li>• Considering reverification every 2 years (biennial budget)</li> </ul>

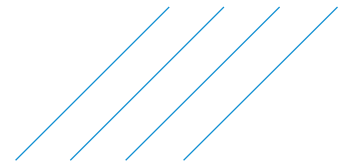


Table 5. Comparison of Program Costs and Funding

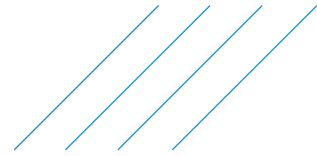
Agency	Program Costs and Funding
<b>Metro</b>	<ul style="list-style-type: none"> <li>• \$300,000 in benefits paid from toll revenues</li> <li>• \$20,000 in benefits for the transit reward program</li> <li>• Funds from Express Lane revenues</li> </ul>
<b>VDOT</b>	<ul style="list-style-type: none"> <li>• \$500,000 in benefits provided by P3 concessionaire</li> <li>• \$70,000 cost for administering the program by VDOT, overhead cost</li> </ul>
<b>SMCEL JPA</b>	<ul style="list-style-type: none"> <li>• Budgeted cost of \$1 million in the first year and \$600,000 annually in the subsequent years paid from express lane revenues</li> </ul>
<b>MTC</b>	<ul style="list-style-type: none"> <li>• Pilot will cost \$3 million, including benefits and back-office costs paid by MTC toll funds</li> </ul>
<b>WSTC</b>	<ul style="list-style-type: none"> <li>• \$250,000 for program development study, implementation costs estimated between \$3 million and \$9 million</li> <li>• Have not identified funding sources for implementation yet</li> </ul>

## 4. Key Takeaways

Some key takeaways from discussions with each agency are summarized below:

- There is a trade-off between the number of program participants and the amount of the benefit. Given the limited nature of program budgets, an agency can provide a relatively large benefit to a few people or a small benefit to many more people. HPTE will have to balance both elements to ensure that the final program benefit offered is both meaningful to its recipients and readily accessible to all those who are potentially eligible.
- All agencies implemented or are proposing to implement the program as a pilot when it opens. This alerts the public to expect changes to the program and also provides the agency some room to modify the program before making it permanent.
- Tapping into systems that are already in place by other agencies cuts program implementation costs and timelines. It also can reduce the barrier to program entry for applicants who already use these other systems. On the other hand, it does potentially limit program flexibility.
- When a program is adopted, a thoughtful communication plan must be implemented to ensure maximum participation of eligible residents.

There is no one-size-fits-all approach for developing a low-income program for toll lanes. HPTE must consider its priorities for the program and the priorities of the GES neighborhoods' residents and then develop a shortlist of program options accordingly.



## Central 70 GES Tolling Equity Study Summary of Public Survey Responses

The survey was open from June 25<sup>th</sup> to August 1<sup>st</sup>. 275 relevant responses were received. The sample size has a margin of error of plus or minus 5 percent at a 90 percent level of confidence.

The responses are representative to the overall neighborhood in terms of age and language. There is a higher representation of low income residents, particularly from the Elyria Swansea neighborhood.

### **Demographic information:**

Approximately 77% of the respondents were from Elyria Swansea and the remaining 23% were from Globeville.

75% of the respondents had an annual household income lower than \$50,000.

51% respondents speak Spanish as their primary language at home, and 48% speak English as their primary language at home. Swahili and Persian/Farsi/Turkish speaking respondents also completed the survey.

30% of the respondents do not have a bank account and 55% do not have a credit card account.

60% of the respondents have lived in the neighborhood for 10+ years.

43% of the respondents depend on Medicaid, 27% depend on food stamps, 11% receive Low Income Energy Assistance benefits, 5% are enrolled in the Denver Property Tax Relief program, and 2% are enrolled in RTD LiVE program.

Neighborhood programs: 65% of the respondents indicated they do not use any of the neighborhood programs or did not know these existed. 11% of the respondents benefit from monthly bus passes, 7% use the free grocery shuttle, 7% use one way bus passes.

### **Travel Information:**

72% of the respondents drive alone to work. 13% use the local/regional bus service, 4% use the light rail.

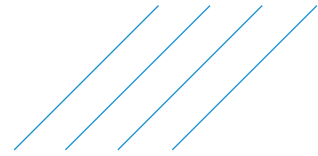
7% of the respondents do not own a car. 25% of the respondents live in a “car-lite” household (i.e. not all adult drivers own a car).

A majority of the respondents work within 3 miles of the GES neighborhood (including in Montbello, Elyria Swansea, downtown Denver, Commerce City).

45% of the respondents use I-70 less than 5 times a week for work/school commute. 12% of the respondents use I-70 more than 14 times a week for commuting to work/school.

27% of the respondents indicated that would not use an alternative non-car mode of travel. 26% of the respondents indicated their preferred alternative mode of travel is the bus or light rail system. The remaining respondents selected multiple preferred alternatives including a combination walking, bicycling, carpooling, taking transit.





## **Familiarity with Express Lanes:**

83% of the respondents have never owned an ExpressTolls pass.

7% of the respondents have used Express Lanes at least 5 times in June 2021.

55% of the respondents said they are little of not at all familiar with the use of Express Lanes in Colorado.

Respondents were asked what would make toll lanes more affordable for them. 24% of the respondents preferred a few free trips each year. 23% of the respondents preferred a discount for using the toll lanes. 15% of the respondents preferred discounts during the peak hours. 17% of the respondents preferred a frequent use-based discount.



# Post-Amerco Real Property Condemnation Authorization Requests

## March 17, 2022 Transportation Commission Meeting

### Region 3 - Condemnation Authorization Requests

Transportation Commission District	Project Name	Project #	Project Code	Parcel #	Parcel Size	Property Owners	Valuation Amount	Chief Engineer's Cost Estimate (CECE), Appraisal (A) or Waiver Valuation (WV)	Date of Valuation	Owner's Current Counter-Offer
7	US 6 & I-70B in Clifton	NHPP 0063-054	21415	RW-20	69 sf	David W. Force, Jr.	\$1,310.00	A	August 11, 2021	N/A
				TE-20	210 sf					
				TE-21	387 sf					

#### Right of Way Plan Key - Common Parcel Designations

RW - XXX	Partial or Complete Parcel Acquisition	XXX - RM	Remnant Parcel	TE - XXX	Temporary Easement	UE - XXX	Utility Easement	PE - XXX	Permanent Easement	AP - XXX	Early Acquisition (Advance of Plans)
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**COLORADO**  
**Department of Transportation**

Office of the Chief Engineer  
2829 W. Howard Place, Suite 562  
Denver, CO 80204

MEMORANDUM

**TO:** TRANSPORTATION COMMISSION

**FROM:** STEPHEN HARELSON, P.E., CHIEF ENGINEER *Stephen Harelson*  
Stephen Harelson (Mar 8, 2022 08:48 MST)

**DATE:** March 8, 2022

**SUBJECT:** REPORT PURSUANT TO COLORADO REVISED STATUTES, §43-1-208 REGARDING PROJECT NUMBER NHPP 0063-054, US 6 & I-70B IN CLIFTON (AKA CLIFTON ROUNDABOUTS), PROJECT CODE 21415, SEEKING APPROVAL TO INITIATE AND CONDUCT CONDEMNATION PROCEEDINGS

Background

This written report to the Transportation Commission is pursuant to Colorado Revised Statutes (“C.R.S.”), Section 43-1-208(1). On June 11, 2021, the Right of Way Plans for US 6 & I-70B in Clifton, NHPP 0063-054 were authorized, which allowed CDOT to acquire land necessary for the project by purchase, exchange, or negotiations with the landowners listed below.

Unfortunately, after engaging in negotiations, CDOT and the landowner were unable to reach a resolution. As a result, CDOT seeks Transportation Commission approval to initiate and conduct condemnation proceedings pursuant to Colorado Revised Statutes, Section 38-1-101 *et seq.* for the properties listed below.

The project US 6 & I-70B, Clifton Roundabouts (“Project”) is necessary for access control, drainage control, construction of medians, sidewalk, curb and gutter, utility improvements and construction of two roundabouts. The purpose of the project is to improve traffic efficiency, create safer access points, install pedestrian infrastructure, upgrade utilities by placing them underground, and address severe drainage problems existing in an area with little elevation change throughout the corridor. This will improve safety, traffic efficiency, improve connectivity, drainage and utilities and is therefore, desirable.

Overview of Properties Previously Approved for Negotiation

There is one fee acquisition parcel and two temporary easement parcels previously approved for negotiation.

The Notice of the Transportation Commission Meeting for Condemnation Authorization was sent to David W. Force, Jr., on February 22, 2022 by Certified Mail. There are no known additional parties with a possessory interest in the below listed properties.

1. Date of ROW Plan Authorization: June 11, 2021  
Address: 3263 F Road, Clifton CO 81520.  
Landowner's Name: David W. Force, Jr.  
Current Size of Property: Garage site - 9,984 sf, residential site - 3,920 sf, total size - 13,904 sf  
Proposed Size of Acquisition: Fee simple - 69 sf, temporary easement TE-20 and TE-21 - 597 sf.  
Purpose of Parcels Necessary for Project:
  - RW-20: Fee simple, 69 sf, for the purpose of construction and maintenance of sidewalk.
  - TE- 20: Garage site, temporary easement, 210 sf for the purpose of construction grading, with a 24 month temporary construction easement duration.
  - TE- 21: Residential site, temporary easement, 387 sf for the purpose of construction grading, with a 24 month temporary construction easement duration.

Estimated Property Value, Damages and Benefits (if any): Fair Market Value offer was presented at \$1,310, as rounded.

Method to Determine Property Value, Damages and Benefits (if any): Value was based upon comparable sales in a report by CDOT consultant appraiser, Bonnie Roerig, MAI, with no compensable damages. Ms. Roerig's appraisal value is dated 8/11/2021.

Date of Initial Offer: 1/10/2022

Brief Summary of Counteroffers: The property owner has engaged an attorney. He has grave concerns about access to his garage site due to construction of a center median restricting left turns into his garage, as well as right in, right out only turns onto US Hwy 6. To date they have not presented a counteroffer. They engaged appraiser David Clayton and he determined a compensation amount for the garage site of \$828 for the fee acquisition and \$504 for the temporary easement, with damages calculated for the garage site property of \$297,672. Clayton's appraisal was deemed as unacceptable by the review appraiser because it did not meet most or sufficient basic requirements for the appraisal assignment. The damages were based mainly on the proposed plans to restrict access to the garage doors that open onto US 6. The design team has subsequently changed their 100% access closure to the garage doors into a driveway access with a mountable curb, retaining right in, right out only movements in the after condition. The owner, Dave Force, has not provided a response to CDOT's current offer above the estimated FMV of \$13,000, which was made in addition to our effort to accommodate garage door access.

Attachments  
Proposed Resolution  
Right-of-Way Plans  
Legal Descriptions  
Contact Summary

Tuesday, June 01, 2022 10:54 AM p:\s\pawhalsand\10404R-US-Colorado-01\Documents\Colorado\DOT-23\CDOT-EL-201415-Progress\21415-R01-Survey Drawings\21415R01-TitleSheet.dgn

Colorado Department of Transportation

222 South 6th Street  
 Room 317  
 Grand Junction, CO 81501  
 Phone: 970-683-6236  
 FAX: 970-683-6227 JMK



Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX

Right of Way Plans			
Title Sheet			
Project Number:	NHPP 0063-054		
Project Location:	US 6 Clifton		
Project Code	Last Mod. Date	Subset	Sheet No.
21415	5-28-2021	1.01 of 1.01	1.01

# DEPARTMENT OF TRANSPORTATION STATE OF COLORADO

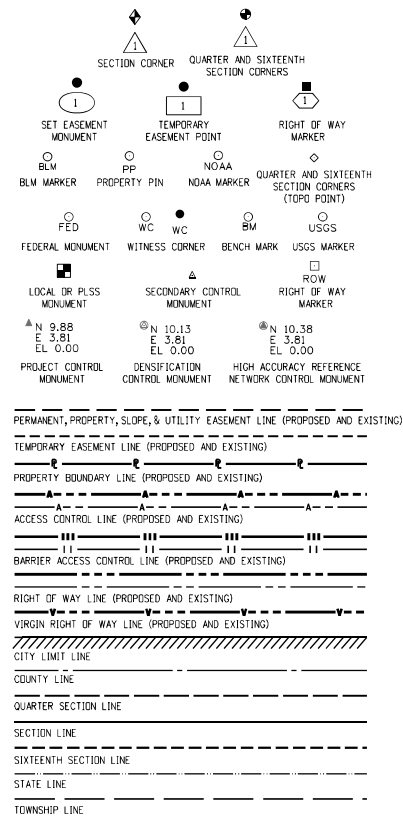
## RIGHT OF WAY PLANS OF PROPOSED FEDERAL AID PROJECT NO. NHPP 0063-054 U.S. HIGHWAY NO. 6 MESA COUNTY

SHEET NO.	INDEX OF SHEETS
1.01	(1) Title Sheet
2.01-2.05	(5) Tabulation of Properties
3.01-3.03	(3) Project Control Diagram
4.01-4.03	(3) Land Survey Control Diagram
5.01-5.03	(3) Monumentation Sheets
6.01-6.0X	(NA) Tabulation of Road Approach Sheets
7.01-7.13	(13) Plan Sheets
8.01-8.02	(2) Ownership Map
(30) Total Sheets	

Scales of Original 11"x17" Drawings  
 Plan Sheets 1"=30'  
 Ownership Map 1"=200'

R.O.W. Length of Project = 0.49 Miles  
 Const. Length of Project = 0.64 Miles

THIS PROJECT IS LOCATED WITHIN  
 PROJECT FAP 208-A [YEAR 1928]  
 STA. 81+82.43 TO 40.89RT(S/4 SEC. 2)  
 =FAP 208A STA. 34.2+24.99

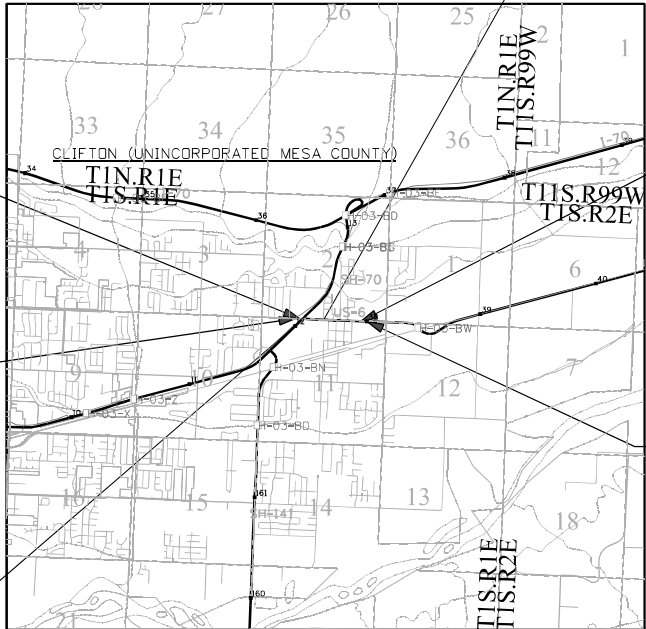


**SURVEY/ROW**

**TERRAIN**

STATION 17+12.79 36.63"RT.  
 =STA. 296+53.9 ROW PLANS  
 F001-1(11)

Note: For a complete listing of symbology used within this set of plans, please refer to the M-100-1 Standard Symbols of the Colorado Department of Transportation M&S Standards Publication. Existing topo features are shown as screened weight (gray scale). Proposed or new features are shown as full weight without screening, except as noted with the word (proposed).



**PROJECT LOCATION MAP**

0 1/2 mile 1 mile 2 miles  
 Lined Units = U.S. Survey Feet

End ROW Project  
 Station: 164+94.63  
 M.P.: 37.96

Begin ROW Project  
 Station: 13+14.11  
 M.P.: 37.42

Begin Const Project  
 Station: 10+00  
 M.P.: 37.2

End Const Project  
 Station: 166+79.61  
 M.P.: 37.9

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of S89°06'14"E from CM-MP 37.38 to CM-MP 37.67. Both monuments are CDOT Type II, marked appropriately for their milepost location and control position. The survey data was obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

1. This Right-of-Way Plan is not a boundary survey of the adjoining property and is prepared for the Colorado Department of Transportation purposes only.
2. For title information, The Colorado Department of Transportation relied on Title Commitments prepared by Abstract & Title Company of Mesa County dated 2-21-2020.
3. This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDOT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

**COLORADO DEPARTMENT OF TRANSPORTATION  
 FEDERAL-AID HIGHWAY PROJECT**

ROW PLANS AUTHORIZED: 06/11/21  
 DATE

*George A. Preiser*  
 CDOT CHIEF ENGINEER

**SURVEYOR STATEMENT (ROW PLAN)**

I, George A. Preiser, a professional land surveyor licensed in the State of Colorado, do hereby state to the Colorado Department of Transportation that based upon my knowledge, information and belief, research, calculations and evaluation of the survey evidence were performed and this Right-of-Way Plan was prepared under my responsible charge in accordance with applicable standards of practice defined by Colorado Department of Transportation publications. This statement is not a warranty or warranty, either expressed or implied.

PLS No. 38055

Tuesday, June 22, 2021 10:45:30 AM. s:\projects\2021\1500\1500\_1500\_R1\1500\_R1.dwg. User: JMK. Plot: 1500\_R1.dwg. Scale: 1" = 30'.

**Colorado Department of Transportation**  
 222 South 6th Street  
 Room 317  
 Grand Junction, CO 81501  
 Phone: 970-683-6236  
 FAX: 970-683-6227  
**Region 3**

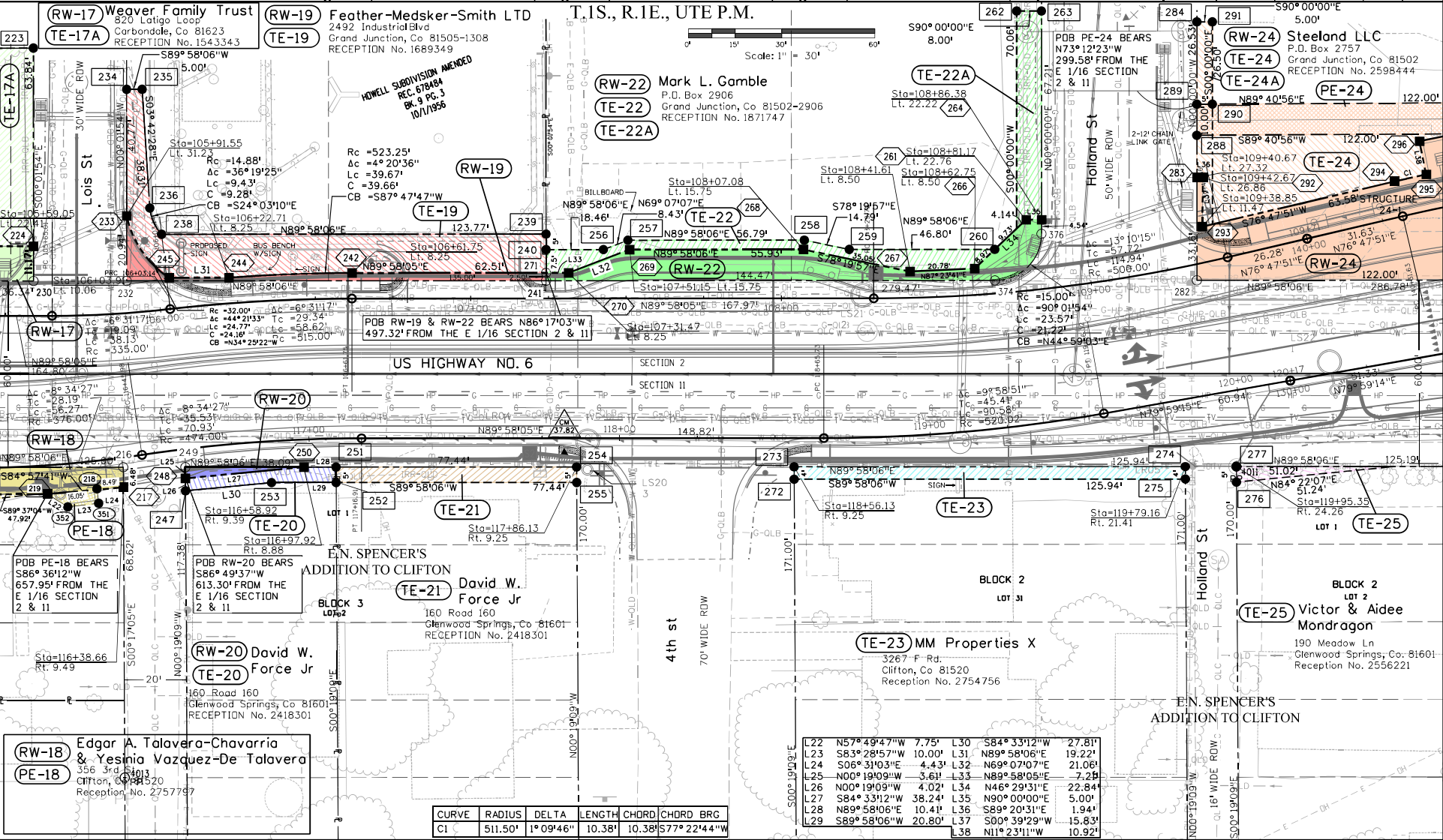
Sheet Revisions		
Date	Description	Initials

Sheet Revisions		
Date	Description	Initials

Sheet Revisions		
Date	Description	Initials

**Right of Way Plans**  
**Plan Sheet**  
 Project Number: NHPP 0063-054  
 Project Location: US 6 & I-70B in Clifton

Project Code	Last Mod. Date	Subset	Sheet No.
21415	6-9-2021	7.01 To 7.13	7.08



CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BRG
C1	511.50'	1° 09' 46"	10.38'	10.38'	S77° 22' 14" W



Colorado Department of Transportation



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Room 317  
Grand Junction, CO 81501  
Phone: 970-683-6236  
FAX: 970-683-6227

Region 3

JMK

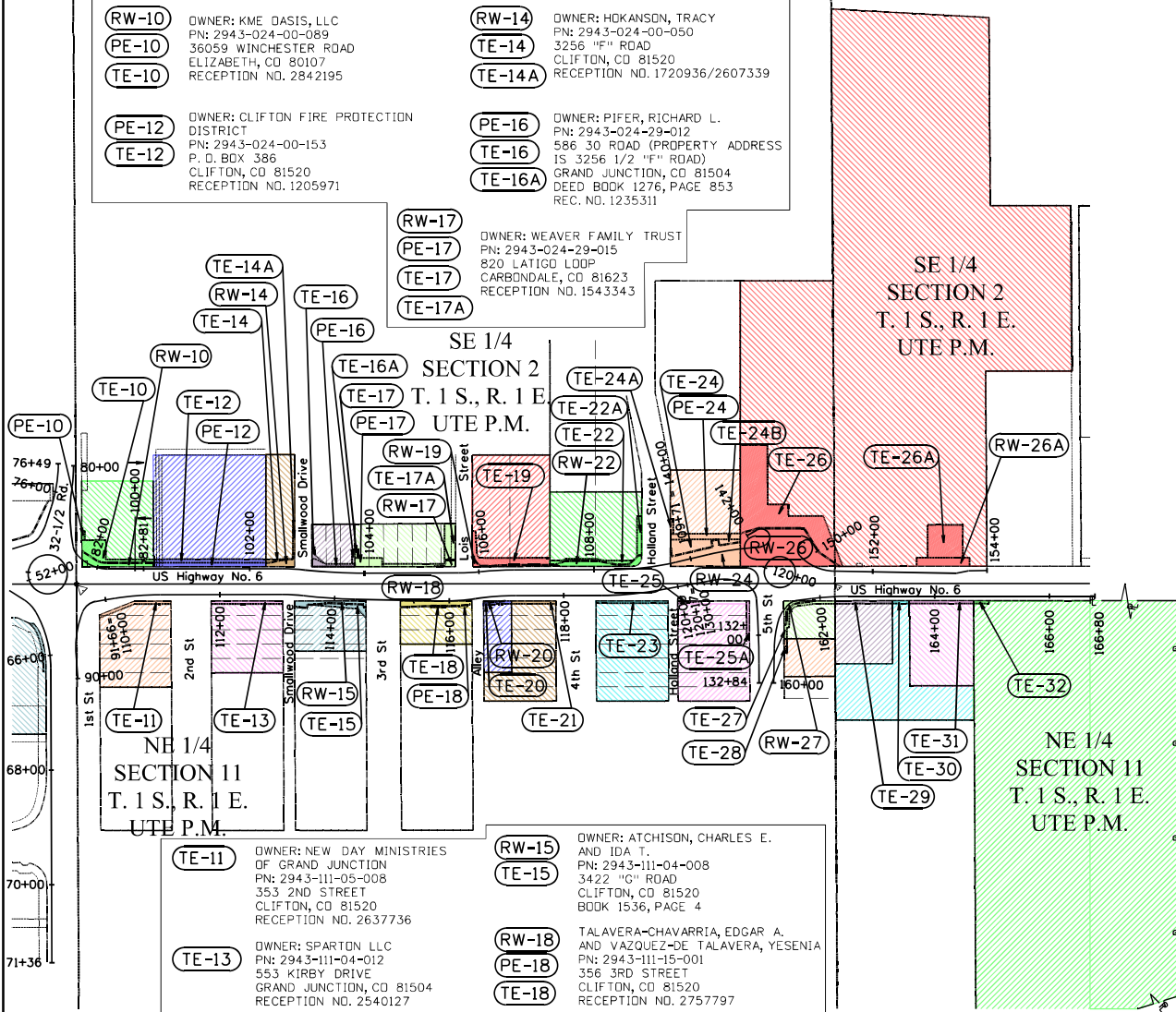
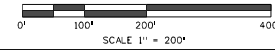
Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
mm/dd/yy	XXXXXXX	XXX						



Right of Way Plans

Ownership Sheet

Project Number: NHPP 0063-054			
Project Location: US 6 & I-70B in Clifton			
Project Code	Last Mod. Date	Subset	Sheet No.
21415	9-30-20	8.01 to 8.02	8.02



- RW-19** OWNER: FEATHER-MEDSKER-SMITH LTD  
PN: 2943-024-27-024  
2492 INDUSTRIAL BLVD  
GRAND JUNCTION, CO 81505  
RECEPTION NO. 1689349
- TE-19**
- RW-20** OWNER: FORCE, DAVID W. JR  
PN: 2943-111-03-012  
160 COUNTY ROAD 160  
GLENWOOD SPRINGS, CO 81601  
RECEPTION NO. 2416301
- TE-20**
- TE-21** OWNER: FORCE, DAVID W. JR  
PN: 2943-111-03-014  
160 COUNTY ROAD 160  
GLENWOOD SPRINGS, CO 81601  
RECEPTION NO. 2418301
- RW-22** OWNER: GAMBLE, MARK L.  
PN: 2943-024-26-015  
P.O. BOX 2906  
GRAND JUNCTION, CO 81502  
RECEPTION NO. 1871747
- TE-22**
- TE-22A**
- TE-23** OWNER: MM PROPERTIES X  
PN: 2943-111-02-002  
3267 "F" ROAD  
CLIFTON, CO 81520  
RECEPTION NO. 2754756
- RW-24** OWNER: STEELAND LLC  
PN: 2943-024-00-067  
P.O. BOX 2757  
GRAND JUNCTION, CO 81502  
RECEPTION NO. 2598444
- PE-24**
- TE-24**
- TE-24A**
- TE-24B**
- TE-25** OWNER: MONDRAGON, VICTOR AND AIDE  
PN: 2943-111-02-001  
190 MEADOW LANE  
GLENWOOD SPRINGS, CO 81601  
RECEPTION NO. 2556221
- TE-25A**
- RW-26** OWNER: MESA COUNTY VALLEY SCHOOL DISTRICT NO. 51  
PN: 2943-024-00-154  
2115 GRAND AVE.  
GRAND JUNCTION, CO 81501  
DEED NO. 70869, PAGE 265,  
DEED BK. 188, PAGE 430,  
DEED NO. 174189, PAGE 126 AND  
DEED BK. 1312, PAGE 402
- TE-26**
- RW-26A**
- TE-26A**
- RW-14** OWNER: HOKANSON, TRACY  
PN: 2943-024-00-050  
3256 "F" ROAD  
CLIFTON, CO 81520  
RECEPTION NO. 1720936/2607339
- TE-14**
- TE-14A**
- PE-12** OWNER: CLIFTON FIRE PROTECTION DISTRICT  
PN: 2943-024-00-153  
P. D. BOX 386  
CLIFTON, CO 81520  
RECEPTION NO. 1205971
- TE-12**
- PE-16** OWNER: PIFER, RICHARD L.  
PN: 2943-024-29-012  
586 30 ROAD (PROPERTY ADDRESS IS 3256 1/2 "F" ROAD)  
GRAND JUNCTION, CO 81504  
DEED BOOK 1276, PAGE 853  
REC. NO. 1235311
- TE-16**
- TE-16A**
- RW-17** OWNER: WEAVER FAMILY TRUST  
PN: 2943-024-29-015  
820 LATIGO LOOP  
CARBONDALE, CO 81623  
RECEPTION NO. 1543343
- PE-17**
- TE-17**
- TE-17A**
- TE-17B**
- TE-17C**
- TE-17D**
- TE-17E**
- TE-17F**
- TE-17G**
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- TE-17Q**
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- TE-17S**
- TE-17T**
- TE-17U**
- TE-17V**
- TE-17W**
- TE-17X**
- TE-17Y**
- TE-17Z**
- TE-18** OWNER: ATCHISON, CHARLES E. AND IDA T.  
PN: 2943-111-04-008  
3422 "C" ROAD  
CLIFTON, CO 81520  
BOOK 1536, PAGE 4
- TE-18**
- TE-18A**
- TE-18B**
- TE-18C**
- TE-18D**
- TE-18E**
- TE-18F**
- TE-18G**
- TE-18H**
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- TE-26Q**
- TE-26R**
- TE-26S**
- TE-26T**
- TE-26U**
- TE-26V**
- TE-26W**
- TE-26X**
- TE-26Y**
- TE-26Z**
- TE-27** OWNER: DILLARD, DEBRA L.  
PN: 2943-111-01-007  
360 5TH STREET  
CLIFTON, CO 81520  
RECEPTION NO. 2923719
- TE-27**
- TE-28** OWNER: REYES, ISIDRO AND JUANA  
PN: 2943-111-01-006  
358 5TH STREET  
CLIFTON, CO 81520  
RECEPTION NO. 2199934
- TE-29** OWNER: INSKEEP, JASON  
PN: 2943-111-00-027  
3277 "F" ROAD  
CLIFTON, CO 81520  
RECEPTION NO. 2863045
- TE-30** OWNER: TWELVE 31 LLC  
PN: 2943-111-00-264  
761 25 ROAD  
GRAND JUNCTION, CO 81505  
RECEPTION NO. 2744597
- TE-31** OWNER: WALLACE, TYLER S. AND JANELLE K.  
PN: 2943-111-00-263  
P. O. BOX 321  
QLATHE, CO 81425  
RECEPTION NO. 2767696
- TE-32** OWNER: JAYNES, JOHN W., ALAN W. AND ANDREW S.  
PN: 2943-111-00-002  
6658 SOUTH ROBB STREET  
LITTLETON, CO. 80127  
RECEPTION NO. 2713208
- TE-33**

Thursday, May 08, 2020 10:04:56 AM p:\projects\2020\20200223\10045601\6.0.c.d.\21415\_RW\_6\_2\_Work\1\_1\_1\_Progress\21415\_RW\_6\_2\_Survey\_Drawings\21415RWP\_OwnershipSheet.dwg

**EXHIBIT "A"**

**PROJECT CODE: 21415**  
**PROJECT NUMBER: NHPP 0063-054**  
**PARCEL NUMBER: RW-20**  
**DATE: AUGUST 1, 2020**

**LEGAL DESCRIPTION**

A Tract or Parcel of Land No. RW-20 of the Department of Transportation, State of Colorado, Project Code 21415, Project Number NHPP 0063-054, containing 69 square feet (0.002 acres), more or less, situated in the NE 1/4 of Section 11, Township 1 South, Range 1 East, of the Ute Principal Meridian, in Mesa County, Colorado, said Tract or Parcel being more particularly described as follows:

Commencing at a point on the westerly line of Lot 1 Block 3 of a Plat of E.N. Spencer's Addition to Clifton filed in the Mesa County Clerk & Recorder's Office at Book 2 Page 46, whence the east 1/16 corner of Section 2 & 11 bears N. 86°49'37" E 613.30 feet, said point being the TRUE POINT OF BEGINNING;

1. Thence continuing along said easterly line N. 00°19'09" W., a distance of 3.61 feet to a point on the existing southerly right-of-way line of U.S. 6 (August 2020);
2. Thence along said southerly line N. 89°58'06" E., a distance of 38.09 feet;
3. Thence departing said southerly line S. 84°33'12" W., a distance of 38.24 feet, more or less, to the TRUE POINT OF BEGINNING.

The above described parcel contains 69 sq. ft. (0.002 acres), more or less.

Basis of Bearings: Bearings used in the calculations of coordinates are based on a grid bearing of S 89°06'14"E 1526.42 feet from US 6 CM-MP 37.38 to US 6 CM-MP 37.67 as obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

For and on the behalf of the  
Colorado Department of Transportation  
George A. Preiser, PLS 38055  
222 So. 6<sup>th</sup> Street, Suite 317  
Grand Junction, CO 81501



<b>Colorado Department of Transportation</b>  Condemnation Authorization Contact Summary	Project Code: 21415
	Parcel: RW-20,TE-20,TE-21
	Owner: David W. Force Jr.

The following is a summary of communications which have taken place between CDOT and/or its representatives and the above referenced owner related to the acquisition of the above described parcels. This summary is prepared to assist the Transportation Commission in considering CDOT's request for authorization to initiate and conduct condemnation proceedings.

Date	Contact Description	Amount/Description
7/19/2021	First Contact w/Property Owner	Phone Call with Owner
7/22/2021	Discussion of CDOT Project	NOI
1/10/2022	CDOT Offer	\$1,310.00
N/A	Owner Counter-Offer	N/A
2/11/2022	CDOT Last Offer	\$13,000.00
2/22/2022	Last Contact w/Property Owner	TC Notice

Number of Property Owner Contacts Attempted:	21
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Number of Successful Property Owner Contacts:	16
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**Matters Discussed During Property Owner Contacts (check all that apply)**

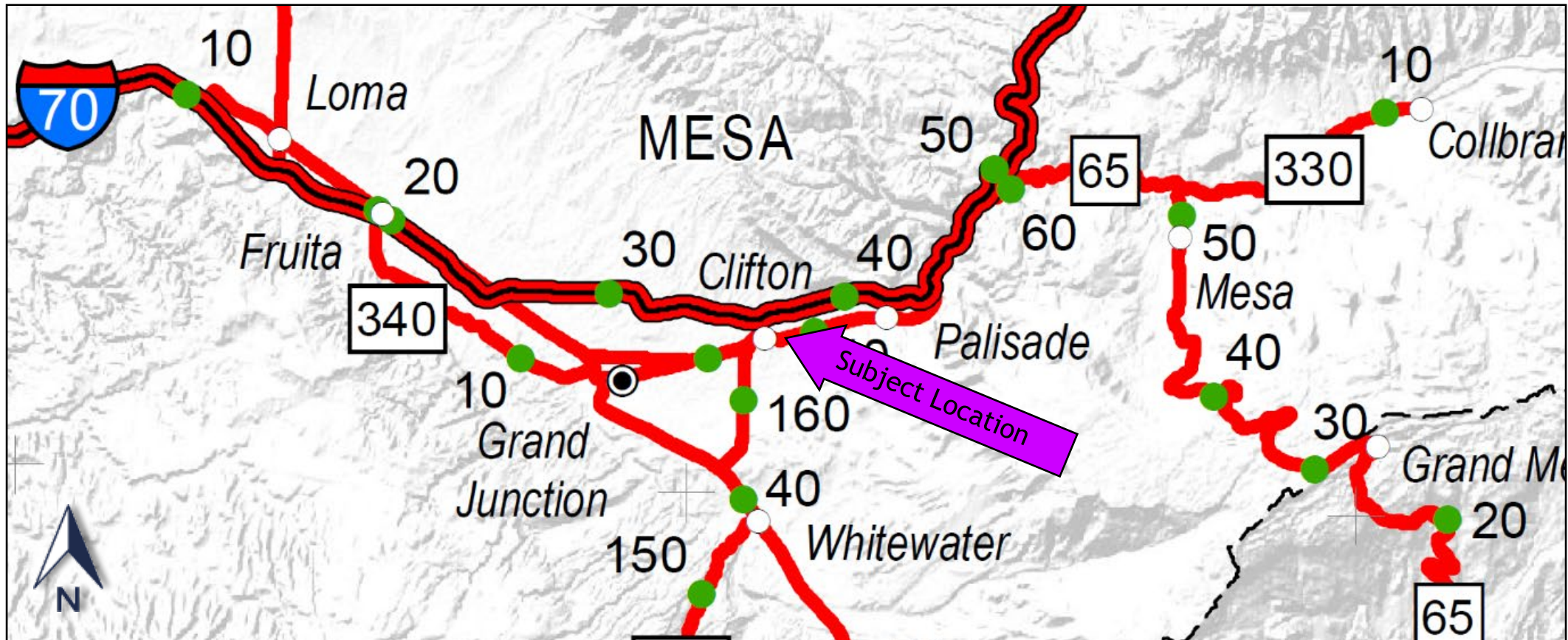
- Access
- Valuation
- Owner Appraisal Reimbursement
- Project Timeline
- Design
- CDOT Processes
- Other Specify here:





# Condemnation Authorization US 6 & I-70B in Clifton (Clifton Roundabouts)

District: 7    Region: 3    Project: NHPP 0063-054    Project Code: 21415



Owners: David W. Force Jr.

Project Purpose: Improve safety, traffic efficiency, improve connectivity, drainage and utilities





# Condemnation Authorization US 6 & I-70B in Clifton (Clifton Roundabouts)



Location of Ownerships 20/21





# Condemnation Authorization US 6 & I-70B in Clifton (Clifton Roundabouts)



Location of Subject Properties



# Condemnation Authorization US 6 & I-70B in Clifton (Clifton Roundabouts)

David W. Force, Jr. — Parcels RW-20, TE-20, TE-21

OFFERS	DATE	AMOUNT
CDOT Appraisal	August 11, 2021	\$1,310
CDOT Initial Offer	January 10, 2022	\$1,310
Owner Appraisal	December 19, 2021	\$299,004
CDOT 2 <sup>nd</sup> Offer	February 11, 2022	\$13,000

- No counter-offers, owner's main concern is losing commercial garage access due to sidewalk and median
  - Initial project design changed to now allow right-in/right-out to US 6
- Owner appraisal includes minimal amount for land and easements, damages of \$297,672 for the loss of garage access, appraisal prior to design change
- Condemnation authorization requested due to July 2022 project ad date

**MEMORANDUM**

**TO: THE TRANSPORTATION COMMISSION**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**BETHANY NICHOLAS, BUDGET DIRECTOR**  
**DATE: MARCH 16, 2022**  
**SUBJECT: FY 2022-23 FINAL ANNUAL BUDGET ALLOCATION PLAN**

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**Purpose**

To present the FY 2022-23 Final Annual Budget Allocation Plan for Transportation Commission (TC) adoption.

**Action**

The Division of Accounting and Finance (DAF) is requesting that the TC adopt the FY 2022-23 Final Annual Budget Allocation Plan.

**FY 2022-23 Final Annual Budget Allocation Plan**

The FY 2022-23 Final Annual Budget Allocation Plan is available on the Department's website: <https://www.codot.gov/business/budget/cdot-budget/draft-budget-documents/fy2022-2023-final-budget-allocation-plan>. In addition to the Budget Narrative, the following Appendices to the FY 2022-23 Budget are available:

- FY 2022-23 Revenue Allocation Plan
- FY 2022-23 Spending Plan
- List of Open Projects and Unexpended Project Balances
- List of Planned Projects
- FY 2022-23 Estimated Construction Budget
- FY 2022-23 CE and Indirect Allocations
- CDOT Personnel Report

The FY 2022-23 Final Annual Budget totals \$1,784.0 million (including the CDOT Enterprises) and allocates:

- \$647.9 M to capital construction programs
- \$372.3 M to maintenance and operations programs
- \$373.2 M to suballocated programs
- \$55.1 M to multimodal services
- \$134.8 M to administration and agency operations, debt service and other programs
- \$145.2 M to Colorado Bridge and Tunnel Enterprise
- \$40.1 M to CO Transportation Investment Office (High Performance Transportation Enterprise)
- \$8.3 M to Clean Transit Enterprise
- \$7.1 M to Nonattainment Area Air Pollution Mitigation Enterprise

The FY 2022-23 Final Revenue Allocation Plan is balanced, with all flexible revenue allocated. Revenues specific to a program that are considered inflexible (i.e., FAST Act and State mandated programs such as safety education and Aeronautics) have been automatically adjusted based on the FY 2022-23 Revenue Forecast. Asset Management and Maintenance programs are funded according to the FY 2022-23 Asset Management Planning Totals, approved by the TC in November 2019. All other



program revenues are flexible and are initially set based on the FY 2021-22 budget amounts as adopted by the TC in March 2021 (and subsequently amended), and then modified through the work plan budget and decision item processes.

### **Changes to the Final Budget**

There are several changes that were made to the Final Budget since TC reviewed the budget in February 2022.

- Revenue for the Colorado Transportation Investment Office (CTIO) was increased from \$22.4 million to \$40.1 million to match the FY 2022-23 budget that was adopted by the CTIO Board in February 2022. CTIO budget was updated to incorporate 1) the opening of new Express Lanes in FY 2022-23 including I-25 South Monument to Castle Rock (GAP) and I-70 Mountain Express Lane Westbound; and 2) updated forecasts for I-25 North US36 to E470 (Segments 2 and 3), and improved performance of the C-470 Express Lanes through the first half of FY 2021-22.
- Aeronautics revenue was increased from \$35.1 million to \$36.0 million to match the FY 2022-23 budget that was adopted by the Colorado Aeronautical Board during their February 2022 meeting.
- The budget for the Multimodal Transportation and Mitigation Options Fund (MMOF), which is subject to annual appropriation by the legislature, was increased from \$17.6 million to \$114.8 million based on the assumption that the full General Fund transfer of \$108.1 million to the MMOF will occur in FY 2022-23, pursuant to SB 21-260. The Joint Budget Committee approved the budget for this program during the Department's Figure Setting hearing on February 10, 2022.
- Allocations for the Carbon Reduction Program were updated to reflect FHWA's notice and supplementary tables for federal fiscal year 2022, issued in late February.

These actions increased the overall budget by \$116.2 million over the total budget that was presented for review in February 2022.

### **FY 2022-23 Revenue Allocation Plan**

The Revenue Allocation Plan (see Attachment A) now includes estimated roll-forwards for FY 2021-22 to provide the complete budget that is available for planning and programming in FY 2022-23. For most programs, the estimated amounts are calculated using a straight-line projection methodology with year-to-date actual expenditures through December 2021. The roll forward budget from FY 2021-22 that is available in FY 2022-23 is currently estimated at \$2,211.7 million, for a total FY 2022-23 budget of \$3,995.7 million for CDOT and the enterprises. This amount will be updated after the end of the fiscal year to reflect final year-end amounts. The majority of rolled forward funds are programmed and committed but have not yet been budgeted or encumbered in contracts. As projects proceed to advertisement later this fiscal year and into next fiscal year, funds will be budgeted and encumbered.

### **FY 2022-23 Spending Plan**

The Spending Plan (see Attachment B) was developed to more clearly communicate the complex nature of multi-year capital budgeting. While the Revenue Allocation Plan shows how the Department is planning for an additional year of revenue, the Spending Plan shows how the Department anticipates existing fund balances and anticipated revenues will spend during the year. The Spending Plan is now populated with the Department's anticipated expenditures for FY 2022-23 by budget category, using the same primary budget categories that are used in the Revenue Allocation Plan (e.g. Capital Construction, Maintenance and Operations, etc.). Within each primary budget category, expenses are then broken down by General Ledger account code to provide greater visibility into planned expenditures.

For the Capital Construction program, estimated amounts are based on a combination of forecasted spending by the Program Reporting and Transparency Office and an average of prior year expenditures.

For other budget categories, estimated amounts are based on an average of prior year expenditures and budgeted amounts for FY 2022-23.

For FY 2022-23, the Department estimates that it will spend approximately \$2,208.3 million across all program areas, including capital construction, maintenance, sub-allocated programs, administration, Enterprises, etc. The Department will update the Spending Plan quarterly during FY 2022-23 and provide actual expenditures for comparison.

### **Options and Recommendation**

Pursuant to Section 43-1-113 (9)(c), C.R.S., the TC is required to adopt a Final Annual Budget Allocation Plan for the upcoming fiscal year by April 15. DAF requests TC adoption of the FY 2022-23 Final Annual Budget Allocation Plan. Options include:

1. Adopt the FY 2022-23 Final Annual Budget Allocation Plan by resolution. (Staff Recommendation)
2. Request additional changes to the FY 2022-23 Final Annual Budget Allocation Plan prior to April 15, 2022.

### **Next Steps**

Upon Adoption, the FY 2022-23 Final Annual Budget Allocation Plan will be delivered to the Governor on or before April 15, 2022. The TC has the authority to amend the budget after this date. The budget may also be changed according to the revised Common Policy or other legislatively approved changes.

### **Attachments**

Attachment A - FY 2022-23 Revenue Allocation Plan

Attachment B - FY 2022-23 Spending Plan

Attachment C - Presentation

**FY 2022-23 Revenue Allocation Plan**

Line	Budget Category / Program	A. Estimated Rollforward from FY 2021-22*	B. FY 2021-22 Final Allocation Plan	C. FY 2022-23 Final Allocation Plan	FY 2022-23 Total Final Available Budget (A+C)	Directed By	Funding Source
<b>1</b>	<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>						
2	Capital Construction	\$1,081.4 M	\$972.3 M	\$647.9 M	\$1,729.3 M		
3	Asset Management	\$31.8 M	\$336.1 M	\$392.3 M	\$424.1 M		
4	Surface Treatment	\$0.0 M	\$223.3 M	\$225.6 M	\$225.6 M	TC	FHWA / SH / SB 09-108
5	Structures	\$0.0 M	\$61.9 M	\$62.5 M	\$62.5 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$6.5 M	\$34.3 M	\$26.9 M	\$33.4 M	TC	FHWA / SH
7	Geohazards Mitigation	\$0.0 M	\$10.1 M	\$10.0 M	\$10.0 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$1.0 M	\$6.5 M	\$6.5 M	\$7.5 M	TC	FHWA / SH
9	Emergency Relief	\$5.1 M	\$0.0 M	\$0.0 M	\$5.1 M	FR	FHWA
10	10 Year Plan Projects - Capital AM	\$19.1 M	\$0.0 M	\$60.9 M	\$80.0 M	TC / FR	FHWA
11	Safety	\$21.4 M	\$115.3 M	\$121.6 M	\$143.0 M		
12	Highway Safety Improvement Program	\$10.7 M	\$33.1 M	\$39.4 M	\$50.1 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$2.1 M	\$3.6 M	\$3.6 M	\$5.7 M	FR	FHWA / SH
14	Hot Spots	\$0.0 M	\$2.2 M	\$2.2 M	\$2.2 M	TC	FHWA / SH
15	FASTER Safety	\$8.6 M	\$69.2 M	\$69.2 M	\$77.8 M	TC	SB 09-108
16	ADA Compliance	\$0.0 M	\$7.2 M	\$7.2 M	\$7.2 M	TC	FHWA / SH
17	Mobility	\$1,028.2 M	\$520.9 M	\$134.1 M	\$1,162.3 M		
18	Regional Priority Program	\$10.0 M	\$48.4 M	\$50.0 M	\$60.0 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$977.1 M	\$450.0 M	\$63.4 M	\$1,040.4 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$41.2 M	\$22.5 M	\$20.7 M	\$61.8 M	FR	FHWA / SH / SL
21	Maintenance and Operations	\$35.7 M	\$347.7 M	\$372.3 M	\$408.0 M		
22	Asset Management	\$31.0 M	\$312.3 M	\$336.1 M	\$367.1 M		
23	Maintenance Program Areas	\$0.0 M	\$263.5 M	\$273.8 M	\$273.8 M		
24	Roadway Surface	\$0.0 M	\$40.4 M	\$40.9 M	\$40.9 M	TC	SH
25	Roadside Facilities	\$0.0 M	\$21.4 M	\$22.1 M	\$22.1 M	TC	SH
26	Roadside Appearance	\$0.0 M	\$9.8 M	\$10.2 M	\$10.2 M	TC	SH
27	Structure Maintenance	\$0.0 M	\$5.4 M	\$5.6 M	\$5.6 M	TC	SH
28	Tunnel Activities	\$0.0 M	\$4.0 M	\$5.0 M	\$5.0 M	TC	SH
29	Snow and Ice Control	\$0.0 M	\$79.1 M	\$84.3 M	\$84.3 M	TC	SH
30	Traffic Services	\$0.0 M	\$69.0 M	\$70.7 M	\$70.7 M	TC	SH
31	Materials, Equipment, and Buildings	\$0.0 M	\$17.5 M	\$18.0 M	\$18.0 M	TC	SH
32	Planning and Scheduling	\$0.0 M	\$16.8 M	\$17.0 M	\$17.0 M	TC	SH
33	Express Lane Corridor Maintenance and Operations	\$0.0 M	\$5.0 M	\$11.0 M	\$11.0 M	TC	SH
34	Property	\$2.0 M	\$19.9 M	\$27.9 M	\$29.9 M	TC	SH
35	Capital Equipment	\$15.2 M	\$23.9 M	\$23.4 M	\$38.6 M	TC	SH
**36	Maintenance Reserve Fund	\$13.9 M	\$0.0 M	\$0.0 M	\$13.9 M	TC	SH
37	Safety	\$1.8 M	\$11.4 M	\$12.2 M	\$14.0 M		
38	Strategic Safety Program	\$1.8 M	\$11.4 M	\$12.2 M	\$14.0 M	TC	FHWA / SH
39	Mobility	\$2.9 M	\$24.0 M	\$24.0 M	\$26.9 M		
40	Real-Time Traffic Operations	\$2.9 M	\$14.0 M	\$14.0 M	\$16.9 M	TC	SH
41	ITS Investments	\$0.0 M	\$10.0 M	\$10.0 M	\$10.0 M	TC	FHWA / SH
42	Multimodal Services & Electrification	\$184.2 M	\$69.8 M	\$55.1 M	\$239.3 M		
43	Mobility	\$184.2 M	\$69.8 M	\$55.1 M	\$239.3 M		
44	Innovative Mobility Programs	\$17.1 M	\$11.1 M	\$8.9 M	\$26.1 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$4.2 M	\$0.0 M	\$11.3 M	\$15.5 M	FR	FHWA
46	Carbon Reduction Program - CDOT	\$0.0 M	\$0.0 M	\$8.8 M	\$8.8 M	FR	FHWA
47	10 Year Plan Projects - Multimodal	\$155.1 M	\$50.0 M	\$17.2 M	\$172.3 M	TC	FHWA / SB 17-267, SB 21-260
48	Rail Commission	\$0.0 M	\$0.4 M	\$0.0 M	\$0.0 M	SL	SL
49	Bustang	\$7.8 M	\$8.3 M	\$8.8 M	\$16.6 M	TC	SB 09-108 / Fare Rev.
50	Suballocated Programs	\$553.6 M	\$224.1 M	\$373.2 M	\$926.8 M		
51	Aeronautics	\$8.8 M	\$19.3 M	\$35.3 M	\$44.0 M		
52	Aviation System Program	\$8.8 M	\$19.3 M	\$35.3 M	\$44.0 M	AB	SA
53	Highway	\$246.5 M	\$126.5 M	\$143.9 M	\$390.4 M		
54	STBG-Urban (STP-Metro)	\$175.1 M	\$56.0 M	\$61.9 M	\$237.0 M	FR	FHWA / LOC
55	Congestion Mitigation and Air Quality	\$49.7 M	\$50.7 M	\$51.7 M	\$101.4 M	FR	FHWA / LOC
56	Metropolitan Planning	\$0.4 M	\$9.2 M	\$10.7 M	\$11.1 M	FR	FHWA / FTA / LOC
57	Off-System Bridge Program	\$21.3 M	\$10.6 M	\$19.5 M	\$40.9 M	TC / FR	FHWA / SH / LOC
58	Transit and Multimodal	\$298.3 M	\$78.4 M	\$194.1 M	\$492.3 M		
59	Recreational Trails	\$2.8 M	\$1.6 M	\$1.6 M	\$4.4 M	FR	FHWA
60	Safe Routes to School	\$7.7 M	\$3.1 M	\$3.1 M	\$10.8 M	TC	FHWA / LOC
61	Transportation Alternatives Program	\$30.3 M	\$12.0 M	\$20.6 M	\$51.0 M	FR	FHWA / LOC
62	Transit Grant Programs	\$149.4 M	\$61.7 M	\$61.0 M	\$210.3 M	FR / SL / TC	FTA / LOC / SB 09-108
63	Multimodal Options Program - Local	\$84.7 M	\$0.0 M	\$97.6 M	\$182.3 M	SL	SB 21-260
64	Carbon Reduction Program - Local	\$0.0 M	\$0.0 M	\$9.5 M	\$9.5 M	FR	FHWA / LOC
65	Revitalizing Main Streets Program	\$23.3 M	\$0.0 M	\$0.7 M	\$24.0 M	SL / TC	SB 21-260
66	Administration & Agency Operations	\$3.0 M	\$102.7 M	\$105.3 M	\$108.3 M		
67	Agency Operations	\$3.0 M	\$62.6 M	\$59.7 M	\$62.7 M	TC / AB	FHWA / SH / SA / SB 09-108
68	Administration	\$0.0 M	\$37.5 M	\$42.9 M	\$42.9 M	SL	SH
69	Project Initiatives	\$0.0 M	\$2.6 M	\$2.6 M	\$2.6 M	TC	SH
70	Debt Service	\$223.5 M	\$9.6 M	\$0.0 M	\$223.5 M		
71	Debt Service	\$223.5 M	\$9.6 M	\$0.0 M	\$223.5 M	DS	SH
72	Contingency Reserve	\$75.8 M	\$0.0 M	\$0.0 M	\$75.8 M		
73	Contingency Fund	\$43.3 M	\$0.0 M	\$0.0 M	\$43.3 M	TC	FHWA / SH
74	Reserve Fund	\$32.5 M	\$0.0 M	\$0.0 M	\$32.5 M	TC	FHWA / SH
75	Other Programs	\$16.3 M	\$24.8 M	\$29.5 M	\$45.9 M		
76	Safety Education	\$11.8 M	\$9.9 M	\$14.1 M	\$25.9 M	TC/FR	NHTSA / SSE
77	Planning and Research	\$4.4 M	\$14.7 M	\$15.1 M	\$19.5 M	FR	FHWA / SH
78	State Infrastructure Bank	\$0.2 M	\$0.2 M	\$0.3 M	\$0.5 M	TC	SIB
79	<b>TOTAL - CDOT</b>	<b>\$2,173.4 M</b>	<b>\$1,751.1 M</b>	<b>\$1,583.3 M</b>	<b>\$3,756.7 M</b>		

**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
- SA = State Aviation



Line	Budget Category / Program	A. Estimated Rollforward from FY 2021-22*	B. FY 2021-22 Final Allocation Plan	C. FY 2022-23 Final Allocation Plan	FY 2022-23 Total Final Available Budget (A+C)	Directed By	Funding Source
<b>80</b>	<b>COLORADO BRIDGE &amp; TUNNEL ENTERPRISE</b>						
81	Capital Construction	\$34.5 M	\$105.8 M	\$94.5 M	\$129.0 M		
82	Asset Management	\$34.5 M	\$105.8 M	\$94.5 M	\$129.0 M		
83	Bridge Enterprise Projects	\$34.5 M	\$105.8 M	\$94.5 M	\$129.0 M	BEB	SB 09-108, SB 21-260
84	Maintenance and Operations	\$0.8 M	\$0.5 M	\$0.8 M	\$1.5 M		
85	Asset Management	\$0.8 M	\$0.5 M	\$0.8 M	\$1.5 M		
86	Maintenance and Preservation	\$0.8 M	\$0.5 M	\$0.8 M	\$1.5 M	BEB	SB 09-108
87	Administration & Agency Operations	\$0.0 M	\$1.9 M	\$1.9 M	\$1.9 M		
88	Agency Operations - BTE	\$0.0 M	\$1.9 M	\$1.9 M	\$1.9 M	BEB	SB 09-108
89	Debt Service	\$0.0 M	\$17.2 M	\$48.0 M	\$48.0 M		
90	Debt Service-CBE	\$0.0 M	\$17.2 M	\$48.0 M	\$48.0 M	BEB	FHWA / SH
91	<b>TOTAL - BRIDGE &amp; TUNNEL ENTERPRISE</b>	<b>\$35.3 M</b>	<b>\$125.3 M</b>	<b>\$145.2 M</b>	<b>\$180.5 M</b>		

<b>92</b>	<b>COLORADO TRANSPORTATION INVESTMENT OFFICE (CTIO)</b>						
93	Maintenance and Operations	\$0.0 M	\$9.9 M	\$36.1 M	\$36.1 M		
94	Express Lanes Operations- HPTE	\$0.0 M	\$9.9 M	\$36.1 M	\$36.1 M	HPTEB	Tolls / Managed Lanes Revenue
95	Administration & Agency Operations	\$3.0 M	\$4.1 M	\$4.1 M	\$7.0 M		
96	Agency Operations - HPTE	\$3.0 M	\$4.1 M	\$4.1 M	\$7.0 M	HPTEB	Fee for Service
97	Debt Service	\$0.0 M	\$8.7 M	\$0.0 M	\$0.0 M		
98	Debt Service- HPTE	\$0.0 M	\$8.7 M	\$0.0 M	\$0.0 M	HPTEB	Fee for Service
99	<b>TOTAL - COLORADO TRANSPORTATION INVESTMENT OFFICE (CTIO)</b>	<b>\$3.0 M</b>	<b>\$22.7 M</b>	<b>\$40.1 M</b>	<b>\$43.1 M</b>		

<b>100</b>	<b>CLEAN TRANSIT ENTERPRISE</b>						
101	Maintenance and Operations	\$0.0 M	\$0.0 M	\$8.3 M	\$8.3 M		
102	tbd	\$0.0 M	\$0.0 M	\$8.3 M	\$8.3 M	CTB	SB 21-260
103	Administration & Agency Operations	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
104	Agency Operations - Clean Transit	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	CTB	SB 21-260
105	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
106	Debt Service - Clean Transit	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	CTB	SB 21-260
107	<b>TOTAL - CLEAN TRANSIT ENTERPRISE</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$8.3 M</b>	<b>\$8.3 M</b>		

<b>108</b>	<b>NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE</b>						
109	Maintenance and Operations	\$0.0 M	\$0.0 M	\$7.1 M	\$7.1 M		
110	tbd	\$0.0 M	\$0.0 M	\$7.1 M	\$7.1 M	NAAPMEB	SB 21-260
111	Administration & Agency Operations	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
112	Agency Operations - Nonattainment	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	NAAPMEB	SB 21-260
113	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
114	Debt Service - Nonattainment	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	NAAPMEB	SB 21-260
115	<b>TOTAL - NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE</b>	<b>\$0.0 M</b>	<b>\$0.0 M</b>	<b>\$7.1 M</b>	<b>\$7.1 M</b>		
116	<b>TOTAL - CDOT AND ENTERPRISES</b>	<b>\$2,211.7 M</b>	<b>\$1,899.2 M</b>	<b>\$1,784.0 M</b>	<b>\$3,995.7 M</b>		

\*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.

**Department of Transportation - FY 2022-23 Spending Plan**  
**Last updated March 2022**

Projected Fund Balance and SB267 Trustee Account Balance	\$ 1,820.2M
Projected FY23 Revenue	\$ 1,583.3M
Projected FY23 Receivables	\$ 150.0M

**TOTAL PROJECTED - CDOT** **\$ 3,553.6M**

Line	Budget Category / Program	FY 2022-23 Projected Expenditures	% Spent
<b>1</b>	<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		
2	Capital Construction	\$ 1166.5M	0.00%
3	Pre-Construction Activities	\$ 186.6M	0.00%
4	Right of Way	\$ 40.1M	0.00%
5	Acquisitions	\$ 25.2M	0.00%
6	Personal Services	\$ .9M	0.00%
7	Professional Services	\$ 2.7M	0.00%
8	Other	\$ 11.3M	0.00%
9	Design and Other Pre-Construction Activities	\$ 146.5M	
10	Professional Services	\$ 114.8M	0.00%
11	Personal Services	\$ 18.8M	0.00%
12	Other	\$ 13.M	0.00%
13	Construction Activities	\$ 782.3M	0.00%
14	Contractor Payments	\$ 755.0M	0.00%
15	Professional Services	\$ 18.6M	0.00%
16	Personal Services	\$ 2.6M	0.00%
17	Other	\$ 6.1M	0.00%
18	Other Capital Project Activities	\$ 197.5M	0.00%
19	Indirect Allocations	\$ 102.9M	0.00%
20	Construction Engineering Allocations	\$ 94.6M	0.00%
21	Maintenance and Operations	\$ 340.7M	0.00%
22	Personal Services	\$ 167.8M	0.00%
23	Operating	\$ 126.7M	0.00%
24	Capital	\$ .M	0.00%
25	Property	\$ 24.7M	0.00%
26	Road Equipment	\$ 21.5M	0.00%
27	Multimodal Services, Non Construction	\$ 59.7M	0.00%
28	Personal Services	\$ 5.1M	0.00%
29	Operating	\$ 53.4M	0.00%
30	Capital	\$ 1.3M	0.00%
31	Suballocated Programs	\$ 219.2M	0.00%
32	Grant Payments to Airports	\$ 34.M	0.00%
33	Grant Payments to Local Entities	\$ 185.2M	0.00%
34	Administration & Agency Operations	\$ 95.8M	0.00%
35	Personal Services	\$ 40.3M	0.00%
36	Operating	\$ 49.4M	0.00%
37	Capital	\$ 6.1M	0.00%
38	Debt Service	\$ 150.M	0.00%
39	Debt Service	\$ 150.M	0.00%
40	Other Programs, Non Construction	\$ 26.8M	0.00%
41	Personal Services	\$ 7.2M	0.00%
42	Operating	\$ 11.5M	0.00%
43	Capital	\$ .M	0.00%
44	Studies (Non-construction Activities) (DTD)	\$ 8.1M	0.00%
<b>45</b>	<b>TOTAL - CDOT</b>	<b>\$ 2,058.7M</b>	<b>0.00%</b>

46 COLORADO BRIDGE & TUNNEL ENTERPRISE			
Projected Cash Balance		\$ 157.4M	
Projected FY23 Revenue		\$ 145.2M	
<b>TOTAL PROJECTED - BTE</b>		<b>\$ 302.6M</b>	
Line	Budget Category / Program	FY 2022-23 Projected Expenditures	% Spent
47	Capital Construction		
48	Asset Management		
49	Bridge Enterprise Projects-CBE	\$ 72.M	0.00%
50	Maintenance and Operations		
51	Asset Management		
52	Maintenance and Preservation-CBE	\$ .7M	0.00%
53	Administration & Agency Operations		
54	Agency Operations-CBE	\$ 1.4M	0.00%
55	Debt Service		
56	Debt Service-CBE	\$ 48.M	0.00%
57	<b>TOTAL - BTE</b>	<b>\$ 122.2M</b>	<b>0.00%</b>

58 COLORADO TRANSPORTATION INVESTMENT OFFICE			
Projected Cash Balance		\$ 51.0M	
Projected FY23 Revenue		\$ 40.1M	
<b>TOTAL PROJECTED - CTIO</b>		<b>\$ 91.1M</b>	
59	Maintenance and Operations		
60	Express Lanes Operations	\$ 14.M	0.00%
61	Administration & Agency Operations		
62	Agency Operations	\$ 4.1M	0.00%
63	Debt Service		
64	Debt Service	\$ 9.4M	0.00%
65	<b>TOTAL - CTIO</b>	<b>\$ 27.5M</b>	<b>0.00%</b>

66 CLEAN TRANSIT ENTERPRISE			
Projected Cash Balance		\$ M	
Projected FY23 Revenue		\$ 8.3M	
<b>TOTAL PROJECTED - CTE</b>		<b>\$ 8.3M</b>	
67	Maintenance and Operations		
68	TBD	TBD	0.00%
69	Administration & Agency Operations		
70	Agency Operations - Clean Transit	TBD	0.00%
71	Debt Service		
72	Debt Service - Clean Transit	TBD	0.00%
73	<b>TOTAL - CTE</b>	<b>\$0.0 M</b>	<b>0.00%</b>

74 NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE			
Projected Cash Balance		\$ M	
Projected FY23 Revenue		\$ 7.1M	
<b>TOTAL PROJECTED - NAAPME</b>		<b>\$ 7.1M</b>	
75	Maintenance and Operations		
76	TBD	TBD	0.00%
77	Administration & Agency Operations		
78	Agency Operations - Nonattainment	TBD	0.00%
79	Debt Service		
80	Debt Service - Nonattainment	TBD	0.00%
81	<b>TOTAL - NAAPME</b>	<b>\$0.0 M</b>	<b>0.00%</b>
82	<b>TOTAL - CDOT AND ENTERPRISES</b>	<b>\$ 2,208.3M</b>	<b>0.00%</b>





**COLORADO**

Department of Transportation

# March 2022 TC Workshop *FY23 Final Annual Budget Allocation Plan*





# Agenda

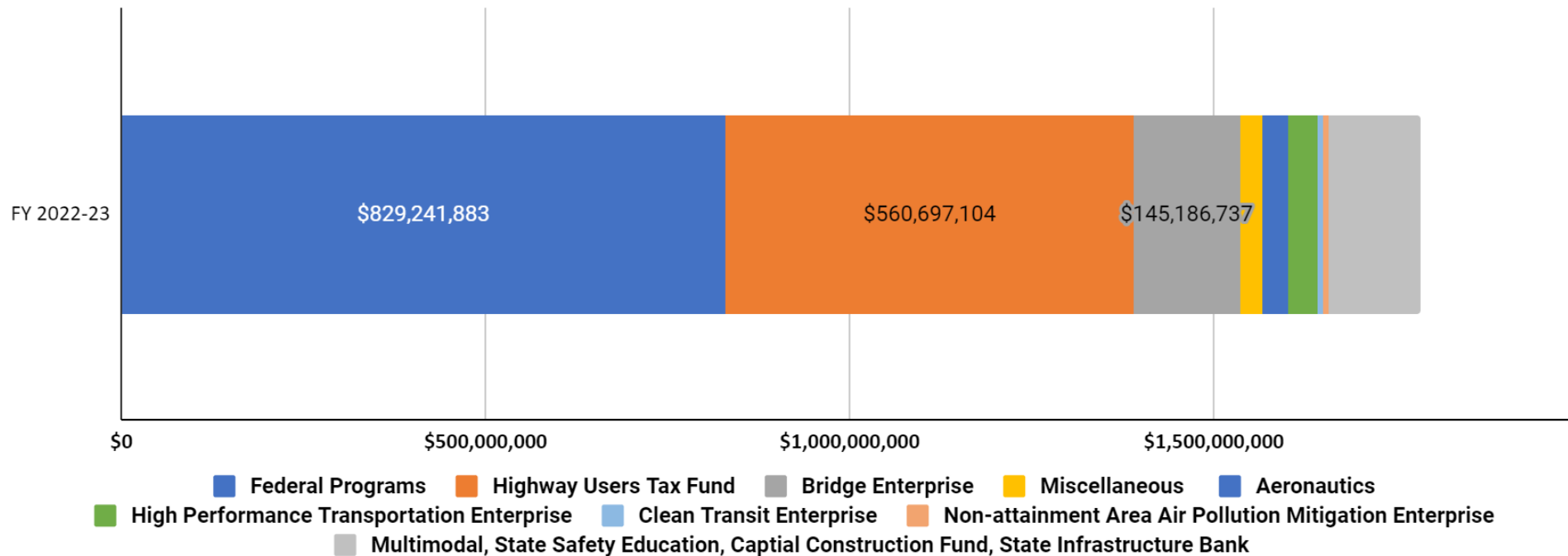
- FY23 Sources and Uses of Revenue
- FY23 Final Budget Allocation Plan
- FY23 Revenue Allocation Plan
  - FY22 Estimated Roll Forwards
- FY23 Spending Plan
- Timeline and Next Steps





# FY 2022-23 Sources of Revenue

FY 2022-23 Sources

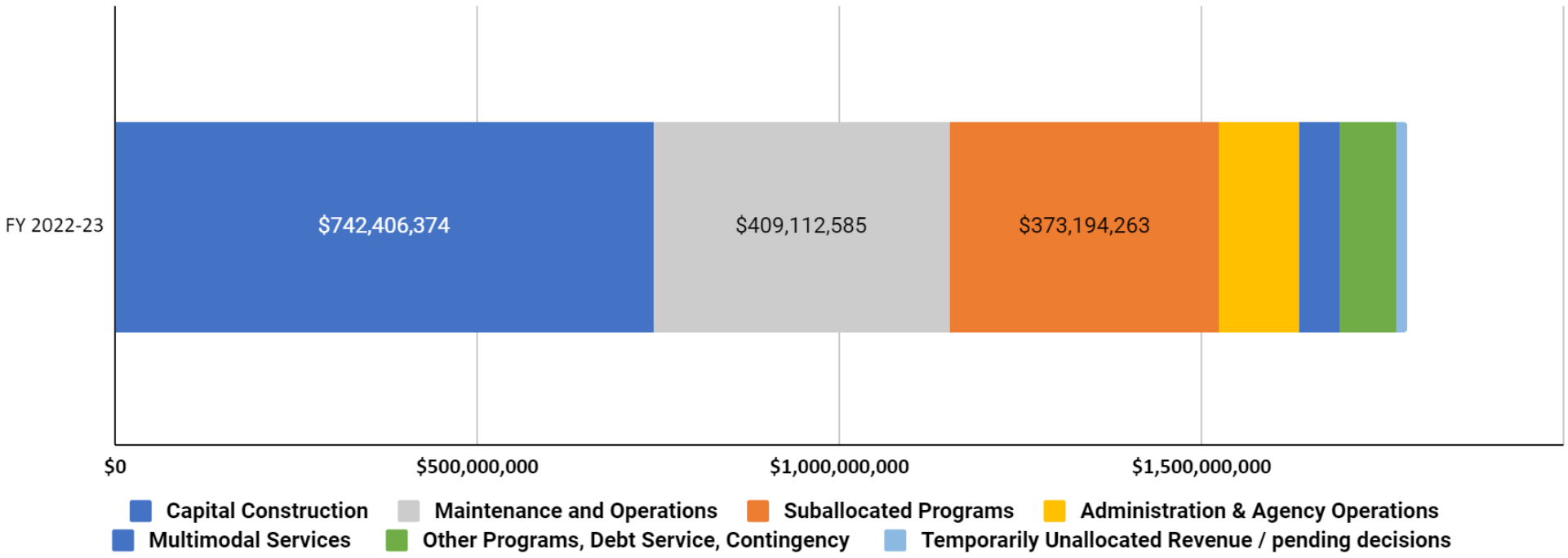


Total -  
\$1,784.0 billion



# FY 2022-23 Uses of Revenue

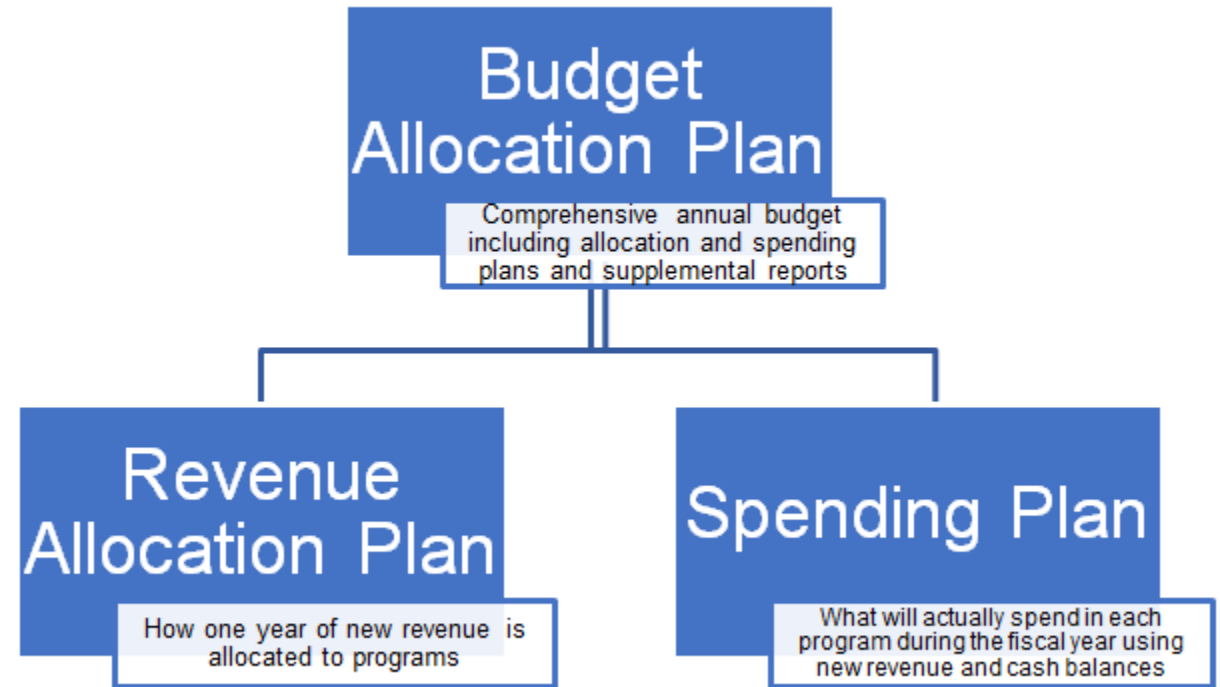
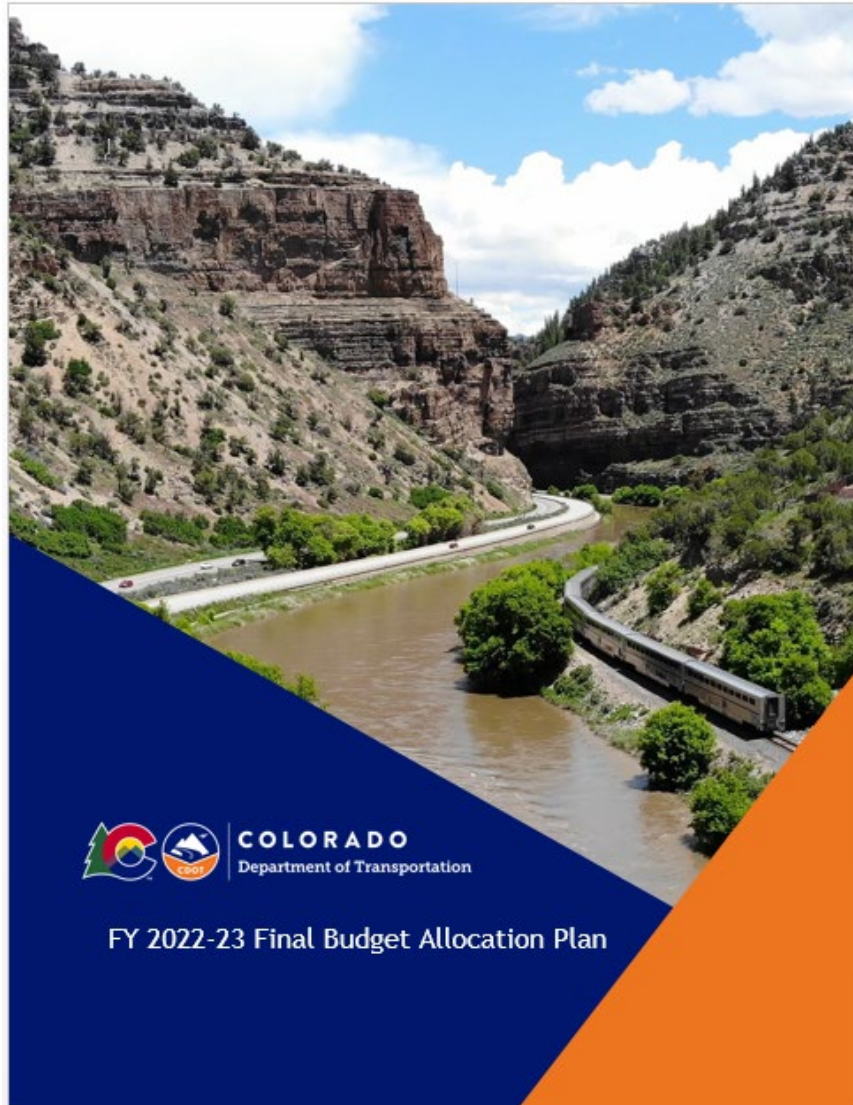
FY 2022-23 Uses



Total -  
\$1,784.0 billion



# FY23 Final Budget Allocation Plan



<https://www.codot.gov/business/budget/cdot-budget/draft-budget-documents/fy2022-2023-final-budget-allocation-plan>





# FY 2022-23 Revenue Allocation Plan

(Updates in orange)

FY 2022-23 Revenue Allocation Plan

Line	Budget Category / Program	Estimated Rollforward from FY 2021-22*	FY 2021-22 Final Allocation Plan	FY 2022-23 Proposed Allocation Plan	FY 2022-23 Final Allocation Plan	FY 2022-23 Total Final Available Budget	Directed By	Funding Source
<b>1 COLORADO DEPARTMENT OF TRANSPORTATION</b>								
2	Capital Construction	\$0.0 M	\$972.3 M	\$517.9 M	\$647.9 M	\$647.9 M		
3	Asset Management	\$0.0 M	\$396.1 M	\$390.1 M	\$392.3 M	\$392.3 M		
4	Surface Treatment	\$0.0 M	\$233.3 M	\$225.6 M	\$225.6 M	\$225.6 M	TC	FHWA / SH / SB 09-108
5	Structures	\$0.0 M	\$61.9 M	\$61.2 M	\$61.2 M	\$61.2 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$0.0 M	\$14.3 M	\$16.9 M	\$16.9 M	\$16.9 M	TC	FHWA / SH
7	Geohazards Mitigation	\$0.0 M	\$10.1 M	\$10.0 M	\$10.0 M	\$10.0 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$0.0 M	\$6.3 M	\$6.3 M	\$6.3 M	\$6.3 M	TC	FHWA / SH
9	Emergency Relief	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	FR	FHWA
10	10 Year Plan Projects - Capital AM	\$0.0 M	\$0.0 M	\$0.0 M	\$60.9 M	\$60.9 M	TC / FR	FHWA
11	Safety	\$0.0 M	\$135.9 M	\$135.9 M	\$135.9 M	\$135.9 M		
12	Highway Safety Improvement Program	\$0.0 M	\$31.9 M	\$31.9 M	\$31.9 M	\$31.9 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$0.0 M	\$3.6 M	\$3.6 M	\$3.6 M	\$3.6 M	FR	FHWA / SH
14	Hot Spots	\$0.0 M	\$1.2 M	\$1.2 M	\$1.2 M	\$1.2 M	TC	FHWA / SH
15	FASTER Safety	\$0.0 M	\$69.2 M	\$69.2 M	\$69.2 M	\$69.2 M	TC	SB 09-108
16	ADA Compliance	\$0.0 M	\$7.2 M	\$7.2 M	\$7.2 M	\$7.2 M	TC	FHWA / SH
17	Mobility	\$0.0 M	\$60.9 M	\$72.9 M	\$104.1 M	\$104.1 M		
18	Regional Priority Program	\$0.0 M	\$48.4 M	\$50.0 M	\$50.0 M	\$50.0 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$0.0 M	\$490.0 M	\$0.0 M	\$63.3 M	\$63.3 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$0.0 M	\$22.9 M	\$22.9 M	\$20.7 M	\$20.7 M	FR	FHWA / SH / SL
21	Maintenance and Operations	\$12.0 M	\$947.7 M	\$967.7 M	\$972.9 M	\$984.3 M		
22	Asset Management	\$12.0 M	\$932.3 M	\$936.6 M	\$946.1 M	\$946.1 M		
23	Maintenance Program Areas	\$0.0 M	\$263.2 M	\$271.3 M	\$273.8 M	\$273.8 M		
24	Roadway Surface	\$0.0 M	\$40.9 M	\$40.6 M	\$40.9 M	\$40.9 M	TC	SH
25	Roadside Facilities	\$0.0 M	\$21.4 M	\$21.9 M	\$22.1 M	\$22.1 M	TC	SH
26	Roadside Appearance	\$0.0 M	\$9.8 M	\$10.1 M	\$10.2 M	\$10.2 M	TC	SH
27	Structure Maintenance	\$0.0 M	\$5.4 M	\$5.6 M	\$5.6 M	\$5.6 M	TC	SH
28	Tunnel Activities	\$0.0 M	\$4.0 M	\$4.9 M	\$5.0 M	\$5.0 M	TC	SH
29	Snow and Ice Control	\$0.0 M	\$79.3 M	\$83.9 M	\$84.3 M	\$84.3 M	TC	SH
30	Traffic Services	\$0.0 M	\$69.0 M	\$70.1 M	\$70.7 M	\$70.7 M	TC	SH
31	Materials, Equipment, and Buildings	\$0.0 M	\$17.3 M	\$17.8 M	\$18.0 M	\$18.0 M	TC	SH
32	Planning and Scheduling	\$0.0 M	\$16.8 M	\$16.9 M	\$17.0 M	\$17.0 M	TC	SH
33	Express Lane Corridor Maintenance and Operation	\$0.0 M	\$5.0 M	\$13.0 M	\$11.0 M	\$11.0 M	TC	SH
34	Property	\$0.0 M	\$19.9 M	\$27.9 M	\$27.9 M	\$27.9 M	TC	SH
35	Capital Equipment	\$0.0 M	\$23.9 M	\$23.9 M	\$23.4 M	\$23.4 M	TC	SH
**36	Maintenance Reserve Fund	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$11.0 M	TC	SH
37	Safety	\$0.0 M	\$11.4 M	\$11.4 M	\$12.2 M	\$12.2 M		
38	Strategic Safety Program	\$0.0 M	\$11.4 M	\$11.4 M	\$12.2 M	\$12.2 M	TC	FHWA / SH
39	Mobility	\$0.0 M	\$24.0 M	\$20.7 M	\$24.0 M	\$24.0 M		
40	Real-Time Traffic Operations	\$0.0 M	\$14.0 M	\$14.0 M	\$14.0 M	\$14.0 M	TC	SH
41	ITS Investments	\$0.0 M	\$10.0 M	\$10.0 M	\$10.0 M	\$10.0 M	TC	FHWA / SH
42	Multimodal Services & Electrification	\$0.0 M	\$69.9 M	\$22.1 M	\$41.9 M	\$41.9 M		
43	Mobility	\$0.0 M	\$69.9 M	\$22.1 M	\$41.9 M	\$41.9 M		
44	Innovative Mobility Programs	\$0.0 M	\$11.3 M	\$11.3 M	\$9.9 M	\$9.9 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$0.0 M	\$0.0 M	\$11.3 M	\$11.3 M	\$11.3 M	FR	FHWA
46	Carbon Reduction Program - CDOT	\$0.0 M	\$0.0 M	\$0.0 M	\$10.2 M	\$10.2 M	FR	FHWA
47	10 Year Plan Projects - Multimodal	\$0.0 M	\$50.0 M	\$2.6 M	\$2.6 M	\$2.6 M	TC	FHWA / SB 17-267 / SB 21-260
48	Rail Commission	\$0.0 M	\$0.4 M	\$0.0 M	\$0.0 M	\$0.0 M	SL	
49	Burton	\$0.0 M	\$8.4 M	\$7.9 M	\$8.8 M	\$8.8 M	TC	SB 09-108 / Fare Rev.
50	Subsidized Programs	\$0.0 M	\$244.3 M	\$244.3 M	\$248.0 M	\$248.0 M		
51	Aeronautics	\$0.0 M	\$19.3 M	\$34.3 M	\$34.3 M	\$34.3 M	AB	SA
52	Aviation System Program	\$0.0 M	\$19.3 M	\$34.3 M	\$34.3 M	\$34.3 M	AB	SA
53	Highway	\$0.0 M	\$126.5 M	\$126.1 M	\$143.9 M	\$143.9 M		
54	STB-Urban (STP-Metro)	\$0.0 M	\$56.0 M	\$55.9 M	\$61.9 M	\$61.9 M	FR	FHWA / LOC
55	Congestion Mitigation and Air Quality	\$0.0 M	\$50.7 M	\$50.7 M	\$50.7 M	\$50.7 M	FR	FHWA / LOC
56	Metropolitan Planning	\$0.0 M	\$9.2 M	\$9.2 M	\$10.7 M	\$10.7 M	FR	FHWA / FTA / LOC
57	DP-System Bridge Program	\$0.0 M	\$10.4 M	\$10.4 M	\$10.9 M	\$10.9 M	TC / FR	FHWA / SH / LOC
58	Transit and Multimodal	\$0.0 M	\$78.4 M	\$78.4 M	\$109.6 M	\$109.6 M		
59	Recreational Trails	\$0.0 M	\$1.6 M	\$1.6 M	\$1.6 M	\$1.6 M	FR	FHWA
60	Safe Routes to School	\$0.0 M	\$3.1 M	\$3.1 M	\$3.1 M	\$3.1 M	TC	FHWA / LOC
61	Transportation Alternatives Program	\$0.0 M	\$12.0 M	\$12.5 M	\$12.5 M	\$12.5 M	FR	FHWA / LOC
62	Transit Grant Programs	\$0.0 M	\$61.7 M	\$62.0 M	\$61.0 M	\$61.0 M	FR / SL / TC	FTA / LOC / SB 09-108
63	Multimodal Options Program - Local	\$0.0 M	\$0.0 M	\$15.0 M	\$15.0 M	\$15.0 M	SL	SB 21-260
64	Carbon Reduction Program - Local	\$0.0 M	\$0.0 M	\$0.0 M	\$6.9 M	\$6.9 M		
65	Revitalizing Main Streets Program	\$0.0 M	\$0.0 M	\$0.7 M	\$0.7 M	\$0.7 M	SL / TC	SB 21-260
66	Administration & Agency Operations	\$0.0 M	\$108.7 M	\$108.3 M	\$108.3 M	\$108.3 M		
67	Agency Operations	\$0.0 M	\$62.6 M	\$62.6 M	\$59.7 M	\$59.7 M	TC / AB	FHWA / SH / SA / SB 09-108
68	Administration	\$0.0 M	\$37.5 M	\$45.7 M	\$48.6 M	\$48.6 M	SL	SH
69	Project Initiatives	\$0.0 M	\$2.6 M	\$0.0 M	\$2.6 M	\$2.6 M	TC	SH
70	Debt Service	\$223.9 M	\$99.8 M	\$0.0 M	\$0.0 M	\$223.9 M		
71	Debt Service	\$223.9 M	\$99.8 M	\$0.0 M	\$0.0 M	\$223.9 M	SS	SH
72	Contingency Reserve	\$50.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$50.0 M		
73	Contingency Fund	\$23.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$23.0 M	TC	FHWA / SH
74	Reserve Fund	\$23.0 M	\$0.0 M	\$1.9 M	\$0.0 M	\$23.0 M	TC	FHWA / SH
75	Other Programs	\$0.0 M	\$24.8 M	\$27.5 M	\$28.5 M	\$28.5 M		
76	Safety Education	\$0.0 M	\$9.9 M	\$13.3 M	\$14.1 M	\$14.1 M	TC/FR	NHTSA / SSE
77	Planning and Research	\$0.0 M	\$14.7 M	\$14.0 M	\$13.1 M	\$13.1 M	FR	FHWA / SH
78	State Infrastructure Bank	\$0.0 M	\$0.3 M	\$0.3 M	\$0.3 M	\$0.3 M	TC	SB
79	TOTAL - CDOT	\$265.9 M	\$1,753.3 M	\$1,300.9 M	\$1,466.9 M	\$1,728.6 M		

- Balanced using December 2021 revenue forecast
- Flexible revenue allocated based on FY22 budget amounts with some adjustments
- Inflexible revenue automatically adjusted based on FY23 revenue forecast
- Asset Management and Maintenance programs funded according to the FY23 Asset Management Planning Totals, approved by the TC in August 2019
- Budget Impacts of the Infrastructure and Investment Jobs Act incorporated
- CTIO revenue was updated to match the total FY23 budget approved by the HPTTE Board in Feb 2022
- Aeronautics revenue was updated to match the FY23 budget approved by CO Aeronautical Board in Feb 2022
- Multimodal Transportation and Mitigation Options (MMOF) allocations updated to reflect JBC action in Feb 2022



# Estimated FY 2021-22 Roll Forwards

Line	Budget Category / Program	A. Estimated Rollforward from FY 2021-22*	C. FY 2022-23 Final Allocation Plan	FY 2022-23 Total Final Available Budget (A+C)
<b>1 COLORADO DEPARTMENT OF TRANSPORTATION</b>				
2	Capital Construction	\$1,081.4 M	\$647.9 M	\$1,729.3 M
3	Asset Management	\$31.8 M	\$392.3 M	\$424.1 M
11	Safety	\$21.4 M	\$121.6 M	\$143.0 M
17	Mobility	\$1,028.2 M	\$134.1 M	\$1,162.3 M
21	Maintenance and Operations	\$35.7 M	\$372.3 M	\$408.0 M
22	Asset Management	\$31.8 M	\$392.3 M	\$424.1 M
23	Maintenance Program Areas	\$0.0 M	\$273.8 M	\$273.8 M
37	Safety	\$21.4 M	\$121.6 M	\$143.0 M
39	Mobility	\$1,028.2 M	\$134.1 M	\$1,162.3 M
42	Multimodal Services & Electrification	\$184.2 M	\$55.1 M	\$239.3 M
43	Mobility	\$1,028.2 M	\$134.1 M	\$1,162.3 M
50	Suballocated Programs	\$553.6 M	\$373.2 M	\$926.8 M
51	Aeronautics	\$8.8 M	\$35.3 M	\$44.0 M
53	Highway	\$246.5 M	\$143.9 M	\$390.4 M
58	Transit and Multimodal	\$298.3 M	\$194.1 M	\$492.3 M
66	Administration & Agency Operations	\$3.0 M	\$105.3 M	\$108.3 M
70	Debt Service	\$223.5 M	\$0.0 M	\$223.5 M
72	Contingency Reserve	\$75.8 M	\$0.0 M	\$75.8 M
75	Other Programs	\$16.3 M	\$29.5 M	\$45.9 M
<b>79</b>	<b>TOTAL - CDOT</b>	<b>\$2,173.4 M</b>	<b>\$1,583.3 M</b>	<b>\$3,756.7 M</b>
<b>80 COLORADO BRIDGE &amp; TUNNEL ENTERPRISE</b>				
81	Capital Construction	\$34.5 M	\$94.5 M	\$129.0 M
82	Asset Management	\$31.8 M	\$392.3 M	\$424.1 M
84	Maintenance and Operations	\$0.8 M		
85	Asset Management	\$31.8 M	\$392.3 M	\$424.1 M
87	Administration & Agency Operations	\$3.0 M	\$105.3 M	\$108.3 M
89	Debt Service	\$223.5 M	\$0.0 M	\$223.5 M
<b>91</b>	<b>TOTAL - BRIDGE &amp; TUNNEL ENTERPRISE</b>	<b>\$95.3 M</b>	<b>\$145.2 M</b>	<b>\$180.5 M</b>
<b>92 COLORADO TRANSPORTATION INVESTMENT OFFICE</b>				
93	Maintenance and Operations	\$35.7 M	\$372.3 M	\$408.0 M
95	Administration & Agency Operations	\$3.0 M	\$105.3 M	\$108.3 M
97	Debt Service	\$223.5 M	\$0.0 M	\$223.5 M
<b>99</b>	<b>TOTAL - COLORADO TRANSPORTATION INVESTMENT</b>	<b>\$3.0 M</b>	<b>\$96.1 M</b>	<b>\$96.1 M</b>
<b>TOTAL - CDOT AND ENTERPRISES</b>		<b>\$2,211.7 M</b>	<b>\$1,784.0 M</b>	<b>\$3,995.7 M</b>

## Total roll forwards from FY 2021-22:

- CDOT \$2,173.4 million
  - \$1,151.2 million is 10 Year Plan Projects lines
  - \$553.6 million is Suballocated Programs
- BTE \$35.3 million
  - Funds set aside for C70 availability payments
- CTIO (HPTE) \$3.0 million
  - Excess toll revenue collected from all express lanes, and budget related to financing proceeds for capitalized interest and construction
- Total CDOT and Enterprises \$2,211.7 million
- Majority of rolled forward funds are programmed and committed but have not yet been budgeted or encumbered in contracts.
- As projects proceed to advertisement later this fiscal year and into next fiscal year, funds will be budgeted and encumbered.



# Estimated FY 2021-22 Roll Forwards

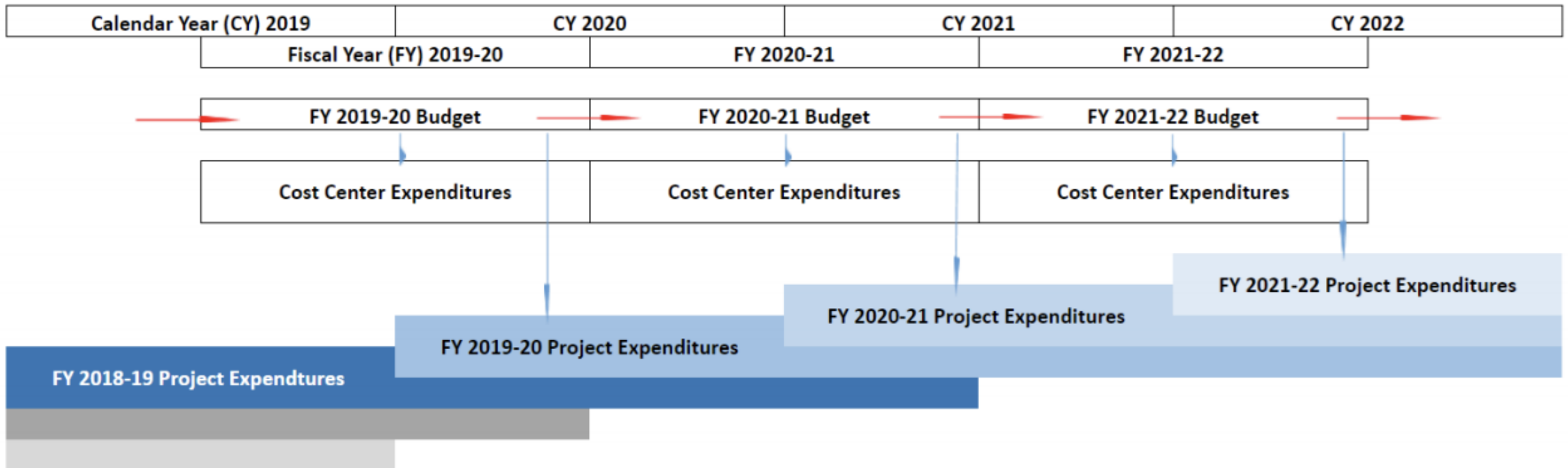
Major commitments rolling forward into FY 23 include:

- ~ \$700 M of 10 Year Plan roll forward is already programmed to “Year 2-3” projects
- ~ \$500 M will be programmed to “Year 4” projects this spring/summer, finishing out the first four years of the 10-Year Plan
- ~\$85 M in Local Multimodal Options Funds are currently being programmed by MPOs/TPRs
- ~\$23 M in Revitalizing Main Streets projects will be awarded beginning of April

Suballocated programs, including additional stimulus funding, are programmed by local entities, with encumbrances and contracts typically lagging into the next fiscal year.



# FY 2022-23 Spending Plan



- Within the construction program, one year of budget spends over multiple fiscal years
- The bulk of expenditures lag about one fiscal year behind the year the dollars were budgeted



# FY 2022-23 Spending Plan

Department of Transportation - FY 2022-23 Spending Plan			
Last updated March 2022			
Projected Fund Balance and SB267 Trustee Account Balance		\$ 1,820.2M	
Projected FY23 Revenue		\$ 1,583.3M	
Projected FY23 Receivables		\$ 150.0M	
<b>TOTAL PROJECTED - CDOT</b>		<b>\$ 3,553.6M</b>	
Line	Budget Category / Program	FY 2022-23 Projected Expenditures	% Spent
<b>1 COLORADO DEPARTMENT OF TRANSPORTATION</b>			
2	Capital Construction	\$ 1166.5M	0.00%
3	Pre-Construction Activities	\$ 186.6M	0.00%
4	Right of Way	\$ 40.1M	0.00%
5	Acquisitions	\$ 25.2M	0.00%
6	Personal Services	\$ .9M	0.00%
7	Professional Services	\$ 2.7M	0.00%
8	Other	\$ 11.3M	0.00%
9	Design and Other Pre-Construction Activities	\$ 146.5M	
10	Professional Services	\$ 114.8M	0.00%
11	Personal Services	\$ 18.8M	0.00%
12	Other	\$ 13.3M	0.00%
13	Construction Activities	\$ 782.3M	0.00%
14	Contractor Payments	\$ 755.0M	0.00%
15	Professional Services	\$ 18.6M	0.00%
16	Personal Services	\$ 2.6M	0.00%
17	Other	\$ 6.1M	0.00%
18	Other Capital Project Activities	\$ 197.5M	0.00%
19	Indirect Allocations	\$ 102.9M	0.00%
20	Construction Engineering Allocations	\$ 94.5M	0.00%
21	Maintenance and Operations	\$ 340.7M	0.00%
22	Personal Services	\$ 167.8M	0.00%
23	Operating	\$ 126.7M	0.00%
24	Capital	\$ .M	0.00%
25	Property	\$ 24.7M	0.00%
26	Road Equipment	\$ 21.5M	0.00%
27	Multimodal Services, Non Construction	\$ 59.7M	0.00%
28	Personal Services	\$ 5.1M	0.00%
29	Operating	\$ 53.4M	0.00%
30	Capital	\$ 1.3M	0.00%
31	Suballocated Programs	\$ 219.2M	0.00%
32	Grant Payments to Airports	\$ 34.M	0.00%
33	Grant Payments to Local Entities	\$ 185.2M	0.00%
34	Administration & Agency Operations	\$ 95.8M	0.00%
35	Personal Services	\$ 40.3M	0.00%
36	Operating	\$ 49.4M	0.00%
37	Capital	\$ 6.1M	0.00%
38	Debt Service	\$ 150.M	0.00%
39	Debt Service	\$ 150.M	0.00%
40	Other Programs, Non Construction	\$ 26.8M	0.00%
41	Personal Services	\$ 7.2M	0.00%
42	Operating	\$ 11.5M	0.00%
43	Capital	\$ .M	0.00%
44	Studies (Non-construction Activities) (DTD)	\$ 8.1M	0.00%
<b>45</b>	<b>TOTAL - CDOT</b>	<b>\$ 2,058.7M</b>	<b>0.00%</b>

46 COLORADO BRIDGE & TUNNEL ENTERPRISE			
Projected Cash Balance		\$ 157.4M	
Projected FY23 Revenue		\$ 145.2M	
<b>TOTAL PROJECTED - BTE</b>		<b>\$ 302.6M</b>	
Line	Budget Category / Program	FY 2022-23 Projected Expenditures	% Spent
47	Capital Construction		
48	Asset Management		
49	Bridge Enterprise Projects-CBE	\$ 72.M	0.00%
50	Maintenance and Operations		
51	Asset Management		
52	Maintenance and Preservation-CBE	\$ .7M	0.00%
53	Administration & Agency Operations		
54	Agency Operations-CBE	\$ 1.4M	0.00%
55	Debt Service		
56	Debt Service-CBE	\$ 48.M	0.00%
<b>57</b>	<b>TOTAL - BTE</b>	<b>\$ 122.2M</b>	<b>0.00%</b>
58 COLORADO TRANSPORTATION INVESTMENT OFFICE			
Projected Cash Balance		\$ 51.0M	
Projected FY23 Revenue		\$ 40.1M	
<b>TOTAL PROJECTED - CTIO</b>		<b>\$ 91.1M</b>	
59	Maintenance and Operations		
60	Express Lanes Operations	\$ 14.M	0.00%
61	Administration & Agency Operations		
62	Agency Operations	\$ 4.1M	0.00%
63	Debt Service		
64	Debt Service	\$ 9.4M	0.00%
<b>65</b>	<b>TOTAL - CTIO</b>	<b>\$ 27.5M</b>	<b>0.00%</b>

Total estimated expenditures in FY 2022-23:

- Total CDOT + Enterprises \$2,208.3M
- CDOT: \$2,058.7 million
- BTE: \$122.2 million
- CTIO (HPTE): \$27.5 million





# Timeline and Next Steps

DAF will continue to address the following items for the FY 2022-23 Annual Budget:

- April 2022: The approved FY 2022-23 Final Annual Budget Allocation Plan will be submitted to the Governor's Office and legislature.





# COLORADO

## Department of Transportation

Office of the Chief Engineer  
2829 W. Howard Place  
Denver, CO 80204-2305

### MEMORANDUM

**TO:** Transportation Commission

**FROM:** Hope Wright, Buildings and Rest Areas Asset Manager *HW*

**DATE:** March 16, 2022

**SUBJECT:** Rest Area Program Update

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#### Purpose:

Rest areas are vital to CDOT's transportation network and exist to provide the traveling public a safe place to pullover and rest. This memo serves to provide an update to the TC about rest areas since they were identified as an asset in 2019, how they compare to other states and an update on future rest area projects thanks to dedicated funding beginning in FY2023.

#### History and Background

Absent dedicated funding, maintenance and building funds were utilized to address emergent issues at the rest areas however because of years of deferred maintenance, many large improvements and replacements are necessary to allow the rest areas to continue to function. Several rest areas have been closed previously because of not only deferred maintenance but other safety issues at the locations.

- 2016: The TC requested a Rest Area study to establish a framework for assessing rest areas for improvements and/or closure in response to the recent closure of seven rest areas statewide.
- November 2018: The Rest Area study was presented to the TC and the TC resolved that all remaining CDOT rest areas should remain open because of demonstrable linkages between rest areas and safety, economic vitality and public perception
- December 2018: Rest areas were approved as an asset management class by the TC and \$6M was added to the overall Asset Management Pool beginning in FY2023
- December 2019: Received separate funds from the TC to immediately replace the Vail Pass Rest Area due to failing fresh water and wastewater systems that force the closure of the rest area three days per week and an overall deficient rest area. Additionally, the 2018 study identified the rest area as critical because it is the only rest point for commercial traffic between Georgetown and Vail
- August 2019: Participated in budget setting and received funds for FY23 and FY24. Developed Rest Area Program.
- January 2020: Held pre-scoping meetings and formed the Project Leadership Team (PLT) and Issue Task Force teams to comply with the I-70 Mountain Corridor Context Sensitive Solution (CSS) process for replacement the Vail Pass Rest Area.
- March 2021: Participated in budget setting and received funds for FY25.
- March 2021: Initiated design of the Vail Pass Rest Area after the PLT accepted a design alternative.



- July 2021: Wastewater system replacement completed at Vail Pass Rest Area
- January 2022: Vail Pass Rest Area Replacement drawings at 85% and environmental clearance are nearing completion.

### Future Activities

#### Short Term Strategy

- March 2022: Establish Rest Area Steering Committee to Increase partnership, collaboration and communication between different CDOT departments and programs who all have an interest in rest areas for various initiatives and projects
- March 2022: Participate in Budget Setting workshop to establish budgets for FY26 and FY27.
- April 2022: Finalized Rest Area Sponsorship Program to manage sponsorship life cycle. Revenue generated would supplement existing funding sources.
- June 2022: Estimated start of construction of both the building and remaining infrastructure at Vail Pass Rest Area

#### Midterm Strategy

- Year 1 of Rest Area Program
  - FY23 \$6.9M
    - Statewide critical repairs, safety enhancements and ADA compliance
    - Design and bidding to replace Bair Ranch in Glenwood Canyon\*
    - Design and bidding to replace Shaw Creek near South Fork\*
      - Summer 2023 - Construction start at Bair Ranch and Shaw Creek
- Year 2 of Rest Area Program
  - FY24 \$5.4M
    - Statewide critical repairs, safety enhancements and ADA compliance
    - Design and bidding to replace No Name and Grizzly Creek, both in Glenwood Canyon\*
      - Summer 2024 - Construction start at Grizzly Creek and No Name
- Year 3 of Rest Area Program
  - FY25 \$4.0M
    - Statewide critical repairs, safety enhancements and ADA compliance
    - Design and bidding to remodel Rifle\*
    - Design and bidding to remodel El Moro (near Trinidad)\*
    - Design and bidding to replace Elk Springs (between Dinosaur and Craig)\*
      - Summer 2025 - Construction start at Rifle, El Moro, and Elk Springs

\*Average duration of design and bidding process is 6-12 months.

### Next Steps

- Steering committee will establish a framework to better refine long-term and midterm strategies and ensure that programs dependent on the rest areas can be implemented successfully.





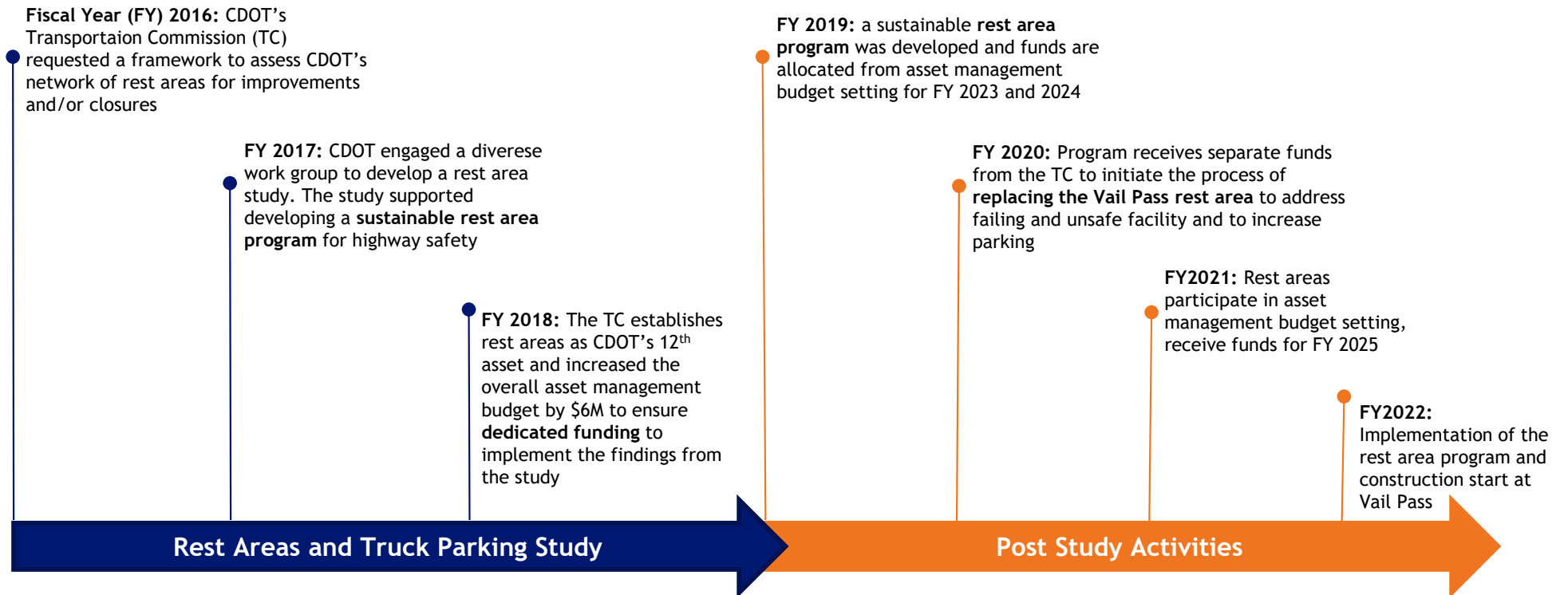


## Rest Area Update: Agenda

- Rest Areas as an Asset: Timeline of Events
- Rest Area Study Results
- Rest Areas Prior to Dedicated Funding
  - Inventory
  - Closures
- CDOT Rest Areas compared to Other State Rest Areas
  - Elements to incorporate into CDOT's rest area program
- Rests Areas With Dedicated Funding
  - Steering Committee
  - Investment Strategy
  - Other Investment Opportunities
- Vail Pass Rest Area Update
- Wrap Up & Questions



# Rest Areas as an Asset: Timeline of Events





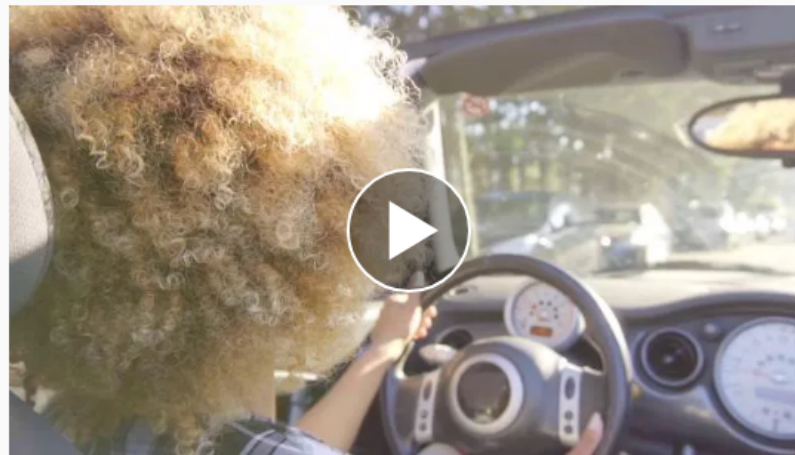
# Rest Area Study Results

The study concluded that Rest Areas should remain open

- Numerous studies point to the importance of rest areas for helping to combat drowsy driving
- Distinctive rest area signage has the potential to prompt drivers to take a rest
- The greater the distance between rest areas, the greater the risk of accidents
  - An MnDOT study from 2016 indicated that the probability of nighttime, single-vehicle crashes increases exponentially when the distance between rest stops exceeds 55 miles

## AAA: Drowsy driving plays larger role in accidents than federal statistics suggest

Bart Jansen, USA TODAY Published 2:13 a.m. ET Feb. 8, 2018 | Updated 7:59 a.m. ET Feb. 8, 2018



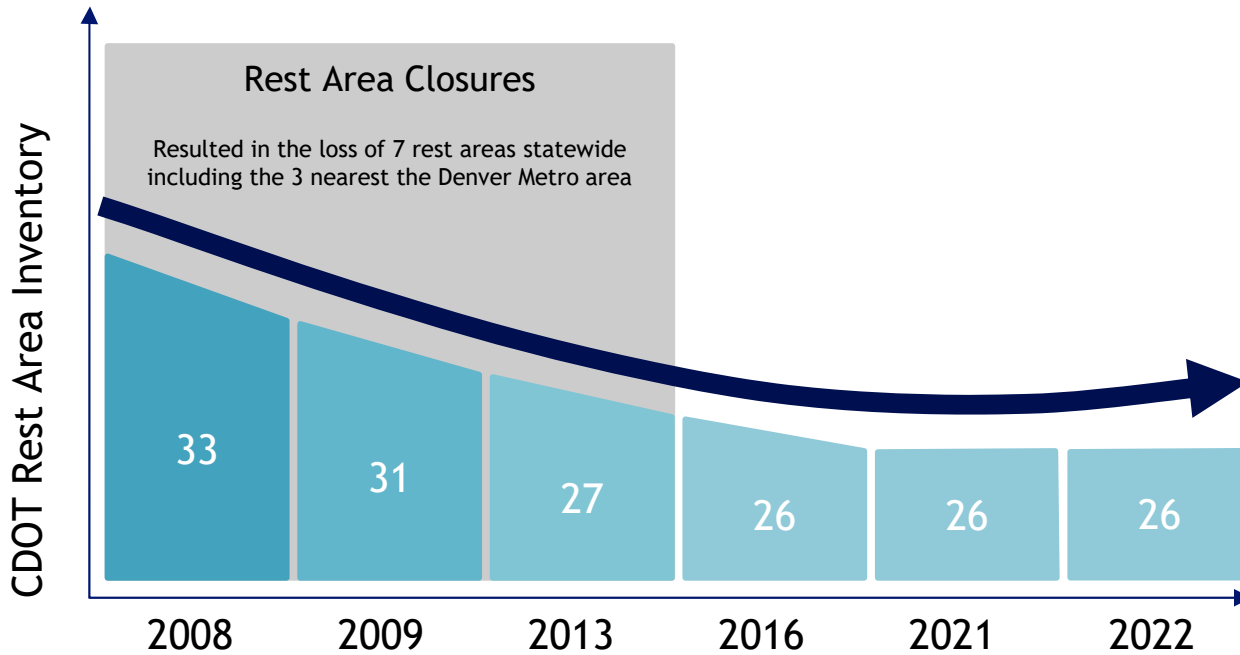
Sleepy drivers cause nearly 1 in 10 crashes in the U.S. that accounts for several thousands deaths per year, according to study released by the car and travel group AAA. USA TODAY

- By studying dashboard video from 700 accidents, the AAA Foundation for Traffic Safety found that 9.5% of all crashes involved drowsy drivers, based on the portion of time the drivers' eyes were closed in the minutes before a crash. The portion grows to 10.8% in more severe crashes.
- Federal estimates suggested drowsiness was factor in only 1% or 2% of crashes.



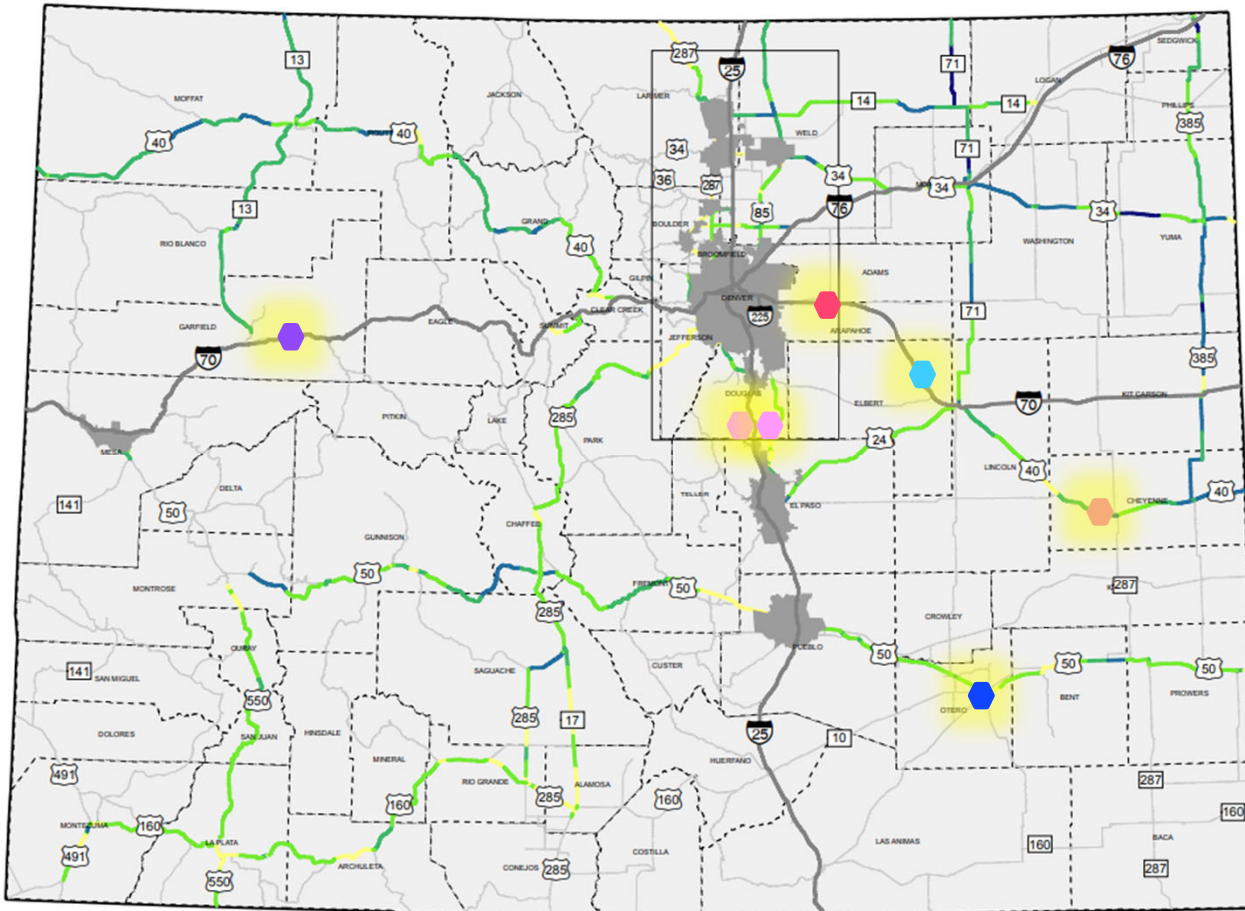
# Rest Areas: Closures Prior to Funding

Prior to establishment as an asset, lack of funding for major repairs and safety issues forced the permanent closure of several rest areas





# Rest Areas: Closures Prior to Funding



- Rest area closures were concentrated along major transportation corridors
  - Impacts commercial motor vehicle's ability to find safe parking
- Some rest area closures were in rural areas with few other stopping alternatives
  - Impacts all driver's ability to stop and rest
- Closures:
  - Larkspur NB and SB in 2009
  - West Glenwood in 2013
  - Bennett in 2013
  - Hugo/Kit Carson in 2013
  - La Junta in 2013
  - Deer Trail in 2016



# CDOT vs Other States

State	Rest Areas	Welcome Centers	Funding for Day-to-Day Maintenance	Funding for Reconstruction
COLORADO	26	4	<ul style="list-style-type: none"> <li>State DOT maintenance funds for staffing and/or maintenance contracts</li> </ul>	<ul style="list-style-type: none"> <li>Dedicated funds beginning in FY23</li> </ul>
WYOMING	37	8	<ul style="list-style-type: none"> <li>State funds for staffing and/or maintenance contracts               <ul style="list-style-type: none"> <li>Budget cuts resulted in the closure of 10 rest areas in 2020.</li> <li>Due to public outcry, used emergency funding to temporarily re-open 9 of the 10 in 2021</li> <li>Long term funding solutions have not been identified</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>No dedicated funding. Used ARRA funds to reconstruct seven rest areas in 2009.</li> <li>Utilizing a federal BUILD grant to add 200 truck parking spots to rest areas along I80</li> </ul>
KANSAS	36	1	<ul style="list-style-type: none"> <li>Various state funding for staffing and/or maintenance contracts</li> </ul>	<ul style="list-style-type: none"> <li>No dedicated funding - use a mix of transportation funds and federal grants</li> </ul>
UTAH	26	3	<ul style="list-style-type: none"> <li>Various state funding for staffing and/or maintenance contracts</li> </ul>	<ul style="list-style-type: none"> <li>No dedicated funding - use a mix of transportation funds and federal grants</li> </ul>
IOWA	36	4	<ul style="list-style-type: none"> <li>Dedicated various state funding for statewide maintenance contract of \$6M/year</li> </ul>	<ul style="list-style-type: none"> <li>Dedicated funds of \$6M/year</li> <li>2020 plan closes 8 and reconstructs 12 with expanded truck parking</li> </ul>





# Possible Future Elements to Incorporate into CDOT's Rest Area Program

## IOWA:

Themed immersive experiences designed by local artists to honor local history and culture

Walking paths and viewing areas



## WYOMING:

Renewable energy to power rest areas, specifically wind turbines and solar

Local materials to complement the natural surroundings



# Rest Areas: With Dedicated Funding

## As Is Operations

No funds for Improvements

## Dedicated Funding

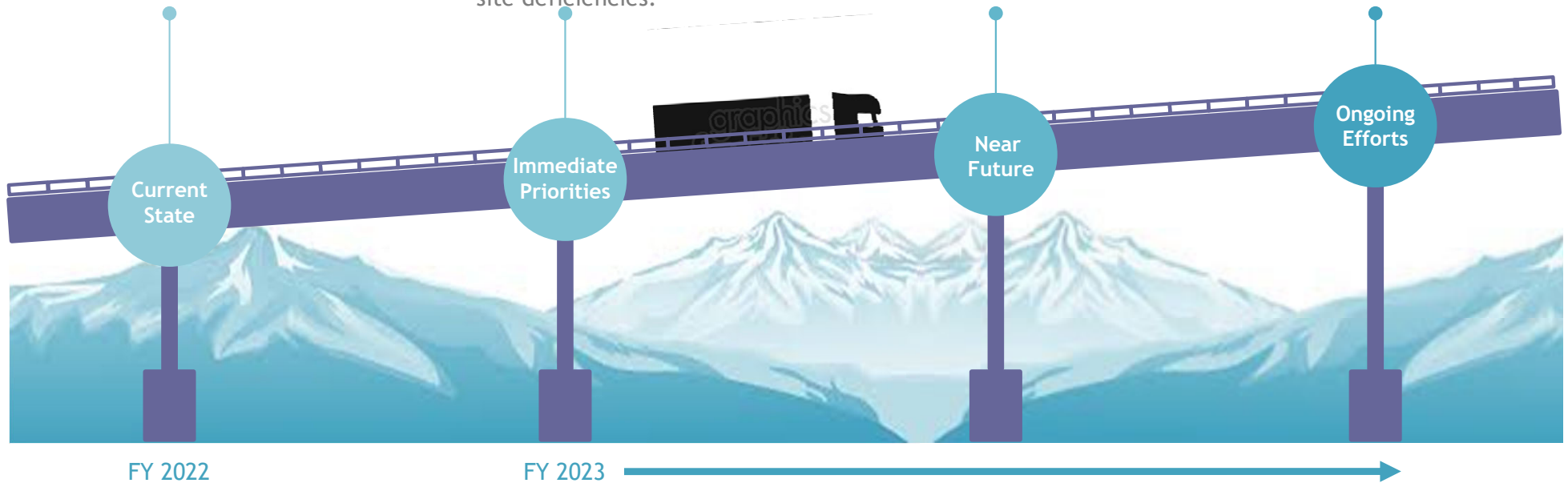
First year eligible for Asset Management funds due to five-year budget cycle. Begin work to fix known site deficiencies.

## Internal Enhancements

Establish CDOT Rest Area Steering Committee for collaboration and enhancements internally

## External Partnerships

Investigate enhancements using private/public partnerships and stakeholder coordination





# Rest Areas: Investment Strategy

## SHORT TERM STRATEGY

Fix known deficiencies at rest areas

- Replace/Remodel the most deficient buildings
- Upgrade/replace wastewater and freshwater treatment systems
- Ensure ADA Compliance
- Upgrade Fixtures and Fittings
- Lighting
- Safety Enhancements

## MIDTERM STRATEGY

Remodel, Replace and Enhance deficient rest areas

- Utilize existing infrastructure to
  - Increase capacity
  - Make better use of existing space
  - Improve truck movements
- Aesthetic and informational improvements

Rest Area Steering Committee

- Establish framework for other CDOT initiatives that might include rest areas such as EV charging and truck parking

Advertising and Sponsorships

- Supplement existing funding sources

## LONG TERM STRATEGY

Public/Private Partnerships

- Add truck parking adjacent to truck stops where:
  - Utilization data supports the need
  - There is room for expansion
  - Users can safely access adjacent property for services
- Fund with a mix of dedicated and leveraged funding options
  - Freight
  - Cross asset optimization
  - Grants



# Rest Areas: Short and Midterm Strategy

Strategies made possible by: DEDICATED ASSET MANAGEMENT FUNDING

## 2022-2023

- \$0.9M Safety Enhancements / ADA Compliance / Critical Repairs
- \$2.4M Design/Bid/Construct Bair Ranch (Glenwood Canyon)
- \$3.6M Design/Bid/Construct Shaw Creek (Near South Fork)

Total Budget \$6.9M

## 2023-2024

- \$0.6M Corrective Repairs / Deferred Maintenance
- \$2.4M Design/Bid/Construct No Name (Glenwood Canyon)
- \$2.4M Design/Bid/Construct Grizzly Creek (Glenwood Canyon)

Total Budget \$5.4M

## 2024-2025

- \$0.5M Corrective Repairs / Deferred Maintenance
- \$1.5M Remodel El Moro (Trinidad)
- \$1.5M Remodel Rifle
- \$0.5M Design/Bid/Construct of Elk Springs (Near Dinosaur)

Total Budget \$4.0M



# Rest Areas: Establish CDOT Rest Area Steering Committee

## Purpose:

- Increase partnership, collaboration, and communication between different CDOT departments and programs who all have an interest in rest areas for various initiatives and projects.

## Need:

- Rest Areas are the nexus for CDOT initiatives such as truck parking, “Greening of State Government”, and potentially EV charging stations, to name a few. As more programs identify rest areas as integral to their program’s success, a framework is needed to coordinate those efforts.

## Goal:

- Organize stakeholders
- Guide outcomes and influence decisions
- Provide structure for engagement and information sharing
- Refine strategies

- Who
  - Maintenance
  - CTIO (formerly HPTE)
  - Civil Rights
  - Freight
  - DTD
  - Innovative Mobility
  - ITS
  - Government Relations
  - Communications
  - Property Management
  - Asset Management





# Rest Areas: Pursue Other Investment Opportunities

## Rest Area Sponsorship Program

- ✓ Currently pursuing third-party vendor to manage sponsorship life-cycle
  - Advertising signs within the rest area and acknowledgement signs along traveled way
  - Commission based structure with funds directly benefiting Rest Areas
- ✓ Revenue generated would supplement
  - Capital construction and building maintenance costs
  - Day to day operating expenses
- ✓ Goal: Improve Rest Area Experience







# Vail Pass Rest Area Replacement Update

## Project Approach:

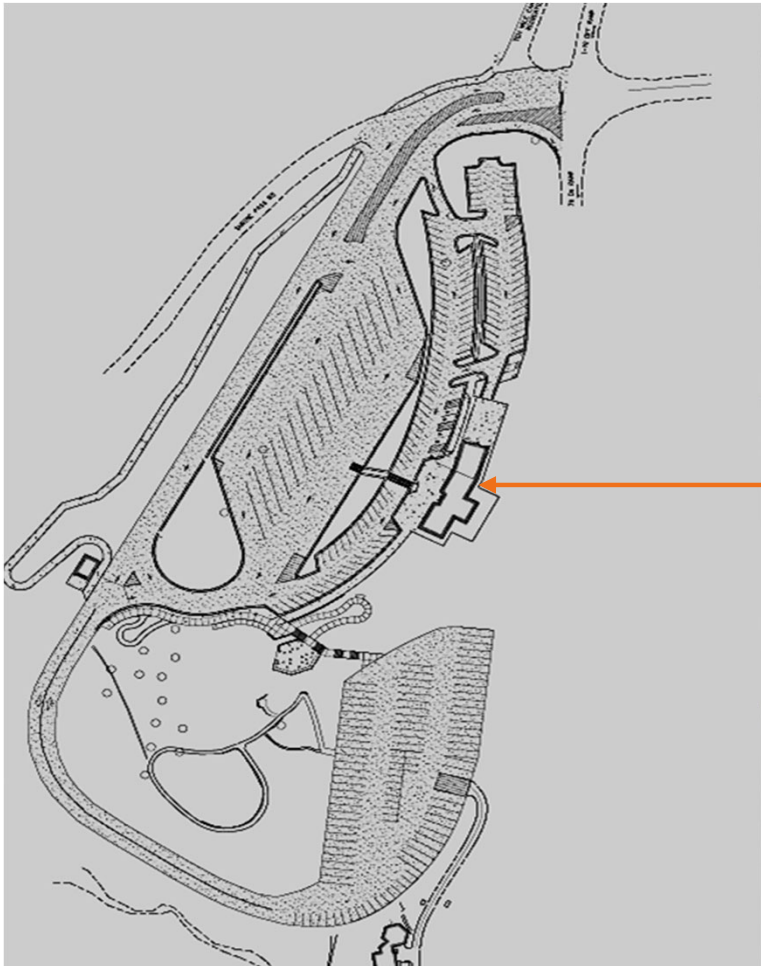
### I-70 Mountain Corridor - Context Sensitive Solution (CSS) Process

- Six Step Decision Making Process
  - Engages stakeholders throughout the project
  - Stakeholders establish project goals and identify criteria needed to reach those goals

STAKEHOLDER GOALS	DESIGN ELEMENTS INCORPORATED TO SATISFY STAKEHOLDER GOALS			
<b>Improve safety, connectivity, and mobility</b>	Moved first decision point further into rest area to prevent traffic from backing up onto I70	Separated commercial and passenger parking	ADA compliant building and site	Safe Continuation of recreation trail the site
<b>Increase capacity</b>	Increased passenger parking spaces from 32 to 65 and commercial truck parking spaces from 6 to 20	Increased restroom fixtures from 5 to 12 for women and from 5 to 8 for men. Added two family restrooms	Two restrooms for men and two for women allow one to be open while the other is being cleaned	New freshwater treatment system
<b>Preserve the natural, cultural, and scenic character</b>	Building and material selection compliments surrounding environment	Interactive & creative displays provide users the opportunity to explore the history of Vail Pass	Viewing deck in the shape and location of the old rest area building to honor the historic building and views	Landscaping and aesthetic elements compliment setting
<b>Minimize environmental and historic impacts</b>	Maintained culturally sensitive areas and minimized impacts to wetlands	Improved permanent water quality treatment features	Maximized use of existing infrastructure	
<b>Build sustainably</b>	Construction type supports longevity and can stand up to increased visitation	LEED Certified Building to meet or exceed Governor's Greening Initiatives	Maintenance facility and snow storage for cost effective and long-term preservation	Proper janitorial space to easily and efficiently maintain building



# Vail Pass Rest Area Replacement Update



Planned Rest Area Site and Building



Current Rest Area Site and Building

## Design Status

- At 85% design, working on cost estimates
  - Depending on cost estimates, will scale back on interactive elements or landscaping and potentially finish materials to stay within budget
- Environmental, historic and archeological clearances are ongoing
- Bidding late April 2022
- Construction Start Mid June 2022



Thank you!

- Questions?
- For questions or comments, please contact:

Hope Wright  
Buildings and Rest Area Asset Manager  
[hope.wright@state.co.us](mailto:hope.wright@state.co.us) | 720.237.6173



**DATE:** March 16, 2022

**TO:** Transportation Commission

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

**SUBJECT:** Policy Directive Development - GHG Mitigation Measures &  
Update on Compliance with GHG Pollution Reduction Standard

### Purpose

This memo provides an update on the status of the development of the Policy Directive on GHG Emissions Mitigation Measures and an update on the progress towards compliance for the Greenhouse Gas (GHG) Pollution Reduction Standard for Transportation Planning.

### Action

Discussion only.

### Background

As outlined in the Rule, approved by the Commission in December: “By May 1, 2022, CDOT in consultation with the MPOs shall establish an ongoing administrative process and guidelines, through a public process, for selecting, measuring, confirming, verifying, and reporting GHG Mitigation Measures.” CDOT staff intend to bring a “Mitigations Policy Directive” to the Transportation Commission for approval at the April Commission meeting. This workshop, and a planned March workshop, are intended to share progress on the development of this important policy.” (Section 8.02.4)

### Details

CDOT staff has been working with the Ad Hoc Agency Coordination Committee to develop the GHG Mitigation Policy Directive. Staff has also been continuously working

with the Metropolitan Planning Organizations and other stakeholders to discuss modeling and GHG Mitigation measures/methodology.

CDOT has made significant progress since the GHG Rule adoption, including modeling work, formation of the Interagency Coordination Team (IACT), and working with other states who are interested in learning more about the GHG Rule.

Additionally, with the leadership of the Ad Hoc Agency Coordination Team, CDOT has developed a Draft Policy Directive which provides an overarching framework which explains the process for determining, validating and tracking mitigations. A parallel Procedural Directive will list the specific mitigations and calculation procedures.

The four main sections of the Draft Policy Directive include:

1. Process for Establishing GHG Mitigation Measures
2. Proposing New GHG Mitigation Measures
3. Broad overview of scoring approach for GHG Mitigation Measures
4. Developing a Mitigation Action Plan & Status Report

### **Next Steps**

Development of this Policy Directive is an important piece of implementing the GHG Rule. By October 1, 2022, CDOT must update their 10-Year Plan, DRCOG and NFRMPO will update their Regional Transportation Plans (RTP) pursuant to the requirements of the rule and demonstrate compliance with the GHG reduction levels. Each agency must submit a GHG Transportation Report to the Commission, demonstrating the emissions analysis for their regions and, if necessary, a Mitigation Action Plan which details mitigation measures used to help them meet their reduction levels.

### **Attachments**

Slide presentation  
Draft GHG Policy Directive

**Version 4 - DRAFT**  
**3/3/22**

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>
<b>Subject</b> <b>Greenhouse Gas Emissions Mitigation Measures</b>		<b>XXX</b>
<b>Effective</b> <b>5/01/22</b>	<b>Supersedes</b> <b>New</b>	<b>Originating Office</b> <b>Division of Transportation Development</b>

**I. PURPOSE**

The purpose of this Policy Directive is to address the requirements of 2 CCR 601-22, which directs the Colorado Department of Transportation (CDOT), in consultation with the Metropolitan Planning Organizations (MPOs), to establish an ongoing administrative process and guidelines for selecting, measuring, confirming, verifying, and reporting Greenhouse Gas (GHG) Mitigation Measures. CDOT and MPOs may use GHG Mitigation Measures in order to assist them in meeting the Regional GHG Planning Reduction Levels in 2 CCR 601-22. This Policy Directive sets forth the intent and principles of GHG mitigations along with high-level guidance for the Procedural Directive which will set forth the process for establishing, verifying, and tracking such measures.

**II. AUTHORITY**

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

**III. APPLICABILITY**

This Policy Directive shall apply to all CDOT Divisions, Regions, Branches, and Offices, the state’s current five MPOs: DRCOG, NFRMPO, PPACG, GVMPO, and PACOG, as well as any MPOs created during the lifetime of the Rule.

**IV. BACKGROUND**



Subject <b>GHG Policy Directive</b>	Number XXX
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The broad purpose of this Policy Directive is to provide guidance to achieve the objectives of the Rule, which is intended to reduce greenhouse gas (GHG) emissions from the transportation sector.

Separately, CDOT will be developing a Procedural Directive, which shall include procedures for implementation of the Rule and the goals of this Policy Directive.

Together, the Policy Directive and the Procedural Directive are intended to be consistent with the following requirement within 2 CCR 601-22, Section 8.02.4: “By May 1, 2022, CDOT in consultation with the MPOs shall establish an ongoing administrative process and guidelines, through a public process, for selecting, measuring, confirming, verifying, and reporting GHG Mitigation Measures. CDOT and MPOs may incorporate one or more GHG Mitigation Measures into their plans in order to assist in meeting the Regional GHG Planning Reduction Levels in Table 1. Such a process and guidelines shall include, but not be limited to, how CDOT and MPOs shall determine the relative benefits and impacts of GHG Mitigation Measures, and measure and prioritize localized benefits to communities and Disproportionately Impacted Communities in particular. The mitigation credit awarded to a specific solution shall consider both regional and community benefits.”

**V. DEFINITIONS**

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

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

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

Subject <b>GHG Policy Directive</b>	Number XXX
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“Greenhouse Gas (GHG) Mitigation Measures” are non-Regionally Significant Project strategies that reduce transportation GHG pollution and help meet the GHG Reduction Levels.

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

“Metropolitan Planning Organization” or “MPO” is an organization designated by agreement among the units of general purpose local governments and the Governor, charged to develop the Regional Transportation Plans (RTPs) and programs in a Metropolitan Planning Area pursuant to 23 U.S.C. § 134. Colorado currently includes five designated MPOs: Denver Regional Council of Governments, Pikes Peak Area Council of Governments, Pueblo Area Council of Governments, Grand Valley Metropolitan Planning Organization and the North Front Range Metropolitan Planning Organization.

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

“Off-Model” means that it is better suited to use calculation methodology, instead of modeling, in order to show the effects of GHG reductions.

“Procedural Directive” is a document adopted by the Executive Director that specifies how organizational goals, policies and departmental decisions are to be implemented.

“Policy Directive” is a document adopted by the Transportation Commission that specifies organizational and Commission goals and policies.

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

Subject <b>GHG Policy Directive</b>	Number XXX
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MPO Models or the Statewide Travel Model will be approved by the State Interagency Consultation Team.

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

**VI. POLICY**

The Transportation Commission adopts the processes and priorities stated herein to guide the selection of GHG Mitigation Measures, the scoring of GHG Mitigation Measures, the development of a Mitigation Action Plan, the submission of a GHG Status Report, the approval of new GHG Mitigation Measures, and the analysis of the efficacy of existing Mitigation Measures, which shall all be accomplished pursuant to the process set forth in the Procedural Directive adopted by CDOT.

**A. Process for Proposing New Mitigation Measures**

This policy recognizes the balance between ensuring appropriate analytical rigor around the expected GHG reductions of mitigation measures with the need to encourage new ideas and adapt to new modeling and/or measurement methodologies. To that end, any one individual or organization may nominate new GHG Mitigation Measures; however, such measures must be submitted, reviewed, and approved in accordance with the Procedural Directives and consistent with the Policy Directive before incorporation as an approved Mitigation Measure. This section guides this process.

**1. Overall Process for Establishing Mitigation Measures**

CDOT shall develop and maintain a master list of approved Mitigation Measures that have been reviewed, vetted, and scored by the Department’s subject matter experts and approved by the Interagency Coordination Team. The process for approval and an approved list of Mitigation Measures shall be included in an associated GHG Mitigation Measure Procedural Directive approved by CDOT. The Procedural Directive shall be published to MPOs and available on the website, and

may be amended from time to time by CDOT staff to improve efficient implementation of the Rule.

**2. Approving New GHG Mitigation Measures**

The ability to nominate new GHG Mitigation Measures will be open to all MPOs, local governments, community and advocacy groups, and members of the public as an opportunity to creatively engage in the sustainability of our transportation system. New Mitigation Measures can be submitted through an online form on CDOT’s website. New Mitigation Measures must have a nexus with the transportation sector. CDOT reserves the discretion to prioritize newly nominated Mitigation Measures based on the information available and effort required to quantify.

CDOT GHG Program staff will assess the nominations according to the framework listed in Table X. MPOs shall be expected to provide this data upon submittal of a proposed Mitigation Measure. For submissions from members of the public or outside organizations, CDOT staff will conduct this work where feasible. Recommended Mitigation Measures shall be presented to the Interagency Coordination Team on a quarterly basis in order to update the accompanying Procedural Directive.

[Table X: Framework for New Mitigation Measures (Note Table borrowed from CA SCS Document - Modified for CO)]

Off-Model Strategy Component	Description of Off-Model Strategy
Strategy Description	Describe the overall off-model strategy <ul style="list-style-type: none"> <li>● Identify what the strategy implements</li> <li>● Identify how the strategy reduces CO2 emissions</li> <li>● Identify how the strategy is not already reflected in land use and travel modeling tools, thus warranting an off-model estimate of CO2 emission reductions</li> </ul>
Objectives	Identify the specific metric(s) targeted and changed by the off model-strategy that would result in CO2 reductions. Examples include, but not limited to: <ul style="list-style-type: none"> <li>● Decreased VMT/average trip length</li> <li>● Miles of bike/ped lanes added</li> <li>● Reduced vehicle trips</li> <li>● Traffic flow improvements</li> <li>● Increased transit boardings</li> </ul>

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Trip and Emissions Data Needs	<p>Funding/Incentives</p> <ul style="list-style-type: none"> <li>• How much funding is identified for implementing this strategy?</li> <li>• What is/are the source(s) of funding for implementing the strategy?</li> </ul> <p>Tracking</p> <ul style="list-style-type: none"> <li>• Is the strategy surplus/additional (e.g., goes beyond existing State programs)?</li> <li>• What metrics must be tracked and met to demonstrate strategy implementation?</li> <li>• How will strategy implementation and metrics be tracked?</li> </ul> <p>Trip and Emissions Data</p> <ul style="list-style-type: none"> <li>• What specific data is needed to quantify CO2 emission reductions from the strategy?</li> </ul>
Quantification Methodology	<ul style="list-style-type: none"> <li>• Describe the methodology for quantifying CO2 emissions reductions from the strategy</li> <li>• Base methodology on empirical evidence supported by verifiable data sources</li> <li>• Clearly describe and document individual steps in emissions calculations</li> <li>• Clearly document all assumptions, sources of data, and calculations</li> </ul>
Co-Benefits	Identify potential co-benefits associated with the mitigation measure, including but not limited to reduction of co-pollutants, energy and fuel savings, VMT reductions, enhanced pedestrian or traffic safety, social equity, and improved public health.
Scoring	Apply estimated range of GHG reductions to scoring point matrix.
Challenges, Constraints, and Strategy Implementation Tracking	<ul style="list-style-type: none"> <li>• Potential challenges and constraints with quantifying and implementing off-model strategies</li> <li>• Define and collect “Metrics of Success” that the MPO plans to collect to track whether a strategy is successfully implemented over time</li> </ul>

Additionally, the GHG Program Staff will establish a regular process of inventorying best practices from around the country for review and approval of new Mitigation Measures, with a focus on identifying a range of effective Mitigation Measures for urban, suburban, and rural contexts throughout the state. Staff shall also ensure that CDOT’s Environmental Justice branch is engaged in this process to ensure that Mitigation Measures and policy updates are regularly shared with--and consider the unique needs of--Disproportionately Impacted Communities.

## B. Scoring the GHG Mitigation Measure

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**Scoring of Mitigation Measures shall be conducted pursuant to the Procedural Directive and consistent with the Rule and this Policy Directive.**

It is likely that over time GHG Mitigation Measures may be folded into modeling. It is important for the Policy and Procedural Directives to account for this likely evolution of GHG Mitigation Measures into standard modeling practices.

**SUBMITTING A GHG MITIGATION ACTION PLAN:**

**C. Developing Mitigation Action Plans**

**1. Components of a Mitigation Action Plan.** Subsection 8.02.6.3 of the Rule states as follows: “If Mitigation Measure(s) are needed to count toward the GHG Reduction Levels in Table 1, the MPO or CDOT may submit a Mitigation Action Plan that identifies GHG Mitigation Measures, if any, needed to meet the GHG Reduction Levels within Table 1”.

The Transportation Commission and Air Pollution Control Division will evaluate Mitigation Action Plans and determine their sufficiency in meeting the GHG Reduction Levels needed for compliance.

To support this evaluation, the following information must be included for each proposed GHG Mitigation Measure:

- a. GHG Emissions Reductions Needed: Summary of emissions analysis from GHG Transportation Report, including the estimated gap to achieve the GHG Reduction Levels specified for each horizon year.
- b. Mitigation Measure Summary: A summary table of proposed GHG Mitigation Measures, including mitigation measure title, mitigation measure category, estimated GHG reduction or score per year, and any co-benefits.
- c. Mitigation Measure Description: Each measure shall include the following details:

<b>Metric</b>	<b>Description of information to be submitted with application</b>
<b>Timing</b>	Anticipated start date, completion date, and dates of any other key milestones.
<b>GHG Reductions</b>	An estimate of the annual GHG emissions reductions in million metric tons (MMT) of CO <sub>2</sub> e achieved by the measure, in each horizon year in Table 1 of the Standard.



<b>Co-benefits</b>	Quantification, where possible, of specific co-benefits including reduction of co-pollutants (PM2.5, NOx, etc.) as well as travel impacts (changes to VMT, pedestrian/bike use, transit ridership, etc. as applicable), for each affected year of the planning which years.
<b>Benefits to Disproportionately Impacted Communities</b>	A description of theDescription of benefits to Disproportionately Impacted Communities, particularly those in close proximity to any capacity expansion projects being mitigated, and stakeholder engagement conducted with those communities. Identify in detail how the DIC will be impacted, including related to project design and construction, as well as access and connectivity upon completion. These communities have historically been impacted unequally by transportation project design and construction, including a lack of access and connectivity. Include an accounting of the amount of mitigation dollars directly spent in--or designed to serve-- Disproportionately Impacted Communities as a subset of total dollars.
<b>Measure Description</b>	A description of the measure, including scale, location, and how it would impact travel activities expected to result in GHG reductions.
<b>Measure History</b>	If a project was specifically identified in a previous plan, it is not eligible as a Mitigation Measure in a new plan UNLESS the new Mitigation Measure is funded from a pool of non-specific projects (and not otherwise modeled in a previous plan), in which case it may be used as a Mitigation Measure in the new plan. If a Mitigation Measure has been recently approved, provide the date of the notice of approval.
<b>Cost</b>	Any capital and operating cost estimates, including any key assumptions used to inform these estimates.
<b>Funding</b>	Funding source(s), including if those funds are confirmed.
<b>Implementing agencies and roles</b>	Partner implementing agencies and roles (if applicable), including letters of support if the GHG Mitigation Measure

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	includes implementation support from other entities.
<b>Documentation</b>	Documentation of the GHG estimate or score and co-benefits, utilizing the outlined steps in this document, and including all data sources and inputs used.
<b>Implementation tracking</b>	Include a detailed description of how the success of the strategy will be monitored and verified against the estimated benefits.
<b>Other Info As Needed</b>	Any other relevant information that may be needed for thorough review of the proposed Mitigation Measure.

**D. GHG Status Reports and Follow-Up Analysis.**

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

Following the approval and implementation of a GHG Mitigation Action Plan, CDOT and the MPOs are required to submit an annual status report for each Mitigation Measure. The following information shall be included in each status report (as outlined in the Rule):

- The implementation timelines;
- The current status;
- For measures that are in progress or completed, quantification of the annual benefit or impact of such measures; and
- For measures that are delayed, canceled, or substituted, an explanation of why that decision was made and, if located in a Disproportionately Impacted Community, how these measures or the equivalent could be achieved.

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

On a periodic basis, CDOT shall evaluate the effectiveness of implemented Mitigation Measures against predicted achievement of those measures. Such analysis shall be provided to the Interagency Coordination Team for their review and consideration as to whether this information merits a change to the score applied to relevant measure(s).

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**V. IMPLEMENTATION PLAN**

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

CDOT staff shall develop a Procedural Directive that outlines the process to be followed for submitting proposed Mitigation Measures with substantiation of their benefits, for review and potential approval by CDOT staff, and for publishing updated lists of specific Mitigation Measures and the associated GHG emission reductions/scores on a periodic basis.

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

**VI. REVIEW DATE**

This Directive shall be reviewed upon motion by two or more Commissioners, and no later than \_\_\_\_ on or before

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

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



# GHG Pollution Standard for Transportation Planning: Implementation Update

March, 2022

Page 128 of 210



- Progress since rule adoption
- Approach on Mitigations
  - Policy Directive Outline
  - Procedural Directive Approach
- Feedback
- Next Steps Schedule



- Rule adopted December 2021
  - Formed State Interagency Consultation Team (IACT)
- Established working groups (Modeling, GHG Mitigations)

## Upcoming:

- April: TC and STAC Workshops (Mitigation Policy Directive)
- Spring: Procedural Directive
- 10 Yr Plan Update and GHG Report to TC
  - CDOT, DRCOG and NFRMPO must have updated plans in place - before Oct 2022





## Two important components:

- **Policy Directive**
  - Approved by Transportation Commission
  - Overarching framework
    - Explains intent of mitigations and process for scoring
  - Defines regionally significant projects for CDOT
  - High level enough to consider the 30 year life of the rule
- **Procedural Directive**
  - Approved by Executive Director
  - Lists actual GHG Mitigation Measures
  - Scoring matrix
  - Detailed math that can be updated as better ways to measure mitigations are developed



# DRAFT Framework for GHG Policy Directive

*Balance ensuring appropriate analytical rigor around the expected GHG reductions of mitigation measures with the need to encourage new ideas and adapt to new modeling and/or measurement methodologies.*

Four main sections:

## 1. Process for Establishing GHG Mitigation Measures

- CDOT shall develop and maintain a master list of measures, which will be approved by the Interagency Coordination Team.
- Measures will be listed in accompanying procedural directive.
  - We have found that some of the measures listed in the rule are in fact better put in the travel model (if possible) to capture the combined effects of measures (land use/transit). This also will likely help CDOT/MPO get the best GHG reduction from the combined effects.
  - Over time some measures may be integrated into the modeling protocol

## 2. Proposing New GHG Mitigation Measures

- Ability to nominate new GHG Mitigation Measures will be open to all MPOs, local governments, community and advocacy groups, and members of the public.
- All new mitigations evaluated against common criteria with IACT ultimately approving those that can be quantified based on available information.



3. Broadly describes scoring approach for GHG Mitigation Measures
  - Measures will receive a “score” representing their GHG reduction effectiveness.
  - Scores themselves will be included in procedural directive.
  
4. Developing a Mitigation Action Plan & Status Report
  - Lists required elements of each.



# Preliminary Approach

## DRAFT Procedural Directive

- Procedural Directive
  - List actual GHG Mitigation Measures (approved by IACT)
  - Methodology for quantifying and scoring measures, considering:
    - Context (rural, urban, suburban)
    - Effectiveness over time
    - Incentivizing mitigations in disproportionately impacted communities
  - Appendix with the “math” used to establish the score

DRAFT



- Having a large enough set of approved Mitigation Measures to enable CDOT and MPOs to meet the standard
  - Procedural Directive may include nearly 40 mitigation measures
- Allow for new ideas while simultaneously quantifying and proving results
  - Framework for how MPOs can propose and develop alternative off model GHG calculations
- Input from STAC



# Current GHG Implementation Timeline

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Review Baseline Projects	█	█										
Coding Baseline Network	█	█										
First round of baseline model runs		█	█									
Baseline GHG Analysis- Moves Runs			█									
TC adopts the GHG Mitigation Policy				█								
TPRs/MPOs submit updated 10 Yrs Plans		█	█	█								
1st round of GHG Compliance model runs				█	█							
1st round of GHG Analysis- Moves Runs				█	█							
Second round of GHG Compliance model runs					█							
2nd round of GHG Analysis- Moves Runs					█							
Submit GHG results to APCD for verification (May 31)					█							
Submit GHG Transportation Report and Mitigation Action Plan (if applicable) to TC						█						
Draft Review 10-Year Plan						█						
STAC Review and TC Approval of 10-Year Plan							█					





# COLORADO

## Department of Transportation

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

**DATE:** March 16, 2022  
**TO:** Transportation Commission  
**FROM:** Amber Blake, Director, Division of Transit and Rail  
Rebecca White, Director, Division of Transportation Development (DTD)  
**SUBJECT:** 10-Year Plan Update - Transit

### Purpose

The purpose of this memo is to provide the Transportation Commission with an update on the projects within the 10-Year Plan.

### Action

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

### Background

The 10-Year Plan is being updated to reflect state SB260 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.

### Details

CDOT has made considerable progress in delivering the first four years of the 10-Year Plan while being able to closely adhere to the original regional equity targets set at the beginning of the planning process. Additionally, the Department is also on track to meet the rural paving and asset management goals for the first four years of the 10-Year Plan.

This plan update has provided an opportunity to take a more strategic approach toward planning, transparency and accountability as transit projects are more fully integrated into the 10-Year Plan. As we work to update the plan for the reasons noted above, staff is considering the following transit specific issues:

#### Transit Allocation Target

Based on the January and February discussions at STAC and TC, staff supports retaining a 10% minimum for transit.

#### Transit Equity Target

Based on the January and February discussions at STAC and TC, staff supports the use of the Regional Priority Program (RPP) Midpoint Formula for both highway and transit funding.

#### Statewide Transit Operations and Maintenance

The development of a comprehensive multimodal 10-Year plan moves the Department towards achieving its vision. As transit becomes a more prominent part of our state transportation system ensuring sustainable long-term funding for State transit and operations is critical. Staff will present a recommended approach that provides focused funding for State transit O/M needs, while maintaining transit equity amongst the regions. Moreover, this approach separates State transit operations and maintenance projects from capital construction projects (all modes) increasing transparency and clarity in the planning process.

**Next Steps:**

At a future meeting, staff will further explain how the Department can align each of the funding sources and requirements with projects within the plan. This future discussion will consider the 10-Year Plan time periods and project readiness.

**Attachments**

10-Year Plan Transit Update Presentation



**COLORADO**

Department of Transportation

# 10 Year Plan Update –Transit

Colorado Transportation Commission  
March 2022

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# 10 Year Plan - Transit Update

## 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.



# 10 Year Plan - Transit Update

In updating the plan, our top priorities are to:

1. Fully deliver on the original 4-yr priority list (FY 19-22) and to “close out” regional equity across this period.
  - \$380 M for FY 22, including 10% minimum to transit
  
2. Build the next 4-yr priority list (FY 23-26)
  - \$325 M / year on average, including 10% minimum to transit

Total Planning Breakdown by FY			
FY	Total Planned	Transit (10%)	Total Highway
FY22	\$380M	\$38M	\$342M
FY23	\$325M	\$33M	\$293M
FY24	\$325M	\$33M	\$293M
FY25	\$325M	\$33M	\$293M
FY26	\$325M	\$33M	\$293M
Total	\$1,680M	\$168M	\$1,512M



# 10 Year Plan - Transit Update: Transit O/M Considerations

## 1. Retaining minimum transit funding target of 10%.

- Based on the discussion at STAC and TC, staff supports retaining a 10% minimum for transit.
- Funds are “off the top”.
- Staff is committed to build a multimodal system and select projects in coordination with transit needs.

## 2. Establishing a single equity formula for highway and transit.

## 3. Establishing increased transparency by separating State Transit O/M projects.

- In the following slides, staff will present how this scenario looks in practice, and how it maintains transit equity.





# 10 Year Plan - Opportunity for Improvement

The plan update provides an opportunity for the Department to improve how we:

- Demonstrate effective statewide transit planning
- Improve Accountability & Transparency
- Provide clarity between funding for transit capital construction and State transit operations and maintenance (O/M) projects.
- Ensure fiscal sustainability for Operations and Maintenance of the State Transit System inclusive of: The Bustang Family of services (Bustang, Outrider, Pegasus, Snowstang) and Mobility Hubs O/M.



# 10 Year Plan - Statewide Transit Review

## Background and inception of Colorado's State Transit Service:

- 2009 Legislature created the Division of Transit and Rail.
- Primary functions at the time were to serve as a pass-through agency administering FTA and State transit funds to local agencies, conduct statewide transit and rail planning, to work towards integration of transit into statewide transportation system.
- In 2015, Bustang service launched in the I-25 and I-170 corridors
- In 2018, Bustang Outrider Services launched across the state (Lamar-Pueblo, Durango - Grand Junction,





# 10 Year Plan - Statewide Transit Review

## Where we are today with State transit service:

- Wildly successful Bustang services (Bustang, Outrider, Ram's Route, Bustang to Broncos, Snowstang)
- Pegasus service kicks off this April
- Strategically moving towards a comprehensive integration of Transit into our statewide multimodal system.
- Buildout of the mobility hubs and operational system continues





# 10 Year Plan - Transparency and Accountability

## Ongoing operations and maintenance needs exist and will continue ...

- It is fiscally responsible to plan for ongoing operations and maintenance of our state transit system, including the Bustang family of services (Bustang, Outrider, Pegasus, Snowstang) and address Mobility Hub O/M
- It is important to provide clarity and transparency to our planning partners and the traveling public
- It is necessary to ensure fiscal constraint and maintain transit equity in the regions



# 10 Year Plan - Transparency and Accountability

The recommendation for State transit operations and maintenance to be included in the 10-Year Plan includes ongoing funding for:

- Bustang family of services operations and maintenance
- O/M for Mobility Hubs once constructed and online
- Planning for Bustang service expansions on the West and North/South Routes
  - West Route to 8 trips a day, plus rollingstock
  - Commitment to this expansion may enhance CDOT “MOVE: Westward 3” federal RAISE application
  - N/S Routes doubling service to 12 trips a day, plus rollingstock
- Planning for Outrider Service Expansions
  - Implementation of expansions will be based on results of update to Intercity and Regional Bus Plan (2022-23) and subsequent funding applications with local agencies



# 10 Year Plan - Transit Update: Transit O/M Considerations

## Current Transit Equity by Region

Transit Breakdown by FY								
Region	FY22	FY23	FY24	FY25	FY26	Totals	FY22 Equity Target	Equity FY22
1	\$16,845,400	\$11,124,750	\$11,124,750	\$11,124,750	\$11,124,750	\$61,344,400	44.33%	44.33%
2	\$6,475,200	\$6,165,250	\$6,165,250	\$6,165,250	\$6,165,250	\$31,136,200	17.04%	17.04%
3	\$4,879,200	\$4,897,750	\$4,897,750	\$4,897,750	\$4,897,750	\$24,470,200	12.84%	12.84%
4	\$8,056,000	\$7,757,750	\$7,757,750	\$7,757,750	\$7,757,750	\$39,087,000	21.20%	21.20%
5	\$1,744,200	\$2,554,500	\$2,554,500	\$2,554,500	\$2,554,500	\$11,962,200	4.59%	4.59%
<b>Totals</b>	<b>\$38,000,000</b>	<b>\$32,500,000</b>	<b>\$32,500,000</b>	<b>\$32,500,000</b>	<b>\$32,500,000</b>	<b>\$168,000,000</b>	<b>100.00%</b>	<b>100.00%</b>

Transit Equity is maintained, Transit OM in state

Transit Breakdown by FY (State Transit O/M)								
Region	FY22	FY23	FY24	FY25	FY26	Totals	FY22 Equity Target	Equity FY22
STATE	\$10,850,000	\$19,236,000	\$15,997,080	\$16,628,992	\$19,653,862	\$105,943,897		
1	\$12,035,595	\$5,879,931	\$7,315,744	\$7,035,618	\$5,694,693	\$27,509,471	44.33%	44.33%
2	\$4,626,360	\$2,260,186	\$2,812,098	\$2,704,420	\$2,188,982	\$10,574,360	17.04%	17.04%
3	\$3,486,060	\$1,703,098	\$2,118,975	\$2,037,837	\$1,649,444	\$7,968,004	12.84%	12.84%
4	\$5,755,800	\$2,811,968	\$3,498,619	\$3,364,654	\$2,723,381	\$13,155,894	21.20%	21.20%
5	\$1,246,185	\$608,818	\$757,484	\$728,479	\$589,638	\$2,848,375	4.59%	4.59%
<b>Totals</b>	<b>\$38,000,000</b>	<b>\$32,500,000</b>	<b>\$32,500,000</b>	<b>\$32,500,000</b>	<b>\$32,500,000</b>	<b>\$168,000,000</b>	<b>100.00%</b>	<b>100.00%</b>





# Key Take Aways

- Transit equity maintained, with increased interregional state transit service with sustainable O/M
- Provides sustainable funding for State transit operations
- Maintains regional equity for transit funding at minimum 10%
- Provides clarity on transit funding available within regions
- Maintains priority capital construction projects (transit and multimodal) in the 10- year plan by region
- Local agency transit capital projects remain within 10-year plan (w/in fiscal constraint)
- Local operating expansion projects - continue to be a priority with enhanced service planning support from CDOT-DTR for small rural agencies, more sustainable funding through 5311 grant process
- Increases accountability and ensure time for appropriate public process and update to intercity and regional bus plan and essential local coordination to prioritize Outrider projects

MEMORANDUM

**TO:** Transportation Commission  
**CC:** Shoshana Lew, CDOT Executive Director Herman Stockinger, Deputy Executive Director; John Lorme, Division of Maintenance & Operations Director  
**FROM:** Bob Fifer, Deputy Director of Operations  
**DATE:** March 2022  
**SUBJECT:** CDOT's ITS Fiber Program

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Purpose

To provide background information on CDOT's ITS Fiber Program, how and why we use fiber, and the relationship between fiber and broadband.

Action

No action at this time, this memo is Informational only.

Background

For over 25 years, CDOT has been installing fiber optics to improve highway operations, situational awareness, and safety. CDOT fiber cabling is installed along more than 1,600 miles of state maintained highways for improving system reliability and user safety. As vehicle volumes rapidly increase, it is important that CDOT leverage fiber optic technology to monitor, detect, and respond to on highway emergencies (incidents, natural disasters and weather events). The earlier incidents are detected, responded to, and mitigated, the lesser the effects on network dependability, reduced economic/environmental impacts, and can potentially reduce injuries and save lives.

In 1997, the Colorado Assembly passed Colorado Revised Statutes ("C.R.S") Section 43-1201(1-5); which enable CDOT to enter into public private partnership (P3s) for access to CDOT's rights of way for the installation of telecommunication fiber optic cabling. This Statute has enabled CDOT to receive over 700 miles of fiber at zero taxpayer dollars, valued at over \$80M of assets.

Since the beginning of the COVID-19 pandemic, there has been unprecedented demand on broadband. This ongoing demand for broadband (also known as the high-speed internet) have affected both private and public sector who are struggling to meet this growing demand.

*Per Pew Research: "90% of Americans say the internet has been essential or important to them, many made video calls and 40% used technology in new ways. But while tech was a lifeline for some, others faced struggles".*

Since CDOT is the state's primary infrastructure builder, many look to CDOT to expand our fiber backbone into communities that are lacking high-speed internet. Where our traditional highways were once the most important means to transport good and services, fiber has become the **digital highway** (infrastructure). Both public and private industry are looking to the DOTs to help solve access to fiber infrastructure, connecting communities as they traditionally once looked to DOTs to connect communities.

In this informational presentation, we will explain the difference between the fiber infrastructure and broadband, how CDOT uses, maintains, and operates its fiber network, leverages P3s and lease excess fiber programs.



**Next Steps**

None at this time.

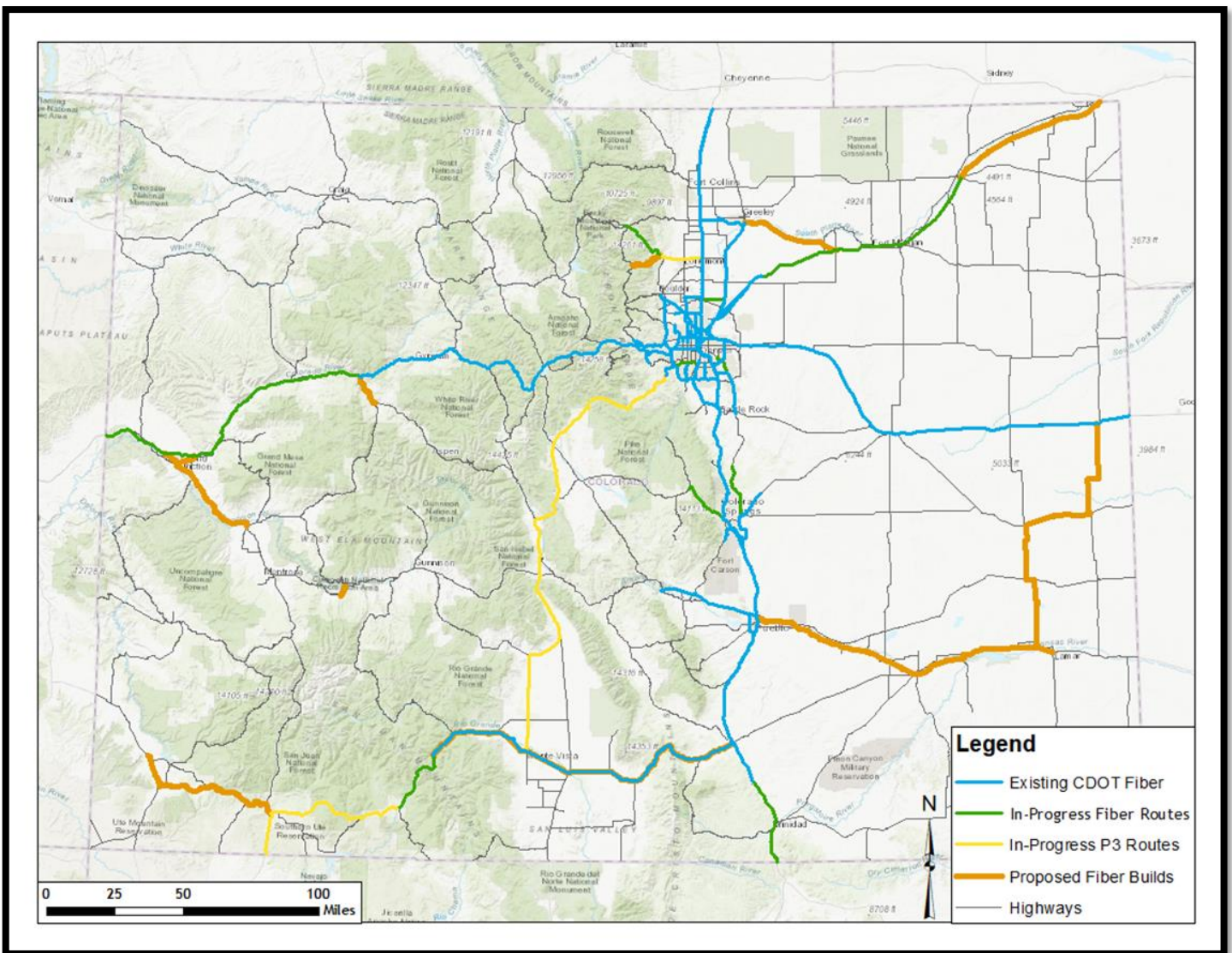
**Point of Contact**

Bob Fifer, Deputy Director of Operations

Bob.fifer@state.co.us

720.323.0674

CDOT's Current Fiber Map (2021)







# **COLORADO**

**Department of Transportation**

**Division of Maintenance and Operations**





# What is Fiber

- Fiber optic cables are created from thin strands of glass known as optical fibers, and when we say thin, we mean *thin*.
- Fiber optic cables use light, rather than electricity for communications.
- The light travels through the cable at incredible speeds without leaking. The cable's structure keeps the light inside the conduit.
- Don't let it's size fool you, though!







# HOW IS Fiber INSTALLED



- ① Directional Drill machine
- ② Rotating and pressing pipes
- ③ Pilot drill begins ground penetration
- ④ Technician with locator receiver box
- ⑤ Pilot head drilling and pressing for direction
- ⑥ Enlargement and pull-back with Reamer
- ⑦ Swivel attached to Reamer and Pipe
- ⑧ Utility Pipe being Pulled Back







## Broadband

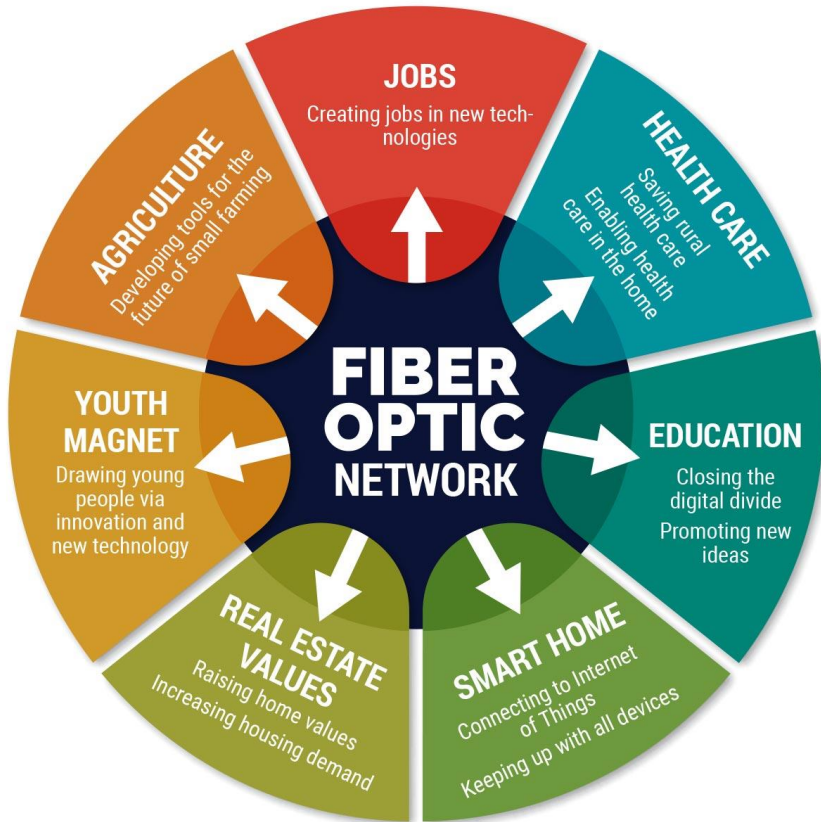
Broadband is a type of internet service that provides high-speed internet to its service. The broadband is capable of wide bandwidth type transmission that transports multiple signals.

*The medium used by the broadband is optical fiber, coaxial cable, twisted pair (“copper”) and radio. The broadband provided over fiber is comparatively faster than mediums used to deliver broadband, and the connection is reliable.*





# Why is Broadband the buzz?



	Dial-up Internet Connection 50 kbps	Minimum Broadband Connection 25 Mbps	Fast DSL Connection 100 Mbps	Gigabit Fiber Connection 1,000 Mbps
<i>War and Peace</i> <sup>2</sup> (3 MB)	8.0 min.	1.0 sec.	0.24 sec.	0.02 sec.
The Beach Boys <i>Pet Sounds</i> <sup>3</sup> (1.2 GB)	2.2 days	6.4 min.	96.0 sec.	9.6 sec.
<i>Lord of the Rings</i> Trilogy – Special Edition <sup>4</sup> (61 GB)	113.0 days	5.4 hrs.	81.3 min.	8.1 min
<i>Grand Theft Auto V</i> (70 GB)	130.0 days	6.2 hrs.	93.3 min.	9.3 min
Library of Congress' Digital Collections <sup>5</sup> (74 TB)	375.4 yrs.	274.0 days	68.5 days	6.9 days

2009 @ 1Tbps = 8.97 min

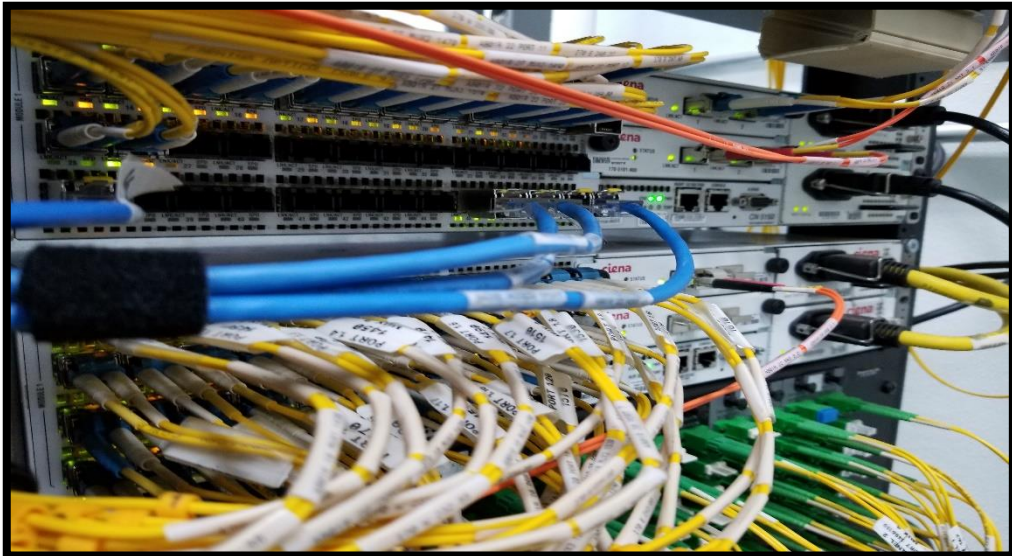
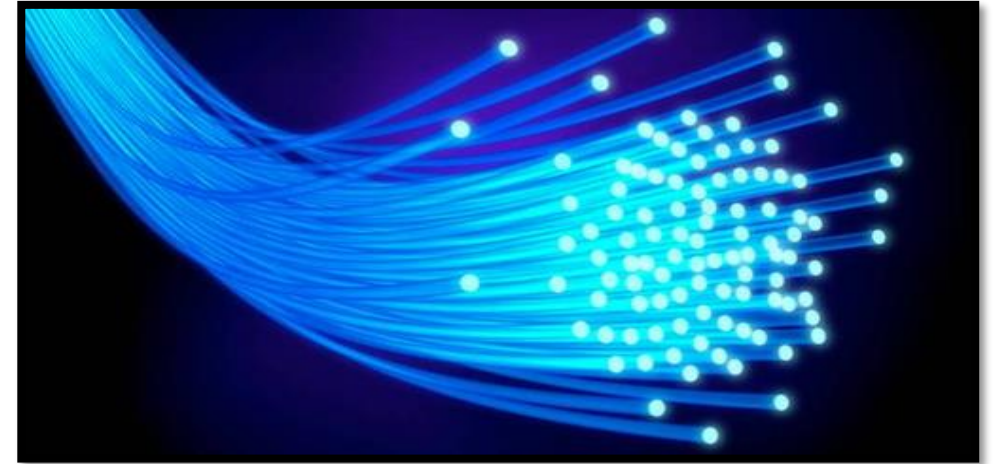
2014 @ 43Tbps = 12.52 sec.

**TODAY @ 10.16Pbps = 0.5299 sec.**



# Dark Fiber and Broadband Providers

- Today, the term “dark fiber” is used to discuss the ever-growing, popular procedure of leasing out fiber optic cables to a network or service provider.
- It is also fiber infrastructure that isn't owned by network or service providers.



- Broadband Service Provider, (aka Internet) telephone company, cable company or other carrier that offers high-speed communications to homes and businesses, typically for Internet access
- Because fiber is reliable and have the capabilities for high speeds and larger capacity; Providers either have lease or build fiber; or as a last resort, lease a circuit, to provide internet services to a community.



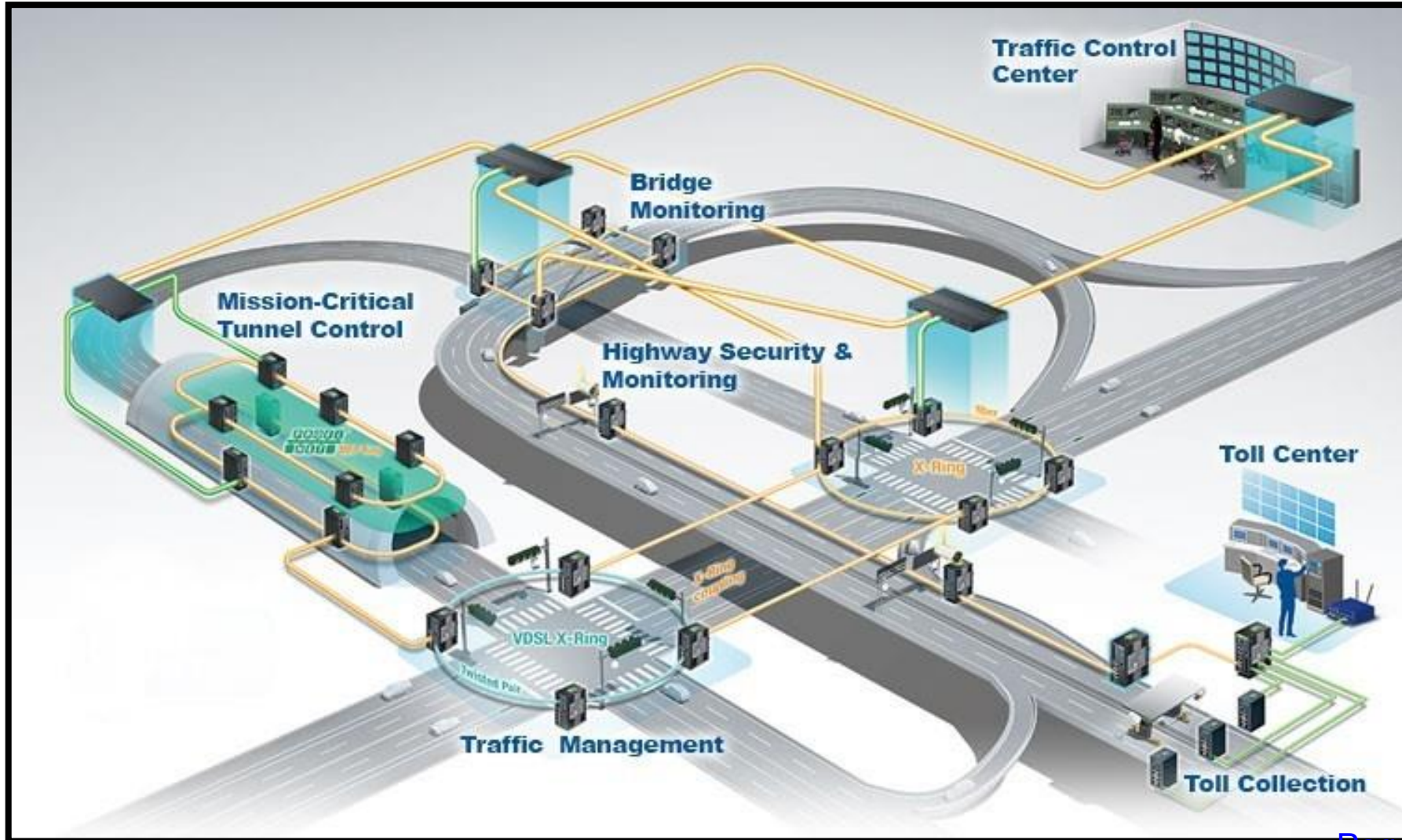


# Why does CDOT Own Fiber

- The CDOT uses fiber optic infrastructure to provide a fast, reliable and adaptable means for communications with highway technology and data transmission.
- Fiber optics cabling is part of CDOT's intelligent transportation systems (ITS) and is key to our Smart Mobility Plan. It is the foundation for traffic monitoring, real-time communication to traveling public, and emerging vehicle communication technologies.
- CDOT's Fiber provides communications between multiple CDOT Maintenance Facilities and CDOT's Intelligent Transportation Center located in Golden Colorado.
- CDOT already has fiber optic conduit along most major Interstates and US Highways.
- CDOT ever expanding fiber optic backbone means connectivity along major corridors, in turn makes our highways safer and smarter while offering the potential for partners to help make Colorado a better place to live and do business.

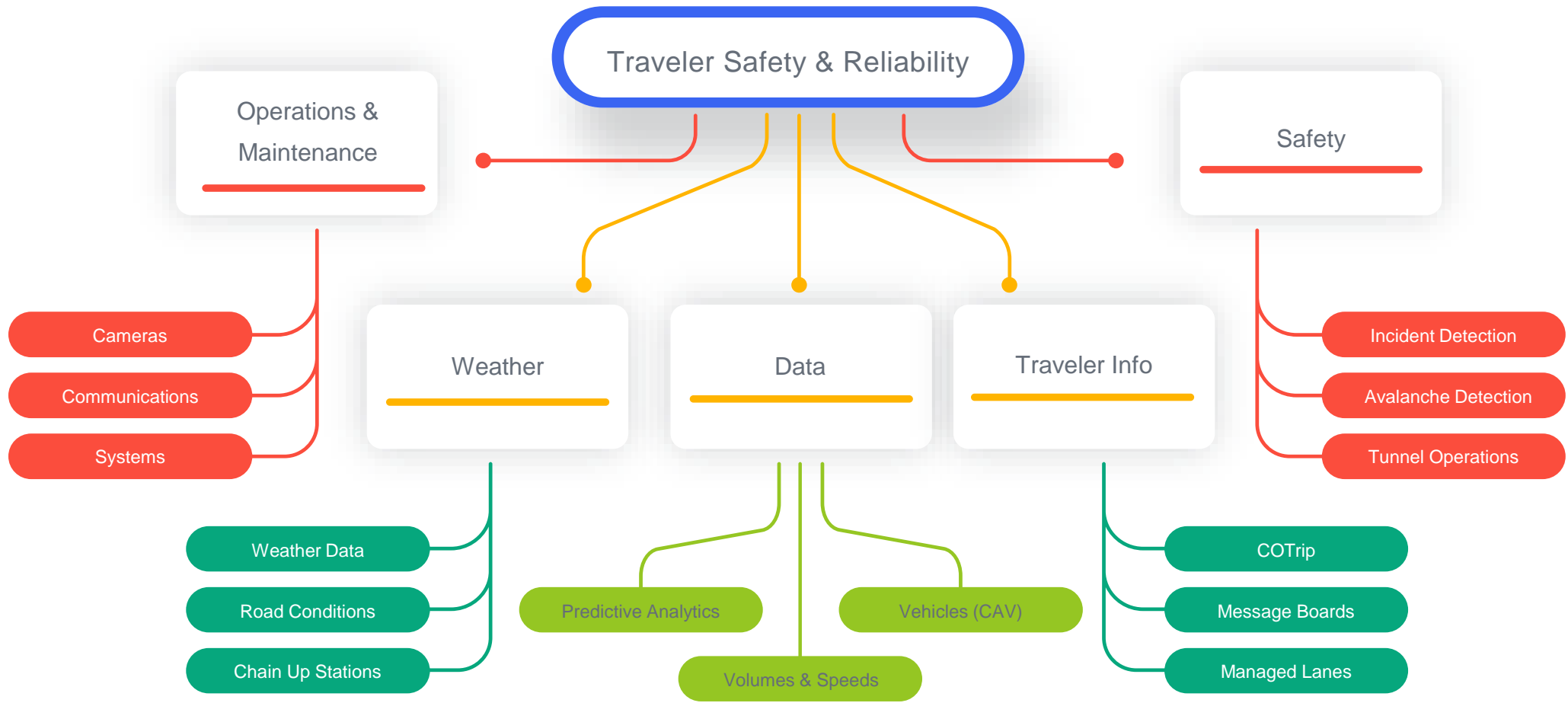


# How Fiber Fits In To CDOT





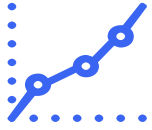
# How Fiber Fits In To CDOT







# Fiber Dashboard



Expansion Rate\*

~700 miles  
(~40%)



Fiber Valuation\*\*

~\$296M+



Current Fiber Miles

~1,600  
~135k fiber strand miles



Fiber Structures

~8,000



Annual Emergencies  
& Damages Requests

2,356



Annual  
Locate Requests

54,005



P3 Agreements

77



Current FTEs

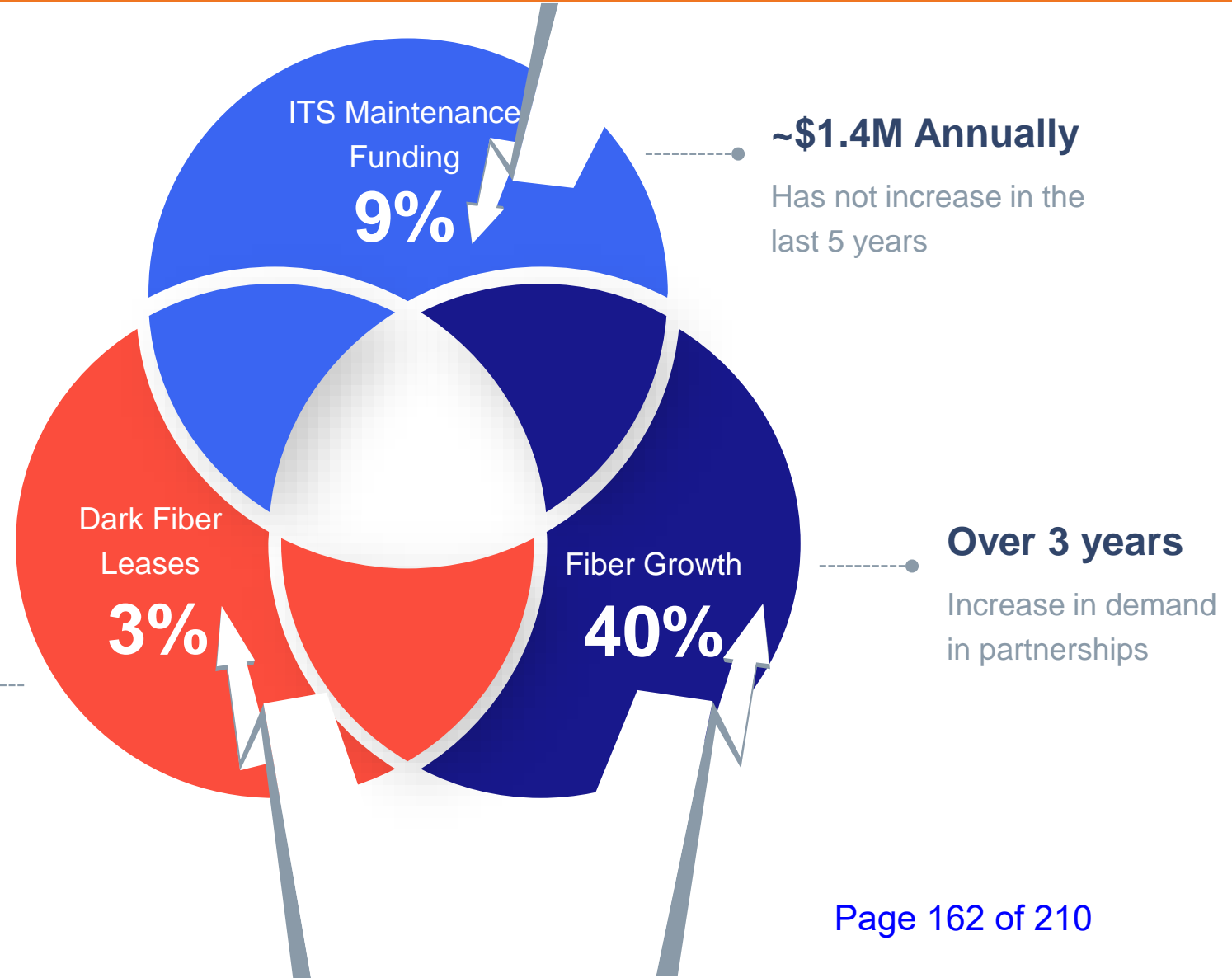
2 Maintenance FTEs  
3 Contracting &  
Administration FTEs



\*Expansion Rate: Within 3 years added 700 miles of fiber (85,200 strand miles) through public private partnerships with zero State dollars.  
\*\*Fiber Valuation: 1,600 mile x \$35 per foot to rebuild or if leased 135,000 fiber strand miles x \$2,650 = ~\$358M



# Fiber DASHBOARD



## Fiber Lease Fees

Sharp increase in demand in the last 12 months; forecast 80% increase annually

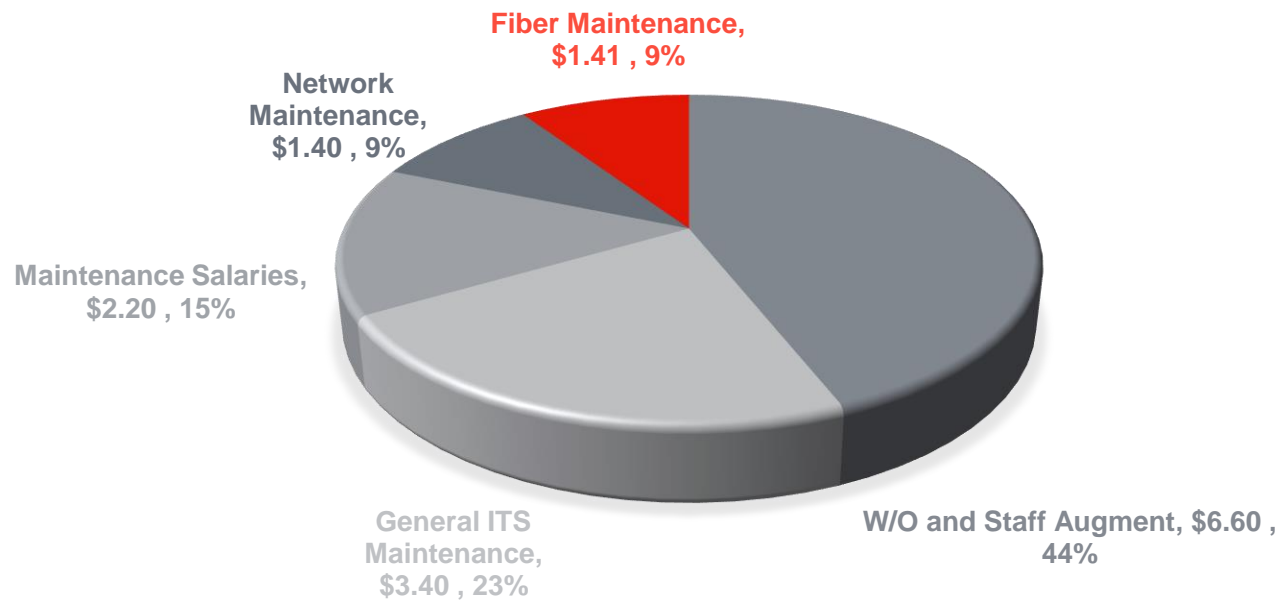


# Fiber Funding

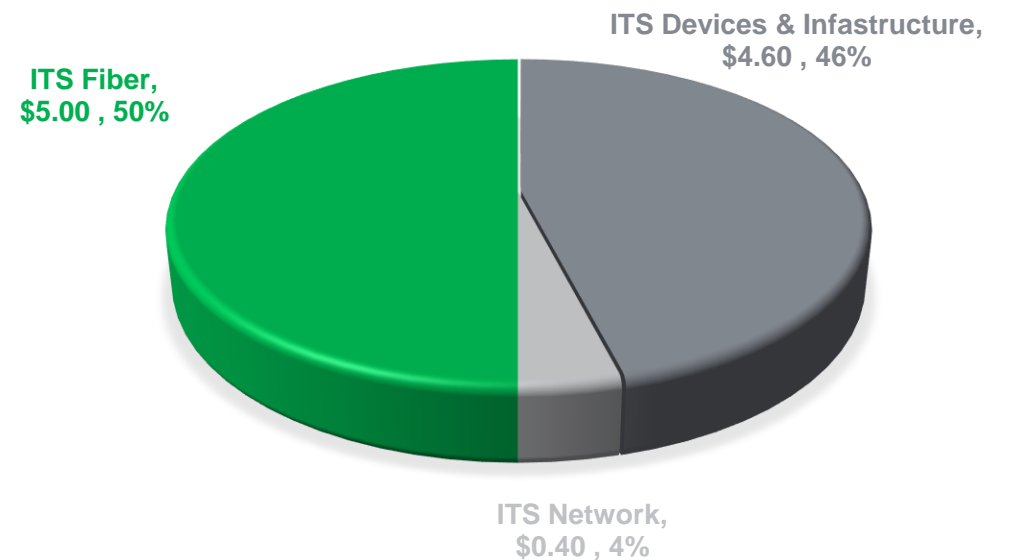
The ITS Asset Management budget fluctuates every cycle through the TAM process.

The uncertainty of funding impacts the stability of the core ITS infrastructure to protect, maintain and repair in a timely manner.

### ITS ASSET MANAGEMENT BUDGET AVERAGE



### ITS CAPITAL BUDGET AVERAGE







# Fiber P3 Process

YEAR 5-25

## Maintain Partnership

Maintain terms and conditions; invoicing; renewal. Max 20-year agreements.

Goal

MONTH 6-24

## Contract Negotiations

Master Service Agreement and initial scope of work

DAY 90

## FMT Reviewed

Unsolicited proposals are presented, reviewed, approved or reject based on value to CDOT

DAY 1

## Initial contact

Discussion of process and unsolicited proposal received

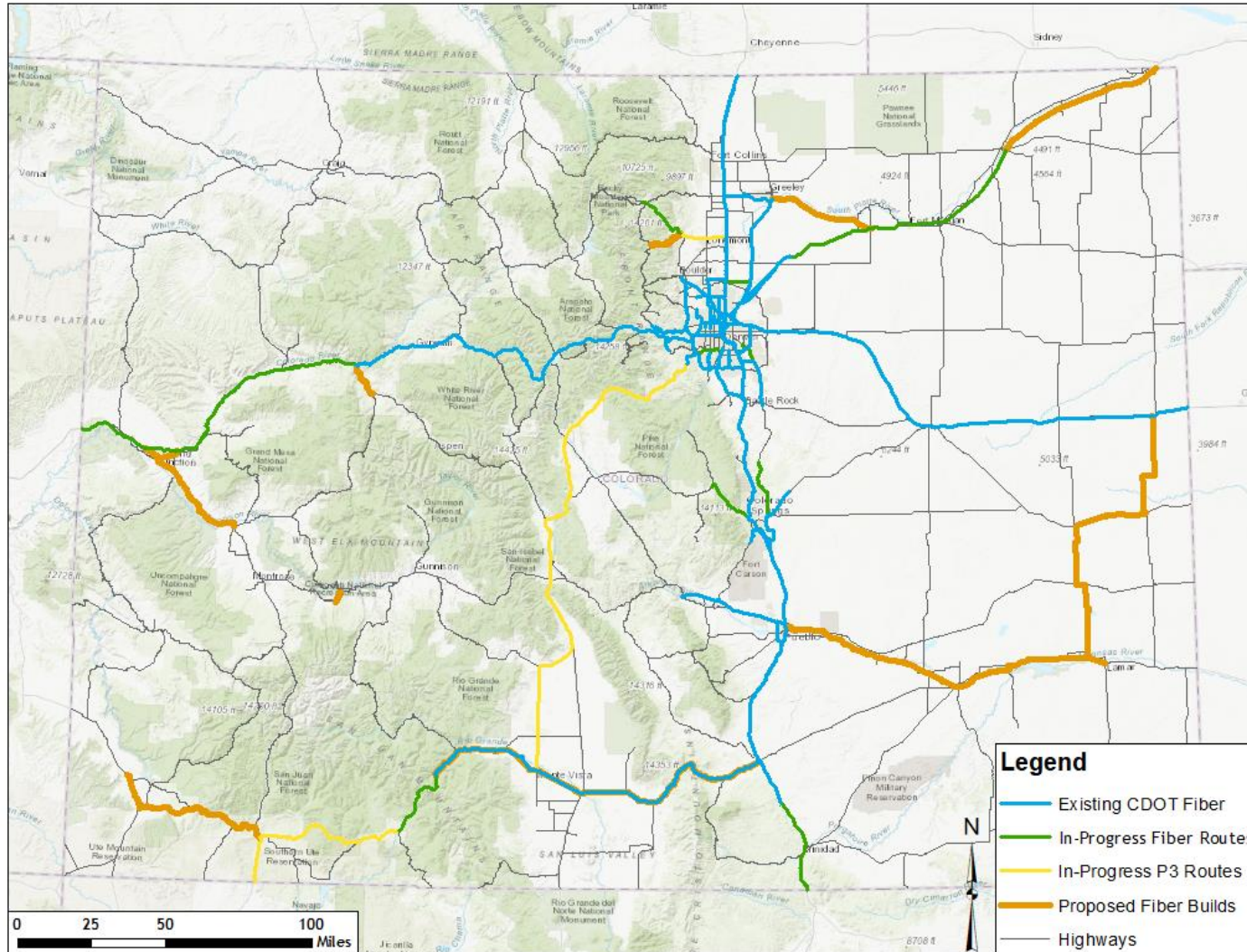
YEAR 2 - 5

## Partner Implements

Partner tightens any loose end on their side to deploy fiber/network; including funding; implements project



# Questions



## Questions

**John Lorme**, Director of DMO  
[John.lorme@state.co.us](mailto:John.lorme@state.co.us)  
303.512.5218

**Bob Fifer**, Deputy Director of Operations  
[Bob.fifer@state.co.us](mailto:Bob.fifer@state.co.us)  
720.323.0674

## More technical and process details

**Bob Fifer**, Deputy Director of Operations  
[Bob.fifer@state.co.us](mailto:Bob.fifer@state.co.us)  
720.323.0674

## Transportation Commission Meeting Minutes February 16-17, 2022

### **Workshops – Wednesday, February 16, 2022, 1:00 pm – 5:00 pm, Virtual via Zoom Meeting**

Video Recording: <https://youtu.be/sfWoAXxw4-s>

#### **Call to Order, Roll Call - Video time 00:02:30**

All eleven 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, and Eula Adams, Yessica Holguin, and Terry Hart.

A motion made by Commissioner Vasquez to convene an Executive Session closed to the public to review confidential commercial, contractual, and financial information related to the State Audit Review of CDOT, and seconded by Commissioner Stanton, passed unanimously. The Commission entered into the Executive Session at 12:05pm and concluded at 12:59pm.

#### **1. FY 23 Final Budget Allocation Plan (Jeff Sudmeier and Bethany Nichols) – Video time 00:58:40**

**Purpose & Action:** Staff reviewed the sixth budget amendment to the FY 2021-22 Annual Budget in accordance with Policy Directive (PD) 703.0. The Division of Accounting and Finance (DAF) requested the TC to review and approve the sixth budget amendment to the FY 2021-22 Annual Budget, resulting in the reallocation of \$1.0 million from TC Program Reserve to Strategic Projects to provide funding for improvements to Cottonwood Pass.

- Commissioners discussed the impacts of inflation and market issues that are impacting particularly maintenance budgets and the desire to adequately fund maintenance budgets to stay ahead of those needs and performance measures. In the short term, staff pointed out that there would be a dip in state funding for maintenance resulting from FASTER fee reductions until the Senate Bill 260 HUTF revenues kick in.
- The final allocation plan will be brought before the Commission in March and in April that will be presented to the Governor.

#### **2. 10-Year Plan Update and Fiscal Constraint (Rebecca White and Amber Blake) – Video time 01:39:08**

**Purpose & Action:** The purpose of this workshop was to provide the TC with an update on the 10- Year Plan financial considerations. No action is required.

- The Non-attainment Enterprise funds, previously included in the overall 10-year Plan funding assumptions, will be considered outside of the statewide equity mix due to its allocation only to the non-attainment areas on the front range. Staff expect the additional carbon reduction dollars to largely offset any impact this may have on region's allocations.
- Staff and the Commissioners generally agreed that a single equity formula using the RPP midpoint and 10% off the top for transit was favorable to having separate transit and non-transit formulas for regional equity.

#### **3. Cottonwood Pass ROW and Conceptual Funding Request (Stephen Harelson) – Video time 02:31:50**

**Purpose & Action:** Staff updated the Commission on considerations for improvements to Cottonwood Pass and obtain funding for Right of Way mapping. The Commission will consider approval of Budget Action providing \$1 million to allow Region 3 staff to contract ROW mapping and advance Context Sensitive Solutions (CSS) process to advance design of interim and long-term improvements.

- Commissioners and staff discussed various considerations related to the improvement of roadways while they remain in county jurisdiction.

#### **4. FTA 5311 Distribution Methodology (Amber Blake) – Video time 03:00:45**

**Purpose & Action:** This workshop outlined a new approach to the FTA 5311 Rural Administration and Operating distribution, by establishing a five-year baseline funding methodology to ensure stable funding to 5311 operators, ensure funding for transit expansions, allow for funding availability to new 5311 agencies, and allow for funding to improve the state of good repair for rural transit agencies. No TC action is required.



- Commissioners were very supportive of eliminating the annual operating grant application process in favor of the proposed changes that include a baseline funding commitment that allows agencies to make longer-term, predictable funding plans. Commissioners will consider approval of these changes in March.

#### **5. MPO Modeling Support (Rebecca White and Erik Sabina) – Video time 03:28:37**

**Purpose & Action:** To approve state Multimodal Transportation and Mitigation Options Fund (MMOF) funding for Metropolitan Planning Organization (MPO) modeling support that would allow the MPOs to build up their modeling capabilities in response to the new Greenhouse Gas (GHG) planning requirements. The TC is requested to adopt by resolution the allocation of \$1 million in state MMOF funding to build MPO modeling capacity and ability to meet the requirements set by the newly adopted GHG Planning Rule.

- Commissioners were in strong support of the assistance to MPOs for their GHG modeling needs and for the evaluation of various mitigation measures and their effect on emissions.

#### **6. GHG Policy Directive Status Update (Rebecca White) – Video time 03:36:26**

**Purpose & Action:** To provide the TC an update on the status of the development of the Policy Directive on GHG Emissions Mitigation Measures and an update on the progress towards compliance for the Greenhouse Gas (GHG) Pollution Reduction Standard for Transportation Planning. No action is required.

- Working through the details, staff will be seeking to find the right balance of having the fundamental framework for scoring criteria in the Policy Directive while leaving some of the math that will evolve and improve over time in the related Procedural Directives. Staff will continue to work with stakeholders as the PD is developed as well as workshop the drafts with the TC and STAC.

### **Innovative Mobility Committee Meeting – Chaired by Commissioners Bracke and Vasquez**

#### **7. Mobility Services Projects (Kay Kelly, Lisa Streisfeld, John Featherstone) – Video time 04:13:23**

**Purpose & Action:** This workshop provided the TC an update on current and planned activities within the Mobility Services Program of the Office of Innovative Mobility. No action is required.

- Staff reviewed progress and activities in its various programs including vehicle electrification, micro-mobility, transit and other Travel Demand Management (TDM) strategies, and various research efforts. Commissioners were interested in the strategies being considered to provide equal access to alternative transportation for low-income and Disproportionately Impacted populations that likely do not have personal banking abilities or personal devices in order to use mobile apps that access and pay for services. Discussion also centered around the challenges to effecting change in the behavior of single-occupancy vehicle users to choose alternative modes.

**Workshop concluded at 5:05pm.**

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

**Video Recording:** <https://youtu.be/eFSWtEZNkko>

#### **1. Call to Order, Roll Call – Video time 00:00:00**

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

#### **2. Public Comments – Video time 00:00:08**

Provided to the Commission in writing prior to the meeting:

- Danny Katz, Executive Director of the Colorado Public Interest Research Group (COPIRG) commented on the need to increase the number of transit projects in the planning process update, improve modeling, and embrace bus rapid transit (BRT) plans, transit and multimodal improvements on urban arterials.
- Marie Venner submitted a written comment on the greenhouse gas (GHG) rule, Sarah Marin submitted public comment on 1/21/22 regarding a grant application, which CDOT does not take a position. Michael Wick submitted a comment on a road diet on US 50 in Delta County. Philip Demosthenes submitted two written comments, one on public

comments should be permissible and one on the topic of safety needing to be given more attention. All written comments were submitted into the record.

### **3. Comments of the Chair and Individual Commissioners – Video time 00:07:18**

- Commissioners commented and thanked CDOT for all their work on various efforts including GHG mitigations, the newly created Nonattainment Enterprise, transportation demand management (TDM), the 10-year plan update, and keeping the roads open through the snowy months. Commissioners also called attention to the need to do more to tackle safety and encourage behavior changes, expand broadband.
- Commissioner Garcia requested a work session item on CDOT's role in supporting broadband expansion.

### **4. Executive Director's Management Report (Shoshana Lew) – Video link: 00:35:30**

- Commented on what an amazing job the maintenance team has done at keeping roads safe through the storms.
- Called attention to a report on 2021 accomplishments and what to focus on going forward and how it supports the success of the 10-year plan particularly with regard to helping us pave a record number of miles.
- Thanked the CDOT Office of Innovative Mobility (OIM) team for all of their work on TDM and for putting on a great event last Friday

### **5. Chief Engineer's Report (Steve Harelson) – Video time: 00:41:00**

- Noted the retirement of Paul Neeman after 28 years of remarkable service.
- Bidding and inflation pressures: Looked at bidding records and estimates were 6% high, and 28 were outside award criteria, but within historic tolerances for last year. This year, 7 out of 11 bids this year have been within normal amounts, and four were extremely high, but they were all for difficult projects.
- National Highway Transportation Safety Administration (NHTSA) study showed that Utah's law lowering the threshold for driving under the influence (DUIs) to .05% blood-alcohol-content (BAC) has coincided with lower fatal and serious bodily injury (SBI) crash rates by 5%.
- Called attention to car manufacturers role in safety, commenting on horsepower in engines becoming increasingly powerful which may be contributing to the speeding issues, which may impact design needs.

### **6. Colorado Transportation Investment Office (CTIO) Director's Report (Nick Farber) – Video time 00:50:04**

- The Colorado Transportation Investment Office (CTIO) Board, formerly known as the HPTE Board, at their last meeting: the Board approved 5-year extension with the E470 highway authority on the tolling services agreement from 6/30/23 to 6/30/28 with 2 years to negotiate wind down provisions. Board also approved a phase 2 scope of work with a California emerging technology tolling company.
- I-70 Mountain Express lane pilot: Testing new technology to enable enforcement of toll violations including the ability to identify weaving, license plate tampering, and oversized vehicles. Karen Stuart commented on what an exciting pilot this is.
- Phase 2 submission of ROADIS unsolicited proposal is due on March 15th.

### **7. Federal Highway Administration (FHWA) Colorado Division Administrator's Report (John Cater) – Video time 00:56:38**

- Planning Certification review: Congratulated the Pikes Peak Area Council of Governments (PPACG) on their excellent Planning Certification review, which looks at the effectiveness of the planning process in Metropolitan Planning Organizations (MPOs).
- The new FHWA Deputy Program Manager, Andy Wilson, will be starting in March.

### **8. Statewide Transportation Advisory Committee (STAC) Report (STAC Chair, Vince Rogalski) – Video time 01:00:05**

- Vince summarized STAC discussions on new state and federal legislation, the GHG mitigation measures, EV conversion, the 10-year plan, and transportation funding.
- He called attention to STAC's position that the Nonattainment Enterprise funds should not be included in the equity formula for the 10-year plan update.

**9. Legislative Update, Office of Policy and Government Relations (Andy Karsian) - Video time 01:08:02**

- Bike safety bill passed out of committee, so will be following that, and continuing to testify regarding CDOT's concerns on the bill.
- Senator Scott Bill: testified against SB22- 96 on the budget reporting process, so that bill died, and then bill seeking oversight on dispute resolution also died in committee
- HB22-1080 elections for speed enforcement technology (cameras): CDOT testified against the bill on request of the Governor's office.
- Upcoming bills: Continue to monitor the bill seeking to amend out the Division of Aeronautics, the worker's compensation bill and some air quality bills.
- Chair Hall commented that she did a lot to try to defeat the bills that Senator Scott introduced.

**10. Consent Agenda – Video time 01:12:54**

- A Motion by Commissioner Hart to approve without changes, seconded by Commissioner Stanton, passed unanimously.
- Proposed Resolution #1: Approve the Regular Meeting Minutes of January 20, 2022 (Herman Stockinger)
- Proposed Resolution #2: IGA Approval >\$750,000 (Steve Harelson)

**11. Resolution #3: 8th Budget Supplement of FY 2022 (Jeff Sudmeier) – Video time 01:14:19**

- A Motion by Commissioner Stanton to approve and seconded by Commissioner Holguin passed unanimously.
- Commissioner Vasquez asked if the \$1M will be subject to a claim against emergency funds to avoid a permanent hit to the budget. Chief Engineer Harelson responded that they have used indirect costs estimated at \$5M in net present value, and they will work to capture some emergency funds to do cover those costs.
- Commissioner Vasquez asked who will retain control of the road. Chief Engineer Harelson responded that counties are insisting that it remain a county road, so CDOT intends to help the locals construct it as a local agency project through resiliency grants in the new Infrastructure bill, but that it will remain a local project.

**12. Resolution #4: 6th Budget Supplement (Jeff Sudmeier) – Video time 01:19:56**

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

**13. Resolution #5: MPO Modeling Support (Rebecca White and Erik Sabina) – Video time 01:22:51**

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

**14. Recognitions:** none

**15. Other Matters:** none

**Meeting Adjourned: 10:26AM**

**USDOT Presentation on National Roadway Safety Strategy – Video link: 01:44:09**

**TC Ad Hoc Agency Coordination Committee – Thursday, February 3, 2022, 10-11 a.m., Wednesday, February 23, 1-2 p.m.**

On May 20, 2021, the TC Chair established a TC Ad Hoc Committee to study and discuss how to amend the TC planning rules to incorporate pollution reduction standards as required by recently passed legislation. On February 3, 2022 and February 23, 2022, Committee members Commissioner Hickey, Commissioner Stuart, and Commissioner Vasquez met with counsel from the Attorney General's Office and CDOT staff to discuss next steps that are needed in connection the Transportation Commission Planning Rules that were amended in December 2021 to include pollution mitigation measures including the drafting of policy and procedural directives outlining allowable mitigation measures.



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

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

## Memorandum

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**TO: Transportation Commission**

**FROM: Marci Gray & Lauren Cabot**

**DATE: March 3, 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





**MEMORANDUM**

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**TO: THE TRANSPORTATION COMMISSION**  
**FROM: STEPHEN HARELSON, P.E. CHIEF ENGINEER**  
**DATE: MARCH 3, 2022**  
**SUBJECT: FORMER KIT CARSON MAINTENANCE SITE**

**Purpose**

CDOT Region 4 is proposing to dispose of the former Kit Carson Maintenance site which is approximately 19,500 square feet (0.448 acres). The Property is no longer needed for CDOT Purposes. The property will be conveyed at fair market value in accordance with (C.R.S) 43-1-210(5).

**Action**

CDOT Region 4 is requesting a resolution approving the disposal of the former Kit Carson Maintenance site which is approximately 19,500 square feet (0.448 acres) that is no longer needed for transportation or maintenance purposes.

**Background**

The parcel was originally acquired in 1954 for use as a maintenance site. The site contains an F rated maintenance building that was constructed in 1970. A new maintenance building was constructed on another CDOT owned property in Kit Carson in 2017. After CDOT moved from its maintenance functions to the new site, the old site was leased to a contractor who was completing a highway project for CDOT. The project is now complete, and the contractor has vacated the property. CDOT does not have a need to maintain ownership of this property.

**Next Steps**

Upon approval of the Transportation Commission, CDOT will convey the parcel in accordance with C.R.S. 43-1-210(5). CDOT will execute a quitclaim deed to convey the subject property in exchange for fair market value. The deed will be recorded in the office of the Cheyenne County Clerk and Recorder. Funds from the disposal shall be disbursed in accordance with Section 7.2.15 of the CDOT Right of Way Manual.

**Attachments**

Exhibits Depicting the Disposal Property





## Former Kit Carson Maintenance Site Legal Description and Exhibit

Legal description of the Kit Carson property: The property is legally described in the records of Cheyenne County as Lots 13 through 18, Block 15, Original Town, Kit Carson, Colorado.





# COLORADO

## Department of Transportation

Division of Transit & Rail

**DATE:** March 17, 2022

**TO:** Transportation Commission

**FROM:** Amber Blake, Director - Division of Transit and Rail

Qing Lin, Programming Unit Manager, Division of Transit and Rail

Peter Hadley, Transit and Rail Planner, Division of Transit and Rail

Nate Vander Broek, Bicycle Pedestrian Manager, Division of Transportation Development

**RE:** FTA 5311 Rural Administration and Operating Baseline Funding Methodology for FY 2023-2028

### Purpose

Request to approve a new approach to the FTA 5311 Rural Administration and Operating distribution, by establishing a five-year baseline funding methodology to ensure stable funding to 5311 operators, ensure funding for transit expansions, allow for funding availability to new 5311 agencies, and allow for funding to improve the state of good repair for rural transit agencies. This item was presented to the Transportation Commission at the February 16, 2022 Workshop.

### Action

Seeking Transportation Commission (TC) approval of a Baseline Admin and Operating Methodology for the distribution for FTA 531 2023-2028.

### Background

- In 2016, The Division of Transit and Rail (DTR) began a two-year effort to create a 5311 operating assistance redistribution formula methodology with the Transit and Rail Advisory Committee (TRAC) and a newly formed 5311 methodology subcommittee of TRAC.
- In 2017, DTR and the TRAC subcommittee reached consensus on a new distribution methodology.
- On 4/20/2017, TC approved the methodology, based on agency size and equity considerations, for 2018 5311 operating funds distribution.
- On 3/3/2018, TC approved a 5-year transition plan which covers 2019 to 2023 based on the formula methodology. The transition plan allowed local agencies to adjust to the increase or decrease in funding level through a six-year period (1+5 years, 2018 to 2023).
- DTR has implemented the approved distribution formula to Colorado 5311 transit operators over the last 5 year.
- The only major issue reported on the new methodology was a protest from the City of Durango due to the formula creating a 54% funding cut, which resulted in a significant reduction in service.
- Over the past years, 6 new agencies have applied and were awarded FTA 5311 operating funds.

### Details

- DTR is in the process of preparing for the 2023 Call for projects which is expected to be released in May 2022.
- The purpose of the baseline funding methodology is to ensure a base level of funding to existing 5311 transit agencies, to allow funding for strategic transit service enhancements, and to allow available funding for new agencies to enter the 5311 program.
- In developing this recommendation, DTR Staff interviewed 5311 operators who anticipated a significant increase or decrease in funding in 2023 based on the original formula.

- Staff conducted a 5-year fiscal analysis to ensure baseline funding levels could be met. The 5-year financial analysis included the following assumptions:
  - 20% increase on 2022 5311 apportionment and 2% annual increases for the following years. (Awaiting FTA apportionment)
  - Roll forward \$6 million State Admin funds from CARES Act for the next 5 years, \$1.2 million each year.
  - Retain \$7 million from 2022 5311 funds for the next 5 years' capital needs, distributing \$1.4 million each year.
- Staff presented this recommendation to TRAC on January 14th. TRAC unanimously supported the baseline funding methodology.

### Recommendation

- DTR staff proposes and recommends a formula modification to 5311 annual distributions to establish a baseline funding methodology for the next five years (2023-2028):
  - Agencies expecting an award increase will receive the full anticipated amount per the original formula.
  - Agencies expecting an award decrease will remain at 2022 funding levels per the original formula.
  - Total operating and admin awards to existing transit agencies will result in an 8% increase over 2022 (Year 5) formula funding levels. **Attachment 1**
  - Over the next 5 years a 2% annual increase will be applied to operating allocations/baseline funding levels.
- DTR Staff will begin evaluating this scenario and the baseline funding levels in 2024, to ensure the 5311 methodology is meeting the goals of ensuring baseline funding, funding strategic transit expansion, and allowing funding for new 5311 transit operators.
- 2024-2027 DTR Staff will work with transit agencies to evaluate the effectiveness of the baseline funding levels and any necessary changes to the methodology.
- DTR Staff will bring any necessary changes to the methodology to the Transportation Commission for years 2028-2032 in 2027.

### Benefits

- The proposed methodology and five-year financial plan provide sustainable funding levels to maintain this scenario over the next five years, moreover, this scenario also provides available funds necessary to fund new agencies, expand existing services and to meet a state of good repair.
- The establishment of baseline funding will streamline the annual call for projects. Existing 5311 agencies will not be required to submit a full application. Instead, 5311 agencies will only need to update agency information and certify the services and programs they provide with 5311 funding.
- This new process will streamline the award and contracting process and allow resources to focus on new agencies or existing agencies seeking expansion.

### Next Steps

- Release the 2023 Call for Projects in late May 2022.
- Execute 5311 Admin and Operating contracts prior to January 1, 2023.

**Attachment 1 Baseline Funding Methodology Allocations 2023**

Agency	Size Category	Orig Formula Year 5 (2022)	Orig Formula Year 6 (2023)	Baseline Methodology Year 6 (2023)	Increases maintained in baseline funding	Decreases avoided in baseline funding methodology
Archuleta County	Very Small	\$ 93,438	\$ 93,438	\$ 93,438	\$ -	\$ -
Dolores County Seniors	Very Small	\$ 53,806	\$ 83,160	\$ 83,160	\$ 29,354	\$ -
Disability Services, Inc.	Very Small	\$ 59,300	\$ 59,300	\$ 59,300	\$ -	\$ -
La Junta	Very Small	\$ 103,980	\$ 175,725	\$ 175,725	\$ 71,745	\$ -
Montezuma County Seniors	Very Small	\$ 96,806	\$ 156,520	\$ 156,520	\$ 59,714	\$ -
Bent County	Small	\$ 162,881	\$ 279,187	\$ 279,187	\$ 116,306	\$ -
Clear Creek County	Small	\$ 135,722	\$ 145,289	\$ 145,289	\$ 9,567	\$ -
Cripple Creek	Small	\$ 239,205	\$ 266,189	\$ 266,189	\$ 26,984	\$ -
East Central COG	Small	\$ 189,595	\$ 189,595	\$ 189,595	\$ -	\$ -
Jefferson County SRC	Small	\$ 294,847	\$ 294,847	\$ 294,847	\$ -	\$ -
Lake County	Small	\$ 132,441	\$ 132,441	\$ 132,441	\$ -	\$ -
Park County	Small	\$ 45,000	\$ 45,000	\$ 45,000	\$ -	\$ -
Neighbor to Neighbor - Eagle Line	Small	\$ 68,500	\$ 68,500	\$ 68,500	\$ -	\$ -
Neighbor to Neighbor	Small	\$ 148,314	\$ 148,314	\$ 148,314	\$ -	\$ -
Prowers County	Small	\$ 215,927	\$ 215,927	\$ 215,927	\$ -	\$ -
SCCOG	Small	\$ 325,446	\$ 325,446	\$ 325,446	\$ -	\$ -
SUCAP	Small	\$ 246,144	\$ 247,300	\$ 247,300	\$ 1,156	\$ -
Teller Senior Coalition	Small	\$ 126,744	\$ 126,744	\$ 126,744	\$ -	\$ -
Upper Arkansas Area COG	Small	\$ 282,425	\$ 321,939	\$ 321,939	\$ 39,514	\$ -
Via Mobility	Small	\$ 308,936	\$ 308,936	\$ 308,936	\$ -	\$ -
Estes Park	Medium	\$ 35,000	\$ 35,000	\$ 35,000	\$ -	\$ -
All Points Transit	Medium	\$ 358,909	\$ 466,491	\$ 466,491	\$ 107,582	\$ -
Avon	Medium	\$ 245,980	\$ 245,980	\$ 245,980	\$ -	\$ -
Black Hawk - Central City	Medium	\$ 112,884	\$ 112,884	\$ 112,884	\$ -	\$ -
Crested Butte	Medium	\$ 300,787	\$ 300,787	\$ 300,787	\$ -	\$ -
Glenwood Springs	Medium	\$ 314,716	\$ 314,716	\$ 314,716	\$ -	\$ -
SMART	Medium	\$ 182,160	\$ 182,160	\$ 182,160	\$ -	\$ -
Gunnison Valley RTA	Medium	\$ 242,618	\$ 242,618	\$ 242,618	\$ -	\$ -
NECALG	Medium	\$ 476,072	\$ 476,072	\$ 476,072	\$ -	\$ -
SRDA	Medium	\$ 102,853	\$ 159,995	\$ 159,995	\$ 57,142	\$ -
Telluride	Medium	\$ 149,260	\$ 145,892	\$ 149,260	\$ -	\$ 3,369
Breckenridge	Large	\$ 240,142	\$ 330,868	\$ 330,868	\$ 90,727	\$ -
Durango	Large	\$ 787,043	\$ 413,095	\$ 787,043	\$ -	\$ 373,948
Snowmass	Large	\$ 359,598	\$ 458,527	\$ 458,527	\$ 98,930	\$ -
Steamboat Springs	Large	\$ 461,397	\$ 454,095	\$ 461,397	\$ -	\$ 7,302
Winter Park	Large	\$ 226,203	\$ 358,501	\$ 358,501	\$ 132,298	\$ -
Eagle County	Very Large	\$ 420,790	\$ 420,790	\$ 420,790	\$ -	\$ -
Mountain Village	Very Large	\$ 133,354	\$ 133,354	\$ 133,354	\$ -	\$ -
RFTA	Very Large	\$ 1,201,678	\$ 1,201,678	\$ 1,201,678	\$ -	\$ -
Town of Vail	Very Large	\$ 229,274	\$ 229,274	\$ 229,274	\$ -	\$ -
Summit County	Very Large	\$ 466,716	\$ 466,716	\$ 466,716	\$ -	\$ -
<b>Total</b>		<b>\$ 10,376,892</b>	<b>\$ 10,833,291</b>	<b>\$ 11,217,909</b>	<b>\$ 841,017</b>	<b>\$ 384,618</b>



**MEMORANDUM**

**TO: THE TRANSPORTATION COMMISSION**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**BETHANY NICHOLAS, BUDGET DIRECTOR**  
**DATE: MARCH 17, 2022**  
**SUBJECT: NINTH BUDGET SUPPLEMENT - FY 2021-2022**

**Region 3**

\$2,529,715 - **Strategic Projects and Surface Treatment - US 6 North Avenue**- Request additional funding to award project 23110. Increased cost estimate is due to required nighttime paving intended to reduce the impacts to the traveling public. The bidding contractors also expressed that there are additional costs in installation of curb and gutter, milling, and paving operations due to additional traffic control restrictions on the corridor.

Additionally, this action reprioritizes Senate Bill 1 savings funds from to the US 6 Fruita to Palisade Safety Improvements project on the 10 Year Plan.

**US 6 North Avenue**  
*Budget Components by Phase, Funding Program, Fiscal Year*

Phase of Work	Funding Program	Original Budget	Funding Request				Revised Budget	Expended To-Date
			Previous Adjustments	Current Request	Total Adjustments	Total Adjustment Percent		
Right of Way	<i>Strategic Projects</i>	\$35,000	\$0	(\$17,448)	(\$17,448)		\$17,552	\$12,552
	<b>Total Design</b>	<b>\$35,000</b>	<b>\$0</b>	<b>(\$17,448)</b>	<b>(\$17,448)</b>	<b>-50%</b>	<b>\$17,552</b>	<b>\$12,552</b>
Design	<i>Strategic Projects</i>	\$150,000	\$0	(\$68,374)	(\$68,374)		\$81,626	\$150,000
	<i>Regional Design Funds</i>	\$750,000	\$0	\$0	\$0		\$750,000	\$523,545
	<b>Total Design</b>	<b>\$900,000</b>	<b>\$0</b>	<b>(\$68,374)</b>	<b>(\$68,374)</b>	<b>-8%</b>	<b>\$831,626</b>	<b>\$673,545</b>
Construction	<i>Strategic Projects</i>	\$4,830,766	\$0	\$1,731,319	\$1,731,319		\$6,562,085	\$0
	<i>Surface Treatment</i>	\$4,500,000	\$0	\$798,396	\$798,396		\$5,298,396	\$0
	<b>Total Construction</b>	<b>\$9,330,766</b>	<b>\$0</b>	<b>\$2,529,715</b>	<b>\$2,529,715</b>	<b>\$0</b>	<b>\$11,860,481</b>	<b>\$0</b>
	<b>Total Project</b>	<b>\$10,265,766</b>	<b>\$0</b>	<b>\$2,443,893</b>	<b>\$2,443,893</b>	<b>24%</b>	<b>\$12,709,659</b>	<b>\$686,097</b>

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



**Transportation Commission Contingency Reserve Fund Reconciliation  
Ninth Supplement FY 2022 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-21	Balance 12S21		\$48,025,918	
July-21	Balance 1S22		\$48,043,920	
August-21	Balance 2S22		\$31,971,890	
September-21	Balance 3S22		\$31,971,890	
October-21	Balance 4S22		\$31,971,890	
November-21	Balance 5S22		\$31,973,906	
December-21	Balance 6S22		\$31,900,607	
January-22	Balance 7S22		\$31,879,892	
February-22	Balance 8S22		\$36,681,542	
	Match for 2013 Flood Project	\$ (165,600)		1000298058
	Return savings from 2013 Flood Projects	\$264,066		1000299279
March-22	Pending Balance 9S22		\$36,780,008	

**Transportation Commission Contingency COVID Reserve Fund Reconciliation  
Ninth Supplement FY 2022 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-21	Balance 12S21		\$1,000,000	
July-21	Balance 1S22		\$1,000,000	
August-21	Balance 2S22		\$1,000,000	
September-21	Balance 3S22		\$1,000,000	
October-21	Balance 4S22		\$1,000,000	
November-21	Balance 5S22		\$1,000,000	
December-21	Balance 6S22		\$1,000,000	
January-22	Balance 7S22		\$1,000,000	
February-22	Balance 8S22		\$1,000,000	
March-22	Pending Balance 9S22		\$1,000,000	

**Transportation Commission Program Reserve Fund Reconciliation  
Ninth Supplement FY 2022 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-21	Balance 12S21		\$17,558,266	
July-21	Balance 1S22		\$17,199,014	
August-21	Balance 2S22		\$16,199,014	
September-21	Balance 3S22		\$16,199,014	
October-21	Balance 4S22		\$46,692,784	
November-21	Balance 5S22		\$46,692,784	
December-21	Balance 6S22		\$45,992,784	
January-22	Balance 7S22		\$45,992,784	
February-22	Balance 8S22		\$44,992,784	
	Enterprise Loan	\$ (149,050)		1000299278
March-22	Pending Balance 9S22		\$44,843,734	





**Transportation Commission Maintenance Reserve Reconciliation  
Ninth Supplement FY 2022 Budget**

<b>Transaction Date</b>	<b>Transaction Description</b>	<b>Amount</b>	<b>Balance</b>	<b>Reference Document</b>
June-21	<i>Balance 12S21</i>		<b>\$13,863,597</b>	
July-21	<i>Balance 1S22</i>		<b>\$13,863,597</b>	
August-21	<i>Balance 2S22</i>		<b>\$13,863,597</b>	
September-21	<i>Balance 3S22</i>		<b>\$13,863,597</b>	
October-21	<i>Balance 4S22</i>		<b>\$13,863,597</b>	
November-21	<i>Balance 5S22</i>		<b>\$13,863,597</b>	
December-21	<i>Balance 6S22</i>		<b>\$13,863,597</b>	
January-22	<i>Balance 7S22</i>		<b>\$13,863,597</b>	
February-22	<i>Balance 8S22</i>		<b>\$13,863,597</b>	
March-22	<i>Pending Balance 9S22</i>		<b>\$13,863,597</b>	

**Transportation Commission Contingency Reserve Fund  
Emergency and Permanent Repairs-Nonparticipating costs and state match**

**September 11, 2013 Flood Related Monthly Activity**

<b>Reg</b>	<b>State Highway</b>	<b>Mile posts</b>	<b>Project Description</b>	<b>County</b>	<b>Total Budget TCCRF</b>
	007A	19.000 33.000	PR CO 7 Flood Repairs	Boulder	\$ 165,600
Total					\$ 165,600

**Spring 2015 Flood Related Monthly Activity**

<b>Reg</b>	<b>State Highway</b>	<b>Mile posts</b>	<b>Project Description</b>	<b>County</b>	<b>Total Budget TCCRF</b>
					\$ -
Total					\$ -

**Grand Total TCCRF Activity for Emergency Relief Since Last Reporting** \$ 165,600



FY 2021-2022 Contingency Reserve Fund Balance Projection		
February		
TC Contingency Balance (Emergencies)	\$32,879,892	
<i>Pending Requests:</i>		
Match for 2013 Flood Event Projects	(\$165,600)	
Return Savings from 2013 Flood Event Projects	\$264,066	
Pending March		
TC Contingency Reserve Balance	\$32,978,358	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
State Match for Emergency Relief/Permanent Recovery	(\$2,000,000)	(\$5,000,000)
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
I-70 Glenwood Canyon Slides Repayment	\$0	\$10,000,000
Projected FY 2021-2022 YE Contingency Balance	\$30,978,358	\$37,978,358
<b>TCCRF Surplus (Deficit) to Reach \$25M Balance July 1, 2022</b>	<b>\$5,978,358</b>	<b>\$12,978,358</b>

FY 2021-2022 Program Reserve Fund Balance Projection		
February		
TC Program Reserve Balance	\$45,992,784	
<i>Pending Requests:</i>		
Enterprises Loan	(\$149,050)	
Pending March		
TC Program Reserve Fund Balance	\$45,843,734	
<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
FRPR Loan Repayment	\$1,620,000	\$1,620,000
Projected FY 2021-2022 YE Program Reserve Balance	\$65,523,734	\$65,523,734

FY 2021-2022 Maintenance Reserve Fund Balance Projection		
February		
TC Maintenance Reserve Balance	\$13,863,597	
<i>Pending Requests:</i>		
No Requests this Month	\$0	
Pending March		
TC Maintenance Reserve Fund Balance	\$13,863,597	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
	\$0	\$0
Projected FY 2021-2022 YE Maintenance Reserve Balance	\$13,863,597	\$13,863,597



  
COLORADO  
**Transportation  
Investment Office**  
MEMORANDUM

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**TO:** THE COLORADO TRANSPORTATION COMMISSION  
**FROM:** NICHOLAS FARBER, CTIO DIRECTOR;  
PIPER DARLINGTON, CTIO BUDGET AND SPECIAL PROJECT MANAGER  
**DATE:** MARCH 17, 2022  
**SUBJECT:** APPROVAL OF THE FISCAL YEAR 2022-23 FEE FOR SERVICE INTRA-AGENCY AGREEMENT BETWEEN CTIO AND CDOT

**Purpose:**

To present the Fiscal Year (FY) 2022-23 Fee for Service Intra-Agency Agreement (IAA), including a \$4.0 M payment and the FY 2022-23 Statement of Work (SOW), between the High Performance Transportation Enterprise (HPTE) dba <sup>1</sup> Colorado Transportation Investment Office (CTIO) and the Colorado Department of Transportation (CDOT).

**Requested Action:**

Staff is seeking approval of proposed resolution TC #2022-03-08 authorizing the IAA, \$4.0 M payment, and proposed SOW between CTIO and CDOT for FY 2022-23.

**Background:**

In recognition of the specialized nature of the expertise and services CTIO provides to CDOT, CDOT pays CTIO through a Fee for Service IAA. This IAA documents the terms of the overall business relationship between CDOT and CTIO. It includes the annual SOW CDOT wishes CTIO to provide in FY 2022-23, the hours provided by CTIO staff to deliver the work, and the process by which CTIO charges CDOT for the fair market value of the services provided.

**Current Details:**

For FY 2022-23, the value of services corresponds to the \$4.0 M CTIO Fee for Service allocation that the Transportation Commission (TC) is asked to approve as part of the annual budget adoption in March. The payment amount for FY 2022-23 has not increased over the current FY 2021-22 fee for service payment. In addition to hours that will be provided by CTIO consultants and subject matter experts, CTIO estimates that internal staff will dedicate 10,800 hours to delivering the tasks outlined in the SOW. Several key initiatives that CTIO will undertake in the Fiscal Year 2022-23 SOW include:

- Implement and oversee contract compliance and monitoring framework for the operating period of the Central 70 Project Agreement. Independent monitoring ensures that the contractor achieves levels of service established for the corridor under the contract and that non-compliance points are accurately assessed to determine if they are not met. This will ensure that CDOT is accurately paying for operations and maintenance expenses.

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<sup>1</sup> The High Performance Enterprise (HPTE) remains the name for the Enterprise in all legal, contractual, and legislative documents, but following a rebranding in 2021 HPTE will be referred to as the Colorado Transportation Investment Office in all other documents.



- Lead the process of complying with all Federal Highway Administration (FHWA) reporting requirements for TIGER, BUILD, and INFRA grants received for Managed Lane corridor projects. Tasks include collecting and reporting on safety data for all lanes in Managed Lane corridors including I-70 Eastbound Mountain Express Lane (MEXL) and I-25 North U.S. 36 to 120<sup>th</sup> (Segment 2). Ongoing reporting and monitoring of safety metrics ensure a safe environment for all drivers, not just those who choose to use the Express Lanes.
- Implement dynamic tolling (also called congestion pricing) across the Managed Lane system. This sophisticated tolling strategy will provide optimal congestion management over the current time-of-day tolling strategy on all Managed Lane corridors and will be critical for all lanes of the interstate as overall traffic increases with projected population growth

See Exhibit A under Attachment A: Fiscal Year 2022-23 Fee for Service Intra-Agency Agreement for a complete description of all activities to be performed by CTIO.

### Key Policy Considerations

- The fee for service model describes the business relationship between CTIO and CDOT and enables CTIO to recoup the fair market value of its services to CDOT in an exchange transaction.
- The fee for service TABOR enterprise model has been validated by the Colorado Attorney General's Office in a legal opinion discussing the hospital provider fee.
- Documents the necessary contractual obligations between CDOT and CTIO.
- Approval of the IAA will reinforce the mutually beneficial partnership between CDOT and CTIO and fairly compensates CTIO for the value it provides to CDOT.

### Options/Decision Matrix:

1. Review and approve the IAA, \$4.0 M payment, and SOW for FY 2022-23. **Staff Recommendation.**
2. Review the IAA, \$4.0 M payment and SOW, but with instructions to add to the SOW for particular projects or programs. Staff would make the necessary revisions and return with a revised SOW and increased budget supplement at the beginning of the next fiscal year.
3. Review the IAA, \$4.0 M payment and SOW, but with instructions to eliminate or reduce the SOW for particular projects or programs. Staff would make the necessary revisions and return with a revised SOW and budget at the beginning of the next fiscal year.

### Next Steps:

- CTIO budget staff will coordinate with the Office of Financial Management and Budget (OFMB) to ensure that the approved \$4.0 M FY 2022-23 fee for service amount is distributed appropriately and available for use at the beginning of the fiscal year.
- CTIO program staff will provide a mid-year update to the CTIO Board, CDOT, and the Transportation Commission on the progress being made to complete the activities outlined in the approved FY 2022-23 SOW.

### Attachment:

Attachment A: Fiscal Year 2022-23 Fee for Service Intra-Agency Agreement



# STATE OF COLORADO INTERAGENCY AGREEMENT

## COVER PAGE

<p><b>Paying State Agency</b> Department of Transportation</p>	<p><b>Agreement Numbers</b> Insert CMS Number or Other Agreement Number Encumbrance Number or Financial System Designation</p>		
<p><b>Performing State Agency</b> High Performance Transportation Enterprise (HPTE)</p>	<p><b>Agreement Performance Beginning Date</b> The Effective Date</p>		
<p><b>Agreement Maximum Amount</b> Term</p> <p style="text-align: right;">State Fiscal Year 2022                      \$4,000,000</p>	<p><b>Agreement Expiration Date</b> June 30, 2023</p>		
<p>Total for All State Fiscal Years                      \$4,000,000</p>	<p><b>Agreement Authority</b> §§43-1-110 and 43-4-806(6)(g) and (h), C.R.S.</p>		
<p><b>Agreement Purpose</b> The purpose of this Agreement is for CDOT to compensate HPTE for the fair market value of certain services to be provided to CDOT during Fiscal Year 2022-23</p>			
<p><b>Exhibits and Order of Precedence</b> The following Exhibit(s) and attachment(s) are included with this Agreement:</p> <ol style="list-style-type: none"> <li>1. Exhibit A – Statement of Work and Budget.</li> </ol> <p>In the event of a conflict or inconsistency between this Agreement and any Exhibit or attachment, such conflict or inconsistency shall be resolved by reference to the documents in the following order of priority:</p> <ol style="list-style-type: none"> <li>1. The provisions of the main body of this Agreement.</li> <li>2. Exhibit A, Statement of Work and Budget.</li> </ol>			
<p><b>Principal Representatives</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border-right: 1px solid black; vertical-align: top;"> <p>For the Paying State Agency: Stephen Harelson, Chief Engineer Colorado Department of Transportation 2829 W. Howard Place Denver, CO 80222 Email: Stephen.Harelson@state.co.us</p> </td> <td style="width: 50%; vertical-align: top;"> <p>For the Performing State Agency: Nicholas Farber, Director HPTE 2829 W. Howard Place Denver, CO 80222 Email: Nicholas.Farber@state.co.us</p> </td> </tr> </table>		<p>For the Paying State Agency: Stephen Harelson, Chief Engineer Colorado Department of Transportation 2829 W. Howard Place Denver, CO 80222 Email: Stephen.Harelson@state.co.us</p>	<p>For the Performing State Agency: Nicholas Farber, Director HPTE 2829 W. Howard Place Denver, CO 80222 Email: Nicholas.Farber@state.co.us</p>
<p>For the Paying State Agency: Stephen Harelson, Chief Engineer Colorado Department of Transportation 2829 W. Howard Place Denver, CO 80222 Email: Stephen.Harelson@state.co.us</p>	<p>For the Performing State Agency: Nicholas Farber, Director HPTE 2829 W. Howard Place Denver, CO 80222 Email: Nicholas.Farber@state.co.us</p>		

**SIGNATURE PAGE**

**THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT**

Each person signing this Agreement represents and warrants that the signer is duly authorized to execute this Agreement and to bind the Party authorizing such signature.

<b>STATE OF COLORADO</b> Jared S. Polis, Governor	
PERFORMING STATE ENTITY High-Performance Transportation Enterprise	PAYING STATE ENTITY Shoshana M. Lew, Executive Director
_____ By: Nicholas J. Farber, Director	_____ By: Stephen Harleson, P.E., Chief Engineer
Date: _____	Date: _____
In accordance with §24-30-202, C.R.S., this Agreement is not valid until signed and dated below by the State Controller or an authorized delegate.	
<b>STATE CONTROLLER</b> <b>Robert Jaros, CPA, MBA, JD</b>	
By: _____	
Effective Date: _____	



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### 1. PARTIES

This Interagency Agreement (this “Agreement”) is entered into by and between the Paying Agency, (the “Paying Agency”), and the Performing Agency, (the “Performing Agency”) who are named on the Cover Page of this Agreement. The Paying Agency and the Performing Agency may each individually be referred to as a “Party” and collectively as the “Parties.” Each Party is an agency of the STATE OF COLORADO, hereinafter called the “State.”

### 2. TERM AND EFFECTIVE DATE

#### A. Effective Date

This Agreement shall not be valid or enforceable until the Effective Date.

#### B. Term

The Parties’ respective performances under this Agreement shall commence on the Agreement Performance Beginning Date shown on the Cover Page for this Agreement and shall terminate on the Agreement Expiration Date shown on the Cover Page for this Agreement unless sooner terminated or further extended in accordance with the terms of this Agreement.

#### C. Termination for Convenience

Either Party may terminate this Agreement for convenience by giving the other Party 90 days prior written notice setting forth the date of termination.

### 3. STATEMENT OF WORK AND BUDGET

#### A. Work

The Performing Agency shall complete the Work as described in this Agreement and in accordance with the provisions of Exhibit A. The Paying Agency shall have no liability to compensate the Performing Agency for the delivery of any goods or the performance of any services that are not specifically set forth in this Agreement.

#### B. Goods and Services

The Performing Agency shall procure goods and services necessary to complete its obligations using Agreement funds and shall not increase the maximum amount payable hereunder by the Paying Agency.

#### **4. PAYMENTS TO THE PERFORMING AGENCY**

##### **A. Maximum Amount**

Payments to the Performing Agency are limited to the unpaid, obligated balance of the Agreement funds. The Paying Agency shall not pay the Performing Agency any amount under this Agreement that exceeds the Agreement Maximum Amount for that State Fiscal Year shown on the Cover Page for this Agreement.

##### **B. Payment Procedures**

- i. The Performing Agency shall initiate payment requests by invoice to the Paying Agency, in a form and manner approved by the Paying Agency. To facilitate Fiscal Year End closing, final invoices for each Fiscal Year should be submitted to the Paying Agency by July 15<sup>th</sup> of the following Fiscal Year.
- ii. The Paying Agency shall pay each invoice within 30 days following the Paying Agency's receipt of that invoice, so long as the amount invoiced correctly represents work completed by the Performing Agency and previously accepted by the Paying Agency during the term that the invoice covers.
- iii. In accordance with the Fiscal Procedures Manual, each Agency shall report the outstanding balance of this Agreement on Exhibit AR\_AP at Fiscal Year end.

#### **5. RECORDS, MAINTENANCE AND INSPECTION**

##### **A. Maintenance**

During the term of this Agreement and for a period terminating upon the later of (i) the six year anniversary of the final payment under this Agreement or (ii) the resolution of any pending Agreement matters (the "Record Retention Period"), each Party shall maintain, and allow inspection and monitoring by the other Party, and any other duly authorized agent of a governmental agency, of a complete file of all records, documents, communications, notes and other written materials, electronic media files, and communications, pertaining in any manner to the work or the delivery of services or goods hereunder.

##### **B. Inspection**

The Paying Agency shall have the right to inspect the Performing Agency's performance at all reasonable times and places during the term of this Agreement. The Performing Agency shall permit the Paying Agency, and any other duly authorized agent of a governmental agency having jurisdiction to monitor all activities conducted pursuant to this Agreement, to audit, inspect, examine, excerpt, copy and/or transcribe the Performing Agency's records related to this Agreement during the Record Retention Period to assure compliance with the terms hereof or to evaluate performance hereunder. Monitoring activities controlled by the Paying Agency shall not unduly interfere with the Performing Agency's performance hereunder.

#### **6. CONFIDENTIAL INFORMATION**

Each Party shall treat the confidential information of the other Party with the same degree of care and protection it affords to its own confidential information, unless a different standard is set forth in this Agreement. Each Party shall notify the other Party immediately if it receives a request or demand from a third party for records or information of the other Party.

## 7. DISPUTE RESOLUTION

The failure of a Party to perform its respective obligations in accordance with the provisions of this Agreement is a breach of this Agreement. In the event of disputes concerning performance hereunder or otherwise related to this Agreement, the Parties shall attempt to resolve them at the divisional level. If this fails, disputes shall be referred to senior departmental management staff designated by each Party. If this fails, the executive director of each Party shall meet and attempt resolution. If this fails, the matter shall be submitted in writing by both Parties to the State Controller, whose decision shall be final.

## 8. NOTICES AND REPRESENTATIVES

Each individual identified as a Principal Representative on the Cover Page for this Agreement shall be the Principal Representative of the designating Party. All notices required or permitted to be given under this Agreement shall be in writing, and shall be delivered **(A)** by hand with receipt required, **(B)** by certified or registered mail to such Party's Principal Representative at the address set forth on the Cover Page or **(C)** as an email with read receipt requested to the Principal Representative at the email address, if any, set forth on the Cover Page for this Agreement. Either Party may change its Principal Representative by notice submitted in accordance with this section without a formal amendment to this Agreement. Unless otherwise provided in this Agreement, notices shall be effective upon delivery of the written notice.

## 9. GENERAL PROVISIONS

### A. Assignment

The Performing Agency's rights and obligations under this Agreement are personal and may not be transferred or assigned without the prior, written consent of the Paying Agency. Any attempt at assignment or transfer without such consent shall be void. Any assignment or transfer of the Performing Agency's rights and obligations approved by the Paying Agency shall be subject to the provisions of this Agreement.

### B. Counterparts

This Agreement may be executed in multiple, identical, original counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

### C. Digital Signatures

If any signatory signs this Agreement using a digital signature in accordance with the Colorado State Controller Contract, Grant and Purchase Order Policies regarding the use of digital signatures issued under the State Fiscal Rules, then any agreement or consent to use digital signatures within the electronic system through which that signatory signed shall be incorporated into this Agreement by reference.

### D. Third Party Beneficiaries

Except for the Parties' respective successors and assigns, this Agreement does not and is not intended to confer any rights or remedies upon any person or entity other than the Parties. Enforcement of this Agreement and all rights and obligations hereunder are reserved solely to the Parties. Any services or benefits which third parties receive as a result of this Agreement are incidental to this Agreement, and do not create any rights for such third parties.

## EXHIBIT A, STATEMENT OF WORK AND BUDGET

### 1. Background

- A. CDOT is an agency of the State of Colorado authorized pursuant to § 43-1-105, C.R.S. to plan, develop, construct, coordinate, and promote an integrated transportation system in cooperation with federal, regional, local and other state agencies.
- B. Pursuant to § 43-1-110, C.R.S., the executive director of CDOT is authorized to execute certain agreements on behalf of CDOT.
- C. HPTE was created pursuant to § 43-4-806(2), C.R.S. and operates as a government-owned business within CDOT.
- D. Pursuant to § 43-4-806(6)(g), C.R.S., HPTE is empowered to enter into contracts or agreements with any public entity to facilitate a public-private partnership, including, but not limited to, an agreement in which the Enterprise, on behalf of CDOT, provides services in connection with a surface transportation infrastructure project.
- E. HPTE is further empowered, pursuant to § 43-4-806(6)(h), C.R.S., to make and enter into all other contracts and agreements, including intergovernmental agreements under § 29-1-103, C.R.S., that are necessary or incidental to the exercise of its powers and performance of its duties.
- F. The business purpose of HPTE, as provided for in § 43-4-806(2)(c), C.R.S. is to pursue public- private partnerships and other innovative and efficient means of completing surface transportation infrastructure projects, which HPTE may agree to complete for CDOT under agreements entered into with the Department in accordance with § 43-4-806(6)(f), C.R.S.
- G. On September 30, 2013 and as amended and restated on February 8, 2022 CDOT and HPTE entered into a Memorandum of Understanding, which set forth each Party's operating roles and responsibilities as they relate to their respective missions and provided, in relevant part, that HPTE is to be reimbursed by CDOT for personal goods or services procured by HPTE.
- H. CDOT acknowledges that HPTE possesses expertise and legal powers unavailable to CDOT, which enable it to accelerate the development and delivery of critical surface transportation infrastructure projects; and
- I. CDOT and HPTE previously entered into Fee for Service Intra-Agency Agreements, in Fiscal Years 2015-16, 2016-17, 2017-18, 2018-19, 2019-20, 2020-21 and 2021-22 in which CDOT agreed to compensate HPTE for the fair market value of certain services to be provided to CDOT during those fiscal years.
- J. The Parties agree and acknowledge that the Services to be provided by HPTE to CDOT (as such term was defined in the FY 2016-17 Agreement and subsequently modified by mutual agreement of the Parties over the course of the fiscal year) are anticipated to be provided in their entirety prior to the conclusion of the fiscal year, with such satisfactory completion to be documented in the final progress report to be submitted no later than July 15, 2023.
- K. HPTE has prepared a new statement of work describing the Services CDOT has requested HPTE to provide CDOT during the 2022-23 fiscal year in this Exhibit A.
- L. In order to further the efficient completion of surface transportation infrastructure projects necessary to CDOT's development of an integrated transportation system, CDOT desires that

HPTE utilize its expertise and legal powers to provide the Services, in exchange for which CDOT agrees to compensate HPTE in the amounts set forth in the Statement of Work.

- M. HPTE shall continue to be an enterprise for purposes of Section 20 of Article X of the Colorado Constitution ("TABOR"), so long as it receives less than ten percent (10%) of its total revenues in grants from all Colorado state and local governments combined.
- N. Pursuant to §§ 24-77-102(7)(b) and 43-4-803(13)(b), C.R.S., grants do not include revenues or income derived from any authorized rate, fee, assessment, or other charge imposed by an enterprise for the provision of goods or services by such enterprise.
- O. On March 11, 1997, in Opinion No. 97-01, the Colorado Attorney General also concluded, inter alia, that a designated enterprise may continue to qualify as an enterprise under TABOR, even though it receives a direct appropriation of monies, so long as the appropriation constitutes revenues resulting from the provision of goods or services pursuant to § 24-77-102(7)(b)(II), C.R.S.
- P. Citing Nicholl v. E-470 Public Highway Authority, 896 P.2d 859 (Colo. 1995), the Colorado Attorney General further noted that the very concept of an enterprise under TABOR envisions an entity that is owned by a government institution, but is financially distinct from it, and also, that the financial affairs of the enterprise must be those of a self-supporting business-like activity that provides goods and services for a fee.
- Q. On February 29, 2016, in Opinion 16-01, the Colorado Attorney General also concluded, inter alia, that an enterprise must charge a fee in exchange for a government service, and a fee for service arrangement - broadly construed - is nearly synonymous with enterprise status;
- R. HPTE engaged Stifel, Nicolaus & Company, Incorporated to prepare an analysis of the market value of the services HPTE could provide to CDOT, based on a review of costs incurred by comparable agencies for similar services (the "Stifel Report");
- S. The Stifel Report concluded that HPTE provides the necessary benefit to CDOT for CDOT to support compensation for the Services as contemplated in this Agreement;
- T. Based on the findings of the Stifel Report and their own examinations of the benefit CDOT receives for HPTE's services, the Parties find and agree that the amounts CDOT intends to compensate HPTE for fiscal year 2022-23, as set forth in the Statement of Work, are reasonable and represent the fair market value of the specific Services to be provided; and
- U. CDOT and HPTE each hereby affirm that, consistent with Colorado law, moneys paid by CDOT to HPTE under this Agreement are not grants of money from CDOT to HPTE, but rather, payment for the Services to be provided by HPTE to CDOT as more particularly set forth in the Statement of Work.

## **2. Responsibilities**

- A. HPTE shall provide the Services set forth in this Exhibit A over a one-year period, commencing on July 1, 2022, and ending on June 30, 2023, which comprises the 2022-23 fiscal year.
- B. No later than January 15th and July 15th of the fiscal year, HPTE shall submit to CDOT a progress report. The progress report is to include a narrative summary of HPTE's activities during the previous six months, as well as a detailed report on the progress being made in the performance of the Services. The submissions of the semi-annual reports will be used by

HPTE and CDOT to recognize revenue and expenses, respectively, and are to be tied to the specific tasks, and categories of work within each task, described in the Statement of Work.

- C. The Parties may agree to modify the specific tasks set forth in the Statement of Work to be undertaken by HPTE during the term of this Agreement, provided that such modifications do not result in an increase or decrease in the overall estimated value of the Services to be provided under this Agreement. Any such modifications shall be specifically identified, and their estimated values reconciled, in the progress report submitted by HPTE on July 15th following the close of the prior fiscal year. Any modifications to the Statement of Work resulting in an increase or decrease in the overall estimated value of the Services shall not be undertaken unless agreed to in writing by the Parties in an amendment to this Agreement.

### **3. Payment Process**

- A. HPTE intends to record the full Agreement Funds as deferred revenue, and recognize revenue on a pro-rata basis as Services are performed during the course of the fiscal year. HPTE will conduct a “true-up” of balances at both mid-year and at the end of the fiscal year, to coincide with the Services actually provided, in conjunction with the preparation and submittal of the progress reports described in Section 2.
- B. The Services to be provided, and the Agreement Funds therefor, are for the full fiscal-year covered by this Agreement, as may be amended from time to time. Milestone deadlines contained in the Statement of Work are for informational and work progress tracking purposes only and are not binding on HPTE. Services provided by HPTE within the fiscal year shall be compensated as part of the Agreement Funds provided for herein. No deductions shall be made for Services completed outside the timeframes set forth in the Statement of Work, provided such Services are completed within the current fiscal year.
- C. Any Services not completed within the term of this Agreement shall be reflected in the progress report submitted by HPTE on July 15th following the close of the prior fiscal year. In the event the value of the Services actually completed during the fiscal year is less than was estimated in the Statement of Work, HPTE may be required to reimburse CDOT for the value of Services not completed. The value of the uncompleted portion of the Services, if any, shall reflect the fair market value of the same, and shall be mutually agreed upon and set forth in writing by the Parties in an amendment to this Agreement.

### **4. Renewal**

- A. It is expressly contemplated that the Parties intend to extend this Agreement for additional one-year terms for services to be provided by HPTE to CDOT in future fiscal years. Such extensions shall be documented by formal written amendment, and shall include an updated Statement of the Work to be provided in the subsequent fiscal years.
- B. HPTE agrees to provide CDOT a proposed draft Statement of Work for the following fiscal year no later than November 2022.
- C. If the Statement of Work and payment amount for the following fiscal year are deemed acceptable by CDOT, the same shall be set forth in a written amendment executed and approved by the Parties.
- D. If during its budget approval process for the following fiscal year, the Transportation Commission allocates funds for HPTE in the full amount included in the proposed Statement of Work submitted by HPTE, such proposed Statement of Work shall be deemed approved



by CDOT, notwithstanding any failure of the Parties to execute a written amendment prior to the July 1 start of the subsequent fiscal year. The Parties shall thereafter execute a written amendment for such subsequent fiscal year, the terms and conditions of which shall not be inconsistent with the budget action taken by the Transportation Commission.

- E. If the Statement of Work and payment amount to be provided by HPTE are approved by CDOT as provided for in this Section, CDOT agrees that it shall pay HPTE the agreed upon payment amount for the following fiscal year on July 1, which date represents the first day of the fiscal year in which the proposed services are anticipated to be provided.
- F. If the Parties are unable to agree upon a Statement of Work and payment amount for the following fiscal year prior to June 30 of any year, this Agreement shall terminate and be of no further force and effect for the subsequent fiscal year.

## **5. Consideration; Exchange Transaction**

The Parties acknowledge that the mutual promise and covenants contained herein, and other good and valuable consideration, are sufficient and adequate to support this Agreement. The Parties further acknowledge that, for accounting purposes, this Agreement represents an exchange transaction for CDOT's purchase of specific services provided by HPTE at the market value of such services.

## **6. Statement of Work**

### **6.1 Organizational Overview**

In order to accelerate the development and delivery of critical transportation infrastructure projects through the use of innovative financing, the Colorado Department of Transportation (CDOT) utilizes the expertise and legal power of the High Performance Transportation Enterprise (HPTE). In 2009, the HPTE was created under 43-4-806 C.R.S., known as FASTER, in order to accelerate critical surface transportation infrastructure projects throughout the state. To achieve this objective, the HPTE was given the power to enter into public-private partnerships, impose user fees on surface transportation projects, issue revenue bonds, and enter into private commercial loan agreements. HPTE is also the Colorado tolling entity (the successor to the Colorado Tolling Enterprise), managing Colorado's network of tolled Express Lanes. By law, HPTE is required to "aggressively" pursue innovative finance solutions to improve Colorado's surface transportation infrastructure. Due to Taxpayer Bill of Rights (TABOR) restrictions, CDOT cannot exercise these powers. Although a division of CDOT, HPTE is an independent, government-owned business and TABOR enterprise, which exempts it from certain TABOR restrictions. The powers given to the HPTE through statute provide a direct benefit to CDOT and the traveling public by accelerating surface transportation infrastructure projects that ordinarily would not be undertaken due to a constrained fiscal environment. By contracting with HPTE to perform certain services, CDOT is able to deliver projects in key corridors around the state that, when completed, will increase transportation options, may promote carpooling, expand capacity, and assist with traffic demand management.

## 6.2 Fiscal Year Services to be Provided

For the 2022-23 fiscal year, CDOT has tasked HPTE to oversee work in five core areas:

- 1) Manage the network of Express Lane corridors that contain both express lanes and general-purpose (GP) lanes both in operation and under construction.
- 2) Use its statutory authority to manage current public private partnerships (P3) and explore other future surface transportation related P3 opportunities.
- 3) Serve as a think tank for CDOT by exploring the possibility of using innovative finance to accelerate other needed projects and deliver maximum project scope.
- 4) Manage public outreach and communications work for all corridors that have express lanes and general-purpose lanes.
- 5) Represent the Department (defined as all divisions and entities under the Department of Transportation, including the Enterprises) at industry events such as conferences to promote the Colorado P3 market and attract interest and investment in future surface transportation projects that will benefit the statewide transportation system.

### 6.2.1 Express Lane Corridors: Ongoing Management and Implementation

CDOT has tasked HPTE with providing congestion management strategies in critical corridors in the Denver metro area. HPTE will implement congestion management for CDOT through the construction and ongoing management of Express Lane corridors, which for the purposes of this Statement of Work (SOW) are defined as sections of the interstate and state highway system that have both tolled Express Lanes and GP lanes operating side by side. To accomplish this, HPTE will:

- Support the new Tolling Operations and Maintenance (TOMs) Intra Agency Agreement between CDOT and HPTE. Tasks will include monitoring the work approved for the fiscal year 2022-23 to ensure that HPTE is paying CDOT for activities that are being accurately performed and reported on. HPTE will also work with CDOT on drafting a new scope of services slated to take effect for the 2023-24 fiscal year and will review the methodology for cost sharing and the payment process to ensure that CDOT is being fairly compensated for the work it is performing on behalf of HPTE.
- Provide toll rate sensitivity analysis and recommendations to provide a more reliable travel time across general purpose and express lanes. HPTE will provide active monitoring of these corridor's operations to ensure optimal congestion management across all lanes.
- Implement dynamic tolling (also referred to as congestion pricing) across the Express Lanes network. This sophisticated tolling strategy will provide optimal congestion management over the current time-of-day tolling strategy on all Express Lane corridors. Optimizing congestion management on all current and future Express Lane corridors will be critical for all lanes of the interstate as overall traffic increases with projected population growth.
- Lead the process of complying with all Federal Highway Administration (FHWA) reporting requirements for TIGER, BUILD, and INFRA grants received by CDOT for Express Lane Corridor projects. Tasks include collecting and reporting on safety data for all lanes in Express Lane corridors including I-70 Eastbound Mountain Express Lane (MEXL) and I-25 North U.S. 36 to 120<sup>th</sup> (Segment 2). Ongoing reporting and monitoring of safety metrics ensure a safe environment for all drivers, not just those who choose to use the Express Lanes.

- Oversee the installation and testing of tolling equipment on express lane construction projects such as I-25 North Johnstown to Fort Collins and Central 70. Oversight provided by HPTE is critical for coordination with construction contractors to meet CDOT project schedule milestones and to prevent damages charged to CDOT by the contractor for not meeting tolling equipment installation deadlines.
- Oversee the implementation of the Tolling Equity program for the Central 70 project. The National Environmental Policy Act (NEPA) documents identify this as a mitigation strategy for vulnerable populations who have been disproportionately exposed to environmental hazards along these corridors (referred to as environmental justice communities).

These activities will require close and ongoing coordination with the FHWA, E-470 Public Highway Authority, and CDOT regional staff, including traffic safety, incident management and maintenance. To accomplish these tasks, HPTE will provide in-house expertise to CDOT through its Tolling Services Specialist and Major Projects Manager as well outside industry expertise for operation related issues as needed.

### **6.2.2 Public-Private Partnership (P3): Oversight and Contract Management**

As P3 authority and contracting entity within the Department, HPTE will continue to provide necessary corridor development work, including general advising for ongoing and future P3 projects and on-call P3 financial advising as needed. HPTE will also provide oversight and management of the P3 agreements for US.36 and Central 70 Project. To accomplish this, HPTE will:

- Implement and oversee a contract compliance and monitoring framework for the operating period of the Central 70 Project Agreement. This will include tracking tools to monitor routine maintenance, snow and ice removal, and capital renewal and replacement (OMR) work provided for the entire corridor, including general purpose and Express Lanes. Independent monitoring ensures that the contractor is achieving levels of service established under the contract and that non-compliance points are assessed accurately if they are not met. This will ensure that CDOT is accurately paying for OMR expenses.
- Coordinate with CDOT Region 1 staff and CDOT's Communications Office on all stakeholder outreach efforts for the Central 70 project as well as provide transportation demand management services for residents, businesses, and commuters to reduce travel demand along the corridor during construction.
- Work with Region 1 staff and the CDOT Budget team to develop a budget for routine maintenance, snow, and ice removal costs by September 2022 for the general-purpose lanes as required by the U.S. 36 CDOT/HPTE IAA.
- Provide in house expertise through its Major Projects Manager and support CDOT with any operational, service, or contractual issues or questions that arise in or relate to the GP lanes on the corridor.
- Address findings from the U.S. 36 Legislative Audit for better document control on large projects by providing specialized document management services through Aconex.

### **6.2.3 Innovative Financing**

On Express Lane Corridor projects where HPTE has secured or will secure financing to accelerate project delivery; CDOT has tasked HPTE to serve as its ongoing financial manager. To accomplish this, HPTE will:

- Utilize its abilities to issue debt and engage financial advisory consultants to determine the borrowing capacity of HPTE to assist CDOT with funding shortfalls on Floyd Hill, I-270, and other Express Lanes Corridor projects on the CDOT 10 Year Plan. HPTE will also coordinate with the CDOT region staff on the NEPA and 30 percent design projects on these corridors.

### **6.2.4 Project Development**

HPTE will continue to serve as a think-tank within the Department, exploring big picture ideas for innovative projects, general advising on P3 opportunities, and any other areas of work that may fall under HPTE's statutory purview that arise throughout the performance period for this SOW. To accomplish this, HPTE will:

- Coordinate with the Office of Innovative Mobility (OIM) and Division of Transportation Development (DTD) to provide access to transportation data and analytics services. This will assist CDOT in implementing the new Green House Gas (GHG) rule by providing vehicle miles traveled (VMT) analysis, in making data driven decisions about infrastructure investment for bikes, pedestrians and electric vehicle charging as well as help with large scale corridor mobility studies.
- Coordinate closely with CDOT on the procurement process for a new tolling back-office provider. Selecting a tolling back-office provider will be critical for ensuring HPTE can provide optimal congestion management across all Express Lane corridors, provide flexibility to implement changes resulting from policy decisions or new legislation that affects CDOT and HPTE as well as meet construction deadlines on all future projects eliminating potential fines due to construction delays.
- Partner with CDOT, Colorado Bridge and Tunnel Enterprise, the City and County of Denver, Broncos Stadium District, and West Colfax Business District to explore the redevelopment of the Federal and Colfax intersection. In FY 2021-22 the City and County of Denver completed its Interchange Transformation Study, and in FY 2022-23 HPTE will begin exploring how it could receive fair market value for the land and while transferring its asset ownership responsibility through a partnership with a private entity.

### **6.2.5 Public Outreach and Communications**

CDOT has tasked HPTE with overseeing all communications to ensure comprehensive public outreach and education for Express Lane corridors opening, P3 projects including U.S. 36 and Central 70, and to comply with the U.S.36 Legislative Audit. Key tasks will include:

- Conduct public meetings and stakeholder outreach as required by the Transparency Policy
- Maintain current and updated information on project websites regarding project status and public participation activities and events.

- Coordinate with the CDOT Public Information Office on updating transponder and High Occupancy Vehicle (HOV) policy, motorcycle transponder policy, and HOV carpooling technology.
- Conduct public outreach on HPTE's move from time of day tolling to dynamic tolling.
- Conduct public meetings and stakeholder outreach on HPTE's Tolling Equity Program for the Central 70 Project.
- Conduct P3 training for internal staff and for stakeholders

### **6.2.6 Out of State Travel**

Given the loosening of COVID-19 travel restrictions, HPTE is anticipating a slight increase in out of state travel for the 2022-23 fiscal year. To comply with the training requirement from the U.S.36 Legislative Audit and to promote Colorado projects to the infrastructure finance industry, HPTE will strive to participate in some conferences, trainings, and project related meetings virtually, while others, whose organizations follow local safety protocols, will be attended in person.

## **7. Terms and Conditions**

### **7.1 Statement of Work Duration**

This Statement of Work documents the duties and tasks that CDOT directs the HPTE to manage, oversee, and implement for Fiscal Year 2020-21. This Statement of Work outlines services that will be provided by HPTE over a one-year period that will commence on July 1, 2022, and end on June 30, 2023.

### **7.2 Payment for Services**

Associated costs for specific areas of work are outlined below. In exchange for completing the tasks outlined under this Statement of Work, CDOT will compensate HPTE with an upfront payment for its services.

### **7.3 Progress Reporting**

On the 15th of January and July of each fiscal year, HPTE will submit a progress report that includes a summary of its activities for the previous six months as well as a status report on the progress being made to accomplish the tasks outlined in this Statement of Work. The submission of the semi-annual reports will be used by HPTE and CDOT to recognize revenue and expenses, respectively.

**8. Estimate of Hours Dedicated to Fiscal Year 2022-23 Statement of Work Activities:**

<b>HPTE Staff Position</b>	<b>Hours per Week</b>	<b>Total Monthly Hours</b>	<b>Total Annual Hours</b>
HPTE Director	35	140	1680
Head Project Manager	35	140	1680
Major Projects Manager	20	80	960
Tolling Operations Manager	20	80	960
Tolling Operations Supervisor	20	80	960
HPTE Liaison	35	140	1680
Program Assistant	30	120	1440
Administrative Assistant	30	120	1440
<b>Total</b>	<b>225</b>	<b>900</b>	<b>10,800</b>

**Total Fee for FY 2022-23 for Statement of Work activities: \$4,000,000**



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

PRESENT:           Yessica Holguin, District 1  
                      Don Stanton, District 2  
                      Eula Adams, District 3  
                      Karen Stuart, Chair, District 4  
                      Kathleen Bracke, District 5  
                      Barbara Vasquez, District 6  
                      Kathy Hall, Vice Chair, District 7  
                      Mark Garcia, District 8  
                      Lisa Hickey, District 9  
                      Terry Hart, District 10  
                      Gary Beedy, District 11

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 February, the Bridge and Tunnel Enterprise Board of Directors

- Approved Resolution #BTE1, the minutes from the January Board Meeting
- Discussed the Final FY2023-24 Budget
- Discussed the Bridge Enterprise Q2 FY2022 Quarterly Report



**MEMORANDUM**

**TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**DATE: MARCH 17, 2022**  
**SUBJECT: SEVENTH SUPPLEMENT TO THE FISCAL YEAR 2021-22 BRIDGE AND TUNNEL ENTERPRISE BUDGET**

**Purpose**

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

- 1) An increase to the design phase budget for F-15-BL (I-70 ML WBND over US6 and Clear Creek) and F-15-BM (Ramp to US 6 ML over Clear Creek), the BTE eligible portion of the Floyd Hill to Veterans Memorial Tunnels project in Clear Creek County.
- 2) The establishment of the design phase for the replacement of six BTE eligible structures on I-270 in Adams County as part of a larger project to address critical bridges and other safety issues on the I-270 corridor.

**Action**

Staff is requesting Board approval of Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 7th Budget Supplement for FY'22.

**Background**

Region 1: I-70 Floyd Hill to Veterans Memorial Tunnels Improvement Project

Request to increase the design phase budget to continue design activities for the BTE eligible portions of the I-70 Floyd Hill to Veterans Memorial Tunnels Improvement Project. Funding for this CDOT 10-Year Plan project is being requested at this time due to recent advancements in project readiness after the Transportation Commission approval of Construction Manager/General Contractor project delivery and the subsequent selection of the project's construction manager and design consultant by CDOT.

Structure F-15-BL is a 5-span riveted girder bridge carrying the westbound lanes of I-70 and is a second tier structure in the January 2022 BTE Prioritization Plan. The structure was formerly a top tier structure in the BTE Prioritization Plan but a recent bridge deck rehabilitation has temporarily improved the condition of the bridge. However, it is anticipated that the structure will continue to deteriorate based on underlying issues with the existing bridge geometry, detailing, and materials. Structure F-15-BM is a concrete composite bridge that serves as the off-ramp for I-70 westbound to US 6 near mile post 244 and is a top tier structure in the January 2022 BTE prioritization plan. Inspection reports indicate that F-15-BM has deck and substructure deterioration including significant areas of concrete delamination and spalling with exposed broken and corroded rebar. The structures have been tabulated below.



Structure ID	Description	Deck Area (sq. ft.)	Year Built
F-15-BL	I 70 ML Westbound over US 6, Clear Creek	18,428	1959
F-15-BM	Ramp to US 6 ML over Clear Creek	5,488	1959
	Total	23,916	

This budget request was developed based on an estimated BTE eligible proportional share of project design costs based on the current preferred design alternative. The need for additional incremental design phase funding requests will be re-evaluated as design progresses and the BTE eligible project scope is further refined.

**I-70 West Bound over Clear Creek in Clear Creek County**  
(F-15-BL, F-15-BM) (No New structure assigned) (SAP Project # 22716/1000...)  
*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 2022	FY 2023	FY 2024			
Design	<i>FASTER Bridge Funds</i>	\$ 1,455,100	\$ 10,000,000	\$ -	\$ -	\$ 10,000,000	\$ 11,455,100	\$ 1,406,888
	<b>Total Design</b>	<b>\$ 1,455,100</b>	<b>\$ 10,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,000,000</b>	<b>\$ 11,455,100</b>	<b>\$ 1,406,888</b>
Environmental	<i>FASTER Bridge Funds</i>	\$ 667,900	\$ -	\$ -	\$ -	\$ -	\$ 667,900	\$ 648,603
	<b>Total Construction</b>	<b>\$ 667,900</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 667,900</b>	<b>\$ -</b>
<b>Total Project Budget &amp; Expenditure</b>		<b>\$ 2,123,000</b>	<b>\$ 10,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,000,000</b>	<b>\$ 12,123,000</b>	<b>\$ 1,406,888</b>
			Year of Expenditure			Total Request		
			FY 2022	FY 2023	FY 2024, FY 2025			
			\$ 125,000	\$ 4,043,750	\$ 5,831,250	\$ 10,000,000		

Region 1: I-270 Critical Bridges Project

Request to establish the design phase for the replacement of the E-17-ID, E-17-IE, E-17-IF, E-17-IH, E-17-IG and E-17-IJ bridges on I-270 in Adams County to fund the project through preliminary design. All six bridges are top tier structures in the January 2022 Prioritization Plan and have been tabulated below. In addition, two other non-BTE eligible bridges will also be replaced as part of the project using other funding sources. The I-270 Critical Bridges project is intended to accelerate the replacement of these eight bridges in advance of the separate I-270 Safety and Mobility Project (I-270) due to the severity of their condition. The I-270 project is also a CDOT 10-Year Plan project.

The structures are a high priority due to the increasing frequency and severity of planned and unplanned bridge deck repairs, which have created maintenance and safety concerns. The repairs also create disruptions to the traveling public resulting from the lane closures needed to perform the repairs.

Structure ID	Description	Deck Area (sq. ft.)	Year Built
E-17-ID	I 270 ML WBND over S. Platte River	12,518	1969
E-17-IE	I 270 ML EBND over S. Platte River	12,518	1969
E-17-IF	I 270 ML WBND over Burlington Canal	8,869	1969
E-17-IG	I 270 ML EBND over Burlington Canal	8,869	1969
E-17-IH	I 270 ML WBND over SH 265 ML & RR	14,951	1969
E-17-IJ	I 270 ML WBND over Service Rd. & RR	13,692	1970
	Total:	71,417	



I-270 ML over South Platte; Ditch Rd. Burlington Canal; SH 265, UPRR, BNSF RR: Service Rd. BNSF RR in Adams County  
 (Old E-17-ID, E-17-IE; E-17-IF, E-17-IG; E-17-IH; E-17-IJ) (New Not Assign Yet) (SAP Project # 24947/1000...)

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 2022	FY 2023	FY 2024			
Design	FASTER Bridge Funds	\$ -	\$ 466,400	\$ -	\$ -	\$ 466,400	\$ 466,400	\$ -
	<b>Total Design</b>	\$ -	\$ 466,400	\$ -	\$ -	\$ 466,400	\$ 466,400	\$ -
<b>Total Project Budget &amp; Expenditure</b>		\$ -	\$ 466,400	\$ -	\$ -	\$ 466,400	\$ 466,400	\$ -
			Year of Expenditure			Total Request		
			FY 2022	FY 2023	FY 2024			
			\$ -	\$ 466,400	\$ -	\$ 466,400		

**Next Steps**

- 1) Approval of the budget supplement and Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 7th Budget Supplement for FY'22 will allow the design of F-15-BL and F-15-BM to advance. If necessary, additional budget supplement requests may be brought to the Board as design progresses and the BTE eligible project scope is further refined.
- 2) Approval of this budget supplement and Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 7th Budget Supplement for FY'22 will allow E-17-ID, E-17-IE, E17-IF, E-17-IH, E-17-IG and E-17-IJ to advance to preliminary design. BTE expects to bring an additional budget supplement request to fund the project through final design at a later time.

**Attachments**

Attachment A: Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 7th Budget Supplement for FY'22.





**MEMORANDUM**

**TO: BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**DATE: MARCH 17, 2022**  
**SUBJECT: RESOLUTION TO APPROVE BRIDGE AND TUNNEL ENTERPRISE FUNDING MATCH FOR THE FY2022 RAISE GRANT PROGRAM**

**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 the BTE eligible US 6 ML over SH 121 bridge (6<sup>th</sup> Ave. and Wadsworth Blvd.) as part of the state funding match for the larger US 6 and Wadsworth Blvd. Interchange Improvements project that is being submitted for the fiscal year (FY) 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program.

**Action**

Staff is requesting Board approval of Proposed Resolution BTE#3: FY2022 RAISE Grant Applications, to commit a BTE match for the FY 2022 RAISE Grant Program.

**Background**

On January 27, 2022, the U.S. Department of Transportation (USDOT) released a Notice of Funding Opportunity (NOFO) for the FY 2022 RAISE Grant Program. The RAISE grant program is part of the Local and Regional Project Assistance Program in the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law or IIJA) which is focused on advancing significant local and regional surface transportation projects. CDOT Staff performed an evaluation to identify projects with the highest probability of award based on the selection criteria outlined in the NOFO. Through this process, the US 6 and Wadsworth Blvd. Interchange Improvements project in Jefferson County was identified as a top candidate for submission. Additionally, the project is a high priority for CDOT, BTE, and numerous other stakeholders and is included in the CDOT 10-Year Strategic Project Pipeline (10-Year plan).

**Details**

The existing configuration of the US 6 and Wadsworth Blvd. interchange and roadway within the project limits has not kept pace with increasing traffic and multi-modal travel demands. This proposed interchange improvement project will meet current design and safety standards, improve safety and mobility, and improve multi-modal travel options at the US 6 and Wadsworth Blvd. interchange and along Wadsworth Blvd. The proposed project east-west limits along US 6 are from the eastern interchange ramps with Wadsworth Blvd. west to Garrison Street. On Wadsworth Blvd., the project limits are 4th Avenue to 14th Avenue. This area is a vital regional hub of the western Denver metropolitan as well as a vital interchange for the City of Lakewood. The replacement of the BTE eligible bridge, US 6 over Wadsworth (F-16-O), is a key element of the project.



<u>Structure ID</u>	<u>Description</u>	<u>County</u>	<u>Deck Area (sq. ft.)</u>	<u>BTE Prioritization Tier</u>
F-16-O	US 6 ML over SH 121 ML	Jefferson	21,065	1 <sup>st</sup>

Structure F-16-O is a continuous concrete tee beam bridge that was constructed in 1972 with a poor-rated deck and superstructure. A poor rating for these structural elements means that the bridge has been recorded by the Staff Bridge inspection unit as having advanced section loss, deterioration, and/or spalling. Inspection reports for F-16-O indicate that 100% of the visible deck area contains efflorescence, rust staining, spalls, delamination, or map cracking. These defects indicate that the structure has experienced heavy moisture and chloride intrusion and has reached the end of its anticipated service life.

BTE staff is requesting \$20M maximum in BTE match funding to replace the structure based on high-level cost estimates by the project team. Allocation of these funds will be contingent on a RAISE grant award. Current BTE program forecasts indicate that this project can be accommodated between FY2024-25 and FY2026-27 using unprogrammed resources. The project design work was previously completed to a near FOR (90%) design level and is currently being updated to reflect current design standards and codes. The project also has completed the Environment Assessment (EA) review and has been issued a Finding of No Significant Impact and Final Selection Evaluation by FHWA, however, a re-evaluation of the EA is required.

**Next Steps**

1. CDOT will submit a grant application for the project by the USDOT April 14<sup>th</sup> deadline.
2. If a grant is awarded, BTE staff will return to the Board requesting funding as part of the monthly budget supplement process.
3. If a grant is not awarded, CDOT will evaluate the viability of advancing the project to construction with other funding sources.

**Attachments:**

Attachment A: Proposed Resolution BTE#3: FY2022 RAISE Grant Applications: Committing a BTE funding match for the Fiscal Year (FY) 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant to address one Statewide Bridge and Tunnel Enterprise (BTE) eligible bridge as part of the US 6 and Wadsworth Blvd. Interchange Improvements Project







**MEMORANDUM**

**TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS**  
**FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER**  
**DATE: MARCH 17, 2022**  
**SUBJECT: BRIDGE AND TUNNEL ENTERPRISE FISCAL YEAR 2022-23 FINAL ANNUAL BUDGET ALLOCATION PLAN**

**Purpose:**

This month the Bridge and Tunnel Enterprise (BTE) Board of Directors (Board) is being presented with a Statewide Bridge and Tunnel Enterprise fiscal year (FY) 2022-23 Final Annual Budget Allocation Plan for Special Revenue Fund (C.R.S 43-4-805(3)(a) 538) (Fund 538) for adoption.

**Action:**

Staff is requesting Board approval of Proposed Resolution BTE#4: FY2022-23 Final Budget Allocation Plan, adopting a FY 2022-23 Final Annual Budget Allocation Plan.

**Background:**

In November 2021, the BTE Board approved resolution BTE #2021-11-03, adopting a Final Proposed Annual Budget Plan for FY 2022-23. In coordination with the Office of Financial Management and Budget (OFMB), BTE reviewed updated revenue projections and allocations, presenting a FY 2022-23 Final Annual Budget Allocation Plan to the Board in February 2022. No additional changes have been made to the budget provided last month and staff is requesting adoption of a final budget.

**Options and Recommendations:**

1. Approve Proposed Resolution BTE#4: FY2022-23 Final Budget Allocation Plan, adopting the FY 2022-23 Final Annual Budget Allocation Plan. **Staff Recommendation.**
2. Request additional information or changes to specific line items.
3. Do not approve.

**Next Steps**

- BTE budget staff will coordinate with OFMB to ensure that the approved budget amounts are distributed appropriately.
- Enterprise budget and accounting staff will provide the BTE Board of Directors with a year-end report for FY 2021-22 in the Fall of 2022 following the close of the fiscal year.
- Requests for FY 2022-23 funding for individual BE projects will be brought before the Board via the monthly budget supplement process.

**Attachment:**

Attachment A: Bridge and Tunnel Enterprise Fiscal Year 2022-23 Final Annual Budget Allocation Plan



**Bridge and Tunnel Enterprise Fiscal Year 2022-23 Final Annual Budget Allocation Plan**  
**Statewide Bridge and Tunnel Enterprise Special Revenue Fund (C.R.S 43-4-805(3)(a) 538)**

Line Item	Budget Item	Estimated Revenues	Draft Allocations
1	<b>Estimated Fiscal Year 2022-23 Revenue</b>		
2	FASTER Bridge Safety Surcharge Fee	\$ 109,000,000	
3	Bridge & Tunnel Impact Fee	\$ 12,680,000	
4	Bridge & Tunnel Retail Delivery Fee	\$ 7,452,296	
5	Interest Earnings	\$ 1,280,000	
6	US Treasury Subsidy for Build America Bonds	\$ 5,148,202	
7	Federal Funds for 2010A Bond Debt Service	\$ 9,626,239	
8	<b>Total Estimated Revenue</b>	<b>\$ 145,186,737</b>	
9			
10	<b>Estimated Allocations</b>		
11	<b>Administrative &amp; Operating Activities (Cost Centers B8800-538 and B88AD-538)</b>		
12	Bridge and Tunnel Enterprise Program Management		\$ (1,300,000)
13	CDOT Staff Compensation		\$ (124,833)
14	Attorney General Legal Services		\$ (40,000)
15	Annual Audit		\$ (35,000)
16	Operating Expenses		\$ (4,000)
17	Trustee Fee		\$ (10,000)
18	Other consulting		\$ (100,000)
19	<b>Total Administrative &amp; Operating Activities</b>		<b>\$ (1,613,833)</b>
20			
21	<b>Support Services (Cost Center B88SP-538)</b>		
22	Additional Project and Program Support Services		\$ (320,000)
23	<b>Total Support Services</b>		<b>\$ (320,000)</b>
24			
25	<b>Maintenance (Cost Center B88MS-538)</b>		
26	Routine Maintenance on Bridge and Tunnel Enterprise Structures		\$ (750,000)
27	<b>Total Maintenance</b>		<b>\$ (750,000)</b>
28			
29	<b>Preservation (Cost Center B88BP-538)</b>		
30	Bridge and Tunnel Preservation		\$ -
31	<b>Total Preservation</b>		<b>\$ -</b>
32			
33	<b>Debt Service and Availability Payments</b>		
34	2010A and 2019A Bond Debt Service		\$ (17,181,000)
35	Central 70 Availability Payment		\$ (30,855,249)
36	<b>Total Debt Service and Availability Payments</b>		<b>\$ (48,036,249)</b>
37			
38	<b>Construction Program</b>		
39	Funding for Bridge and Tunnel Enterprise Projects		\$ (94,466,655)
40	<b>Total Construction Program</b>		<b>\$ (94,466,655)</b>
41			
	<b>Total Fund 538 Revenues</b>	<b>\$ 145,186,737</b>	
	<b>Total Fund 538 Allocations</b>		<b>\$ (145,186,737)</b>
	<b>Remaining Unbudgeted Funds</b>		<b>\$ -</b>





**MEMORANDUM**

**TO:** THE TRANSPORTATION COMMISSION  
**FROM:** JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER  
**DATE:** MARCH 17, 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.

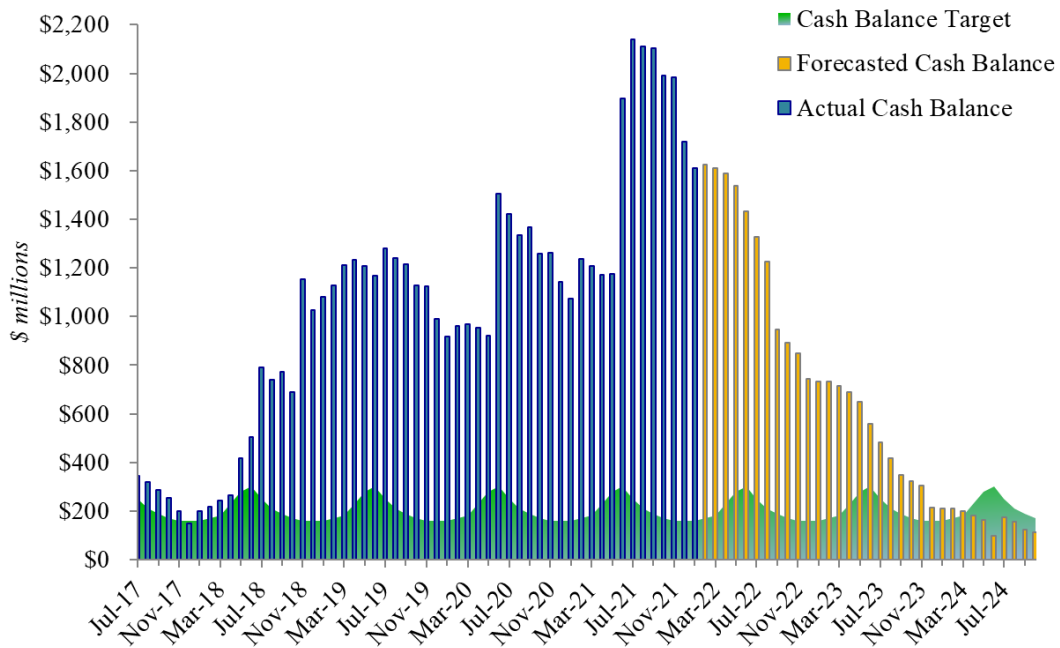
**Action**

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 January 2022 was \$1.61 billion; \$1.45 billion above that month's cash balance target of \$160 million. January's cash balance is comprised of \$687 million in the State Highway Fund, and \$923 million in the Senate Bill 267 trustee account. January's closing cash balance for the State Highway Fund is \$99 million lower than December's forecast of that balance due to higher than expected construction expenditures and an adjustment to forecasting for local match.

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, and \$0 thereafter.

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 \$500 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.





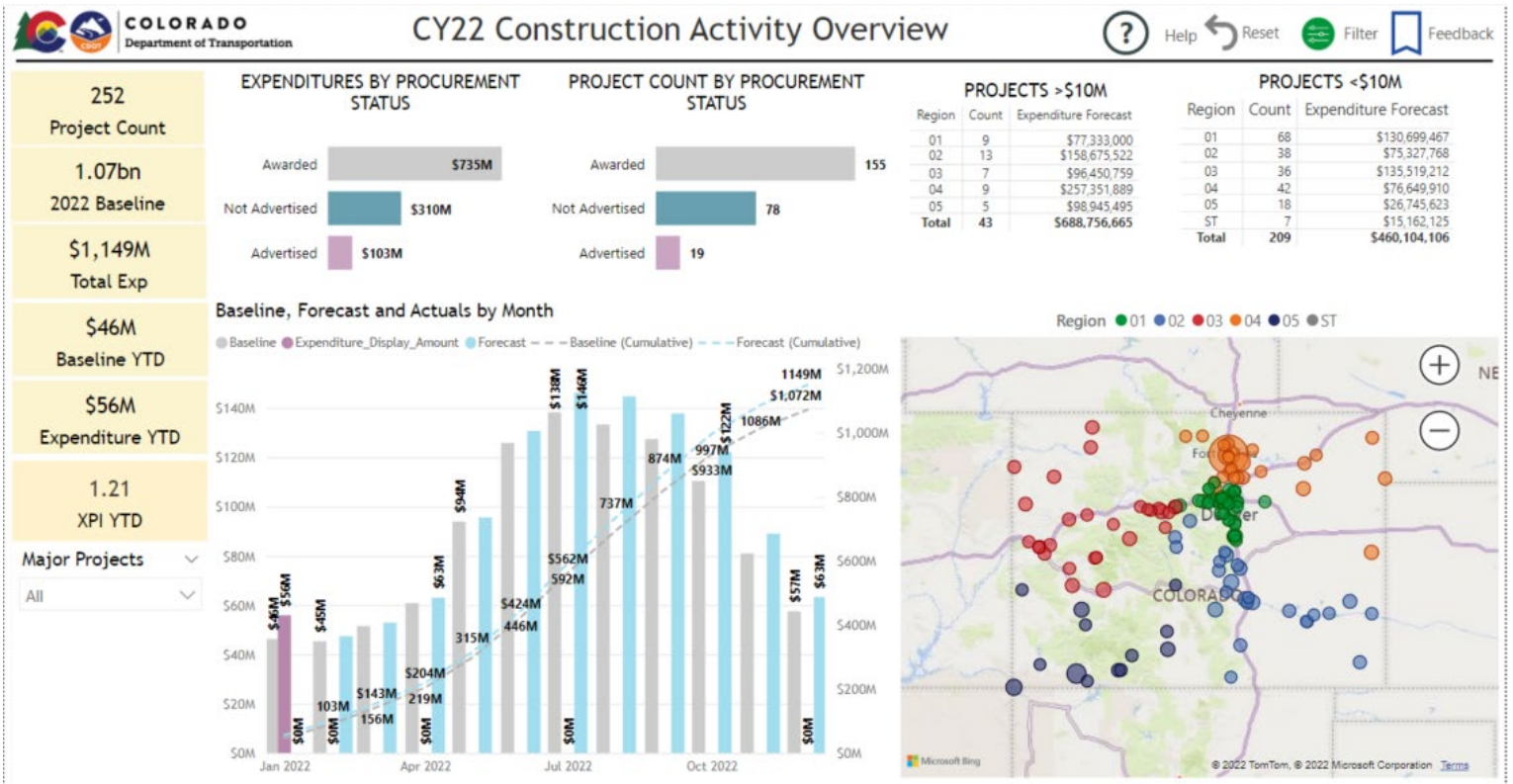
**Cash Payments to Construction Contractors**

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	\$714	\$1039.4	\$738	\$443

The graph below details CY22 baseline, forecast, and actual expenditures (based on January month end SAP data). Results to date correlate with an XPI of 1.21 (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:** COLORADO TRANSPORTATION COMMISSION  
**FROM:** HERMAN STOCKINGER, DEPUTY DIRECTOR AND DIRECTOR OF POLICY  
**DATE:** MARCH 17TH, 2022  
**SUBJECT:** REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY  
(RAISE) DISCRETIONARY GRANT PROGRAM

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**Purpose**

To discuss projects for submittal and funding opportunities by CDOT under the RAISE discretionary grant program.

**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.

For RAISE grants in 2022, the staff requests BTE action this month to approve contingent funding for the 6th & Wadsworth project. We will also have a Commission workshop this month regarding Bustang expansion, which could support the “Westward 3” application.

**Background**

The U.S. Department of Transportation (USDOT) recently released the 2022 Notice of Funding Opportunity for RAISE. Eligible applicants can submit up to three applications each, due April 14th, 2022.

RAISE applications will be evaluated based on the following selection criteria and key objectives:

- Safety - how the project improves safety outcomes;
- Environmental sustainability - how the project will reduce emissions, promote energy efficiency, incorporate electrification or zero emission infrastructure, increase resiliency, improve stormwater management, and recycle or redevelop existing infrastructure;
- Quality of life - how the project increases or improves transportation choices, expands access to essential services, improved connectivity to critical destinations (jobs, health care), proactively addresses racial equity and barriers to opportunity;
- Improves mobility and community connectivity - how the project encourages free, accessible movement with or without a car, meets ADA requirements, and increases and improves freight mobility and supply chains.
- Economic competitiveness - how the project impacts the movement of goods and people; and
- State of good repair - improves the condition and resiliency of existing transportation facilities and systems.

Secondary selection criteria include partnership and collaboration with affected communities and innovation via technology, project delivery, and financing.

Additional information on funding amounts and match requirements include:



- Approximately \$1.5 billion will be available to be awarded in FY 2022.
- No more than \$75 million will be awarded to planning grants
- \$15 million will be specifically designated to projects in areas of persistent poverty or historically disadvantaged communities.
- Grants must be at least \$5 million unless located in a rural area, which has a minimum of \$1 million. Grants may not be greater than \$25 million.
- No more than 15 percent (or \$225 million) of the funds may be awarded to projects in a single State in FY22.
- Not less than 50% shall be for projects in rural areas.
- Projects must have a minimum of a 20 percent match.
- Funds must be obligated by September 2026 and expended by September 2031.

### Details

Based on the criteria in the NOFO and discussions with executive management, three candidate projects have been identified for the RAISE solicitation:

1. Mobility Options for a Vibrant and Equitable (MOVE) Western Slope: The Westward Three
2. US 6th & Wadsworth Boulevard Interchange Improvements
3. SH/CO119 Safety and Mobility Project

#### 1. **MOVE: Westward 3**

The MOVE application is a collaborative effort between CDOT, the city of Grand Junction, Roaring Fork Transit Authority, the city of Rifle, Mesa County, and the Grand Valley Transportation Planning Region. The project is divided into three components, each component focusing on the development of three new or existing “Mobility Hub” sites in the cities of Grand Junction, Glenwood Springs, and Rifle.

The Grand Junction project will convert a parcel of land owned by the city of Grand Junction and three small private parcels into a critically needed mobility hub that form the triangle-block between South 1<sup>st</sup> Street and South 2<sup>nd</sup> Street between Pitkin Avenue and Ute Avenue. This hub builds upon the final stage of CDOT’s I-70B project and will bring much needed convergence of mobility options for the region: Grand Valley Transit, Bustang, Greyhound, and Amtrak. Once built, the hub will also improve pedestrian and bike connectivity, as well as allow pick-up/drop/off zone for ride share businesses.

The Glenwood Springs project, in close collaboration with the Roaring Fork Transit Authority, will construct the West Glenwood Transit Station to address gaps in service at the intersection of the I-70 corridor and SH82. This hub will serve the I-70 corridor between Rifle and Glenwood Springs; the SH82 corridor between Glenwood Springs and Aspen; and a myriad of commuter services like the Valley, BRT, and Ride Glenwood Springs routes, CDOT’s Bustang and RFTA’s Grand Hogback regional routes, plus Greyhound and Amtrack.

The Rifle project will relocate and expand the existing Park-n-Ride. By shifting the Park-n-Ride to a larger parcel near its current location, the number of parking spaces will double and it will continue to offer the convenience of its proximity to downtown, but will also allow for redevelopment of the gateway to downtown to provide much-needed opportunities for more housing, restaurants, and retail.

Together, these three projects create a regional mobility system that will enable residents and tourists to travel within the region via transit, reducing the number of vehicles on the road, thereby relieving congestion and lowering greenhouse gas emissions, as well as connect within and beyond their communities through efficient, accessible commuting options.

**2. 6th & Wadsworth**

The 6th and Wadsworth project will improve the US 6 and Wadsworth Blvd interchange in the city of Lakewood. Both arterial roadways serve a broad cross section of local and regional travelers. The main components of the project include reconstructing the interchange (bridge and ramps), adding one lane in each direction to Wadsworth Blvd, improving signalization and design to meet current standards, storm drainage improvements, implementing sound walls along 6th, and pedestrian/bikeway improvements.

This project will improve traffic flow and safety and increase multi-modal travel options and connections at the US 6 and Wadsworth Blvd interchange and along Wadsworth Blvd between 4th Avenue and 14th Avenue.

**3. CO119 Safety and Mobility**

The CO119 Safety and Mobility project is a combined delivery between CDOT and RTD. This project spans CO119 from CO157 on the south to Hover Street on the north. The project focuses on implementing Bus Rapid Transit (BRT) and safety and intersection improvements. The main components of the project will include: BRT stations at 63<sup>rd</sup> St, CO52, and Niwot Rd.; Park-n-Ride facilities at 63<sup>rd</sup> St and Niwot Rd.; implementation of safety recommendations throughout; intersection improvements at CO52, Airport Road and Hover St.; and queue bypass lanes at the signalized intersections in the corridor.

This project will improve the safety, convenience, and comfortability of traveling through the CO119 diagonal corridor, as well as encourage travel options beyond a personal vehicle to reduce GHG emissions and traffic congestion.

**Options and Recommendation**

The Bridge and Tunnel Enterprise (BTE) Board of Directors is supporting the 6th and Wadsworth RAISE application with a resolution to commit \$20M in BTE match funding to this project.

**Next Steps**

The RAISE grant applications are due for submission on April 14th, 2022.

Other NOFOs expected to be released in the coming weeks:

- Infrastructure for Rebuilding America (INFRA)
- National Infrastructure Project Assistance (MEGA)
- Rural Surface Transportation