

Colorado Transportation Commission

Schedule & Agenda

April 19-20, 2023

Transportation Commission Workshops

Wednesday, April 19, 2023

Time	Topic	Speaker
12:15-1:15 pm	Joint Lunch with Colorado Aeronautical Board	David Ulane
1:30 p.m.	Budget Workshop <ul style="list-style-type: none"> • FY 2023-24 Budget Supplement • FY 2023-24 Budget Amendment • FTE Request for Equity Office 	Jeff Sudmeier, Bethany Nicholas, Marsha Nelson
2:00 p.m.	Region 4 Update	Rich Christy
2:30 p.m.	Adjournment	None
3 p.m.	Reconvene at Traffic Operations Center for Commissioners Tour (Optional) 425 Corporate Circle, Golden CO 80401	John Lorme & Bob Fifer
4:30 p.m.	Adjournment	None

Transportation Commission Meeting

Thursday, April 20, 2023

Time	Topic	Speaker
8 a.m.	Commissioner Breakfast	Various
9 a.m.	Call to Order, Roll Call	Herman Stockinger
9 a.m.	Open Public Hearing for DRAFT FY2024 - FY2027 STIP	Gary Beedy, Darius Pakbaz & Jamie Collins
9:05 a.m.	Public Comments	Various
9:10 a.m.	Comments of the Chair and Individual Commissioners	Commissioners
9:30 a.m.	Executive Director's Management Report	Shoshana Lew
9:35 a.m.	Chief Engineer's Report	Keith Stefanik
9:40 a.m.	CTIO Director's Report	Nick Farber
9:45 a.m.	FHWA Division Administrator Report	John Cater
9:50 a.m.	STAC Report	Vincent Rogalski
9:55 a.m.	Legislative Report	Emily Haddaway
10 a.m.	Act on Consent Agenda <ul style="list-style-type: none"> • Proposed Resolution #1: Approve the Regular Meeting Minutes of March 16, 2023 • Proposed Resolution #2: IGA Approval >\$750,000 • Proposed Resolution #3: Resolution to increase CDOT's FTE Cap 	<ul style="list-style-type: none"> • Herman Stockinger • Lauren Cabot • Keith Stefanik and Marsha Nelson

10 a.m.	<p>Act on Consent Agenda (continued)</p> <ul style="list-style-type: none"> Proposed Resolution #4: Floyd Hill Memorandum of Understanding (MOU) with the Federal Highway Administration (FHWA) Proposed Resolution #5: Adoption of Policy Directive 1209.0 "Housing Assistance" Proposed Resolution #6: Disposal: I-70 Parcel 21-EX Timber Ridge Proposed Resolution #7: Disposal: I-70 Parcel 29-Rev3-EX West Middle Creek Proposed Resolution #8: Disposal: Parcel 32-EX Englewood 	<ul style="list-style-type: none"> John Gregory Herman Stockinger, Kristi Graham-Gitkind, John Lorme Jason Smith Jason Smith Jessica Myklebust
10:05 a.m.	Discuss and Act on Proposed Resolution #9: Budget Supplement of FY 2023	Jeff Sudmeier
10:10 a.m.	Discuss and Act on Proposed Resolution #10: FY 2022-23 Budget Amendment	Jeff Sudmeier
10:15 a.m.	Discuss and Act on Proposed Resolution #11: I-25 North TIFIA Loan Approval	Piper Darlington & Nick Farber
10:20 a.m.	Discuss and Act on Proposed Resolution #12: Adopt Proposed Changes to 2 CCR 601-1A, State Highway Access Category Assignment Schedule	Herman Stockinger, Sari Weichbrodt, & Daniel Roussin
10:25 a.m.	Discuss and Act on Proposed Resolution #13: Adopt Proposed Changes to 2 CCR 605-1, State Infrastructure Bank Rules	Herman Stockinger, Sari Weichbrodt, and David Ulane
10:30 a.m.	Discuss and Act on Proposed Resolution #14: Fee Based Right of Way Access for Fiber - PULLED FROM AGENDA	Jonas Durham & Allie Axley
10:35 a.m.	Recognition - Environmental Awards	Darius Pakbaz, Jane Hann, & Troy Halouska
10:50 a.m.	Other Matters - Close STIP Hearing	Gary Beedy, Darius Pakbaz & Jamie Collins
10:55 a.m.	Adjournment	None

The Bridge Enterprise Board of Directors meeting will begin immediately following the adjournment of the Transportation Commission Meeting. Estimated Start Time: 10:55 a.m.

Bridge and Tunnel Enterprise Board of Directors Meeting

Thursday, April 20, 2023

Time	Topic	Speaker
10:55 a.m.	Call to Order and Roll Call	Herman Stockinger
11 a.m.	Public Comments	Various
11:05 a.m.	Act on Consent Agenda <ul style="list-style-type: none">Proposed Resolution #BTE1: to Approve the Regular Meeting Minutes of March 16, 2023	Herman Stockinger
11:10 a.m.	Discuss and Act on Proposed Resolution #BTE2: Bridge & Tunnel Enterprise 8th Budget Supplement for FY'23	Jeff Sudmeier
11:15 a.m.	Other Matters	None
11:20 a.m.	Adjournment	None

Information Only

- Project Budget/Expenditure Memo (Jeff Sudmeier)
- Quarterly Revenue Forecast Update Memo (Jeff Sudmeier)
- TC Grants Memo (Hannah Reed)
- OnBase Audit Report (Frank Spinelli)
- Audit Review Committee (ARC) June 15, 2022 Minutes (Frank Spinelli)



Informational Item Summary - Colorado Aeronautical Board

MEETING DATE: April 19, 2023
AGENDA ITEM: Joint Transportation Commission/Colorado Aeronautical Board Lunch
FROM: David Ulane, Aeronautics Director

Informational Item Summary:

At noon on April 19th, the Transportation Commission and Colorado Aeronautical Board (CAB) will hold their annual joint lunch, prior to their respective meetings. This function provides a unique opportunity for two Boards to meet one another, and in informal setting discuss multi-modal statewide transportation matters. As part of the lunch, the Aeronautics Director will provide the group an overview of the Aeronautics Division’s mission and current initiatives. The Colorado Aeronautical Board is a Type 1 Board, like the Transportation Commission, and is charged under state statute with oversight of CDOT’s Division of Aeronautics.

CAB members are appointed by the Governor to represent specific constituencies and geographic areas: two represent airports on the eastern plains and two represent airports on the western slope; one represents the statewide association of pilots; one represents the state association of airport managers; and one is appointed at large. Current CAB members are:

Ken Maenpa, Chair
Western Slope

Kent Holsinger, Vice Chair
Western Slope

Mark VanTine, Secretary
At Large

Daniel Melia
Eastern Plains

Charles “Chaz” Tedesco
Eastern Plains

Trimbi Szabo
Pilots Association

Steve Lee
Airport Managers Association

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
BETHANY NICHOLAS, BUDGET DIRECTOR
DATE: APRIL 19, 2023
SUBJECT: FY 2022-23 BUDGET AMENDMENT

Purpose

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

Action

The Division of Accounting and Finance (DAF) is requesting the Transportation Commission (TC) to review and adopt the fourth budget amendment to the FY 2022-23 Annual Budget, which consists of two items that require TC approval, and one informational item. The fourth budget amendment reallocates \$19.6 million from the Commission Reserve Funds line (Line 73) to the Maintenance Program Areas line (Line 23) and reallocates \$8.0 million from the Commission Reserve Funds line (Line 73) to Surface Treatment (Line 4) for a pavement project in Region 4.

FY 2022-23 Budget Amendment

Snow and Ice Control

Colorado has experienced above-average snowfall during FY 2022-23 and exhausted the full \$12.0 million balance in the Maintenance Program Reserve for snow and ice control activities. The Division of Maintenance and Operations is currently forecasting a shortfall of \$18.4 million for the remainder of the fiscal year and to be conservative is increasing the request to \$19.6 million. This would require a transfer from the TC Program Reserve to address this shortfall.

The fourth budget amendment reallocates \$19,624,000 from the TC Program Reserve Fund in the Commission Reserve Funds line (Line 73) to the Maintenance Program Areas line (Line 23) for snow and ice control for the remainder of the fiscal year.

Funding for Poor Interstates

During the February TC meeting, staff reviewed a proposed initiative to improve Colorado's interstate pavement condition as measured by National Performance Measures (NPMs), which included a list of proposed and existing projects to address "poor" interstates. At that time staff identified an overall funding shortfall of \$37.2 million for the projects that were identified. Region 4 has been able to accelerate one of the projects identified so that construction could begin during summer 2023. \$8.0 million of the \$37.2 million that staff identified is needed now to move this project forward this summer. More information on the project is included in the attached memo from Region 4.

The fourth amendment reallocates \$8,000,000 million from the TC Program Reserve Fund in the Commission Reserve Funds line (Line 73) to Surface Treatment (Line 4) for a project that will improve interstate pavement condition in Region 4.

Informational Item

During the March TC meeting, the Environmental Justice and Equity (EJE) Branch reviewed with the Commission their 2022 key accomplishments and 2023 strategic goals, and identified the need to add 4.0 new positions to accomplish the additional program development and required implementation responsibilities. The Budget Workshop this month includes a separate agenda item from the EJE Branch to formally request approval to add 4.0 new positions which requires the TC's approval per PD 703.0. The estimated cost for the 4.0 positions is approximately \$480,000 beginning in FY 2023-24 and these positions will be funded within the Department's indirects budget. Based on the amount, this request will be approved by the EMT per PD 703.0; however, it is included here as an informational item to supplement the information presented by the EJE Branch.

Attachments

- Attachment A - FY 2022-23 Amended Revenue Allocation Plan
- Attachment B - Memo - Div. of Maint and Operations Snow and Ice
- Attachment C - Memo - Region 4 Poor Interstate Project

Attachment A: FY 2022-23 CDOT AMENDED ANNUAL BUDGET (April 2023)

Line	Budget Category / Program	Rollforward from FY 2021-22	FY 2022-23 Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EMT and Staff Approved Adjustments	Total FY23 Program Budget Available including Changes	Directed By	Funding Source
1	COLORADO DEPARTMENT OF TRANSPORTATION								
2	Capital Construction	\$1,335.3 M	\$656.8 M	\$8.0 M	\$59.5 M	\$357.1 M	\$2,416.6 M		
3	Asset Management	\$106.8 M	\$392.3 M	\$8.0 M	\$59.5 M	-\$44.6 M	\$522.0 M		
4	Surface Treatment	\$18.8 M	\$225.6 M	\$8.0 M	\$24.0 M	-\$26.3 M	\$250.0 M	TC	FHWA / SH / SB 09-108
5	Structures	\$10.4 M	\$62.5 M	\$0.0 M	\$0.0 M	\$0.2 M	\$73.1 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$3.6 M	\$26.9 M	\$0.0 M	\$0.0 M	-\$1.4 M	\$29.1 M	TC	FHWA / SH
7	Geohazards Mitigation	\$6.9 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.9 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$2.3 M	\$6.5 M	\$0.0 M	\$0.0 M	\$1.4 M	\$10.1 M	TC	FHWA / SH
9	Emergency Relief	\$9.4 M	\$0.0 M	\$0.0 M	\$0.0 M	-\$2.9 M	\$6.5 M	FR	FHWA
10	10 Year Plan Projects - Capital AM	\$55.5 M	\$60.9 M	\$0.0 M	\$35.5 M	-\$15.6 M	\$136.2 M	TC / FR	FHWA
11	Safety	\$31.7 M	\$121.6 M	\$0.0 M	\$0.0 M	\$40.2 M	\$193.5 M		
12	Highway Safety Improvement Program	\$10.2 M	\$39.4 M	\$0.0 M	\$0.0 M	-\$1.1 M	\$48.5 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$2.4 M	\$3.6 M	\$0.0 M	\$0.0 M	-\$0.9 M	\$5.1 M	FR	FHWA / SH
14	Hot Spots	\$0.5 M	\$2.2 M	\$0.0 M	\$0.0 M	\$0.3 M	\$2.9 M	TC	FHWA / SH
15	FASTER Safety	\$8.9 M	\$69.2 M	\$0.0 M	\$0.0 M	\$42.0 M	\$120.1 M	TC	SB 09-108
16	ADA Compliance	\$9.6 M	\$7.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.8 M	TC	FHWA / SH
17	Mobility	\$1,196.7 M	\$142.9 M	\$0.0 M	\$0.0 M	\$361.5 M	\$1,701.1 M		
18	Regional Priority Program	\$48.0 M	\$50.0 M	\$0.0 M	\$0.0 M	\$1.7 M	\$99.7 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$1,111.2 M	\$72.2 M	\$0.0 M	\$0.0 M	\$361.0 M	\$1,544.3 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$37.5 M	\$20.7 M	\$0.0 M	\$0.0 M	-\$1.1 M	\$57.1 M	FR	FHWA / SH / SL
21	Maintenance and Operations	\$35.9 M	\$372.3 M	\$19.6 M	\$11.5 M	\$5.8 M	\$443.5 M		
22	Asset Management	\$29.7 M	\$336.1 M	\$19.6 M	\$11.5 M	\$10.6 M	\$405.9 M		
23	Maintenance Program Areas	\$1.6 M	\$273.8 M	\$19.6 M	\$0.0 M	\$18.0 M	\$311.3 M		
24	Roadway Surface	\$0.0 M	\$37.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$37.7 M	TC	SH
25	Roadside Facilities	\$0.0 M	\$22.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$22.8 M	TC	SH
26	Roadside Appearance	\$0.0 M	\$10.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$10.8 M	TC	SH
27	Structure Maintenance	\$0.0 M	\$5.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.7 M	TC	SH
28	Tunnel Activities	\$0.0 M	\$6.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.4 M	TC	SH
29	Snow and Ice Control	\$0.0 M	\$84.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$84.1 M	TC	SH
30	Traffic Services	\$0.0 M	\$71.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$71.9 M	TC	SH
31	Materials, Equipment, and Buildings	\$0.0 M	\$18.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.2 M	TC	SH
32	Planning and Scheduling	\$0.0 M	\$16.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$16.1 M	TC	SH
33	Express Lane Corridor Maintenance and Operations	\$1.5 M	\$11.0 M	\$0.0 M	\$0.0 M	\$1.9 M	\$14.4 M	TC	SH
34	Property	\$0.0 M	\$27.9 M	\$0.0 M	\$6.5 M	\$1.9 M	\$36.3 M	TC	SH
35	Capital Equipment	\$19.6 M	\$23.4 M	\$0.0 M	\$0.0 M	\$0.9 M	\$43.9 M	TC	SH
36	Maintenance Reserve Fund	\$7.0 M	\$0.0 M	\$0.0 M	\$5.0 M	-\$12.0 M	\$0.0 M	TC	SH
37	Safety	\$11.1 M	\$12.2 M	\$0.0 M	\$0.0 M	-\$4.9 M	\$8.4 M		
38	Strategic Safety Program	\$1.1 M	\$12.2 M	\$0.0 M	\$0.0 M	-\$4.9 M	\$8.4 M	TC	FHWA / SH
39	Mobility	\$5.1 M	\$24.0 M	\$0.0 M	\$0.0 M	\$0.1 M	\$29.2 M		
40	Real-Time Traffic Operations	\$0.6 M	\$14.0 M	\$0.0 M	\$0.0 M	-\$0.4 M	\$14.2 M	TC	SH
41	ITS Investments	\$4.5 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.5 M	\$14.9 M	TC	FHWA / SH
42	Multimodal Services & Electrification	\$206.9 M	\$46.3 M	\$0.0 M	\$35.1 M	\$35.4 M	\$323.7 M		
43	Mobility	\$206.9 M	\$46.3 M	\$0.0 M	\$35.1 M	\$35.4 M	\$323.7 M		
44	Innovative Mobility Programs	\$13.0 M	\$8.9 M	\$0.0 M	\$0.0 M	-\$0.1 M	\$21.9 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$8.4 M	\$11.3 M	\$0.0 M	\$0.0 M	\$5.0 M	\$24.7 M	FR	FHWA
46	10 Year Plan Projects - Multimodal	\$164.2 M	\$17.2 M	\$0.0 M	\$0.0 M	\$1.6 M	\$183.1 M	TC	FHWA / SB 17-267, SB 21-260
47	Rail Commission	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.3 M	\$0.3 M	SL	
48	Bustang	\$21.3 M	\$8.8 M	\$0.0 M	\$35.1 M	\$28.5 M	\$93.8 M	TC	SB 09-108 / Fare Rev.
49	Suballocated Programs	\$506.7 M	\$373.2 M	\$0.0 M	-\$35.1 M	\$51.3 M	\$896.1 M		
50	Aeronautics	\$12.3 M	\$35.3 M	\$0.0 M	\$0.0 M	\$36.2 M	\$83.8 M		
51	Aviation System Program	\$12.3 M	\$35.3 M	\$0.0 M	\$0.0 M	\$36.2 M	\$83.8 M	AB	SA
52	Highway	\$261.6 M	\$143.9 M	\$0.0 M	\$0.0 M	-\$2.9 M	\$402.6 M		
53	STBG-Urban (STP-Metro)	\$176.6 M	\$61.9 M	\$0.0 M	\$0.0 M	-\$2.5 M	\$236.0 M	FR	FHWA / LOC
54	Congestion Mitigation and Air Quality	\$55.4 M	\$51.7 M	\$0.0 M	\$0.0 M	-\$4.4 M	\$102.8 M	FR	FHWA / LOC
55	Metropolitan Planning	\$9.7 M	\$10.7 M	\$0.0 M	\$0.0 M	\$1.8 M	\$22.2 M	FR	FHWA / FTA / LOC
56	Off-System Bridge Program	\$19.9 M	\$19.5 M	\$0.0 M	\$0.0 M	\$2.2 M	\$41.6 M	TC / FR	FHWA / SH / LOC
57	Transit and Multimodal	\$232.8 M	\$194.1 M	\$0.0 M	-\$35.1 M	\$17.9 M	\$409.7 M		
58	Recreational Trails	\$1.2 M	\$1.6 M	\$0.0 M	\$0.0 M	-\$1.4 M	\$1.4 M	FR	FHWA
59	Safe Routes to School	\$7.9 M	\$3.1 M	\$0.0 M	\$0.0 M	-\$0.4 M	\$10.6 M	TC	FHWA / LOC
60	Transportation Alternatives Program	\$37.4 M	\$20.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$57.8 M	FR	FHWA / LOC
61	Transit Grant Programs	\$81.7 M	\$61.0 M	\$0.0 M	\$0.0 M	\$6.1 M	\$148.7 M	FR / SL / TC	FTA / LOC / SB 09-108
62	Multimodal Options Program - Local	\$86.3 M	\$97.6 M	\$0.0 M	-\$35.1 M	-\$26.6 M	\$122.2 M	SL	SB 21-260
63	Carbon Reduction Program - Local	\$0.0 M	\$9.5 M	\$0.0 M	\$0.0 M	\$7.8 M	\$17.3 M	FR	FHWA / LOC
64	Revitalizing Main Streets Program	\$18.4 M	\$0.7 M	\$0.0 M	\$0.0 M	\$32.7 M	\$51.7 M	SL / TC	SB 21-260
65	Administration & Agency Operations	\$23.9 M	\$105.3 M	\$0.0 M	-\$0.9 M	-\$4.2 M	\$124.0 M		
66	Agency Operations	\$23.2 M	\$59.7 M	\$0.0 M	-\$1.9 M	-\$7.1 M	\$73.9 M	TC / AB	FHWA / SH / SA / SB 09-108
67	Administration	\$0.0 M	\$42.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$42.9 M	SL	SH
68	Project Initiatives	\$0.7 M	\$2.6 M	\$0.0 M	\$1.0 M	\$2.9 M	\$7.2 M	TC	SH
69	Debt Service	\$230.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$230.4 M		
70	Debt Service	\$230.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$230.4 M	DS	SH
71	Contingency Reserve	\$83.1 M	\$0.0 M	-\$27.6 M	-\$50.5 M	\$156.8 M	\$161.8 M		
72	Contingency Fund	\$38.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.8 M	\$43.8 M	TC	FHWA / SH
73	Commission Reserve Funds	\$45.0 M	\$0.0 M	-\$27.6 M	-\$50.5 M	\$151.0 M	\$117.9 M	TC	FHWA / SH
74	Other Programs	\$57.2 M	\$29.5 M	\$0.0 M	\$0.0 M	-\$17.1 M	\$69.6 M		
75	Safety Education	\$22.5 M	\$14.1 M	\$0.0 M	\$0.0 M	\$2.0 M	\$38.7 M	TC/FR	NHTSA / SSE
76	Planning and Research	\$7.6 M	\$15.1 M	\$0.0 M	\$0.0 M	\$0.2 M	\$22.9 M	FR	FHWA / SH
77	State Infrastructure Bank	\$27.0 M	\$0.3 M	\$0.0 M	\$0.0 M	-\$19.2 M	\$8.0 M	TC	SIB
78	TOTAL - CDOT	\$2,479.2 M	\$1,583.3 M	\$0.0 M	\$19.6 M	\$585.1 M	\$4,667.2 M		

	Budget Category / Program	Rollforward from FY 2021-22	FY 2022-23 Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EMT and Staff Approved Adjustments	Total FY23 Program Budget Available including Changes	Directed By	Funding Source
79	COLORADO BRIDGE & TUNNEL ENTERPRISE								
80	Capital Construction	\$36.3 M	\$94.5 M	\$0.0 M	\$0.0 M	\$1.6 M	\$132.4 M		
81	Asset Management	\$36.3 M	\$94.5 M	\$0.0 M	\$0.0 M	\$1.6 M	\$132.4 M		
82	Bridge Enterprise Projects	\$36.3 M	\$94.5 M	\$0.0 M	\$0.0 M	\$1.6 M	\$132.4 M	BTEB	SB 09-108, SB 21-260
83	Maintenance and Operations	\$0.5 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M		
84	Asset Management	\$0.5 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M		
85	Maintenance and Preservation	\$0.5 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.3 M	BTEB	SB 09-108
86	Administration & Agency Operations	\$3.9 M	\$1.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.8 M		
87	Agency Operations-BTE	\$3.9 M	\$1.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.8 M	BTEB	SB 09-108
88	Debt Service	\$2.1 M	\$48.0 M	\$0.0 M	\$0.0 M	-\$17.1 M	\$33.0 M		
89	Debt Service-BTE	\$2.1 M	\$48.0 M	\$0.0 M	\$0.0 M	-\$17.1 M	\$33.0 M	BTEB	FHWA / SH
90	TOTAL - BRIDGE & TUNNEL ENTERPRISE	\$42.9 M	\$145.2 M	\$0.0 M	\$0.0 M	-\$15.5 M	\$172.6 M		

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

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

109	NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE								
110	Multimodal Services & Electrification	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$6.3 M		
111	Mobility	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$6.3 M		
112	NAAPME Projects	\$0.0 M	\$6.6 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$6.3 M	NAAPMEB	SB 21-260
113	Administration & Agency Operations	\$0.1 M	\$0.4 M	\$0.0 M	\$0.0 M	\$0.3 M	\$0.8 M		
114	Agency Operations-NAAPME	\$0.1 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.3 M	\$0.6 M	NAAPMEB	SB 21-260
115	Contingency Reserve-NAAPME	\$0.0 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.2 M		
116	Debt Service	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M		
117	Debt Service-NAAPME	\$0.0 M	\$0.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.1 M	NAAPMEB	SB 21-260
118	TOTAL - NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE	\$0.1 M	\$7.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.2 M		
119	TOTAL - CDOT AND ENTERPRISES	\$2,579.2 M	\$1,784.0 M	\$0.0 M	\$19.6 M	\$583.4 M	\$4,966.3 M		



COLORADO
Department of Transportation
 Division of Maintenance & Operations
 425C Corporate Circle Golden, CO 80401

TO: Transportation Commission
FROM: John Lorme, Director, Division of Maintenance and Operations
CC: Jeffrey J. Sudmeier, Chief Financial Officer
 Herman Stockinger, Deputy Executive Director

DATE: April 7, 2023

Purpose

The Division of Maintenance and Operations (DMO) is requesting \$19,624,000 from the Transportation Commission Program Reserve.

Action Requested

Approval of requested additional funds.

Background

DMO is requesting 100% of the projected budget shortfall to help ensure the maintenance sections are able to fully fund winter snow activities without significantly impacting non-snow related spring and summer activities.

PROCESS

Within the DMO, winter is defined as October 14th through May 8th. Using the MLOS Section Snow and Ice Report, a request for supplemental funding is recommended. Current projections show a remaining Snow and Ice shortfall through the end of the season of roughly \$18.4 M. To be conservative DMO is increasing the request to roughly \$19.6 M. DMO is requesting 100% of the projected shortfall because of a heavy winter and snowfall totals more than the amounts normally experienced in the state. These funds will be used to fund payroll and ongoing maintenance operations through the end of FY23. DMO forecasters predict excessive spring runoff and flood mitigation operations throughout May and early June 2023.

The following guidelines are used to determine the Section TC Recommendation.

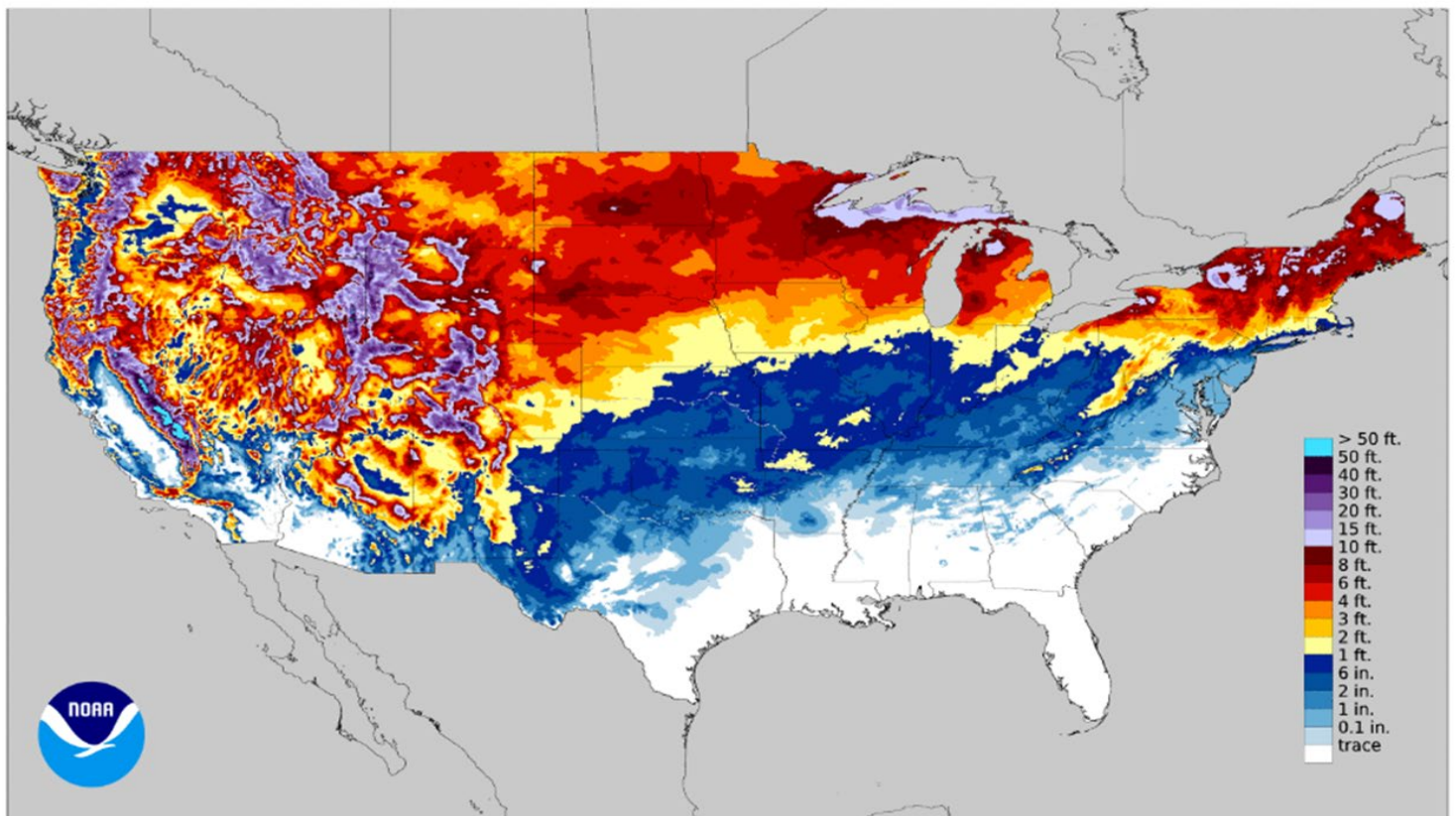
Snow and Ice Section Recommendation Percentage Guide

Month	Percentage Request	Month	Percentage Request
October	0%	March	40%
November	0%	April	50%
December	10%	May	60%
January	20%	June	100%
February	30%		

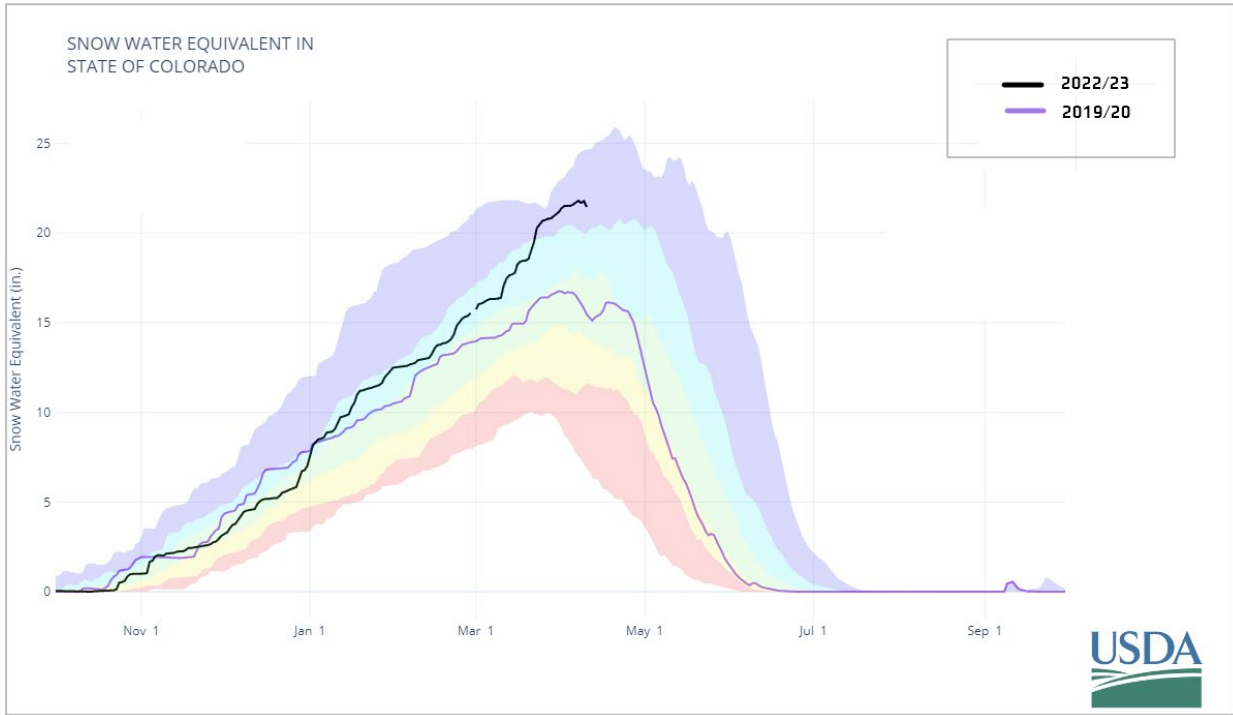
Section	Budget	Expenditure	% Winter Remaining	% Budget Remaining	% Surplus/Deficit	Surplus/Deficit	S&I Contingency Request
Greeley	\$16,666,776.84	\$17,782,878.54	15.05%	-6.70%	-21.75%	(\$3,624,451.61)	\$3,600,000.00
G.J.	\$21,914,404.43	\$22,454,658.25	15.05%	-2.47%	-17.52%	(\$3,838,371.69)	\$4,300,000.00
Durango	\$5,590,119.25	\$7,538,332.03	15.05%	-34.85%	-49.90%	(\$2,789,525.73)	\$3,050,000.00
Pueblo	\$12,778,821.60	\$12,856,145.98	15.05%	-0.61%	-15.66%	(\$2,000,537.03)	\$2,000,000.00
Aurora	\$16,397,634.80	\$13,182,781.31	15.05%	19.61%	-3.56%	\$496,001.50	\$500,000.00
Craig	\$6,882,431.31	\$8,100,132.99	15.05%	-17.69%	-32.74%	(\$2,253,507.59)	\$2,550,000.00
Alamosa	\$5,145,965.02	\$5,634,680.97	15.05%	-9.50%	-24.55%	(\$1,263,183.68)	\$1,550,000.00
EJMT	\$11,269,959.75	\$11,209,515.39	15.05%	0.54%	-14.51%	(\$1,635,684.58)	\$1,600,000.00
Aurora T	\$0.00	\$0.00	15.05%	0.00%	0.00%	\$0.00	\$0.00
Pueblo T	\$0.00	\$0.00	15.05%	0.00%	-100.00%	(\$34,341.53)	\$34,000.00
G.J. T	\$0.00	\$34,341.53	15.05%	0.00%	-100.00%	(\$158,334.26)	\$158,000.00
Greeley T	\$0.00	\$158,334.26	15.05%	0.00%	-100.00%	(\$175,670.03)	\$176,000.00
Durango T	\$0.00	\$175,670.03	15.05%	0.00%	-100.00%	(\$105,632.91)	\$106,000.00
State	\$96,646,113.00	\$99,233,104.19	15.05%	-2.68%	-17.73	(\$18,375,242.01)	\$19,624,000.00
Total S&I Contingency Request: \$19,624,000							

National Snowfall Analysis: accumulation from 2022-09-30 to 2023-04-10

Issued 2023-04-10 20:58:57 UTC

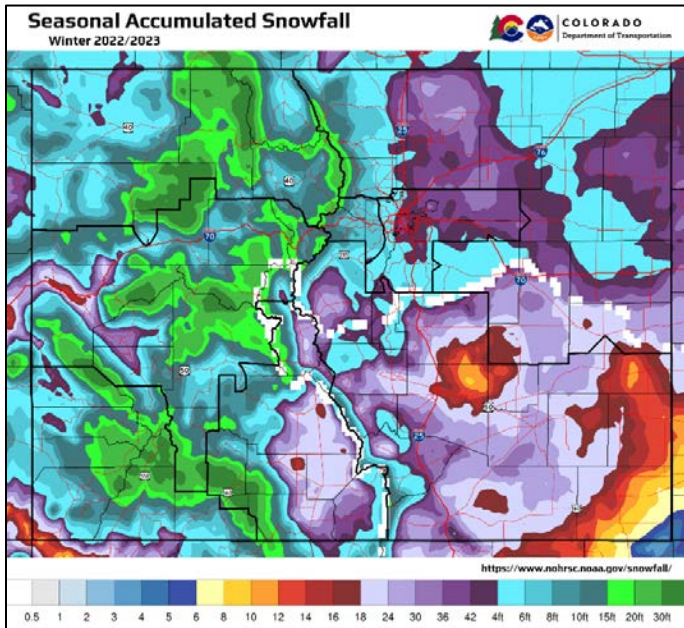


The Snow Water Equivalent (SNOTEL) graph above shows a similar pattern between fiscal years 2020 and 2023 in mountain snow accumulation from roughly November - January, but the 2020 fiscal year was notably drier from roughly February - April.

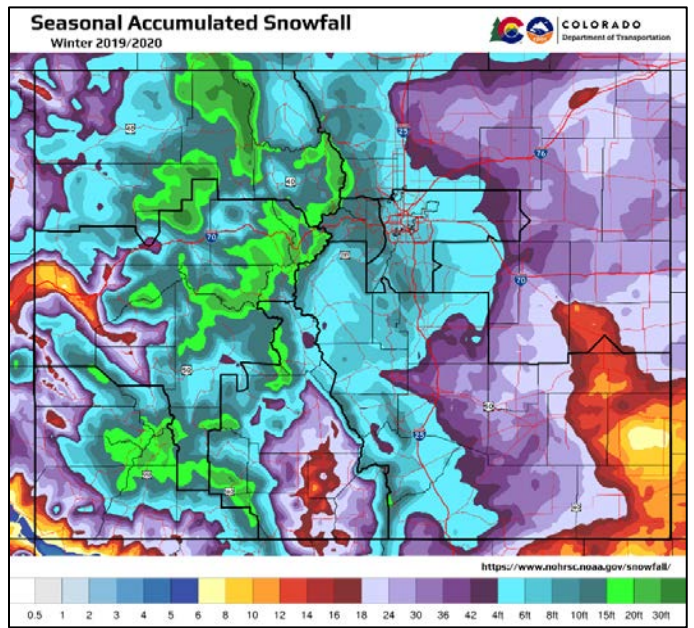


These graphics depict the last major snow season compared to this season.

Winter 2022/2023

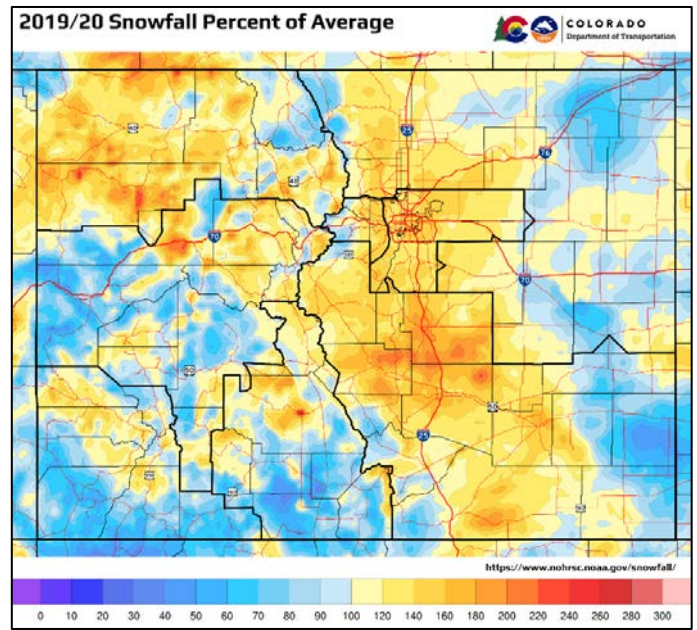
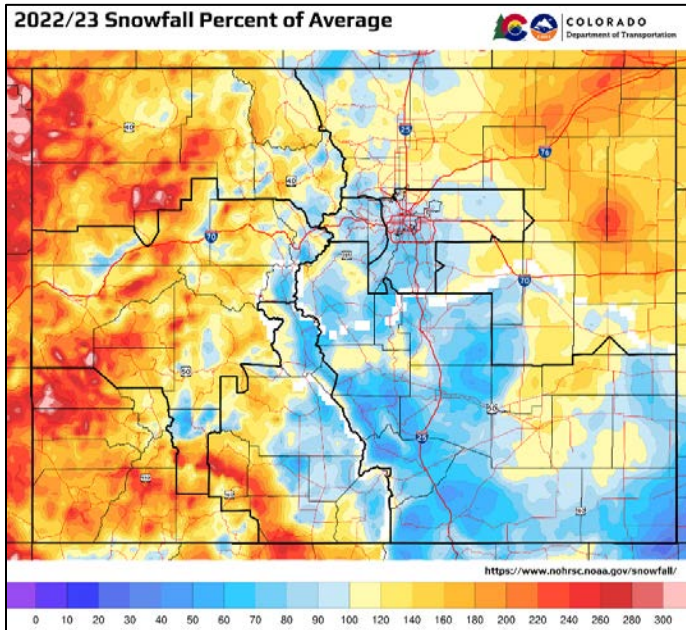


Winter 2019/2020



Winter 2019/20 and 2022/23 were both big snow years, but for different parts of Colorado as visualized in the chart above. Winter 2019/20 was particularly snowy east of the Continental Divide, while winter 2022/23 was snowier west of the Continental Divide.

*Total snowfall was roughly 200-300 percent of average for West of the Divide of the state.



MEMORANDUM

TO: COLORADO TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
WILLIAM JOHNSON, PERFORMANCE AND ASSET MANAGEMENT BRANCH MANAGER
DATE: APRIL 7, 2023
SUBJECT: PROJECT FUNDING FOR STRATEGIC INITIATIVE TO IMPROVE INTERSTATE PAVEMENT
CONDITION

Purpose

The purpose of this memorandum is to request the Transportation Commission's approval to advance a funding allocation of \$8 million to fund a pavement project on Interstate 25 near Fort Collins that will address "Poor"-rated pavement. The result would be that Region 4 would be able to deliver the project during the 2023 construction season instead of the originally planned 2024 season.

Action

CDOT staff is seeking Transportation Commission approval of the funding advancement.

Background

Pavement on the state highway system is CDOT's largest annual asset investment. The Department's Surface Treatment program drives strategic investment in pavement assets at about \$225-\$233 million per year.

In Colorado, 3.9 percent of Interstate pavement was rated "Poor" in 2021, according to federal National Performance Measures. Should the percentage of Interstate lane miles in any state rise above 5 percent "Poor," the state's flexibility in using certain federal funds is restricted. Specifically, CDOT would have to spend about \$130 million annually of some of its most flexible federal funds (National Highway Performance Program funds) on Interstate pavement until the minimum-condition standard is met. Nationwide, two states are currently at or above the 5 percent level.

To greatly improve the condition of Colorado's Interstate pavement, the Transportation Commission (TC) in February 2023 expressed support for a plan to provide \$233.7 million of investment to 14 projects between FY2022-26. Staff had identified \$196.5 million in existing funding, composed of Surface Treatment planned asset-management budget, the 10-Year Plan, and \$14 million allocated by the TC for "Poor" Interstate pavement in December 2022. During the February 2023 TC workshop, staff detailed a plan to fund the \$37.2 million shortfall by making future allocation requests to the TC when staff forecasted funds would be needed. Staff initially forecasted that three requests would be made as follows: \$5 million in FY2024, \$18.8 million in FY2025, and \$13.4 million in FY2026. Staff also noted for the TC that they would continue to explore opportunities to deliver projects sooner.

Table 1 shows the I-25 near Fort Collins project, which includes slab replacements and diamond grinding that would treat almost three miles of "Poor" Interstate lane miles. Staff have estimated the project will cost about \$22 million, to be funded in part by \$4 million from the Surface Treatment asset-management planned budget, and \$10 million from the one-time TC allocation for "Poor" pavement from December 2022. This total of \$14 million leaves a shortfall of \$8 million. Originally, the project was scheduled for a 2024 construction-season delivery; however, Region 4 staff are in a position to deliver the project this construction season.

Table 1: Proposed Strategic Projects to Address “Poor” Interstate Pavement

Region	Interstate	Begin Milepost	End Milepost	Description of Region Recommended Treatment	Year of Delivery
1	I-25 in Denver	208.8	213.4	Minor Rehab and Ramp Rehab	2025
1	Intersection of East I-70 and E-470 near Aurora	287.9	290.1	Recon/Minor Rehab Hybrid	2025/2026
2	I-25 near the New Mexico Border	0	7.5	Major Rehab	2026
2	I-25 near Trinidad	14	26.6	Minor Rehab	2025
2	I-25 near Colorado City	69.5	74.5	Minor Rehab	2024
2	I-25 in Pueblo	92	102.6	Minor Rehab and PCCP Repairs	2024
4	I-76 near Sterling	133	149.3	Slab replacement & Diamond Grind	2024
4	I-25 near Fort Collins	270	282	Slab replacement & Diamond Grind	2024
4	I-70 near Seibert	402.3	406.9	Major Rehab	2025

Next Steps

Should this request be approved, staff will work to advance the project for delivery in the 2023 construction season.



COLORADO

Department of Transportation

Office of the Chief Engineer

2829 W. Howard Place
Denver, CO 80204-2305

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: CHIEF EQUITY OFFICER, MARSHA NELSON
DATE: APRIL 19, 2023
SUBJECT: ENVIRONMENTAL JUSTICE AND EQUITY BRANCH 2022 ACCOMPLISHMENTS & 2023 GOALS

Purpose

To present the Colorado Transportation Commission (TC) with the Environmental Justice and Equity (EJE) Branch's 2022 key accomplishments and 2023 strategic goals. In an effort to achieve these strategic goals, additional resources are essential to the overall success for the agency. Outlined below, the EJE Branch outlines its business case for a preliminary request of four (4) Full-Time Equivalent (FTE) positions to accomplish the additional program development and required implementation responsibilities. At this time, it is projected that a secondary request for additional FTE positions will be forthcoming in the 2024 calendar year.

Action

Staff is requesting TC approval of Proposed Resolution #3 to Increase CDOT's FTE Cap Based on EJE Branch Staffing Needs.

Background

Below is a summary of key drivers behind the EJE Branch's goals and preliminary staffing request:

Enhanced data collection and monitoring for compliance and federal reporting requirements

Two (2) software systems are utilized in Civil Rights to support federal and state compliance on project delivery for the highway program: B2GNow and LCPtracker. B2GNow monitors prompt payment to subcontractors and suppliers while LCPtracker ensures adherence to the *Davis-Bacon and Related Acts* (certified payroll for laborers and mechanics working on project sites) and the *On-The-Job Training (OJT)* program. Both systems assist CDOT in tracking and monitoring components of compliance for the above referenced programs, and also facilitate federal reporting.

To support enhanced federal reporting, all highway Local Agency projects are required to be monitored in both systems. By doing so, this lowers CDOT's risk of noncompliance; however, this has also drastically increased the amount of projects monitored in the system (*see table below*). Current staffing levels have created delays for set up of projects in the system; adding wage decisions and customized union wages; as well as delays responding to internal and external customers. As a result, continuing down this path would potentially lead to challenges in noncompliance and most notably, businesses not being paid promptly, including laborers and mechanics working on CDOT projects to not be paid accurately as well. The example below reflects the current increase in our

systems:

- Number of certified payrolls in the LCPtracker system:
 - 2020: 28,939
 - 2021: 38,273
 - 2022: 49,002
- Estimated 210-230 Local Agency projects in the current fiscal year now added to the software systems

FTA State Management Review (SMR) Finding: DBE Program

During the most recent FTA State Management Review of CDOT, a deficiency was found with the US DOT requirements for DBE on FTA-funded contracts. During the review it was determined that insufficient documentation of monitoring DBE compliance of contractors. To correct the deficiency, CDOT must submit to the FTA Regional Civil Rights Officer (RCRO) documentation that it has updated the DBE program to reflect current monitoring procedures for contractors, along with evidence of implementation by July 17, 2023. It is critical that the monitoring procedures be developed and adhered to for compliance with federal requirements.

Environmental Justice Action Task Force (EJATF)

On July 2, 2021, Governor Polis signed the [Environmental Justice Act](#) (HB21-1266) into law. The Environmental Justice Act commits to strengthening environmental justice across all state agencies by prioritizing the reduction of environmental health disparities in disproportionately impacted communities.

The Environmental Justice Act (HB21-1266) creates the following roles:

- Environmental Justice Advisory Board
- Environmental Justice Action Task Force
- Environmental Justice Ombudsperson

The Environmental Justice Task Force solicited community feedback from across the state for nearly a year in which CDOT actively participated in. There were seven (7) full Task Force meetings including four (4) virtual meetings with the in-person components in Commerce City, Grand Junction, Greeley, and Pueblo; thirty-three (33) subcommittee meetings spanning seventy-seven (77) hours; over three-hundred (300) written public comments and survey responses; and hearings from dozens of community members in verbal public comments during focus groups, coffee chats, and cafecitos. The Environmental Justice Action Task Force had twenty-two (22) members from across Colorado. On Nov. 14, 2022, the EJATF submitted comprehensive recommendations about environmental justice to the legislature, governor, and CDPHE. CDOT has demonstrated through participation in the task force that it is a leader amongst state agencies. Subrecipients also look to CDOT as the state agency providing them state and federal funding to support their implementation of equity-based requirements such as Title VI and ADA requirements.

CDOT Demonstrated Commitment to Equity

As an agency, CDOT has demonstrated a commitment to equity through its WIGs and associated performance plan. There is now a need to develop an equity framework to drive an equitable culture and help institutionalize equity in agency processes, procedures and policies. This will require dedicated staff members focused on equity-related initiatives as a priority as opposed to being added on to existing job responsibilities.

Key Benefits of Approving EJE Branch's Request for Additional FTEs

Approval of the EJE Branch's preliminary request for four (4) new FTEs and approvals for the remaining secondary FTE positions in a future fiscal year will prepare the EJE Branch for the future by ensuring that adequate and proper staffing is in place to handle the increased amount of projects being set up in the Civil Rights software systems, ensure compliance with the FTA State Management Review for execution of the DBE program on FTA-funded contracts, and implementation of critical recommendations (and going beyond) from the EJATF to enhance environmental justice and equity initiatives.

With this support, CDOT will remain a national leader on environmental justice, equity, and civil rights compliance programs. These programs directly impact and are critical factors in the overall quality of life for Colorado residents and visitors.

Detriments to EJE Branch's FTEs Request Being Denied

Should the preliminary staffing request be denied, delays in project set up phase for the Civil Rights software systems as well as customer service response for system support will continue, risking noncompliance. Without accurate monitoring, reporting, and quality assurance of data in the software systems there may also be errors in federally required reporting. This will lead to larger compliance issues and place CDOT at risk during federal audits.

While the EJE Branch is currently developing a FTA DBE Program Manual, it is critical that staffing be added to embed the processes outlined in the manual into contract requirements and/or contract specifications for FTA-funded contracts. This also includes having adequate staffing to oversee and monitor the compliance of the DBE program to ensure adherence and compliance with the FTA SMR finding. If staffing is not provided for this effort specifically, CDOT is at risk of not complying with the FTA SMR deficiency finding which will place FTA funding at risk.

It is also critical that with the development of the Environmental Justice and Equity Branch, that FTEs be provided to focus efforts on equity-related initiatives for the agency. This includes supporting region personnel in Environmental Justice initiatives spurred from the EJATF. This will allow staff to develop and enhance existing and new relationships with the community at-large and ensure disproportionately impacted communities are more meaningfully and intentionally involved in transportation decisions made by the agency in support and alignment with Senate Bill 260.

Next Steps

If approved, the EJE Branch will continue the process of creating job descriptions for the four (4) FTE positions referenced above and commence the hiring process.

If approved, CDOT will update the FY 24 annual budget to account for the additional FTEs.

EJE Branch Staff will work with CDOT Executive Management to determine an appropriate timeline for bringing the secondary FTE request to the Transportation Commission for consideration.



COLORADO

Department of Transportation

Environmental Justice & Equity Branch 2022 Accomplishments & 2023 Goals

Page 18 of 127, April 27, 2023



2022 EJE Branch Accomplishments

Environmental Justice and Equity



EQUITY360

- Agency model to establish a holistic approach toward integrating EDI lens into policies, process and procedures.



Title VI Program

- Innovative multi-year approach w/ equity-focused initiatives to improve meaningful and intentional outreach and engagement for all by prioritizing DI communities and LEP populations.



Environmental Justice (Environmental Justice Action Task Force)

- Participation on EJATF
- Support development of CDPHE environmental complaint process
- Garnered support from regional environmental managers to adopt EJ Analysis process for all categorical exclusion (CatEx) projects. This will be included in the updated NEPA manual
- Created NEPA Environmental Justice working group to comment on EJATF recommendations, approve the EJ analysis process and advise on future EJ topics.



ADA Transition Plan

- Updated the CDOT ADA Transition Plan to include enhanced data collection and dashboard systems as well as updated practices in project delivery. [Page 19 of 127](#)



2022 EJE Branch Accomplishments

Environmental Justice and Equity



Transit DBE Program

- Updated to allow for evaluating specific contracting opportunities for goal-setting on FTA-funded transit contracts.
- Began development of FTA DBE Program Manual
- FTA State Management Review (SMR) finding: Insufficient documentation of monitoring DBE compliance of contractors



Small Business Programs

- Assessing and restructuring the Emerging Small Business (ESB) Mentor Protege program.
- Hosting listening sessions for internal & external stakeholders to evaluate existing program & make enhancements.
- Developing approach to increase program awareness/ participation w/in CDOT region offices & specialty staff



Enhanced Contractor Compliance Programs

- Began requiring Local Agency highway projects (professional services and construction) be entered into software systems to better monitor DBE utilization, prompt payment, On-The-Job Training and certified payroll. Increases accuracy of federally mandated reporting.
- Initiated use of compliance systems on select FTA-funded projects as a pilot program



Workforce Development

- Collaboration with OIM for ZEV workforce development grants
- Collaboration with Traffic Engineering for flagger recruitment and retention research
- Slated to award \$170k to CCA for their Civil Construction Academy
- Proposed on OEDIT's Opportunity Now grant for a CDL apprenticeship pilot program
- Initiated a solicitation for a statewide workforce needs assessment
- Initiated discussions with CDOC about paying for inmates to get their CDLs
- Collaborating w/ACEC-CO, CDLE, CDHS, Emily Griffith, & APWA to build talent pipeline of New Americans w/engineering backgrounds

2023 EJE Branch Goals

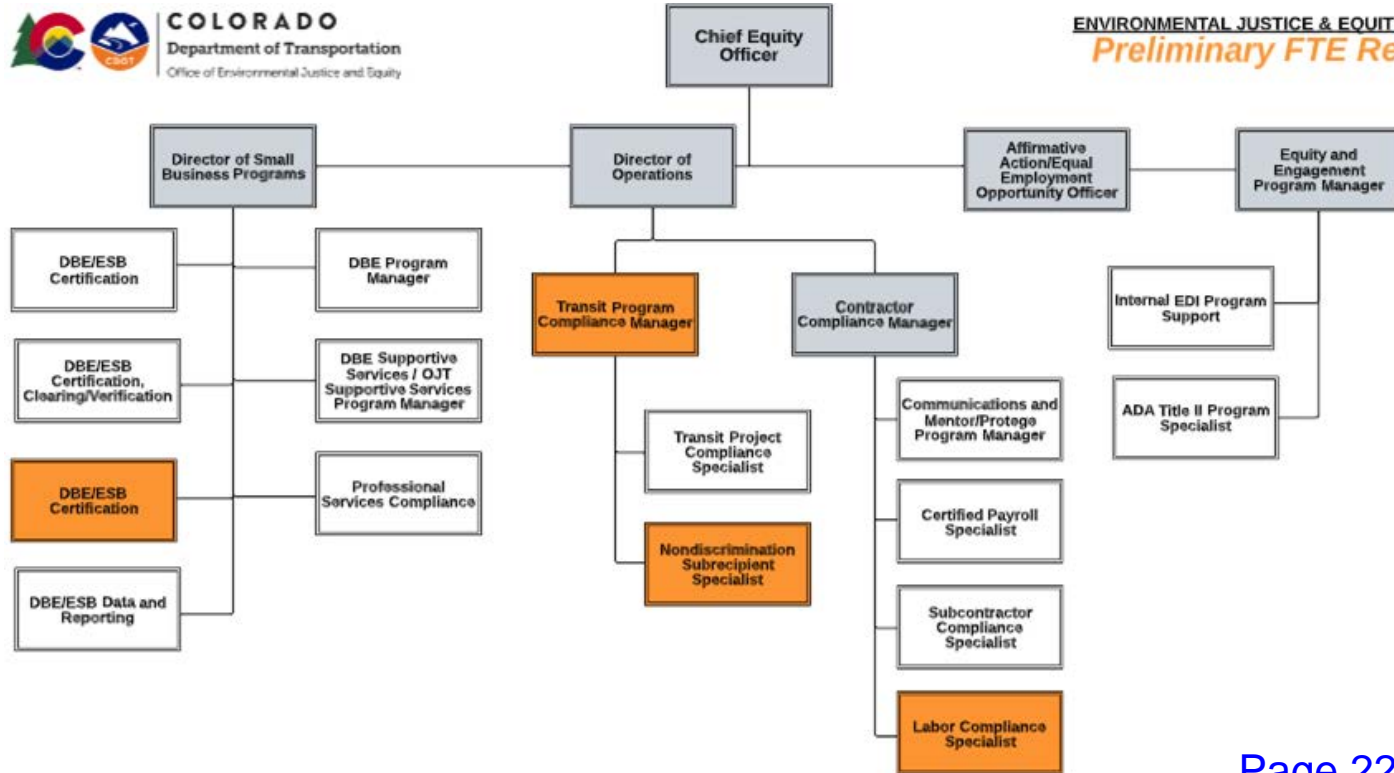
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Staffing Implementation & Adjustments	Onboarding of Equity and Engagement Program Manager & AA/EEO Officer		X	X									
	Adjust to transition of internal EDI and AA/EEO position		X	X									
Equity	Develop strategic focus areas to support EQUITY360			X	X	X	X						
	Review and enhance existing internal programs/initiatives to align w/external programs/initiatives.			X	X	X	X	X	X	X	X	X	X
	Provide guidance on existing equity goals (GHG, Electric Vehicles, Safety, etc.)			X	X	X	X						
Environmental Justice	Updating NEPA manual to incorporate the EJATF best practices	X	X	X	X								
	Add EJ to NEPA Form			X	X								
	Regional training across the state on EJ analysis process				X	X	X	X	X	X			
	Upload EJ flowchart to website						X	X					
AA/EEO	Review & enhancement of State Internal Affirmative Action/Equal Employment Opportunity (AA/EEO) programs & plans			X	X	X	X	X	X	X	X	X	X
Title VI	Implementation of restructured CDOT Title VI implementation plan with Communications Program Area Review	X	X	X	X	X	X	X	X	X			
	Develop Title VI Goals Report for Planning Program Area Review									X	X	X	X
	Enhanced support for FHWA & FTA subrecipients in Title VI program creation & implementation					X	X	X	X	X	X	X	X
Contractor Compliance	Development of specifications & program manuals for Civil Rights compliance components on FTA-funded projects (DBE, prompt payment, certified payroll, federally-required DBE & labor reports, etc.)	X	X	X	X	X	X	X	X	X	X	X	X
	Completion of required (and newly required) federal labor & trainee reporting	X	X	X							X	X	X
	Development of certified payroll processes & reviews for procurement contracts				X	X	X	X					
Small Business Programs	Development of Transit-specific disadvantaged business enterprise program manual to maximize small business opportunities on FTA-funded projects	X	X	X	X	X	X	X					
	Implement updated Emerging Small Business Mentor Protege Program							X	X	X	X	X	X
Workforce Development	Initiated a solicitation for a statewide workforce needs assessment (RFP)			X	X	X	X	X	X	X	X	X	X
	Collaboration with OIM for ZEV workforce development grants	X	X	X	X	X	X	X	X	X	X	X	X
	Collaboration with Traffic Engineering for flagger recruitment and retention research			X	X	X	X	X	X	X			



Phase III: Preliminary FTE Request



ENVIRONMENTAL JUSTICE & EQUITY BRANCH Preliminary FTE Request

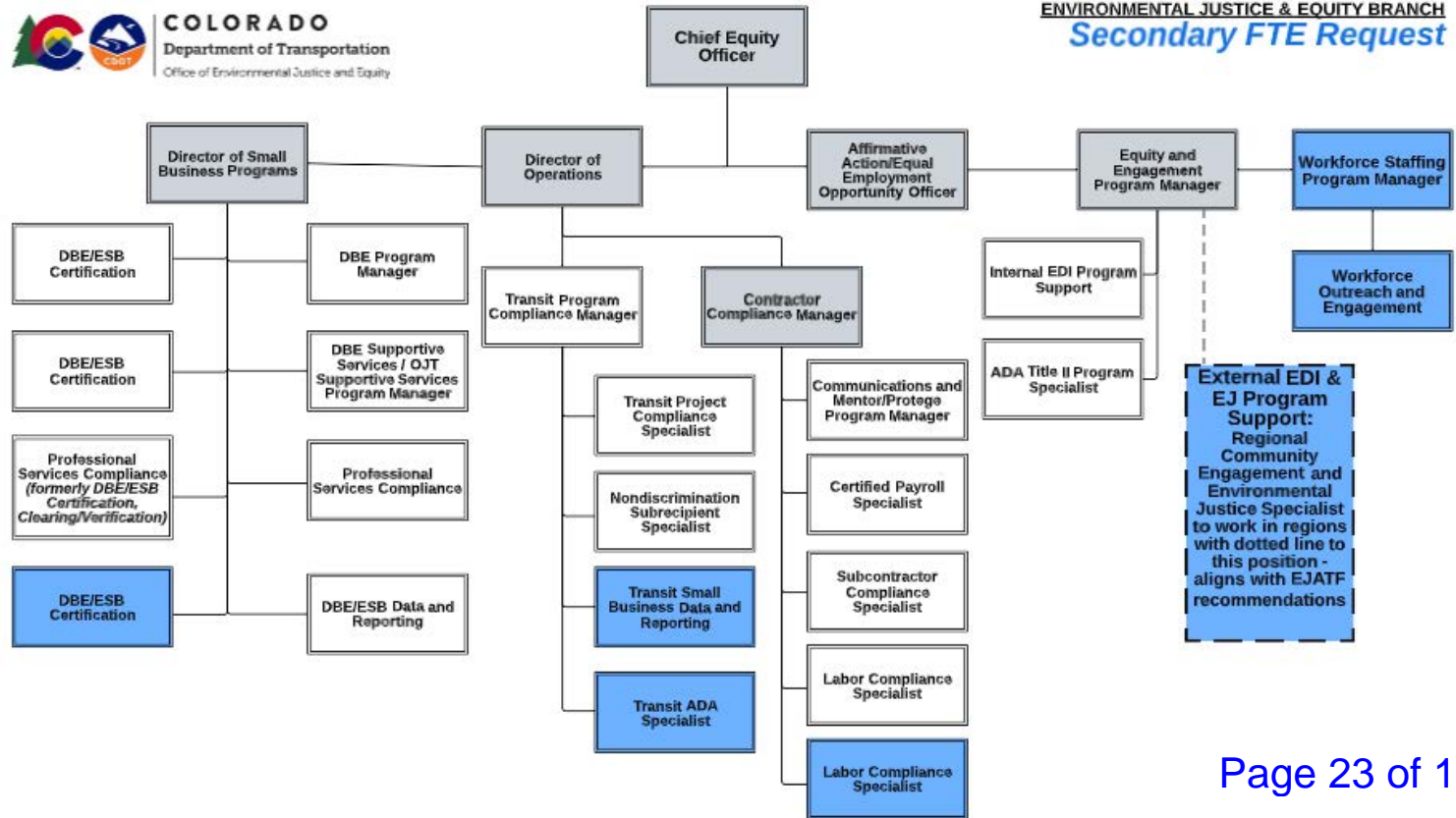




Phase IV: Secondary FTE Request



ENVIRONMENTAL JUSTICE & EQUITY BRANCH Secondary FTE Request



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: HEATHER PADDOCK, REGION FOUR TRANSPORTATION DIRECTOR
RICH CHRISTY, REGION FOUR CENTRAL PROGRAM ENGINEER
DATE: APRIL 7, 2023
SUBJECT: PROJECT HIGHLIGHTS FROM REGION FOUR

Purpose

The purpose of this presentation is to provide the Transportation Commission with an update on six projects underway in Region Four; (1) US 385 North of Cheyenne Wells, (2) US 385 Phillips County Line South, (3) US 385 Holyoke North, (4) US 85 & WCR 44 (Peckham), (5) CO 71 Freight Improvements, and (6) CO 119 Safety & Mobility Improvements. These projects showcase a diversity of project types from rural pavement preservation and safety improvements, to enhancements which provide options in addition to the interstates for the freight operators, to multimodal elements to connect communities.

Action

No action is required.

Background

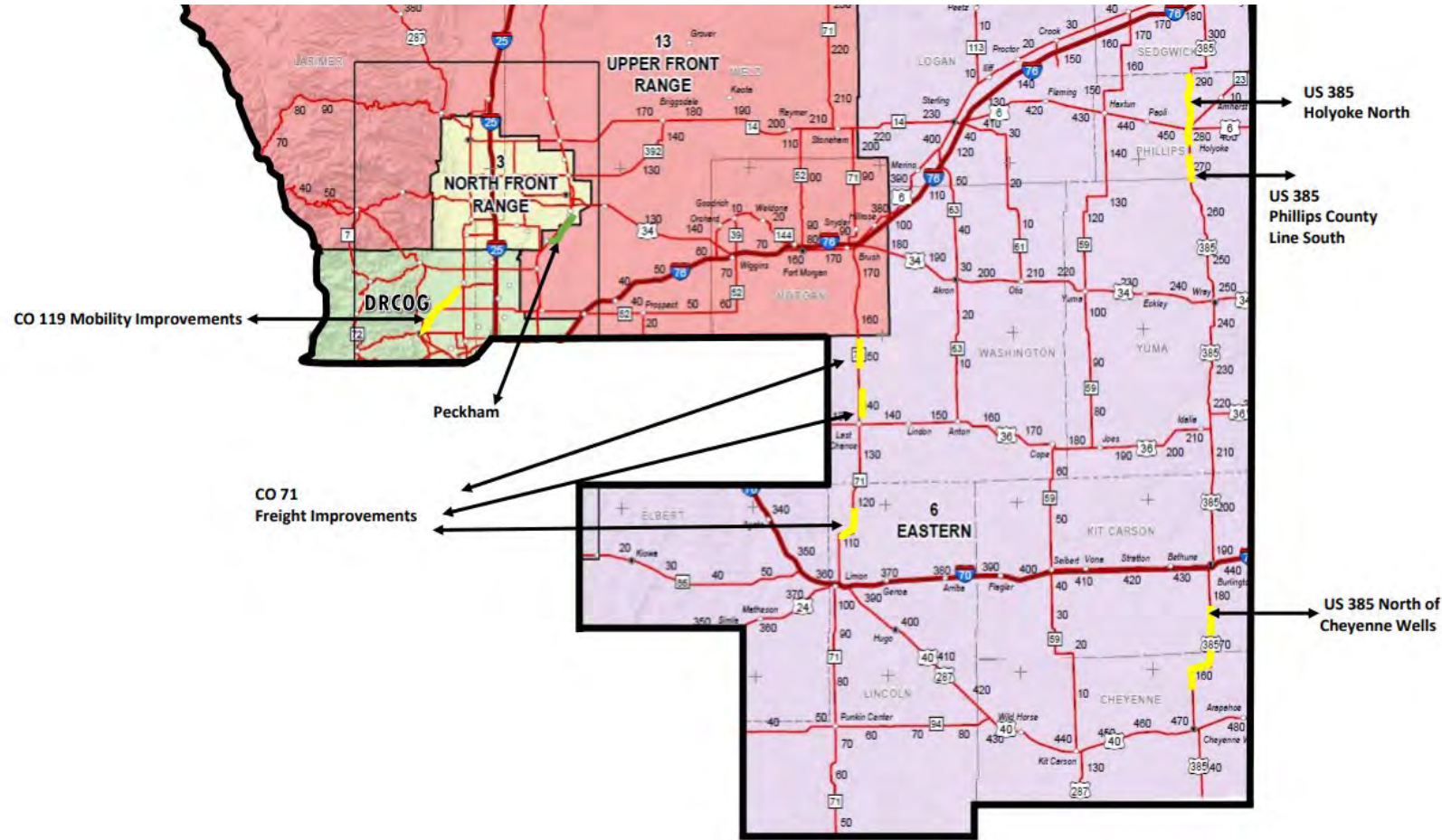
The engineering regions are taking turns each month to provide project highlights and updates to the Transportation Commission.

Next Steps

None.

Attachments

Powerpoint slide deck file.



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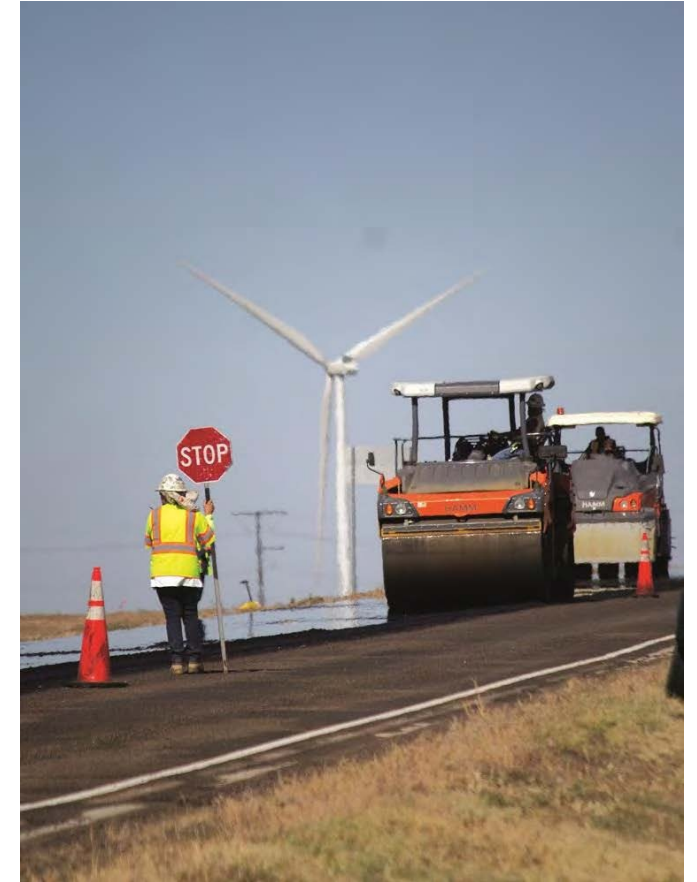
Department of Transportation

Region 4 Project(s) Highlights



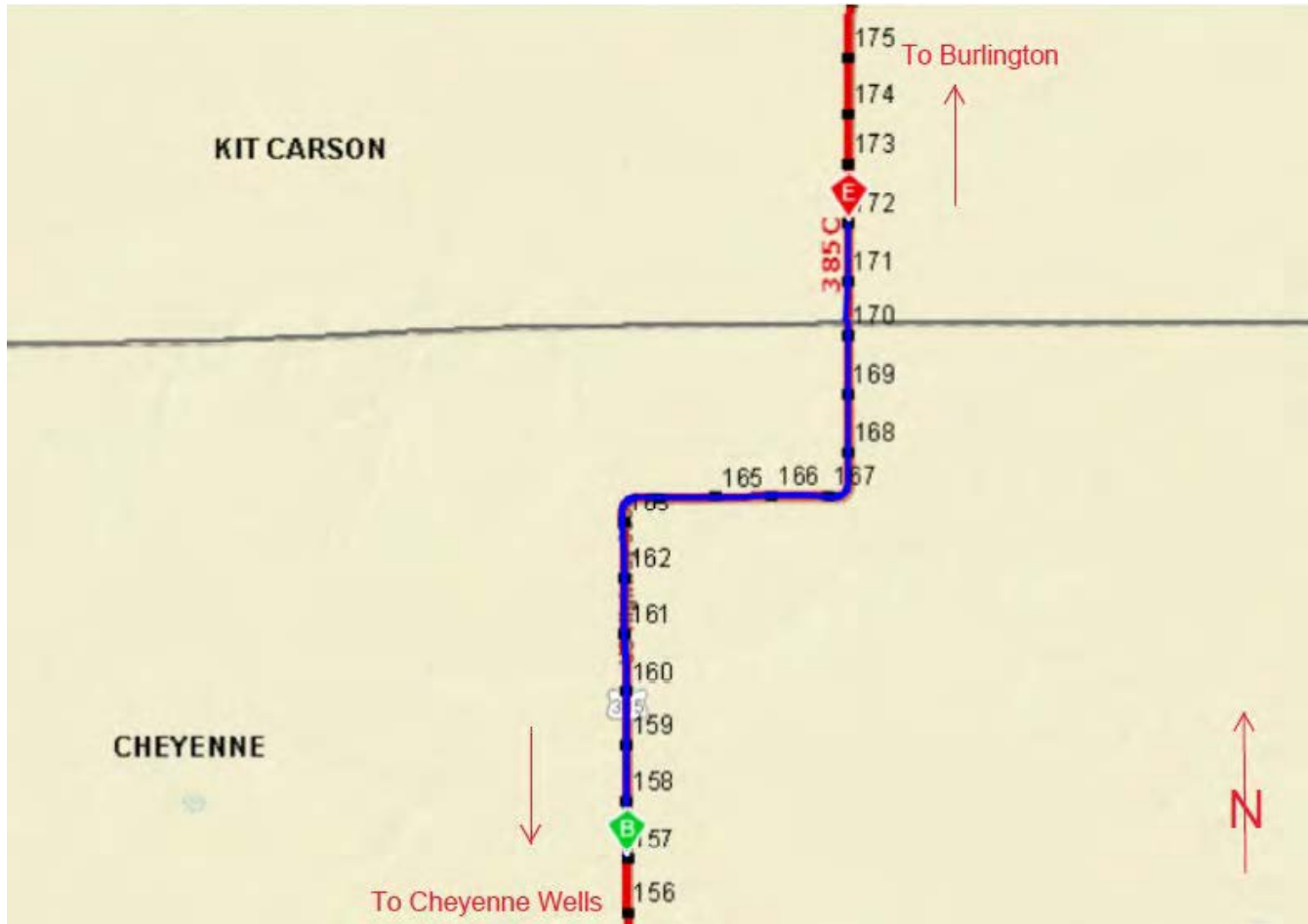
US 385 North of Cheyenne Wells Project Background

- US 385 High Plains Highway
 - 2-lane corridor with narrow shoulders
- Enthusiasm from local stakeholders to analyze US 385 alongside SH 71
 - Coalition was formed late 2018
 - Prioritization Study performed
 - Region input along with local stakeholders determined this 15-mile segment was top priority for Limon Residency area
- DBB project delivery method
 - Under construction complete in June 2023





US 385 North of Cheyenne Wells Project Location and Details

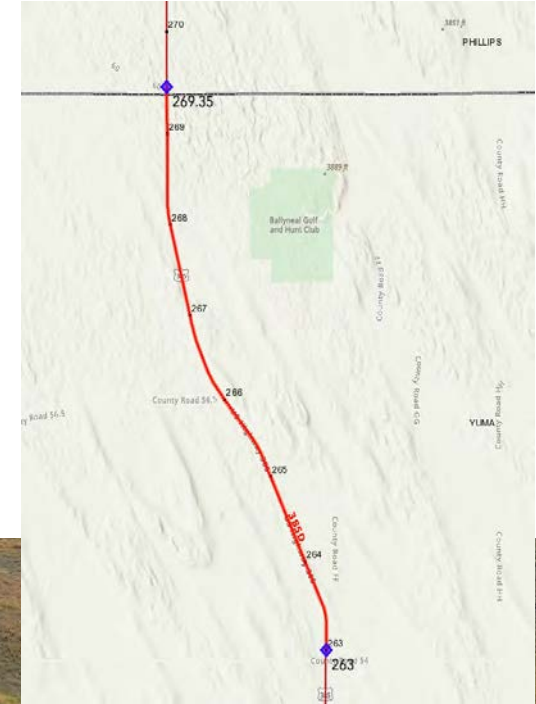


- Six miles north of Cheyenne Wells
- 15-mile-long project
 - 1" milling, 4" asphalt overlay - 12 miles
 - Full-depth reclamation (FDR), 5" asphalt overlay - 3 miles
 - Widen shoulders around 90° curves
- Existing roadway seeing significant fatigue cracking. Milling and FDR with HMA overlay to remedy this problem.
- Widening Shoulders will improve overall safety and allow for better truck movement around the tight corners



US 385 Phillips County Line South Project Background

- US 385 High Plains Highway (MP 263.1-269.4)
 - 2-lane corridor with narrow shoulders
 - Heavy truck and agricultural traffic
 - Project identified in the US 385 Corridor Study
 - Total Construction Cost: \$ 6.35M
 - Utilized multiple funding sources
 - Surface Treatment/Strategic Projects/Pandemic
 - Project Start: July 1, 2021
 - Project Completion: February 2, 2022





US 385 Phillips County Line South Project Details



- Located 10 miles South of Holyoke
- 6.3-mile-long project
 - 2" milling, 4" asphalt overlay -40,000 tons HMA
 - 6' Shoulder Widening - 33,000 CY Embankment
 - All drainage pipes were replaced

Key safety improvements:

- Addition of 6-foot shoulders to accommodate agricultural and truck traffic.
- Curve cross slopes were brought up to current standards.
- Centerline and edge rumble strips were added.
- New signs, delineators, and pavement markings were placed.



US 385 Holyoke North Project Background

- US 385 High Plains Highway (MP 278.9 - 289.0)
 - 2-lane corridor with narrow shoulders
 - Severely degraded pavement
 - Heavy truck and agricultural traffic
 - Project identified in the US 385 Corridor Study and the Region Surface Treatment plan
 - Total Construction Cost: \$ 16.5M
 - Utilized multiple funding sources
 - Surface Treatment/Regional Priority
 - Anticipated Project Start: April 17th, 2023
 - Anticipated Project Completion: October 27th, 2023





US 385 Holyoke North Project Details

- The project begins south of the Town of Holyoke and extends 10 miles north
- 10-mile-long project
 - 2" milling, 4" asphalt overlay -53,000 tons HMA
 - 6' Shoulder Widening - 46,000 CY Embankment
 - All drainage pipes will be extended or replaced

Key safety improvements:

- Addition of 6-foot shoulders to accommodate agricultural and truck traffic.
- Curb ramps on US 6 and US 385 in the Town of Holyoke will be replaced to meet current ADA Standards.
- Curve cross slopes will be brought up to current standards.
- Centerline and edge rumble strips will be added.
- New signs, delineators, and pavement markings will be placed.





Purpose:

Eliminate the at-grade crossing conflict with a regional county road and provide safe access to and across U.S. 85.

Benefits:

- Safety from elimination of RR crossing at-grade.
- Trip reliability (Emergency & Business access)
- Allows for a 10,000-ft long UPRR siding without blocking county road access.
- Completes requirements of UPRR agreement

Partnerships:

Weld County, UPRR, Local Municipalities



Highlights:

- In-house design (Enviro., Bridge, Roadway, H&H, Traffic, etc.)
- Design phase was 5.0% of project cost.
- Six (6) contractors bid on the work.
- Low-bid was within 3% of Chief Engineer's est. and only 6% spread among the top four bids - tight bids!

Funding:

- FAST Freight, 10-year Plan, FASTER safety, RPP, RR Crossing, TC contingency

Schedule:

- On Schedule, complete in March 2024



4/6/2023

Project Goal: Develop the CO 71 into a safe and reliable freight corridor off of the front range.

This project is constructing the first three (of 42) safety and operational improvements identified in the CO 71 Truck Freight Diversion Feasibility Study (2019).

1. MP 111.5 to 112.3 -- NB Climbing Lane
2. MP 139.5 to 140.3 -- NB & SB Passing Ins.
3. MP 149.3 to 151.2 - SB Climbing Lane

Improvements include the addition of shoulders, overlay of existing pavement, and drainage structure extensions.

Funding:

- 10-yr plan, National Highway Freight Grant, Pandemic Relief, RPP

Schedule:

- July 2022 - July 2023 [Page 34 of 127](#)



10.31.2022 08:37



CO 119 Safety & Mobility Improvements Project

Purpose:

- Address Safety – highest crash corridor in Boulder County
- Improve mobility between Longmont and Boulder

Benefits:

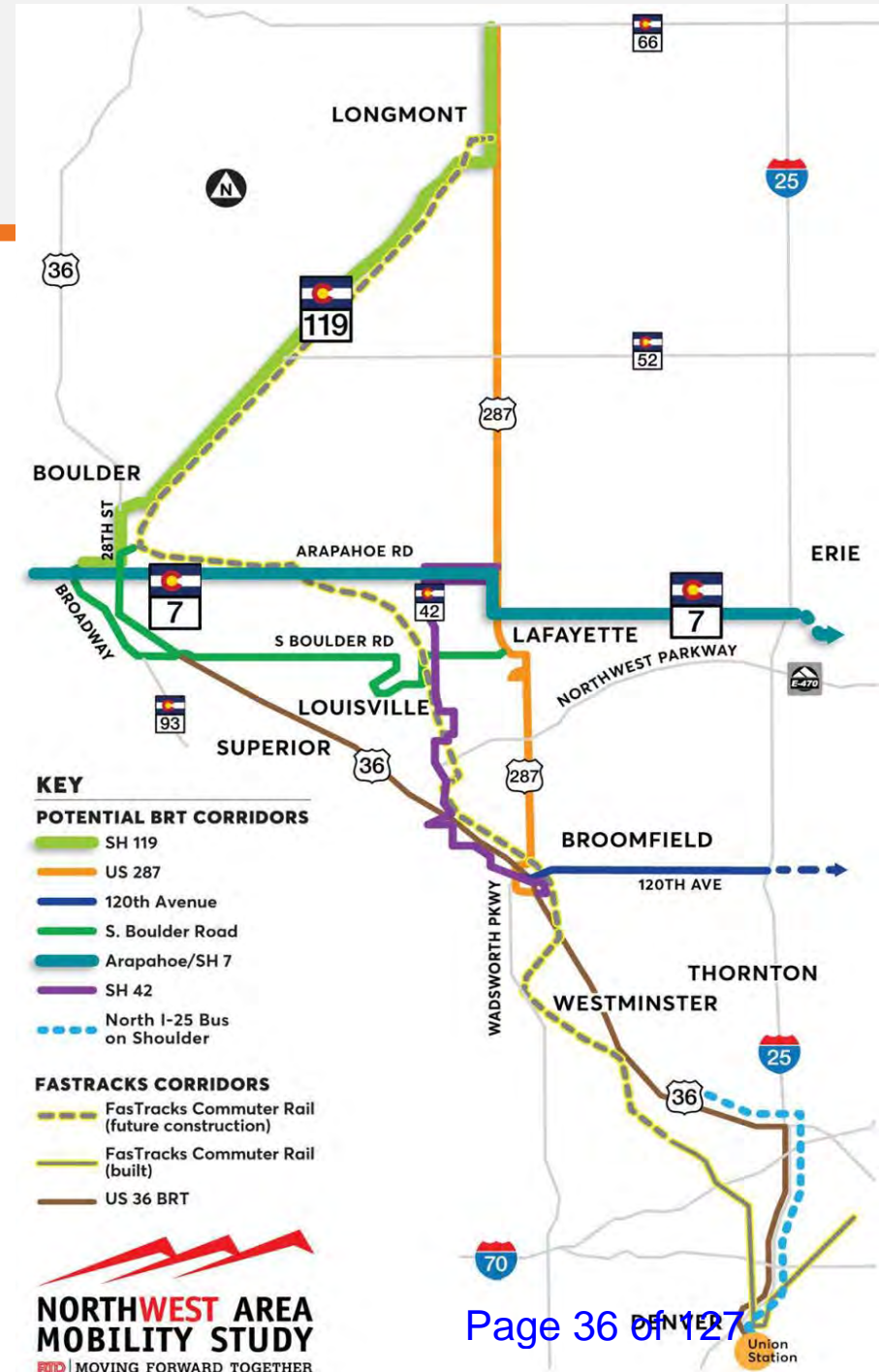
- Reduces crashes, nearly eliminating bicycle crashes
- Increased Mobility - Transit time cut in half, ridership increased by 33%, safe and direct connection for bikeway, smart growth providing travel choice

Funding:

10-year plan, RPP, RTD, DRCOG, Boulder County, City of Longmont, and potentially RAISE

Partnerships:

Boulder County, RTD, City of Boulder, City of Longmont



PEL / PROJECT GOALS:



Improve safety in the whole corridor



Maximize intersection operational efficiency



Maximize corridor-wide operational efficiency



Maximize the number of people able to move through the corridor



Improve transit travel times



Improve connectivity to the bicycle and pedestrian network



CO 119 Safety & Mobility Improvements Project

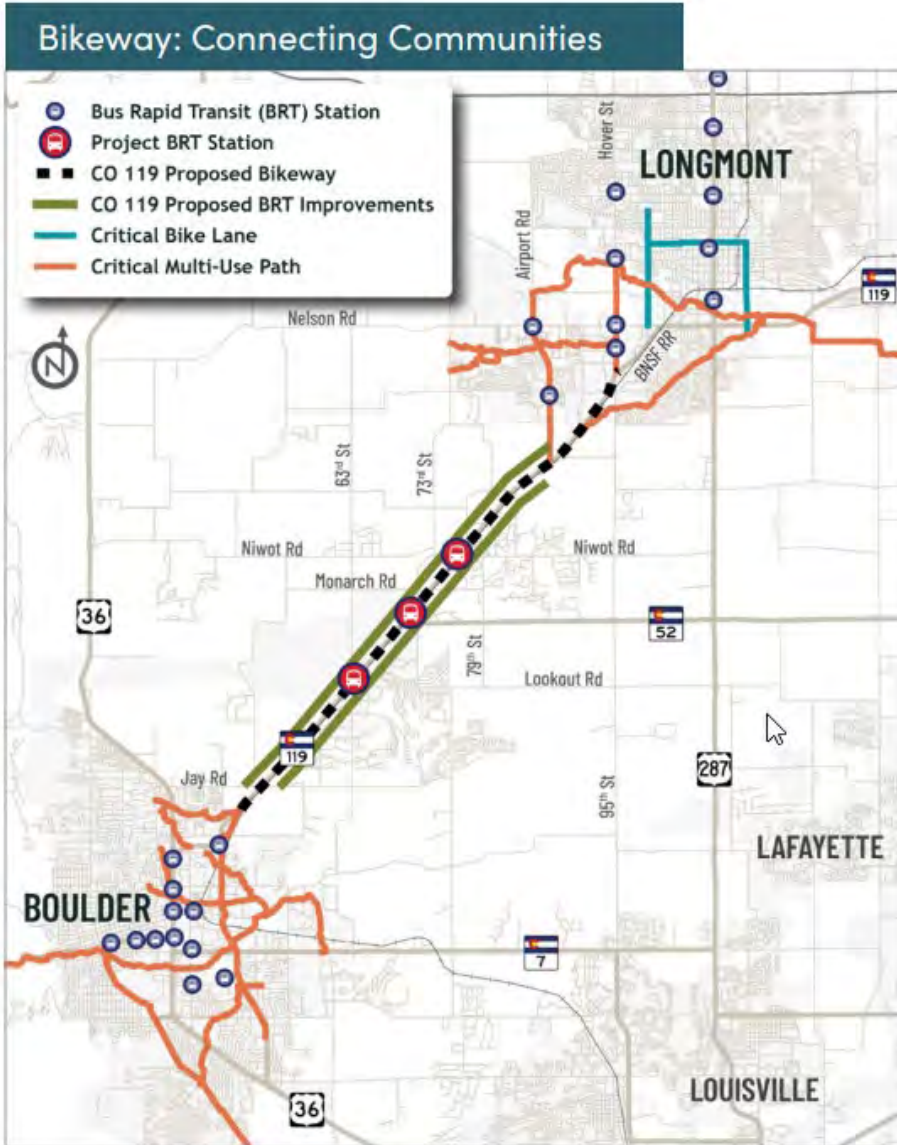


Project Elements:

- Intersection improvements/Adaptive Signals
- Queue Bypass Lanes
- BRT stations
- Park-n-Ride
- Commuter Bikeway
- Bikeway Underpass



CO 119 BRT Transit and Bikeway Connections





63rd Intersection





SH 52 Intersection





- Currently at ~60% Design
- Draft CM/GC RFP released
- Construction planned for end of CY23

CO 119 Safety and Mobility Improvements Project Schedule



Subject to change pending construction delivery method




COLORADO

Department of Transportation

Division of Maintenance & Operations
425 C Corporate Circle
Golden, CO 80401

DATE: April 4, 2023

TO: Transportation Commissioners

FROM: Bob Fifer, Deputy Director of Operations 

CC: Herman Stockinger, Deputy Executive Director
John Lorme, Director, Division of Maintenance and Operations

SUBJECT: TC's Operations Tour

The Division of Maintenance and Operations is looking forward to the Transportation Commissioners' visit and tour of our Golden Office. We have some exciting items to share with you and will be an action pack tour.

Tour Agenda (1.5 hours):

3:00 PM - Welcome (10 min)

- Howitzer and O'bellX will be on display. (Winter Operations)
- Incident Response Team (formally known as Incident Commanders) vehicle on display.

3:10 PM - Fiber and Technology Display (20 min)

- Explain fiber design and isolate fiber cuts, without getting dirty!
- Get up close to some ITS equipment like signals and a weather station

3:30 PM - Traffic Operations Center Tour (20 min)

- Where the action is! The central location where we monitor all the highways, dispatch safety patrol and maintenance Teams and real time operations.

3:50 PM - DataCenter Tour (15 min)

- See the heart of where all the data & video comes into our systems so that we can gather data/reporting, have situational awareness and monitor the performance of our highways.

4:05 PM - Outside Technology Tour (10 min)

- Go inside an actual Variable Message Board

4:15 PM - ITS Maintenance and Network Operations Tour (10 min)

- Quick glimpse into where our field maintenance Team's home base and where all the monitoring and troubleshooting occurs on the statewide systems.

4:25 PM - Wrap up Q&A in Incident Operations Center



**Workshops and Regular Meeting
Wednesday, March 15-16, 2023**

TRANSPORTATION COMMISSION WORKSHOPS

Wednesday, March 15, 2023

<https://www.youtube.com/watch?v=zKq8x8MTPqk>

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

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

Joint Workshop with Colorado Transportation Investment Office (CTIO) and TC for TIFIA Loan Approval (Nick Farber) Timestamp 00:00:00

Purpose and Action: The purpose of this workshop is to provide an overview of the I-25 North project Transportation Infrastructure Finance Innovation Act (TIFIA) loan, financing structure and related project documents. No action is being requested this month. Staff will return for formal approval of documents related to the transaction in April.

Discussion:

- Next steps include finalizing all documents, receiving approval of documents by TC and CTIO Board, submitting application to the Credit Review Team (CRT) and the Council for Credit and Finance Committee (CCF), USDOT secretary approval, final ratings reports and loan closing anticipated to occur in spring 2023.
- There are two substantial draft resolutions included in the March TC packet for TC review.

Budget Workshop (Jeff Sudmeier and Bethany Nicholas) Timestamp 00:22:21

Purpose and Action: The purpose is to present the FY 2023-24 Final Annual Budget Allocation Plan for TC adoption. The Division of Accounting and Finance (DAF) is requesting that the TC adopt the FY 2023-24 Final Annual Budget Allocation Plan.

Discussion:

- Any additional expenses that come out of the legislative session will be included in future updates.
- A lot of the funds in this budget have been rolled forward from past funding. The one-time funds tied to the 10-year plan are larger than we would usually see.
- A question was raised regarding the implications of rising costs and inflation. It was explained that Interest rates affect the borrowing cost but do not affect standard spending. Rates are expected to come down next year. Federal funds are not generally affected by this increase. State level funds could be impacted, but consumers do not typically reduce their transportation spending or travel during these times.

Condemnation Authorization (Keith Stefanik) Timestamp 00:57:05

- CO 133 Rockfall North of McClure Pass, Project Code: 24279

Discussion:

- No comments or discussion raised by the TC members.

CDOT Arterial Bus Rapid Transit (BRT) Program Overview and Updates (Jessica Myklebust and Angie Drum) [Timestamp 01:02:28](#)

Purpose and Action: To provide an update to the TC on the Region wide Arterial BRT and Transit Improvements project(s) listed in the 10-year plan. No action is requested, as it is for the TC's information only.

Discussion:

- Commissioners expressed concern over the risk in building this infrastructure. Community behavior does not point to the desire for public transportation. CDOT explained that there is more risk in not creating this network of multimodal options. There must be a robust and diverse transit network available in the future. The urban arterials that CDOT will be starting with already have high ridership.
- A question was raised asking if CDOT would be running these corridors, or would it be RTD or the Local Communities. The response was, it has not yet been decided. This will evolve as these plans are developed in the future.

Fee-Based Right-of-Way (ROW) Access for Fiber (Jonas Durham and Allie Axley) [Timestamp 02:12:28](#)

Purpose and Action: To present a proposed, simplified CDOT fee structure to facilitate access to CDOT rights-of-way for the deployment of broadband as mandated by Colorado Executive Order D-2022-0009 and Senate Bill 21- 083. No action is being requested, this is for information only.

Discussion:

- TC is requesting that the Fiber team return when the scale and scope of the projects have been determined.
- A question on whether or not there is a time limit on these agreements. It was explained that these agreements will renew annually, and there will be an annual permit fee.

Transportation Safety Update (San Lee, Manjari Bhat, Darrell Lingk, Sam Cole, and Patrick Chavez) [Timestamp 02:31:38](#)

Purpose and Action: To provide the TC updates on current progress in implementing the Strategic Transportation Safety Plan (STSP) through Advancing Transportation Safety (ATS).

Discussion:

- A question regarding if there is a way to communicate to drivers on CoTrip that they should not take local roads during state highway closures. CDOT responded that they are currently making an effort to support the communication between CDOT, local communities and drivers. Also, make sure all local agencies and sheriff's offices have a direct line to CDOT.
 - CDOT does not use local and county roads for detours, only state roads.
 - CDOT is working to put out more messaging about impaired driving and its consequences.

Small Business and Diversity Committee (Commissioner Vasquez, Marsha Nelson, Greg Diehl, Anna Marriotti and Brian Fauver) [Timestamp 03:39:48](#)

Purpose and Action: To present the TC with the Environmental Justice and Equity (EJE) Branch's 2022 key accomplishments and 2023 strategic goals. In an effort to achieve these strategic goals, additional resources are essential to the overall success for the agency. Outlined below, the EJE Branch outlines its business case for a preliminary request of four (4) Full-Time Equivalent (FTE) positions to accomplish the additional program development and required implementation responsibilities. At this time, it is projected that a secondary request for additional FTE positions will be forthcoming in the 2024 calendar year. No action is requested at

this time, and is informational only. TC approval of the overall increase to CDOT's FTE cap related to the preliminary request of four (4) EJE Branch positions will be requested in April.

Discussion:

- TC is requesting that training is streamlined and focused so that employees feel that their time is well spent. The committee acknowledges that training can be time consuming, but would like to point out that viewing processes through an equity lens does require training and guidance in a new way of thinking on the job. The committee is focused on accommodating employees and understands that each training is contextual and some will be more robust than others.
- A Small Business and Diversity Committee member asked if this Committee may mentor the interns to ensure that CDOT looks like what Colorado looks like? The response was that the Committee hopes to work more closely with CDOT Human Resources to understand hiring requirements and think outside of the box to create an inclusive feeling and culture in the agency.

Adjournment: Approximately 5:00 pm

TRANSPORTATION COMMISSION MEETING 9:00 am to 10:30 am

Thursday, March 16, 2023

https://www.youtube.com/watch?v=TA7NuLYd_mATimestamp 00:00:30

1. Call to Order, Roll Call Timestamp 00:00:00

Nine Commissioners were present: Commissioners Don Stanton (TC Chair), Gary Beedy (TC Vice Chair), Karen Stuart, Kathleen Bracke, Lisa Tormoen Hickey, Eula Adams, Yessica Holguin, Terry Hart, and Kathy Hall. with Mark Garcia and Barbara Vasquez absent. (Commissioner Vasquez is now representing the North Platte Drainage Basin on the Colorado Water Conservation Board, and will no longer be available to serve on the TC).

2. Public Comments Timestamp 00:00:38

- Heather Sloop, STAC Vice Chair, provided comments on the HB 23-1101 and noted that the amendment to have the TC review and consider changes to TPR boundaries should be killed as no comments from STAC or TPRs has been received prior to its presentation. This amendment came with no public outreach or comments from CDOT staff. The amendment speaks to the TC reviewing and considering TPR boundary changes. Boundaries should be based not on population, but only on lane miles and vehicle miles traveled (VMT). This amendment should be vetted with TPRs, STAC and the TC, and then taken to the Transportation Legislative Review Committee (TLRC) for consideration. Communication is paramount. STAC Vice Chair Sloop requested Executive Director Lew to attend STAC meetings to regain and build trust that was lost between CDOT and the STAC, as a result of this amendment going through without appropriate communication. Decisions need to be made at CDOT from the bottom up and not from Headquarters down.

3. Comments of the Chair and Individual Commissioners Timestamp 00:04:10

- Commission Chair Stanton made a statement on behalf of the TC regarding HB 23-1101:
 - The TC was unaware of the amendment to require the TC to open the planning rules regarding TPR boundaries, and to consider making changes to the TPR boundaries before the amendment to HB 23-1101 was presented.
 - The Commission has several concerns with the amendment.
 - The Bill sponsors have agreed to some changes as part of an upcoming Conference Committee.
 - TC recognized that the TPR planning boundaries have not substantially changed in over 30 years.
 - TC has authority and willingness to review TPR boundaries, and agree it would be a good time to take a look at the boundaries, and the TC is committed to an open rulemaking process, that includes all interested stakeholders. TC would make boundary changes, only if and where needed due to planning changes that have occurred over the last 30 years.

- Several Commissioners noted they:
 - Recognized the need to look at the TPR boundaries related to the amendment of HB 23-1101, with lots of public input as part of the process and appreciated Commission Chair Stanton’s statement. They also recognized the importance of input from the STAC.
 - Are looking forward to the construction season and the 10-Year Plan and paving projects to start.
 - Thanked and recognized CDOT maintenance staff at CDOT for snow removal during this winter.
 - Enjoyed the TC Workshop presentations from March 15, 2023, and noted presentations were very impressive, interesting and informative - those on safety, broadband, BRT, budget, audit and TIFA loan at the Joint CTIO/TC meeting.
 - Commissioner Stanton was recognized for his service to the TC, who is moving out of state, as well as Commissioner Vasquez, who is now serving on the Colorado Water Conservation Board.
 - Amber Blake, the CDOT Division of Transit and Rail Director, who is leaving that position at CDOT, was recognized for her contributions to CDOT and to transit in Colorado.
- Commissioner Hall attended workshops with Club 20, and handed out copies of the 10-Year Plan. Regarding broadband along I-70, several communities have been given grants and the Department of Local Affairs (DOLA) has contributed. We had a wonderful meeting with Executive Director Lew and Jason C. Smith, Region 3 Transportation Director, and they both put to rest concerns for broadband and DOLA grant expenditure deadlines
- Commissioner Bracke attended meetings at Larimer, Weld, and Morgan Counties, NFRMPO, UFRTPR and the US 34 Coalition among others. The North I-25 project progress is moving.
- Commissioner Hart noted that there have been several issues in District 10 where Region 2 and CDOT HQ staff have been spectacular. A fatality occurred near his home, CDOT staff handled that situation very well.
- Commissioner Holguin attended DRCOG’s Regional Transportation Commission (RTC) meeting - CDOT staff provided an overview of the I-25 corridor and the Regional Transportation District (RTD) provided a presentation on fare structure and equity analysis, and other updates. The Small Business and Diversity Committee meeting yesterday was good and TC members were encouraged to watch that meeting if they could not attend. Serves on the Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) Board and the Board approved fee levels for FY 24 and approved the enterprise budget for FY 24. Working on BRT workshops planned for the future to include Disproportionately Impacted Communities.
- Commissioner Stuart attended the DRCOG RTC and thanked staff for great presentations regarding I-25.
- Commissioner Adams explained that he normally attends STAC meetings and supports transparency with TC decisions. Has had discussions with EV Charging providers and wanted information from CDOT to share with them. Had a great meeting with Mayor Jackie Millet of Lonetree. Supported the Small Business and Diversity Committee discussion on toll lane equity so everyone can use toll lanes. The EJE Branch is also doing great work with technology. Safety is a key concern and a key emphasis of the TC. CDOT is also well managed and led financially.
- Vice-Chair Beedy noted that at the Eastern TPR meeting that he attended there were folks that expressed appreciation for the snow removal work CDOT had done. Another comment gathered was that better signage is needed during road closures. Alternate routes used are often County Roads, and traffic gets stuck, especially trucks. Need good plans for future storms. Commissioner Beedy requested CDOT staff to present on federal guidance and state requirements for TPR boundaries.
- Commissioner Stanton expressed his appreciation to work with Commissioner Beedy, and noted that the TC will be in good hands. He also enjoyed working with the other TC members. Expressed his appreciation to Director Lew for her leadership, and thanked all the professionals at CDOT.

4. Executive Director’s Management Report (Shoshana Lew) Timestamp 00:45:49

- Recognized Commissioner Stanton for his service on the Commission and for serving in the role of chair.
- Extended congratulations to Barbara Vasquez, who was appointed to the Colorado Water Conservation Board, and recognized Commissioner Vasquez’s work on the Commission.

- Recognized Maintenance Team and John Lorme for snow removal and getting through this winter, even with staff shortages.
 - Progress on the workforce front has been made.
 - CDOT is breaking ground on the facility in Fairplay.
- Recognized the BRT and Safety teams who presented at TC workshops yesterday.
- CDOT is now heading into the construction season.

5. Chief Engineer's Report (Keith Stefanik) Timestamp 00:50:51

- Conducted lots of conversations on project management software with staff and Regions, PMWeb. CDOT is getting very close to implementation. Staff and users are beginning to recognize the power of this software in tracking projects. Excited to identify a schedule for getting started with the use of this software.
- Regarding Advancing Transportation Safety, CDOT has a lot of staff working on this - multiple divisions at HQ, and Regions are working on this.
- Staff is ramping up for the 2023 construction season along with contractors.
- Pertaining to major projects across the state:
 - Region 1 - Central 70 - Substantial Completion date met on this project. This was a successful team effort between Kiewit Meridiam Partners and CDOT.
 - Region 1 - I-270 Critical Bridge project is moving forward and CDOT is currently evaluating lane width options for improvements.
 - Region 2 - I-25 Gap project is getting the toll express lane online.
 - Region 4 - North I-25 Segments 6-8 anticipated to be completed by the end of this year, and we are getting Segment 5 started.
 - Region 3 - Vail Pass project will be ready to go, once snow melts, and will include the bike path.
 - Region 5 - Us 550/US160 project looking towards a banner construction season to finish this project.
- St. Patrick's Day tomorrow - Hope everyone keeps safe during this holiday. CDOT staff serves as an example to the general public.

6. CTIO Director's Report (Nick Farber) Timestamp 00:58:36

- Last Wednesday launched the Globeville/Elyria Swansea Tolling Equity Initiative, with 12 people signing up for passes. CTIO is working hard to sign up more eligible residents for this program.
- CTIO Board of Directors meeting approved:
 - Annual Budget
 - Fee for Service Intra-Agency Agreement (IAA)
 - IGA for Burnham Yard Security Program
 - MOA between CTIO and FHWA for Floyd Hill Express Toll Lane (ETL) project
 - Adopted the Revenue Administration Policy and Guidance Document for Mountain ETL Safety and Enforcement program with data on violations and fines on Mountain ETL. Hope is to roll this out on the entire ETL system once implemented on Mountain ETL.

7. FHWA Division Administrator Report (Elizabeth Cramer) Timestamp 01:02:33

- Tolling Equity Program - FHWA National Administrators Award - Colorado Tolling Equity Program Recognized key CDOT and FHWA staff for their work on this program. People recognized were:
 - Stephanie Gibson - FHWA
 - Chris Horn - FHWA
 - Sean Cutting - FHWA
 - Monica Pavlik - FHWA
 - Keith Stefanik - CDOT
 - Simon Logan - CDOT

- Rebecca White - CDOT
- Stacia Sellers - CDOT
- Commissioner Holguin noted that the community also participated in the success of this program.

8. **Statewide Transportation Advisory Committee (STAC) Report (Vincent Rogalski) [Timestamp](#)**

[01:05:43](#)

- Herman provided update on deadlines for RAISE grant submittals a total 7.
- TPR representation and federal partners - safe streets for all - with a web address for webinars, upcoming announcement for this program in April.
- Large Bus and Bus Facility - National closes Apr 13, 2023
- US Debt ceiling has been breached.
- Ohio train derailments were discussed.
- Phil Washington, of DEN is in process to be confirmed as the FAA Administrator.
- Safe Routes to School - reported on the program approvals - with TC to approve eventually.
- STAC recommended SRTS and Poor Interstates Plan move forward with staff recommendations.
- STAC recommended budget approval for FY 2024.
- Featured Regions now a monthly practice with Region 5 going first to discuss US 550/US 160 project that uncovered prehistoric human remains.
- Vince thanked both Commissioner Stanton and Amber Blake for their service to CDOT.
- Next STAC meeting is April 6, 2023.
- Program Distribution to begin discussions in the spring/summer of this year in preparation for the 2050 Statewide Transportation Plan development process initiating next year.

9. **Legislative Report (Emily Haddaway) [Timestamp 01:15:36](#)**

- Colorado is halfway through the legislative session, and CDOT is tracking 24 Bills this session.
- Approval on the late bill request, came through on Monday. The Bridge and Tunnel Enterprise (BTE) Bill that would provide flexibility for BTE to work on more than just poor rated bridges. This Bill would let BTE work on other bridges and bundle bridge projects for maintenance projects in close proximity to each other. The Bill is being drafted now with other changes.
- A Bill to allow electric vehicle (EV) charging in CDOT right-of-way has been introduced HB 23-1233 - EV Charging and Parking Requirements are attached onto a larger EV Bill. The Bill only covers EV charging on federal interstates now, but the intent is to amend the Bill to allow EV charging facilities along all state highways.
- Retail delivery fees Bill - creates exemption for businesses with less than \$500,000 in revenue. CDOT supports this Bill.
- Several Bills have been postponed.
- Colorado House is holding a 50-Year Tribute to the Eisenhower/Johnson Memorial Tunnel (EJMT).
- HB 23-1101 - Moved to a Conference Committee with no date scheduled yet. Announced the members of the Conference Committee.
 - Emily apologized for not sharing the Bill amendment with the TC and STAC earlier, as she is still learning the process.
 - Adding the new step of CDOT conducting a study is a good approach that will address concerns from the STAC and stakeholders, including keeping the number to 15 TPRs.
 - Commissioner Bracke asked about a Bill supporting use of radar for speed enforcement in Colorado. CDOT Hasn't seen the Bill introduced recently.
 - Emily will share the list of Conference Committee members for HB 23-1101 with the TC members.

10. **Act on Consent Agenda [Timestamp 01:30:15](#)**

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

- Proposed Resolution #1: Approve the Regular Meeting Minutes of February 16, 2023 (Herman Stockinger)
- Proposed Resolution #2: IGA Approval >\$750,000 (Keith Stefanik)
- Proposed Resolution #3: Disposal: Parcel 52-EX (Central 70) (Jessical Myklebust)
- Proposed Resolution #4: Disposal: Parcel 83-EX (Central 70) (Jessical Myklebust)
- Proposed Resolution #5: Disposal: Parcel 185-EX (Central 70) (Jessical Myklebust)
- Proposed Resolution #6: Disposal: Loveland SH 402 Parcel 48-EX (Heather Paddock)
- Proposed Resolution #7: Disposal: Cuchara SH 160 Maintenance Site (Shane Ferguson)
- Proposed Resolution #8: Disposal: Cripple Creek Maintenance Site (Shane Ferguson)
- Proposed Resolution #9: Grand Junction Auto Access Appeal (Dan Roussin)

10. Discuss and Act on Proposed Resolution #10: 9th Budget Supplement of FY 2023 (Jeff Sudmeier and Bethany Nicholas) Timestamp 01:30:58

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

11. Discuss and Act on Proposed Discuss and Act on Resolution #11: Annual FY 2023-24 Budget Allocation Plan (Jeff Sudmeier) Timestamp 01:33:27

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

12. Discuss and Act on Proposed Resolution #12: FY 2023-24 CTIO Fee for Service IAA Approval (Nick Farber) Timestamp 01:35:53

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

13. Discuss and Act on Proposed Resolution #13: Safe Routes to School (SRTS) FY 2023-24 Projects (Annelies van Vonno) Timestamp 01:38:19

A Motion by Commissioner Hart to approve, and seconded by Commissioner Beedy passed. Commissioner Bracke abstained from participating in this action as she works for Boulder County.

14. Discuss and Act on Proposed Resolution #14: Condemnation Authorization (Keith Stefanik) Timestamp 01:41:30

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

15. Recognitions Timestamp 01:43:00

- Commissioner Stanton was recognized by the TC members for his service and presented with parting keepsakes.

16. TC Transition with Commission Chair Stanton Leaving Timestamp 01:46:00

- Acting Chair is Commissioner Beedy for the remainder of the fiscal year - until July 1, 2023.
- Commissioner Hickey to assist Commissioning Beedy with TC leadership for April, May and June TC meetings, in order to maintain urban and rural representation on the TC leadership.
- Commissioner Hall noted related to HB 23-1101 TPR boundary changes, that Executive Director Hunt did modify the boundaries of the CDOT Engineering Regions during his tenure.
- Commissioner Vasquez was recognized for her time served with the TC.

17. Adjournment - Approximately 10:50 am.



COLORADO
Department of Transportation
Office of the Chief Engineer

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

Memorandum

TO: Transportation Commission

FROM: Lauren Cabot

DATE: April 6, 2023

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

TO: TRANSPORTATION COMMISSION
FROM: JOHN GREGORY, CTIO MAJOR PROJECTS MANAGER
SUBJECT: I-70 FLOYD HILL PROJECT TOLLING MEMORANDUM OF UNDERSTANDING
BETWEEN CDOT, HPTE AND FHWA
DATE: APRIL 20, 2023

PURPOSE:

The purpose of this memo is to describe the Memorandum of Understanding (MOU) between the Colorado Transportation Investment Office (CTIO)¹, the Colorado Department of Transportation (CDOT), and the Federal Highway Administration (FHWA) regarding the toll facility on the I-70 Floyd Hill Project.

REQUESTED ACTION:

The Transportation Commission is asked to adopt proposed resolution #5 that supports the staff recommendation to approve the Floyd Hill Tolling MOU. The HPTE Board of Directors adopted a resolution during the March 2023 Board meeting approving this MOU.

BACKGROUND AND DETAILS:

The Floyd Hill project adds an approximate 8-mile non-HOV tolled Express Lane on WB I-70 between the Clear Creek County Road 65 Interchange (west of MP 248) and the Veterans Memorial Tunnels (just east of MP 241). Westbound I-70 will be realigned and widened to accommodate the new Express Lane, a four (4) foot buffer space, and two (2) general purpose lanes. The Express Lane begins approximately 0.5 miles west of Clear Creek County Road 65 and continues west of the Veterans Memorial Tunnels (0.75 miles west of). The western end of the new Floyd Hill Express Lane will transition to the existing westbound Mountain Express Lane (MEXL). The Floyd Hill Express lane will operate 24 hours a day, the westbound MEXL will continue to operate part-time during peak travel times. Overhead signs will show the status of westbound MEXL (open or closed) and toll rates for the entire corridor, these signs will be located at the entrance points to the Floyd Hill Express Lane and westbound MEXL.

OVERVIEW OF THE MOU:

The MOU sets forth the eligibility requirements to operate the new Floyd Hill Express Lane (with reference to existing westbound MEXL) and reporting requirements CDOT and HPTE are to provide to FHWA. This MOU is a pre-construction clearance document, FHWA requires this MOU to be executed prior to authorizing the project to proceed to construction.

OPTIONS / Decision Matrix

1. **Staff Recommendation:** Approve the Floyd Hill MOU between CDOT, HPTE, and FHWA.
2. Review the MOU with instructions to amend the provisions. Staff would work with the FHWA Colorado Division to make the necessary revisions and return next month with a revised MOU for approval by the CTIO Board of Directors and the TC

ATTACHMENT A: Proposed Resolution #5

¹ The High Performance Transportation Enterprise (HPTE) is now doing business as the Colorado Transportation Investment Office (CTIO). CTIO is how the enterprise refers to itself now and in the future. However, the HPTE name is retained for legislative and legal documents.

**MEMORANDUM OF UNDERSTANDING (MOU)
AMONG THE
FHWA COLORADO DIVISION OFFICE (Division),
THE COLORADO HIGH PERFORMANCE TRANSPORTATION ENTERPRISE
(HPTE) AND
THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT)**

WHEREAS, HPTE (a government owned business housed within CDOT) in partnership with CDOT desires to construct improvements on the I-70 Floyd Hill to Veterans Memorial Tunnels Project, a 8-mile stretch of I-70 between the Veterans Memorial Tunnel and Jefferson County Road 65. The project will improve an 8 mile section of the I-70 Mountain Corridor that is prone to traffic delays by adding a new full time tolled lane on westbound I-70 (totaling 8 miles) connecting at the western limit to the existing part time tolled Mountain Express Lane, adding an auxiliary lane for slower moving truck eastbound from the US6 interchange, improving design speed and sight distances, and implementing wildlife connectivity, air and water quality, stream conditions, and recreation. (collectively "Toll Facility"); and

WHEREAS, under Section 1512 of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. No. 112-141, Congress modified 23 U.S.C. 129(a) to, among other things, eliminate the requirement for a toll agreement to be executed between CDOT and the FHWA as a prerequisite to toll authority for a Federal-aid highway project; and

WHEREAS, the Division, CDOT, and HPTE desire to execute this MOU in order to reflect the mutual understanding that 23 U.S.C. 129(a), as amended by MAP-21, applies to the Toll Facility; and

WHEREAS, this project to construct the Toll Facility meets the following toll eligibility requirement in 23 U.S.C. 129(a)(1):

- C. initial construction of one (1) or more lanes or other improvements that increase the capacity of a highway, bridge, or tunnel on the Interstate System and conversion of that highway, bridge, or tunnel to a tolled facility, if the number of toll-free non-HOV lanes, excluding auxiliary lanes, after such construction is not less than the number of toll-free non-HOV lanes, excluding auxiliary lanes, before such construction;

NOW THEREFORE, the Division, CDOT, and HPTE hereby agree as follows:

1. HPTE shall comply with 23 U.S.C. 129(a) as amended by MAP-21, with respect to project and the operation of the Toll Facility.
2. As provided at 23 U.S.C. 129(a)(3), as amended by Section 1512 of MAP-21, HPTE shall use the toll revenues collected from the operation of the Toll Facility only for:
 - i. debt service with respect to the projects on or for which the tolls are authorized, including funding of reasonable reserves and debt service on refinancing; and

- ii. a reasonable return on investment of any private person financing the project, as determined by CDOT or interstate compact of States concerned; and
 - iii. any costs necessary for the improvement and proper operation and maintenance of the Toll Facility, including reconstruction, resurfacing, restoration, and rehabilitation; and
 - iv. if the Toll Facility is subject to a public-private partnership agreement, payments that the party holding the right to toll revenues owes to the other party under the public-private partnership agreement; and
 - v. if HPTE certifies annually that the Toll Facility is being adequately maintained, any other purpose for which Federal funds may be obligated by a State under title 23, United States Code.
3. As provided under 23 U.S.C. 129(a)(3)(B), as amended by Section 1512 of MAP-21, HPTE shall, upon reasonable notice, make all its records pertaining to the toll facility subject to audit by the FHWA. Also, HPTE agrees to annually audit the records of the Toll Facility for compliance with the toll revenue use restrictions of 23 U.S.C. 129(a)(3), as amended by MAP-21, and report the results thereof to the Division. In lieu of the HPTE performing said audit, a report of an independent auditor furnished to the Division may satisfy the requirements of this section.
4. HPTE will submit the annual maintenance certification and audit report to the Division by the end of each fiscal year.

IN WITNESS THEREOF, the parties hereto have caused this MOU to be duly executed, on the date of the last signature below.

STATE OF COLORADO
HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

BY: _____
Nicholas J. Farber, Director

DATE: _____

STATE OF COLORADO
COLORADO DEPARTMENT OF TRANSPORTATION

BY: _____
Shoshana M. Lew, Executive Director

DATE: _____

FEDERAL HIGHWAY ADMINISTRATION
COLORADO DIVISION

BY: _____
John M. Cater, Division Administrator

DATE: _____



COLORADO
Department of Transportation
Office of Policy and Government Relations

2829 W. Howard Place
Denver, CO 80204-2305

MEMORANDUM

DATE: April 4, 2023
TO: Transportation Commission
FROM: Herman Stockinger, Deputy Executive Director and OPGR Director
Kristi Graham-Gitkind, Chief Human Resources Officer
John Lorme, Director of Maintenance and Operations
Sari Weichbrodt, Rules, Policies, and Procedures Advisor
SUBJECT: Adopting Updated Policy Directive 1209.0 "Housing Assistance"

Purpose

This memorandum provides a summary of the proposed changes to Policy Directive 1209.0 "Housing Assistance" for its adoption by the Transportation Commission.

Action

To pass a resolution adopting the updated Policy Directive 1209.0 "Housing Assistance."

Background

Policy Directive 1209.0 "Housing Assistance" was last updated in 2018. The Directive addresses the critical need of housing assistance for certain employees throughout the state located in high housing cost/low housing availability areas. The Colorado Department of Transportation (CDOT) conducted a housing study in 2022 to provide an updated basis for determining which locations qualify for housing assistance.

Details

The Division of Human Resources and the Division of Maintenance and Operations will partner to address the housing assistance needs of certain employees. This proposed update adds the Division of Maintenance and Operations as a joint Originating Office for the Directive. The other key change in the updated Directive is the use of the term "high housing cost/low housing availability" to recognize that certain locations may not be high housing cost, but have such low housing availability that employees may find it difficult to secure housing and continue their important work for CDOT.

Next Steps

CDOT will continue to work to ensure it can attract and retain employees in all parts of the state.

Attachments

Attachment b: Redlined Version of Policy Directive 1209.0
Attachment c: Clean Version of Policy Directive 1209.0

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE	
Subject Housing Assistance			Number 1209.0
Effective 7/19/18	Supersedes 7/19/1/18/18	Originating Office <u>Division of Human Resources and Division of Maintenance and Operations</u>	

a

I. PURPOSE

The purpose of this Policy Directive is to address the need to attract and retain qualified applicants to Colorado Department of Transportation (“CDOT” or “Department”) positions in high housing cost and low housing availability areas throughout the state, and to demonstrate the Transportation Commission's support of CDOT’s recruitment and retention of valuable employees.

II. AUTHORITY

Transportation Commission pursuant to § 43-1-106(8), C.R.S.

State Fiscal Rule 3.1.52-8(-05), (rental charges)

State Personnel Board Rules and Director’s Administrative Procedures, 4 CCR 801-1, Rule 3-48

III. APPLICABILITY

This Policy Directive applies to applicants, part-time and full-time permanent employees who were hired to fill essential positions, who must comply with PD 8.1, and whose duty station locations have been deemed to be located in high housing cost or low housing availability areas. ~~be high cost.~~

IV. DEFINITIONS

~~See Procedural Directive 1209.1~~

~~V.~~ POLICY

A. It is the policy of the Transportation Commission (“Commission”) to support the Department’s efforts to assist eligible employees in hHigh house cCost/low availability locations in obtaining safe and affordable housing. The Commission endorses the Department’s processes set forth in Procedural Directive 1209.1 as a means of attracting and retaining qualified permanent employees and developing a stable and reliable workforce to support the travelling public.

B. The Commission further supports the Department’s use of the following types of Housing Assistance:

- 1A. Tiered Monthly Stipend
- 2B. Dorm Camp/ “LodgHoteling”
- 3C. Existing Housing/Trailer Pads
- 4D. Obtaining /Building Employee Housing ~~via Partnership~~ (requires prior approval from the Executive Director ~~and the Commission~~)

VI. IMPLEMENTATION PLAN

This Policy Directive shall be effective upon signature.

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

The Division of Human Resources and the Division of Maintenance and Operations shall ~~ensure CDOT personnel receive who will implement and be affected by this Policy Directive have received it~~implement this Policy Directive.

VII. REVIEW DATE

This Policy Directive shall be reviewed on or before July 2028~~2~~.

Herman Stockinger
Transportation Secretary

Date of Approval

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE	
Subject Housing Assistance			Number 1209.0
Effective	Supersedes 7/19//18	Originating Office Division of Human Resources and Division of Maintenance and Operations	

I. PURPOSE

The purpose of this Policy Directive is to address the need to attract and retain qualified applicants to Colorado Department of Transportation (“CDOT” or “Department”) positions in high housing cost and low housing availability areas throughout the state, and to demonstrate the Transportation Commission's support of CDOT’s recruitment and retention of valuable employees.

II. AUTHORITY

Transportation Commission pursuant to § 43-1-106(8), C.R.S.

State Fiscal Rule 3.1.5, (rental charges)

State Personnel Board Rules and Director’s Administrative Procedures, 4 CCR 801-1, Rule 3-48

III. APPLICABILITY

This Policy Directive applies to applicants, part-time and full-time permanent employees who were hired to fill essential positions, who must comply with PD 8.1, and whose duty station locations have been deemed to be located in high housing cost or low housing availability areas.

IV. POLICY

A. It is the policy of the Transportation Commission (“Commission”) to support the Department’s efforts to assist eligible employees in high house cost/low availability locations in obtaining safe and affordable housing. The Commission endorses the Department’s processes set forth in Procedural Directive 1209.1 as a means of attracting and retaining qualified permanent employees and developing a stable and reliable workforce to support the travelling public.

B. The Commission further supports the Department’s use of the following types of Housing Assistance:

1. Tiered Monthly Stipend
2. Dorm Camp/ “Lodging”
3. Existing Housing/Trailer Pads
4. Obtaining /Building Employee Housing (requires prior approval from the Executive Director)

V. IMPLEMENTATION PLAN

This Policy Directive shall be effective upon signature.

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

The Division of Human Resources and the Division of Maintenance and Operations shall implement this Policy Directive.

VI. REVIEW DATE

This Policy Directive shall be reviewed on or before July 2028.

Herman Stockinger
Transportation Secretary

Date of Approval



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: APRIL 20, 2023
SUBJECT: DISPOSAL PARCEL 21-EX, TIMBER RIDGE (I-70 MM 174.4)

Purpose

CDOT Region 3 is proposing to dispose of Parcel 21-EX, located on I-70 near MM 174.4, also referred to as “Timber Ridge”. Parcel 21-EX is comprised of 28,314 sq. ft. (0.65 acres) of right of way that is no longer needed for transportation or maintenance purposes.

Action

CDOT Region 3 is requesting a resolution, in accordance with C.R.S. 43-1-210, approving the disposal of 28,314 sq. ft. (0.65 acres) of right of way that is no longer needed for transportation or maintenance purposes.

Background

21-EX was acquired through Project No. I 70-2(7)183 in 1968 during the original construction of I-70. Parcel 21-EX is no longer needed for transportation purposes.

Next Steps

Upon approval of the Transportation Commission, CDOT will market and sell the parcels 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 Eagle County Clerk and Recorder. Funds from the disposal shall be disbursed in accordance with Section 7.2.16 of the CDOT Right of Way Manual.

Attachments

Exhibits Depicting the Disposal Property

ILLUSTRATION FOR EXHIBIT "A"

*A PARCEL OF LAND LOCATED IN THE NW1/4 AND NE1/4
SECTION 12, TOWNSHIP 5 SOUTH, RANGE 81 WEST, 6th P.M.*

NW1/4 SECTION 12
TOWNSHIP 5 SOUTH
RANGE 81 WEST
6th P.M.

NE1/4 SECTION 12
TOWNSHIP 5 SOUTH
RANGE 81 WEST
6th P.M.

LOT 1, TIMBER RIDGE SUBDIVISION

OWNER: TOWN OF VAIL
1281 NORTH FRONTAGE ROAD WEST
PARCEL No. 2103-121-29-001
4.84 ACRES

EXISTING I-70 R.O.W.
STA. 108+00

PARCEL No. 21-EX
0.6535 ACRES
(+/-28,466 SQ. FT.)

PROPOSED INTERSTATE
HIGHWAY No. 70
RIGHT-OF-WAY LINE

INTERSTATE
HIGHWAY No. 70
PROJECT No. I-70-2(7)183

N52°50'29"E - 1318.1'
EXISTING I-70 R.O.W.
STA. 111+00
POINT OF BEGINNING

N 72°58'35" E - 319.53'

S 52°50'29" W - 408.80'

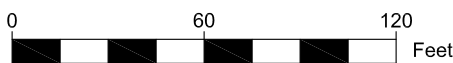
S 10°07'54" W - 1217.48'

CENTER SECTION 12
TOWNSHIP 5 SOUTH
RANGE 81 WEST
6th P.M.



NOTES:

- 1) THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY, IT IS ONLY INTENDED TO DEPICT THE ATTACHED PARCEL DESCRIPTION.
- 2) LINEAL UNITS ARE U.S. SURVEY FEET
- 3) PROJECT No. I-70-2(7)183, VESTING DEED RECORDED MARCH 6, 1968 UNDER RECEPTION No. 107656.
- 4) PARCEL No. 21-EX CONTAINS 0.6535 ACRES (+/-28,466 SQ. FT.)



SCALE: 1" = 60'

SHEET No. 1

Gore Range Surveying, LLC
P.O. Box 15
Avon, CO 81620
(970) 479-8698 • fax (970) 479-0055

EXHIBIT "A"

PROJECT NUMBER: I70-2(7)183

PARCEL NUMBER: 21-EX

DATE: MARCH 10, 2023

This calculated description is compiled from Interstate Highway No. 70 Colorado Department of Highways Right-of-Way (ROW) Plans, Project No. I70-2(7)183. This parcel of land will become part of the adjoining property and will not become a separate parcel of land.

DESCRIPTION OF PARCEL No. 21-EX

A parcel of land No. 21-EX, being part of existing Interstate Highway No. 70 (I70) Right-of-Way as shown on the Colorado Department of Highways ROW Plans, Project No. I70-2(7)183, Vesting Deed recorded March 6, 1968 under Reception No. 107656, said Parcel 21-EX lying within the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Section 12, Township 5 South, Range 81 West of the Sixth Principal Meridian, County of Eagle, State of Colorado, and being more particularly described as follows:

Beginning at a point on the ROW of said I70 from which the center of said section 12 bears S10°07'54"W 1217.48 feet;

thence S52°50'29"W 408.80 feet; thence N37°09'31"W 109.99 feet to a point on the ROW of said I70; thence along said ROW the following two courses: (1) N52°50'29"E 108.80 feet; (2) N72°58'35"E 319.53 feet to the Point of Beginning. The above described Parcel No. 21-EX contains 0.6535 acres (28,466 sq. ft.), more or less, County of Eagle, State of Colorado.

This description is prepared for the transfer of Real Property (Parcel No. 21-EX) from the Colorado Department of Transportation (CDOT) to the record owner of the adjoining property for the disposal of the existing ROW no longer needed by CDOT.





MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: APRIL 20, 2023
SUBJECT: DISPOSAL PARCEL 29-REV3-EX, WEST MIDDLE CREEK (I-70 MM 175.7)

Purpose

CDOT Region 3 is proposing to dispose of Parcel 29-Rev3-EX, located on I-70 near MM 175.7, also referred to as “West Middle Creek”. Parcel 29-Rev3-EX is comprised of 54,232.2 sq. ft. (1.245 acres) of right of way that is no longer needed for transportation or maintenance purposes.

Action

CDOT Region 3 is requesting a resolution, in accordance with C.R.S. 43-1-210, approving the disposal of 54,232.2 sq. ft. (1.245 acres) of right of way that is no longer needed for transportation or maintenance purposes.

Background

29-Rev3-EX was acquired through rule and order in Civil Action No. 1450, filed with the Eagle County District Court in December 1970. It was recorded with the Eagle County Clerk and Recorder in January 1971. Parcel 29-Rev3-EX was acquired for Right of Way in Federal Aid Project No. I 70-2(7)182 in Eagle County. Parcel 29-Rev3-Ex is no longer needed for transportation purposes.

Next Steps

Upon approval of the Transportation Commission, CDOT will market and sell the parcels 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 Eagle County Clerk and Recorder. Funds from the disposal shall be disbursed in accordance with Section 7.2.16 of the CDOT Right of Way Manual.

Attachments

Exhibits Depicting the Disposal Property



EXHIBIT A

THIS DOCUMENT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS ONLY INTENDED TO DEPICT THE ATTACHED DESCRIPTION.

(S $\frac{1}{2}$, SE $\frac{1}{4}$ SEC 6, T5S, R80W)

FOUND 3 $\frac{1}{2}$ " ALUMINUM CAP ON 2 $\frac{1}{2}$ " STEEL POST

(WEST LINE SE $\frac{1}{4}$ SEC 6)

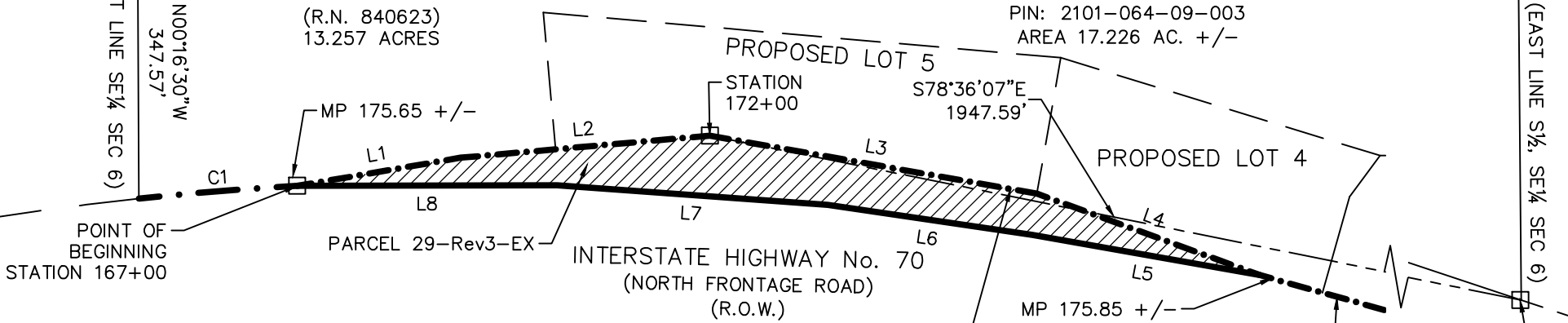
N00°16'30"W
347.57'

TRACT A
OPEN SPACE
MIDDLE CREEK SUBDIVISION
(R.N. 840623)
13.257 ACRES

S89°32'30"E
2634.93'

RECORD OWNER: TOWN OF VAIL
ADDRESS: 75S FRONTAGE ROAD
PIN: 2101-064-09-003
AREA 17.226 AC. +/-

(EAST LINE S $\frac{1}{2}$, SE $\frac{1}{4}$ SEC 6)



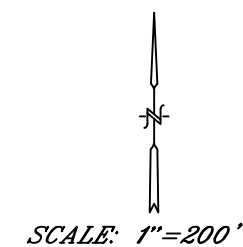
LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N80°13'06"E	211.80
L2	N84°55'50"E	319.70
L3	S79°56'28"E	424.40
L4	S69°55'21"E	303.20

LINE TABLE		
LINE #	BEARING	DISTANCE
L5	N79°58'09"W	295.44
L6	N81°37'48"W	263.90
L7	N85°51'46"W	346.64
L8	S89°50'39"W	332.08

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	202.68	3990.00	2°54'38"	S85°24'28"W	202.66

COLORADO DEPT. OF TRANSPORTATION R.O.W.
PROJ. NO. 170-2 (7) 183
S74°21'35"E
204.70'

SE COR
LOT 3
R.N.
202124066



MONUMENT LEGEND
 FOUND 3" BRASS CAP ON 6" CONCRETE POST, C.D.O.T. ROW MARKER



BRENT BIGGS
PROFESSIONAL LAND SURVEYOR
P.L.S. No. 27598

RIGHT-OF-WAY EXHIBIT PARCEL 29-Rev3-EX CONTAINS 1.245 ACRES+-(54,218 S.F.) TOWN OF VAIL, COUNTY, COLORADO			 PEAK LAND CONSULTANTS, INC. PH: (970)478-8844 FAX: (970)478-8816 1000 LION'S RIDGE LOOP, SUITE 10 VAIL, CO 81657
DRAWN BY: KPJ DATE 03/09/23	CHECKED BY: BB PLC JOB NO.:1039.7	SHEET 1 OF 2	

EXHIBIT "A"
 PROJECT NO. 170-2 (7) 183
 PARCEL 29-Rev3-EX
 DATE: MARCH 09, 2023

THIS DESCRIPTION IS PREPARED FOR THE TRANSFER OF REAL PROPERTY (PARCEL 29-Rev3-EX) FROM THE COLORADO DEPT. OF TRANSPORTATION TO THE RECORD OWNER OF THE ADJOINING PROPERTY FOR THE DISPOSAL OF THE EXISTING ROW AREA NO LONGER NEEDED BY THE CDOT.

DESCRIPTION OF PARCEL NO. 29-Rev3-EX


A PARCEL OF LAND LOCATED IN INTERSTATE HIGHWAY NO. 70, RIGHT-OF-WAY AS SHOWN ON CDOT ROW PLANS, PROJ. NO 170-2(7) 183 BEING DESCRIBED IN DEED AT BOOK 219, PAGE 441, LYING WITHIN THE S $\frac{1}{2}$, SE $\frac{1}{4}$ OF SEC. 6, T5S, R80W, 6TH P.M., NORTH FRONTAGE ROAD, BEING SOUTH OF TRACT A, MIDDLE CREEK SUBDIVISION RECEPTION NUMBER 840623, EAGLE COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT FOUND C.D.O.T. MONUMENT AT STATION 167+00 LEFT;
 THENCE FOUR (4) COURSES ALONG THE NORTHERLY RIGHT OF WAY OF SAID INTERSTATE HIGHWAY NO. 70, NORTH FRONTAGE ROAD:
 1) N80°13'06"E A DISTANCE OF 211.80 FEET;
 2) N84°55'50"E A DISTANCE OF 319.70 FEET TO THE FOUND C.D.O.T. MONUMENT AT STATION 172+00 LEFT;
 3) S79°56'28"E A DISTANCE OF 424.40 FEET;
 4) S69°55'21"E A DISTANCE OF 303.20 FEET;
 THENCE DEPARTING SAID RIGHT OF WAY N79°58'09"W A DISTANCE OF 295.44 FEET;
 THENCE N81°37'48"W A DISTANCE OF 263.90 FEET;
 THENCE N85°51'46"W A DISTANCE OF 346.64 FEET;
 THENCE S89°50'39"W A DISTANCE OF 332.08 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL 29-Rev3-EX CONTAINS 1.245 ACRES (54,218 SF), MORE OR LESS, COUNTY OF EAGLE, STATE OF COLORADO.



 BRENT BIGGS
 PROFESSIONAL LAND SURVEYOR
 P.L.S. No. 27598

RIGHT-OF-WAY EXHIBIT PARCEL 29-Rev3-EX CONTAINS 1.245 ACRES+-(54,218 S.F.) TOWN OF VAIL, COUNTY, COLORADO		 PEAK LAND CONSULTANTS, INC. <small>PH: (970)476-8644 FAX: (970)476-8616 1000 LION'S RIDGE LOOP, SUITE 1D VAIL, CO 81657</small>
DRAWN BY: KPJ DATE: 03/09/23	CHECKED BY: BB PLC JOB NO.: 1039.7	



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: APRIL 20, 2023
SUBJECT: DISPOSAL: 32-EX, ENGLEWOOD

Purpose

CDOT Region 1 is proposing to dispose of Parcel 32-EX, comprised of 11,385 sq ft (0.261 acres) of right of way that is no longer needed for transportation purposes.

Action

CDOT Region 1 is requesting a resolution, in accordance with C.R.S. 43-1-210, approving the disposal of 11,385 sq ft (0.261 acres) of right of way that is no longer needed for transportation or maintenance purposes.

Background

Parcel 32-EX is located on the south side of US 285 immediately east of Santa Fe Drive in Englewood, CO. It was acquired by CDOT under project UF 004-1(18) in 1960 for US 285. The City of Englewood has requested CDOT convey Parcel 32-EX to the City for nominal value for public use, in accordance with C.R.S. 43-2-210(5). Englewood plans to use the property as a public connection to the City's planned Rail Trail multi-use path, which will run parallel to the railroad tracks adjacent to Santa Fe Drive.

Next Steps

Upon approval of the Transportation Commission, CDOT will execute a quitclaim deed to convey Parcel 32-EX to the City of Englewood for nominal value, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403. The deed will include a reversion provision stating that if the property that is the subject of the quitclaim deed is not used for transportation purposes, title to such property will automatically revert back to CDOT. The deed will be recorded in the office of the Arapahoe County Clerk and Recorder.

Attachments

Exhibits Depicting the Disposal Property

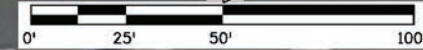
hagemanns 7:46:59 AM Z:\Active_Projects\Property_Management\285 - 1090 W_Hampden\RDW_Survey\Drawings\111111Exhibit_Map_32-EX.dgn

Exhibit 32-EX

Date: 11/03/2017

Property Management Project

Location: 1090 W. Hampden



SH-285 Hampden Ave.

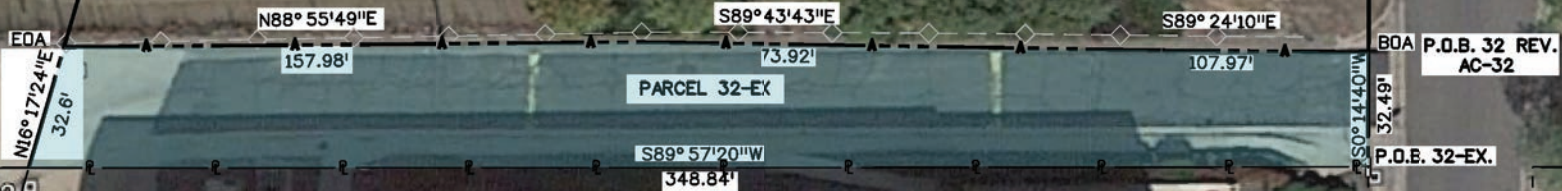
SE 1/4 Sec. 33 Township 4 South, Range 68 West Basis of Bearings: (S. 89° 58' 04" W.)
 NE 1/4 Sec. 4, Township 5 South, Range 68 West

PARCEL 32-Rev.

PARCEL 32-EX

Arapahoe County

S. Jason St.



Print Date: 11/03/2017

File Name: Exhibit Map 32-EX.

Horiz. Scale: 1"=50'

RDW/Property Management

K. Lyon

**Property Management Exhibit A
Parcel 32-EX**



Region: 1

Unit Leader: I. Mallo

Sheet: 2 of 2

**Property Management
UF 004 1-(18)**

Revision Parcels of
UF 004-1(18)

Exhibit A: Parcel 32-EX

Page 09 of 127

2



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
 FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
 BETHANY NICHOLAS, BUDGET DIRECTOR
 DATE: APRIL 20, 2023
 SUBJECT: TENTH BUDGET SUPPLEMENT - FY 2022-2023

Region 5

10 Year Plan Reallocations - Region 5 has identified reallocations of project savings to other currently approved 10 Year Plan Projects.

Planning ID	Description	Updated Doc Amount	Change	New Amount	Status	Purpose for Change
80	CO 17 Surface Treatment & Widening Hooper to US 285 Junction	\$18,000,000	(\$3,267,326)	\$14,732,674	Closed	Closure savings
84	CO 114 US 50 East	\$15,400,000	(\$2,697,109)	\$12,702,891	Awarded	Award savings
85	US 550 Pacochupuk South Roadway Mobility, Safety, and Billy Creek Wildlife Improvements	\$10,778,748	\$2,688,223	\$13,466,971	Open	Additional funds for construction

Per Policy Directive 703.0, transfers between 10 Year Plan IDs in excess of \$1M requires Transportation Commission approval.

Information Only

\$4,655,000 - Maintenance Reserve-Snow and Ice- Pursuant to PD 703, transfers are approved by the Executive Management Team. A transfer of funds from the Maintenance Reserve Fund was completed in March in order to reimburse maintenance cost centers across the state for snow and ice expenditures in excess of planned amounts, including:

- Greeley - \$923,650
- Grand Junction - \$940,650
- Durango - \$630,100
- Pueblo - \$779,000
- Aurora - \$101,200
- Craig - \$548,000
- Alamosa - \$304,700
- EJMT - \$427,700

Per Policy Directive 703.0, transfers from the Maintenance Reserve are approved by the Executive Management Team and present as informational to the Transportation Commission in the following meeting.

\$4,215,000 - **Cost Escalation Fund**- Pursuant to PD 703, transfers are approved by the Executive Management Team. Transfers for the month are listed below:

- *Region 2- I-25 Filmore to Garden of the Gods - \$3,000,000*
- *Region 5- SH172 Surface Treatment - \$1,215,000*

Per Policy Directive 703.0, transfers from the Cost Escalation Fund are approved by the Executive Management Team and present as informational to the Transportation Commission in the following meeting.

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

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S21</i>		\$33,005,416	
July-22	<i>Balance 1S23</i>		\$32,405,631	
September-22	<i>Balance 3S23</i>		\$32,135,631	
October-22	<i>Balance 4S23</i>		\$32,135,631	
November-22	<i>Balance 5S23</i>		\$31,681,154	
December-22	<i>Balance 6S23</i>		\$32,012,504	
January-23	<i>Balance 7S23</i>		\$32,012,504	
February-23	<i>Balance 8S23</i>		\$28,587,504	
March-23	<i>Balance 9S23</i>		\$25,114,214	
	<i>No Pending Requests</i>	\$ -		
April-23	<i>Pending Balance 10S23</i>		\$25,114,214	

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

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S22</i>		\$6,993,697	
July-22	<i>Balance 1S23</i>		\$12,000,000	
August-22	<i>Balance 2S23</i>		\$12,000,000	
September-22	<i>Balance 3S23</i>		\$12,000,000	
October-22	<i>Balance 4S23</i>		\$12,000,000	
November-22	<i>Balance 5S23</i>		\$12,000,000	
December-22	<i>Balance 6S23</i>		\$12,000,000	
January-23	<i>Balance 7S23</i>		\$12,000,000	
February-23	<i>Balance 8S23</i>		\$10,180,000	
March-23	<i>Balance 9S23</i>		\$4,655,000	
	<i>March Transfer</i>	\$ (4,655,000)		1000314112
April-23	<i>Pending Balance 10S23</i>		\$0	

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

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-22	<i>Balance 12S22</i>		\$45,008,409	
July-22	<i>Balance 1S23</i>		\$41,622,106	
August-22	<i>Balance 2S23</i>		\$41,752,379	
September-22	<i>Balance 3S23</i>		\$41,752,379	
October-22	<i>Balance 4S23</i>		\$59,812,379	
November-22	<i>Balance 5S23</i>		\$59,812,379	
December-22	<i>Balance 6S23</i>		\$67,326,775	
January-23	<i>Balance 7S23</i>		\$67,945,266	
February-23	<i>Balance 8S23</i>		\$67,945,266	
March-23	<i>Balance 9S23</i>		\$68,066,727	
	<i>Reverse Savings Entries from HQI and CRI</i>	\$ (668,491)		1000314957/1000310816
	<i>Region 4 Interstate Pavement Transfer to Surface Treatment</i>	\$ (8,000,000)		Pending
	<i>Transfer to Maintenance for Snow and Ice</i>	\$ (19,624,000)		Pending
April-23	<i>Pending Balance 10S23</i>		\$39,774,236	

*Two previous entries incorrectly transferred what was thought to be "savings" from the National Summer Transportation Institute and Sediment Control in Region 3 but were later identified as still needed for projects.

**Cost Escalation Fund Reconciliation
Tenth Supplement FY 2023 Budget**

Transaction Date	Transaction Description	Amount	Balance	Reference Document
December-22	<i>Balance 6S23</i>		\$30,000,000	
January-23	<i>Balance 7S23</i>		\$30,000,000	
February-23	<i>Balance 8S23</i>		\$30,000,000	
	<i>R1 - I70 Washington Bridge</i>	(567,414)		1000312802
	<i>R5 - US160 Culvert</i>	(355,000)		1000313290
	<i>R4 - SH138</i>	(1,523,685)		1000313601
	<i>R1 - Alameda Bridge</i>	(2,200,789)		1000313608
March-23	<i>Balance 9S23</i>		\$25,353,112	
	<i>R2 - I-25 Filmore Garden of the Gods</i>	(3,000,000)		1000314637
	<i>R5 -SH 172 Surface Treatment</i>	(1,215,000)		1000314971
April-23	<i>Pending Balance 10S23</i>		\$21,138,112	

FY 2022-2023 Contingency Reserve Fund Balance Projection		
March		
TC Contingency Balance (Emergencies)	\$25,114,242	
<i>Pending Requests:</i>		
No Pending Outflows	\$0	
Pending April		
TC Contingency Reserve Balance	\$25,114,242	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
No Pending Outflows	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
I-70 Glenwood Canyon Slides Remaining Repayments	\$0	\$4,500,000
Region 4 Project Savings	\$0	\$4,000,000
Projected FY 2022-2023 YE Contingency Balance	\$25,114,242	\$33,614,242
<i>TCCRF Surplus (Deficit) to Reach \$25M Balance July 1, 2023</i>	<i>\$114,242</i>	<i>\$8,614,242</i>

FY 2022-2023 Program Reserve Fund Balance Projection		
March		
TC Program Reserve Balance	\$68,066,727	
<i>Pending December Requests:</i>		
Reversal of Incorrect CRI and HQI Savings Return	(\$668,491)	
Region 4 Interstate Pavement Project Transfer to Surface Treatment	(\$8,000,000)	
Transfer to Maintenance for Snow and Ice	(\$19,624,000)	
Pending April		
TC Program Reserve Fund Balance	\$39,774,236	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
No Pending Requests	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
No Pending Requests	\$0	\$0
Projected FY 2022-2023 YE Program Reserve Balance	\$39,774,236	\$39,774,236

FY 2022-2023 Cost Escalation Pool	
March	
Cost Escalation Pool Balance	\$25,353,112
<i>EMT Approved Requests:</i>	
Region 2 - I-25 Filmore to Garden of the Gods	(\$3,000,000)
Region 5 - SH172 Surface Treatment	(\$1,215,000)
Pending April	
TC Program Reserve Fund Balance	\$21,138,112

FY 2022-2023 Maintenance Reserve Fund Balance Projection	
March	
TC Maintenance Reserve Balance	\$4,655,000
<i>EMT Approved Requests:</i>	
March EMT Approved	(\$4,655,000)
Pending April	
TC Maintenance Reserve Fund Balance	\$0

MEMORANDUM

TO: THE COLORADO TRANSPORTATION COMMISSION
FROM: NICK FARBER, CTIO DIRECTOR
PIPER DARLINGTON, BUDGET AND SPECIAL PROJECTS MANAGER
GEORGE HYPOLITE, ATTORNEY GENERAL
SUBJECT: APPROVAL OF I-25 NORTH FINANCING AGREEMENTS
DATE: APRIL 20, 2023

Purpose:

To request approval of an Intra-Agency Agreement (IAA) and a Direct Agreement (collectively referred to as the I-25 North Financing Agreements) by the Colorado Transportation Commission (TC).

Requested Action:

The TC is being asked to adopt proposed resolution #12 that supports the staff recommendation to approve the I-25 North Financing Agreements.

Background:

In August 2020, the Colorado Transportation Investment Office (CTIO)¹ began working the TIFIA program to explore the idea of a corridor-wide financing strategy that would address current and future needs for the entire I-25 North corridor encompassing I-25 North Segment 2 (US 36 to 120th) to Segment 8 (SH 392 to SH 14). Since submitting a formal Letter of Interest (LOI) in April 2021 to start the process of securing a loan, CTIO has been working closely with the BAB, its internal advisor team, the Attorney General's office and CDOT leadership to reach financial close on the loan.

Current Details:

In March 2023, a joint workshop was held with CTIO staff, the CTIO Board and the TC in anticipation of reaching financial close on the loan in spring 2023. The workshop presented details on the loan structure, flow of funds, the project documents and how CTIO will work with CDOT to address future projects along the corridor. In summary, CTIO is requesting a \$501 million TIFIA loan to:

- Reimburse CTIO for \$24 million in previously incurred eligible construction expenditures for Segment 3. These expenditures were originally paid for with the Bank of America construction loan.
- Fund \$154 million for the construction of Express Lanes in Segment 7 and 8.
- Fund \$323 million for future construction of Segment 5.

As part of the financial close process, the TC is being asked to approve I-25 North Financing Agreements. Due to the large file size, drafts of all the documents can be found at this [document link](#). A summary of each document and purpose is provided below.

¹ The High Performance Transportation Enterprise (HPTE) is now doing business as the Colorado Transportation Investment Office (CTIO). CTIO is how the enterprise refers to itself now and in the future. However, the HPTE name is retained for legislative and legal documents.

A. I-25 North Intra-Agency Agreement (IAA)-

- Documents the substantive terms of how CDOT and CTIO work together and allocate rights and responsibilities on the project.
- Provides TIFIA with certainty regarding CTIO and CDOT's roles and responsibilities.
- Documents the necessary contractual obligations between CDOT and CTIO.

B. Direct Agreement-

- CTIO is entering into a TIFIA Loan for the project but does not have the responsibility to either construct the Project or operate or maintain the Project.
- The Direct Agreement requires CDOT to covenant to certain provisions in the TIFIA Loan.
- The Direct Agreement gives TIFIA direct contractual privity and the ability to enforce certain rights against CDOT.

Please see the March 15, 2023 presentation for additional details on the overall loan structure, flow of funds during project operations and how CTIO will work with CDOT to address future projects along the corridor.

Recommendation:

Staff recommends that the TC approve proposed resolution #12, Approving an Intra-Agency Agreement between the Colorado Department of Transportation and the Colorado High Performance Transportation Enterprise and a Direct Agreement between the Colorado Department of Transportation, the Colorado High Performance Transportation Enterprise and U.S. Department of Transportation for the I-25 North Express Lanes Project.

Next Steps:

- If approved, CTIO will work with the BAB to execute all documents
- CTIO will finalize and submit its loan application for approval by the USDOT Secretary
- CTIO will update the TC when the loan closes and the funds are available for disbursement.

Attachment A:

Proposed Resolution #12: Approving an Intra-Agency Agreement between the Colorado Department of Transportation and the Colorado High Performance Transportation Enterprise and a Direct Agreement between the Colorado Department of Transportation, the Colorado High Performance Transportation Enterprise and U.S. Department of Transportation for the I-25 North Express Lanes Project.



MEMORANDUM

DATE: April 10, 2023

TO: Transportation Commission

FROM: Andrew Hogle, Hearing Officer

SUBJECT: Rulemaking Hearing on Proposed Rule Revisions to 2 CCR 601-1A, Rules Governing the State Highway Access Category Assignment Schedule

Background

Pursuant to §§ 43-1-106(8)(k) and 43-1-147(1)(a), C.R.S., the Transportation Commission of Colorado (“Transportation Commission”) has the authority to establish by rule a state highway access code which calls for an access category assignment schedule (“the Access Category Rules”). On February 16, 2023, the Transportation Commission, by Resolution No. 2023-02-10, authorized a Hearing Officer to conduct a hearing on the proposed rule changes (Exhibit 1). A rulemaking hearing was held on April 7, 2023 to receive public comment on the proposed rule changes.

Summary of Hearing and Factual Findings

Pursuant to § 24-4-103, C.R.S., the Colorado Administrative Procedure Act (“APA”), and the Transportation Commission Resolution No. 2022-02-10, a public hearing was held on September 7, 2023 via Zoom Webinar. The hearing was recorded and the recording has been made publicly available. Acting as your delegated Hearing Officer, I opened the hearing at 10:31 a.m. In attendance were Sari Weichbrodt, Daniel Roussin, and Tim Bilobran from the Colorado Department of Transportation (“the Department” or “CDOT”), and Pawan Nelson from the Office of the Attorney General (“AGO”). Three member of the public also attended the hearing and two offered testimony. Mr. Tom Acre, Town Manager, testified in support of the Wiggins category change. Ms. Elizabeth Relfold of Weld County also testified about additional possible change. One written comment was received prior to the hearing and one written comment was received in response to oral testimony at the hearing(Exhibit 9).

Sari Weichbrodt from the Office of Policy and Government Relations reviewed the rulemaking process and demonstrated how the Department complied with the requirements of the APA. The Statement of Basis, Purpose, and Statutory Authority for the Planning Rules is contained in Exhibit 5. A cost-benefit analysis was not required (Exhibit 3D). Ms. Weichbrodt also noted that the Department:

- Obtained proper hearing delegation from the Transportation Commission (Exhibit 1);
- Filed a timely Notice of Rulemaking with the Secretary of State (Exhibit 2A);
- Published the Notice in the Colorado Register (Exhibit 2D);

- Posted timely notice about the rulemaking hearing on the Department’s website on February 28, 2023 and updated the proposed rule language on March 31, 2023 (Exhibit 4);
- Notified the representative group and interested parties of the date, time, and location of the hearing and requested comments (Exhibits 7 and 8), including updated notification of one minor addition to the rule prior to the hearing;
- Received written comments prior to the rulemaking hearing regarding the proposed rule changes (Exhibit 9); and
- Will maintain a permanent file of the rulemaking record (Exhibit 9).

Ms. Weichbrodt/Mr. Roussin then discussed the proposed changes to the Access Category Rules which resulted from a mandatory review to assess whether the Access Category Rules are necessary, efficient, and understandable by the public. All proposed changes were the result of staff recommendations; several proposed changes were adjusted based on public comment. Many of the changes reflect updates to match the Department’s current rule format and to improve accessibility for the public. I have briefly summarized each section containing substantive changes below.

- In Rule 1.4(F), the last two sentences were deleted as outdated and unnecessary.
- In Section Two (Access), numerous changes were made to the lengthy chart. Deletions for highway segments no longer owned by the state include: two segments of 002B, two segments of 002C, one segment of 006D, three segments of 006E, two segments of 006J, three segments of 006Z, two segments of 013A, two segments of 014C, two segments of 034A, one segment of 075A, one segment of 076B, three segments of 0085D, one segment of 138Z, two segments of 160E, one segment of 187A, two segments of 227A, one segment of 233A, and one segment of 263A.
- In Section Two (Access), five additions were made: 006N at the Gypsum Interchange was added as EX, 013C was added as EX, 070R was added as NRA, and 265B was added as NRA. 002D was a late addition that was inadvertently omitted from the rule draft provided upon filing. Staff emailed stakeholders notice of the addition on April 6, 2023 and extended the written comment period until 9:00 a.m. on April 10, 2023 to give members of the public an opportunity to provide comments on the addition. Staff also expressed willingness to delay presentation of the proposed rule to the Transportation Commission upon receipt of any responsive comments that warranted further discussion or consideration.
- In Section Two (Access): several changes were made to the descriptions of location to improve accuracy. These include: changing the milepoint and description in one segment of 006D, adjusting the milepoint at two segments of 009D, adding the word “RD” in one segment of 050A, replacing “JCT SH 187” with “Grand Ave” in one segment of 133A, changing the end milepoint of segment 227A and changing the description of the location to “Fountain/Arkansas Cross Over Bridge”, and changing the description of the location of segment 300A to “1880 feet North MP 3.”
- In Section Two (Access), the following category change requests were made with concurrence or at the request of local governments (Exhibit 6): one category change to 006C from EX to NRA in Palisade, two category changes from NRA to NRB in Wiggins, one

category change in 014C from NRA to NRB in Sterling (the rule reflects an adjustment of milepoint boundaries, but that boundary change does result in a category change for part of the segment), one segment of 034B from NRA to NRB in Yuma County, and two category changes of segments 065A to RA in Orchard City.

- Section Three “Declaratory Orders” is standard language the Department and the Transportation Commission have included in each rule update in the last few years.

Findings and Conclusions of Law

I have reviewed the relevant portion of rulemaking record, which includes eleven (11) exhibits. I find that:

1. All requirements of the APA, § 24-4-103, C.R.S., have been satisfied.
2. After full consideration of written comments and the oral testimony heard at the hearing, the proposed changes to the Access Category Rules found in Exhibit 11 should be adopted as requested.
3. There is sufficient evidence in the record to support the proposed changes to the Access Category Rules as provided in Exhibit 11.
4. The Transportation Commission has the authority to adopt the proposed changes in the Access Category Rules as provided in Exhibit 11.

Decision

You must review the rulemaking record prior to adopting any rule, and any action must be based upon and supported by the record. Copies of the record, including the [recording of the hearing](#), are available for your review in the Department’s Office of Policy and Government Relations, in your [rulemaking folder](#) and online at [CDOT Rules](#). The record supports the adoption of the proposed changes to the Access Category Rules as proposed in Exhibit 11, and pursuant to § 24-4-103, C.R.S., you may choose to adopt these changes.

Having reviewed the rulemaking record, including Exhibits 1 through 11, and having heard testimony regarding the proposed changes, and being fully apprised of this matter, acting as a Hearing Officer in this matter, I recommend that the Transportation Commission adopt the proposed changes to the Access Category Rules as provided in Exhibit 11.

I have prepared a resolution for the adoption of the proposed changes to the Access Category Rules.

cc: Herman Stockinger, Transportation Commission Secretary

Attachments in [Rulemaking Folder](#):

Redline Version of Proposed Changes to 2 CCR 601-1A

Clean Version of Proposed Changes to 2 CCR 601-1A

Rulemaking Hearing Exhibits for 2 CCR 601-1A



COLORADO
Department of Transportation
Office of Communications

2829 W. Howard Place
Denver, CO 80204-2305

MEMORANDUM

DATE: April 7, 2023

TO: Transportation Commission

FROM: Andrew Hogle, Hearing Officer

SUBJECT: Rulemaking Hearing on Proposed Rule Revisions to 2 CCR 605-1, Rules and Regulations by the Colorado Department of Transportation for the Colorado State Infrastructure Bank

Background

Pursuant to §§ 43-1-106(8)(k) and 43-1-113.5(3), C.R.S., the Transportation Commission of Colorado (“Transportation Commission”) has the authority to establish the Rules and Regulations for the Colorado State Infrastructure Bank (“the SIB Rules”). On February 16, 2023, the Transportation Commission, by Resolution No. 2023-02-09, authorized a Hearing Officer to conduct a hearing on the proposed rule changes (Exhibit 1). A rulemaking hearing was held on April 7, 2023 to receive public comment on the proposed rule changes.

Summary of Hearing and Factual Findings

Pursuant to § 24-4-103, C.R.S., the Colorado Administrative Procedure Act (“APA”), and the Transportation Commission Resolution No. 2022-02-09, a public hearing was held on September 7, 2023 via Zoom Webinar. The hearing was recorded and the recording has been made publicly available. Acting as your delegated Hearing Officer, I opened the hearing at 10:01 a.m. In attendance were Sari Weichbrodt, David Ulane, Cheryl Knibbe, and Todd Green from the Colorado Department of Transportation (“the Department” or “CDOT”), and Kathy Young from the Office of the Attorney General (“AGO”). One member of the public attended the hearing and offered testimony supportive of the rule changes. No written comments were received.

Sari Weichbrodt from the Office of Policy and Government Relations reviewed the rulemaking process and demonstrated how the Department complied with the requirements of the APA. The Statement of Basis, Purpose, and Statutory Authority for the Planning Rules is contained in Exhibit 5. A cost-benefit analysis was not required (Exhibit 3D). Ms. Weichbrodt also noted that the Department:

- Obtained proper hearing delegation from the Transportation Commission (Exhibit 1);
- Filed a timely Notice of Rulemaking with the Secretary of State (Exhibit 2A);
- Published the Notice in the Colorado Register (Exhibit 2D);
- Posted timely notice about the rulemaking hearing on the Department’s website on February 28, 2023 (Exhibit 4);

- Notified the representative group and interested parties of the date, time, and location of the hearing and requested comments (Exhibits 7 and 8);
- Did not receive any written comments prior to the rulemaking hearing regarding the proposed rule changes; and
- Will maintain a permanent file of the rulemaking record (Exhibit 9).

Ms. Weichbrodt then discussed the proposed changes to the SIB Rules which resulted from a mandatory review to assess whether the SIB Rules are necessary, efficient, and understandable by the public. All proposed changes were the result of staff recommendations. Many of the changes reflect updates to match the Department's current rule format and to improve accessibility for the public. I have briefly summarized each section containing substantive changes below.

- In Rule 2.1, a definition for CAB or the Colorado Aeronautical Board, a statutorily created board appointed by the Governor and approved by the Senate, was added. Unnecessary definitions for CFR and CRS were deleted. In Rule 2.13, the definition of Review Committee now includes an abbreviation as "Committee."
- In Rule 4.1.1, the words "at that time" were deleted as unnecessary.
- In Rule 4.2 (Project Evaluation), the first sentence was deleted and the words "to the Commission or the CAB for aviation projects" was added to the end of the paragraph.
- In Rule 4.3.4 (Repayment Source), staff added "passenger facility charges" as type of revenue to be considered as a repayment source in evaluating loan requests.
- In Rule 4.4.1, for aviation projects, a CAB member shall chair the Review Committee. The CO SIB administrator is now called the "CO SIB Manager."
- In Rule 4.4.3 (Evaluations from the Committee), the Committee may make a recommendation to the CAB for aviation projects.
- In Rule 4.5 (Funding Procedure), CAB is added for aviation projects and the rule notes that the Commission or the CAB shall "approve the requested amount or request a different" maximum level of funding for the project. This language adds more specificity than the previously used "shall set the maximum level" language.
- In Rule 4.6.2 (Fiduciary provisions), the CAB is added and "said agent" is replaced by the more specific "CO SIB Manager."
- Chapter 7 "Declaratory Orders" is standard language the Department and the Transportation Commission have included in each rule update in the last few years.

Findings and Conclusions of Law

I have reviewed the relevant portion of rulemaking record, which includes [ten exhibits](#). I find that:

1. All requirements of the APA, § 24-4-103, C.R.S., have been satisfied.

2. After full consideration of the oral testimony heard at the hearing, the proposed changes to the SIB Rules found in Exhibit 10 should be adopted as requested.
3. There is sufficient evidence in the record to support the proposed changes to the SIB Rules as provided in Exhibit 10.
4. The Transportation Commission has the authority to adopt the proposed changes in the SIB Rules as provided in Exhibit 10.

Decision

You must review the rulemaking record prior to adopting any rule, and any action must be based upon and supported by the record. Copies of the record, including the [recording of the hearing](#), are available for your review in the Department's Office of Policy and Government Relations and online at [CDOT Rules](#). The record supports the adoption of the proposed changes to the SIB Rules as proposed in Exhibit 10, and pursuant to § 24-4-103, C.R.S., you may choose to adopt these changes.

Having reviewed the rulemaking record, including Exhibits 1 through 10, and having heard testimony regarding the proposed changes, and being fully apprised of this matter, acting as a Hearing Officer in this matter, I recommend that the Transportation Commission adopt the proposed changes to the SIB Rules as provided in Exhibit 10.

I have prepared a resolution for the adoption of the proposed changes to the SIB Rules.

cc: Herman Stockinger, Transportation Commission Secretary

MEMORANDUM

TO: Transportation Commission
CC: Shoshana Lew, CDOT Executive Director; Herman Stockinger, Deputy Executive Director; John Lorme, Division of Maintenance & Operations Director; Deputy Director of Operations Bob Fifer; Allie Axley, Intelligent Transportation Systems Branch Manager

FROM: Jonas Durham, Fiber Development Manager

DATE: April 2023

SUBJECT: Fee Based ROW Access for Fiber

Purpose

CDOT is proposing authorization to implement a simplified fee structure and improved process to facilitate access to CDOT rights of way for the deployment of broadband as mandated by Colorado Executive Order D-2022-0023 and Senate Bill 22-083.

Action

CDOT seeks to have the commission approve the annual fee structure as presented in the March TC Workshop and as requested in TR-16, which aligns with federal and state regulations; is consistent with other DOT rates; and compensates CDOT for the operation and maintenance expenses incurred from allowing Public and Private entities to use CDOT rights of way for the deployment of broadband.

Background

In February 2022, the Governor issued Executive Order D 2022 009 (restated in June in EO D 2022 023) and Senate Bill 22-083, Accelerating Broadband Deployment in Colorado. This Executive Order and Senate Bill directed CDOT to make improvements to its dark fiber lease and right of way program.

In the March 2023 TC workshop, the ITS Fiber Development Manager provided detail on the method used for developing a simplified fee structure based on collaboration from all five CDOT regions, the formula created for suggested rates based on months-long research of other DOT broadband programs, and the process improvements recommended to provide more efficient ROW access for the deployment of broadband.

Section 43-1-1206, C.R.S. permits the Transportation Commission to implement rules associated with the Public Private Initiatives Program Act if the Transportation Commission determines such rules are necessary or appropriate. The Transportation Commission has previously determined, in consultation with its counsel at the Attorney General's Office, that Section 43-1-1206, C.R.S. is permissive, not mandatory. Additionally, CDOT believes its proposed fee structure is adequately supported based on CDOT's aforementioned work and collaboration to develop the proposed fee structure. As a result, CDOT believes the Transportation Commission does not need to implement rules associated with the proposed fee structure and has included proposed language within the draft TC Resolution #16 indicating the Transportation Commission has determined that it is not necessary to implement rules associated with CDOT's proposed fee structure.

Next Steps

The ITS Fiber Development Team is seeking approval of TC Resolution #16 to implement the annual fee structure as mandated by Colorado Executive Order D-2022-0023 and Senate Bill 21-083.

Exhibit A - ROW Use Fee Structure

The baseline for determining Fair Market Value is based on an average Across the Fence (ATF) valuation which is applied statewide based on analysis from 2022.

Route	2022 Average ATF	Formula Per Foot
Interstate	\$2.35	$(((\text{Average ATF} + \text{CF}) * \text{PUF}) + \text{MLOS} + \text{AILF}) * \text{CE\&I} = \text{Rate per Ft.}$
US	\$1.76	
State Highway	\$1.32	

The formula used to calculate proposed fees is comprised of the associated operations and maintenance costs per foot of ROW land

Formula Breakdown	
ATF	Across The Fence
CF	Corridor Fee = 2%
PUF	Property Use Fee = 6-10%
MLOS	Maintenance Level of Service = \$0.13 per foot x 3
AILF	Abandonment Infrastructure Liability Fee = \$0.13 per foot x 1
CE&I	Construction Engineering & Indirects = 26%

The calculated rates per foot are based on three tiers:

- **Interstate** = \$0.96 per foot
- **US Highway** = \$0.84 per foot
- **State Highway** = \$0.76 per foot

Route	ATF AVG	ATF+2%	PUF Rate	PUF	MLOS	AILF	Subtotal	CE&I (26%)	Total Fee per Foot	Fee per foot with Urban Multiplier
INT	\$2.35	\$2.40	10%	\$0.24	\$0.39	\$0.13	\$0.76	\$0.96	\$0.96	\$1.44
US	\$1.76	\$1.80	8%	\$0.14	\$0.39	\$0.13	\$0.66	\$0.84	\$0.84	\$1.25
SH	\$1.32	\$1.35	6%	\$0.08	\$0.39	\$0.13	\$0.60	\$0.76	\$0.76	\$1.14

Additional Considerations:

- The rate structure is facilitated by annual Permit
- Rates billed annually per foot
- Rates apply to Public and Private entities
- Rates to be re-evaluated annually based on current Consumer Price Index (CPI)
- Urban multiplier of 1.5 applied within DRCOG boundary



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: DARIUS PAKBAZ, ACTING DIRECTOR, DIVISION OF TRANSPORTATION DEVELOPMENT
JANE HANN, ENVIRONMENTAL PROGRAMS BRANCH MANAGER
DATE: APRIL 20, 2023
SUBJECT: CDOT 2022 ENVIRONMENTAL AWARDS

Purpose

Presentation of the CDOT 2022 Environmental Awards at the April 2023 Transportation Commission Meeting

Action

No action required. Announcement and recognition of award winner for the CDOT 2022 Environmental Awards.

Background

For 2022, there were 19 total submittals in four categories. The selection panel comprised seven representatives from three regions and EPB and included a broad range of experience and disciplines.

2022 Award Winners:

Innovative Environmental Process

CDOT Historic Sites Viewer

Submitted by: Barbara Stocklin-Steely, Region 1 Historian

Team Members Involved: Lauren Cooper, CDOT Historian HQ; Jamie Shapiro, CDOT Historian Region 1; Nick Mesenbrink, CDOT GIS Analyst HQ; Lisa Schoch, CDOT Cultural Resources Section Manager HQ; Hannah Braun, CDOT Historian HQ; Barbara Stocklin-Steely, CDOT Historian; Megan Brown, CDOT Intern Region 1; Jason Marmor, CDOT Historian Region 4

Maintenance

Post Construction Temporary Control Measure (PCTCM) Removal

Submitted by: Vanessa Santistevan, Region 4 Environmental

Team Members Involved: Paul Juszczak, Water Quality Region 4; Nick Schipanski, Water Quality Region 4; Nick Mesenbrink, GIS Analyst HQ; Kristyn Crow, Water Quality HQ; Michael Apps, Maintenance Region 4; Gregory Gaulin, Maintenance Region 4

Special Contributor

Greg Wolff: Exceptional Commitment to CDOT's Archaeology Program

Submitted by: Hannah Braun, CDOT Historian HQ

Project

I-70 Glenwood Canyon Colorado River Debris Flows Removal Project

Submitted by: Roland Wagner, Region 3 Program Engineer

Team Members Involved: Graham Riddile, CDOT PE 1 Region 3; Todd Ipsen, CDOT PE 1 Region 3; Jason Huddle, Environmental Manager Region 3; numerous other CDOT engineering, environmental and specialty staff; IHC Scott civil contracting team; Dan Woolley, USFS; Mark Weinhold, USFS; other USFS staff and other regulatory agencies.



COLORADO

Department of Transportation



Four Award Categories

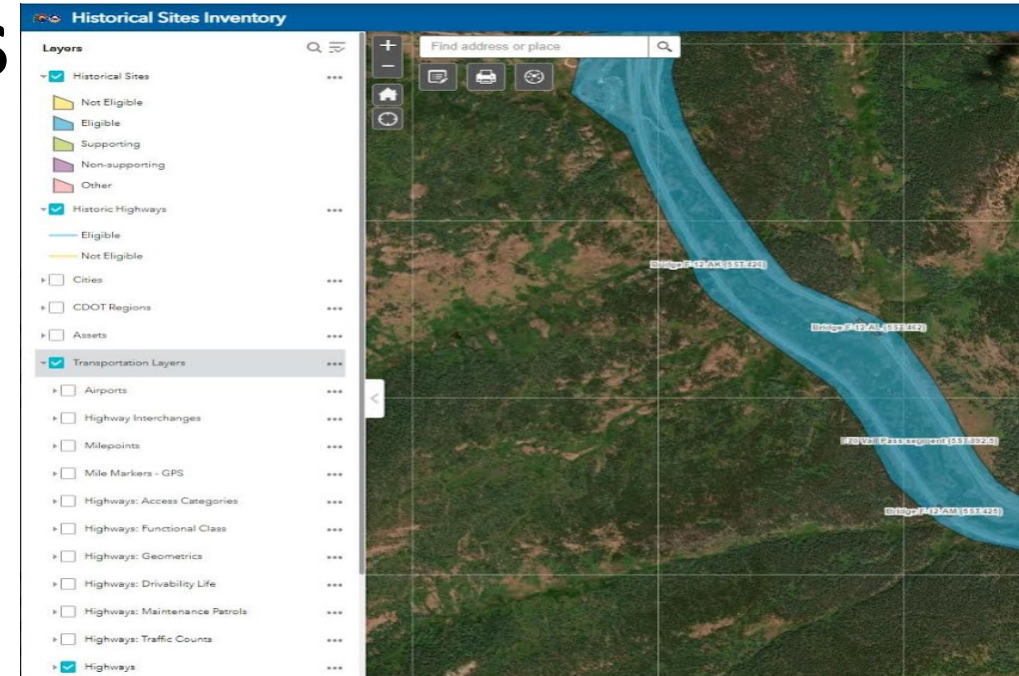
- Innovative Environmental Process
- Environmental Support by Maintenance
- Special Environmental Contributor
- Best Environmental Project



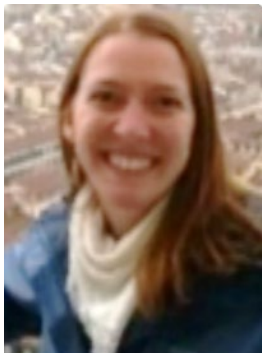
Innovative Environmental Process

CDOT Historic Sites Viewer

Team Members Involved: Jamie Shapiro, CDOT Historian Region 1; Lauren Cooper, CDOT Historian HQ; Nick Mesenbrink, CDOT GIS Analyst HQ; Lisa Schoch, CDOT Cultural Resources Section Manager HQ; Hannah Braun, CDOT Historian HQ; Barbara Stocklin-Steely, CDOT Historian; Megan Brown, CDOT Intern Region 1; Jason Marmor, CDOT Historian Region 4



Jamie Shapiro



Lauren Cooper



Nicholas Mesenbrink



Barbara Stocklin



Hannah Braun



Jason Marmor



LISA SCHOCH



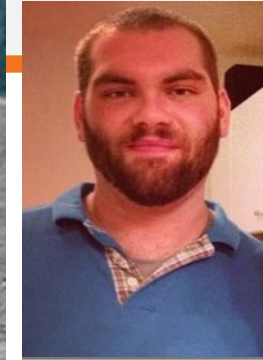
Megan Brown



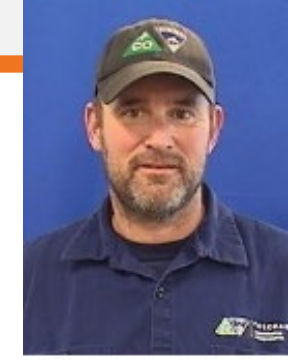
Environmental Support by Maintenance

Post Construction Temporary Control Measure (PCTCM) Removal

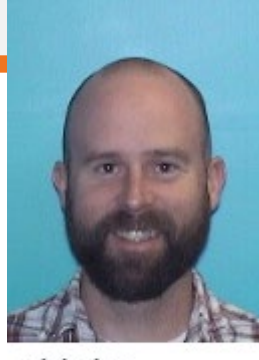
Team Members Involved: Paul Juszczak, Water Quality Region 4; Nick Schipanski, Water Quality Region 4; Nick Mesenbrink, GIS Analyst HQ; Kristyn Crow, Water Quality HQ; Michael Apps, Maintenance Region 4; Gregory Gaulin, Maintenance Region 4



Gregory Gaulin



Michael Apps



Nicholas Mesenbrink



Nicholaus Schipanski



Paul Juszczak



Kristyn Crowe



Special Environmental Contributor

Greg Wolff, CDOT Senior Staff Archaeologist: Exceptional Commitment to CDOT's Archaeology Program



Gregory Wolff





CDOT 2022 ENVIRONMENTAL AWARDS

Best Environmental Project

I-70 Glenwood Canyon Colorado River Debris Flows Removal Project

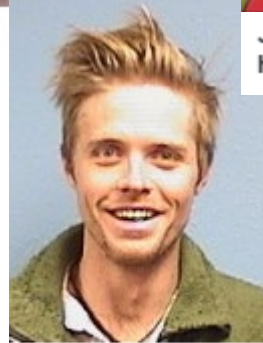
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GRAHAM RIDDILE



Jason Huddle



TODD IPSEN



Forest Service
U.S. DEPARTMENT OF AGRICULTURE



COLORADO
Department of Transportation
Division of Transportation Development
2829 West Howard Place, 4th Floor
Denver, CO 80204

MEMORANDUM

TO: TRANSPORTATION COMMISSION

FROM: DARIUS PAKBAZ, ACTING DIRECTOR, DIVISION OF TRANSPORTATION DEVELOPMENT
JAMIE COLLINS, STIP MANAGER, DIVISION OF TRANSPORTATION DEVELOPMENT

DATE: APRIL 20, 2023

SUBJECT: INFORMATION REGARDING THE STIP PUBLIC HEARING AND PUBLIC COMMENT PERIOD FOR THE
FY2024 - FY2027 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

Purpose

To provide background and contact information regarding the STIP Public Hearing and the public comment period for the FY2024 - FY2027 STIP.

Action

This memo serves as the formal request to open the Public Hearing during the Transportation Commission's regular meeting on April 20, 2023.

Background

The STIP is a four-year plan of transportation projects and is developed pursuant to 23 U.S.C. 135. At this time, the Draft FY2024 - FY2027 STIP has been released for public review and comment. As part of the comment period, the Transportation Commission holds a public hearing to allow for further comments on the plan. The public hearing will take place during the Commission's regular meeting on April 20, 2023. The public comment period will close on Wednesday, May 10, 2023.

This year's STIP acknowledges both state and federal funding initiatives (SB260 and the Infrastructure Investment and Jobs Act (IIJA)).

Comments regarding the STIP may be submitted to Jamie Collins, STIP Manager at jamie.collins@state.co.us. The Draft STIP can be found on the external CDOT website [here](#).

Next Steps

Staff will return to the Transportation Commission in May to request adoption of the FY2024 - FY2027 STIP.

Colorado Bridge and Tunnel Enterprise Board
Meeting Minutes
March 16, 2023

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

EXCUSED: Barbara Vasquez, District 6
 Mark Garcia, District 8

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 March, the Bridge and Tunnel Enterprise Board of Directors approved:

- Regular Meeting Minutes of February 16, 2023
- 7th Budget Supplement
- Bridge and Tunnel Enterprise FY24 Final Budget Allocation Plan for Approval



MEMORANDUM

TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
DATE: APRIL 20, 2023
SUBJECT: EIGHTH SUPPLEMENT TO THE FISCAL YEAR 2022-23 BRIDGE AND TUNNEL ENTERPRISE BUDGET

Purpose

This month the Bridge and Tunnel Enterprise (BTE) Board of Directors (Board) is being asked to approve a budget supplement request for one project located in Region 1 to increase the construction phase budget for the Eisenhower Johnson Memorial Tunnels (EJMT) Plenum Liner Consolidated Grouting project in Clear Creek and Summit Counties (structure numbers F-13-Y and F-13-X).

Action

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

Background

The original BTE construction phase budget of \$21,900,900 was approved at the December 15th, 2022 BTE Board meeting (ref: Resolution #BTE-2022-12-02). After the approval of the supplement, the engineer's estimate was increased to account for cost escalation. The Executive Management Team (EMT) approved an additional \$3,250,000, within the authority granted by Policy Directive 703, so that the project could remain on schedule and proceed to advertisement. The additional approved budget increased the overall construction budget for this project to \$25,150,900.

The project was advertised in March of 2023 and CDOT received two bids. The lowest bid received was more than 10% above the CDOT estimate. The overage is primarily due to higher than anticipated costs for mobilization, grouting connection preparations, and instrumentation devices, and the physical cost of drilling two-inch diameter holes through the existing liner to facilitate grout placement. After performing a bid analysis, it was decided that the low bid would be accepted as the bids were found to be reflective of current market conditions and the specialized nature of the work. The ongoing impacts associated with the water infiltration into the plenum were also considered in the decision to accept the low bid. Additionally, it was determined that BTE funds are available to award the project without impacting other planned projects. Based on this assessment, BTE is requesting that the Board approve an additional \$2,858,184 in construction phase funds to award the project. It should be noted that Board approval is required for this

supplement because the combination of this request and the request previously approved by EMT exceeds the PD 703 threshold for Board approval.

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

Phase of Work	Funding Program	Current Budget	BE Supplement Action				Revised Budget	Expended To-Date
			Year of Budget			Total Request		
			FY 2023	FY 2024	FY 2025			
Construction	SB21-260 Bridge and Tunnel Fees	\$ 25,150,900			\$ 2,858,184.00	\$ 2,858,184	\$ 28,009,084	\$ -
	Total Construction	\$ 25,150,900	\$ -		\$ 2,858,184.00	\$ 2,858,184	\$ 28,009,084	\$ -
Total Project Budget & Expenditure		\$ 25,150,900	\$ -	\$ -	\$ 2,858,184.00	\$ 2,858,184	\$ 28,009,084	\$ -
			Year of Expenditure			Total Request		
			FY 2023	FY 2024	FY 2025			
					\$ 2,858,184	\$ 2,858,184		

Next Steps

Approval of the Proposed Resolution #BTE-2 will increase the construction phase of the EJMT Plenum Liner Consolidated Grouting project by \$2,858,184 and provide the necessary budget to award the contract.

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER
DATE: APRIL 19, 2023
SUBJECT: MONTHLY CASH BALANCE UPDATE

Purpose

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

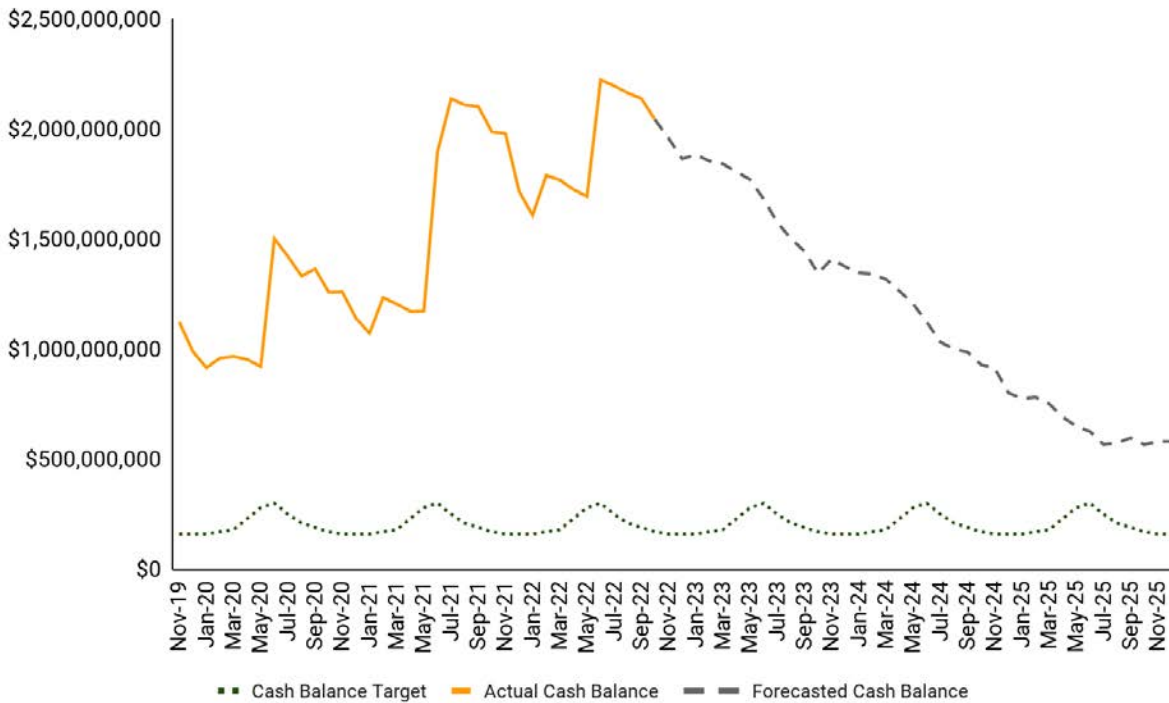
Action

No action is requested or required at this time.

Background

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

Figure 1 – Fund 400 Cash Forecast



Summary

The actual closing cash balance for February 2023 was \$1.86 billion; \$1.69 billion above that month's cash minimum cash balance target of \$170 million. February's cash balance consists of \$507.51 million in the State Highway Fund and \$1.31 billion in the Senate Bill 267 trustee account. The actual cash balance for February 2023 was \$34.24 million higher than forecasted due to lower than expected payments to contractors and lower than expected revenue from the Highway Users Tax Fund.

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

Cash Revenues

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

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

The State Highway Fund revenue forecast includes revenues from:

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

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

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

Cash Payments to Construction Contractors

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

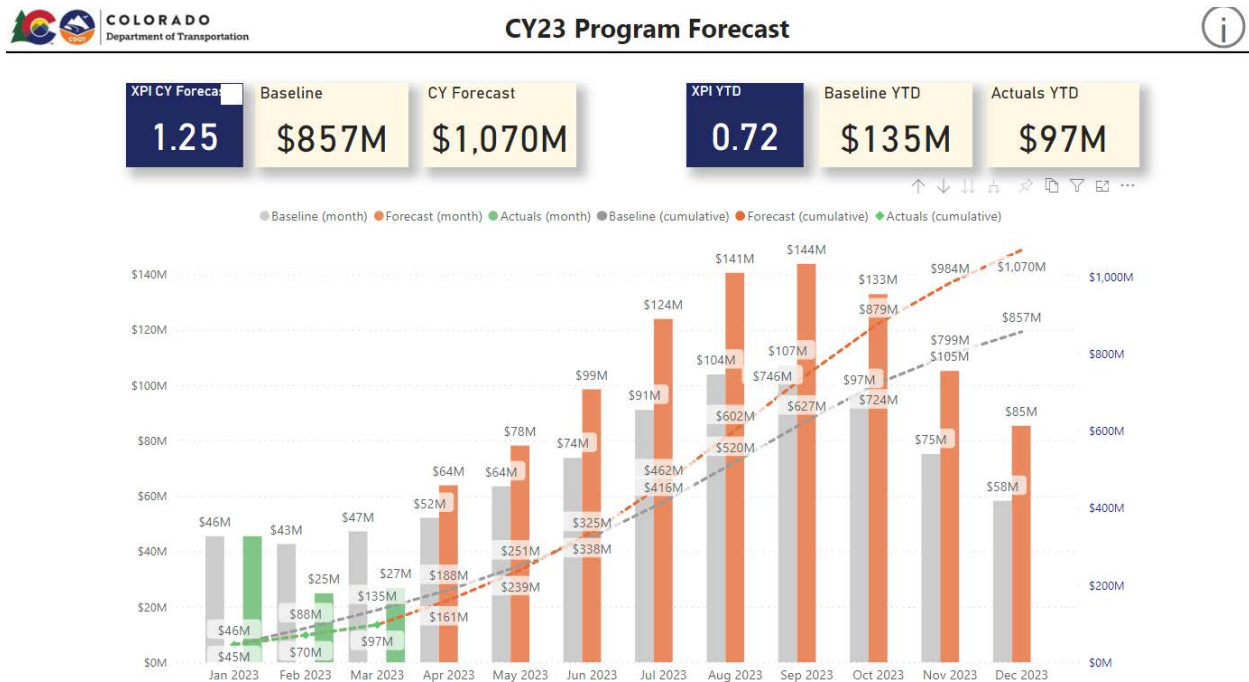
Figure 2 – Forecasted Payments - Existing and New Construction Contracts

\$ millions	CY 2017 (actual)	CY 2018 (actual)	CY 2019 (actual)	CY 2020 (actual)	CY 2021 (actual)	CY 2022 (actual)	CY 2023 (forecast)	CY 2024 (forecast)
Expenditures	\$642	\$578	\$669	\$774	\$615	\$841	\$869	\$850*

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

Figure 3 details CY23 baseline and actual expenditures for the State Highway Fund (see Figure 2 above) as well as Bridge and Tunnel Enterprise. CDOT sets the CY baseline in January each year, using the best estimates, forecast, and schedule information available at the time.

Including Bridge Enterprise, March month end expenditures were corresponding to an Expenditure Performance Index (XPI) of 0.72 (actual expenditures vs. baseline). The CY 23 baseline includes expenditures from 170 projects.



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
DATE: APRIL 19, 2023
SUBJECT: FY 2022-23 Q2 ANNUAL REVENUE FORECAST UPDATE

Purpose

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

Action

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

Background

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

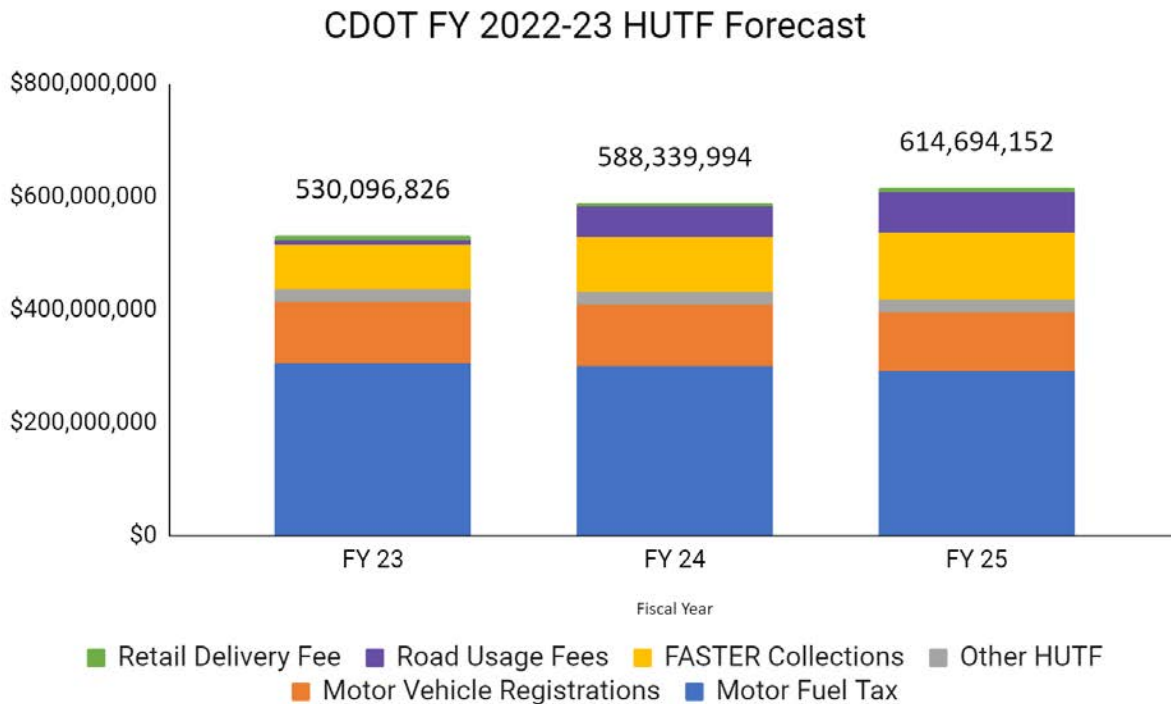
- National economic performance indicators, such as the year-over-year percent change in real U.S. GDP growth.
- State population and demographic data, annual vehicle miles traveled (VMT) in Colorado, and the historical performance of the state's HUTF.
- Bureau of Labor Statistics & Bureau of Economic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

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

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

Summary

The graph below summarizes the estimated HUTF distributions to CDOT for FY 2022-23, FY 2023-24, and FY 2024-25 based on the latest quarterly forecast update. The revenue expectations in this forecast have stayed largely consistent with the Department’s December forecast. Revenue increases in future years are primarily attributed to increased revenue from FASTER fees, the Road Usage Charge, and the Retail Delivery Fee.



Statewide Economic Outlook

While the state economy has continued to expand, rapid price increases throughout the economy have eroded real gains in earnings and income. In the current forecast period, the biggest risk to economic expansion is the ability of the Federal Reserve to reign in inflation without triggering a recession.

Colorado VMT

Overall, average traffic volumes have declined slightly since the previous year. In 2022, average traffic volumes were 1.21 percent lower than they were in 2021 and 1.74% lower than pre-pandemic traffic volumes.

FASTER Safety Reduction

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

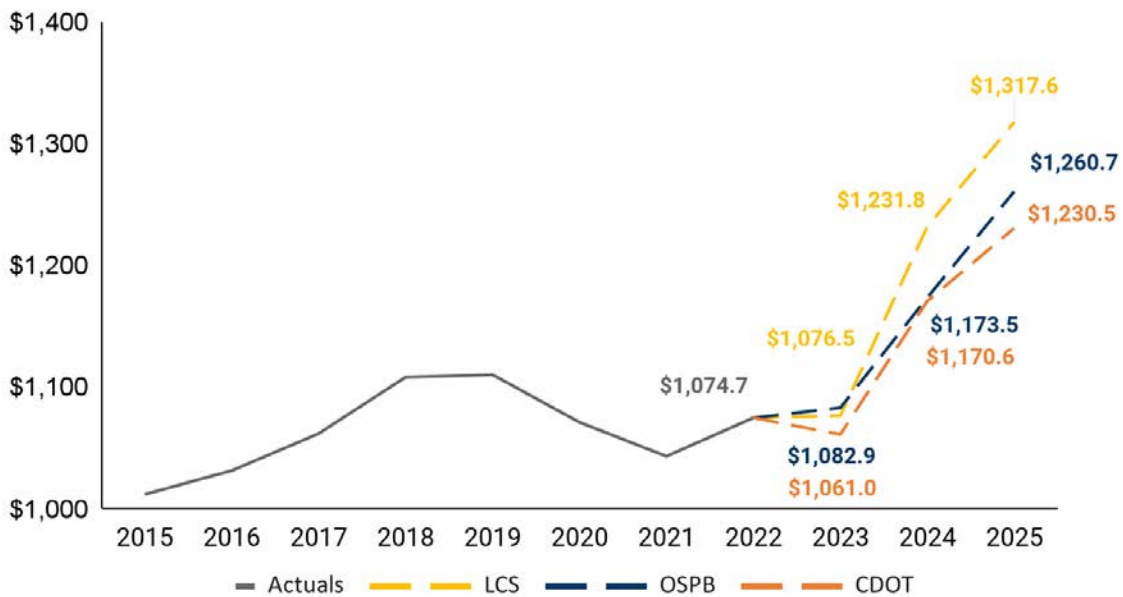
Description	FY 2022-23	FY 2023-24
Fee Reduction	(\$36,900,000)	(\$10,200,000)
General Fund Backfill	\$47,100,000	
Grand Total	\$10,200,000	(\$10,200,000)

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

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

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

Statewide HUTF Forecasts - FY 2022-23 Quarter 3



TABOR Refunds

Both statewide forecasts show state revenue surpassing the Referendum C TABOR Cap through the forecast period. Since TABOR refunds are paid from the General Fund, the higher than expected revenue will squeeze the General Fund budget in future years.



MEMORANDUM

TO: COLORADO TRANSPORTATION COMMISSION
FROM: HANNAH L. REED, FEDERAL GRANTS COORDINATOR IN OPGR
DATE: APRIL 19TH, 2023
SUBJECT: UPDATE TO TRANSPORTATION COMMISSION ON SUBMITTED, IN PROGRESS, AND FORTHCOMING GRANT APPLICATIONS TO IJA DISCRETIONARY PROGRAMS

Purpose

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

Action

Per PD 703.0, when the department intends to apply for grants with a match consisting of previously approved funding, no action is necessary by the Commission, but we provide the Commission with the projects we intend to pursue. If the match requires an additional commitment of funds not already approved by the Commission, or Bridge & Tunnel Enterprise (BTE), staff brings the projects to the Commission as an action item, with the additional funding being made contingent on a successful application and grant award.

As always, Commissioners and CDOT staff are encouraged to contact CDOT's in-house grant team with questions, comments, and suggestions.

Background and Details

For information on closed 2022 grant programs and awarded proposals, please refer to 2022 TC Grants Memos from December 2022 or prior.

The following FY22 discretionary grant programs have closed and are still reviewing applications:

1. NATIONAL SCENIC BYWAY PROGRAM (NSBP)
 - DTD Colorado Byways Team received 26 project proposals from local agencies statewide. Three eligible and competitive applications were submitted by CDOT:
 - Alpine Loop and Silver Thread Facilities, Safety, and Recreation Upgrades in Regions 3 & 5
 - Scenic Highway of Legends Wayfinding and Interpretive Materials Implementation in Region 2
 - Mount Evans Collaborative Renaming, Re-signing, and Educational Emphasis in Region 1
2. BRIDGE INVESTMENT PROGRAM (BIP)
 - "Other" Bridge subprogram:
 - I-76 Phase V in Region 4
 - US 160 Florida River Bridge in Region 5
 - Y6 BPM in Region 5
 - 6th & Wads Interchange in Region 1
 - Resubmission
3. Enabling Middle Mile Broadband
 - CDOT submitted a \$119M proposal to build 7 new middle mile fiber corridors across the state

- Region 3: 46 miles of fiber between Grand Junction and Delta
 - Region 2: 119 miles of fiber between Pueblo and Lamar.
 - Region 2 & 4: 119 miles of fiber Lamar to Burlington.
 - Region 4: 37 miles of fiber between Greeley and Wiggins
 - Region 4: 60 miles of fiber from Sterling to the Nebraska State Line.
 - Region 4: 5 miles of fiber between Boulder and Longmont.
 - Region 5: 115 miles of over pull fiber from South Fork to Walsenburg.
4. RAILROAD CROSSING ELIMINATION (RCE)
 - A planning application to study the elimination of two at-grade highway-rail crossings on US 34 in Region 4
 - CDOT also provided letters of support for two local applications in Fort Collins
 - According to the most current FRA Grants Calendar, these will be announced in May/June 2023
 5. STRENGTHENING MOBILITY and REVOLUTIONIZING TRANSPORTATION (SMART)
 - CDOT-led ATMA proposal with MN DOT, OK DOT, and WI DOT as subrecipients
 - **AWARDED \$1.89M!!!**
 6. FTA's ADVANCED DRIVER ASSISTANCE SYSTEMS (ADAS)
 - Install ADAS demonstrative technologies into three of CDOT's Bustang fleet
 7. CONSOLIDATED RAIL INFRASTRUCTURE & SAFETY IMPROVEMENTS (CRISI)
 - US 50/US 550 Reconfigured Intersection for Safety and Consolidation (RISC) in Region 3
 - According to the most current FRA Grants Calendar, these will be announced in Aug/Sept 2023

The following FY23 program(s) have closed and CDOT submitted applications are pending review:

1. RAISE 2023
 - A brief internal analysis of the previous two RAISE cycles (FY 2021 and FY 2022) revealed that an overwhelming majority of awards were granted to "Locals"
 - For reference, in FY21 out of 63 awarded proposals, 36 went to a City, Town, or County; and in FY22 out of 164 awarded proposals, 105 went to a City, Town, or County.
 - In acknowledgement of these statistics, CDOT strategically leveraged established partnerships with local agencies to share lead applicant responsibilities, effectively reducing internal agency competition and casting the widest net of funding for Colorado statewide.
 - The City of Lakewood and CDOT revised and resubmitted the 6th & Wadsworth Interchange Reconstruction proposal.
 - Boulder County and CDOT revised and resubmitted the CO 119 Diagonal Multimodal Improvements proposal.
 - Grand County and CDOT revised and resubmitted the US 40 Passing Lanes & Red Dirt Hill Safety Reconstruction proposal.
 - Morgan and Weld Counties and CDOT revised and resubmitted the I-76 Phase IV Regional Improvements for Safety and Efficiency (RISE) proposal.
 - La Plata County and CDOT revised and resubmitted the US 160 Safety and Mobility Improvements proposal.
 - CDOT submitted an application for the preliminary phase of the I-70 Corridor Resiliency and Connectivity Improvements project.
 - CDOT, with Summit County and Summit County Safe Passages, submitted an application for the I-70 East Vail Pass Wildlife Crossings project.
2. CORRIDOR IDENTIFICATION DEVELOPMENT PROGRAM (CIDP)
 - CDOT and FRPR-D co-sponsored an application for the Colorado Front Range Corridor

IN PROGRESS

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

1. As in previous years, CASTA and FHU Consulting are coordinating applications with local agencies for the 5339 discretionary grant programs (Low-No Emissions and Bus & Bus Facilities)

- CDOT will submit all applications under the agency UEI and Grants.gov profile.
- 2. **WILDLIFE CROSSING PILOT PROGRAM (WCPP):** Funding exclusive to planning, establishing, and improving wildlife crossings over existing transportation assets, with the goal of reducing Wildlife-Vehicle Collisions (WVCs), while restoring and preserving wildlife habitat connectivity.
 - CDOT is preparing to submit for the Greenland Wildlife Overpass, as the final component of the I-25 Gap project in Region 1.
 - This project was previously submitted in May 2020 to the BUILD program
 - CDOT intends to repackage the existing RAISE 2023 proposal for the I-70 East Vail Pass Wildlife Crossings project in Region 3.
 - CDOT will also pursue two wildlife crossing projects on US 160 at Elmore’s East and East of Cortez
 - Other competitive wildlife crossing projects in the 10 Year Plan, as well as those presented by the Colorado Wildlife and Transportation Alliance, will also be considered, including:
 - US 40 East of Craig
 - US 40 West of Craig
 - I-25 Raton Pass
 - US 287 Owl Canyon

NEW & FORTHCOMING OPPORTUNITIES

The following discretionary programs are expected to be released in the near future. CDOT is interested in pursuing eligible and competitive projects or partnerships for each program:

1. **PROMOTING RESILIENT OPERATIONS for TRANSFORMATIVE, EFFICIENT and COST-SAVING TRANSPORTATION (PROTECT):** Funding to make existing transportation assets, particularly evacuation routes, more resilient to extreme weather events and other natural disasters. The formula funding for this program was announced in Summer 2022; it is anticipated that the discretionary program will be announced in Winter/Spring 2023.
 - CDOT is preparing a scalable proposal to address resiliency on corridors related to Glenwood Canyon, including I-70, Cottonwood Pass, US 40, SH 13, and SH 9.
 - This proposal is complementary to the “I-70 Corridor Resiliency and Connectivity Improvements: Phase I” application prepared for RAISE 2023
2. **SAFE STREETS AND ROADS FOR ALL (SS4A):** Funding for regional, local, and Tribal initiatives to prevent roadway deaths and serious injuries.
 - Like last year, CDOT is not eligible for this opportunity, however will sign letters of support for other applications.

Next Steps

Low No and Bus Fleet 5339 applications are due April 13th, 2023

SS4A applications are due July 10th, 2023

WCPP applications are due August 1st, 2023

This Audit Report was approved during March 15, 2023, ARC Meeting and is to be included in Transportation Commission's Packet for Informational Purposes



COLORADO
Department of Transportation
Division of Audit

REPORT NUMBER 23-001

OnBase® Released Report



February 2023

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

Audit Review Committee

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

Audit Division Staff

Frank Spinelli, Audit Director, CPA, CIA
James Ballard, Deputy Audit Director, MBA, CPA, CIA, CGAP, CFE
Judith Woods, Auditor II (Lead)
Peter Hemschoot, Auditor II
Katherine Rocchio, Auditor II
Andrew Weissman, Auditor III
Keith Nakamura, IT Auditor

You can obtain copies of this report (Number 23-001) by contacting us at:



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



COLORADO
Department of Transportation
Division of Audit

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

March 15, 2023

The attached report presents the results of the OnBase® Audit (report number 23-001, dated February 2023). This report was reviewed and released by the CDOT Audit Review Committee (ARC) on March 15, 2023 and adds value by assisting management with improving the effectiveness with regard to the use and implementation of the OnBase® software.

We conducted this review as part of our FY 2023 audit plan and performed this work in accordance with Government Auditing Standards. This report presents our findings, conclusions, recommendations, and the responses of CDOT management.

Frank Spinelli, CPA, CIA
Director, Audit Division

cc: Shoshana Lew, Executive Director
Herman Stockinger, Deputy Director, and Director of Policy
Sally Chafee, Chief of Staff



REPORT HIGHLIGHTS



OnBase® Audit

The Audit Division assessed the Colorado Department of Transportation's (CDOT) implementation of OnBase®, specifically regarding the invoicing function.

BACKGROUND

OnBase® is a cloud-based modular electronic document management system (EDMS), which is a service platform that can capture information from various sources, automate processes, be integrated with other business applications, and serve as a database for secure record retention. OnBase® is the flagship product of the Hyland software company.

In FY 2019, CDOT began searching for a solution to electronically maintain documents, improve reporting, and reduce paper file storage and the associated maintenance and compliance risks. CDOT formed a committee to evaluate the various systems and ultimately selected OnBase®. The State of Colorado would also later select OnBase® as the statewide EDMS solution. The adoption of OnBase® has allowed CDOT to streamline and move legacy systems and processes into a secure cloud-based environment, reducing the need for physical storage space and the associated compliance risks.

CDOT is in various stages of implementing OnBase®, which include the following areas:

- Contract Management,
- Position Description Questionnaire Management,
- Records Management Program,
- Operations Evaluation Web Tool, and
- Accounts Payable Electronic Invoicing.

SUMMARY

The Audit Division (Audit) assessed CDOT's implementation of OnBase® and found that not having a qualified project champion has led to implementation stagnation, as well as the software functionality not being fully optimized. Although there are opportunities for additional efficiencies, OnBase® has greatly improved the department's overall effectiveness regarding invoice processing, approval, and document retention. Audit did identify software implementation, keywords, and other opportunities related to general ledger account numbers, travel reimbursements, and Master Pricing Agreement rates that could further improve the department's efficiency. In addition, Audit made the following two recommendations and three suggestions:

Recommendations:

1. Management should implement a more robust implementation strategy, establishing deadlines and monitoring implementation with the assistance of an appropriate project champion.
2. Management should develop keyword standards by creating a user guide to ensure that keywords are defined and developed consistently. Also, when able, such a guide should include the type or examples of information to be entered for a field. Finally, management should consider reducing the number of keywords to minimize confusion.

Suggestions (For Management's Consideration)

1. Provide a drop-down menu in OnBase® containing those GLA numbers applicable to the expense being paid.
2. Develop a travel voucher form (Form 215) as a Unity Form, that would contain drop down boxes to help obtain current per diem and mileage rates.
3. Create the Appendix G Employee Listing as a Unity or electronic form containing the approved indirect cost and salary rates. This could assist approvers with verifying costs, as well as eliminate the need for these rates to be emailed to various users within the department. A Unity Form could also be used by firms to submit their proposed rates along with support documents for review.

Objective

Audit assessed the Colorado Department of Transportation's (CDOT) implementation of OnBase® (OnBase), specifically regarding the invoicing function.¹

Scope and Methodology

Audit primarily focused on the accounts payable electronic invoice processing function of the OnBase platform, even though CDOT uses other functions of the software (see Background).

Our audit sampled 381 invoices from a total population of 40,847 invoices that were processed through OnBase during the period from April 1, 2020, through August 31, 2022. Our sample size is based on a 95% confidence level with a 5% margin of error. Our sample included:

- 145 utility invoices,
- 62 invoices that had a dollar value of at least \$50,000,
- 38 employee reimbursements, and
- 136 other non-purchase order invoices.

Audit also analyzed and compared various trends related to our audit objective. We conducted this performance audit from September 2022 through February 2023 in accordance with the 2018 *Generally Accepted Government Auditing Standards*. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence that provides a reasonable basis for our findings and conclusions based on the audit objective. We believe the evidence provides a reasonable basis for our findings and conclusions based on our audit objective. We did not assess the reliability of data from SAP, but through interviews with CDOT staff, determined that the data were sufficiently reliable for the purposes of this report.

The methods that Audit used to achieve our objective were:

- Analyzed and compared trends in invoice processing,
- Compared SAP and OnBase invoicing information including vendor information, dates, amounts, and invoice numbers for selected invoices,
- Reviewed invoices and support documentation,
- Reviewed the *Center for Procurement and Contract Services Operations Manual* dated July 2022,
- Reviewed Procedural Directive 51.1, "Requirements for the Retention of Documents," Updated July 2019,

¹ OnBase is an electronic document management system.

- Reviewed OnBase Training Material,² and
- Interviewed CDOT staff.

Background

OnBase is a cloud-based modular electronic document management system (EDMS), which is a service platform that can capture information from various sources, automate processes, be integrated with other business applications, and serve as a database for secure record retention. OnBase is the flagship product of the Hyland software company.

In FY 2019, CDOT began searching for a solution to electronically maintain documents, improve reporting, and reduce paper file storage, as well as to reduce the associated maintenance and compliance risks. CDOT formed a committee to evaluate the various systems and ultimately selected OnBase as the solution for document management and retention. The State of Colorado would also later select OnBase as the statewide EDMS solution. CDOT is using OnBase as originally intended and, additionally, developing process flows within the software to help establish better internal controls for the organization. The adoption of OnBase has allowed CDOT to move and streamline legacy systems and processes into a secure cloud-based environment, reducing the need for physical storage space and the associated compliance risks.

OnBase is administered and supported by the Colorado Governor's Office of Information Technology (OIT) as the State of Colorado's global EDMS. CDOT is in various stages of implementing OnBase functional applications, which include the following areas:

- Contract Creation and Related Management,
- Position Description Questionnaire (PDQ) Management,
- Records Management Program,
- Operations Evaluation Web Tool, and
- Accounts Payable Invoice Processing.

With regard to accounts payable invoice processing, OnBase has been fully implemented in Regions 4 and 5 and partially implemented in Regions 1, 2, 3, and Headquarters.

Findings and Conclusions

Audit assessed CDOT's implementation of OnBase invoice processing and found that not having a qualified project champion has led to implementation stagnation as well as the software functionality not being fully optimized. Although there is opportunity for additional efficiencies, OnBase has greatly improved the department's overall effectiveness regarding invoice processing, approval, and document retention. The following describes these areas of opportunities.

² OnBase training information can be found at <https://sites.google.com/state.co.us/learninglane/training-programs/onbase-training/onbase-invoices>

1. Implementation

The importance of a well-designed implementation plan is crucial to the successful ongoing use of software throughout an organization. Software implementation is a complex and risky endeavor. A staggering number of companies fail when integrating new software, and billions of dollars are lost by organizations each year because of software implementation errors.³ Based on our research, Audit identified the following six steps necessary for a successful implementation:⁴

1. **Scope out the Implementation Project:** An implementation project scope should be identified in sufficient detail to outline the specific task as well as establish expectations.
2. **Develop an Implementation Plan:** Timelines should be established and monitored throughout the implementation process. In addition to timelines, metrics should be established and measured.
3. **Assign Team Owners to Drive the Implementation Process:** Communication is an essential part of successful software implementation. By assigning team owners, responsibilities can be identified and managed to prevent and/or address issues as they happen.
4. **Test New Software:** Ensure that new software is compatible with the current systems. The more testing that is performed, the greater the chance of implementation success.
5. **Create an Onboarding and Training Program:** Prepare the team by creating training programs to avoid downtime once the software is ready and make users more comfortable with the software.
6. **Assign a Project Champion to Oversee the Implementation:** The champion is responsible for ensuring that the software is properly implemented, monitoring progress, and addressing issues as they arise. Having a project champion is the most critical step to ensuring success of the implementation. This champion must have sufficient organizational authority to ensure staff compliance with the implementation plan. In addition, the champion plays a vital role in drumming up organizational excitement around the use of the new software.

Based on these steps, CDOT has been generally effective with step 3, Assigning Team Owners to help drive the implementation process, but has not been as effective with the other five steps, which has resulted in the following:

- **Limited Implementation:** Only two of the five regions, Regions 4 and 5, have fully implemented OnBase. This limited implementation was due to a soft rollout strategy that allowed regions flexibility with regard to the timing of their

³ Olmstead, Levi, “Software Implementation: Keys to a Successful Rollout (2023)”, August 4, 2021 retrieved from <https://whatfix.com/blog/software-implementation/>

⁴ Malsom, William, “What Is an Implementation Plan & How Do I Create One?” Feb 18, 2022. Retrieved from <https://www.projectmanager.com/blog/implementation-plan>

implementation. Audit believes if there had been a qualified project champion in place, this soft roll out would not have resulted in stagnation, which has been counterproductive to the goal of a broad organizational acceptance.

- Considering OnBase has yet to be fully rolled out within the entire organization, and that Region 5 does not use it all the time, CDOT is maintaining two systems, SAP and OnBase, for invoice processing. This results in OnBase containing incomplete data. See [Table 1](#) for a sample of invoices processed within SAP rather than OnBase for Region 5.

**Table 1: Processed in SAP Not OnBase
Region 5**

SAP Invoice #	SAP Posting Date	Document Description
1511446977	8/3/2022	1000.008.22-12
1190813282	7/21/2022	JESEBEL20220715
1190811529	7/11/2022	KEVCURR20220706
1511447693	8/8/2022	PAY APP #25
1511457134	9/21/2022	PAY APP #26

- Due to the use of two systems, sometimes the utility information that is required to be captured for EnergyCAP[®] does not occur.⁵
- In addition, OnBase’s record retention is automated, while documents maintained within SAP are not - reminders and manual intervention will be needed to discard records at the end of the retention period for documents not maintained within OnBase, which can create challenges.
- Also, OnBase’s reporting capabilities cannot be fully utilized since OnBase does not process all of CDOT’s or a Region’s invoices.

2. Keywords

CDOT has developed a best practice for the identification of keywords; however, it does not appear to be working effectively. The process that was designed has Team Owners meeting with process stakeholders to determine what keywords are important to them. Those identified keywords are then brought to a three-person committee who determines if the keywords are appropriate or important to users of the organization. Despite this effort, audit found that about a quarter of the keywords are used infrequently, and many are not used at all. In addition, a keyword search did not always retrieve the expected results. When you used different keywords for searching and expected the same results, you did not get it.

⁵ State agencies are required by Executive Order D 2010-006 to use the EnergyCAP[®] software to report and track energy and water consumption at their facilities with the goal of reducing overall use.

Audit also found that there is a lack of standardization when establishing invoice numbers for vendor invoices that lack such numbers. In addition, sometimes an invoice number is not entered exactly as indicated on the invoice document. For example, the invoice number field may contain an abbreviated invoice number, CDOT’s customer account number, or include additional characters. One method for that document to be easily retrieved through an electronic search is to enter the characters in the search field exactly as they were established; otherwise, it becomes a guessing game when trying to retrieve a specific document. Any spacing, dashes, periods, or special characters must be entered identically to easily retrieve the document successfully. See [Table 2](#) for some examples.

Table 2: Invoice Number Discrepancies

Document ID	Vendor	OnBase Invoice #	Document Invoice #
7866349	Vendor 1	CO210731003311	Coven2107310033-11
9841971	Vendor 1	COV22053100978	Coven2205310097-8
5543792	Vendor 1	20093000441	Coven2009300044-1
6905071	Vendor 1	2102280033-13	Coven2102280033-13
6178268	Vendor 2	14.0530.01-P19	14.0530.01 (account #)
7800108	Vendor 2	14053001JL21	14.0530.01 (account #)
6399760	Vendor 3	491460-002 DE	491460-002 (account #)
8398702	Vendor 3	492350002OC21	492350-002 (account #)
6900933	Vendor 4	00132438542FE21	718967583 (statement #)
8506512	Vendor 4	28517911NV22	754343786 (statement #)

This lack of standardization applies to other keyword fields as well. For example, the vendor’s name may be abbreviated in different ways, making it more difficult to locate a specific invoice in this manner. A possible solution would be to adopt a standard practice of entering the first four digits of the invoice number and for utility invoices, to enter the account number and the two-digit month and two-digit year. One risk of an ineffective search function, along with the lack of standardization, is that duplicate invoices could be missed as some vendors have multiple vendor numbers.

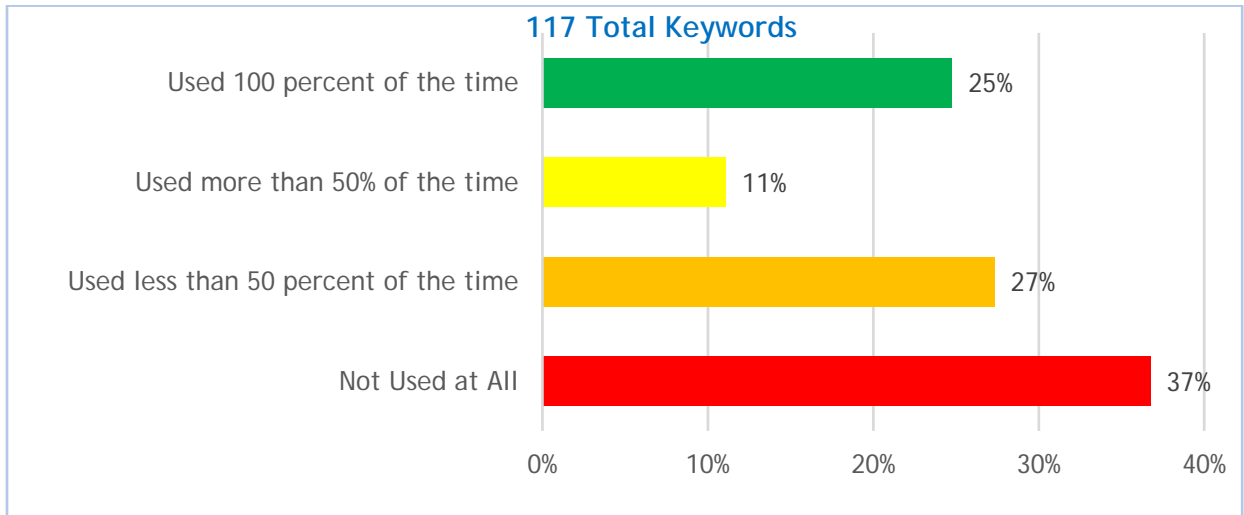
Contributing to some of the keyword ineffectiveness is keywords evolving from combining five different approaches as follows: 1) downloaded from SAP; 2) pre-loaded by OnBase; 3) collaborative effort with Hyland (CDOT’s first consultant with implementation); 4) collaborative effort with MF LLC Consulting (CDOT’s second and current consultant with implementation); and 5) collaborative effort with process stakeholders. This has resulted in as large number of keywords that are sometimes confusing and redundant.

As of September 2022, there were 117 keywords contained in the OnBase program, which will likely increase as document types continue to be added. This large number of keywords and lack of definition for each keyword will lead to user confusion as to

what the appropriate keyword(s) are to be used in a search. When Audit discussed the keywords with the Team Owners, they were unable to explain what some keywords meant nor able to clearly explain how to best search for invoices.

An analysis of the 117 keywords found that 37 percent, or 43 keywords, are not used at all, with an additional 27 percent, or 32 keywords, used less than 50 percent of the time. See Chart 1.

Chart 1: Keyword Usage Analysis



See Appendix A for a full listing of keywords and usage.

In addition, Audit found that some keywords had confusing meanings or appear redundant with other keywords, indicating that they could be either eliminated or modified. See Tables 3 and 4.

Table 3: Confusing Keywords

Confusing Keyword	Confusing Keyword
Premise Number	Bill-To Name
Use (ECAP)	Brainware Entry Time
Use UOM (ECAP)	Brainware Exit Time
1 st Backup Manager	2 nd Backup Manager
Admin Mail ID	AP Review
Premise Number	Bill-To Name

Confusing Keyword	Confusing Keyword
Use (ECAP)	Brainware Entry Time
Document Type Name	Current Approver
Current Buyer	Date Returned to Brainware
Date Sent to Brainware	Display Name
Duplicate Check Override	End Date (ECAP)
ERP Document Number	ERP Voucher Number
Extended Amount	Freight (dollars versus weight)
Hold Reason	Invoice Withholding Tax
Header Discount	Line Number
Item Number	Material Number
Line Total	Multiplier
Misc Amount	Net Terms
Order Number	PO Buyer ID
Payment Doc Number	PO Line Number
PO Company	PO Status
PO Release Number	Primary Manager
Premise Number	SAP Document Number
Priority	STP Flag
Storage Location	Verified User
Usage Detail	wwException
Vendor Site ID	wwObject ID
Invoice Number (Sometimes Account Numbers are Used)	CDOTAP AP Doc Handle
SYS Document Handle	CDOT AP Document Handle

Table 4: Redundant Keywords

Keyword	Keyword(s) With Similar Meaning
Doc Handle	Document ID, AP Doc Handle
Brainware Doc Type CDOT Doc Type	Document Type Name
Company Code	Field Entry is always 1000
Extended Amount	Invoice Total
Meter Code (ECAP)	Meter Number
Use UOM	Utility Unit of Measure

3. Other Opportunities

The following opportunities should be considered along with CDOT’s upcoming ERP decision, providing there is a cost/benefit analysis supporting the change. The current version of CDOT’s Enterprise Resource Planning (ERP) software, SAP, will be sunseting support for its software in the next 3 to 5 years, and CDOT could avoid the rework involved with developing a new interface needed with a different ERP. CDOT has begun the evaluation process of potentially replacing the ERP.

In addition, OnBase was initially purchased for document retention purposes. CDOT expanded the scope of the project to further enhance process effectiveness /efficiencies, and CDOT is succeeding in this endeavor. The matters noted below are suggested to further enhance process efficiency and the organization’s mission.

General Ledger Account Numbers (GLA)

Our analysis found that over 30 percent of utility invoices, as well as some non-utility invoices, were missing or had incorrect GLA numbers in OnBase; these subsequently had to be corrected in SAP before payment and posting. Providing a GLA drop box could be one approach to help employees with choosing the proper account.

The GLA drop box should be designed within OnBase so that it begins with all GLA numbers available to the organization and filters down to one or a few based upon information provided to the software. Algorithms can be written within OnBase so that the software can intelligently filter the accounts. Information such as a) cost center; b) department; c) region; d) participating or not participating (simple Y/N); e) type of expense, which can then be further filtered after identifying the first layer of type; and/or f) other SAP fields can be used to help with the filtering process.

Travel Reimbursements

Travel vouchers account for a large number of transactions within CDOT. One way of ensuring that per diem and mileage rates are correct could be to electronically obtain this information through an Application Programming Interface (API); however, this information is sourced from the US General Services Administration (GSA) and currently there is no API interface between the GSA and the Colorado State Controller's Office (OSC).

Master Pricing Agreement (MPA) Rates

Architectural and Engineering (A&E) firms, per the Brooks Act and other federal regulations,⁶ are selected based on demonstrated competence and qualifications to be provided at a fair and reasonable cost. These fair and reasonable costs, as measured by the indirect cost rate and labor rates, are reviewed and approved by CDOT Audit and established in an MPA by CDOT's Engineering Contracts Services Unit, thus becoming the costs that A&E firms must use in their submitted invoices.

Based on our sample review of 26 A&E firm invoices consisting of 637 billed employees, the proper billing rates were generally used, indicating that the review and approval process is functioning as intended. Our analysis only found 6 exceptions, less than 1 percent, resulting in an insignificant monetary difference. Considering that the verification and approval process for A&E invoices is manually intensive, management is doing very well in processing these invoices.

An electronic solution that could be explored for A&E labor rates could begin with downloading an Appendix G, Employee Listing-Indirect Cost Rate, which the Audit Division completes during its annual fair and reasonable review of A&E rates. Although the Appendix G can be provided by Audit, management would still need to update labor rates if an employee was added by a contractor to its payroll or an existing employee received a promotion/raise. All these types of changes to A&E labor rates are time sensitive; therefore, the algorithm must be written to enable month/year start time for a change in a rate for any A&E existing or new employee.

⁶ 48 CFR, Federal Acquisition Regulations, Part 31 (FAR) and 23 CFR Part 172 are the federal regulations that pertain to A&E firms, including that rates must be fair and reasonable.

Recommendations

To further improve OnBase with regard to the invoice processing function, Audit is making two recommendations. In addition, for management's consideration, Audit is providing three suggestions that could further improve efficiency using OnBase.

Recommendations:

1. Management should implement a more robust implementation strategy, establishing deadlines and monitoring implementation with the assistance of an appropriate project champion.
2. Management should develop keyword standards by creating a user guide to ensure that keywords are defined and developed consistently. Also, when able, such a guide should include the type or examples of information that should be entered for a field. Finally, management should consider reducing the number of keywords to minimize confusion.

Suggestions: (Does Not Require a Management Response):

1. Provide a drop-down menu in OnBase containing those GLA numbers applicable to the expense being paid.
2. Develop a travel voucher form (Form 215), as a Unity Form that would contain drop down boxes to help obtain current per diem and mileage rates. Ideally, these rates would also be extracted by creating an Application Programming Interface (API); however, this information is sourced from the US General Services Administration (GSA), and there is currently no API interface between the GSA and the Colorado State Controller's Office (OSC). The per diem rates are hosted on the GSA website and, as a result, any API would need to be provided by GSA to OSC.
3. Create the Appendix G Employee Listing as a Unity or electronic form containing the approved billing rates (both indirect and salary rates). This could assist invoice approvers with verifying costs as well as eliminating the need for these rates to be emailed to various users within the department. A Unity Form could also be used by firms to submit their proposed rates along with support documentation for review.

Management's Comments

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

Appendix A: OnBase® Keywords and Usage

Used 100 percent of the time	CDOTAP Duplicate Check Override	CDOTAP Vendor City	CDOTAP Priority
Document Date	CDOTAP Freight	CDOTAP Vendor Country	CDOTAP Rejection Reason
Document ID	CDOTAP Misc Amount	CDOTAP Vendor DBA	CDOTAP Rejection Reason Comments
Document Name	CDOTAP Payment Doc Number	CDOTAP Vendor State	CDOTAP SAP Document Number
CDOTAP Invoice Number	CDOTAP Payment Method	CDOTAP Vendor Zip Code	CDOTAP STP Flag
Document Type Name	CDOTAP PO Number	Not Used at All	CDOTAP Supervisor Username
CDOTAP AP Status	CDOTAP Sales Tax	CDOTAP 1st Backup Manager	CDOTAP Usage Detail
CDOTAP Approver Business Office	MAIL Cc Address	CDOTAP 2nd Backup Manager	CDOTAP Utility Unit of Measure
CDOTAP Batch #	Used less than 50 percent of the time	CDOTAP Admin Mail ID	CDOTAP Vendor Site ID
CDOTAP Brainware Doc Type	CDOTAP Account Number	CDOTAP AP Review	CDOTAP Verifier User
CDOTAP Company Code	CDOTAP Check/Warrant Number	CDOTAP Bill-To Name	CDOTAP Void Reason
CDOTAP Currency Type	CDOTAP Cost Center	CDOTAP Brainware EntryTime	CDOTAP WBS Element
CDOTAP Date Returned to Brainware	CDOTAP Current Reading (ECAP)	CDOTAP Brainware Exit Time	CDOTAP wwException
CDOTAP Document Type	CDOTAP Display Name	CDOTAP Budget Owner	
CDOTAP Email	CDOTAP Due Date (ECAP)	CDOTAP Current Approver	
CDOTAP ERP Voucher Number	CDOTAP End Date (ECAP)	CDOTAP Current Buyer	
CDOTAP Fiscal Year	CDOTAP Extended Amount	CDOTAP Date Sent to Brainware	
CDOTAP Invalid Reason	CDOTAP Functional Area	CDOTAP Discount Amount	
CDOTAP Invoice Date	CDOTAP G/L Code	CDOTAP ERP Document Number	
CDOTAP Invoice Total	CDOTAP Invoice Header Discount	CDOTAP Hold Reason	
CDOTAP Invoice Type	CDOTAP Item Description	CDOTAP Hold to Date	
CDOTAP Line Item Total	CDOTAP Line Number	CDOTAP Invoice Withholding Tax	
CDOTAP PO Type	CDOTAP Meter Code (ECAP)	CDOTAP Item Number	
CDOTAP Previous Queue	CDOTAP Meter Number	CDOTAP Line Total	
CDOTAP SAP GUID	CDOTAP Previous Reading (ECAP)	CDOTAP Material Number	
CDOTAP Vendor Name	CDOTAP Project WBS	CDOTAP Multiplier (ECAP)	
CDOTAP Vendor Number	CDOTAP Quantity	CDOTAP Net Terms	
CDOTAP wwObjectID	CDOTAP Region	CDOTAP Order Number	
MAIL MessageID	CDOTAP Start Date (ECAP)	CDOTAP PO Buyer ID	
MAIL To Address	CDOTAP Storage Location	CDOTAP PO Company	
Used more than 50% of the time	CDOTAP Unit Price	CDOTAP PO Line Number	
CDOTAP AP Doc Handle	CDOTAP Unit of Measure	CDOTAP PO Release Number	
CDOTAP Approver Budget Level	CDOTAP Use (ECAP)	CDOTAP PO Status	
CDOTAP Approver PM/Buyer	CDOTAP Use UOM (ECAP)	CDOTAP PO Total Amount	
CDOTAP Clearing Date	CDOTAP Username	CDOTAP Premise Number	
CDOTAP Document Handle	CDOTAP Vendor Address 1	CDOTAP Primary Manager	

Appendix B: Management's Comments

OnBase Audit Report 23-001

Opportunities exist to further improve OnBase with regards to the invoice processing function.	Agrees or Disagrees with Audit Finding: Agrees
------------------------------------------------------------------------------------------------	-------------------------------------------------------

To further improve OnBase's invoice processing efficiency, Audit recommends the following:

- 1) Management should implement a more robust implementation strategy, establishing deadlines and monitoring implementation with the assistance of an appropriate project champion.
- 2) Management should develop keyword standards by creating a user guide to ensure that keywords are defined and developed consistently. Also, when able, include the type or examples of information that should be entered for a field. Finally, management should consider reducing the number of keywords to minimize confusion.

Management's Response to Recommendations:

Management agrees with the recommendation on a more robust implementation strategy and is preparing a second phase roll-out this Spring. Since fall, the OnBase Project Team, with the support of a consultant partner, has been working on developing plans for a more robust and formalized implementation. This has included significant time working with Region Business Offices to address issues and process gaps, and identify differences among Business Office approaches to implementation. The team has also focused on developing a more complete and robust training regimen and supporting materials including user manuals. A pilot roll out was conducted with a Maintenance Section in Region 3 in January, with lessons learned applied to the final roll-out plans. A timeline has been developed that has the remaining Business Offices which are not fully implemented completing that implementation by approximately June 30. Region 3 is completing training in February, with launch in March. Region 2 will undergo training in March, with launch in April, Region 1 will train in April, with launch in May, and Headquarters will complete remaining training and implementation in May and June. A follow-up enhancement phase is planned after June. In this phase the OnBase Project Team will work with End Users and Business Offices to identify and prioritize issues/bug fixes, enhancements, etc.

Management further agrees that the OnBase AP project would benefit from more robust "project champion" engagement, and governance in general. Jeff Sudmeier and

Herman Stockinger will serve as Project Champions in these subsequent implementation phases. Additionally, an OnBase AP Steering Committee consisting of representatives from each of the CDOT Business Offices, as well as OnBase AP End Users, is being formed to help guide implementation and enhancement going forward.

Management agrees that the recommendation related to keywords represent best practices and merits further consideration. As part of the subsequent enhancement phase described above, the OnBase AP Project Team working with the OnBase AP Steering Committee will review and assess the need for additional keyword standards, the development of additional resources such as a user guide, and the potential deactivation of unnecessary or unutilized keywords.

Management appreciates the additional improvement suggestions identified in this report as “other opportunities.” The OnBase AP Project Team, with the help of the OnBase AP Steering Committee, will review and consider each of these in detail in order to determine how best to address, and if appropriate will incorporate into the previously described enhancements phase.

Target Date to Complete Implementation of Recommendations	Name of Specific Point of Contact for Implementation of Recommendation
1) September 30 2023	1) Jeff Sudmeier
2) September 30 2023	2) Gregg Miller

**Colorado Transportation Commission
Audit Review Committee (ARC) Meeting
June 15, 2022
3:40 p.m. - 4:05 p.m.
CDOT Headquarters**

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

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

AUDIT TEAM: Jim Ballard, Deputy Audit Director; Robyn Lamb, External Audit Manager; Keith Nakamura, IT Audit Supervisor.

Call to Order

Commissioner Hart called the meeting to order at 4:15 p.m. Chair Eula Adams was not present.

Approval of October 21, 2021 Minutes

Commissioner Hart made a Motion to approve the October 21, 2021, minutes. Commissioner Stuart seconded the motion. There were no questions on the October 21, 2021, meeting minutes.

Motion and Release of Construction Project Oversight Audit Report

Mr. Spinelli reviewed the four report release motion options. Commissioner Hart made a Motion to release the report and thereafter discuss it, which was seconded by Commissioner Stuart.

Construction Project Oversight Audit Discussion

Mr. Spinelli provided an overview of the Construction Project Oversight audit report, including the objective, conclusion, effect, causes, recommendations, and management responses.

Mr. Spinelli stated the objective of the audit was to assess CDOT's construction project oversight process. The audit concluded that project oversight was mostly effective and working as intended. However, the project engineer position may have an excessive amount of job responsibilities. The symptoms of this lack of oversight are:

- Project documentation was not always completed. Project Dairies, speed memos, inspection reports, force accounting and minutes were not always completed or available;
- Risk assessments were not always thorough;
- Significant issues were not well documented;

- There was a heavier reliance on consultants to provide project oversight rather than CDOT staff;
- High project engineer turnover;
- ProjectWise was not fully utilized;
- Projects were not always closed timely; and
- Funds sometimes were tied up in closed projects.

Mr. Spinelli stated the reason this is important is that, without sufficient time for project engineers to perform duties deemed vital to the overall success of construction project oversight and delivery, CDOT may be incurring additional expenses, increases in contractor disputes, negative media attention, and increased safety risk. The Audit Division (Audit) conservatively estimates that through better construction project oversight, a 3% cost reduction, perhaps higher, in highway spending (approximately \$19 million annually), could be achieved if the recommendations are implemented.

Mr. Spinelli stated the reason this happened was that project engineer job responsibilities have dramatically increased over time, due to significant changes in both federal and state regulations, without management's full evaluation of the resulting workload. Audit made six recommendations that can improve construction project oversight:

1. Develop a process to assist in identifying best qualified contactors. Engineering has already begun this process;
2. Allow for a risk-based approach in design-bid-build Projects;
3. Provide training on the five risk assessment steps;
4. Develop a confidential contractor evaluation process;
5. Develop additional training at various engineering levels and specialties; and
6. Perform a salary study for the seasoned PE I position (seasoned engineers being those with five to ten years of experience).

Mr. Spinelli stated that management agrees with the findings and recommendations. Management's actions include:

- Using an alternative project method;
- Experimenting with techniques to introduce project specific qualifications;
- Transitioning from SiteManager, a software used for construction project management, to a modern PMWeb platform system;
- Partnering with various contractor trade groups to identify ways to improve the contractor evaluation process;
- Introducing more training regarding risk assessments, specifically risk awareness throughout the project delivery process, as part of the transportation engineering training program; and
- Developing engineer training programs for engineers at various levels.

Commissioner Garcia asked if there would be a follow-up on the report's recommendations. Mr. Spinelli stated that Audit follows-up on all recommendations that are made. The follow-up will include validating whether recommendations have been implemented effectively.

There were no additional questions.

Fiscal Year (FY) 2023 Audit Plan

Mr. Spinelli introduced the FY 2023 proposed internal audit, which is to assess CDOT's implementation of OnBase. OnBase is an electronic document management system that the Division of Finance and Accounting (DAF) is using to enhance controls for invoicing processing and payment disbursements. Audit believes that OnBase is critical to DAF operations and would like to make this the next audit.

Audit will review certain aspects of the OnBase system, which may include a review of costs, benefits, implementation, utilization, functionality, internal controls, policies and procedures, and oversight. The major risk factors that will be addressed by this audit are RF3 Information Systems, RF8 Reputation, RF20 Expenditures, RF22 Transparency, RF 23 Budget, RF 27 Cash Management, and RF 30 Technology.

There were no questions on the proposed audit.

Mr. Spinelli stated the projected audit cost is estimated at \$223,000 and the projected savings that may be attained from this audit have not yet been determined. Mr. Spinelli stated that alternative audits in the event the OnBase audit is delayed include reviewing the efficiency and effectiveness of internal controls of the Division of Transit and Rail (DTR), Division of Policy and Government, and Division of Human Resources.

Mr. Spinelli noted that although we are suggesting audits of additional divisions, this should not be taken to mean that these particular divisions have issues or problems but rather that these divisions could serve as a possible solution to various CDOT overall inefficiencies.

Motion to Approve the FY 2023 Audit Plan

Mr. Spinelli asked if there were any questions regarding the FY 2023 Audit Plan. Commissioner Stuart asked if Audit was asking for permission regarding the cost of the audit and asked if the executive team had approved this cost. Mr. Spinelli stated that Audit funds this audit and is part of the overall audit budget; this cost is similar to the costs incurred for the last audit. Audit believes that there were savings of \$19 million for the last audit, representing an 11,000 percent return on investment. Commissioner Beedy asked if the other audit alternatives will also be examined. Mr. Spinelli stated that if the OnBase audit is delayed, Audit may look at one of the other alternatives and will discuss with each of the division directors to assess the risks and needs before moving forward. Commissioner Beedy suggested that Audit might review DTR. Commissioner Beedy stated that DTR is in the process of making some multimodal decisions and should be examined, especially regarding the Rural Transportation Planning Reports (TPRs) in the future and making sure that those dollars are being spent wisely.

Commissioner Stuart made a Motion to approve the Audit Plan and alternatives, which was seconded by Commissioner Hart. All ARC members voted in favor.

Mr. Spinelli stated that the Construction Project Oversight Audit would be included in the Transportation Commission packet, as well as the minutes that were approved during this meeting.

Commission Hart suggested that if any commissioner identifies an issue or concern, they should feel free to bring the matter to the attention of Audit staff and the Audit Review Committee for possible review.

FY 2022 Audit Results

Audit activities resulted in a return on investment of 3,270 percent. For every \$1 in Audit cost, \$32.70 is generated in savings. These savings resulted from a construction dispute of \$330,000, which is a real savings, and MPA reviews of Architecture/Engineering firm agreements that saved \$10.1 million. Audit believes the savings associated with MPA reviews are also real savings, since Audit negotiates with A/E firms to determine fair and reasonable rates. Other savings were from the Construction Project Oversight audit, which identified savings of at least \$19 million. The total savings resulting from Audit's work was \$29.4 million, with associated audit costs of \$900,000.

Audit projects completed in FY 2022:

- 203 Master pricing agreements reviews;
- 89 Single Audit reviews;
- 14 Local agency indirect cost rate reviews;
- 3 Sole source reviews;
- 2 Dispute/claim reviews;
- 1 Performance audit;
- 1 Statewide risk assessment; and
- CBI Investigative Support.

There were no questions.

Outstanding recommendations

Mr. Spinelli stated that Audit tracks recommendations made, as well as financial recommendations made for Enterprise Funds. With regard to CDOT recommendations, there were 12 outstanding recommendations as of October 2021. Since then, 6 recommendations were added and 4 were closed resulting in 14 outstanding recommendations as of May 2022. Of the four closed recommendations, three pertained to the Utility Account audit with the Division of Maintenance and Operations (DM&O) preparing a policy directive (PD) that clearly outlined the established process. The final closed recommendation related to the Division of Maintenance & Operations Purchasing audit with regards to obtaining on price quotes from the vendor when no bids were received, which has been resolved by modifying CDOT policy contained in department's Procurement Manual.

Mr. Spinelli noted that 4 recommendations are pending Audit's validation. Of those pending recommendations, 2 recommendations (#1 and #6) relate to the OnBase audit, which will be validated as part of that audit. Recommendation #1 has been partially implemented, meaning that the recommendation has not yet been implemented throughout CDOT.

Mr. Spinelli stated that there are 4 financial recommendations with respect to the Enterprise Funds, with both the Colorado Transportation Investment Office and Statewide Bridge and Tunnel Enterprise each having 2 open recommendations. The recommendations relate to segregation of duties and training on financial statement preparation and review. Audit will validate that the recommendations have been implemented.

Commissioner Stuart inquired as to whether the Executive Directors have agreed to the implementation of the recommendations with respect to the Enterprise Funds. Mr. Spinelli stated that the audit recommendations were made by the Office of the State Auditor and were accepted and agreed to by the Executive Directors for each of the two divisions.

Closing Remarks and Adjournment

Commissioner Hart thanked Mr. Spinelli for the excellent presentation. Commissioner Stuart stated that the report was well done and contained useful information, although none of the observations were a huge surprise given the huge undertaking by CODT with regard to construction projects. Commissioner Hart agreed with Commission Stuart's comments. The meeting was adjourned at 4:05 pm.