

Colorado Transportation Commission
Schedule & Agenda
September 20-21, 2023

Transportation Commission Orientation
8 a.m. -12 p.m.

Transportation Commission Workshops
Wednesday, September 20, 2023

Time	Topic	Speaker
12 p.m.	Lunch for Commissioners (optional)	None
1 pm	Colorado Transportation Investment Office Overview	Piper Darlington, Kelly Brown, John Gregory, Josh Gerace, & Simon Logan
1:30 p.m.	Right of Way Condemnation (Decision)	Keith Stefanik
1:45 p.m.	Budget Workshop (Decision) <ul style="list-style-type: none"> • FY 2022-23 Year End Budget Processes • FY 2023-24 Budget Amendment (Current FY) • FY 2024-25 Budget Development 	Jeff Sudmeier & Bethany Nicholas
2:45 p.m.	Bridge and Tunnel Enterprise (BTE) Programmatic Overview Workshop (Info)	Patrick Holinda and Tyler Weldon
3:15 p.m.	TC/BTE Board Joint Vail Pass Construction Project Workshop (Decision)	Karen Berdoulay
3:45 p.m.	CDOT Workforce Staffing Agility (Info)	Anna Mariotti & Jeff Sudmeier
4:15 p.m.	Policies and Procedures Overview and Adoption of Updated Policy Directive 1607.0 (Decision)	Herman Stockinger, David Singer & Sari Weichbrodt
4:30 p.m.	Overview of Policy Directive 1601: Interchange Approval Process (Info)	Aaron Willis/Nathan Lindquist/Darius Pakbaz
5 p.m.	Adjournment	None

Transportation Commission Meeting -
Thursday, September 21, 2023

Time	Topic	Speaker
8 a.m.	Commissioner Breakfast	Various
9 a.m.	Call to Order, Roll Call Swear in New Commissioners and Election of Officers	Herman Stockinger
9:15 a.m.	Public Comments	Various
9:25 a.m.	Comments of the Chair and Individual Commissioners	Commissioners
9:50 a.m.	Executive Director's Management Report	Shoshana Lew
9:55 a.m.	Chief Engineer's Report	Keith Stefanik
10 a.m.	CTIO Director's Report	Piper Darlington
10:05 a.m.	FHWA Division Administrator Report	John Cater
10:10 a.m.	STAC Report	Vincent Rogalski

10:15 a.m.	<p>Act on Consent Agenda:</p> <p>Proposed Resolution #1: Approve the Regular Meeting Minutes of August 17, 2023</p> <p>Proposed Resolution #2: IGA Approval >\$750,000</p> <p>Proposed Resolution #3: FY24 Maintenance Projects \$150k-\$250k</p> <p>Proposed Resolution #4: Disposal: 19 parcels along US 6 Frontage Rd</p> <p>Proposed Resolution #5: Abandonment: US 6 North Frontage Road, Lakewood</p> <p>Proposed Resolution #6: Xcel Electric Vehicle Charging Easements</p> <p>Proposed Resolution #7: Holy Cross Energy Easement - Dotsero</p> <p>Proposed Resolution #8: P.D. 1607</p>	<p>Herman Stockinger</p> <p>Lauren Cabot</p> <p>Jim Fox</p> <p>Jessica Myklebust</p> <p>Jessica Myklebust</p> <p>Jessica Myklebust & Heather Paddock</p> <p>Jason Smith</p> <p>Herman Stockinger, David Singer, and Sari Weichbrodt</p>
10:10 a.m.	Discuss and Act on Proposed Resolution #9: Budget Supplement of FY 2023	Jeff Sudmeier and Bethany Nicholas
10:15 a.m.	Discuss and Act on Proposed Resolution #10:3rd Budget Amendment	Jeff Sudmeier and Bethany Nicholas
10:20 a.m.	Discuss and Act on Proposed Resolution #11: Advancement of Vail Pass in the 10-year Plan	Jeff Sudmeier and Darius Pakbaz
10:25 a.m.	Discuss and Act on Proposed Resolution #12: Condemnation	Keith Stefanik
10:30 a.m.	Recognition	None
10:35 a.m.	Other Matters	None
10:40 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: 10:40 a.m.

Bridge and Tunnel Enterprise Board of Directors Meeting

Thursday, September 21, 2023

Time	Topic	Speaker
10:40 a.m.	Call to Order and Roll Call Swear in New Directors	Herman Stockinger
10:40 a.m.	Public Comments	Various
10:45 a.m.	Act on Consent Agenda <ul style="list-style-type: none"> Proposed Resolution #BTE1: to Approve the Regular Meeting Minutes of July 19, 2023 	Herman Stockinger
10:50 a.m.	Discuss and Act on Proposed Resolution #BTE2: 1 st BTE Budget Supplement of FY24	Jeff Sudmeier

10:55 a.m.	Adjournment	None
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The Fuels Impact Enterprise Board of Directors meeting will not be held in September.

Information Only

- Project Budget/Expenditure Memo (Jeff Sudmeier)
- September 2023 TC Grants Memo (Hannah Reed)
- BTE Q4FY2023 Quarterly Report (Patrick Holinda)
- BTE Annual Newsletter FY2023 (Patrick Holinda)

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: PIPER DARLINGTON, DIRECTOR, COLORADO TRANSPORTATION INVESTMENT OFFICE (CTIO)
SUBJECT: OVERVIEW OF CTIO
DATE: JUNE 14, 2023

PURPOSE:

This workshop is designed to provide an overview of CTIO and how it supports key CDOT projects and initiatives.

ACTION

No action is requested. This is an informational-only item.

BACKGROUND

CTIO was formed in 2009 as an independent, government-owned business within CDOT. This workshop is designed to provide commissioner's insight into the core functions of CTIO, how it has accelerated project development, and helped finance major projects in the state.

ATTACHMENTS:

Attachment A: CTIO Overview Presentation



COLORADO
Transportation
Investment Office

Overview of CTIO

TC Workshop

September 20, 2023

About CTIO

- Formed in 2009 with the passage of Funding Advancement for Surface Transportation and Economic Recovery (“FASTER”) legislation
- High Performance Transportation Enterprise (HPTE) for legislative and legal purposes, doing business as the Colorado Transportation Investment Office (CTIO)
- Passed during the Recession when securing funds for transportation was extremely challenging
- Allows for independent financing outside the confines of CDOT and TABOR
- Required to “*aggressively pursue*” innovative means of more efficiently financing important transportation projects:
 - Public Private Partnerships (P3)
 - User fee-based project financing (tolls)

About CTIO

CTIO is an “enterprise” for purposes of Section 20 of Article X of the State Constitution

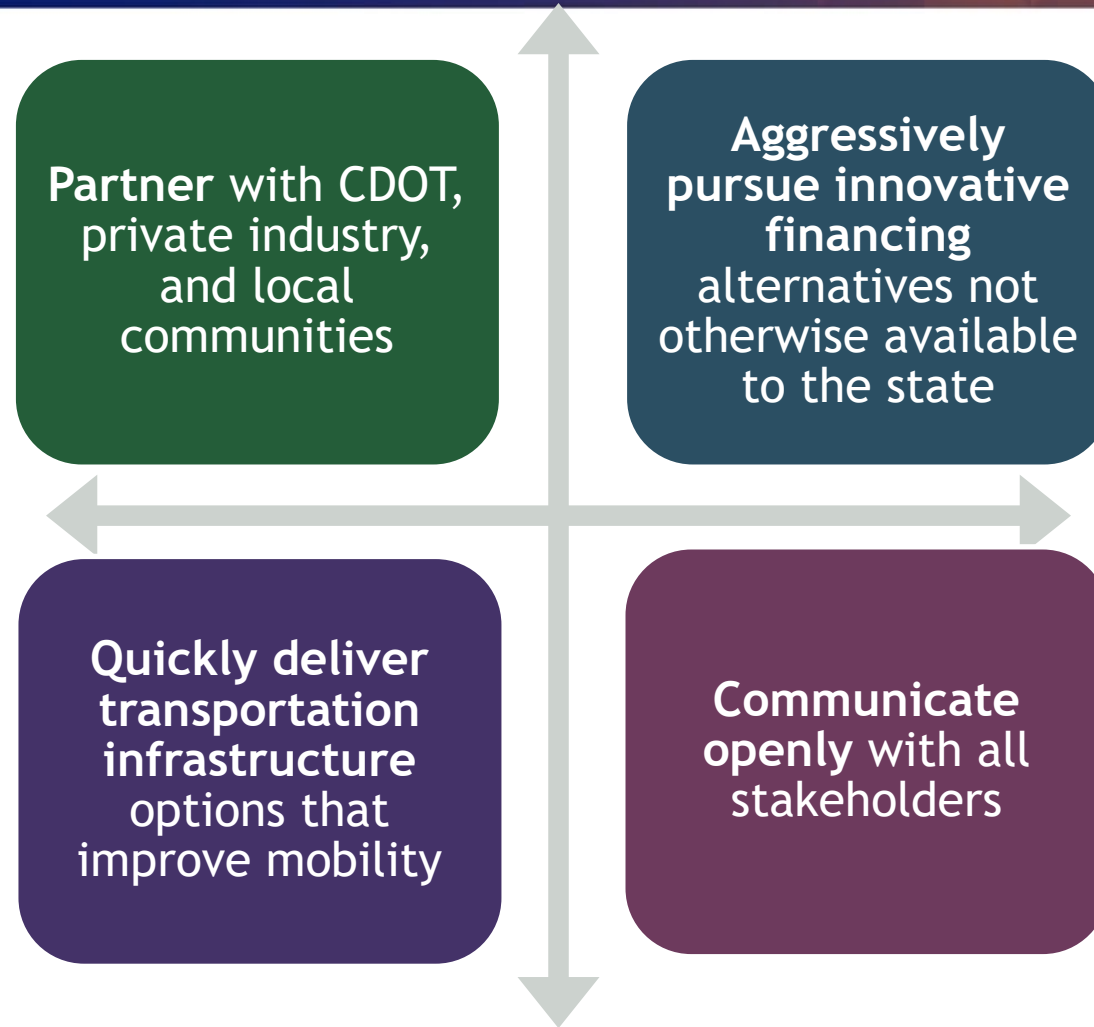
CTIO operates as a government-owned business within CDOT

Authority to impose user fees to provide goods/services (tolls)

Authority to issue revenue bonds and receive less than 10 percent of its total revenues in grants from the state and local governments

It is overseen by a separate Board of Directors that includes external stakeholders from four geographic regions appointed by the Governor.

CTIO's Mission



CTIO Staff and Governance

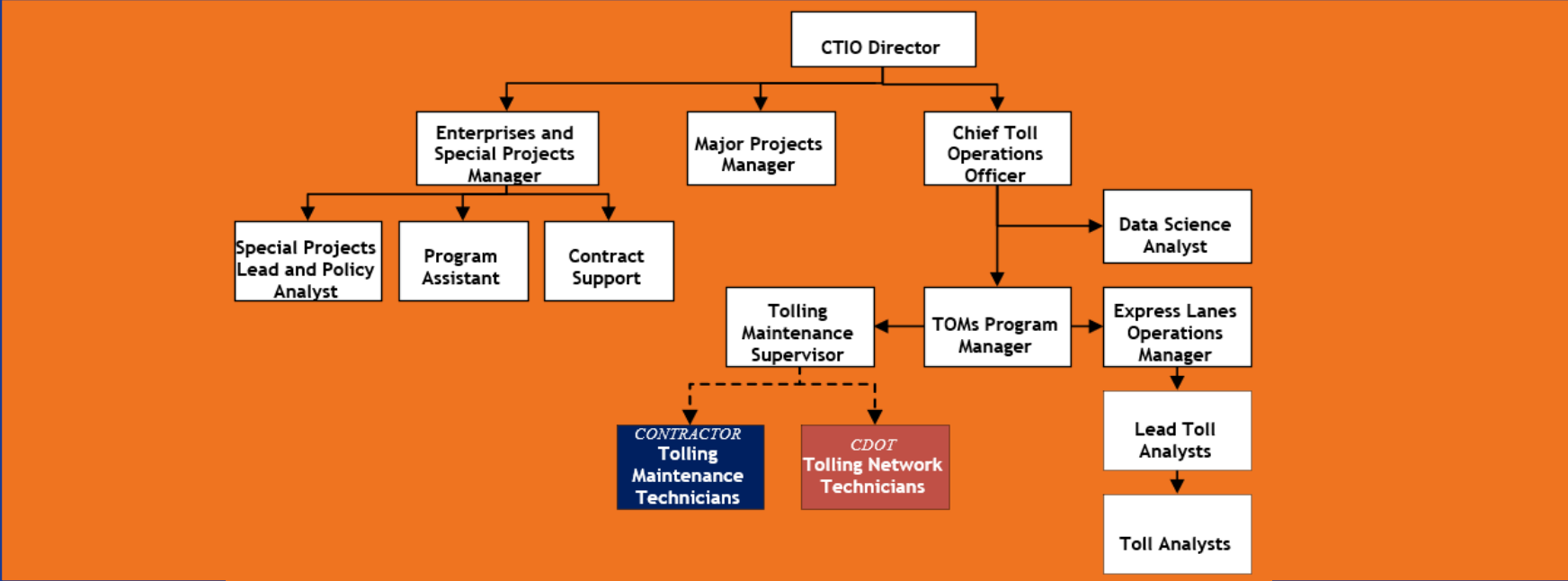
Organizational Chart: Internal

CTIO Board of Directors

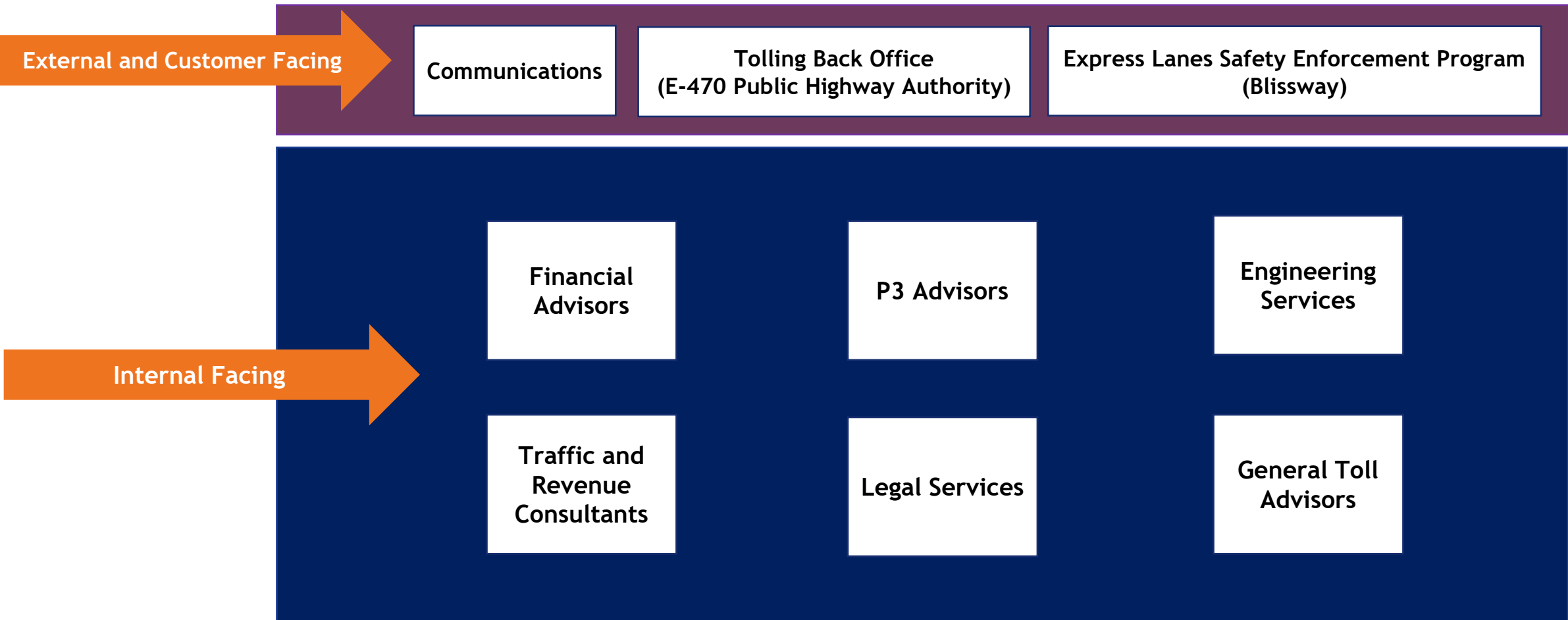
External Enterprise Oversight

Internal Program Management

External Program Support



CTIO Organizational Chart: External Support



CTIO Board of Directors

The CTIO Board of Directors consists of three members of the Transportation Commission (TC) and four members appointed by the Governor from four geographic areas.

Board Members	Region
Chair: Margaret Bowes	I-70 Mountain Corridor
Vice-Chair: Karen Stuart	Transportation Commission
Travis Easton	Pikes Peak Area COG Planning Area
Cecil Gutierrez	NFRMPO Planning Area
Joel Noble	DRCOG Planning Area
Vacant	Transportation Commission
Eula Adams	Transportation Commission

The CTIO Board meets on the third Wednesday of each month, before TC workshops.

CTIO Governing Documents

CTIO has several key policies and guidelines that govern how we work. They include:

- CTIO Unsolicited Proposal Policy
 - P3 Management Manuel
 - CTIO Budget Process and Reporting Guidelines
 - CTIO Transparency Policy and Open Records Policy Relating to P3's
 - CTIO Bylaws and Procurement Guidelines
 - Toll Rate Setting Policy
 - CDOT and CTIO MOU
- This [link](http://www.codot.gov/programs/ctio/meetings) takes you to a web page (www.codot.gov/programs/ctio/meetings) with all these documents (scroll to the bottom)

CTIO-CDOT Intra-Agency Agreements

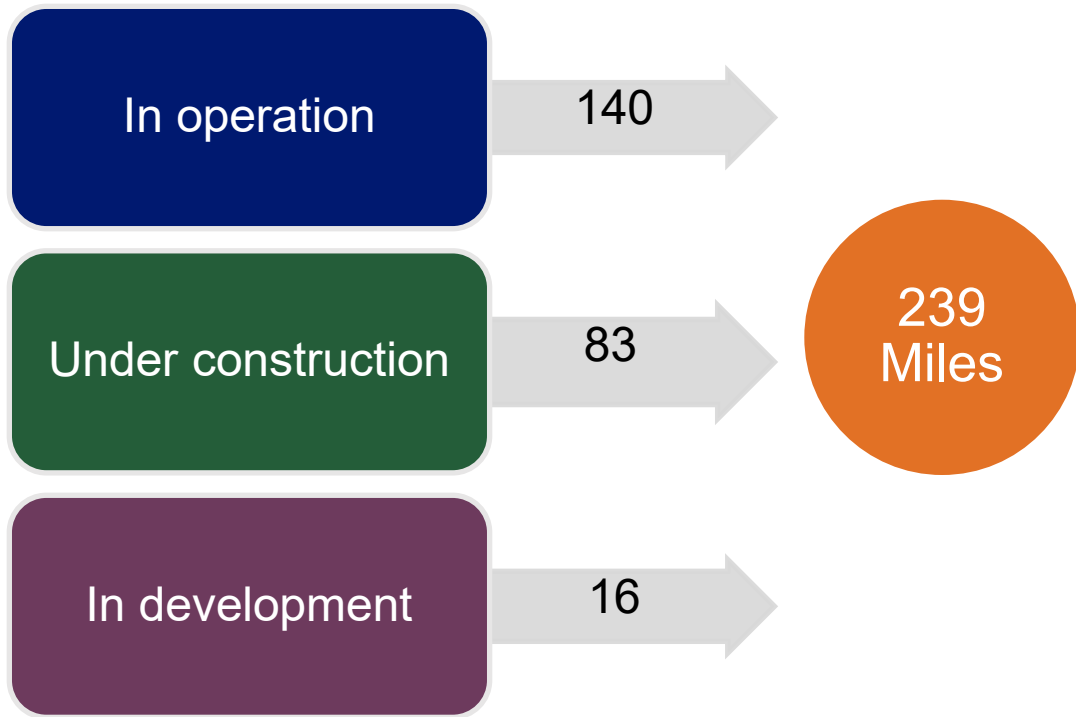
Intra-Agency Agreements (IAAs) between CDOT and HPTE document the substantive terms of how CDOT and HPTE work together and allocate rights and responsibilities on shared projects. State law and best practices require an IAA for all shared projects.

IAAs can include operations and maintenance responsibilities, scopes of work, costs to deliver services, administrative payment procedures, commercial loan terms (if applicable). Some examples of current IAA's include:

- Annual Tolling Operations and Maintenance
- Annual Fee for Service
- Floyd Hill
- Central 70 Tolling Equity
- I-25 North, C-470, Central and I-70 Mountain Express Lanes

Express Lanes Network

CTIO Express Lanes Network



Express Lane Network Usage

18%

AVERAGE
HOV USE

12.7

million total vehicles
USING THE
EXPRESS LANES

2

million total
FREE TRIPS BY
HOV3+ USERS



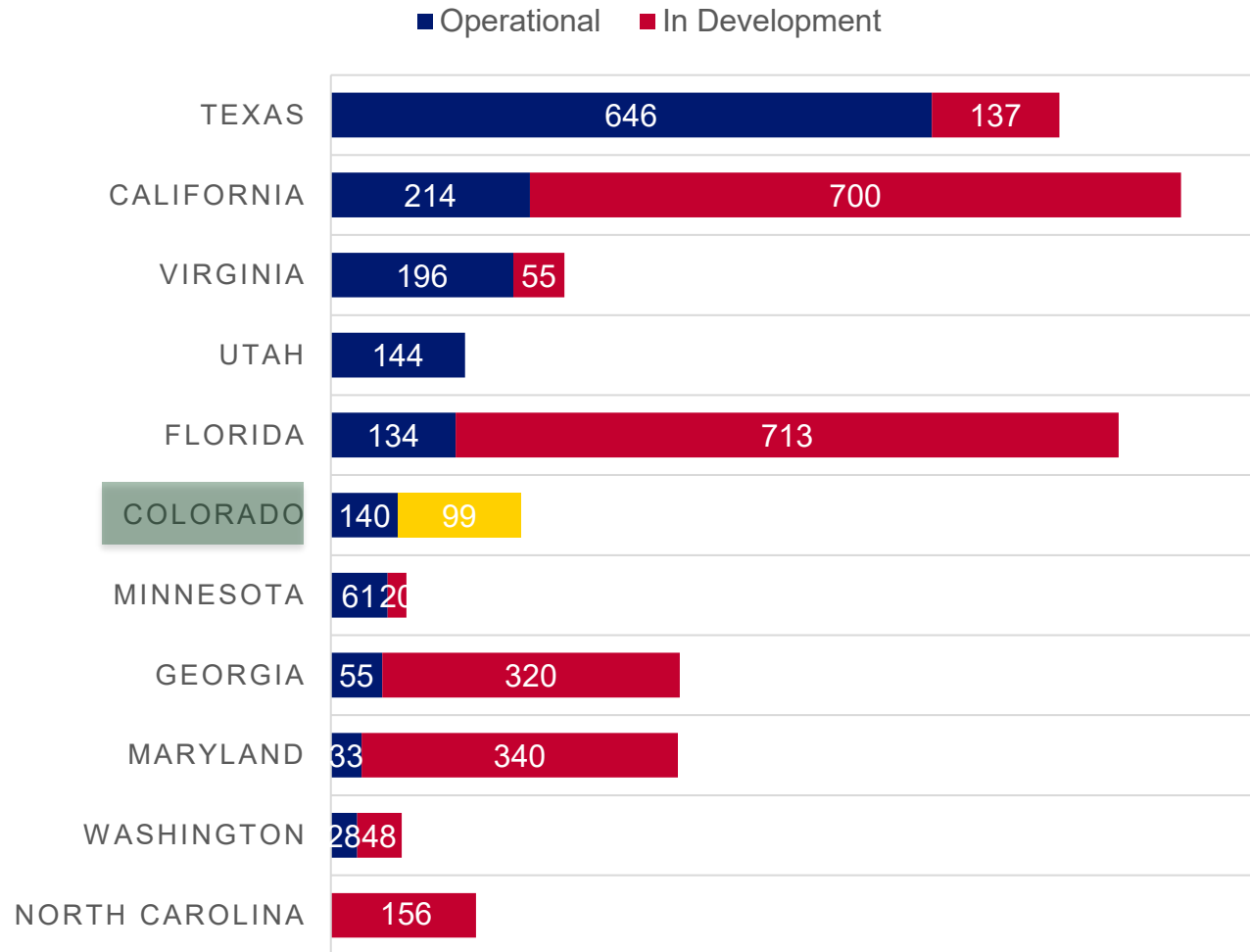
By 2027 it is anticipated that CTIO's Express Lanes will generate approximately 45 million transactions a year.

Benefits of Express Lanes

- Increase roadway capacity and help manage congestion on Colorado highways by adding lanes that provide a choice to drivers.
- Colorado's Express Lanes work for everyone—those who choose not to pay and stay in the non-tolled general-purpose lanes and Express Lanes customers. Express Lanes benefits include:
 - Reduced delay on the most seriously congested corridors
 - Reliable travel times
 - Flexible and reliable mobility choices
 - Improved travel speeds in the general-purpose lanes

Peer State Comparison

- Colorado has approximately 140 operational lane miles of Express Lanes and 99 under construction or in development.
- Colorado ranks #6 of 11 states with Express Lanes.



Express Lanes Safety Enforcement Program (SEP)

- In 2022, the state legislature passed a new bill requiring CTIO to use advanced roadside technology to enforce safety violations, starting on the I-70 Mountain Express Lanes.
- Violators identified by this technology are issued a civil penalty via mail.
- The purpose of this enforcement is, most importantly, to keep all roadway users safe.
- CTIO is working to incorporate this technology across the Express Lanes network.
- The SEP is active on the Mountain Express Lanes, C-470, and I-25 North.

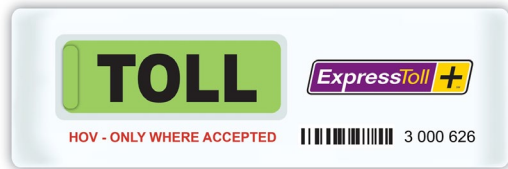
CTIO will use a mix of roadway sensors, cameras and other sophisticated technology to monitor and enforce these rules.



\$75
Civil
Penalty

The fine for these infractions is a \$75 civil penalty sent via mail to the registered address associated with the vehicle's license plate. If the penalty is not paid within 20 days of issuance, it will automatically increase to \$150.*

Central 70 GES Tolling Equity Program



Transponder and promotional toll credit of \$100 in the first year

\$43k worth of transit passes distributed since March 2023



RTD transit products such as a local 10-ride ticket books every month

Almost 50 people enrolled in the toll credit element since June 2023



15% of the net toll revenue from Central 70 Express Lanes towards toll credit or transit passes each year (\$220k estimated) - community decision on budget split in the future.

How CTIO Supports Key Projects

Considerations in Private Investment and Alternative Financing

Accelerated Timing

- Will it allow the project to start earlier, get built faster, and be completed sooner?

Reduced Upfront Costs

- Will it significantly reduce the upfront capital required from the state?

Expanded Scope

- Will it deliver more of the project's planned improvements and maximize value to Colorado residents?

Innovation

- Will the project provide unique opportunities for design, construction, and operational innovation?

Risk Transfer

- Will it permit CTIO/CDOT to shift significant project risks, such as cost overruns and revenue shortfall, to the private partner?

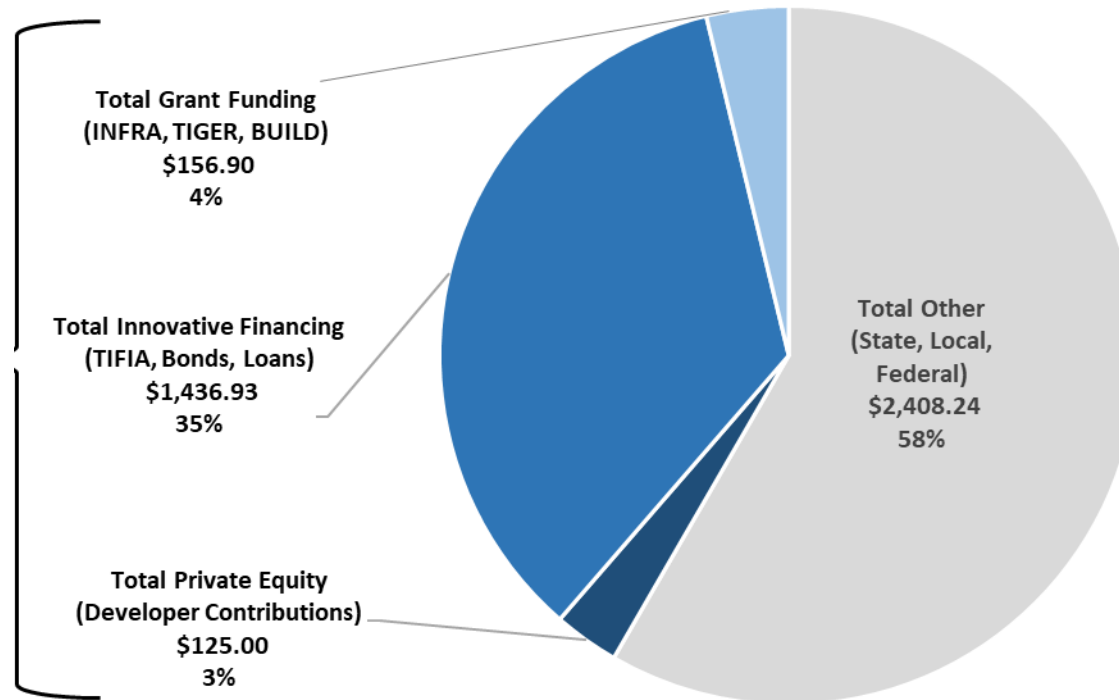
Reliability

- Will the state benefit from guaranteed performance on long-term operations and maintenance?

Project Financing Secured Through Express Lanes

CTIO and CDOT have delivered \$4.13 billion in joint projects since 2009

Total Project Funding Secured by Express Lanes
\$1.72 Billion
42%



- US 36/I-25 Central (P3)
- Central 70 (P3)
- I-25 North
 - US 36 to Northwest Pkwy/E-470
 - Mead to Fort Collins
- I-25 South Gap
- C-470
- I-70 Mountain Express Lanes

CTIO Key Focus Areas

Express Lane Corridors: Ongoing Management and Implementation

- I-70 MEXL, I-25 South GAP, I-25 North

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

- US 36, Central 70

Innovative Financing

- TIFIA, Loans, Bonds

Project Development

- Floyd Hill, I-270, Burnham Yard

Public Outreach and Communications

- Safety Campaigns

Questions?

Post-Amerco Real Property Condemnation Authorization Requests September 21, 2023 Transportation Commission Meeting

Region X - Condemnation Authorization Requests

TC District	Project Name	Project #	Project Code	Parcel #	Parcel Size	Property Owner(s)	Valuation Amount	Appraisal (A) or Waiver Valuation (WV)	Date of Valuation	Owner's Current Counter-Offer	Prior TC Condemnation or Acquisition Resolution Number (if applicable)
	US-85 Sedalia to 3 Daniels Park Road	NHPP 0852-111		20069 RW-8REV, AC-8REV	13,976 SF	CASTLE PINES SCHOLARSHIP FOUNDATION	33,200	33,200	1/10/2023	92,200	N/A

Right of Way Plan Key - Common Parcel Designations

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

Department of Transportation

Office of the Chief Engineer
2829 W. Howard Place, 2nd Floor, ROW
Denver, CO 80204

MEMORANDUM

TO: TRANSPORTATION COMMISSION

FROM: KEITH STEFANIK, P.E., CHIEF ENGINEER

DATE: August 14, 2023

SUBJECT: REPORT PURSUANT TO COLORADO REVISED STATUTES, §43-1-208 REGARDING PROJECT NUMBER NHPP 0842-111, US-85, SEDALIA TO DANIELS PARK ROAD, 20069, SEEKING APPROVAL TO INITIATE AND CONDUCT CONDEMNATION PROCEEDINGS

Background

This written report to the Transportation Commission is pursuant to Colorado Revised Statutes (“C.R.S.”), Section 43-1-208(1). On 6/11/2021, the Right of Way Plans, US 85 SEDALIA TO DANIELS PARK ROAD were authorized, which allowed CDOT to acquire land necessary for the project by purchase, exchange, or negotiations with the landowner listed below.

The project NHPP 0842-111, US 85 SEDALIA TO DANIELS PARK ROAD is necessary for planned improvements of the existing two-lane roadway to four-lanes to improve traffic flow and safety.

Overview of Property Previously Approved for Negotiation

The property owner will be informed of the Transportation Commission meeting taking place on September 20 & 21, 2023 through a letter to be sent on August 15, 2023.

1. Resolution No. Approving Negotiation: N/A
Location: US 85 between Daniels Park Road and Happy Canyon Road
Landowner’s Name: Castle Pines Scholarship Foundation
Current Size of Property: 1.121 Acre
Proposed Size of Acquisition: 13,976 square feet
Purpose of Parcels Necessary for Project:
RW-8Rev: A long, narrow shaped fee simple parcel having an area of 13,976 sf (0.321 acre). This parcel is necessary for roadway widening. AC-8Rev is also needed for access control.

Property Value, Damages and Benefits: FMV was \$33,200; Settled at \$92,200.

Appraisal dated 9/22/2022 by: Scott McHenry, MAI, AI-RRS; Alesco Appraisal, Inc.
Date of Initial Offer: January 17, 2023

Summary of Negotiations: This is anticipated to be a friendly condemnation between CDOT, Castle Pines Scholarship Foundation and Douglas County Land Conservancy. After the offer of fair market value was made to the property owner on 1/17, 2023, the parties negotiated and a last written offer of \$92,200 was presented to the property owner on May 9, 2023. The property owner agreed to CDOT's last written offer, the Memorandum of Agreement was fully executed and the property owner and parties of interest, including the conservation easement holder, are fully cooperating. However, pursuant to the conservation easement, which states, "this Deed can only be terminated or extinguished, whether in whole or in part, by judicial proceedings in a court of competent jurisdiction." a court order is needed for the portion of the conservation easement CDOT needs, to be released. Therefore, CDOT seeks Transportation Commission authorization to file a condemnation action.

Michael MacAdams, President and Treasurer for Castle Pines Scholarship Foundation and Melinda Beck, Attorney for the Conservation Easement holder both anticipate this to be a "friendly condemnation". As a result, CDOT seeks Transportation Commission approval to initiate and conduct condemnation proceedings pursuant to Colorado Revised Statutes, Section 38-1-101 et seq. for the property and to extinguish a portion of the conservation easement pursuant.

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



400 Inverness Pkwy, Ste 410
 Englewood, CO 80112
 Phone: .

Region 1 Right-of-Way

SH

Sheet Revisions

Date	Description	Initials
04/25/18	Revised Sheets 2.01, 5.01, 7.03 and 8.01	AECOM
04/05/21	Added Sheets 7.05-7.10, 8.02	
	Revised Sheets 1.01, 2.01, 2.02, 5.01, 7.01, 7.02, 7.03, 7.04 and 8.01	AECOM

Sheet Revisions

Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Sheet Revisions

Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX



7595 Technology Way
 Denver, CO 80237
 303-694-2770

Right of Way Plans

Title Sheet

Project Number:	NHPP 0852-111
Project Location:	US-85 SEDALIA TO DANIELS PARK RD.
Project Code:	20069
Last Mod. Date:	04-05-21
Subset:	1,01 of 1,01
Sheet No.:	1,01

DEPARTMENT OF TRANSPORTATION

STATE OF COLORADO

RIGHT OF WAY PLANS OF PROPOSED
 FEDERAL AID PROJECT NO. NHPP 0852-111
 U.S. HWY NO. 85

SEC. 20, T. 7 S., R. 67 W., 6TH. P.M.

DOUGLAS COUNTY

R.O.W. Length of Project = 1.02 Miles

SHEET NO.

- 1.01
- 2.01-2.02
- 3-3N
- 4.01-4.05
- 5.01
- 6.01-6.0X
- 7.01-7.10
- 7.08A-7.08B
- 8.01-8.02

INDEX OF SHEETS

- (1) Title Sheet
- (2) Tabulation of Properties
- (15) Project Control Diagram
- (5) Land Survey Control Diagram
- (1) Monumentation Sheets
- (NA) Tabulation of Road Approach Sheets
- (10) Plan Sheets
- (2) Detail Sheets
- (2) Ownership Sheet

Scales of Original 11x17 Drawings

- Plan Sheets: 1"=100'
- Detail Sheets: 1"=50'
- Project Control Diagram Sheets: 1"=400'
- Land Survey Control Diagram: 1"=400'
- Ownership Sheet: 1"=400'

BASIS OF BEARINGS: All bearing are based on the line connecting the Center One-Quarter Corner of Section 20, T.7S., R.67W., of the 6th P.M. (3-1/2" Aluminum Cap stamped "LS25933, 2014") and the North One-Quarter Corner of said Section 20, T.7S., R.67W., of the 6th P.M. (2" Brass Cap Stamped "LS 7134, 1970") being a grid bearing of N00°03'28"E. The survey data was obtained from a Global Positioning System (GPS) survey based on the Colorado High Accuracy Reference Network (CHARN).

- This Right-of-Way Plan is not a boundary survey of the adjoining property and is prepared for the Colorado Department of Transportation purposes only.
- This plan set is subject to change and may not be the most current set. It is the user's responsibility to verify with CDDT that this set is the most current. The information contained on the attached drawing is not valid unless this copy bears an original signature of the Professional Land Surveyor hereon named.
- The parcels shown within these ROW plans have been determined based on Title Commitments provided by H.C. Peck and Company.

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

COLORADO DEPARTMENT OF TRANSPORTATION
 FEDERAL AID HIGHWAY PROJECT

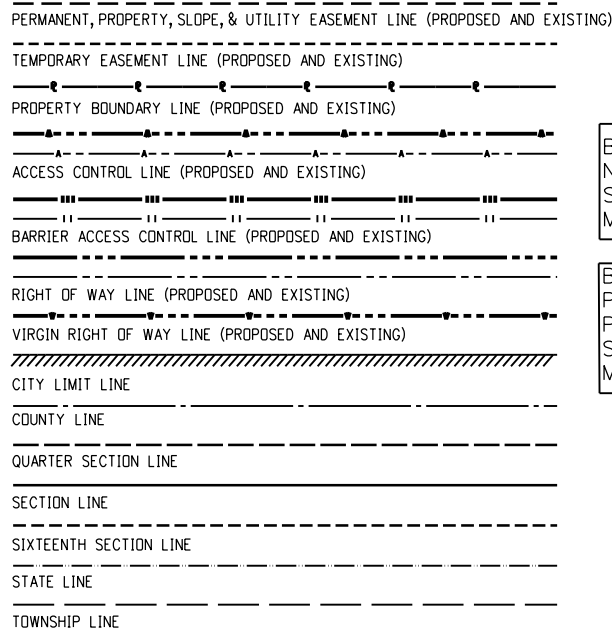
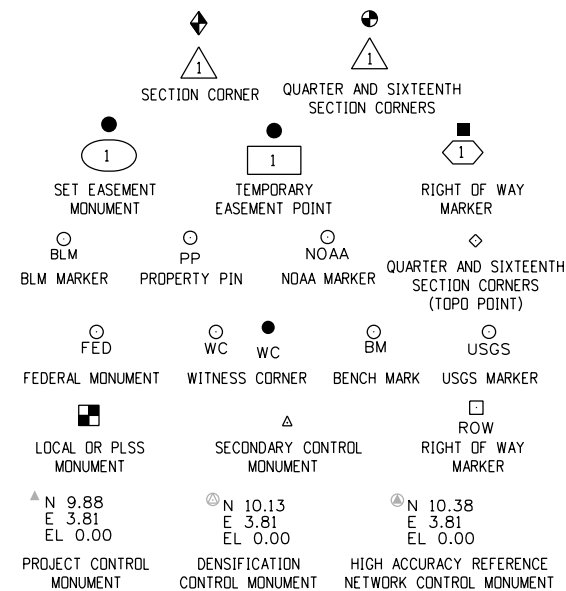
ROW PLANS AUTHORIZED: _____ DATE _____

CHIEF ENGINEER

SURVEYOR STATEMENT (ROW PLAN)

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

PLS No. 25381

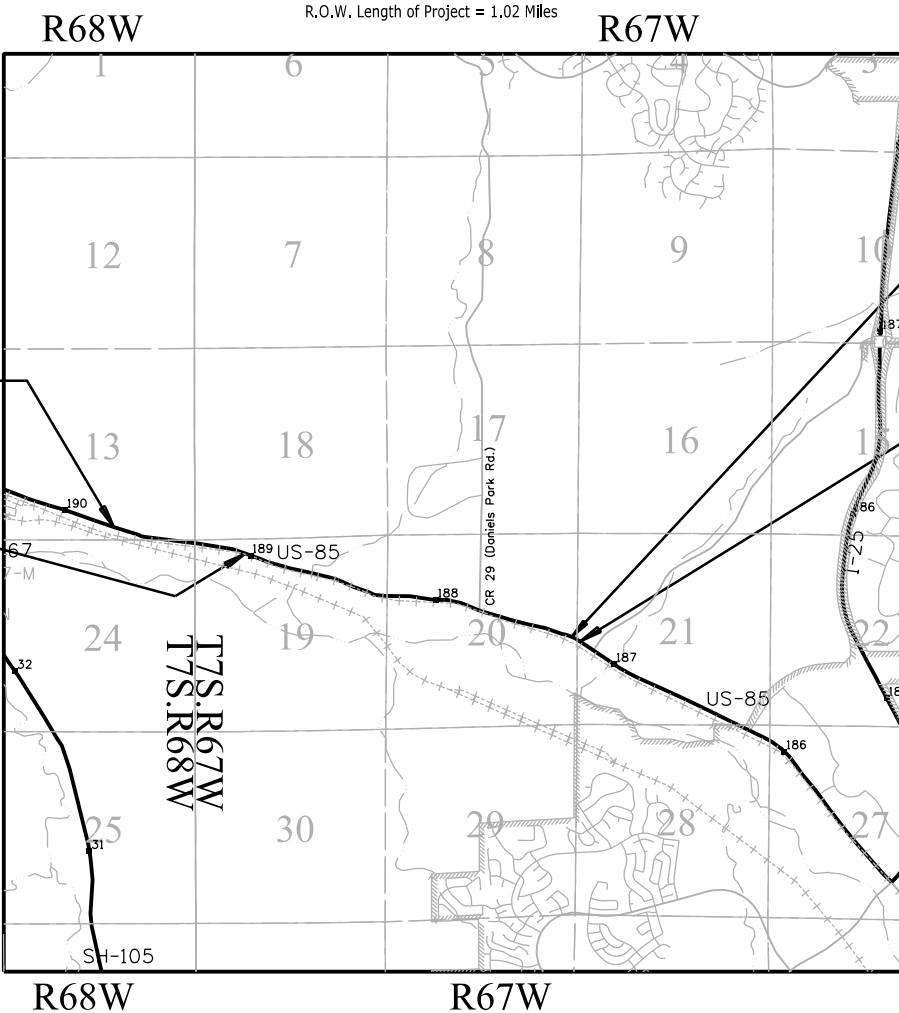


SURVEY/ROW

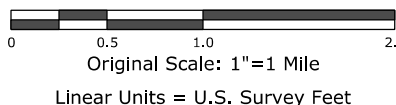


TERRAIN

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



PROJECT LOCATION MAP



FILING CERTIFICATION: DEPOSITED THIS DAY OF 20 AT M., IN BOOK OF THE COUNTY LAND SURVEYS/RIGHT OF WAY SURVEYS AT PAGE, RECEPTION NUMBER. DEPT. SIGNED M:\DCS\Projects\TRN\60446526_US85_Daniels_Chrkee\6.0 Project Deliverables\13429\ROW_Survey\Drawings\20069\ROW_SHEET_1.01.dgn 6/8/2021 11:29:32 AM



400 Inverness Pkwy, Ste 410
 Englewood, CO 80112
 Phone: .

Sheet Revisions		
Date	Description	Initials
04/05/21	Revised RW-6, AC-6, RW-7, RW-8 and AC-8, Add PE-6, TE-9 , RW-10, AC-10, RW-11, and TE-11	AECOM

Sheet Revisions		
Date	Description	Initials
	XXXXXXXXX	XXX

Sheet Revisions		
Date	Description	Initials
	XXXXXXXXX	XXX



7595 Technology Way
 Denver, CO 80237
 303-694-2770

Right of Way Plans			
Tabulation of Properties			
Project Number: NHPP 0852-111			
Project Location: US-85 SEDALIA TO DANIELS PARK RD.			
Project Code:	Last Mod. Date	Subset	Sheet No.
20069	04-05-21	2.01 of 2.02	2.02

R.O.W. TABULATION OF PROPERTIES IN DOUGLAS COUNTY U.S. NO. 85

Parcel No.	Ownership Name and Mailing Address	Site Address	Location	Area In Acres (Square feet)				Book and Page No. And/or Reception No.	Title Commitment No.	Remarks
				Area Of Parcel	Existing ROW	Net Area	Remainder Left			
			T. 7 S., R. 67 W., 6th. P.M.							
RW-6 Rev.	Douglas County Board of Commissioners 100 Third St. Castle Rock, CO 80104		Pt of Tract K, Castle Pines Village Filing No. 40 NE 1/4 Section 20	1.194 acres (52,011 sq.ft.)		1.194 acres (52,011 sq.ft.)	0.182 +/- acres		TC07273A2017	For roadway widening
PE-6	Same as Above		Same as Above	0.182 acres (7,928 sq.ft.)		0.182 acres (7,928 sq.ft.)				Permanent Easement for the Construction Operation and Maintenance of Drainage Facilities, Retaining Walls, and Roadway Slopes.
AC-6 Rev.	Same as Above		Same as Above							No Points of Access
RW-7 Rev.	The Castle Pines Golf Club, Inc. a Colorado non-profit Corporation 1000 Hummingbird Drive Castle Rock, CO 80108		Tract H, Castle Pines Village Filing No. 29 E 1/2 Section 20 & SW 1/4 Section 21	2.648 acres (115,345 sq. ft.)		2.648 acres (115,345 sq. ft.)	0 acres		TC07274A2017	For roadway widening
RW-8 Rev.	The Castle Pines Scholarship Foundation a Colorado non-profit Corporation 1000 Hummingbird Drive Castle Rock, CO, 80108		Pt of Tract Q, Castle Pines Village Filing No 29 E 1/2 Section 20 & SW 1/4 Section 21	0.321 acres (13,976 sq.ft.)		0.321 acres (13,976 sq.ft.)	0.800 +/- acres		TC07275A2017	For roadway widening
AC-8 Rev.	Same as Above		Same as Above							No Points of Access
TE-9	Cherokee Ranch and Castle Foundation, a Colorado non-profit Corporation 6113 Daniels Park Road P.O. Box 472 Sedalia, CO 80435		NW 1/4 Section 19	0.045 acres (1,943 sq. ft.)		0.045 acres (1,943 sq. ft.)				Temporary Easement for construction of a driveway
RW-10	Castle Pines Tournament Co. LLC a Colorado Limited Liability Company 1000 Hummingbird Drive Castle Rock, CO, 80108		NW 1/4 Section 20	0.720 acres (31,345 sq. ft.)		0.720 acres (31,345 sq. ft.)	4.145 +/- acres		TC07271A2017	For roadway widening
AC-10	Same as Above		Same as Above							No Points of Access
RW-11	Douglas County Board of Commissioners 100 Third St. Castle Rock, CO 80104		NW 1/4 Section 20	0.433 acres (18,875 sq.ft.)		0.433 acres (18,875 sq.ft.)				Daniels Park Road ROW For roadway widening
TE-11	Same as Above		Same as Above	1.158 acres (67,845 sq.ft.)		1.158 acres (67,845 sq.ft.)				Temporary Easement for roadway construction

4/16/2021 2:33:47 PM M:\DCS\Projects\TRN\60446526_US85_Daniels_Chrisee\6.0 Project Deliverables\13429\RDW_Survey\Drawings\20069RDW_SHEET_2.02.dgn



400 Inverness Pkwy, Ste 410
 Englewood, CO 80112
 Phone: 303-365-7410

Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
04-05-21	Revised RW-7, RW-8, AC-8	AECOM		XXXXXXXX	XXX		XXXXXXXX	XXX

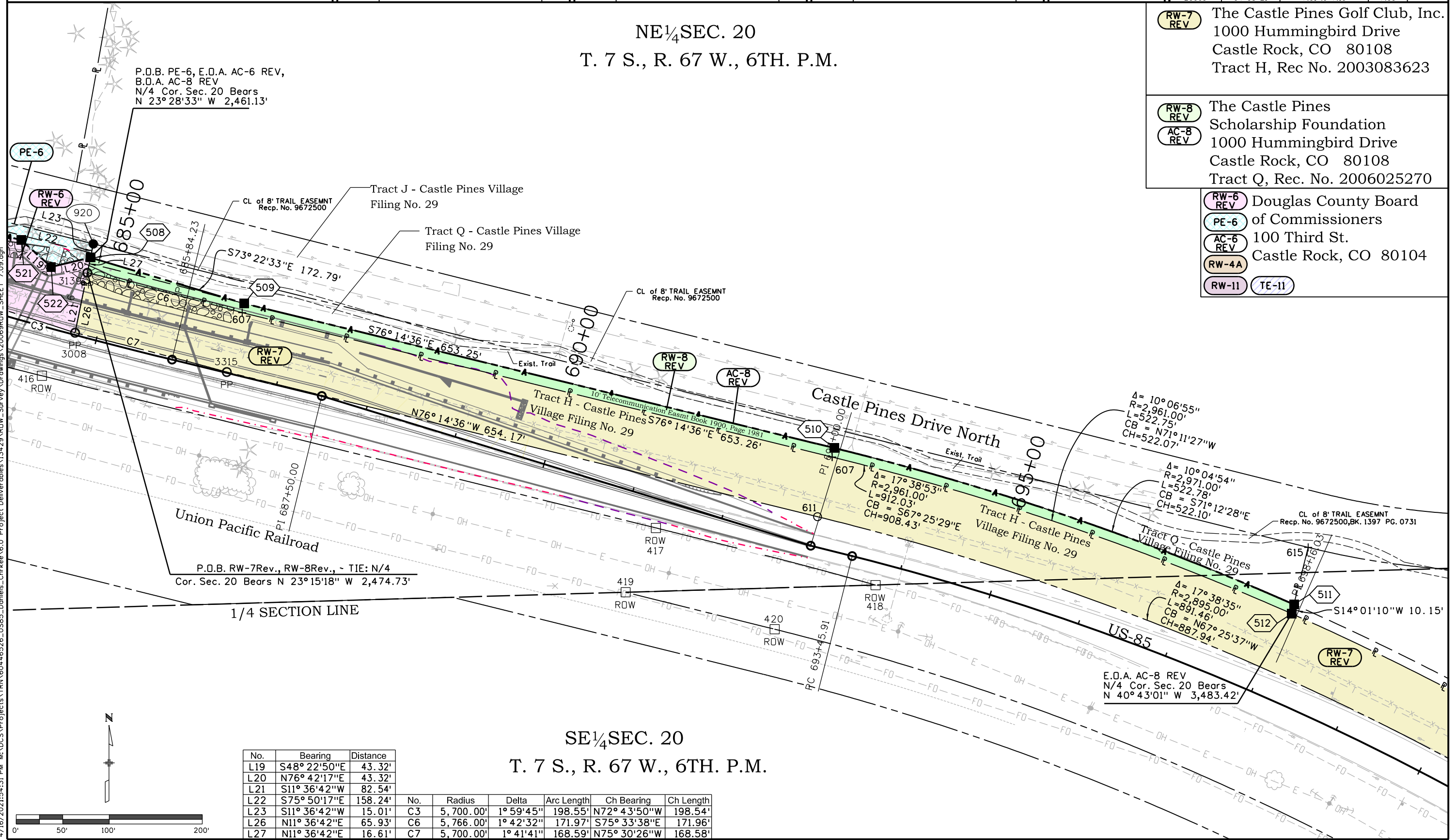


7595 Technology Way
 Denver, CO 80237
 303-694-2770

Project Number: NHPP 0852-111			
Project Location: US-85 SEDALIA TO DANIELS PARK RD.			
Project Code:	Last Mod. Date:	Subset:	Sheet No.:
20069	04-05-21	7.01 to 7.10	7.09

NE¹/₄SEC. 20
 T. 7 S., R. 67 W., 6TH. P.M.

- RW-7 REV** The Castle Pines Golf Club, Inc.
 1000 Hummingbird Drive
 Castle Rock, CO 80108
 Tract H, Rec No. 2003083623
- RW-8 REV** The Castle Pines
 Scholarship Foundation
 1000 Hummingbird Drive
 Castle Rock, CO 80108
 Tract Q, Rec. No. 2006025270
- AC-8 REV**
- RW-6 REV** Douglas County Board
 of Commissioners
 100 Third St.
 Castle Rock, CO 80104
- PE-6 REV**
- AC-6 REV**
- RW-4A**
- RW-11** **TE-11**



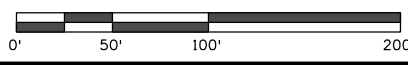
P.O.B. PE-6, E.O.A. AC-6 REV,
 B.O.A. AC-8 REV
 N/4 Cor. Sec. 20 Bears
 N 23°28'33" W 2,461.13'

P.O.B. RW-7Rev., RW-8Rev., - TIE: N/4
 Cor. Sec. 20 Bears N 23°15'18" W 2,474.73'

1/4 SECTION LINE

SE¹/₄SEC. 20
 T. 7 S., R. 67 W., 6TH. P.M.

No.	Bearing	Distance	No.	Radius	Delta	Arc Length	Ch Bearing	Ch Length
L19	S48°22'50"E	43.32'						
L20	N76°42'17"E	43.32'						
L21	S11°36'42"W	82.54'						
L22	S75°50'17"E	158.24'	C3	5,700.00'	1°59'45"	198.55'	N72°43'50"W	198.54'
L23	S11°36'42"W	15.01'	C6	5,766.00'	1°42'32"	171.97'	S75°33'38"E	171.96'
L26	N11°36'42"E	65.93'	C7	5,700.00'	1°41'41"	168.59'	N75°30'26"W	168.58'
L27	N11°36'42"E	16.61'						



4/16/2021 5:41:31 PM M:\DCS\Projects\TRN\60446526_US85-Daniels-Chrkee\6.0 Project Deliverables\13429\ROW_Survey\Drawings\20069ROW_SHEET_7.09.dgn



400 Inverness Pkwy, Ste 410
Englewood, CO 80112
303-365-7410

Sheet Revisions

Date	Description	Initials
04-25-18	Revised RW-5 & AC-5, Deleted TE-5	AECOM
04-05-21	Revise Sheet 8.01 to 8.02, Revise RW-3, RW-5 Rev, AC-5 Rev, RW-6, AC-6, RW-7, RW-8, AC-8, Add RW-4A, TE-5A, RW-10, AC-10, RW-11, TE-11, Delete RW-4, AC-4	AECOM

Sheet Revisions

Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX

Sheet Revisions

Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX



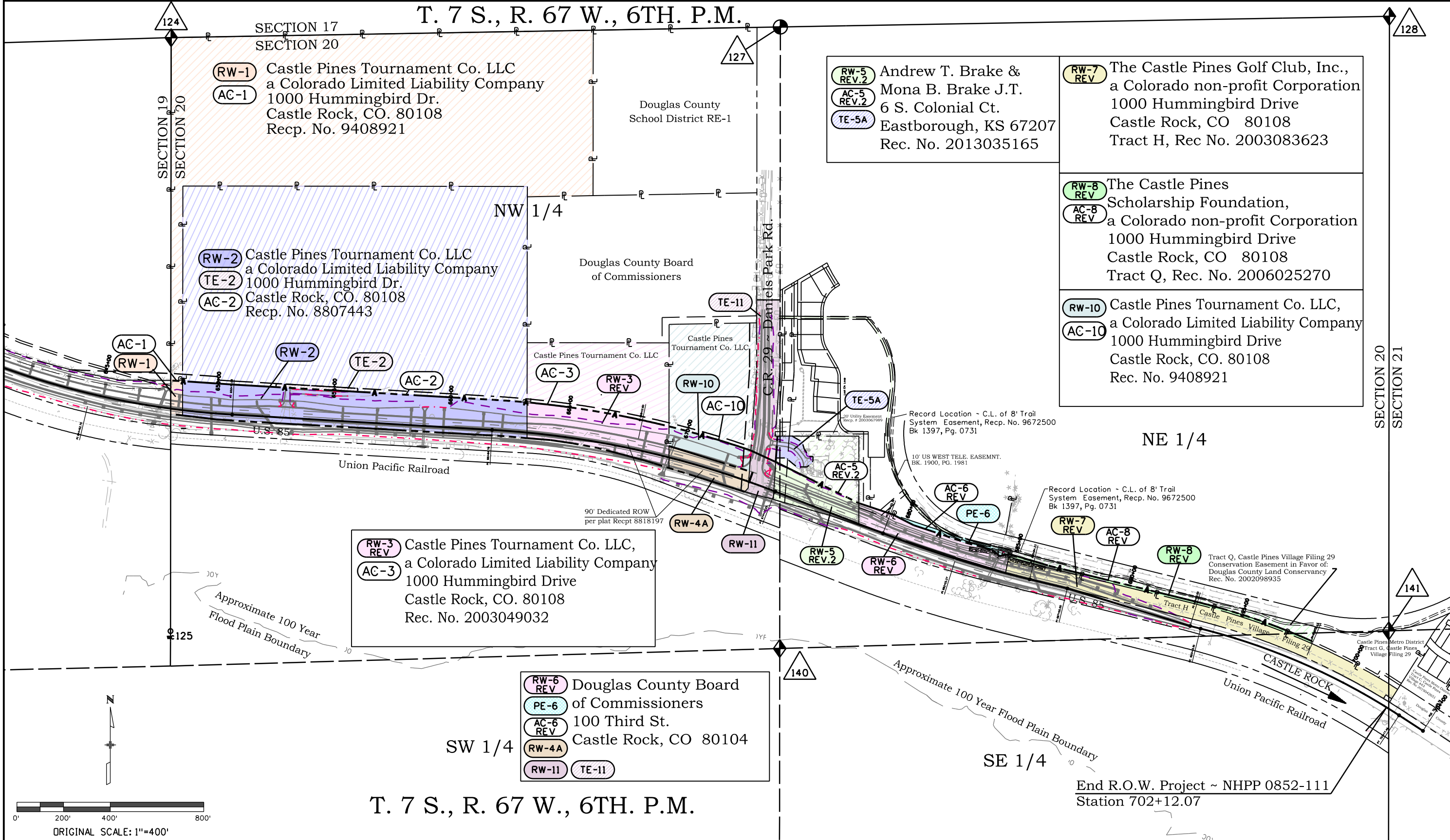
7595 Technology Way
Denver, CO 80237
303-694-2770

Right of Way Plans

Ownership Sheet

Project Number: NHPP 0852-111			
Project Location: US 85 @ N. Daniels Park Rd.			
Project Code:	Last Mod. Date:	Subset:	Sheet No.:
20069	04-05-21	8.02 of 8.02	8.02

T. 7 S., R. 67 W., 6TH. P.M.



(RW-1) Castle Pines Tournament Co. LLC
a Colorado Limited Liability Company
(AC-1) 1000 Hummingbird Dr.
Castle Rock, CO. 80108
Recp. No. 9408921

(RW-2) Castle Pines Tournament Co. LLC
a Colorado Limited Liability Company
(TE-2) 1000 Hummingbird Dr.
(AC-2) Castle Rock, CO. 80108
Recp. No. 8807443

(AC-1)
(RW-1)

(RW-2)
(TE-2)

(AC-3)
(RW-3 REV)

(RW-10)
(AC-10)

(TE-11)

(RW-5 REV.2) Andrew T. Brake &
Mona B. Brake J.T.
(AC-5 REV.2) 6 S. Colonial Ct.
(TE-5A) Eastborough, KS 67207
Rec. No. 2013035165

(RW-7 REV) The Castle Pines Golf Club, Inc.,
a Colorado non-profit Corporation
1000 Hummingbird Drive
Castle Rock, CO 80108
Tract H, Rec No. 2003083623

(RW-8 REV) The Castle Pines
Scholarship Foundation,
a Colorado non-profit Corporation
1000 Hummingbird Drive
Castle Rock, CO 80108
Tract Q, Rec. No. 2006025270

(RW-10) Castle Pines Tournament Co. LLC,
a Colorado Limited Liability Company
(AC-10) 1000 Hummingbird Drive
Castle Rock, CO. 80108
Rec. No. 9408921

(RW-3 REV) Castle Pines Tournament Co. LLC,
a Colorado Limited Liability Company
(AC-3) 1000 Hummingbird Drive
Castle Rock, CO. 80108
Rec. No. 2003049032

(RW-6 REV) Douglas County Board
of Commissioners
(PE-6) 100 Third St.
(AC-6 REV) Castle Rock, CO 80104
(RW-4A)
(RW-11) **(TE-11)**

Record Location - C.L. of 8' Trail
System Easement, Recp. No. 9672500
Bk 1397, Pg. 0731

Record Location - C.L. of 8' Trail
System Easement, Recp. No. 9672500
Bk 1397, Pg. 0731

Tract Q, Castle Pines Village Filing 29
Conservation Easement in Favor of:
Douglas County Land Conservancy
Rec. No. 2002098935

Approximate 100 Year
Flood Plain Boundary

Approximate 100 Year Flood Plain Boundary

End R.O.W. Project ~ NHPP 0852-111
Station 702+12.07

**COLORADO DEPARTMENT OF TRANSPORTATION
REAL PROPERTY**

TO BE ACQUIRED

Parcel Number: RW-8 Rev.

STA. 684+ Lt. to STA. 702+12.07 Lt.

FROM

THE CASTLE PINES SCHOLARSHIP FOUNDATION

1000 Hummingbird Drive

Castle Rock, CO 80108

FOR

Project Code: 20069

Project Number: NHPP 0852-111

Location: US-85 Sedalia to Daniels Park Rd.

EXHIBIT "A"
PROJECT NUMBER: NHPP 0852-111
PARCEL NUMBER: RW-8 REV.
PROJECT CODE: 20069
DATE: APRIL 5, 2021
DESCRIPTION

A tract or parcel of land No. RW-8 Rev. of the Department of Transportation, State of Colorado, Project Code 20069, Project Number NHPP 0852-111 containing 0.321 acres (13,976 sq. feet), more or less, in the E1/2 of Section 20, Township 7 South, Range 67 West, of the 6th Principal Meridian, Douglas County, Colorado, being a portion of Tract Q, Castle Pines Village Filing No. 29, recorded on January 10, 2001, at Reception No. 01002527, in the records of the Clerk & Recorder's office, Douglas County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at the southwest corner of Tract Q, Castle Pines Village Filing No. 29, recorded on January 10, 2001, at Reception No. 01002527, in the records of the Clerk & Recorder's office, Douglas County, Colorado, said point being marked by a 1 1/4" orange plastic cap stamped "PLS 28286", from which the 1/4 corner common to Section 17 and 20, T. 7 S., R. 67 W., of the 6th P.M. (PE-LS 1/4 S17 S20 1970"), bears N 23°15'18" W, a distance of 2,474.73 feet, said point being the **TRUE POINT OF BEGINNING**;

1. Thence N. 11°36'42" E., along the west line of Tract Q, Castle Pines Village Filing No. 29, recorded on January 10, 2001, at Reception No. 01002527, in the records of the Clerk & Recorder's office, Douglas County, Colorado, a distance of 16.61 feet;
2. Thence S. 73°22'33" E., a distance of 172.79 feet;
3. Thence S. 76°14'36" E., a distance of 653.25 feet;
4. Thence along the arc of a curve to the right, a radius of 2,971.00 feet, a central angle of 10°04'54", a distance of 522.78 feet, (a chord bearing S. 71°12'28" E., a distance of 522.10 feet), to the east line of said Tract Q;
5. Thence S 14°01'10" W., along said east line, a distance of 10.15 feet to the southerly line of said Tract Q;
6. Thence along said southerly line of Tract Q, along the arc of a curve to the left, a radius of 2961.00 feet, a central angle of 10°06'55", a distance of 522.75 feet, (a chord bearing N. 71°11'27" W., a distance of 522.07 feet);
7. Thence N. 76°14'36" W., continuing along said southerly line of Tract Q, a distance of 653.26 feet;
8. Thence continuing along said southerly line of Tract Q, on the arc of a curve to the left, a radius of 5,766.00 feet, a central angle of 1°42'32", a distance of 171.97 feet, (a chord

bearing N. 75°33'38" W., a distance of 171.96 feet), more or less, to the TRUE POINT OF BEGINNING.

The above described parcel RW-8 Rev. contains 0.321 acres (13,976 sq. ft.), more or less.

Basis of Bearings: All bearings are based on a line between the C ¼ corner of Section 20, T. 7 S., R. 67 W., of the 6th P.M. (a 3 ½" Aluminum Cap stamped "SURVEY MONUMENT 2014 T7S R67W C ¼ S20 LS 25933 ARCHER & ASSOC"), and the ¼ corner common to Section 17 and 20, T. 7 S., R. 67 W., of the 6th P.M. (PE-LS ¼ S17 S20 1970") with a grid bearing of N.0° 03'28" E., a distance of 2,662.44 feet.

Prepared by:
Stan Vermilyea, P.L.S. 25381
For and on behalf of AECOM
7595 Technology Way, Suite 200
Denver, CO 80237

4/05/2021

**COLORADO DEPARTMENT OF TRANSPORTATION
REAL PROPERTY**

TO BE ACQUIRED

Access Control Number: AC-8 REV
STA. 684+ Lt. to STA. 702+ Lt.

FROM

THE CASTLE PINES SCHOLARSHIP FOUNDATION
1000 Hummingbird Drive
Castle Rock, CO 80108

FOR

Project Code: 20069
Project Number: NHPP 0852-111
Location: US-85 Sedalia to Daniels Park Rd.

EXHIBIT "B"
PROJECT NUMBER: NHPP 0852-111
PARCEL NUMBER: AC-8 REV.
PROJECT CODE: 20069
DATE: April 5, 2021
ACCESS DESCRIPTION

EACH AND EVERY RIGHT OR RIGHTS OF ACCESS OF THE GRANTOR to and from any part of the right-of-way of U.S. Highway No. 85, a freeway established according to the laws of the State of Colorado, and from and to any part of the real property of the Grantor in the E 1/2 of Section 20, Township 7 South, Range 67 West, of the 6th Principal Meridian, Douglas County, Colorado, in Tract Q, Castle Pines Village Filing No. 29, recorded on January 10, 2001, at Reception No. 01002527, in the records of the Clerk & Recorder's office, Douglas County, Colorado, abutting upon said Highway, along and across the access line or lines described as follows:

NHPP 0852-111 (Proj. No.)	AC-8 REV. (Parcel No.)	Northerly Line Location of Line
------------------------------	---------------------------	------------------------------------

Beginning at a point on the west line of Tract Q, Castle Pines Village Filing No. 29, recorded on January 10, 2001, at Reception No. 01002527, in the records of the Clerk & Recorder's office, Douglas County, Colorado, from which the ¼ corner common to Section 17 and 20, T. 7 S., R. 67 W., of the 6th P.M. (PE-LS ¼ S17 S20 1970"), bears N 23°28'33" W a distance of 2,461.13 feet, said point being the **TRUE POINT OF BEGINNING**;

1. Thence S. 73°22'33" E., a distance of 172.79 feet;
2. Thence S. 76°14'36" E., a distance of 653.25 feet;
3. Thence along the arc of a curve to the right, a radius of 2,971.00 feet, a central angle of 10°04'54", a distance of 522.78 feet, (a chord bearing S. 71°12'28" E., a distance of 522.10 feet), to the east line of said Tract Q;
4. Thence S 14°01'10" W., along said east line, a distance of 10.15 feet to the southerly line of said Tract Q, said point also being the point of terminus of this access limitation, whence the quarter corner common to Section 17 and 20, T. 7 S., R. 67 W., of the 6th P.M., bears N. 40°43'01" W., a distance of 3,483.42 feet.

Basis of Bearings: All bearings are based on a line between the C ¼ corner of Section 20, T. 7 S., R. 67 W., of the 6th P.M. (a 3 ½" Aluminum Cap stamped "SURVEY MONUMENT 2014 T7S R67W C ¼ S20 LS 25933 ARCHER & ASSOC"), and the ¼ corner common to Section 17 and 20, T. 7 S., R. 67 W., of the 6th P.M. (PE-LS ¼ S17 S20 1970") with a grid bearing of N.0° 03'28" E., a distance of 2,662.44 feet.

NO ACCESS POINT

Prepared by:
Stan Vermilyea, P.L.S. 25381
For and on behalf of AECOM
7595 Technology Way, Suite 200
Denver, CO 80237

4/05/2021

Colorado Department of Transportation Condemnation Authorization Contact Summary	Project Code:
	Parcel:
	Owner:

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

Date	Contact Description	Amount/Description
	First Contact w/Property Owner	
	Discussion of CDOT Project	
	CDOT Offer	
	Owner Counter-Offer	
	CDOT Last Offer	
	Last Contact w/Property Owner	

Number of Property Owner Contacts Attempted:

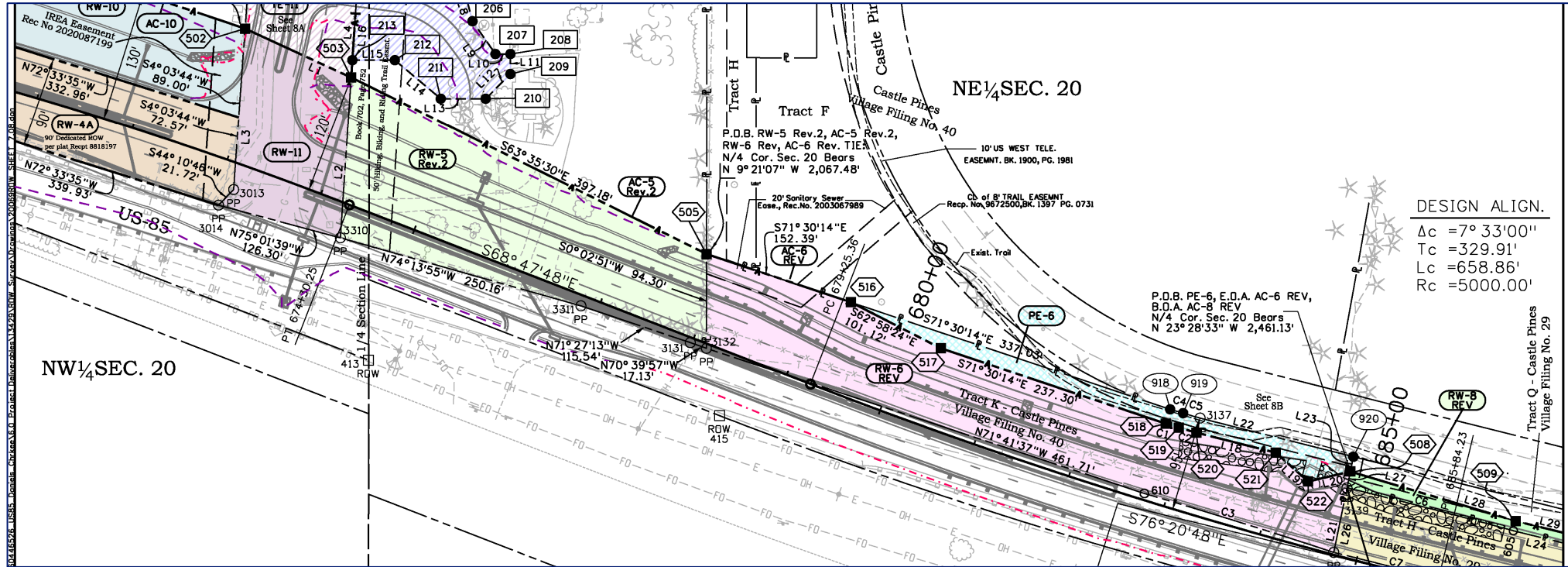
Number of Successful Property Owner Contacts:

Matters Discussed During Property Owner Contacts (check all that apply)

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



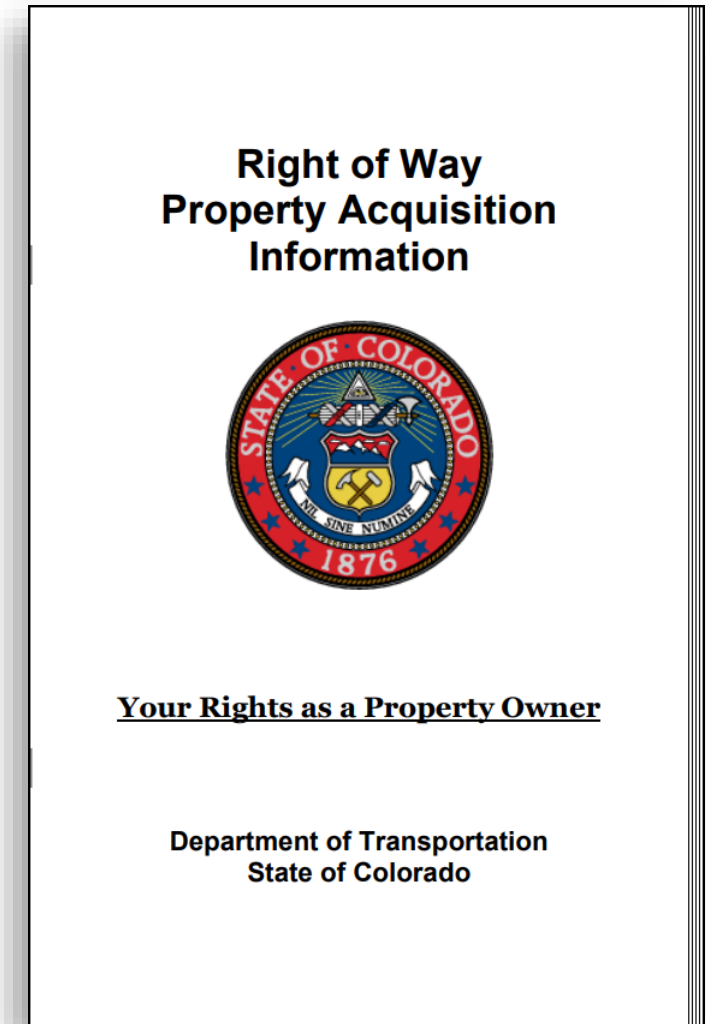
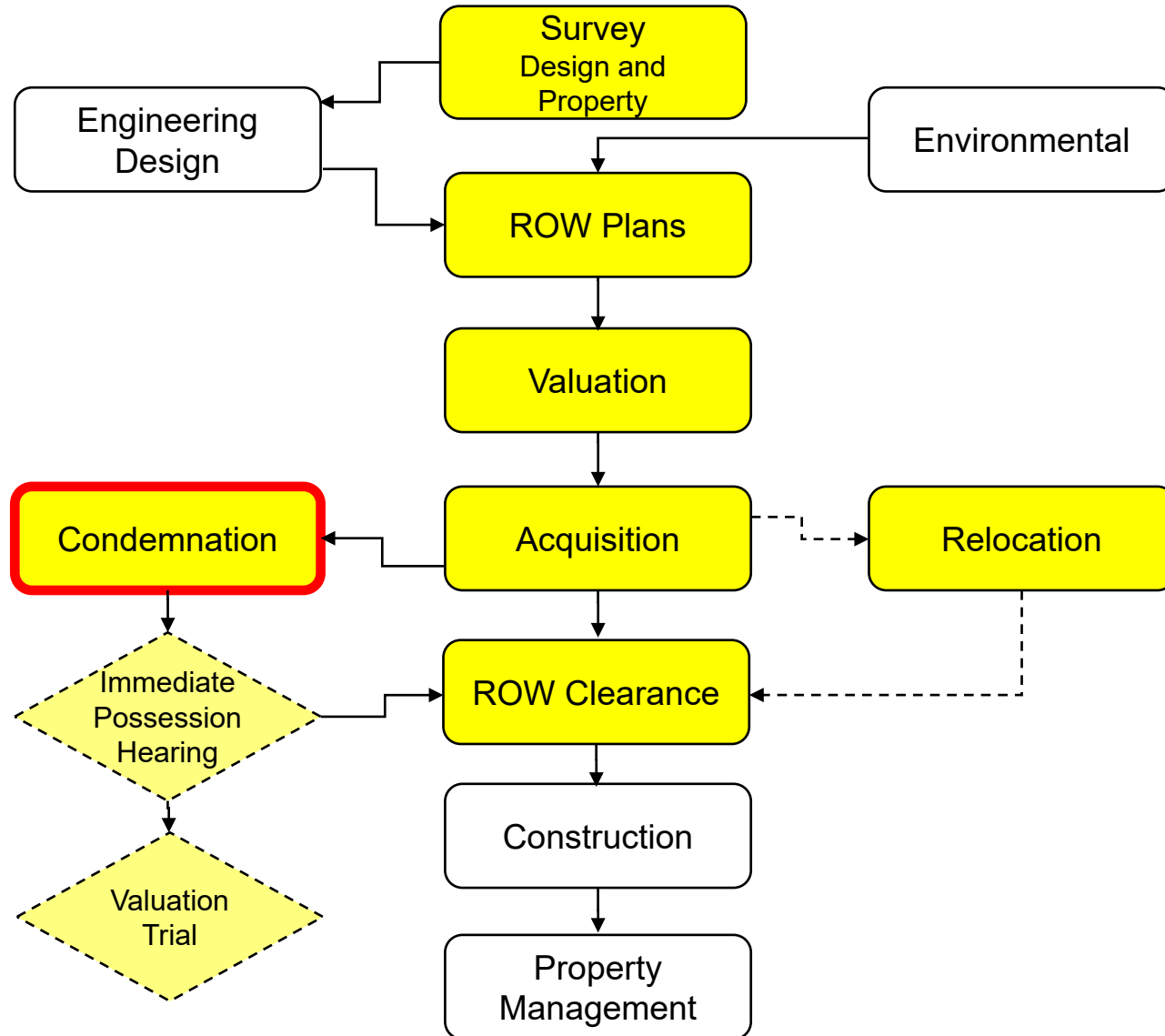
CDOT Right of Way: Introduction



When a highway improvement project requires property interests outside of the existing right of way, CDOT's Right of Way Program assists in acquiring the additional property interests to accommodate the needs of the project.



CDOT Right of Way: Simplified Process

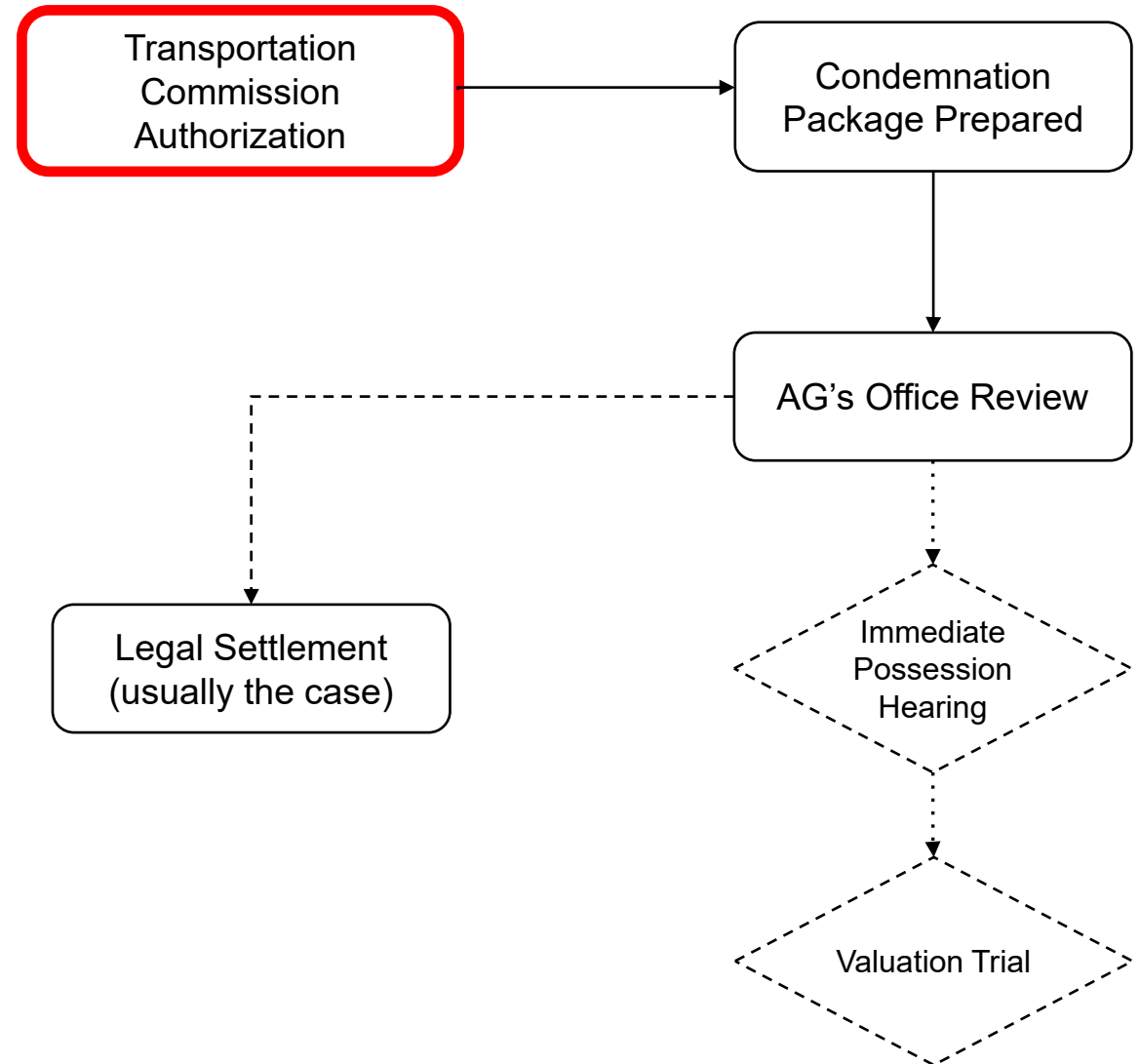




CDOT Right of Way: Condemnation

When an acquisition settlement cannot be reached, authorization to condemn is sought, and must be approved by the Transportation Commission prior to pursuing condemnation proceedings, per Colorado Revised Statutes, §43-1-208.

Upon approval, the acquisition is then forwarded to the Attorney General's Office to initiate condemnation proceedings.





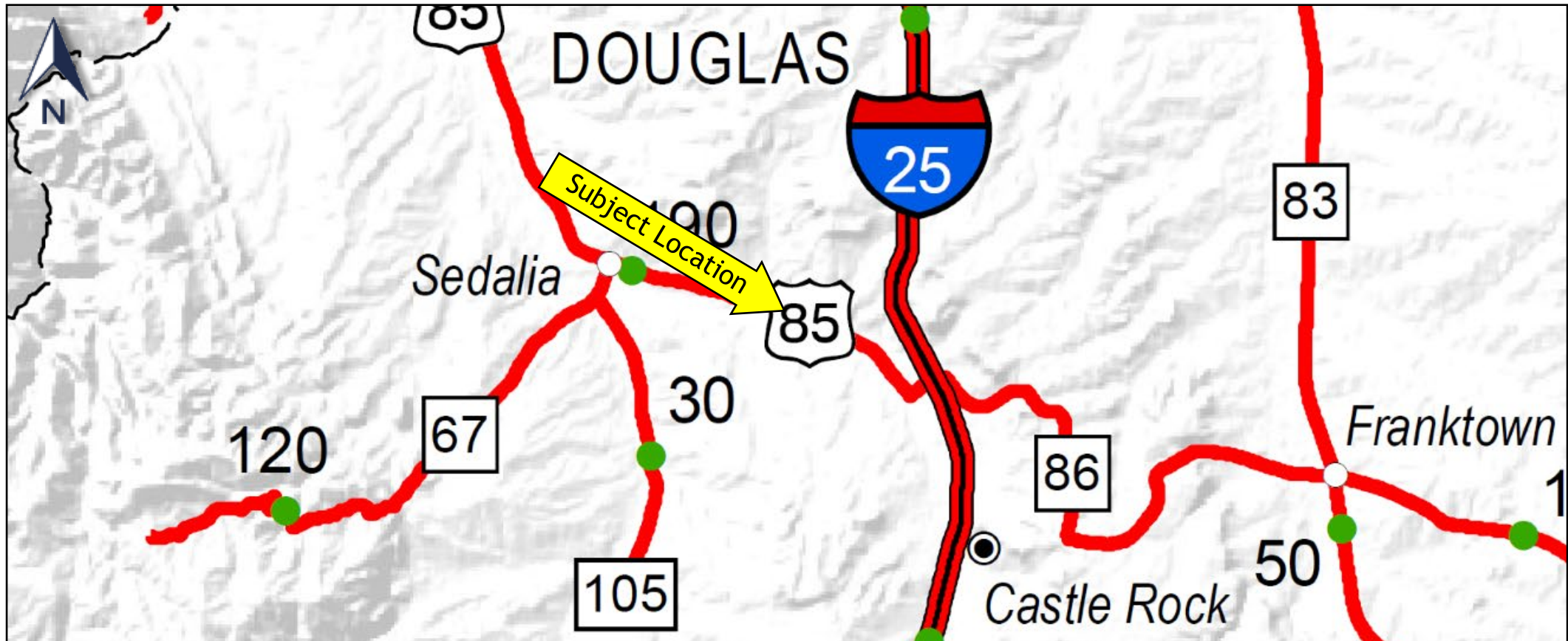
Condemnation Authorization US-85, Sedalia to Daniels Park Road

District: 3

Region: 1

Project: NHPP 0842-111

Project Code: 20069



Owners: Castle Pines Scholarship Foundation and Douglas County Land Conservancy

Project Purpose: Improve traffic flow and safety



Condemnation Authorization US-85, Sedalia to Daniels Park Road



Location of Parcel



Condemnation Authorization US-85, Sedalia to Daniels Park Road



Subject Parcel



Condemnation Authorization

US-85, Sedalia to Daniels Park Road

OFFERS	DATE	AMOUNT
Notice of Intent to Acquire	August 17, 2022	N/A
CDOT Appraisal	September 22, 2022	\$33,200.00
CDOT Initial Offer	January 17, 2023	\$33,200.00
Owner Counter-Offer	March 20, 2023	\$115,000
CDOT Last Written Offer	May 9, 2023	\$92,200

- All parties anticipate a friendly condemnation.
- The property owner, Castle Pines Scholarship Foundation is fully cooperating and agreed to the last written offer; the Memorandum of Agreement has been fully executed.
- The conservation easement holder, Douglas County Land Conservancy is also fully cooperating. However, pursuant to the conservation easement, a court order is needed for the conservation easement holder to release the property to CDOT.

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
BETHANY NICHOLAS, BUDGET DIRECTOR
DATE: SEPTEMBER 20, 2023
SUBJECT: FY 2022-23 FISCAL YEAR END BUDGET PROCESSES

Purpose

This memorandum summarizes the FY 2022-23 year end budget processes, including preliminary results from the revenue reconciliation process, 2023 federal redistribution, and FY 2022-23 roll forwards.

Action

This is an informational item only; no action is required.

FY 2022-23 Revenue Reconciliation

The CDOT budget runs on a state fiscal year, beginning July 1 and ending June 30, so FY 2022-23 is the fiscal year that began July 1, 2022, and ended June 30, 2023. At the close of each fiscal year, the Division of Accounting and Finance (DAF) compares forecasted revenues from the prior fiscal year to actual revenues and presents them to the Transportation Commission (TC) for review. Attachment A details the reconciliation of forecasted to actual revenues for FY 2022-23. These are preliminary results as Accounting continues to make required post-closing entries in the CDOT financial system.

The initial FY 2022-23 Revenue Allocation plan that was adopted by the TC in March 2022 was based on the FY 2022-23 Q2 revenue forecast, which estimated \$1,784.0 million in total revenue for CDOT and the enterprises. Currently, actual revenue received for FY 2022-23 is approx. \$43.5 million less than the original adopted budget, before accounting for federal redistribution (discussed below). Notable variances by revenue source are briefly described below.

- CDOT State Highway Users Tax Fund (HUTF) revenues were \$15.4 million higher than expected, largely due to higher than expected motor fuel tax revenues.
- CDOT miscellaneous revenues were \$8.3 million lower than forecasted, in large part due to lower than expected revenue from interest earnings, and other miscellaneous revenue sources.
- Federal Highway Administration (FHWA) revenue was \$46.4 million lower than forecasted as a result of lower than anticipated federal obligation limitation provided through the final FY 2022-23 Appropriations Act. The actual obligation limitation rate was 86% compared to the forecasted rate of 93% that was used to develop FY 2022-23 budget allocations. Of the total, flexible federal programs were \$37.0 million less than forecasted and inflexible federal programs were \$9.4 million less than forecasted.
- Aeronautics revenue was \$4.8 million less than forecasted due to slightly lower than expected aviation sales tax revenue.

These are preliminary results and may change slightly before any adjustments are made to the FY 2023-24 budget. Accounting is still making final, post-closing adjustments in the Department's financial system. Staff will return with a final update if there are any material changes.

Revenue Reconciliation Budget Actions

Once revenue reconciliation is complete, staff will work with impacted programs to make final adjustments to the FY 2023-24 total available budget. These adjustments do not require further TC action, per TC Policy Directive 703.0 (PD 703.0), and will be reflected in the amended Annual Budget (One-sheet) for the November budget amendment as Staff Adjustments. The adjustment for flexible revenue sources will impact the TC Program Reserve line (Line 73) and the inflexible sources will impact multiple programs and budget lines. Please see Attachment B for a list of impacts by program and budget line.

The reconciliation of flexible revenue sources will result in a decrease to the TC Program Reserve (Line 73) of \$29.9 million.

Flexible Revenue Sources	Amount
HUTF Revenue	\$15.4 million
Miscellaneous State Revenue	(\$8.3 million)
FHWA Revenue	(\$37.0 million)
Total	(\$29.9 million)

The reconciliation of inflexible revenue sources (i.e., sources dedicated to a specific program) will result in adjustments to those programs totaling (\$8.2) million. As noted above, the largest reduction was to inflexible FHWA programs which was \$9.4 million less than forecasted. The Other State Revenue category also includes State Infrastructure Bank and Bustang revenue. Please see Attachment B for more detail on adjustments for inflexible funds.

Inflexible Revenue Sources	Amount
HUTF FASTER Revenue	\$4.8 million
Local Matching Funds	TBD
Other State Revenue	(\$3.5 million)
FHWA Revenue	(\$9.4 million)
Other Federal Revenue (e.g. FTA)	TBD
TOTAL	(\$8.2 million)

Roll Forward Request Background

Each of the budget programs included in the annual revenue allocation plan are composed of either cost centers or budget pools. In general, cost centers represent the maintenance and operations portion of the Department’s budget, while budget pools represent the capital construction portion. The roll forward budget is composed of balances that have not been expended from a cost center by the end of the fiscal year, or in the case of budget pools, have not been budgeted to a construction project or grant.



A complete report of all roll forward balances appears in the Amended Annual Budget Allocation Plan in the FY 2022-23 Roll Forward column (see Attachment A to the FY 2023-24 Budget Amendment materials). Roll forwards for pools and cost centers combined total \$2,476.3 million for the Department and the Enterprises, including \$2,386.6 million for CDOT. This includes \$1,207.0 million in Capital Construction, \$38.9 million in Maintenance and Operations, \$246.3 million in Multimodal Services & Electrification, \$600.3 million in Suballocated Programs, and \$26.6 million in Administration and Agency Operations. A large portion of the roll forward balance is associated with the 10-Year Plan projects funded with one-time funding from SB 267, federal stimulus, and other legislative funding sources. This balance will be drawn down over the next year as these projects proceed to advertisement and construction. The second largest source of roll forwards are Suballocated Programs, which are locally directed funds for primarily local projects.

The majority of budget pool balances roll forward automatically, per PD 703.0, however staff review all programs in coordination with program managers to identify any funds that will not be needed in the upcoming fiscal year based on spending plans. Some cost center balances roll forward automatically (including cost centers with dedicated, inflexible funding sources) while others require either Executive Management or TC approval. The total estimated amount of these automatic roll forwards into FY 2023-24 is \$318.9 million, \$75.1 million of which are remaining TC State Highway Fund (SHF) dollars. TC SHF dollars are flexible and if not rolled forward, can be allocated to the TC Program Reserve or to other programs.

In accordance with PD 703.0, all requests to roll forward cost center balances from the previous fiscal year to the current fiscal year in amounts greater than \$1.0 million require approval by the TC. This excludes cost centers approved for automatic roll forward and funds previously approved by Transportation Commission resolution for a specific purpose. Amounts less than \$1.0 million are subject to approval by Executive Management. This year, there were no roll forward requests that exceeded \$1.0 million.

Staff completed automatic roll forwards for cost centers funded with SHF totaling \$75.1 million, leaving a balance of \$16.4 million. Cost center roll forward requests that were approved by Executive Management total \$4.5 million, so the final residual SHF balance to return to the TC Program Reserve Fund is \$11.9 million.

2023 FHWA Redistribution

CDOT is eligible to receive an increase in federal obligation authority through the annual Federal Redistribution process in August of each year. The amount available to states varies each year and as such is not included in forecasts of revenue. CDOT received notice in late August of federal FY 2022-23 redistribution totaling \$179.0 million. Please see Attachment C for more information about the 2023 FHWA redistribution.

TC Program Reserve Reconciliation

The TC Program Reserve balance as of the beginning of September 2023 is \$9.4 million. The table below shows the various adjustments that will occur within the TC Program Reserve as a result of revenue reconciliation and federal redistribution. The September Budget Amendment contains a package of proposed budget amendments to utilize a portion of the available balance for critical initiatives.



September Beginning Balance	\$9,354,508
Revenue Reconciliation	
<i>FY23 Flexible HUTF</i>	\$15,385,005
<i>FY23 Flexible FHWA</i>	-\$37,028,061
<i>FY23 Misc Revenue</i>	-\$8,261,235
Net Impact of Revenue Reconciliation	-\$29,904,291
FY23 FHWA Redistribution	\$179,000,000
Residual FY23 State Highway Fund Budget	\$16,369,472
EMT-approved FY23 Roll Forwards	-\$4,480,936
Total Balance Available to Repurpose	\$170,338,753

Next Steps

- October 2023 - Staff will complete FY 2022-23 revenue reconciliation and adjust FY 2023-24 budget allocations for the TC Program Reserve, and programs with inflexible revenue sources to reconcile to actual revenue received. These changes will be reflected in the Amended FY 2023-24 Revenue Allocation Plan with the November Budget Amendment.
- January 2024 - The next revenue forecast update is scheduled to occur in December 2023 and staff plans to provide an update for the TC in January 2024.

Attachments

- Attachment A - FY 2022-23 Revenue Reconciliation
- Attachment B - Revenue Reconciliation Adjustments by Program
- Attachment C - 2023 Federal Redistribution Fact Sheet
- Attachment D - Presentation



Attachment A – FY 2022-23 Revenue Reconciliation			
Colorado Department of Transportation			
REVENUE SOURCE	FY 2022-23		
	FY 2022-23 Final Amended Budget	Actual Revenue	Final Budget Variance

STATE FUNDS

HUTF Revenue to CDOT	\$435,905,328	\$451,290,333	\$15,385,005
CDOT Miscellaneous Revenue	\$34,228,238	\$25,967,003	-\$8,261,235
General Fund Revenue to CDOT	\$53,600,000	\$53,600,000	\$0
State Infrastructure Bank	\$7,774,000	\$7,904,436	\$130,436
Aeronautics Funds	\$64,962,002	\$60,136,880	-\$4,825,122
Bustang	\$1,910,288	\$3,089,294	\$1,179,006
TOTAL STATE FUNDS	\$598,379,856	\$601,987,946	\$3,608,090

FASTER FUNDS

FASTER Safety - State Share to CDOT	\$78,563,184	\$83,339,807	\$4,776,623
FASTER Safety - Local Share for Rail and Transit	\$5,000,000	\$5,000,000	\$0
TOTAL FASTER FUNDS	\$83,563,184	\$88,339,807	\$4,776,623

FEDERAL FUNDS

Federal Highway Administration - Flexible	\$432,055,598	\$395,027,537	-\$37,028,061
Federal Highway Administration - Inflexible	\$289,620,186	\$280,201,767	-\$9,418,419
Federal Transit Administration	TBD	TBD	TBD
National Highway Traffic Safety Administration	TBD	TBD	TBD
TOTAL NON-EMERGENCY FEDERAL FUNDS	\$721,675,784	\$675,229,304	-\$46,446,480

LOCAL MATCHING FUNDS

Local Match for FHWA Funding	TBD	TBD	TBD
Local Match for FTA Funding	TBD	TBD	TBD
TOTAL LOCAL MATCHING FUNDS			

Total Colorado Department of Transportation Revenue \$1,403,618,824 \$1,365,557,057 -\$38,061,767



ADDITIONAL FEDERAL FUNDING OBLIGATION AUTHORITY - PERMANENT RECOVERY & REDISTRIBUTION

Federal Highway Administration - Permanent Recovery

Federal Highway Administration - Redistribution	\$0	\$179,000,000	\$179,000,000
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Federal Highway Infrastructure Program - Non-Urban			
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Federal Highway Infrastructure Program - Urban

Federal Highway Infrastructure Program - Bridge

Replacement & Rehabilitation

TOTAL ADDITIONAL FEDERAL OBLIGATION AUTHORITY	\$0	\$179,000,000	\$179,000,000
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Total Colorado Department of Transportation Revenue

& Obligation Authority	\$1,403,618,824	\$1,544,557,057	\$140,938,233
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Notes:

<i>Total CDOT Flexible Revenue & Federal Obligation</i>	\$902,189,164	\$1,051,284,873	\$149,095,709
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<i>Total CDOT Inflexible Revenue & Federal Obligation</i>	\$501,429,660	\$493,272,184	-\$8,157,476
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Colorado Bridge Enterprise (CBE)			
REVENUE SOURCE	FY 2022-23		
	FY 2022-23 Final Amended Budget	Actual Revenue	Final Budget Variance
STATE FUNDS			
Interest Income - Exempt	\$2,160,000	\$4,568,493	\$2,408,493
Bond Interest Income-Exempt	\$0	\$444,503	\$444,503
Reimbursement of Expenditures			
Miscellaneous/Local Project Contributions			
Bridge and Tunnel Impact Fee	\$12,560,000	\$11,600,604	-\$959,396
Retail Delivery Fee	\$7,452,296	\$9,458,074	\$2,005,778
TOTAL STATE FUNDS	\$2,160,000	\$5,012,996	\$2,852,996
FASTER FUNDS			
FASTER - Bridge Surcharge	\$108,000,000	\$102,044,352	-\$5,955,648
TOTAL FASTER FUNDS	\$108,000,000	\$102,044,352	-\$5,955,648
FEDERAL FUNDS			
Buy America Bonds Credit Project & Debt Service	\$5,148,202	\$5,148,202	\$0
Re-distributed FHWA for BE Projects	\$9,626,239	\$9,626,239	\$0
TOTAL FEDERAL FUNDS			
Statewide Bridge Enterprise Revenue	\$124,934,441	\$121,831,789	-\$3,102,652



Colorado High Performance Transportation Enterprise (HPTE)			
REVENUE SOURCE	FY 2022-23		
	FY 2022-23 Final Amended Budget	Actual Revenue	Final Budget Variance

STATE FUNDS

Tolling Revenue	\$17,482,735	\$24,967,086	\$7,484,351
Fine Revenue	\$0	\$1,567,666	\$1,567,666
Managed Lanes	\$400,000	\$459,414	\$59,414
Interest Income - 536	\$248,000	\$545,844	\$297,844
Interest Income - 537	\$50,000	\$66,970	\$16,970
Miscellaneous Income	\$500,000	\$1,307,984	\$807,983
Fee for Service	\$4,000,000	\$4,219,000	\$219,000
TOTAL STATE FUNDS	\$22,680,735	\$33,133,965	\$10,453,230

Colorado Transportation Performance Enterprise

Revenue	\$22,680,735	\$33,133,965	\$10,453,230
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Notes:

*Revenue is subject to change pending final audit.



Clean Transit Enterprise (CTE)			
REVENUE SOURCE	FY 2022-23		
	FY 2022-23 Final Amended Budget	Actual Revenue	Final Budget Variance
STATE FUNDS			
Retail Delivery Fee	8,280,329	9,335,275	1,054,946
Interest Earned	\$0	\$114,187	\$114,187
TOTAL STATE FUNDS	\$8,280,329	\$9,449,462	\$1,169,133
Clean Transit Enterprise Revenue	\$8,280,329	\$9,449,462	\$1,169,133

Notes:

*Revenue is subject to change pending final audit.

Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME)			
REVENUE SOURCE	FY 2022-23		
	FY 2022-23 Final Amended Budget	Actual Revenue	Final Budget Variance
STATE FUNDS			
Retail Delivery Fee	1,932,077	2,179,628	247,551
Rideshare Fee	5,193,149	6,470,834	1,277,685
Interest Earned	\$0	\$88,589	\$88,589
TOTAL STATE FUNDS	\$7,125,226	\$8,739,051	\$1,613,825
NAAPME Revenue	\$7,125,226	\$8,739,051	\$1,613,825

Notes:

*Revenue is subject to change pending final audit.



Attachment B - Revenue Reconciliation Adjustments by Program			
Revenue Source	Line	Program / Budget Line	Amount
HUTF FASTER	15	Faster Safety Program	\$4,776,623
		Total FASTER Revenue	\$4,776,623
FHWA Inflexible	10	PROTECT Formula Program	-\$2,877,618
FHWA Inflexible	12	Highway Safety Improvement Program	-\$5,940,882
FHWA Inflexible	12	HSIP - Section 164 Penalty	\$12,538,077
FHWA Inflexible	13	Railway-Highway Crossings Program	-\$553,298
FHWA Inflexible	19 / 63	Carbon Reduction Program	-\$1,784,913
FHWA Inflexible	20	National Highway Freight Program	-\$2,815,471
FHWA Inflexible	53	STBG-Urban (STP-Metro)	-\$3,549,892
FHWA Inflexible	54	Congestion Mitigation and Air Quality	-\$2,837,030
FHWA Inflexible	55	Metropolitan Planning	-\$438,272
FHWA Inflexible	60	Transportation Alternatives Program	-\$1,159,119
		Total FHWA Inflexible Revenue	-\$9,418,419
FHWA Local Match	53	Local Match for STBG-Urban / STP-Metro	-\$737,904
FHWA Local Match	54	Local Match for CMAQ	-\$589,749
FHWA Local Match	55	Local Match for Metro Planning	-\$91,106
FHWA Local Match	56	Local Match for Bridge Off-system	-\$115,524
FHWA Local Match	60	Local Match for TAP	-\$241,043
FHWA Local Match	63	Local Match for Carbon Reduction Program	-\$107,788
		Total FHWA Local Match	-\$1,883,114
Other State Revenue	48	Bustang	\$1,179,006
Other State Revenue	51	Aviation System Program	-\$4,825,122
Other State Revenue	77	State Infrastructure Bank	\$130,436
		Total Other State Revenue	-\$3,515,680





FHWA Announces 2023 Redistribution

August Redistribution is an annual process that allows states who demonstrate they can use 100% or more of their annual obligation authority (“ob. limit”) to request additional funds if other states leave funding on the table or other USDOT funded programs, such as Infrastructure for Rebuilding America (INFRA), go unobligated during the year. CDOT is historically very successful at demonstrating that it will obligate 100% of the FHWA Formula funds and thus qualifies for FHWA August Redistribution.

Recent Redistributions have been unusually large due to states not executing on USDOT grants (INFRA, RAISE, MEGA etc.) as of the call. Those funds are distributed to states for current year obligation. However, the grant projects must be funded “off the top” the following year and causes an offsetting decrease in formula funds that following year...unless funds again are available for Redistribution. So, the cycle goes!

CDOT’s Previous Redistributions.

On August 30, 2023 CDOT was distributed \$179,000,000, which is the most ever for the state. Colorado’s share of the national total was 2.26% which is well above the traditional 1.365% of federal funds that CDOT receives on an annual basis.

CDOT's Most Recent Redistribution Requests and Actuals Received				
Fiscal Year	CDOT Request	Actual Received	National Total	Colorado Share of Total
2023	\$ 179,000,000	\$ 179,000,000	\$ 7,915,027,701	2.26%
2022	\$ 102,000,000	\$ 102,000,000	\$ 6,176,517,471	1.65%
2021	\$ 120,000,000	\$ 59,761,086	\$ 4,178,016,327	1.43%
2020	\$ 119,000,000	\$ 77,044,157	\$ 4,762,052,903	1.62%
2019	\$ 107,000,000	\$ 50,710,089	\$ 3,972,743,240	1.28%
2018	\$ 119,000,000	\$ 69,573,361	\$ 4,183,936,196	1.66%
2017	\$ 123,000,000	\$ 44,872,399	\$ 3,137,048,104	1.43%
2016	\$ 106,000,000	\$ 48,047,076	\$ 2,832,803,208	1.70%
2015	\$ 121,000,000	\$ 27,786,142	\$ 1,906,572,178	1.46%
2014	\$ 40,000,000	\$ 31,769,903	\$ 2,117,694,862	1.50%
2013	\$ 40,000,000	\$ 25,515,737	\$ 1,595,648,530	1.60%

Redistribution and FHWA Year End Timeline

August 31: Final Notice signed & issued; released Obligation Authority is redistributed to States as additional formula OA

September 20: Deadline for regional budget actions

September 26: All FY23 formula funds including redistribution shall be obligated

September 30: End of federal fiscal year

October 6: Anticipated FHWA reopening for FY24 business.

Obligations

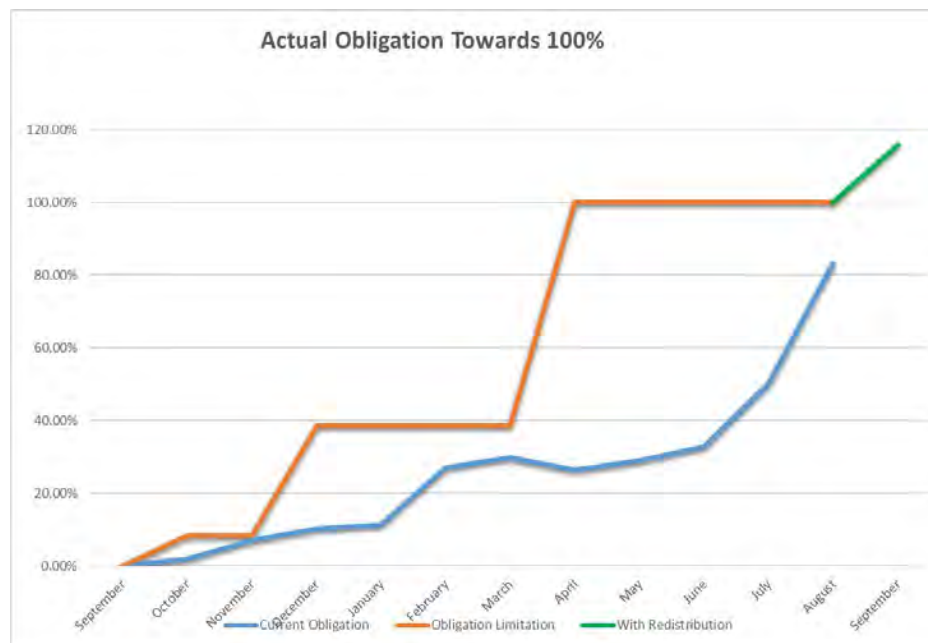
CDOT must obligate the \$179,000,000 and any other unobligated balances before September 30. Therefore it will use these funds for projects authorized in the FHWA system as “advance construction”. Traditionally CDOT has directed obligations toward projects with “accrued unbilled” expenditures, meaning projects that can immediately be reimbursed by FHWA due to the amount of expenditures to date.

However, due to the size of this year’s redistribution most of the funds are being obligated prior to expenditures. As such CDOT and local agencies should be diligent to ensure timely collection of invoices and expense booking into SAP so that these projects do not become “inactive”.

Budget Authority

This equates to additional recognized revenues and therefore creates increased Budget Authority for CDOT.

The Transportation Commission has the authority to budget these additional resources to federal programs of their choice.



Projects **AUTHORIZED** by FHWA can proceed to construction advertisement if they are in the Statewide Transportation Improvement Program (STIP), have an environmental clearance, and reviewed by an FHWA engineer and financial analyst prior to project advertisement.

OBLIGATED projects are those that FHWA has formally agreed to reimburse CDOT for incurred eligible expenditures. CDOT is capped in the amount it can obligate (and therefore seek reimbursement) by the annual Appropriations Act (plus any redistribution received). CDOT employees often refer to this as the **OBLIGATION LIMIT** and it is precious due to its limited nature.

ADVANCE CONSTRUCTION is a provision granted by FHWA in order to aid DOTs “cash manage” projects by leveraging not just current year obligation limit, but also future projected obligation limit. Projects in **ADVANCE CONSTRUCTION** cannot be reimbursed by FHWA until they are “converted” to **OBLIGATED** the following year. In the meantime, DOTs use their state funds to cover the contractor payments.

Therefore, CDOT Finance staff strategically **OBLIGATES** projects with incurred expenses in order to maximize cash inflows from FHWA. Projects that are **OBLIGATED** prior to expenditure may be at risk of going **INACTIVE**. Project administrators should strive to book expenses to the system as soon as possible and on a frequent basis to avoid **INACTIVITY**.



COLORADO

Department of Transportation

FY23 Year End Budget Processes



Agenda

Agenda:

- FY 2022-23 Revenue Reconciliation
- 2023 Federal Redistribution
- FY 2022-23 Roll Forwards
 - Summary
 - Cost Center Roll Forwards
- TC Program Reserve Reconciliation
- Next Steps





FY23 Revenue Reconciliation

Inflexible Revenues		Amount
	FY23 HUTF FASTER Revenue	\$4.7 million
	FY23 Local Matching Funds	tbd
	FY23 Other State Revenue	(\$3.5 million)
	FY23 FHWA Revenue	(\$9.4 million)
	FY23 Other Federal Revenue (FTA)	tbd
	TOTAL	(\$8.2 million)

The over / (under) for inflexible revenues are passed through to the programs funded by those specific sources

Flexible Revenues		Amount
	FY23 HUTF Revenue	\$15.4 million
	FY23 Misc. Revenue	(\$8.3 million)
	FY23 FHWA Revenue	(\$37.0 million)
	TOTAL	(\$29.9 million)

The over / (under) for flexible revenues are adjusted through the TC Program Reserve

These are preliminary results and subject to change as Accounting makes final post-closing entries in the Accounting system



2023 Federal Redistribution

On August 31, 2023 CDOT was distributed \$179,000,000, which is the most ever for the state. Colorado's share of the national total was 2.26%. CO's share of total annual FHWA apportionment is typically 1.34%.

CDOT's Most Recent Redistribution Requests and Actuals Received

Fiscal Year	CDOT Request	Actual Received	National Total	Colorado Share of Total
2023	\$ 179,000,000	\$ 179,000,000	\$ 7,915,027,701	2.26%
2022	\$ 102,000,000	\$ 102,000,000	\$ 6,176,517,471	1.65%
2021	\$ 120,000,000	\$ 59,761,086	\$ 4,178,016,327	1.43%
2020	\$ 119,000,000	\$ 77,044,157	\$ 4,762,052,903	1.62%
2019	\$ 107,000,000	\$ 50,710,089	\$ 3,972,743,240	1.28%
2018	\$ 119,000,000	\$ 69,573,361	\$ 4,183,936,196	1.66%
2017	\$ 123,000,000	\$ 44,872,399	\$ 3,137,048,104	1.43%
2016	\$ 106,000,000	\$ 48,047,076	\$ 2,832,803,208	1.70%
2015	\$ 121,000,000	\$ 27,786,142	\$ 1,906,572,178	1.46%
2014	\$ 40,000,000	\$ 31,769,903	\$ 2,117,694,862	1.50%
2013	\$ 40,000,000	\$ 25,515,737	\$ 1,595,648,530	1.60%





TC Program Reserve Reconciliation

September Beginning Balance	\$9,354,508
Revenue Reconciliation	
<i>FY23 Flexible HUTF</i>	\$15,385,005
<i>FY23 Flexible FHWA</i>	(\$37,028,061)
<i>FY23 Miscellaneous Revenue</i>	(\$8,261,235)
Net Impact of Revenue Reconciliation	(\$29,904,291)
2023 FHWA Redistribution	\$179,000,000
TOTAL	\$158,450,217

Next item that impacts the TC Program Reserve Balance: **FY23 Roll Forwards**



Summary of Roll Forward Budget

One Sheet Line	FY23 Roll Forwards
Capital Construction	\$1,207.0 M
Suballocated Programs	\$600.3 M
Multimodal Services & Electrification	\$246.3 M
Debt Service	\$155.4 M
Contingency Reserve	\$63.1 M
Other Programs	\$49.0 M
Maintenance & Operations	\$38.9 M
Administration & Agency Operations	\$26.6 M
Total CDOT Roll Forwards	\$2,386.6 M

Capital construction roll-forward is fully programmed to projects, with the majority of the balance tied to 10-Year Plan projects moving forward this year.

Suballocated roll-forward are locally-directed funds which typically lag 1-2 years with local project selection processes. Balance is higher than typical this year due to the large upfront allocation of MMOF funding under SB 260 and remaining transit stimulus funding.

Multimodal services and electrification roll-forward is fully programmed to projects, with the majority of the balance tied to 10-Year Plan projects moving forward this year.



Summary of Roll Forward Budget

Large roll-forward balances from FY23 to FY24 are primarily driven by the following factors and will be drawn down over the course of FY24:

- Final issuance of SB 267 totaling \$625 M at the end of FY22
- ARPA Stimulus funding for 10-Year Plan projects and Multimodal Transportation and Mitigation Options Fund (MMOF) provided under SB 260
- Upfront funding provided under SB 260 to support SB 267 debt service in FY23 and FY24

Roll-forward balances will be drawn down over the course of FY24 as 10-Year Plan projects are budgeted and proceed to advertisement; as MMOF funds are awarded to projects and encumbered in IGAs; and as debt service payments are made on SB 267 COPs.

CDOT Automatic Roll Forward Cost Centers (FY 2022-23)		
<u>Program</u>	<u>Division</u>	<u>Amount</u>
10 Year Plan Projects - Capital Mobility - ARPA Revitalizing Main Streets	DTR	\$340,422
10 Year Plan Projects - Multimodal - MMOF	DTR	\$1,274,698
10 Year Plan Projects - Multimodal - Passenger Rail MMOF	DTR	\$1,332,360
10 Year Plan Projects - Multimodal - SB228 Transit *	DTR	\$1,155,958
10 Year Plan Projects - Multimodal - SB267 Transit *	DTR	\$7,969,752
Aeronautics	Aero	\$23,795,935
Bridge and Tunnel Enterprise	BTE	\$7,775,303
Bustang - ARPA MMOF	DTR	\$35,151,000
Bustang - Farebox	DTR	\$6,254,624
Bustang - FASTER	DTR	\$7,900,682
Bustang - SB 180 Funds *	DTR	\$28,869,778
Bustang - State MMOF	DTR	\$800,794
CO Transportation Investment Office	CTIO	\$51,316,619
Div. of Transit and Rail - FASTER	DTR	\$1,444,958
Enterprise Maintenance Payments *	DMO	\$2,819,735
Fiber Lease Payments *	DMO	\$624,337
FTA Grants	DTR	\$68,517,683
Law Enforcement Assistance Fund	OTS	\$762,539
Multimodal Options Program - Local - ARPA MMOF	OIM	\$2,134,009
NHTSA Grants	OTS	\$34,714,810
Nonattainment Area Air Pollution Mitigation Enterprise	NAAPME	\$328,585
OIM-Charging Station Grant Program *	OIM	\$940,515
Road Equipment *	DMO	\$32,235,875
Rolling Owner Controlled Insurance Program *	OTS	\$18,187
WAQTC Ground Engineering Certification *	ESS	\$51,822
Water Quality Certification *	DTD	\$375,543
Total		\$318,906,524

Auto Roll Forwards

Some cost centers are approved to roll forward automatically, per PD 703.0.

* The total amount on the auto roll forward list is \$318.9 million. Of this, \$75.1 million is State Highway Fund.



Cost Center Roll Forwards

Cost Center Roll Forward Summary	
Total Remaining State Highway Fund (SHF) Balance	\$91.4 M
TC-SHF Auto Roll Forwards	(\$75.1M)
Residual SHF Available	\$16.4 M
EMT-approved Roll Forwards	(\$4.5 M)
Balance Available to Return to TC Program Reserve Fund	\$11.9 M



EMT-approved Roll Forwards

Per PD 703.0, roll forward requests less than \$1M require EMT approval; however, any notable new program costs over \$500k, at staff discretion, should be provided to the TC as an Information Item:

Division	Short Title	Description	Amount	Budget One Sheet line
DMO	Post Construction Landscape Maint.	Roll forward funds will be used to bolster the construction phase of the construction projects to fund repairs and various cleanup activities that are needed to be compliant with regulatory requirements.	\$676,528	Agency Operations
DMO	Region 3 Pavement Markings	The project is to install preformed plastic tape in the lane line skips on I-70. Due to inclement weather, low temperatures, and rain showers, the project was not able to commence in FY 23 as planned.	\$713,730	Maintenance Program Areas
DMO / ITS	Maint. Support for statewide network gear	This roll forward would allow DMO to renew a contract to provide statewide network hardware maint. and support for the CDOT ITS System. This contract renewal occurs every three years.	\$950,000	Agency Operations
DAF	OFMB Budget Management	OFMB had to reduce cost center budgets to balance the FY24 budget and could not allocate funds for a budget contingency for FY24. These funds are used as contingency for potential common policy changes throughout the year, or when there is an unforeseen need.	\$656,017	Agency Operations



TC Program Reserve Reconciliation

September Beginning Balance	\$9,354,508
Net Impact of Revenue Reconciliation	-\$29,904,291
FY23 FHWA Redistribution	\$179,000,000
Residual FY23 SHF after Roll Forwards	\$11,888,536
Total Balance Available to Repurpose	\$170,338,753



The September Budget Amendment contains a package of requests that would repurpose a portion of these funds for critical initiatives.



Next Steps



- October 2023 – Staff will complete revenue reconciliation and adjust FY 2023-24 budget allocations for the TC Program Reserve, and for programs with inflexible revenue sources to reconcile to actual revenue received.
- October 2023 - Staff will complete any actions that are approved with the FY 2023-24 Budget Amendment package.
- January 2024 – The next revenue forecast update is scheduled to occur in December 2023 and staff plan to provide an update in January.



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER
BETHANY NICHOLAS, CDOT BUDGET DIRECTOR
DATE: SEPTEMBER 20, 2023
SUBJECT: FY 2023-24 BUDGET AMENDMENT

Purpose

To review the second budget amendment to the FY 2023-24 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 second budget amendment to the FY 2023-24 Annual Budget, which consists of two items that require TC approval. The second budget amendment 1) reallocates \$13.0 million from the Commission Reserve Funds line (Line 73) to Surface Treatment (Line 4) for poor interstate paving projects, and 2) reallocates \$8.0 million from the Commission Reserve Funds line (Line 73) to the Geohazards Mitigation line (Line 7) to fund several significant capital investments in CDOT's avalanche mitigation program. These two items are part of a larger package of amendments presented this month for TC consideration. Because of the time-sensitive nature of these two items, approval is being requested this month in the September Budget Amendment. Pending any TC feedback, the remaining items will be brought forward for consideration of approval in the October Budget Amendment.

TC Program Reserve Balance

As discussed in the FY 2022-23 Fiscal Year End Processes memo in this month's packet, after accounting for revenue reconciliation, federal redistribution, and cost center roll forwards, the current balance in the TC Program Reserve Fund is \$170.3 million. This is the balance that is available to repurpose for critical initiatives. The second Budget Amendment this month would repurpose \$21.0 million of this balance, leaving \$149.3 million available for a package of requests in the October Budget Amendment, totaling approximately \$119.9 million. If the TC approves all requests as submitted, the ending balance in the TC Program Reserve would be \$29,44.0 million, which would be available to address future unforeseen needs.

September Beginning Balance	\$9,354,508
Net Impact of Revenue Reconciliation	-\$29,904,291
FY23 FHWA Redistribution	\$179,000,000
Residual FY23 SHF after Roll Forwards	\$11,888,536
Total Balance Available to Repurpose	\$170,338,753
September 2023 Budget Amendment	-\$21,000,000
September Ending Balance	\$149,338,753
October 2023 Budget Amendment	-\$119,900,000
October Ending TC Program Reserve Balance	\$29,438,753

Proposed Budget Amendment

Over the last two months, and in anticipation of the receipt of a large amount of federal redistribution funds, staff developed a series of proposed budget amendments for TC consideration. This includes strategic investments in asset management, including pavement, culverts, rest area, guardrail, and rockfall mitigation, as well as investments in avalanche mitigation, transit/rail planning, and additional funding for the Capital Construction Cost Escalation Fund. In addition to these items are three amendments which were originally proposed as part of the development of the FY 2023-24 Budget, but which could not be accommodated at the time of approval. This includes additional funding for the light fleet and maintenance equipment budget, continued funding for the Colorado Operations Evaluation and Bottleneck Reduction (COBRA) program, and additional funding for the I-70 Mountain Corridor Joint Operations Area (JOA).

Description	Amount (\$M)	Budget One Sheet Line
Fixing Poor Interstate Pavement	\$13.0	Surface Treatment (Line 4)
Avalanche Mitigation	\$8.0	Geohazards Mitigation (Line 7)
Culvert Repair & Replacement	\$65.0	Structures (Line 5)
Rest Areas	\$10.0	Property (Line 34)
MASH Compliant Guardrail	\$10.0	Strategic Safety Program (Line 38)
Rockfall Mitigation	\$7.0	Geohazards Mitigation (Line 7)
Transit and Rail Planning	\$5.0	Rail Programs (Line 47)
Capital Construction Cost Escalation Fund	\$20.0	Commission Reserve Funds (Line 73)
Light Fleet / Maintenance Equipment	\$2.0	Agency Operations (Line 66)
Hot Spots / Cobra	\$0.5	Hot Spots (Line 14)
JOA Hotels and Per Diem	\$0.4	Agency Operations (Line 66)
Total	\$140.9	

Projects associated with funding for poor interstate pavement and avalanche mitigation are scheduled to go to advertisement later this month. As such, approval of these two items is requested in the September Budget Amendment. Pending any TC feedback, the remaining items will be brought forward

for consideration in the October Budget Amendment. The following table lists each of the proposed amendments, which are outlined in further detail below.

Fixing Poor Interstate Pavement (September Budget Amendment)

Staff requests \$13.0 million to accelerate projects that can buy down the Department's poor rating on interstate pavement. As discussed in the February 2023 presentation to the TC, the unfunded need for interstate pavement is \$37.2 million and it was anticipated that funding would be requested over several fiscal years. In April 2023, TC approved \$8.0 million for Region 4 which reduced the unfunded need to \$29.2 million. This additional \$13 million will accelerate pavement rehabilitation on I-70 in Eastern Colorado from Bethune to Burlington.

The second budget amendment reallocates \$13,000,000 from the TC Program Reserve Fund in the Commission Reserve Funds line (Line 73) to the Surface Treatment line (Line 4) for projects that address poor pavement condition, such as along I-70 in Eastern Colorado from Bethune to Burlington.

Avalanche Mitigation (September Budget Amendment)

Staff requests \$8.0 million to fund several significant capital investments in CDOT's avalanche mitigation program at high volume locations, including: 1) \$7.6 million to install avalanche mitigation equipment on Vail Pass to avoid road closures for manual detonation of explosives; and 2) \$0.4 million for Eisenhower Tunnel improvements (\$200,000 to remove and repurpose Obellex on other avalanche paths and \$200,000 to install an Avalauncher for the Eisenhower Johnson Memorial Tunnel Loops Road).

The second budget amendment reallocates \$8,000,000 from the TC Program Reserve Fund in the Commission Reserve Funds line (Line 73) to the Geohazards Mitigation line (Line 7) to fund several significant capital investments in CDOT's avalanche mitigation program.

Culvert Repair and Replacement

Staff proposes using \$65.0 million for culvert repair and replacement. The significant precipitation and snow-melt over the past season has highlighted the need to remediate failing culverts across the state that can imperil the functionality of a roadway and cause a significant safety risk. This risk is worsened by climate change and the impacts of extreme weather. Notably, both the failure of SH 133 in Paonia and the collapse of I-70 at Blue Gulch in Glenwood Canyon during the mudslides involved significant culvert failure. While fixing all aging culverts across the state would be at least hundreds of millions of dollars, a \$65 million investment in culvert repair would be the most significant one in recent CDOT history, and will enable major progress at addressing the culverts that present the highest risk to the traveling public and the economy.

Rest Areas

Staff proposes using \$10.0 million to repair and reopen the Pinon Area Rest area on South I-25 that was closed due to significant drainage and plumbing issues and needs major upgrades (\$8.5M) and devote another \$1.5M to improvements at other rest areas.

MASH Compliant Guardrail

Staff proposes using \$10.0 million for MASH guardrail projects. One of the Department's FY24 Wildly Important Goals (WIG) strategy is: *Increase the funds awarded to install or upgrade guardrail devices at strategic locations to be compliant with the MASH from \$11 million in fiscal year 2023 to \$21 million by June 30, 2024.* The request, if funded, would complete the WIG strategy and achieve a federal requirement.

Rockfall Mitigation

Staff proposes using \$7.0 million to address multiple unfunded geohazard projects ranging from \$1-8 million each.

Transit and Rail Planning

Staff proposes using \$5.0 million to accelerate transit and rail planning, including development of a Service Development Plan for mountain rail.

Capital Construction Cost Escalation Fund

Staff proposes using \$20.0 million to replenish the pool of funds that CDOT and the TC established to address projects coming in over budget due to flux in the economy. This program has been highly successful in keeping projects moving at a tumultuous time in the economy.

Light Fleet and Maintenance Equipment

Staff proposes using \$1.4 million to address a funding shortfall for light fleet vehicles. In FY 2022-23, the State Fleet within the Department of Personnel increased the variable vehicle rate from \$0.28 per mile to \$0.454 per mile for all light vehicles. State Fleet communicated that an additional increase might be needed for FY 2023-24, potentially up to 19%. Staff also proposes using \$0.6 million to provide additional funding for the replacement of aging maintenance equipment with electric equipment (i.e. lawn mowers, leaf blowers, etc.).

HOT Spots/COBRA

Staff proposes using \$0.5 million to continue the Colorado Operations Evaluation and Bottleneck Reduction (COBRA) program. Through this program, staff identify low-cost needs that improve the flow of traffic and improve the safety of our roadways. Examples include signal timing. Funding for this program has historically been provided through annual budget amendments.

JOA Funding for Per Diem and Hotels

Staff proposes using \$0.4 million to fund per diem and hotel costs associated with the I-70 Mountain Corridor Joint Operations Area (JOA). Historically, the Division of Maintenance and Operations has sought supplemental funding at the beginning of each fiscal year to provide a centralized budget for per diem and hotel reimbursements for JOA sections. These funds are used when maintenance staff work extra hours due to staffing shortages.

Next Steps

- September 2023 - Staff will complete any actions for approved budget amendments.
- October 2023- Staff will return with a package of amendments, incorporating feedback from the TC.

Attachments

Attachment A: FY 2022-23 Amended Revenue Allocation Plan

Attachment B: Presentation

Attachment A: FY 2023-24 CDOT AMENDED ANNUAL BUDGET (September 2023)

Line	Budget Category / Program	A. Rollforward from FY 2022-23	FY 2023-24 Final Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EMT and Staff Approved Adjustments	Total FY24 Program Budget Available including Changes	Directed By	Funding Source
1	COLORADO DEPARTMENT OF TRANSPORTATION								
2	Capital Construction	\$1,207.0 M	\$631.7 M	\$21.0 M	\$0.0 M	\$66.9 M	\$1,926.6 M		
3	Asset Management	\$204.8 M	\$399.3 M	\$21.0 M	\$0.0 M	\$3.8 M	\$628.9 M		
4	Surface Treatment	\$32.4 M	\$225.6 M	\$13.0 M	\$0.0 M	\$0.8 M	\$271.8 M	TC	FHWA / SH / SB 09-108
5	Structures	\$31.4 M	\$63.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$94.7 M	TC	FHWA / SH / SB 09-108
6	System Operations	\$5.2 M	\$26.3 M	\$0.0 M	\$0.0 M	\$1.0 M	\$32.5 M	TC	FHWA / SH
7	Geohazards Mitigation	\$0.8 M	\$9.7 M	\$8.0 M	\$0.0 M	-\$0.3 M	\$18.2 M	TC	SB 09-108
8	Permanent Water Quality Mitigation	\$0.5 M	\$6.5 M	\$0.0 M	\$0.0 M	-\$1.5 M	\$5.5 M	TC	FHWA / SH
9	Emergency Relief	\$4.7 M	\$0.0 M	\$0.0 M	\$0.0 M	-\$4.7 M	\$0.0 M	FR	FHWA
10	10 Year Plan Projects - Capital AM	\$129.8 M	\$68.0 M	\$0.0 M	\$0.0 M	\$8.5 M	\$206.3 M	TC / FR	FHWA
11	Safety	\$66.8 M	\$115.6 M	\$0.0 M	\$0.0 M	\$9.9 M	\$192.3 M		
12	Highway Safety Improvement Program	\$29.3 M	\$42.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$72.3 M	FR	FHWA / SH
13	Railway-Highway Crossings Program	\$0.5 M	\$3.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$4.3 M	FR	FHWA / SH
14	Hot Spots	\$1.4 M	\$2.7 M	\$0.0 M	\$0.0 M	-\$0.3 M	\$3.8 M	TC	FHWA / SH
15	FASTER Safety	\$23.7 M	\$59.0 M	\$0.0 M	\$0.0 M	\$10.2 M	\$92.9 M	TC	SB 09-108
16	ADA Compliance	\$11.8 M	\$7.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$19.0 M	TC	FHWA / SH
17	Mobility	\$935.5 M	\$116.8 M	\$0.0 M	\$0.0 M	\$53.3 M	\$1,105.5 M		
18	Regional Priority Program	\$47.9 M	\$50.0 M	\$0.0 M	\$0.0 M	\$0.6 M	\$98.5 M	TC	FHWA / SH
19	10 Year Plan Projects - Capital Mobility	\$856.9 M	\$42.9 M	\$0.0 M	\$0.0 M	\$51.3 M	\$951.1 M	SL	FHWA / SB 17-267 / SB 21-260
20	Freight Programs	\$30.6 M	\$23.9 M	\$0.0 M	\$0.0 M	\$1.4 M	\$55.9 M	FR	FHWA / SH / SL
21	Maintenance and Operations	\$38.9 M	\$394.5 M	\$0.0 M	\$0.0 M	\$0.9 M	\$433.6 M		
22	Asset Management	\$35.9 M	\$358.1 M	\$0.0 M	\$0.0 M	\$1.7 M	\$394.9 M		
23	Maintenance Program Areas	\$0.8 M	\$284.9 M	\$0.0 M	\$0.0 M	\$1.2 M	\$286.1 M		
24	Roadway Surface	\$0.0 M	\$40.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$40.9 M	TC	SH
25	Roadside Facilities	\$0.0 M	\$24.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$24.2 M	TC	SH
26	Roadside Appearance	\$0.0 M	\$9.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$9.3 M	TC	SH
27	Structure Maintenance	\$0.0 M	\$5.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.6 M	TC	SH
28	Tunnel Activities	\$0.0 M	\$5.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$5.0 M	TC	SH
29	Snow and Ice Control	\$0.0 M	\$84.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$84.8 M	TC	SH
30	Traffic Services	\$0.0 M	\$75.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$75.7 M	TC	SH
31	Materials, Equipment, and Buildings	\$0.0 M	\$21.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$21.1 M	TC	SH
32	Planning and Scheduling	\$0.0 M	\$18.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$18.1 M	TC	SH
33	Express Lane Corridor Maintenance and Operation	\$2.8 M	\$12.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.9 M	TC	SH
34	Property	\$0.0 M	\$25.6 M	\$0.0 M	\$0.0 M	\$0.5 M	\$26.1 M	TC	SH
35	Capital Equipment	\$32.2 M	\$23.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$55.8 M	TC	SH
36	Maintenance Reserve Fund	\$0.0 M	\$12.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.0 M	TC	SH
37	Safety	\$1.7 M	\$12.2 M	\$0.0 M	\$0.0 M	-\$1.5 M	\$12.4 M		
38	Strategic Safety Program	\$1.7 M	\$12.2 M	\$0.0 M	\$0.0 M	-\$1.5 M	\$12.4 M	TC	FHWA / SH
39	Mobility	\$1.3 M	\$24.3 M	\$0.0 M	\$0.0 M	\$0.8 M	\$26.3 M		
40	Real-Time Traffic Operations	\$0.0 M	\$14.3 M	\$0.0 M	\$0.0 M	\$0.5 M	\$14.7 M	TC	SH
41	ITS Investments	\$1.3 M	\$10.0 M	\$0.0 M	\$0.0 M	\$0.3 M	\$11.6 M	TC	FHWA / SH
42	Multimodal Services & Electrification	\$246.3 M	\$45.7 M	\$0.0 M	\$5.0 M	\$0.6 M	\$297.5 M		
43	Mobility	\$246.3 M	\$45.7 M	\$0.0 M	\$5.0 M	\$0.6 M	\$297.5 M		
44	Innovative Mobility Programs	\$16.6 M	\$9.0 M	\$0.0 M	\$0.0 M	\$0.6 M	\$26.3 M	TC	FHWA / SH
45	National Electric Vehicle Program	\$0.0 M	\$14.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.5 M	FR	FHWA
46	10 Year Plan Projects - Multimodal	\$149.2 M	\$12.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$161.5 M	TC	FHWA / SB 17-267, SB 21-260
47	Rail Program	\$0.0 M	\$0.0 M	\$0.0 M	\$5.0 M	\$0.0 M	\$5.0 M	SL	SL
48	Bustang	\$80.4 M	\$9.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$90.2 M	TC	SB 09-108 / Fare Rev. / SB 21-260
49	Suballocated Programs	\$600.3 M	\$310.0 M	\$0.0 M	\$0.0 M	\$58.6 M	\$968.9 M		
50	Aeronautics	\$23.6 M	\$64.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$87.7 M		
51	Aviation System Program	\$23.6 M	\$64.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$87.7 M	AB	SA
52	Highway	\$248.1 M	\$151.9 M	\$0.0 M	\$0.0 M	\$5.1 M	\$405.0 M		
53	STBG-Urban (STP-Metro)	\$148.2 M	\$66.0 M	\$0.0 M	\$0.0 M	\$5.1 M	\$219.3 M	FR	FHWA / LOC
54	Congestion Mitigation and Air Quality	\$61.6 M	\$52.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$114.3 M	FR	FHWA / LOC
55	Metropolitan Planning	\$1.7 M	\$10.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$12.4 M	FR	FHWA / FTA / LOC
56	Off-System Bridge Program	\$36.6 M	\$22.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$59.0 M	TC / FR	FHWA / SH / LOC
57	Transit and Multimodal	\$328.6 M	\$94.0 M	\$0.0 M	\$0.0 M	\$53.6 M	\$476.1 M		
58	Recreational Trails	\$1.4 M	\$1.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$3.0 M	FR	FHWA
59	Safe Routes to School	\$8.5 M	\$3.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$11.6 M	TC	FHWA / LOC
60	Transportation Alternatives Program	\$49.0 M	\$21.6 M	\$0.0 M	\$0.0 M	\$0.0 M	\$70.6 M	FR	FHWA / LOC
61	Transit Grant Programs	\$77.2 M	\$51.7 M	\$0.0 M	\$0.0 M	\$34.8 M	\$163.8 M	FR / SL / TC	FTA / LOC / SB 09-108
62	Multimodal Options Program - Local	\$132.4 M	\$6.3 M	\$0.0 M	\$0.0 M	\$21.6 M	\$160.3 M	SL	SB 21-260
63	Carbon Reduction Program - Local	\$14.4 M	\$9.6 M	\$0.0 M	\$0.0 M	-\$2.8 M	\$21.2 M	FR	FHWA / LOC
64	Revitalizing Main Streets Program	\$45.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$45.7 M	SL / TC	SB 21-260
65	Administration & Agency Operations	\$26.6 M	\$112.1 M	\$0.0 M	\$0.0 M	\$0.8 M	\$139.5 M		
66	Agency Operations	\$26.1 M	\$66.2 M	\$0.0 M	\$0.2 M	-\$0.4 M	\$92.1 M	TC / AB	FHWA / SH / SA / SB 09-108
67	Administration	\$0.0 M	\$44.5 M	\$0.0 M	-\$0.2 M	\$0.0 M	\$44.2 M	SL	SH
68	Project Initiatives	\$0.6 M	\$1.4 M	\$0.0 M	\$0.0 M	\$1.2 M	\$3.1 M	TC	SH
69	Debt Service	\$155.4 M	\$28.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$183.8 M		
70	Debt Service	\$155.4 M	\$28.4 M	\$0.0 M	\$0.0 M	\$0.0 M	\$183.8 M	DS	SH
71	Contingency Reserve	\$63.1 M	\$0.0 M	-\$21.0 M	-\$1.5 M	\$177.2 M	\$217.8 M		
72	Contingency Fund	\$27.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$2.0 M	\$29.8 M	TC	FHWA / SH
73	Commission Reserve Funds	\$35.3 M	\$0.0 M	-\$21.0 M	-\$1.5 M	\$175.1 M	\$188.0 M	TC	FHWA / SH
74	Other Programs	\$49.0 M	\$34.3 M	\$0.0 M	\$1.5 M	\$1.2 M	\$86.0 M		
75	Safety Education	\$35.5 M	\$15.8 M	\$0.0 M	\$1.5 M	\$0.0 M	\$52.8 M	TC/FR	NHTSA / SSE
76	Planning and Research	\$5.5 M	\$17.4 M	\$0.0 M	\$0.0 M	\$1.2 M	\$24.1 M	FR	FHWA / SH
77	State Infrastructure Bank	\$8.0 M	\$1.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$9.1 M	TC	SIB
78	TOTAL - CDOT	\$2,386.6 M	\$1,556.7 M	\$0.0 M	\$5.0 M	\$306.3 M	\$4,254.6 M		

Key to Acronyms:

TC = Transportation Commission
 FR = Federal
 SL = State Legislature
 AB = Aeronautics Board
 SH = State Highway
 SIB = State Infrastructure Bank
 LOC = Local
 SB = Senate Bill
 SA = State Aviation

Line	Budget Category / Program	A. Estimated Rollforward from FY 2022-23*	FY 2023-24 Final Allocation Plan	Proposed TC Amendments	Approved TC Amendments	EMT and Staff Approved Adjustments	Total FY24 Program Budget Available including Changes	Directed By	Funding Source
79 COLORADO BRIDGE & TUNNEL ENTERPRISE									
80	Capital Construction	\$18.2 M	\$101.7 M	\$0.0 M	\$0.0 M	\$5.6 M	\$125.4 M		
81	Asset Management-BTE	\$18.2 M	\$101.7 M	\$0.0 M	\$0.0 M	\$5.6 M	\$125.4 M		
82	Bridge Enterprise Projects	\$18.2 M	\$101.7 M	\$0.0 M	\$0.0 M	\$5.6 M	\$125.4 M	BEB	SB 09-108, SB 21-260
83	Maintenance and Operations	\$0.0 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.4 M		
84	Asset Management-BTE.	\$0.0 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.4 M		
85	Maintenance and Preservation	\$0.6 M	\$0.8 M	\$0.0 M	\$0.0 M	\$0.0 M	\$1.4 M	BEB	SB 09-108
86	Administration & Agency Operations	\$4.5 M	\$1.8 M	\$0.0 M	\$0.0 M	\$0.1 M	\$6.4 M		
87	Agency Operations-BTE	\$4.5 M	\$1.8 M	\$0.0 M	\$0.0 M	\$0.1 M	\$6.4 M	BEB	SB 09-108
88	Debt Service	\$2.8 M	\$48.7 M	\$0.0 M	\$0.0 M	-\$16.6 M	\$34.8 M		
89	Debt Service-BTE	\$2.8 M	\$48.7 M	\$0.0 M	\$0.0 M	-\$16.6 M	\$34.8 M	BEB	FHWA / SH
90	TOTAL - BRIDGE & TUNNEL ENTERPRISE	\$25.4 M	\$153.0 M	\$0.0 M	\$0.0 M	-\$11.0 M	\$168.0 M		

91 COLORADO TRANSPORTATION INVESTMENT OFFICE (CTIO)									
92	Maintenance and Operations-CTIO	\$54.5 M	\$66.2 M	\$0.0 M	\$0.0 M	\$12.3 M	\$133.0 M		
93	Express Lanes Operations	\$54.5 M	\$66.2 M	\$0.0 M	\$0.0 M	\$12.3 M	\$133.0 M	HPTEB	Tolls / Managed Lanes Revenue
94	Administration & Agency Operations-CTIO	\$2.9 M	\$4.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.9 M		
95	Agency Operations-CTIO	\$2.9 M	\$4.1 M	\$0.0 M	\$0.0 M	\$0.0 M	\$6.9 M	HPTEB	Fee for Service
96	Debt Service-CTIO	\$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	HPTEB	Fee for Service
98	TOTAL - COLORADO TRANSPORTATION INVESTMENT OFFICE	\$57.3 M	\$70.2 M	\$0.0 M	\$0.0 M	\$12.3 M	\$139.9 M		

99 CLEAN TRANSIT ENTERPRISE									
100	Suballocated Programs	\$0.0 M	\$7.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.7 M		
101	Transit and Multimodal	\$0.0 M	\$7.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.7 M		
102	CTE Projects	\$0.0 M	\$7.7 M	\$0.0 M	\$0.0 M	\$0.0 M	\$7.7 M	CTB	SB 21-260
103	Administration & Agency Operations	\$0.0 M	\$1.5 M	\$0.0 M	-\$0.2 M	\$0.0 M	\$1.3 M		
104	Agency Operations-CTE	\$0.0 M	\$0.6 M	\$0.0 M	-\$0.2 M	\$0.0 M	\$0.4 M	CTB	SB 21-260
105	Contingency Reserve-CTE	\$0.0 M	\$0.9 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.9 M	CTB	SB 21-260
106	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
107	Debt Service-CTE	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	CTB	SB 21-260
108	TOTAL - CLEAN TRANSIT ENTERPRISE	\$0.0 M	\$9.1 M	\$0.0 M	-\$0.2 M	\$0.0 M	\$9.0 M		

109 NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE									
110	Multimodal Services & Electrification	\$6.6 M	\$8.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.9 M		
111	Mobility	\$6.6 M	\$8.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.9 M		
112	NAAPME Projects	\$6.6 M	\$8.3 M	\$0.0 M	\$0.0 M	\$0.0 M	\$14.9 M	NAAPMEB	SB 21-260
113	Administration & Agency Operations	\$0.3 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.5 M		
114	Agency Operations-NAAPME	\$0.3 M	\$0.2 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.5 M	NAAPMEB	SB 21-260
115	Contingency Reserve-NAAPME	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	NAAPMEB	SB 21-260
116	Debt Service	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M		
117	Debt Service-NAAPME	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	\$0.0 M	NAAPMEB	SB 21-260
118	TOTAL - NONATTAINMENT AREA AIR POLLUTION	\$6.9 M	\$8.5 M	\$0.0 M	\$0.0 M	\$0.0 M	\$15.4 M		
119	TOTAL - CDOT AND ENTERPRISES	\$2,476.3 M	\$1,797.5 M	\$0.0 M	\$4.8 M	\$307.6 M	\$4,586.9 M		

*Roll forward budget is budget from a prior year that hasn't been committed to a project or expended from a cost center prior to the close of the fiscal year.



COLORADO

Department of Transportation

September 2023 Budget Workshop FY 2023-24 Budget Amendment



Agenda

- TC Program Reserve Balance
- FY 2023-24 Budget Amendments
- Next Steps





TC Program Reserve Reconciliation

September Beginning Balance	\$9,354,508
Net Impact of Revenue Reconciliation	-\$29,904,291
FY23 FHWA Redistribution	\$179,000,000
Residual FY23 SHF after Roll Forwards	\$11,888,536
Total Balance Available to Repurpose	\$170,338,753



The September Budget Amendment contains a package of requests that would repurpose a portion of these funds for critical initiatives.



FY 2023-24 Budget Amendments

Request #	Description	Amount (\$M)	Budget One Sheet Line
1	Fixing Poor Interstate Pavement *	\$13.0	Surface Treatment (Line 4)
2	Avalanche Mitigation *	\$8.0	Geohazards Mitigation (Line 7)
3	Culvert Repair & Replacement	\$65.0	Structures (Line 5)
4	Rest Areas	\$10.0	Property (Line 34)
5	MASH Compliant Guardrail	\$10.0	Strategic Safety Program (Line 38)
6	Rockfall Mitigation	\$7.0	Geohazards Mitigation (Line 7)
7	Transit and Rail Planning	\$5.0	Rail Programs (Line 47)
8	Capital Construction Cost Escalation Fund	\$20.0	Commission Reserve Funds (Line 73)
9	Light Fleet / Maintenance Equipment **	\$2.0	Agency Operations (Line 66)
10	Hot Spots / Cobra **	\$0.5	Hot Spots (Line 14)
11	JOA Hotels and Per Diem **	\$0.4	Agency Operations (Line 66)
Total		\$140.9	

* Staff requests approval for these two items with the September Budget Amendment

** These are requests that could not be accommodated within the FY24 Budget when it was approved



Impact to Program Reserve

September Beginning Balance	\$9,354,508
Net Impact of Revenue Reconciliation	-\$29,904,291
FY23 FHWA Redistribution	\$179,000,000
Residual FY23 SHF after Roll Forwards	\$11,888,536
Total Balance Available to Repurpose	\$170,338,753
September 2023 Budget Amendment	-\$21,000,000
September Ending Balance	\$149,338,753
October 2023 Budget Amendment	-\$119,900,000
October Ending TC Program Reserve Balance	\$29,438,753



1 - Fixing Poor Interstate Pavement

- In early 2023, Director Lew requested a plan to improve interstate pavement rated “poor” under National Performance Measures since Federal funding is restricted if 5% “poor” is exceeded
- This supports a key Transportation Commission goal of improving our national standing regarding interstate condition (2021 = 158 lane miles (3.9%) of our interstates were classified as “poor”)
- Strategic initiative to improve Interstate pavement condition was presented by CDOT staff during the February 2023 TC Workshop which included a plan with a funding need of \$233.7M
 - Program funds (\$167.7M from FY22-26):
 - ✓ Existing Surface Treatment projects (\$108.5M)
 - ✓ Staff Bridge - Bridge Preventive Maintenance (\$2.3M)
 - ✓ Overlapping 10-Year Plan Projects (\$56.9M)
 - One-time funds (\$36.8M in FY23):
 - ✓ \$10M from redistribution money targeting federal Poor
 - ✓ \$4M from I-70 near Kansas Border (Kanorado)
 - ✓ \$14.8M from Surface Treatment money set aside in FY26/27 for Interstate Poor
 - ✓ \$8M from Program Reserve (April 2023 TC Workshop) for Region 4 Interstate 25 project
 - This Reduced Unfunded Need to: \$29.2M (FY24 need is \$5M)



1 - Fixing Poor Interstate Pavement

- Staff requests \$13.0M to accelerate interstate projects that will reduce the interstate's "poor" rating on interstate pavement
- \$5M for completing the FY 24 funding need
- \$8M for Region 4 I-70 Project addressing poor interstate pavement:
 - I-70 EB/WB Bethune to Burlington (10-Year Plan Project)
 - I-70 WB Burlington to Kansas border
 - Project Advertisement for these projects is scheduled for October/November 2023



2 - Avalanche Mitigation

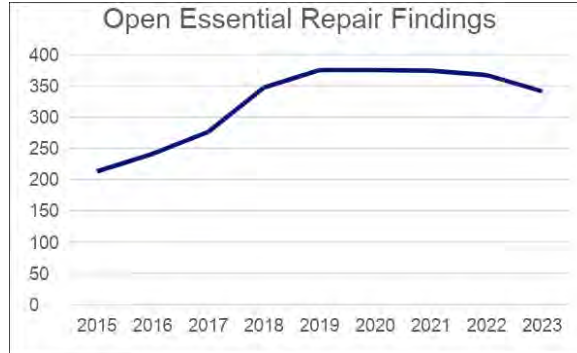
- Staff requests \$8.0M for Avalanche Mitigation
- Funds are proposed to be used for several significant capital investments in CDOT's avalanche mitigation program at high volume locations
- \$7.6M for Vail Pass passive avalanche mitigation equipment to avoid road closures for manual detonation of explosives (MM 186)
- \$200k for Eisenhower Tunnel avalanche mitigation equipment to remove and repurpose Obellex on other statewide avalanche paths
- \$200k to install an Avalauncher for the Eisenhower Johnson Memorial Tunnel Loops Road



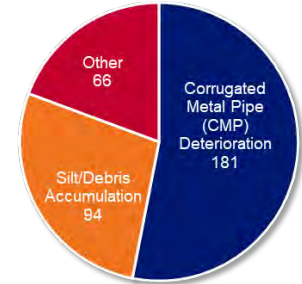
3 - Statewide Culvert Repair & Replacement

Essential Repair Findings (ERF)

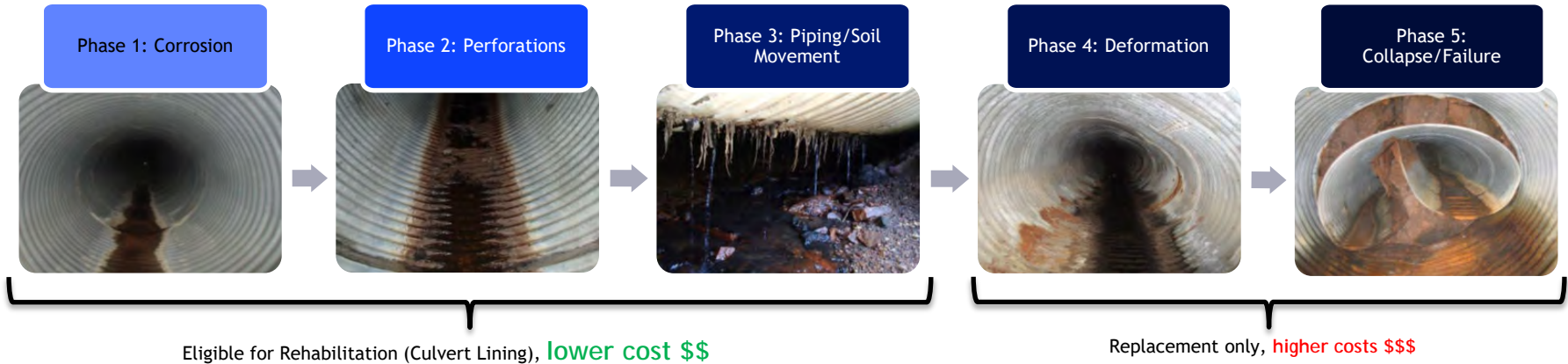
- Repair needs identified during inspections that are deemed essential by the structure inspection engineer
- Primary list used in culvert project selection
- In the past four years, the trend of open essential repair findings has remained mostly static



Essential Repair Findings by Type



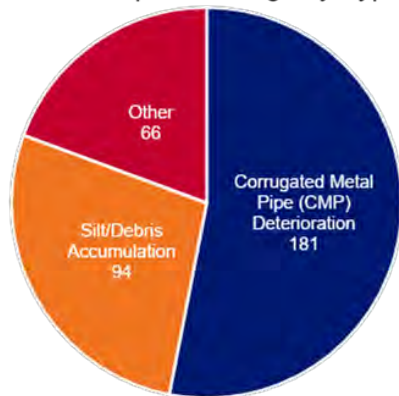
Corrugated Metal Pipe (CMP) Deterioration Phases





3 - Statewide Culvert Repair & Replacement

Essential Repair Findings by Type



Corrugated Metal Pipe (CMP) Deterioration (200)



Eligible for Rehabilitation (Culvert Lining), **lower cost \$\$**

Replacement only, **higher costs \$\$\$**



3 - Statewide Culvert Repair & Replacement

- Staff requests \$65.0M for statewide culvert repair and replacement
- The significant precipitation and snowmelt over the past season has highlighted the need to remediate failing culverts across the state that can imperil the functionality of a roadway and cause a significant safety risk
- This risk is worsened by climate change and the impacts of extreme weather
- Notably, the failure of SH 133 in Paonia involved significant culvert failure
- While fixing all aging culverts across the state would be at least hundreds of millions of dollars, a \$65M investment in culvert repair would be the most significant one in recent CDOT history and will enable major progress at addressing the culverts that present the highest risk to the traveling public and the economy
- CDOT's Transportation Asset Management Plan (TAMP) is forecasted to provide approximately \$8.2M/YR statewide for the Culverts asset



4 - Rest Areas

Rest Area Improvements

Staff Recommendation

Staff proposes using \$10.0 million to improve Rest Areas

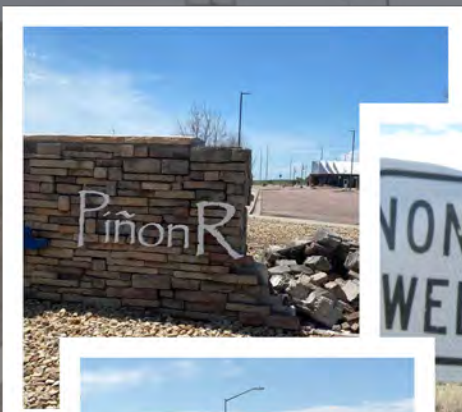
Focused on the I-25 Pinon Rest Areas

Rest Area Consolidation/Optimization

Close Pinon Rest Areas and combine and relocate both to exit 108 as one large rest area while aligning with the future exit 108 overpass project

Reduce Long Term Maintenance and Operational Costs

Modernize systems, connect to city facilities, incorporate solar and ITS systems to support mobility and freight management





5 - MASH Guardrail Compliance

CDOT Wildly Important Goal (WIG)

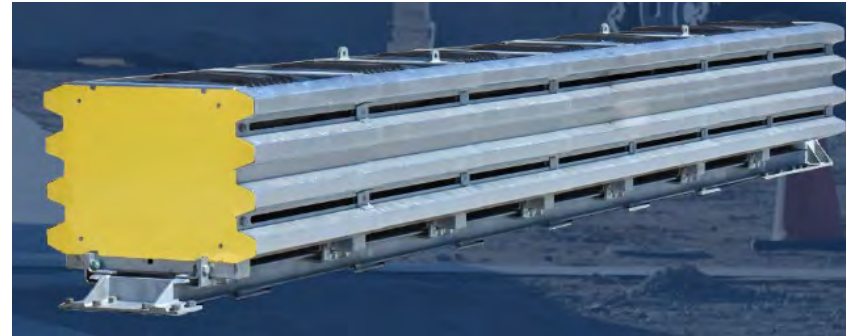
Increase the funds awarded to install or upgrade guardrail devices at strategic locations to be compliant with the Manual for Assessing Safety Hardware from \$11M in fiscal year 2023 to \$21M by June 30, 2024

What is MASH?

The AASHTO Manual for Assessing Safety Hardware (MASH) is the new state of the practice for the crash testing of safety hardware

Why is CDOT Moving to MASH?

- Improved safety for roadway departures (deflection and absorption)
- Taller height, strength, and materials for today's larger vehicles
- Quicker repair and reduced exposure for roadway workers with Smart Cushions





5 - MASH Guardrail Compliance

What is CDOT funding in FY 24?

\$19M in FASTER Safety/HSIP/Strategic Safety for projects awarded in FY 24 including:

- 20 Smart Cushions installations
- Replacement of all remaining X-lites on CDOT roadways
- Funding 8 projects upgrading guardrail, replacing end sections, and installing median cable rail

What can CDOT do with additional funding?

Additional \$10M for projects to be awarded in FY 24 includes:

- 50 additional Smart Cushions installations
- Fund 4 additional projects upgrading guardrail and replacing end sections





6 - Rockfall Mitigation

Geohazards Site Selection Criteria for Staff's \$7.0M Request

Outstanding Mitigation Need

- Previously identified unfunded opportunity
- Region Engineering or Maintenance priority
- Overlap with the CDOT 10-year strategic project pipeline (SPP)
- Not on existing 4-year TAM geohazards treatment list

Maximize Risk Reduction

- High total annual risk exposure (owner and user costs)
 - Hazard impacts other high-value assets
 - Significant mobility consequences

Expedited Construction for FY 24

- Existing preliminary or shelf design package
- Within existing ROW
- Feasible to package and deliver construction project in FY 24



6 - Rockfall Mitigation

Proposed Geohazard Mitigation Locations

	CO 119 Narrows Rockslide Mitigation (R4)	US 50 Cero Summit Landslide/ Wall Repair (R3)	US 550 Bondad Hill Rockfall Mitigation (R5)	US 40 Hayden Rock Slope and Embankment Stabilization (R3)	US 50 Bighorn Sheep Canyon Rockfall Mitigation (R2)
Estimated Untreated Annual Risk Exposure	\$205,000	\$430,000	\$155,000	\$375,000	\$400,000
Overlap with 10-Year SPP or Region Priority	Maintenance priority	ERF in Walls inventory and Maintenance priority	Region priority	In SPP - Project 25682 identified funding need	Sites are in 10- year SPP and are a Maintenance priority
Construction Delivery Considerations	Existing design and construction delivery method	Existing preliminary design	Existing shelf design	Existing conceptual design and multiple delivery options	Existing conceptual design and multiple delivery options
Estimated Treatment Cost (Benefit-Cost Ratio)	\$750,000 (10)	\$2,250,000 (5)	\$1,000,000 (4)	\$2,000,000 (4)	\$1,000,000 (9)



6 - Rockfall Mitigation

CO 119 Boulder Canyon Narrows



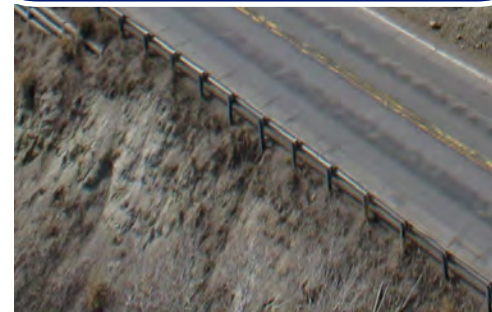
US 550 Bondad Hill



US 50 Cerro Summit Landslide/Wall



US 40 Hayden Embankment/Wall



US 50 Bighorn Sheep Canyon



US 40 Hayden





7 - Mountain Rail/State Transit Planning

- During the Department of Transit and Rail's process of drafting the statewide freight and passenger rail plan, it became evident there is an exciting opportunity to explore a passenger rail along the Northwest Union Pacific rail line. This line already services the successful Winter Park Express in the winter months and the Routt County community and elected officials have been discussing utilizing existing rail lines for daily passenger rail service.
- We have seen a history of success in attracting riders to bus service in the mountain regions and adding passenger rail to the regional network will help further multimodal transportation options while helping to preserve the area's economy, natural environment and unique character.
- Funding a Service Development Plan (SDP) is a critical next step in exploring the feasibility of passenger rail by identifying routes, service options and alternatives and modeling performance of those alternatives to determine what infrastructure investments are required to ensure safety and performance of a passenger rail service.
- Timing is ripe as completing an SDP allows us to tap into federal funding opportunities from the IIJA which dedicates an unprecedented \$102 Billion in total rail funding.
- Funding will also support further statewide transit planning work - including identifying and prioritizing routes that best connect bus and rail routes statewide.





8 - Capital Construction Cost Escalation Fund

- Staff is requesting \$20.0M for the Capital Construction Cost Escalation Fund that was established in November 2022 in the amount of \$30.0M
- Staff discussed the original concept with the Transportation Commission at the August 2022 TC Workshop Meeting and gained approval at the November 2022 TC Meeting
- The Capital Construction Cost Escalation Fund is to ensure sufficient funds are available to address recent cost escalation in capital construction projects without causing undue delay to projects
- This would remain for non-emergency contingency fund that could be utilized to address funding shortfalls in the case of cost escalation where no other alternative sources are available



9 - Light Fleet / Maint. Equipment

Light (White) Fleet Budget

FY 2020

Total spent \$4,224,588.50
- received \$3,800,000 added \$431,000

FY 2021

Total spent \$3,862,222.85
- received \$4,027,000 only year we had enough funds do to Covid

FY 2022

Total spent \$4,633,136.40
- received \$4,027,000 added \$643,000

FY 2023

Total spent \$6,167,449.25
- received \$4,527,000 add \$1,300,000 budget amendment
repurposed funds then added \$342,137

FY 2024

Received \$4,224,589
- decision item of \$2M denied.
*300k in FY23 from FY24

CDOT Vehicle Unit Cost



2018 – Avg unit Cost \$25, 694
2023 – Avg Unit Cost \$46,908
***79% increase in unit cost (6 years)**
EV 1/2-ton Pick Up (\$72,500 per unit)

Notes

*In June of 22, State fleet variable rate increase.
Variable rate increase .28 per mile to .454 per mile which is 60%.

Requested a budget amendment requesting \$1,400,00 using repurposed funds to cover the shortfall.

We still ran short, and we transferred an additional \$342,137 (\$305,000 DMO funds \$37,137 accounting funds) to make SM025-010 whole for FY23.

Also, \$0.6 million is needed to replace aging maintenance equipment (i.e. lawn mowers, leaf blowers, etc.)



10 - Hot Spots / COBRA Program

- Staff is requesting \$500k for the Operations Evaluation and Bottleneck Reduction (COBRA) Program
- Line 14 of the CDOT Annual Budget is “Hot Spots” but also includes the COBRA program
- Hot Spots is currently funded at \$2.2M and COBRA is currently funded at \$500k
- COBRA Program projects are focused on improving operations (less delay) and safety (fewer crashes)
- Bottleneck Reduction projects provide an average benefit cost ratio of 10:1.
- Current needs include:
 - statewide signal retiming prioritization
 - implementing regional signal timing projects to reduce delay
 - eliminating queuing onto mainline highways (from off-ramps)
 - obtaining origin destination data for traffic modeling
 - auxiliary lane improvements
 - signal warrant studies
 - speed management strategies



11 - JOA Program Budget Amendment

50% Vacancy Rates

I-70 Often see 50% or greater vacancy rates from Silverthorne to Eagle CO

EJMT HLT Operations

Tunnel crews work 24/7/365

Winter Season

The I-70 corridor is on snow shift from

Oct 15 - May 15 annually

Heavy Interstate Ski Traffic

Primary E/W Freight Corridor

Levels of Service

Increases LOS along I-70

Shifting resources spreads the workload

Costly

The JOA program costs CDOT an additional \$3+M annually

40 Volunteers (24 Statewide /16 Region 3)

Augmenting 10 Maintenance Patrols

Staffed w/ Hwy Maintenance/Traffic

\$400k in special project pay

I-70 Staff Augmentation



Next Steps

September 2023

- Staff will complete any actions for approved budget amendments

October 2023

- Staff will return with a package of amendments, incorporating any feedback from the TC





MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
 FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
 BETHANY NICHOLAS, BUDGET DIRECTOR
 DATE: SEPTEMBER 21, 2023
 SUBJECT: THIRD BUDGET SUPPLEMENT - FY 2023-2024

Region 1

\$1,300,000- 10 Year Plan - Peak Period Shoulder Lanes

Last year the CDOT Region 1 West Program successfully advertised the I-70 over Ward Road Bridge Replacement Project. This project was originally budgeted at \$37M, however, bids came in lower and the project was awarded at \$24M. The West Bound Peak Period Shoulder Lane (WBPPSL) project was composed of three projects one of which was improvements to CR 314. The CR 314 project incurred additional costs to stabilize poor soil conditions where new walls were being constructed. Region 1 recommends to cover these additional costs with the bid savings from the I-70 over Ward Road Bridge Replacement Project

Description	Region	Reason for Resolution	Transfer Between Projects	Amount
10 Year Plan Reallocations	1	Transfer Funds	ID 0005 - I-70 West Bound Peak Period Shoulder Lanes	\$ 1,300,000
			ID 0087 - I-70 Corridor West Metro Bridges	\$ (1,300,000)

Per Policy Directive 703.0 transfer of funds across the 10 Year Plan requires TC Approval.



**Transportation Commission Contingency Reserve Fund Reconciliation
Third Supplement FY 2024 Budget**

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-23	Balance 12S23		\$22,301,756	
July-23	Balance 1S24		\$20,201,756	
August-23	Balance 2S24		\$20,216,766	
	Region 5 Project Savings Returned to ST	\$19,629		1000320712
	Region 4 2013 Flood Savings	\$2,907,371		1000319799/1000319407
September-23	Pending Balance 3S24		\$23,143,766	

**Cost Escalation Fund Reconciliation
Third Supplement FY 2024 Budget**

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-23	Balance 12S23		\$20,555,987	
July-23	Balance 1S24		\$20,555,987	
August-23	Region 2 I-25 Fillmore to Garden of the Gods	-\$2,108,875		
	Balance 2S24		\$18,447,112	
	Region 5 - US 50 & 287 Construction	-\$788,000		1000319992
	Region 3 - Vail Pass	-\$4,521,000		
September-23	Pending Balance 3S24		\$13,138,112	

**Transportation Commission Program Reserve Fund Reconciliation
Third Supplement FY 2024 Budget**

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-23	Balance 12S23		\$14,774,236	
July-23	Balance 1S24		\$10,774,236	
	Impaired Driving HB23-1102	-\$1,500,000		1000319063
	Reimbursement of advance to OJT	\$80,273		1000319046
August-23	Balance 2S24		\$9,354,509	
	FHWA August Redistribution Proceeds	\$179,000,000		1000320490
September-23	Pending Balance 3S24		\$188,354,509	

For additional pending items please see the Budget Amendment Workshop

**Transportation Commission Maintenance Reserve Reconciliation
Third Supplement FY 2024 Budget**

Transaction Date	Transaction Description	Amount	Balance	Reference Document
June-23	Balance 12S23		\$0	
July-23	Balance 1S24		\$12,000,000	
August-23	Balance 2S24		\$12,000,000	
	No Pending Requests			
September-23	Pending Balance 2S24		\$12,000,000	



FY 2023-2024 Contingency Reserve Fund Balance Projection		
August		
TC Contingency Balance (Emergencies)	\$20,216,766	
<i>Pending Requests:</i>		
Region 5 Project Savings Returned to ST	\$19,629	
Region 4 2013 Flood Savings	\$2,907,371	
Pending September		
TC Contingency Reserve Balance	\$23,143,766	
<i>Projected Outflow:</i>		
	Low Estimate	High Estimate
No Projected Outflows	\$0	\$0
<i>Projected Inflow:</i>		
	Low Estimate	High Estimate
I-70 Glenwood Canyon Slides Remaining Repayments	\$0	\$3,000,000
Projected FY 2022-2023 YE Contingency Balance	\$23,143,766	\$26,143,766
<i>TCCRF Surplus (Deficit) to Reach \$25M Balance July 1, 2023</i>	<i>(\$1,856,234)</i>	<i>\$1,143,766</i>

FY 2023-2024 Program Reserve Fund Balance Projection	
August	
TC Program Reserve Balance	\$9,354,509
<i>Pending Requests:</i>	
FHWA August Redistribution Proceeds	\$179,000,000
Pending September	
TC Program Reserve Fund Balance	\$188,354,509

For other pending adjustments to Program Reserve see Budget Amendment Workshop

FY 2023-2024 Cost Escalation Pool	
August	
Cost Escalation Pool Balance	\$18,447,112
<i>EMT Approved Requests:</i>	
Region 5 US50 and 287 Construction	(\$788,000)
Region 3 Vail Pass	(\$4,521,000)
Pending September	
TC Program Reserve Fund Balance	\$13,138,112

FY 2023-2024 Maintenance Reserve Fund Balance Projection	
August	
TC Maintenance Reserve Balance	\$12,000,000
<i>EMT Approved Requests:</i>	
No Pending Requests	
Pending September	
TC Maintenance Reserve Fund Balance	\$12,000,000





COLORADO

Department of Transportation

Division of Accounting and Finance

MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
BETHANY NICHOLAS, BUDGET DIRECTOR
DATE: SEPTEMBER 20, 2023
SUBJECT: FY 2024-25 ANNUAL BUDGET PROCESS OVERVIEW

Purpose

To provide an overview of the FY 2024-25 Annual Budget development process, including key dates and other information.

Action

No action is requested at this time.

FY 2024-25 Annual Budget Process Overview

The Office of Financial Management and Budget (OFMB) within the Division of Accounting and Finance (DAF) is beginning the process of developing the annual budget for FY 2024-25. At this time, OFMB is using the June 2023 revenue forecast to develop the FY 2024-25 Annual Budget, which currently reflects \$2.17 billion in total revenue that will be allocated to the Department's programs and enterprises.

Allocations for some programs, such as Surface Treatment, are based on performance objectives and management systems, allowing CDOT to allocate funding to the areas where it is needed most. Certain programs are funded with a mixture of "flexible" federal apportionments such as National Highway Performance Program and Surface Transportation Program, as well as state Highway User Tax Funds (HUTF). Other federal programs, such as Transportation Alternatives (TAP), Surface Transportation Program (STP)-Urban, Congestion Mitigation and Air Quality (CMAQ), and Highway Safety Improvement (HSIP) are based on "inflexible" apportionments that must be used for designated purposes per federal authorization act requirements with required state or local match.

The Department's Revenue Allocation Plan represents the amount of revenue the Department anticipates it will receive through the course of the fiscal year, and how it intends to allocate those revenues to each budget program. The Spending Plan complements the Revenue Allocation Plan and provides a more comprehensive view of multi-year capital budgets and expenditures. Please see Attachment A for a complete list of budget products that will be included in the FY 2024-25 Annual Budget.

Statutory Deadlines and Timeline

There are four statutory deadlines that drive the budget development process for CDOT's budget:

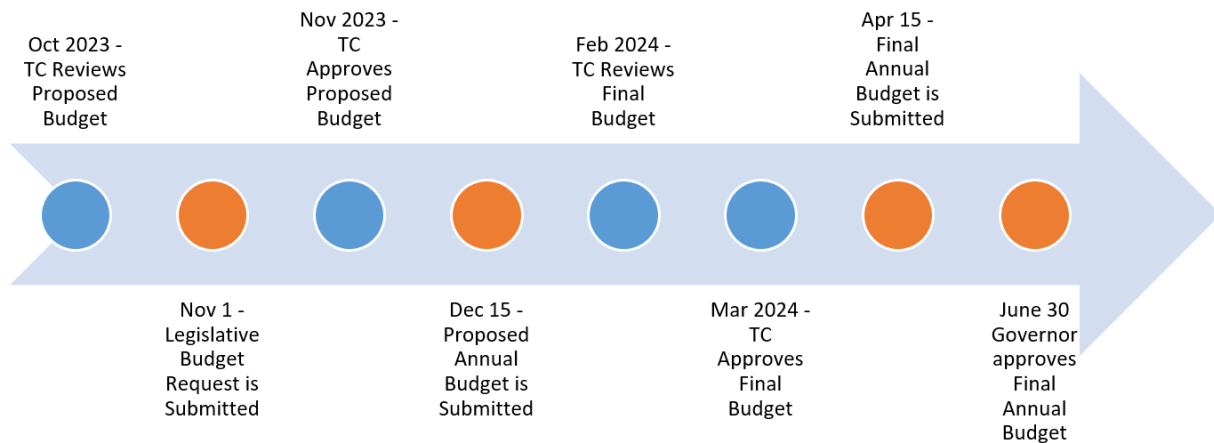
- **November 1, 2023** - the Department's legislative budget request for the portions of the budget that are annually appropriated in the state's Long Bill must be submitted to the legislature by November 1 each year (as part of the Governor's Budget Request). This includes the Administration line, the First Time Drunk Driving Offender Account line, the Marijuana Impaired Driving Program line, the Multimodal Transportation Projects line, and the Clean Transit Enterprise line. Most of the changes in the legislative budget will be related to statewide common policies (i.e. budget that is developed centrally by the Governor's Office for costs that



are common to all departments), plus any decision items that are approved for inclusion by the Governor's Office.

- December 15, 2023 - the Proposed FY 2024-25 Annual Budget must be submitted to the Governor's Office and legislature by this date.
- April 15, 2024 - the Final FY 2024-25 Annual Budget must be submitted to the Governor's Office and legislature by this date.
- June 30, 2024 - the Governor must approve the Final FY 2024-25 Annual Budget by this date so the Department can begin committing and spending funds when the new fiscal year begins on July 1, 2024.

OFMB's budget development process is designed to provide the Transportation Commission (TC) opportunities to review and approve the Proposed and Final budgets ahead of these statutory deadlines. The Proposed FY 2024-25 Annual Budget will be submitted to the TC for review and feedback during the October 2023 meeting, and then the TC will be asked to approve the Proposed Budget during the November 2023 meeting. The Final FY 2024-25 Annual Budget will be submitted to the TC for review and feedback during the February 2024 meeting, and then the TC will be asked to approve the Final Budget during the March 2024 meeting.



Decision Items

Decision items represent major changes from the previous year's budget, and per Department policy, decision items more than \$1.0 million require TC approval. Decision items below \$1.0 million require approval by the Department's Executive Management Team. Any decision items requiring TC approval will be submitted for review during the February 2024 meeting.

Next Steps

- October 2023 - OFMB submits the Proposed FY 2024-25 Annual Budget for TC review

Attachments

- Attachment A - Budget Products
- Attachment B - Presentation



Attachment A: Budget Products: The FY 2024-25 Annual Budget will contain the following documents and reports:

- **Annual Budget Narrative** - This document provides a comprehensive breakout of all revenue sources and budget allocations made in the FY 2024-25 Revenue Allocation Plan (Appendix A, see below), along with a general description of the Department’s mission, vision, goals, core and support functions, etc. to provide important context for the Annual Budget.
- **Appendix A: Revenue Allocation Plan** - The Revenue Allocation Plan is developed by forecasting anticipated revenues for the upcoming fiscal year and allocating those revenues to budget programs. These programs are established to serve a specific departmental function, for example, geohazard mitigation, and are organized into categories representing the four core functions, and the four support functions. Core functions are further subdivided into categories for Asset Management, Safety, and Mobility (or highways, transit, multimodal, and aeronautics in the case of suballocated programs).
- **Appendix B: Spending Plan** - The Spending Plan was designed to more clearly communicate the complex nature of multi-year capital budgeting. It will be populated with the Department’s anticipated expenditures for FY 2024-25 by budget category, using the same primary budget categories that are used in the Revenue Allocation Plan (e.g. Capital Construction, Maintenance and Operations, etc.).
- **Appendix C: Open Projects and Unexpended Project Balances** - This report contains a complete list of all projects budgeted in prior years which have not been completed and closed, including the balance of all funds carried over from previous years’ budgets.
- **Appendix D: Planned Projects** - This report contains a complete list of all individual planned projects from FY 2023-24 through FY 2026-27. For this report, planned projects are those projects planned to be funded and/or encumbered during those years.
- **Appendix E: Total Construction Budget** - This report contains a summary of the total construction budget for the given fiscal year.
- **Appendix F: Project Indirect Costs and Construction Engineering** - This report contains project indirect costs and construction engineering costs. Each project participating in the federal program is charged a certain percentage for indirect costs. Indirect costs are costs that cannot be assigned to a particular project but are necessary for the construction program. Construction engineering costs (CE) are those costs that have been incurred for the purpose of ensuring compliance with specific project construction specifications, generally accepted construction standards, associated testing, and materials validation activities.
- **Appendix G: CDOT Personnel Report** - This report provides the number of positions and associated salary and benefits costs in the same format as the Revenue Allocation Plan to provide visibility into staffing levels, and budget and expenditures on Department personnel.





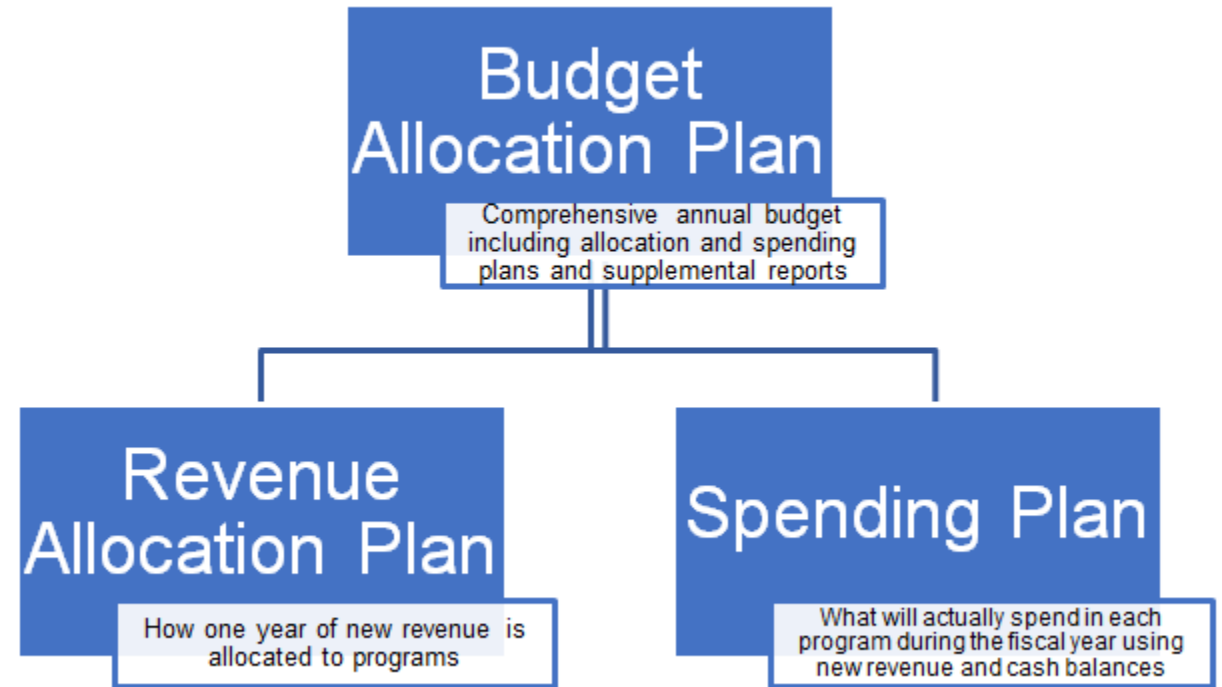
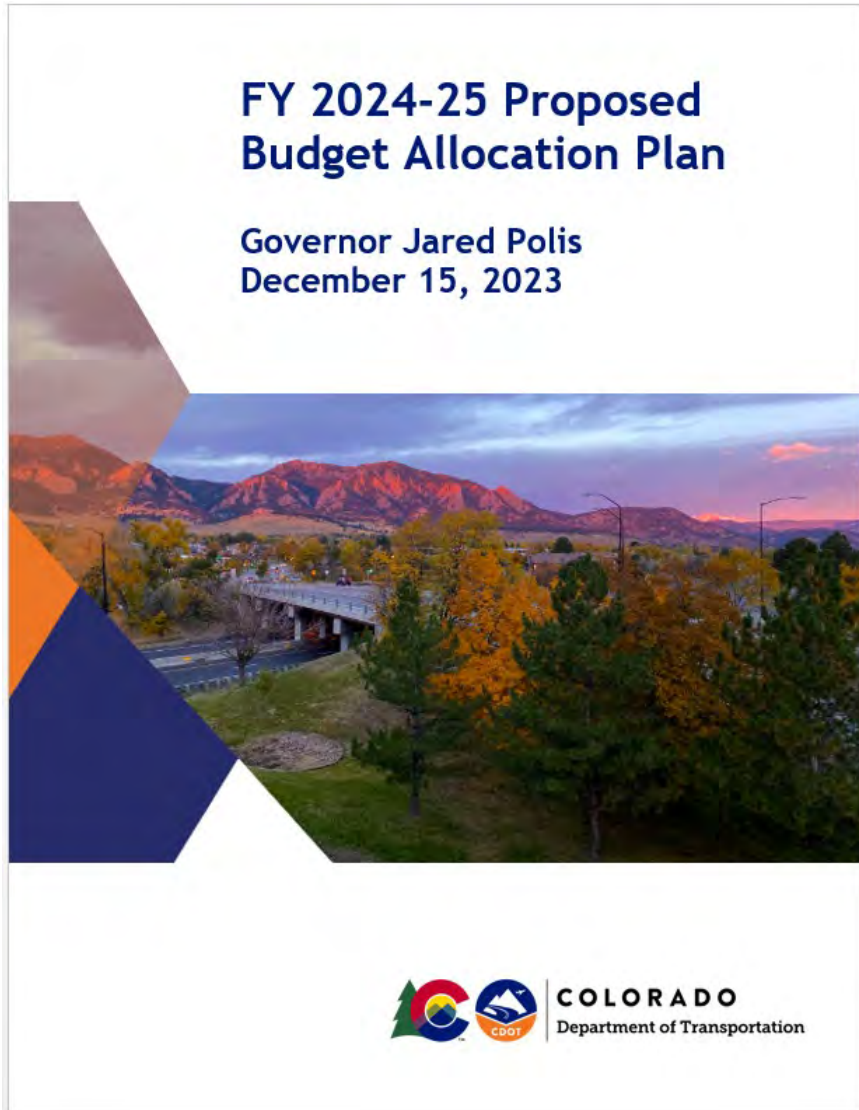
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Department of Transportation

September 2023 Budget Workshop FY25 Annual Budget Process Overview



Key Budget Products

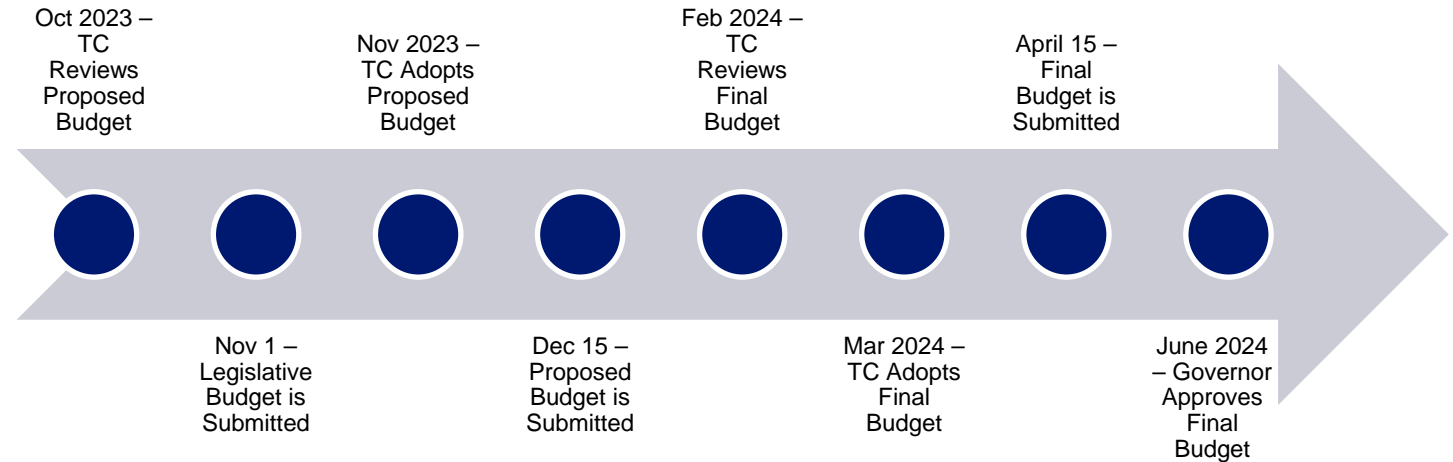




Budget Development Timeline

Statutory Deadlines for FY24 Budget:

- November 1, 2023 - Submit FY 25 Legislative Budget
- December 15, 2023 - Submit FY25 Proposed Annual Budget
- April 15, 2024 - Submit FY25 Final Annual Budget
- June 30, 2024 - Governor approves FY25 Final Annual Budget



OMFB will submit the FY25 Proposed Annual Budget for initial review and feedback at the October 2023 Commission meeting



COLORADO
Department of Transportation

Questions?



MEMORANDUM

TO: STATEWIDE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: PATRICK HOLINDA, PROGRAM MANAGER
TYLER WELDON, DEPUTY PROGRAM MANAGER
DATE: SEPTEMBER 20, 2023
SUBJECT: BRIDGE AND TUNNEL ENTERPRISE PROGRAMMATIC OVERVIEW

Purpose

Provide the Statewide Bridge and Tunnel Enterprise Board of Directors (Board) a high-level programmatic overview and progress update and inform the Board of upcoming Enterprise initiatives.

Action

This presentation is for information purposes only; no action is requested from the Board.

Background

The Statewide Bridge and Tunnel Enterprise (BTE or Enterprise) was formed in 2009 as the legacy Statewide Bridge Enterprise, a independent, government-owned business within CDOT. At this time, the business purpose of the Enterprise was to finance, repair, reconstruct, and replace any designated bridge (poor-rated bridges located on the state highway system) in the state, and as agreed upon by the Enterprise and the Commission, or the Department to the extent authorized by the Commission to maintain the bridges it finances, repairs, reconstructs, and replaces. Subsequently, SB21-260 expanded the Enterprise's authority to include the repair, maintenance, or enhancement of any tunnel that is part of the state highway system and HB23-1276 further expanded the Enterprise's authority to include bridge preventative maintenance projects for fair-rated and good-rated on-system bridges and the replacement or major rehabilitation for fair-rated bridges under certain circumstances.

This workshop is designed to provide the BTE Board background information and insight into the business purpose and core functions of the Enterprise. A program progress overview, information on ongoing and upcoming Enterprise initiatives, and a 3-month look BTE-Board look ahead are also provided.

Attachments

Attachment A: BTE Programmatic Overview Workshop





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Department of Transportation

Bridge and Tunnel Enterprise Programmatic Overview Workshop

September 20, 2023



Background Information



Mission Statement

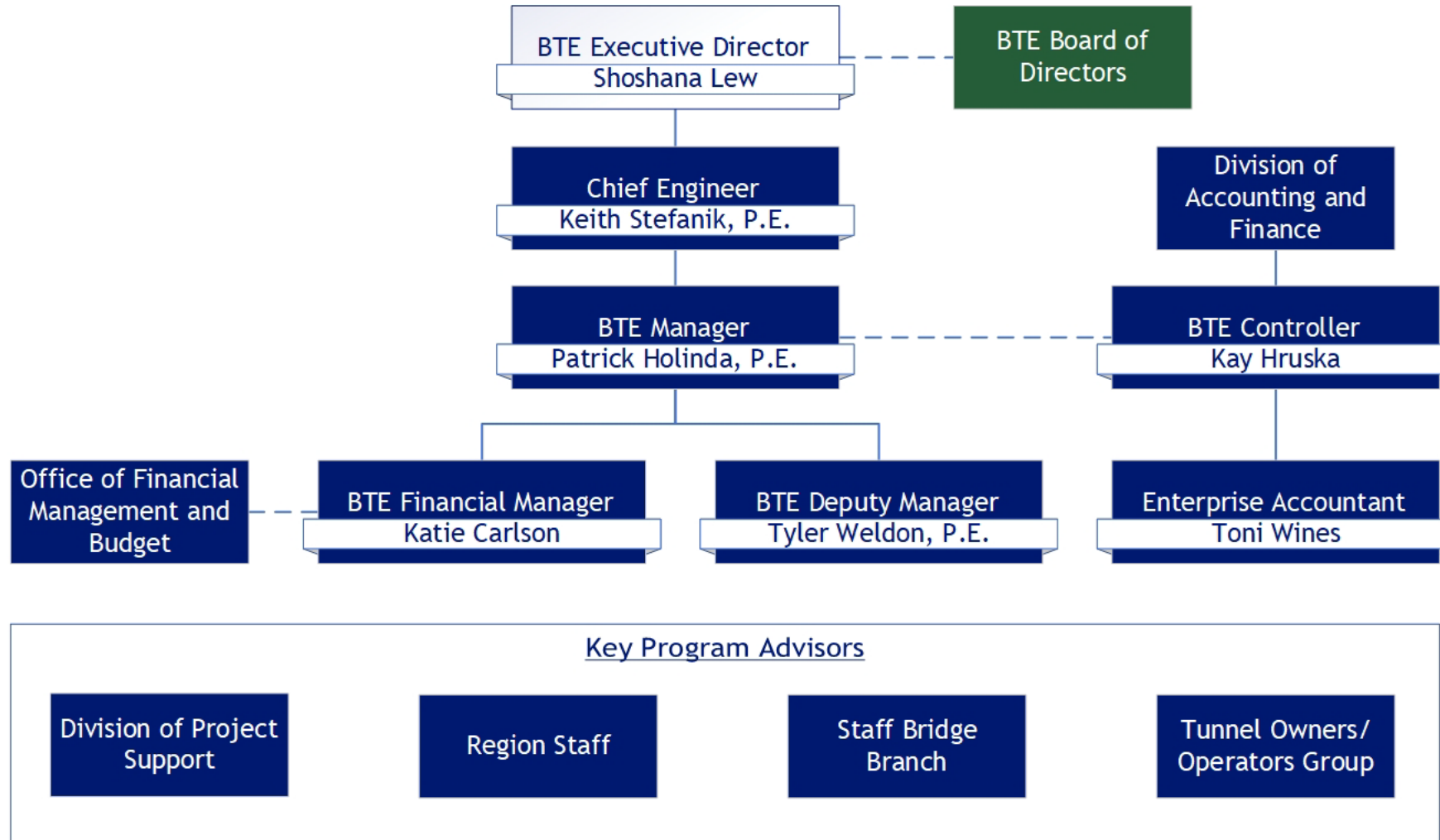
Improve the safety and efficiency of the state transportation system by accelerating the repair, reconstruction, and replacement of poor-rated bridges and repairing, maintaining, and enhancing tunnels in a strategic, timely, and efficient manner using dedicated fee revenues.



US 50 Business over Arkansas River - Historic Truss Bridge Rehabilitation



Organizational Structure





What makes the Enterprise Unique?



- Autonomous government-owned business
- Authorized to impose user fees to provide goods/services
 - Bridge Safety Surcharge
 - Bridge and Tunnel Impact Fee
 - Bridge and Tunnel Retail Delivery Fee
- Authorized to issue revenue bonds
- Authorized to enter into agreements with non-governmental and governmental entities for loans or grants
- Can have exemptions from State Procurement Code



Maintaining Enterprise Status

- Must receive less than 10% of its annual revenue in gifts or grants from all Colorado state and local governments combined or Enterprise status is lost
 - Federal revenue is exempt from the 10% limit
- As such, transactions between CDOT and BTE are treated as:
 - “Arm’s length” - both parties act in their own self-interest
 - “Exchange transactions” - an agreement that denotes the exchange of items with the same approximate value
- Enterprise status is calculated on a fiscal year basis by CDOT Accounting and Office of the State Controller (OSC)





Why was the Enterprise Created?



- Urgent need to fix deficient bridges and improve highway safety
- Nearing the 10% FHWA performance threshold for NHS deck area in poor condition
- Forecasts indicated the percentage of poor deck area will continue to increase over time
- Primary funding for transportation is a flat rate per gallon gas tax that is not indexed to inflation
- Federal distributions may be restricted to eligible bridge projects on the NHS



Evolution of Bridge and Tunnel Enterprise

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	
Legislation and Fees	SB 09-108 BE Created FASTER Bridge Safety Surcharge Authorized											SB 21-260 Tunnel Scope Added Bridge and Tunnel Fees Authorized		HB23-1276 (NEW) Additional Flexibility for BPM and Bridge Bundling			
Financing Initiatives	\$30M Initial Bank Loan		[\$300M Build America Bonds]		[\$850M NPV Central 70 Debt Structuring and Milestone Payments]		\$400M-\$450M 10-Year Plan Project Financing (Forecast)		
Enterprise Priorities	Establish program Accelerate Replacement of Colorado's Worst Bridges			Bond Program Delivery		Program Delivery via Annual Pay-as-you-go Revenues			Central 70 Viaduct Removal		Program Delivery via Annual Pay-as-you-go Revenues			CDOT 10-Year Plan Delivery Address EJMT Maintenance and Repair Backlog Increase Bridge Asset Management Investment Levels			



Primary BTE Revenue Sources

1) SB09-108- Bridge Safety Surcharge

- Use limited to eligible bridge projects
- Annual fee of vehicle registrations ranging from \$13-\$32 based on vehicle weight

2) SB21-260- Bridge and Tunnel Impact Fee

- Use limited to eligible bridge and tunnel projects
- 2.0 cents per gallon special fuel fee phased into a max of 8.0 cents by FY32. Indexed to inflation annually FY33+

3) SB21-260- Bridge and Tunnel Retail Delivery Fee

- Use limited to eligible bridge and tunnel projects
- Flat fee of 2.8 cents on retail deliveries. Indexed to inflation annually

4) FHWA Reimbursement and Build America Bonds Subsidy

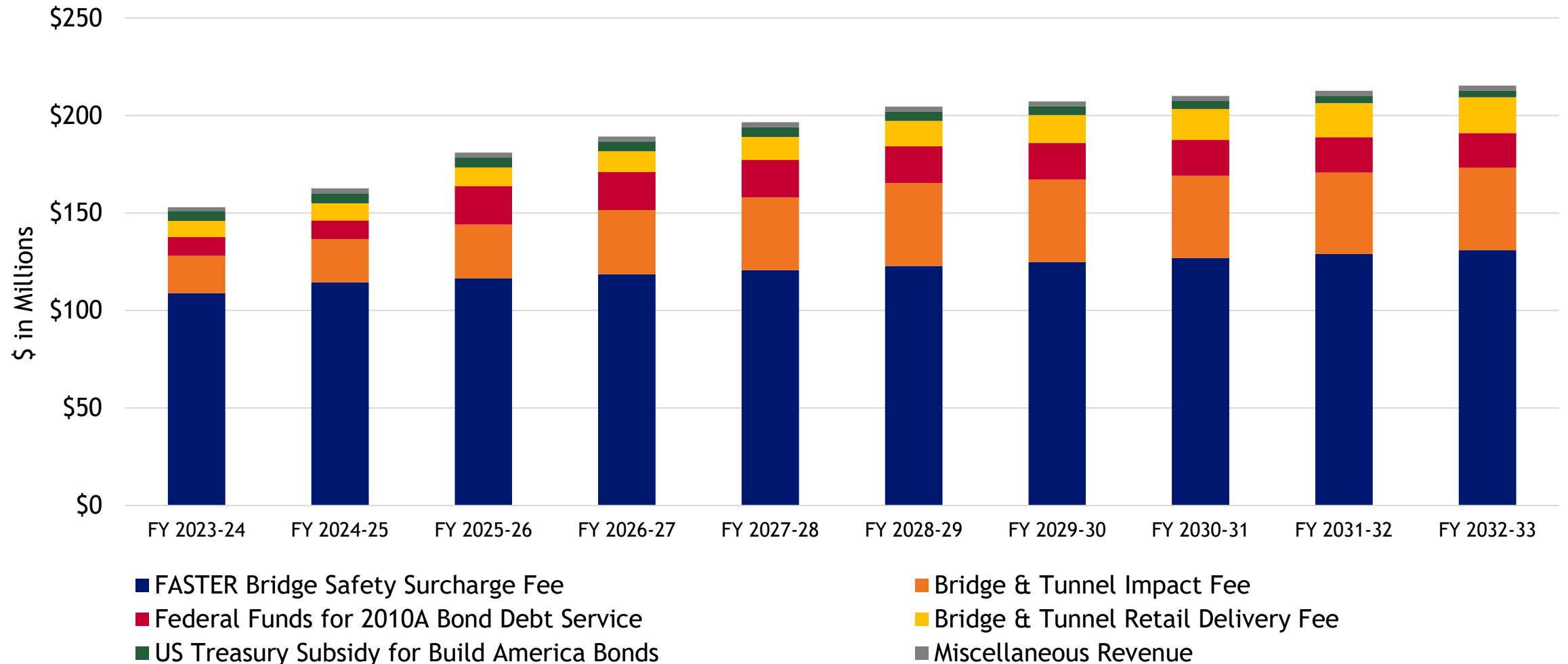
- Use limited to debt service on prior bond issuances

Bridge and Tunnel Enterprise Fiscal Year 2023-24 Final Annual Budget Allocation Plan Statewide Bridge and Tunnel Enterprise Special Revenue Fund (C.R.S 43-4-805(3)(a) 538)			
Line Item	Budget Item	Estimated Revenues	Allocations
1	Estimated Fiscal Year 2023-24 Revenue		
2	FASTER Bridge Safety Surcharge Fee	\$ 109,000,000	
3	Bridge & Tunnel Impact Fee	\$ 19,080,000	
4	Bridge & Tunnel Retail Delivery Fee	\$ 8,219,585	
5	Interest Earnings	\$ 1,800,000	
6	US Treasury Subsidy for Build America Bonds	\$ 5,148,202	
7	Federal Funds for 2010A Bond Debt Service	\$ 9,626,239	
8	Central 70 Conduit Issuer Fee	\$ 100,000	
9			
10	Total Estimated Revenue	\$ 152,974,026	
11	Estimated Allocations		
12	Administrative & Operating Activities (Cost Centers B8800-538 and B88AD-538)		
13	Bridge and Tunnel Enterprise Staff Compensation		\$ (678,047)
14	Bridge and Tunnel Enterprise Program Support		\$ (900,000)
15	Attorney General Legal Services		\$ (50,000)
16	Annual Audit		\$ (35,000)
17	Travel Expenses		\$ (4,000)
18	Operating Expenses		\$ (4,000)
19	Trustee Fee		\$ (10,000)
20	Other consulting		\$ (100,000)
21	Total Administrative & Operating Activities		\$ (1,781,047)
22			
23	Support Services (Cost Center B88SP-538)		
24	Additional Project and Program Support Services		\$ (48,000)
25	Total Support Services		\$ (48,000)
26			
27	Maintenance (Cost Center B88MS-538)		
28	Routine Maintenance on Bridge and Tunnel Enterprise Structures		\$ (825,000)
29	Total Maintenance		\$ (825,000)
30			
31	Preservation (Cost Center B88BP-538)		
32	Bridge and Tunnel Preservation		\$ -
33	Total Preservation		\$ -
34			
35	Debt Service and Availability Payments (B88AP-538)		
36	2010A and 2019A Bond Debt Service		\$ (17,181,000)
37	Central 70 Availability Payment		\$ (31,472,354)
38	Total Debt Service and Availability Payments		\$ (48,653,354)
39			
40	Construction Program		
41	Funding for Bridge and Tunnel Enterprise Projects		\$ (101,666,625)
42	Total Construction Program		\$ (101,666,625)
43			
Total Estimated Fund 538 Revenues		\$	152,974,026
Total Fund 538 Allocations		\$	(152,974,026)
Remaining Unbudgeted Funds		\$	(0)



What is BTE's Annual Revenue?

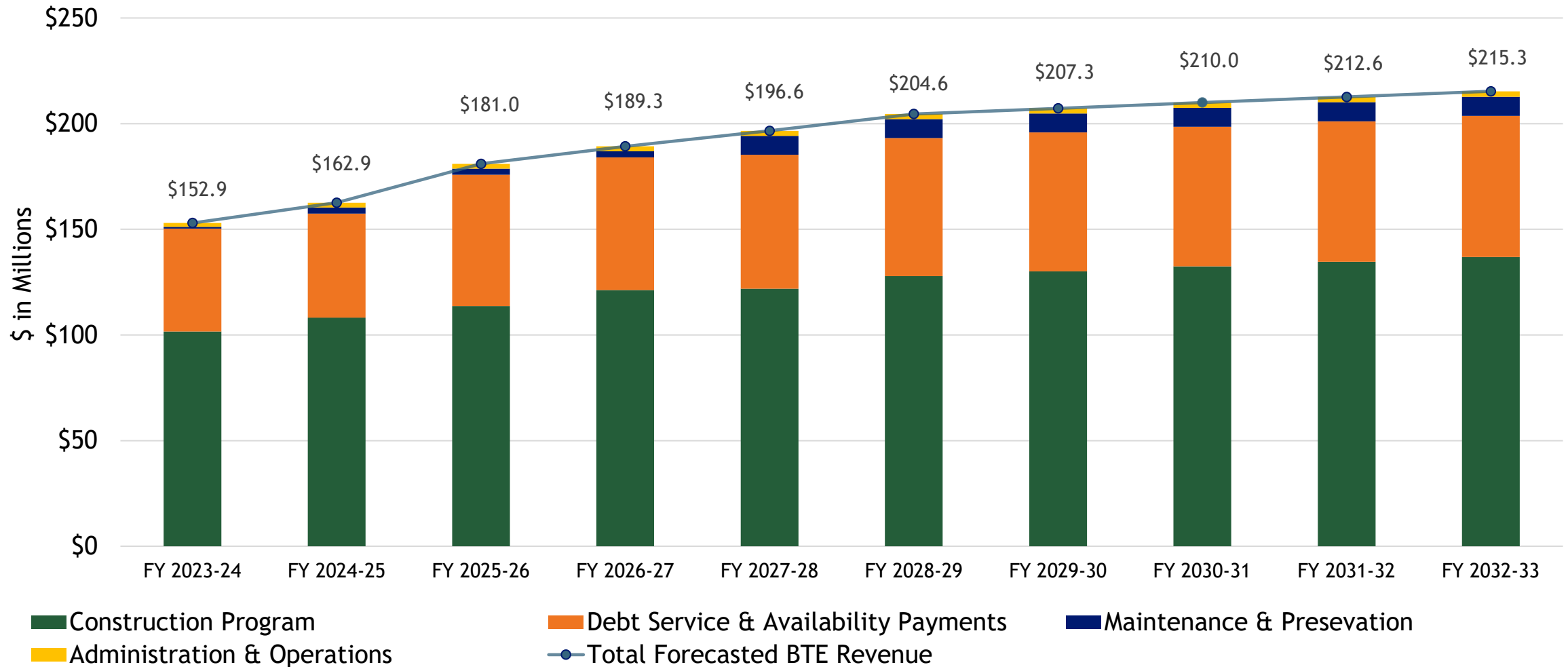
FY24-FY33 Forecasted BTE Revenue by Funding Source





How are BTE Revenues Used?

FY24-FY33 Planned BTE Revenue Uses





COLORADO

Department of Transportation

Statewide Bridge and Tunnel Enterprise

Funding Eligibility and Project Prioritization

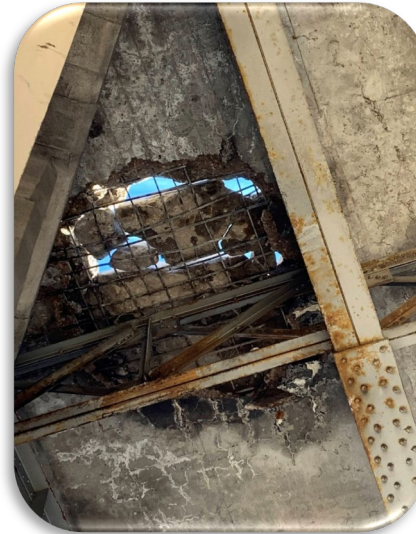


HB23-1276 - BTE Funding Flexibility Bill

HB23-1276 was signed into law on May 15, 2023, expanding the scope of the Bridge and Tunnel Enterprise as follows:

- Allows BTE to complete preventative maintenance projects for bridges in good and fair condition
- Allows BTE to repair, reconstruct, replace, and maintain a fair rated bridge if the work is bundled with a project to address a poor rated bridge

No additional bridge or tunnel funding was authorized by HB 23-1276, however, this bill will allow for the continued optimization of Colorado's bridge programs

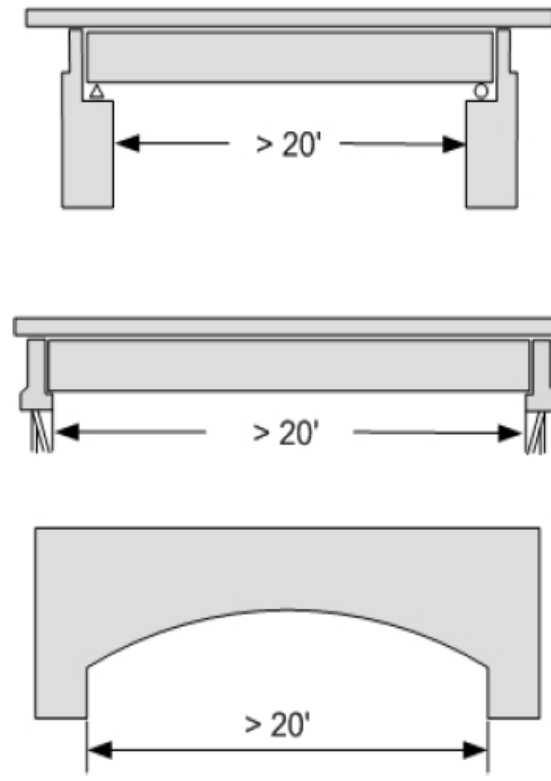




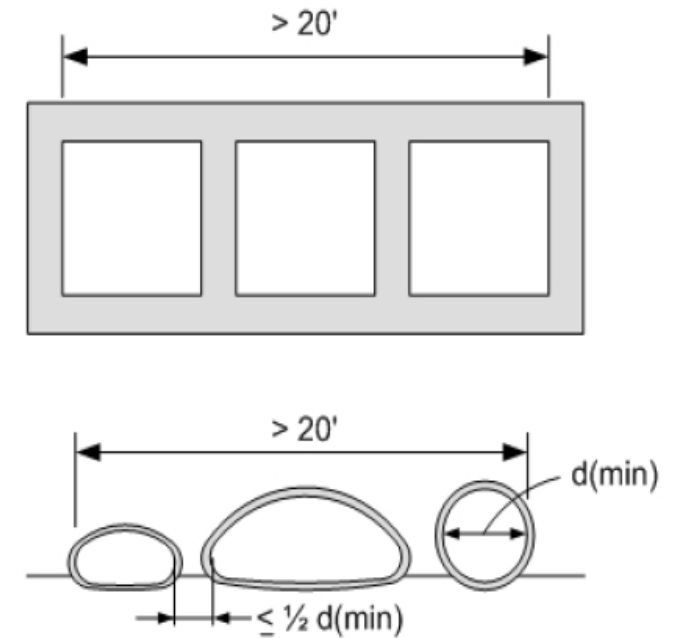
BTE Bridge Project Eligibility

- Structures must be classified as a major structure (span greater than 20'-0") and located on-system (CDOT-owned) to be eligible
- Minor structures (span less than 20'-0") and off-system bridges (local agency-owned) are not eligible

Bridges



Culverts





BTE Bridge Project Eligibility

Eligible treatment types based on bridge (or culvert) condition rating:

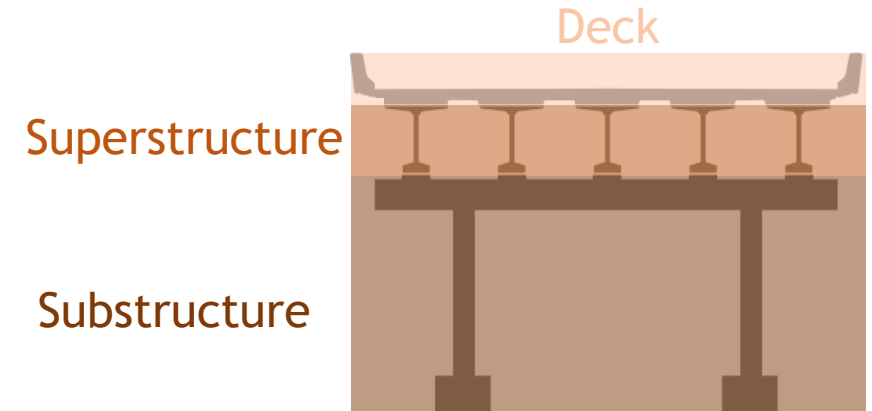
- Good-rated bridges
 - Preventative maintenance
- Fair-rated bridges
 - Preventative maintenance
 - Replacement, rehabilitation, or repair (if bundled with poor-rated bridge)
- Poor-rated bridges
 - Replacement, rehabilitation, or repair



Bridge Condition Ratings



Anatomy of a Bridge



National Bridge Inventory (NBI) Rating Scale



Note: The lowest applicable rating of the elements shown above determines the rating of the structure



BTE Tunnel Project Eligibility

- Policy Directive BE 16.0 sets policy regarding the eligibility for state-owned tunnels to receive Enterprise funds
- Defines a tunnel as:
“an enclosed roadway for motor vehicle traffic with vehicle access limited to portals, regardless of type of structure or method of construction, that requires, based on the owner's determination, special design considerations that may include lighting, ventilation, fire protection systems, and emergency egress capacity” (23 CFR 650.505)





BTE Project Prioritization Overview

- Projects are prioritized in conformance with Procedural Directive (PD) BE 16.1
- BTE maintains a bridge prioritization plan based on numerous factors that is updated semi-annually with input from the regions and other support units
 - CDOT's 10-year Plan projects with BTE eligible components are prioritized
 - Project selection is generally consistent with the prioritization tiers (1st, 2nd, or 3rd) with a few exceptions (including but not limited to):
 - The structure is included in CDOT's 10-year Plan
 - Opportunities to leverage economies of scale and/or accelerate a project
 - The project is a candidate for grant funding
- BTE's current tunnel priority is to complete the \$150M EJMT Repair and Maintenance Program
 - Work is ongoing to complete long range capital plans for each tunnel to establish priorities once this program is complete



BTE Bridge Prioritization

Quantitative Factors

60%



Safety (Condition/Obsolesce)

- Bridge Designation
- Deck Rating
- Superstructure Rating
- Substandard Clearance
- Substructure Rating
- Scour Critical Rating
- Load Restriction/Posting
- Culvert Rating

25%



Mobility

- Emergency/Evac Routes
- National Highway System
- Historic Significance
- Primary Access to Local Community
- Located on Strategic Corridor
- Bike & pedestrian crossing
- ADT & ADTT

10%



Economic Factors/Impacts

- Project Type (Rehab/Replace)
- Bundle with Adjacent Roadway Project
- Bridge Bundling
- Significant Long-term Maintenance Costs
- Significant Interim Repair Costs
- Economies of Scale

5%



Discretionary

- Other factors (requires Chief Engineer Approval)



BTE Bridge Prioritization

Qualitative Factors

- Inclusion on CDOT Ten-Year Vision Plan
- Importance of the structure to the resiliency of the state transportation network
- Project Readiness
- Coordination with external stakeholders
- Project staffing/resource availability
- Anticipated project cost
- Anticipated length of project development and delivery
- Importance of the designated bridge to the health, safety, and welfare of the public
- Availability of Non-BTE funds
- Preservation or maintenance of a historically significant structure
- Estimated remaining service life of the structure
- Anticipated project delivery method
- Multi-modal transportation considerations
- Project-specific variables including but not limited to environmental considerations, utilities, railroad involvement, alternative construction methods (ABC), and traffic impacts (detour lengths, user cost, etc.)
- Ability to capitalize on economies of scale

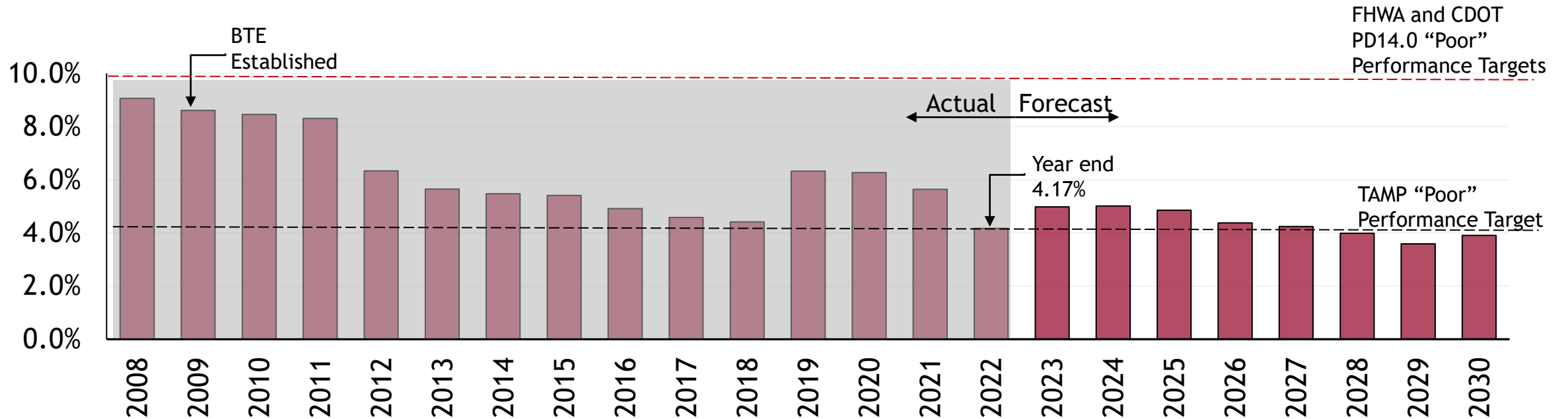


Progress Update and Performance Overview



Historic and Forecast Program Performance

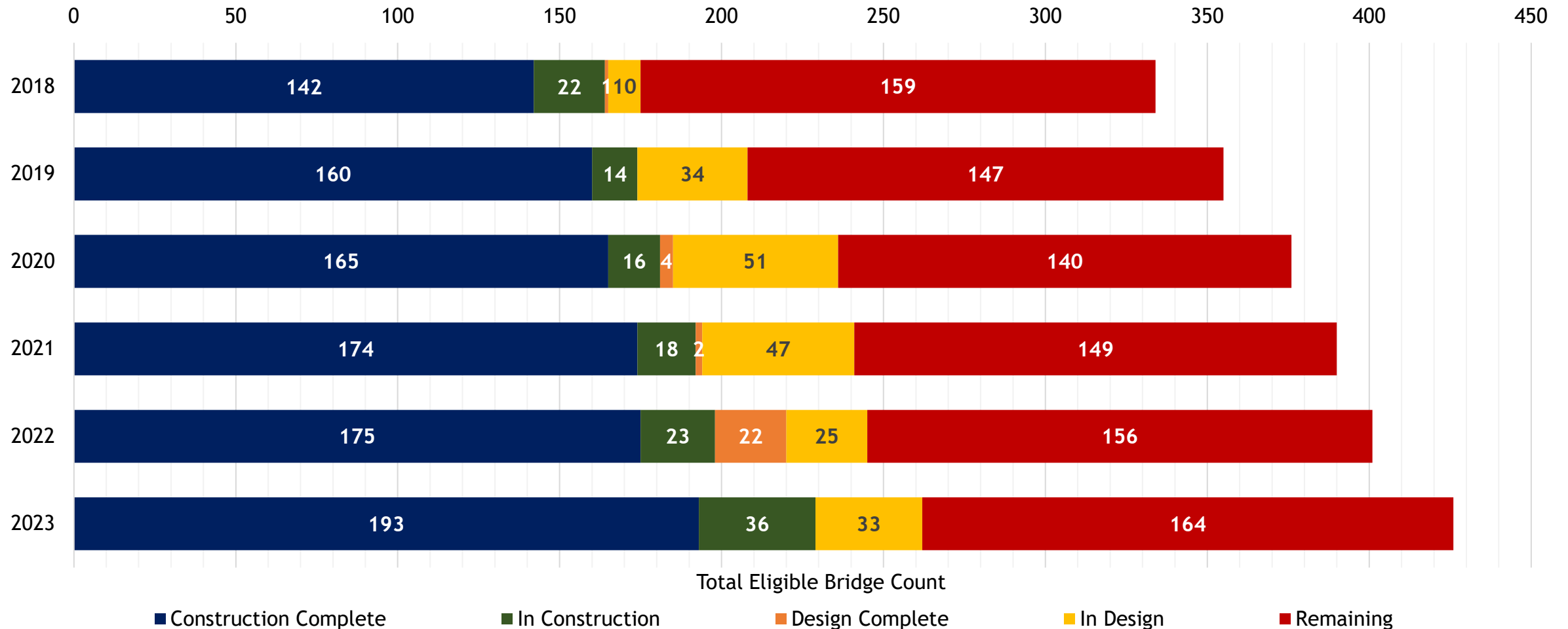
Statewide On-System % of Bridge Decks in Poor Condition





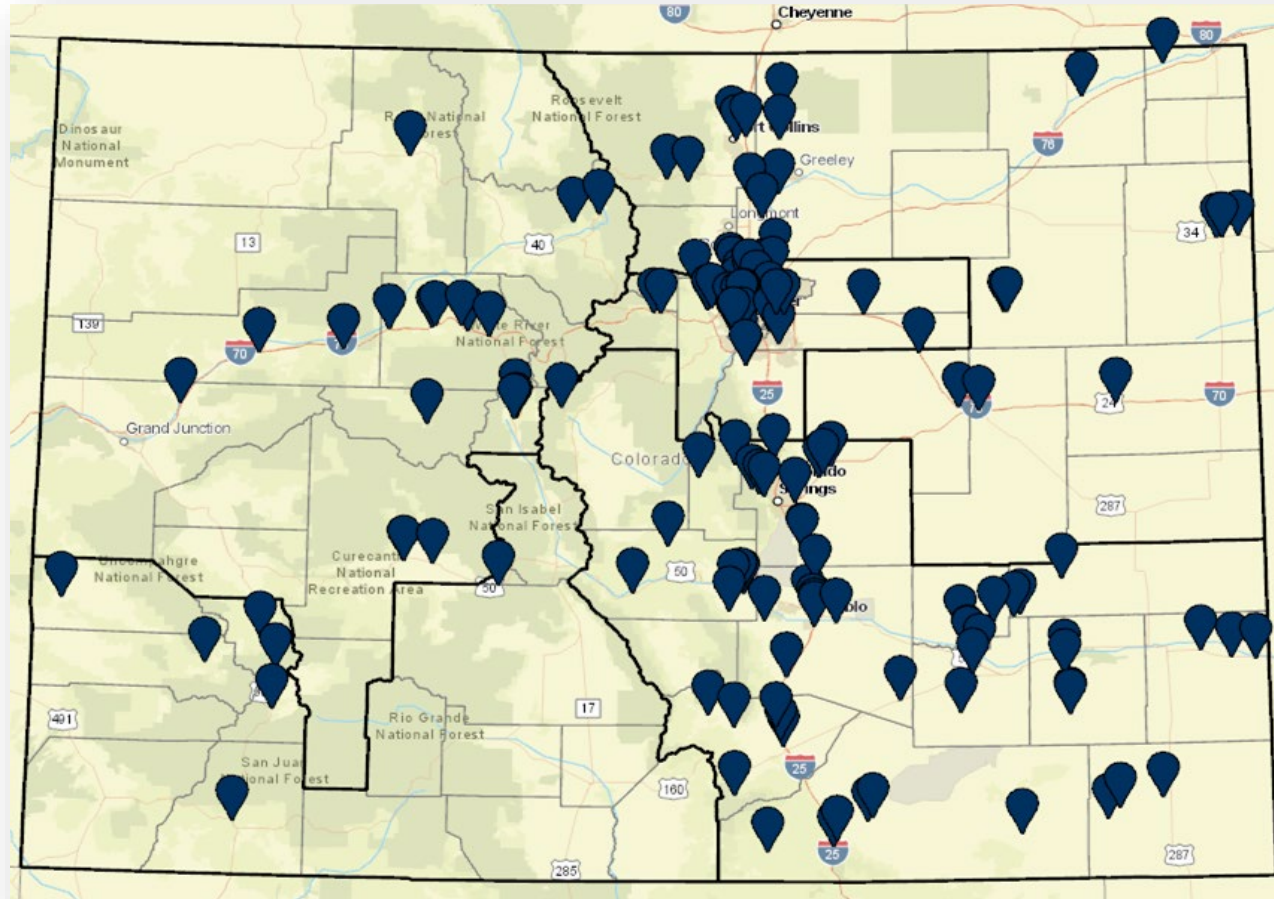
BTE Program Progress Update

Historic Status of BTE Eligible Bridges by Year





Statewide Completed Bridges Enterprise ITD



Locations of 193 Completed Structures - Program Inception to Date

Bridge Status	# of Bridges
Remaining	164
In Design	33
In Construction	36
Complete	193
Total	426



Ongoing Enterprise Initiatives



BTE 10-Year Plan Funding - FY24-FY27

Eisenhower Johnson Tunnels

2 structures | N/A | \$100M

Speer & 23rd Blvd Reconstruction

3 structures | 35,338 ft² | \$60M

US 6 and Wadsworth Blvd

1 structure | 21,065 ft² | \$20M

I-70 Vail Pass Project

2 structures | 61,505 ft² | \$102M

I-270 Critical Bridges

6 structures | 71,417 ft² | \$90M

I-70 Floyd Hill

3 structures | 27,826 ft² | \$240M

I-25 through Pueblo New Freeway

2 structures | 39,829 ft² | \$51M

Project Statistics

- 17 bridge structures
- 217,151 ft² Poor Bridge Deck Area
- 10% of the Total Statewide Poor Bridge Deck Area
- EJMT Repair Program Fully Funded

Note: The estimated BTE-eligible construction cost shown above are for illustrative purpose only and are subject to change.



BTE 10-Year Plan Funding - FY24-FY27

- Numerous strategic projects with BTE eligible scope are forecasting significant construction expenditures between FY24-FY27
 - \$700M+ in total forecast expenditures
- The scale and timing of larger strategic projects creates a funding gap for BTE between FY24-FY27
 - Funding gap has been fluctuating between \$400M - \$450M
- BTE is currently evaluating funding solutions and expects to return to the Board for a deep dive workshop
 - BTE is authorized to issue revenue bonds or enter into agreements for loans or grants with governmental or non-governmental entities
 - BTE's bonding capacity currently exceeds \$600M (FASTER fees only)
- The tentative timeline for the first debt issuance is December 2023 based on 10-Year Plan project schedules



HB23-1276 Implementation

The implementation of HB23-1276 is expected to take approximately one-year. At a minimum, the process will include:

- Consultation with legal and accounting - **COMPLETE**
- Engagement with EMT and BTE Board - **IN PROGRESS**
- Revisions to governing documents - **IN PROGRESS**
- Determination of programmatic funding priorities
- Revisions to Policy and Procedural Directives BE 16.0 and BE 16.1
- Revisions to IGA's between BTE and CDOT

HB 23-1276

Scope of Bridge And Tunnel Enterprise: concerning the bridge and tunnel enterprise, and, in connection therewith, expanding the scope of the enterprise's powers to include the completion of preventative maintenance bridge projects and allowing the enterprise to repair, reconstruct, replace, and maintain a fair-rated bridge under certain circumstances.

OVERVIEW

One of the key missions of the Bridge and Tunnel Enterprise (BTE) is to finance, repair, reconstruct, and replace bridges that have received a rating of "Poor". New Law HB23-1276, passed by Colorado Legislature on May 15th, enables the BTE to also address:

- Preventative Maintenance on Good & Fair-rated Bridges
- The replacement of Fair-rated bridges when bundled within a project that is addressing a Poor-rated bridge

These instrumental updates will lead to cost efficiencies and will help extend the life cycle of Colorado's bridge inventory.

BACKGROUND

Historically, RTF funding cannot be used to perform preventative maintenance treatments on the majority of CDOT's bridges. As bridges deteriorate from good condition to fair condition, the structures typically require more extensive maintenance and repair on an increasing frequency, which increases the resource levels needed to maintain the bridge inventory in a state of good repair.

This bill includes an exemption process that would allow BTE to include fair-rated bridges within a project to address poor-rated bridges if packaging the bridges results in schedule acceleration and/or cost savings. This will resolve common scenarios which create inefficiencies in the delivery of the bridge program.

PREVENTATIVE MAINTENANCE BENEFITS

Safety

- Increased safety and improved user experience
- Ride quality is improved and the probability of property damage resulting from bridge condition is reduced
- Bridges that receive regular preventative maintenance remain in good condition for a longer portion of their service lives. This results in lower high-cost treatments over the bridge's life span.

Efficiency

- Increased return on investment
- Reduce life-cycle costs
- Bridge replacement and major rehabilitation are capital-intensive treatments. With regular preventative maintenance, the life span of bridges can be prolonged, resulting in an increased return on investment for recent high-cost bridge replacement and rehabilitation projects.

BUNDLING POOR & FAIR-RATED BRIDGES BENEFITS

- Increasing investment in fair bridges
- Increasing investment in good bridges
- Increasing number of BTE and Traditional funding using COMBO projects

HB23-1276 Does not increase revenues

Unlike SB260 that added new revenues for tunnels HB 23-1276 only changed what the funding can be applied to and did not increase revenues.

- Increase work to fair bridges
- Increase work to good bridges
- Increase in COMBO projects

Next Steps to Implement HB23-1276

BTE anticipates it will take 8-12 months to update the program

1. Like SB260 that added tunnels to BTE's mission a number of administrative changes will need to be made to follow the legislation and guide the changes.
2. Anticipated Updates include BTE's Articles of Organization to acknowledge the passage of HB23-1276. The proposed Articles of Organization reaffirms the ability of the Enterprise to enter into agreements with the TC or CDOT to finance, repair, reconstruct and replace designated bridges and the scope has been expanded to include good and fair bridges.
3. Updates to Policy Directive and Procedural Directives.

Rating	Color
EXCELLENT 9	Green
VERY GOOD 8	Light Green
GOOD 7	Yellow-Green
SATISFACTORY 6	Yellow
FAIR 5	Orange
POOR 4	Red-Orange
SERIOUS 3	Red
CRITICAL 2	Dark Red
IMMINENT FAILURE 1	Black
FAILED 0	Black

COLORADO
Department of Transportation
Statewide Bridge and Tunnel Enterprise

Patrick Holinda
CDOT BTE Program Manager
Patrick.Holinda@dot.state.co.us



BTE Board Three Month Look Ahead

October

- Workshop:
 - 10-year Plan BTE Financing Deep Dive
 - Review amendments to BTE Bylaws and Articles of Organization
- Discuss - Draft FY2025 BTE Budget Allocation Plan
- Discuss and Act - BTE Budget Supplement

November

- Additional Financing Workshop (if needed)
- Discuss and Act - Financing Parameters Resolution
- Discuss and Act - Amended BTE Bylaws and Articles of Organization
- Discuss and Act - Draft FY2025 BTE Budget Allocation Plan
- Discuss and Act - BTE Budget Supplement
- For information only - Q1 FY2024 BTE Quarterly Report

December

- Discuss and Act - BTE Budget Supplement
- For information only - BTE Financing Transaction Update



COLORADO

Department of Transportation

Questions or comments?



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MEMORANDUM

TO: The Transportation Commission
The Bridge and Tunnel Enterprise Board of Directors

FROM: Jeff Sudmeier, Chief Financial Officer
Keith Stefanik, Chief Engineer
Jason Smith, Region 3 Transportation Director
Karen Berdoulay, Region 3 East Program Engineer
Patrick Holinda, Bridge and Tunnel Enterprise Program Manager
Darius Pakbaz, Director of Division of Transportation Development

DATE: September 20, 2023

SUBJECT: I-70 West: Vail Pass Safety Improvements Project Joint TC/BTE Workshop

Purpose

Provide the Transportation Commission (TC) and Bridge and Tunnel Enterprise (BTE) Board of Directors (Board) a status update on the I-70 West: Vail Pass Safety Improvements Phase 1 project and request the approval of two proposed budget actions to fully fund the project.

Action

Staff requests that Transportation Commission and BTE Board of Directors approve the following resolutions:

- 1) TC Resolution: #11 - Approval to add funds from the the I-70 Vail Pass Safety and Operations Project in the FY 23-26 period, and reduce funds from the I-70 Vail Pass Auxiliary Lanes project in the FY 27+ period
- 2) BTE Resolution: #BTE2 - Approval and Adoption of the First Fiscal Year 2023-24 Project Budget Supplement for the Statewide Bridge and Tunnel Enterprise

Background

CDOT was awarded a \$60.7M INFRA grant in 2020 to design and construct the I-70 Vail Pass Safety and Operations project. The scope identified in the grant included the addition of a third lane to I-70 Eastbound between MM 185-190, I-70 Westbound curve correction at MM 186 and 188, relocation of the recreation path between MM 185-187 to make room for the third lane, MM 185 bridge reconstruction, MM 182 truck ramp reconstruction, and various other safety improvements.

The project will be delivered over five construction packages with the following status, as also defined in Table 1 below: two construction packages are completed, one package is in construction with completion in November 2023, and the last two packages are in design. Construction Package 4 was originally advertised unsuccessfully in March 2023. The low apparent bid was over budget with no additional funding identified to award it, thus bids were rejected. Construction Package 4 will be re-advertised in November 2023. Construction Package 5 is scheduled for construction agreed upon price (CAP) in December 2023. Four packages will be delivered via the Construction Manager/General Contractor delivery method, and one package (Package 4) will be delivered via Design-Bid-Build.

The total planned preconstruction and construction phase budget is currently \$273M. The current estimate for the total project is \$321.2M, a difference of \$48.2M. The funding shortfall includes a shortfall of \$33M for Package 4 and a shortfall of \$15.2M for Package 5, which is BTE eligible.





Value engineering has been completed to incorporate savings into the design for the project. However, since the project was originally estimated in 2019, design refinements and cost escalation due to unprecedented inflation, rural material cost increases, labor cost increases due to resort area cost of living increases and trucking shortages have increased the total estimated cost for the project. Package 4 cost estimates have been validated based on competitive bidding when the project was advertised unsuccessfully in March 2023. Package 5 cost estimates have been validated by an Independent Cost Estimator and the Contractor that is supporting CDOT with design. The unfunded scope in Packages 4 and 5 was identified in the INFRA grant. Any change to the grant commitment would require approval from USDOT. FHWA has stated that they discussed potential scope reduction

Vail Pass Construction Project Status		
Construction Package	Delivery Status	Budget Status
Package 1	Construction Completed	Funded
Package 2	Construction Completed	Funded
Package 3 - BTE	Construction Started in August 2022. Completion date of Nov. 2023.	Funded
Package 4	Advertised in March 2023. Re-advertisement planned for Nov. 2023. Completion date of November 2026.	Not Fully Funded
Package 5 - BTE	CAP planned for Dec. 2023. Completion date of Nov.2025.	Not Fully Funded

with USDOT and they informally responded that they would not approve of scope reduction. They also stated that any reduction of scope may result in a reduction of the grant award.

Details

The project team has incorporated significant value engineering (a systematic approach to reduce costs while maintaining or increasing function and quality) where possible, while still meeting grant commitments. Some examples of value engineering include:

- Reduction of export/import of material by modifying wall design from MSE to SMSE wall
- Partnership with the Forest Service for tree seedlings for landscaping
- Wildlife crossing size optimization
- Partnership with nearby CDOT Rest area reconstruction to use exported material from the project
- Defined an expanded truck parking lot near the top of Vail Pass which helped the project to

Table 1: Vail Pass Construction Project Status

better balance earthwork and expanded truck parking benefits

In recent months, CDOT has also added additional funding to close the funding gap (which is already reflected in the above budget and funding gap figures). Additional funds recently added include: \$2M Freight, \$4.5M Cost Escalation Fund, \$4.1M Surface Treatment and \$4.1M ITS Investments. CDOT is maximizing use of future year funds which is in line with the anticipated spending on the project which will continue through FY 27. Additionally, the FY 2024 Budget Amendment presented to the Transportation Commission in September includes \$7.6M for avalanche mitigation elements of the project (also reflected in the above budget and funding gap figures). The project currently includes \$7M RPP including funds out to FY 27.

In addition to these efforts, the two requested actions are necessary to advance Construction Packages 4 and 5 to construction:





- 1) Approve and adopt a resolution to add \$33M to the I-70 West: Vail Pass Safety Improvements Phase 1 Project in the FY 23-26 period and reduce \$33M from the I-70 West Vail Pass Auxiliary Lanes project in the Planned FY 27+ period for Construction Package 4

The I-70 Vail Pass Safety and Operations Project is identified in the previously approved 10-Year Plan in two periods including: 1) I-70 West: Vail Pass Safety Improvements - Phase 1 with \$33.5M funded in FY 19-22, and 2) I-70 West Vail Pass Auxiliary Lanes with \$50M funded in FY 27+. Both projects in the 10-Year Plan reflect the same goal which is to deliver portions of the larger I-70 Vail Pass Safety and Operation Improvements project including adding auxiliary lanes and safety improvements on I-70 between MM 180-190. In December 2022, the Transportation Commission approved adding \$17M to the I-70 West Vail Pass Safety Improvements Phase 1 project in the FY 23-26 period, and reducing \$17 M from the I-70 West Vail Pass Auxiliary Lanes project in the Planned FY 27+ period.

- 2) Approve and Adopt the First Fiscal Year 2023-24 Project Budget Supplement for the Statewide Bridge and Tunnel Enterprise which includes a request for \$53.4M in BTE funds to establish the construction phase for Construction Package #5

In June 2022, the BTE Board approved a commitment in principle of \$93.5M in BTE funds for the BTE eligible components of the I-70 West: Vail Pass Safety Improvements - Phase 1 (Construction Package 3 and Construction Package 5) through Resolution #BTE 2022-06-02. The approved budget for design of both BTE-eligible packages and the construction phase of Construction Package #3 was \$55.3M, leaving \$38.2M in planned budget for Construction Package #5. The request of \$53.4M exceeds the planned budget of \$38.2M by \$15.2M. BTE staff have determined that there are adequate budget resources available in Fiscal Years 2023-24 through 2025-26 (the planned construction period) to accommodate this increase without impacting other planned projects.

Next Steps

If the Transportation Commission and BTE Board approves the two proposed budget actions, CDOT will move towards construction of the project per the schedule outlined in Table 1 without any changes to the scope of the Vail Pass Safety Improvements Project.

Options/Decision Matrix

- 1) **Staff Recommendation:** Approve Resolutions #11 and #BTE-2 to allow Construction Package 4 and Construction Package 5, respectively, to advance to construction.
- 2) Formally request scope reduction from USDOT to the INFRA grant commitment. This action would significantly impact the schedule, scope and reduce anticipated benefits from the project. Any reduction of scope may also reduce the grant award.





**I-70 Vail Pass Safety and Operations
Joint TC/BTE Board Workshop
9/20/2023**



Agenda

1. Project Background and Scope
2. Project Status
3. Project Budget and Estimate
4. Value Engineering
5. Requests for approval of 10-Year Plan funding advance and BTE budget supplement





Project Background

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

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

**40% Reduction in crashes
where completing improvements**



**#1 Highest on I-70
in Colorado
Crashes/Million vehicle
miles travelled in the
State (based on data
from 2010-2014)**



306

TOTAL HOURS OF FULL
CLOSURE DUE TO
INCIDENTS 2014-2017



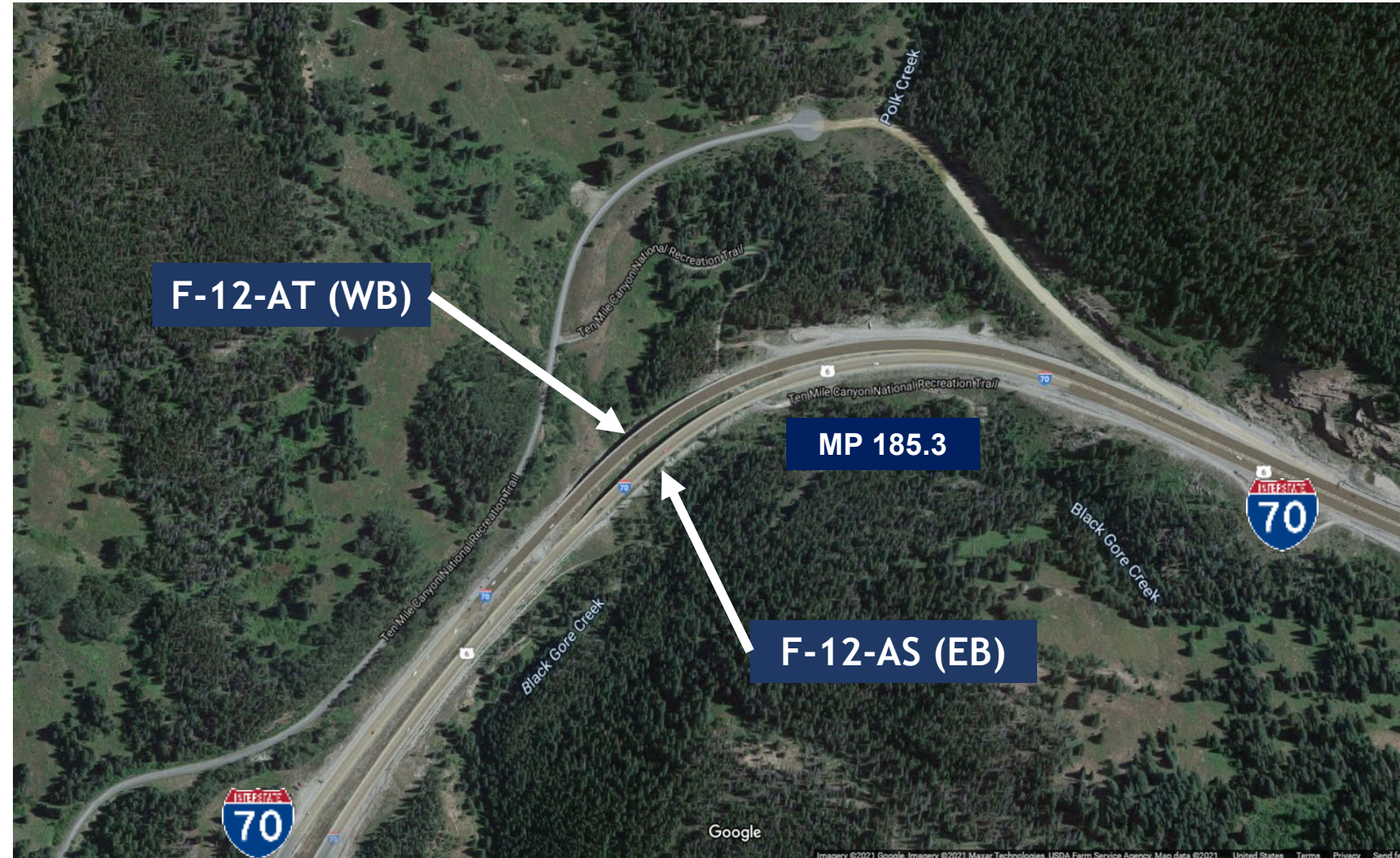
Location of F-12-AS (EB) and F-12-AT (WB)

F-12-AS (EB)

Structurally deficient and BTE eligible, part of original INFRA grant, start of 5-mile auxiliary lane

F-12-AT (WB)

Structurally deficient and BTE eligible. Poor rating due to fatigue cracking. Top Tier of BTE Prioritization Plan. Shown in FY 2027-28 in 10 year plan. Substandard roadway curve.





Project Schedule



We are here

	2021				2022				2023				2024				2025				2026			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
CP 1 - Truck ramp & WB Hwy Closure		CAP	Construction																					
CP 2 - Recreation Path	Design				CAP	Construction																		
CP 3 - F-12-AT (WB) Bridge Replacement	Design					CAP	Construction																	
CP 4 - Roadway	Design							AD				RE-AD				Construction								
CP 5 - F-12-AS (EB) Bridge Replacement	Design												CAP			Construction								

The Vail Pass Project will be delivered over 5 Construction Packages (CPs):

CP 1, 2, 3 and 5 - delivered via the Construction Manager/General Contractor (CM/GC)

CP 4 - delivered via the Design Bid Build (DBB)

CP 4 and CP 5 (BTE) are not fully funded at this time.



Project Budget and Estimate

Total Project Budget	Total Project Estimate	Funding Shortfall for Package 4	Funding Shortfall for Package 5 (BTE)
\$273M	\$321.2M	\$33M	\$15.2M

CDOT recently identified the following additional funds to increase the budget to \$273M including:

\$2M Freight
\$4.5M Cost Escalation Fund
\$4.1M Resurfacing
\$4.1M ITS Improvements
\$4M Surface Treatment

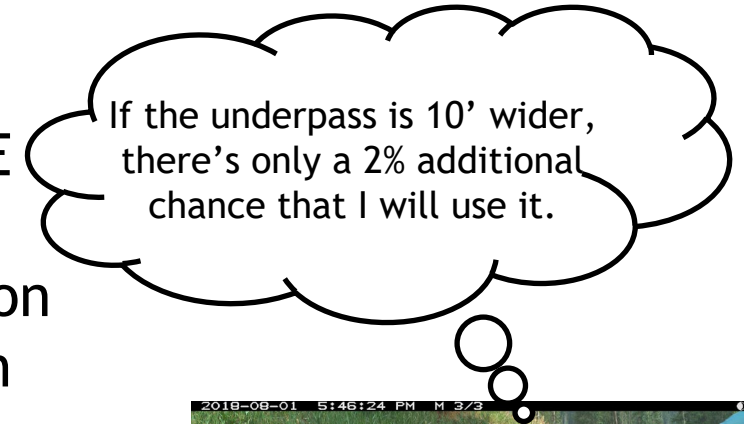
The project is also recommended as a recipient of \$7.6M Redistribution funding which is also included in the above budget.



Value Engineering

Innovations	# of Innovations	Potential Savings
Approved	57	\$65,540,000

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





Factors Affecting Cost For Both CP 4 and CP 5 (BTE)

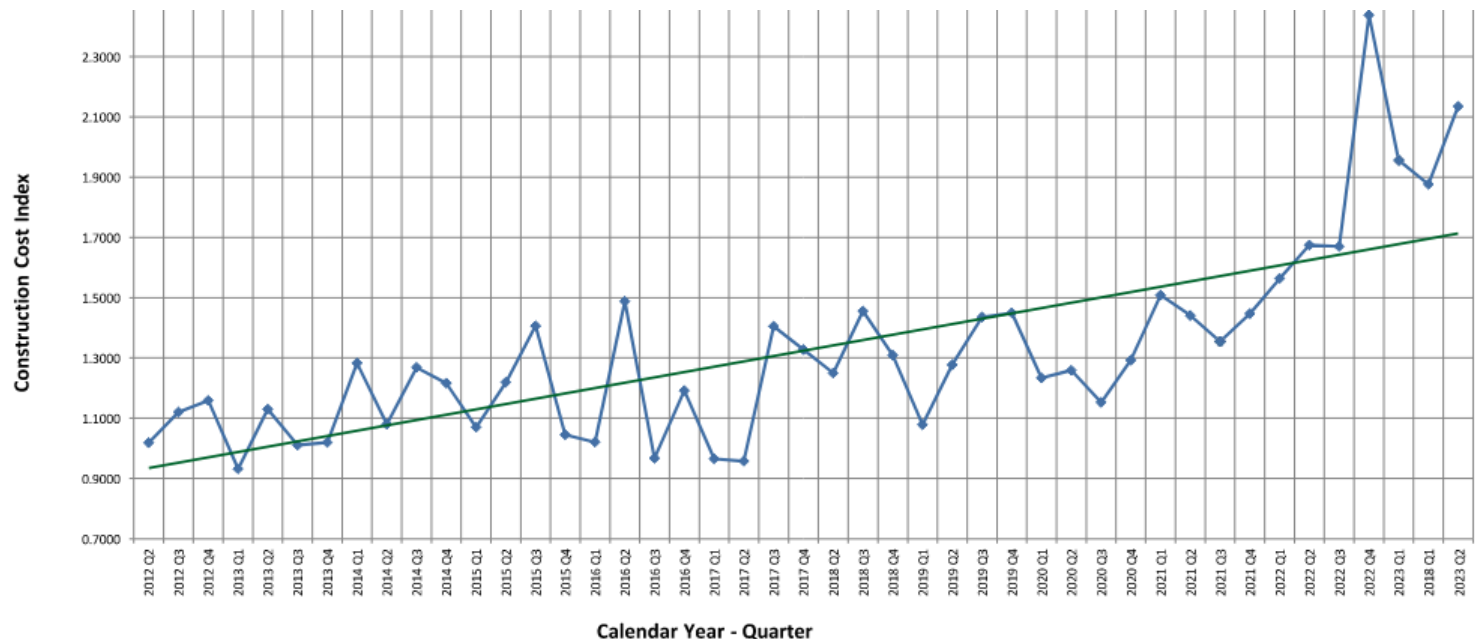
Project Location Specific Economic Effects

- Seasonal project versus full time employment in the Front Range
- Only 2 local asphalt and concrete suppliers. Only 1 local gravel pit.
- Labor and Trucking Shortages
- Rural Fuel Prices
- Eagle County's cost of living indexes 176.3 against a national average of 100 ¹.

¹per the Council for Community & Economic Research's County Cost of Living Index

CDOT is seeing higher prices across the board: Annual Increase of 7.08% ².

²per the Colorado Construction Cost (CCI) Index Report 2023 - Second Quarter

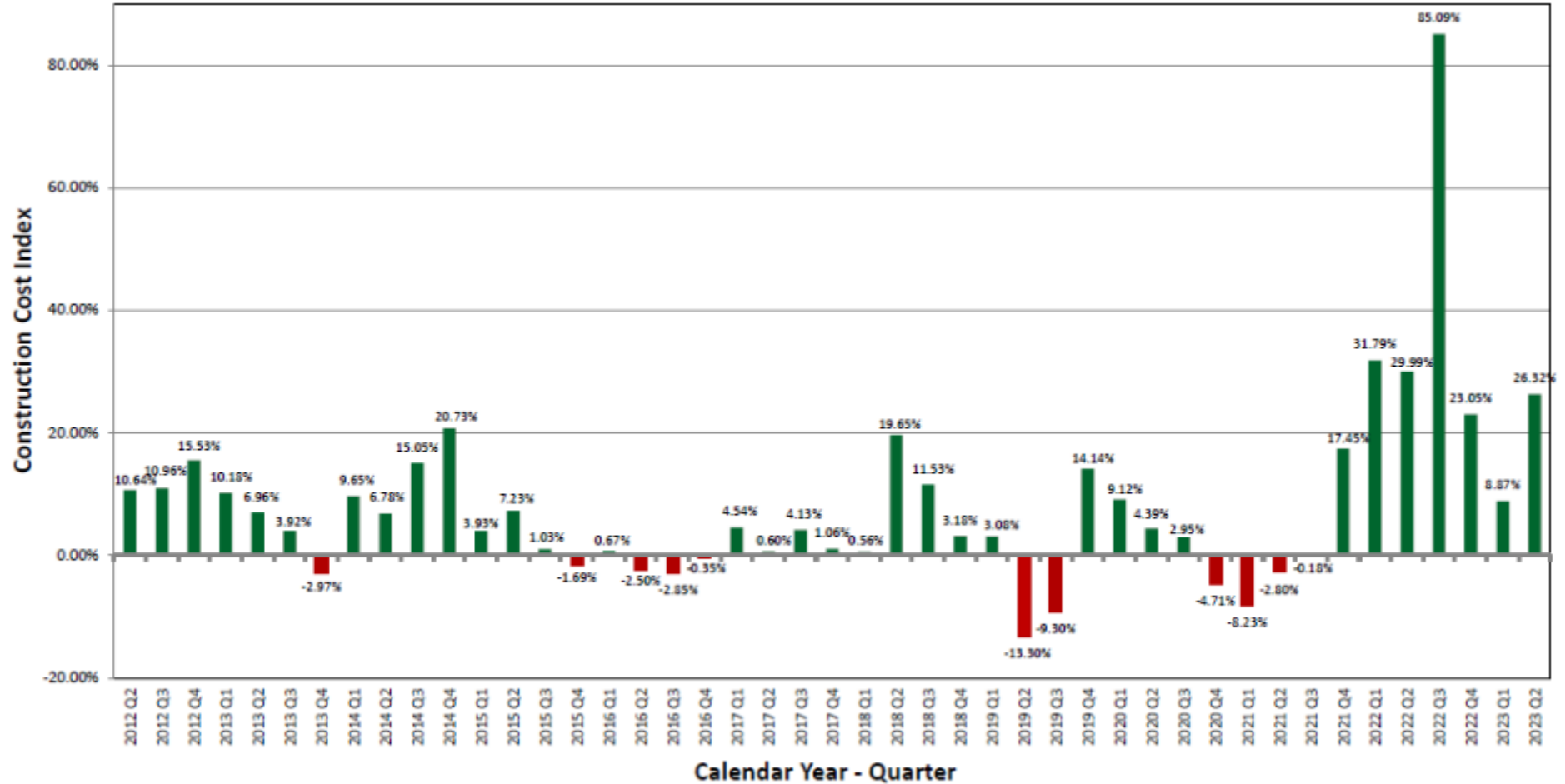




Factors Affecting Cost For Both CP 4 and CP 5 (BTE)

Colorado Construction Cost Index (CCI) Annual Percentage Change ².

²per the Colorado Construction Cost (CCI) Index Report 2023 - Second Quarter





CP 4 Cost Increases

Estimate Increases Based on March 2023 Low Bid that was Overbudget

- Higher asphalt material and delivery costs
- Construction phasing and traffic control unit price increase
- Higher electric subcontractor costs including lighting and utility work
- Higher structure unit costs for walls, the wildlife underpasses and backfill
- Higher earthwork costs

CP 4 Risk Reduction after March 2023

- More efficient phasing
- Incorporated more streamlined paving
- Allowed more planning and 3 full seasons for the work



CP 5 F-12-AS (EB) BTE Cost Increases

- Removal of both bridges more complex than initially estimated
- Earthwork unit price increase
- Higher overhead resulting from increased costs of living for Contractor staff
- Traffic control unit price increase
- Higher unit prices for asphalt and concrete material and delivery
- Short construction season with extreme weather at 10,000 feet in elevation
- Slower concrete production based on actual F-12-AT construction





Scope commitment in INFRA Grant

- The INFRA grant scope commitment included all not fully funded scope in Packages 4 and 5.
- Grant changes would need to be approved by USDOT.
- FHWA stated scope reduction may result in reduction of grant award.
- The FY 2020 INFRA grant required grant funds to be obligated by September 2023.



I-70 Vail Pass Safety and Operations Improvements

INFRA APPLICATION • RURAL

SPONSORED BY:





CP 4 Funding: Region 3 10-Year Plan

	Project Type	Total Est. Project Cost	Total Strategic Funding	Other Funding	Funded FY 19-22	Funded FY 23-26	Planned FY 27+	Project Status	Planning Project ID
Interstate 70	I-70 Auxiliary Lane Frisco East to Silverthorne	\$25 M	\$25 M		\$25 M			◆	0043
	I-70 West: Vail Pass Safety Improvements - Phase 1	\$140 M	\$33.5 M	✓	\$33.5 M			◆	0042
	Summit County Transit Operations Center (Design & Engineering)	\$0.531 M	\$0.425 M	✓	\$0.425 M			✓	1165
	I-70B East of 1st Street to 15th Street - Phase 5	\$16 M	\$16 M		\$16 M			◆	0041
	North Avenue Transit Infrastructure Improvements	\$1.5 M	\$1.5 M		\$1.5 M				2727
	Grand Junction Mobility Hub	TBD	\$4.08 M	✓	\$4.08 M				2747
	I-70 and CO 9 (Exit 203) Interchange Improvements	\$44 M	\$44 M			\$25 M	\$19 M		1157
	I-70 West Vail Pass Auxiliary Lanes	\$50 M	\$50 M				\$50 M		1161
	Vail Intermodal Site	\$15 M	\$6.4 M			\$6.4 M			1903
	I-70 Interchange Improvements in Garfield County	\$15 M	\$15 M	✓		\$10.68 M	\$4.325 M		1171
	I-70 West: Dowd Canyon Safety and Capacity Improvements	\$14 M	\$14 M				\$14 M		1952
	I-70 Glenwood Canyon Critical Asset Repair	\$50 M	\$50 M				\$50 M		1151
	I-70 Business (Pitkin Avenue) Corridor Improvements between First Street and 15th Street	\$40 M	\$39.19 M	✓	\$8.11 M	\$31.08 M			2568
	I-70 Business Corridor Improvements between 32 Road and I-70 in Grand Junction	\$5 M	\$5 M				\$5 M		2569
	I-70 Business Corridor Improvements between Main Street and 32 Road	\$14 M	\$14 M				\$14 M		2570

In Dec. 2022, the 10-Year Plan was amended to advance \$17M to FY 23-26. Request to advance the remaining \$33M to FY 23-26. This action would reduce FY 27+ to \$0.



CP 5 Funding: Bridge and Tunnel Enterprise

BTE Funding Summary					
Construction Package	Phase	Actual BTE Budget	Planned BTE Budget	Shortfall	Status
Packages 3 and 5	Design	\$6.90	\$6.9M	0	Approved
Package 3	Construction	\$48.4M	\$48.4M	0	Approved
Package 5	Construction	\$53.4M	\$38.2M	\$15.2M	Pending Approval
Total BTE Commitment		\$108.7M	\$93.5M		

- In June 2022, the BTE Board approved a \$93.5M total funding commitment to BTE eligible Construction Packages 3 and 5 (ref: Resolution #BTE 2022-06-02) which include the replacement of two poor-rated bridges ranked in the top tier of the BTE Bridge Prioritization Plan
- Approval of the construction phase budget supplement request for Package 5 increases the total BTE funding commitment by \$15.2M to \$108.7M and authorizes BTE staff to budget \$53.4M to the project



Requested Action and Next Steps:

Requested Actions:

- 1) CDOT requests the Transportation Commission's approval to advance \$33M to the I-70 West: Vail Pass Safety Improvements, Phase 1 Project in the FY 23-26 period and reduce \$33M from the I-70 West Vail Pass Auxiliary Lanes project in the Planned FY 27+ period.
- 2) BTE requests the Bridge and Tunnel Enterprise Board's approval of a \$53.4M budget supplement to establish the construction phase for Package 5

Next Steps:

If the Transportation Commission approves these budget actions, CDOT will move towards construction of the project with the current scope per the schedule.



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: CHIEF HUMAN RESOURCES OFFICER, ANNA MARIOTTI
CHIEF FINANCIAL OFFICER, JEFF SUDMEIER
DATE: SEPTEMBER 6, 2023
SUBJECT: ENHANCING CDOT WORKFORCE STAFFING AGILITY

Purpose

To present the Colorado Transportation Commission (TC) with an updated approach to workforce staffing that allows the agency increased agility and dynamic response to staffing needs based on workload and funding.

Action

No action is requested in September. TC approval of the enhanced workforce staffing agility approach will be requested in October 2023.

Background

CDOT Policy Directive 703.0, titled *Annual Budget, Project Budget, and Cash Management Principles*, establishes clear guidance on how agency staff must handle all types of transactions, including budget and project transactions, and what levels of review are required. Appendix D of the policy outlines the following regarding full-time employees (FTEs):

Transaction Type	High-Risk: TC Review and Approve	Moderate Risk: 2 Signatures ED (or designee), Chief Engineer, CFO as well as the Director of CTIO, if applicable. Report To and Inform TC or Enterprise Board	Low Risk: Staff Manage
Full-Time Employee Requests	Increasing the total number of CDOT FTEs	N/A	Filling existing vacancies or reclassifying to best meet business needs

Per Resolution # TC-2023-04-03, the currently approved number of FTE for CDOT is 3,464 FTE. The current vacancy rate (as of August 1, 2023) is 13%. Though this vacancy rate is within industry standards, it results in approximately 450 vacant positions at any given time (of the 3,464 approved FTEs). Historically, CDOT has approached the approved number of FTE to mean the number of FTE positions created in the personnel management system. This approach has created an inflexible system wherein CDOT leadership is unable to adjust to real-time project and program needs to

support the agency in achieving its mission and objectives. For example, when Executive Management has identified the need for a new resource to administer a new program or meet a new legislative requirement, they must either find another vacant position to repurpose, or bring forward individual position requests for approval by the Transportation Commission. There are currently 230 maintenance positions (as of August 1, 2023) vacant in the CDOT Regions. These are positions that are critically needed, but hard to fill. Despite the large number of vacancies, a Region is unable to add a new position elsewhere without “taking” a vacant maintenance position, precluding the ability to fill for that position if/when there are candidates.

Proposed Adjustments to Current Approach for Approved Number of FTEs

In order to provide CDOT increased agility and dynamic response to staffing needs based on workload and funding, the agency is proposing an adjustment to the current approach for the approved number of FTEs. Specifically, the agency requests that approved FTEs be defined as “actively filled” positions versus positions that have been created in our personnel management system. This shift in strategy will allow the agency to gain the versatility to adapt to increases in funding levels, changing program requirements, etc. To ensure that the TC has consistent insight into agency staffing levels, a quarterly report will be provided to TC that outlines that number of positions created as well as the number of positions actively filled to ensure adherence to the approved number of FTE. Additionally, an internal review and approval process will be put in place to assess new position requests and ensure that new positions are well justified and focused on the most critical organizational needs. New position requests will be assessed for cost and budget impact, and may require subsequent TC approval actions if/when new positions require additional budget.

Key Benefits of Approving Enhanced Workforce Staffing Agility Approach

Approval of the adjustment to the current approach for the approved number of FTEs will allow the agency the flexibility to continue recruiting for mission critical positions while also ensuring projects and programs are adequately staffed to not cause delays in the implementation of projects or programs. This enhanced staffing flexibility will allow the agency to be more strategic with staffing levels and placement to support the safety of the traveling public, increases in funding and population, new legislative requirements and programs, as well as a focus on innovative and multi-modal transportation options. These programs and projects directly impact and are critical factors in the overall quality of life for Colorado residents and visitors.

Legislative Increase to Approved number of FTE

Recent legislative sessions have created a need to increase the approved number of FTE for the agency by 3.0 FTE. It is requested that the 3.0 FTE be added to the approved number of FTE (3,464 FTE) for an updated total of 3,467 FTE.

SB23-280 Hazardous Material Mitigation

- Fiscal note identified 1 FTE
- Administering the enterprise and awarding grants under the bill requires 1.0 FTE beginning in FY 2023-24. Standard operating and capital outlay costs are included, and costs have been prorated for the bill’s effective date. The position will be located in the Division of Transportation Development.

SB23-172: Protecting Workers Opportunities and Rights Act

- Fiscal note identified 1.5 FTE
- The bill is anticipated to increase the number of grievances and claims filed and investigated in each state agency's internal human resources department and may increase workload to adjust record-keeping requirements, which will require additional human resource staff in each agency. It may also require state agencies to create or modify a harassment training and prevention program as part of a potential affirmative defense.
 - a. Requesting to increase to 2.0 FTE as it is anticipated that there will be difficulty recruiting and hiring a part time employee to support this function. The additional work duties of the position would include supporting litigation tracking and monitoring beyond the POWR Act (workplace violence, etc).

Next Steps

The Division of Human Resources and Division of Accounting and Finance will request approval via resolution in October 2023.

Attachments

Presentation - Title: *Enhancing CDOT Workforce Staffing Agility*



COLORADO

Department of Transportation

ENHANCING CDOT WORKFORCE STAFFING AGILITY



CDOT Policy Directive 703: Annual Budget, Project Budgeting, and Cash Management Principles

Appendix D: Other Transactions

Transaction Type	High-Risk: TC Review and Approve	Moderate Risk: 2 Signatures ED (or designee), Chief Engineer, CFO as well as the Director of CTIO, if applicable. Report To and Inform TC or Enterprise Board	Low Risk: Staff Manage
Full-Time Employee Requests	Increasing the total number of CDOT FTEs	N/A	Filling existing vacancies or reclassifying to best meet business needs

Resolution # TC-2023-04-03:

Currently approved number of FTEs for CDOT is 3,464



Historical Vacancy Rate

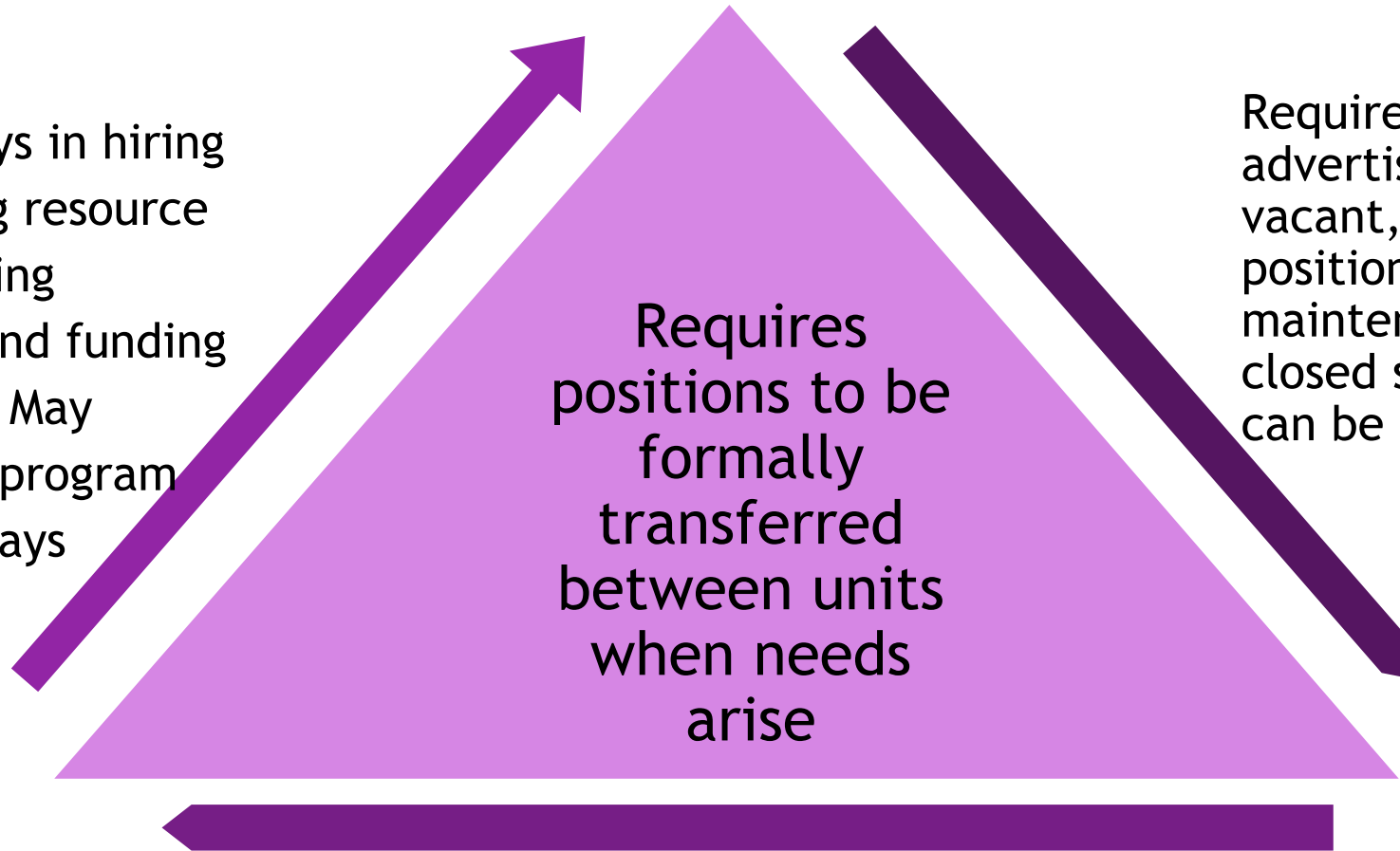
Year	Avg. Vacancy Rate %
2019	11.1%
2020	7.6%
2021	13.2%
2022	17.3%
2023	13%



Historical FTE Count Interpretation

Approved FTE Count = Number of positions created in personnel management system

Potential time delays in hiring or adjusting staffing resource levels due to changing regulations, grant and funding opportunities, etc. May result in project or program implementation delays



Requires job advertisements for vacant, hard-to-fill positions (often maintenance) to be closed so the position can be transferred

Can create difficulty tracking and managing budget



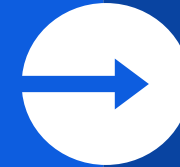
Proposed FTE Count Interpretation

Approved FTE Count = “Actively filled” positions

Allows for Executive Management to make strategic adjustments to staffing levels and placement to meet business and operational needs for the agency



Enhanced flexibility to continue recruiting for mission critical positions, while also ensuring projects and programs are adequately staffed to not cause delays in the implementation of projects or programs



Ability to adapt to changing priorities and needs in real-time for better service delivery to the public



2023 Legislative FTE Fiscal Notes

SB23-280 Hazardous Material Mitigation

- Fiscal note identified 1 FTE
- Administering the enterprise and awarding grants under the bill requires 1.0 FTE beginning in FY 2023-24. Standard operating and capital outlay costs are included, and costs have been prorated for the bill's effective date. The position will be located in the Division of Transportation Development.

SB23-172: Protecting Workers Opportunities and Rights Act

- Fiscal note identified 1.5 FTE
- The bill is anticipated to increase the number of grievances and claims filed and investigated in each state agency's internal human resources department and may increase workload to adjust record-keeping requirements, which will require additional human resource staff in each agency. It may also require state agencies to create or modify a harassment training and prevention program as part of a potential affirmative defense.
 - a. Requesting to increase to 2.0 FTE as it is anticipated that there will be difficulty recruiting and hiring a part time employee to support this function. The additional work duties of the position would include supporting litigation tracking and monitoring beyond the POWR Act (workplace violence, etc).

New total following legislature FTE request will be: $3464 + 3 \text{ FTE} = 3467 \text{ FTE}$ approved by TC



Accountability and Next Steps

Accountability

- Development of quarterly staffing and vacancy reports for TC review
 - Includes number of filled positions
- Development of quarterly budget impact analysis for TC review

Next Steps

- The Division of Human Resources and Division of Accounting and Finance will request approval via resolution in October 2023
- If approved by TC, the Division of Human Resources will collaborate with the Executive Management Team to establish oversight and monitoring processes



COLORADO

Department of Transportation

Office of Policy and Government Relations

2829 W. Howard Place
Denver, CO 80204-2305

MEMORANDUM

DATE: September 8, 2023
TO: Transportation Commission
FROM: Herman Stockinger, Deputy Executive Director and OPGR Director
David Singer, Assistant Director, Passenger Rail
Sari Weichbrodt, Rules, Policies, and Procedures Advisor
SUBJECT: Adopting Updated Policy Directive 1607.0 “Rail Corridor Preservation Policy”

Purpose

This memorandum provides a summary of the proposed changes to Policy Directive 1607.0 “Rail Corridor Preservation Policy” for its adoption by the Transportation Commission.

Action

To pass a resolution adopting the updated Policy Directive 1607.0 “Rail Corridor Preservation Policy.”

Background

Policy Directive 1607.0 “Rail Corridor Preservation Policy” was last updated in 2014 and was due for review in 2019. The Directive provides a framework for the participation of the Colorado Department of Transportation (CDOT) in defining passenger or freight rail corridors in Colorado and engaging in passenger or freight rail activities.

Details

The Policy Directive requires only minor changes to be current for 2023. Key changes include emphasis on offering passengers an option of passenger rail service to support a resilient transportation network and reduce highway maintenance costs; noting that current operational trackage is not a requirement to be listed as a significant rail corridor; and adding a requirement that CDOT’s Division of Transit and Rail (DTR) maintain a map of identified significant rail corridors in Colorado.

Next Steps

DTR will continue to identify and monitor passenger and/or freight rail corridors of State interest, seeking to preserve the Right-of-Way of such corridors, as necessary, to accommodate future passenger and/or freight rail service.

Attachments

Attachment b: Redlined Version of Policy Directive 1607.0
Attachment c: Clean Version of Policy Directive 1607.0



COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject Rail Corridor Preservation Policy		Number 1607.0
Effective 8.22.14	Supersedes 8.22.14 6.30.2000	Originating Offices Division of Transportation Development and Division of Transit & Rail

I. PURPOSE

The purpose of this Policy Directive is to provide a framework for determining under what conditions the Colorado Department of Transportation (CDOT) will participate in passenger and/or freight rail transportation by identifying criteria to be used in defining passenger and/or freight rail corridors of State interest and describing passenger and/or freight rail activities in which CDOT may engage.

II. AUTHORITY

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

§ 43-1-104, C.R.S., (authority and responsibilities of Division of Transit & Rail)

§ 43-1-1301, *et seq.* C.R.S., (providing authority to CDOT to acquire abandoned rail rights-of-way)

III. APPLICABILITY

This Policy Directive applies to all Divisions and Regions of the Colorado Department of Transportation.

IV. POLICY

A. The Colorado Department of Transportation shall participate in passenger and/or freight rail transportation, in a manner consistent with its legal authority, when such participation serves to advance statewide transportation or economic interests, which include but are not limited to:

1. Preserving rail corridors for future passenger and/or freight rail use where the state can avoid the purchase of an equivalent corridor in the future.
2. Passenger and/or freight rail transportation may be needed in certain corridors to supplement the existing transportation network highway system ~~and to~~ provide adequate mobility, market access, ~~and~~ travel capacity, and choice.

3. Passenger and/or freight rail transportation can be demonstrated to be a cost-effective and/or environmentally preferable mode of transportation of significance to communities.

4. Preserving and/or enhancing existing freight rail service to reduce the state highway maintenance costs, and to avoid the transportation of displaced rail freight which may increase deterioration of the state highway system.

5. -Preserving and/or enhancing existing passenger rail service to reduce highway maintenance costs, and to encourage increased rail ridership by attracting people to choose passenger rail over single occupancy vehicle travel.

6. Enable and enhance the resilience of the transportation network to ensure movement of goods, materiel, and other critical commodities across the State and Rocky Mountains.

B. CDOT identifies state significant rail corridors in the State Freight ~~and~~ Passenger Rail Plan and the Statewide ~~Long Range~~ Transportation Plan. The following criteria shall be used to identify those corridors:

1. Existing or potential ~~future~~ demand for passenger/freight rail services.

a) Corridor significance can be presumed in the corridor if it is recommended in an adopted alternative analysis/feasibility study, planning & environmental linkage (PEL) study, or similar study.

b) Corridor significance can be presumed if the rail corridor is within, adjacent, or parallel to a transportation corridor identified in the Statewide ~~Long Range~~ Transportation Plan as needing significant capacity improvements.

c) Designation of a corridor for only freight rail purposes should only be considered when freight rail is necessary for the economic health of a community, area, or region. -This is determined based on the following factors:

(1) When there are no other reasonable modes of transport that can economically serve the needs of the community; or

(2) When abandonment of freight service in a corridor significantly impacts a parallel state facility.

d) If the rail corridor has present/future use as a significant statewide or national passenger/freight corridor. Corridors need not presently have operational trackage to be listed as a significant rail corridor.

2. Local and regional support for corridor preservation.

- a) Public support may be measured in terms of adopted land use plans supportive of rail transit or freight rail, local transportation, and financial commitments.
- b) Private support may be measured in terms of committed resources, personnel, or other economic development strategies.

C. The Division of Transit and Rail shall maintain a map of identified significant rail corridors.

DC. If a corridor is identified as a state significant rail corridor, CDOT shall, where feasible and prudent, design and construct roads and related structures to preserve right-of-way sufficient to accommodate future passenger / freight rail service.

1. In addition, if a corridor is identified as a state significant rail corridor, CDOT may engage in, but is not restricted to, preserving rail right-of-way through:

- a) Purchase: CDOT may allocate funds to purchase currently operating, embargoed railroad rights-of-way, rail lines identified/proposed for abandonment, or newly designated rail corridors for rail.
- b) Purchase/Lease Back: CDOT may purchase right-of-way/track and sell or lease back to another entity to operate in the corridor.
- c) Coordination with Railroad Companies: Engage private railroad companies in partnership to ensure that private railroad improvements in state significant rail corridors accommodate reasonably anticipated future transportation activities that serve the state transportation interests.
- d) Cost Sharing: CDOT may share the cost of reserving railroad right-of-way for future transportation improvements with other private or public entities.

ED. If a corridor is not identified as a rail corridor of state significance, but is identified in an adopted regional plan, the state may:

1. Cost Share: Share the cost of reserving right-of-way for future transportation improvements with other private or public entities.

2. Incorporate future rail into highway design and construction: Where feasible and prudent, design and construct roads and related structures to preserve right-of-way sufficient to accommodate future passenger / freight rail service.

FE. The following criteria should be considered when prioritizing the above activities for funding:

1. Magnitude of impacts upon adjacent highways. -An estimate of the increased or decreased maintenance and reconstruction cost implications of diverting rail freight to truck transport on parallel state highway corridors should be evaluated considering present and future needs.
2. Immediacy of the possible abandonment of an existing rail line that may result in subsequent private/public activity encroaching on the existing or future rail right-of-way. An estimate should be made to determine how soon actions may occur by public or private developers or railroads that are likely to jeopardize an existing or future rail corridor.
3. The estimated price and cost-effectiveness of acquiring an existing or future corridor or preserving the option to implement rail service in an existing corridor.
4. Public-Private Partnership (PPP or P3). -The opportunity for participation in a public-private partnership that is beneficial to the traveling or freight-shipping public.

GF. Any financial commitment to purchase rail corridors shall be subject to such rail corridors being identified, justified, and included in the State Freight and Passenger Rail Plan, ~~and the Statewide Long Range~~ Transportation Plan, or any other planning documents statewide. -Such rail corridors shall be considered for acquisition consistent with § 43-1-1301 *et seq.*, C.R.S. Rail corridors shall be acquired only after specific budgetary action has been approved pursuant to Policy Directive 703.0.

V. IMPLEMENTATION PLAN

1. This ~~P~~policy Directive shall be implemented jointly by the Division of Transit and Rail and the Division of Transportation Development.
2. ~~DTD and DTR shall ensure that all employees who will be referencing this Directive shall be made aware of its revisions, including but not limited to all DTR staff, DTD Multimodal Planning Branch Mobility Unit staff, Region Planners, Safety & Traffic Engineering (Section 130 Program), Regional Transportation Directors, and the Senior Management Team. The Office of Policy and Government Relations shall post this Directive on CDOT's intranet as well as on public announcements.~~

VI. REVIEW DATE

Subject Rail Corridor Preservation Policy	Number 1607.0
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This Policy Directive shall be reviewed on or before ~~October~~June 2028~~19~~.

Secretary, Transportation Commission

Date



Subject: Rail Corridor Preservation Policy
Effective Date: 9/21/23
Supersedes: 8/22/14
Originating Office: Division of Transportation Development/Division of Transit & Rail

I. Purpose

The purpose of this Policy Directive is to provide a framework for determining under what conditions the Colorado Department of Transportation (CDOT) will participate in passenger and/or freight rail transportation by identifying criteria to be used in defining passenger and/or freight rail corridors of State interest and describing passenger and/or freight rail activities in which CDOT may engage.

II. Authority

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

§ 43-1-104, C.R.S., (authority and responsibilities of Division of Transit & Rail)

§ 43-1-1301, *et seq.* C.R.S., (providing authority to CDOT to acquire abandoned rail rights-of-way)

III. Applicability

This Policy Directive shall apply to all Divisions, Regions, Branches, and Offices of the Colorado Department of Transportation.

IV. Policy

A. The Colorado Department of Transportation shall participate in passenger and/or freight rail transportation, in a manner consistent with its legal authority, when such participation serves to advance statewide transportation or economic interests, which include but are not limited to:

1. Preserving rail corridors for future passenger and/or freight rail use where the state can avoid the purchase of an equivalent corridor in the future.
2. Passenger and/or freight rail transportation may be needed in certain corridors to supplement the existing transportation network provide adequate mobility, market access, travel capacity, and choice.



3. Passenger and/or freight rail transportation can be demonstrated to be a cost-effective and/or environmentally preferable mode of transportation of significance to communities.

4. Preserving and/or enhancing existing freight rail service to reduce the state highway maintenance costs, and to avoid the transportation of displaced rail freight which may increase deterioration of the state highway system.

5. Preserving and/or enhancing existing passenger rail service to reduce highway maintenance costs, and to encourage increased rail ridership by attracting people to choose passenger rail over single occupancy vehicle travel.

6. Enable and enhance the resilience of the transportation network to ensure movement of goods, materiel, and other critical commodities across the State and Rocky Mountains.

B. CDOT identifies state significant rail corridors in the State Freight and Passenger Rail Plan and the Statewide Transportation Plan. The following criteria shall be used to identify those corridors:

1. Existing or potential demand for passenger/freight rail services.

a) Corridor significance can be presumed in the corridor if it is recommended in an adopted alternative analysis/feasibility study, planning & environmental linkage (PEL) study, or similar study.

b) Corridor significance can be presumed if the rail corridor is within, adjacent, or parallel to a transportation corridor identified in the Statewide Transportation Plan as needing significant capacity improvements.

c) Designation of a corridor for only freight rail purposes should only be considered when freight rail is necessary for the economic health of a community, area, or region. This is determined based on the following factors:

(1) When there are no other reasonable modes of transport that can economically serve the needs of the community; or

(2) When abandonment of freight service in a corridor significantly impacts a parallel state facility.

d) If the rail corridor has present/future use as a significant statewide or national passenger/freight corridor. Corridors need



not presently have operational trackage to be listed as a significant rail corridor.

2. Local and regional support for corridor preservation.

a) Public support may be measured in terms of adopted land use plans supportive of rail transit or freight rail, local transportation, and financial commitments.

b) Private support may be measured in terms of committed resources, personnel, or other economic development strategies.

C. The Division of Transit and Rail shall maintain a map of identified significant rail corridors.

D. If a corridor is identified as a state significant rail corridor, CDOT shall, where feasible and prudent, design and construct roads and related structures to preserve right-of-way sufficient to accommodate future passenger / freight rail service.

1. In addition, if a corridor is identified as a state significant rail corridor, CDOT may engage in, but is not restricted to, preserving rail right-of-way through:

a) Purchase: CDOT may allocate funds to purchase currently operating, embargoed railroad rights-of-way, rail lines identified/proposed for abandonment, or newly designated rail corridors for rail.

b) Purchase/Lease Back: CDOT may purchase right-of-way/track and sell or lease back to another entity to operate in the corridor.

c) Coordination with Railroad Companies: Engage private railroad companies in partnership to ensure that private railroad improvements in state significant rail corridors accommodate reasonably anticipated future transportation activities that serve the state transportation interests.

d) Cost Sharing: CDOT may share the cost of reserving railroad right-of-way for future transportation improvements with other private or public entities.

E. If a corridor is not identified as a rail corridor of state significance, but is identified in an adopted regional plan, the state may:

1. Cost Share: Share the cost of reserving right-of-way for future transportation improvements with other private or public entities.



2. Incorporate future rail into highway design and construction: Where feasible and prudent, design and construct roads and related structures to preserve right-of-way sufficient to accommodate future passenger / freight rail service.

F. The following criteria should be considered when prioritizing the above activities for funding:

1. Magnitude of impacts upon adjacent highways. An estimate of the increased or decreased maintenance and reconstruction cost implications of diverting rail freight to truck transport on parallel state highway corridors should be evaluated considering present and future needs.
2. Immediacy of the possible abandonment of an existing rail line that may result in subsequent private/public activity encroaching on the existing or future rail right-of-way. An estimate should be made to determine how soon actions may occur by public or private developers or railroads that are likely to jeopardize an existing or future rail corridor.
3. The estimated price and cost-effectiveness of acquiring an existing or future corridor or preserving the option to implement rail service in an existing corridor.
4. Public-Private Partnership (PPP or P3). The opportunity for participation in a public-private partnership that is beneficial to the traveling or freight-shipping public.

G. Any financial commitment to purchase rail corridors shall be subject to such rail corridors being identified, justified, and included in the State Freight and Passenger Rail Plan, the Statewide Transportation Plan, or any other planning documents statewide. Such rail corridors shall be considered for acquisition consistent with § 43-1-1301 *et seq.*, C.R.S. Rail corridors shall be acquired only after specific budgetary action has been approved pursuant to Policy Directive 703.0.

V. Implementation Plan

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

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



VI. Review Date

This Directive shall be reviewed on or before October 2028.

Herman Stockinger
Transportation Commission Secretary

Date of Approval



COLORADO
Department of Transportation

Policies and Procedures Overview





What is a Policy Directive?

- A Policy Directive is adopted by the Transportation Commission and provides general policy guidance with respect to the management, construction, and maintenance of public highways and other transportation systems in the state
- PD number ends in .0 (for example, PD 9.0)
- Conceptual rather than technical
- Sometimes paired with a Procedural Directive on the same topic
- They don't have the force of law, but they are enforceable internally and can be persuasive externally



Caption

Main

Legal Basis

Who does this apply to?

The Substance

Who is responsible

Review Date

COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE
		<input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject POLICY PROHIBITING SEXUAL HARASSMENT		Number 603.0
Effective 1.22.2014	Supersedes 08.16.2007	Originating Office Division of Administrative Services / Employee Relations / Legal Office

I. PURPOSE

The Colorado Department of Transportation will not tolerate acts of sexual harassment or related retaliation against or by any employee.

II. AUTHORITY

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

42 U.S.C. 2000e, "Title VII of the Civil Rights Act of 1964" as amended.

III. APPLICABILITY

This Policy Directive applies to all offices, divisions, regions and branches of the Colorado Department of Transportation.

IV. POLICY

No employee shall commit an act of sexual harassment or related retaliation. It is a violation of this Policy Directive for anyone acting knowingly, recklessly, or negligently either to make a false complaint of sexual harassment or to provide false information regarding a complaint. It is intended that individuals who violate this Policy Directive may be disciplined or subjected to corrective action, up to and including termination.

V. IMPLEMENTATION PLAN

1. Employee Relations / Legal shall provide an electronic notification of this Policy Directive within one week of adoption to all Employee Relations/Legal staff members, Appointing Authorities, Regional Civil Rights Managers, and the Office of Organizational Learning & Development.
2. Employee Relations / Legal will work with the Office of Policy and Government Relations to post this Policy Directive on the Department intranet within one week of adoption.
3. Employee Relations / Legal shall work with the Office of Organizational Learning and Development to develop and provide educational training on this Policy Directive.

VI. REVIEW DATE

This Policy Directive will be reviewed on or before January, 2019.

Secretary, Transportation Commission

Date of Approval



What is a Procedural Directive?

- Signed by the Executive Director and binding on all CDOT employees
- PD number ends in .1, .2, .3 (for example, PD 9.1, PD 9.2, PD 9.3)
- Procedural Directives are more specific than Policy Directives and establish detailed procedures, roles and responsibilities, and requirements for employees to follow
- Failure to follow either type of Directive can lead to corrective action or disciplinary action



Policy Directive vs. Procedural Directive

Policy Directive (45)	Procedural Directive (95)
Number ends in .0 (for example, PD 9.0)	Number ends in .1, .2, .3 (for example, PD 9.1, PD 9.2, PD 9.3)
Approved by the Transportation Commission through a resolution	Signed by the Executive Director
More big-idea based (for example, CDOT will not discriminate)	More about procedure, responsibilities, and requirements



How do we update a PD?

- We can update, repeal, or adopt a new PD [usually five-year review]
- Subject matter expert edits content with changes tracked
- Vetting process
- Labor Relations (COWINS) and Civil Rights
- Executive Management Team (EMT) review [usually two weeks]
- Schedule a briefing with the Executive Director (ED)
- ED signs the PD or grants approval to include on TC agenda
- If Policy Directive, prepare required documents for TC, get on the agenda, adopt through resolutions
- Example: Policy Directive 1607.0 “Rail Corridor Preservation Policy”



Source: Chris Enright

Procedural Directive 1607.0 Rail Corridor Preservation Policy

9/13/2023



Procedural Directive for Rail Corridor Preservation

Identifies criteria to be used in defining passenger and/or freight rail corridors of State interest and describing passenger and/or freight rail activities in which CDOT may engage.

Updates include:

- Emphasis on the importance of offering passengers an option of passenger rail service to support a resilient transportation network and reduce highway maintenance costs.
- Noting that current operational trackage is not a requirement to be listed as a significant rail corridor.
- Adding a requirement that the DTR maintain a map of identified significant rail corridors.

Last Updated: June 2014



WHY THE UPDATE?

Was Due for Review in June 2019

Statewide Transportation Plan incorrectly referenced

Heavily Focused on Freight Rail

Only mentioned freight impacts and benefits to highway system

Open Ended Rules on Corridor Identification

Corridor identification requirements included open ended procedures

- ✓ Allowed for corridors to be identified by writing only
- ✓ Unclear on how current trackage condition influenced identification process



WHAT WAS UPDATED?

Next Review in June 2028

Statewide Transportation Plan reference corrected

More Balanced Freight/Passenger Focus

Included language to capture the potential for passenger rail to benefit highway system

Clarified Rules for Corridor Identification

Clarified gaps in corridor identification requirements

- ✓ Requires a map to identify significant rail corridors
- ✓ Notes that current operational trackage is not a requirement to be listed as a significant rail corridor



- Executive Management Team (including briefing to Director Lew)
- Division of Transit and Rail
- Division of Transportation Development
- Front Range Passenger Rail District
- COWINS (union for state employees)
- Civil Rights Title VI Review
- Office of Policy and Government Relations



Source: Chris Enright



Source: Cody J. Hedges



COLORADO

Department of Transportation

Division of Transportation Development
2829 W. Howard Place, 4th Floor
Denver, CO 80204-2305

TO: Transportation Commission

FROM: Darius Pakbaz, Division of Transportation Development Director
Nathan Lindquist, Senior Land Use Planner
Aaron Willis, Statewide and Regional Planning Manager

DATE: September 20, 2023

RE: Overview of the 1601 Policy Directive

Purpose

Division of Transportation Development (DTD) staff will provide the Transportation Commission with an overview of Policy Directive (PD) 1601 - Interchange Approval Process.

Action

While no action is requested at this time, staff anticipates specific 1601 approval requests coming before the Transportation Commission in the coming months.

Background

The 1601 Policy Directive outlines the guiding principles and steps necessary to approve a new interchange or interchange modification on the Interstate, U.S. Highway, or any highway on the state highway system. It applies to both CDOT and local applicants. Since each proposal is different based on the complexity of the project, the 1601 PD lays out a consistent process for applicants and CDOT to follow.

A significant new element of the 1601 PD is the requirement of Transportation Demand Management (TDM) strategies, which is described in this memo.

Details

Interchange proposals are classified into three categories:

- Type 1: Proposals for new interchanges on the state highway system with a functional classification of Interstate or Freeway will be submitted to the Transportation Commission for action.
- Type 2: Proposals for new interchanges not on the Interstate or Freeway System and modifications to existing interchanges will be submitted to the Chief Engineer for action. The applicant may appeal the Chief Engineer's decision or the decision may be reviewed by the Commission on its own motion. Cost sharing proposals must be considered by the Transportation Commission.
- Type 2a: Proposals for minor interchange improvements that will have little or no impact to the state highway system or surrounding local transportation system, consistent with the definition and guidance provided by FHWA. Approvals for Type 2a proposals are delegated by the Chief Engineer to the Region Transportation Director.



The 1601 PD also contains a requirement to include Transportation Demand Management (TDM) strategies. TDM strategies provide alternatives to travel in single-occupancy vehicles, reducing Average Daily Traffic (ADT) at the interchange. This meets the goal of the 1601 PD to "preserve the long-term functionality of the constructed interchange improvement" by promoting multimodal options, providing alternatives to travel in single-occupancy vehicles, and reducing congestion.

TDM strategies may include: mobility hubs, shuttles, paratransit, vanpool programs, local transit, intercity transit, parking management, bus-only lanes, bicycle and pedestrian facilities, ridesharing programs, car-sharing, micro-mobility, mixed-use development, and transit-oriented development.

TDM strategies should result in the following reductions in Average Daily Traffic (ADT) at the interchange ramp:

- In MPO areas: a 3% or greater ADT reduction from traffic volumes on opening day of the interchange
- Outside MPO areas: a 1% or greater ADT reduction from traffic volumes on opening day of the interchange

CDOT works with the applicant to calculate the ADT reduction from each TDM strategy. TDM strategies may be phased in over 5 years from opening day of the interchange. TDM strategies may not be a replacement or detractor from existing TDM programs or facilities. Evaluation of TDM implementation takes place after 1 year.

Exemptions from TDM requirements may be made based on the following factors: (1) the project is a Freight / Intermodal Facility; (2) existing TDM strategies are sufficient to address future demand; or (3) the area around the interchange is rural and unlikely to see significant residential or commercial growth.

In order to make decisions on 1601 approvals, the following structure has been developed. The Transportation Commission approves all type 1 and some type 2 1601 applications. The Chief Engineer makes recommendations to the Transportation Commission. Internally, CDOT has created an Executive Oversight Committee (EOC) to provide input to the Chief Engineer on TDM matters. The EOC includes the Deputy Executive Director, the Chief of Staff, the Director of the Division of Transportation Development, the Office of Innovative Mobility Chief, and the Region Transportation Directors that are involved with the 1601 applications.

Next Steps

N/A

Attachments

Attachment A - PD 1601 Interchange Request Approval Presentation

Attachment B - Policy Directive 1601





COLORADO

Department of Transportation

Policy Directive 1601: Interchange Request Approvals Overview Presentation for the Transportation Commission

Darius Pakbaz - Director, Division of Transportation Development
Nathan Lindquist - Senior Land Use Planner
Aaron Willis - Statewide & Regional Planning Manager



What is Policy Directive (PD) 1601?

- The 1601 policy and procedural directive outline the guiding principles and steps necessary to approve a new interchange or interchange modification on the interstate, freeway, or state highway system.
- Applies to both CDOT and local applicants
- Each proposal is different based on the complexity of the project, thus the 1601 PD lays out a consistent process





Development of the 1601 PD with CDOT Planning Partners

- Staff at all 5 Metropolitan Planning Organizations
- Metro Area Transportation Management Associations/Organizations
- The cities of Aurora and Westminster
- Jefferson, El Paso, and Douglas Counties
- North Front Range, Pikes Peak, DRCOG and Pueblo MPO Technical Advisory Committees
- Upper Front Range Transportation Planning Region
- Consultants who are currently working on interchange projects



Interchange Proposal Types

- **Type 1:** Proposals for new interchanges on the state highway system with a functional classification of Interstate or Freeway will be submitted to the Transportation Commission for action.
- **Type 2:** Proposals for new interchanges not on the Interstate or Freeway System and modifications to existing interchanges will be submitted to the Chief Engineer for action. The applicant may appeal the Chief Engineer's decision or the decision may be reviewed by the Commission on its own motion. Cost sharing proposals must be considered by the Transportation Commission.
- **Type 2a:** Proposals for minor interchange improvements that will have little or no impact to the state highway system or surrounding local transportation system, consistent with the definition and guidance provided by FHWA. Approvals for Type 2a proposals are delegated by the Chief Engineer to the Region Transportation Director.



1601 Process Overview

1. Notification by applicant
1. Pre-application meeting
1. Initial intergovernmental agreement (IGA)
1. Prepare a System Level Study (SLS)
1. CDOT Approval of SLS
1. Approval by MPO/TPR Board (consistent with constrained RTP and TIP)
1. Conceptual design and National Environmental Policy Act (NEPA) approval process
1. Final IGA



Why a Transportation Demand Management (TDM) Requirement?

- The 1601 PD contains a requirement to include Transportation Demand Management (TDM) strategies
- TDM strategies provide alternatives to travel in single-occupancy vehicles, reducing Average Daily Traffic (ADT) at the interchange
- This meets the goal of the 1601 PD to "preserve the long-term functionality of the constructed interchange improvement" by:
 - promoting multimodal options
 - providing alternatives to travel in single-occupancy vehicles
 - reducing congestion





TDM Strategies

TDM Strategies

Mobility Hubs

Shuttles, Feeders, and Paratransit

Vanpool Programs

Local Transit

Intercity Transit

Transit Service Upgrades

Comprehensive ITS Solution

Parking Management

Bus Only Lanes, Queue Jumps, Bus Slip Ramps

Bicycle and Pedestrian Facilities

Regional Ridesharing Programs

Car-sharing

Micro-Mobility Sharing Programs

Mixed-use Development





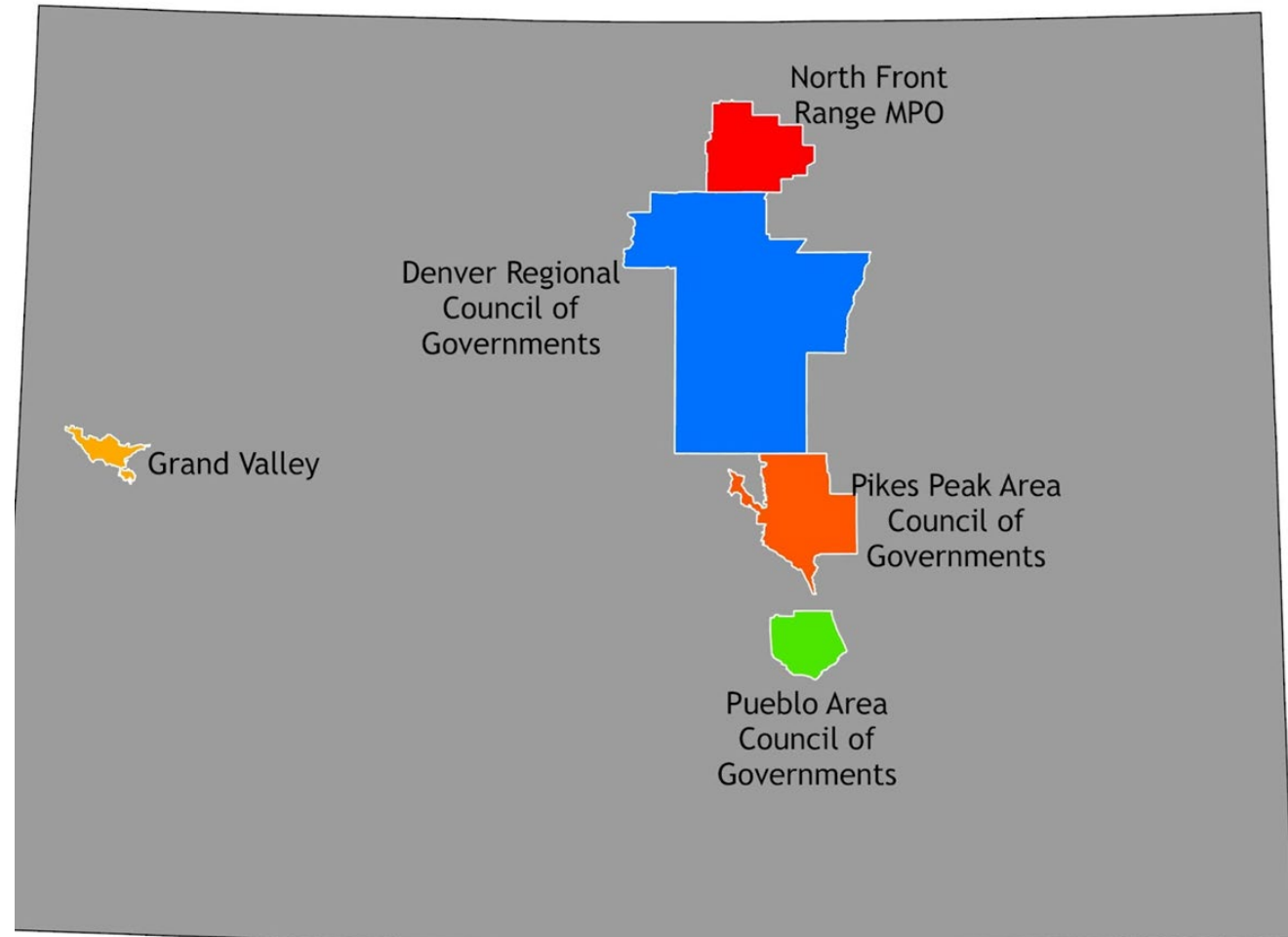
TDM Success Stories

- RTD's Alameda Station Pilot Project completed in August 2014, specifically designed for residents who want to use transit.
- Private shuttles carry 1,300 riders daily to Cripple Creek and at least 400 riders daily to Black Hawk/Central City.
- The Boulder Junction TOD development will create up to 300 residential units, with perhaps another 600 persons living near a light rail station.
- The TDM mitigation plan for the US 36 corridor Express Lanes project exceeded expectations, reducing vehicle miles traveled by an estimated 12,500 per day.



TDM Strategy Goal and Evaluation

- TDM strategies should result in:
 - In MPO areas: a 3% or greater Average Daily Traffic (ADT) reduction at the interchange ramp from opening day
 - Outside MPO areas: a 1% or greater ADT reduction at the interchange ramp from opening day
- CDOT works with applicant to calculate the ADT reduction from each TDM strategy
- TDM strategies may be phased in over 5 years from opening day of the interchange
- TDM strategies may not be a replacement or detractor from existing TDM programs or facilities
- Evaluation of TDM implementation after 1 year





Project Specific TDM Plan & TDM Exemption and Good Faith Effort

- The applicant develops a TDM Plan that includes the following elements:
 - Explanation of the strategies
 - How the strategies will function
 - Implementation schedule
- Exemptions from TDM requirements may be made based on the following factors:
 - Freight / Intermodal Facility
 - Existing TDM sufficient to address future demand
 - Rural areas considerations
- A "Good Faith Effort" determination may be made for applicants that make a significant effort to include feasible TDM strategies, but where calculations do not show a 3% ADT reduction



Decision-making structure for 1601 Applications

- Transportation Commission approves final type 1 and type 2 1601 applications
- The Chief Engineer makes recommendation to Transportation Commission
- Internally, CDOT has created an Executive Oversight Committee to provide input to the Chief Engineer on TDM matters
- The EOC includes:
 - CDOT Deputy Executive Director;
 - CDOT Chief of Staff;
 - Director of the Division of Transportation Development;
 - Director of Office of Innovative Mobility;
 - and the CDOT Regional Transportation Director(s) that have 1601 applications



COLORADO

Department of Transportation

Questions?

Darius Pakbaz

Director, Division of Transportation Development (DTD)

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Statewide & Regional Planning Manager, DTD Multimodal Planning Branch

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COLORADO

Transportation Commission

RELEASE MEMORANDUM

TO: All CDOT Employees

FROM: Natalie Lutz, Rules, Policies, and Procedures Administrator
Herman Stockinger, Transportation Commission Secretary

RE: Updated Policy Directive 1601.0 “Interchange Approval Process”

DATE: April 16, 2021

1. Name of Updated Policy Directive: Policy Directive 1601.0 “Interchange Approval Process”
2. Date of Policy Directive this Directive Supersedes: October 16, 2008
3. Executive Summary:
Policy Directive 1601.0 establishes fair and consistent procedures regarding the review and evaluation of requests for new interchanges and major improvements to existing interchanges on the state highway system. On April 15, 2021, the Transportation Commission adopted the updated Policy Directive 1601.0 that clarifies the three types of proposals and adds a new Transportation Demand Management (“TDM”) requirements to preserve the overall functionality and operability of the state highway system.

Three types of proposals include:

- Type 1: Proposals for new interchanges on the state highway system with a functional classification of Interstate or Freeway will be submitted to the Transportation Commission for action.
- Type 2: Proposals for new interchanges not on the Interstate or Freeway System and modifications to existing interchanges will be submitted to the Chief Engineer for action. The applicant may appeal the Chief Engineer’s decision or the decision may be reviewed by the Commission on its own motion.
- Type 2a: Proposals for minor interchange improvements that will have little or no impact to the state highway system or surrounding local transportation system, consistent with the definition and guidance provided by FHWA. Approvals for Type 2a proposals are delegated by the Chief Engineer to the Region Transportation Director.

The new TDM requirements serve as an additional tool to achieve the Governor’s Greenhouse Gas reduction goals. The TDM requirements apply to Types 1 and 2 proposals, but do not apply to Type 2a proposals. TDM strategies include promoting increased transit, integrating with mobility hubs, ridesharing, walking, biking, and telecommuting in order to reduce reliance on travel in a single-occupant vehicle. TDM strategies should result in a 3% or greater average daily traffic (“ADT”) reduction for proposals in Metropolitan Planning Organization (“MPO”) Boundary Areas and a 1% or greater ADT reduction for proposals outside MPO Boundary Areas. Other changes were administrative and clarifying in nature.



4. Offices to Contact with Questions:

The Office of Policy and Government Relations at: 303.757.9441 or natalie.lutz@state.co.us.

The Division of Transportation Development at: 303.512-4019 or aaron.willis@state.co.us.

5. Effective Date of Updated Policy Directive: April 15, 2021



COLORADO DEPARTMENT OF TRANSPORTATION		<input checked="" type="checkbox"/> POLICY DIRECTIVE <input type="checkbox"/> PROCEDURAL DIRECTIVE
Subject INTERCHANGE APPROVAL PROCESS		Number 1601.0
Effective 4/15/2021	Supersedes 10/16/08 12/15/04	Originating Office Division of Transportation Development

I. PURPOSE

The purpose of this Policy Directive is to establish fair and consistent procedures regarding the review and evaluation of requests for new interchanges and major improvements to existing interchanges on the state highway system.

II. AUTHORITY

Transportation Commission, § 43-1-106, C.R.S.
 § 43-3-101, C.R.S. (Freeway Law)
 § 43-2-147, C.R.S. (Highway Access Law)
 2 CCR 601-1 “State Highway Access Code”

III. BACKGROUND

The Transportation Commission (“Commission”) recognizes that state highways are important to meeting the mobility needs of the public, and that it is important to the quality of life and economic health of the state of Colorado for the state highway system to provide safe and efficient interregional and interstate movement of people and goods. To that end, the Commission must manage the location, design, operations and maintenance of interchanges on the state highway system.

IV. POLICY

A. It is the policy of the Commission that all requests for new interchanges and major improvements to existing interchanges on the state highway system be reviewed and evaluated in a fair and consistent manner, that sufficient information be available to make an informed decision, and that duplicative analytical, regulatory and procedural requirements be minimized.

B. Since each request for a new interchange or interchange modification has its own unique circumstances, the Commission will take into account these unique circumstances in judging the relative merits of each request for a new interchange or interchange modification on facilities owned by the Colorado Department of Transportation (“CDOT”). To that end, the Commission recognizes that there must be flexibility to ensure a level of analysis appropriate to the circumstances surrounding each proposal.

C. In order to ensure consistency with local plans, needs and priorities, and the ability to have the long term contractual relationships that are necessary to maintain the infrastructure of the state highway system, applicants must be local governmental units. CDOT-initiated new interchanges or

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interchange modifications must comply with the same analytical and procedural requirements as local government applicants.

D. The following general policies will apply to all proposals for new or modified interchanges on the state highway system unless otherwise agreed to by the Commission:

1. Approval of Interchanges and Interchange Modifications: To balance the need for fair and consistent treatment of all proposals to add a new interchange or modify an existing interchange to the state highway system with the need for flexibility to ensure the level of analysis appropriate to the circumstances surrounding each proposal, the Commission has identified three (3) categories of proposals.

a) Type 1: Proposals for new interchanges on the state highway system with a functional classification of Interstate or Freeway will be submitted to the Commission for action. The Commission will also take action on other new interchanges or interchange modifications referred to it by the Chief Engineer.

b) Type 2: Proposals for new interchanges not on the Interstate or Freeway System and modifications to existing interchanges will be submitted to the Chief Engineer for action. The applicant may appeal the Chief Engineer's decision as it relates to this policy to the Commission or the decision may be reviewed by the Commission on its own motion.

c) Type 2a: Proposals for minor interchange improvements that will have little or no impact to the state highway system or surrounding local transportation system, consistent with the definition and guidance provided by FHWA. Approvals for Type 2a proposals are delegated by the Chief Engineer to the Region Transportation Director.

2. Cost Sharing:

a) The state highway system shall be owned by CDOT.

b) The applicant is responsible for all costs for the development, administration, and evaluation of proposals for new interchanges or modifications to existing interchanges.

c) The applicant is responsible for all costs including, but not limited to, design, rights of way, construction, maintenance, operations, environmental mitigation and remediation and replacement of structures and ancillary facilities associated with new interchanges in perpetuity.

d) Responsibility for all costs including, but not limited to, design, rights of way, construction, maintenance, operations, Transportation Demand Management strategy implementation, environmental mitigation and remediation and replacement of structures and ancillary facilities owned by CDOT associated with existing interchanges, upgrades of existing intersections on state highways to interchanges, and ancillary facilities on the state highway system will be negotiated through the final Intergovernmental Agreement ("IGA") consistent with the financial plan identified in a System Level Study.

e) The Commission must approve CDOT's participation in any cost sharing proposal.

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3. Connections to the State Highway System:

a) Interchange connections to the state highway system are intended to improve the operations and safety of the state highway system, serve regional travel purposes or provide access to regional destinations. Therefore, interchange connections from state highways must be to regionally significant roadways or regionally significant publicly owned facilities, or result in a significant improvement in the operations and safety of the state highway system.

b) A regionally significant roadway is defined as a roadway classified as a principal arterial or higher classification in the most recently adopted Metropolitan Planning Organization transportation plan in urban areas, or if the roadway has been identified as regionally significant within an adopted Regional Transportation Plan, NEPA/environmental study, feasibility study, corridor optimization plan, or access management plan in which CDOT staff has participated and the Chief Engineer finds acceptable.

c) Access to local land uses must be provided to the extent reasonable and feasible by the local transportation system.

4. Inclusion of Transportation Demand Management Strategies

a) To preserve the overall functionality and operability of the state of Colorado's highway system, the applicant will implement traffic reduction or Transportation Demand Management ("TDM") strategies to preserve the long-term functionality of the constructed interchange improvement. The effectiveness of TDM strategies is highly dependent on the specific location, complementary strategies, the nature of the travel segment being targeted, and implementation and promotion. TDM requirements apply to new Type 1 and Type 2 interchange proposals. The TDM requirement does not apply to Type 2a proposals. The proposed TDM improvements will be included for analysis in the System Level Study.

b) As background, TDM helps the traveling public by offering access to multiple transportation modes through strategies like promoting increased transit, integrating with mobility hubs, ridesharing, walking, biking, and teleworking in order to reduce reliance on travel in a single-occupant vehicle. TDM helps the state by optimizing the use and available capacity of the existing transportation infrastructure. This TDM requirement intends to implement appropriate TDM strategies that preserve the functionality of interchanges on the state highway system in order to maximize the benefit created from new infrastructure investments. Therefore, the implementation of TDM strategies reduces vehicle miles traveled, highway congestion, and the subsequent greenhouse emissions.

c) At the discretion of the CDOT Chief Engineer, TDM strategies would apply to Type 2 interchange modifications on interstate facilities where the current operational Level of Service ("LOS") is an F, for the current year, during peak hours for the mainline in at least one direction of travel as identified in the System Level Study. Additionally, TDM strategies would be required if the LOS is predicted to be at level 'F' at the 20-year design year timeframe under a no-build scenario.

d) As a goal, the recommended TDM strategies should result in a 3% or greater average daily traffic ("ADT") reduction for the preferred alternative in Metropolitan Planning Organization ("MPO") Boundary Areas and a 1% or greater ADT reduction for the preferred

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alternative outside the MPO Boundary Areas. The reduction threshold goal shall be calculated from the opening day of the new facility, or 5-years from opening day if the TDM strategies are implemented on a phased schedule for traffic conditions with the assumption that the interchange improvements have been built. The trip reduction goal applies to the traffic volumes for the interchange ramps (all movement) as identified in the System Level Study.

e) The final IGA will outline TDM-related commitments along with a phased implementation schedule, if necessary. Any phased implementation schedule should be based on a combination of traffic volume ADT and LOS forecasts identified in Procedural Directive 1601.1.

f) It is the discretion of the Chief Engineer if TDM strategies could be reduced for interchange applications based on factors such as changes in land use and existing TDM programs or strategies. The factors used by the Chief Engineer are identified during the Pre-Application Meeting and are detailed in Procedural Directive 1601.1.

g) The applicant should also recognize that TDM strategies require some level of education and outreach to multiple stakeholders. TDM strategies can be highly effective and range in cost and should be accompanied by local capacity enhancements. These suggested strategies can be considered individually or grouped depending on the location, population, employment, land use, and if there is an existing transit system available. Lastly, CDOT recognizes that the suggested TDM strategy list identified in the Procedural Directive requires a range of possible partnerships that could include, but are not limited to, the private sector, local and regional transit agencies, Transportation Management Organizations or Transportation Management Associations, Business Improvement Districts, homeowners associations, special districts and other quasi-government and non-profit organization to fully execute the agreed-upon TDM improvement(s).

h) The Procedural Directive provides the applicant with a TDM scorecard and a target point system based on the type and location of the proposed improvement, to develop a project-specific TDM plan that will be included in the System Level Study. The project-specific TDM plan will include an analysis of the proposed TDM improvement, and how that proposed improvement will achieve the goals identified in Procedural Directive 1601.1.

5. Approval Process:

a) An initial IGA must be developed between the applicant and CDOT addressing responsibility for administrative and application costs, analytical procedures and responsibilities, anticipated level of design detail, approval process, anticipated schedule and other necessary issues following a project scoping meeting between the applicant and CDOT. An initial IGA may be developed for Type 2a proposals at the discretion of the Region Transportation Director.

b) The Commission (for Type I proposals) and the Chief Engineer (for Type 2 proposals) shall take action on a System Level Study of the impacts of the proposed interchange or interchange modification on the state and local transportation system and surrounding area. The System Level Study must include a preliminary financial plan that identifies which parties are responsible for applicable costs.

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c) Following the System Level Study approval, the new interchange or interchange modification proposal must be determined consistent with the applicable fiscally constrained regional transportation plan, receive approval of the applicable environmental documents consistent with the CDOT Environmental Stewardship Guide and receive NEPA approval and access approval by FHWA for all Interstate related proposals.

d) A final IGA, consistent with the approved System Level Study and approved by the Chief Engineer, that addresses all necessary commitments by the applicant including, but not limited to, construction, mitigation, operations, TDM strategies, maintenance, ownership will be negotiated after the System Level Study is approved and the applicable environmental and design requirements are addressed.

e) As an incentive to encourage cooperative corridor planning, a full systems analysis is not required when a proposed interchange or interchange modification is consistent with an approved corridor optimization and access control plan. In such cases, the Chief Engineer may define additional information necessary to ensure the proposed interchange meets acceptable design, safety, operational, and other applicable requirements.

f) The applicants must demonstrate significant progress, as defined by milestones in the IGA, towards implementation of the project within three (3) years of approval of the System Level Study by the Commission or Chief Engineer. If the applicant has not made significant progress toward implementation of the interchange project within three (3) years of this approval, the applicant may submit a written request to the Chief Engineer for a one (1) year time extension. No more than two (2) one-year extensions may be granted by the Chief Engineer.

V. IMPLEMENTATION PLAN

This Policy Directive shall be implemented by all Regions, Branches, Divisions, and Offices of the Colorado Department of Transportation.

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

VI. REVIEW DATE

This Policy Directive shall be reviewed before April 2026.

Herman F. Stockinger III

 Herman Stockinger, III
 Transportation Commission Secretary

4/15/2021

 Date

Resolution #TC-20-07-11

Resolution to request staff update PD 1601.0, the Interchange Approval Process

Approved by the Transportation Commission on July 16, 2020.

WHEREAS, under § 43-1-106(8), C.R.S., the Transportation Commission of Colorado (“Commission”) has the statutory responsibility to set policies for the Colorado Department of Transportation (“Department”); and

WHEREAS, Policy Directive 1601.0 “Interchange Approval Process” has not been updated in over a decade; and

WHEREAS, Colorado’s population has grown by nearly one million people over the last ten years to almost six million, and is expected to grow another 25% by 2040; and

WHEREAS, Policy Directive 1601.0 states that purpose of directive is to establish fair and consistent procedures regarding the review and evaluation of request for new interchanges and major improvements to existing interchanges on the state highway system; and

WHEREAS, the Commission believes it is necessary to strengthen the policy and address long-term system functionality of new interchanges and the state highway system overall; and

WHEREAS, the Commission is desirous of having future 1601 requests that come before the Commission include in the System Level Study an assessment of, and, if applicable, a commitment to Transportation Demand Management (TDM) strategies that will reduce the negative impact that additional vehicles on Colorado’s Interstates, Freeways and highways have on both system mobility and Colorado’s environment, including but not limited to, air quality; and

WHEREAS, as part of the update to PD 1601.0, staff plans to engage in stakeholder outreach and listening sessions, including with STAC, to help inform the updates to the PD; and

NOW THEREFORE BE IT RESOLVED, The Transportation Commission requests that the Department bring an update of Policy Directive 1601.0 that contains a requirement that the System Level Study include an examination of, and implementation of (where deemed appropriate) specific TDM strategies.

Herman F. Stockinger A.A.A.

Herman Stockinger, Secretary
Transportation Commission of Colorado

7/16/2020

Date

DRAFT August 16, 2023 Transportation Commission (TC) Meeting Notes

Workshops and Regular Meeting

Wednesday, August 16, 2023

1:00 pm to 3:30 pm

Transportation Commission Workshops 0:00 to 1:16:00

[August 16, 2023 Transportation Commission Meeting Recording](#)

Call to Order, Roll Call

Seven Commissioners were present: Lisa Tormoen Hickey, Karen Stuart, Kathleen Bracke, Eula Adams, Terry Hart, Yessica Holguin, and Mark Garcia, with Commissioners Gary Beedy, Kathy Hall, Barbara Vasquez excused. District 2 vacant.

Budget Workshop & Commissioner Roundtable on Budget Items (Jeff Sudmeier and Bethany Nicholas), [Recording Timestamp 00:03:55](#)

Purpose and Action:

The purpose of this workshop is to request approval from the TC for a construction project budget increase of \$11,742,755 (22%) to one of the previously approved 10 Year Strategic Plan (Plan ID 0016) Senate Bill 267 projects: I-25 Paving and Mobility - Fillmore to Garden of the Gods Improvements. The project had a bid opening on 7/27/2023.

Discussion:

- No substantial discussion was raised regarding the Region 2 increased project budget request.
- Commissioner Stuart asked about the reason for the delay in pass-through funds getting to transit agencies in the Division of Transit and Rail (DTR).
- It was explained that the problem was not a budget issue, but DTR staff turnover and vacancies at CDOT and in some instances turnover at transit agencies, were what primarily contributed to the contract delays. Kay Kelly noted that turnover is a recurring phenomenon with transit agencies nationwide. Funds will roll forward into the current year. Also internal processes changed, and grants increased causing more delays.
- CDOT DTR has been in contract with the transit agencies and CDOT is prioritizing those who are in a critical situation regarding their need for funding. So far the delays have not impacted the ability for the transit agencies to do their work and provide service. CDOT will continue to coordinate closely with these agencies to ensure funding goes where it is needed.

NFRMPO Greenhouse Gas (GHG) Transportation Report (Becky Karasko, Suzette Mallette, and Darius Pakbaz) [Recording Timestamp 00:17:58](#)

Purpose and Action:

The NFRMPO is submitting their Draft GHG Transportation Report to the Transportation Commission on the 2050 Regional Transportation Plan (RTP) as required in Section 8.02.5.1 of 2 CCR 601-22. Submission of this document also meets the compliance requirements in Section 8.05. The TC is being requested to accept this NFRMPO Transportation Report observing NFRMPO is in compliance with the state GHG planning requirements established in SB 21-260 and 2 CCR 601-22.

Discussion:

- Commissioner Bracke thanked the NFRMPO for the presentation and that it is helpful to explain more of the context of the GHG analysis and the report. Nice to hear the work and two years to develop the draft plan and the public comments. Commissioner Bracke asked Becky Karasko, of NFRMPO, if the GHG Analysis report and Modeling was approved by Colordao Department of Health and Environment (CDPHE). Karasko replied yes, CDPHE concurs and agrees with the modeling process. Commissioner Bracke asked how GHG emissions will be monitored.
 - DTD Director Darius Pakbaz answered looking three years out into the future, CDOT is checking on that, and Policy Directive 14. Also, we are considering the GHG Roadap and how we can build on that, by looking at how these plans have changed and what was done traditionally on the CDOT side and the MPO side, with a mix of projects put out there, that provide transportation choice and looking how to reduce emissions from transportation there from a planning perspective.
 - Theresa Takushi, CDOT GHG Program Manager, added that it is also looking at near term and long term to determine how the plans are changing and how the modeling team is working together. Also, the changes we are seeing in the modeling are at the forefront of our minds, to be sure that we are observing the desired changes.
- Other Commissioners commented on the need to expedite efforts to reduce GHG emissions and coordinate with MPOs to enhance planning processes that contribute to GHG emissions reductions.

New Fuels Impact Enterprise Workshop (Craig Hurst and Darius Pakbaz) [Recording Timestamp 00:51:33](#)

Purpose and Action:

The purpose of this workshop was to provide an overview of the Fuels Impact Enterprise, newly established under Senate Bill 23-280 - Hazardous Material Mitigation to the Enterprise Board of Directors. Additionally, the Enterprise is required, by statute, to impose a Fuels Impact Reduction Fee and report the fee amount approved by the Board of Directors to the Department of Revenue no later than September 1, 2023. Staff is recommending the Board of Directors approve an amount of six thousand one hundred twenty-five millionths of a dollar (\$0.006125) per gallon, complying with C.R.S. 43-4-1505 (1)(b).

Discussion:

- Commissioners commented on the need to understand the data and information better that is behind the percentages of distribution to political subdivisions outlined in the legislation.

- They need to understand the role of the Board of Directors in more detail to comply with this legislation.
- It was determined that the TC can proceed with adopting a resolution to approve the fuels impact reduction fee outlined in the legislation, without having articles of incorporation established.
- More discussion on this will be covered at the September TC workshops.
- Once the annual balance collected from the fees exceed \$15 million, the collection of this fee stops.

Consent Agenda Review (Herman Stockinger and Others) [Recording Timestamp 01:10:14](#)

Purpose and Action:

To discuss the five items included in the Consent Agenda for August 2023, prior to TC taking action to discuss and adopt at their Regular Meeting, scheduled to follow this workshop.

- Proposed Resolution #1: Approve the Regular Meeting Minutes of July 19, 2023
- Proposed Resolution #2: IGA Approval >\$750,000
- Proposed Resolution #3: Abandonment: US 6 North Frontage Road, Lakewood
- Proposed Resolution #4: Access Easement: I-25 and CO 119 Mobility Hub
- Proposed Resolution #5: Disposal: Parcel 8-EX Sterling, CO

Discussion:

- No comments or concerns were raised by TC members regarding the August 2023 consent agenda items.

Transportation Commission Meeting

1. Call to Order, Roll Call [Recording Timestamp 1:31:49](#)

Seven Commissioners were present: Lisa Tormoen Hickey, Karen Stuart, Kathleen Bracke, Eula Adams, Terry Hart, Yessica Holguin, and Mark Garcia, with Commissioners Gary Beedy, Kathy Hall, and Barbara Vasquez excused.

2. Public Comments [Recording Timestamp 01:33:06](#)

- Written comments only on the record.
- No one in person to comment came forward.

3. Comments of the Chair and Individual Commissioners [Recording Timestamp 01:33:50](#)

- Commissioner Adams - None.
- Several Commissioners welcomed Paul DesRocher to CDOT as the new DTR Director.
- Commissioner Stuart - There have been short TC meetings over the past couple of months. There is lots of information to discuss, once new Commissioners are appointed and sworn in. Suggested an in-person meeting, an intensive two day of meetings. Appreciated work of CDOT Staff. Requested to avoid a large December TC meeting if possible.

- Commissioner Bracke - Appreciated NFRMPO submittal to GHG Transportation Report and their presentation provided during the workshops. Raised a tremendous thank you for CDOT Region 4 for hosting the safety summit in Loveland. The Summit was very inspiring and eye opening to see the crash data. Great to hear from health agencies, Law enforcement and other agencies. The summit provided tangible tools to employ with a multi-faceted approach to enhance safety.
- Commissioner Hart - Echoed Commissioner Stuart's comments about TC meetings and getting back to normal agendas. Weather - had a record winter for snow removal, and now the hottest weather worldwide. This puts a stress on our transportation system. Attended the SETPR meeting in Lamar. Applauded John Lorme's team for their work on the roads in the record heat. The TC will take into consideration the public comments received, and appreciated the NFRMPO GHG Transportation Report. Projects that are appropriately related to the Fuel Impact Enterprise are Eisenhower Johnson Memorial Tunnel (EJMT) and Glenwood Canyon improvements.
- Commissioner Garcia - Summertime is road construction time in Colorado and lots of work has been observed to be underway. Herman Stockinger and staff were recognized for work on the online Webinar for Region 5, and the presentation for the Southwest (SW)TPR regarding the TPR Boundary Study was great work. A Clean Transportation Enterprise meeting was held this month, but the Commissioner was not able to attend.
- Commissioner Holquin - This is a busy summer, and echoed the comments on returning to the regular TC schedule soon. At the RPC meeting yesterday had a meaningful discussion on safety and data and EVs and their impact on security. We need to, consider how to keep everyone trained and safe when responding to EV incidents. The Nonattainment Area Air Pollution Mitigation Enterprise (NAAPME) meeting occurred, where the team is focused on maximizing the impact of decisions they are making at the meeting.
- Commissioner Hickey - Appreciated the comments of the other Commissioners. Important to figure out how to keep costs down as money is limited. Appreciated Region 2 staff for being creative and flexible to keep things moving. We need to make sure we identify all available funding sources. During travel across Colorado, the hope was that CDOT workers in the heat will keep safe. Visited the Western Slope area and crossed back to Colorado Springs. There is lots of growth occurring in Colorado Springs. It is important as a TC member to consider the Region in decision making for transportation.

4. Executive Director's Management Report (Shoshanna Lew) [Recording Timestamp](#)

[01:49:48](#)

- Welcomed Paul DesRocher as the new Division of Transit and Rail Director.
- CDOT has had success with implementing Pegasus this year, along with challenges with keeping the Colorado transportation system moving.
- Jeff Sudmeier and Kay Kelly were recognized for their leadership work for CDOT during the last couple of months to get the CDOT administered contracts that were delayed out to recipients.
- During construction, CDOT is doing its best to make adjustments to minimize inconveniences to the public, prior to the close of the season, especially along I-70 there is a focus to enhance public awareness efforts.

5. Chief Engineer's Report (Keith Stefanik) [Recording Timestamp 01:52:47](#)

- CDOT hosted a Transportation Safety Summit in Loveland last week a 2-3 day event, that had about 175-200 attendees, with several agencies participating. The interest and participation in the summit builds each year. This was year number three for this Safety Summit.
- Commissioner Bracke requested information on the SB 23-200 Automated Vehicle Identification Systems (AVIS) that permits electronic radar speed enforcement.
- CDOT is supportive of this bill. CDOT is working with Colorado State Patrol on interpreting this bill. CDOT plans to message plans for enforcement, prior to implementing any new policies.

6. FHWA Division Administrator Report (John Cater) [Recording Timestamp 01:57:41](#)

- Colorado has more unlined rock tunnels than other states. Had a workshop here to talk about rock tunnels. There are national standards for tunnel inspections that were discussed.
- The Safety Summit in Loveland was a great session with good turnout - some attendees came from outside of the transportation realm - healthcare, community advocates, law enforcement, etc.
- A Speeding and Speed Management Peer Exchange was hosted by the National Highway Transportation Safety Administration (NHTSA) and FHWA - 10 states participated with a focus on speed challenges and impact of speed on fatalities. Several CDOT folks attended.
- Peaks to Plains Trail in Colorado, that covers the Front Range out to Clear Creek Canyon and then out to Glenwood Canyon and beyond, the first sections are being built in Jefferson County that is very challenging and expensive with viaduct and cantilever features. This project, once completed, will be a jewel for the state, and will be ADA accessible.

7. Act on Consent Agenda (Herman Stockinger) [Recording Timestamp 02:02:26](#)

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

- Proposed Resolution #1: Approve the Regular Meeting Minutes of July 19, 2023
- Proposed Resolution #2: IGA Approval >\$750,000
- Proposed Resolution #3: Abandonment: US 6 North Frontage Road, Lakewood
- Proposed Resolution #4: Access Easement: I-25 and CO 119 Mobility Hub
- Proposed Resolution #5: Disposal: Parcel 8-EX Sterling, CO

8. Discuss and Act on Proposed Resolution #6: FY 2024 Second Budget Supplement (Jeff Sudmeier) [Recording Timestamp 02:03:16](#)

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

9. STAC Report to the Transportation Commission (Vince Rogalski) [Recording Timestamp 02:05:35](#)

- August 3rd STAC meeting - the Transportation Legislative Review Committee (TLRC) is meeting now. The Efficiency and Accountability Committee Meeting is meeting tomorrow that will go over SB 23-268 and reporting requirements for the 10-Year Plan.

- The STAC Vice Chair requested more transparency when CDOT puts new requirements on new bills or adds relevant changes to previous bills during the state legislative session.
- HB 1101 - new things are happening - there is agreement that there should be more consistency with administrative documents that also serves as a resource for keeping institutional knowledge. CDOT is looking at TPR setup and bylaws, articles of incorporation, etc.
- Staff will continue to gather TPR study survey input until August 31 2023, continue meeting with stakeholders and attend TPR meetings, hold another round of public meetings in the fall, and CDOT staff will submit a draft plan to the TLRC in November. STAC discussed what the RPP formula for distribution should be. The current formula recommended by the STAC was based on 25% VMT, 20% population, 40% Lane Miles, and 15% Truck VMT. STAC voted to recommend this 2019 formula again to the TC. Lane mile discussion was to not change the definition of lane miles, or amend lane mile data.
- Innovative Mobility Office provided an update on mobility hubs. Bustang is growing, for EVs there are over 8,600 or 10.5% of vehicle sales in Colorado, and use of electric buses by transit agencies is increasing.
- The Next meeting for STAC is in-person at DRCOG offices on September 7, 2023.

10. Discuss and Act on Proposed Resolution #7: NFRMPO GHG Transportation Report Acceptance (Becky Karasko, Suzette Mallette, and Darius Pakbaz) [Recording](#) [Timestamp 02:15:48](#)

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

- Commissioner Hart noted a focus of the TC will be to fine tune this process for GHG emissions reduction and continue to work to expedite GHG emissions reduction efforts.
- Commissioner Hickey as chair of the TC GHG Committee - will add public comments received regarding GHG emission reduction, and comments will be reviewed closely by the Committee members considering the GHG Rule review to consider strategies for expedition of GHG emissions reduction.

11. Adjournment - Approximately 3:20 pm

Fuels Impact Enterprise Board of Directors (Full TC Membership) Meeting #1

Call to Order, Roll Call [Recording Timestamp 02:23:35](#)

Seven Commissioners were present: Lisa Tormoen Hickey, Karen Stuart, Kathleen Bracke, Eula Adams, Terry Hart, Yessica Holguin, and Mark Garcia, with Commissioners Gary Beedy, Kathy Hall, and Barbara Vasquez excused.

Discuss and Act on Proposed Resolution FE#1: Approval of Fuel Impact Enterprise Fee Structure (Darius Pakbaz)

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

The Board of Directors (the present TC members) approved an amount of six thousand one hundred twenty-five millionths of a dollar (\$0.006125) per gallon of petroleum as the Fuel Impact Enterprise fee, complying with C.R.S. 43-4-1505 (1)(b).

Adjournment - Approximately 3:28 pm



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: September 7, 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





TRANSPORTATION COMMISSION REQUEST

TO: Transportation Commission
FROM: Jim Fox, State Maintenance Engineer, Division of Maintenance and Operations
CC: John Lorme, Director of Maintenance & Operations
Herman Stockinger, Deputy Executive Director

DATE: September 21, 2023
SUBJECT: FY 24 Maintenance Project List

Purpose

The Maintenance Sections have identified projects valued at between \$150,000 and \$250,000 for construction in FY 24. The resolution details additions to project locations, type, and dollar value.

Action Requested

Per CRS 24-92-109, and PD 703.0 require CDOT to prepare estimates of proposed work exceeding \$150,000 up to \$250,000 for Transportation Commission approval prior to undertaking the work.

Background

Part of the CDOT Maintenance Asset Management Program, often called Maintenance Levels Of Service (MLOS), includes surface treatments. The current FY24 MLOS surface treatment budget is \$40.9 million. The vast majority of maintenance projects cost less than \$150k to complete. However, from time to time, CDOT maintenance staff identify surface preservation projects costing more than \$150k that CDOT maintenance staff can efficiently and effectively do with state resources. To maintain the balance of CDOT surface treatment work contracted out versus done internally, the Transportation Commission must in accordance with the "Construction Bidding for Public Projects Act" (CBPPA) approve the projects costing between \$150k-\$250k. Projects estimated to cost more than \$250k are awarded to a contractor through competitive bidding.

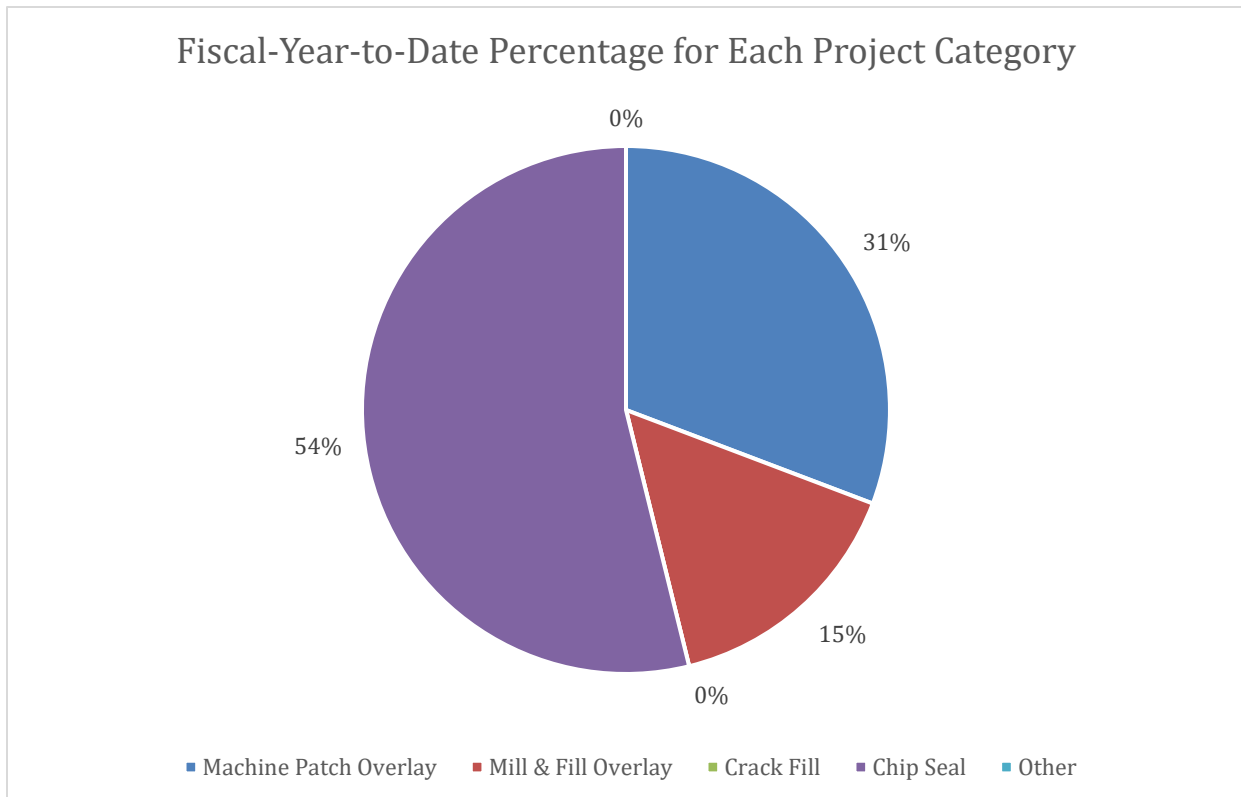
This program allows our Maintenance and Traffic Sections the flexibility to react to current maintenance needs by treating individual segments of highways showing distress. Sufficient funds exist within the appropriate MPA's to complete these projects. The projects are in accordance with the directive and all other



requirements. The Division of Maintenance & Operations recommends approval of the FY 24 over \$150,000 project list.

Key Benefits

Approval of these projects will allow the Maintenance forces to proceed with these projects ensuring the safety and mobility of the traveling public and enabling the continuation of commerce along the state highway system.



Next Steps

This request is for retroactive approval of work completed in July 2023. The initial budget was \$141,077 and once work was completed, higher labor and equipment rates moved this work effort into the cost category requiring Commission approval. The final cost of the work was \$175,326 which represents an overrun of \$34,249.

Attachments

Resolution for Transportation Commission Approval - Includes Project List



Operational Budget Deviation Explanation





MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: SEPTEMBER 21, 2023
SUBJECT: DISPOSAL OF 19 PARCELS, US 6 NORTH FRONTAGE ROAD
7TH AVE. TO ELDRIDGE ST., MM 276.44 TO MM 276.85

Purpose

CDOT Region 1 is proposing to dispose of 19 parcels along the U.S. 6 North Frontage Road, from 7th Ave. to Eldridge St. in Lakewood. The parcels for disposal, 1-EX, 9-EX, 11-EX, 12-EX, 12B-EX, 13-EX, 14-EX, 15-EX, 16-EX, 17-EX, 18-EX, 98-EX, 99-EX, 100-EX, 101-EX, 102-EX, 103-EX, 104-EX, and 105-EX, comprise a combined 194,759 sq. ft. (4.49 acres) of land that is no longer needed for transportation or maintenance purposes.

Action

CDOT Region 1 is requesting a resolution, in accordance with C.R.S. 43-1-210, approving the disposal of 194,759 sq. ft. (4.49 acres) of property along the U.S. 6 North Frontage Road that is no longer needed for transportation or maintenance purposes.

Background

Region 1 and the City of Lakewood have negotiated an IGA for CDOT to abandon two portions of the U.S. 6 North Frontage Road to the City. The second portion will revert to CDOT's ownership, due to the city's declaration that the portion is not needed for a city road. Upon the ownership reverting to CDOT, CDOT wishes to dispose of the parcels that comprise the second portion for fair market value.

Abandonment of the first portion was approved by the Transportation Commission in August of 2023. This month, the Region is seeking approval on the abandonment of the second portion and a declaration of excess of the 19 parcels that comprise the second portion.

Next Steps

Upon approval by the TC, Lakewood and CDOT will proceed with signing the IGA, and ownership of the parcels, 1-EX, 9-EX, 11-EX, 12-EX, 12B-EX, 13-EX, 14-EX, 15-EX, 16-EX, 17-EX, 18-EX, 98-EX, 99-EX, 100-EX, 101-EX, 102-EX, 103-EX, 104-EX, and 105-EX, will revert to CDOT. CDOT will market and sell the parcels in accordance with C.R.S. 43-1-210(5). CDOT will execute quitclaim deeds to convey the subject parcels in exchange for fair market value. The deeds will be recorded in the office of the Jefferson County Clerk and Recorder. Funds from the disposals shall be disbursed in accordance with Section 7.2.16 of the CDOT Right of Way Manual.

Attachments

Proposed Resolution
Exhibit Depicting the Parcels



ROW DISPOSAL EXHIBIT

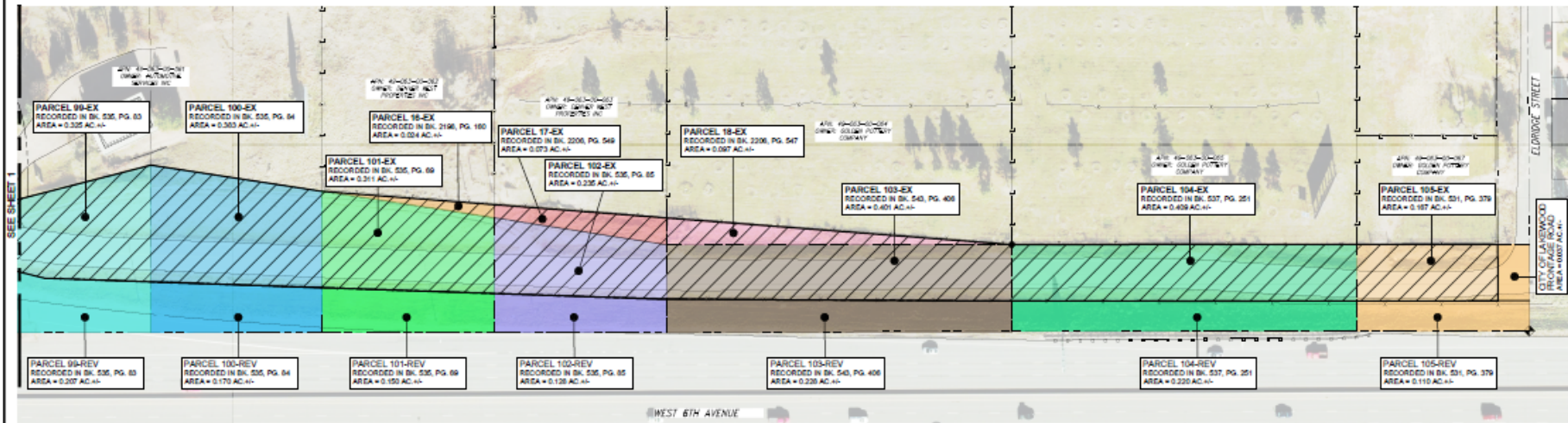
PARCELS: 9-EX, 12-EX (BK 2325), 12-EX (BK 1965), 11-EX, 13-EX, 1-EX, 14-EX, 15-EX,
98-EX, 99-EX, 100-EX, 16-EX, 101-EX, 17-EX, 102-EX, 18-EX, 103-EX, 104-EX AND 105-EX
LOCATED IN THE SOUTHWEST QUARTER SECTION 6, T. 4 S., R. 69 W., 6TH P.M. JEFFERSON COUNTY, COLORADO




Farnsworth
GROUP
5613 DTC PARKWAY, SUITE 1200
GREENWOOD VILLAGE, COLORADO 80111
(303) 692-8838 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

#	DATE	DESCRIPTION
1	1/22/2020	INITIAL REVIEW
2	1/22/2020	COORD REVIEW
3	1/22/2020	COORD REVIEW
4	1/22/2020	COORD COMMENT
5	1/22/2020	COORD COMMENT
6	1/22/2020	COORD COMMENT



 HATCHED AREA INDICATES AREA TO BE DISPOSAL OF
TOTAL AREA = 194,759 SQUARE FEET OR 4.471 ACRES, MORE OR LESS.

- NOTES**
1. THIS DISPOSAL EXHIBIT IS NOT A BOUNDARY SURVEY OF THE ADJOINING PROPERTY AND IS PREPARED FOR COLORADO DEPARTMENT OF TRANSPORTATION PURPOSES ONLY.
 2. THIS SURVEY DOES NOT REPRESENT TITLE RESEARCH BY FARNSWORTH GROUP, INC. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ANY TITLE COMMITMENTS. RIGHTS-OF-WAY DEPICTED ON THIS SURVEY ARE TAKEN FROM THE RECORDED DOCUMENTS NOTED HEREON. EASEMENTS ARE NOT SHOWN BY AGREEMENT WITH CLIENT.
 3. ASSESSOR PARCEL NUMBERS AND OWNER INFORMATION WAS TAKEN FROM THE JEFFERSON COUNTY ASPIN WEB MAPPING APPLICATION ON MAY 12, 2022.
 4. DATE OF AERIAL IMAGERY IS JANUARY, 2018.
 5. THIS PLAN SET IS SUBJECT TO CHANGE AND MAY NOT BE THE MOST CURRENT SET. IT IS THE USER'S RESPONSIBILITY TO VERIFY WITH THE DEPARTMENT WHETHER THIS IS THE MOST CURRENT. THE INFORMATION CONTAINED ON THE ATTACHED DRAWING IS NOT VALID UNLESS THIS COPY BEARS AN ORIGINAL SIGNATURE OF THE PROFESSIONAL LAND SURVEYOR HEREON NAMED.
 6. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, OR LAND BOUNDARY MONUMENT, OR ACCESSORY, COMMITS A CLASS 2 MISDEMEANOR PURSUANT TO STATE STATUTE 18-6506 C.R.S.
 7. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

WEST 6TH AVENUE
FRONTAGE ROAD

R.O.W. DISPOSAL EXHIBIT

SOUTHWEST 1/4, SECTION 6,
T. 4 S., R. 69 W, 6TH PM
LAKEWOOD, COLORADO

DATE:	10/22/2020
DESIGNED:	AGW
DRAWN:	JAN
REVIEWED:	BRM
FIELD BOOK NO.:	2531

DISPOSAL EXHIBIT



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: SEPTEMBER 21, 2023
SUBJECT: ABANDONMENT US 6 NORTH FRONTAGE ROAD
7TH AVE. TO ELDRIDGE ST., MM 276.44 TO MM 276.85

Purpose

CDOT Region 1 is proposing an abandonment of approximately 0.41 miles of the U.S. 6 North Frontage Road from 7th Ave. to Eldridge St. to the City of Lakewood.

Action

CDOT Region 1 is requesting a resolution approving the abandonment of approximately 0.41 miles of the U.S. 6 North Frontage Road from 7th Ave. to Eldridge St. to the City of Lakewood.

Background

Region 1 and the City of Lakewood have negotiated an IGA for CDOT to abandon two portions of the US 6 North Frontage Road to the City. Abandonment of the first portion was approved by the Transportation Commission in August of 2023. This month, the Region is seeking approval on the abandonment of the second portion. Upon approval by the TC, Lakewood and CDOT will proceed with signing the IGA.

Colorado Revised Statute 43-2-106 (1)(a) provides that the Transportation Commission may determine that a State Highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality. The Code of Federal Regulations 23.620.203(c)(3) allows CDOT to relinquish portions of unneeded frontage roads.

Next Steps

Subject to the concurrence to proceed with devolution by the Transportation Commission, CDOT and the City of Lakewood will proceed with signing the IGA. CDOT will execute quitclaim deeds that will include a reversion provision stating that if the property that is the subject of the quitclaim deeds is not used for transportation purposes, title to such property will automatically revert back to CDOT.

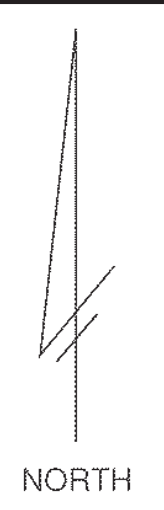
Attachments

Proposed Resolution
Exhibit Depicting the Parcels



COLORADO DEPARTMENT OF TRANSPORTATION
ABANDONMENT - WEST 6TH AVENUE NORTH FRONTAGE ROAD
FROM WEST 7TH AVENUE (MM 276.44 +/-) TO ELDRIDGE STREET (MM 276.85 +/-)
PER CDOT PROJECT NUMBERS C 11-0002-24, C 11-0006-01, C 11-0182-28, SN FAP 67-A(4)
JEFFERSON COUNTY, COLORADO
DATE: OCTOBER 13, 2022

SW 1/4
SECTION 6
TOWNSHIP 4 SOUTH
RANGE 69 WEST



COLORADO MILLS BLVD.

7TH AVENUE

ELDRIDGE ST.

U.S. HIGHWAY NO. 6 (6TH AVENUE)

6TH AVE

Mile Marker No. 276.44 +/-

Mile Marker No. 276.85 +/-

INDIANA ST.

GLADIOLA

FLORA

ELLIS

ELDRIDGE

DEVINNEY

5TH

DEVINNEY

DEFRAME



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: SEPTEMBER 21, 2023
SUBJECT: PERMANENT EASEMENTS – EV CHARGERS – REGIONS 1 & 4

Purpose

To obtain Transportation Commission approval to grant the Public Service Company of Colorado access across CDOT’s properties at four locations for the purpose of providing utility lines to electric vehicle chargers.

Action

CDOT Region 1 and Region 4 are requesting a resolution, in accordance with C.R.S. 24-82-202, approving the grant of permanent easements to the Public Service Company of Colorado across four CDOT properties to install utility lines to electric vehicle chargers.

Background

CDOT was approached by the Public Service Company of Colorado (“PSCC”) with a request to grant permanent easements across four CDOT properties for the purpose of installing utility lines to electric vehicle chargers. Three of the locations are in Region 1: 18500 E. Colfax in Aurora, 4670 Holly St. in Denver, and 425 Corporate Circle in Golden. One location is in Region 4: 1050 Lee Hill Drive, Boulder.

PSCC anticipates needing ongoing access to the lines as the demand for electric vehicle chargers grows. Easements are needed because the locations in question are not right of way parcels that could be accessed via the permit process. C.R.S. 24-82-202 requires approval of the Transportation Commission for CDOT to grant an easement.

Next Steps

Upon approval of the Transportation Commission, CDOT will execute permanent easements in accordance with C.R.S. 24-82-202. The easements will be recorded in the records of the Boulder County, Denver County, Arapahoe County, and Jefferson County Clerk and Recorder.

Attachments

Proposed Resolution
Exhibits depicting the easements





**EXHIBIT A – 1050 LEE HILL DR
PARCEL NUMBER: PE-01**

A permanent easement lying in the southeast one-quarter (SE1/4) of Section 12, Township 1 North, Range 71 West, of the 6th Principal Meridian, County of Boulder, State of Colorado, being a portion of that Tract of land as described in Book 944, Page 170, Boulder County Records, described as follows:

Beginning on the north line of said Tract, from which the northeast corner of said Tract bears S88°38'23"E, 127.00 feet;

thence S00°00'00"E, 60.00 feet;
thence N90°00'00"W, 15.00 feet;
thence N00°00'00"E, 25.00 feet;
thence N90°00'00"E, 5.00 feet;
thence N00°00'00"E, 35.24 feet, to said north line;
thence S88°38'23"E, 10.00 feet, along said north line, to the Point of Beginning.

Containing 726 square feet (0.017 acres) more or less.

All lineal distances shown hereon are in U.S. Survey Feet.

As shown on Exhibit A, Sheet 2 of 2, attached hereto and made a part hereof.

For the purpose of this description, bearings are based on the north line of said Book 944, Page 170, which is assumed to bear N88°38'23"W.

Purpose of Easement: To survey, construct, operate, maintain, repair and replace utility lines associated with EV charge fixtures and devices.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 2000 S. Colorado Blvd, Suite 6000, Denver, CO 80222, on August 30, 2023, under Job No. 168469-64.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.

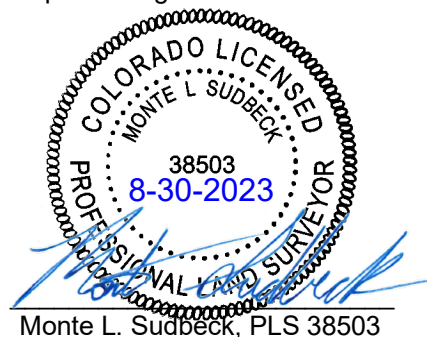
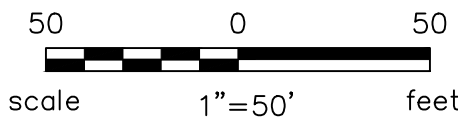
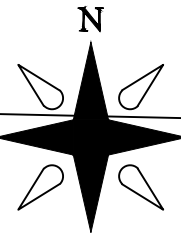
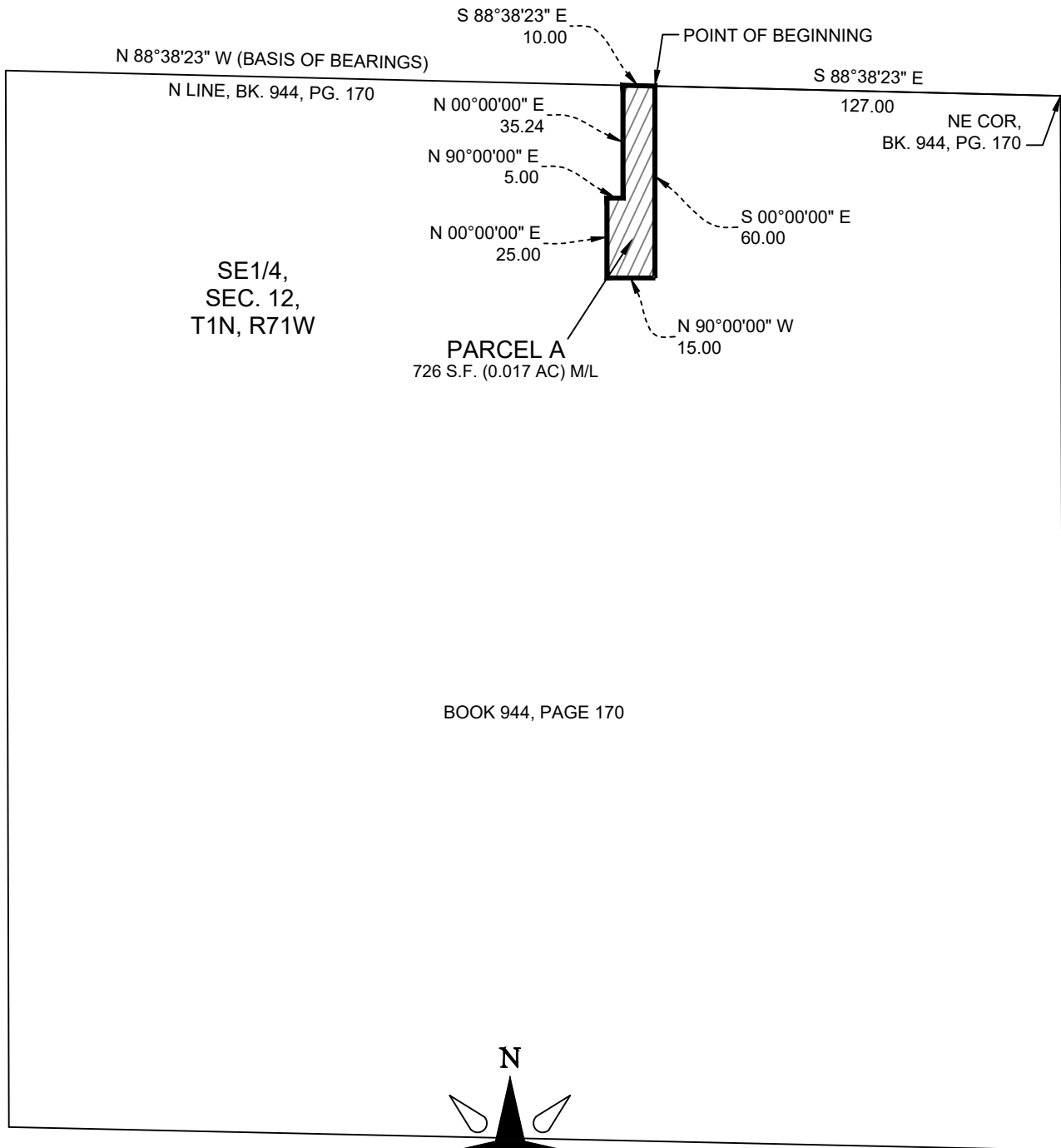


EXHIBIT A - 1050 LEE HILL DR
PARCEL A

LEE HILL DR



2000 S. Colorado Blvd
Suite 6000
Denver, Colorado 80222
Phone: 303-586-5800
FAX: 303-586-5801
www.sehinc.com

X:\PT\PS\COC\168469\64.0_1050 Lee Hill Dr\19-survey\92-CAD\10-C3dlLee Hill Dr.dwg



**EXHIBIT A – 18500 E. COLFAX AVE.
PARCEL NUMBER: PE-46REV**

A permanent easement lying in the northwest one-quarter (NW1/4) of Section 3, Township 4 South, Range 66 West, of the 6th Principal Meridian, County of Arapahoe, State of Colorado, furthermore being a portion of Parcel 46REV of CDOT ROW PLAN SET F_005_4(5), described as follows:

Beginning on the east line of that Warranty Deed as described in Reception Number D8005298, Arapahoe County Records, from which the northwest corner of said Section 3 bears N16°19'12"W, 208.53 feet;

- thence N89°32'34"E, 15.00 feet;
- thence S00°27'26"E, 15.00 feet;
- thence S89°32'34"W, 15.00 feet, to said east line;
- thence N00°27'26"W, 15.00 feet, along said east line, to the Point of Beginning.

Containing 225 square feet more or less.

All lineal distances shown hereon are in U.S. Survey Feet.

As shown on Exhibit A, Sheet 2 of 2, attached hereto and made a part hereof.

For the purposes of this description, bearings are based on the west line of the northwest one-quarter (NW1/4) of said Section 3, which is assumed to bear N00°27'26"W.

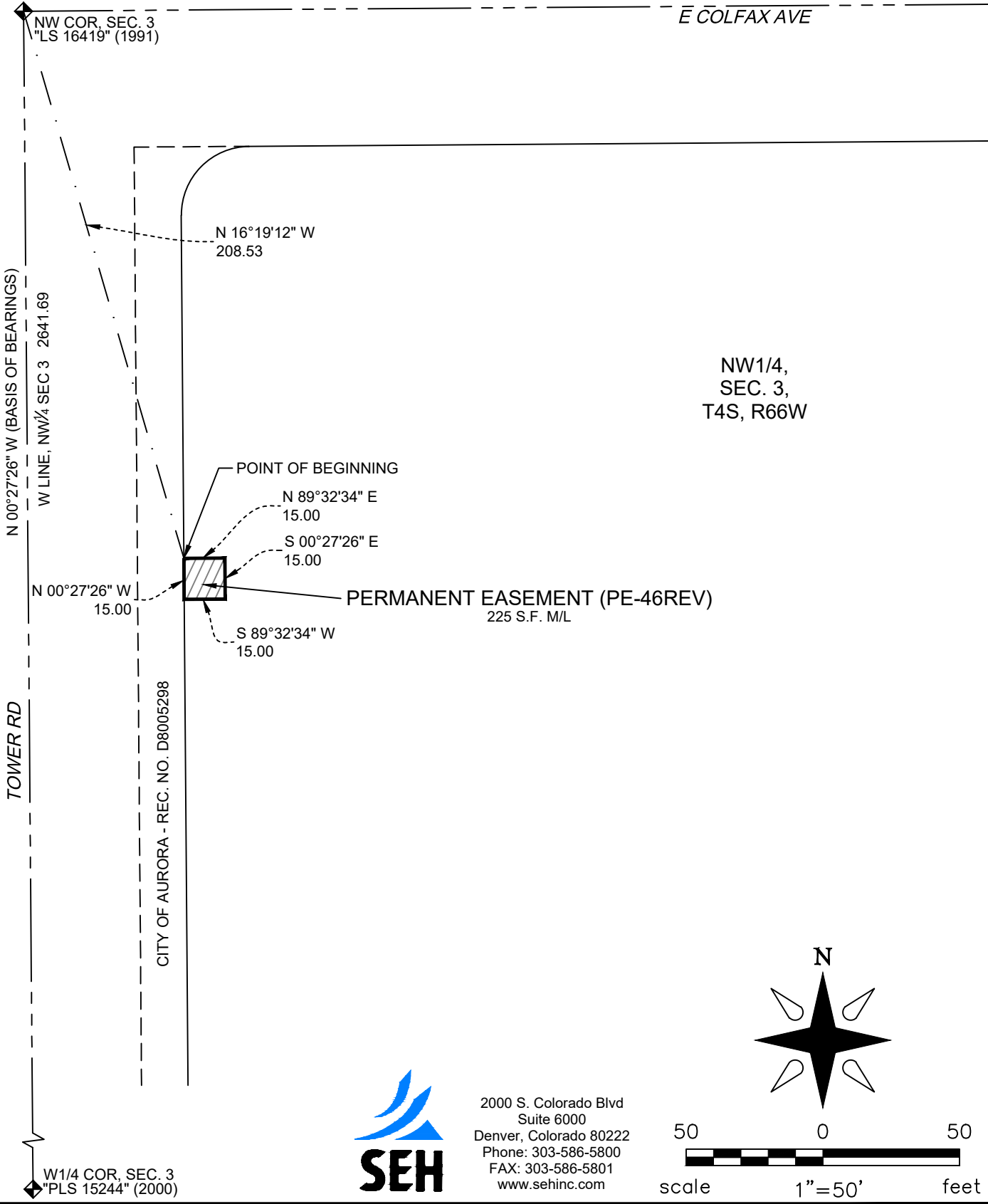
Purpose of Easement: Utilization of the easement parcel to survey, construct, operate, maintain, repair, and replace utility lines and associated fixtures and devices.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 2000 S. Colorado Blvd, Suite 6000, Denver, CO 80222, on June 12, 2023, under Job No. 173134-1.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



Monte L. Sudbeck, PLS 38503

EXHIBIT A - 18500 E. COLFAX AVE.
 PARCEL NUMBER: PE-46REV



X:\PT\PPSCOC\17313419-survey\92.CAD\10-C3d\18500 E Colfax Ave.dwg



2000 S. Colorado Blvd
 Suite 6000
 Denver, Colorado 80222
 Phone: 303-586-5800
 FAX: 303-586-5801
 www.sehinc.com



**EXHIBIT A – LOT 2
PARCEL NUMBER: PE-01**

A permanent easement lying in the northeast one-quarter (NE1/4) of Section 11, Township 4 South, Range 70 West, of the 6th Principal Meridian, County of Jefferson, State of Colorado, being a portion of Lot 2, CORPORATE PLACE SUBDIVISION FILING NO. 2, Jefferson County Records, furthermore being a portion of the lands described in a Warranty Deed (Reception Number F2121897) at the Jefferson County Clerk and Recorder’s Office, described as follows:

Beginning on the north line of said Lot 2, from which the northwest corner of the southwest one-quarter of the northeast one-quarter (SW1/4 NE1/4) of said Section 11 bears N80°20’57”W, 195.65 feet;

- thence N89°51’04”E, 10.00 feet, along said north line;
- thence S00°08’56”E, 20.00 feet;
- thence N89°51’04”E, 2.50 feet;
- thence S00°08’56”E, 15.00 feet;
- thence S89°51’04”W, 15.00 feet;
- thence N00°08’56”W, 15.00 feet;
- thence N89°51’04”E, 2.50 feet;
- thence N00°08’56”W, 20.00 feet, to the Point of Beginning.

Containing 425 square feet (0.010 acres) more or less.

All lineal distances shown hereon are in U.S. Survey Feet.

For the purposes of this description, bearings are based on said plat of CORPORATE PLACE SUBDIVISION FILING NO. 2.

Purpose of Easement: Utilization of the easement parcel to survey, construct, operate, maintain, repair, and replace utility lines and associated fixtures and devices.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 2000 S. Colorado Blvd, Suite 6000, Denver, CO 80222, on August 30, 2023, under Job No. 168463-50.0, for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



Monte L. Sudbeck, PLS 38503

EXHIBIT A - LOT 2
 PARCEL NUMBER: PE-01

SHEET 2 OF 2

NW COR, SW1/4 NE1/4
 SEC. 11

N 80°20'57" W
 195.65

POINT OF BEGINNING

N 89°51'04" E
 10.00

8' PSCO ESMT (BK. 2594, PG. 178)

N 89°51'04" E (BASIS OF BEARINGS)

N 00°08'56" W
 20.00

S 00°08'56" E
 20.00

N LINE, LOT 2

N 89°51'04" E
 2.50

N 89°51'04" E
 2.50

N 00°08'56" W
 15.00

S 00°08'56" E
 15.00

S 89°51'04" W
 15.00

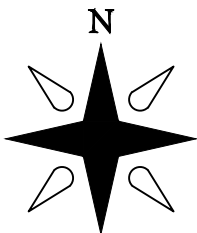
PERMANENT EASEMENT (PE-01)
 425 S.F. (0.010 AC) M/L

NE1/4,
 SEC. 11,
 T4S, R70W

LOT 2

CORPORATE PLACE SUBDIVISION FILING NO. 2

10' UTILITY ESMT (PER PLAT)



CORPORATE CIRCLE

50 0 50



scale 1"=50' feet



2000 S. Colorado Blvd
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 Denver, Colorado 80222
 Phone: 303-586-5800
 FAX: 303-586-5801
 www.sehinc.com

X:\IP\PP\SCOC\168463\50.0_425 Corporate Circle\9-survey\92-CAD\10-C3d\425 CORPORATE CIRCLE.dwg



**EXHIBIT A – 4670 HOLLY ST.
PARCEL NUMBER: PE-01**

A permanent easement lying in the northwest one-quarter (NW1/4) of Section 20, Township 3 South, Range 67 West, of the 6th Principal Meridian, City & County of Denver, State of Colorado, being a portion of Lot 6, Block 3, AIRLAWN INDUSTRIAL PARK FIRST FILING, City & County of Denver Records, furthermore being a portion of the lands described in a Warranty Deed (Reception Number 2004237883) at the Denver City and County Clerk and Recorder’s Office, described as follows:

Beginning on the west line of said Lot 6, from which the northwest corner of said Section 20 bears N02°24’33”W, 1046.00 feet;

- thence S00°13’04”E, 22.85 feet, along said west line;
- thence S26°10’08”E, 34.89 feet;
- thence S00°08’21”E, 3.61 feet;
- thence N89°51’39”E, 15.00 feet;
- thence N00°08’21”W, 15.00 feet;
- thence S89°51’39”W, 2.50 feet;
- thence N00°13’04”W, 66.52 feet;
- thence S89°46’56”W, 10.00 feet;
- thence S00°13’04”E, 60.20 feet;
- thence N26°10’08”W, 40.63 feet, to the Point of Beginning.

Containing 1,261 square feet (0.029 acres) more or less.

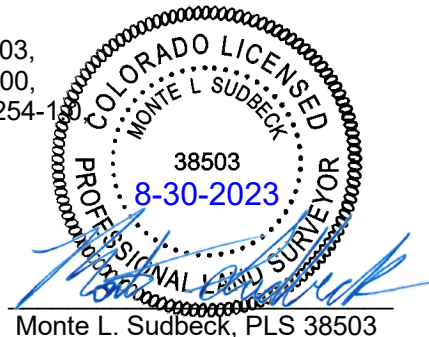
All lineal distances shown hereon are in U.S. Survey Feet.

As shown on Exhibit A, Sheet 2 of 2, attached hereto and made a part hereof.

For the purpose of this description, bearings are based on the west line of the northwest one-quarter (NW1/4) of said Section 20, which is assumed to bear S00°13’04”E.

Purpose of Easement: Utilization of the easement parcel to survey, construct, operate, maintain, repair, and replace utility lines and associated fixtures and devices.

The author of this description is Monte L. Sudbeck, PLS 38503, prepared on behalf of SEH, 2000 S. Colorado Blvd, Suite 6000, Denver, CO 80222, on August 30, 2023, under Job No. 173254-1 for Public Service Company of Colorado, and is not to be construed as representing a monumented land survey.



Monte L. Sudbeck, PLS 38503

EXHIBIT A - 4670 HOLLY ST.
 PARCEL NUMBER: PE-01

SHEET 2 OF 2

LOT 3, BLK 3

LOT 4, BLK 3

NW1/4,
 SEC. 20,
 T3S, R67W

PERMANENT EASEMENT (PE-01)
 1,261 S.F. (0.029 AC) M/L

AIRLAWN INDUSTRIAL PARK FIRST FILING

LOT 6, BLK 3

LOT 5, BLK 3

TRACT D

NW COR, SEC. 20

POINT OF BEGINNING

S 00°13'04" E 22.85

S 26°10'08" E 34.89

S 00°13'04" E (BASIS OF BEARINGS)
 W LINE, NW1/4 SEC 20

W1/4 COR, SEC. 20

1046.00
 N02°24'33"W

S 89°46'56" W 10.00

S 00°13'04" E 60.20

N 00°13'04" W 66.52

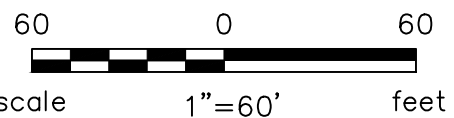
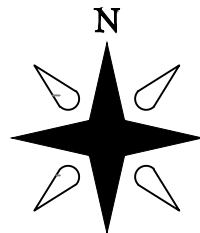
N 26°10'08" W 40.63

S 89°51'39" W 2.50

N 00°08'21" W 15.00

N 89°51'39" E 15.00

S 00°08'21" E 3.61



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X:\PT\PS\COC\17325419-survey\92.CAD\10-C3.dwg 4670 Holly St.dwg



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: KEITH STEFANIK, P.E. CHIEF ENGINEER
DATE: SEPTEMBER 21, 2023
SUBJECT: UTILITY EASEMENT – HOLY CROSS ENERGY

Purpose

To obtain Transportation Commission approval to grant Holy Cross Energy a utility easement for relocation of an overhead power line on CDOT property in Dotsero, Colorado.

Action

CDOT Region 3 is requesting a resolution, in accordance with C.R.S. 24-82-202, approving the grant of a utility easement to Holy Cross Energy on a CDOT property in Dotsero, Colorado.

Background

Holy Cross Energy approached CDOT with a request for an easement that would allow them to relocate an existing overhead power line in Dotsero, Colorado. The existing power line hangs directly over a mobile home park, and Holy Cross would like to relocate that existing high-voltage line. They would then run low-voltage insulated service lines to the mobile home park, utilizing the existing service poles. The primary concern is improving safety to for the residents of the mobile home park. C.R.S. 24-82-202 requires approval of the Transportation Commission for CDOT to grant an easement.

Next Steps

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

Attachments

Proposed resolution
Exhibit depicting the easement



- - - - = PARCEL LINE
- (green) = EXISTING OVERHEAD POWER LINE
- (blue) = PROPOSED OVERHEAD POWER LINE



CDOT PARCEL
EAGLE COUNTY
PARCEL NUMBER 2113-041-00-002

MALPAIS MOBILE HOME PARK

Dotséro Mobile Home Park

SEWER PLANT

SOUTH FRONTAGE ROAD

INTERSTATE 70

HIGHWAY 6

BLM GRAVEL ROAD 8460

PARCEL LINE

PARCEL LINE

PARCEL LINE

PARCEL LINE

PARCEL LINE

PARCEL LINE



Proposed Resolution #2

Authorizing CDOT to execute Intergovernmental Contracts, Amendments, and Option Letters over \$750,000 of the projects specified below.

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, pursuant to Colorado law at Section 43-1-110(4), C.R.S. the executive director or the chief engineer shall represent the department in negotiations with local governmental entities concerning intergovernmental agreements (IGAs) between the department and local governmental entities to implement the provisions of this article. No IGAs involving more than \$750,000 shall become effective without the approval of the commission.

WHEREAS, CDOT seeks to have the commission approve IGAs contracts identified in the attached IGA Approved Projects list each of which are IGAs greater than \$750,000.

WHEREAS, 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; and

WHEREAS, the Transportation Commission acknowledges that it has reviewed the IGA summary in the consent packet, which included all information necessary; and

WHEREAS the Transportation Commission has determined that the projects will serve the public interest and/or convenience of the traveling public and that the approval of the projects described in the report will serve the purpose(s) of the project; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby declares that the public interest and/or convenience will be served by approving the contracts identified in the attached IGA Approved Projects list and CDOT is authorized to execute all documents necessary to further these projects except that substantial changes to the project and/or funding will need to be reapproved.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

September 2023- IGAs > \$750,000

Region	Project Number(s)	Agency	Contract Value	Federal \$ (FHWA &/or USDT funds)	State \$	Local \$	Description
R1	25847	Aurora	\$2,223,700.00	\$1,778,960.00	\$0.00	\$444,740.00	Aurora OLA - Laredo Street Bridge Rehabilitation. Total Funds \$2,223,700.00
	25634	Golden	\$1,004,000.00	\$871,000.00	\$0.00	\$133,000.00	Golden OLA - Downtown Golden Traffic Signal Upgrade. Total Funds \$1,004,000.00
	22879	Wheat Ridge	\$1,189,636.00	\$951,709.00	\$0.00	\$237,927.00	Denver OLA - Peaks to Plains Trail. Total Funds \$1,189,636.00
	25501	Lone Tree	\$1,600,000.00	\$1,100,000.00	\$0.00	\$500,000.00	Lone Tree OLA - South Havana Street Bikeway Construction. Total Funds \$1,600,000.00
R2	25212	Pikes Peak RTA	\$1,706,000.00	\$0.00	\$853,000.00	\$853,000.00	Pikes Peak RTA OLA - CO Springs HWS (Homestead, Woodmen, Skyline) Trail Crossings. Total Funds \$1,706,000.00
R3	25945	Eagle County	\$1,000,000.00	\$500,000.00	\$0.00	\$500,000.00	Eagle OLA - Sylvan Lake Road Pedestrian Safety Project. Total Funds \$1,000,000.00
	25946	Frisco	\$1,009,764.00	\$504,882.00	\$0.00	\$504,882.00	Frisco OLA - Sidewalks on State Highway 9 in Frisco. Total Funds \$1,009,764.00
	25363	Palisade	\$1,831,000.00	\$0.00	\$1,710,000.00	\$121,000.00	Palisade OLA - Shared Path on West Elberta Avenue to I-70 Exchange. Total Funds \$1,831,000.00

	25364	Paonia	\$1,040,774.00	\$0.00	\$1,010,592.00	\$30,182.00	Paonia OLA - Safe Pathways for Paonia. Total Funds \$1,040,774.00
R4	25793	Erie	\$1,295,460.00	\$1,036,368.00	\$0.00	\$259,092.00	Erie OLA - WCR 3 Bridge over Sullivan Ditch. Total Funds \$1,295,460.00
	23879	Fort Collins	\$1,000,080.00	\$900,072.00	\$0.00	\$100,008.00	Fort Collins OLA - Lemay and Drake Intersection Improvements. Total Funds \$1,000,000.00
	25704	Fort Collins	\$931,984.00	\$745,587.00	\$0.00	\$186,397.00	Fort Collins OLA - SRTS Zach Elementary School. Total Funds \$931,984.00
	22628	Logan County	\$4,705,287.00	\$3,764,230.00	\$0.00	\$941,057.00	Logan County AM2- County Road 93 Bridge Replacement. This is a correction to the April TCC. It was listed as an OLA, and it is an Amendment 2. This Amendment increases funding by \$2,599,999.00. Total Funds \$4,705,287.00
	24513	Loveland	\$1,592,500.00	\$1,432,950.00	\$87,525.00	\$72,025.00	Loveland OLA - Backplate and Dilemma Zone Detections Project. Total Funds \$1,592,500.00
	25297	Windsor	\$1,250,760.00	\$740,394.00	\$0.00	\$510,366.00	Windsor OLA - 11th Street Multimodal Improvements Project. Total Funds \$1,250,760.00
R5	25249	Salida	\$2,101,474.00	\$1,870,348.00	\$0.00	\$231,126.00	Salida AM - SH 291 and M Street Sidewalk Project. This Amendment increases funding by \$1,155,632.00. Total Funds \$2,101,474.00

Proposed Resolution #3

Fiscal Year 2024 Projects \$150K-\$250K Approval

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, under Senate Bill 21-1056, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the “Construction Bidding for Public Projects Act;” and

WHEREAS, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed \$150 thousand, but are less than or equal to \$250 thousand for submission to the Transportation Commission for review and approval; and

WHEREAS, CDOT staff have prepared a cost estimate for this project to be done in Fiscal Year 2024.

WHEREAS, the funding for this project is contained in the Fiscal Year 2024 Budget.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission has reviewed the cost estimate, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the project therein.

.....

Region 4 Section 1 – MLOS				
Hwy	Start	End	Type	Cost
071E	187.7	188.7	Overlay	\$175,326
			Sum	\$175,326

Sufficient funds exist within the appropriate MPA’s to pursue this project. The project is in accordance with the directive and all other requirements.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #4

Disposal: 19 Parcels along US 6 North Frontage Road., Lakewood

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, CDOT owns 0.41 linear miles of roadway in the City of Lakewood, identified as U.S. Highway 6 North Frontage Road; and

WHEREAS, that portion of U.S. Highway 6 North Frontage Road is located between 7th Ave. (MM 276.44) and Eldridge St. (MM 276.85) and is comprised of 19 parcels: 1-EX, 9-EX, 11-EX, 12-EX, 12B-EX, 13-EX, 14-EX, 15-EX, 16-EX, 17-EX, 18-EX, 98-EX, 99-EX, 100-EX, 101-EX, 102-EX, 103-EX, 104-EX, and 105-EX; and

WHEREAS, there is an item before the Transportation Commission this month that will declare this portion of the roadway between 7th Ave. (MM 276.44) and Eldridge St. (abandoned to the City of Lakewood); and

WHEREAS, the Code of Federal Regulations 23.620.203(c)(3) allows CDOT to relinquish portions of unneeded frontage roads; and

WHEREAS, the City of Lakewood has declared that this portion of the U.S. 6 North Frontage Road no longer functions as a State Highway and is not needed as a city road; and

WHEREAS, ownership of the abandoned parcels will revert to CDOT, due to the City's declaration they are not needed for a city road; and

WHEREAS, once ownership reverts to CDOT, CDOT wishes to dispose of the parcels for fair market value;

WHEREAS, the Chief Engineer, the Department of Transportation, and the Executive Director are authorized pursuant to Colorado Revised Statutes (C.R.S.) 43-2-106, to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies); and

WHEREAS, pursuant to C.R.S 43-1-210(5)(a)(I) The Department of Transportation is authorized, subject to approving resolution of the Transportation Commission, to dispose of any property or interest therein which is no longer needed for transportation purposes.

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S. 43-2-106, 23 CFR 710.403, and C.R.S 43-1-210(5), the Department of Transportation be given authority to declare Parcels 1-EX, 9-EX, 11-EX, 12-EX, 12B-EX, 13-EX, 14-EX, 15-EX, 16-EX, 17-EX, 18-EX, 98-EX, 99-EX, 100-EX, 101-EX, 102-EX, 103-EX, 104-EX, and 105-EX as excess property and convey the parcels for fair market value.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #5

Disposal: Abandonment US 6 North Frontage Road, 7th Ave. to Eldridge St., Lakewood

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, CDOT owns 0.41 linear miles of roadway in the City of Lakewood, identified as U.S. Highway 6 North Frontage Road; and

WHEREAS, that portion of U.S. Highway 6 North Frontage Road is located between 7th Ave. (MM 276.44) and Eldridge St. (MM 276.85); and

WHEREAS, Region 1 has determined that abandoning this portion of roadway would be in the best interest of Colorado taxpayers;

WHEREAS, Region 1 has completed an environmental clearance (Categorical Exclusion, Form 128) as required for the devolution of state highways;

WHEREAS, Colorado Revised Statute 43-2-106 (1)(a) provides that the Transportation Commission may determine that a State Highway, or portion thereof, no longer functions as a state highway, and with the agreement of each affected county or municipality, the state highway, or portion thereof, can be abandoned to the affected county or municipality; and

WHEREAS, the Code of Federal Regulations 23.620.203(c)(3) allows CDOT to relinquish portions of unneeded frontage roads; and

WHEREAS, the governing body of the City of Lakewood shall adopt a resolution agreeing to the State's abandonment of the portion of U.S. Highway 6 North Frontage Road and agreeing that said roadway segment no longer serves the ongoing purposes of the State Highway system; committing the City of Lakewood to assume ownership of said highway segment in the "as is" condition;

WHEREAS, the Chief Engineer, the Department of Transportation, and the Executive Director are authorized pursuant to CRS 43-2-106, to make determinations regarding abandonment of State Highway(s) to affected county(ies) or municipality(ies);

WHEREAS, the Transportation Commission concurs with the Chief Engineer that this portion of U.S. Highway 6 North Frontage Road is no longer needed for State Highway purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the CRS 43-2-106, the Department of Transportation be given authority to declare that portion of U.S. Highway 6 North Frontage Road abandoned, as shown in Exhibit A.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #6

Permanent Easements: Electric Vehicle Chargers – Region 1 and Region 4

Approved by the Transportation Commission on September 21, 2023

WHEREAS, CDOT owns four parcels located at: 425 Corporate Circle, Golden; 18500 E. Colfax Ave., Aurora; 4670 Holly St., Denver; and 1050 Lee Hill Drive, Boulder; and

WHEREAS, the Public Service Company of Colorado has requested access to the subject parcels for the purpose of running utility lines to electric vehicle chargers; and

WEREAS, the Public Service Company of Colorado anticipates an ongoing need to access the utility lines once installed, due to the growing demand for electric vehicle chargers; and

WEREAS, the subject parcels are general ledger properties, which require an easement for access; and

WHEREAS, C.R.S. 24-82-202 requires approval of the Transportation Commission before CDOT can grant an easement; and

WHEREAS, the Department of Transportation would like to grant permanent easements to the Public Service Company of Colorado at the locations and for the purpose stated above;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of C.R.S 24-82-202, the Department of Transportation be given authority to grant easements to the Public Service Company of Colorado for the purpose of installing and maintaining utility lines at the locations above.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #7

Holy Cross Energy Utility Easement, Dotsero, CO – Region 3

Approved by the Transportation Commission on September 21, 2023

WHEREAS, CDOT owns property north of I-70, near MM 134.6 in Dotsero, Eagle County, Colorado; and

WHEREAS, Dotsero Mobile Home and RV Park is located on a parcel adjacent to CDOT’s property; and

WHEREAS, Holy Cross Energy has overhead powerlines that run above the mobile home park; and

WEREAS, Holy Cross Energy would like to relocate the existing high-voltage power lines and replace them with low-voltage service lines that will run to the mobile home park, utilizing the existing poles; and

WEREAS, the primary objective of this move is to improve safety for the residents of the mobile home park; and

WHEREAS, C.R.S. 24-82-202 requires approval of the Transportation Commission before CDOT can grant an easement; and

WHEREAS, the Department of Transportation would like to grant a utility easement to the Holy Cross Energy for the purpose stated above;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S 24-82-202, the Department of Transportation be given authority to grant an easement to the Public Service Company of Colorado for the purpose of installing and maintaining utility lines.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #8

Adoption of Updated Policy Directive 1607.0 “Rail Corridor Preservation Policy”

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, under the Colorado Revised Statutes § 43-1-106(8), the Transportation Commission of Colorado (Commission) has the statutory responsibility to set policies for the Colorado Department of Transportation (CDOT); and

WHEREAS, the Rail Corridor Preservation Policy Directive provides identifying criteria to be used in defining passenger and/or freight rail corridors of interest to Colorado and describes passenger and/or freight rail activities in which CDOT may engage; and

WHEREAS, the Transportation Commission adopted the current version of Policy Directive 1607.0 on August 22, 2014; and

WHEREAS, the revisions to Policy Directive 1607.0, while minor, reflect CDOT’s ongoing commitment to rail preservation and a resilient transportation network.

NOW THEREFORE BE IT RESOLVED, the Commission herein adopts updated Policy Directive 1607.0 “Rail Corridor Preservation Policy.”

Herman Stockinger
Transportation Secretary

Date of Approval

Proposed Resolution #6

Approval and Adoption of the Third Supplement to the Fiscal Year 2023-2024 Budget for the Colorado Department of Transportation.

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, the budget requests being presented to the Transportation Commission this month have been reviewed and were determined to meet the criteria outlined in Policy Directive 703.0, requiring approval by the Transportation Commission; and

WHEREAS, the project requests included in the Supplement and detailed below are consistent with the FY 2024 through FY 2027 STIP, and funds are available from existing program allocations, unless otherwise indicated.

Request for 10 Year Plan Change

- Reduction to #0087 - I-70 Corridor-West Metro Bridges - \$1,300,000
- Increase to #0005 - I-70 West Bound Peak Period Shoulder Lanes - \$1,300,000

NOW THEREFORE BE IT RESOLVED, after review and consideration, the Third Supplement to the Fiscal Year 2023-2024 Budget is approved by the Transportation Commission.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date



Proposed Resolution #10

Approval and Adoption of the second budget amendment to the Fiscal Year 2023-2024 Budget for the Colorado Department of Transportation.

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, § 43-1-113 (2), C.R.S. (2020) requires the Transportation Commission to submit a draft budget allocation plan for moneys subject to its jurisdiction for the fiscal year beginning on July 1, to the Joint Budget Committee, the House Transportation and Energy Committee, the Senate Transportation Committee and the Governor on or before December 15 of each year, for their review and comments;

WHEREAS, C.R.S. § 43-1-113(9)(c) requires the Transportation Commission adopt a final budget allocation plan, which shall upon approval by the Governor constitute the budget for the Department of Transportation for Fiscal Year 2023-24;

WHEREAS, the Transportation Commission adopted the final budget allocation plan on March 16, 2023, and the final budget allocation was submitted to the Governor for approval prior to April 15, 2023;

WHEREAS, the Transportation Commission has the statutory authority to alter the Fiscal Year 2023-24 adopted budget allocation plan after it is delivered to and approved by the Governor;

WHEREAS, the second budget amendment reallocates \$13,000,000 from the TC Program Reserve Fund in the Commission Reserve Funds line (Line 73) to the Surface Treatment line (Line 4) for projects that address poor pavement condition; and

WHEREAS, the second budget amendment reallocates \$8,000,000 from the TC Program Reserve Fund in the Commission Reserve Funds line (Line 73) to the Geohazards Mitigation line (Line 7) to fund several significant capital investments in CDOT's avalanche mitigation program;

NOW THEREFORE BE IT RESOLVED, that the Colorado Department of Transportation's amended budget allocation plan for the period of July 1, 2023 through June 30, 2024, is approved by the Transportation Commission with the amendments as set forth in this Resolution.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #11

Instructing the Colorado Department of Transportation to advance funding for a previously planned project from the adopted 10-Year Plan.

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, the Colorado Transportation Commission has identified \$33 million in strategic funding to advance to the I-70 West: Vail Pass Safety Improvements Phase 1 project (10-Year Plan Project ID 0042) in the Fiscal Years 2023-2026 period by a reduction of \$33 million from the I-70 West Vail Pass Auxiliary Lanes project (10-Year Plan Project ID 1161) in the Planned Fiscal Years 27+ period; and

WHEREAS, the I-70 West: Vail Pass Safety Improvements Phase 1 project and I-70 West Vail Pass Auxiliary Lanes project were both selected and prioritized through the planning process and were included in Transportation Commission resolution #TC-2022-09-12, which advanced an additional four years of projects from the 10-Year Plan for Fiscal Years 2023-2026; and

WHEREAS, the I-70 West: Vail Pass Safety Improvements Phase 1 project and I-70 West Vail Pass Auxiliary Lanes project both contribute to the same overall goal to improve safety and operations on Vail Pass; and

WHEREAS, the Colorado Transportation Commission recognizes that the funding for the 10-Year Plan projects represent planning level estimates and must be delivered in accordance with policy directive 703.0 “Annual Budget, Project Budgeting and Cash Management Principles”; and

WHEREAS, this funding represents a key commitment of the 10-Year Plan; and

WHEREAS, this funding is needed at this time in order to address a funding shortfall and keep the overall project on schedule; and

WHEREAS, the Colorado Department of Transportation (CDOT) is committed to an open and transparent planning and project delivery process; and

NOW THEREFORE BE IT RESOLVED, the Colorado Transportation Commission approves advancing \$33 million in strategic funding for this planned project from the 10-Year Plan.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Proposed Resolution #12

R1 US 85 Sedalia to Daniels Park Road, Project Number NHPP 0842-111, Project Code 20069

Authorizing the Chief Engineer to initiate and conduct condemnation proceedings pursuant to articles 1 to 7 of title 38, C.R.S. for the properties specified below.

Approved by the Transportation Commission on September 21, 2023.

WHEREAS, the Transportation Commission is authorized pursuant to Section 43-1-106(8), C.R.S. to formulate the general policy with respect to management, construction and maintenance of public highways and other transportation systems in the state and to promulgate and adopt all budgets of CDOT; and

WHEREAS, pursuant to Colorado law at Section 43-1-208, C.R.S., the Colorado General Assembly has conferred the power of eminent domain upon the Transportation Commission to acquire private property necessary for state highways purposes; and

WHEREAS, on September 26, 2016 the Colorado Supreme Court announced its decision in *Department of Transportation v. Amerco Real Estate Company; U-Haul Company of Colorado; et al.*, 2016SA75; and

WHEREAS, the *Amerco Real Estate Company* opinion held that the Transportation Commission must decide that the public interest or convenience will be served by a proposed alteration of a state highway and that the Commission's decision must be made in consideration of the portions of land of each landowner to be taken and an estimate of the damages and benefits accruing to each landowner prior to authorizing condemnation of property; and

WHEREAS, the *Amerco Real Estate Company* opinion also held that the Transportation Commission is authorized to either direct the Chief Engineer to make tender to a landowner or the Transportation Commission can proceed in the acquisition of private lands for state highway purposes, according to articles 1 to 7 of title 38, C.R.S., without tender to the landowner; and

WHEREAS, the *Amerco Real Estate* opinion further held that the Transportation Commission could delegate to the "legal staff or representatives of the commission or department" the "initiation and conduct of condemnation proceedings." *Amerco Real Estate Company*, 2016SA75, ¶15; and

WHEREAS, on April 6, 2018 the right of way plans for US 85 Sedalia to Daniels Park Road, Project Number NHPP 0842-111, Project Code 20069 ("Project") were authorized by the Chief Engineer and subsequently approved by the Transportation Commission on April 19, 2018 – Resolution #TC-2018-04-08; and

WHEREAS, pursuant to Colorado law at Section 43-1-208, C.R.S., the authorization of right of way plans by the Chief Engineer allowed CDOT to acquire land necessary for the Project by purchase, exchange or negotiations with landowners; and

WHEREAS, CDOT attempted to negotiate with the landowners, but the attempts to negotiate with the landowners were unsuccessful; and

WHEREAS, the Properties sought by CDOT may include buildings, structures, or other improvements on the real Properties and may also include tenant-owned improvements, personal property, and other real estate; and

WHEREAS, CDOT does not have possession of the Properties and CDOT's inability to work on the Properties will likely cause delay to the US 85 Sedalia to Daniels Park Road, Project Number NHPP 0842-111, Project Code 20069; possibly resulting in significant monetary harm to CDOT; and

WHEREAS, the Transportation Commission acknowledges that it has reviewed the written report of the Chief Engineer seeking approval to initiate and conduct condemnation proceedings, and the report included all information and documents required pursuant to Section 43-1-208(1), in relation to the Project and the Properties; and

NOW THEREFORE BE IT RESOLVED, the Transportation Commission authorizes CDOT to initiate and conduct condemnation proceedings for the following landowners. If acquisition of the Properties requires acquisition of buildings, structures, or improvements on real property as well as acquisition of tenant-owned improvements both real and personal property, or other real estate, the Transportation Commission authorizes CDOT to acquire those items through eminent domain proceedings if necessary.

CDOT may initiate and conduct condemnation proceedings for the following landowners:

1. Landowner Name: Castle Pines Scholarship Foundation
Address of Property: Tract Q, Castle Pines Village Filing No. 29, County of Douglas, Sate of Colorado
Parcels Required: RW-8Rev, AC-8Rev
Estimated Property Value, Damages and Benefits (if any): \$ 33,200.00

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date

Colorado Bridge and Tunnel Enterprise Board
Meeting Minutes
July 19, 2023

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

EXCUSED: VACANT, District 2
 Barbara Vasquez, District 6

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

- Regular Meeting Minutes of June 15, 2023
- Bridge and Tunnel Enterprise Funding Match for the FY2023 PROTECT Grant Program



MEMORANDUM

TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: JEFF SUDMEIER, CHIEF FINANCIAL OFFICER
DATE: SEPTEMBER 21, 2023
SUBJECT: FIRST SUPPLEMENT TO THE FISCAL YEAR 2023-24 BRIDGE AND TUNNEL ENTERPRISE BUDGET

Purpose

This month the Bridge and Tunnel Enterprise (BTE) Board of Directors (Board) is being asked to approve budget supplement requests for two projects. The first project, located in Region 3, requests budget to establish the construction phase for Construction Package (CP) #5 of the I-70 Vail Pass Project in Eagle County (structure number F-12-AS). The second project, located in Region 4, requests budget to establish the construction phase for Construction Package (CP) #4 of the Eastern Plains Timber Bridge Replacement Program in Yuma County (structure D-28-D).

Action

Staff is requesting Board approval of Proposed Resolution #BTE-2, the first budget supplement to the Fiscal Year 2023-24 BTE budget.

Background

Region 3: I-70 Vail Pass Safety and Operations Improvement Project - Construction Package #5

Staff is requesting \$53,380,086 to establish the construction phase budget for the structure on I-70 East Bound over Polk Creek (F-12-AS) as part of the planned incremental budgeted process. This structure will be replaced through Construction Package #5 of the larger Vail Pass Operations and Safety Improvement Project which is being delivered using construction manager/general contractor (CM/GC) contracting. Additional information of the status of the overall project can be found in this month's TC/BTE Board Vail Pass Joint Workshop.

F-12-AS is a top tier structure in the July 2023 BTE Prioritization Plan. This structure has developed numerous fatigue cracks at diaphragm connection plates and lateral bracing gusset plate connections which has resulted in an overall bridge rating of "poor" and eligibility for BTE funding. Based on findings from the last several bridge inspections, the frequency and severity of planned and unplanned (emergency) repairs to address the fatigue cracking are likely to increase over time if the structure is not addressed. Additionally, the existing structure is located in an area of I-70 with substandard geometry and



a significant history of accident data. This project will significantly improve safety for the traveling public by improving the geometry of the bridge and adjacent roadway to meet current standards. In total, the project is forecast to reduce crashes up to 40% in the areas where work is being completed.

Vail Pass I-70 EBND Construction Package #5 in Eagle County
(Old F-12-AS) (New F-12-ASA) (SAP Project # 24896)
Budget Components by Phase, Funding Program, Fiscal Year

Phase of Work	Funding Program	Current Budget	BTE Supplement Action					Revised Budget	Expended To-Date
			Year of Budget				Total Request		
			FY 2024	FY 2025	FY 2026	FY 2027			
Construction	<i>FASTER Bridge Funds</i>	\$ -	\$ 7,286,107	\$ 28,265,531	\$ 17,828,448	\$ -	\$ 53,380,086	\$ -	\$ -
	Total Construction	\$ -	\$ 7,286,107	\$ 28,265,531	\$ 17,828,448	\$ -	\$ 53,380,086	\$ -	\$ -
Total Project Budget		\$ -	\$ 7,286,107	\$ 28,265,531	\$ 17,828,448	\$ -	\$ 53,380,086	\$ -	\$ -
			Year of Expenditure				Total Request		
			FY 2024	FY 2025	FY 2026	FY 2027			
			\$7,286,107	\$28,265,531	\$17,390,613	\$437,835	\$53,380,086		

Region 4: Eastern Plains Timber Bridges Replacement Program - Construction Package #4

Staff is requesting \$5,768,637 to establish the construction phase budget for construction package #4 of the Eastern Plains Timber Bridge Project as part of the planned incremental budgeting process. This package contains one BTE-eligible bridge and has recently advanced to a 90% design level. This is the final package of a larger project consisting of four total packages which are being delivered using CM/GC contracting.

D-28-D is a 74-year-old timber girder structure on US 34 over the Republican River with a timber deck and an asphalt overlay. The bridge is at the end of its useful service life, is currently rated in poor condition, and is in the top tier of the January 2023 BTE Bridge Prioritization Plan. This bridge is in Yuma County and accommodates 1,100 vehicles per day and has 28% truck traffic. It is critical to regional freight mobility and numerous local communities as it provides a route from I-70 in Kansas through Wray, CO to I-76.

The table below provides the status and location of the seven BTE-eligible structures that are included in the Eastern Plains Timber Bridge Project:



<u>CP#</u>	<u>Structure ID</u>	<u>Description</u>	<u>Status</u>	<u>County</u>
1	F-19-E	US 36 ML over Draw	Complete	Arapahoe
1	F-20-J	US 40 ML over Draw	Complete	Arapahoe
1	F-20-L	I 70 Service Rd over Draw SR	Complete	Arapahoe
2	C-22-K	US 6 ML over UPRR; Platte; Beaver Canal	Complete	Morgan
2	D-24-O	US 34 ML over Draw	Complete	Washington
3	D-25-E	SH 61 ML over Surveyor Creek	In Construction	Washington
4*	D-28-D	US 34 ML over Republican River	Design Complete	Yuma

*Construction Package #4 is the only package being funded through this budget supplement request

Eastern Plains Construction Package #4 in Yuma County
(Old D-28-D) (New D-28-DA) (SAP Project #25866)
Budget Components by Phase, Funding Program, Fiscal Year

Phase of Work	Funding Program	Current Budget	BTE Supplement Action				Total Request	Revised Budget	Expended To-Date
			Year of Budget						
			FY 2024	FY 2025	FY 2026	FY 2027			
Construction	<i>FASTER Bridge Funds</i>	\$ -	\$ 5,768,637	\$ -	\$ -	\$ -	\$ 5,768,637	\$ -	\$ -
	Total Construction	\$ -	\$ 5,768,637	\$ -	\$ -	\$ -	\$ 5,768,637	\$ -	\$ -
Total Project Budget		\$ -	\$ 5,768,637	\$ -	\$ -	\$ -	\$ 5,768,637	\$ -	\$ -
			Year of Expenditure				Total Request		
			FY 2024	FY 2025	FY 2026	FY 2027			
			\$964,651	\$4,803,987	\$0	\$0		\$5,768,637	

Next Steps

Approval of the Proposed Resolution #BTE-2 will establish the construction phase for both BTE eligible components of the I-70 Vail Pass Safety and Operations Improvement Project - Construction Package #5 and the Eastern Plains Timber Bridge Replacement Program - Construction Package #4 and will allow both projects to proceed to Construction-Agreed-Price (CAP) negotiations.



Proposed Resolution # BTE-2

Approval and Adoption of the First Fiscal Year 2023-24 Project Budget Supplement for the Statewide Bridge and Tunnel Enterprise (BTE).

Approved by the Bridge and Tunnel Enterprise Board of Directors on September 21, 2023

WHEREAS, in 2009, the Colorado General Assembly created the Colorado Bridge Enterprise (BE) in C.R.S. § 43-4-805 as a government-owned business within CDOT for the business purpose of financing, repairing, reconstructing, and replacing designated bridges, defined in C.R.S. § 43-4-803(10) as those bridges identified by CDOT as structurally deficient or functionally obsolete and rated by CDOT as poor; and

WHEREAS, in 2021, the Colorado General Assembly passed Senate Bill 21-260, which was signed into law by the Governor on June 17, 2021, expanding the BE to include both designated bridge projects and surface transportation infrastructure projects for tunnels and renaming the expanded enterprise the Statewide Bridge and Tunnel Enterprise (BTE), C.R.S. § 43-4-805(2)(a)(I)(2021); and

WHEREAS, in 2023, the Colorado General Assembly passed House Bill 23-1276, which was signed into law by the Governor on May 15, 2023, approving the expansion of the scope of the BTE authority to include preventative maintenance for bridges rated as fair and good and to include the repair, reconstruction, replacement, and maintenance of bridges rated as fair if they are bundled with a project to address a designated bridge; and

WHEREAS, pursuant to C.R.S. § 43-4-805(5)(m), the BTE Board of Directors (the “Board”) is empowered to set and adopt, on an annual basis, a program budget for the BTE; and

WHEREAS, under Policy Directive 703.0, approval by the Board is required to establish initial funding for BTE-eligible construction projects as well as any project increases above certain thresholds over the life of the project; and

WHEREAS, the project request(s) included in the Supplement and summarized below are consistent with the FY 2023-24 through FY 2026-27 Statewide Transportation Improvement Program (STIP); and

Description	Region	Project Number	Eligible Structures Addressed	Amount Requested
Establish Construction-CP #5	3	24896	F-12-AS	\$ 53,380,086
Establish Construction-CP #4	4	25886	D-28-D	\$ 5,768,637

WHEREAS, the project budget request(s) being presented to the Board for approval this month have been reviewed and met BTE funding eligibility as well as prioritization criteria; and

WHEREAS, the BTE Board of Directors is committing to a total BTE budget of \$108,610,305 for the BTE eligible components of the I-70 Vail Pass project, which consists of the I-70 eastbound and westbound structures over Polk Creek (F-12-ASA and F-12-ATA) and adjacent approach roadway reconstruction.

NOW THEREFORE BE IT RESOLVED, after review and consideration, the First Supplement to the Fiscal Year 2023-24 Budget is approved by the Bridge and Tunnel Enterprise Board.

Herman Stockinger, Secretary
Bridge and Tunnel Enterprise Board of Directors

Date



MEMORANDUM

TO: THE TRANSPORTATION COMMISSION
FROM: JEFF SUDMEIER, CDOT CHIEF FINANCIAL OFFICER
DATE: SEPTEMBER 13, 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.

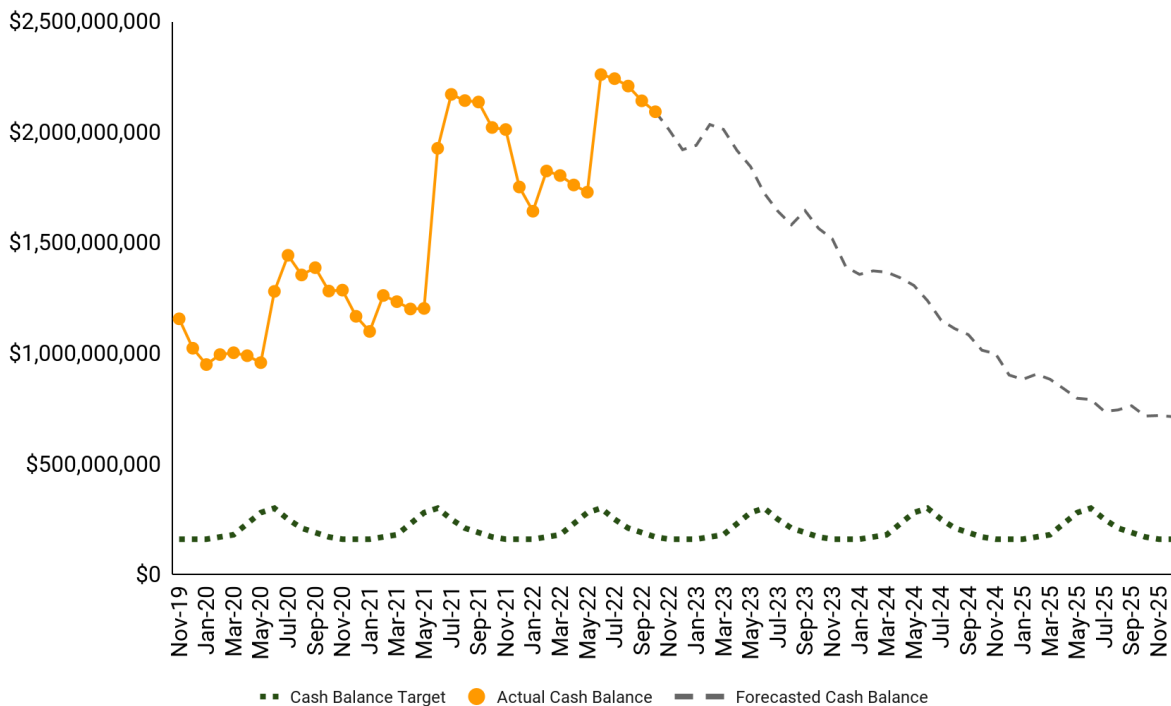
Action

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 July 2023 was \$1.64 billion; \$1.39 billion above that month's minimum cash balance target of \$250 million. July's cash balance includes \$378.8 million in the State Highway Fund and \$1.11 billion in the Senate Bill 267 trustee account. The actual cash balance for July 2023 was \$22.4 million higher than forecasted. This variance is primarily related to higher than expected HUTF revenue and lower than expected payments to contractors.

The revenue forecast for future months was adjusted to reflect an anticipated reimbursement to CDOT from CTIO in October for expenses on the I-25 North Segment 7/8 corridor. The reimbursement is being provided through a recently executed TIFIA loan on the I-25 North corridor and includes reimbursement of \$121.0 million in October 2023, with additional draws against the TIFIA loan anticipated in subsequent months.

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 2022. This information will be updated as additional project schedule detail becomes available.*

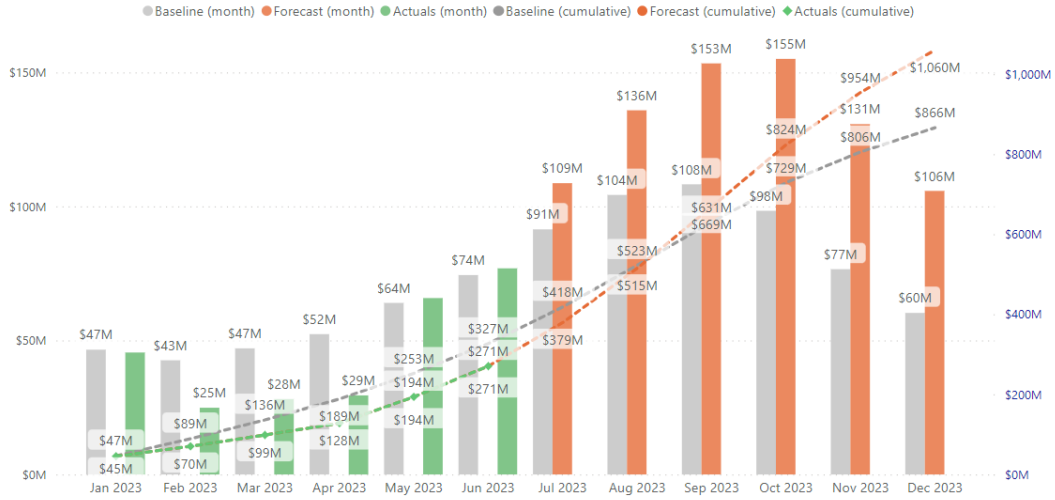
Figure 3 details CY23 baseline and actual expenditures for the State Highway Fund (see Figure 2 above) as well as Bridge and Tunnel Enterprise. CDOT sets the CY baseline in January each year, using the best estimates, forecast, and schedule information available at the time.

Including Bridge Enterprise, July month end expenditures were corresponding to an Expenditure Performance Index (XPI) of 0.86 (actual expenditures vs. baseline). There were \$346M actual expenditures YTD vs. the baseline of \$428M. The CY 23 baseline includes expenditures from 169 projects.



CY23 Program Forecast

XPI CY Forecast	Baseline	CY Forecast	XPI YTD	Baseline YTD	Actuals YTD
1.22	\$866M	\$1,060M	0.83	\$327M	\$271M





COLORADO
Department of Transportation
Office of Policy and Government Relations

MEMORANDUM

TO: COLORADO TRANSPORTATION COMMISSION
FROM: HANNAH L. REED, FEDERAL GRANTS COORDINATOR IN OPGR
DATE: SEPTEMBER 20TH, 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 discretionary grant programs have closed and all proposals have been reviewed:

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
 - **\$640k AWARDED**
 - 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. STRENGTHENING MOBILITY and REVOLUTIONIZING TRANSPORTATION (SMART)
 - CDOT-led ATMA proposal with MN DOT, OK DOT, and WI DOT as subrecipients
 - **\$1.89M AWARDED**
3. Enabling Middle Mile Broadband
 - CDOT submitted a \$119M proposal to build 7 middle mile corridors across the state
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
 - **\$700k AWARDED**

- CDOT also provided letters of support for two local applications in Fort Collins
- 5. FTA's ADVANCED DRIVER ASSISTANCE SYSTEMS (ADAS)
 - Install ADAS demonstrative technologies into three of CDOT's Bustang fleet
 - **\$1.2M AWARDED**
- 6. RAISE 2023
 - The City of Lakewood and CDOT revised and resubmitted the 6th & Wadsworth Interchange Reconstruction proposal
 - **\$20M AWARDED**
 - Boulder County and CDOT revised and resubmitted the CO 119 Diagonal Multimodal Improvements proposal
 - **\$25M AWARDED**
 - 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

The following discretionary grant programs have closed, but applications are still being reviewed:

1. 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
2. CORRIDOR IDENTIFICATION DEVELOPMENT PROGRAM (CIDP)
 - CDOT and FRPR-D co-sponsored an application for the Colorado Front Range Corridor
3. As in previous years, CASTA and FHU Consulting coordinated applications with local agencies for the 5339 discretionary grant programs (Low-No Emissions and Bus & Bus Facilities). CDOT then reviewed applications and submitted under its UEI and Grants.gov profile
 - Archuleta County Mountain Express Low-E Fleet and Bus Facility Project
 - Avon Transit Diesel Bus Replacement with GILLIG Electric Bus
 - Gunnison Valley RTA's City of Gunnison Multimodal Transit Center
 - Town of Telluride Galloping Goose ZEV Incremental Costs and Facility Upgrades
 - ECO Transit Battery Electric/Hybrid Bus Replacement and Expansion
 - ECO Transit Vehicle Storage Facility Electrification Project
 - RFTA - Ten Battery Electric Buses to Replace Diesel Buses
 - RFTA Regional Transit Center Phase 6 and Phase 8 Construction
 - ADA Bus for Wet Mountain Valley Rotary Transportation
 - Mountain Express Bus Storage, Maintenance, and Operations Facility
 - Breckenridge Free Ride: Diesel to Electric Bus Transition & Safety and Efficiency Improvements
 - SMART Vanpool Vehicle Replacement Project
 - Durango Transit Replacement Vehicles
 - Via Mobility Renewable Energy Microgrid for Enhanced Electric Transit Bus Charging
 - First Electric Bus & Charging Infrastructure Installation for the Town of Winter Park
4. WILDLIFE CROSSING PILOT PROGRAM (WCPP)
 - CDOT, with Douglas County, revised the application for the Greenland Wildlife Overpass, as the final component of the I-25 Gap project in Region 1.
 - CDOT, with Summit County, repackaged the I-70 East Vail Pass Wildlife Crossings project in Region 3.

- CDOT submitted the US 160 Critical Wildlife Connectivity application in Region 5.
5. **PROMOTING RESILIENT OPERATIONS for TRANSFORMATIVE, EFFICIENT and COST-SAVING TRANSPORTATION (PROTECT):**
 - CDOT submitted the CO West RESCUE Project to address resiliency in and around rural Western Colorado. The scope includes I-70 Glenwood Canyon, Blue Hill on Cottonwood Pass, US 40, and SH 9.
 - The City of Boulder and CDOT co-sponsored an application in Region 4 to replace two poor bridges and an undersized culvert on CO 7. The existing bridges experience recurring flooding/overtopping that restrict accessibility of the highway.
 - This project will likely also be eligible for the FY23 cycle of Bridge Investment Program (BIP).
 6. **MULTIMODAL PROJECT DISCRETIONARY GRANTS (MPDG):** A multi-billion dollar “umbrella” program that contains Mega, INFRA, and Rural Surface Transportation.
 - CDOT, with local agency partners, is prepared to revise eligible applications from the FY22 cycle, utilizing USDOT advice and guidance from FY22 application debriefs:
 - US 50 Safety Highway Improvements for Freight and Travel in Region 2
 - I-76 Phase IV Reconstruction in Region 4
 - US 160 Safety & Mobility Improvements in Region 5
 - Other eligible priority projects include:
 - I-70 East Vail Pass Wildlife Crossings in Region 3
 - CO West RESCUE: Resiliency in Rural Western Colorado in Region 3
 - North I-25 Segment 5 in Region 4 with Weld County

IN PROGRESS

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

1. **RECONNECTING COMMUNITIES AND NEIGHBORHOODS (RCN)**
 - CDOT and Denver are preparing a planning application for the Federal & Colfax Interchange in Region 1
 - CDOT, Denver, and Glendale are preparing a construction application for Colorado Blvd sidewalk improvements that will ultimately improve safe access to BRT services in Region 1
 - Note: This application will not compete against the other Region 1 application, as planning and construction dollars are awarded from separate funding pools.
 - CDOT continues to support the Trinidad East-West Reconnections under I-25 viaduct proposal in Region 2
2. **STRENGTHENING MOBILITY AND REVOLUTIONIZING TRANSPORTATION (SMART)**
 - CDOT is preparing to resubmit the I-25 Coordinated AI Ramp Metering application from last year, utilizing the debrief notes from the SMART program staff, in Region 1
3. **TRANSIT-ORIENTED DEVELOPMENT PLANNING PROGRAM (TOD)**
 - CDOT and Denver are considering a proposal in Region 1 along Federal, related to BRT and First-Last Mile recommendations.
 - Note: TOD is planning funding only, but applications must be associated with eligible transit capital projects

NEW & FORTHCOMING OPPORTUNITIES

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

1. **BRIDGE INVESTMENT PROGRAM (BIP)**
 - NOFO anticipated in September 2023
2. **RAILROAD CROSSING ELIMINATION PROGRAM (RCE)**
 - NOFO anticipated in September 2023
3. **CONSOLIDATED RAIL INFRASTRUCTURE & SAFETY IMPROVEMENTS (CRISI)**
 - NOFO anticipated in Fall 2023
4. **RAISE 2024**
 - NOFO will be released by the end of the November 2023

CDOT DISCRETIONARY GRANT PROGRESS BY THE NUMBERS

Since the IIJA was signed into law in November 2021

- CDOT has applied for ~\$966.8M across 12 programs
 - Including CDOT and Local partner co-applications: ~\$1.17B across 16 programs
 - We have been awarded ~\$221.74M...so far!

Next Steps

RCN applications are due September 28th, 2023

SMART & TOD applications are both due October 10th, 2023



COLORADO
Department of Transportation

Federal Grants in CDOT

Hannah L. Reed (she/hers)
Federal Grant Application Coordinator in OPR
hannah.l.reed@state.co.us



Federal Funding

Brief Overview

Bipartisan Infrastructure Law (BIL) / Infrastructure Investment and Jobs Act (IIJA)

- BIL/IIJA leverages a “once-in-a-generation” investment to revitalize American infrastructure
 - *“Rebuild roads, bridges and rails, expand access to clean drinking water, access to high-speed internet, tackle the climate crisis, advance environmental justice, and invest in HDA communities.”*
- \$1.2 trillion for transportation and infrastructure spending between FY22-FY26
- \$550B in “new” programs; \$350B for Federal highway programs

Formula

- Funding automatically allocated to each State based on the results of a formula
 - Geographic size + population + lane miles, etc.
 - Some programs have both Formula and Discretionary opportunities
 - Bridge Investment Program, PROTECT, etc.

Discretionary

- Competitive funding awarded via technical, functional, and analytical review of applications
 - Narrative, Letters of Support, and other Appendices
 - Benefit-Cost Analysis (BCA) and BCA Technical Memorandum
 - Statutory Requirements, Obligation and Expenditure deadlines, etc.





2022 Submitted Discretionary Applications

CDOT Lead Applicant or CDOT Co-Sponsored w/ Locals

REBUILDING AMERICAN INFRASTRUCTURE with SUSTAINABILITY and EQUITY (RAISE)

- Multimodal Options for a Vibrant and Equitable Western Slope: The Westward Three (MOVE: W3)
 - \$55.9M total; \$24.2M request; \$31.7M match
 - **\$24.2M AWARDED!**
- 6th & Wadsworth Interchange Reconstruction
 - \$135.5M total; \$45M request; \$90.5M match
- US 119 Safety and Mobility Project
 - \$124M total; \$25M request; \$99M match

MULTIMODAL PROJECTS DISCRETIONARY GRANTS (MPDG)

- Floyd Hill to Veterans Memorial Tunnel Improvements
 - \$700M total; \$240M request; \$460M match
 - **\$100M AWARDED!**
- US 40 Passing Lanes & Red Dirt Hill Improvements
 - \$44M total; \$25M request; \$19M match
- US 50 Safety Highway Improvements for Freight and Travel (SHIFT)
 - \$49M total; \$25M request; \$24M match
- I-76 Phase IV Reconstruction and Repavement
 - \$64.6M total; \$35M request; \$29.6M match
- US 160 Safety and Mobility Improvements
 - \$106.2M total; \$53.8M request; \$52.3 match

RAILROAD CROSSING ELIMINATION (RCE)

- US 34 Railroad Crossing Elimination Study
 - \$900k total; \$700k request; \$200k match
 - **\$700K AWARDED!**

BRIDGE INVESTMENT PROGRAM (BIP)

- *Planning*
 - Region 1 Pre-Scoping Bridge Bundle
 - \$2.5M total; \$400k request; \$2.1M match
 - Region 3 Timber Replacement
 - \$150k total; \$150k request; no match required
 - Region 3 Railroad Overpasses
 - \$150k total; \$150k request; no match required
- *Large Bridge:*
 - I-270 Critical Bridge Bundle
 - \$153.3M total; \$75.8M request; \$77.5M match
- *“Other” Bridge:*
 - I-76 Phase V
 - \$31.5M total; \$23M request; \$8.5M match
 - US 160 Florida River Bridge Replacement
 - \$13.6M total; \$9.5M request; \$4.1M match
 - Region 5 Bridge Preventative Maintenance Bundle
 - \$5.04M total; \$4M request; \$1.04M match
 - 6th & Wads Interchange Reconstruction
 - \$80M total; \$45M request; \$35M match

ENABLING MIDDLE MILE BROADBAND (MM)

- 7 new corridors of middle mile fiber statewide
 - \$119.8M total; \$83.9M request; \$35.9M match

FTA ADAS TECHNOLOGY DEMONSTRATION PROGRAM

- ADAS for Bustang Intercity and Regional Bus Transit
 - \$2.1M total; \$1.2M request; \$900k match
 - **\$1.2M AWARDED!**



2022 Submitted Discretionary Applications cont.

CDOT Lead Applicant or CDOT Co-Sponsored w/ Locals

RECONNECTING COMMUNITIES PROGRAM (RCP)

- Co-sponsored application with City of Trinidad to study the reconnection of East and West Trinidad on either side of I-25 viaduct

STRENGTHENING MOBILITY AND REVOLUTIONIZING TRANSPORTATION (SMART)

- Autonomous Truck Mounted Attenuator (ATMA) for Work Zone Safety
 - \$2.1M total; \$1.9M request; \$200k match
 - WI DOT, OK DOT, and MN DOT co-applicant and grant subrecipients
 - **\$1.9 AWARDED!**
- Coordinated Adaptive Ramp Metering (CARM) Expansion Project
 - \$1.4M total; \$1.4M request; no match required

NATIONAL SCENIC BYWAY PROGRAM (NSBP)

- Alpine Loop and Silver Thread Facilities and Observatory
 - \$847k total; \$640k request; \$207k match
 - **\$640K AWARDED!**
- Scenic Highway of Legends Wayfinding and Interpretation
 - \$513k total; \$400k request; \$113k match
- Mt. Evans Educational Renaming and Emphasis of Indigenous History
 - \$930k total; \$716k request; \$214k match

CONSOLIDATED RAIL INFRASTRUCTURE SAFETY IMPROVEMENTS (CRISI) (pending)

- US 50 / 550 Preventative Crossing Reconfiguration
 - \$4.75M total; \$2.45M request; \$2.3M match

2022 CDOT & Local Partner Highlights:

• MPDG & RAISE

- Only three applications per entity allowed
 - CDOT and County Partners co-sponsored proposals to cast the widest net for Colorado
 - US 40 w/ Grand County
 - US 50 w/ Otero County
 - I-76 Phase IV w/ Morgan & Weld Counties
 - US 160 w/ La Plata County

• RCP

- City of Trinidad
 - Reconnect the community divided by I-25 viaduct

• SS4A

- Only local eligibility (No State Applicants), so CDOT supported local projects where possible:
 - Grand Valley MPO
 - Montrose County
 - City of Fort Collins
 - City of Glenwood Springs



2023 Submitted Discretionary Applications

CDOT Lead Applicant or CDOT Co-Sponsored w/ Locals

REBUILDING AMERICAN INFRASTRUCTURE with SUSTAINABILITY and EQUITY (RAISE)

- 6th & Wadsworth Interchange Reconstruction
 - \$135.5M total; \$45M request; \$90.5M match
 - **\$20M AWARDED!**
- US 119 Safety and Mobility Project
 - \$124M total; \$25M request; \$99M match
 - **\$25M AWARDED!**
- US 40 Passing Lanes & Red Dirt Hill Improvements
 - \$44M total; \$25M request; \$19M match
- I-70 East Vail Pass Wildlife Crossings
 - \$31.5M total; \$25M request; \$6.5M match
- I-70 Community Resilience and Connectivity Improvements
 - \$31.5M total; \$25M request; \$6.5M match

MULTIMODAL PROJECTS DISCRETIONARY GRANTS (MPDG) (still under review)

- US 50 Safety Highway Improvements for Freight and Travel (SHIFT)
 - \$49M total; \$25M request; \$24M match
- I-76 Phase IV Reconstruction and Repavement
 - \$64.6M total; \$35M request; \$29.6M match
- US 160 Safety and Mobility Improvements
 - \$106.2M total; \$53.8M request; \$52.3 match
- Colorado West RESCUE
 - \$70M total; \$42M request; \$28M match
- I-70 East Vail Pass Wildlife Crossings
 - \$32.5M total; \$25.6M request; \$6.4M match
- North I-25 Segment 5
 - \$450M total; \$100M request; \$350M match

PROMOTING RESILIENT OPERATIONS for TRANSFORMATIVE, EFFICIENT, and COST-SAVING TRANSPORTATION (PROTECT) (still under review)

- Colorado West Resilient, Efficient, and Safe Corridor Upgrades for Equity (RESCUE)
 - \$100M total; \$80M request; \$20M match
- CO 7 Bridge Reconstruction And Culvert Enhancements (BRACE)
 - \$35.4M total; \$22.4M request; \$13M match

WILDLIFE CROSSING PILOT PROGRAM (WCPP) (still under review)

- I-70 East Vail Pass Wildlife Crossings
 - \$31.5M total; \$25M request; \$6.5M match
- I-25 Greenland Overpass
 - \$30.8M total; \$22M request; \$8.8M match
- US 160 Critical Wildlife Connectivity Corridor
 - \$51.2M total; \$30.7M request; \$20.5M match

2023 CDOT & Local Partner Highlights:

- **RAISE**
 - Colorado won 6 awards in RAISE 2023, three of which were co-sponsored or supported by CDOT
 - US 6 & Wadsworth w/ City of Lakewood
 - Co 119 w/ Boulder County
 - CDOT supported City of Idaho Springs with their planning grant
- **MPDG**
 - US 50 w/ Otero County
 - I-76 Phase IV w/ Morgan County
 - N I25 Seg 5 w/ Weld County



Major Grant Successes...so far

Floyd Hill - 2022 MPDG (INFRA) Grant

CDOT received a \$100 million grant from the USDOT's INFRA grants program. Funding from this grant will improve the eight mile stretch from west Evergreen to eastern Idaho Springs included in the I-70 Floyd Hill project. Project components include a westbound toll lane, a new eastbound climbing lane for slow vehicles, wildlife crossing and fencing, a new frontage road, and other improvements.



Multimodal Options for a Vibrant and Equitable Western Slope: The Westward Three (MOVE: W3) - 2022 RAISE Grant

CDOT was awarded \$24.24M through RAISE 2022 to build a new Grand Junction Mobility Hub, improve the 2nd St. Promenade and I-70B in downtown Grand Junction; redevelop West Glenwood Transit Center and finish the new 27th St. Pedestrian Underpass; and complete Phase II of the Rifle Mobility Hub: The Rifle Park-n-Ride Expansion and Relocation. This project offers transportation-based relief to the affordable housing challenges along this corridor, as well as advances multimodal use and access to and through Western Colorado.



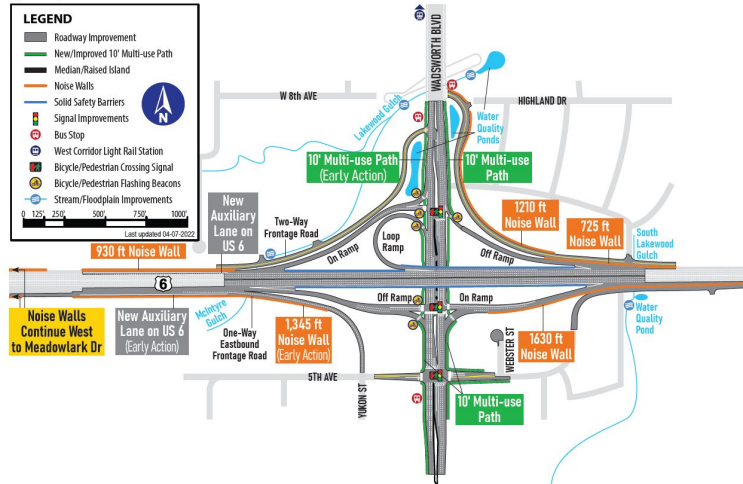
Major Grant Successes...so far

CO 119 Safety and Multimodal Improvements 2023 RAISE Grant

Boulder and CDOT received a \$25M grant to develop intersection safety improvements, construct a regional bikeway, and implement Bus Rapid Transit (BRT) along CO 119 between Boulder and Longmont. The project's Safe System Approach of diagonal intersection improvements, new bikeway connections, and transit enhancements will decrease the crash rate and improve safety, address public transit network gaps, and incorporate Universal Design to eliminate access point barriers.



Figure 2: Project Overview



6 & Wadsworth Interchange Reconstruction 2023 RAISE Grant

Lakewood and CDOT received a \$20M grant to replace the existing cloverleaf interchange; reconstruct the structurally deficient Wadsworth Bridge and McIntyre Culvert; and lengthen all entrance and exit ramps. The project will also connect the existing six-lane roadway section north of 8th Ave, in each direction, and construct an approximately 10-foot multi-use path on both sides of Wadsworth. The complete streets and Universal Design improvements will improve access to a rail station, a park, a school, and local food stores. The road improvements will reduce congestion and improve geometric conditions that cause the most crashes in the project area, which has experienced multiple fatalities in just the last three years.



Project Selection & Program Pairing

Project must align with USDOT strategic goals and interests

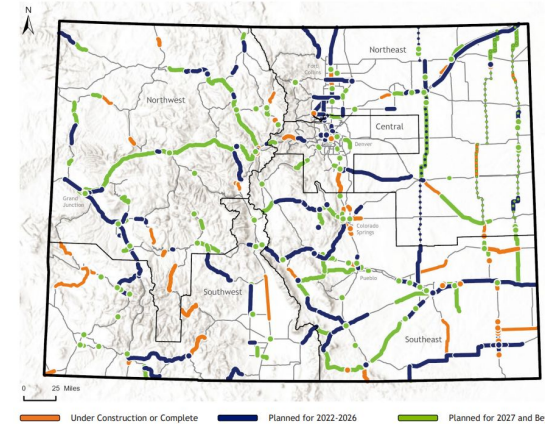
- Will the grant complete a project from A to Z? How quickly can the project advance to construction?
- Will the project support Equity, Climate Change, Job Creation, AoPP & HDC, etc.

10 Year Plan is a ready-made list of priorities in each region

- Stakeholder informed
 - Built-in local support and interest
- Fiscal sustainability
 - Confirms matching funds from a published, stable source

NOFO determines ultimate eligibility and competitiveness

- Communication with RTDs and project teams
- Project benefits must align with the grant program purpose
 - EX: PROTECT is exclusive to resiliency projects that mitigate impact of extreme weather and natural disasters
 - Projects with safety benefits are not necessarily eligible for this program, unless the existing unsafe conditions are a direct result of flooding, rockfall, avalanches, etc.
 - EX: Eligible structures for the Bridge Investment Program must be rated in “poor condition” per the National Bridge Inventory (NBI)
 - Off-system structures are not eligible for this program because NBI information is a required component of the narrative. They would be disqualified during technical evaluation for not providing that data.





What To Expect in 2023/2024

1. **Reconnecting Communities Program (RCP) & Neighborhood Access and Equity Program**
 - a. Open now! Due Sept 28th
2. **Bridge Investment Program (BIP)**
 - a. FY23 NOFO expected in Sept 2023
3. **Railroad Crossing Elimination (RCE)**
 - a. FY23 NOFO expected in Sept/Oct 2023
4. **RAISE**
 - a. FY24 NOFO expected in Nov 2023
5. **Consolidated Rail Infrastructure Safety Improvements (CRISI)**
 - a. FY23 NOFO expected Dec 2023 / Jan 2024
6. **MPDG**
 - a. FY24 NOFO expected Spring 2024





Questions, Comments, Grant Ideas?

Please contact us!

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MEMORANDUM

TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: PATRICK HOLINDA, BRIDGE AND TUNNEL ENTERPRISE MANAGER
DATE: SEPTEMBER 21, 2023
SUBJECT: BRIDGE AND TUNNEL ENTERPRISE Q4 FY2023 QUARTERLY REPORT

Purpose

The Bridge & Tunnel Enterprise (BTE) staff has prepared this quarterly program report to provide the BTE Board of Directors an update of recent program activities. Summarized below are key elements contained in the report. The report is available in its entirety at: <https://www.codot.gov/programs/BridgeEnterprise/QuarterlyReports/fy2023-quarterly-reports>.

Action

This report is for informational purposes only; no action is requested from the Board.

Background

BTE Resources Leveraged to Deliver the 10-Year Plan

In Q4 FY2023, BTE continued to support the delivery of the 10-Year Plan by allocating funding to address critical bridges and tunnels identified in the plan with the goals of increasing the safety, efficiency, and reliability of Colorado’s transportation network. BTE is evaluating funding strategies to advance the ongoing FY2024-FY2027 10-Year Plan projects with BTE-eligible scope. In total, over \$700M in BTE expenditures are forecast over the four-year fiscally constrained period for this purpose. To date, BTE has allocated a total of \$195.8M to CDOT's 10-Year Plan.

BTE Eligible 10-Year Plan Progress Update

BTE Eligible Bridge Progress	EJMT Maintenance & Repairs
23 bridges in design	BTE’s first tunnel project awarded!
12 bridges in construction	FY2023-FY2024 Bridge & Tunnel Fees fully allocated
7 bridges complete	

House Bill 23-1276 – Scope of the Bridge and Tunnel Enterprise

With the passage of Colorado HB23-1276 ([Scope Of Bridge And Tunnel Enterprise | Colorado General Assembly](#)) and its signature by Governor Jared Polis on May 15, 2023, several changes to scope and mission of the Statewide Bridge and Tunnel Enterprise (BTE or Enterprise) were signed into law. One of the key missions of the BTE has been to finance, repair, reconstruct, and replace bridges that have received a rating of “Poor”. The new law expands the scope of the Enterprise and allows BTE to fund preventative maintenance projects for “Good” and “Fair” rated bridges and to replace “Fair” rated bridges for cost savings and/or schedule acceleration if they are bundled with a project that is addressing a “Poor” bridge.

FY2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Awarded

In June of 2023, the FHWA announced that CDOT was awarded a \$20M RAISE Grant for the US 6 and Wadsworth Interchange Improvement Project. This CDOT 10-Year Plan project will replace a poor rated bridge that is a vital piece of regional infrastructure for the western Denver metropolitan area and the City of Lakewood. The RAISE grant program is part of the Bipartisan Infrastructure Law and serves to provide direct federal investment in roads, rail, and transit projects that will help achieve national transportation objectives. In February of 2023, the Enterprise Board approved \$20M in matching funds towards the Grant application for the replacement of the US 6 over Wadsworth bridge. BTE's matching funds helped raise the competitiveness of the application by increasing the total state funding match and showing the cooperation of multiple funding partners and stakeholders.



SH 151 Emergency Culvert Replacement

In April of 2023, a significant spring run-off event resulted in high flows in Stollsteimer Creek and severely damaged the culvert and the roadway above. Due to the erosion caused by the high flows, the west pipe inlet partially collapsed, and the roadway was closed resulting in a 22-mile detour until the flow receded and emergency repairs could be made. After more in depth inspections were performed by CDOT maintenance and Region Staff, it was determined that the culvert and roadway could not be fully repaired and that the culvert needed to be replaced.

An emergency project was initiated and approved by the Chief Engineer. Subsequently, BTE acted swiftly to fully fund the project and Region 5 moved quickly to complete plans and clearances. The design replaces the double barrel metal pipes with two concrete box structures with headwalls. Construction is currently scheduled to commence in late summer.

Program Progress

In Q4 FY2023, staff continued to make progress addressing the state’s “Poor” bridge population and completing tunnel projects. The BTE program continues to deliver near historic levels with a robust active project portfolio consisting of 29 bridge projects that will rehabilitate or replace 69 BTE eligible structures and address approximately half a million square feet of eligible poor-rated bridge deck area statewide. A summary of the Enterprise’s activities and accomplishments for this period is provided below.

Structures with Design and Construction Funding Established in Q4 FY2023

Structure ID	Region	County	Facility Carried over Featured Intersection	Budget
P-07-S	5	Archuleta	SH 151 ML over Stollsteimer Creek	\$4,897,600

Structures with Construction Funding Increased in Q4 FY2023

Structure ID	Region	County	Facility Carried over Featured Intersection	Budget
F-13-X	3	Clear Creek/ Summit	I-70 ML EBND Johnson Tunnel	\$2,858,184
F-13-Y			I-70 ML WBND Eisenhower Tunnel	

Structures that Completed Construction in Q4 FY2023

New Structure ID	Old Structure ID	Region	County	Facility Carried over Featured Intersection
006J372826BL*	C-22-K	4	Morgan	US 6 over URPP, Platte, Beaver Canal
034B198852BL*	D-24-O	4	Washington	US 34 ML over Draw

Program Schedule Update

The overall program Schedule Performance Index (SPI) at the end of Q4 FY2023 was 1.01, while the active project SPI increased to 1.07 (up from 1.03). These key performance indicators are used by program staff to monitor projects that have the potential to fall behind their baseline schedule. An overall and active project SPI above 0.90 generally indicates that projects in the program’s active project portfolio are being executed efficiently. The program overall and active monthly SPI for Q4 FY2023 is listed below.

Month	Overall SPI	Active SPI
April	1.01	1.04
May	1.01	1.05
June	1.01	1.07

Budget and Encumbrance Balances

BTE staff continues to coordinate with Region staff to de-budget projects that are substantially complete in accordance with the SB 16-122. Since March 31, 2023, the budget and encumbrance balances have increased by \$204,837, to provide resources to a project in the dispute process.

Program Financial Information

As of Q4 FY2023, actual year-to-date BTE revenues were \$102.0M, which is \$7.0M below the forecast rate of collections, when applied to the FY2023 revenue budget of \$109M. Actual YTD SB-21-260 revenues were \$21.1M, which is \$1.0M above the forecast rate of collection, when applied to the FY2023 revenue budget of \$20.1M.





MEMORANDUM

TO: THE BRIDGE AND TUNNEL ENTERPRISE BOARD OF DIRECTORS
FROM: PATRICK HOLINDA, BRIDGE & TUNNEL ENTERPRISE MANAGER
DATE: SEPTEMBER 21, 2023
SUBJECT: BRIDGE AND TUNNEL ENTERPRISE FY2023 NEWSLETTER

Purpose

The Bridge and Tunnel Enterprise (BTE) staff has prepared a fiscal year newsletter to update the BTE Board of Directors (Board) of significant program highlights and achievements for Fiscal Year 2023.

Action

This newsletter is for informational purposes only; no action is requested from the Board.

Background

In May 2017, Senate Bill (SB) 17-231, “Concerning the Scheduled Repeal of Reports by the Department of Transportation” was passed, repealing a part of SB 09-108 (FASTER) relating to the annual reporting requirement (43-4-805 (6)). The new legislation took effect in August 2017, eliminating the requirement to present the Board with an annual report.

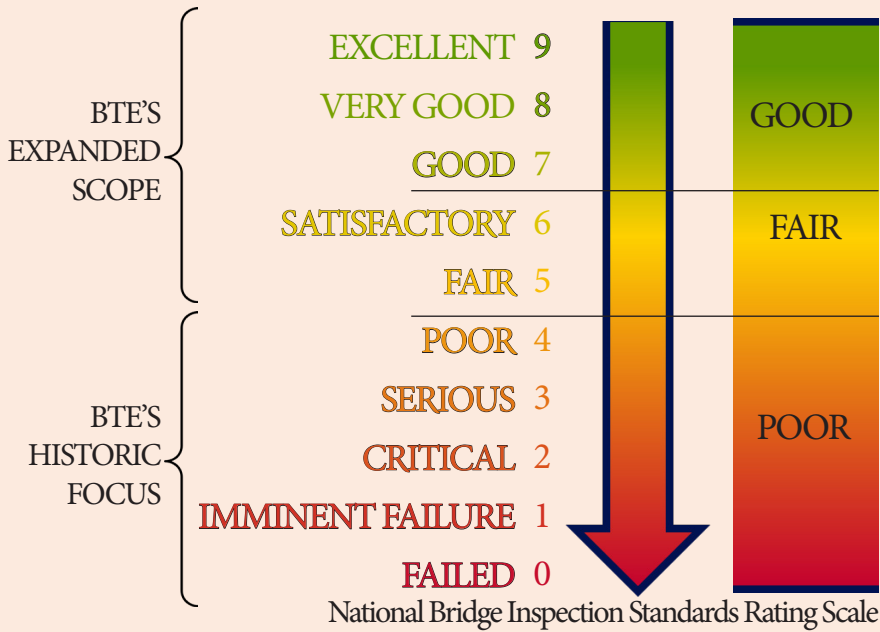
In September 2017, BTE staff presented the Board with a recommendation to switch from a calendar year annual report to a fiscal year newsletter presented to the Board by October of each year and received concurrence. BTE Staff will continue to present four quarterly reports per fiscal year to the Board which contain detailed information on program progress and financial status.

Attachments

Attachment A: Bridge & Tunnel Enterprise FY2023 Newsletter



HB23-1276: Providing Funding Flexibility for BTE



The key missions of the Bridge and Tunnel Enterprise (BTE) are to finance, repair, reconstruct, and replace on-system bridges that have received a rating of "Poor" and complete projects to repair, maintain, or enhance on-system tunnels. HB23-1276, passed by Colorado Legislature on May 15th, enables the BTE to also perform:

- Preventative maintenance for good & fair rated bridges
- The replacement of fair-rated bridges when bundled within a project that is addressing a poor-rated bridge

This new legislation is expected to increase statewide investment in bridge preventative maintenance, preserve and extend the service life of critical bridges, and resolve common scenarios which create inefficiencies in the delivery of the bridge program.

During FY2023 eleven structures completed construction (seen below)



US 85 ML over Sand Creek



I-25 ML over County Road (2 structures)



County Road 404 over I-25 ML



US 285 ML over S Fork South Platte River



I-70 ML over Forest Service Road



SH 92 ML over Gunnison River



Eastern Plains Bridge Replacement Program - Package 1 (3 structures)



Eastern Plains Bridge Replacement Program - Package 2 (2 structures)

Eisenhower Johnson Memorial Tunnels Progress Update



When the CDOT 10-year Vision Plan was developed, the EJMT Repair and Maintenance Program was identified as the highest priority for the tunnel asset class. In FY2023, the Board approved a resolution to establish the construction phase budget for the EJMT consolidation grouting project. This action was the first allocation of BTE funds for a tunnel project, a significant milestone for the Enterprise! The project aims to reduce water infiltration by drilling and injecting grout behind the tunnel liner at multiple select areas throughout the tunnel (see photo of existing conditions below). Programming of key projects such as the emergency generator replacement, lighting upgrade, and south tunnel motor upgrades will continue through FY2024.



BTE Participation in the CDOT 10-Year Plan

During FY2023, collections began for the bridge and tunnel fees that were authorized by SB21-260. It is estimated that the new fees will bring approximately \$522M of additional revenue into the Enterprise over the 10-year phase in period. BTE is utilizing this revenue, as well as existing revenue sources, to support the delivery of the 10-Year Plan by allocating funding to address critical bridges and tunnels identified in the plan with the goals of increasing the safety, efficiency, and reliability of Colorado's transportation network. The following progress was made as of the end of FY2023:



BTE Eligible Bridge Progress



23 bridges in design



12 bridges in construction



7 bridges completed



EJMT Maintenance & Repairs



BTE's first tunnel project awarded!



FY2023-FY2024 Bridge & Tunnel Fees fully allocated



\$195.8M total BTE funds allocated

Staffing Transition

The Enterprise has been fully transitioned from consultant to in-house management. In July 2023, Patrick Holinda was hired as the BTE Program Manager. Progress continued with the hiring of Katie Carlson as the BTE Financial Manager and Tyler Weldon as the Deputy Program Manager. This core management team brings over 50 years of experience in engineering, policy, budget, project and program management, and asset management to the BTE.

Significant Accomplishments

Central 70 Project Substantial Completion

In Q3 FY2023, the Central 70 project was declared substantially complete. At \$1.2 billion, the Central 70 Project is the largest infrastructure project in Colorado's history and is finishing on time and under budget. The project reconstructed 10-miles of I-70, added one new Express Lane in each direction, removed the aging 57-year-old viaduct, lowered the interstate, and built a new 4-acre park for the surrounding community. "The Viaduct" was identified as one of the 30 worst bridges in the state when the Enterprise was created in 2009 and was the last of the 30 worst bridges to be addressed. The demolition of the Viaduct has officially removed nearly 570,000 sq.ft. of poor-rated bridge deck area and significantly reduced the statewide percentage of poor deck area on the National Highway System (NHS). In total, six BTE eligible structures were addressed through the project, which had accounted for nearly 30% of statewide BTE-eligible bridge deck area. Below are aerial photos of the completed Central 70 corridor and cover park.



Rendering of the Future I-70 Floyd Hill Project's Central Section

I-70 Floyd Hill Project

In FY2023, the FHWA awarded the Floyd Hill Project a \$100M grant through the Infrastructure for Rebuilding America (INFRA) program. The project is now fully funded through the grant, strategic SB17-267/SB21-260 funding, and innovative financing by BTE and CTIO. In October 2022, Governor Polis, members of Colorado's congressional delegation who represent the area, state legislators, local officials, and CDOT/BTE held a groundbreaking ceremony for the Floyd Hill Project, celebrating progress of the main project and the start of the early projects: the US 40 roundabouts and the Genesee wildlife crossing.