

Transportation Commission of Colorado
Regular Meeting Minutes
July 16, 2015

Chairwoman Kathy Connell convened the meeting at 9:05 a.m. in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Kathy Connell, Chairwoman, District 6
Gary Reiff, Vice Chair District 3
Shannon Gifford, District 1
Ed Peterson, Chairman, District 2
Kathy Gilliland, District 5
Sidny Zink, District 8
Steven Hofmeister, District 11

Excused: Bill Thiebaut, District 10

ALSO PRESENT: Shailen Bhatt, Executive Director
Josh Laipply, Chief Engineer
Debra Perkins-Smith, Director of Transportation Development
Amy Ford, Communications Director
Maria Sobota, Acting CFO
Herman Stockinger, Government Relations Director
Mark Imhoff, Director, Division of Transit and Rail
Karen Rowe, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
Barb Gold, Audit Director
Scott McDaniel, Staff Services Director
Mike Cheroutes, HPTE Director
Ryan Rice, Operations Division Director
Tony DeVito, I-70 East Project Director
Vince Rogalski, STAC Chairman
Gary Vansuch, Process Improvement Director

AND: Other staff members, organization representatives,
the public and the news media

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

Audience Participation

Chairwoman Connell opened the meeting for general public comment. There were no public comments.

Individual Commissioner Comments

Chairwoman Connell gave Commissioner Peterson a gift of a gavel and thanked him for his service as Chair of the Commission.

Commissioner Gifford congratulated the Bustang team for setting up the new program. She hopes for good ridership for the new regional bus service. She announced that Denver City Council had passed an Intergovernmental Agreement on Monday night with Bridge Enterprise for the I-70 East Project. She was happy with how CDOT staff made a cooperative action with CCD.

Commissioner Gilliland attended the Bustang opening in Fort Collins and Denver. She thought the group did a great job of setting up a brand new service, and thinks it will be valuable to the state. Additionally, she attended the US 36 Grand Opening. She said it is very excited, and wanted to compliment Mike Cheroutes, the team and HPTB Board for bringing bringing the project together. She mentioned the excitement of the bikeway, and noted that it is built for commuting, rather than recreation.

Chairwoman Connell thanked her fellow commissioners for appointing her chairwoman for the year. She looks forward to working towards the goal of becoming the best DOT in the country. She encourages open and honest discussions with staff to achieve that goal.

Executive Director's Report

Executive Director Shailen Bhatt stated that the number one resource in becoming the number one DOT in the nation is staff, great things like US 36 and Bustang aren't possible without an excellent staff. He was present for the US 36 bike lane opening and noted that it will be incredibly important.

Shailen noted that John Valero, a member of the Bustang team unfortunately had succumbed to cancer, and that a celebration of his life will be held.

Director Bhatt recognized Ty Ortiz, who recently traveled to Oklahoma at the request of the Oklahoma DOT to assist them with some rock fall issues after a recent flood.

Last month Shailen represented the Governor in Washinton, DC to testimony in front of the Senate Finance committee in discussing funding options for State Departments of Transportation. At the testimony, Director Bhatt was asked to comment on the concept of devolving the federal gas tax to the states. This is an idea that would be devastating to Colorado, as 2/3 of the state's construction dollars comes from the federal government. To increase the state gas tax to fill that gap, it would be necessary to go to a vote to create a higher state gas tax, leaving CDOT in a \$500 million hole if voters rejected the proposal.

Chief Engineer's Report

Chief Engineer Josh Laipply informed the commission of the passing of the former Region 3 director Ed Fink. Ed was with CDOT for 30 years, and will be remembered.

Senate bill 228 will release 80% of the funds in April of the transfer, with the remaining 20% being released in January. The majority of these funds will go to the I-70 Viaduct, with a percentage of it going to transit. Mark Imhoff will be working with RTD's to figure out how to disperse those funds.

FHWA Division Administrator Report

Shaun Cutting, team leader of the Colorado FHWA Office filled in for John Cator. Mr. Cutty wanted to recognize the successes CDOT has had working with FHWA. CDOT and FHWA have a unique relationship and is one of the most effective in the nation. The partnership helps both sides accomplish great things in the state and within congress

HPTE Director's Report

Mike Cheroutes echoed Shawn Cuttys statements on the positive relationship between FHWA and CDOT, and stated the relationship has been very helpful over the past few years to HPTE.

At the HPTE Board Meeting, discussion was started on toll structure for the peak period shoulder lane project. As the project progresses, the structure will be discussed internally and with the public for input on the toll rates. Additionally, the HPTE board agreed to the CCD I-70 East IGA.

Act on Consent Agenda

Chairwoman Connell entertained a motion to approve the Consent Agenda. Commissioner Gilliland moved for approval of the resolution, and Commissioner Peterson seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Resolution #TC-15-7-1

BE IT HEREBY RESOLVED, that the Transportation Commission's Regular Meeting Minutes for June 18, 2015, are approved.

Resolution #TC-15-7-2

Resolution Number TC-15-7-2

Establish Disadvantaged Business Enterprise participation goals for 2016, 2017 and 2018 for FHWA funded projects.

Approved by the Transportation Commission on July 16, 2015

WHEREAS, in accordance with 49 CFR Part 26, CDOT must establish an overall goal for Disadvantaged Business Enterprise (DBE) participation on all FHWA-funded contracts for Federal Fiscal Years 2016, 2017 and 2018; and

WHEREAS, CDOT must follow the methodology established by 49 CFR Part 26 to establish the overall goal; and

WHEREAS, from March to June 2015 CDOT consulted with minority, women's and general contractor groups, community organizations, and other officials or organizations which could be expected to have information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and efforts to establish a level playing field for the participation of DBEs; and

WHEREAS, CDOT published its proposed goal on its website, provided notice to all DBEs that the proposed goal was available for review and public comment and held a final public meeting in June to accept comments on the proposed goal; and

WHEREAS, CDOT has reviewed and considered all public comments submitted; and

WHEREAS, 49 CFR Part 26 requires that the maximum feasible portion of the goal be met with race-neutral measures.

NOW THEREFORE BE IT RESOLVED:

- By August 1, 2015, CDOT shall submit to FHWA an overall goal of 12.15% DBE participation on all FHWA-funded contracts, with 3.45% to be met with race-neutral measures and 8.74% to be met with race-conscious measures.
- Following approval from FHWA, the overall goal for DBE participation on FHWA-funded contracts during Federal Fiscal Years 2016, 2017 and 2018 shall be 12.15%.



Herman Stockinger, Secretary
Transportation Commission of Colorado



Date

Resolution #TC-15-7-3

Resolution Number TC-15-7-3

Approval of the disposal of parcels 16Rev-EX and 17-EX of Project CR 01-0182-07

Approved by the Transportation Commission on July 16, 2015

WHEREAS, CDOT acquired Parcels 16Rev-EX and 17-EX as right of way for the purposes of US 6 right of way as part of project CR 01-0182-07 in 1955;

WHEREAS, Parcel 16Rev EX contains .56 acres / 24,321 square feet;

WHEREAS, Parcel 17Rev EX contains .68 acres / 29,613 square feet;

WHEREAS, the adjacent property owner has requested to acquire Parcels 16Rev-EX and 17-EX;

WHEREAS, the disposal of the property will not affect the operation, maintenance, use or safety of CDOT's Facility;

WHEREAS, the Department of Transportation, Region 1 has declared through Joshua Laipply, P.E. as Chief Engineer, that the 53,934 sf is not needed for transportation purposes;

WHEREAS, pursuant to Colorado Revised Statutes (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;

WHEREAS, the Department has determined that the 53,934 sf of US 6 right of way is of use only to the adjacent property owner;

WHEREAS, pursuant to Colorado Revised Statutes (C.R.S) 43-1-210(5)(a)(III) when a parcel that is no longer needed for transportation purposes has value to only one adjacent owner, that owner shall have first right of refusal to purchase said property for fair market value;

WHEREAS, the adjacent property owner desires to exercise its right of refusal to purchase the 53,934 sf of US 6 right of way which is no longer needed for transportation purposes;

NOW THEREFORE BE IT RESOLVED, pursuant to the provisions of the C.R.S, 43-1-210(5) and 23 CFR 710.403 the Department of Transportation be given authority to declare Parcels 16Rev-EX and 17-EX as excess property and

dispose of the 53,934 sf of US 6 right of way which is no longer needed for transportation purposes for fair market value.

FURTHER, funds from the sale of the property shall be disbursed in accordance with Section 7.2.15 of the CDOT Right-of-Way Manual.

Herman J. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

7-20-15
Date

Resolution #TC-15-7-4

Resolution # TC-15-7-4

Repeal of Policy Directives:

- 384.0, "Subletting a Construction Contract" dated 12.17.09;
- 512.0, "Development of CDOT Construction Projects from Inception to Advertisement" dated 2.18.10;
- 513.0 "Construction Project Specification and Construction Project Standard Plans" dated 12.17.09, and
- 548.0 "Safety Considerations on 3R Projects" dated 12.17.09

WHEREAS, § 43-1-106 (8)(a) C.R.S. gives authority to the Transportation Commission of Colorado ("Commission") to formulate general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, the Department continues to review Policy Directives to determine whether they still offer value; and

WHEREAS, the Chief Engineer is conducting a wholesale review of existing Directives under his authority and has conducted a thorough review with staff of Policy Directives 384.0, 512.0, 513.0 and 548.0, and

WHEREAS, the Department has determined that these four Policy Directives no longer provide value; and

WHEREAS, the Department has concluded that all necessary terms in the Directives continue to be binding on the Department either through federal regulation, state law and the Department's governing documents; and

WHEREAS, the relevant terms of PD 384.0 are included in CDOT's Standard Specifications, which are required by the Stewardship Agreement and annually reviewed and approved by the Executive Director and the Federal Highway Administration ("FHWA") Division Administrator; and

WHEREAS, the relevant terms of PD 512.0 requiring that a uniform process be in place for developing construction projects is set forth with greater specificity in the CDOT Project Development Manual; and

WHEREAS, the relevant terms of PD 513.0 are addressed in Procedural Directives 513.1 and 513.2 which govern the development and implementation of the Specifications and Standards; and

WHEREAS, the relevant terms of PD 548.0 requiring that CDOT have a uniform process in place for assuring the consideration of safety on resurfacing, restoration, and rehabilitation (3R) type projects are set forth in Project Development Manual.

NOW THEREFORE BE IT RESOLVED, the Commission repeals Policies Directives 384.0, 512.0, 513.0 and 548.0 as being no longer necessary.


Herman Stockinger, Secretary
Transportation Commission of Colorado

7-20-15
Date

Resolution #TC-15-7-5

Resolution #TC-15-7-5

Approval of Updated Policy Directive 1503.0 "Memorial Naming and Designations" and Repeal of Policy Directive 803.0 "Naming Highways, Bridges or Components of the Highway"

Approved by the Transportation Commission on July 16, 2015

WHEREAS, § 43-1-106 (8)(a) C.R.S. gives authority to the Transportation Commission of Colorado ("Commission") to formulate general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, the Commission has supported the Department's efforts to review governing Policy and Procedural Directives on an ongoing basis and recommend repeal, consolidation or updating Directives where necessary; and

WHEREAS, Policy Directive 1503.0 contains language from Procedural Directive 1503.1 which will be submitted for repeal in order to provide one document to the General Assembly and citizens seeking to obtain memorial signing and designations; and

WHEREAS, updated Policy Directive 1503.0 conforms to the Manual on Uniform Traffic Code Devices ("MUTCD") which proscribes the permissible types of signs and dimensions for memorial or dedication signs; and

WHEREAS, updated Policy Directive 1503.0 reflects current Department practice regarding memorial or dedication signs; and

WHEREAS, Policy Directive 803.0 "Naming Highways, Bridges or Components of the Highway" is no longer necessary and was superseded by Policy Directive 1503.0 approved in May 21, 2009 but not repealed at that time.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission approves revised Policy Directive 1503.0 "Memorial Naming and Designations"; and

BE IT FURTHER RESOLVED, the Transportation Commission repeals Policy Directive 803.0 "Naming Highways, Bridges or Components of the Highway" approved July 20, 2000.



Herman Stockinger, Secretary
Transportation Commission of Colorado

7-20-15
Date

Resolution #TC-15-7-6

BE IT SO RESOLVED, that the 1st Supplement to the Fiscal Year 2015-2016 Budget as amended be approved by the Commission.

Discuss and Act on 1st Budget Supplement of 2016

Interim Finance Director Maria Sobota drew the commission's attention to the four projects up for approval. The project from Region 1 requires approval to get the project on line with the original scope. Two items from TC reserve request, one of the projects expects to have the funds reimbursed. Commissioner Reiff mentioned that a lengthy discussion was held on the project in Region 3. He stated that local support is extremely important, and therefore was more than willing to support the project. He encourages Region 3 to continue to encourage the locals to support the project. Chairwoman Connell entertained a motion to approve the 1st Budget Supplement of

2016. Commissioner Reiff moved for approval of the resolution, and Commissioner Connell seconded the motion. Upon vote of the Commission, the resolution passed unanimously.

Maria Sobota went on to walk the board through the contingency funds charts printed in the TC Packet. Commissioner Reiff expressed his concern for a \$60 million contingency as it is very tight. He advocated that CDOT continue to monitor this contingency to allow a response to any unexpected expenses.

Acknowledgements

Michael Cheroutes thanked everyone for their complements on HPTE, but wanted to identify a number of people on the HPTE Team for their hard work. Through these people, HPTE has proven itself as a driver of ideas and progress within the institution. The following people have helped HPTE reach this status:

- Nick Farber
- Kari Grant
- Jane Hickey
- Karen Delgado
- Megan Castle
- Kay Hruska
- Piper Frode

Gary Vansuch acknowledged the Access Permits Process Improvement Team. The team of Alex Karami, Richard Solomon, Valerie Sword, Daniel Roussin, Gloria Hice-Idler, Jim Horn and Kirk Allen created an interactive system that resulted in a 38% reduction of the time it takes to issue a permit. For their efforts the team was selected as one of the 40 finalists for the 2015 Team Excellence Award Process. As part of that, they were invited to the 2015 World Conference on Quality and Improvement in Nashville. Gary Vansuch presented the Improvement Team with the award they earned a finalist trophy for making the final 40. At the Conference, the team won the award for best customer impact.

Commissioner Peterson thanked the team and noted as a customer of the state in his professional field, he has noticed a huge improvement in the permitting process. Executive Director Bhatt thanked the team for their hard work.

Executive Director Shailen Bhatt recognized David Ulane as the new Aeronautics Director.

Adjournment

Chairwoman Connell closed the July Transportation Commission meeting at 9:40 a.m.