

Resolution #BTE-2022-01-03

Adoption of the Amended Articles of Organization and Board Bylaws of the Statewide Bridge and Tunnel Enterprise

Approved by the Bridge and Tunnel Enterprise Board of Directors on January 20, 2022.

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 as structurally deficient or functionally obsolete and rated 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); and

WHEREAS, Article IX of the Articles of Organization allows the BTE Board to amend, supplement, repeal, or adopt new Articles with a majority vote of all members; and

WHEREAS, Article VII, Section A of the Board Bylaws allows the BTE Board to amend, supplement, repeal, or adopt new Board Bylaws by a majority vote of all members; and

WHEREAS, the Enterprise Board desires to make changes to the Articles of Organization including, but not limited to, the recognition of Colorado Legislature approving the expansion of the Bridge Enterprise to include tunnel projects, establishment of a new business purpose for the Enterprise, allowance for the Enterprise to impose a bridge and tunnel impact fee and retail delivery fee, removal of obsolete language regarding the annual state reporting requirement, and revision of the Enterprise name; and

WHEREAS, the Enterprise Board desires to makes changes to the Board Bylaws including, but not limited to, the recognition of Colorado Legislature approving the expansion of the Bridge Enterprise to include tunnel projects, the revision to the name and principal office location of the Enterprise; and

NOW THEREFORE BE IT RESOLVED, after review and consideration, the Statewide Bridge and Tunnel Enterprise Board adopts the Statewide Bridge and Tunnel Enterprise Articles of Organization and Board Bylaws as amended and attached hereto.

**Herman
Stockinger** Digitally signed by
Herman Stockinger
Date: 2022.01.24
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Herman Stockinger, Secretary
Bridge and Tunnel Enterprise Board of Directors

Date