

Resolution #BTE-2022-06-05

Committing \$100M in Bridge and Tunnel Enterprise (BTE) funds for critical planned CDOT Ten-Year Vision Plan projects at the Eisenhower Johnson Memorial Tunnel (EJMT) facility

Approved by the Bridge and Tunnel Enterprise Board of Directors on June 16, 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, the business purpose of the Statewide Bridge and Tunnel Enterprise is to finance, repair, reconstruct, and replace any designated bridge in the state and complete tunnel projects 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; and

WHEREAS, in furtherance of its business purpose, the Statewide Bridge and Tunnel Enterprise is authorized to impose a bridge safety surcharge, bridge and tunnel impact fee, and bridge and tunnel retail delivery fee at rates reasonably calculated to defray the costs of completing designated bridge projects and tunnel projects, as specified in C.R.S. § 43-4-805(5)(g), C.R.S. § 43-4-805(5)(g.5), and C.R.S. § 43-4-805(5)(g.7), respectively; and

WHEREAS, addressing the \$150M maintenance and repair backlog at the EJMT facility was a primary goal of the SB21-260 legislation which created the BTE; and

WHEREAS, \$100M of the total \$150M maintenance and repair backlog at the EJMT facility is currently unfunded; and

WHEREAS, the tunnel projects needed to address the maintenance and repair backlog at the EJMT facility are represented on the Department's Ten-Year Vision Plan project list; and

WHEREAS, the Bridge and Tunnel Enterprise Board of Directors finds that allocation of bridge and tunnel impact fee and bridge and tunnel retail delivery fee revenues to address EJMT tunnel projects for the sole purpose of funding the construction, maintenance, and supervision of the transportation system, with a priority placed on projects that are designated as Ten-Year Vision Plan projects on the Department's Ten-Year Vision Plan project list in accordance C.R.S. § 43-4-217(1)(g)(I).

NOW THEREFORE BE IT RESOLVED, the Bridge and Tunnel Enterprise Board of Directors hereby commits a maximum of \$100M in BTE funds to advance critical planned CDOT ten-year plan tunnel projects at the EJMT facility.

Herman Stockinger, Secretary
Bridge and Tunnel Enterprise Board of Directors

Date