

### **Resolution #BTE\_2024\_02\_03**

Committing BTE funds for the Fiscal Year (FY) 2023 and 2024 Bridge Investment Program Discretionary Grant Opportunity to replace one bridge as part of the I-70 Bridges over Colfax Avenue Bridges Replacement Project and the plan the replacement of two bridges as part of the CO 96 Safety Critical Bridge Replacements Planning Project.

**Approved by the Bridge and Tunnel Enterprise Board of Directors on February 15<sup>th</sup>, 2024.**

**Whereas**, the Colorado General Assembly created the Colorado Bridge Enterprise (CBE) in C.R.S. 43-4-805 as a government-owned business within the Colorado Department of Transportation (CDOT or Department) 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**, 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**, the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law or BIL) established the Bridge Investment Program (BIP) to provide grants, on a competitive basis, to improve bridge condition and the safety, efficiency, and reliability of the movement of people and freight over bridges; and

**Whereas**, the BIL authorizes and appropriates up to \$9.62 billion and \$80 million in total to be awarded through the BIP by the US Department of Transportation (USDOT) in FYs 2023 through 2026 for Bridge Project and Planning Project grant applications, respectively; and

**Whereas**, a Notice of Funding Opportunity (NOFO) for FY 2023 through 2026 BIP Bridge Project and Planning Project grants was issued by the USDOT on December 20, 2023 to solicit applications for (1) Bridge Project grants, which are defined as a project with total eligible costs not greater than \$100 million, and (2) Planning; and

**Whereas**, applications for FY 2023 and FY 2024 Bridge Project and Planning Project grants are due to the USDOT by 11:59 PM E.S.T on March 19, 2024 and February 19, 2024, respectively; and

**Whereas**, the FY 2023 and FY 2024 Planning grant funds will be awarded on a competitive basis for planning, feasibility analyses, and revenue forecasting associated with the development of a project that would be subsequently eligible to apply for assistance under the BIP; and

**Whereas**, the FY 2023 and FY 2024 Bridge Project grant funds will be awarded on a competitive basis for bridge replacement, rehabilitation, preservation, and protection projects with total eligible costs of

not greater than \$100 million that:(1) improve the safety, efficiency, and reliability of the movement of people and freight over bridges; and (2) improve the condition of bridges in the United States by reducing (a) the number of bridges, and total person miles traveled over bridges, that are in poor condition or that are in fair condition and at risk of falling into poor condition within the next three years, or (b) the number of bridges, and total person miles traveled over bridges, that do not meet current geometric design standards or cannot meet the load and traffic requirements typical of the regional transportation network (23 U.S.C. 124(b)); and

**Whereas**, the USDOT has designated six project outcome criteria which will be used to evaluate and rate the responsiveness of an application: (1) state of good repair, (2) safety and mobility, (3) economic competitiveness and opportunity, (4) climate change, sustainability, resiliency, and the environment, (5) equity and quality of life, and (6) innovation; and

**Whereas**, Staff performed an evaluation of potential projects for the Department to submit under a BIP grant application and selected two projects with BTE eligible scope that are recommended for submittal based on the USDOT's evaluation criteria:

1. Bridge Project category - I-70 Bridges over Colfax Avenue Bridges Replacement Project - Region 1
2. Planning Project category - CO 96 Safety Critical Bridge Replacements - Region 2; and

**Whereas**, the BTE Board is being asked to commit BTE funds to address the three structurally deficient structures included in these two projects and increase the competitiveness of the Department's application.

**Now therefore be it resolved**, the BTE Board commits to providing up to a maximum of \$13,000,000 of funding to replace one BTE eligible bridge as part of the I-70 Bridges over Colfax Bridge Project if the Department's application is awarded a grant by the USDOT.

**Now therefore be it resolved**, the BTE Board commits to providing up to a maximum of \$190,000 of funding to plan the replacement of two BTE eligible bridges as part of the CO 96 Safety Critical Bridge Replacements Planning Project if the Department's application is awarded a grant by the USDOT.

**Now therefore be it resolved**, in order to show the Department's financial commitment to the two recommended projects, the BTE commits to providing up to a combined maximum of \$13.19 million of funding to be used for the replacement of one BTE eligible bridge and design of two BTE eligible bridges if both of Department's applications are awarded a grant by the USDOT.

**Now therefore be it further resolved**, in order to show the Department's financial commitment to the three recommended projects, the BTE may commit funding in an amount not-to-exceed the limits stated herein for future federal discretionary grant opportunities.

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Herman Stockinger, Secretary  
Bridge and Tunnel Enterprise Board of Directors