



**COLORADO**  
Department of Transportation  
Statewide Bridge Enterprise

2829 W Howard Pl., 3<sup>rd</sup> Floor  
Denver, CO 80204

**MEMORANDUM**

**TO:** BRIDGE ENTERPRISE BOARD OF DIRECTORS  
**FROM:** JOSH LAIPPLY, CHIEF ENGINEER  
**DATE:** JANUARY 17, 2019  
**SUBJECT:** ACCEPT TRANSFER OF ASSETS FROM CDOT TO COLORADO BRIDGE ENTERPRISE

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Purpose

This memorandum is to inform the Bridge Enterprise Board of Directors (the Board) of the resolution to transfer assets from CDOT to Colorado Bridge Enterprise.

Action

This month the Bridge Enterprise Board of Directors is being asked to accept the transfer of two Region 1 Bridges from CDOT which are slated for rehabilitation.

Details

These two eligible structures located in Region 1 are scheduled for rehabilitation activities beginning in Fiscal Year 2018-19 as part of the Bridge Enterprise program. Since the bridges will be rehabilitated and not replaced, the structures will retain their existing Bridge ID numbers. Since FASTER funding can only be applied to structures owned by Bridge Enterprise, the acceptance of assets being transferred from CDOT is required. The two structures to be accepted by Bridge Enterprise are:

- E-16-LU I-76 WBND over Clear Creek
- E-16-LT I-76 EBND over Clear Creek

While the structures listed above carry value according to CDOT financial records, the Attorney General of Colorado has issued a formal opinion stating that bridges are a non-cash asset, and therefore have no impact on the State's fiscal year spending under the TABOR Amendment's spending limit. Based on this there is no TABOR impact to either CDOT or Bridge Enterprise as a result of these asset transfers.

Next Steps

- BE staff will coordinate with the Enterprise Controller and CDOT accounting staff to ensure that the structures approved in the attached resolution are properly accounted for.
- BE staff will present another resolution to the Board in June 2019 for acknowledgement and acceptance of all FASTER funded structures completed in the FY 2018-19 fiscal year.

Attachment:

Resolution: Accept Transfer of Assets from CDOT to the Bridge Enterprise



**Resolution Number #BE-19-01-03**

Accept Transfer of Assets from CDOT to the Bridge Enterprise

**Approved by the Bridge Enterprise on February 21, 2019.**

**WHEREAS**, the Colorado General Assembly created the Colorado Bridge Enterprise (CBE) 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**, the Colorado Bridge Enterprise shall constitute an “enterprise” for the purposes of Section 20 of Article X of the Colorado Constitution as defined in C.R.S. 24-77-102(7), from all State and local governments combined; and

**WHEREAS**, Section 43-4-805(5)(f), C.R.S. authorizes the Bridge Enterprise Board to enter into agreements with the Transportation Commission, under which the Bridge Enterprise agrees to finance, repair, reconstruct, replace, and, if any given agreement so specifies, maintain designated bridges as specified in the agreements; and

**WHEREAS**, the following structures are scheduled for rehabilitation activities beginning in Fiscal Year 2018-19 as part of the Bridge Enterprise program;

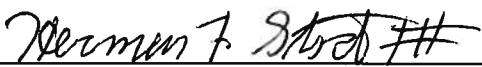
**Region 1 Structures:**

<b>E-16-LU</b>	<b>I-76 WBND over Clear Creek</b>
<b>E-16-LT</b>	<b>I-76 EBND over Clear Creek</b>

**WHEREAS**, in order to utilize Bridge Enterprise FASTER funding for completion of these projects, the Colorado Bridge Enterprise must accept ownership of the structures listed above from CDOT; and

**WHEREAS**, the Attorney General of Colorado states that these structures are a non-cash asset and a transfer of such assets will have no TABOR impact to CDOT or the Colorado Bridge Enterprise.

**NOW THEREFORE BE IT RESOLVED**, the Colorado Bridge Enterprise accepts the transfer of the eligible structures listed above from CDOT at no cost.

  
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Herman Stockinger, Secretary  
Bridge Enterprise Board of Directors

2-21-19  
Date