

Resolution – HPTE # 113

Adoption of Toll Schedule for I-25 Managed Lanes Proposed by Plenary Roads Denver (PRD)

WHEREAS pursuant to C.R.S. 43-4-806, the General Assembly created the Colorado High Performance Transportation Enterprise (HPTE) as a government-owned business within the Colorado Department of Transportation (CDOT) and pursuant to CRS 43-4-806(2)(a)(III)(B), the General Assembly named HPTE as the successor of the Colorado Tolling Enterprise; and

WHEREAS HPTE is a division of CDOT and is the entity that manages and operates the I-25 Express Lanes on the reversible lane portions of Interstate 25 from mile post 211.8 to 217.8 and at the interchange of I-25 and US 36 westward along US 36 to mile post 52.9 (I-25 Managed Lanes); and

WHEREAS the HPTE Board of Directors has authority to establish and collect tolls and fees for the use of HPTE toll and managed lanes pursuant to C.R.S. Section 43-4-808; and


WHEREAS HPTE and Plenary Roads Denver (PRD) entered into that certain Concession Agreement for US 36 and the I-25 Managed Lanes dated June 27, 2013 (as amended, Concession Agreement), pursuant to which PRD will manage and operate the I-25 Managed Lanes from and after the Commencement Date under the Concession Agreement; and

WHEREAS pursuant to the Concession Agreement, PRD has the authority to request that the HPTE Board of Directors adjust the tolls charged to users of the I-25 Managed Lanes; and

WHEREAS in accordance with the terms of the Concession Agreement, the HPTE Board of Directors desires to update the existing toll rates charged to users of the I-25 Managed Lanes to be consistent with the schedule of toll rates proposed by PRD, which proposed toll rate schedule is attached hereto.

NOW THEREFORE BE IT RESOLVED: the High Performance Transportation Enterprise Board of Directors hereby adopts the toll rates set forth in the attached schedule effective from and after the Commencement Date under the Concession Agreement; provided that in the event Financial Close is not reached by HPTE and PRD, the High Performance Transportation Enterprise Board of Directors adoption of the toll rates set forth in the attached schedule should be null and void.

Signed as of October 16, 2013



Jane Hickey
Secretary, HPTE Board of Directors