

Resolution – HPTE #292

Appointing an Acting Director of the Colorado High Performance Transportation Enterprise

WHEREAS, C.R.S. Sections 43-4-806, *et seq.*, created the High Performance Transportation Enterprise (“HPTE”) as a government-owned business within the Colorado Department of Transportation (“CDOT”); and

WHEREAS, the business purpose of the HPTE is to pursue public private partnerships and other innovative and efficient means of completing surface transportation infrastructure projects; and

WHEREAS, pursuant to C.R.S. Section 43-4-806(2)(b), the Board of the HPTE (the “Board”) shall, with the consent of the CDOT Executive Director, appoint a Director of the HPTE, who shall possess such qualifications as may be established by the Board and the State Personnel Board; and

WHEREAS, in accordance with Section 43-4-806(6)(b), C.R.S., the Board adopted bylaws (the “Bylaws”) for the regulation of its affairs and the conduct of its business; and

WHEREAS, the Bylaws provide that the Board shall have the authority and perform such duties in the management of the Enterprise as may be determined by resolution of the Board; and

WHEREAS, HPTE’s current Director, David Spector, has announced his pending resignation as HPTE Director, and as a result, the need has now arisen for the Board to appoint an Acting HPTE Director until a new HPTE Director is appointed; and

WHEREAS, the Board has determined that Nicholas Farber possesses the qualifications necessary to serve as the Acting HPTE Director.

NOW THEREFORE BE IT RESOLVED, the HPTE Board of Directors hereby appoints Nicholas Farber as the Acting Director of the High Performance Transportation Enterprise, effective March 22, 2019, with all of the rights and responsibilities thereunto, for a term expiring upon the appointment of a permanent HPTE Director.

Signed as of March 20, 2019

Simon Logan
Secretary, HPTE Board of Directors