

Resolution – HPTE #410

Approving the Fiscal Year 2023-24 Fee for Service Intra-Agency Agreement between the High Performance Transportation Enterprise and the Colorado Department of Transportation

WHEREAS, the General Assembly created the Colorado High Performance Transportation Enterprise (“HPTE”), pursuant to Section 43-4-806, C.R.S., as a government-owned business within the Colorado Department of Transportation (“CDOT”) to pursue innovative means of more efficiently financing important surface transportation projects that will improve the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS, HPTE is empowered, pursuant to Section 43-4-806(6)(h), C.R.S., to make and enter into all other contracts and agreements that are necessary or incidental to the exercise of its powers and performance of its duties; and

WHEREAS, HPTE and CDOT previously entered into prior year Fee for Service Intra-Agency Agreement (“IAA”) in which CDOT acknowledged that HPTE possesses expertise and legal powers unavailable to CDOT, and agreed to compensate HPTE for the fair market value of certain services to be provided to CDOT during those fiscal years; and

WHEREAS, for the upcoming fiscal year, HPTE has prepared a new Statement of Work describing the services CDOT has requested HPTE provide under the IAA during the 2023-24 fiscal year (“Services”), which is attached hereto and incorporated herein as Exhibit A (“Statement of Work”) to the Fiscal Year 2023-24 Fee for Service Intra-Agency Agreement (“Agreement”); and

WHEREAS, the HPTE Board of Directors (“Board”) has reviewed the Agreement and Statement of Work and finds the terms, conditions, and compensation amounts set forth constitute fair and reasonable compensation for the Services outlined in the Statement of Work; and

NOW THEREFORE BE IT RESOLVED, the Board hereby approves the Agreement in substantially the form presented and authorizes the HPTE Director to execute the Agreement with such changes therein and additions thereto, including revisions or modifications to the FY 2023-24 Statement of Work, as the HPTE Director may determine to be necessary or appropriate.

Signed as of March 15, 2023

Simon Logan
Secretary, CTIO Board of Directors