

**Resolution – HPTE #197**

**Approving the CDOT / HPTE P3 Management Manual**

**WHEREAS**, pursuant to Section 43-4-806, C.R.S., the General Assembly of the State of Colorado created the Colorado High Performance Transportation Enterprise (“HPTE”) as a government-owned business within the Colorado Department of Transportation (“CDOT”) to pursue innovative means of more efficiently financing important surface transportation projects, including through the use of public-private partnerships (“P3s”); and

**WHEREAS**, in accordance with Section 43-4-806(6), C.R.S., the HPTE Board of Directors (the “Board”) has the power to supervise and advise the HPTE Director and to have and exercise all rights and powers necessary or incidental to or implied from its specific powers and duties; and

**WHEREAS**, on September 18, 2013, by Resolution #109, the Board approved a Memorandum of Understanding (“the “MOU”) between CDOT and HPTE, which defined the roles and responsibilities of CDOT and HPTE in advancing and promoting their respective missions, including with respect to projects involving P3s; and

**WHEREAS**, the March 30, 2015, HPTE Legislative Audit concluded that the application of project management principles is crucial to managing projects for the State, and recommended the development of additional guidance to support such a framework; and

**WHEREAS**, HPTE and CDOT have jointly developed a P3 Management Manual to provide for a consistent approach for the selection of potential P3 projects, and to outline a framework for the development, implementation and oversight of P3 projects; and

**WHEREAS**, in order to optimize efficiencies in the delivery of P3 projects, the P3 Management Manual clarifies the roles and responsibilities of CDOT and HPTE with respect to the delivery of P3 projects, including certain identified areas where changes have been made from the allocation of roles and responsibilities described in the MOU; and

**WHEREAS**, to the extent there are inconsistencies between the P3 Management Manual and the MOU, it is the intent of both CDOT and HPTE that the provisions of the P3 Management Manual shall govern.

**NOW THEREFORE BE IT RESOLVED**, the Board hereby approves the P3 Management Manual in the form presented.

**BE IT FURTHER RESOLVED**, the Board also authorizes the HPTE Director to deviate from the specific requirements outlined in the P3 Management Manual if a particular project or circumstance warrants such deviation, and to approve minor revisions to the

P3 Management Manual as the HPTE Director may determine to be necessary or appropriate.

Signed as of March 16, 2016

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Kari V. Grant  
Secretary, HPTE Board



Date: March 16, 2016  
To: High-Performance Transportation Enterprise Board  
From: Nicholas Farber, HPTE Operations Manager  
Subject: CDOT / HPTE P3 Management Manual

#### Requested Action

The Board is asked to consider a resolution that supports the staff recommendation.

#### Policy Implications

The P3 Management Manual will:

- Supplement existing laws, policies and guidance already in place, not supersede them
- Be a flexible living document and is not meant to be all inclusive
- Direct CDOT and HPTE to execute an IAA for each P3 project that details project resources and provide for any additional guidance for the P3 project
- The IAA will govern if there is possible confusion with guidance in the P3 manual
- Help CDOT and HPTE follow a consistent approach to selecting and delivering P3 projects
- Provide transparency to the industry and public as to how P3 projects are approached
- Provide HPTE and CDOT a tool to train new staff working on P3 projects

#### Background and Details

The March 30, 2015 HPTE Legislative Audit cited that the “application of project management principles is crucial to managing [P3] projects for the maximum benefit to the State. As funding for transportation system improvement continues to be limited in Colorado, it is likely that the State will be embarking on more of these [P3] projects. A robust project management framework, supported by adequate guidance, training, resources, and expertise, is essential to establishing a sustainable program that manages these risks and commitments effectively for current and future projects.”

The P3 Management Manual provides a framework for both HPTE and CDOT for the development, implementation, and oversight of P3 projects. The manual addresses P3 program development and management, and walks through the different stages of project development and defined roles and responsibilities to ensure timely and responsive actions between HPTE and CDOT to address common needs of P3 projects.

The P3 Manual will help HPTE and CDOT follow a consistent approach for selection of appropriate projects for the P3 delivery method and, once selected, optimize their efficiencies on accelerating projects through the P3 delivery method. By further defining roles and responsibilities, each team member will be able to take ownership of their responsibilities and ensure the appropriate personnel are being engaged at the proper time to help decision-makers make sound choices based on sufficient information in a timely manner, while addressing public concerns and transparency throughout.

#### Recommendation

Staff recommends that the Board approve a resolution authorizing the approval of the CDOT / HPTE P3 Management Manual.

#### Attachment

March 4, 2016 Final Version of the CDOT/HPTE P3 Management Manual