

Resolution – HPTE #343

Approving a Memorandum of Understanding between CDOT and HPTE

WHEREAS, the General Assembly created the Colorado High Performance Transportation Enterprise (“HPTE”), pursuant to C.R.S. § 43-4-806, 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, pursuant to C.R.S. § 43-4-806(6)(g), HPTE is empowered to enter into contracts or agreements with any public entity to facilitate a public-private partnership, including, but not limited to, an agreement in which the enterprise, on behalf of CDOT, provides services in connection with a surface transportation infrastructure project; and

WHEREAS, the Parties entered into that certain Memorandum of Understanding (MOU), dated September 30, 2013, to advance and promote the respective mission of CDOT and the HPTE by defining their operating roles and responsibilities as they relate to those missions; and

WHEREAS, the Parties now desire to update the roles and responsibilities therein to account for changes in staffing, reorganizations, and other operating procedures; and

WHEREAS, upon the effective date of this MOU, the prior MOU dated September 30, 2013 shall terminate and be of no further force and effect and shall be superseded and replaced in its entirety by this MOU; and

NOW THEREFORE BE IT RESOLVED, that the Board of the High Performance Transportation Enterprise hereby approves the Memorandum of Understanding with CDOT in substantially the form presented to the HPTE Board and authorizes the HPTE Director to execute the MOU with such revisions or modifications, not inconsistent with this Resolution, as the HPTE Director may determine to be necessary or appropriate.

Signed as of January 20, 2021

Simon Logan
Secretary, HPTE Board of Directors