

The Transportation Commission Workshops were held on Wednesday March 14, 2018 and the Regular Meeting was held on Thursday, March 15, 2018. These meetings were conducted and hosted at the Colorado Department of Transportation (CDOT) Region 1 at 2000 S. Holly Street, Denver, CO 80222.

Documents are posted at <http://www.coloradodot.info/about/transportation-commission/meeting-agenda.html> no less than 24 hours prior to the meeting. The documents are considered to be in draft form and for information only until final action is taken by the Commission.

Transportation Commission Workshops Wednesday, March 14, 2018, 1:30 pm – 5:00 pm

Small Business and Diversity Committee Meeting (Greg Diehl)

- Small Business Policy Directive (PD) 606.0 Policy on Fostering Small Business Capacity is proposed to provide guidance to CDOT when managing projects not subject to the Disadvantaged Business Enterprise (DBE)/Emerging Small Business (ESB) guidance (required for projects with federal funds). With potentially new state funding sources on the horizon, the potential exists for more projects that would be solely state funded. The Small Business Enterprise (SBE) PD - would provide direction on how CDOT will support small businesses regardless of their funding sources. The PD is intended to provide broad guidance and direction.
- DBE Participation Report - through the end of December 2017, CDOT is currently trending slightly ahead of its DBE overall annual goal of 12.15% with 12.9% in awards to DBEs. A historically high-leverage factor in CDOT's ability to meet and/or exceed its overall DBE goal has been the number of prime contracts awarded to DBE firms. As the December report shows, there have been zero prime contracts awarded to DBE firms thus far in the current Federal Fiscal Year (FFY). The Civil Rights & Business Resource Center (CRBRC) believes this fact continues to underscore the need for a continued focus on race-neutral (ESB Program) elements currently underway (i.e., ESB Restricted Project, Mentor Protégé Program etc.). The December report also shows 42 contracts (prime and subcontract) spread between 29 individual DBE firms.
 - The Mentor Protégé Program is strongly supported by the Commissioners and they commented on being impressed with the willingness of mentors to devote time to the program. The program is only roughly two months old.
- Small Business (DBE/SBE) Supportive Services – Connect 2dOT Program Update - The Connect2DOT program reached more than 2,000 small business representatives in FFY16/17 and provided nearly 500 hours of one-on-one consulting support related to certification, business development, and technical assistance. This performance year, some metrics have shifted to look at the success rate of DBEs/ESBs who have received Connect2DOT services winning contracts. As we look toward developing our Scope of Work for next performance year (FFY 18/19), we will further prioritize helping our certified small businesses with being prepared to work with CDOT through targeted training, communication, and resources.
 - CDOT Chief Engineer noted that the biggest obstacle is for small business to land that first contract with CDOT to get started and these initiatives are intended to help small businesses with this.
- Workforce Development Update – This is a large effort, with CDOT serving as a support function working with non-profits, the City and County and Denver and may other entities. On-the- Job (OTJ) hours goal metric was 50,000 last year and hours achieved were 52,694.90 with 290 enrolled trainees
- Americans with Disabilities Act (ADA) Title II Program Update – Colorado FHWA approval was recommended for the CDOT ADA Transition Plan on November 3, 2017. The full plan is currently with the FHWA national review team for final approval.

Discussion:

- The Commission expressed support of the Policy Directive for SBE.
- The Commission is very impressed with the OJT services program and feels CDOT should report more to the public on their supportive role in this important and very successful initiative.

Right of Way (ROW) Workshop (Josh Laipply)

Purpose: The purpose of the workshop was to discuss proposed right-of-way acquisition (negotiations).

Action: Prepare to act on agreed upon proposed acquisition authorizations at the regular Commission meeting.

The one project with property acquisition authorization requests for March 2018 included:

- I-70 Central, Project Code: 19631
 - This item is not controversial. The Commission raised no comments or concerns, and expressed their support to proceed with the ROW acquisition authorization process.

One project with property settlement authorization for March 2018 included:

- I-76 and US 85 (at 104th Avenue) Interchange ROW Settlement
 - Commission expressed concerns over the high cost of the settlement.
 - Mediation with the property owner resulted in a dollar amount to be approved by the Commission. If settlement is not approved, condemnation proceedings are a possibility. CDOT is acquiring this property being proactive and in preparation for a project in the area that is part of the ballot project list. The owner is developing property in the area and it is likely property value will continue to increase if the property is not acquired soon.
 - Costs associated with the settlement will be added to the 9th Budget Supplement that are related to the increased property costs resulting from mediation and other incidental costs to CDOT.
 - Kathy Young can answer questions tomorrow regarding the Commission's concerns.

Cyber Incident Update (Johnny Olson)

- On Monday, February 26th Johnny Olson, Region 4 Transportation Director, started his role as Incident Commander.
- Thursday, March 1st restored minimal services, but then bad actor was found in contained area – at this point the event was called a Disaster and the Office of Emergency Management and the National Guard were called in by the Governor.
- Last Thursday, March 8th system was back up with limited access – Google, and internet were working with one server back on line.
- The Office of Emergency Management and National Guard will be standing down soon.
- Executive Director, Mike Lewis, noted that CDOT will come out from this event as a better, stronger and more data/digitally secure agency.

National Performance Targets (Deb Perkins-Smith and William Johnson)

Purpose: This workshop is intended to provide an opportunity to discuss federal requirements for performance measures described in the Fixing America's Surface Transportation (FAST) Act (Pub. L. No. 114-94) and to present staff recommendations for targets for infrastructure condition and system reliability performance areas.

Action: Staff requests Commission input on target recommendations for performance measures for infrastructure condition and system performance. Staff anticipates requesting Commission approval of these targets in April 2018 to meet a May 2018 federal deadline for reporting targets to the Federal Highway Administration (FHWA).

Background:

- On May 20, 2017, FHWA's final rule on infrastructure condition and system performance became effective. The rule outlined new requirements for establishing targets and reporting performance on

infrastructure condition and system reliability performance areas. FHWA describes the goals for these areas as follows:

- Infrastructure condition: To maintain the highway-infrastructure asset system in a state of good repair.
- System performance: To improve the efficiency of the surface transportation system.
- Performance targets for infrastructure condition and system reliability are due to FHWA by May 20, 2018. Metropolitan Planning Organizations (MPOs) are required to establish targets no later than Nov. 15, 2018, by either supporting CDOT's targets or developing their own. Certain MPOs are required to establish their own targets for some system performance metrics. Initial reporting of baseline performance is due Oct. 1, 2018.
- Staff recommendations for performance targets for pavement condition, bridge condition, system reliability and freight performance, and the Congestion Mitigation and Air Quality (CMAQ) Program were presented to the Commission. See [National Performance Targets](#) for more details.

Discussion:

- The Statewide Transportation Advisory Committee (STAC) was comfortable with staff recommended performance measures.
- These targets apply to interstates and National Highway System (NHS) facilities only – approximately 50% of total system.
- For pavement condition, the data indicates only 1% of interstates and NHS in Colorado are considered poor; the FHWA national standards are based on similar data, but are less stringent than CDOT's existing Drivability Life standards, requiring only one criteria to fall below acceptable thresholds, whereas the national standards require two to fall under in order to be considered poor.
- Commissioners expressed concerns over the reality of only 1% of roads being rated as poor- as perceptions are much higher than that.
- One commissioner noted that we need to define terms and include what is not included in the data analysis to be clear.
- For next month, at the direction of Mike Lewis, Executive Director, CDOT staff will work to explain the gap in perceptions vs. what performance data is reported to FHWA.
- Other recommended targets were presented and discussed for system reliability (that does not take into account congestion, but speed data and travel times). It was noted that a congested corridor that experiences similar delay in travel times during specific times of travel, could still indicate reliability.
- Staff explained that targets were identified for two and four year time frames. After two years, CDOT will have the opportunity to re-evaluate the targets and modify time if deemed necessary.
- The Commission will be asked to approve the targets in April, with performance target submittal for these categories due to FHWA on May 20th.
- Commissioners seemed to agree that it is fine to rely on staff recommended performance targets for now, as the opportunity to reassess and modify performance targets is provided in two years.

Automated Mobility Task Force (Amy Ford)

Purpose: To inform the Transportation Commission and Technology Committee on the Automated Mobility Task Force, which is a group of staff from CDOT, Colorado State Patrol (CSP), and Colorado Department of Revenue, Division of Motor Vehicles (DOR), who have been meeting monthly since September 2017 to implement SB 17-213 and develop a process to approve testing of autonomous vehicles in Colorado.

Action: Information only.

Background: The Automated Mobility Task Force has developed a process, which requests specific information that aligns with guidance from the National Highway Traffic and Safety Administration (NHTSA), from those seeking approval for testing. To date, the Autonomous Mobility Task Force has received two applications to test: one for the CDOT autonomous attenuator truck, and another for EasyMile's autonomous shuttle on Panasonic's campus at their grand opening on December 4, 2017.

Discussion:

- Amy Ford, Communications Director/Advanced Mobility Director, recognized other members of the task force present – Maren Rubino of Colorado DMV, John Ehmsen of CSP, and Captain Ray Fisher of CSP, who could have been initially there, but could not stay.
- Task Force membership includes CDOT, CSP and DOR- DMV with participants invited for specific issue expertise on an as needed basis.
- A definition of automated Driving System (ADS) is: *Hardware and software that are collectively capable, without any intervention or supervision by a human operator, of performing all aspects of the dynamic driving task for a vehicle on a part-time or full-time basis, described as levels 4 and 5 automation in SAE International Standard J3016, as it existed in September 2016.*
- Autonomous Mobility Task Force began meeting monthly September 2017.
- Task Force responsibilities include:
 - Establish clear checklist of expectations, submittals, coordination with entity (Checklist tracks current guidance from NHTSA).
 - Develop template with any required insurance provisions.
 - Create working agreement with entity on expectations for testing, any assumptions of liability
- With SB 17-213 passing in Colorado:
 - If an ADS cannot comply with every state and federal law, the ADS may still be tested in Colorado if approved by CDOT and CSP.
 - Requires CDOT to report to the Transportation Legislation Review Committee by Sept. 1 each year (beginning Sept. 1, 2018) concerning the testing of ADS in Colorado.
- Decision Making and Final Approval is granted:
 - By consensus.
 - Via coordination with local jurisdictions (including city government and law enforcement) during possible deployments.
 - Final approval authority is with CDOT Deputy Director and CSP Deputy Chief.
- DMV provided EasyMile with the first Colorado Autonomous Vehicle license plate (special event plate) for testing their vehicles on the Panasonic Campus.
- Level of interest in Colorado to test AVs is high; however, Colorado's four seasons limits opportunities to test compared to other warmer states of California, Arizona and Florida.
- CDOT is a participant in the Colorado Smart City Alliance.
- Commissioners expressed interest in being updated on the Automated Mobility Task Force activities.

Transit and Intermodal Committee (David Krutsinger)

- Outrider Service Update:
 - The initial Outrider Service from Lamar – Pueblo was launched on January 2, 2018, operated by the Senior Resource Development Agency of Pueblo, Inc. (SRDA). SRDA "soft" launched in January by using their existing fleet. CDOT's six bus order of Outrider-branded 35 ft. motor coaches is in the delivery phase, and those buses will be deployed on the SRDA route soon.
 - Still need interline agreements in place.
 - Ridership for soft launch for January was 37 passengers, February 32 passengers, and 27 people handled in March to date.
 - Next Phase Mobility Study – HDR is conducting an Outrider mobility study to determine next phase Outrider service/Rural Regional Program Development.
 - In 2018 the following bus routes will transition to the Outrider brand and vehicles this year: Alamosa – Pueblo, Gunnison – Denver, and Durango – Grand Junction.
 - Commissioner Connell expressed desire for bus service to Steamboat Springs; consider getting resorts to pass a transit tax for bus service.
 - Commissioner Gilliland noted that generally there is not a lot of support for transit taxes.
 - David Krutsinger, Division of Transit and Rail Director, noted that partnerships with transit providers is better for fixed assets vs. operations; there is also an issue when too many partners

get involved and then entities leave the partnership expecting other remaining partners to cover costs.

- The Pueblo to Lamar route is one trip per day that leaves Lamar in am and leaves Pueblo around 3:30 pm to get back same day.
- **Bustang Update**
 - Bustang service provides seven routes per day from Denver to Colorado Springs, 12 trips from Denver to Ft. Collins, One trip from Grand Junction to Denver, with two trips per day from Glenwood Springs to Denver. Skiers are on board Bustang trips. Bustang has a high farebox recovery rate of 53% on average.
 - Commissioner asked about how travelers cover their last mile to get to their destination. Bustang buses generally stop at transit centers where riders get the last mile travel from local transit or other services.
 - Amy Ford also noted that Lisa Streisfeld is working on a Travel Demand Management Plan that covers services like Lyft and Uber (mobility-as-a-service) that also is a method of last mile travel.
 - One can purchase Bustang tickets with an app, which is very convenient.
- **Transit Development Program (TDP) Update**
 - The Transit Development Program (TDP) is an inventory of capital project needs throughout the state for which there is currently no identified source of expected funding. Similar to the Highway Development Program, this planning tool supports the identification and prioritization of Colorado's transit and rail capital needs to effectively plan and respond to unexpected future funding opportunities.
 - Recent and new funding sources such as SB 228 & SB 267, and the potentially much larger 2018 Ballot initiative, offer significant increases to both local and state resources, and require comprehensive statewide planning to invest those funds effectively. The TDP is now in the earliest stage of the overall Development Program process. Potential funding for transit could be between \$140 million to \$160 million for years 2 to 4 of SB 267, and \$400 – \$800 million for Ballot List.
 - TDP project list covers 222 projects statewide costing an estimated \$6.2 billion with \$4.8 Billion for facilities, infrastructure and service expansion and \$3.5 billion for rail. Next step will be undergoing a project prioritization process – selecting projects to consider tier 1 projects.
 - Commissioners expressed concerns over the size of the TDP - \$6.2 Billion when transit has a budget of only 10% of highway. This could overwhelm stakeholders. Highways already has \$6 Billion or more.
 - Josh Laipply, Chief Engineer, noted that one option would be to not include a total cost on the list to remain flexible, not remove projects, and keep funding options open.
 - Deb Perkins-Smith, DTD Director, noted that the Highway Development Program also includes TSM&O projects. Will bring validity to CDOT's process to have a list out that brings all (highway, TSM&O and transit) elements together.
 - Commissioner Theibaut noted that it is important to show progress towards getting projects implemented as public doesn't always comprehend the time it takes to get projects moving.
 - The Chief Engineer also noted the challenge is that the environmental clearance process needs to provide a decision document before one can start final design of projects, and money must also be available to begin final design.
- **General Informational**
 - State Freight & Passenger Rail Plan Update – Initially anticipated bringing State Freight and Passenger Rail Plan to the Commission for approval this month; however, the Federal Railroad Administration (FRA) had several unanticipated additional comments mostly related to plan structure (and not plan content) that need to be addressed. The Commission is now scheduled to adopt the plan in April.

- TIGER 9 grants have been announced and Colorado received \$16 million for the Southwest Chief – with previous and planned improvements it is anticipated travel time will be save 1.5 hours for a trip on AMTRAK on this line. Overall for this project \$41 million has been awarded in Southeast Colorado, and a total of \$71 million has been awarded to AMTRAK for the line.
- Ute Mountain Ute Indian Tribe has been awarded \$2 million in TIGER 9 funds for US 160 Towaoc passing lanes.

Transportation Commission Regular Meeting Thursday, March 15, 2018, 9:30 am – 11:30 am

Call to Order, Roll Call – All 11 Commissioners were in attendance, with Commissioner Hall attending by telephone.

Comments of Individual Commissioners

- Several commissioners attended a Women in Transportation (WTS) event at which the female commissioners (and others also) were recognized for their service. Transportation. Commissioners praised Amy Ford’s presentation to the group. One commissioner noted that women make up of the majority of the Commission membership now. While women are making inroads into traditionally male fields such as engineering, they make up only about 20 percent of participants in STEM (Science, Technology, Engineering, and Math) programs.
- The difficulties that CDOT employees have had since the cyber incident began in late February was noted, as well as praise given for assembling and sending to Commissioners in time the monthly meeting packet.
- Commissioners discussed different events and meetings they attended about raising more money for transportation.
- A Commissioner said at one meeting she attended, almost none of people knew that fuel taxes pay for transportation. When various options are considered for increasing transportation funding, a fuel tax increase has not fared well in polling – possibly because many people don’t know that’s how transportation is paid for today. The lack of knowledge could be partly because gas station receipts do not list the fuel taxes as a separate expense.
- Several Commissioners attended an AASHTO event in Washington, D.C. , where they attempted to speak to as many Colorado senators and representatives as they could about the need for more funding for transportation.
- A few Commissioners reported on the 4P (Project Priority Programming Process) meetings they attended in the last month. They noted the good working relationships established between CDOT and county staff.
- Adams County officials would like excess tolling revenue used for filling in gaps on North I-25.
- Another Commissioner expressed gratitude that her 16-year-old son can now take a Bustang bus to the ski slopes in Summit County.
- A Commissioner who also served on the Winter Olympics Exploratory Committee said some of the members wondered if CDOT would take a position either for or against Colorado hosting the Olympics.
- At the last Club 20 meeting in late February, David Eller Region 3 Transportation Director, and Mike McVaugh, Region 5 **Transportation** Director, brought meeting participants up to date on transportation activities and plans, and Peter Kozinski, the RoadX Program Manager generated excitement regarding the possibilities with technology in transportation.
- Mike McVaugh and other CDOT staffers organized the stately memorial procession for taking the body of Nolan Olson from Denver to Pagosa Springs for Nolan’s memorial service. Nolan died from injuries at a Lakewood hospital that he sustained after a passing vehicle struck him, while he was working on a southwest Colorado highway.

Executive Director’s Report (Michael P. Lewis)

- Referring to the cyber incident, CEO Director Lewis thanked CDOT staff for finding new ways to accomplish their jobs while their computers were not connected. He singled out Johnny Olson for leading

the effort to restore service with the help of the state Office of Information Technology and the State Office of Emergency Management, among others.

- Mike Lewis also complimented Mike McVaugh for pulling together the procession and service for Nolan Olson.
- While attending the AASHTO meeting, he also testified to one congressional committee about the Road User Charge (RUC) using information provided by Debra Perkins-Smith, Director of the Division of Transportation Development. The committee was interested in a RUC as a transportation funding option, but recognized that it will be a while before a nationwide RUC would be possible. The nation will need some other source of funds during the gap of time between a gas tax and a RUC.
- Mike Lewis said connected and autonomous vehicles will need the 5.9 gigahertz bandwidth, but the Federal Communications Commission is under pressure to reserve the bandwidth for private interests. The bandwidth needs protection for transportation purposes.

Chief Engineer's Report (Josh Laipply)

- CDOT used the cyber incident as an opportunity to harden our systems against future attacks.
- The Director of Program Administration at FHWA reached out to CDOT to help draft the FHWA Emergency Response Manual due to CDOT's experience with the 2013 floods.
- Colorado has received two TIGER 9 grants, one for the Southwest Chief AMTRAK line (\$16 million) and another for US 160 Towaoc passing lanes (\$2 million).

HPTE Director's Report (David Spector)

- CDOT and the Virginia DOT will host a two-day learning lab regarding public-private or public-public partnerships (P3), about lessons learned, using I-70 Central as the case study.
- AASHTO invited CDOT to take part in an Infrastructure tour, where Colorado would be the last stop; transportation community is very interested to learn about what CDOT is doing,
- The Conference on World Affairs is to be held at Colorado University in Boulder the week of April 9-13.
- E-470 Highway Authority Board is established with non-voting seats for: CDOT, RTD and DRCOG. A key discussion is a half-day event to discuss express toll lanes with the vendor for tolling services.
- Central 70 project is going well.
- Introduced Major Projects Office Manager, Tony Meneghetti.
- HPTE Board approved the interagency agreement and budget that is an action item for the Commission today.

FHWA Division Administrator's Report (John Cater)

- Introduced Lucia Olivera of FHWA, as the interim Colorado Deputy Administrator, who is from the Washington D.C. headquarters office.
- Resilience – FHWA is looking at how to quantify improvement and where we go from here. A framework for considering resilience nationwide is a focus of FHWA currently.
- ADA transition program is a challenge to develop for DOTs around the country. Others looking to CDOT as a case study.

STAC Report (Vincent Rogalski)

- Potential bid for winter Olympics. Bid will depend tremendously on the transportation system. Long-term improvements to I-70 would be required, potential to create affordable housing around the state, hosting could result in a statewide benefits, but who would pay needs to be investigated further.
- Performance measures and target setting for the transportation system was discussed at a workshop yesterday. STAC was interested to know what happens if we can't meet the targets; the response is CDOT

has the opportunity to refine targets after two years; however, if targets are still not met in four years – CDOT loses flexibility in making investments, and will be required to spend its dollars in areas that will help to meet the established performance targets not yet met.

- National Highway Freight Program – STAC members feel primary input to the Transportation Commission should come from the Freight Advisory Council (FAC) and not the STAC.
- Information on the CDOT (Transportation Systems Management and Operations [TSM&O]) Heavy Tow Program (for heavy trucks) was presented.
- Development Program is being updated constantly. STAC recommends CDOT trying to make transit more a part of next Statewide Transportation Plan, and part of Regional Transportation Plan development. Do not treat transit in isolation.
- Budget – STAC wants to know more about the status of the Regional Priority Program (RPP).
- Model Traffic Code Update is a CDOT guidance document that relates to the operation of vehicles and the movement of pedestrians during use of streets and highways. This code could apply to local governments; however, local governments may opt out.
- STAC is scheduled to meet next Friday, March 23, 2018.

Act on Consent Agenda – Approved unanimously on March 15, 2018

- [Resolution to Approve the Regular Meeting Minutes of February 15, 2018 \(Herman Stockinger\)](#)
- [Resolution to Adopt updated Policy Directive 1500.0 "Guide Signing Policy" \(Ryan Rice\)](#)
- [Adopt updated Policy Directive 1901.0 "CDOT Policy on Air Quality" \(Deb Perkins-Smith\)](#)
- [5311 & FASTER Methodology for Administrative & Operating Award \(David Krutsinger\)](#)
- [Property Disposal: I-25 \(Parcel 116R\)](#)
- [Property Disposal: I-76 \(Parcel 49-EX\)](#)
- [Property Disposal: Ward Canal \(PE 270C-EX\)](#)

Discuss and Act on the 9th Budget Supplement of FY 2018 (Jeff Sudmeier) – Approved unanimously on March 15, 2018.

- **Additions resulting from Commission Workshops**
 - Costs to replace old maintenance computers in response to cyber incident.
 - ROW Settlement costs for 104th Avenue and US 85 Interchange.

Discuss and Act on ROW Acquisition Authorization Requests (Josh Laipply) – Approved unanimously on March 15, 2018.

Discuss and Act on ROW Settlement Authorization Requests (Josh Laipply) – This was reflected in the 9th Budget Supplement.

Discuss and Act on Adopting new Policy Directive 606.0 "Policy on Fostering Small Business Capacity" (Josh Laipply and Greg Diehl) – Approved unanimously on March 15, 2018.

Discuss and Act on Approval of the I70 and 32nd 1601 (Steve Sherman) – Approved unanimously on March 15, 2018.

Discuss and Act on Approval of FY2018-19 Fee for Service IAA with HPTA (David Spector and Jeff Sudmeier) – Approved unanimously on March 15, 2018.

[Discuss and Act on TC Adoption of FY 2018-19 Final Budget \(Jeff Sudmeier\)](#) – **Approved unanimously on Mach 15, 2018.**

[Discuss and Act on SIB Application for Centennial Airport \(Jeff Sudmeier\)](#) – **Approved unanimously on Mach 15, 2018.**

[Discuss and Act on TC Approval of Opening Rule Making For the Statewide Planning Rules, 2 CCR 601-22 \(Deb Perkins-Smith\)](#) – **Approved unanimously on Mach 15, 2018.**

Recognitions

Ron Papsdorf was recognized for his years of service and work at CDOT, and was wished well in his new role at DRCOG as Transportation Director.

Ryan Rice presented to Kevin Devine the CDOT Hero Award. The award relates to Kevin's involvement and heroic efforts during a crash on Thursday, Dec, 21st along SH 83. Kevin was first on the scene of the crash that involved parents and a nine-month old baby –with two ejected from the vehicle. The family of the crash victims consider Kevin their personal hero. Kevin received a Standing ovation.

Participants and those who planned the procession for Nolan Olson were also recognized. The procession was deemed a meaningful and successful event.