

**The Transportation Commission Workshops were Wednesday, February 20, 2019 and the regular meeting was Thursday, February 21, 2019. Both the workshops and the regular meeting took place at the Colorado Department of Transportation Headquarters at 2829 W. Howard Place, Denver, CO 80204.**

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Documents are posted at <https://www.codot.gov/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 Transportation Commission.

## **Transportation Commission Workshops Wednesday, February 20, 2019 2:00 pm to 5:30 pm**

**Attendance:** all 11 Commissioners attended.

### **Right of Way Workshop (Josh Laipply)**

**Purpose:** The purpose of the workshop was to discuss three right-of-way (ROW) acquisition projects (negotiations), three settlement affirmations & authorization requests, and one project for condemnation authorization request.

**Action:** Prepare to act on agreed upon proposed acquisitions, settlements, and condemnations at the regular Commission meeting.

The three projects with requests for authorization of property acquisitions that will be part of the consent agenda for at the regular TC meeting for February 2019 included:

- Region 3
  - US 6 at 20 Road Intersection, Project Code 19771
- Region 4
  - I-25 North: SH 102 to SH 14, Project Code 21506
- Region 1
  - I-70 Central, Project Code 19631

The three projects with requests for settlement affirmation & authorization requests that will be part of the consent agenda at the TC Regular Meeting for February 2019 included:

- Region 3
  - US 40 Craig East BPM, Project Code 20753
- Region 5
  - SH 151 MP 13.36 Priority Culvert, Project Code 21091
- Region 1
  - I-70 Central, Project Code 19631

The one project for condemnation authorization request to be approved via resolution at the TC Regular Meeting for February 2019 included:

- Region 1
  - US 85 Expansion MP 198.30 to MP 200.47, Project Code 21557

### **Discussion:**

- No comments on the ROW acquisition projects were raised by the Commission.
- No comments on settlement authorizations were raised by the Commission except for Central 70 project.

- I-70 Central Manna Pro West Property change of parcel AP -89 related to a substantial increase in price of the property. Additional building demolition costs raised the settlement costs.
- Commissioner Zink asked what would happen to the building. The one building will be fully demolished and rebuilt to bring it up to code, and will require rebuilding an unloading zone. CDOT caused the changed conditions to require the new code compliance.
- Funding for the price change will come from the Central 70 ROW budget that is trending well (expenditures are below those anticipated to date).
- BNSF railroad tracks are provided to Manna Pro - CDOT needs to rebuild track for this building and the building behind it. The track design is the optimum design considered for this project per Central 70 Project Manager, Keith Stefanik.
- Settlement costs went from \$27,000 to over \$3.2 million after a deeper investigation took place to identify true costs. Keith Stefanik noted that another option for the railroad was explored, including providing a bridge, that would have been even more costly to CDOT.
- Condemnation for US 85 Expansion MP 198.30 to MP 200.47
  - Two properties are involved.
    - Starbucks is an owner and CDOT is having problems with corporate getting back to us.
    - Reality Income Corporation is having an issue with getting a renter on their property to sign off. The owner/landlord asked for CDOT to begin a friendly condemnation proceeding.
  - Commissioner Gifford confirmed that there were no representatives from the public present to raise comments on this condemnation authorization request.

### **Construction Contracts and Administration (Josh Laipply)**

**Purpose:** Briefly recap the contracting methods CDOT utilizes for construction. Describe how current CDOT process includes force account work (essentially planned changes), in the categorization of “changes”. Discuss current CDOT systems responsible for reporting and tracking changes. Solicit Commission input regarding proposed staff recommendations for near-term and long-term system/process improvements.

**Action:** Approve, modify or reject CDOT staff recommendations.

**Details:** Over the last month CDOT has reviewed procedures and how a change is tracked on a project. This led to identifying some key areas for improvement and change:

- Better define and track changes associated with projects. Separate changes (owner initiated changes, unforeseen conditions, and design errors and omissions) from force account items (e.g. quality incentives, risk mitigation cost adjustments [e.g. fuel], known items with unknown quantities). Track changes by category and provide a structure to report.
- Modify structure of funding for bid items on projects. Some bid items such as construction trailers are not charged directly to projects but rather to a separate construction engineering pool (CE Pool). This leads to a discrepancy when comparing project level data between systems used for construction project administration (Site Manager [AASHTOWare]) and CDOT’s financial system of record (SAP). After proposed modifications SAP would accurately reflect project level expenditures.
- Establish more clear and consistent quality control procedures for plan and specification preparation. This could include Contractor reviews prior to advertisement, plan checking sign offs, etc. These steps will help minimize design errors and omissions.
- Review the Dispute Resolution Board (DRB) specification. On CDOT Public-Private Partnership projects (P3s) CDOT staff has made changes to the Dispute Resolution specification based on previous projects and lessons learned. Projects that are not P3s may also benefit from some of these revisions.

The approach to minimizing total project costs are a combination of mitigating risk and achieving the goals associated by selecting the right contract, maintaining an appropriate amount of flexibility for unforeseen issues and design errors and omissions. CDOT staff feels that more detail is needed on our tracking process, consistency in quality reviews, and structural changes to process to ensure that the data is easily available to

ensure the appropriate flexibility is in place. In addition, reviewing potential changes to the dispute resolution specification based on recent P3 experience may be beneficial.

**Discussion:**

- Josh Laipply, CDOT Chief Engineer, explained that the majority of CDOT projects today are Design-Bid-Build projects.
- Force account elements of projects include incentives for good quality, even though the lowest bid gets higher priority. When low bids are prioritized CDOT tries to incorporate high quality incentives and other project risk mitigation elements. An example of a force account cost would be fuel Cost adjustments.
- CDOT understands the need and desire to minimizing total project costs by not just evaluating short-term costs but also considering longer-term expenses.
- CDOT's construction budgets allow for some flexibility for unforeseen changes in costs.
- Some project elements are based on lump sums and others are unit cost based.
- Commissioner Thiebaut asked about the relationship between forced account elements and change orders, and how some reporting overlaps them.
- Josh noted that staff is proposing a new method of reporting that clarifies which elements of forced account are in change orders.
- Josh also noted that AASHTOWare and SAP, when using both to report project status they are not consistent, especially with third-party contracts it gets confusing. Not all bid items are tracked in SAP. AASHTOWare is more detailed not all of it is captured in SAP.
- Commissioner Pulido strongly stressed that CDOT needs a project control software.
- Josh concurred with this sentiment. Acquiring this type of software is a next step towards process changes.
- Commissioner Thiebaut raised the issue of the limitations with our dispute resolution process.
- Josh noted that the DRB specifications on Central 70 project is different from US 36. We are intending to work with Regions on a quality control plan and other specifications. We need a more robust tracking system and need to know specifically what change orders are for.
- Commissioner Pulido suggested a need for score cards on projects, just basic information for project tracking, e.g., contingency funding available at high level. Do this for CDOT's four or five big projects.
- Shoshana Lew, CDOT Executive Director, commented that it is a process of record to include full integration of a project management system and streamlining this process will provide the check points we need. Also monitoring project schedule milestones and when they are supposed to happen, we are getting there. We will be moving all projects to project management software.
- RTDs get status reports and are doing this now.
- Josh mentioned that he gets project reports too in Excel now that will be moved to Project Manager software.
- Commissioner Hofmeister asked if we are following state statute of what the TC is supposed to be doing – TC members are not project managers.
- Commissioner Scott commented on his thoughts regarding the TC's role on project management; it is up to the Project Management staff at CDOT to use toolkits available to them, not the TC. TC needs to discuss policy here. Big picture is our (TC) level of need to understand.
- Shoshana Lew noted that avoiding decision points that are unnecessary for TC, we need to make it clear when TC needs to make a decision vs staff providing TC with oversight information.
- Josh noted that staff is in the process of revising business processes, and that he is working with Jeff Sudmeier, CDOT Chief Financial Officer, on this. We will aim to revise DRB specifications based on research of best practices.
- Commissioner Hofmeister noted that the choice of the project management software should not be a TC decision, but potentially an Executive Management Team (EMT) decision.
- Josh explained that staff first needs to identify and define CDOT's business requirements and then have a software expert select the right product for CDOT. Staff can eventually show TC the CDOT business requirements at a high level for their input, in case Commissioners have comments.

- Commissioner Gilliland requested that whatever staff decides the software must help answer questions the TC may have on project status. Currently staff can't always quickly pull information requested.

**Workshop – Decision Items: FY 20 Proposed Annual Budget; Modifications to Budget Process and Products (Jeff Sudmeier)**

**Purpose:** The purpose of this workshop was to discuss the FY 2019-20 Final Annual Budget and review proposed changes and additions to budget products and processes.

**Action:** The Division of Accounting and Finance (DAF) requests that the TC review the FY 2019-20 Final Annual Budget and proposed changes to budget products and processes, and provide DAF with guidance and input in preparation for the March 2019 meeting when the FY 2019-20 Final Annual Budget will be presented to the TC for adoption.

The FY 2019-20 Final Annual Budget reflects several changes from the FY 2019-20 Proposed Annual Budget. Changes include:

- FASTER Safety (Line 25): Decreased to \$1.4 million to \$68.5 million as a result of the updated revenue projection
- Department Operations (Line 70): Increased to \$3.7 million to \$27.4 million to accommodate a mandated increase for PERA Direct Distribution (\$3.3 million) and an increase in the cost of the RTD Eco-Pass benefit (\$400,000)
- Administration (Line 74): Increased \$77,000 to \$38.3 million because of mandated increases for Paid Family Leave
- STP-Metro (Line 90): Increased \$613,000 to \$55.4 million as a result the updated revenue projection
- Transportation Commission Program Reserve Fund (Line 122): The remaining \$68,000 of flexible funds were added to Program Reserve

Changes to Budget Products proposed by DAF and subgroup of the EMT:

- *One-Sheet Budget:* As noted previously, the FY 2019-20 One Sheet Budget has been updated to include estimated roll forward amounts as of June 30, 2019. After the end of the fiscal year, the TC will be asked to review roll forward amounts and consider requests to approve the roll forward of funds or reallocation to other programs. The budget will be subsequently amended to reflect final roll forward amounts and decisions. An additional column has been added for budget adjustments and amendments. This is in anticipation of some updates to the budget process, which will include more frequent amendments to the budget during the course of the year to ensure the approved budget reflects the most current information.
- *Budget Allocation Plan:* This plan outlines new elements which will be incorporated into the FY 2019-20 Final Budget Allocation Plan prior to adoption. This includes a series of new budget reports intended to provide a more complete and transparent view of the budget, including additional information on open projects, prior year funds encumbered in projects, and forecasted annual expenditures. Staff plans to review these new reports in greater detail at the March workshop.
- *Monthly/Quarterly Budget Report:* Going forward, the intention is to provide this report on a monthly or quarterly basis. This report is intended to provide the most current information on the budget, including roll forward budget, and any amendments or adjustments since the time of initial adoption. The report also includes information on budget "consumed" year to date (i.e. funds budgeted to projects or expended from cost centers) and on expenditures year to date so the TC has visibility to budget performance throughout the course of the year.

**Next Steps**

- In March 2019, DAF will provide the TC with the FY 2019-20 Final Annual Budget, including any changes from the February 2019 TC meeting related to topics discussed between the TC and department staff and

any changes prescribed by the Joint Budget Committee (JBC) of the state legislature during the annual Figure Setting Process on February 6, 2019.

#### Discussion:

- Jeff Sudmeier, CDOT Chief financial officer, explained that one key change to budget reporting would be to add roll forward category, as historically we have not displayed roll forwards – we are proposing to include estimates of this, with final roll forwards with actual numbers at a later date.
- Five changes to line items of budget. None are major. See list of line item changes above.
- Commissioners asked about how many CDOT staff use their eco- passes. Jeff responded that approximately 1,250 passes have been issued, but can't confirm how many are used. Commissioner Stuart asked questions regarding costs and exploring ways with RTD to still provide employees with this benefit without paying for every employee, with a cost of about \$400 per person (Regular rates are roughly \$1,200 per person). Explore other methods for getting a good deal from RTD. If we learn that there are not enough users, figure out low cost incentives to encourage users.
- Decision Items on the agenda for this workshop did not require TC approval as all were under \$1 million, these decision items were approved by the EMT. Jeff provided an overview of the decision items within the FY 2019-20 budget.
- Jeff also reviewed budget attachments that display reporting changes.
- Commissioner Scott requested to focus on variances from old processes.
- Jeff responded that we go over in more detail the proposed changes next month or later. These products of reporting are evolving and DAF welcomes TC input.
- Jeff explained that a supplemental report on construction budget is under development; this report will add forecasted expenditures to report process for projects; Project reports under development for open projects, and for planned projects. We are also looking to amend Policy Directive (PD) 703.0 – as we amend budget more frequently now. What we consider a budget amendment or a budget supplement, and other budget process, etc.
- In August DAF will start development of the FY 2021 budget; the plan is to work with TC over next few months to re-conceptualize the budget format – one that is more transparent and useful for TC and public. Also future discussions on format and information and policies related to roll forwards will take place.
- Commissioner Hofmeister asked a questions by providing a project example –Sterling S-Curve project is to be let out this spring. This project will not completed until spring of 2020. Later funds would be from FY20. How are funds allocated when not spent in one fiscal year?
- Jeff noted the need to distinguish between budget and cash, staff is working with PMO to maximize our cash flow. In terms of budget, this gets complicated. With a multi-year project comes a multi-year budget. Still transitioning through this after finishing up the Responsible Acceleration of Maintenance and Partnerships (RAMP) program. Eventually, a project budget lines up with fiscal year of budget and construction.
- Josh mentioned that the budget is not expenditures; for example, this time last year, CDOT decided to not let projects, as not enough cash was available at the time. CDOT has projects on the shelf to meet expenditures for cash on hand.
- Commissioner Connell requested that the larger projects with major concerns should be brought to the TC for notification.
- Budget allocation plan includes some budget that is still committed – e.g., roll over non-encumbered. This report covers projects with budget not expended yet.
- Per Josh, almost every project spans at least two fiscal years with construction occurring during summer season.
- Commissioner Gilliland asked when dollars encumbered under cash management.
- Josh and Jeff explained projects are encumbered under multiple years for projects larger than \$15 million. The practice is to encumber \$15 million up front – if project is more than \$15 million staff will incrementally encumber.
- Commissioner Thiebaut noted this is all about coming up with fresh ideas for budget reporting – thank you for this.

### **Infrastructure for Rebuilding America (INFRA) Discretionary Grants (Debra Perkins-Smith)**

**Purpose:** To discuss approach and potential projects for submittal by CDOT under the INFRA discretionary grant program.

**Action:** Informational Only. Because the projects being proposed do not request any new matching funds from the TC they do not require TC approval per PD 703.0.

After reviewing the INFRA notice of availability, staff worked with the CDOT Regions and planning partners to identify several potential projects. Two candidate projects have been identified for the INFRA solicitation. SH 13 – Rifle to Wyoming State Line (I-70 to I-80 Connector) has been a prior submission from Colorado under the INFRA and BUILD discretionary grant programs. US 287 Passing Lanes Oklahoma State Line to Kit Carson (Ports-to-Plains Corridor) has not been submitted previously for discretionary grants.

#### **Discussion:**

- Debra Perkins-Smith, Division of Transportation Development Director, explained that applications are due March 4, so this request is time-sensitive.
- Good news is that we are not asking for money from the TC today.
- Deb provided an overview of the project criteria and why some projects fell out of being candidates.
- \$902 million is available for the INFRA grant program. Project levels are: less than \$100 million, over \$100 million, or at least \$5 million.
- A minimum match of 40% is required, and at least 20% is not to be federal funds for projects.
- Another criteria CDOT staff placed on the proposed projects was the need to not use TC contingency reserve funds.
- As a result, the two projects proposed do not require match.
  - US 287 Passing Lanes Oklahoma State line to Kit Carson.
    - Commissioner Gilliland noted we should ask for letters of support from other states.
    - Deb responded that Oklahoma is writing a letter for CDOT.
    - CDOT has a 51% match for the US 287 project.
    - This is an important federally designated high priority freight corridor from Laredo Texas to Denver. This route also serves an important port in Texas, and is a multi-state project.
  - SH 13 Rifle to State Line – Connector between I-70 and I-80.
    - Have Wyoming DOT letter of support.
    - CDOT has an 80% match for this project.
- Herman Stockinger, Office of Policy and Government Relations Director and TC Secretary, asked Johnny Olson to comment on the third project application for an INFRA grant that CDOT is working on:
  - I-25 North, Segments 7 and 8.
  - Johnny explained that no additional TC funds are needed. Bridge Enterprise (BE) funds are being used as a funding source for a match for this project.
- I-25 is a major freight corridor, is a high priority for CDOT, and Executive Director Lew strongly supports an application of this project for an INFRA grant.

### **Statewide Plan Committee – Statewide Plan Formula Programs (Debra Perkins-Smith)**

Committee Members: TC Members: Karen Stuart, Chair; Jesus Pulido, Ed Peterson, Sidney Zink, Rocky Scott, and Steven Hofmeister; and STAC Chair, Vince Rogalski – were provided an opportunity to comment on the SWP Commission meeting notes from January 2019. Commissioner Gifford commented that Commissioner Pulido is the new member of the SWP Committee and not herself, as is indicated in the notes. Notes will be revised to make this correction.

Attendees: All 11 TC members, and STAC Chair

**Purpose:** The purpose of this workshop was to provide the Statewide Plan (SWP) Committee of Commission with information for discussion on the Statewide Plan (SWP) Formula Programs.

**Action:** Develop 2045 SWP formula recommendations for the full TC to consider at the February Regular TC meeting.

The agenda covered:

- Program Distribution Overview
- FASTER Safety Program and Formula Recommendation
- Regional Priority Program and Formula Recommendation

SWP Commissioners last month recommended TC approval of all formulas except those for FASTER Safety and Regional Priority Program (RPP).

#### FASTER Safety Formula

Following PD 1504.1, which describes how CDOT staff should analyze crash data for development of regional planning budgets every four years, CDOT staff recommended percentages for each region using 2012-2016 on- and off-system crash data. The recommended allocations by Region are:

Region 1 – 37.3% (previously 33%)

Region 2 – 19.8% (previously 21.3%)

Region 3 – 11.4% (previously 14.1%)

Region 4 – 23.9% (previously 23.6%)

Region 5 – 7.6% (previously 8%)

#### **Discussion:**

- After some discussion, Commissioners approved the proposed distribution methodology based on total crash weight according to National Safety Council estimates of average economic cost per death, injury, and other crash data. They indicated a willingness to re-examine PD 1504.1 later.
- Points made during the discussion included:
  - Commissioner Pulido commented that he learned recently that 90 percent of crashes are due to driver behavior, not infrastructure problems, and asked how CDOT addresses that. He said that \$12 million a year spent on safety education may be insufficient to address this problem.
  - Commissioner Thiebaut noted that he is not a member of the SWP Committee, but he wanted to point out that FASTER Safety funds may be spent with more flexibility than the federal Transportation Highway Safety Improvement Program funds
  - Mike McVaugh, Region 5 Regional Transportation Director, explained that CDOT is trying to take a more pro-active approach to infrastructure safety issues, such as repair and replacement of guardrails across the state. He noted that an increase in crash rates are occurring in the urban areas compared to rural areas, and that this is a shift from the recent past. The new percentage allocations proposed for the FASTER Safety funding formula reflect that trend.
  - Commissioner Connell said that if crashes go down in one Region, that Region receives less money in future years. Herman Stockinger, Director of the Office of Policy and Government Relations, said that many programs operate in the same way: money goes to areas of the state with greater needs.
  - Commissioner Scott suggested CDOT use some of the FASTER Safety money to establish a statewide pool to spend on identified safety needs throughout the state. He also suggested that CDOT establish a way of being more pro-active to reduce fatalities and serious injuries.

#### Regional Priority Program (RPP) Formula

RPP funding provides flexible funding for regional priority projects. Currently, CDOT allocates \$50 million a year for RPP. Forty-eight million goes to the CDOT Regions for regional priority projects, with \$2 million off the top for permanent water quality and management projects. When it became apparent that SB97-01 would not fund TransBonds for strategic projects in the 1990s, CDOT used some of the RPP money to pay off the bonds. This reduced the RPP amount distributed to Regions in a given year. During the economic downturn that began in 2007, CDOT allocated no RPP money at all for two years.

For many years CDOT used the historic formula for RPP of 45% vehicle miles traveled (VMT), 40% lane miles, and 15% truck VMT. Population later became one of the RPP formula inputs.

- The current formula is 50% population, 35% lane miles, and 15% truck VMT.
- The STAC recommended Option B (25% VMT, 20% population, 40% lane miles, and 15% truck VMT) by a vote of 12-3, with three MPOs voting against it.
- Option A was 25% VMT, 25% population, 35% lane miles, and 15% truck VMT.

At the January STAC meeting, three MPOs favored a vote prohibiting CDOT from using the RPP allocation formula for other purposes, but the other TPRs voted against it. TPR representatives did not want to tie the hands of the TC, said Vince Rogalski, STAC chair.

The SWP Committee meeting did not end with a final decision on the formula to use for RPP. Commissioner Hofmeister wanted to know how much and what funds are going to the Front Range compared to the rest of the state as background information. Commissioner Connell requested some input from the five CDOT RTDs about the formula they would prefer, if that was possible.

### **Discussion:**

These were among the topics covered in the discussion:

- Commissioner Zink noted, regarding Option B, that the STAC favored, does a better job of being fair to all CDOT Regions than the current formula, which perpetuates the urban-rural divide.
- Commissioner Hall agreed that Option B is a more balanced proposal.
- DRCOG sent a letter to Debra Perkins-Smith regarding the future of RPP allocations, stating DRCOG prefers the current formula.
- Commissioner Stuart said she thought it was a good idea to stick with the current formula for now, but resolve to consider other formulas in about four years.
- Commissioner Thiebaut expressed that he thought the TC should use the current formula for fear of stirring up the urban/rural divisions again.
- Commissioner Connell explained that the newer Commissioners might not fully understand that \$50 million out of a large budget is not a lot of money.
- Commissioner Rocky Scott added that he thought the TC should be concerned more with advocating for more transportation dollars, versus arguing over such a small sum of money, when looking at the overall budget.
- Johnny Olson, former Region 4 RTD and now CDOT Deputy Executive Director, regarding use of RPP money within the CDOT Regions commented that Region 4 Transportation Planning Regions (TPRs) (North Front Range MPO and the rural TPRs) distribute RPP money on a project basis now, rather than a fixed amount to each TPR. He said the allocation of money to projects within Region 4 usually aligns with the Regional Transportation Plan for the areas. Vince Rogalski said in his area, Gunnison Valley, when one area of the Region comes up short for one project, it may get the needed RPP funds from another area of the Region.
- Commissioner Connell noted regarding the urban/rural division that urban areas have sources of funding that are not available to rural areas. She mentioned CMAQ (Congestion Mitigation and Air Quality) and STP-M (Surface Transportation Program – Metro). She said she wants to get more money out to the rural Regions to spend on their priorities.
- Commissioner Gilliland recalled that the current formula was a very contentious issue in Region 4 last time in the more rural areas.
- Commissioner Thiebaut commented that the last thing he wants is an urban/rural division.
- Commissioner Zink said she thought the current formula heightens the urban/rural division.
- Commissioner Hofmeister said, regarding the urban/rural division, that the SWP Committee members can talk about trying to increase the amount of money allocated for RPP, but they already know there is \$50 million a year for RPP. The SWP Committee needs to make a decision.

- Jeff Sudmeier noted that the TC has until March 2019 to make a decision about the RPP formula to have any bearing on the FY 2020 budget. The TC needs to approve the budget in March 2019.
- Commissioner Thiebaut said, regarding the future of RPP allocation, that he would like to end RPP funding gradually. Other ways of getting money to the Regions for their priority projects are available.
- Josh Laipply, CDOT Chief Engineer, suggested the RPP money could go to a statewide pot, with the distribution of RPP funds decided statewide based on need.

Next Steps:

- The TC will have a workshop in March 2019, followed by TC approval of all the Program Distribution funding formulas anticipated to occur in April 2019.

**2018 Colorado Fatalities Summary (Charles Meyer)**

**Purpose:** To provide overview of the status of transportation safety in Colorado

**Action:** None, information only

Colorado Status:

- Total Fatalities 627- 33% higher than 2010-2014 average, 4% lower than 2017 60% on CDOT highways
- Fatality Rate 1.15 - 16% higher than 2010-2014 average, 6% lower than 2017.

National Comparison 2017

- Fatality Rate – 1.16
- 13% increase in fatalities from 2010-2014
- 4% increase in fatality rate from 2010-2014
- 27 states decreased in fatalities from 2016 (Nationally 1.8% decrease)

State Comparison in Colorado 2017

- Fatality Rate – 1.21
- 38% increase in fatalities from 2010-2014
- 22% increase in fatality rate from 2010-2014
- 30th worst VMT fatality rate by state
- 25th lowest population fatality rate

CDOT Efforts to Improve Safety include:

- Update of State Highway Safety Plan (SHSP) in 2019
- Establish and Monitor National Safety Performance Measures – Colorado and MPOs
- Data Integration, Analysis and Sharing
- Education Campaigns
- Enforcement (partner with Colorado State Patrol)
- Engineering – Programs & Projects
  - Highway Safety Improvement Program (HSIP) funding & FASTER Safety program funding, Before After Analysis
  - Level of Service of Safety (LOSS) listing and mapping
  - Patterns listing and patterns
  - Mobility and Operations Evaluation during projects and earlier in National Environmental Policy Act (NEPA) environmental clearance projects.
  - LRSP – Local Road Safety Plans with Local Technical Assistance Program (LTAP), FHWA
  - Traffic Incident Management (TIM) , TIM tracking, and secondary crash analysis

## **Discussion:**

- Commissioner Pulido observed that the information from Charles Meyer indicates that the number of fatalities and serious injuries is often a matter of people making the wrong choices, such as driving under the influence of drugs or alcohol and/or failing to use seatbelts. CDOT should set bold goals for safety. He added for continued discussion on the issue.
- Commissioner Hall noted that the data seems to show that the huge motorcycle safety campaign CDOT had may have helped bring down fatalities and serious injuries of motorcyclists.
- Commissioner Scott asked if a primary seatbelt law is in the state legislative agenda this year.
- Herman Stockinger replied no. The primary seat belt law is not in this session's legislative agenda.
- Commissioner Scott said such a law seems like a low-cost option for the state, and added that he thinks the TC and CDOT need to advocate strongly for it.
- Commissioner Hofmeister asked about the safety work CDOT is doing with the counties. Charles Meyer explained that CDOT distributes Highway Safety Improvement Program (HSIP) money for local projects. One project example is making the roadway striping wider in strategic locations.

## **Transportation Commission Regular Meeting Thursday, February 21, 2019, 9:30 am – 11:30 am**

**Audience Participation** - None

**Call to Order, Roll Call:** Commissioner Peterson was excused. All other 10 Commissioners attended.

### **Comments of Individual Commissioners**

- Commissioner Zink commented on the good snow removal along Red Mountain Pass; Looking forward to Executive Director Lew's visit to Southwestern Colorado. Attended a TPR meeting in Durango.
- Commissioner Gilliland attended a luncheon with small business and diversity group that has a mentor program for small businesses; program pairs program mentors with small business starting out and educates them on how to conduct business with CDOT. Eight to ten businesses were present, and some spoke about their experiences. Larger businesses also learned from hearing of the small business experiences shared. It was a great luncheon and the program is great. Commissioner Thiebaut also attended this event.
- Commissioner Pulido commented that the safety presentation given yesterday was eye opening; 600 fatalities in Colorado, and compared to other states, Colorado is average. Would really like a call for aggressive aspirational goals for safety in Colorado. We owe this to people in the state. Suggested more TC workshops on the subject. Commissioner Pulido expressed his support of use of mobility and operations technology. Attended a meeting with Greenwood Village and CDOT Bustang team, the good relationship between Greenwood Village and CDOT that was demonstrated was impressive.
- Commissioner Stuart thanked and recognized Shoshana Lew for attending a Northern Colorado Economic Alliance meeting and doing a great job with the audience; also recognized Peggy Caitlin being present and in the audience.
- Commissioner Connell expressed her new appreciation of roads, transportation is important and safety is too. Steamboat Springs has lots of snow with a 92 inch base; trucks are removing snow from town; areas is experiencing crashes along US 40 with elks getting hit. Will be starting TPR meetings next month.
- Commissioner Hall recognized and thanked Peter Baier for being in the audience; TPR meetings will be starting in April; will be out of town and in Australia this March. Executive Director Lew is to visit Club 20 in the near future.
- Commissioner Hofmeister extended his congratulations to the EMT selected to stay on, and Johnny Olson on his new role as Deputy Executive Director.

- Commissioner Scott expressed his congratulations to Johnny Olson, noted good work of Region 2 with cities and counties and is happy with coordination CDOT does with locals. They are extremely appreciative of CDOT. On a drive from Colorado Springs to Fort Collins along I-25, it is exciting to see work happening.
- Commissioner Thiebaut extended his congratulations to EMT reappointments and to Johnny Olson. There is lots of energy to help TC as they make decisions. Recognized Herman and Oliva for their help with print outs of the TC packet. Agreed with Commissioner Gilliland regarding the luncheon and the small business mentor program.
- Commissioner Gifford welcomed and recognized Peggy Caitlin in the audience, and explained that Peggy is the Regional Transportation District (RTD) liaison between CDOT and the RTD Board. Peggy once served at CDOT as the Deputy Executive Director. Extended Congratulations to re-appointed EMT team and Johnny. Will be visiting the Congressional delegation with CDOT Executive Director Lew shortly.

#### **Chief Engineer's Report (Josh Laipply)**

- Commissioner Pulido commented on the Bustang with Greenwood Village meeting and how it went well; CDOT is doing late spring service changes. There is the possibility to stake out stop locations for folks to see and comment on. CDOT staff works well with the locals.
- The Work Now meetings, are to support emerging small businesses and our non-profit stakeholders. It is a workforce development program that is part of Central 70 that is underway. Anticipate a committee meeting will be held next month.
- Excited to have Johnny on the EMT.
- In terms of the cyber incident – happened a year ago this month, and during this event, Johnny played a key role in the initial response and recovery. We are planning a future TC workshop on this topic. Initial activities taking place include all Bentley program data and information being moved to the Cloud with added security levels for SAP. These are improvements underway with more to come.

#### **High Performance Transportation Enterprise (HPTE) Director's Report (David Spector)**

- HPTE annual report is finished and hard copies are available for those who want one; a SB 1 report is included in the annual report. There is also a link available on the HPTE website to this document.
- Commissioner Gilliland gave credit to HPTE for this very “reader-friendly” report. Report is written in a “down to earth” format; strongly recommends reading this report.
- I-25 Central PEL Team is working on what this project might look like; this month was the first time the Central 70 Executive Partnering team met with Executive Director Lew, and that meeting went well; also the Metropolitan State University of Denver is exploring potential public private partnerships (P3s) and reached out to HPTE for some ideas and concepts.
- CDOT is a member of E-470 Public Highway Authority Board of Directors as an ex-officio member with a non-voting role. CDOT/HPTE seat is normally appointed by the HPTE Director- This Board held their strategic planning retreat as they are going through a strategic planning process, all members, voting and non-voting, were given the opportunity to provide their input. HPTE is actively participating in this planning process through participation on this E-470 Board.
- HPTE Board of Directors with Commissioner Gifford, and Commissioner Gilliland, are also conducting a strategic planning retreat starting this afternoon and tomorrow. A big focus will be the evolution of the HPTE, moving from a role of catalyzing express lane projects, to becoming one of the nation's largest toll operators in a four-year time frame, with roughly 200 miles of tolled lanes. What to know what does that mean from a business perspective for HPTE and how should we move forward.

#### **FHWA Colorado Division Administrator's Report (John Cater, Division Administrator)**

- Received our Appropriations Bill through the end of the fiscal year, so all federal offices are up and running.

- FHWA has good news – FHWA received the projected FAST Act levels of appropriations and the internal operating funds anticipated, and will continue business as usual.
- Better Utilizing Investments to Leverage Development (BUILD) Program last year we received several grants here in Colorado for I-25 North, V2X and in Glenwood Springs. There will be \$900 billion for BUILD this year sometime in the spring of this year. We hope to continue our track record of success.
- An extra \$3 billion of general fund money is available for highways, with \$2.7 billion under Surface Transportation Block Grant Program (STBG) and will include sub-allocations to Metropolitan Planning Organizations (MPOs).
- \$475 million will be available for a competitive bridge program – states with higher, more than 7.5% of bridge deck area deficient condition are eligible, but Colorado did not qualify, as our bridge deck area condition is too good.
- LTAP in Colorado includes a road scholar program for maintenance workers (CDOT and local government maintenance workers are eligible). This program is intended to help local roadway maintenance workers grow professionally. This is a CDOT, FHWA and LTAP program partnership. Through a Front Range Community College accredited program, completed participation leads to an Associate's Degree of Applied Science in Highway Management.

#### **STAC Report (STAC Chair, Vince Rogalski)**

- For the legislative report the Executive Order for zero emissions vehicles was discussed by the STAC. Concern exists with the impact of electric vehicles on CDOT's revenue and what will be the replacement/alternative source of revenue in the future. STAC wants to know if a ballot measure to increase funding is in the works as CDOT still needs more funding to maintain the transportation system.
- For INFRA grants STAC unanimously recommended US 287, SH 13 and Smart Fiber and an Adams County application for US 85. Not sure about how I-25 North fits into the picture.
- Technology discussion included talks about an air traffic control system without using a control tower. A pilot project for this is occurring at the Northern Colorado Regional Airport.
- SB 1 and SB 287 – staff to bring projects for STAC review and comment.
- In terms of the proposed increase for Bustang fares, the \$1 per trip increase doesn't seem right to STAC. If there are any increases, they should be proportional (based on a percentage increase of the current fare) instead.
- Outrider program is doing a good job with analyzing things. Nothing concrete yet but lots of potential is there.
- Regarding Southwest Chief and Front Range Rail, people looking more at rail as a public transportation mode of choice; there is lots of work going on and interest expressed. AMTRAK 2.0 is being considered for Front Range rail potential.
- For February and March, STAC meetings and TC meetings are held in the same week. Tomorrow's STAC agenda includes: STAC election for Vice-Chair as Sean Conway had to leave, INFRA grant program update, Low Emission Vehicle Rule and Executive Order update, Colorado Resilience institutionalization update, 2045 Statewide Plan project update, and Traffic Incident Management Update.

#### **Act on Consent Agenda – Passed unanimously on February 21, 2019**

- Resolution to Approve the Regular Meeting Minutes of January 17, 2019 (Herman Stockinger)
- Resolution to Approve ROW Settlement Affirmations and Authorization Requests (Josh Laipply)

#### **Discuss and Act on Condemnation Authorization Requests (Josh Laipply) – Passed unanimously on February 21, 2019**

**Discuss and Act on SB 267 Project Funding Modifications (Jeff Sudmeier) – Passed unanimously on February 21, 2019**

- This budget reallocation covered costs for I-25 Gap project re-allocated from I-25 North; the budget for I-25 North is to be restored with the proposed upcoming budget amendment.

**Discuss and Act on 8th Budget Supplement of FY 2019 (Jeff Sudmeier) – Passed unanimously on February 21, 2019**

**Discuss and Act on 2045 Revenue Projections (Jeff Sudmeier and Debra Perkins-Smith) – Passed unanimously on February 21, 2019**

- Projections included low, medium and high revenue projection scenarios. This action proposes use of the high revenue scenario for fiscal constraint purposes.

**Discuss and Act on Safe Routes to School FY 2019 and FY 2020 Project Selection (Debra Perkins-Smith) – Passed unanimously on February 21, 2019**

- Two education projects and included a list of projects for infrastructure improvement projects.
- Commissioner Theibaut asked why CDOT is doing this for a two-year period instead of one as done previously.
- Betsy Jacobson, Bicycle and Pedestrian Section Manager, explained that CDOT staff conducted a strategic plan that recommended the change to a two-year cycle that would increase the project minimum budgets, and allow staff more time to evaluate projects.

**Discuss and Act on Revised CDOT/HPTE Equipment Financing Agreement, including approval of WB PPSL equipment financing (David Spector and Jeff Sudmeier) – Passed unanimously on February 21, 2019**  
**Get info from TC Packet.**

**Authorize Rulemaking for Chain Law Rules (2 CCR 601-14) (Herman Stockinger) – Passed unanimously on February 21, 2019**

- By taking action on this rulemaking, the TC approves opening the process for Chain Law rulemaking to occur. Final approval of changes to the Chain Law Rules is anticipated to occur in June 2019.

**Central 70 Quarterly Status Report and Northeast Transportation Connection (NETC) Video (Keith Stefanik) – Passed unanimously on February 21, 2019**

- Keith noted no major issues to report for 70 Central this quarter.
- Showed a video about the work of the NATC with providing Transportation Demand Management initiatives provided to residents and business owners in the neighborhoods being impacted by the Central 70 project.
- NETC is a transportation management association to help residents and local businesses impacted with mobility and access issues. HPTE contracted with NETC to help mitigate impacts along I-70 Central project corridor.
- NETC Goal is to provide alternative transportation options for residents, student and others.
- NETC team is talking with Community members, and asking what do they need to maintain or improve mobility and access in their neighborhoods.
- Programs being provided include:
  - Free bicycle libraries
  - Walking Program – install walking culture – to transit stops also.
  - Community shuttle (via van) programs, including senior programs.
  - Bike Tours of Community
  - Attended many community events to solicit participation and input on needs.
- Commissioners Hall and Connell expressed their appreciation for this work.

### **Environmental Awards (Debra Perkins-Smith and CDOT RTDs)**

For over twenty years, CDOT has recognized excellence in environmental stewardship. There are opportunities to do so in all aspects of our organization: planning, design, construction, operations and maintenance. This year, there was a strong class of candidates, which made the selection of the following winners, even more impressive.

#### **SH 9 Project**

Iron Springs--This project flipped the script for this segment of state highway and bikeway. It flip-flopped alignments to provide a quality solution for a popular high traffic mountain community. It moved SH 9 away from the Dillon reservoir, replacing it with the Blue River Bikeway. This option became available after the beetle pine decimated a portion of the US Forest Service (USFS) land. The project widened SH9 to four lanes, straightened out a tight curve, cut wetland impacts in half and moved traffic away from Dillon Reservoir improving water quality for a major Denver water supply. Three large underpasses accommodate the bikeway and natural drainage patterns maintain wildlife connections under SH9. These wildlife migration paths both benefit the environment and reduce the safety hazard of wildlife crossing the highway. This was a collaborative effort with CDOT, FHWA, USFS and local communities.

#### **SH 9 Project Award Recipients**

Grant Anderson (Project Manager) (Region 3)

Chuck Attardo (Region 1)

Vanessa Henderson (Region 1)

Jen Klaetsch (Region 3)

Leslie Modrick (Region 3)

Kevin O'Reilly (Region 3)

Jeff Peterson (HQ)

Rebecca Pierce (HQ)

Tom Scheuermann (Region 3)

Stephanie Gibson (FHWA)

Thor Gjelsteen (FHU)

Ashley Nettles (USFS)

Thad Noll (Summit County)

Jason Laabs (Cirque Civil)

Paul Semmer (USFS)

Patrick Stein (FHU)

#### **Maintenance Category for the Flagger Lighting System**

##### **Todd Natale (Region 2)**

Todd has adopted and championed a more efficient way to light nighttime flagger stations. Currently, we use fuel-powered light plants that 1) need to be trailer mounted and 2) require an additional vehicle to haul it. It does not respond well to quick changes in the field. These motorized light plants can run from 8-10 hours which uses a lot of fuel and emits exhaust. This new idea is a portable battery powered light plant. It provides the needed light which is more accessible. It is a lightweight unit that can be moved easily, uses no fuel, and gives off no exhaust.

#### **Innovative Process Category for Utilization of 2D Hydraulic Modeling**

##### **Brian Varrella (Region 4)**

The switch from 1D modeling to 2D modeling for hydraulic considerations in projects has not only saved millions of dollars; it also significantly reduced CDOT's environmental impact for hauling riprap on Transportation Projects. These models create virtual rivers and roads to calculate the distribution of velocity and depth of waterways near infrastructure features. In 2018, the use of 2D hydraulic modeling saved CDOT \$4.4 million and prevented \$16 million worth of projects from being abandoned. A 2D model analyzes waterways at thousands or tens of thousands of points, while a 1D model estimates waterway conditions between a dozen or so cross sections. This is a critical when waterways meander or have changing depths.

## **Special Contributor Category for Championing the Clear Creek Ecological Restoration**

### **Rebecca Pierce (HQ)**

For her role in shepherding the development of the Clear Creek Ecological Restoration Project, which involves ecological restoration of a segment of Clear Creek. This project realigned the creek channel and improved the floodplain immediately next to I-70. It can now function as a location for advanced mitigation for wetland impacts for future CDOT projects within the watershed, including those on I-70.

Restoring this parcel was met with several local challenges over the years: disputes with adjacent property owners; negotiations with Clear Creek County over its recreational use; and trespassing issues. Becky faced those challenges with dedication, professionalism, stewardship, tenacity, and vision. Becky has been a consistent champion and steward of the restoration project, going above and beyond her regular job duties. While Region 1 constructed the project, Becky represented the continuity that made this project possible.