

Transportation Commission of Colorado
Regular Meeting Minutes
May 16, 2013

Chairman Gary Reiff convened the meeting at 1:15 p.m. in the auditorium of the headquarters building in Denver, Colorado.

PRESENT WERE: Gary Reiff, Chairman, District 3
Trey Rogers, District 1
Ed Peterson, District 2
Heather Barry, District 4
Kathy Gilliland, District 5
Kathy Connell, District 6
Doug Aden, District 7
Steve Parker, District 8
Les Gruen, District 9
Gilbert Ortiz, Sr., District 10
Steve Hofmeister, District 11

EXCUSED: Steve Parker, District 8

ALSO PRESENT: Don Hunt, Executive Director
Gary Vansuch, Director of Process Improvement
Ben Stein, CFO
Tim Harris, Chief Engineer
Heidi Bimmerle, Director of Admin & Human Resources
Debra Perkins-Smith, Director of Division of Transportation Development
Herman Stockinger, Director of Policy and Government Relations
Mike Cheroutes, Director of HPTE
Barbara Gold, Director of Audit Division
Ryan Rice, Director of Operations Division
Amy Ford, Director of Public Relations
Scott McDaniel, Director of Staff Services
Tony DeVito, Region 1 Transportation Director
Tom Wrona, Region 2 Transportation Director
Dave Eller, Region 3 Transportation Director
Johnny Olson, Region 4 Transportation Director
Kerrie Neet, Region 5 Transportation Director
Kathy Young, Chief Transportation Counsel
John Cater, FHWA
Vince Rogalski, Statewide Transportation Advisory Committee (STAC)

AND: Other staff members, organization representatives, the public and the news media

An electronic recording of the meeting was made and filed with supporting documents in the Transportation Commission office.

Audience Participation

Chairman Reiff mentioned that there were 3 people signed in to address the Commission and asked the 2 individuals from Estes Park to come forward and introduce themselves at the microphone. The Mayor, Bill Pinkham, spoke about congestion in Estes Park in the summer and mentioned that the town is dependent on Tourism. He displayed and discussed a document regarding the RAMP Application the town submitted. Chairman Reiff mentioned that all 200 RAMP projects will be reviewed and he thanked the Mayor for his presentation. Scott Zurn, Public Works Director of Estes Park was in attendance but, did not speak. The third person to sign in was not present at the time of the Public Comment.

Individual Commissioner Comments

Commissioner Hofmeister reported that he had toured Segewick, Washington and Logan Counties with Region 4 staff and mentioned that the group was well received.

Commissioner Gilliland declared that she had attended the Colorado Cooperation Conference with Executive Director, Don Hunt and Commissioner Doug Aden and mentioned that it was a good session with a lot of good discussion.

Commissioner Barry mentioned that she wanted to recognize Kurt Morrison for all of his work at the Capitol and for his commitment to CDOT and the State as a whole.

Commissioner Connell confirmed that she had a great time attending the Twin Tunnel Blast celebration on May 3 and thanked Tony DeVito and his staff for their work on the project. She reported that she would be attending the CASTA Conference in Black Hawk. She read a letter from the wife of Gary Baumgartner, Grand County Commissioner, regarding some dangerous aspects of travel on State Highway 9 and mentioned that the campaign that the group is working on is a creative way to find transportation funding.

Commissioner Aden stated that he had attended the Colorado Cooperation Conference and participated in a conference call with the Club 20 group discussing questions around transportation funding options. He confirmed that he would attend the follow-up meeting of Club 20 being held in Grand Junction the following week. He reported that he had the opportunity to speak at a meeting of the Colorado Contractors Association in Grand Junction and he thanked Jim Moody and Tony Milo for giving him time to speak regarding transportation issues.

Executive Director's Report:

Director Hunt reported on many topics including:

- Communication with customers and stakeholders
 - CDOT has many interesting programs running currently
 - improvements need to be made in the communication efforts regarding the programs
- Employee Information Sessions
 - 14 sessions held across the state
 - Discussions on RAMP, Boundary Changes, Systems Management and the Operations Division
 - Employees appreciated the meetings
- Ground Breaking at the Twin Tunnels on May 3
 - Record breaking project
 - Project staff deserves a lot of credit
- Meeting at the Governor's Office Regarding Truck Traffic on I-70
 - Ryan Rice, Tony DeVito and staff from State Patrol were in attendance
 - Discussions centered on weekend truck traffic
 - Confirming that everything possible is being done to manage the freight traffic
 - 12 month plan was developed to double the efforts with the Colorado Motor Carriers Association
 - Work with dispatchers to alter timing of trips for in-state trucks
- Bill Signings
 - Special Fuel Tax and Electric Vehicle Fee
 - Eisenhower Tunnel Fire Suppression System
- Highlights from the AASHTO Conference in Providence, Rhode Island
 - States recognize that additional Federal funding for Transportation will not come through
 - 2/3 of the States are discussing Tax increases and many others are enacting tax increases for transportation funding
 - Attended many informative meetings with DOT Directors from other states

Chief Engineer Report

Chief Engineer Tim Harris began by stating he had spoken so much during the workshops in the morning that the only thing he wanted to mention was the fact that he had received and accepted a job offer letter for another year at CDOT and he was proud to begin his 33rd year at CDOT.

High Performance Transportation Enterprise (HPTE) Director's Report

Mike Cheroutes reported that there were a few items he wanted to highlight:

- HPTE Board met with the Wednesday, May 15, 2013
 - Approved the FY 2014 Budget

- Approved the interagency agreement for the US 36 Concessionaire
- Discussed the need to adjust the toll rates on the I-25 Hot Lanes on peak periods to adjust for bus traffic and transit time delays

FHWA Division Administrator Report

John Cater mentioned the following items:

- Opportunity to lead a tour of Colorado with FHWA Legal Council and Environmental Staff
 - Toured Controversial/Complex Projects around the state
 - Denver, Pueblo, Durango and Glenwood Springs
 - Met with Staff in each Region discussing projects
 - Expressed appreciation to the RTD's for the time staff spent on the briefings
 - FHWA wants to complete due diligence up front so that projects can advance as planned
- Congratulations to the Twin Tunnels team for winning the 2013 FHWA Environmental Excellence Award

STAC Report

Vince Rogalski declared that the STAC had met on Friday, May 10, 2013 and that the Committee had received updates on the following topics:

- MPACT 64 Group
- Legislative Update
 - TIGER IV
 - 3 projects approved for advancement
- Statewide Plan
 - Large discussion on change from resource allocation to program distribution
 - The Committee is understanding and reacting to the changes
 - Why is there a need for planning
 - Planning is necessary, as there are other issues to consider
- RAMP
 - 257 pre-applications
- Enhanced NHS
 - Functional classification
- Statewide Transit Plan
- Inter-regional Connectivity Study
 - Cost benefit analysis

Act on Consent Agenda

Chairman Reiff stated that a motion would be entertained on the Consent Agenda and Commissioner Connell moved for approval of the Consent Agenda. Commissioner

Gilliland seconded the motion and on a vote of the Commission, the Consent Agenda was unanimously approved.

Approve the Special & Regular Meeting Minutes of April 18, 2013

Resolution #TC-3072

BE IT HEREBY RESOLVED, that the Transportation Commission's Special and Regular Meeting Minutes of April 18, 2013 are hereby approved as published in the official agenda of the May 16, 2013 meeting Agenda.

Approval of Resolution for the Adoption of Policy Directive 1900.0 Noise Mitigation Policy (Herman Stockinger)

Resolution # TC-3073

Adoption of Policy Directive No. 1900.0 "Noise Mitigation Policy"

Approved by the Transportation Commission on: May 16, 2013

WHEREAS, § 43-1-106 (8)(a) C.R.S. provides authority to the Transportation Commission of Colorado ("Commission") to formulate the general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, Policy Directive 1900.0 "Sound Wall Policy" was adopted by the Transportation Commission on December 18, 2003; and

WHEREAS, Current Policy Directive 1900.0 sets forth the requirements for locally-funded noise barriers on state highway rights-of-way; and

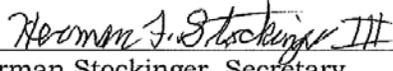
WHEREAS, this Policy Directive has been broadened to state that the CDOT Noise Analysis and Abatement Guidelines ("Guidance") is the definitive authority to provide technical procedural direction on noise abatement and mitigation measures on all projects involving federal, state or local requirements; and

WHEREAS, the Department obtained the FHWA's approval of the Guidance on February 8, 2013; and

WHEREAS, pursuant to 23 CFR 772, CDOT is required to have the Guidance maintained and updated when federal regulations are modified; and

WHEREAS, placing state and federal requirements in the FHWA-required and approved Guidance will allow the Department to continually amend it for outstanding technical concerns and practical applications every three to five years.

NOW THEREFORE BE IT RESOLVED, the Commission herein approves Policy Directive 1900.0, "Noise Mitigation Policy."



Herman Stockinger, Secretary
Transportation Commission of Colorado

5-23-13
Date

Approval of Resolution for an Addition to the FY '2013 Over \$50K Project List (David Wieder)

Resolution #TC-3074

Addendum to Fiscal Year 2013 over \$50,000 project list approval

Approved by the Transportation Commission on: May 16, 2013

WHEREAS, under Senate Bill 98-148, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the "Construction Bidding for Public Projects Act;" and

WHEREAS, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed \$50 thousand, but are less than or equal to \$150 thousand for submission to the Transportation Commission for review and approval; and

WHEREAS, CDOT staff have prepared cost estimates for these additional projects to be done in Fiscal Year 2013 as detailed in the memorandum entitled; Additions to the FY 13 approved over \$50,000.00 project list dated July 31, 2012; and

WHEREAS, the funding for these projects is contained in the Fiscal Year 2013 Budget.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission has reviewed the cost estimate, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the project therein.

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Region 1 - Aurora				
Highway	Begin MP	End MP	Treatment	Estimated Cost
67	123.95	124.45	overlay	\$67,881.00
30A	11.5	11.7	overlay	\$84,748.00
36D	131.66	132	overlay	\$67,140.00
36D	134	134.58	Overlay	\$100,217.00
385C	153	154.6	Overlay	\$135,000.00
40A	223	234.2	Overlay	\$147,136.00
40A	238.2	239.4	Overlay	\$147,136.00
40E	347.1	347.7	overlay	\$67,178.00
40E	350	351	overlay	\$125,840.00
59B	42	43.3	Overlay	\$120,000.00
6F	226.4	227.4	Overlay	\$135,520.00
70F	290.3	290.79	overlay	\$78,619.00
74A	6.75	7.45	Overlay	\$91,280.00

74A	1.5	2	Mill & Fill	\$93,170.00
74A	1.5	2	Overlay	\$56,000.00
86A	13.5	13.8	overlay	\$81,457.00
86A	50.8	51.5	overlay	\$74,875.00
86A	37	38	overlay	\$106,964.00
86A	58	58.99	overlay	\$114,040.00
I70A	427.5	428.2	Overlay	\$65,000.00
			Total	\$360,879.00
Region 5 - Alamosa				
Highway	Begin MP	End MP	Type	Estimated Cost
285B	77	81	Chip Seal	\$147,500
285B	84	87.5	Chip Seal	\$148,500
009B	47.5	51.5	Chip Seal	\$148,500
009B	59	63.5	Chip Seal	\$148,500
			Total	\$593,000
Region 5 - Durango				
Highway	Begin MP	End MP	Type	Estimated Cost
550	6.8	7.8	Machine Patch	\$126,537.63
172A	21	22.5	Chip Seal	\$129,134.57
145A	9.219	10.4	Mill & Fill	\$148,500.00
145A	55.5	59.5	Chip Seal	\$148,500.00
160A	8	11.25	Chip Seal	\$148,500.00
160A	53.2	53.8	Chip Seal	\$54,000.00
550	93.8	96.1	Chip Seal	\$108,126.88
			Total	\$863,299.08
			State Total	\$1,817,178.08

Sufficient funds exist within the appropriate MPA's to pursue these projects. The projects are in accordance with the directive and all other requirements.

Herman J. Stockinger II
Herman Stockinger, Secretary
Transportation Commission of Colorado

5-23-13
Date

Approval of Resolution for the FY 2014 Over \$50K Project List (David Wieder)

Resolution #TC-3075

Fiscal Year 2014 over \$50,000 project list approval

Approved by the Transportation Commission on: May 16, 2013

WHEREAS, under Senate Bill 98-148, public projects supervised by the Colorado Department of Transportation (CDOT) are exempt from the requirements of the "Construction Bidding for Public Projects Act;" and

WHEREAS, Section 24-92-109, Colorado Revised Statutes, as amended, requires CDOT to prepare cost estimates for projects to be undertaken by CDOT maintenance crews that exceed \$50 thousand, but are less than or equal to \$150 thousand for submission to the Transportation Commission for review and approval; and

WHEREAS, CDOT staff have prepared cost estimates for these projects to be done in Fiscal Year 2014 as detailed in the memorandum entitled; Fiscal Year 2014 Projects by Maintenance Forces Requiring Transportation Commission Approval dated April 29, 2013; and

WHEREAS, the funding for this project is contained in the Fiscal Year 2014 Budget.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission has reviewed the cost estimates, as contained in the official agenda, and approves CDOT Maintenance Forces undertaking the projects therein.

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Region 1 – Aurora					
Highway	Begin MP	End MP	Treatment	Estimated Cost	Notes
040A	240.4	241.15	Overlay	\$144,837.00	
040A	235	235.75	Overlay	\$144,837.00	
06F	225	226	Overlay	\$142,296.00	
06F	223.6	224.6	Overlay	\$142,296.00	
070A EB	208.4	209.2	Overlay	\$146,362.00	
070A EB	192.5	193.25	Overlay	\$106,722.00	
009C NB	84	85	Overlay	\$121,968.00	
009C NB	95.1	95.6	Overlay	\$91,475.00	

009C	96	97	Overlay	\$121,968.00	
070A	233.5	234.39	Overlay	\$108,758.00	Frontage road
070A	234		Overlay	\$75,935.00	Ramps
070A	226		Overlay	\$71,708.00	Ramps
74A	0	1	Overlay	\$93,170.00	
74A	0	1	Milling	\$56,000.00	
40C	282	283	Overlay	\$108,416.00	
			Total	\$1,676,748.00	
Region 1 – Denver					
Highway	Begin MP	End MP	Treatment	Estimated Cost	Notes
6H	294.91	295.24	Mill & Fill	\$90,000	Frontage Rd
I-76	11.8	12.4	Overlay	\$135,000	EB
I-70	281.6	282.3	Overlay	\$148,242	WB
6G	277.5	278.25	Mill & Fill	\$146,325	N Frontage Rd
8A	6.6	7.1	Mill & Fill	\$149,577	Both Dir
95A	1	1.45	Mill & Fill	\$111,404	Both Dir
121A	6.15	7	Mill & Fill	\$148,985	Both Dir
83	70.74		Mill & Fill	\$68,346	Intersection
85	209	210	Mill & Fill	\$54,300	Intersection
			Total	\$1,052,179.00	
Region 2 - Pueblo					
Highway	Begin MP	End MP	Treatment	Estimated Cost	Notes
24A	256.4	257.1	Overlay	\$83,416.00	
85A	136.2	136.7	Overlay	\$95,000.00	
24G	321	321.5	Overlay	\$95,400.00	
24G	328.3	328.8	Overlay	\$95,400.00	
24A	253.7	257.7	Chip Seal	\$140,513.00	
83A	21.6	23.2	Chip Seal	\$138,978.00	
24G	330	333.2	Chip Seal	\$149,159.00	
9A	13.5	14.7	Overlay	\$149,548.00	

		5			
115A	2	3.5	Overlay	\$149,852.00	
227A	0	1.41	Overlay	\$14,600.00	
25F	60	71	Overlay	\$149,200.00	
25F	91	94	Overlay	\$149,600.00	
96B	74.5	76	Overlay	\$148,800.00	
96A	57.49	58.4 9	Overlay	\$147,400.00	
25F	110	120	Overlay	\$149,800.00	Various locations
50C	7.51	9.57	Chip Seal	\$149,026.00	
9A	22	27	Chip Seal	\$149,320.00	
50C	331	337	Chip Seal	\$149,742.00	
389A	6	7.4	Overlay	\$144,633.00	
12A	68	69	Overlay	\$103,271.00	
160A	300	300. 91	Overlay	\$147,378.00	
69A	38.2	39.7	Overlay	\$142,234.00	
160C	376	377. 1	Overlay	\$113,589.00	
10A	28	29.1 5	Overlay	\$132,919.00	
12A	64	67	Chip Seal	\$144,456.00	
10A	39	43.0 4	Chip Seal	\$115,456.00	
69A	30.4	34	Chip Seal	\$103,910.00	
71C	43	48.7	Chip Seal	\$149,900.00	
50B	408.7 5	413. 25	Chip Seal	\$149,500.00	
50B	416	419	Chip Seal	\$103,706.00	
96C	108	109. 5	Overlay	\$149,400.00	
50B	400	401	Chip Seal	\$68,475.00	Frontage
101A	0	1	Overlay	\$149,300.00	
350A	42	43	Overlay	\$149,700.00	
207A	0	5.97	Chip Seal	\$104,883.00	
202A	0	3.23	Chip Seal	\$67,679.00	
89A	25.3	29.8	Chip Seal	\$149,125.00	
96C	155.9 8	157	Overlay	\$149,323.00	
96C	162.2	166. 1	Chip Seal	\$148,250.00	
96D	168.8	172. 85	Chip Seal	\$149,500.00	
96D	193.6	200	Chip Seal	\$149,900.00	

	7				
96D	172.7	174	Overlay	\$148,558.00	
116A	0	2.5	Chip Seal	\$149,125.00	
116A	14.7	15.9	Overlay	\$149,970.00	
160C	475	476	Overlay	\$149,354.00	
			Total	\$5,888,248.00	
Region 3 - Grand Junction					
Highway	Begin MP	End MP	Type	Estimated Cost	Notes
139A	16	30	Various Machine Patch	\$143,000	
6M	60	87	Various Machine Patch	\$149,000	
141A	103	140	Various Machine Patch	125000	
6C	41	42.8	Chip Seal	\$75,000	
141A	135	140	Chip Seal	\$149,800	
US6	131	133	Chip Seal	\$51,251	
133A	36	39	Chip Seal	\$95,800	
133A	47	66	Various Machine Patch	\$142,987	
82A	59.5	60.5	Machine patch	\$145,846	
82A	8	45	Various Machine Patch	\$98,750	
70 Fr	136	137	Various Machine Patch	\$80,000	
US 6E	149	150	Various Machine Patch \$80,000	\$80,000	
50	88	90	Chip Seal	\$70,000	Frontage
82A	64.5	85.5	Various Machine Patch	110000	
US 24	149	169	Various Machine Patch	\$87,000	
US 24	180	184	Chip Seal	\$130,000	
114A	1	6	Chip Seal	\$149,500	
149A	61.5	61.9	Machine Patch	\$149,500	
347A	3.5	5.2	Various Machine Patch	\$130,000	
92A	23.9	24.7	Various Machine Patch	\$136,080	
133A	22.2	22.8	Machine Patch	\$140,090	
347A	1.7	2.7	Various Machine Patch	\$149,500	
550B	126	127.5	Various Machine Patch	\$120,000	
348A	11	12	Various Machine Patch	\$105,000	
			Total	\$2,813,104	
Region 3 - Craig					
Highway	Begin MP	End MP	Treatment	Estimated Cost	Notes
325A	8.6	9.6	Overlay	\$96,800.00	

40A	123.35	124	Overlay	\$141,570.00	
13B	113.5	115	Overlay	\$145,200.00	
40A	107.6	108.25	Overlay	\$136,326.67	
325	6.85	7.6	Overlay	\$69,575.00	
40A	73	73.8	Overlay	\$77,440.00	
14A	23.4	23.75	Overlay	\$59,290.00	
40A	148	148.49	Overlay	\$148,225.00	
40A	209.3	209.678	Overlay	\$102,910.50	
40A	203.1	203.7	Overlay	\$145,200.00	
14A	24.05	24.9	Overlay	\$143,990.00	
40A	180.9	181.7	Overlay	\$116,160.00	
40A	158.2	159.2	Overlay	\$145,200.00	
125A	16.2	17.21	Overlay	\$146,652.00	
125A	40.5	41	Overlay	\$66,550.00	
14B	52.2	52.7	Overlay	\$72,600.00	
125A	44.1	44.6	Overlay	\$66,550.00	
14A	12.5	13.2	Overlay	\$118,580.00	
			Total	\$1,998,819.17	
Region 4 - Greeley					
Highway	Begin MP	End MP	Type	Estimated Cost	Notes
60	11.8	12.7	Mill & fill	\$149,000.00	
52	56	61	Armor Coat	\$102,000.00	
138	13.5	18.89	Armor Coat	\$148,470.00	
138	32.9	38.4	Armor Coat	\$148,470.00	
59B	108	113.1	Chip Seal	\$149,500.00	
71E	171.5	174.3	Chip Seal	\$100,000.00	
34B	216.3	217	Overlay	\$75,000.00	
34B	219.5	220.2	Overlay	\$75,000.00	
63A	4.3	5	Overlay	\$75,000.00	
52B	104	104.	Overlay	\$75,000.00	

		7			
25A	235	239	Chip Seal	\$149,500.00	Frontage
287C	308.4	309.3	Overlay	\$149,500.00	
7A	5.3	7	Overlay	\$149,500.00	
119A	29	39	Overlay	\$75,000.00	
SH 1	0	2	Chipseal	\$130,000.00	
US 287	365.4	368.4	Chipseal	\$149,000.00	
385C	151.5	153	overlay	\$127,000	
385C	154.6	156.1	overlay	\$127,000	
F70A	445.7	447.1	overlay	\$119,000	
			Total	\$2,272,940.00	
Region 5 - Alamosa					
Highway	Begin MP	End MP	Type	Estimated Cost	Notes
285A	13	16.5	Chip Seal	\$148,500	
285A	20.5	24	Chip Seal	\$148,500	
285B	81	84	Chip Seal	\$136,000	
285B	114.5	119	Chip Seal	\$148,500	
160A	255	258	Chip Seal	\$148,500	
160A	249	252.7	Chip Seal	\$148,500	
160A	186.1	189.1	Chip Seal	\$145,000	
160A	192.1	195.1	Chip Seal	\$145,000	
160A	170.5	171	Machine Patch	\$126,000	
160A	157.5	158	Machine Patch	\$147,500	
370A	0	1	Machine Patch	\$148,500	
291	1.75	4.5	Chip Seal	\$148,500	
142A	15.9	16.9	Machine Patch	\$148,500	
150A	0	5	Chip Seal	\$148,500	
159A	21	24	Chip Seal	\$148,500	
142A	32.5	33.8	Machine patch	\$148,500	
114A	42	47	Chip Seal	\$147,500	
114A	51	56	Chip Seal	\$147,500	
50A	205	207	Machine Patch	\$145,500	
50A	186.5	188	Machine Patch	\$145,500	
15A	10.85	12.36	Machine Patch	\$148,500	

24A	206.5	209.8	Chip Seal	\$125,500	
17B	88.2	93	Chip Seal	\$143,500	
17B	97	101.5	Chip Seal	\$143,500	
			Total	\$3,480,000	
Region 5 - Durango					
Highway	Begin MP	End MP	Type	Estimated Cost	Notes
184	0.3	1.1	Machine Overlay	\$80,336.00	
491	35.4	36.1	Mill & Fill	\$70,294.00	
145	51.5	55.5	Chip Seal	\$129,019.00	
145	24	28	Chip Seal	\$129,019.00	
160	11.25	14.5	Chip Seal	\$149,680.00	
41	0.001	5	Chip Seal	\$132,970.00	
141 A	68.6	72.6	Chip seal	\$149,690.11	
90 A	0	4	Chip seal	\$128,722.88	
90 A	7	11	Chip seal	\$128,722.88	
550 A	0	3	Chip Seal	\$144,632.57	
160 A	138	140.5	Chip Seal	\$139,134.57	
3	0	2.44	Chip Seal	\$136,134.57	
172 A	9.2	10.8	Chip Seal	\$142,000.00	
550 A	0	3	Chip Seal	\$144,561.00	
172 A	20	21	Machine Patch	\$141,000.00	
172 A	15.7	16.9	Machine Patch	\$146,000.00	
550 B	53.6	54.1	Machine Patch	\$68,491.81	
			Total	\$2,160,408.39	
			State Total	\$21,342,446.56	

Sufficient funds exist within the appropriate MPA to pursue these projects. The projects are in accordance with the directive and all other requirements.

Herman J. Stockinger
Herman Stockinger, Secretary
Transportation Commission of Colorado

5-23-13
Date

Approval of the Resolution to Adopt Policy Directive 82.0 Implementation of FTA Regulations for a Drug and Alcohol Free Workplace

Resolution # TC-3076

Adoption of Policy Directive 82.0 "Implementation of FTA Regulations for a Drug and Alcohol Free Workplace"

Approved by the Transportation Commission on: May 16, 2013

WHEREAS, pursuant to § 43-1-106(8)(a), C.R.S., the Colorado Transportation Commission is charged with formulating general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

WHEREAS, the Colorado Department of Transportation ("CDOT") is committed to maintaining a working environment for CDOT Division of Transit and Rail employees, free of drugs, alcohol and other controlled substances; and

WHEREAS, CDOT is also committed to complying with the federal regulations stated in the policy as they pertain to contractors and grantees who receive Federal Transit Administration ("FTA") funding from CDOT; and

WHEREAS, in response to a finding by the FTA in its State Management Review dated September 12, 2012, CDOT has developed a policy which complies with federal requirements prohibiting unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the workplace; and

WHEREAS, CDOT is developing a comprehensive drug and alcohol policy to be completed prior to May 2014 which will incorporate this Policy Directive 82.0 as well as outline requirements of the Federal Highway Administration; and

WHEREAS, in the interest of meeting the FTA deadline of July 1, 2013, as an interim step towards a comprehensive policy, this Policy Directive 82.0 requires compliance as of the effective date by the Division of Transit and Rail employees as well as contractors and grantees funded by the FTA through CDOT.

NOW THEREFORE BE IT RESOLVED, the Commission herein approves 82.0 "Implementation of FTA Regulations for a Drug and Alcohol Free Workplace."



Herman Stockinger, Secretary
Transportation Commission of Colorado

5-23-13
Date

Discuss and Act on the 12th Budget Supplement

Ben Stein mentioned that this would be the final Budget Supplement for FY 2013 and that it was included in the packet. He asked if there were any questions and stated that if there were none he would request approval.

Commissioner Gilliland made a motion for approval of the Budget Supplement. Commissioner Peterson seconded the motion. On a vote of the Commission, the Budget Supplement was unanimously approved.

Resolution #TC-3077

Approval of the 12th Budget Supplement

BE IT RESOLVED THAT, the 12th Supplement to the Fiscal Year 2012-2013 Budget be approved.

Discuss and Act on the Resolution for the Approval of the TIGER V Application

Chairman Reiff introduced Kurt Morrison and mentioned that he understood that the Resolution would have a revision. Kurt Morrison confirmed that fact and mentioned that the draft Resolution, if approved, would direct CDOT staff to put forth 3 projects for consideration: I-25/Fillmore Street Diverging Diamond Interchange; EJMT Fire Suppression System; and I-25 improvements from Ilex to 1st Street. Kurt mentioned that the three projects had been recommended by the CDOT Senior Management Team and the STAC. He stated that the seventh Whereas clause needed to be stricken from the Resolution as it called for the projects submitted to be 1 urban and 1 rural project however, the request being made was actually for 2 urban project and one rural project.

Commissioner Connell made a motion for approval of the Resolution with the recommended changes of striking the 7th "Whereas" clause. Commissioner Aden seconded the motion. On a vote of the Commission, the following Resolution was unanimously approved.

Resolution Number TC-3078

Instructing the Department to submit applications for projects under the USDOT TIGER V Discretionary Grant program

Approved by the Transportation Commission on: May 16, 2013

WHEREAS, on April 22, 2013 the U.S. Department of Transportation (USDOT) published notices in the Federal Register for funding availability for the Transportation Investment Generating Economic Recovery Discretionary Grant Program (also known as TIGER V); and

WHEREAS, applications for the TIGER V discretionary grant program must be submitted to the U.S. Secretary of Transportation by June 3, 2013; and

WHEREAS, the USDOT's consideration of TIGER V discretionary grant applications will be based on job creation, near-term economic activity, project readiness, and long-term outcomes as primary selection criteria; and

WHEREAS, the Colorado Department of Transportation prepared a list of potential projects for CDOT to submit under the TIGER V discretionary grant program; and

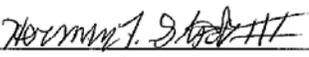
WHEREAS, the USDOT limited at three the number of grant applications that CDOT could submit for consideration; and

WHEREAS, the Transportation Commission recognizes the TIGER V program has separate urban and rural funding pots; and

NOW THEREFORE BE IT RESOLVED, the Department is instructed to submit applications for the following projects under the USDOT TIGER V Discretionary Grant program:

- Urban Project: I-25/Fillmore Street Diverging Diamond Interchange
- Rural Project: EJMT Fire Suppression System
- Urban Project: I-25 Improvements from Ilex to 1st Street

NOW THEREFORE BE IT FURTHER RESOLVED, should any of the above listed projects not be able to meet the financial, technical or other requirements for a competitive TIGER V application, said project will not be submitted by CDOT.



Herman Stockinger, Secretary
Transportation Commission of Colorado

5-23-13
Date

Discuss and Act on the Resolution to approve the Intra-Agency Agreement between HPTE and CDOT regarding US 36 Concession Agreement

Mike Cheroutes mentioned that the agreement had been discussed at length in a meeting earlier in the day and that the approval of the Resolution was a condition to the execution of the contract with Plenary Roads, LLC with respect to the concessionaire agreement for US 36. Mike confirmed that the agreement was in the nature of being a back up agreement to HPTE's obligations of honoring the concessionaire agreement and that it included the following details:

- First, the agreement outlines and memorializes CDOT's Executive Director's obligation to make an annual budget request for funds to pay Plenary Roads Denver for snow and ice removal and routine maintenance of the U.S. 36 general purpose lanes.
- Second, the interagency agreement creates a backup loan process between CDOT and HPTE in the event that HPTE needs to borrow money from CDOT to pay for an HPTE Payment Obligation Event that is contained in the anticipated concession agreement between HPTE and Plenary Roads Denver.
- Third, through the interagency agreement, CDOT will grant HPTE a non-exclusive license over, under, upon and in the U.S. 36 and I-25 site and managed lanes.

Mike asked if there were any questions on the Inter-Agency Agreement and Commissioner Rogers moved for approval of the Resolution. Commissioner Connell seconded the motion. Chairman Reiff confirmed that there had been a lengthy workshop on the subject and that the Commission was aware that it was a complicated agreement. On a vote of the Commission, the following Resolution was unanimously approved.

Resolution #TC-3079

Approving the Interagency Agreement between CDOT and HPTE for the U.S. 36 Concession Project.

Approved by the Transportation Commission on: May 16, 2013

WHEREAS the Transportation Commission is responsible, pursuant to C.R.S. 43-1-106(8), for formulating the general policy of the Colorado Department of Transportation (CDOT); and

WHEREAS the Transportation Commission's approval is required for CDOT intergovernmental agreements that may involve more than \$750,000; and

WHEREAS the Colorado High Performance Transportation Enterprise (HPTE), in partnership with CDOT, is in final negotiations with its preferred proposer, Plenary Roads Denver, for the design, construction, financing, operation and maintenance of the U.S. 36 Corridor between Denver and Boulder and the I-25 Express Lanes (collectively US 36 project); and

WHEREAS when constructed, the US 36 project will contain two general purpose lanes and one managed lane in each direction between Denver and Boulder; and

WHEREAS the Transportation Commission supports the US 36 project and recognizes the benefits of this project, which include, but are not limited to, encouraging carpooling and transit use, reducing vehicle emissions, reducing congestion, and improving the safety, capacity, and accessibility of the surface transportation system; and

WHEREAS in order to finalize the concession agreement between HPTE and Plenary Roads Denver, and reach financial close, an interagency agreement between CDOT and HPTE is necessary to accomplish three purposes. First, the agreement outlines and memorializes CDOT's Executive Director's obligation to make an annual budget request for funds to pay Plenary Roads Denver for snow and ice removal and routine maintenance of the U.S. 36 general purpose lanes. Second, the interagency agreement creates a backup loan process between CDOT and HPTE in the event that HPTE needs to borrow money from CDOT to pay for an HPTE Payment Obligation Event that is contained in the anticipated concession agreement between HPTE and Plenary Roads Denver. Third, through the interagency agreement, CDOT will grant HPTE a non-exclusive license over, under, upon and in the U.S. 36 and I-25 site and managed lanes.

NOW THEREFORE BE IT RESOLVED, the Transportation Commission hereby approves the Interagency Agreement between CDOT and HPTE for the U.S. 36 Concession Project and authorizes CDOT's Executive Director to sign the interagency agreement on behalf of CDOT.

Herman J. Stockinger III
Herman Stockinger, Secretary
Transportation Commission of Colorado

9-23-13
Date

Update: Legislative Session Wrap Up

Kurt Morrison gave an update on the Legislative Session and gave details on the following topics:

- There were many Junior members on the Transportation Committees
 - 6 educational sessions were held
 - 3 sessions were CDOT sponsored
 - Many SMT members came down to the Capitol to participate
 - Were successful with educating new members
- 710 bills and resolutions were introduced during the Session, and 100 bills were tracked for CDOT's interest.
- In the packet, the core 25 bills were mentioned in a table
- Significant Bills that were supported and approved:
 - House Bill 1083 – Motorcycle Operator Safety Training Program
 - Controls in over the program
 - Reporting requirements to the Legislature
 - House Bill 1132 – Highway Vehicle Weight Limits
 - Colorado was out of compliance with a Federal Weight Limit law
 - With approval of the Bill, the State did not lose any Federal Funding
 - House Bill 1252 – Petroleum Storage Tank Redevelopment Fund
 - \$5M transferred from the Department of Labor and Employment
 - Provides seed money for the Fire Suppression System at EJMT
 - Example of a partnership with the Petroleum Industry
 - House Bill 1110 – Special Fuel Tax and Electric Vehicle Fee
 - Overhauls Alternative Fuels Vehicle Fees
 - Electric Vehicle owners do pay FASTER fees but no gas taxes
 - Provides a \$30 fee that goes directly to the Highway User Tax Fund

Kurt detailed the bills that were opposed by CDOT, Bills CDOT was neutral on and the ones that CDOT's position was "neutral with concerns".

He mentioned that a final comprehensive memo will be provided giving information on new bills and implementation of bills, and the changes needed to be in compliance with State Statute.

He reported that over the summer, the TLRC will hold 8 meetings and 3 Road trips which will include side visits with the Transportation Committees and the district's Transportation Commissioner during visits to the different Regions. He thanked the Commission for their participation in the weekly meetings of the Legislative Committee. Commissioner Peterson commended Kurt for all of his work during the year and thanked him for his excellent communication to the Commission regarding

the activities at the State House. He requested the Commission provide a letter of commendation to Kurt for his efforts.

Acknowledgements

Director Hunt spoke about the development of the CDOT Mobile App and mentioned that it had received national recognition at the White House in Washington, D.C., and recognized employees and private-sector partners who were involved in the project:

- Mindy Crane (CDOT Office of Communications); Gayle Shaw (Hub Companies); Lucy Strong (Hub Companies); Ken DePinto (former CDOT Intelligent Transportation Systems Branch Manager); and Stacey Stegman (former CDOT Public Relations Director); John Williams (ITS Branch); Bruce Coltharp (ITS Branch/retired); John Keefe (Hub Companies); Kevin Quinn (Hub Companies); John Cronin (CEO of Hub Companies); Ryan Rice (CDOT Transportation Systems Maintenance & Operations Branch Director); and Saeed Sobhi (CDOT ITS Branch Manager). Those CDOT employees who worked on CDOT Mobile but were unable to attend were John Nelson and Rod Mead, both with the CDOT ITS Branch.

Mr. Hunt noted that "technology is a wonderful thing, but standing with technology are all of the CDOT employees and our private sector partners who have made this whole program possible." He noted that CDOT Mobile currently has more than 50,000 subscribers and that its trip-planning capabilities will become even more important in the months and years ahead for an estimated 5 million Colorado residents and an estimated 50 million annual visitors.

This public/private partnership was honored by U.S. Secretary of Transportation Ray LaHood on May 8 as one of 12 prime examples of "Champions of Change" for transportation solutions from more than 180 nominations across America.

Other Matters

Chairman Reiff confirmed with the gathering that there were no other matters to come before the Commission.

Adjournment

Chairman Reiff announced that the meeting was adjourned at 2:12 p.m.

Herman Stockinger, Secretary
Transportation Commission of Colorado

Date