

RESOLUTION #BE-47

Bridge Inspection and Maintenance Agreement

Approved by the Bridge Enterprise Board of Directors on: November 18, 2010

WHEREAS, the Colorado Bridge Enterprise was created by the “Funding Advancements for Surface Transportation and Economic Recovery Act of 2009” (“FASTER”), cited as Chapter 5, Session Laws of Colorado 2009, First Regular Session, 67th General Assembly, as a government-owned business with the Colorado Department of Transportation (“CDOT”); and

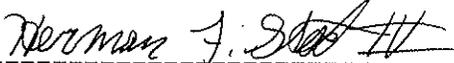
WHEREAS, FASTER identifies the business purpose of the Colorado Bridge Enterprise to include financing, repairing, reconstructing, and replacing any Designated Bridge (as defined by Section 43-4-803(10)), in the State, and as agreed upon by the Colorado Bridge Enterprise and the Transportation Commission, or CDOT to the extent authorized by the Transportation Commission, to maintain the Designated Bridges it finances, repairs, reconstructs, and replaces; and

WHEREAS, the Colorado Bridge Enterprise and CDOT have previously executed a Master Agreement effective January 21, 2010 (the “Master Agreement”) which sets forth terms and conditions for interaction between the Colorado Bridge Enterprise and CDOT in furtherance of the Colorado Bridge Enterprise’s business purposes and to preserve the status of the Colorado Bridge Enterprise as an “enterprise” under Section 20 of Article X of the Colorado Constitution; and

WHEREAS, Article Three of the Master Agreement provides for a separate maintenance agreement between the Colorado Bridge Enterprise and CDOT providing the terms of each party’s maintenance obligations with respect to Designated Bridges transferred to the Colorado Bridge Enterprise by CDOT; and

WHEREAS, in furtherance of the business purposes of the Colorado Bridge Enterprise and additionally to preserve the status of the Colorado Bridge Enterprise as an “enterprise” under section 20 of article X of the State Constitution, the Colorado Bridge Enterprise Board has determined it is necessary and convenient to enter into a written agreement with CDOT, acting with the authorization of the Transportation Commission, to define and provide for the roles, responsibilities and powers of the Colorado Bridge Enterprise and CDOT relating to inspection and maintenance of Designated Bridges in the State.

NOW THEREFORE BE IT RESOLVED, the Colorado Bridge Enterprise Board approves execution by the Colorado Bridge Enterprise Director of the Agreement for Bridge Inspection and Routine Bridge Maintenance by and between the Colorado Bridge Enterprise and CDOT.



Herman Stockinger, Secretary
Colorado Bridge Enterprise