

Resolution #2024-06-19

Transfer of assets from the Colorado Department of Transportation (CDOT) to the Bridge and Tunnel Enterprise (BTE).

Approved by the Bridge and Tunnel Enterprise Board of Directors on June 20, 2024.

Whereas, in 2009, the Colorado General Assembly created the Colorado Bridge Enterprise (BE) in C.R.S.§ 43-4-805 as a government-owned business within CDOT for the business purpose of financing, repairing, reconstructing, and replacing designated bridges, defined in C.R.S.§ 43-4-80(10) as those bridges identified by CDOT as structurally deficient or functionally obsolete and rated by CDOT as poor; and

Whereas, in 2021, the Colorado General Assembly expanded Colorado Bridge Enterprise to include both designated bridge projects and surface transportation infrastructure projects for tunnels, and, in so doing, re-named the expanded enterprise as the Statewide Bridge and Tunnel Enterprise, C.R.S.§ 43-4-80(2)(a)(I); and

Whereas, in 2023, the Colorado General Assembly passed House Bill 23-1276, which was signed into law by the Governor on May 15, 2023, approving the expansion of the scope of the BTE authority to include preventative maintenance for bridges rated as fair and good and to include the repair, reconstruction, replacement, and maintenance of bridges rated as fair if they are bundled with a project to address a designated bridge; and

Whereas, pursuant to C.R.S.§ 43-4-805(5)(f) authorized the Bridge and Tunnel Enterprise Board of Directors to enter into agreements with the Transportation Commission, under which the Bridge and Tunnel Enterprise agrees to finance, repair, reconstruct, replace, and, if any given agreement so specifies, maintain designated bridges as specified in the agreements; and

Whereas, under the current accounting procedures, the Bridge and Tunnel Enterprise accepts transfers of existing bridges that are programmed for rehabilitation, and the following bridges are scheduled for rehabilitation activities beginning in June 2024 as part of the Bridge and Tunnel Enterprise program; and

Structure ID	Region	County	Facility Carried over Featured Intersection
K-07-A	3	Gunnison	US 50 ML over Lake Fork Gunnison River
K-07-B	3	Gunnison	US 50 ML over Gunnison/Blue Mesa Reservoir

Whereas, K-07-B has been rated Poor by the Department and K-07-A has been rated Fair by the Department based on the National Bridge Inventory Standards rating scale; and

Whereas, K-07-B qualifies as a designated bridge per C.R.S.§ 43-4-80(10) and K-07-A will be completed as part of this designated bridge project to achieve cost savings and schedule acceleration for a project that improves safety, making both bridges eligible for BTE; and

Whereas, in accordance with accounting procedures for BTE funded projects, a transfer of assets from CDOT to BTE is required to ensure compliance with the Taxpayer's Bill of Rights (TABOR); and

Whereas, the Attorney General of Colorado states that these structures are a non-cash asset and a transfer of such assets will have no TABOR impact to CDOT or the BTE; and

Now Therefore Be It Further Resolved, the Transportation Commission authorizes the transfer of the eligible structures listed above to the Bridge and Tunnel Enterprise at no cost.

Herman F. Stockinger A.A.

Herman Stockinger, Secretary
Transportation Commission of Colorado