

Bridge and Tunnel Enterprise Resolution #BTE20240903

Committing BTE Funds for the Federal Fiscal Year (FY) 2024 through 2026 USDOT Reconnecting Communities Pilot (RCP) Program discretionary grant opportunity to replace one bridge as part of the US 85 Bridge Replacement & Multimodal Connections - Venetucci Blvd to Fountain Creek Project.

Approved by the Bridge and Tunnel Enterprise Board of Directors on September 19, 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. § 43-4-803(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 passed Senate Bill 21-260, which was signed into law by the Governor on June 17, 2021, expanding the BE to include both designated bridge projects and surface transportation infrastructure projects for tunnels and renaming the expanded enterprise the Statewide Bridge and Tunnel Enterprise (BTE), C.R.S. § 43-4-805(2)(a)(I)(2021); 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, the infrastructure the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law or BIL) established the Reconnecting Communities Pilot (RCP) Program to revitalize and connect communities cut off from opportunity by past transportation infrastructure decisions; and

Whereas, the BIL authorizes and appropriates \$607 million in total to be awarded through the RCP by the US Department of Transportation (USDOT) in FY 2024 through 2026 for Planning and Capital Construction grants; and

Whereas, a Notice of Funding Opportunity (NOFO) for FY 2024 through 2026 RCP Planning and Capital Construction grants was issued by the USDOT on July 10, 2024 to solicit applications for (1) Planning Grants, which are not to exceed \$2 million, and (2) Capital Construction Grants, which may range from \$5 million to \$100 million; and

Whereas, applications for Planning and Capital Construction grants are due to the USDOT by 11:59 PM E.D.T on September 30, 2024; and

Whereas, the RCP Project grant funds will be awarded on a competitive basis for Planning and Capital Construction 1) to advance community-centered transportation connection projects, with a priority for projects that benefit disadvantaged communities that improve

access to daily needs such as jobs, education, healthcare, food, nature, and recreation, and foster equitable development and restoration, and 2) to provide technical assistance to further these goals; and

Whereas, the USDOT has designated six project outcome criteria which will be used to evaluate and rate the responsiveness of an application: (1) equity and justice⁴⁰, (2) access, (3) facility suitability, (4) community engagement and community-based stewardship, management, and partnerships (5) equitable development, (6) climate change mitigation and/or adaptation and resilience, workforce development and economic opportunity and planning integration; and

Whereas, Staff performed an evaluation of potential projects for the Department to submit under a RCP grant application and recommend the I-25 South Academy Boulevard to Circle Drive Project based on the USDOT's evaluation criteria:

Whereas, the Bridge and Tunnel Enterprise Board of Directors (BTE Board) is being asked to commit BTE funds to address one structurally deficient structure included in the project and increase the competitiveness of the Department's application.

Now therefore be it resolved, the BTE Board commits to providing up to a maximum of \$10,000,000 of funding to replace one BTE-eligible bridge as part of the US 85 Bridge Replacement & Multimodal Connections - Venetucci Blvd to Fountain Creek Project if the Department's application is awarded a grant by the USDOT.

Now therefore be it further resolved, in order to show the Department's financial commitment to the US 85 Bridge Replacement & Multimodal Connections - Venetucci Blvd to Fountain Creek Project, the BTE may commit funding in an amount not-to-exceed the limits stated herein for future federal discretionary grant opportunities.



Herman Stockinger, Secretary
Bridge and Tunnel Enterprise Board of Directors