

Resolution – HPTE #101

Approving the Concession Agreement dated May 14, 2013 between Plenary Roads Denver and the High Performance Transportation Enterprise for the U.S. 36 Concession Project.

WHEREAS pursuant to C.R.S. 43-4-806, the General Assembly created the Colorado High Performance Transportation Enterprise (“HPTE”) as a government-owned business within the Colorado Department of Transportation (“CDOT”); and

WHEREAS HPTE, in partnership with CDOT, has negotiated an agreement dated May 14, 2013, including any and all related agreements and exhibits (“Concession Agreement”) with its preferred proposer, Plenary Roads Denver (“Plenary”), for the design, construction, financing, operation and maintenance of the U.S. 36 Corridor between Denver and Boulder and the I-25 Express Lanes; and

WHEREAS HPTE has reviewed and desires to approve the Concession Agreement with Plenary.

NOW THEREFORE BE IT RESOLVED: The High Performance Transportation Enterprise Board of Directors hereby approves the Concession Agreement between Plenary Roads Denver and HPTE for the U.S. 36 Concession Project in substantially the form on file with it at this meeting and authorizes HPTE’s Director to execute the Concession Agreement on behalf of HPTE, in such form and with such revisions or modifications as the Director may determine to be necessary or appropriate (such determination to be conclusively, but not exclusively, evidenced by the execution of such document by the Director).

Signed as of June 19, 2013



Jane Hickey
Secretary, HPTE Board of Directors