



## 23982-23929 I-70 West Vail Pass Safety and Operations Improvements Meeting Notes

**Date:** May 29, 2024

**Purpose:**

Project Leadership Team (PLT) Meeting #13

**Location:**

Online Google Meet Meeting

**Attending:**

Attendance list:

- Karen Berdoulay, Colorado Department of Transportation (CDOT) Region 3
- John Kronholm, CDOT Region 3
- Jessi Spencer, CDOT Region 3
- David Cesark, CDOT Region 3 Environmental
- Mark Rogers, CDOT Region 3 Environmental
- Zane Znamenacek, CDOT Region 3 Traffic Operations
- Patrick CDOT Traffic Operations
- Lisa Schoch, CDOT Historian
- Robert Jacobs, Summit County
- Ben Gerdes, Eagle County
- Dick Cleveland, Town of Vail
- Greg Hall, Town of Vail/I-70 Coalition
- Margaret Bowes, I-70 Coalition
- Randal Lapsley, RS&H
- Stephanie Gibson, Federal Highway Administration (FHWA)
- Cohen Turner, FHWA
- Randal Lapsley, RS&H
- Mary Jo Vobejda, Jacobs
- Loretta LaRiviere, Jacobs

## Summary of Discussion:

The following is a summary of the subjects discussed during the meeting.

### 1) Introductions & Meeting Purpose

John said today's agenda includes review of the planning process, review of the construction packages, discussion and confirmation of the PLT Membership, status update for CP #6 estimate of cost, and the next steps.

### 2) Planning Process

- a) Mark began with a brief review of CDOT's Statewide Revenue Budget funding. The total budget is \$2,033,300 million. He said that it is important to note that all funding is not equal, and we are only allowed to use certain funding for certain things.
  - Capital Construction amounts to 40.7% \$826.9M. That sounds like a lot, but it also includes asset management, safety programs, 10-Year Plan projects and regional priority programs.
  - The Maintenance budget is 24.8%, \$505M and is dedicated solely to Maintenance and Safety programs, traffic operations, and ITS.
  - Sub Allocated Programs is 17.3%, \$351M. This is for aeronautics funding, sub allocated federal programs and Revitalizing Main Streets.
  - Other Programs, Debt Service and Contingency Funding is 7.1% of \$143.3M. This includes safety education, planning and research, the State infrastructure bank, debt service and contingency and reserve funds.
  - Administrative and Agency Operations is 6.8%, \$138.6M. This includes the appropriated administration budgets, agency operations and project initiatives.
  - Multimodal Services is 2.4%, \$67.6M which includes innovative mobility, 10-year plan projects for transit, the Rail Commission and Bustang.
    - Comment #1: Dick asked what the difference is between Asset Management which is under Capital Construction budget and the Asset Management budget.
    - Reply #1: Mark said the Construction Asset Management funds are for several different categories of project including paving, tunnels, bridge, culverts, walls, signals, lighting, and rest areas. These are basis assets that we need to keep up. Maintenance is things like painting, fixing potholes, snow plowing, mowing and ditch cleaning.

- b) Mark said the Long-Range Plan is moving from the 2045 plan to the 2050 plan. We will be looking to see where we are in the current priorities and determine if we want to change current priorities or bring in new priorities. So that will be over the next 9 to 12 months. The long-range plan is due August of 2025 and over the next year we will be meeting with Intermountain TPR and other TPRs within Region 3 to determine the priorities that we have.
- This last time around we went from a 20-year long-range plan down to a 10-year pipeline slash 10-year plan that will now have some constrained funding. When we do the long-rang plan, we have an idea and we look at our long-range funding and what funding we think will be out there over 20 years, we look at the Highway Users Tax Fund and other potential funding revenue sources, but it's not really constrained; meaning we don't tie it down to real dollars. So, we use projects cost estimates. When we do the 10-year pipeline, we then look at real dollars.
    - Comment #2: Greg asked if when the 2050 plan is finished next year, will it be a 20- or 25-year plan?
    - Reply #2: Mark said by the time we get through the process it will range between a 20- and 25-year plan.
    - Comment #3 Mary Jo asked if the 10-year pipeline is replacing what we used to call the 5-year plan?
    - Reply #3: Mark said before the 10-year plan was developed, there were just two steps, a 20-to-25-year Plan, which was called the Long-Range Plan regardless of the number of years and then it stepped down to a six-year STIP. somewhere in the 2010's we went away from a six year STIP (Statewide Transportation Improvement Program) to a rolling four year STIP. Every year we add three years at the back to keep it rolling forward. We went to what is called Cash Management to where we just really dialed in on what we had as funding. It was nice to have those back years, but just what we have in the 4 years is about the best we can do but this step is very constrained because the STIP is a federal document. By law we have to say this is the money coming into the bank.
    - Comment #4: Margaret asked if the 10-year pipeline will include CP #6 as part of Phase 1.
    - Reply #4: Karen said yes, CP #6 it is included in the scope of Phase 1.
    - Mark said in the current 10-year pipeline are the region's focus that we will be talking about for the new plan. They are I-70 West Vail Pass, Glenwood Canyon Exit 203, I-70 West Dowd Canyon, US 24 safety

improvements and the I-70 interchange improvements in Garfield County. We also have a couple of safety projects that need to be discussed: CO 139 Douglas Pass North and State Highway 13 Rifle North.

- Comment #5: Margaret asked for a high-level description of what the I-70 West Dowd's Canyon Safety and Capacity Improvement project will include.
- Reply #5: Karen stated this project has been on the list for a while. It just depends when it becomes prioritized and what we want to focus on. We all know there is a lot of work to do. There is a much larger, very expensive option to realign the road to bring it up to CDOT standards, and a capacity improvements project needed to add a third lane. It doesn't really make sense to start if we don't know if it's a priority for construction funding. I think there's a concern that if we were to take it through an environmental review and then nothing happens for ten years, is that the best choice or instead should we focus on low hanging fruit to improve safety and resiliency? I'm not sure exactly what we want to focus on right now and what the appetite will be when the time comes.
- Comment #6: Greg said West Vail Pass is one of the fiscal year 2027 project priorities and we were supposed to be done with the first initial phase of West Vail Pass. Is this a second phase or the entire 20-mile project that was in the EA?
- Reply #6: Brian said this is the entire West Vail Pass project which goes from just outside Vail up to the top of the pass. The 2018-2019 estimate at that point was \$140M and we all know that costs have increased dramatically since then. In addition to the INFRA Grant, we received \$33.5M in 2019 and other TPRs in the region contributed to this amount because they agreed this project was a priority. An additional \$50M is planned for FY 2027+.
- Karen said we will not receive the \$50M for FY 2027+ because it has already been used (along with additional money from different CDOT funding sources) to cover the \$89M in overages.
- Comment #7: Greg asked if the redistribution of contingency funds, which will be coming out around August, has been earmarked for other projects?
- Reply #7: Mark said contingency funds are mainly used for emergency projects. the region probably won't receive the same amount of money (\$100M) we got last year of which \$65M was used to fix 45 culverts.

There are probably lists started but there are some big projects like the US 50 bridge that will be on the list.

- Comment #8: Greg said you're about ready to start the 2050 Statewide plan. It's hard to talk about 4-year plans, 10-year pipelines and 20-year plans when a lot of people put 10 years of effort into a 50-year vision for I-70. I think it's very disheartening to look at these plans and I-70 is just one corridor out of many others. What should we be doing going forward because we may only get two or three of the major projects completed unless there are new funding source.
- Reply #8: Mark said I don't want to have the reality hit us too hard. The nice thing about being here a long time, is seeing other things the Region has done over the years that we thought were going to take forever, like US 50 in the Black Canyon and State Highway 13. We just piecemealed through smaller projects until we finally got the money to do some of the bigger projects. But we can't really break down the I-70 Mountain Corridor into one-mile strips. But we'll keep plugging away at the little things we can do until we get the big dollars. It is a priority for Region 3.

One of the other things that I was really hesitant to bring up, but I can't not talk about this when we talk about funding. Some of the game has changed in that you have congressionally declared spending, which is just a different way of saying earmarks and you also have grants that are a bit of an effort in that they don't really look at priorities. So, it's hard to say we prioritize this but then they give grants here, there and yonder. We really need to have a strong advocacy to not only back up the region and make it understood this is a very real need.

- Comment #9: Greg said there's some frustration I think with others when we tried to get the Intermountain TPR to even stand behind this project. They were nervous because it would compete against other projects. It's such a big number and it's going to take a long time. We had to talk about it with the Intermountain TPR and prioritize getting money for the EA starting in 2014, to start working on it 2016 and finish it in 2018, and then go for funding for construction. The TPR may have forgotten what made it a priority 10 years ago, and I worry about it getting piecemealed now, especially since we can't finish Phase 1.

### 3) Construction Package Review

- a) John said Phase 1 work completed to date includes the truck escape ramp at the bottom of the hill, relocation of a few miles of the bike path to get ready for the third lane, replacement of the westbound bridge and a large wall

behind it. Construction started on April 29, 2024 for the eastbound bridge project. The bridge demo started and will probably continue through the end of June. On June 3rd, we intend to start construction for CP #4 which is the third lane to the top of the pass, wildlife underpasses and fencing, and the realignment of the three curves. Construction for both the bridge and the third lane will last three years and wrap up at the end of 2026.

- Comment #1: Margaret said she would like to see the curve straightening at MP 186 specifically called out in future materials and presentation for CP #6 so it's super clear that it is included.
- Reply #1: Karen said it can be called Phase One Package 6 and call out the curve straightening
- Comment #2: Greg asked if you are connecting the wildlife fence with the one that has completed down in Vail?
- Reply #2: John said no, it will not connect with that wildlife fence. We're only proposing to install the wildlife fence as the phases of the project are funded and constructed. So, the wildlife fence that we're currently proposing would only run from about MP 187.3 to MP 190. We've found a couple logical spots to end the fencing a little bit further so that it doesn't end without some sort of physical barrier to help keep the wildlife off the road.

#### 4) PLT CSS Membership Discussion

- a) Mary Jo said you are the PLT and are the advocates for this project and I see your names on several other project PLT's. So, you are put in a position much like Karen and Mark in that you are looking at a much bigger picture and considering how you make this work for everyone? One of the things we want to do during our time together today is to make sure that the PLT West Vail Pass has the right membership on this team. Maybe at a future meeting can talk about what our other avenues of advocacy that you could take. I think you're much better equipped and knowledgeable to do those things without our advice, but it's a conversation we could certainly have.
  - Comment #1: Greg said when this PLT was put together, he pushed to get somebody like Dick from Town Council to be involved. I was told that we usually don't have citizens and elected officials as members of a PLT. But advocacy it sometimes more elected officials and so, we advocated for it. I think we really advocated for Phase One and maybe got let down at the end by some leadership. I know we're working backwards. Margaret, do you have any meetings scheduled?

- Reply #1: Margaret said we have a meeting with the Town of Vail Mayor, Travis Cohen, and Eagle County Commissioner Matt Scherr have a virtual meeting with Director Lew tomorrow afternoon.
- b) Mary Jo said one of your most important jobs as the PLT is to make sure that the processes work within the Context Sensitive Solutions guidance, but it also allows for you and for elected officials and those of you in leadership positions outside of CDOT to bring a voice that is about a specific project. I'm watching and this is exactly what we had hoped could happen on projects like this that are so big, take so long and have lots of changes in leadership across all the agencies. As Mark said these things are slow and tedious, but we stay committed. Are there others that we should invite? Do we have the right group?
  - Comment #2: Margaret said she doesn't see private sector on the PLT. I imagine Vail Resorts was invited at the beginning to be a part of this PLT and perhaps they declined, does anyone know offhand? From my experience on the other side of the Corridor, I think almost all PLTs have some kind of private sector or business interest presence business which I think it adds a unique voice to the discussion. So, if not Vail Resorts maybe Vail Valley Partnership or perhaps Vail Health would have an interest. I don't feel super strong about it, but it's something to consider.
  - Reply #2: John said he can go back at my records to see who we sent invite letters to. I followed the guidance we had at the time. I'm not trying to say that guidance is right or wrong, but this is what I followed at the time. I'm sure Vail Resorts was discussed and maybe they were invited to join the Technical Team instead of the PLT because I think we were looking to for a balance and not have a really large PLT like what Floyd Hill was going through with the size of their PLT. We tried to limit it to 10 or 11 organizations.

## 5) Estimate of Cost

- a) Karen said when we set this meeting up about a month ago we were pushing to have the cost estimate ready, but I apologize, we're not quite there yet. We are trying to make the right assumptions on what we would construct and should have something to share by the end of June. We have a PLT/TT Meeting scheduled for July 15th but if there's a desire to set up another PLT Meeting sooner, we could do that the week of June 24th or July 1st.
  - Comment #1: Greg said the sooner we have that number the better, but I guess the real question is will you get an estimate in today's dollars or an estimate of what it will be when are you going to construct it? Will it be you and John with the contractor or CDOT's economic experts who will come up



with that escalation number? Some heavy business civil projects seem to have even higher inflation than what we see in normal construction.

- Reply #1: Karen said we could deliver it in the next three years concurrent with other work, but we'd have to probably go with our CMGC contractor because we can't have two different contractors working in the same exact area. It should be easy to come to an agreement with our current contractor so that put us in a really good position. But we don't have the money and so we can't make a decision on how we're going to deliver this next package. We can't show our contractor all the work now which would give them an unfair advantage. Because we don't know if we're going to use CMGC or end up going with a low bid.

Right now, we're working with our Engineering Estimates Group using the really good information on prices from the bids we had last year and we're applying that at this point. They have taken all of the bids across the state and developed a Construction Cost Index that looks at five different categories of major items, looks at the trend on those items and establishes an overall cost index. That index is usually over a 10-year period, but right now they're using a 12-year period just because things are so volatile. What they're showing is that from 2012 to 2024 we only have a growth of 8%. Their analysis from 2012 to 2020 was 3.5% but from 2020 to 2024, it's been 25% compounding every year. What we're working on right now is finalizing our quantities and unit prices based on the bids we received. We have good numbers, and based on what we know, it's likely the escalations will be between 8% and 25%. A lot of people are saying we can't keep going at that rate. I don't know future, I can't tell you what the future escalation will be. Once we finalize the range we want to use and maybe take a number somewhere in the middle, but it could go up or down. I don't think anyone would ever say they feel confident about guessing what future escalation would be. The last four years has made it way more challenging than it used to be.

- Comment #2: Greg said when you get a number and then we go shop for funds, we just don't want to be in the same situation of underestimated.
- Reply #2: Karen said all we can do is show the range and we can decide as an organization how we want to approach this.
- Comment #3: Greg asked if Construction Package 6 which was included in Phase One and, since it was a high priority, will it have to go all the way back to the beginning of the statewide planning and to reprioritized it against all other projects.





- Reply #3: Mark said if there is an option of three or four projects and a range of various costs, we can't do a hundred-million-dollar project when we only have five million dollars. They may have to do a smaller project. But it is still a priority. We will continue to push in all TPR's meetings, that because it was a priority before, it should still be a priority. All the TPR chairs have acknowledged the need for Vail Pass and I-70 to be completed.
- Comment #4: Greg said we're here to try to advocate but we don't want to start all over again at the bottom for something that's been in the works for ten years. Is there a chance that Construction Package 6 could be added to the current CMGC contract? Who would have to approve that?
- Reply #4: Karen said we originally approved the delivery method of CMGC for all of Phase One, but if we were to add Construction Package #6 into this contract, we'd might have to go to the Transportation Commission to increase the contract. If we waited to go to bid in 2026 and build in 2027, we might get a little better price and we might decide that is more important to get the cheapest price
- Comment #5: Greg said the concern about going out to bid again is you've gone out to bid twice and you still haven't been able to award it. My concern would be if you go out to bid and for some reason the estimates are not what the bids come in at and you don't award it again. Can you share what the numbers were for the bids you received for CP #6?
- Reply #5: Karen said I wish we could have found the money in January, but we were not able to at that time. She's asked three times if she could share those numbers and I've been told I can't. There have been a lot of concerns from contractors who put in bids that were not awarded were made public it would create an unfair advantage in future bidding.
- Comment #6: Greg asked when you get the CP #6 estimate will it have your direct and indirect costs added to it so will be a total project number.
- Reply #6: Karen said yes they are added to every project.
- Comment #7: Greg said the Federal Highway Administration will be doing an audit on the INFRA Grant. Will the audit just be on CP #1 through CP #5 and when will that take place?
- Reply #7: Karen said I think you're referring to our turn sheet, which is our agreement with FHWA for completing the grant scope, I believe I mentioned before we are requesting to reduce the grant scope as part of our agreement, but still keep the same grant funds. We just submitted it today to the FHWA. It typically takes about six months in total to go through any of these grant agreements. We might hear something in about a month on



their initial thoughts on this. It's possible they might say if you cut scope we're going to cut some of your grant funds.

Cohen said I think Floyd Hill recently just went through an audit so we've got some data points to work with and hopefully we can get a quick turnaround. That way if there is an option to maybe use those redistribution funds or something creative to make up that change or if the office of the Secretary of Transportation were to come back and say based on this audit we would reduce your award. Then we can hopefully go back and forth with them before that's permanent and make sure that we can agree with them as needed.

- Comment #8: Greg said not to say that you would advocate against it, but we advocated also in support of the INFRA Grand and the Phase One benefits of every package.
- Reply #8: Cohen said they do evaluate the amendment based on what was originally agreed to and all the changes therein. By that logic, I believe it will be evaluated with Construction Package 6 because that was part of the original grant application.

## 6) Next Steps

Mary Jo said at this point, we'll assume we're going to meet everyone on July 15th but if we hear or have anything that we feel is important to make sure you as the PLT know will get in touch with you.

