

JOINT BUDGET COMMITTEE



STAFF FIGURE SETTING FY 2023-24

DEPARTMENT OF TRANSPORTATION

JBC WORKING DOCUMENT - SUBJECT TO CHANGE
STAFF RECOMMENDATION DOES NOT REPRESENT COMMITTEE DECISION

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HOW TO USE THIS DOCUMENT

The Department Overview contains a table summarizing the staff recommended incremental changes followed by brief explanations of each incremental change. A similar overview table is provided for each division, but the description of incremental changes is not repeated, since it is available under the Department Overview. More details about the incremental changes are provided in the sections following the Department Overview and the division summary tables.

Decision items, both department-requested items and staff-initiated items, are discussed either in the Decision Items Affecting Multiple Divisions or at the beginning of the most relevant division. Within a section, decision items are listed in the requested priority order, if applicable.

DEPARTMENT OVERVIEW

The Colorado Department of Transportation's (CDOT) stated mission is "to provide the best multimodal transportation system for Colorado that most effectively moves people, goods, and information." Despite the broad scope of this mission statement, CDOT's primary responsibility, as measured by dollars expended, is the construction, maintenance, and operation of Colorado's state highway system under the policy direction of the eleven-member Transportation Commission, with additional responsibilities relating to aviation, transit, rail, and other modes of transportation.

CDOT's specific duties include:

- Planning, developing, and coordinating an integrated transportation system, a key component of which is the Statewide Transportation Improvement Program (STIP), a rolling 4-year planning document that identifies statewide transportation projects based on estimated revenues and priorities determined during the statewide planning process;
- Maintenance of the state highway system, including repairing road damage, plowing snow, and applying sand to icy roads;
- Management of the state's highway construction projects;
- Operation of the over 9,100 centerline mile state highway system, including 3,439 bridges and over 28.0 billion miles of vehicle travel;
- Assistance in the development of a statewide, multi-modal transportation system by providing grants and assistance to local transit systems and grants to other multi-modal recipients;
- Development and implementation of safety programs, including education programs, efforts to combat drunk driving, encourage seatbelt use, enforce speed limits, and generally promote highway safety; and
- Maintenance of the statewide aviation system plan, including the provision of technical support to local airports, administering reimbursement of aviation fuel tax revenues and discretionary grants to local airports.
- CDOT staff support to the governor-appointed Transportation Commission as it adopts budgets, establishes policies, and implements Commission decisions.

The Long Bill is a consolidated version of the Transportation Commission's budget. Both the Transportation Commission budget and the Long Bill budget are *revenue allocation budgets*, which show how much revenue CDOT expects to receive in FY 2023-24 and how that revenue will be allocated for use in FY 2023-24 and subsequent years. Projected revenue changes are the primary factor driving the total CDOT Long Bill appropriation from year to year. Revenue is broadly defined; it includes money received from state fuel taxes and registration fees, money from federal sources, *appropriations* from the General Fund and from cash funds that are not controlled by CDOT (such as the Marijuana Tax Cash Fund), *transfers* from the General Fund, and revenue from other state sources. General Fund *appropriations* to CDOT are uncommon. General Fund *transfers* are more frequent and are classified as cash funds because the money is transferred into a CDOT-controlled cash fund. Revenue from General Fund transfers and other state sources are usually not included in the Long Bill because they are not known at the time of Long Bill finalization.

SUMMARY OF STAFF RECOMMENDATIONS

DEPARTMENT OF TRANSPORTATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION:						
HB 22-1329 (Long Bill)	\$1,789,299,665	\$0	\$954,579,686	\$5,478,096	\$829,241,883	3,327.0
Other legislation	722,523	0	722,523	0	0	0.0
SB 23-133 (Supplemental Bill)	0	0	0	0	0	0.0
TOTAL	\$1,790,022,188	\$0	\$955,302,209	\$5,478,096	\$829,241,883	3,327.0
FY 2023-24 REQUESTED APPROPRIATION:						
Revenue adjustments (FY 2023-24 revenue forecast compared to FY 2022-23 forecast)						
CM&O revenue update	\$66,415,460	\$0	\$69,953,846	\$0	(\$3,538,386)	0.0
HPTE revenue update	27,549,825	0	27,549,825	0	0	0.0
Bridge & Tunnel Enterprise revenue update	7,687,289	0	7,687,289	0	0	0.0
Air Pollution Enterprise revenue update	1,356,125	0	1,356,125	0	0	0.0
Clean Transit Enterprise revenue update	852,543	0	852,543	0	0	0.0
MMOF revenue update	(107,409,680)	0	(107,409,680)	0	0	0.0
Total revenue adjustments	(\$3,548,438)	\$0	(\$10,052)	\$0	(\$3,538,386)	0.0
FY 2023-24 REVENUE FORECAST	\$1,786,473,750	\$0	\$955,292,157	\$5,478,096	\$825,703,497	3,327.0
Offsetting revenue allocation adjustments						
Annualize OIT real-time billing supplemental						
Admin impact	\$935,552	\$0	\$935,552	\$0	\$0	0.0
CM&O impact	(935,552)	0	(935,552)	0	0	0.0
Other common policy changes in Administration						
Admin impact	492,082	0	492,082	0	0	0.0
CM&O impact	(492,082)	0	(492,082)	0	0	0.0
Non-prioritized changes in Administration						
Admin impact	555,993	0	555,993	0	0	0.0
CM&O impact	(555,993)	0	(555,993)	0	0	0.0
Total-compensation changes in Administration						
Admin impact	111,646	0	111,646	0	0	0.0
CM&O impact	(111,646)	0	(111,646)	0	0	0.0
Indirect cost adjustments in Administration						
Admin impact	25,481	0	25,438	43	0	0.0
CM&O impact	(25,481)	0	(25,438)	(43)	0	0.0
Total offsetting revenue allocation adjustments						
Admin impact	\$2,120,754	\$0	\$2,120,711	\$43	\$0	0
CM&O impact	(2,120,754)	0	(2,120,711)	(43)	0	0
NET IMPACT OF OFFSETTING REVENUE ALLOCATION ADJUSTMENTS	\$0	\$0	\$0	\$0	\$0	0.0
Non-offsetting revenue allocation adjustments						
Annualize prior year legislation	(\$751,649)	\$0	(\$751,649)	\$0	\$0	0.0
TOTAL NON-OFFSETTING REVENUE ALLOCATION ADJUSTMENTS	(\$751,649)	\$0	(\$751,649)	\$0	\$0	0.0
TOTAL	\$1,785,722,101	\$0	\$954,540,508	\$5,478,096	\$825,703,497	3,327.0
INCREASE/(DECREASE)	(\$4,300,087)	\$0	(\$761,701)	\$0	(\$3,538,386)	0.0
Percentage Change	(0.2%)	n/a	(0.1%)	0.0%	(0.4%)	0.0%

¹Admin = Administration Division²CM&O = Construction, Maintenance, and Operations Division

DESCRIPTION OF INCREMENTAL CHANGES

The Department is forecasting that its revenue will be \$3.5 million lower in FY 2023-24 than it thought its FY 2022-23 revenue would be in March 2022.

REVENUE ADJUSTMENTS (FY 2023-24 REVENUE FORECAST COMPARED TO FY 2022-23 FORECAST)

CM&O (CONSTRUCTION, MAINTENANCE, AND OPERATIONS) REVENUE UPDATE: The recommendation reflects an anticipated \$66.4 million net revenue increase for Construction, Maintenance, and Operations.

HIGH PERFORMANCE TRANSPORTATION ENTERPRISE (HPTE) REVENUE UPDATE: CDOT's forecast of FY 2023-24 revenues from user fees generated on corridors owned by the Enterprise is up \$27,549,825 compared to the previous year due to new tolled lanes coming online.

BRIDGE AND TUNNEL ENTERPRISE REVENUE UPDATE: The recommendation includes CDOT's current forecast for FY 2023-24. Revenue from bridge safety surcharge fees is expected to increase \$7.7 million primarily due to additional revenue generated from the bridge and tunnel impact fee imposed by S.B. 21-260 (Sustainability of the Transportation System).

AIR POLLUTION ENTERPRISE REVENUE: CDOT estimates the Nonattainment Area Air Pollution Mitigation Enterprise, created by S.B. 21-260, will collect \$1.4 million more from fees in FY 2023-24 than in FY 2022-23 (its first year of operation).

CLEAN TRANSIT ENTERPRISE REVENUE: CDOT estimates the Clean Transit Enterprise, created by S.B. 21-260, will collect \$0.9 million more from clean transit retail delivery fees in FY 2023-24 than in FY 2022-23 (its first year of operation).

MULTIMODAL TRANSPORTATION AND MITIGATION OPTIONS FUND (MMOF) REVENUE UPDATE: The recommendation includes a decrease of \$107.4 million from the MMOF due to a one-time transfer into the fund created by S.B. 21-260 that occurred in FY 2022-23.

OFFSETTING REVENUE ALLOCATION ADJUSTMENTS

These adjustments move expenditures from one division of the Long Bill to another without altering the Department total. The FY 2023-24 request includes an increase of \$2.1 million cash funds for Administration, which will be offset by a reduction to Construction, Maintenance, and Operations. These offsetting expenditures include total-compensation and other common policy changes and non-prioritized requests originating in other departments.

ANNUALIZE OIT REAL-TIME BILLING SUPPLEMENTAL: The recommendation includes the annualization of supplemental actions for the OIT transition to real-time billing. A FY 2023-24 adjustment for OIT real-time billing is recommended in the "Other Common Policy Changes in Administration" section.

OTHER COMMON POLICY CHANGES IN ADMINISTRATION: The recommendation allocates \$492,082 more to Administration for the following operating common policy adjustments, decreasing revenue for Construction, Maintenance, and Operations by the same amount.

OTHER COMMON POLICY CHANGES IN ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT adjustment (Admin impact)	\$1,402,762	\$0	\$1,402,762	\$0	\$0	0.0
Legal services adjustment (Admin impact)	303,555	0	303,555	0	0	0.0
Risk legal adjustment correction (Admin impact)	256,525	0	256,525	0	0	0.0
Administrative law judge services (Admin impact)	27,679	0	27,679	0	0	0.0
Workers' compensation (Admin impact)	30	0	30	0	0	0.0
Capitol Complex leased space (Admin impact)	(480)	0	(480)	0	0	0.0
CORE operations (Admin impact)	(31,824)	0	(31,824)	0	0	0.0
Payment to risk management (Admin impact)	(530,613)	0	(530,613)	0	0	0.0
OIT Supp. Real time billing (Admin impact)	(935,552)	0	(935,552)	0	0	0.0
TOTAL	\$492,082	\$0	\$492,082	\$0	\$0	0.0

TOTAL-COMPENSATION CHANGES IN ADMINISTRATION: The recommendation allocates an additional \$111,646 to Administration to pay for changes in compensation-related common policies shown below. To pay for the increase, revenue allocated to the CM&O Division is reduced by the same amount.

TOTAL-COMPENSATION CHANGES IN ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	FEDERAL FUNDS	FTE	
Salary survey (Admin impact)	\$648,112	\$0	\$648,112	\$0	0.0	
Short-term disability (Admin impact)	(2,631)	0	(2,631)	0	0.0	
Shift differential (Admin impact)	(12,024)	0	(12,024)	0	0.0	
AED (Admin impact)	(45,132)	0	(45,132)	0	0.0	
SAED (Admin impact)	(45,132)	0	(45,132)	0	0.0	
Health, life, dental true-up (Admin impact)	(184,054)	0	(184,054)	0	0.0	
PERA direct distribution (Admin impact)	(247,493)	0	(247,493)	0	0.0	
TOTAL	\$111,646	\$0	\$111,646	\$0	0.0	

Note that total compensation common policy adjustments occur in all divisions with employees, but the only adjustments that appear in the Long Bill are the adjustments that move funding into and out of Administration to pay for total compensation.

NON-PRIORITIZED ITEMS IN ADMINISTRATION: The recommendation includes an increase in Administration for non-prioritized decision items originating in other departments shown below. Revenue in the CM&O Division will be decreased by the same amount.

NON-PRIORITIZED DECISION ITEMS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
NP1 OIT Budget package (Admin impact)	\$506,286	\$0	\$506,286	\$0	\$0	0.0
NP2 COE common policy (Admin impact)	48,203	0	48,203	0	0	0.0
NP3 Transfer perf. budgeting to DPA (Admin impact)	1,504	0	1,504	0	0	0.0
TOTAL	\$555,993	\$0	\$555,993	\$0	\$0	0.0

INDIRECT COST ADJUSTMENTS: The recommendation includes an of \$25,481 total funds, including \$25,438 cash funds and \$43 reappropriated funds, in Administration for indirect cost assessments. Revenue in the CM&O Division will be decreased by the same amount.

NON-OFFSETTING REVENUE ALLOCATION ADJUSTMENTS

ANNUALIZE PRIOR YEAR LEGISLATION: The request includes a reduction of \$751,649 from the Marijuana Tax Cash Fund to adjust for a one-time appropriation provided by H.B. 22-1321 (Study of Devices Assessing Motorist Impairment).

MAJOR DIFFERENCES FROM THE REQUEST

There are no major differences from the request. Minor differences could result from adjustments for common policies that are still pending Committee action.

DECISION ITEMS AFFECTING MULTIPLE DIVISIONS

→ STAFF-INITIATED REQUEST FOR PERMISSION TO UPDATE INFORMATIONAL APPROPRIATIONS FOR NEW FORECAST PRIOR TO LONG BILL INTRODUCTION

The revenue forecast on which the recommendations in this document are based was formulated by CDOT last fall. In March, the Transportation Commission will finalize its FY 2023-24 revenue allocation budget for the continuously appropriated funds that CDOT controls. The March revenue forecast will likely differ from the fall 2022 forecast, which means that the informational appropriations in this document for the Construction, Maintenance and Operations Division and the three continuously appropriated enterprises may be out-of-date. In an effort to make the Long Bill's informational appropriations as accurate as possible, staff has asked CDOT to submit revised appropriations (revenue estimates) for CM&O and the enterprises in March.

STAFF-INITIATED REQUEST: **Staff requests permission to place revised informational appropriations in the FY 2023-24 Long Bill if CDOT submits them in time to make the changes before introduction.** Based on conversations with the Department, staff expects modest revisions; if they are large or unusual, staff will bring them to the Committee's attention. Staff emphasizes that all of the affected appropriations are informational, and will make the Long Bill better reflect CDOT's anticipated revenue streams.

(1) ADMINISTRATION

This single-line division provides administrative support for the Department. Section 43-1-113 (3)(a), C.R.S., creates the division and Section 43-1-113 (2)(c) (III), C.R.S., specifies that it consists of the expenditures for the salaries and expenses of the following offices:

- Transportation Commission
- Administrative services
- Executive Director
- Building operations
- Chief Engineer
- Management systems
- District engineers
- Personnel
- Budget
- Procurement
- Internal audits
- Insurance
- Public relations
- Legal
- Equal employment
- Central data processing
- Accounting

Statute further requires that the specified Administration expenditures be contained in a single Long Bill line that “shall not be identified by project, program, or district.” This gives CDOT the discretion to move funds within the Administration Division, for example, from personal services to operating, without seeking approval from the General Assembly. Note, however, that CDOT will pay committee-approved amounts for common policies like *Payment to risk management and property funds*. In reality, the JBC has somewhat more control over expenditures than indicated by this statutory statement that the appropriation “not be identified by project, program, or district.” Additionally, Section 43-1-113 (6)(a), C.R.S., limits expenditures of the Administration line item to no more than 5.0 percent of the total CDOT budget.

The following table shows the recommendation for the Division’s one-line Administration appropriation.

ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
HB 22-1329 (Long Bill)	\$43,335,250	\$0	\$43,272,355	\$62,895	\$0	161.0
Other Legislation	(29,126)	0	(29,126)	0	0	0.0
SB 23-133 (Supplemental bill)	(935,552)	0	(935,552)	0	0	0.0
TOTAL	\$42,370,572	\$0	\$42,307,677	\$62,895	\$0	161.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$42,370,572	\$0	\$42,307,677	\$62,895	\$0	161.0
Annualize OIT real-time billing supplemental	935,552	0	935,552	0	0	0.0
Non-prioritized decision items in Administration	555,993	0	555,993	0	0	0.0
Other common policy changes in Administration	492,082	0	492,082	0	0	0.0
Total-compensation changes in Administration	111,646	0	111,646	0	0	0.0
Indirect cost adjustments in Administration	25,481	0	25,438	43	0	0.0
TOTAL	\$44,491,326	\$0	\$44,428,388	\$62,938	\$0	161.0
INCREASE/(DECREASE)	\$2,120,754	\$0	\$2,120,711	\$43	\$0	0.0
Percentage Change	5.0%	n/a	5.0%	0.1%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$44,491,326	\$0	\$44,428,388	\$62,938	\$0	161.0
Request Above/(Below) Recommendation	\$0)	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS – ADMINISTRATION (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – ADMINISTRATION

This division has a one-line appropriation. The following tables show the components of the changes presented in the preceding table.

ANNUALIZE PRIOR YEAR BUDGET ACTIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Annualize OIT real-time billing supplemental	\$935,552	\$0	\$935,552	\$0	\$0	0.0
TOTAL	\$935,552	\$0	\$935,552	\$0	\$0	0.0

NON-PRIORITIZED CHANGES IN ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
NP1 OIT Budget package (Admin impact)	\$506,286	\$0	\$506,286	\$0	\$0	0.0
NP2 COE common policy (Admin impact)	48,203	0	48,203	0	0	0.0
NP3 Transfer perf. budgeting to DPA (Admin impact)	1,504	0	1,504	0	0	0.0
TOTAL	\$555,993	\$0	\$555,993	\$0	\$0	0.0

OTHER COMMON POLICY CHANGES IN ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Payments to OIT adjustment (Admin impact)	\$1,402,762	\$0	\$1,402,762	\$0	\$0	0.0
Legal services adjustment (Admin impact)	303,555	0	303,555	0	0	0.0
Risk legal adjustment correction (Admin impact)	256,525	0	256,525	0	0	0.0
Administrative law judge services (Admin impact)	27,679	0	27,679	0	0	0.0
Workers' compensation (Admin impact)	30	0	30	0	0	0.0
Capitol Complex leased space (Admin impact)	(480)	0	(480)	0	0	0.0
CORE operations (Admin impact)	(31,824)	0	(31,824)	0	0	0.0
Payment to risk management (Admin impact)	(530,613)	0	(530,613)	0	0	0.0
OIT Supp. Real time billing (Admin impact)	(935,552)	0	(935,552)	0	0	0.0
TOTAL	\$492,082	\$0	\$492,082	\$0	\$0	0.0

TOTAL-COMPENSATION CHANGES IN ADMINISTRATION						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Salary survey (Admin impact)	\$648,112	\$0	\$648,112	\$0	\$0	0.0
Short-term disability (Admin impact)	(2,631)	0	(2,631)	0	0	0.0
Shift differential (Admin impact)	(12,024)	0	(12,024)	0	0	0.0
AED (Admin impact)	(45,132)	0	(45,132)	0	0	0.0
SAED (Admin impact)	(45,132)	0	(45,132)	0	0	0.0
Health, life, dental (Admin impact)	(184,054)	0	(184,054)	0	0	0.0
PERA direct distribution (Admin impact)	(247,493)	0	(247,493)	0	0	0.0
TOTAL	\$111,646	\$0	\$111,646	\$0	\$0	0.0

Note that total compensation common policy adjustments occur in all divisions with employees, but the only adjustments that appear in the Long Bill are the adjustments that move funding into and out of the Administration Division to pay for the total compensation.

INDIRECT COST ADJUSTMENTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
Indirect cost assessment (Admin impact)	\$25,481	\$0	\$25,438	\$43	\$0	0.0
TOTAL	\$25,481	\$0	\$25,438	\$43	\$0	0.0

This division has a single-line appropriation.

STATUTORY AUTHORITY: Section 43-1-113 (2)(a), C.R.S.

REQUEST: The Department requests \$44,491,326 total funds and 161.0 FTE.

RECOMMENDATION: The staff recommendation is **pending** Committee common policy decisions that are reflected within this line item and shown as a total sum.

(2) CONSTRUCTION, MAINTENANCE, AND OPERATIONS

The Transportation Commission controls the expenditures of the Construction, Maintenance, and Operations Division; the appropriations are shown in the Long Bill for informational purposes only. The expenditures pay for work performed by CDOT staff and its contracting partners to (1) construct, reconstruct, repair, operate, and maintain the state highway system and keep it in safe working order; (2) provide safety education; (3) pass funding through to other entities such as airports, local governments, and transit providers as formula or discretionary grants; and (4) pay for annual debt service for highway and bridge projects.

CONSTRUCTION, MAINTENANCE, AND OPERATIONS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
HB 22-1329 (Long Bill)	\$1,427,988,467	\$0	\$597,331,383	\$1,415,201	\$829,241,883	3,156.0
SB 23-133 (Supplemental bill)	935,552	0	935,552	0	0	0.0
TOTAL	\$1,428,924,019	\$0	\$598,266,935	\$1,415,201	\$829,241,883	3,156.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$1,428,924,019	\$0	\$598,266,935	\$1,415,201	\$829,241,883	3,156.0
CM&O revenue update	66,415,460	0	69,953,846	0	(3,538,386)	0.0
Annualize OIT real-time billing supplemental	(935,552)	0	(935,552)	0	0	0.0
Non-prioritized decision items in Administration	(555,993)	0	(555,993)	0	0	0.0
Other common policy changes in Administration	(492,082)	0	(492,082)	0	0	0.0
Total-compensation changes in Administration	(111,646)	0	(111,646)	0	0	0.0
Indirect cost adjustments in Administration	(25,481)	0	(25,438)	(43)	0	0.0
TOTAL	\$1,493,218,725	0	\$666,100,070	\$1,415,158	\$825,703,497	3,156.0
INCREASE/(DECREASE)	\$64,294,706	\$0	\$67,833,135	(\$43)	(\$3,538,386)	0.0
Percentage Change	4.5%	n/a	11.3%	(0.0%)	(0.4%)	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$1,493,218,725	\$0	\$666,100,070	\$1,415,158	\$825,703,497	3,156.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS - CONSTRUCTION, MAINTENANCE, AND OPERATIONS (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – CONSTRUCTION, OPERATIONS, AND MAINTENANCE

This division has a single-line appropriation.

STATUTORY AUTHORITY: Section 43-1-113 (2) (c), C.R.S.

REQUEST: The Department requests \$1,493,218,725 total funds and 3,156.0 FTE for the CM&O division. The request reflects an anticipated increase in revenue and an increased need for funds in the Administration Division, which leaves less for CM&O.

RECOMMENDATION: **Staff recommends approving the informational appropriation as requested**, with permission to make adjustments for pending common policy decisions that are appropriated in the Administration Division and cause offsetting adjustments in Construction, Maintenance, and Operations.

(3) STATEWIDE BRIDGE AND TUNNEL ENTERPRISE

This TABOR enterprise is a government-owned business that operates within the Department of Transportation. Created by S.B. 09-108 (Funding Advancements for Surface Transportation and Economic Recovery, also known as FASTER), the Enterprise gets most of its revenue from bridge-safety surcharges on vehicle registrations. S.B. 21-260 (Sustainability of the Transportation System) expanded the Enterprise to include tunnels and authorized the imposition of a retail delivery fee and a bridge and tunnel impact fee on diesel fuel.

The Bridge and Tunnel Enterprise rebuilds, repairs, and rehabilitates bridges and tunnels that are rated as being in “poor” condition, functionally obsolete, or structurally deficient. The Enterprise is governed by a board of directors who are also on the Transportation Commission.

Surcharge revenue is deposited directly in the Statewide Bridge and Tunnel Enterprise Special Revenue Fund; it does not pass through the HUTF. The Enterprise can borrow, using the proceeds to pay for bridge and tunnel rebuilding and repair and using its revenue to repay bondholders. The Statewide Bridge Enterprise Special Revenue Fund is continuously appropriated, with expenditure authority assigned to the Bridge Enterprise Board. Thus the amounts shown in the Long Bill are for informational purposes only.

STATEWIDE BRIDGE AND TUNNEL ENTERPRISE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
HB 22-1329 (Long Bill)	\$145,186,737	\$0	\$145,186,737	\$0	\$0	1.0
TOTAL	\$145,186,737	\$0	\$145,186,737	\$0	\$0	1.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$145,186,737	\$0	\$145,186,737	\$0	\$0	1.0
Bridge & Tunnel revenue update	7,687,289	0	7,687,289	0	0	0.0
TOTAL	\$152,874,026	\$0	\$152,874,026	\$0	\$0	1.0
INCREASE/(DECREASE)	\$7,687,289	\$0	\$7,687,289	\$0	\$0	0.0
Percentage Change	5.3%	n/a	5.3%	n/a	n/a	0.0%
FY 2023-24 EXECUTIVE REQUEST						
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS - STATEWIDE BRIDGE AND TUNNEL ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – STATEWIDE BRIDGE AND TUNNEL ENTERPRISE

This division has a one-line appropriation.

STATUTORY AUTHORITY: Section 43-4-805 (5)(g) to 43-4-805 (5)(g.7), C.R.S.

REQUEST: The Department requests \$152,874,026 total funds and 1.0 FTE.

RECOMMENDATION: **Staff recommends the Committee include the Department's requested informational appropriation in the Long Bill.**

(4) HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This TABOR enterprise, also called the HPTE or Colorado Transportation Investment Office (CTIO), is a government-owned business that operates within the Department of Transportation. It was established in Section 43-4-806, C.R.S., by S.B. 09-108 (*Funding Advancements for Surface Transportation and Economic Recovery*, otherwise known as FASTER). The enterprise pursues innovative means of financing and operating surface transportation infrastructure projects, including public-private partnerships, operating concession agreements, user fees (tolls), and design-build contracting. The Enterprise's projected expenditures are shown in the Long Bill for informational purposes only.

HIGH PERFORMANCE TRANSPORTATION ENTERPRISE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
HB 22-1329 (Long Bill)	\$40,133,656	\$0	\$36,133,656	\$4,000,000	\$0	9.0
TOTAL	\$40,133,656	\$0	\$36,133,656	\$4,000,000	\$0	9.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$40,133,656	\$0	\$36,133,656	\$4,000,000	\$0	9.0
HPTE revenue update	27,549,825	0	27,549,825	0	0	0.0
TOTAL	\$67,683,481	\$0	\$63,683,481	\$4,000,000	\$0	9.0
INCREASE/(DECREASE)	\$27,549,825	\$0	\$27,549,825	\$0	\$0	0.0
Percentage Change	68.6%	n/a	76.2%	0.0%	n/a	n/a
FY 2023-24 EXECUTIVE REQUEST	\$67,683,481	\$0	\$63,683,481	\$4,000,000	\$0	9.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS - HIGH PERFORMANCE TRANSPORTATION ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This division has a one-line appropriation.

STATUTORY AUTHORITY: Section 43-4-806, C.R.S.

REQUEST: The Department requests \$67,683,481 total funds and 9.0 FTE.

RECOMMENDATION: **Staff recommends the Committee include the Department's requested informational appropriation in the Long Bill.**

(5) SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION

This section of the Long Bill is no longer used after FY 2021-22. Senate Bill 21-238 (Create Front Range Passenger Rail District) repealed the Southwest Chief Commission effective July 1, 2022 and transferred remaining funds to the newly created Front Range Passenger Rail District. The new district is a political subdivision separate from CDOT and Colorado State Government.

(6) SPECIAL PURPOSE

The Special Purpose Division was created in the FY 2020-21 Long Bill to combine two safety-oriented, single-line divisions: First Time Drunk Driving and Marijuana Impaired Driving. This division also serves as a place to reflect one-time appropriations without adding and deleting new divisions.

SPECIAL PURPOSE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation						
HB 22-1329 (Long Bill)	\$117,250,000	\$0	\$117,250,000	\$0	\$0	0.0
Other legislation	751,649	0	751,649	0	0	0.0
TOTAL	\$118,001,649	\$0	\$118,001,649	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$118,001,649	\$0	\$118,001,649	\$0	\$0	0.0
MMOF revenue update	(107,409,680)	0	(107,409,680)	0	0	0.0
Annualize HB 22-1321 Study device assessing motorist impairment	(751,649)	0	(751,649)	0	0	0.0
TOTAL	\$9,840,320	\$0	\$9,840,320	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$108,161,329)	\$0	(\$108,161,329)	\$0	\$0	0.0
Percentage Change	(91.7%)	0.0%	(91.7%)	0.0%	0.0%	0.0%
FY 2023-24 EXECUTIVE REQUEST	\$9,840,320	\$0	\$9,840,320	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS – SPECIAL PURPOSE (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – SPECIAL PURPOSE

FIRST TIME DRUNK DRIVING OFFENDER ACCOUNT

The First Time Drunk Driving Offender Account (found in Section 42-2-132 (4)(b)(II)(A), C.R.S.) was created by House Bill 08-1194 as an account within the Highway Users Tax Fund. Its revenue source is a portion of the reinstatement fee paid by motorists whose licenses are suspended, canceled or revoked. Moneys in the account are appropriated annually to the Department in order to

supplement the Department's existing programs for enhanced enforcement of the state's driving under the influence (DUI) laws. The First Time Drunk Driving Offender Account is one of the few parts of the HUTF that is not continuously appropriated.

House Bill 08-1194 requires the Department to conduct twelve high-visibility DUI enforcement episodes annually. Using funds from the First Time Drunk Driving Offender Account and other sources which may include the Law Enforcement Assistance Fund (LEAF) or reappropriated funds from the Department of Public Safety, the Department contracts with local law enforcement agencies to fund overtime expenses for enhanced law enforcement on public highways during certain periods of the year with high incidence of motorists driving under the influence. The enforcement episodes include dates that have a high incidences of impaired driving crashes, such as St. Patrick's Day, 4th of July, and Labor Day. Local law enforcement agencies apply to CDOT to receive funding and participate. Appropriations also pay for advertising to inform the public of upcoming and ongoing enforcement events in an effort to stop individuals from driving impaired in the first place.

STATUTORY AUTHORITY: Section 42-2-132 (4) (b) (II) (A), C.R.S.

REQUEST: The Department requests \$1,500,000 from the First Time Drunk Driving Offender Account in the Highway Users Tax Fund. This is a continuation level of funding.

RECOMMENDATION: **Staff recommends the Committee approve the Department's request.**

MARIJUANA IMPAIRED DRIVING PROGRAM

The Marijuana Impaired Driving Program provides CDOT with revenue from the Marijuana Tax Cash Fund that CDOT uses to fund marijuana-impaired driving prevention efforts, including public education campaigns and data collection efforts. One of the best known parts of this program is the Department's "Drive High, Get a DUI" public awareness campaign.

STATUTORY AUTHORITY: Section 39-28.8-501 (2) (b) (IV) (A), C.R.S.

REQUEST: The Department requests a continuation of \$950,000 cash funds from the Marijuana Tax Cash Fund. This is a continuation level of funding.

RECOMMENDATION: **Staff recommends approving this request.**

MULTIMODAL TRANSPORTATION PROJECTS

Senate Bill 18-001 created and funded the Multimodal Transportation Options Fund. The bill added Section 43-4-1102 to statute, which defines multimodal projects to include capital or operating costs for fixed route and on-demand transit, transportation demand management programs, multimodal mobility projects enabled by new technology, multimodal transportation studies, and bicycle or pedestrian projects. Money in the Fund is allocated 85 percent for local multimodal projects and 15 percent for state multimodal projects.

Senate Bill 21-260 updated the fund’s name to the Multimodal Transportation and Mitigation Options Fund (MMOF) and created an ongoing stream of revenue into the fund from retail delivery fees created in Section 43-4-218 (5)(a)(II).

STATUTORY AUTHORITY: Section 43-4-1102 and 43-4-1103, C.R.S.

REQUEST: The Department requests \$7,390,320 cash funds from the Multimodal Transportation and Mitigation Options Fund.

RECOMMENDATION: **Staff recommends the Committee approve the Department’s request.**

SPECIAL PURPOSE, MULTIMODAL TRANSPORTATION PROJECTS						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
HB 22-1329 (Long Bill)	\$114,800,000	\$0	\$114,800,000	\$0	\$0	0.0
TOTAL	\$114,800,000	\$0	\$114,800,000	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$114,800,000	\$0	\$114,800,000	\$0	\$0	0.0
MMOF revenue update	(107,409,680)	0	(107,409,680)	0	0	0.0
TOTAL	\$7,390,320	\$0	\$7,390,320	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$107,409,680)	\$0	(\$107,409,680)	\$0	\$0	0.0
Percentage Change	(93.6%)	n/a	(93.6%)	n/a	n/a	n/a
FY 2023-24 EXECUTIVE REQUEST	\$7,390,320	\$0	\$7,390,320	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

IMPAIRMENT DEVICE STUDY

This was a one-time appropriation made by H.B. 22-1321 (Study of Devices Assessing Motorist Impairment) that required CDOT to issue a request for proposal for a study and report that investigates devices that are capable of assessing cognitive and physical impairment in motorists to detect the presence of drugs other than alcohol during roadside sobriety investigations.

STATUTORY AUTHORITY: Section 42-4-1308, C.R.S.

REQUEST: The Department does not request additional funding for this item.

RECOMMENDATION: **Staff recommends the Committee approve the Department’s request.**

SPECIAL PURPOSE, IMPAIRMENT DEVICE STUDY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
Other Legislation	\$751,649	\$0	\$751,649	\$0	\$0	0.0
HB 22-1329 (Long Bill)	0	0	0	0	0	0.0
TOTAL	\$751,649	\$0	\$751,649	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						

SPECIAL PURPOSE, IMPAIRMENT DEVICE STUDY						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 Appropriation	\$751,649	\$0	\$751,649	\$0	\$0	0.0
Annualize HB 22-1321 Study devices assessing motorist impairment	(751,649)	0	(751,649)	0	0	0.0
TOTAL	\$0	\$0	\$0	\$0	\$0	0.0
INCREASE/(DECREASE)	(\$751,649)	\$0	(\$751,649)	\$0	\$0	0.0
Percentage Change	(100.0%)	n/a	(100.0%)	n/a	n/a	n/a
FY 2023-24 EXECUTIVE REQUEST	\$0	\$0	\$0	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

(7) NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE

The Nonattainment Area Air Pollution Enterprise was created by S.B. 21-260 to mitigate transportation-related emissions in ozone nonattainment areas by funding projects that reduce traffic or directly reduce air pollution. The Enterprise is governed by a board of seven directors, five of which are appointed by the Governor. The Enterprise is authorized to impose an air pollution mitigation fee on retail deliveries and rides provided by transportation network companies. Money in the Nonattainment Area Air Pollution Mitigation Enterprise Fund is continuously appropriated to the Enterprise.

NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE,						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
HB 22-1329 (Long Bill)	\$7,125,226	\$0	\$7,125,226	\$0	\$0	0.0
TOTAL	\$7,125,226	\$0	\$7,125,226	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$7,125,226	\$0	\$7,125,226	\$0	\$0	0.0
Air Pollution Enterprise revenue update	1,356,125	0	1,356,125	0	0	0.0
TOTAL	\$8,481,351	\$0	\$8,481,351	\$0	\$0	0.0
INCREASE/(DECREASE)	\$1,356,125	\$0	\$1,356,125	\$0	\$0	0.0
Percentage Change	19.0%	n/a	19.0%	n/a	n/a	n/a
FY 2023-24 EXECUTIVE REQUEST	\$8,481,351	\$0	\$8,481,351	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS – NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE

This division has a one-line appropriation.

STATUTORY AUTHORITY: Section 43-4-1303, C.R.S.

REQUEST: The Department requests an informational appropriation of \$8,481,351 to reflect anticipated revenue that will be collected by the Enterprise and available for expenditure in FY 2023-24.

***RECOMMENDATION:* Staff recommends the Committee approve the Department's request for this informational appropriation.**

(8) CLEAN TRANSIT ENTERPRISE

The Clean Transit Enterprise was created by S.B. 21-260 (Sustainability of the Transportation System) to reduce and mitigate the adverse environmental health impacts of air pollution and greenhouse gas emissions produced by motor vehicles used to make retail deliveries by supporting public transit electrification planning efforts, facility upgrades, fleet motor vehicle replacement, and construction and development of electric motor vehicle charging and fueling infrastructure. The Enterprise is governed by a board of nine directors, six of which are appointed by the Governor. The Enterprise is authorized to impose a clean transit retail delivery fee. Money in the Clean Transit Enterprise Fund is subject to annual appropriation by the General Assembly.

CLEAN TRANSIT ENTERPRISE						
	TOTAL FUNDS	GENERAL FUND	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS	FTE
FY 2022-23 APPROPRIATION						
HB 22-1329 (Long Bill)	\$8,280,329	\$0	\$8,280,329	\$0	\$0	0.0
TOTAL	\$8,280,329	\$0	\$8,280,329	\$0	\$0	0.0
FY 2023-24 RECOMMENDED APPROPRIATION						
FY 2022-23 Appropriation	\$8,280,329	\$0	\$8,280,329	\$0	\$0	0.0
Clean Transit Enterprise revenue update	852,543	0	852,543	0	0	0.0
TOTAL	\$9,132,872	\$0	\$9,132,872	\$0	\$0	0.0
INCREASE/(DECREASE)	\$852,543	\$0	\$852,543	\$0	\$0	0.0
Percentage Change	10.3%	n/a	10.3%	n/a	n/a	n/a
FY 2023-24 EXECUTIVE REQUEST	\$9,132,872	\$0	\$9,132,872	\$0	\$0	0.0
Request Above/(Below) Recommendation	\$0	\$0	\$0	\$0	\$0	0.0

DECISION ITEMS – CLEAN TRANSIT ENTERPRISE (NONE)

The Department did not submit any decision items affecting this division.

LINE ITEM DETAIL – CLEAN TRANSIT ENTERPRISE

This division has a one-line appropriation.

STATUTORY AUTHORITY: Section 43-4-1203, C.R.S.

REQUEST: The Department requests an appropriation of \$9,132,872 to reflect anticipated revenue that will be collected by the Enterprise and available for expenditure in FY 2023-24.

RECOMMENDATION: **Staff recommends the Committee approve the Department's request.**

LONG BILL FOOTNOTES AND REQUESTS FOR INFORMATION

LONG BILL FOOTNOTES

Staff recommends **continuing and modifying** the following Long Bill footnote:

- 111 Department of Transportation, Special Purpose, Multimodal Transportation Projects – This appropriation remains available for expenditure until the close of the ~~FY 2025-26~~ FY 2026-27 state fiscal year.

COMMENT: The Multimodal Transportation and Mitigation Options Fund (MMOF) receives ongoing revenue from retail delivery fees created by S.B. 21-260. This is one of the few funds within CDOT that is subject to annual appropriation. Statute requires 85 percent of the revenue to the MMOF to be expended for local multimodal projects and 15 percent to be used for state multimodal projects. Absent roll-forward authority for the annual Long Bill appropriation from this fund, the Department could run into difficulties expending funds over multiple construction seasons and encumbering the funds in intergovernmental agreements.

REQUESTS FOR INFORMATION

Staff recommends **continuing and modifying** the following request for information:

- 1 The Department is requested to submit, with its FY ~~2023-24~~ 2024-25 budget request, printed and electronic versions (transmission by email acceptable) of the following:
 - a. The draft one-sheet budget (also known as the “Revenue Allocation Plan”) on which the Long Bill request is based with an explanation that shows how the Long Bill request relates to the one-sheet budget;
 - b. A schedule or schedules showing, for each of the publishing issues that collectively show how the Administration Division request is derived from the prior year Administration Division appropriation, the incremental budget changes that make up that publishing issue;
 - c. Projected expenditures by division for all common-policy items, including common policies for total compensation, operating, and IT;
 - d. A schedule showing the projected revenues for FY ~~2023-24~~ 2024-25 on which the draft one-sheet budget and the Long Bill request are based, with revenue-source detail that is comparable to the detail in the Department's draft narrative budget (also known as the “Budget Allocation Plan”);
 - e. A schedule showing the most recent projection of revenues for FY ~~2022-23~~ 2023-24 in a form compatible with the revenue projection for FY ~~2023-24~~ 2024-25;
 - f. A schedule showing actual revenues received during ~~FY 2020-21~~ FY 2021-22 and ~~FY 2021-22~~ FY 2022-23 in a form compatible with the revenue projection for ~~FY 2023-24~~ FY 2024-25;

- g. Projected state HUTF revenue for ~~FY 2023-24~~ FY 2024-25 that shows (1) the revenue sources and (2) the allocation of that revenue among counties, municipalities, and other recipients.
- h. Actual revenue for the two most recently completed Fiscal Years of (1) the Construction, Maintenance, and Operations Division, (2) the Bridge Enterprise, and (3) the High-performance Transportation Enterprise.

COMMENT: The Department submitted the documents as requested.

INDIRECT COST ASSESSMENTS

INDIRECT COST POOL

The Department's indirect cost assessment methodology is calculated based on three components: an "Indirect Cost Pool", an "Indirect Cost Base", and an "Indirect Cost Rate". The Indirect Cost Pool is comprised of accumulated costs for activities chargeable to highway projects but not attributable to a single project that fall within the Construction, Maintenance, and Operations line. The Department incurs these indirect costs in Indirect Cost Centers that are established for each CDOT Region Program Engineering Unit. Total indirect costs accumulated in these centers for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year make up the Indirect Cost Pool. For FY 2023-24 the Department's Indirect Cost Pool as requested is \$124,399,999. Table 1 outlines what is included in the department's Indirect Cost Pool (i.e. the total indirect cost center costs).

TABLE 1 CDOT INDIRECT COSTS POOL	
Item	FY 2022-23
Capital Construction	\$113,930,993
Maintenance and Operations	3,998,789
Multimodal Services	6,470,217
Total Indirect Costs	\$124,399,999

INDIRECT COST BASE

The Indirect Cost Base is comprised of all Indirect Eligible Expenditures for participating CDOT projects for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year. For FY 2023-24 the Department's Indirect Cost Base as requested is \$689,507,632. Table 2 outlines what is included in the department's Indirect Cost Base (i.e. the total indirect eligible expenditures within the highway construction program).

Table 2 CDOT Indirect Cost Base	
Item	FY 2022-23
Surface Treatment	\$ 225,600,000
Structures	63,323,550
System Operations	26,272,823
Geohazards Mitigation	9,700,000
Permanent Water Quality Mitigation	6,500,000
10 Year Plan Projects - Capital AM	67,951,819
Highway Safety Improvement Program	42,943,655

Table 2 CDOT Indirect Cost Base	
Item	FY 2022-23
Railway-Highway Crossings Program	3,772,634
Hot Spots	2,667,154
FASTER - Safety Projects	58,987,584
ADA Compliance	7,200,000
Regional Priority Program	50,000,000
10 Year Plan Projects - Capital Mobility	42,688,117
National Freight Program	23,874,090
Strategic Safety Program	12,163,953
ITS Investments	10,000,000
Innovative Mobility Programs	9,023,536
National Electric Vehicle Program	14,545,391
Carbon Reduction Program - CDOT	12,293,326
10 Year Plan Projects - Multimodal	225,600,000
Total Indirect Cost Base	\$ 689,507,632

INDIRECT COST RATE

The Indirect Cost Rate is calculated by dividing the total indirect costs accumulated in all of CDOT's Indirect Cost Centers for the twelve-month period beginning on July 1 of the previous year and ending on June 30 of the current year by the total Indirect Eligible Expenditures from the same twelve-month period. Cost recoveries come from charging a fixed percentage (Indirect Cost Rate) of the Construction Engineering rate to a project, with the offset charged to the appropriate Indirect Cost Center. Projects that are not administered by CDOT are exempt from the allocation, and the Indirect Cost Rate in effect on the date of project award does not change for the life of that project. Table 3 illustrates how the Indirect Cost Rate is calculated.

TABLE 3 CDOT COST RATE	
Total Indirect Cost Pool	\$ 124,399,999
Total Indirect Cost Base	\$ 689,507,632
Indirect Cost Rate	12.00%
Indirect Cost Rate (Construction Engineering)	12.50%

All departmental indirect costs are recovered from and allocated back to programs housed within the non-appropriated portion of the CDOT budget. Most policy and budget authority for CDOT rests with the Transportation Commission, pursuant to Section 43-1-113 (1), C.R.S. Funds controlled by the Transportation Commission are reflected for informational purposes in three Long Bill line items: Construction, Maintenance, and Operations; the High Performance Transportation Enterprise (created by S.B. 09-108); and the Statewide Bridge Enterprise (created by S.B. 09-108). These line items are included in the Long Bill as estimates of the anticipated revenues available to the Commission.

APPENDIX A: NUMBERS PAGES (DIGITAL ONLY)

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

Appendix A: Numbers Pages

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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DEPARTMENT OF TRANSPORTATION
Shoshana Lew, Executive Director

(1) ADMINISTRATION

The Long Bill contains a single appropriation for CDOT's entire Administration division, which leaves the Transportation Commission with discretionary flexibility over allocation of the appropriation. The General Assembly sets an appropriated level for the Administration line as a total, and the balance of anticipated highway funds collected by the Department becomes available to the Construction, Maintenance, and Operation line.

Administration	<u>35,649,028</u>	<u>37,895,602</u>	<u>42,370,572</u>	<u>44,491,326</u>	<u>44,491,326</u> *
FTE	136.7	161.0	161.0	161.0	161.0
Cash Funds	35,646,798	37,895,441	42,307,677	44,428,388	44,428,388
Reappropriated Funds	2,230	161	62,895	62,938	62,938
TOTAL - (1) Administration	35,649,028	37,895,602	42,370,572	44,491,326	44,491,326
FTE	<u>136.7</u>	<u>161.0</u>	<u>161.0</u>	<u>161.0</u>	<u>161.0</u>
Cash Funds	35,646,798	37,895,441	42,307,677	44,428,388	44,428,388
Reappropriated Funds	2,230	161	62,895	62,938	62,938

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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(2) CONSTRUCTION, MAINTENANCE, AND OPERATIONS

The single informational appropriation for this division reflects the revenues that are continuously appropriated to the Transportation Commission.

Construction Maintenance, And Operations	<u>1,818,015,351</u>	<u>1,810,904,935</u>	<u>1,428,924,019</u>	<u>1,493,218,725</u>	<u>1,493,218,725</u> *
FTE	3,156.0	3,156.0	3,156.0	3,156.0	3,156.0
Cash Funds	1,282,599,764	1,286,086,988	598,266,935	666,100,070	666,100,070
Reappropriated Funds	1,113,655	1,242,865	1,415,201	1,415,158	1,415,158
Federal Funds	534,301,932	523,575,082	829,241,883	825,703,497	825,703,497

TOTAL - (2) Construction, Maintenance, and Operations	1,818,015,351	1,810,904,935	1,428,924,019	1,493,218,725	1,493,218,725
<i>FTE</i>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>	<u>3,156.0</u>
Cash Funds	1,282,599,764	1,286,086,988	598,266,935	666,100,070	666,100,070
Reappropriated Funds	1,113,655	1,242,865	1,415,201	1,415,158	1,415,158
Federal Funds	534,301,932	523,575,082	829,241,883	825,703,497	825,703,497

JBC Staff Figure Setting - FY 2023-24
Staff Working Document - Does Not Represent Committee Decision

	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
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(3) STATEWIDE BRIDGE ENTERPRISE

This TABOR enterprise operates within the Department of Transportation. It gets most of its funding from bridge-safety surcharges on vehicle registrations. Statute gives the Bridge and Tunnel Enterprise the ability to finance, repair, reconstruct, replace, operate, and/or maintain state highway bridges that it designates as “Bridge-enterprise eligible”. The Enterprise’s projected revenues are shown in the Long Bill for informational purposes only.

Statewide Bridge Enterprise	<u>2,571,258</u>	<u>25,546,741</u>	<u>145,186,737</u>	<u>152,874,026</u>	<u>152,874,026</u>
FTE	1.0	1.0	1.0	1.0	1.0
Cash Funds	2,571,258	25,546,741	145,186,737	152,874,026	152,874,026
TOTAL - (3) Statewide Bridge Enterprise	2,571,258	25,546,741	145,186,737	152,874,026	152,874,026
<i>FTE</i>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>
Cash Funds	2,571,258	25,546,741	145,186,737	152,874,026	152,874,026

JBC Staff Figure Setting - FY 2023-24
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(4) HIGH PERFORMANCE TRANSPORTATION ENTERPRISE

This TABOR enterprise operates within the Department of Transportation. It pursues innovative means of financing and operating surface transportation infrastructure projects, including public-private partnerships, operating concession agreements, user fees, and design-build contracting. The Enterprise's projected revenues are shown in the Long Bill for informational purposes only.

High Performance Transportation Enterprise	<u>32,418,278</u>	<u>26,165,833</u>	<u>40,133,656</u>	<u>67,683,481</u>	<u>67,683,481</u>
FTE	9.0	9.0	9.0	9.0	9.0
Cash Funds	32,418,278	26,165,833	36,133,656	63,683,481	63,683,481
Reappropriated Funds	0	0	4,000,000	4,000,000	4,000,000

TOTAL - (4) High Performance Transportation Enterprise	32,418,278	26,165,833	40,133,656	67,683,481	67,683,481
<i>FTE</i>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>
Cash Funds	32,418,278	26,165,833	36,133,656	63,683,481	63,683,481
Reappropriated Funds	0	0	4,000,000	4,000,000	4,000,000

JBC Staff Figure Setting - FY 2023-24
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(5) SOUTHWEST CHIEF AND FRONT RANGE PASSENGER RAIL COMMISSION

The Southwest Chief and Front Range Passenger Rail Commission was created by H.B. 14-1161 to encourage Amtrak to continue the existing Southwest Chief rail line service and expand the line to Pueblo and potentially Walsenburg. The Commission was later tasked with facilitating development and operation of a system along the Interstate 25 corridor before being repealed and replaced by the Front Range Passenger Rail District in S.B. 21-238.

Southwest Chief and Front Range Passenger Rail

Commission	<u>589,060</u>	<u>293,375</u>	<u>0</u>	<u>0</u>
FTE	2.0	2.0	0.0	0.0
Cash Funds	589,060	293,375	0	0

TOTAL - (5) Southwest Chief and Front Range Passenger Rail Commission	589,060	293,375	0	0
<i>FTE</i>	<u>2.0</u>	<u>2.0</u>	<u>0.0</u>	<u>0.0</u>
Cash Funds	589,060	293,375	0	0

JBC Staff Figure Setting - FY 2023-24
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	FY 2020-21 Actual	FY 2021-22 Actual	FY 2022-23 Appropriation	FY 2023-24 Request	FY 2023-24 Recommendation
(6) SPECIAL PURPOSE					
This Long Bill division was created to organize various line item appropriations, and as a place to add new or temporary appropriations without creating new Long Bill divisions.					
First Time Drunk Driving Offenders Account	<u>1,002,227</u>	<u>459,310</u>	<u>1,500,000</u>	<u>1,500,000</u>	<u>1,500,000</u>
Cash Funds	1,002,227	459,310	1,500,000	1,500,000	1,500,000
Marijuana Impaired Driving Program	<u>446,629</u>	<u>949,663</u>	<u>950,000</u>	<u>950,000</u>	<u>950,000</u>
Cash Funds	446,629	949,663	950,000	950,000	950,000
Multimodal Transportation Projects	<u>0</u>	<u>16,437,866</u>	<u>114,800,000</u>	<u>7,390,320</u>	<u>7,390,320</u>
Cash Funds	0	16,437,866	114,800,000	7,390,320	7,390,320
Impairment Device Study	<u>0</u>	<u>0</u>	<u>751,649</u>	<u>0</u>	<u>0</u>
Cash Funds	0	0	751,649	0	0
Transportation Services for Vulnerable Populations, Including Seniors	<u>949,326</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
General Fund	949,326	0	0	0	0
TOTAL - (6) Special Purpose	2,398,182	17,846,839	118,001,649	9,840,320	9,840,320
FTE	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
General Fund	949,326	0	0	0	0
Cash Funds	1,448,856	17,846,839	118,001,649	9,840,320	9,840,320

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(7) NONATTAINMENT AREA AIR POLLUTION MITIGATION ENTERPRISE

The Nonattainment Area Air Pollution Enterprise was created by S.B. 21-260 and receives ongoing funding from the Air Pollution Mitigation Per Ride Fee and Air Pollution Mitigation Retail Delivery Fee. This appropriation is for informational purposes only and reflects anticipated Enterprise revenues.

Nonattainment Area Air Pollution Mitigation

Enterprise	<u>0</u>	<u>20,695</u>	<u>7,125,226</u>	<u>8,481,351</u>	<u>8,481,351</u>
Cash Funds	0	20,695	7,125,226	8,481,351	8,481,351

TOTAL - (7) Nonattainment Area Air Pollution Mitigation Enterprise	0	20,695	7,125,226	8,481,351	8,481,351
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Cash Funds	0	20,695	7,125,226	8,481,351	8,481,351

JBC Staff Figure Setting - FY 2023-24
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(8) CLEAN TRANSIT ENTERPRISE

The Clean Transit Enterprise was created by S.B. 21-260 and receives ongoing funding from the Clean Transit Retail Delivery Fee. The Clean Transit Enterprise Fund is subject to annual appropriation by the General Assembly.

Clean Transit Enterprise	<u>0</u>	<u>13,735</u>	<u>8,280,329</u>	<u>9,132,872</u>	<u>9,132,872</u>
Cash Funds	0	13,735	8,280,329	9,132,872	9,132,872

TOTAL - (8) Clean Transit Enterprise	0	13,735	8,280,329	9,132,872	9,132,872
<i>FTE</i>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
Cash Funds	0	13,735	8,280,329	9,132,872	9,132,872

TOTAL - Department of Transportation	1,891,641,157	1,918,687,755	1,790,022,188	1,785,722,101	1,785,722,101
<i>FTE</i>	<u>3,304.7</u>	<u>3,329.0</u>	<u>3,327.0</u>	<u>3,327.0</u>	<u>3,327.0</u>
General Fund	949,326	0	0	0	0
Cash Funds	1,355,274,014	1,393,869,647	955,302,209	954,540,508	954,540,508
Reappropriated Funds	1,115,885	1,243,026	5,478,096	5,478,096	5,478,096
Federal Funds	534,301,932	523,575,082	829,241,883	825,703,497	825,703,497