

# TRANSPORTATION

*Research Notes are prepared by Legislative Council Staff's nonpartisan research and committee staff. Research notes provide a summary of the bill, background information on the bill, and information on committee hearings and amendments adopted on the bill as it moves through the legislative process. Legislative Council Staff prepares final research notes for bills passed by the General Assembly as well as select bills that were considered but not adopted, and may be accessed through the links below. Research notes are provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly.*

## **Transportation Financing**

**HB 15-1046** *(Enacted)*

Highway Project Contract Amount Limit  
Waivers

## **Colorado Department of Transportation**

**HB 15-1209** *(Enacted)*

Colorado Department of Transportation  
Highway Maintenance Division



# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1209

**Short Title:** *CDOT Highway Maintenance Division*

**Prime Sponsors:** Representative Tyler  
Senator Scott

**Research Analyst:** Matt Kiszka (x6275)

### Current Status

This research note reflects the final version of the bill, which was signed by the Governor and became effective on March 30, 2015.

### Summary

The bill updates state law to better reflect the actual organizational structure of the Colorado Department of Transportation (CDOT) by eliminating the highway operations and maintenance division and incorporating its duties and functions into the highway maintenance division, which the bill creates as a statutory division under CDOT. The bill also clarifies the powers and duties of the highway maintenance division. Finally, the bill clarifies that required municipal and county annual reports concerning expenditures for city street and country road systems must be filed with the highway maintenance division, which must compile the reports into an annual state report.

### Background

Prior to the bill, there were two highway divisions operating under CDOT: the highway operations and maintenance division, which was created directly in statute; and the highway maintenance division, which was created administratively by the Transportation Commission as authorized in statute.

### House Action

***House Transportation and Energy Committee (February 19, 2015).*** At the hearing, a representative of CDOT testified in support of the bill. The committee referred the bill, unamended, to the House Committee of the Whole.

***House second reading (February 24, 2015).*** The House Committee of the Whole adopted the bill, unamended.

**House third reading (February 25, 2015).** The House adopted the bill, unamended.

#### **Senate Action**

**Senate Transportation Committee (March 12, 2015).** At the hearing, a representative of CDOT testified in support of the bill. The committee referred the bill, unamended, to the Senate Committee of the Whole, consent calendar.

**Senate second reading (March 17, 2015).** The Senate Committee of the Whole adopted the bill, unamended.

**Senate third reading (March 18, 2015).** The Senate adopted the bill, unamended.

**Date:** 11/9/2015  
**Version:** Final



# Legislative Council Staff

## Research Note

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**Bill Number:** HB15-1046

**Short Title:** *Highway Project Contract Amount Limit Waivers*

**Prime Sponsors:** Representative Moreno  
Senator Scott

**Research Analyst:** Matt Kiszka (x6275)  
**Current Status**

This research note reflects the final version of the bill, which was signed by the Governor and became effective on April 8, 2015.

### Summary

Under current law, if there are fewer than three bidders for a highway project contract, the Colorado Department of Transportation (CDOT) may generally only award the contract if it is no more than 10 percent over CDOT's project cost estimate. In instances where the contract is less than \$1.0 million, CDOT may only award the contract if it is no more than 25 percent over CDOT's project cost estimate.

The bill allows the executive director of CDOT to award a "design bid build" highway project contract where there are fewer than three bidders to the low responsible bidder regardless of CDOT's project cost estimate if the executive director determines in writing that doing so is in the financial, economic, or other interest of the state. The executive director's written determination must be included in the contract file and made publicly available by posting on CDOT's website. The executive director must also identify each project for which an award has been made pursuant to this bill in CDOT's annual State Measurements for Accountable, Reliable, and Transparent (SMART) Government Act presentation to the Joint Transportation Committee of the General Assembly.

The bill is repealed on July 1, 2018.

### Background

CDOT's Engineering Estimates and Market Analysis Unit is a four-person unit that produces project cost estimates using a line item cost estimation practice. Among the many factors considered in a project cost estimate are project schedule, historical project item costs, current market conditions, geographic location, material types and availability, labor costs, and market trends. "Design bid build" is a project delivery method where CDOT contracts with separate entities for the design and construction of a project.

## House Action

**House Transportation and Energy Committee (February 4, 2015).** At the hearing, representatives of CDOT and the Colorado Contractors Association testified in support of the bill. The committee adopted amendment L.006, which added a legislative declaration to the bill. It also adopted amendment L.008, which clarified that the bill applies to "design bid build" projects only, adds annual reporting requirements for CDOT, and repeals the bill effective July 1, 2018. The committee referred the bill, as amended, to the House Appropriations Committee.

**House Appropriations Committee (February 20, 2015).** The committee referred the bill, unamended, to the House Committee of the Whole.

**House second reading (February 24, 2015).** The House Committee of the Whole adopted the House Transportation and Energy Committee report and the bill.

**House third reading (February 25, 2015).** The House adopted the bill, unamended.

## Senate Action

**Senate Transportation Committee (March 17, 2015).** At the hearing, representatives of CDOT and the Colorado Contractors Association testified in support of the bill. The committee referred the bill, unamended, to the Senate Committee of the Whole, consent calendar.

**Senate second reading (March 24, 2015).** The Senate Committee of the Whole adopted the bill, unamended.

**Senate third reading (March 25, 2015).** The Senate adopted the bill, unamended.