



Commerce City

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A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY ACQUISITION COST-SHARING FOR US85 AND 120TH AVENUE INTERCHANGE PROJECT

Summary and Background Information:

The purpose of this resolution is to authorize the Mayor to enter into an IGA with CDOT for preconstruction activities and purchasing right-of-way for the US85 and 120th Avenue Interchange Project.

The City applied for and received a grant for preconstruction activities and purchasing right-of-way through the DRCOG 2020-2023 Transportation Improvement Program (TIP) process. The 2020-2023 TIP was adopted by the DRCOG board in August 2019.

Total funding for this phase of the project is \$12.6M - which includes a DRCOG Grant of \$8.7M, a CDOT contribution of \$1M, and a local match of \$2.9M (The local match consists of \$1.25M each from Adams County and Commerce City, as well as \$400K from Brighton). Once this IGA is approved, staff will be bringing forward additional IGA's with Adams County and Brighton for their contributions to the project.

The proposed 120th/US85 interchange design is a six-lane diverging diamond with two bridge structures (over US85 and the Union Pacific Railroad). Ramps from US 85 will be constructed to 120th Avenue with operational improvements on adjacent arterials to improve interchange operations. The current cost estimate to construct the interchange is \$90+ Million.

CDOT has completed the 30% design plans for the interchange. CDOT is still working on getting the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) approved through the Federal Highway Association (FHWA). We do not need to have the EA or FONSI approved to move forward with the right-of-way acquisitions. CDOT will be using their Right-of-Way Department to purchase the properties for the future interchange.

In 2020, CDOT and the City jointly applied for a Consolidated Rail Infrastructure & Safety Improvements (CRISI) grant through the Federal Railroad Administration (FRA). We will be applying for this grant again once the FRA is accepting applications. In addition, we requested transportation funds through Congressman Perlmutter's and Senator

Hickenlooper's offices. Unfortunately, we have not been awarded any additional funds for this project, thus far. Staff will continue to look for funding opportunities for the US85/120th interchange project.

Staff Responsible (Department Head): Joe Wilson, Director of Public Works

Staff Member Presenting: Brent Soderlin, City Engineer

Financial Impact: \$12.6M - Commerce City portion is \$1.25M

Funding Source:

\$8.7M from DRCOG, \$1M from CDOT, \$1.25M from Adams County, \$1.25M from Commerce City and \$400K from Brighton. PW requested \$8M in the 2022 CIPP for 120th/US85 Interchange (which includes the aforementioned \$1.25M and a potential funding match if a CRISI Grant is awarded for this project). **The City's payment obligations are contingent on appropriation in the 2022 budget.**

Staff Recommendation: Approval.

Suggested Motion: I move to approve Resolution 2021-56.