

CHAPTER 248

TRANSPORTATION

HOUSE BILL 25-1228

BY REPRESENTATIVE(S) Barron and Lindsay, Bird, Carter, Duran, Ricks, Valdez, McCluskie;
also SENATOR(S) Roberts and Kirkmeyer, Hinrichsen, Mullica, Pelton B., Pelton R.

AN ACT

CONCERNING THE SUSTAINABILITY OF STATE TRANSPORTATION INFRASTRUCTURE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly finds and declares that:

(a) Colorado is committed to fostering sustainability and addressing climate change; and

(b) Public infrastructure projects should not only prioritize economic and environmental cost efficiency in the initial project but should also consider the cost over the lifetime of the project, long-term sustainability, and community impact.

(2) The general assembly further finds and declares that amending the definition of "best value" for transportation contracts to include considerations of sustainability, life-cycle cost, resiliency, and carbon emissions will ensure that transportation projects align with Colorado's climate and environmental objectives.

SECTION 2. In Colorado Revised Statutes, 43-1-1402, **amend** the introductory portion and (2) as follows:

43-1-1402. Definitions. As used in this part 14, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(2) "Best value" means the overall maximum value of a proposal to the department after considering all of the evaluation factors described in the specifications for the transportation project or the request for proposals, including but not limited to the ~~time needed for performance~~ PROJECT SCHEDULE, INNOVATIVE

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SOLUTIONS, INCREASED SCOPE, IMPROVED QUALITY, AESTHETICS, SUSTAINABILITY, ENVIRONMENTAL IMPACT, RESILIENCE, INITIAL COST, AND LONG-TERM LIFE-CYCLE COST OF THE TRANSPORTATION PROJECT. ~~of the contract, innovative design approaches, the scope and quality of the work, work management, aesthetics, project control, and the total cost of the transportation project~~

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2026 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 24, 2025