



**NVTC COMMISSION MEETING**

**THURSDAY, MARCH 4, 2010**

**8:00 PM**

**NVTC CONFERENCE ROOM**

NOTE: A buffet supper will be provided for attendees.

**AGENDA**

**1. Oath of Office for New Commissioners.**

Supervisor John Cook has been selected by Fairfax County to replace Supervisor Pat Herrity on NVTC. Thelma Drake has been appointed as the new Director of the Virginia Department of Rail and Public Transportation. If Mr. Cook, Ms. Drake or any new commissioners are present, Chairman Hudgins will administer the oath of office.

Recommended Action: Administer oath of office if needed.

**2. Minutes of the NVTC Meeting of January 7, 2010.**

Recommended Action: Approval.

**3. FY 2011 State Transit Grant Applications.**

NVTC and local staffs have prepared and submitted electronically to DRPT grant applications for FY 2011 due February 1, 2010.

Recommended Action: Approve Resolution #2140 retroactively approving the applications.



#### 4. Appointment to VRE Operations Board.

Supervisor John Cook will replace Supervisor Pat Herrity as a voting member of the VRE Operations Board representing Fairfax County.

Recommended Action: Confirm the appointment of Supervisor Cook.

#### 5. VRE Items.

- A. Report from the VRE Operations Board and VRE's Chief Executive Officer--Information Item.
- B. Acquisition of Brooke Property--Action Item/Resolution #2141.
- C. Response to Testimony at NVTC's Public Hearing--Information Item.

#### 6. RFP for NVTA's TransAction 2040 Transportation Plan.

As it has done for previous TransAction plan updates, NVTC has agreed to prepare RFP No. 10-01. NVTA has approved the scope of work.

Recommended Action: Authorize NVTC staff to release the RFP.

#### 7. WMATA Items.

WMATA Board members will brief the commission on significant developments, including a search for a new General Manager, a contract with David Gunn to assess the system, an approved fare increase effective March 1, 2010 and a proposed budget for FY 2011.

Information Item.

#### 8. Legislative Items.

A progress report will be provided on the status of state and federal bills of interest.

Information Item.

#### 9. Regional Transportation Items.

Items of interest include an award of federal TIGER funds to MWCOG for several regional projects, including over \$30 million in Virginia.

Information Item.

#### 10. NVTC Financial Items for December, 2009 and January, 2010.

Information Item.



AGENDA ITEM #1

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube  
**DATE:** February 25, 2010  
**SUBJECT:** Oath of Office for New NVTC Commissioners

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New commissioners are required to receive an oath of office.

Chairman Hudgins will administer the following oath to any new commissioners:

*I do solemnly swear that I will support the constitution of the United States and the Commonwealth of Virginia and that I will faithfully discharge all the duties incumbent upon me as a member of the Northern Virginia Transportation Commission, according to the best of my ability.*



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AGENDA ITEM #2

MINUTES  
NVTC COMMISSION MEETING – JANUARY 7, 2010  
NVTC CONFERENCE ROOM, ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Zimmerman at 8:12 P.M.

**Members Present**

David Albo  
Charles Badger  
Sharon Bulova  
Adam Ebbin  
William D. Euille  
Jay Fisette  
John Foust  
Jeffrey Greenfield  
Pat Herrity  
Catherine Hudgins  
Mary Hynes  
Dan Maller  
Jeffrey McKay  
Paul Smedberg  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

Kelly Burk  
Mark R. Herring  
Joe May  
Thomas Rust

**Staff Present**

Rhonda Gilchrest  
Scott Kalkwarf  
Greg McFarland  
Adam McGavock  
Kala Quintana  
Jennifer Straub (VRE)  
Rick Taube  
Dale Zehner (VRE)



Minutes of the December 7, 2009 NVTC Meeting

Mrs. Bulova moved, with a second by Mrs. Hudgins, to approve the minutes. The vote in favor was cast by commissioners Badger, Bulova, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

VRE Items

Report from the VRE Operations Board. Mrs. Bulova asked commissioners to read the minutes of the December 19, 2009 VRE Operations Board meeting. Mr. Zehner reported that VRE has had its highest ridership for the last five days. January 6<sup>th</sup> was the highest in VRE's history with 18,629 daily passenger trips. On-time performance averaged systemwide was 90 percent overall for the past year. The first new locomotive is scheduled to be delivered in July, 2010 and then two will be delivered each month starting in November, 2010.

Mr. Zehner stated that basically VRE is at capacity with no room for growth over 19,000 daily passenger trips. Mr. McKay asked if ridership has increased more significantly on one line or has the increase been systemwide. Mr. Zehner stated that a few years ago ridership on the Manassas Line was decreasing and increasing on the Fredericksburg Line, but now there has been a flip where there is a six percent increase on the Manassas Line and a one percent decrease on the Fredericksburg Line. Some of the increase has to do with the \$230 transit benefit (which allows Manassas riders to not have any out of pocket expense). Also there has been increased parking along the Manassas Line with the new parking decks at Manassas and Burke Centre stations. Chairman Zimmerman noted that the new railcars are also a factor in increased ridership. Mr. Zehner stated that improved relations with the railroads have also contributed.

Delegate Albo arrived at 8:18 P.M.

Approval of FY 2011 VRE Capital and Operating Budget and Revisions to the FY 2010 Budget. Mrs. Bulova stated that the VRE Operations Board recommends commission approval of Resolution #2136, which would approve VRE's FY 2011 Capital and Operating Budget as well as revisions to the FY 2010 VRE Budget. Under the budget, VRE would continue to operate 30 trains each workday with projected average daily ridership of 16,200. There would be no fare increase and the total jurisdictional subsidy would be reduced to \$16.1 million, down \$0.3 million from FY 2010. Following successful passage by both NVTC and PRTC, the budget would be forwarded to the participating and contributing jurisdictions for their consideration under the terms of the VRE Master Agreement.

Mrs. Bulova moved, with a second by Mr. Smedberg to approve Resolution #2136 (copy attached). The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

Mrs. Bulova reviewed several issues discussed at the last Operations Board meeting, including the proposed plan to create more mid-day storage by terminating two trains at the L'Enfant Station and storing them there. VRE is in the process of providing outreach to riders to get a sense of how many riders would be affected. She explained that the Operations Board directed staff to do this and it provides an opportunity for the Operations Board to revisit this issue. Also, the Board provided guidance and asked VRE staff to evaluate the costs and benefits of purchasing versus leasing vehicles for the Keolis contract. Chairman Zimmerman stated that based on the estimates, a lease option would cost more. Mrs. Bulova clarified that it was her intent to include these two issues in the motion. There were no objections.

Mr. Maller stated that given ridership is 10 percent higher than what is assumed in the budget, he asked if more funds are needed for operations. Mr. Zehner stated that the 16,200 ridership assumed in the budget is an average and VRE does not experience 18,000 trips every day. Chairman Zimmerman observed that VRE is basically at capacity and once the additional express train is added, there is not much that can be done operationally. He stated that it will get to the point, once the third main line is complete, that it will be important for the railroads to allow VRE to run additional service.

The commission then voted on the resolution and it passed. The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

Extend Railroad Operating Contracts. Mrs. Bulova stated that the two resolutions are essentially the same and could be voted on together. Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2137 (CSXT Agreement) and Resolution #2138 (Norfolk Southern Agreement) that would extend the current operating agreements with these railroads through July 31, 2010 on the same terms while negotiations on revised agreements continue. The current extensions expire on January 31, 2010.

The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

Chairman Zimmerman also announced that next month will be a historic month for VRE when Spotsylvania County becomes a member of VRE on February 15, 2010.

### Election of Officers for 2010

Chairman Zimmerman reported that the NVTC's executive committee, serving as the nominating committee, has recommended the following slate of officers for 2010:

Chairman: Catherine Hudgins  
 Vice-Chairman: William Euille  
 Secretary-Treasurer: Mary Hynes

Mr. Herrity arrived at 8:26 P.M.

There were no additional nominations. Chairman Zimmerman moved, with a second by Mr. McKay, to approve the nominations. The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

Chairman Zimmerman administered the oath of office for the three new officers. Commissioners congratulated them.

On behalf of the commission, Chairman Hudgins thanked Mr. Zimmerman for his outstanding service as chairman in 2009. He was presented with a gift of appreciation.

### Selection of NVTC Representatives to Boards and Committees

Chairman Hudgins stated that some of these assignments may be contingent on subsequent action by local boards and councils. On behalf of the commission, Chairman Hudgins thanked Senator Whipple for her many years serving on VTA. Senator Whipple has decided to step down from this position and Mr. McKay has agreed to serve in her place. Mr. Euille stated that the city of Alexandria has appointed Rob Krupicka to serve as a NVTC alternate and he will also serve as an alternate on the VRE Operations Board. The following is a list of the board and committee assignments:

#### **WMATA Board**

##### Principals

Hon. Catherine Hudgins  
 Hon. Chris Zimmerman

##### Alternates

Hon. Jeffrey McKay  
 Hon. William Euille

**VRE Operations Board**Principals

Hon. Sharon Bulova  
 Hon. Patrick Herrity  
 Hon. Paul Smedberg  
 Hon. Chris Zimmerman

Alternates

Hon. Jeff McKay  
  
 Hon. Rob Krupicka  
 Hon. Jay Fissette

**Virginia Transit Association Board of Directors**Principals

Hon. Chris Zimmerman  
 Hon. William Euille

Alternates

Hon. Jeff McKay  
 Richard K. Taube

**NVTC Legislative Committee**

Hon. William Euille (Chairman)  
 Hon. Dave Albo (House of Delegates)  
 Hon. Mary Margaret Whipple (Senate)  
 Hon. Catherine Hudgins  
 Hon. Mary Hynes  
 Hon. Jeff Greenfield  
 Hon. Daniel Maller  
 Hon. Kelly Burk

**NVTC Executive Committee**

Hon. Catherine Hudgins, Chairman  
 Hon. William Euille, Vice Chairman  
 Hon. Mary Hynes, Secretary-Treasurer  
 Hon. Mary Margaret Whipple, General Assembly  
 Hon. Chris Zimmerman, (Immediate Past Chairman)

Mrs. Bulova moved, with a second by Mrs. Hynes, to approve the selections of NVTC's representatives on the Boards and Committees, subject to further jurisdictional action. The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fissette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

**Selection of NVTC Signatories and Pension Trustees**

Chairman Hudgins stated that NVTC needs to adopt Resolution #2139 to establish that the newly elected Secretary-Treasurer, Mary Hynes, is eligible to sign NVTC documents (including financial transactions) and to serve as a trustee of NVTCs



Employees' Pension Trust. Mr. Taube stated that the resolution reflects that he and Mr. Kalkwarf are also listed with the Secretary-Treasurer as NVTC signatories and trustees.

On a motion by Mrs. Bulova and a second by Senator Whipple, the commission unanimously approved Resolution #2139 (copy attached). The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

#### Public Hearing on and Approval of NVTC's 2010 Work Program and Schedule

Mr. Taube reported that the draft work program and schedule were posted on NVTC's website for a month for review by the public. Local staff discussed the work program in November and December. He then provided a brief review of the work program and 2009 accomplishments.

Chairman Hudgins opened the meeting for public comment at 8:35 P.M.

Mr. Ed Tennyson of Vienna, Virginia, began his remarks by saying that NVTC's work is prodigious, valuable and effective. He stated that NVTC must address the Metro funding problems. He also urged NVTC to seek legislation to put a 50 percent floor on the 95 percent state funding ratio. He suggested that if the motor fuels tax cannot be increased, the Commonwealth must add user charges at toll booths at the state's major river crossings and at the state line on major highways. NVTC must work to convince the federal government that the Dulles rail line should get more than 18 percent federal funding.

Mr. Tennyson also expressed his opinion that it is very important that WMATA not switch 100,000 weekday Metrorail passengers to Metrobus. Revenue will be lost; more bus capacity would need to be added, which is estimated to cost \$129,000 more a day (at an annual increase of \$49 million). The region cannot afford this.

Mr. Tennyson suggested raising the gasoline sales tax to 4.2 percent. At the same time, local governments must realize and accept that they are the last resort for WMATA funding. He also observed that VRE's budget looks very good with lower costs per passenger-mile than Metrorail and Fairfax Connector Bus, but there is an error in the budget. He stated that the proposed new express train will cost more than \$375,000. Also, he stated that CSX is improperly charging VRE for the new Amtrak Northeast Corridor trains and that CSX must shift the access charges to Amtrak, away from VRE. CSX has no right to charge VRE for Amtrak. Federal law gives Amtrak the right to use CSX tracks. He also stated that VRE liability insurance still costs too much.

Mr. Tennyson concluded by saying that NVTC should initiate a quarterly analysis of WMATA operations. To control costs, NVTC must review the cost per passenger-mile, the passenger-miles per car-mile and bus-mile (the load factor), the cost per car and bus hour, the passenger-miles per vehicle failure, the average speed and the passenger-miles per employee. This data should be provided to FTA.

Mr. Alan Muchnick, Board Member of the Virginia Bicycling Federation, stated that he is pleased that NVTC's work program includes an item to "analyze and report on bicycle access to transit." He observed that over the past decade, the region has made considerable progress in improving bicycle access to public transportation. He reviewed some specific progress. However, except for the new bike-on-rail access policy, there has been no bicycle parking improvements at VRE stations and the VRE website still provides inadequate information on bicycle parking accommodations and bicycling and walking access routes at VRE stations. He concluded by saying that VRE should provide quality bicycle parking in the form of both bicycle lockers and weather-protected bike racks at every suburban station. Mrs. Bulova stated that she would be happy to take Mr. Muchnick's written comments to VRE so there can be a discussion with the Operations Board.

Chairman Hudgins thanked Mr. Tennyson and Mr. Muchnick for their comments. Both gentlemen provided a written version of their testimony. Without any more citizens to comment, Chairman Hudgins concluded the public hearing and the commission returned to its regular meeting at 8:47 P.M.

Mr. Euille moved, with a second by Mrs. Bulova, to approve the 2010 work program and schedule. The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

#### FY 2010 NVTC Administrative Budget

Mr. Taube stated that the same budget has been reviewed as recently as mid-December by local staff and by the commission in September, 2009. For FY 2011, total local contributions are held constant at \$310,000, with individual local shares based on shares of state grants and regional gas taxes received from NVTC. Total local contributions have not increased since FY 2002. NVTC ended FY 2009 with an unappropriated surplus of almost \$60,000, which is being used to help fund this proposed FY 2011 budget. The NVTC budget freezes staff salaries for the second consecutive year and total expenditures are held constant again.

Mr. Zimmerman moved, with a second by Mr. Smedberg, to approve the budget. The vote in favor was cast by commissioners Albo, Badger, Bulova, Euille, Fisette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

Delegate Ebbin arrived and joined the meeting.

#### Authorize Award of a Contract and Related Actions for Design of the Vanpool Incentive Program

Mr. Taube reported that two proposals were received in response to the RFP issued by FAMPO for the joint NVTC/FAMPO regional initiative to design a Vanpool Incentive Program. The program should increase vanpooling as well as generate additional federal transit formula funds. The selection committee is recommending that VHB be the lead contractor. Frank Spielberg will be the project manager. The selection committee is planning to meet with Mr. Spielberg and his team to tweak the proposal before the contract is executed and the Notice to Proceed is granted. Although the documents are not available for commissioner review because they are still being negotiated, Mr. Taube proposed that the commission authorize staff to complete the documents and then have legal counsel review them once they are finalized before they are executed. Other alternatives include the commission waiting to see the documents before action is taken, or having jurisdictional staff (Management Advisory Committee) also review the documents.

Mr. Zimmerman moved to authorize staff to complete negotiations and after review by legal counsel and the Management Advisory Committee, execute the contracts. Mrs. Bulova seconded the motion. The vote in favor was cast by commissioners Albo, Badger, Bulova, Ebbin, Euille, Fisette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

### Status of Transition to the 2.1 Percent NVTC/PRTC Motor Fuels Tax

Mr. Taube reported that NVTC has not received a response to its letter to the Virginia Department of Taxation (TAX) regarding NVTC's concerns about the tax guidelines. He asked for guidance from commissioners on what should be the next step. Senator Whipple stated that she updated Senator Saslaw, who immediately contacted the Department of Taxation. It was his understanding that the guidelines would be changed, but that apparently has not happened. She offered to contact Senator Saslaw and the Senate Finance staff for further assistance to communicate with the Department of Taxation to see if there can be a meeting on a staff-to-staff level. She is very disappointed that the Department of Taxation has not responded. She asked if NVTC should write to the governor.

Mr. Maller observed that the tax change went into effect January 1<sup>st</sup>, so by the time a letter is received by Governor Kaine, it may be too late if he has already left office. Time is of the essence. In response to a question from Mrs. Bulova, Senator Whipple stated that the TAX Commissioner is an appointed position, although it is held by a career person. Therefore, it could change with the new administration. Mr. Zimmerman observed that a new TAX Commissioner could solve some problems, but there are also inherent issues of having to re-educate a new person. NVTC is trying to get the TAX Commissioner to follow the law. He expressed his opinion that NVTC should not seek some kind of legislative change, because it is already addressed in the law. It is the best hope that Senator Whipple's conversation with Senator Saslaw will result in some action. If a letter is needed it should be a terse letter to the governor requesting it be resolved before the governor leaves office. A \$1 million loss each year is at stake.

Mrs. Bulova moved, with a second by Mrs. Hynes, to send a letter to the governor. The vote in favor was cast by commissioners Albo, Badger, Bulova, Ebbin, Euille, Fisette, Foust, Greenfield, Herrity, Hudgins, Hynes, Maller, McKay, Smedberg, Whipple and Zimmerman.

Mr. Maller stated that it would be worth understanding what legal remedies are available. Mr. McKay asked if it would be beneficial to request a meeting with TAX Commissioner Bowen when NVTC commissioners are in Richmond on February 11, 2010.

### Legislative Items

Mr. Taube stated that NVTC has provided copies of its Legislative Agenda for 2010 to the Northern Virginia General Assembly Delegation and members of Governor-Elect McDonnell's transition team among others. NVTC is in the process of working with legislative staff to draft legislation and find sponsors. NVTC commissioners have been invited to attend a "Down-Home BBQ" legislative reception hosted by the Virginia Transit Association on February 1<sup>st</sup> in Richmond.

Mr. McKay stated that it has been announced that Congress has authorized \$150 million for Route 1 improvements related to BRAC implications at Fort Belvoir. This includes \$500,000 to study the rail bed that runs from the Franconia/Springfield Metrorail station into the main post at Fort Belvoir to see if it could be adapted to run express bus service on this already existing right-of-way. He stated that NVTC should be involved in this study.

Mrs. Hynes stated that NVTC's Legislative Agenda includes seeking legislation to require motorists to stop for pedestrians at marked crosswalks in intersections without traffic signals where posted speeds are 35 mph or less. She stated that this is important legislation since there have been three different incidents with "not quite misses" with high school students in crosswalks in just the last six weeks. If NVTC can find a patron for this legislation, there is some good testimony that can be presented. Delegate Ebbin stated that it is his understanding that Senator George Barker has agreed to be a patron.

### WMATA Items

Mr. Zimmerman provided an overview of WMATA's budget problems, which includes a \$175 million gap in the next year's budget. Today the WMATA Board addressed the current budget which has a \$40 million gap. Staff made a proposal in December to cut the budget by this amount. At today's meeting, it was concluded that it should not be done without a public hearing, because the proposal includes service cuts as well as capital reductions. A temporary 10-cent surcharge will be put to hearing to fill the current budget gap. The hearing will be in three weeks. Mr. Euille stated that WMATA can still cut its workforce for further savings. Mr. Fisette asked how the stimulus funding relates to the budget. Mr. Zimmerman stated that it is to be spent for capital and wasn't meant to solve budget problems. Chairman Hudgins stated that it is important for the public to understand WMATA's current capital commitments and the stimulus funds will be used for already identified needs. Mr. Foust asked what revenue would be generated from a 10-cent surcharge. Mr. Zimmerman stated that further estimates need to be made but preliminary estimates are that a 10-cent surcharge

systemwide would generate approximately \$8 million. Mr. Maller asked if the Metro Compact allows for differential rates in the different jurisdictions. Mr. Zimmerman explained that rail fares are based on a distance formula.

In response to a question from Delegate Albo, Mr. Euille explained that there are 60 positions being proposed to be cut by WMATA to help meet the \$40 million gap, but he feels that that number can be increased.

NVTC Financial Items for November, 2009

Commissioners were provided with a copy of NVTC's financial reports. There were no questions or comments.

Adjournment

Mr. Euille moved to adjourn and Mrs. Bulova seconded. Without objection, Chairman Hudgins adjourned the meeting at 9:21 P.M.

Approved this 11<sup>th</sup> day of February, 2010.

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Catherine Hudgins  
Chairman

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Mary Hynes  
Secretary-Treasurer



AGENDA ITEM #3

**MEMORANDUM**

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube and Scott Kalkwarf  
**DATE:** February 25, 2010  
**SUBJECT:** NVTC's Authorization to Submit FY 2011 State Grant Applications.

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NVTC's applications on behalf of WMATA, VRE and the commission's local jurisdictions were due February 1, 2010. To meet this deadline, NVTC staff submitted electronically the attached materials. They have been carefully reviewed by local staff. The commission is asked to adopt Resolution #2140, which confirms the commission's support of these applications and is a requirement of the Virginia Department of Rail and Public Transportation.

An attachment compares total eligibility for WMATA and the local bus systems for FY 2011 versus 2010. As can be seen, for NVTC's jurisdictions and WMATA the FY 2011 eligibility is about \$14.1 million more than in FY 2010 for capital and \$1.9 million less for operations.

In addition, DRPT has \$50 million in FY 2011 in its six-year program to match new federal funding for WMATA.

For VRE, the FY 2011 eligibility is about \$1.2 million more than in FY 2010 for capital and about \$2.7 million more for operations.

The amount of assistance actually received by NVTC for FY 2011 is likely to be much less than the eligible amount of \$249.9 million plus \$28.9 million for VRE plus up to \$50 million to match federal assistance for WMATA (unless the General Assembly acts to provide significantly greater funding).





## RESOLUTION #2140

**SUBJECT:** Approval of FY 2011 NVTC and VRE State Administrative/FTM, Capital, and Related Grant Applications and Authority to Apply for Funds from the Commonwealth Transportation Board, Federal Transit Administration and other Grant Agencies.

**WHEREAS:** The Northern Virginia Transportation Commission (NVTC) wishes to obtain state and federal grants to help defray NVTC, WMATA, local bus systems and Virginia Railway Express (VRE) operating and capital costs.

**NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission's executive director is authorized, for and on behalf of NVTC and its members, 1) to execute and file an application to the Virginia Department of Rail and Public Transportation (DRPT), for grants of public transportation assistance for the fiscal year 2011 commencing July 1, 2010 in the amount of \$160.736 million to defray the public transportation cost of NVTC and its members for administration, fuels, tires, lubricants and maintenance parts at a matching ratio of 95%; 2) to accept from DRPT grants in such amounts as may be awarded; and 3) to furnish DRPT such documents and other information as may be required for processing the grant request.

**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized, for and on behalf of NVTC and its members, 1) to execute and file an application to DRPT, for grants of public transportation assistance for FY 2011 for capital expenses in an amount that will not exceed \$89.212 million to defray up to 95 percent of the costs borne by NVTC and its members for equipment, facilities and the associated expenses of any approved capital grant as well as for up to \$50 million included in DRPT's six-year program for FY 2011 to match new federal funding for WMATA; 2) to revise the capital portion of the application to reflect refined estimates by WMATA or local governments when they become available; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.





**RESOLUTION #2140**

**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized, for and on behalf of NVTC and PRTC and their members, 1) to execute and file FY 2011 VRE applications to DRPT and to seek up to \$16.081 million for FTM and administrative costs and up to \$12.831 million for capital; 2) to revise the application to reflect refined estimates by VRE; 3) to accept from DRPT grants in such amounts as may be awarded; and 4) to furnish to DRPT such documents and other information as may be required for processing the grant request.

**BE IT FURTHER RESOLVED** that NVTC certifies that the funds for all of the above grants will be used in accordance with the requirements of Section 58.1 638.A.4 of the Code of Virginia, that NVTC will provide matching funds in the ratio required by the Act, that the records of receipts of expenditures of funds granted to NVTC may be subject to audit by DRPT and by the State Auditor of Public Accounts, and that funds granted to NVTC for defraying the public transportation expenses of NVTC shall be used only for such purposes as authorized in the Code of Virginia.

**BE IT FURTHER RESOLVED** that NVTC's executive director is authorized, for and on behalf of NVTC and its members, to furnish to TPB, CTB and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

Approved this 4<sup>th</sup> day of March, 2010.

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Catherine Hudgins  
Chairman

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Mary Hynes  
Secretary-Treasurer

**NVTC**  
**SUMMARY OF STATE CAPITAL AND FORMULA GRANT ASSISTANCE APPLICATIONS**  
**FOR FY 2011**

<u>NVTC</u>	<u>FY 11</u>	<u>FY 10</u>	<u>Increase (Decrease)</u>
<b><u>CAPITAL</u></b>			
<b>Local Capital (see schedule A)</b>			
Alexandria	-	-	-
City of Fairfax	13,000	-	13,000
Fairfax County	23,385,000	4,642,000	18,743,000
Arlington	11,857,500	11,770,000	87,500
Falls Church	-	-	-
Total	<u>35,255,500</u>	<u>16,412,000</u>	<u>18,843,500</u>
Eligibility amount @95%	<u>33,492,725</u>	<u>15,591,400</u>	<u>17,901,325</u>
<b>WMATA Capital (see schedule B)</b>			
FY 11 CIP Requirments	39,630,634	-	39,630,634
WMATA Debt Service	7,412,486	7,412,486	-
Metro Matters Program	57,132	54,450,000	(54,392,868)
Jurisdicton Debt Service - MM Opt Out	10,726,626	-	10,726,626
Project Development	825,000	825,000	-
Total	<u>58,651,878</u>	<u>62,687,486</u>	<u>(4,035,608)</u>
Eligibility amount @95%	<u>55,719,285</u>	<u>59,553,112</u>	<u>(3,833,827)</u>
<b>Total Capital</b>	<u>93,907,378</u>	<u>79,099,486</u>	<u>14,807,892</u>
<b>Eligibility amount @95%</b>	<u>89,212,010</u>	<u>75,144,512</u>	<u>14,067,498</u>
<b>WMATA Dedicated Funding (see schedule B)</b>	<u>50,000,000</u>	<u>-</u>	<u>50,000,000</u>
<b><u>OPERATING FTM/ADMIN (see schedule C)</u></b>			
Eligibility amount @ 95%			
WMATA	138,487,382	137,382,403	1,104,979
Local	22,248,487	25,286,168	(3,037,681)
Total operating eligibility	<u>160,735,869</u>	<u>162,668,571</u>	<u>(1,932,702)</u>
<b><u>VRE</u></b>			
<b><u>CAPITAL (see schedule D)</u></b>			
Total budget (non-federal)	13,507,093	12,265,369	1,241,724
Eligibility amount @ 95%	<u>12,831,739</u>	<u>11,652,101</u>	<u>1,179,638</u>
<b><u>OPERATING FTM/ADMIN</u></b>			
Eligibility amount @ 95%	<u>16,081,341</u>	<u>13,380,785</u>	<u>2,700,556</u>

**NVTC**  
**APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE**  
**LOCAL CAPITAL**  
**FY 2011**

**SCHEDULE A**

	<u>TOTAL COST</u>	<u>FEDERAL</u>	<u>NON- FEDERAL</u>
<b>CITY OF ALEXANDRIA</b>			
Total	-	-	-
<b>CITY OF FAIRFAX</b>			
Purchase Fare Collection Equipment (Fareboxes)	13,000	-	13,000
Total	13,000	-	13,000
<b>FAIRFAX COUNTY</b>			
Bus Construction Maint. Facility - West Ox Parking	1,000,000		1,000,000
Bus Rehab/Renovation of Maint Facility - Herndon Renovation	400,000		400,000
Construction of Rail Related Facility - Wiehle Parking Garage	4,200,000		4,200,000
Construction of Rail Related Facility - Vienna Metro Vert. Circ.	500,000		500,000
Engine Assembly, Spare Parts, ACM	25,000		350,000
Columbia Pike Corridor	1,000,000		1,000,000
Stringfellow Rd. Park and Ride Lot Expansion	4,500,000		4,500,000
Purchase Bike Racks, ITS or Misc Equip. - Herndon & Huntinton ITS	250,000		250,000
Purchase Expansion Bus - 40-ft (10)	4,000,000		4,000,000
Purchase Passenger Shelters	1,300,000		1,300,000
Purchase Replacement Bus - 40-ft (12)	4,800,000		4,800,000
Purchase Shop Equipment - Mobile Lifts	200,000		200,000
Purchase Shop Equipment - Urea Storage and Pumping	635,000		635,000
Purchase Surveillance / Security Equipment	250,000		250,000
Total	23,060,000	-	23,385,000
<b>ARLINGTON</b>			
Bus Construction Admin/Maint Facility - Art House	5,625,000	-	5,625,000
Purchase Bus Equipment and Fareboxes	720,000	-	720,000
Crystal City Potomac Yard Transitway - Construction	1,500,000	-	1,500,000
Crystal City Street Car Planning and Design	1,000,000	-	1,000,000
Fairfax Drive Sidewalk Ped and Bus Stop Improvements	500,000	-	500,000
Rosslyn Metro Realignment Study	125,000	-	125,000
Pentagon City Tunnel	140,000	-	140,000
Crystal City Potomac Yard - Match for Shared Earmark	612,500	490,000	122,500
CNG Hybrid Bus Purchase - Supp. Funds for Fed. Grant	500,000	-	500,000
Bus Stop/Shelter Improvement Program	125,000	-	125,000
Columbia Pike Street Car	1,500,000	-	1,500,000
Total	12,347,500	490,000	11,857,500
<b>CITY OF FALLS CHURCH</b>			
Total	-	-	-
<b>GRAND TOTAL</b>	<b>35,420,500</b>	<b>490,000</b>	<b>35,255,500</b>

NVTC  
 APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE  
 WMATA CAPITAL SUBSIDIES  
 FY 2011

**SCHEDULE B**

	<u>Alexandria</u>	<u>Arlington</u>	<u>Fairfax City</u>	<u>Fairfax County</u>	<u>Falls Church</u>	<u>Total</u>
FY 11 CIP Requirements (a)	6,361,108	11,231,266	371,849	21,213,450	452,961	39,630,634
WMATA Debt Service (c)	1,418,184	2,740,174	46,723	3,168,927	38,478	7,412,486
Metro Matters Program (d)	-	-	-	-	57,132	57,132
Jurisdiction Debt Service - MM Opt Out (e)	602,429	1,605,347	-	8,518,850	-	10,726,626
Project Development (f)	133,000	261,000	6,000	417,000	8,000	825,000
Reimbursable Projects (g)	-	-	-	-	-	-
Total	<u>8,514,721</u>	<u>15,837,787</u>	<u>424,572</u>	<u>33,318,227</u>	<u>556,571</u>	<u>58,651,878</u>
FY 11 CIP Dedicated Funding (b)						50,000,000
Grand Total						<u>108,651,878</u>

(a) Virginia share of FY11 Construction Improvement Program fundable by DRPT. Excludes portion of CIP to be funded with state match to federal dedicated funds. Preventative maintenance has been excluded from the capital assistance request, but included in the operating assistance request according to DRPT requirements.

(b) The FY11 proposed Construction Improvement Program includes \$150 million of federal dedicated funding which requires a \$150 million match. DRPT has included \$50 million for FY11 in the FY10 six year plan.

(c) Gross Revenue Transit Refunding Bonds Series 1993 and 2003 maturing FY 2011 and FY 2014 respectively.

(d) Balance due under Metro Matters program for those members who did not opt out of the FY09 debt issue.

(e) Debt Service to be incurred by jurisdictions on their share of debt used to opt out of the Metro Matters FY09 debt issue.

(f) Project Development - a regional reimbursable project stated separately from the FY11 CIP

(g) Reimbursable projects - These are non-regional projects that the individual jurisdictions include on their respective jurisdiction state capital grant requests based upon their understanding of the current year budgeted expenditures.

SCHEDULE C

NVTC  
APPLICATION FOR FTM/ADMIN OPERATING FORMULA ASSISTANCE  
FY 2011

	LOCAL SYSTEMS						TOTAL		
	City of		Fairfax County		Arlington County		Falls Church	LOCAL SYSTEMS	NVTC & WMATA
	Alexandria	Fairfax	Fairfax	County	County	County	Church	SYSTEMS	NVTC
FY09 total operating expenses (certification)	13,902,507	2,829,837	46,954,246	8,757,164	645,641	73,089,395	347,914,882	421,004,277	
FTM	1,659,190	547,500	6,696,195	1,268,110	38,549	10,209,544	44,156,610	54,366,154	
Administrative Expenses	1,934,950	174,680	6,250,257	4,773,222	76,807	13,209,916	119,198,014	132,407,930	
Other Operating Expenses	10,308,367	1,943,488	51,557,953	6,026,711	141,144	69,977,663	203,143,075	273,120,738	
Total Operating Expenses	13,902,507	2,665,668	64,504,405	12,068,043	256,500	93,397,123	366,497,699	459,894,822	
Total Operating Revenue	3,634,000	663,000	9,829,742	3,182,162	47,275	17,356,179	220,721,507	238,077,686	
Deficit	10,268,507	2,002,668	54,674,663	8,885,881	209,225	76,040,944	145,776,192	221,817,136	
Total Federal / Other State Operating Asst	-	-	-	-	-	-	-	-	
Deficit before State Operating Assistance	10,268,507	2,002,668	54,674,663	8,885,881	209,225	76,040,944	145,776,192	221,817,136	

Eligibility Amounts -  
FTM/Admin @ 95%      3,414,433      686,071      12,299,129      5,739,265      109,588      22,248,487      138,487,382      160,735,869

NVTC  
VRE  
APPLICATION FOR STATE CAPITAL GRANT ASSISTANCE  
FY 2011

SCHEDULE D

	<u>Per Application</u>			
	<u>Total Cost</u>	<u>Federal</u>	<u>Fed Source</u>	<u>Non-Federal</u>
1) Capital Fleet Expansion - Locomotives	4,125,000	3,300,000	CMAQ	825,000
2) Capital Fleet Expansion - Locomotives	2,933,000	2,346,400	FTA 5309	586,600
3) Capital Fleet Expansion - Locomotives	3,157,000	2,525,600	FTA 5307	631,400
4) Track Lease/Improvements	12,020,000	9,616,000	Statewide STP Requested	2,404,000
5) Fare Collection II	123,000	98,400	FTA 5307	24,600
6) Fare Collection Upgrade	400,000	320,000	FTA 5309	80,000
7) Facilities Infrastructure Renewal	100,000	80,000	FTA 5309	20,000
8) Broad Run Yard Expansion	435,000	348,000	FTA 5307	87,000
9) Broad Run Yard Expansion	293,000	234,400	FTA 5309	58,600
10) Mid-Day Storage	555,000	444,000	FTA 5307	111,000
11) Mid-Day Storage	1,154,000	923,200	FTA 5309	230,800
12) Sumitomo Acquisition - Cab Cars	1,931,357	1,545,086	FTA 5309	386,271
13) Sumitomo Acquisition - 50 Car Option \$2.5M	1,448,000	1,158,400	FTA 5309	289,600
14) Sumitomo Acquisition - 50 Car Option \$2.5M	1,052,000	841,600	FTA 5307	210,400
15) Sumitomo Acquisition - 50 Car Option \$1.225M	1,225,000	980,000	FTA 5307	245,000
16) Sumitomo Acquisition - 10 Car Option \$1.05M	1,050,000	840,000	FTA 5307	210,000
17) Debt Service 1993 & 1998	6,765,622	-		6,765,622
18) Rolling Stock Modifications	1,019,000	815,200	FTA 5307	203,800
19) Enhancement Grant	100,000	80,000	Other Federal Source	20,000
20) Grant and Project Management/Training	400,000	320,000	FTA 5307	80,000
21) Grant and Project Management/Training	319,000	255,200	FTA 5309	63,800
22) Security Enhancements	100,000	80,000	FTA 5307	20,000
23) Capital Project Contingency	58,000	46,400	FTA 5307	11,600
24) Capital Project Contingency	100,000	80,000	FTA 5309	20,000
25) Construction Management	100,000	80,000	FTA 5309	20,000
26) RailCars 2011	250,000	200,000	FTA 5309	50,000
27) Broad Run Parking Deck	2,420,000	1,936,000	CMAQ	484,000
28) Brooke Parking	800,000	640,000	CMAQ	160,000
29) Leeland Parking	800,000	640,000	CMAQ	160,000
30) Lorton Second Platform	1,750,000	1,400,000	CMAQ	350,000
31) Capital Cost of Contracting - PM	1,000,000	800,000	FTA 5307	200,000
32) Additional Locomotive Earmark	3,750,000	3,000,000	CMAQ	750,000
33) Additional Federal Funding/Locomotives	760,000	608,000	FTA 5309	152,000
Track Lease - STP funding	(12,020,000)	(9,616,000)		(2,404,000)
	<b>40,472,979</b>	<b>26,965,886</b>		<b>13,507,093</b>



AGENDA ITEM #4

**MEMORANDUM**

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube  
**DATE:** February 25, 2010  
**SUBJECT:** Appointment to VRE Operations Board.

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Fairfax County has asked that Supervisor John Cook replace Supervisor Pat Herry as a voting member of the VRE Operations Board. The commission is asked to vote to confirm Mr. Cook's appointment.



4350 N. Fairfax Drive • Suite 720 • Arlington, Virginia 22203  
Tel (703) 524-3322 • Fax (703) 524-1756 • TDD (800) 828-1120 • VA Relay Service  
E-mail [nvtdc.org](mailto:nvtdc.org) • Website [www.thinkoutsidethecar.org](http://www.thinkoutsidethecar.org)



AGENDA ITEM #5

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube  
**DATE:** February 25, 2010  
**SUBJECT:** VRE Items

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- A. Report from the VRE Operations Board and VRE's Chief Executive Officer--Information Item.
- B. Acquisition of Brooke Property--Action Item/Resolution #2141.
- C. Response to Testimony at NVTC's Public Hearing--Information Item.



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Report from the VRE Operations Board and Chief Executive Officer

Copies of the Operations Board minutes from January 15 and February 19, 2010 are attached, together with reports on ridership and on-time performance. On February 16<sup>th</sup> VRE ridership exceeded 19,000 for the first time. Also attached is an announcement of the award of \$75 million of federal high speed rail funds to construct 11-miles of third main line between Cherry Hill and Arkendale on VRE's Fredericksburg line. Minutes of the VRE Operations Board meeting of February 19, 2010 will be provided.



# CHIEF EXECUTIVE OFFICER'S REPORT

January 2010

## MONTHLY DELAY SUMMARY

	September	October	November	December
<b>System wide</b>				
Total delays	36	80	94	64
Average length of delay (mins.)	15	16	18	17
Number over 30 minutes	2	7	11	9
Days with Heat Restrictions/Total days	0/21	0/21	0/21	0/22
On-Time Performance	94.1%	86.9%	82.40%	89.1%
<b>Fredericksburg Line</b>				
Total delays	13	27	34	37
Average length of delay (mins.)	14	19	20	21
Number over 30 minutes	0	3	5	8
On-Time Performance	95.2%	90.1%	85.80%	86.1%
<b>Manassas Line</b>				
Total delays	23	53	60	27
Average length of delay (mins.)	16	14	17	13
Number over 30 minutes	2	4	6	1
On-Time Performance	93.2%	84.2%	79.60%	91.6%

## SYSTEM RIDERSHIP

Our initial ridership reports are not final at this time as VRE rider counts for Amtrak trains are currently not available. Without these numbers, overall ridership for the fiscal year is 2.2% higher than this time last year. The ridership trend of high growth on the Manassas Line is continuing with preliminary numbers over 7.0% higher than last year. Despite consistently good on-time performance on the Fredericksburg Line, ridership there is still down more than 1%.

## HIGHEST RIDERSHIP DAYS

Continuing a year-long positive ridership growth trend, on Wednesday, January 6, 2010, VRE posted its highest daily ridership ever with 18,629. Tuesday, January 5th, VRE posted its second highest daily ridership ever with 18,315 passenger trips. Both the Fredericksburg and Manassas lines simultaneously carried over 9,000 passenger trips on both days. The next three highest ridership days were December 15 - 18,161; December 3 - 18,065; and December 1 - 18,028. As noted, VRE ridership has continued to grow at a time when other regional and national public transportation agencies are seeing a downward trend.

## **ON TIME PERFORMANCE**

---

OTP on the Fredericksburg Line for the month of December was 86.1% and the Manassas Line was 91.6%. When looking back over the calendar year, the Fredericksburg Line posted monthly on-time performance rates of 90% or better six months in 2009. By comparison, the Fredericksburg Line had only one month over 90% in calendar year 2008. The Manassas Line had nine months of 90% or better performance in 2009, compared with three months in 2008.

## **BROOKE AND LEELAND ROAD PROJECTS**

---

FTA is currently reviewing the environmental document for the proposed Brooke parking project. FTA is concurrently reviewing a hardship request for advanced acquisition of an adjacent property. Unfortunately, federal funds cannot be used until FTA approves the environmental document and property acquisition. The proposed project will create an additional 200 surface lot parking spaces.

FTA is also reviewing the environmental document for the Leeland Road proposed parking project. The Operations Board awarded a contract for final design in November 2009. The design work will not begin until the environmental document is approved by FTA.

The radio telecommunication facility has been installed at the Leeland Road site and is expected to be operational this spring once Stafford County approves an easement for Dominion Virginia Power to connect to the site.

## **WOODBIDGE STATION UPDATE**

---

The Woodbridge station recently received a “facelift” to go along with the new platform. A fresh coat of paint was applied, landscaping was revitalized and broken bricks replaced. The major item left to be completed on the second platform is the elevator installation, which will occur later this month and we expect this new platform to be operational by February 2010.

## **FINAL TEN RAIL CARS**

---

The final ten new rail cars will be delivered this month. The arrival of these cars will complete the order and bring the total number of new cars in the fleet to 71.

**MONTHLY PERFORMANCE MEASURES – DECEMBER 2009**

<b>MONTHLY ON-TIME PERFORMANCE</b>	<b>ON-TIME PERCENTAGE</b>
December Fredericksburg OTP Average	86.1%
December Manassas OTP Average	91.6%
<b>VRE DECEMBER OVERALL OTP AVERAGE</b>	<b>89.1%</b>

<b>RIDERSHIP YEAR TO DATE</b>	<b>RIDERSHIP</b>
VRE FY 2010 Passenger Totals	1,961,401 (PRELIMINARY)
VRE FY 2009 Passenger Totals	1,919,462 (FINAL)
<b>PERCENTAGE CHANGE</b>	<b>2.2% (PRELIMINARY)</b>

<b>RIDERSHIP MONTH TO MONTH COMPARISON</b>	
<b>DESCRIPTION</b>	<b>MONTHLY RIDERSHIP</b>
DECEMBER 2009	234,849
DECEMBER 2008	237,047
<b>PERCENTAGE CHANGE</b>	<b>6.1% (NORMALIZED)</b>
SERVICE DAYS (CURRENT/PRIOR)	14* / 15

\*DUE TO INCLEMENT WEATHER AND THE HOLIDAYS, ONLY THE FIRST 3 WEEKS OF DECEMBER ARE BEING COMPARED WITH THE SAME PERIOD IN DECEMBER 2008.

# Monthly Ridership and OTP: December 2009 (Un-Finalized)

Date	Manassas AM	Manassas PM	Total Manassas	Actual OTP TD	Fred'burg AM	Fred'burg PM	Fred'burg Total	Actual OTP TD	Total Trips	Actual OTP TD
1	4,322	4,346	8,668	100%	4,613	4,747	9,360	100%	18,028	100%
2	4,277	4,387	8,664	100%	4,434	4,669	9,103	77%	17,767	90%
3	4,425	4,523	8,948	94%	4,719	4,398	9,117	92%	18,065	93%
4	3,458	3,979	7,437	94%	3,737	4,087	7,824	100%	15,261	97%
5										
6										
7	4,304	4,320	8,624	81%	4,354	4,099	8,453	77%	17,077	79%
8	4,396	4,483	8,879	94%	4,537	4,380	8,917	85%	17,796	90%
9	4,261	4,381	8,642	100%	4,124	4,186	8,310	85%	16,952	93%
10	4,205	4,245	8,450	88%	4,095	4,085	8,180	92%	16,630	90%
11	3,439	3,599	7,038	100%	3,249	4,060	7,309	92%	14,347	97%
12										
13										
14	4,439	4,496	8,935	88%	3,956	4,356	8,312	100%	17,247	93%
15	4,477	4,554	9,031	94%	4,516	4,614	9,130	85%	18,161	90%
16	4,223	4,339	8,562	100%	3,938	4,399	8,337	100%	16,899	100%
17	4,241	4,310	8,551	94%	4,165	4,206	8,371	100%	16,922	97%
18	3,312	3,201	6,513	88%	3,645	3,539	7,184	62%	13,697	76%
19										
20										
21	547	580	1,127	50%	276	464	740	38%	1,867	44%
22	3,380	2,630	5,960	63%	3,090	3,089	6,179	63%	12,139	63%
23	3,367	2,813	6,180	88%	3,013	3,400	6,413	85%	12,593	86%
24	1,042	912	1,954	100%	1,144	1,367	2,511	75%	4,465	88%
25										
26										
27										
28	2,330	2,367	4,697	100%	2,693	2,819	5,512	100%	10,209	100%
29	2,753	2,780	5,533	100%	3,139	3,159	6,298	100%	11,831	100%
30	2,422	2,618	5,040	75%	2,950	2,865	5,815	62%	10,855	69%
31	1,403	1,290	2,693	100%	1,661	1,670	3,331	100%	6,024	100%
	74,973	75,153	150,126	92%	76,048	78,658	154,706	86%	304,832	89%
	Adjusted total:		138,392		Adjusted Total:		141,945	Adjusted Total:	280,337	

# of Service Days: 18  
 Manassas Daily Avg. Trips: 6,824 Adjusted Avg.: 7688  
 Fred'burg Daily Avg. Trips: 7,032 Adjusted Avg.: 7886  
 Total Avg. Daily Trips: 13,856 Adjusted Avg.: 15,574  
 Total Trips This Month: 325,588 Adjusted Total: 280,337  
 Prior Total FY-2010: 1,656,569  
 Total Trips FY-2010: 1,982,157  
 Total Prior Years: 44,453,952  
 Grand Total: 46,438,139

†Ridership numbers for December are un-finalized, Amtrak Cross-Honor trains were not available  
 Note: Adjusted Averages & Totals include all VRE trips taken on Amtrak trains, but do not include "S" schedule days.  
 \* designates "S" schedule day

# Monthly Ridership Changes: FY 2009 v. FY 2010

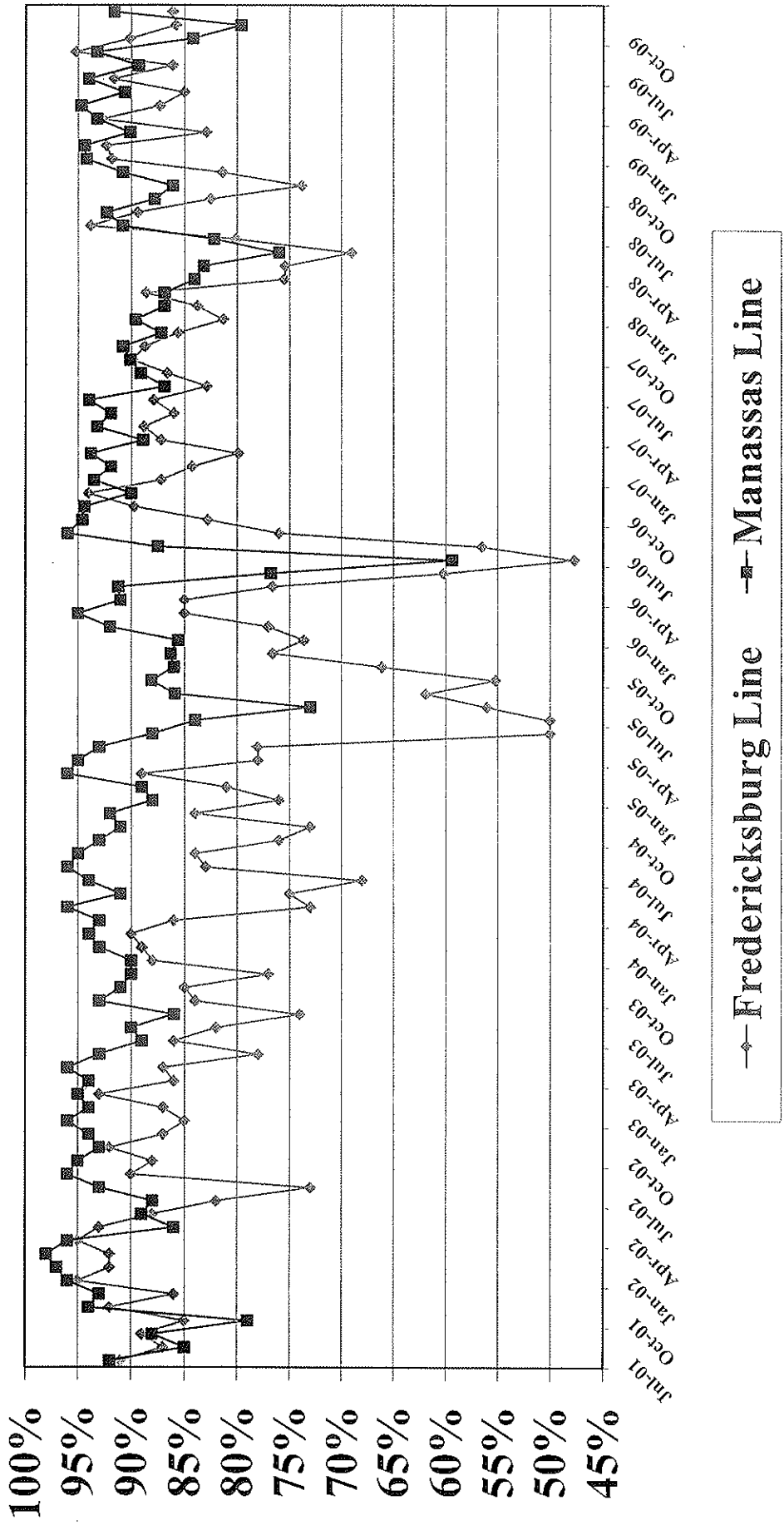
Current Month	MANASSAS				FREDERICKSBURG			
	Cumulative FY2009	Cumulative FY2010	% change	Cumulative FY2009	Cumulative FY2010	% change	Current Total	% change
July	154,066	163,100	5.9%	184,525	179,830	-2.5%	342,930	1.3%
August	298,659	317,944	6.5%	359,154	351,580	-2.1%	669,524	1.8%
September	456,054	479,425	5.1%	542,275	528,890	-2.5%	1,008,315	1.0%
October	620,865	646,968	4.2%	730,116	707,230	-3.1%	1,354,198	0.2%
November	746,905	795,248	6.5%	875,201	861,321	-1.6%	1,656,569	2.1%
December†	883,468	945,374	7.0%	1,035,994	1,016,027	-1.9%	1,961,401	2.2%
January	1,021,679			1,192,914				
February	1,165,667			1,352,042				
March	1,328,811			1,527,273				
April	1,492,195			1,707,585				
May	1,640,938			1,867,882				
June	1,808,366			2,049,280				

†Ridership numbers for December are un-finalized, Amtrak Cross-Honor trains were not available

\*Ridership figures are shown in passenger trips. Includes Amtrak cross honor train riders.

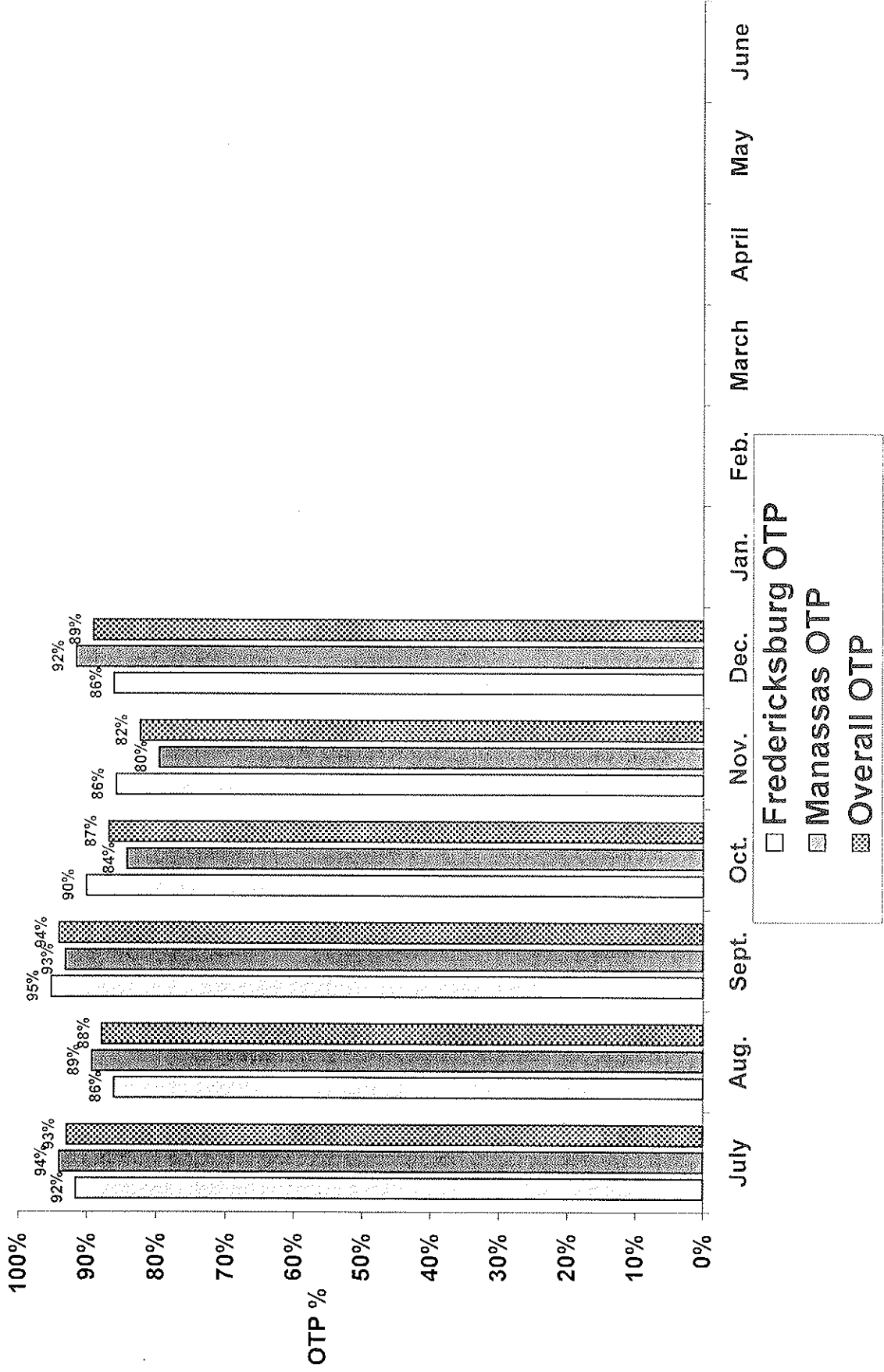
# On-Time Performance

July 2001 – December 2009



# Average On-Time Performance

## FY-2010





## Rick Taube

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**From:** Dale Zehner [dzehner@vre.org]  
**Sent:** Thursday, January 28, 2010 3:30 PM  
**To:** f.jones@manassasparkva.gov; gary.f.skinner@saic.com; jjenkins@pwcgov.org; John.Cook@fairfaxcounty.gov; jway@ci.manassas.va.us; kevin.page@drpt.virginia.gov; mcaddigan@pwcgov.org; mjkelly@fredericksburgva.gov; paulcsmedberg@aol.com; pmilde@co.stafford.va.us; Sharon.Bulova@fairfaxcounty.gov; s.naddoni@manassasparkva.gov; sbstimpson@gmail.com; wcovington@pwcgov.org; czimmerman@arlingtonva.us  
**Cc:** aharf@omniride.com; Rick Taube; Smacisaac@arlingtonva.us  
**Subject:** VRE Receives FRA Rail Funding

Dear Board Members,

I was notified today that the Federal Railroad Administration (FRA) recognized Virginia's role in advancing high speed rail in the U.S. with a grant award for \$75 million to support rail improvements in the Richmond-Washington, DC corridor. The Virginia Department of Rail and Public Transportation (DRPT) applied for federal funds to support rail improvements in this corridor, which is the highest priority for high speed rail expansion in Virginia.

The specific project is the 11 mile third main line track between Cherry Hill to Arkendale on the Fredericksburg Line. VRE has been working on the project for the past 18 months and has completed environmental and preliminary engineering. It was the only "shovel ready" rail project submitted by the Commonwealth. The funding is 100% federal funding with no match required.

We will work with DRPT to gain the funding as soon as possible to begin the construction of the 11 miles of track. Kevin Page was instrumental in formulating the grant request and its submission to FRA.

Sincerely,

Dale

## Rick Taube

---

**From:** Ware, Courtney (DRPT) [courtney.ware@drpt.virginia.gov]  
**Sent:** Thursday, January 28, 2010 11:26 AM  
**To:** Ware, Courtney (DRPT)  
**Subject:** Virginia Receives Federal Rail Stimulus Funds

Dear All,

Please see the announcement issued today.

Best,  
Courtney

Courtney L. Ware  
Manager of Policy and Communication  
Department of Rail and Public Transportation  
Tel: 804-225-3746  
Fax: 804-225-3664  
[www.drpt.virginia.gov](http://www.drpt.virginia.gov)



**RELEASE:** IMMEDIATE

**Contact:** Jennifer Pickett  
(804) 786-7432  
[Jennifer.Pickett@drpt.virginia.gov](mailto:Jennifer.Pickett@drpt.virginia.gov)

### **Virginia Receives Federal Rail Stimulus Funds** ***\$75 million for Richmond-Washington, DC Corridor Improvements***

**RICHMOND, Va., January 28, 2010-** The Federal Railroad Administration (FRA) today recognized Virginia's role in advancing high speed rail in the U.S. with a grant award for \$75 million to support rail improvements in the Richmond-Washington, DC corridor.

The Virginia Department of Rail and Public Transportation (DRPT) applied for federal funds to support rail improvements in this corridor, which is the highest priority for high speed rail expansion in Virginia.

"Virginia is strategically positioned at the junction of the Northeast and Southeast high speed rail corridors," said DRPT Director Thelma Drake. "Washington, DC to Richmond is the next step in expanding high speed rail on the East Coast. We look forward to working with the FRA to quickly advance these rail improvements and bring high speed rail to Virginia as soon as possible."

The \$75 million grant supports Virginia's top shovel ready project, and is part of an incremental approach to improving passenger rail service in Virginia. The federal program received \$102 billion in funding applications, which underscores the need for dedicated federal rail funding. Federal funding will be an important component

of future Virginia rail projects, and funding needs include both capital funds for infrastructure improvements and passenger rail operating funds.

Future projects in the federally designated Southeast High Speed Rail Corridor are currently under development as part of Virginia's strategic rail corridor program, including the Richmond/Hampton Roads Passenger Rail Project. This project is currently in the federal planning process, and a decision is anticipated soon regarding the alternative that will be eligible for federal funding. Once this decision has been reached, DRPT will apply for federal funds to advance the selected alternative.

DRPT will quickly prepare to begin construction on the selected project, and is currently finalizing the construction plan based on the grant award received. Additional details regarding the construction schedule will be available soon.

### **About Virginia's Federal Rail Stimulus Applications**

Virginia submitted two applications for federal stimulus funding. The first application was for \$74.8 million in improvements between Richmond and Washington, DC, and Virginia received a grant award today for this project. The second application was for \$1.8 billion in rail capacity improvements between Washington, DC and Petersburg. Complete details on the funding applications and maps of the rail corridor are available online at <http://www.drpt.virginia.gov/news/details.aspx?id=441>. Today's grant award is an important step forward for the critical Washington, DC to Richmond corridor.

Virginia is also preparing to apply for federal funding to advance the Richmond/Hampton Roads Passenger Rail Project. The project is currently in the federal planning process.

### **About DRPT**

The Virginia Department of Rail and Public Transportation (DRPT) is the state agency for rail, public transportation and commuter services in Virginia. DRPT's mission is to improve mobility and expand transportation choices in Virginia. Visit us at [www.drpt.virginia.gov](http://www.drpt.virginia.gov).

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# MINUTES

## VRE OPERATIONS BOARD MEETING PRTC HEADQUARTERS – PRINCE WILLIAM COUNTY, VIRGINIA JANUARY 15, 2010

### VIRGINIA RAILWAY EXPRESS

#### BOARD MEMBERS

**PAUL MILDE**  
CHAIRMAN

**SHARON BULOVA**  
VICE-CHAIRMAN

**PAUL SMEDBERG**  
TREASURER

**WALLY COVINGTON**  
SECRETARY

**MAUREEN CADDIGAN**  
**PATRICK HERRITY**  
**JOHN JENKINS**  
**MATTHEW KELLY**  
**SUHAS NADDONI**  
**KEVIN PAGE**  
**PAUL SMEDBERG**  
**JONATHAN WAY**  
**CHRIS ZIMMERMAN**

#### ALTERNATES

**MARC AVENI**  
**CHARLES BADGER**  
**HARRY CRISP**  
**MARK DUDENHEFER**  
**BRAD ELLIS**  
**JAY FISETTE**  
**FRANK JONES**  
**MICHAEL MAY**  
**JEFF McKAY**  
**MARTIN NOHE**  
**JOHN STIRRUP**

**DALE ZEHNER**  
CHIEF EXECUTIVE  
OFFICER

1500 King Street, Suite 202  
Alexandria, VA 22314-2730

MEMBERS PRESENT	JURISDICTION
Sharon Bulova (NVTC)	Fairfax County
Wally Covington (PRTC)	Prince William County
John D. Jenkins (PRTC)	Prince William County
Matthew Kelly (PRTC)	City of Fredericksburg
Paul Milde (PRTC)	Stafford County
Suhas Naddoni (PRTC)*	City of Manassas Park
Kevin Page	DRPT
Paul Smedberg (NVTC)*	City of Alexandria
Jonathan Way (PRTC)	City of Manassas
Christopher Zimmerman (NVTC)	Arlington County

MEMBERS ABSENT	JURISDICTION
Maureen Caddigan (PRTC)	Prince William County
Patrick Herrity (NVTC)	Fairfax County

ALTERNATES ABSENT	JURISDICTION
Marc Aveni (PRTC)	City of Manassas
Charles Badger	DRPT
Brad Ellis	City of Fredericksburg
Harry Crisp (PRTC)	Stafford County
Mark Dudenhefer (PRTC)	Stafford County
Jay Fiset (NVTC)	Arlington County
Frank C. Jones (PRTC)	City of Manassas Park
Michael C. May (PRTC)	Prince William County
Jeff McKay (NVTC)	Fairfax County
Martin E. Nohe (PRTC)	Prince William County
John Stirrup (PRTC)	Prince William County

STAFF AND GENERAL PUBLIC	
Gregg Baxter – Keolis	Steve MacIsaac – VRE counsel
Jennifer Buske – Washington Post	April Maguigad – VRE
Anna Gotthardt – VRE	Jennifer Mouchantaf – VRE
Kelly Hannon – Free Lance-Star	Sirel Mouchantaf – VRE
Al Harf – PRTC staff	Dick Peacock – citizen
Christine Hoeffner – VRE	Lynn Rivers – Arlington County
Patrick Jeantet – Keolis	Michael Schaller – citizen
Ann King – VRE	David Sherfinski – Washington Examiner
Mike Lake -- Fairfax DOT	Gary Skinner – Spotsylvania County
Trinh Lam – VRE	Steve Townsend – Keolis
Bob Leibbrandt – Prince William County	Dale Zehner – VRE

\*\* Delineates arrival following the commencement of the Board meeting. Notation of exact arrival time is included in the body of the minutes.

Chairman Zimmerman called the meeting to order at 9:30 A.M. Following the Pledge of Allegiance, roll call was taken.

[Mr. Naddoni entered the meeting just following roll call.]

### Approval of the Agenda – 3

Mr. Zehner stated that there are two changes to the agenda, including a new agenda item #11B “Authorization to Acquire Property for a Parking Expansion at the Brooke VRE Station” and an updated VRE CEO Report.

Mr. Kelly moved, with a second by Mr. Covington, to approve the amended agenda. The vote in favor was cast by Board Members Bulova, Covington, Jenkins, Kelly, Milde, Naddoni, Page, Way and Zimmerman.

### Minutes of the December 18, 2009, VRE Operations Board Meeting – 4

Ms. Bulova moved, with a second by Mr. Kelly, to approve the minutes as presented. The vote in favor was cast by Board Members Bulova, Covington, Jenkins, Kelly, Milde, Naddoni, Page, Way and Zimmerman.

[Mr. Smedberg arrived and joined the meeting.]

### Installation of New Officers – 5

Chairman Zimmerman introduced the new VRE officers for 2010:

Paul Milde, Chairman  
Sharon Bulova, Vice Chairman  
Wally Covington, Secretary  
Paul Smedberg, Treasurer

Chairman Zimmerman passed the gavel to Mr. Milde. Chairman Milde presented a gift of appreciation to Mr. Zimmerman for his outstanding service as Chairman in 2009.

### New Chairman’s Comments – 5

Chairman Milde stated that he is proud and honored to be appointed VRE’s Chairman. VRE has two new members who are not at this meeting. Susan Stimpson from the Falmouth District of the Stafford County Board of Supervisors and John Cook from the Braddock District of the Fairfax County Board of Supervisors. They both still need to be sworn in by their respective Commissions. They will be replacing Mr. Schwartz and Mr. Herry respectively. Supervisor Skinner from Spotsylvania County will also become an official member of VRE at the February meeting.

Chairman Milde stated that VRE had a record year in 2009 with an annual ridership of 3,899,585 trips. VRE is one of the few transit operators that continues to see ridership growth. This last week, VRE broke all time high ridership numbers four days in a row. January 12<sup>th</sup> was VRE's highest ridership day ever with 18,915 trips. All week, daily ridership has been above 18,000 trips. Overall, on-time performance averaged over 90 percent systemwide, which is the best ever in the history of VRE. Chairman Milde stated that on-time performance on the Fredericksburg Line has been remarkable and customers are happy about it.

#### Introduction of the Keolis Management Team – 7

Mr. Zehner introduced three members of the Keolis team: Mr. Gregg Baxter, General Manager, who will be VRE's day-to-day point of contact and have an office in the Manassas area; Mr. Steve Townsend, President of Keolis Rail Services of America; and Mr. Patrick Jeantet, Executive Senior Vice President International, Keolis SA, who is based in Paris, France.

Mr. Jeantet thanked the VRE Operations Board for choosing Keolis to operate VRE service. This is an important opportunity for Keolis since it is their first contract in the United States. Keolis will work in partnership with VRE as it serves the passengers who will be transported every day. Mr. Jeantet stated that Keolis will do everything it can to improve the service for VRE's passengers. Chairman Milde stated that the VRE Operations Board is very excited about Keolis taking over service.

#### Chief Executive Officer's Report – 8

Mr. Zehner reported that VRE ridership continues to grow, especially in the past week, with standees on most of the trains. Feedback from some passengers is that they would still rather stand than drive on I-95. The proposed express trains should help with adding some capacity. Staff will begin to inform the passengers about these potential changes and return to the Board at the March meeting with passenger comments and concerns.

#### VRE Riders' and Public Comment – 9

Dick Peacock stated that ridership for the Amtrak Virginia train service to Lynchburg is doing extremely well with an average of 277 passengers per day, which is much higher than initially projected. VRE passengers can take this train from the Manassas Station at 10:21 A.M. He suggested that the step-up fare for VRE passengers to ride Amtrak trains be reduced from \$10 to \$5. Amtrak trains have excess capacity. Mr. Peacock stated that he is also excited about Keolis running VRE service.

Ms. Bulova asked staff to evaluate this suggestion regarding the step-up fare and its financial impact and report back to the Board at a future meeting.

## Consent Agenda – 10

Mr. Kelly moved, with a second by Ms. Bulova, to approve the following Consent Agenda items:

Resolution #10A-01-2010: Authorization to Issue a Solicitation for Rehabilitation of Wheel Sets

Resolution #10B-01-2010: Authorization to Issue a Solicitation for Locomotive and Cab Car Radio Repair Services

Resolution #10C-01-2010: Authorization to Issue a Task Order for the Installation of Electric Hand Dryers

Resolution #10D-01-2010: Authorization to Issue a Task Order for the Installation of Electronic Bells

Resolution #10E-01-2010: Authorization to Award a Task Order for Engineering Services for the Broad Run Platform Extension Project

The Board voted on the motion and it unanimously passed. The vote in favor was cast by Board Members Bulova, Covington, Jenkins, Kelly, Milde, Naddoni, Page, Smedberg, Way and Zimmerman.

Mr. Jenkins asked if VRE's locomotive order has been placed. Mr. Zehner replied that there are 15 locomotives on order and the first is due to be delivered in the beginning of July 2010. VRE will then receive two locomotives a month starting in November 2010. VRE still has an option for five more locomotives. In response to a question from Ms. Bulova, Mr. Zehner explained that the new locomotives will allow VRE to add capacity to meet the growing ridership.

Mr. Way observed that in past Board discussions there were issues raised concerning longer trains because of mid-day storage and parking conflicts. Mr. Zehner reminded the Board that staff is looking at a plan to provide an express train as well as storage of two train sets at the L'Enfant station during the day. VRE may be able to do a 10-car set after the first locomotive arrives. Staff is looking at different scenarios and train set configurations to address capacity needs. Mr. Way asked if VRE is using seat notices to inform passengers about these issues so that riders can anticipate the new equipment. Ms. Maguigad stated that VRE has a monthly seat notice for passengers and the upcoming notice will include information about these preliminary plans. When details are finalized, VRE will update passengers on which trains will terminate at L'Enfant Plaza Station. Ms. Maguigad also reported that VRE has a weekly e-newsletter that provides valuable information to riders.

Authorization to Execute a Water and Sewer Service Agreement for the Broad Run Service and Inspection Building – 11A

Mr. Zehner stated that the Operations Board is being asked to authorize him as CEO to execute a Water and Sewer Service Agreement with the City of Manassas, which would establish water and sewer services to the new Broad Run service and inspection building. This authorization is being requested in an amount not to exceed \$115,403 and would be accomplished by Resolution #11A-01-2010.

Mr. Covington moved, with a second by Mr. Jenkins, to approve the resolution. The vote in favor was cast by Board Members Bulova, Covington, Jenkins, Kelly, Milde, Naddoni, Page, Smedberg, Way and Zimmerman.

Authorization to Acquire Property for a Parking Expansion at the Brooke VRE Station – 11B

Mr. Zehner stated that the VRE Operations Board is being asked to recommend that the Commissions authorize VRE's CEO to purchase two property parcels at 1717 Brooke Road in Stafford for the parking expansion at the Brooke VRE station. Resolution #11B-01-2010 would accomplish this.

Mr. Zehner explained that over the past year, VRE and Stafford County have been working to develop a parking expansion at the Brooke VRE Station. VRE hired a consultant to complete a draft Environmental Assessment (EA), which was submitted to FTA for review on October 27, 2009. The report identified a surface expansion lot to the south of the existing lot as the preferred alternative. The parcels proposed for purchase constitute the land required to complete the expansion. Over the last year, the property owner experienced financial hardship and the property was slated to be auctioned January 12, 2010. VRE worked with the FTA to receive an expedited Letter of No Prejudice for the advanced use of federal funding. The FTA also provided an Environmental Categorical Exclusion letter to allow for immediate property acquisition. On January 8, 2010, the FTA authorized VRE to acquire the property for the approved appraisal amount of \$500,000. VRE subsequently submitted an offer to the property owner with contingencies including Operations Board and Commission approval by February 11, 2010. Once the property is acquired, VRE will continue to work with the FTA to finalize environmental and property acquisition documents and begin final design.

Chairman Milde passed the gavel to Vice Chairman Bulova so he could make the motion.

Mr. Milde moved, with a second by Mr. Kelly, to approve Resolution #11B-01-2010.

In response to a question from Mr. Smedberg, Mr. Zehner explained that the FTA has indicated that they will approve the grant funding and that VRE will receive the funding sometime in March. VRE will use working capital in the interim and will replace that money when the grant is received.



The Board then voted on the motion and it passed. The vote in favor was cast by Board Members Bulova, Covington, Jenkins, Kelly, Milde, Naddoni, Page, Smedberg, Way and Zimmerman.

Vice Chairman Bulova returned the gavel to Chairman Milde.

Mr. Zimmerman stated that to the best of his knowledge there is no restriction on the ability of the Chairman to participate in discussion, make motions, and/or vote. Mr. Maclsaac stated that historically it has always been the practice of the Operations Board that the Chairman can do these things. Chairman Milde asked if VRE's By-Laws address this. Mr. Maclsaac stated that the By-Laws do not explicitly address this issue. Usually when an issue is not explicitly addressed in the By-Laws, it would technically default to Robert's Rules of Order, which would prohibit the Chairman from making a motion, but VRE has historically allowed it. Mr. Zimmerman observed that Robert's Rules of Order is an appeal for those issues that are disputed. Also, once an action is taken and accepted, the Board cannot go back and change it.

#### Other VRE Items

Mr. Zehner provided more details about the new electric hand dryers that will be installed in VRE trains within the next six months. Currently paper towels are available for use, but used paper towels are being found stuffed in the toilets causing damage to the toilet system. Not only will the new hand dryers be environmentally friendly, they will pay for themselves within 1½ years from the cost savings of not purchasing paper towels. Ms. Bulova observed that the machines are more sanitary too.

Ms. Bulova announced that the Amtrak Virginia train service to Lynchburg will now have a stop at the Burke Centre VRE Station. She thanked DRPT for working to make this a reality. Mr. Page stated that reservations for this station can be made now by telephone but after the weekend, people will be able to purchase tickets on-line. He thanked Ms. Bulova for her support.

Ms. Bulova also stated that it has been announced that Chip Badger is leaving DRPT after a 38 year career, including the last 18 months as DRPT's Director. Mr. Page stated that Mr. Badger did not seek reappointment and has opted to retire and step into the private sector. Ms. Bulova asked that VRE send a letter of appreciation to Mr. Badger congratulating him on his outstanding career at DRPT and wishing him future success. The Board unanimously agreed.

Mr. Jenkins asked staff to update the Board at the February meeting on the actions coming together for the construction of a parking structure at the Broad Run Station. He has had many complaints from riders concerning parking capacity issues at this station. Mr. Covington stated that the parking situation is getting so bad that they are beginning to hear about it during zoning cases. He would like to see how many Fauquier County residents are using this lot.

Adjournment

Mr. Smedberg moved, with a second by Ms Bulova, to adjourn. The vote in favor was cast by Board Members Bulova, Covington, Jenkins, Kelly, Milde, Naddoni, Page, Smedberg, Way and Zimmerman.

Chairman Milde adjourned the meeting at 10:47 A.M.

Approved this 19<sup>th</sup> day of February, 2010.

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Paul Milde  
Chairman

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Wally Covington  
Secretary

**CERTIFICATION**

This certification hereby acknowledges that the minutes for the January 15, 2010 Virginia Railway Express Operations Board Meeting have been recorded to the best of my ability.



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Rhonda Gilchrest



# CHIEF EXECUTIVE OFFICER'S REPORT

February 2010

## MONTHLY DELAY SUMMARY

	October	November	December	January
<b>System wide</b>				
Total delays	80	94	64	52
Average length of delay (mins.)	16	18	17	13
Number over 30 minutes	7	11	9	1
Days with Heat Restrictions/Total days	0/21	0/21	0/22	0/19
On-Time Performance	86.9%	82.40%	89.1%	90.6%
<b>Fredericksburg Line</b>				
Total delays	27	34	37	21
Average length of delay (mins.)	19	20	21	16
Number over 30 minutes	3	5	8	1
On-Time Performance	90.1%	85.80%	86.1%	91.5%
<b>Manassas Line</b>				
Total delays	53	60	27	31
Average length of delay (mins.)	14	17	13	12
Number over 30 minutes	4	6	1	0
On-Time Performance	84.2%	79.60%	91.6%	89.8%

## SYSTEM RIDERSHIP

January's final average daily ridership was 17,519. This is the first time in VRE's history that average daily ridership was over 17,000. Nine of the highest ridership days ever were in the month of January 2010; with the highest day being January 12 at 18,915. We had 9 days in all over 18,000.

## ON-TIME PERFORMANCE

On time performance on the Fredericksburg Line for the month of January was 91.5 % and the Manassas Line was 89.8%. February, however, did not get off to a very good start with on-time-performance. After progressively better service over the last year, we had two major service issues in a row in February. On Monday evening, February 1<sup>st</sup>, we experienced a mechanical problem with the locomotive on train 303. As part of the fail-safe mechanism on locomotives, the brakes do not release if the system senses a malfunction. This is what happened to train 303 and it eventually had to be cancelled, causing extreme crowding and loading delays on train 305 that evening. Then, on Tuesday morning, February 2<sup>nd</sup>, a switch problem at the AF interlocking where the Manassas and Fredericksburg Lines come together created delays for most of our morning service.

## **FRA FUNDING OF CHERRY HILL TO ARKENDALE**

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On January 28, 2010, VRE received notification that the Federal Railroad Administration (FRA) recognized Virginia's role in advancing high speed rail in the U.S. with a grant award for \$75 million to support rail improvements in the Richmond-Washington, DC corridor. The Virginia Department of Rail and Public Transportation (DRPT) applied for federal funds to support rail improvements in this corridor, which is the highest priority for high speed rail expansion in Virginia. The specific project is 11 miles of third main line track between Cherry Hill and Arkendale on the Fredericksburg Line. VRE has been working on the project for the past 18 months and has completed environmental and preliminary engineering. It was the only "shovel ready" rail project submitted by the Commonwealth. The project is 100% federally funded with no match requirement. We will work with DRPT to gain the FRA funding as soon as possible to begin construction. Once completed, this track will help bring a 3<sup>rd</sup> main line to the corridor, increasing capacity and operational speeds.

## **UPDATE ON LEGISLATIVE BILLS IN GENERAL ASSEMBLY**

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With the General Assembly in full swing, VRE is advancing several initiatives. Of paramount importance is getting legislation passed on summons issues on VRE trains. Currently, Senator Puller and Senator Marsden have legislation advancing with approval of the Senate Courts of Justice. In the House, Delegate Jackson Miller is working with members of the House Courts of Justice, Criminal Subcommittee, to finalize language that is acceptable to the full committee. We expect the full Committee to see the amended version of HB 688 next week. Additionally, budget amendments are now starting to be considered. I will provide additional updates as more information becomes available.

## **BURKE CENTRE PLATFORM EXTENSION OPENED**

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The Burke Centre Platform Extension project was opened on January 26, 2010 after passing final inspections by Fairfax County. The additional 200 feet of platform, combined with the original 487-ft platform, allows an 8-car train set to open all of its doors at this station. The project also included full canopy cover of the new platform, which is located behind the parking garage. The original platform had dated and corroded pole lights which were all replaced as part of this project. The project took approximately seven months to construct and was completed within the approved budget.

## **WOODBRIIDGE STATION UPDATE**

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Construction of the Woodbridge station expansion is nearing completion. All major site and building elements are in place and Prince William County final inspections are in progress. The facility is expected to open in February. Construction of a temporary Kiss & Ride will follow as the cold weather subsides along with minor cosmetic improvements such as touch-up painting and landscaping.

## **PARKING SITUATION AT BROAD RUN**

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The parking situation at Broad Run continues to be a challenge. With record ridership in recent weeks, the station parking demands are higher than ever. VRE is currently working with Prince William County and the City of Manassas to come up with a possible solution to help find additional parking. VRE and Prince William County have received funding to begin an Environmental Assessment and preliminary engineering for a parking garage. This effort is expected to begin in the spring.

## **STATUS OF ENGINE HOUSE AT BROAD RUN**

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Construction of the Service and Inspection building is well underway. Utilities have been installed and foundations, including an underground inspection pit, have been completed. Building framing is underway and is expected to be completed by April. The remainder of the project, which includes extending tracks, is expected to be completed by June of this year.

## **DELIVERY OF FIRST MOTIVE POWER LOCOMOTIVE**

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The first new VRE locomotive (V50) is currently being assembled by Motive Power at their Boise, ID facility. The locomotive assembly process involves 5 major “spots” or assembly points (similar to an automobile assembly plant). The V50 is currently in spot 2 and will start spot 3 during the week of February 22, 2010. The V50 is currently on schedule to arrive at VRE on July 1, 2010. We will then perform a series of static and dynamic tests before entering the unit into revenue service.

## **FINAL TEN RAIL CARS**

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The final ten new Gallery rail cars were shipped and received at the Crossroads Yard in January. All cars passed static and operational tests and were placed into service the first week of February. This completes the contract for the purchase of new railcars. We plan to continue to operate two sets of older railcars – one on each line.

**MONTHLY PERFORMANCE MEASURES – JANUARY 2010**

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<b>MONTHLY ON-TIME PERFORMANCE</b>	<b>ON-TIME PERCENTAGE</b>
January Fredericksburg OTP Average	91.5%
January Manassas OTP Average	89.8%
<b>VRE JANUARY OVERALL OTP AVERAGE</b>	<b>90.6%</b>

**FINAL RIDERSHIP NUMBERS WILL BE PROVIDED AT FEBRUARY MEETING**

<b>RIDERSHIP YEAR TO DATE</b>	<b>RIDERSHIP</b>
VRE FY 2010 Passenger Totals	2,295,756
VRE FY 2009 Passenger Totals	2,214,593
<b>PERCENTAGE CHANGE</b>	<b>3.7%</b>

<b>RIDERSHIP MONTH TO MONTH COMPARISON</b>	
<b>DESCRIPTION</b>	<b>MONTHLY RIDERSHIP</b>
JANUARY 2010	332,868
JANUARY 2009	295,131
<b>PERCENTAGE CHANGE</b>	<b>6.9%(NORMALIZED)</b>
<b>SERVICE DAYS (CURRENT/PRIOR)</b>	<b>19/18</b>

## Monthly Ridership Changes: FY 2009 v. FY 2010

Current Month	MANASSAS			FREDERICKSBURG				
	Cumulative FY2009	Cumulative FY2010	% change	Cumulative FY2009	Cumulative FY2010	% change	Current Total	% change
July	154,066	163,100	5.9%	184,525	179,830	-2.5%	342,930	1.3%
August	298,659	317,944	6.5%	359,154	351,580	-2.1%	669,524	1.8%
September	456,054	479,425	5.1%	542,275	528,890	-2.5%	1,008,315	1.0%
October	620,865	646,968	4.2%	730,116	707,230	-3.1%	1,354,198	0.2%
November	746,905	795,248	6.5%	875,201	861,321	-1.6%	1,656,569	2.1%
December	883,468	945,530	7.0%	1,035,994	1,017,358	-1.8%	1,962,888	2.3%
January	1,021,679	1,110,585	8.7%	1,192,914	1,185,171	-0.6%	2,295,756	3.7%
February	1,165,667			1,352,042				
March	1,328,811			1,527,273				
April	1,492,195			1,707,585				
May	1,640,938			1,867,882				
June	1,808,366			2,049,280				

\*Ridership figures are shown in passenger trips. Includes Amtrak cross honor train riders.

# Monthly Ridership and OTP: January 2010

Date	Manassas AM	Manassas PM	Total Manassas	# Trains Op MSS	Trains Delayed MSS	Actual OTP ID	Fred'burg AM	Fred'burg PM	Fred'burg Total	# Trains OP Fred'burg	# Trains Delayed Fred'burg	Actual OTP ID	Total Trips	Actual OTP
1														
2														
3														
4	4,363	4,282	8,645	16	5	69%	4,618	4,461	9,079	13	2	85%	17,724	76%
5	4,634	4,423	9,057	16	0	100%	4,527	4,731	9,258	13	2	85%	18,315	93%
6	4,670	4,677	9,347	16	2	88%	4,583	4,701	9,284	13	0	100%	18,631	93%
7	4,497	4,510	9,007	16	3	81%	4,476	4,479	8,955	13	0	100%	17,962	90%
8	3,719	3,384	7,103	16	2	88%	3,931	4,213	8,144	13	2	85%	15,247	86%
9														
10														
11	4,636	4,426	9,062	16	4	75%	4,455	4,638	9,093	13	1	92%	18,155	83%
12	4,654	4,741	9,395	16	1	94%	4,764	4,756	9,520	13	0	100%	18,915	97%
13	4,487	4,706	9,193	16	0	100%	4,450	4,672	9,122	13	1	92%	18,315	97%
14	4,547	4,397	8,944	16	0	100%	4,652	4,578	9,230	13	3	77%	18,174	90%
15	3,498	3,554	7,052	16	0	100%	3,800	4,101	7,901	13	1	92%	14,953	97%
16														
17														
18														
19	4,510	4,322	8,832	16	3	81%	4,384	4,479	8,863	13	0	100%	17,695	90%
20	4,599	4,686	9,287	16	1	94%	4,486	4,670	9,156	13	2	85%	18,443	90%
21	4,643	4,700	9,343	16	2	88%	4,423	4,665	9,079	13	3	77%	18,422	83%
22	3,624	3,646	7,270	16	0	100%	3,880	4,186	8,066	13	2	85%	15,338	93%
23														
24														
25	4,209	4,458	8,667	16	0	100%	3,978	4,124	8,102	13	1	92%	16,769	97%
26	4,472	4,803	9,275	16	1	94%	4,324	4,521	8,845	13	0	100%	18,120	97%
27	4,457	4,601	9,058	16	3	81%	4,338	4,246	8,584	13	0	100%	17,642	90%
28	4,455	4,498	8,953	16	3	81%	4,352	4,453	8,805	13	1	92%	17,758	86%
29	3,709	3,682	7,391	16	1	94%	3,719	3,760	7,479	13	0	100%	14,870	97%
30														
31	82,383	82,498	164,881	304	31	90%	82,140	84,425	166,565	247	21	91%	331,446	91%
		Adjusted total:	165,055				Adjusted Total:	167,813	Adjusted Total:	167,813	Adjusted Total:	167,813	Adjusted Total:	332,868

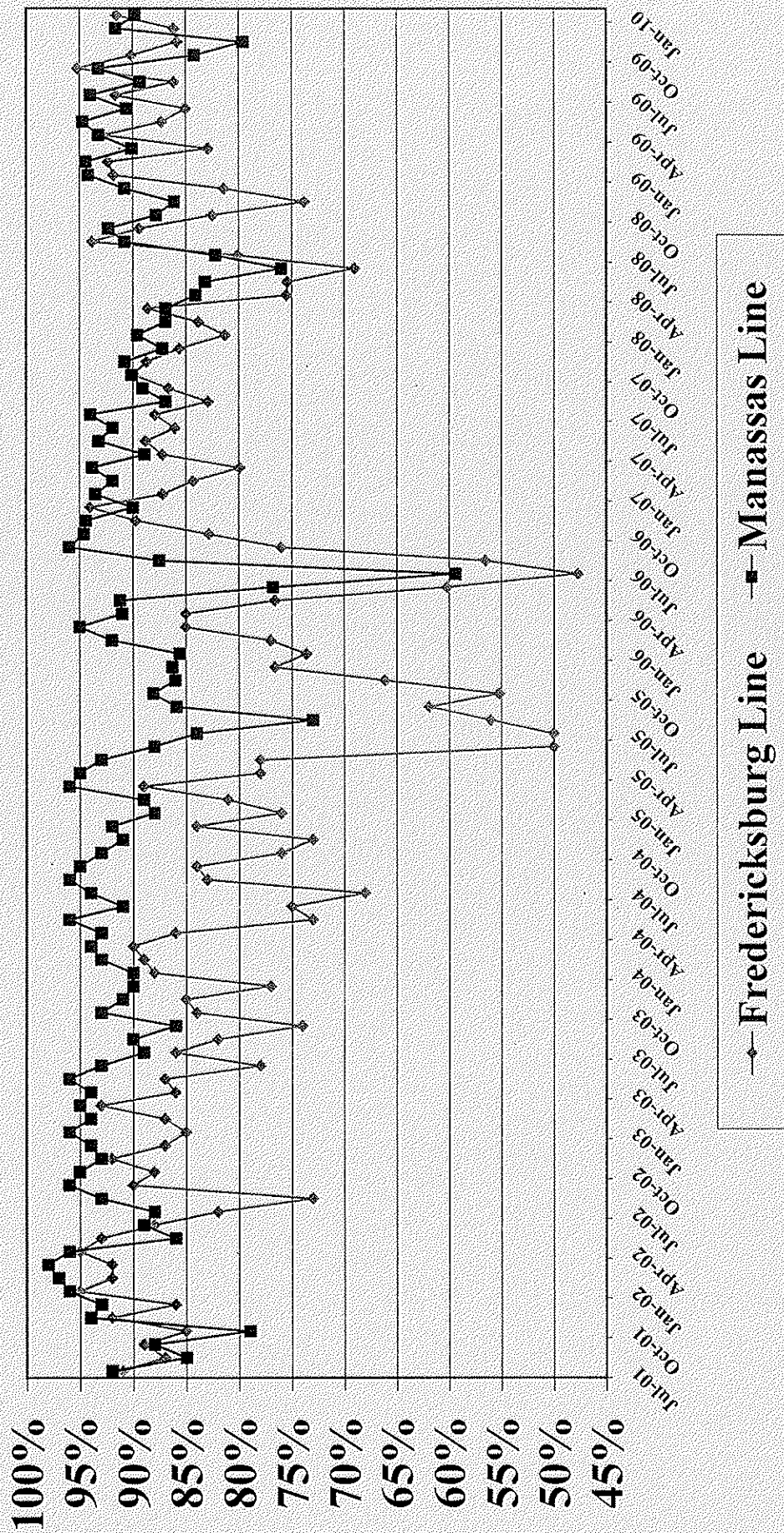
# of Service Days:	19	Total Trips This Month:	332,868
Manassas Daily Avg. Trips:	8,678	Prior Total FY-2010:	1,962,888
Fred'burg Daily Avg. Trips:	8,767	Total Trips FY-2010:	2,295,756
Total Avg. Daily Trips:	17,445	Total Prior Years:	44,455,982
		Grand Total:	46,751,738

Note: Adjusted Averages & Totals include all VRE trips taken on Amtrak trains, but do not include "S" schedule days.  
 \* designates "S" schedule day

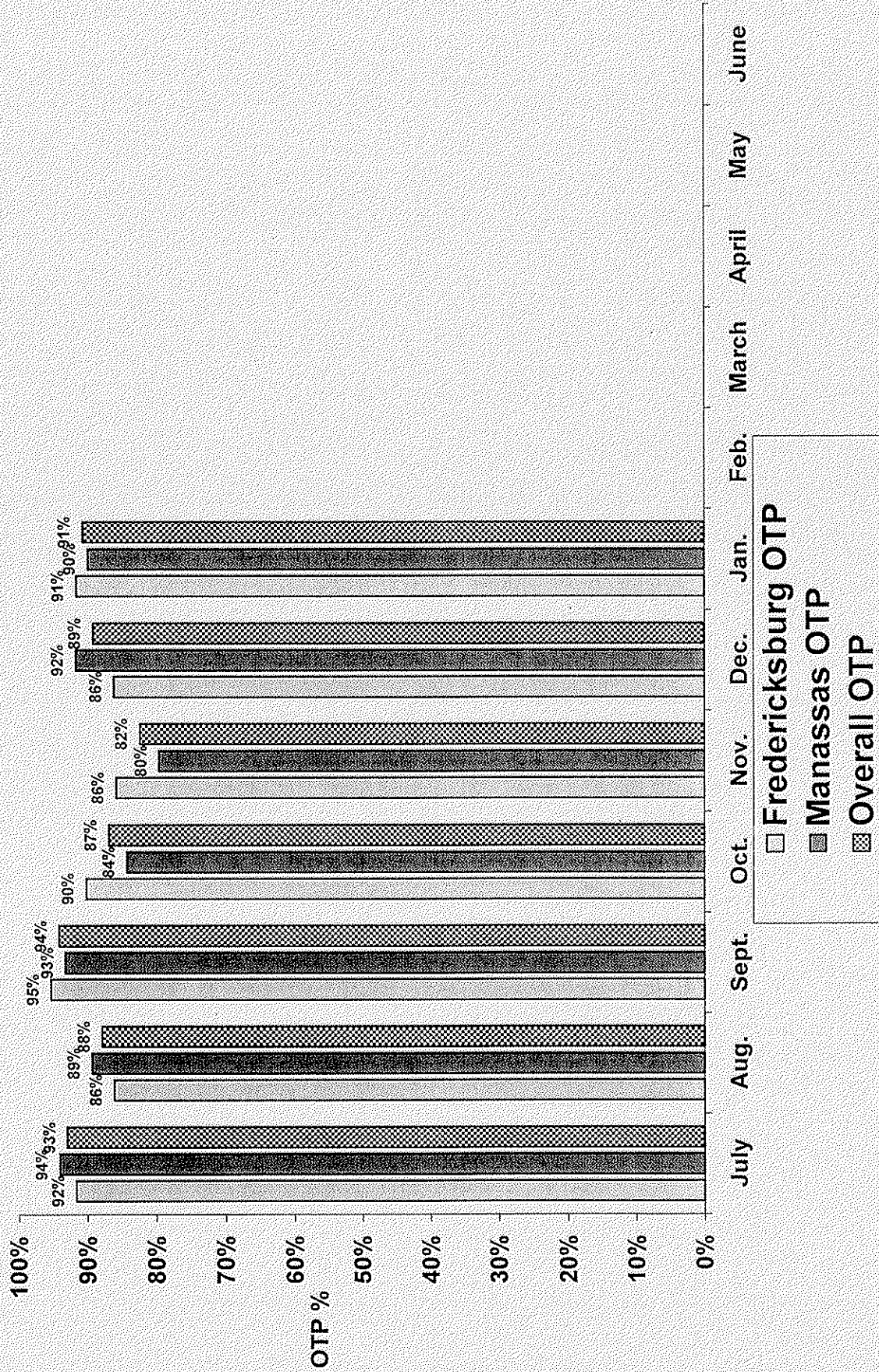


# On-Time Performance

July 2001 – January 2010



# Average On-Time Performance FY-2010



## FINANCIAL STATISTICS FOR JANUARY 2010

Copies of the January 2010 Operating Budget Report are attached.

Fare income for the month of January 2010 was \$578,912 above the budget – a favorable variance of 28.41%. The cumulative variance for the year is 11.20% or \$1,741,101 above the adopted budget. Revenue in the first seven months of FY 2010 is up 19.3% over FY 2009. This positive variance is the result of higher than anticipated ridership and the January and July 2009 fare increases. Additionally, there are only 19 service days in January and we had our highest monthly revenue in our history, which accounts for the material monthly variance.

A summary of the financial results (unaudited) as of January 2010 follows. Detail on the major revenue and expense categories are provided in the attached Operating Budget Report. These figures reflect the Amended FY10 Budget.

Measures		Goal	Actual
Operating Ratio		55%	80%
<b>Budgeted Revenue</b>	72,109,066		
Budgeted Revenue YTD	45,232,129		
Actual Revenue YTD	46,878,840		
Cumulative Variance	1,646,711		1,646,711
Percent Collected FY 07 YTD		62.73%	65.01%
<b>Budgeted Expenses</b>	72,109,066		
Budgeted Expenses YTD	39,000,848		
Operating Expenses YTD	38,210,984		
Cumulative Variance	789,864		789,864
Percent Collected FY 07 YTD		54.09%	52.99%
<b>Net Income (Loss) from Operations</b>			2,436,575

These figures are preliminary and unaudited.

**VIRGINIA RAILWAY EXPRESS**  
**FY 2010 Operating Budget Report**  
 January 31, 2010

	CURR. MO. ACTUAL	CURR. MO. BUDGET	YTD ACTUAL	YTD BUDGET	YTD VARIANCE \$	YTD VARIANCE %	AMENDED TOTAL FY10 BUDGET
<b>OPERATING REVENUE</b>							
Passenger Ticket Revenue	2,616,506	2,037,594	17,291,157	15,550,056	1,741,101	11.2%	26,917,683
Equipment Rental and Other	29,588	11,468	192,576	87,520	105,056	120.0%	151,500
<b>Subtotal Operating Revenue</b>	<b>2,646,094</b>	<b>2,049,062</b>	<b>17,483,733</b>	<b>15,637,576</b>	<b>1,846,157</b>	<b>11.8%</b>	<b>27,069,183</b>
Jurisdictional Subsidy (1)	-	8,295,102	15,955,559	15,955,559	-	0.0%	15,955,559
Federal/State/Other Jurisdictional Subsidy	1,662,602	1,795,533	13,424,455	13,506,125	(81,670)	-0.6%	28,854,324
Appropriation from Reserve	-	-	-	-	-	0.0%	-
Interest Income	1,454	17,410	15,092	132,869	(117,777)	-88.6%	230,000
<b>Total Operating Revenue</b>	<b>4,310,150</b>	<b>12,157,107</b>	<b>46,878,840</b>	<b>45,232,129</b>	<b>1,646,711</b>	<b>3.6%</b>	<b>72,109,066</b>
<b>OPERATING EXPENSES</b>							
Departmental Operating Expenses	3,976,001	3,689,689	27,364,424	28,118,180	753,756	2.7%	48,678,777
Debt Service	731,785	737,082	6,232,919	6,269,856	36,936	0.6%	13,582,380
Insurance	-	-	4,612,813	4,612,813	-	0.0%	6,005,000
Other Non-Departmental Expenses	120	-	828	-	(828)	-	3,842,909
<b>Total Operating Expenses</b>	<b>4,707,906</b>	<b>4,426,771</b>	<b>38,210,984</b>	<b>39,000,848</b>	<b>789,864</b>	<b>2.0%</b>	<b>72,109,066</b>
<b>NET INCOME (LOSS) FROM OPERATIONS</b>	<b>(397,756)</b>	<b>7,730,336</b>	<b>8,667,856</b>	<b>6,231,280</b>	<b>2,436,575</b>		<b>0</b>
<b>CALCULATED OPERATING RATIO</b>							
			<b>80%</b>				

(1) Total jurisdictional subsidy is \$16,376,967. Portion shown is attributed to Operating Fund only.



# MINUTES

## VRE OPERATIONS BOARD MEETING PRTC HEADQUARTERS – PRINCE WILLIAM COUNTY, VIRGINIA FEBRUARY 19, 2010

### VIRGINIA RAILWAY EXPRESS

#### BOARD MEMBERS

**PAUL MILDE**  
CHAIRMAN

**SHARON BULOVA**  
VICE-CHAIRMAN

**PAUL SMEDBERG**  
TREASURER

**WALLY COVINGTON**  
SECRETARY

**MAUREEN CADDIGAN**  
**JOHN COOK**  
**THELMA DRAKE**  
**JOHN JENKINS**  
**MATTHEW KELLY**  
**SUHAS NADDONI**  
**GARY SKINNER**  
**SUSAN STIMPSON**  
**JONATHAN WAY**  
**CHRIS ZIMMERMAN**

#### ALTERNATES

**MARC AVENI**  
**HARRY CRISP**  
**MARK DUDENHEFER**  
**BRAD ELLIS**  
**JAY FISETTE**  
**FRANK JONES**  
**ROB KRUPICKA**  
**JERRY LOGAN**  
**MICHAEL MAY**  
**JEFF McKAY**  
**MARTIN NOHE**  
**KEVIN PAGE**  
**JOHN STIRRUP**

**DALE ZEHNER**  
CHIEF EXECUTIVE  
OFFICER

1500 King Street, Suite 202  
Alexandria, VA 22314-2730

MEMBERS PRESENT	JURISDICTION
Sharon Bulova (NVTC)	Fairfax County
John Cook (NVTC)	Fairfax County
Wally Covington (PRTC)**	Prince William County
Thelma Drake	DRPT
John D. Jenkins (PRTC)	Prince William County
Matthew Kelly (PRTC)	City of Fredericksburg
Paul Milde (PRTC)	Stafford County
Gary Skinner (PRTC)	Spotsylvania County
Paul Smedberg (NVTC)	City of Alexandria
Susan Stimpson (PRTC)	Stafford County
Jonathan Way (PRTC)	City of Manassas
Christopher Zimmerman (NVTC)**	Arlington County

MEMBERS ABSENT	JURISDICTION
Maureen Caddigan (PRTC)	Prince William County
Suhas Naddoni (PRTC)	City of Manassas Park

ALTERNATES PRESENT	JURISDICTION
Kevin Page	DRPT

ALTERNATES ABSENT	JURISDICTION
Marc Aveni (PRTC)	City of Manassas
Harry Crisp (PRTC)	Stafford County
Mark Dudenhefer (PRTC)	Stafford County
Brad Ellis (PRTC)	City of Fredericksburg
Jay Fiset (NVTC)	Arlington County
Frank C. Jones (PRTC)	City of Manassas Park
Rob Krupicka (NVTC)	City of Alexandria
Jerry Logan (PRTC)	Spotsylvania County
Michael C. May (PRTC)	Prince William County
Jeff McKay (NVTC)	Fairfax County
Martin E. Nohe (PRTC)	Prince William County
John Stirrup (PRTC)	Prince William County

STAFF AND GENERAL PUBLIC	
Barbara Bolin – Destiny Management Services	Bob Leibbrandt – Prince William Co.
Jennifer Buske – Washington Post	Steve Maclsaac – VRE counsel
Otto Clemente – Fairfax DOT	Betsy Massie – PRTC staff
Kelly Hannon – Free Lance-Star	Jennifer Mouchantaf – VRE
Al Harf – PRTC staff	Sirel Mouchantaf – VRE
Chris Henry – VRE	Dick Peacock – citizen
Christine Hoeffner – VRE	Drew Pierce – Destiny Management Serv.
Ann King – VRE	Mark Roeber – VRE
Uriah Kiser – News and Messenger	Michael Schaller – citizen
Trinh Lam – VRE	Rick Taube – NVTC staff
Lezlie Lamb – VRE	Stanley Wright – Destiny Management Serv.
	Dale Zehner – VRE

\*\* Delineates arrival following the commencement of the Board meeting. Notation of exact arrival time is included in the body of the minutes.

Chairman Milde called the meeting to order at 9:39 A.M. Following the Pledge of Allegiance, roll call was taken.

### Approval of the Agenda – 3

Ms. Bulova moved, with a second by Mr. Kelly, to approve the agenda. The vote in favor was cast by Board Members Bulova, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson and Way.

### Minutes of the January 15, 2010, VRE Operations Board Meeting – 4

Mr. Kelly moved, with a second by Ms. Bulova, to approve the minutes as presented. The vote in favor was cast by Board Members Bulova, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson and Way.

[Mr. Covington and Mr. Zimmerman arrived at 9:40 and 9:41 A.M., respectively.]

### Chairman's Comments – 5

Chairman Milde welcomed former Congresswoman Thelma Drake, DRPT's new Director. He also announced that Gary Skinner is now a full-fledged member of VRE, representing Spotsylvania County. John Cook, from the Fairfax County Board of Supervisors, and Susan Stimpson, from the Stafford County Board of Supervisors, are also new VRE Operations Board members. Chairman Milde explained that since NVTC's February meeting was cancelled due to the snow storm, Mr. Cook has not been sworn in at NVTC. Therefore, he will be unable to vote at this meeting.

Chairman Milde reported that VRE's on-time performance (OTP) averaged 90.6 percent systemwide for the month of January, 2010 (91.5 percent for Fredericksburg and 89.8 percent for Manassas), which was the fourth month in a row that OTP was over 90 percent. Unfortunately, February has had some delays, especially with the severe weather. He also announced that Virginia received \$75 million in federal funding for the 11-mile stretch of third track between Powell's Creek and Arkendale in Stafford County. This is a very important initiative, which will improve capacity and efficiency. Chairman Milde thanked Mr. Page for his work on this project. Chairman Milde also announced that VRE has received the final shipment of 10 new bi-level railcars.

### Chief Executive Officer's Report – 6

Mr. Zehner reported that VRE ridership continues to grow, with the highest record day of 19,075 on February 16<sup>th</sup>, with almost every train having standees. Average daily ridership of 17,000 was also record breaking in January, and it has increased in February. Mr. Zehner introduced a new staff member, Chris Henry, VRE's new Fare Collection Operations Manager.

Mr. Zehner reported that VRE and PRTC are undergoing a financial oversight review by the Federal Transit Administration (FTA), who has hired Destiny Management Services to conduct this audit. Mr. Zehner introduced Stanley Wright (project leader), Drew Pierce and Barbara Bolin from that firm. The audit review is specific to the Federal program with regards to VRE's purchase of the Gallery railcars and the sale of the 13 Kawasaki railcars.

#### VRE Riders' and Public Comment – 7

Dick Peacock welcomed DRPT Director Drake to VRE. He stated that the City of Manassas did a wonderful job of plowing out the parking lots during the recent record-breaking snow storm. The new Amtrak Virginia train service to Lynchburg is doing extremely well with on-time performance improving (from 75 percent in October to 84 percent in November, 2009).

Mr. Zehner provided highlights of the challenges VRE faced with the recent snow storms, including abandoned freight trains on the CSX tracks between Washington, D.C. and Fredericksburg, fallen trees on the tracks, switch problems and snow removal. VRE is now back to running a full schedule. Ms. Stimpson stated that the current way vehicles are having to park around snow piles at the Leeland Road station is creating an unsafe situation. Mr. Zehner stated that VRE will contact VDOT and ask if they can truck the snow out.

Mr. Zimmerman apologized for being late and missing the vote on the minutes, but he observed that his statements in the January minutes on procedural protocol on page six (last sentence of paragraph three) should be clarified to read: "Also, once an action is taken and accepted, it is not subject to subsequent challenge."

Mr. Covington moved, with a second by Mr. Kelly, to reconsider the minutes. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Ms. Bulova moved, with a second by Mr. Kelly, to amend and approve the minutes with Mr. Zimmerman's suggested wording change. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

#### Consent Agenda – 8

Ms. Bulova moved, with a second by Mr. Smedberg, to approve the following Consent Agenda items:

Resolution #8A-02-2010: Authorization to Solicit Proposals for the Lease of Space at the Quantico VRE Station.

Resolution #8B-02-2010: Authorization to Issue an RFP for Preliminary Engineering and Environmental Work for Additional Parking at the Broad Run Station.

The Board voted on the motion and it unanimously passed. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Authorization to Amend Parking Lease at the Rippon Station – 9A

Mr. Zehner stated that Resolution #9A-02-2010 would authorize him as CEO to extend the current lease agreement with Kettler for 320 parking spaces at the Rippon Station for an amount of \$152,320 for one year. Board Members had no questions.

Mr. Jenkins moved, with a second by Mr. Kelly, to approve Resolution #9A-02-2010. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Authorization to Award a Contract for Environmental and Engineering Services for the VRE Gainesville-Haymarket Extension – 9B

Mr. Zehner stated that the VRE Operations Board is being asked to authorize him to award a contract to STV/RWA for environmental and engineering services for the Gainesville-Haymarket Extension project in the amount of \$2,499,160, plus a 10 percent contingency of \$249,916, for a total amount not to exceed \$2,749,076. He explained that the procurement is structured in two phases to allow staff to work with the Operations Board and granting agency, DRPT, in phasing the work. The first phase will complete a refinement of the alternatives and provide additional information needed to assess next steps, including an aerial study and environmental and natural resources survey. The second phase will complete the environmental assessment and preliminary engineering. A separate notice to proceed will be issued for each phase.

In response to a question by Mr. Smedberg, Ms. Hoeffner explained that four proposals were received by the December 1, 2009, deadline. STV/RWA was primarily chosen because of their qualifications that stood out above all the others, particularly with their experience in planning for similar types of projects and engineering qualifications. This firm ranked in the middle with regard to price. Ms. Mouchantaf also provided more details of the evaluation process, in which the qualifications are looked at first and then the price is negotiated. Price is not considered in architectural and engineering proposals.

Mr. Covington expressed his opinion that the Gainesville station will be one of the most significant stations in the VRE system in the future. The Gainesville station represents one of the smart growth proposals that all of Northern Virginia strives for.



Mr. Covington moved, with a second by Mr. Jenkins, to approve the resolution. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Authorization to Award Contract Options for Purchase and Delivery of Locomotive Fuel to VRE Yards – 9C

Mr. Zehner reported that Resolution #9C-02-2010 would authorize him to exercise the first option years with Quarles Petroleum, Inc. of Fredericksburg, Virginia for fuel at the Crossroads Yard and Griffith Energy Services, Inc. of Manassas, Virginia for fuel at the Broad Run Yard. The contract option with Quarles Petroleum, Inc. is being recommended in an amount not to exceed \$2,460,952 for a period of one year. The contract option with Griffith Energy Services, Inc. is being recommended in an amount not to exceed \$2,013,506 for a period of one year.

Mr. Kelly moved, with a second by Ms. Bulova, to approve the resolution. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Authorization to Conduct Public Hearings Related to a Proposed Service Amendment – 9D

Mr. Zehner reported that the VRE Operations Board is being asked to authorize him to solicit comments through public hearings related to a proposed change in service in which an express train would be added and two morning and two evening trains per day would terminate and originate at the L'Enfant VRE station. Resolution #9D-02-2010 would accomplish this.

Mr. Zehner reminded Board Members that during the FY 2011 budget presentation in December, VRE staff presented an option in which beginning in July, two morning trains (one on each line) and two evening trains (one on each line) would terminate and originate at the L'Enfant VRE station. Therefore, these trains would not serve Union Station. However, it would open up mid-day storage that would allow for an addition of a new express train on the Fredericksburg Line and additional cars on Manassas Line trains 326 and 320 and Fredericksburg Line trains 300, 307, 308 and 311.

Mr. Zehner explained that it is challenging to determine which trains should terminate at L'Enfant. VRE initiated a public outreach campaign February 1<sup>st</sup> to seek comment on the proposal. VRE staff initially suggested Manassas Line train 330 and Fredericksburg Line train 304 to terminate at L'Enfant in the morning and Manassas Line train 333 and Fredericksburg Line train 301 to originate at L'Enfant in the evening. VRE received numerous comments both supporting and opposing the proposals, as well as many questions. After a preliminary review of the comments, it became obvious that a full comment period would benefit both VRE and the riders. VRE staff feels that with the complexity of the proposed service changes as well as the types of questions being asked, an open dialogue would best suit the situation. Public hearings will be held in

Alexandria, Woodbridge, Fredericksburg, Manassas and the Union Station area. VRE staff will report back to the Operations Board with a summary of comments and recommendation for action in April.

Ms. Bulova moved, with a second by Mr. Smedberg, to approve the resolution.

Mr. Way stated that he does not oppose the resolution, but asked why this item requires a resolution. Mr. Zehner replied that generally when VRE conducts public hearings, the Board approves them. Mr. Zimmerman stated that it is good procedurally that the Board endorses public hearings. In response to a question from Mr. Zimmerman, Mr. Zehner explained that the new express train would be replacing a “dead head” train. It would be the first train out in Fredericksburg in the morning. Mr. Skinner asked about the time savings between a regular train and an express train. Mr. Zehner stated that it would save 20 minutes of commute time.

Ms. Bulova requested that Fairfax County be added to the public hearing locations. Mr. Zehner stated that this can be done and suggested that the hearing be held in the Burke Centre area.

Ms. Bulova amended her motion to add a public hearing in the Burke Centre area. There were no objections.

Mr. Jenkins stated that it is important to advertise the public hearings really well; that the hearings are scheduled at times that riders can participate; and that there is easy access to the hearing locations. Mr. Smedberg noted that some people will not be able to attend the hearings and he asked about an on-line survey as an alternative. Mr. Zehner stated staff can look at setting up some kind of on-line survey. However, a public hearing will allow staff to fully explain the complicated proposal and answer riders’ questions. Mr. Smedberg suggested providing a one-page summary on-line. Mr. Page stated that DRPT just went through an alternative needs analysis for Hampton Roads and used “Survey Monkey” as an on-line survey, which was very effective. Ms. Stimpson agreed that an on-line survey would be beneficial. She stated that public hearings are important, but realistically it is hard for people to get to hearings. An on-line survey would help provide a fuller picture of what riders want.

Ms. Bulova provided a more detailed explanation of the staff proposal for the new members who were not at the last meeting. Mr. Page stated that it was a Homeland Security Grant that created the capacity for evacuation purposes. It also provides additional mid-day storage for VRE.

Mr. Cook asked if there is a reason why the trains cannot go to Union Station first and backtrack to L’Enfant for storage. Mr. Zehner stated that staff will look at it again but the railroads originally said no because of capacity on the rail lines. Mr. Skinner asked if dates have been set for the public hearings. Mr. Zehner stated that the dates have not been set. Mr. Skinner stated that as soon as he has the dates, he can share the information with his Board and they can start promoting it to their county residents.

In response to a question from Ms. Stimpson, Mr. Zehner explained that VRE has already been providing information to its riders about this proposal through seat notices, as well as on-line information and individual emails to riders who have signed up for email alerts. Mr. Zehner stated that he could provide a comprehensive package of riders' comments (from the hearings, on-line surveys and email comments) so Board Members can read them before the April meeting. Ms. Bulova asked what percentage of VRE riders are signed up for email alerts. Mr. Zehner estimated that VRE has approximately 75 percent of its riders receiving email alerts.

Mr. Harf clarified that the longest VRE trains would need to be stored at Union Station. The mid-day storage at L'Enfant gives VRE a way to reconfigure some trains with additional railcars and add the express train.

The Board then voted on the amended motion and it passed. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Mr. Way suggested that staff provide a routine status report each month on the Keolis take over. He also asked if VRE is doing anything to cut the step-up fare. Mr. Zehner replied that he has sent a letter to Amtrak but has not received a reply. Mr. Page has also worked on this issue. It is important that VRE and DRPT work together on this issue. Chairman Milde suggested that a Board Member comment time also be added to the VRE agenda.

#### Update on Broad Run Parking – 10

Mr. Zehner reported that Broad Run is currently at 127 percent capacity. Originally, VRE started with 350 parking spaces and now the current number is 1,072 spaces. Three parking expansions have occurred since VRE's inception. The shoulders are now being paved on Piper Lane to improve safety. There is currently \$2.4 million in CMAQ for environmental and PE analysis. The study will consider a parking deck (\$20+ million) and surface expansion on adjacent property (\$5+ million). In response to a question from Mr. Smedberg, Mr. Zehner stated that the parking deck at Burke Centre cost \$28 million with 1,500 spaces. Mr. Jenkins suggested working with a congressional member to obtain some stimulus funds. Mr. Zehner stated that staff has talked with several congressional members.

#### Board Member Comments

Mr. Covington stated that the parking garages at Richmond Airport and BWI have a system with technology that lets drivers know where there are empty parking spaces. He would be interested to know the cost of this type of technology. Mr. Zimmerman explained that it is based on a motion detector system.

Adjournment

Without objection, Chairman Milde adjourned the meeting at 10:37 A.M. The vote in favor was cast by Board Members Bulova, Covington, Drake, Jenkins, Kelly, Milde, Skinner, Smedberg, Stimpson, Way and Zimmerman.

Approved this 19<sup>th</sup> day of March, 2010.

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Paul Milde  
Chairman

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Wally Covington  
Secretary

**CERTIFICATION**

This certification hereby acknowledges that the minutes for the February 19, 2010 Virginia Railway Express Operations Board Meeting have been recorded to the best of my ability.



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Rhonda Gilchrest

Acquisition of Brooke Property.

The VRE Operations Board recommends approval of Resolution #2141. This resolution authorizes VRE's Chief Executive Officer to execute a purchase agreement and related documents for two property parcels in Stafford County to expand parking at the Brooke Station.

Details are provided on the attachment. Funds will be provided from FY 2009 and 2010 CMAQ grants and from VRE working capital, pending receipt of additional federal grants expected in March, 2010.



## RESOLUTION #2141

**SUBJECT:** Acquisition of Brooke Property.

**WHEREAS:** VRE and Stafford County have been working to expand parking at the Brooke VRE station;

**WHEREAS:** The Environmental Assessment identified surface expansion to the south of the existing lot as the preferred alternative; and

**WHEREAS:** The parcels proposed for purchase constitute the land required to complete this expansion.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute a purchase agreement and all related documents necessary to complete the acquisition of two property parcels at 1717 Brooke Road in Stafford County for parking expansion at the Brooke VRE station.

Approved this 4<sup>th</sup> day of March, 2010.

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Catherine Hudgins  
Chairman

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Mary Hynes  
Secretary-Treasurer



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**AGENDA ITEM 11-B**  
**ACTION ITEM**

**TO: CHAIRMAN MILDE AND THE VRE OPERATIONS BOARD**

**FROM: DALE ZEHNER**

**DATE: JANUARY 15, 2010**

**RE: AUTHORIZATION TO ACQUIRE PROPERTY FOR A PARKING  
EXPANSION AT THE BROOKE VRE STATION**

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**RECOMMENDATION:**

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to purchase two property parcels at 1717 Brooke Road in Stafford for the parking expansion at the Brooke VRE station.

**BACKGROUND:**

Over the past year, VRE and Stafford County have been working to develop a parking expansion at the Brooke VRE station. VRE hired a consultant to complete a draft Environmental Assessment (EA) which was submitted to FTA for review on October 27, 2009. The report identified a surface expansion to the south of the existing lot as the preferred alternative. The parcels proposed for purchase constitute the land required to complete this expansion.

Over the last year, the property owner experienced financial hardship and other difficulties associated with ownership of this property. The property was slated to fall into foreclosure and an auction was scheduled for January 12, 2010. VRE worked with FTA to receive an expedited Letter of No Prejudice (LONP) for the advanced use of federal funding. FTA also provided an Environmental Categorical Exclusion letter to allow for immediate property acquisition. On January 8, 2010, the FTA authorized VRE to acquire the property for the approved appraisal amount of \$500,000.

VRE subsequently submitted an offer to the property owner with contingencies; including Operations Board and Commission approval by February 11, 2010. Once the property is acquired, VRE will continue to work with FTA to finalize environmental and property acquisition documents and begin final design.

**FISCAL IMPACT:**

Funding for this property acquisition is being provided using FY 2009 and FY 2010 CMAQ grants. Currently available funds in this grant total \$125,000. An additional \$950,000 has been approved for the project and has been applied for. Receipt of these funds is expected in March. As such, VRE will use working capital in the interim.



Response to Testimony at NVTC's Public Hearing

The attachments include VRE's response and copies of testimony from two citizens about VRE, as presented at NVTC's January 7, 2010 public hearing. They are included for your information.

## MEMORANDUM

**TO:** Rick Taube  
**FROM:** Dale Zehner  
**DATE:** February 11, 2010  
**SUBJECT:** Response to Citizen Comment at January 7, 2010 NVTC Meeting

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At the January 7, 2010 NVTC meeting, comment was remarks were made by both Ed Tennyson and Allen Muchnick which included comments regarding VRE. A response to both citizens is provided below.

### Ed Tennyson

- Express Train – Mr. Tennyson raises a concern that the “additional” rolling stock needed for the proposed express train is not budgeted. However, because the rolling stock is currently in our ready reserve, the maintenance functions are already being performed and are therefore included in the budget.
- CSX Access charges - Mr. Tennyson states that VRE is being charged by CSX for the new Amtrak Northeast corridor trains. This is not correct. VRE does not pay for any access fees other than those for existing VRE trains.
- Liability Insurance – VRE currently pays \$2.7 million for the liability insurance required by the railroads. However, the coverage is for \$250M and includes terrorism insurance.

### Allen Muchnick

- Bicycle Facilities - Mr. Muchnick raises concerns that no bicycle parking improvements occurred at VRE stations during the past year. However, VRE has bicycle parking at all stations with the exception of Broad Run and Brooke. The parking facility at Brooke is undergoing an expansion effort and property has just been acquired. Bicycle facilities will be considered as part of the design effort. In addition, Fairfax County has already installed 15 inverted U-racks at Burke. Additional racks and 8-10 bicycle lockers are coming soon. This spring, new U-racks will also be installed at Rolling Road, Backlick, and Lorton. The County is considering lockers at these locations as well.

- Web Site – VRE received funding to update our web site to make it more user friendly and allow for improved content. As this work continues, consideration will be given to how to improve the bicycle information on the web site.
- Bike to Work Day – in an effort to encourage biking to VRE stations, as well as also now allowing bikes on some trains, VRE will participate in the Bike to Work event at the Burke VRE station this May.

Before the  
**NORTHERN VIRGINIA TRANSPORTATION COMMISSION**  
**January 7, 2010 PUBLIC HEARING**

**TESTIMONY OF E. L. TENNYSON, PE**

2233 Abbotsford Drive, RFD 55  
Vienna, VA. 22181-3220

As you know even better than I, we face enormous problems sustaining our public transportation system. Before I speak to those huge problems, I first want to make clear that in all my years of experience, I have never seen the equal of NVTC. Your work is prodigious, valuable and effective. Nothing I am going to say will contradict that, but problems must be addressed.

Statistically, our transit system is the fourth best in all North America and aesthetically it is third best. Financially, it is second best, but with our funding problems, it will rapidly decline, increasing eventual costs, air pollution, oil importation, travel casualties and traffic congestion. The NVTC Work Program must address these problems.

The laws of the Commonwealth require VaDR&PT to fund up to 95 % of the non-labor cost of public transportation. Public means available for everyone. That excludes car pools which are private. The 95 % of non-labor cost means about 19 % of all costs. The NVTC Legislative Program should seek a law amendment to put a 50 % floor on that 95 %. Since the Commonwealth funds all public highways except city streets, it must do more for parallel transit service or Gresham's Law will wipe good transit out. More transit funding will save far more money than it costs. If the Commonwealth will not raise the motor fuels tax, it must add user charges at toll booths at the state's major river crossings and at the state line on major highways. A sales tax is not equitable as it would subsidize the trucking industry diverting heavy freight from rail to overloaded highways.

NVTC must work to convince the federal government that the Dulles Silver Rail Line should get more than 18 % federal funding. The law says "up to 80 %" and most major highway projects do get 80%. When the highway money ran short, Congress appropriated General Funds but that must stop. We have already borrowed too much from China. We have to pay it back. Last year's federal formula for allocating to Dulles Rail was faulty. It was based on passengers, so the longer a line gets, the less it will qualify for, but the more good that it will do. This perversion in the federal formula must be corrected. Passenger-miles, not simply passengers, will correct this aberration. Traffic engineers use vehicle-miles travelled so why doesn't transit use passenger-miles ? Seek a 50 % floor under worthy transit project funding. Our MetroRail system is very worthy. NVTC had KPMG study its value and found a 19 % return on investment. That beats Wall Street in all but its very best years. My own calculation based on oil saving and lower cost of operation comes to an 18 % return, totally independent of KPMG. Investment is not a cost in itself, but is an asset which earns a return if done right. Arlington and Fairfax County taxes were at the rate of \$ 1.50 and \$ 1.75 before we built Met-

roRail but now they are 40 % below that. That benefits everyone. We can not afford *not* to fund MetroRail. It is a fixed facility. It must be fully funded or it will fall apart, but every dollar must be analyzed for value.

Last December 6, MetroBus officials told NVTC that they want to switch 100,000 weekday MetroRail passengers to MetroBus. THAT MUST NOT BE ALLOWED. MetroRail fares are higher than MetroBus so \$ 40,000 a day will be lost. More bus service will have to be added to carry half of those 100,000. The other half *may* find empty space on the buses. That will cost \$ 129,000 more a day. The annual added cost will exceed \$ 49 million per year which we can in no way afford. Spending money to down-grade travel is ruinous. Look at Los Angeles with a major Bus Rapid Transit program.

From 2006 to 2008, bus travel declined 3.4 % despite \$ 4 a gallon gasoline but electric rail travel increased 9.2 % with no new rail lines. Rail operating cost was 17 % lower per passenger-mile than bus, but here in The National Capital, rail service is 62 % less costly than bus because MetroRail is less costly per passenger-mile than most Light Rail systems and MetroBus is more costly than buses in Los Angeles.

Increased funding must come in part from your Work Program item to raise the local 2.1 % gasoline sales tax to 4.2 % as the Commonwealth committed to do when Governor Robb was in office. The federal government ruled that WMATA was ineligible for support until a secure source of state funding was assured. The General Assembly passed a 4 % local sales tax implemented in two steps. The first step of 2 % was implemented but the second step was revoked after federal money was secured. This perfidy must be corrected.

At the same time, local governments must realize and accept that they are the last resort for WMATA funding. WMATA is not statewide. The state may not care. We do. We must assure that our service gets funded since it saves us so much money overall. If that means a property tax increase, so be it. So long as highways are free, and most suburban parking is free, transit must receive assistance.

The Virginia Railway Express budget looks very good with lower costs per passenger-mile than MetroRail and Fairfax Connector bus, but there is an error in the budget. The new express train first thing north in the morning will cost more than \$ 375,000. It requires a whole new train of a crew, locomotive and maybe six cars. The crew is budgeted but the added rolling stock is not. Maintaining more cars will cost more money, at least \$ 600,000. That will still be covered by the added new fares but the cost must be recognized now. The added cost can be eliminated in 2012 when CSX allows VRE 32 trains a day. By sending the new train back to Fredericksburg (or Manassas) to make a second morning trip in place of a fresh new train starting out, the crew and cars can be saved.

This raises the issue of CSX and NS Ry access charges. Since CSX is improperly charging VRE for the new Amtrak Northeast Corridor trains, CSX must also

shift the access charges to Amtrak, away from VRE. VRE (we) paid for the new Occoquan bridge and triple tracks to get 40 trains a day. CSX has no right to charge VRE for Amtrak. Federal law gives Amtrak the right to use CSX. This perfidy must be corrected.

Also, VRE liability insurance still costs far too much. Other commuter rail systems spend only three percent of total operating expenses on casualty and insurance. That would be only \$ 1.5 million a year for VRE. Anything over that is a usurious charge. I realize that railroads are fearful that lawyers will rip them off, so we should seek legislation to limit winning claims to honest, sure-thing guilt. My wife was on a jury once that wanted to award a large verdict to the spouse of a street car rider who fell in a pavement pothole and sued the street car company because the operator did not look in his rear-view mirror and see the victim down in the street. The victim was not on transit property but on a public highway. The jury attitude was "so what", the victim's spouse needed the money. A worst case occurred in Philadelphia where a judge and several lawyers went to jail for falsifying accident damages against the bus authority. We must help protect CSX and NS Ry from such perfidy when we demand reasonable insurance limits.

The work program proposes to "help resolve WMATA's budget shortfall." Right! In addition to what I have already requested, NVTC should initiate a quarterly analysis of WMATA operations. WMATA costs are out of control. Bus costs have escalated from 91 cents per passenger-mile to \$ 1.17 in 2007, since 2004, up 28.6 %. MetroRail has escalated from 35 cents to 44 cents per passenger-mile, up 25.7 % The national average for those years is only 10 % or 11 %. Inflation was only 9 %

The WMATA cost per bus hour in 2004 was \$ 114.42 but was \$ 138.97 in 2007, up 21.5 %, less increase than cost per passenger-mile, showing loss of efficiency. The national average grew from \$ \$ 94.09 to \$ 109.76, up only 10.2 %.

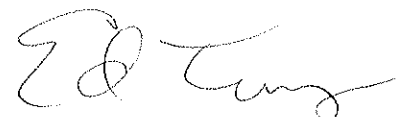
The WMATA cost per car hour in 2004 was \$ 227.25 but was \$264.10 in 2007, up only 16.2 % again showing loss of efficiency. The national average grew from \$ 154.31 to \$ 185.17, up 20.0 % showing a gain in efficiency.

To control costs, NVTC must review the cost per passenger-mile, the passenger-miles per car-mile and bus-mile (the load factor), the cost per car and bus hour, the passenger-miles per vehicle failure, the average speed and the passenger-miles per employee. These data must be provided for the Federal Transit Administration so NVTC should also see them before they get stale.

In fairness to WMATA, added costs to overcome past neglect should be discounted.

I apologize for taking up so much time with details, but that is where the devil is.

Respectfully submitted,



**PUBLIC HEARING ON THE 2010 WORK PROGRAM FOR THE  
NORTHERN VIRGINIA TRANSPORTATION COMMISSION  
JANUARY 7, 2010  
REMARKS OF ALLEN J. MUCHNICK, BOARD MEMBER  
VIRGINIA BICYCLING FEDERATION**

Good evening. I'm Allen Muchnick, a board member of the Virginia Bicycling Federation, a statewide alliance advancing a healthier and more livable Virginia through bicycling access, safety, and education.

For more than a decade, I've asked the Commission to improve pedestrian and bicycle access to public transportation in Northern Virginia, especially for Metrorail and VRE.

I'm pleased that the proposed work program includes an item to "analyze and report on bicycle access to transit."

Over the past decade, our region has made considerable progress in improving bicycle access to public transportation. Bicycles are now allowed on Metrorail cars at all times except for six weekday hours during the AM and PM peaks and without a burdensome permit requirement, and now VRE allows transport of up to two bicycles on each of 17 daily trains, 7 on the Fredericksburg Line and 10 on the Manassas Line. Nearly all local transit buses, except for a few local operations, now have front-mounted bike racks as standard equipment.

WMATA is currently in the process of upgrading its bicycle racks at numerous Metro stations by replacing its dysfunctional, obsolete, and rusty Rack-III racks with simple, secure, and sturdy inverted-U racks, and an ambitious "Metrorail Station Area Bicycle and Pedestrian Improvements Study" is currently underway.

My comments at last year's public hearing were focused on VRE, but despite the new bike-on-rail access policy, no bicycle parking improvements have evidently occurred at VRE stations and the VRE website still provides inadequate information on bicycle parking accommodations and bicycling and walking access routes at VRE stations.

VRE now provide free parking for 8,338 motor vehicle spaces and that the motor vehicle parking volumes at several VRE stations exceed 90% capacity, yet zero bicycle parking evidently exists at the Fredericksburg, Leeland Road, Brooke, Rippon, or Woodbridge Stations, and the VRE website fails to note the availability of WMATA-provided bicycle parking near its stations at Alexandria, Crystal City, L'Enfant Plaza, and Union Station.

Of the 8 VRE stations where bicycle racks are reportedly present, the VRE website provides almost no information as to the number and quality, the basic design, or the specific location of the bike racks, except to note that the bike racks at Burke Center are in the new parking garage. Evidently, none of the remaining VRE stations offer weather-protected bike racks, and no VRE stations provide bicycle lockers, except at two stations near WMATA stations.

To find out about bicycle parking at VRE stations, one must navigate the VRE website through "Service Information", then "Station Locations" and then click on information about each individual station.

The web page for each VRE station shows a vicinity highway map for motor vehicle access, but no maps or links to maps depicting routes for pedestrian and bicycle access are displayed.

At the same time, the VRE website indicates that VRE is providing free parking for 8,338 motor vehicle spaces and that the motor vehicle parking volumes at six VRE stations exceed 90% capacity.

Before further expanding free motor vehicle parking for VRE customers, VRE should provide quality bicycle parking in the form of both rental bicycle lockers and weather-protected bike racks at every suburban station.





AGENDA ITEM #6

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube  
**DATE:** February 25, 2010  
**SUBJECT:** RFP for NVTA's TransAction 2040 Plan.

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The commission is asked to authorize its executive director to issue RFP 10-01 on behalf of the Northern Virginia Transportation Authority. NVTA has previously approved the scope of work to update Northern Virginia's TransAction plan through 2040. As it has done previously, NVTC staff has agreed to issue the RFP and manage the federal grant funding for this important project, which is included in NVTC's approved Work Program for 2010.

Excerpts of the RFP are attached and the entire document is available from NVTC staff on request and will be posted on-line following the commission's requested action.



4350 N. Fairfax Drive • Suite 720 • Arlington, Virginia 22203  
Tel (703) 524-3322 • Fax (703) 524-1756 • TDD (800) 828-1120 • VA Relay Service  
E-mail [nvtdc.org](mailto:nvtdc.org) • Website [www.thinkoutsidethecar.org](http://www.thinkoutsidethecar.org)

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION  
REQUEST FOR PROPOSALS**

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**Project Title: TransAction 2040 Northern Virginia Regional Transportation Plan**

Request RFP No. 10-01

Contact: Adam McGavock

Tel: (703) 524-3322

Fax: (703) 524-1756

Email: [adam@nvtc.org](mailto:adam@nvtc.org)

Electronic copies of RFP: [www.thinkoutsidethecar.org](http://www.thinkoutsidethecar.org) and [www.thenovaauthority.org](http://www.thenovaauthority.org)

<b><u>Issue Date:</u></b>	March 5, 2010
<b><u>Written Questions Due:</u></b>	March 25, 2010
<b><u>Optional Pre-Proposal Conference:</u></b>	March 30, 2010 at 2:00 PM
<b><u>Proposal Due Date/Time:</u></b>	May 24, 2010 at 4:00 PM
<b><u>Location:</u></b>	NVTC, 4350 North Fairfax Drive, Suite 720, Arlington, VA 22203

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**DESCRIPTION OF WORK:** The Northern Virginia Transportation Commission (NVTC) is requesting proposals from qualified firms to assist the Northern Virginia Transportation Authority (NVTA) in updating the region's long-range transportation plan. RFP tasks include the completion of an inventory and accompanying cost estimates for transportation projects, analysis using the latest version of the Metropolitan Washington Council of Governments (MWCOC) travel demand model or an alternative approach with discussion and approval of the TransAction 2040 Subcommittee, highway and transit level of service analysis, the design and facilitation of a public involvement program and project prioritization process. These and optional tasks are described fully in Section B: Scope of Work.

**OPTIONAL PRE-PROPOSAL CONFERENCE:** An optional pre-proposal conference will be conducted at NVTC on March 30, 2010 at 2:00 PM EDT. Attendance is not required. Please RSVP to Mr. Adam McGavock of NVTC by March 25, 2010 and provide the number of persons from your organization that will attend and contact information should NVTC need to change the location due to space constraints. The purpose of this conference is to allow potential Offerors an opportunity to ask questions and receive answers about this solicitation. You are encouraged to submit written questions to be discussed at the conference in advance to Mr. McGavock at NVTC to help ensure more complete answers. Questions also may be presented orally or in writing at the meeting. Directions to the NVTC office are available on NVTC's web site at <http://www.thinkoutsidethecar.org>. If the Offeror does attend the pre-proposal conference, he or she should bring a copy of the RFP. Any changes resulting from this conference will be issued in a written addendum to the solicitation. Offerors should contact NVTC to place their name on the project distribution list to be assured of receiving any addenda.

**ORAL PRESENTATIONS:** Oral presentations with top-ranked firms are tentatively scheduled to be held on June 8 and 9, 2010 at NVTC.

**TYPE OF CONTRACT:** Cost Plus Fixed Fee, subject to a maximum. The final price of the contract will be determined following a review of proposals and contract negotiations.

**NOTICE OF AWARD:** Notice of contract award(s) made as a result of this solicitation is expected to be on or about July 9, 2010, with project completion anticipated within about 20 months of notice to proceed.

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## Section A

### Background and Instructions to Offerors

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#### Context

The transportation challenges facing the Northern Virginia region are:

- The number of vehicles, trips made and miles driven have far out-paced the capacity of our roadways.
- Population and employment continue to grow, but transportation funding has not kept sufficient pace to meet the region's mobility needs.
- The current "Hub and Spoke" transportation network does not address the regional "Web" pattern of suburb-to-suburb trip making effectively, particularly across modes of transportation.
- Air quality continues to be of great concern.
- Metrorail capacity on lines serving Northern Virginia is critically constrained.
- Aging infrastructure continues to require more transportation dollars, reducing available revenue for system expansion.
- Incomplete trail and sidewalk networks reduce the potential for bicycle and pedestrian activity in the region.

#### Background

In July 2002, the Virginia General Assembly created the Northern Virginia Transportation Authority (NVTA) and charged it with developing a regional transportation plan. Northern Virginia consists of the counties of Arlington, Fairfax, Loudoun, and Prince William; and the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park. One of NVTA's primary responsibilities is to recommend transportation projects to the Commonwealth Transportation Board (CTB) for funding. NVTA is also responsible for preparing a long-range transportation plan for Northern Virginia. The Authority is comprised of 17 members; nine are mayors or chairmen, or their designees, of the nine cities and counties that are members of the Authority; two are members of the House of Delegates; one is a State Senator; and two are citizens appointed by the Governor. In addition, the Director of Virginia's Department of Rail and Public Transportation and the Commonwealth Transportation Commissioner, or designee, and a representative of the five towns which maintain their own roads (Dumfries, Herndon, Leesburg, Purcellville, and Vienna) serve as non-voting members.

The NVTA adopted the TransAction 2030 Long Range Transportation Plan in FY 2007, updating the Northern Virginia 2020 Transportation Plan that was produced by the Virginia Department of Transportation (VDOT) under the direction of the Transportation Coordinating Council (TCC) of Northern Virginia, which the NVTA replaced. A 1999, the TCC resolution specified that the updated Plan should be presented to the member jurisdictions every five years. NVTA's authorizing legislation contains a similar requirement.

TransAction 2030 identified eight major corridors in Northern Virginia. Since TransAction 2030 was adopted in FY 2007, a number of transportation projects have been completed. At the same time, the transportation funding crisis has deepened, and the region continues to grapple with air quality concerns. Our region's leaders have responded through their initiation and support of ongoing efforts that recognize the linkage among transportation, land use, air quality and other

quality of life indicators. Some of these efforts include the Transportation Planning Board's (TPB) Regional Mobility and Accessibility Study, the Northern Virginia Regional Commission's (NVRC) Alternative Transportation and Land Use Activity II (ATLAS II) Study, and the Commonwealth of Virginia's VTRANS 2035, the statewide, long range multi-modal transportation plan. The objectives of the latest NVTA plan update, known as TransAction 2040, will be to re-evaluate travel demand throughout the Northern Virginia region, analyze the performance of the existing and planned transportation networks for various modes of travel, identify projects that will facilitate improved performance of the transportation network, and prioritize and estimate the cost of improvements needed between now and 2040, noting the lessons offered by other regional and state initiatives.

The Vision adopted by the Transportation Coordinating Council and the NVTA states:

*In the 21<sup>st</sup> century, Northern Virginia will develop and sustain a multimodal transportation system that supports our economy and quality of life. It will be fiscally sustainable, promote areas of concentrated growth, manage both demand and capacity, and employ the best technology, joining rail, roadway, bus, air, water, pedestrian and bicycle facilities into an interconnected network.*

The goals established for the TransAction 2040 Plan, which are built on those for the TransAction 2030 Plan include:

- Provide an integrated, multi-modal transportation system
- Provide responsive transportation service to customers
- Respect historical and environmental factors
- Maximize community connectivity by addressing transportation and land use together
- Incorporate the benefits of technology
- Identify funding and legislative initiatives needed to implement the Plan
- Enhance Northern Virginia relationships among jurisdictions, agencies, the public and the business community.

To attain these goals, the projects identified for TransAction 2040, when taken as a whole should:

- Measure and illustrate how transit improvements improve highway LOS
- Identify/quantify locations of poor network performance
- Provide increased road and transit capacity
- Improve connections to, from and between activity centers for all modes and populations
- Use technology for more efficient system operations (ITS)
- Integrate transportation operations coordination and traveler information
- Improve connectivity of the regional bicycle and pedestrian trail system
- Incorporate pedestrian and bicycle improvements into roadway improvement projects
- Maintain the existing system for maximum performance
- Provide a multi-modal solution

While these goals are consistent with previous plans, the TransAction 2040 process should be informed by recent research on the connection between land use and transportation, and the increasing awareness of the environmental impacts of vehicle emissions. The consultant team will assist the NVTA in evaluating the transportation needs, proposed projects and cost estimates for improvements needed between now and 2040. Through analysis and a prioritization process that is integrated with a robust public involvement program, the consultant will help the NVTA prioritize the identified projects and develop current and year of expenditure

cost estimates. The final section of the Scope of Work (Section B) provides a list of resources that the NVTA's Jurisdiction and Agency Coordinating Committee (JACC) and its member jurisdictions will provide to the consultant for use in this project. The JACC's TransAction 2040 Subcommittee will coordinate the development of the TransAction 2040 Plan and will serve as the primary sounding board for the project, with the NVTA being the decision making body that will ultimately approve the Plan.

## **Project Coordination**

The consultant will report directly to NVTA's Project Manager, who is responsible for ensuring that the planning process is proceeding according to the direction given by the NVTA and TransAction 2040 Subcommittee dedicated to this planning effort. The technical approach will be supervised and all deliverables reviewed by the TransAction 2040 Subcommittee chaired by Monica Backmon (who will serve as NVTA's Project Manager) and staffed by local jurisdictions, Department of Rail and Public Transportation-Virginia (DRPT), VDOT, WMATA, VRE, Potomac and Rappahannock Transportation Commission (PRTC), and NVTC. Consultants should plan for two rounds of review and revision for all project deliverables; once with the TransAction 2040 Subcommittee and once with the JACC. NVTC's Contract Manager is responsible for ensuring expenditures are made according to the budget and schedule.

The TransAction 2040 Subcommittee ("subcommittee") of the JACC will assist in identifying and facilitating contact with the appropriate stakeholder groups to confer with during the project including those identified in the NVTA By-laws. Specifically, these NVTA (by-law) created working groups are the Technical Advisory Committee (TAC) and the Planning Coordination Advisory Committee (PCAC).

### **A. Technical Advisory Committee (TAC).**

- (1) Charge. This committee of individuals with multi-modal expertise and regional focus shall be responsible for reviewing the development of major projects and potential funding strategies and providing recommendations to the NVTA. "Development of projects" means the identification of projects for the NVTA Long Range Transportation Plan and the NVTA Six Year Program, and the application of performance-based criteria to the projects identified.
- (2) Membership. The committee shall consist of nine individuals who reside or are employed in counties and cities embraced by the Authority and have experience in transportation planning, finance, engineering, construction, or management. An effort shall be made to have multi-modal representation, to include highway, transit, pedestrian, and bicycle expertise as well as being balanced regionally. The NVTA will recommend a list of members each year and request that the chief elected officer from relevant jurisdictions appoint selected persons to the committee. Initially, half the locally appointed members will serve a one year term. The other half will serve two year terms. Subsequently, members will serve three year terms. The chairman of the Commonwealth Transportation Board (CTB) will appoint three members to three year terms. Locally appointed members may be removed by the Chairman of the NVTA for failure to attend three consecutive meetings or if the member no longer resides or is employed in an NVTA jurisdiction.

### **B. Planning Coordination Advisory Committee (PCAC).**

- (1) Charge. This committee shall be responsible for advising the NVTA on broad policy issues related to the periodic update of the NVTA's Long Range Transportation Plan (e.g., TransAction 2030) and the development of the NVTA's Six Year Program with

special consideration to regional transportation, land use and growth issues and provide advisory recommendations to the NVTA.

- (2) Membership. All members shall be elected officials from jurisdictions embraced by the NVTA. Such membership shall include, as a minimum, one elected official from each town that is located in any county embraced by the NVTA and receives street maintenance payments. [Remaining membership TBD.]

Note: These two committees have not yet been finalized by NVTA.

### **Instructions to Offerors**

#### **1. PURPOSE OF RFP/SCOPE OF WORK:**

The purpose of this RFP is to procure technical consulting services to create the TransAction 2040 Long Range Transportation Plan for Northern Virginia. A detailed scope of work follows in Section B.

- 2. EXPLANATION TO OFFERORS:** A request for any explanation desired by an Offeror regarding the meaning or interpretation of this RFP, specification, or other solicitation documents must be in writing and submitted at least three weeks prior to the proposal due date to allow sufficient time for a reply to reach all Offerors.

It shall be the obligation of the Offeror to exercise due diligence to discover and to bring to the attention of NVTC, at the earliest possible time, any ambiguities, inconsistencies, or conflicts in or between any of the technical or contractual provisions in the RFP.

Any change made by NVTC will be in the form of an amendment to the RFP and will be furnished to all prospective Offerors known to NVTC.

**Unless otherwise stated, the term “NVTC” means “NVTC and NVTA.”**

- 3. WRITTEN COMMUNICATIONS:** NVTC will assume no responsibility for any understanding or representations concerning conditions made by any of its officers or agents prior to the execution of the contract, unless included in this RFP, the specifications or related documents or amendments thereto.
- 4. PROPOSAL PREPARATION COSTS:** This RFP does not commit NVTC to an award, or to pay any costs associated with the preparation and/or submission of any proposal. NVTC will not reimburse any costs incurred by Offerors in responding to this RFP or in competing for contract award.
- 5. SUBMISSION OF PROPOSAL AND PROTECTION OF PROPRIETARY INFORMATION:** One original and 12 paper copies plus one electronic original on a CD or USB flash drive of the proposal in response to this RFP are due not later than 4:00 PM on May 24, 2010. NVTC reserves the right to reject any and all proposals received after that time. NVTC also reserves the right to waive irregularities. Separate technical and price proposals should be submitted.

Submit proposals to NVTC’s Contract Manager for the project:

Adam McGavock, Director of Planning  
Northern Virginia Transportation Commission  
4350 North Fairfax Drive, Suite 720  
Arlington, Virginia 22203



A proposal may be mailed or delivered in person to NVTC prior to the due date. Delivery of proposals can be made between 9:00 A.M. and 4:00 P.M., Monday through Friday.

Consistent with state statutes, NVTC will provide all reasonable precautions to ensure that proprietary information remains within the review process. The Offeror shall attach to any proprietary information the following legend and identify the specific reason(s) for this designation as permitted in the Code of Virginia:

*Specific data as indicated are furnished pursuant to RFP # 10-01 and shall not be disclosed outside of NVTC, be duplicated, or used, in whole or in part, for any purpose other than to evaluate the proposal. The reasons for protecting these data are defined in the Code of Virginia. This restriction does not limit NVTC's right to use information contained in these data if it is or has been obtained by NVTC from another source.*

Except for the foregoing limitation, NVTC may duplicate, use and disclose in any manner and for any purpose whatsoever and have others do so, all data furnished in response to this RFP.

6. **PROPOSAL ACCEPTANCE PERIOD:** The proposal shall be binding upon the Offeror for 120 calendar days following the proposal submission date. Any proposal on which the Offeror shortens the acceptance period may be rejected, although the acceptance period may be extended by mutual agreement between NVTC and the Offeror.
7. **AWARD OF THE CONTRACT:** NVTC will award the contract on the basis of the evaluation factors included in the RFP to the Offeror deemed to be fully qualified and best suited among those submitting proposals. NVTC reserves the right to award the contract on the basis of the price and technical information provided in the Offeror's original proposal. Offerors are cautioned to ensure that all representations in the proposal are complete and accurate, as the contract may be awarded without further negotiation.

If NVTC deems that a more advantageous agreement can be reached through negotiation, NVTC may elect to negotiate with one or more Offerors. After negotiations have been conducted with each Offeror so selected, NVTC shall select the Offeror, which, in NVTC's opinion, has made the best proposal and shall award the contract to that Offeror. NVTC may cancel this RFP or reject a proposal at any time prior to an award, and is not required to furnish a statement of the reason why a particular proposal was not deemed to be the most advantageous. Should NVTC determine in writing and in its sole discretion that only one Offeror is fully qualified or that one Offeror is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that Offeror. The award document will be a contract incorporating by reference all the requirements, terms and conditions of this RFP, Contract Provisions, and the Contractor's Proposal as agreed upon by NVTC, plus such other terms and conditions as may be mutually agreed.

8. **DELAYS IN AWARD:** Delays in award of a contract, beyond the anticipated starting date, may result in a change in the contract period indicated in the solicitation. If this situation occurs, NVTC reserves the right to award a contract covering the period equal to or less than the initial term indicated in the solicitation.
9. **AWARD FOR ALL OR PART:** Unless otherwise specified, NVTC may, if it is in the best interest of NVTC to do so, award all or part of the proposal to any Offeror whose proposal is

the most responsible and responsive and whose proposal meets the requirements and criteria set forth in the Request for Proposals with respect to the items in question.

10. **REJECTION OF PROPOSALS:** NVTC expressly reserves the right to reject any or all proposals or any part of a proposal, and resolicit the services in question, if such action is deemed to be in the best interest of NVTC.
11. **SINGLE PROPOSAL:** If a single conforming proposal is received, a price and/or cost analysis of the Proposal shall be made by NVTC.
  - It should be recognized that a price analysis through comparison to other similar contracts shall be based on an established or competitive price of the elements used in the comparison.
  - The comparison shall be made to the cost of similar projects and involve similar specifications.
12. **PROTEST OF AWARD:** An Offeror wishing to protest a decision to award a contract must submit the protest, in writing, to NVTC no later than 10 days after the public decision by the commission to award the contract. The protest must include the basis for the protest and the relief sought. Within 10 days after receipt of the protest, the Executive Director of NVTC will issue a written decision stating the decision on the protest and the reasons for the action taken. This decision is final. Further action, if desired by an Offeror, must be taken by instituting action as provided by the Code of Virginia.
13. **CONTRACT AWARD AND BOND REQUIREMENTS:** The Offeror whose proposal is accepted shall, within the time established in RFP # 10-01, enter into a written contract with NVTC. Upon request of NVTC, the contractor shall furnish both a performance bond and a payment bond in the amount indicated in the General Terms and Conditions (Item #29, Section D). The costs of such bonds are eligible project expenses.
14. **COMPETITIVE NEGOTIATION**
  - a. General - This procurement will be conducted using the procedures of competitive negotiation of technical proposals.
  - b. Interviews and Negotiations - After receipt of initial proposals, written or oral discussions may be conducted with some or all responsive Offerors to the extent necessary to rank order the proposals, resolve uncertainties and consider any revisions. Basic questions will not be left for later agreement during price revisions or other supplemental proceedings.

If negotiations are conducted with several Offerors, whether successively or not, all Offerors selected to participate in negotiations will be offered an equal opportunity to submit technical or other revisions as required. Complete agreement on all basic requirements shall be the objective of these negotiations.
  - c. Complete Proposals – Offerors are urged to ensure that price and technical proposals are full and complete. NVTC may elect to award the contract based solely on the Offeror's initial proposal.
  - d. Best and Final Offer – If negotiations are conducted, all Offerors with whom negotiations have been conducted will be informed of the specified time and date to submit their Best

and Final Offer. The Best and Final Offer shall be each Offeror's most favorable price proposal for the technical proposal which has been clarified and agreed to during negotiations.

## **15. REQUIREMENTS OF THE SEPARATE TECHNICAL AND PRICE PROPOSALS:**

**The technical proposal shall include:**

- a) Title Page - show the name of the Offeror's firm, local address, telephone number, name of contact person and date.
- b) Table of Contents.
- c) Letter of Transmittal summarizing the proposal.
- d) Technical Approach and Work Plan (**60 page maximum for a description of the base tasks + 15 page maximum for a description of optional tasks = 75 page total maximum**):

This section should describe the recommended approach and work plan regarding the assistance to be provided. The proposal must address in depth the Offeror's plans to meet the requirements of each of the tasks and activities outlined in the "Scope of Services" of this RFP. The work plan must discuss the staffing level(s) required to complete each task, as well as the relative effort that each member of the proposed project team will devote to the project. The work plan also must include a task-by-task/sub-task-by-sub-task schedule of the time required to complete the project. Work plan steps should be supported by the proposed hours the Offeror agrees to commit to the task. This schedule must identify the major milestones, project deliverables, and estimated total time to complete each task in order to complete the entire project within 20 months following the notice to proceed. The schedule shall include progress reporting and project meetings with adequate time for NVTC and the NVTI Interim Technical Committee to review and approve contractor deliverables.

Each Offeror shall cover all of the requirements of the work as given in Section B of this RFP # 10-01; the Contract Terms and Conditions, and any other contract documents described in Sections C and D; and provide sufficient specific information to effectively demonstrate the Offeror's technical capability to perform all work required under these specifications. The Offeror shall submit information to enable NVTC to ascertain how the proposal will meet the specifications contained herein and in accordance with the Evaluation Criteria.

In describing their approach in Tasks 3 and 4, consultants should include in their proposals a strategy for incorporating the TransAction 2030 Plan methodology or a similar process for prioritizing transportation improvements and achieving regional acceptance in their TransAction 2040 proposal. This process should be integrated with the public involvement program, and thoroughly communicated with stakeholders. The consultant should demonstrate how the prioritization process is linked to the goals and objectives and addresses the mobility, environmental, land use, and funding challenges identified in the above section. The methodology will not only be used to prioritize the projects in the TransAction 2040 Plan, but may also be used by the NVTI in subsequent years to prioritize those projects that are included in future CLRP updates, TIP updates, and other initiatives. All types of transportation projects will be prioritized (transit, highway, ITS, commuter parking, bicycle and pedestrian projects).

The consultant should explain how they would approach the analysis tasks and identify any options that they believe will be necessary to complete the project and meet the needs of the NVTA. This includes any additional network and demand analysis needed to reach a set of transportation improvements that, if implemented between now and 2040 would result in the best reduction in congestion in the Northern Virginia region. This includes not only roadway congestion but also transit capacity issues as well.

The consultant should clearly demonstrate their capability in using the TPB staff's most current travel demand model. They should clearly describe the model inputs, calibration procedures, and recommended outputs for this study.

The effective visual presentation of the outputs is of utmost importance to the NVTA. The format of outputs should be described to show how these outputs will be presented so that the layperson can understand how well the various networks tested measure against the problems listed above.

Preferred presentation formats include maps, graphs, and other figures, as opposed to spreadsheets of data. Add-on modules that are compatible with the regional travel forecasting model will be viewed positively if they are able to enhance the public involvement effort, use a multi-modal perspective to evaluate improvements, and assist decision-makers with evaluating improvements to accomplish regional mobility, environmental protection, land use, and quality of life goals. The consultant should propose their approach for development of an interactive tool for communicating the results of modeling and forecasting the transportation network and how the outcomes will impact individuals and communities. This tool should be incorporated into the public involvement program.

In the development of the TransAction 2040 Plan, the consultant should indicate how they intend to communicate with project steering committees, official oversight bodies, jurisdictions, regional bodies, state agencies and the public who will be impacted by the development of the plan. Public information and participation are critical to this project and should be considered integral to each component of the study. While the parties to the process vary greatly, consistency is essential in communicating effectively.

At the early stages of the project, the consultant – in coordination with the subcommittee - will prepare a detailed meeting schedule, which will include key communication points, key decision points, and ongoing project updates by the 2040 Subcommittee and consultants for JACC, NVTA, jurisdictional leaders, and stakeholders, in addition to the public communication activities.

- e) Proposed Quality Assurance Program (**5 page maximum**). The quality assurance program should clearly describe how the Offeror will manage and control all proposed activities. Offerors should explain how the management and administrative processes will ensure that appropriate levels of attention are given so that work is properly performed as proposed.
- f) Project Staffing (Qualifications and Experience)

This section must include the qualifications of the key personnel that will be assigned to this project. At a minimum, the proposal should designate a project manager, and include the organization, functional discipline, and responsibilities of project team members.

**Resumes of no more than two pages each** should be provided for all key personnel proposed.

The Offeror should clearly state if it is proposing to subcontract any of the work herein. The names of subcontractors are to be provided and by proposing such firm(s) or individuals, the Offeror assumes full liability for the subcontractor's performance.

g) Firm(s) Experience and Capabilities

The purpose of this section is to provide NVTC with an overview description of the Offeror's company plus the Offeror's commitment to performing the services set forth in the RFP. The Offeror must also specify, in a similar manner, the qualifications of any subcontractors to be used in this proposed project.

Offerors shall identify a minimum of three projects performed over the last five years, similar or equivalent in size and scope to the work described in the solicitation. **Project descriptions, limited to two pages each**, should describe relevant work previously performed by the Offeror and proposed subcontractors. In addition to a concise description of the technical work performed under the contract, project descriptions should include the name of the client, contact person, title, address, phone and fax numbers, and direct email address. Project descriptions should also provide the contract number and contract value and the time period of performance.

In addition to the above, the Offeror shall provide a list of contracts within the past five years, if any, on which failure to complete the work within the specified time resulted either in the assessment of damages or contract termination.

h) A list of names, titles, telephone numbers and email addresses of persons authorized to conduct negotiations.

i) Acknowledgment of receipt of all NVTC amendments to this RFP in the Technical proposal.

j) Attachments

Attachment A: NVTC Insurance Coverage Required.

Attachment B: RFP Submission Form.

Attachment C: Certification of Restrictions on Lobbying.

Attachment D: Disadvantaged Business Enterprise Statement.

Attachment E: Schedule of Disadvantaged Business Enterprise Participation Statement.

Attachment F: Price Summary Sheet

**The separate price proposal shall include:**

a) Title page – name of the firm, local address, telephone number, fax, email, name of contact person and date.

b) Exhibit showing a non-binding estimate of the hours to be worked by named individuals, their firms, and their hourly rates broken down by task and sub-task and the associated total costs including all estimated out-of-pocket costs and fees. Costs must include all items such as professional time, travel, data processing, forms, printing, other expenses included in the proposed cost. The Offerors should explain and provide details of any conditions which might increase or reduce the cost of the proposed services.

**16. EVALUATION CRITERIA:** NVTC will use the best value selection method as the basis for award. The proposals will be evaluated by a team of local, regional, and state agency staff. Recommendations will be made by this evaluation committee to NVTC's Executive Director. The Executive Director, in turn, will make a recommendation to NVTC's Board of Directors, which must act to approve the contract award. Final award is contingent upon subsequent approval by the NVTA. All proposals will be evaluated for responsiveness and responsibility. Those proposals found to be responsible and responsive will then be evaluated according to the evaluation criteria set forth in this RFP. The committee shall conduct an evaluation based on information set forth in the proposal, past performance, and references of each firm. An evaluation of optional tasks will be done on short-listed proposals to assess best value to NVTC. The selection committee will base its evaluation on the following criteria:

a) Quality of Proposal

Such as:

- Clarity and conciseness of writing style
- Effective use of graphic elements
- Clear organizational structure
- (Rating Value=5 points)

b) Analysis Tools and Methodology

Such as:

- Demonstrated understanding and ability to use the MWCOG travel demand model/discussion and consideration of the alternate travel demand method
- Quality of the Bus and Rail level of service methodology and demonstrated understanding and ability to apply transit level of service (LOS) to this project
- Demonstrated geographic information system skills
- Demonstrated bicycle and pedestrian planning knowledge
- Understanding of park-and-ride lot LOS analysis
- Understanding of regional ITS projects
- Demonstrated ability to incorporate various financial plans into the update
- (Rating Value=35 points)

c) Public Involvement Process

Such as:

- Are the mechanisms for linking the public involvement process to the prioritization process, including the technical merit of the project, likely to be successful?
- How likely is it that the process will be successful in getting high attendance at the workshops?
- Demonstrated expertise in dealing with the public and media
- Understanding of stakeholders
- (Rating Value=15 points)

d) Transportation Improvement Prioritization Methodology

Such as:

- Is the proposed methodology logical? Likely to be successful? Defensible?
- Does it cover a range of evaluation criteria?
- (Rating Value=15 points)

e) Demonstrated experience of the proposed project team and key personnel in performing similar projects

Such as:

- Experience and qualifications of principal staff, to be identified by name, which will be assigned to this project

- Relevance of past projects
  - Understanding by key personnel of the transportation, land use, and environmental issues, challenges, and opportunities in Northern Virginia
  - Quality of proposed management plan
  - (Rating Value=15 points)
- f) Inclusion of certified disadvantaged business enterprises
- (Rating value = 5 points)
- g) Cost
- (Rating value = 10 points)

Total = 100 Points

Based on the results of the preliminary evaluation, the highest ranked firms may be invited to make oral presentations to the selection/evaluation committee. Such presentations may include, but are not necessarily limited to, explanations of the proposed approach, work plan, and qualifications of the firm(s). This committee will then conduct a final evaluation of the firms.

The award will be made to the responsible Offeror whose offer conforms to the solicitation and is most advantageous to NVTC, cost or price and other factors considered. For this solicitation, technical quality is more important than cost or price. As proposals become more equal in their technical merit, the evaluated cost or price becomes more important.

- 17. QUALIFICATIONS OF OFFERORS:** NVTC may make such reasonable investigations as deemed proper and necessary to determine the ability of the Offeror to furnish the item(s) and the Offeror shall provide NVTC all such information and data for this purpose as may be requested. NVTC reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Offeror fails to satisfy NVTC that such Offeror is properly qualified to carry out the obligations of the contract and to provide the services and/or goods contemplated therein.
- 18. REVISIONS PRIOR TO DATE SET FOR RECEIPT OF PROPOSALS:** NVTC reserves the right to revise or amend RFP # 10-01 prior to the date set for receipt of proposals. Such revisions and amendments, if any, will be announced by an amendment or amendments to this RFP. Copies of such amendments as may be issued, will be furnished to all prospective Offerors and will be posted on NVTC's website. If the revisions and amendments require material changes, the date set for receipt of proposals may be postponed by such number of days that, in the opinion of NVTC, will enable Offerors to revise their proposals. In such cases, the amendment will include an announcement of the new date for receipt of proposals.
- 19. ACKNOWLEDGEMENT OF AMENDMENTS:** Offerors are required to acknowledge receipt of all amendments to this RFP in the Technical proposal. Failure to acknowledge all amendments may cause the proposal to be considered not responsive to this RFP.
- 20. KEY PERSONNEL:** Certain, skilled, experienced, professional and/or technical personnel are essential for successful accomplishment of the work to be performed under the contract. These are defined as "Key Personnel" and are those persons whose resumes were submitted as part of the technical proposal for evaluation. Key personnel are expected to work on the contract for its duration, so long as they continue to be employed by the

contractor, unless removed from work on the contract with the consent of, or at the request of, the NVTC.

21. **ADDITIONAL INFORMATION:** NVTC reserves the right to ask any Offeror to clarify its offer.
22. **FHWA AND DRPT REQUIREMENTS:** Funds for this project are provided by FHWA through its Regional Surface Transportation Program via an agreement with DRPT. Accordingly, all applicable FHWA and DRPT requirements will apply, including regulations, policies, procedures and directives.
23. **CONFLICT OF INTEREST:** The successful Offeror and their officers and employees shall comply with the provisions of the Virginia Conflict of Interest Act (Section 2.1-639.1 et. seq., VA Code Ann.), the terms of which are incorporated herein by reference.

NVTC is intent on avoiding conflicts of interest associated with the award of the contract(s). To these ends, Offerors must identify existing and prospective contractual relations they have (or could have) which could present sources of conflict as part of the proposal submission.

24. **DISADVANTAGED BUSINESS ENTERPRISE (DBE):** Where it is practicable for any portion of the awarded contract to be subcontracted, the Offeror is encouraged to offer such business to minority and/or women-owned businesses.
25. **NONDISCRIMINATION:** Offeror shall not be discriminated against in the solicitation or award of this contract because of race, religion, color, sex, national origin, age, disability, or faith-based organization.
26. **INSURANCE CHECKLIST:** A checklist of required insurance coverage is Attachment A and identified as "NVTC Insurance Coverage Required". Items marked "X" are required to be provided. A certificate of insurance indicating these coverages should accompany the offeror's response to the RFP. A copy of the declarations page is acceptable for errors and omissions insurance. If insurance is incomplete, the Offeror should provide a letter from its insurance agent stating that the Offeror is eligible to obtain insurance to the prescribed limits, should a contractual offer be extended. Technical proposals must note any desired exceptions to the insurance coverage. Offerors may submit proposed alternatives.
27. **CONTRACT MANAGER, PROJECT MANAGER AND PROJECT OFFICER:** For this project, the following individuals will serve as managers and officer:

<u>Contract Manager</u>	<u>Project Manager</u>	<u>Project Officer</u>
Adam McGavock	Monica N. Backmon	Richard K. Taube
Director of Planning	Chairman, NVTA TransAction	Executive Director
NVTC	2040 Project Sub-committee	NVTC

## 28. **PROCUREMENT SCHEDULE**

Please note that dates are tentative and may change without notice.

<u>Date</u>	<u>Activity</u>
March 5, 2010	Issue RFP
March 25, 2010	Written Questions on RFP Due
March 30, 2010 at 2:00 PM	Pre-proposal Conference



May 24, 2010 at 4:00 PM	Proposal Due Date
June 1, 2010	Short-listed firms notified
June 8 and 9, 2010	Oral Presentations
June 24, 2010	NVTC notifies top firm of intent to recommend contract award
July 1, 2010	NVTC action on selection committee recommendation
July 8, 2010	NVTA action on selection committee recommendation
July 9, 2010	Notice of Award
August 2, 2010	Contract Signed and Notice to Proceed
April 3, 2012	Project Completion

29. **NOTICE OF AWARD:** The successful Offeror will be notified in writing by mail or otherwise that its proposal has been accepted and that it is to be awarded the contract. The notice of award should not be construed as a “Notice to Proceed.”
30. **EXECUTION OF CONTRACT:** The successful Offeror shall execute the contract and furnish the Performance and Payment Bonds as required and the Insurance Certificates to NVTC within 10 calendar days after the Notice of Award has been issued. The contract will be in writing and shall be executed in the number of copies required by NVTC. One fully executed original shall be delivered to the Contractor. A Notice to Proceed will not be issued until the contract has been executed and all supporting materials are received by NVTC. Contract performance shall begin on the date set forth in the written Notice to Proceed.

## Section B

### Scope of Work

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#### **Task 1: Finalize Work Plan**

The consultant's initial task for this project is to refine and finalize the scope of work, overall project approach, public outreach plans and project schedule. The consultant will accomplish this task by conferring with the TransAction 2040 Subcommittee members and other stakeholders.

During these preliminary discussions, the consultant might need to incorporate optional tasks, as needed, into the scope of work.

This task will precede the Kick-off Meetings. Task 5 in the scope of work provides detail on what is expected.

The outcome of Task 1 will be a finalized work plan with deliverables and project schedule, including all expected presentation materials, flyers and communications materials. Please review the task descriptions below for items required to be presented as part of Task 1 discussions.

#### **Task 2: Inventory of Regional Transportation Needs**

The second task of this project will be to identify the transportation needs for Northern Virginia up to the year 2040. The consultant will, at a minimum, review "TransAction 2030", identify regional factors influencing travel demand such as population growth patterns, land use, employment and demographic data, and establish the framework for the analysis in Task 3.

The consultant will be expected to seek input from the Planning Coordination Advisory Committee (PCAC), an advisory committee affiliated with the NVTVA. This committee, when appointed, will be one of the committees responsible for providing input on regional transportation, land use and growth issues.

The consultant should also be familiar with the Transportation Planning Board's (TPB) approved 2009 Constrained Long Range Plan (CLRP), which was developed with a number of scenarios incorporating land use and transportation objectives and the 2010 CLRP under development by the TPB.

#### **2.1 Review Existing Plans**

In this task, the consultant will examine the previous TransAction 2030 plan processes and outcomes.

The consultant will review all relevant plans prepared either regionally or by affected jurisdictions, including jurisdictional transportation master plans, transit development plans, comprehensive plans, and other relevant studies, that have been completed since TransAction 2030 was adopted.

The consultant will provide a summary of the existing plans to the TransAction 2040 Subcommittee, the JACC and the NVTVA TAC and request any additional input regarding existing plans that need review. After review by the TAC and the JACC, the consultant will

produce a technical memorandum which details the transportation plans that have been reviewed, and identify any conflicts in terms of transportation improvements or strategies among the adopted plan documents that will need to be addressed in subsequent tasks.

## **2.2 Identify Demographic Data for Analysis**

In this subtask, the consultant will gather necessary demographic information to assess trends that will impact transportation demand in Northern Virginia. The data should include:

- The 2007-2008 MWCOG/TPB Household Travel Survey performed by the TPB is incorporated into the travel demand model used in analyzing the transportation networks.
- The most up-to-date population, household and employment projections to 2040 adopted by the TPB in developing the inventory of transportation needs.
- Demographic trends results from recent transportation plans performed in the region, including the I-66 Corridor Transit/TDM study, the Fairfax Connector Transit Development Plan, the Loudoun County Transportation Plan, the Arlington County Master Transportation Plan, the City of Alexandria Transportation Master Plan, and other plans as identified, that include demographic projections that further inform the transportation demand in Northern Virginia in the future.

The consultant should prepare a presentation of the demographic data to the TransAction 2040 Subcommittee for discussion and incorporation in the demand analysis. Any major discrepancies identified among the data reviewed should be included in the discussion.

## **2.3 Identify Transportation Plans and Projects for Analysis**

Once the demographic inputs affecting transportation demand are identified, the consultant will begin looking at the project lists from the TransAction 2030 Plan, and the other transportation plans that have been developed in the region.

The project lists will need to be revised to reflect the outcome of completed projects, jurisdictional plans, regional plans, statewide plans, including strategic plans for transportation and traveler information systems, and corridor studies conducted since the previous plan was adopted.

The consultant team will obtain project lists and existing cost estimates from various recent planning efforts, including the 2010 CLRP, VDOT's six-year plan, the Washington Metropolitan Area Transportation Authority's (WMATA) Capital Improvement Program, the Virginia Railway Express (VRE) Strategic Plan, the Statewide Surface Transportation and Statewide ITS Plans, Jurisdictional Transit Development Plans (TDP), Jurisdictional Transportation Master Plans, VTrans2035 Statewide Long Range Intermodal Transportation Plan, and other relevant agency and jurisdictional plans.

Cost estimates should be in 2010 dollars and the consultant may be asked to inflate these cost estimates to year of expenditure. The consultant should develop new cost estimates for any projects for which current estimates do not exist or for which the existing estimate is more than two years old.

As the plans are reviewed, discrepancies or gaps should be noted. For example, Virginia's long-range multimodal transportation plan, VTrans2035, identified 11 "Corridors of Statewide Significance" that represent major connections to the Commonwealth's major activity centers. Four out of 11 corridors traverse through Northern Virginia (I-66, I-95/395, U.S. Route 29 and U.S. Route 15). Three of the four state-identified corridors are included in the TransAction 2030

regional corridor list. In VTrans 2035, these statewide corridors were broadly defined to include nearby or parallel roadways and rail lines. In this example, the consultant should identify nearby or parallel roadways and rail lines when examining other regional corridors. In TransAction 2030, the plan identified the following regional corridors:

1. Dulles/VA Route 7 Corridor
2. Loudoun County Parkway/Tri-County Parkway and VA 234/VA 659 Corridor
3. VA 28 Corridor
4. Prince William Parkway (VA 3000) Corridor
5. Fairfax County Parkway (VA 7100) Corridor
6. I-66/US 29/US 50 Corridor
7. I-495 Beltway Corridor
8. I-95/I-395/US Route 1 Corridor
9. "Corridor 9" – other projects not clearly in one of the other specific corridors but within Northern Virginia

The deliverable from this subtask will be a current list of transportation projects including cost estimates for transit, highway, intelligent transportation systems (ITS), commuter parking, bicycle, and pedestrian projects. Discrepancies identified by the consultant, such as "network gaps" or "emerging corridors", should be highlighted for discussion with the TransAction 2040 Subcommittee.

All projects completed since TransAction 2030 was adopted should be noted for inclusion in the baseline transportation network for the modeling to be completed in Task 3.

## **2.4 Identify New Projects for Inclusion in Plan**

Based on input from the various documents reviewed in Task 2.3, the local jurisdictions, the TAC, citizens and other stakeholders as well as the modeling effort undertaken in Task 3, the consultant shall identify a list of new projects to be included in TransAction 2040. In identifying new projects, the consultant team shall give consideration to the movement of freight in addition to ingress/egress movement to Dulles Airport. The consultant will develop cost estimates for each of these projects.

## **2.5 Identify Land Use Plans for Analysis**

In addition to the land use scenario used to project travel demand in the MWCOG's 2010 CLRP planning process, the consultant will identify alternative land use assumptions including the Northern Virginia Regional Commission's (NVRC) Alternative Transportation and Land use Study Phase II (ATLAS II) recommendations, and the MWCOG's CLRP Aspirations Scenario. These assumptions, which make adjustments to residential and employment assumptions in the baseline models, have been developed to create more transit-oriented land use scenarios for analyzing the effectiveness of the transportation network.

The consultant will identify a land use strategy that allows such analysis that is acceptable to the TransAction 2040 plan participants and present this to the TransAction 2040 Subcommittee for discussion. The consultant is not expected to develop a new land use scenario from scratch for this task.

The final product of Task 2 will be a demographic analysis, a current list of transportation projects with updated costs to be implemented through 2040, a list of projects completed since TransAction 2030 was developed, and a set of land use scenarios to be included in the transportation network analysis in Task 3.

### **Task 3: Analysis**

The primary objective in Task 3 is to take the inputs identified in Task 2 and test various transportation networks and land use scenarios to determine how well these factors or assumptions address the projected or anticipated congestion in the Northern Virginia region.

The consultant will use the most current approved MWCOG travel demand model available to generate a series of maps and other outputs that will clearly show the effect of transportation improvements on levels of congestion and other evaluation criteria.

#### **3.1 Travel Demand Model Runs**

The consultant will develop and present a set of network and land use scenario analyses to help decision-makers in the region understand future demand and prioritize projects. With this objective, the consultant should consider alternative travel demand forecasting approaches and discuss their potential outcomes with the TransAction 2040 Subcommittee prior to finalizing a specific modeling approach in Task 1. It is recognized that this is a critical portion of the project.

In addition to considering simply applying the existing regional conformity model, the consultant should also consider the following strategy provided by VDOT staff, and discuss how this would be implemented or improved upon:

##### **Potential Modeling Approach for Plan Development**

*Use a demand trip table to develop the Plan to address gridlock, not the conformity trip table. The conformity trip table is developed based on transportation supply and speed feedback. It is based on the theory that severely congested transportation conditions in a corridor or subarea will cause individuals to change the location of their housing and/or employment to shorten their trips. Using this trip table for Plan development could result in locating infrastructure improvements in corridors that will not give us the most effective investments because they are not based on demand.*

##### **Example of Using Conformity Model Trips for Plan Development**

*Use of the conformity model trips can lead to anomalies. As an example, in the previous TransAction 2030 Plan the modeling for the I-66/Route 50 corridor outside the Beltway forecast a good 2030 LOS even though there was a large increase in land activity growth in this corridor by 2030 and even though there were no significant infrastructure improvements planned in this corridor. The most probable explanation for this anomaly is that the conformity supply side trip table changed trip patterns by shortening trip lengths, changing trip distributions and diverted the remaining trips to other corridors that the model finds still having capacity. This trip diversion is OK for conformity where we want to estimate emissions to see if we can meet the emissions budget but can produce suspect results when used for plan development.*

##### **The Need for a Trip Table Based on Demand for Plan Development**

*A demand trip table is based on what the volumes would be if we have LOS D/E or better on all our major arterials and freeways. LOS F speeds in the model distort future trip patterns and volumes in trip table development.*

##### **Final TransAction 2040 Plan Product**

*The final TransAction 2040 Plan could be developed and based on a 2040 demand trip table (by mode). This approach would provide more direct input into prioritizing the elements in the plan based on the criterion of their contribution to reducing regional congestion. In the final plan, convert all trips to vehicle trips and load them onto this highway network, without speed feedback. Calculate LOS for each road segment on this highway system. Finally, compare the*

*Delta LOS on each roadway segment for the “with and without” transit improvement networks. This will show practically all roadways at LOS F/G before transit and almost all roads at LOS E or better after the transit improvements. Where we have improved LOS above LOS D, meaning we are now at LOS C or better, it could be the transit improvement in this corridor is too much, given scarce resources. This would be a very dramatic map and show a good picture of why we need to put transit money where we are proposing to put it. Also, this approach could lead to making better transit plans, like putting more transit where LOS F occurs and less transit where LOS C occurs.*

*The results of this exercise will be used in the project based performance evaluation outlined in section 3.2.*

As noted above, the demand trip table approach may offer advantages for more clearly identifying congested corridors and prioritizing improvements based on congestion relief. However further discussion about the use of this approach should occur during Task 1.

The consultant is expected to begin with the updated TransAction 2030 network, reflecting the current status of projects that have been completed, adding new projects and eliminating projects that are no longer being considered to show where the TransAction 2040 process begins in addressing the projected travel demand. The consultant will obtain the 2010 CLRP network (round 7.2A or most current cooperative forecast) for 2040 from the TPB staff.

The consultant should determine the model runs and inputs needed that will facilitate the prioritization process in Task 4. The strategy developed for this task should be explained thoroughly, with deliverables clearly identified so that all options are clear and can be finalized in Task 1.

The deliverable for Task 3.1 is a set of transportation demand model outputs based on agreed-upon network and land use scenarios for a 2040 base network as well as an alternative land use network.

### **3.2 Analysis of Model Output**

The consultant should consider the project evaluation process that was adopted by the NVTA and used to help prioritize projects for the TransAction 2030 Plan. In this task, the consultant will prepare the data necessary to undertake the prioritization effort. In TransAction 2030, projects were ranked against each criterion by mode using a (consumer report) approach that was translated into numerical values. The individual criteria are shown below. In conducting this ranking, the consultant shall also consider the results of the market research undertaken in Section 5.2.

#### **Qualitative Project-Based Performance Evaluation Criteria**

*How well does a project perform compared to other projects in the corridor?*

- *Activity Center Connections*
- *Multi-modal Choices*
- *Person Throughput*
- *Intermodal Connections*
- *Management and Operations Urgency*
- *Need for Rehabilitation*
- *Compatibility with Local Plans*
- *Land Use Support*

- *Improved Bicycle and Pedestrian Travel Options*
- *Reduced Roadway Congestion*
- *Safety*
- *Cost Sharing*
- *Freight Movement*

## **Network-Based Performance Evaluation Criteria**

*How well does the overall system perform?*

- *Provide an Integrated Multi-modal Transportation System*
- *Improve Mobility*
- *Improve Accessibility*
- *Improve Transportation Land Use Linkage*
- *Protect the Environment*

Scored projects and network model runs are used to develop a set of prioritized projects that will be presented to the public for comment and approval by the NVTA. The consultant should have understanding of this process as the model outputs are analyzed.

3.2.1. The consultant will analyze the model results and determine which combination of projects best addresses the projected travel demand and reduces congestion for the horizon year in each scenario modeled. Mode shares should reflect the availability of alternatives in the underlying network and in the project list.

3.2.2. The consultant will use the US DOT's federal guidance on cost/benefit analysis issued in reference to the Transportation Investments Generating Economic Recovery (TIGER) Grant application issued in May of 2009 to establish a set of values for each project. The cost/benefit analysis will be added to the other project based performance evaluation criteria.

The deliverable for Task 3.2 is a report to the TransAction 2040 Subcommittee showing the list of projects that are planned in the region, and their benefit to the transportation network. The impact on network performance of the projects should be prepared for presentation and discussion with the TransAction 2040 Subcommittee.

### **3.3 Development of Level of Service (LOS) Maps Showing Network Performance**

One of the most important outputs from the modeling exercise is LOS maps for each of the transportation networks described above. The highway LOS maps provided in the TransAction 2030 summary report have proven quite useful. The region's leadership has frequently referred to these maps to explain the region's transportation needs and advocate for additional funding. The NVTA is seeking LOS maps for highway, rail, bus and pedestrian and bicycle transit.

#### **3.3.1. Highway LOS Maps**

The consultant should consider the following in the development of the LOS maps:

- Coding the 2040 Plan highway and transit network and running the TPB Version 2.3 (or most current) travel demand model;
- Developing highway LOS maps using similar criteria to those in the TransAction 2030 Plan.

#### **3.3.2. Transit LOS Maps**

The consultant should consider the following in the development of the LOS maps:

- The Transit Capacity and Quality of Service Manual (TCQSM) offers one methodology for computing transit LOS. The Highway Capacity Manual adapts four transit LOS measures from the TCQSM for a more simplified methodology. The Florida Department

of Transportation Q/LOS Handbook offers an alternative transit LOS methodology, in part, by adding an adjustment factor for street crossing difficulty for pedestrians.

- Forecasts of corridor-level transit person trips, including the ratio of peak transit demand to available capacity;
- Frequency of bus service (buses per hour) compared with land use density (households and jobs per acre, households and jobs in transit travel sheds);
- Access to transit as defined by the percentage of jobs and households within ¼ mile of bus or ½ mile of rail service or within a particular travel time by all connecting modes;
- Change in transit travel time between activity centers;
- Transit ridership;
- Revenue hours of bus and rail services;
- Revenue miles of bus service.

### 3.3.3. Pedestrian and Bicycle LOS Maps

The consultant will map LOS in terms of connectivity with and access to destinations and multimodal facilities throughout the region. The network should include the Northern Virginia trail network and all existing and planned pedestrian and bicycle facilities. The consultant should identify gaps in the network on the map.

### 3.3.4. Park and Ride Lot LOS Maps

The consultant will develop a LOS map for park and ride lots in the region. In essence, this will be a park and ride lot capacity and utilization map, which will include parking at rail stations located around the region. This will be done by creating a nomenclature for indicating capacity such as identifying “red” lots that fill up before the end of the AM peak travel period, “yellow” lots that fill up sometime during the day, and “green” lots that have available parking throughout the day. Updated park and ride capacity and usage data can be obtained through the recently completed VDOT Northern Virginia Park and Ride Lot Feasibility Study, WMATA, VRE, and local jurisdictions.

The deliverable for Task 3.3 will be a series by mode of Level of Service maps indicating the ability of the projects to impact the network performance. The consultant will present the LOS maps to the TransAction 2040 Subcommittee for discussion.

## 3.4. Feedback Loop

If at the end of the analysis in Task 3, any segment or facility of the network is still functioning at LOS F or worse, the consultant, in conjunction with local governments, state agencies, the TransAction 2040 Subcommittee and the TAC, will identify additional projects to address these problem areas and the consultant will rerun the prioritization and the LOS analysis with these additional projects.

At the end of Task 3, the consultant should prepare a presentation of the draft list of projects to the stakeholder groups upon approval by the TransAction 2040 Subcommittee.

## Task 4: Prioritization of Improvements

### 4.1 Develop Prioritization Approach for Public Input

Using a combination of the NVTA-approved criteria and the cost-benefit analysis developed by the consultant in Task 3, the consultant shall prepare for robust public input into the prioritization process.

The consultant should incorporate the prioritization process previously used by NVTA in the TransAction 2030 Plan indicating how he or she intends to perform a similar process to gather regional support and buy-in for the array of needed transportation projects and establishment of



regional prioritization to enable progress to be made under a range of potential funding realities. Input will be expected to be provided by the PCAC and TAC of the NVTAs as well as the public and regional stakeholders. The consultant should show how the goals and objectives of the TransAction 2040 Plan will be presented and discussed with the public, and how the input received will be incorporated into the final plan. Some possible discussion topics may include:

- The types of projects which are most effective in meeting transportation needs
- The types of projects that are most urgently needed
- The ability to pay for transportation improvements
- The relative importance of the projects to the individual, the community and the region in terms of time savings, cost per mile or per trip, environmental considerations

This approach should be implemented at one of the two sets of public workshops outlined in section 5.3.

#### **4.2 Qualitative and Quantitative Prioritization Process**

As developed for the TransAction 2030 Plan, the following criteria have been approved in establishing priorities among transportation projects. The consultant should use these criteria in ranking the projects identified in prior tasks as benefiting the network. The values assigned to each project through this process should be indicated in a detailed project list.

#### **Qualitative Project-Based Performance Evaluation Criteria**

*How well does a project perform compared to other projects in the corridor?*

- *Activity Center Connections*
- *Multi-modal Choices*
- *Person Throughput*
- *Intermodal Connections*
- *Management and Operations Urgency*
- *Need for Rehabilitation*
- *Compatibility with Local Plans*
- *Land Use Support*
- *Improved Bicycle and Pedestrian Travel Options*
- *Reduced Roadway Congestion*
- *Safety*
- *Cost Sharing*
- *Freight Movement*

#### **Network-Based Performance Evaluation Criteria**

*How well does the overall system perform?*

- *Provide an Integrated Multi-modal Transportation System*
- *Improve Mobility*
- *Improve Accessibility*
- *Improve Transportation Land Use Linkage*
- *Protect the Environment*

The deliverable for this subtask is a detailed list of projects with values assigned based on the above qualitative and quantitative criteria.

The consultant should develop and/or apply a Transportation Ranking Model such as that described in Attachment A to assist in evaluating the performance of network elements with respect to mobility and cost.

### **4.3 Cost/Benefit Analysis for Project Prioritization**

The consultant should establish a process for evaluating projects consistent with the federal guidance provided for applicants in the “Grants for Transportation Investment Generating Economic Recovery” or “TIGER Discretionary Grants” process. The link to the guidance is <http://edocket.access.gpo.gov/2009/pdf/E9-11542.pdf> . Once approved by the TransAction 2040 Subcommittee, the consultant should use this process to establish cost/benefit values to the list of projects identified in Task 3.

The deliverable for this subtask is a detailed list of projects with values assigned based on the cost/benefit analysis developed by the consultant to be presented to the TransAction 2040 Subcommittee, JACC and the TAC. Further public presentations will follow the development of this deliverable.

### **Task 5: Public Information and Participation**

The consultant, upon approval in Task 1 of the finalized communications program, including the materials needed, the timeframe for each type (technical memorandum, summary report, presentation, graphics, etc.) will execute the communications program. The consultant will work in a collaborative way to ensure that communications are targeted effectively and are timely in their delivery. Communications outreach should, at a minimum, include:

- Project development process – JACC, PCAC, TAC, etc.
- Project updates – JACC, PCAC, TAC, NVTA, NVTC, PRTC, TPB, VDOT, DRPT, WMATA
- Project Input opportunities – JACC, PCAC, TAC, NVTA, NVRC, VDOT, DRPT, WMATA, Jurisdictions, citizens
- Communication with relevant elected bodies
- Communication with agency/jurisdiction professionals
- Communication with other community stakeholders/informed interests
- Communication with the public

### **5.1 Plan and Schedule**

The consultant should prepare a plan and schedule for regular meetings with all of the affected groups, as well as regular opportunities to communicate with the public. Additional public involvement opportunities may become evident as the project progresses, and should be anticipated as much as possible.

The consultant should describe its plan for advertising meetings to generate interest among stakeholders and the public.

Throughout the project process, the consultant should make every effort to include all impacted populations including people with disabilities and those with Limited English Proficiency (LEP). Particular languages include Spanish and Korean. Alternative formats should also be made available upon 48 hours notice.

The outcome of this task will be a communications and meeting schedule that is determined in Task 1.

## **5.2 Market Research**

In addition to communicating the progress of the project, a market research component shall be accomplished to capture perceptions of the proposed transportation plan, projects and investments, and how to fund these investments. Development of priorities by mode and location is a necessary part of the plan development process. As a major component of the public involvement process, which will occur throughout the project, a strategic plan with measurable results to engage the public must be included.

The consultant should indicate what type of interaction is intended and how that will be conducted strategically throughout the project process, and be prepared to discuss this in Task 1. For example, in the TransAction 2030 Plan, a telephone survey was completed. Other area plans have used on-line surveys targeting residents of specific geographic areas. Use of the latest technologies available to solicit input from citizens should be incorporated while also communicating with groups who may not be able to access these technologies. Use of both the data resulting from those efforts and the questions that those efforts left unanswered should be considered. Methods for dissemination of the survey instrument as well as the results should be explained, and should be designed to maintain statistical validity in the process. The results are expected to be used to validate the modeling outcomes, as well as the prioritization process described in Tasks 2 and 3.

A clear and concise writing style should be used in all documentation. Graphics and other visualization tools should be used to help communicate technical information such as projects and costs, modeling techniques and outcomes, and project prioritization. Communicating complex concepts in simple, easy to understand language and format is also critical.

## **5.3 Public Information**

The consultant will be responsible for the preparation and distribution of press releases and other mechanisms to communicate with the public via the media. Media contact should be initiated at key project milestones: to announce the kick-off, to advertise the public workshops, and to publicize the final NVTA endorsement of the Plan update. While the consultant may respond to general project questions from the media, the consultant will not serve as the project spokesperson. All policy questions will be directed to the Chairman of the NVTA.

5.3.1 The consultant will prepare a plan for its responsibilities for writing and editing the updated Plan document. Use of standard desktop publishing features such as headings, styles, and labeled tabs should be used to ensure the Plan is both easy to read and convenient to use as a reference document. The final TransAction 2040 Plan is expected to be approximately 100 pages in length and include associated maps, tables, and other figures. Hard copies of this final document will be distributed to NVTA members, JACC members and Northern Virginia's 50 public libraries (main and branches). Five additional copies will be distributed to each NVTA jurisdiction. Public distribution of the document will be provided primarily via the website and CD ROM copies (approximately 200 to be made).

5.3.2. Similar to the summary materials developed for TransAction 2030, the consultant will be responsible for the creation of a four-color summary brochure and associated color maps. Two 28"x 21" four-color foldable maps will be presented on one sheet of paper (using both front and back). The consultant should produce a 12-page (8.5" x 11") summary brochure that includes a front and back cover with a back cover pocket for the insertion of the maps. Inside pages will be made of approximately 100 pound gloss or semi-gloss FSC or recycled paper. Cover pages will be on 150-200 pound recycled cover stock. Pages will be stapled. Text and graphics will appear on all pages, including the front and back of the cover pages, and on the pocket. The consultant will be responsible for the professional printing of up to 9,500 copies of the summary brochure and maps.

5.3.3. The consultant will be responsible for the creation and printing of five separate editions of a two-page, two-sided fact sheet that will be distributed at the public workshops. These will be of a lower-cost quality than the summary brochure but may include colored headers and figures. These fact sheets will be made available on the project website in Adobe PDF format and mailed upon request. The consultant should produce 2,000 copies of each fact sheet.

The consultant will supply the master copies of camera ready documents and electronic files of all public information materials to the Project Manager.

5.3.4. The consultant will be responsible for the design, posting, and maintenance of an ADA accessible project website and email address to make project information widely available and keep the public up-to-date on the study process. The consultant needs to maintain an exclusive, easy-to-remember phone number for the duration of the project. Access for people with hearing impairments must also be considered. The project website will also include a comment form whereby interested citizens can submit their comments, suggestions and inquiries. A strategy for documenting comments received via the website and integrating those comments into the study process should be developed. The website should be attractive to visitors through unified color schemes and graphics and by making up-to-date information available for review and download. Links must be provided to NVTC, NVTA, and Northern Virginia Regional Commission (NVRC) websites.

5.3.5 The consultant team will be responsible for addressing citizen questions about the project by assigning a knowledgeable staff person to answer telephone calls and respond to citizen mail and email inquiries. The consultant will maintain a mailing list and email list of individuals who attend the public workshops and other persons interested in the project. The consultant will create quarterly four-color, four-page (11X17 double-sided and folded) newsletters that will be sent to this mailing list of approximately 2,000 addresses.

#### **5.4 Public Participation in Workshops and Hearings**

In addition to the two sets of four public workshops described below, the consultant will be requested to attend a public workshop to kick-off the study. The workshop will be organized and facilitated by staff rather than the consultant; however it is important that the consultant attend the workshop to understand the breadth of issues raised by the public.

Two sets of four public workshops are envisioned to occur concurrently with each Task 2 and Task 4, the prioritization of improvements. These workshops will be held around the region in strategic locations such as:

- Inside the Beltway/Arlington/Alexandria/Falls Church
- Southeastern Fairfax County/US Route 1/I-95 Corridor
- Dulles Airport Corridor/Herndon/Loudoun County
- Centreville/Manassas/ Prince William County

While the TransAction 2040 Subcommittee will provide recommendations on venues, the consultant will be responsible for making all workshop arrangements, handling logistics including signage for interior and exterior of facility, coordination with VDOT for use of variable message signs, documenting the meeting and public comments, and providing necessary supplies, including any large-scale plotted maps, flip chart paper, easels and markers, and information materials. Materials in alternative formats, including recorded and large print, sign language interpreters (ASL or Exact Sign English) and translators for non-English speakers and devices for people with hearing impairments need to be made available upon request. Light refreshments (water, coffee and cookies) and incentives for the public to attend should also be included. The consultant will prepare a presentation on the analysis and its outcomes and will deliver this presentation at each of the two sets of four public workshops. The consultant will also be responsible for workshop advertising through such means as public service

announcements, press releases, bus ads, and web-based announcements, etc. The goal is to get 100 people (not including consultant and jurisdictional staff persons and NVTA members) to attend each of the sets of workshops. All key perspectives should be represented at each of these workshops, including employers, users of and advocates for all transportation modes (roads, transit, and bicycle and pedestrian facilities), smart growth advocates, environmentalists, seniors, persons with limited English proficiency, and persons with disabilities. The consultant should budget suitable incentives to achieve the attendance goal.

The purpose of the workshops is twofold. First, the consultant will brief the public on the outcome of the inventory and analysis completed in tasks one and two. Second, the workshops will engage participants in project prioritization. Consultants should clearly explain in their proposals in detail, how they intend to involve the public in this prioritization effort. Creative and interactive techniques are encouraged. Concrete recommendations should evolve from these workshops so that they can be relayed to the NVTA prior to the NVTA's final decision on priorities. Offerors should explain how input will be obtained, documented, and delivered to the NVTA, and how NVTA action on the input is communicated back to workshop participants and the general public. The consultant will facilitate the workshops and prepare a workshop summary document.

As part of the public involvement program, two sets of public hearings will be conducted to gather formal comments regarding the plan document, one at the draft phase, and one prior to adoption. A third set of public meetings will be held to present the draft final findings and outcomes.

#### **Task 6: Project Coordination**

Consultants should plan for two rounds of review and revision for all project deliverables; once with the TransAction 2040 Subcommittee and once with the JACC. One week prior to a meeting with the JACC or the TransAction 2040 Subcommittee, the consultant will provide electronic copies of any deliverables to be reviewed. Graphics files, including GIS maps should be exported into a file format that committee members can open such as PDF or PowerPoint. The consultant also should bring 30 hard copies of deliverables and other handouts to JACC meetings, and 15 hard copies of the same to TransAction 2040 Subcommittee meetings. This includes color copies of any pages that require color to be easily understood. The consultant should also bring one copy of any large-scale presentation materials. Additional refinements of deliverables may be requested by the NVTA.

The following table outlines the total number of meetings by audience that the consultant is expected to attend. With the exception of the initial kick-off meetings with the NVTA and the public, the consultant will be expected to organize, handle the logistics, and attend these meetings. Typically, monthly meetings with the TransAction 2040 Subcommittee will be working meetings to review and provide input on the project progress, and to prepare for presentation to the JACC, followed by other meetings as appropriate with the public and/or NVTA.

	NVTA TransAction 2040 Subcommittee	JAC C	NVTA	PCAC	TAC	TPB Tech Committee	Public Workshops (4 per series)	CTB
Kick-off	√		√				√	
Monthly meetings	√	√						
Draft public workshop presentation		√	√					
Public workshop series							√	
Prioritization exercise	√	√	√	√	√			
Draft TransAction 2040 Plan presentation			√	√	√		√	
Final TransAction 2040 Plan presentation		√	√	√	√	√		√

### Available Resources

The following resources are currently available online or will be provided to the consultant by the JACC during the study.

- NVTA approved work plan for 2030 Plan Update
- NVTC, NVTA, NVRC websites  
[www.thinkoutsidethecar.org](http://www.thinkoutsidethecar.org)  
<http://www.novaregion.org/index.html>  
<http://www.thenovaauthority.org>
- Link to TPB Vision  
<http://www.mwcoq.org/transportation/activities/vision/>
- 2030 Plan and Public Information Materials  
<http://www.thenovaauthority.org/projects.html#transaction>
- Link to the State's ITS Plan/Program  
<http://www.drpt.virginia.gov/studies/files/STR-DRPT%20ITS%20Plan%202009-08-29.pdf>
- VTRANS 2035  
<http://www.virginiadot.org/projects/multi-default.asp>
- VDOT Northern Virginia Park and Ride Lot Feasibility Study, including data tables and GIS files  
<http://www.virginiadot.org/projects/studynova-ParkRide-feas.asp>
- Regional Employment Centers from the 2030 Plan in GIS format
- Northern Virginia Regional Bikeway and Trail Network Study  
<http://www.fhiplan.com/novabike/>
- GIS Files for Bicycle Latent Demand Analysis completed for above study
- VDOT Northern Virginia Centric Regional ITS Architecture  
<http://www.vdot-itsarch.com/nova/novaindex.htm>
- VDOT Six-Year Improvement Program  
<http://syip.virginiadot.org>
- Metropolitan Washington Area ITS Architecture  
<http://www.mwcoq.org/transportation/activities/operations/architecture.asp>
- Final Report on the Development of a Continuing Process for Monitoring Performance Data on Transit-related ITS Investments  
[http://www.thinkoutsidethecar.org/pdfs/monitor\\_performance\\_its\\_investments.pdf](http://www.thinkoutsidethecar.org/pdfs/monitor_performance_its_investments.pdf)
- MWCOG Version 2.2 (TP+ format) network files

- 2009 CLRP network
- CLRP Aspirations network
- TPB's Short-Term Needs Study
- Six-year Transportation Improvement Program  
<http://www.mwcog.org/clrp/projects/tip/>
- National Capital Region's Financially Constrained Long-Range Transportation Plan (CLRP)  
<http://www.mwcog.org/clrp/>
- MWCOCG's currently approved population, household and employment figures
- MWCOCG Regional Activity Clusters GIS files
- MWCOCG Mobility and Accessibility Study  
<http://www.mwcog.org/transportation/activities/regional/>
- 1999 Performance of Regional High-Occupancy Vehicle Facilities on Freeways in the Washington Region: An Analysis of Travel Time. National Capital Region TPB.
- Greater Washington 2050 draft Region Forward  
[http://www.GreaterWashington2050.org/Reports/Region\\_Forward\\_COG\\_Board1-13-09.pdf](http://www.GreaterWashington2050.org/Reports/Region_Forward_COG_Board1-13-09.pdf)
- Congressional ITS Earmarks
- Development of an Advanced Public Transportation Plan for the Fairfax Connector Bus System
- WMATA's Regional Bus Study Summary Document  
<http://www.wmata.com/pdfs/planning/RegBusStudy.pdf>
- WMATA's Capital Improvement Program (6-year and 10-year CIPs)
- WMATA Strategic Plan
- VRE Strategic Plan  
[http://www.vre.org/about/strategic/strategic\\_plan.htm](http://www.vre.org/about/strategic/strategic_plan.htm)
- Base GIS maps from VDOT, WMATA, VRE, local jurisdictions and other agencies
- Local Comprehensive Plans and Transportation Elements
- Arlington County Master Transportation Plan  
[http://www.arlingtonva.us/departments/EnvironmentalServices/dot/planning/mplan/mtp/MTP\\_Draft.aspx](http://www.arlingtonva.us/departments/EnvironmentalServices/dot/planning/mplan/mtp/MTP_Draft.aspx)
- Virginia Department of Rail and Public Transportation's Studies  
<http://www.drpt.virginia.gov/studies/default.aspx>  
I- 95/395 Transit TDM report  
I-66 Transit TDM report  
Transit ITS Strategic Plan

## HIGHWAY AND TRANSIT RANKING MODEL

One of the most important elements in any prioritization process is how each highway or transit improvement reduces congestion, not just for today but for future years based on how the region is expected to grow.

VDOT has a model using outputs from the regional MWCOG/TPB model or any other similar travel demand forecast model to estimate regional vehicle hours of delay reductions resulting from each highway and transit improvement. Say we have 100 highway improvements and 30 transit improvements to rank. The Ranking Model uses the future trip table and mode split percentages from the travel forecast model and the 2010 Base Highway network to determine rankings. This is accomplished by identifying the reduction in delay on the highway network that is attributable to each highway or transit project individually. The “best” improvement is the one that produces the greatest reduction in delay (or alternatively, the greatest reduction in delay per dollar cost). This improvement is then added to the Base Network and the process is repeated for another 129 times to find the second “best” improvement. Delay reductions are counted in the rankings only if the reductions are below a threshold LOS. For example, if we say the threshold is LOS E, then any project that improves vehicle hours of delay reductions from LOS D to a higher LOS is not counted for ranking purposes. This model is run in batch mode meaning it runs all by itself for 3 or 4 days on the computer to rank all 130 highway and transit improvements. The consultant will provide all the inputs, run the model with VDOT’s assistance initially, and analyze the model outputs.

Tasks for the consultant are as follows:

Data collection from MWCOG/TPB which will be made available from VDOT:

- Base year highway network
- Base year mode split percentage table
- Available 2040 highway network
- Available 2040 mode split percentage table
- Available 2040 home-based work auto driver trip table

Data preparations for input to Ranking Model:

- Identify all highway and transit improvements for testing
  - Highway improvements are identified with an ID number coded to all links identified with that improvement.
  - Transit improvements are identified by listing all TAZs within a given distance (say 2 miles) of the improvement
- Code the TransAction 2040 highway and transit improvements to the proposed 2040 networks.
- Prepare the other inputs to run the travel demand forecast model and then run model.
- Prepare a table of costs for each of the highway and transit improvements (VDOT has a table for estimating highway costs).
- Prepare all inputs to run VDOT’s Multi-Modal Ranking Model. VDOT staff (Mazen Dawoud 703 383-2229 or Bill Mann 703 383-2211) will help as needed.



Post analysis after running the Ranking Model and reruns if desired:

The consultant needs to analyze the model results for each ranking. Undoubtedly, some anomalies will appear. For example, a few improvements ranked very low will be found to have a “mistake” in the network coding for those improvements. All mistakes found in network coding need to be fixed. Finally the model with corrections needs to be rerun to get corrected rankings.

The model does have the capability to override a jurisdiction bias or a modal bias. Thus, the consultant should budget to do several re-runs to get equity by mode and jurisdiction as requested by the NVTA. Examples of possible runs;

- Initial regional ranking using LOS E threshold for both highway and transit modes.
- Rankings using LOS D for transit and LOS F for highways. (This will give transit preferential treatment compared to highways.)
- Rankings within each jurisdiction.
- Regional ranking setting different thresholds by mode by jurisdiction. We could test for Arlington a transit threshold at LOS C and highways at LOS F. For Prince William we could set the opposite: F for transit and C highways. This will rank transit high for inner jurisdictions and highways for other jurisdictions. This is just an exaggeration and not recommended for testing. It just illustrates a point for flexibility in modeling ranking runs.

Once all the inputs are prepared, re-running the model to test various model thresholds by jurisdiction and LOS is simple, taking only a few minutes to make a change, for most reruns. If the NVTA wants to see the results of several tests, the consultant may wish to reserve several computers since each run takes days on the computer, but only minutes to submit a rerun. The Ranking Model’s results are similar to those of the Texas Transportation Institute (TTI), which say we are the second worst congested large metropolitan area in the nation. TTI measures delays below a threshold of LOS C on only freeways and major arterials. It does not model arterials and collectors, while our model does. This TTI compatibility means we could estimate where we would stand in national rankings among large metropolitan areas if we could build the top 10 rankings, or top 20, etc.

## Section C

### Contractor Deliverables and Payments

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1. **DELIVERABLES:** Project deliverables are summarized below in accordance with project Tasks in Section C of this RFP.
  - a. Task 1.1 – Create a finalized scope of work
  - b. Task 1.2 – Create a finalized public outreach plan including presentation materials
  - c. Task 1.3 – Create a finalized project schedule
  - d. Task 2.1 – Create a summary of existing 2040 transportation plans for approval by the NVTA TAC and JACC. Upon approval by NVTA, produce a technical memorandum which details the transportation plans reviewed, and identify any conflicts in terms of transportation improvements or strategies among the adopted plan documents that will need to be addressed in subsequent tasks.
  - e. Task 2.2 – Prepare a presentation to the TransAction 2040 Subcommittee summarizing the demographic forecasts identified for inclusion in the transportation demand analysis. Identify any major discrepancies or inconsistencies found in the forecasts.
  - f. Task 2.3 – Compile a current list of transportation projects including cost estimates for transit, highway, intelligent transportation systems (ITS), commuter parking, bicycle, and pedestrian projects to be included in the TransAction 2040 plan. All projects completed since TransAction 2030 was adopted should be noted. Include a set of land use scenarios to be included in the transportation network analysis in Task 3.
  - g. Task 2.4 – Identify new projects for inclusion in the plan with cost estimates for each.
  - h. Task 2.5 – Identify scenarios of land use plans and assumptions for analysis in Task 3, including a strategy acceptable to TransAction 2040 participants.
  - i. Task 3.1 – Create a set of transportation demand model outputs based on agreed-upon network and land use scenarios.
  - j. Task 3.2 – Using the model run output from Task 3.1, create a report showing the list of projects that are planned in the region, and analyze their benefit to the transportation network. Create a presentation for the TransAction 2040 Subcommittee showing the impact on transportation network performance of the projects.
  - k. Task 3.3 - Create a series of level of service (LOS) maps by mode, including Highway LOS, Transit LOS, Bicycle and Pedestrian LOS, and Park and Ride LOS indicating the ability of the projects from Task 2.3 to impact the transportation

network's performance. Create a presentation to the TransAction 2040 Subcommittee showing the draft list of transportation projects, their benefits and the LOS maps.

- l. Task 3.4 – For any segments or facilities still at LOS F or worse, add projects and rerun the prioritization and LOS analysis. Prepare a draft list of projects.
- m. Task 4.1 – Develop a transportation project prioritization process. Show how the goals and objectives of the TransAction 2040 Plan will be presented and discussed with the public, and how the input received will be incorporated into the final plan. Create a detailed list of projects with prioritization values assigned based on the TransAction 2030 qualitative and quantitative criteria.
- n. Task 4.2 – Compile a detailed list of transportation projects analyzed in Task 3 and their prioritization values assigned based on the qualitative and quantitative criteria listed in Task 4.2. Develop and/or apply a Ranking Model such as that described in Attachment A of Section B of this RFP.
- o. Task 4.3 – Compile a detailed list of transportation projects with cost/benefit evaluations consistent with federal guidelines included with the “Grants for Transportation Investment Generating Economic Recovery” (TIGER) program. Create a presentation of the results for the TransAction 2040 Subcommittee, JACC, and TAC.
- p. Task 5.1 – Prepare a plan and schedule for regular meetings with all affected groups, as well as regular public participation meetings. Include a plan of how public meetings will be advertised to the public.
- q. Task 5.2 – Prepare and execute a statistically valid market research plan that will measure public perceptions of the TransAction 2040 Plan.
- r. Task 5.3 – Prepare a plan for media contacts and public information.
- s. Task 5.3.1 - Write, edit, publish and distribute the updated Plan document.
- t. Task 5.3.2 - Create a four-color summary brochure and associated color maps and print up to 9,500 copies of the summary brochure and maps.
- u. Task 5.3.3 - Create and print 2,000 copies of each of five separate editions of a two-page, two-sided fact sheet that will be distributed at the public workshops. Supply the master copies of camera ready documents and electronic files of all public information materials to the Project Manager.
- v. Task 5.3.4 – Design, post, and maintain an ADA accessible project website and email address to make project information widely available and keep the public up-to-date on the study process. Maintain an exclusive, easy-to-remember phone number for the duration of the project.
- w. Task 5.3.5 – Assign a knowledgeable staff person to answer citizen telephone calls and mail and email inquiries. Also, produce and distribute a quarterly newsletter.
- x. Task 5.4 – Attend a public workshop to kick off the project and organize a set of four public workshops to occur concurrently with Task 2 and Task 4. Prepare a

workshop summary document. Conduct three sets of public hearings on the plan document.

- y. Task 6 – Attend a series of meetings and presentations with the TransAction 2040 Subcommittee, the NVTCs’ JACC, PCAC, TAC, and NVTA Board, as well as TPB Tech and Virginia’s CTB.

2. **PAYMENT TERMS:** Monthly progress payments will be made to the firm receiving the contract award (hereinafter known as contractor) by NVTC for work performed satisfactorily according to project milestones. The contractor should submit monthly progress reports simultaneously with its invoices. NVTC will retain a 10% contingency from each invoice submitted. Payment for amounts withheld shall be made at the end of the project within 45 days of receipt and acceptance of all products by NVTC.

3. **INVOICES:** A copy of all invoices for services delivered and accepted shall be submitted by the contractor directly to each of the payment addresses shown below:

Northern Virginia Transportation Commission  
Attn: Accounts Payable  
4350 North Fairfax Drive, Suite 720  
Arlington, Virginia 22203

and

Prince William County Department of Transportation  
Attn: Monica N. Backmon  
TransAction 2040 Project Manager  
5 County Complex Court, Suite 290  
Prince William, VA 22192

NVTC’s Contract Manager will obtain written approval from the NVTA Project Manager prior to signing off on the invoice.

Invoices, at a minimum, shall contain the following information:

- a. Name, Address, Email, Telephone and Fax Number of Contractor
- b. NVTC Contract Number
- c. Invoice Number
- d. Date of Invoice
- e. Description of Services Rendered
- f. Hours by Employee Keyed to Specific Tasks in the Scope of Work, with Associated Costs and Fees, Plus Documented Expenses.
- g. Total Invoice Amount
- h. Total Cumulative Amounts of Invoices
- i. Contractor’s Signature
- j. Federal Employer Identification Number or Individual Contractor Social Security Number

4. **TAXES:** Deliveries against the contract shall be free of all federal excise and transportation taxes as well as sales tax to the extent permitted by law. The NVTC excise tax exemption registration number will be furnished upon request.

5. **LIQUIDATED DAMAGES:** Even if no specific amount of liquidated damages will apply NVTC reserves the right to obtain appropriate compensation for delays beyond the contractual schedule that are attributable to contractor performance.
6. **AVAILABILITY OF FUNDS:** It is understood and agreed between the parties herein that NVTC shall be bound thereunder only to the extent of the funds available or which may hereafter become available for the purpose of this contract.
7. **PAYMENT TO SUBCONTRACTOR:** A contractor is hereby obligated:
  - a. To pay the subcontractor within seven days of the contractor's receipt of payment from NVTC for the proportionate share of the payment received for work performed by the subcontractor under the contract; or
  - b. To notify NVTC and the subcontractor, in writing, of the contractor's intention to withhold payment and the reason.

The contractor is obligated to pay the subcontractor interest at the rate of one percent per month (unless otherwise provided under the terms of the contract) on all amounts owed by the contractor that remain unpaid seven days following receipt of payment from NVTC, except for amounts withheld as stated in Section (b) above. The date of mailing of any payment by U.S. mail is deemed to be payment to the addressee. These provisions apply to each sub-tier contractor performing under the primary contract. Contractor's obligation to pay an interest charge to a subcontractor may not be construed to be an obligation of NVTC.

Contractor agrees to return any retainage payments to each subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may occur only for good cause following written approval of NVTC. This clause applies to both DBE and non-DBE subcontractors. Work may be credited toward DBE goals only when payments are actually made to DBEs.

8. **AUTHORIZED FUNDING:** If at any time contractor has reason to believe that the costs to NVTC that will accrue in the performance of the contract/task order(s) in the next succeeding 30 days, when added to all other payments previously accrued, will exceed 75% of the then current total authorized funding, contractor shall notify NVTC to that effect, advising of the estimate of additional funds required for completion of the contract/task order. NVTC shall not be obligated to reimburse contractor for any work performed, if in the performance thereof the total funding then allotted to the contract/task order will be exceeded.

NVTC shall not be obligated to pay the contractor any amount in excess of the ceiling price reflected in the contract and/or task order until the NVTC Executive Director shall have notified the contractor in writing that the price has been increased and shall have specified in the notice a revised price that shall constitute the price for performance under this contract/task order. When and to the extent that the price set forth in the contract and/or task order has been increased, any hours expended and material costs incurred by the contractor in excess of the price before the increase shall be allowable to the same extent as if the hours expended and material costs had been incurred after the increase in the price.



AGENDA ITEM #7

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube  
**DATE:** February 25, 2010  
**SUBJECT:** WMATA Items.

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NVTC's WMATA Board members will describe for your information significant recent events, including the search for a new General Manager, a contract with David Gunn to assess the system, an approved 10-cent fare increase effective this month, and a budget for FY 2011 proposed by WMATA staff.



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# The Washington Post

## What really derails Metro

Sunday, February 14, 2010; A22

EVEN SCARIER than [Friday's derailment of a Metro train](#) is what might have happened if it hadn't left the tracks. Initial reports suggest that the train was on the wrong track when a safety device intentionally stopped it to prevent a possible collision with another train. The alarming incident is but the latest evidence of the deterioration of a system that is vital to Washington and its citizens. Events have so eroded confidence in Metro's safety and reliability that it's time the region's political, business and civic leaders address the crisis.

Thankfully, there were only a few minor injuries when a Red Line train derailed near the Farragut North Station. The timing -- as Washington struggled back to normality after a week of snow closed the federal government and much of the area -- underscored the importance of Metro to the area and its increasing inability to meet those needs. Even before the derailment, Metro on Friday was slow, spotty and cramped. And this follows an eight-month string of fatal accidents, safety failures and other misadventures that are fast turning what was one of the region's best assets into a dangerous liability.

The system faces funding problems, and, to make its situation even more perilous, it will soon be without a general manager in the wake of [John B. Catoe Jr.'s decision to retire](#). The first order of business must be to stabilize the leadership and day-to-day operations. Clearly, though, the system's problems extend beyond the replacement of one leader to the structure and operation of the Washington Metropolitan Area Transit Authority. It is governed by a board comprised of elected and appointed officials from the District, Maryland, and Virginia and, just recently added, representatives from the federal government. Such a structure may have made sense in the 1960s when the Metro system was being built, but it's become increasingly obvious that running an aging rail system is a very different challenge.

Those who have long observed the WMATA board say it is hard for members -- particularly elected officials -- to take off the parochial hats of their jurisdictions in favor of regional interests. Case in point is the opposition of some Virginia members of the board to acting general manager Dan Tangherlini because he was seen as more predisposed to D.C. interests. Given the complexity of the problems facing the system, we also have to wonder about the efficacy of the revolving door of chairmen who serve one year and members who have divided attentions and limited time.

Six years ago, leaders from the Metropolitan Washington Council of Governments, the Federal City Council and the Greater Washington Board of Trade, alarmed about Metro's finances, put together a task force whose work led to a dedicated source of money for Metro. The crisis facing Metro today is every bit as serious. It is time to review, and ultimately to change, how Metro is governed.

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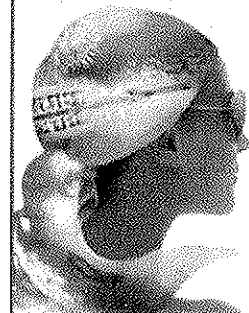
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# The Washington Post

## Ex-general manager David Gunn to assess D.C. area Metro system

By Ann Scott Tyson  
Washington Post Staff Writer  
Thursday, February 18, 2010; B04

Metro is contracting with David L. Gunn, a top transit guru and former Metro general manager, to provide an overarching assessment of what ails the system and how to fix it, agency officials said.

Gunn, a Harvard Business School graduate who led Metro from 1991 to 1994, among a string of key transit jobs, plans to arrive in Washington this month for a two-week appraisal of how Metro is run, they said.

"It's like calling in a specialist: 'Give the system a physical, and tell us what you think,'" said Metro board member Mortimer Downey, one of two new federal appointees to the board of directors.

Board Chairman Peter Benjamin said he called upon Gunn and asked him to help define Metro's problems. "If anyone understands the issues of transit and how to solve them, it is Dave," Benjamin said. "We want to get from him a problem statement: What do we need to fix now, and how do we need to fix it?"

Gunn, 72, reached by phone at his home in Cape Breton Island, Nova Scotia, confirmed his appointment, saying he agreed to take on the job because, as he put it, "they need help."

Gunn explained how he will tackle the assessment.

"It's really a look at the management structure and what they are trying to accomplish with that structure and the resources," including the capital and operating budgets, he said.

In addition, he will look into what Metro reports to the board and "what tools are given to the board to perform its role of oversight."

Gunn will have an office in Metro's executive suite, and at the conclusion of his work, he will give an oral report to the board, he said.

Benjamin said he expects that Gunn's report will also help shape the search for a new permanent leader for Metro to replace General Manager John B. Catoe Jr., who announced last month that he will retire April 2.

The decision to bring in Gunn comes as the transit agency faces some of its greatest challenges ever, including a projected \$189 million budget deficit for 2011, an \$11 billion shortfall in capital funds, an unprecedented string of fatal safety lapses and a major leadership shake-up.

Metro board members spoke glowingly of Gunn's qualifications to provide crucial insights.

"I have extraordinary regard for his understanding of the mechanics of a rail system and buses as well," said Downey, who worked with Gunn in the 1980s at the New York Metropolitan Transportation Authority.

Benjamin, who worked with Gunn at Metro in the early 1990s, said he sought the assessment from Gunn because he is "the best person who can do it anywhere in the country and probably the world."

Gunn, a Boston native who is a dual citizen of the United States and Canada, was a pre-med student at Harvard but said he "always liked trains and machines."

After a stint in the Navy Reserve, he went to business school, receiving an MBA in 1964. He then spent the next decade working for railroad companies across the country. From 1974 to 1999, he worked for transit agencies in Boston, southeastern Pennsylvania, New York, Washington and Toronto, and was president of Amtrak from 2002 until he was fired in 2005 after repeated clashes with the Bush administration.

Gunn, who does not use e-mail or own a cellphone or computer, has a back-to-basics management style that emphasizes setting clear goals and empowering employees, down to supervisors and foremen, to solve problems themselves.

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"What happens in business [is] . . . e-mail is abused tremendously," he said. "You have these managers who e-mail everyone all the time and drive everybody nuts."

In contrast, Gunn said, his method is to agree on a concrete "plan and strategy, and then you get out of the way and don't keep badgering people," largely because that causes employees to be too reliant on the boss for direction.

"With the e-mail and cellphone and raspberries, as I call it, when something goes wrong, they kick all the problems upstairs, and that is not healthy," he said.

As if Metro did not have enough troubles, the latest blizzard delayed Gunn's arrival in Washington, which had been planned for this week. "With all the problems the city was having with recovering from the snowstorms . . . the people I would want to talk to were preoccupied, so we delayed it," he said.

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# The Washington Post

## \$189 million gap has Metro eyeing higher rail, bus fares

By Ann Scott Tyson  
 Washington Post Staff Writer  
 Friday, February 19, 2010; B04

Metro proposed almost \$90 million worth of rail and bus fare increases Thursday to help close a \$189 million gap in the \$1.4 billion operating budget for the fiscal year that begins in July.

The fare hikes would include a 25-cent increase in the boarding charge at peak rail travel times and would raise the maximum peak-period fare from \$4.50 to \$5.00.

The proposal, announced at a Metro Board meeting, also would add 50 cents to the \$1.25 boarding charge for buses and increase the price of a bus pass from \$11 to \$15.

Public hearings will be held on these and other measures to resolve the 2011 budget shortfall, including \$34 million in rail and bus service reductions. Metro also plans to save \$16 million in staffing and other departmental cuts.

Metro plans to gain an additional \$40 million in government subsidies, but officials acknowledged that the availability of those funds remains uncertain, meaning that additional service cuts or borrowing from the capital budget could be necessary.

"We can't have a budget coming from the general manager that is built on sand," board member Jim Graham of the District said at the meeting.

Metro General Manager John B. Catoe Jr. said Metro staff had determined how to make up that \$40 million if it doesn't materialize. "The choices will be to make additional reductions in services. . . . or find some other way of bringing revenue in, which we haven't been able to figure out yet," he said.

The proposed fare increases follow Metro's decision to apply a 10-cent surcharge for bus and rail trips starting Feb. 28 to help close this year's operating budget gap of about \$40 million. On Thursday, the board decided to limit the surcharge to 5 cents for rail and bus trips for senior citizens and people with disabilities.

Metro's financial difficulties were exacerbated by the snowstorms this month, which cost Metro an estimated \$18 million, including \$8 million for snow removal and \$9.7 million in revenue lost because of limited service and extremely low ridership, the agency said in a statement. Snow has also obstructed parking spaces in lots and garages across the system, causing further losses, the statement said.

In addition to fuel and salt, snow-removal costs include overtime for employees and fees for contractors who removed snow.

"Metro is currently working with the commonwealth of Virginia, District of Columbia and the state of Maryland to submit costs to the Federal Emergency Management Agency for potential reimbursement associated with the snowstorms," said Carol Kissal, Metro's chief financial officer. "We are aggressively pursuing recovery of the \$8 million in snow removal costs and the \$9.7 million in lost revenue" through federal disaster aid, she said.

Metro estimates that heavy snow in December 2009 cost it \$2.7 million in revenue.

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## Rick Taube

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**From:** Green, Jennifer A. [jagreen@wmata.com]  
**Sent:** Monday, February 22, 2010 9:06 AM  
**To:** Green, Jennifer A.  
**Subject:** METRO Advisory: Metro fare increase, budget impacts, capital needs

**Importance:** High

**WMATA FY2011 budget:** Each year, WMATA establishes both a capital and operating budget. The capital budget includes items such as rehabilitation, maintenance and replacement of infrastructure and vehicles, and our funding sources include federal capital funding and funding from our local jurisdictional partners. The operating budget includes such items as fuel for buses, electricity for trains, and employee payroll, and our funding sources include revenues and funding from our local jurisdictions. Due mostly to increased expenses and losses in revenue from lower than expected ridership, we are facing a \$189.2 million shortfall in our FY2011 operating budget. (Our fiscal year is July 1 through June 30.) Our Board of Directors is not expected to vote on the final FY2011 budget until June, and we plan to conduct a series of public hearings in April to allow for public input on proposals to balance the FY2011 budget (including a combination of fare increases, Metrorail and Metrobus service reductions, changes to the MetroAccess fare structure and service area allowed under the Americans with Disabilities Act and administrative cuts).

More information: [http://www.wmata.com/about\\_metro/news/PressReleaseDetail.cfm?ReleaseID=4330](http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=4330)

**Fare increase related to WMATA FY2010 budget:** Fares on Metrorail, Metrobus and MetroAccess will increase 10 cents, effective Sunday, February 28, through June 26. In addition, fares for senior citizens and people with disabilities will go up five cents and the cost of passes also will increase to help close a shortfall in Metro's current operating budget (i.e., our FY2010 budget). For details on how we're communicating these changes and on specific fare increases during this period, please see: [http://www.wmata.com/about\\_metro/news/PressReleaseDetail.cfm?ReleaseID=4325](http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=4325)

**Shortened hours of operation related to WMATA FY2010 budget:** We must reduce hours at four central sales offices (began Friday, Feb. 19). However, customers may purchase farecards and passes online, at Metrobus divisions, commuter stores and at select retail stores--plus they may purchase and add value to SmarTrip® cards at a number of CVS/pharmacy stores throughout the Washington region. Links to our web site for more information are in the press release: [http://www.wmata.com/about\\_metro/news/PressReleaseDetail.cfm?ReleaseID=4329](http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=4329).

**WMATA to seek reimbursement for snow-clearing efforts:** The February 2010 snowstorms cost us an estimated \$18 million (\$8 million for snow removal efforts and \$9.7 million in lost revenue). Therefore, we are currently working with the Commonwealth of Virginia, District of Columbia, and State of Maryland to submit costs to the Federal Emergency Management Agency for potential reimbursement associated with the snow storms.

More information: [http://www.wmata.com/about\\_metro/news/PressReleaseDetail.cfm?ReleaseID=4328](http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=4328)

**WMATA Capital Needs Inventory:** We have published our Capital Needs Inventory, which details more than \$11 billion of capital improvements that are necessary over the next 10 years to maintain the transit system's safety and reliability. The report provides an in-depth look at necessary investments to address WMATA's physical assets, including vehicles, fleet maintenance facilities, operating systems, information technology, rail system track, passenger facilities, maintenance equipment and support facilities.

Press release: [http://www.wmata.com/about\\_metro/news/PressReleaseDetail.cfm?ReleaseID=4332](http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=4332)

Link to report: [http://www.wmata.com/pdfs/planning/CNI\\_02.19.10.pdf](http://www.wmata.com/pdfs/planning/CNI_02.19.10.pdf)

Should you have questions about these or any WMATA issues, please do not hesitate to contact me.

Jennifer Green  
Metro

# The Washington Post

## 2 near-misses and June crash linked, Metro official testifies

By Lena H. Sun, Ann Scott Tyson and Joe Stephens  
Washington Post Staff Writers  
Wednesday, February 24, 2010; B01

Metro received at least two signs before June's fatal crash that its automatic crash-avoidance system might be fundamentally flawed, according to testimony presented Tuesday at a federal safety hearing.

In 2005 and again in early 2009, Metro trains came perilously close to colliding, records show. On Tuesday, a Metro official testified that the same malfunction connects the near-misses with the June crash.

"All three incidents have something in common. All three were failures of the automatic train protection system," said Harry Heilmann, Metro's assistant chief engineer, who headed the investigation into the incidents. "They were all failures of the fail-safe system."

The testimony presented a dramatic conclusion to the first day of a three-day National Transportation Safety Board hearing into the accident and contradicted the agency's public statements on the incidents. Testimony is scheduled to continue Wednesday and Thursday.

The nine-hour session suggested that officials failed to accurately identify the flaw in the automatic-crash avoidance system, which is designed to prevent two trains from occupying the same section of track. In 2005, three trains stopped just short of a crash in a tunnel under the Potomac River, north of Rosslyn. In March 2009, a train overshot a platform on Capitol Hill and stopped dangerously close to another train.

In the 2005 incident, Metro workers replaced equipment that they believed was causing the problem. But Heilmann said under oath that neither Metro nor the equipment manufacturer was "absolutely convinced" that the source had been identified.

He added, "We couldn't come up with another idea."

Heilmann testified that the June crash might have been linked even more closely with the 2005 incident.

"The Rosslyn incident may have been -- there is no way to confirm this -- may have been" caused by a signal that gave a false reading, he said. The signal problem is suspected of causing the Red Line crash, where the system that is supposed to prevent crashes failed to detect the stopped train and did not send commands to slow or stop the approaching train.

After the Red Line crash, Metro spokeswoman Lisa Farbstein told The Washington Post that both incidents were "very different" from the problem suspected of causing the accident. The 2005 incident had been identified and fixed, she has said. The March 2009 incident remains under investigation, officials said Tuesday.

The testimony mirrored the findings of a continuing investigation by The Post, which, during the past eight months, has highlighted numerous safety lapses and management failures within Metro. The series first linked the accident and the near-misses in articles published in August and September.

Tuesday was a long day for Metro officials, who were questioned repeatedly about their commitment to safety. The safety board has not taken an official position on the cause of the crash, but the hearing made clear that investigators are examining broad lapses in oversight by Metro and monitoring agencies.

Witnesses scheduled to testify Wednesday and Thursday include officials from the Tri-State Oversight Committee, which monitors Metro safety, and transportation agencies from around the country, including California and Massachusetts.

The safety board also released thousands of pages of interviews and internal Metro documents. Many of the records detailed problems in safety and oversight explored in the articles.

NTSB hearing Chairman Robert Sumwalt, who posed some of the toughest questions, asked why Metro's governing board lists oversight of funding and expansion among its core duties in the agency's official procedures but does not include safety. "Why was safety . . . not in there?" Sumwalt asked new Metro board Chair Peter Benjamin.

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Benjamin agreed that the description should have included safety but said that board members rely on managers to bring exceptional concerns to their attention because of the large number of safety issues the agency faces every day.

Metro Acting Deputy General Manager David Kubicek suggested that a handful of employees were responsible for safety shortcomings. "We have to get rid of these isolated cases," he said. "There is a group down there we have to reach down and get hold of."

The NTSB panel also questioned Metro officials about their rocky relationship with the Tri-State Oversight Committee and their willingness to share information with the independent safety monitoring group. The Post has reported that in the past, Metro has failed to supply records to the committee and that last year Metro banned safety monitors from the committee from walking along live subway tracks.

Panel members grilled Metro officials on the scores of identified safety deficiencies that had languished, uncorrected, for years. Officials accelerated efforts to fix the problems in December.

Sumwalt questioned whether Metro's board had ignored safety while focusing instead on budget shortfalls and other issues. Benjamin said board members might need to broaden their focus.

Relatives of the victims of the June crash watched the exchange from the audience.

"Nothing's going to change," said Kenneth Hawkins, the younger brother of victim Dennis Hawkins, 64, an administrative aide at Whittier Elementary School in Northwest Washington. He called the hearings a "bureaucratic process."

"Who will be there to make [Metro] do what they have to do" to improve, he asked. He said several improvements recommended after a 2004 accident at Woodley Park have not been implemented. The NTSB "has no teeth," he said.

Released documents, including transcripts of emergency calls to 911, paint a graphic portrait of the moments after the crash. The first two calls came from passengers.

"How many people are injured?" a dispatcher asked one caller.

"It's a whole train. A whole train," the caller said.

"The whole train is injured?"

"Yes. . . . There's blood everywhere," the caller said. "The train fell. . . . I can't walk. It hurts so bad."

Another caller gasped: "Oh my God. The train is, like, sticking up in the air."

A third caller worried that another train could be bearing down on the accident site: "Please, stop all trains on the Red Line," he pleaded.

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AGENDA ITEM #8

**MEMORANDUM**

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube and Kala Quintana  
**DATE:** February 25, 2010  
**SUBJECT:** Legislative Items.

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Several attachments provide background on bills of interest to NVTC. Staff will provide current information and may request action on proposed strategies.



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## Rick Taube

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**From:** APTA Legislative Update [legislativeupdate@apta.mmsend.com] on behalf of APTA Legislative Update [legislativeupdate@apta.com]  
**Sent:** Tuesday, February 23, 2010 3:05 PM  
**To:** Rick Taube  
**Subject:** APTA Legislative Alert - February 23, 2010

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February 23, 2010

### **U.S. Senate Vote Clears HIRE Act For Passage – Legislation Contains Long-Term Extension of SAFETEA-LU**

Yesterday, the U.S. Senate took a significant step toward passing the Hiring Incentives to Restore Employment (HIRE) Act, (the most recent Jobs bill). By a bipartisan vote of 62-30, the Senate voted to end debate on the bill, preventing a filibuster. The vote clears the bill for final passage, which is expected to occur on Wednesday, February 24. The HIRE Act extends the authorization of the federal surface transportation program through December 31, 2010. If enacted, the Federal Transit Administration will be able to allocate the remaining 58 percent of formula funds that have already been appropriated for Fiscal Year (FY) 2010.

To overcome the threat of a filibuster, at least 60 Senators needed to vote in favor of the cloture motion to end debate, which required the support of at least two Republican Senators. In Monday's vote, five Republican Senators supported the cloture motion: Kit Bond (R-MO), Scott Brown (R-MA), Susan Collins (R-ME), Olympia Snowe (R-ME), and George Voinovich (R-OH). Senator Ben Nelson (D-NE) was the only Democrat to vote against the cloture motion. After the vote, Senator Voinovich issued a statement that his support for the HIRE Act was based partially on a commitment from Senate Majority Leader Harry Reid (D-NV) to hold a vote on a long-term transportation authorization bill later this year.

In addition to the extension of surface transportation programs, the HIRE Act also provides a transfer of \$19.5 billion of general funds to the Highway Trust Fund, including \$4.8 billion to the Mass Transit Account. This transfer is expected to ensure the solvency of the Mass Transit Account through the end of FY 2011. The Senate Finance Committee based the transfer on restoring interest payments to the Highway Trust Fund. The HIRE Act would also expand the Build America Bonds program, allowing states and local governments to borrow at lower costs to finance more infrastructure projects and put additional people to work.

APTAM and many of its members played an important role in influencing the outcome of this vote by contacting key Senators and urging them to support the bill. Several Senators, including Environment & Public Works Committee Chairwoman Barbara Boxer (D-CA) credited the transportation industry for its efforts in advancing the bill. APTAM would like to thank all of its members who answered the call to reach out to their Senators to help clear the way for passage of this important bill!

After Senate passage, the HIRE Act will move to the U.S. House of Representatives, which would need

to pass it later this week before the current extension of surface transportation programs expires on February 28. The House passed a much larger Jobs bill late last year that included an extension of The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) through September 30 of this year and additional stimulus spending for public transportation. The House must decide whether to accept the Senate bill "as-is," or attempt to amend it to address some of their differing priorities. While negotiations are ongoing, with little time left until the expiration of the current continuing resolution, some agreement must be reached this week – either passage of the HIRE Act or another short term extension - to allow the government to continue to expend surface transportation funds.

### **Congressional Action following the HIRE Act**

APTA is calling on Congress to pass further jobs legislation (in addition to the HIRE Act) that includes subsequent public transportation investment and a long-term authorization of surface transportation programs. Congressional leaders have vowed to attempt to work on subsequent jobs bills in the coming weeks, including a possible tax package, which may extend the alternative fuels tax credit that expired at the end of last year. APTA will continue to work with Congress to push for the extension of the tax credit, and seek additional funding for public transportation in these future bills. APTA members have identified more than \$15 billion in public transportation projects that could provide much needed American jobs and crucial funding for financially strapped public transportation systems that have been affected by the recession.

#### **Action Call for APTA members:**

Contact your Members of Congress to communicate the following:

- Thank Senators who supported the HIRE Act; express disappointment to those who did not.
- Remind Senators and Representative how stimulus funds have helped public transportation systems and supported and created jobs.
- Urge your Members to support further Jobs legislation with new transit funding and a full long-term authorization of surface transportation programs after the HIRE Act is passed.
- Urge Members to include the alternative fuels tax credit in any upcoming jobs bill.





## Rick Taube

**From:** Linda McMinimy--Virginia Transit Association [pvilla@mcm1.net]  
**Sent:** Monday, February 22, 2010 4:00 PM  
**To:** Rick Taube  
**Subject:** Legislative Update from the Virginia Transit Association

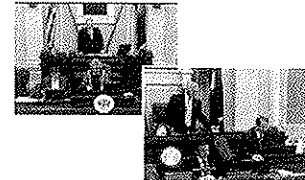
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## Virginia Transit Association

### Budget Update

The House Appropriations and Senate Finance Committees passed their respective budget proposals yesterday afternoon. There was no new money so the changes to Governor Kaine's introduced budget were primarily language changes. However, some of these (see item 1) could have had a significant dollar impact on transit.



Next Steps: a conference committee will be appointed to work out differences. The committee is scheduled to report on this March 9.

### Transit Amendments:

(VTA initiated and strongly supported items 1 and 2.)

- 1) Both House and Senate **rejected** language Kaine Budget language shifting \$60 million from the transit capital program to the Intermodal office for one-time transit grants. Eliminating this language was a VTA priority and we are pleased that both money committees agreed.
- 2) Both House and Senate **adopted** language allowing the CTB to shift mass transit capital dollars to transit operating. In FY 11 this would provide, at most, an additional \$6M in transit operating funds. The budget language is the same as in HB 421 which is on track to enactment. The Dept. of Planning and Budget determined that budget language was required to fully enact HB 421.

"Prior to the annual adoption of the Six-Year Improvement Program, the

Commonwealth Transportation Board may allocate up to 20 percent of the funds in the Commonwealth Mass Transit Fund designated for capital purposes to transit operating assistance if operating funds for the next fiscal year are estimated to be less than the current fiscal year's allocation, to attempt to maintain transit operations at approximately the same level as the previous fiscal year."

3) Senate Language: Directs the construction of sound barriers along the Dulles Access Toll Road corridor, from the beginning of the Access/Roll Road Connector to Route 495 with funds from the Commonwealth Transportation Fund.

***Rail -***

1) The Senate retained and the House eliminated the following Kaine budget language: "*subsequent to the conclusion of the three year pilot project funding rail service from Lynchburg and Richmond to D.C., no direct service shall be continued unless the areas surrounding the train stations have been designated as urban development areas*"

2) Senate language directs the DRPT Director to work with the City of Roanoke and local transit providers to identify funding and positions for a pilot program providing commuter bus connector service between Roanoke and the Kemper St. Station in Lynchburg as par of the on-going passenger rail demonstration project.

3) House language authorizes use of Rail Enhancement Funds to proceed with passenger rail improvements for Richmond to Norfolk service and to fund existing use by Amtrak pilot project D.C. to Lynchburg.

Items that were not in both House and Senate budgets will be discussed and resolved in the Budget Conference Committee.

Linda McMinimy, Executive Director  
804.643.1166

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**Northern Virginia Transportation Authority**  
**2010 Legislative Program**  
**Approved: November 12, 2009**  
**Updated: February 20, 2010**

**STATE**

***TRANSPORTATION FUNDING***

The lack of new transportation investment in the Commonwealth has reached a crisis. Over the past two years, the Commonwealth Transportation Board has cut **\$3.7 billion** from the Six Year Program and projections indicate that another cut of at least \$900 million will be necessary to further adjust the Six Year Program to match current revenue estimates. Revenues from ALL major state transportation funding sources continue to deteriorate. In addition, federal transportation funding levels remains uncertain. Secondary and urban system construction funds have essentially been eliminated, and the growth in maintenance spending in being reduced, even though costs are increasing overall. The Commonwealth is risking serious disinvestment in its existing transportation infrastructure that will be more difficult and more expensive to correct in the future. Today, approximately \$1 billion is needed to address existing deficient pavement conditions and approximately \$3.7 billion is needed to fix the Commonwealth's deficient bridges. Very shortly the Commonwealth will be out of options for ensuring the matches are available for the federal transportation funds the Commonwealth receives. Should this happen, Virginia would have to return federal transportation funds, further compounding the crisis. **Major new revenue sources for transportation must be enacted during the 2010 General Assembly session.**

NVTA continues to support additional state and regional transportation funding for highway, transit, bicycle and pedestrian improvements. In 2006, the region's TransAction 2030 Long-Range Transportation Plan estimated that Northern Virginia alone needs \$700 million per year in additional transportation funding to address the region's transportation problems. This figure has only increased since then since much of the major revenue sources included in HB 3202 have been eliminated.

NVTA seeks reinstatement of exclusive Northern Virginia revenues in the range of at least \$300 million annually, as well as Northern Virginia's portion of additional statewide revenues to address transportation needs not originally covered by the HB 3202 funding approved for Northern Virginia. Both the regional and statewide revenues should be provided from stable, reliable, proven and permanent source(s).

NVTA asks the General Assembly to adopt new statewide transportation revenue sources to bolster existing highway and transit revenue sources which are not generating sufficient funding to meet the Commonwealth's critical transportation needs or to meet the Commonwealth's statutory 95 percent share of eligible transit operating and capital costs (net of fares and federal assistance). This additional transit funding alone would require approximately \$166 million annually in new funds for the limited transit projects and eligible operating costs included in CTB's six-year program.

Any funding solutions must ensure that dedicated funding for Washington Metropolitan Area Transit Authority capital improvements and for Virginia Railway Express capital and operating expenses are addressed.

NVTA does not support diverting existing General Fund revenue streams to transportation. These General Funds are used for other important priorities of the Commonwealth; such are K-12 education, higher education and public safety. *(Updates previous position).*

General Assembly Action: *A variety of bills have been introduced. See attached matrix.*

### **BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS**

NVTA supports the inclusion of sufficient funding in the 2010-2011 budget to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations. This is particularly critical, because the BRAC relocations will occur in 2011, and there is significant lead time required to implement needed transportation improvements. *(Updates previous position).*

General Assembly Action: *No specific bills introduced.*

### **PEDESTRIAN SAFETY**

NVTA supports revisions to Virginia's existing pedestrian legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less. Recent events throughout the region have highlighted a growing concern for the safety of pedestrians attempting to cross streets. Many Northern Virginia jurisdictions are exploring a variety of means to effectively provide for pedestrian safety while avoiding both the potential for serious vehicular accidents and the potential for creating a false sense of security for the pedestrians. *(Reaffirms previous position).*

General Assembly Action: *Two bills were introduced: House Transportation Subcommittee #2 recommended passing by indefinitely HB 459 (Herring). SB 228 (Barker) has passed the Senate. It was tabled by House Transportation Subcommittee #2.*

### **CHAPTER 527 TRAFFIC IMPACT ANALYSES**

NVTA supports modifications to Chapter 527 Transportation and Land Use legislation and regulations to adjust timeframes for traffic impact analyses to be more consistent with local government review times and scheduled public hearings. In addition, the Comprehensive Plan amendment/updates section of the regulations should be further developed and improved to meet the needs of the process (especially dealing with multiple amendments at same time), and Low-volume rule traffic impact analysis requirements should be revised to address situations when existing roadway capacity is obviously sufficient to meet demands of a new development even though the development might otherwise cross the threshold for a traffic impact analysis. *(Reaffirms previous position).*

General Assembly Action: *Several bill have been introduced related to 527 Traffic Impact Analyses. HB 808 (Watts)/HB 1098 (Sickles)/SB 550 (Barker) adds the Department of Rail and Public Transportation to the 527 Review. HB 1098 was incorporated into HB 808. The House Transportation, Subcommittee #4 recommended carrying over HB 808 to 2011. SB 222 (Puller) exempts homeowners' associations, neighborhood associations and similar non-profit organizations from VDOT fees and from submitted Traffic Impact Analyses at the*

*comprehensive plan stage. Amendments delete non-profit organizations; passed Senate. It is now on the House floor. SB 550 was continued to 2011 by Senate Local Government.*

### **SECONDARY ROAD DEVOLUTION**

NVTA opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance. NVTA also opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties. *(Reaffirms previous position).*

General Assembly Action: *No specific bills introduced.*

## **Bill Sponsored by Northern Virginia Transportation Agencies**

### Fraudulent Tickets

- HB 688 (Miller)/SB 25 (Puller) – VRE bill related to penalties for counterfeit ticket violations; [A substitute for HB 688 passed the House; assigned to Senate Courts. A substitute for SB 25 passed the Senate; assigned to House Courts, Criminal Subcommittee].

### Assaulting a Transit Operator

- SB 588 (Marsden) – WMATA bill: provides that it is a Class 6 felony to commit an assault or battery upon a mass transit operator defined as a person who operates any train, bus, trolley or van that is designed to carry six or more passengers. [A substitute passed the Senate; assigned to House Courts, Criminal Subcommittee] The substitute changes the violation to a Class 1 misdemeanor.

### Criminal Background Checks

- HB 690 (Miller) – PRTC Bill: authorizes certain transportation district commissions and their contractors and public service corporations or contractors that provide public transit services to a locality to require fingerprint checks of certain applicants and employees so that an FBI criminal background check can be conducted [A substitute for HB 690 passed the House; assigned to Senate Local Government.] The substitute limits background checks to individuals who have been offered employment.

### Photo Monitoring – Backtracking (MWAA Bill)

- HB 1295 (Rust)/SB 667 (Herring) Provides for the enforcement of the use of a photo-monitoring system or automatic identification system on the Dulles Access Highway. [A substitute for HB 1295 passed the House; SB 667 was amended and passed the Senate. House Transportation, Subcommittee #4 recommended reporting]. The substitute for HB 1295 clarified that the violation is a civil penalty rather than a criminal penalty.

### Tax Information Disclosure to NVTC

- HB 457 (Herring) Allows the Tax Commissioner to disclose to the Executive Director of NVTC for his confidential use tax information as is necessary to facilitate the collection of the motor vehicle fuel sales tax. [Passed House; Passed Senate]

## **Other Bills of Interest**

### Northern Virginia Transportation Projects

- HB 779 (LeMunyon) requires VDOT to evaluate and make periodic reports on transportation improvement projects in the Northern Virginia highway construction district [House Trans passed by and referred to the Governor's Government Reform Commission]

### Statewide Transportation Plan

- HB 25 (Herring) requires that the Statewide Transportation Plan include quantifiable measures and achievable goals for greenhouse gas emissions [House Trans. Sub #1 failed to recommend reporting]

### Secondary Road Acceptance Standards

- HB 95 (Loupassi) provides that if, on March 9, 2009, a subdivision was subject to a specific zoning requirement that prohibited a state-maintained stub road connection, such requirement will not preclude acceptance of such road into the state secondary highway system [Stricken by Patron]

- HB 197 (Ware, R.) provides that the VDOT will allow the acceptance of any street within a network addition that meets the public service requirement of three or more occupied dwelling units. [Substitute passed House; assigned to Senate Transportation] The substitute changes bonding requirement to one year.
- HB 1369 (Poindexter) requires VDOT to reconsider its Secondary Street Acceptance Requirements effective July 1, 2009, with specific focus on the connectivity index and the means by which an exception can be granted. The reconsideration is also to focus on the unique challenges in rural applications. [Left in House Transportation]

#### Secondary Road Standards

- HB 222 (Watts) requires the Secretary of Transportation to develop new secondary system design standards to be used in urban areas. [A substitute passed the House; assigned to Senate Transportation] The Substitute limits to Fairfax County.

#### Other Virginia Railway Express Related Bills

- HB 19 (Cole) allows PRTC to set higher fares for passengers from non-VRE jurisdictions; [received no motion in House Trans, Sub #1]
- HB 55 (Cole) caps VRE subsidy levels at the level of each jurisdiction's gas tax collections [received no second n House Trans, Sub #1]

#### Telecommuting and Alternative Work Schedules

- HB 1015 (Hugo) provides that the Secretary of Administration and the Secretary of Technology measure the effectiveness of the comprehensive statewide telecommuting and alternative work schedule policy. [Continued to 2011 by House Science and Technology]
- HB 1023 (Hugo) requires the head of each agency within the legislative branch of state government to adopt a telecommuting and alternative work schedule policy for eligible employees. The policy shall authorize voluntary participation in telecommuting and alternative work schedule programs for up to eight days per month, provided such participation does not diminish employee performance or service delivery. No policy adopted pursuant to this Act shall authorize participation in either program during any session or special session of the General Assembly. [Passed the House; Assigned to Senate Rules].
- HB 1144 (Scott) increases the target for eligible state employee participation in telecommuting and alternative work schedules to 40 percent in each respective program by January 1, 2012. [Continued to 2011 by House Science and Technology]

#### Hybrids on HOV Lanes

- HB 214 (Greason)/HB 320 (Plum)/HB 980 (Hugo) extends until July 1, 2011, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants. [HB 214 passed the House; on the Senate floor].
- SB 553 (Barker) extends the "sunset" on use of HOV lanes by clean special fuel vehicles, regardless of the number of their occupants, until July 1, 2011, but only if they are not traveling on I-66, I-95, or I-395. [A substitute passed the Senate; assigned to House Transportation]. The substitute limits new hybrids on I-66 after July 1, 2010; but allows hybrid exemption to continue until June 30, 2011, for all facilities.

#### Washington Bypass

- HB 277 (Albo) requires the Commonwealth Transportation Board to establish a Washington Bypass transportation corridor. [House Appropriations Transportation Subcommittee failed to recommend reporting (2-5)]

### Photo Red

- HB 461 (Herring) provides that the operator of a photo-monitoring system may enter into an agreement with DMV to obtain vehicle information on vehicles that fail to comply with a traffic light. Also, removes requirement that a locality must submit a list of potential intersections to DMV for final approval; [Left in House Transportation].
- HB 1292 (Tata) provides that a summons executed for violation of a photo-monitoring ordinance shall provide to the person summoned at least 30, rather than 60, business days to inspect information collected in connection with the violation. Deletes a provision prohibiting a private entity, on behalf of a locality, from obtaining records regarding the registered owners of vehicles that fail to comply with traffic light signals and allows a locality to access and use recorded images and associated information if the vehicle involved is owned, leased or rented by the locality, for employee disciplinary purposes. [Passed House; on Senate floor]

### Composition of Commonwealth Transportation Board

- HB 818 (Surovell) changes the composition of the CTB: one will be appointed from each of Virginia's 11 Congressional Districts (as they were on January 1, 2010, four more will be at-large appointees: one representing seaports, one representing aviation, one representing railroads, and one representing mass transit; the three ex-officio members remain unchanged. [Left in House Transportation]
- HB 1131 (Keam) adds one member from the Northern Virginia highway construction district to the CTB. The bill also provides for allocation of highway construction funds within primary, urban, and secondary systems by the CTB on the basis of (i) population, (ii) traffic congestion, (iii) ambient air quality, (iv) functional classifications of highways, and (v) other important objectives as determined by the CTB, with each such factor being given equal weight. [Left in House Transportation]

### HOT Lanes

- HB 948 (Englin) requires VDOT to conduct a NEPA study prior to any HOT lane construction on any portion of I-95 or I-395. [House Transportation Sub #3 recommends passing by indefinitely]
- HB 968 (Englin) provides that HOT lane violations are traffic infractions. Penalties for violations are no longer civil penalties and are not payable to the HOT lane operator. [Tabled by House Transportation]
- HB 969 (Englin) requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. [Tabled by House Transportation]
- HB 1223 (Ebbin) requires that, in designating HOT lanes, lane shoulder widths are sufficient for safe operation of transit vehicles and levels of performance of existing HOV facilities do not deteriorate. The bill further mandates that local governments' concerns with congestion at points of access and egress and on parallel local streets are openly and meaningfully addressed. [Tabled by House Transportation]
- SB 365 (Barker) requires that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility. [Senate Transportation passed by indefinitely]



### PPTA Related Bills

- HB 480 (Carrico) requires the CTB to conduct third party audits of agreements executed under the Public-Private Transportation Act. The audits will consist of a review of the bidding process and certain other summary information regarding each project. The bill requires responsible public entities proceeding under the Act to advertise in the area where the project will be located to encourage participation by local small contractors. In addition, the bill (i) provides that contracts must be rebid if a change order exceeds 25% or \$1.0 million over the original contract amount, (ii) limits agreements under the act from extending more than two years past the original completing date without being rebid, and (iii) requires all agreements to include standard small, women-owned and minority-owned participation components of 30 percent as of July 1, 2010. [Tabled by House Transportation]
- HB 567 (Jaquinto) raises the competitive bidding/competitive negotiation dollar threshold from \$30,000 to \$50,000 for state-aid construction projects. [Passed House; assigned to Senate General Laws]
- HB 969 (Englin) requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. [Tabled by House Transportation]
- SB 101 (Stosch) provides that the Division of Legislative Services shall provide legal and research services to the Public-Private Partnership Advisory Commission with technical assistance being provided by the staffs of the House Committee on Appropriations, the Senate Finance Committee, and the Auditor of Public Accounts. The bill also clarifies that responsible public entities required to submit copies of detailed proposals under the Public-Private Education Facilities and Infrastructure Act must submit the copies to the clerk of the Commission [Passed the Senate; assigned to House Rules, Sub #1]
- SB 181 (Stosch) Authorizes state agencies and state authorities, upon the approval of the Governor, to enter into agreements with private entities under the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002 for the development of a project by the private entity, which agreements provide for the private entity to be paid grants from a portion of the growth in state taxes and fees attributable to the development of the project. [Substitute recommitted to Senate Finance and failed to report (7-7)].

### Hampton Road Bridge Tunnel

- HB 402 (Oder) directs the Virginia Department of Transportation to accept unsolicited proposals to add capacity to the Hampton Roads Bridge-Tunnel. [Substitute Passed House; on Senate floor]

### Norfolk/Virginia Beach Light Rail

- HB 564 (Tata) provides that funds for the Norfolk/Virginia Beach light rail project will be expended in accordance with Federal Transit Administration requirements, notwithstanding any contrary provision of law [Passed House; on Senate floor]

### Military on HOV Lanes (Hampton Roads)

- HB 759 (Stolle)/HB 788 (Villanueva) allows certain military personnel to use HOV lanes in Hampton Roads regardless of the number of passengers. [Substitute passed the House Transportation; on Senate floor] Substitute requires military personnel to be in uniform and is contingent on Federal approval.

### Rest Area Closure

- HB 584 (Landes) requires VDOT to reopen closed highway rest areas and residency offices and prohibits closure of highway welcome centers [Left in House Transportation]
- HB 1081 (Crockett-Stark) requires VDOT to reopen closed highway rest stops and prohibits closure of highway welcome centers. [Left in House Transportation]
- HJ 126 (Nutter)/SJ 99 (Herring) direct the Joint Legislative Audit and Review Commission to study the privatization of all or portions of the Commonwealth's rest areas [Substitute for HJ 126 passed House; assigned to Senate Rules, Subcommittee #1. A substitute for SJ 99 passed the Senate; assigned to House Rules]. The substitutes direct the Virginia Transportation Research Council to be the study, rather than the Joint Legislative Accounting and Review Committee.

### State Asset Maximization Commission

- HB 1021 (Hugo) creates the State Asset Maximization Commission and sets its membership and duties. Among other things, the Commission is to review transportation assets. [Left in House Rules]

### High Speed Rail

- HB 1275 (Cosgrove) establishes the Virginia High-Speed Rail Commission to promote and augment the state's competitive stance for matters related to high-speed passenger rail service in Virginia. The Commission is to study, assess, and advise the General Assembly and the Secretary of Transportation on effective and competitive design, planning, financing, construction, and operations involving high-speed rail service. The Commission is, further, to coordinate high-speed rail programs with neighboring states and federal and regional entities. [Passed the House; assigned to Senate Transportation] The amendments delete references to the Virginia-North Carolina High Speed Rail Commission.
- SJ 63 (Miller) creates a 10-member joint subcommittee to study expansion of inter-city high-speed passenger rail service in Virginia and ways to pay for it. [Substitute passed the Senate; assigned to House Rules] The substitute limits the study to seeking the most efficient and beneficial way to fund high speed and intercity passenger rail operations.

### Prince William County Metrorail Improvement District

- HB 1313 (Torian) creates the Prince William County Metro Rail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County. [A substitute was reported by House Transportation. It was continued to 2011 by House Appropriations]

### Chief Executive Officer for Transportation

- SB 103 (McDougle) abolishes the office of Commonwealth Transportation Commissioner and replaces that position with a Chief Executive Officer for Transportation who takes over the powers, duties, and responsibilities of the Commonwealth Transportation Commissioner, the Director of the Department of Aviation, and the Director of DRPT. The Virginia Board of Aviation and the Rail Advisory Board are also abolished, and their functions transferred to the CTB. The composition of the CTB is changed to remove the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of DRPT, and to provide for election of the at-large members of the Board by the General Assembly. [Carried over by Senate Transportation]

### Air Quality

- SB 128 (McDougle) retains the authority of the Air Pollution Control Board to provide for participation in the EPA-administered cap and trade system for NOx and SO2 to the fullest

extent permitted by federal law, but prohibits the Board from requiring that electric generating facilities located in a nonattainment area meet NOx and SO2 compliance obligations without the purchase of allowances from in-state or out-of-state facilities. [Amended to remove current non-attainment areas; passed the Senate; assigned to House Commerce and Labor]

#### Transportation Program Audits

- SB 201 (Blevins) requires the Auditor of Public Accounts to perform a performance audit of the Commonwealth's transportation programs [A substitute passed the Senate; assigned to House Rules] the substitute modifies the requirements for the study and removes the limit of \$4 million of the study.
- SB 351 (Obenshain) requires the Secretary of Transportation to arrange for a performance audit of the Commonwealth's transportation programs [Passed by indefinitely by Senate Rules]

#### Clean Fuel Plates – Local Governments

- SB 404 (Petersen) removes requirement that the Commissioner provide written regulations before the Department of Motor Vehicles may issue government-use license plates for clean special fuel vehicles [Passed the Senate; assigned to House Transportation]

#### TransDominion Express Commission

- SB 435 (Edwards) establishes the TransDominion Express Commission, to be responsible, within the TransDominion Corridor, for identifying needed construction, reconstruction, improvements of or repairs to railroads and their facilities, and equipment to provide enhanced passenger rail service coordinated with freight rail opportunities within the corridor. [Continued to 2011 by Senate Rules]

#### Increase Use of Transit Strategies

- SB 553 (Barker) requires the Secretary of Transportation to make an annual report to the General Assembly on actions taken to promote transit use [passed the Senate; assigned to House Transportation]

#### Studies

- HJ 61 (Plum) – Virginia's Transportation Needs – [Tabled]
- HJ 68 (Rust) – Tolling [Failed]
- HJ 81 (Oder) – Hampton Roads Bridge Tunnel [Passed House; Assigned to Senate Rules, Subcommittee #1]
- HJ 96 (May) – Commission on Virginia's Transportation Needs [Tabled by House Rules]
- HJ 119 (Surovell) – U. S. Route 1 Corridor [Tabled]
- HJ 134 (Jones) – Hampton Roads Transportation Network [Passed House; Assigned to Senate Rules, Subcommittee #1]
- HJ 151 (Miller) – Norfolk Light Rail [Left in House Rules]
- SJ 94 (Miller) – Replacement of the gas tax [Passed the Senate; assigned to House Rules]
- SJ 98 (Barker) – Regional Rapid Transit Network – continuation of SJ122 Study [Passed Senate; assigned to House Rules]



2010 General Assembly Session Transportation Funding/Allocation Bills

		Legislation No Longer Under Consideration			
Transportation Funding Bills					
HOUSE	Author	Bill Description	Committee	Status	Notes
HB 37	Marshall, R.	Overload and overweight permits; fees established by Commissioner	H Trans	Passed by with a letter to JCTA	Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council
HB 230	Watts	Motor fuels tax rate increase; allocation of construction funds for primary highway system	H Finance	Left in H Finance	Increases motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax will be indexed every 2 years beginning July 1, 2011, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. Revenue generated is used for transportation purposes as required by existing law, and allocates primary system highway construction funds among the 9 highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90%, and a need factor, weighted 10%.
HB 269	Englin	Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.	H Finance, Sub. #1	Left in H Finance	NVTC Bill. Increases the rate of the state sales tax on motor fuels in Northern Virginia from 2.1 percent to 4.2 percent.
HB 342	Marshall, R.	Alcoholic beverage control; privatization of ABC stores	H Gen Laws	Left in H Gen Laws	Provides for the issuance of a "package store" license to authorize the retail sale of alcoholic beverages for off-premises consumption. Bill also requires the ABC Board to sell at auction all real estate used as ABC stores, and to terminate leased property upon which the ABC Board has operated a government store. Bill requires the ABC Board to complete an implementation study by December 31, 2010, on how it will privatize government stores. Bill has a delayed effective date of January 1, 2011, to achieve full retail privatization of government stores. Bill provides that any monetary savings realized by the ABC Board from the implementation of the bill shall be applied to the Transportation Trust Fund.
HB 344	Marshall, R.	Efficiency in Government Advisory Councils; established	H Rules; Sub #3	Left in H Rules	Establishes an Efficiency in Government Advisory Council for each secretariat of state government to review the operations of the agencies within the assigned secretariat for the purposes of identifying efficiencies and determining specific operational areas where savings may be realized. All recommendations that result in identifiable monetary savings among agencies within the assigned secretariat shall be presented in the form of a bill or budget amendment. Savings resulting from implementation of the recommendations will go to the Transportation Efficiency Fund to be used to (i) supplement transportation projects that are aimed at reducing congestion, increasing the efficiency of mass transit, or reducing harmful emissions associated with vehicle traffic, and (ii) facilitate economic development associated with transportation projects.
HB 404	Oder	Transportation funding and administration; provides funding in certain localities	H Trans	Substitute passed by and referred to Governor's Gov't Reform Commission by H Approp.	Provides for transportation funding and administration in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District, and the Salem Highway Construction District. The amount of funding is based on: (i) for No. Va., a portion of the growth in certain state tax revenues in No. Va.; (ii) for Hampton Roads, a portion of the growth in certain state tax revenues generated or facilitated by the marine terminals in Hampton Roads; (iii) for the Richmond Highway Construction District, a portion of the growth in certain state tax revenues generated or facilitated by the Port of Richmond; (iv) for the Staunton Highway Construction District, a portion of the growth in certain state tax revenues generated or facilitated by the Inland Port at Front Royal; and (v) for the Salem Highway Construction District, a portion of the growth in certain state tax revenues expected to be generated or facilitated by the Ellison Intermodal Facility. Substitute changes projects in the Salem District and removes language requiring VDOT to develop requests for PPTA proposals for projects in Hampton Roads
HB 540	Marshall, D.	Salem Highway Construction District; transportation funding	H Trans	Left in H Approp.	Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County. Substitute allocates 25% of the growth in tax revenue from Inland Port to the Bristol Highway Construction District.
HB 666	May	Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects	H Trans	Passed by with the letter to the Joint Comm on Trans Account.	Governor's Bill. Provides that at least 50% of the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds would be used for new road or highway construction projects. The bill defines a new road or highway construction project as the construction of, enhancement of, or addition to a road or highway (or a portion or segment of a road or highway), which construction, enhancement, or addition did not commence prior to January 1, 2010. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds were authorized for issuance in 2007 pursuant to HB 3202 (2007).
HB 782	LeMunyon	Surplus real property; DGS to inventory all real property owned and update at least annually	H Gen Laws; FOIA Sub	Continued to 2011 by H Approp.	Provides for the Department of General Services to inventory all real property owned by the Commonwealth by October 30, 2010, and update the inventory at least annually thereafter. The bill also provides for the Department to submit an annual report to the Governor and the General Assembly containing the full inventory of real property owned by the Commonwealth and recommendations regarding property that may be disposed of as surplus property. The bill also changes the portion of the proceeds from sales or leases of, or from the conveyance of any interest in, surplus property by the Commonwealth from the Conservation Resources Fund to the Transportation Trust Fund.
HB 805	Poindexter	Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund	H Appr. Trans. Sub	Incorporated into HB 755	Requires that 80% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. The remaining 20% shall be used to encourage and incentivize non-petroleum based transportation fuels.
HB 900	Comstock	Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund	H Appr. Trans. Sub	Incorporated into HB 755	Apportions 80% of any royalties that the Commonwealth might receive from offshore drilling for natural gas and oil to the Transportation Trust Fund, and 20% to programs developed by the Secretary of Natural Resources to clean up the Chesapeake Bay
HB 971	Rust	Northern Virginia Transportation Authority Sales and Use Tax Fund; established	H Finance; Sub #1	Continued to 2011.	Potential Northern Virginia Vehicle. Provides additional funding for transportation by (i) imposing a transportation infrastructure users fee of 1% on motor fuels to be used for highway maintenance in the highway construction district in which the fuel is sold; (ii) increasing the state sales tax in No. Va. by 0.5 % for transportation projects in No. Va.; and (iii) imposing a regional congestion relief fee in No. Va. at a rate of \$0.40 per \$100. Neither the fees nor the tax increase shall become effective until the unemployment rate in the Commonwealth is equal to or lower than it was in January 2008 for six consecutive months. Substitute (yet to be introduced) will require No. Va. local government to impose a commercial and industrial property tax of \$0.125 per \$100 valuation to benefit from the sales tax and congestion relief fee.
HB 1069	Marshall, R.	Transportation Capital Projects Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended tabling	Authorizes the CFB to issue bonds in an aggregate amount not to exceed \$3,963,000,000 for specific transportation projects throughout the Commonwealth. The bonds will be paid for by the revenues collected for each project through tolls and other fares or fees.

# 2010 General Assembly Session Transportation Funding/Allocation Bills

Bill Number	Author	Transportation Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended	Authorizes issuance of general obligation bonds in an amount not to exceed \$3,963,000.00 to finance capital transportation projects
HB 1061	Marshall, R.	Transportation Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended	Authorizes issuance of general obligation bonds in an amount not to exceed \$3,963,000.00 to finance capital transportation projects
HB 1153	Scott, J.	Motor fuels tax	H Finance; Sub #2	Left in H Finance	Converts the rates of taxation on motor fuels from cents per gallon to percentage rates. Percentage rates shall be calculated by the Commissioner of the DMV in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the DMV over rolling six-month periods, to determine the cents to be charged.
HB 1323	May	Tolls; provided at Monitor Merrimac Memorial Bridge-Tunnel & Hampton Roads Bridge-Tunnel	H Trans	Continued to 2011	Provides for tolls at the Monitor Merrimac Memorial Bridge-Tunnel and the Hampton Roads Bridge-Tunnel.
<b>SENATE</b>					
SB 76	Reynolds	Salem Highway Construction District; transportation funding	S Finance	Left in S Finance	Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County.
SB 114	Petersen	Motor fuels taxes; rate increase or decrease each year using fuel efficiency index	S Finance	Continued to 2011	Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the FHWA. Establishes 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes.
SB 115	Petersen	Surcharge on fuels sales; locality to impose a one percent surcharge	S Finance	Continued to 2011	Authorizes each city and county to impose a 1% surcharge on the retail price of motor fuels sold at retail in the city or county. The Tax Commissioner would collect the surcharge in the same manner that he collects the retail sales and use tax. Revenues from the surcharge would be used solely for funding of roads or highways in the urban or the secondary system of state highways
SB 132	Obenshain	Retail Sales and Use Tax; increases distribution to Transportation Trust Fund	S Local Govt	Left in S Finance	Increases the distribution to the Transportation Trust Fund from the sales and use tax revenue generated by a 1/2% sales and use tax to the sales and use tax revenue generated by a 1% sales and use tax upon the Comptroller determining in any fiscal year that (i) the growth in general fund revenues for the most recently completed fiscal year was at least 3%, and (ii) the actual dollar increase in general fund revenues for the most recently completed fiscal year was at least equal to the sales and use tax revenue generated by a 1/2% sales and use tax.
SB 164	Edwards	Transportation; source of revenue by increase of motor vehicle sales and use tax	S Finance	Left in S Finance	Creates additional sources of revenue for transportation by increasing the motor vehicle sales and use tax by 1/2% and the motor vehicle rental tax by 1%, and by imposing a five percent tax on the wholesale price of gasoline. The new revenue sources will be directed to the Rail Enhancement Fund, the Transportation Trust Fund, the Highway Maintenance and Operating Fund for transportation projects and needs of the Commonwealth, and certain priority transportation projects, as designated by the Commonwealth Transportation Board, in No. Va. and Hampton Roads. The bill would also eliminate the 1/2% sales tax on food currently going to the Transportation Trust Fund, and would raise the allowed credit for low-income taxpayers
SB 223	Barker	Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates	S Finance	Left in S Finance	Replaces current fuels tax on gasoline, gasohol, and diesel fuel with a tax that is a percentage of the wholesale price of a gallon of self-serve unleaded regular gasoline. Percentage shall be established by the Commissioner by determining the percentage that would most closely yield 17.5 cents per gallon, based on the average wholesale price of a gallon of self-serve unleaded regular gasoline for the period beginning October 1, 2009, and ending March 31, 2010.
SB 418	Vogel	Infrastructure in Urban Development Areas Loan Fund; created	S Local Govt	Continued to 2011.	Creates the Virginia Infrastructure in Urban Development Areas Loan Fund. Fund would be administered by the Virginia Resources Authority. Money in the Fund would be used exclusively for the financing of road, small water facility, and wastewater treatment facility projects located or to be located within an urban development area and undertaken by a local government. Priority for loans would be given to projects that will serve two or more local governments to encourage regional cooperation
SB 541	Newman	Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects	S Finance	Left in S Finance	Governor's Bill. Provides that at least 50% of the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds would be used for new road or highway construction projects. Bill defines a new road or highway construction project as the construction of, enhancement of, or addition to a road or highway (or a portion of a road or highway), which construction, enhancement, or addition did not commence prior to January 1, 2010. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds were authorized for issuance in 2007 pursuant to HB 3202 (2007).
SB 600	Wagner	Transportation Trust Fund; increases amount of general fund surplus.	S Finance	Failed to Report	Governor's Bill. Increases from 2/3 to 7/8 the amount of the general fund surplus designated to the Transportation Trust Fund within the Comptroller's annual report following the close of each fiscal year. Governor would include in his budget bill an amount for deposit into the Transportation Trust Fund equivalent to the amount designated by the Comptroller.
SB 601	Wagner	Offshore drilling; royalties to be deposited in Transportation Trust Fund.	S Finance	Continued to 2011.	Governor's Bill. Requires that at least 80% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. Substitute allocates 70% of any revenues to the state General Fund, 10% to localities for infrastructure and transportation; and 20% to Virginia Coastal Energy Research Consortium.

2010 General Assembly Session Transportation Funding/Allocation Bills

SB 684	Miller, J.	Transportation funding.	S Finance	Left in S Finance	(i) decreases fuels tax from \$0.175 to \$0.05/gallon & establish a 5% tax on fuel based on state average ws price of gas; (ii) subject to the additional revenues generated in (i), increases fuels tax by \$0.10/gallon in increments of \$0.02/gallon per yr for 5 yrs starting in 2011; (iii) starting in 2011 increases vehicle sales/use tax by 1/2% each yr for 4 yrs; (iv) provide that of the retail sales/use tax revenues generated by the 4% tax on auto parts/accessories, an amount equivalent to the revenues generated by a 3% retail sales/use tax on such parts/accessories would be sent to the HMOF; (v) subject to federal approval, authorize CTB to impose a \$1 per axle toll on vehicles entering VA from NC on I-85 & I-95; (vi) dedicate for hwy maintenance 10% of future growth in certain state taxes attributable to economic activity generated/facilitated by cargo marine terminals & inland ports; and (vii) dedicate for trans purposes royalties paid to the Commonwealth from offshore drilling. Amounts generated would be deposited into the HMOF, except revenues from tolls on vehicles entering VA from NC & revenues from royalties as a result of offshore drilling, which would be deposited into the TTF.
SB 694	McWaters	Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund	S Finance	Failed to Report (6-9)	Authorizes the Governor, in submitting this biennial budget bill, to provide for additional appropriations to the Transportation Trust Fund from general fund revenues in cases in which general fund revenues for a fiscal year are projected to grow by at least 3%. Any such additional appropriation to the Transportation Trust Fund recommended by the Governor would be required to be in an amount not less than 1% of the projected growth in general fund revenues for the fiscal year.
<b>Transportation Allocation Formula Bills</b>					
HB 224	Watts	Highways; payments to cities and towns for maintenance	H Trans	Tabled by H Trans Sub #4	Equalizes municipal street payments to comparable amounts paid for state maintenance
HB 1047	Kory	Mass Transit Fund; increases percentage of H Trans Trust Fund revenues in.	H Trans Sub	Left in H Approps.	Increases the percentage of Transportation Trust Fund revenues flowing into the Commonwealth Mass Transit Fund from 14.7 to 19%
HB 1103	Sichles	Primary system highway construction funds; allocation.	H Trans Sub #4	Passed by with a letter to JCTA.	Allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 50%, and a need factor, weighted 10%.
HB 1124	Keam	Street maintenance payments; provides for increased payments where traffic volumes exceed average	H Trans	Tabled by H Trans	Provides for increased payments where traffic volumes exceed the statewide average by more than 20%.
HB 1131	Keam	Transportation Board; formulas for allocating funds	H Trans	Left in H Trans	Adds one member from the Northern Virginia highway construction district to the CTB. Bill also provides for allocation of highway construction funds within primary, urban, and secondary systems by the CTB on the basis of (i) population, (ii) traffic congestion, (iii) ambient air quality, (iv) functional classifications of highways, and (v) other important objectives as determined by the CTB, with each such factor being given equal weight.
<b>SENATE</b>					
<b>Transportation Trust Fund Bills</b>					
HJ 5	Oder	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with interest by the end of the 4th fiscal year following the date of the borrowing.
HJ 67	Marshall, R.	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits use of moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan or reduction must be repaid with interest within 4 years.
HJ 69	Watts	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with interest within 4 years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.





Transportation Items in the House and Senate Budgets  
DRAFT: February 22, 2010

**House**

- Removes new \$30 million competitive transit grant program that would have taken an equal amount of funding from the transit capital program and reduced formula assistance. The proposed grant program could have cost Northern Virginia approximately \$40 million over the biennium.
- Contains budget language to match HB 421 (Hope) that will allow the Commonwealth Transportation Board to allocate up to 20% of transit capital funding to transit operating expenses, if funds available for operating expenses in the next fiscal year are projected to be less than the current fiscal year.
- Removes language from the budget that would have eliminated stops from the experimental transit service in the U.S. Route 29 and I-95 corridors following the three year demonstration, if an individual station is not within a designated urban development area.
- Authorizes the use of Rail Enhancement funds for passenger rail service from Richmond to Norfolk and to fund the operating costs for existing Washington to Lynchburg Amtrak service (rather than using transit funds).
- Includes language directing the Secretary of Transportation to consider downsizing or eliminating the Virginia Transportation Research Council.

**Senate**

- Removes new \$30 million competitive transit grant program that would have taken an equal amount of funding from the transit capital program and reduced formula assistance. The proposed grant program could have cost Northern Virginia approximately \$40 million over the biennium.
- Contains budget language to match HB 421 (Hope) that will allow the Commonwealth Transportation Board to allocate up to 20% of transit capital funding to transit operating expenses, if funds available for operating expenses in the next fiscal year are projected to be less than the current fiscal year.



AGENDA ITEM #9

**MEMORANDUM**

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Rick Taube  
**DATE:** February 25, 2010  
**SUBJECT:** Regional Transportation Items.

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Among the items of interest is the award of \$58.8 million of federal "TIGER" funds for elements of the MWCOG application. As shown on the attachment, several transit projects in Virginia are included, such as a Transitway on Route 1 in Alexandria, improvements to Leesburg Pike (a WMATA priority corridor), and station improvements at the Pentagon and Franconia/Springfield.



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# National Capital Region Transportation Planning Board

777 North Capitol Street, N.E., Suite 300, Washington, D.C. 20002-4290 (202) 962-3310 Fax: (202) 962-3202 TDD: (202) 962-3213

## MEMORANDUM

February 17, 2010

**TO:** Transportation Planning Board

**FROM:** Ronald F. Kirby   
Director, Department of  
Transportation Planning

**SUBJECT:** TIGER Grant Award

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Today, U.S. Transportation Secretary Ray LaHood announced the award of \$1.5 billion in discretionary grant funds throughout the nation. This grant program, Transportation Investment Generating Economic Recover (TIGER), was established through the American Recovery and Reinvestment Act (ARRA). More than 1,400 applications requesting nearly \$60 billion worth of projects were submitted. This results in an average grant request of less than \$43 million.

The TPB submitted a TIGER grant application last September, requesting more than \$204 million for a suite of projects located throughout the region. As announced by Secretary LaHood today, the Washington region has been awarded more than \$58 million in TIGER funding.

The attachment to this memorandum provides the detailed breakdown of each component included in the application, as well as summary descriptions of those components that will be awarded TIGER funding. Of the \$58 million, \$13.6 million will be awarded for projects located in the District of Columbia; \$14.8 million will be awarded to projects located in the State of Maryland; and \$30.4 will be awarded to projects located in the Commonwealth of Virginia.

I expect representatives from the U.S. Department of Transportation to contact me in the coming weeks to review more specifics of the grant award.

ATTACHMENT

## TIGER Grant Project Components – Preliminary Awards

#	Project Component	Grant Amount (\$)
2	<p><b>16th Street Bus Priority Improvements (DC):</b> This corridor provides a major regional connection between points of high activity in Maryland, such as the Silver Spring Metrorail station, to the DC central core and K Street. As such, 16th Street has been identified as a primary priority of WMATA in its Priority Corridor Network, which seeks to focus resources along specific, high ridership corridors. Proposed capital improvements include a queue jump lane, NextBus real time passenger information displays at 17 stop locations, and transit signal priority/traffic system management (left turn phase for bus) at a number of intersections.</p>	1,295,000
3	<p><b>Georgia Avenue Bus Priority Improvements (DC):</b> Also a WMATA Priority Corridor, improvements include completing TSP implementation at several intersections, bulb-outs, and nearly 30 stop locations enhanced with NextBus real time arrival technology. Additionally, a bus only lane would be constructed on Georgia Avenue for short span to alleviate current exorbitant bus delays.</p>	4,111,000
4	<p><b>H Street/Benning Road Bus Priority Improvements (DC):</b> This project would implement running way improvements along the existing corridor of a major local bus route, including a left turn phase for buses at a busy intersection, a queue jump lane, and NextBus real time arrival technology displays at 22 bus stop locations. These improvements support future streetcar plans.</p>	415,000
5	<p><b>Wisconsin Avenue Bus Priority Improvements (DC):</b> A WMATA Priority Corridor with the highest ridership in the region, capital improvements include transit signal priority and/or traffic signal management at a number of intersections and NextBus real time arrival technology deployed to a number of express service stop locations.</p>	745,000
6	<p><b>Addison Road Improvements (MD):</b> A WMATA priority corridor that connects the eastern ends of the Blue and Green Metrorail lines, bus shelters along the existing P12 bus route will be upgraded with NextBus real-time arrival prediction displays.</p>	200,000
7	<p><b>University Boulevard Bus Priority Improvements (MD):</b> Also a WMATA Priority Corridor that connects multiple jurisdictions, improvements include four queue jump lanes, transit signal priority at around 20 intersections, and a number of bus stop enhancements, such as the deployment of NextBus technology. This project will support planned light rail transit, such as the Purple Line, and will utilize the Takoma Langley Transit Center also included in this proposal.</p>	1,262,000
8	<p><b>U.S. Route 1 Bus Priority Improvements (MD):</b> The Maryland portion of US 1 is also a WMATA Priority Corridor. Capital improvements proposed include queue jump lanes and transit signal priority at several intersections, enabling parallel transit service to the auto-serving I-95 corridor.</p>	805,000
9	<p><b>Veirs Mill Bus Priority Improvements (MD):</b> Also a WMATA Priority Corridor that connects the commercial centers of Silver Spring and Rockville, capital improvements include a queue jump lane and NextBus real time bus arrival displays at several stations along the route.</p>	265,000
10	<p><b>US 1 Transitway (VA):</b> Similar in concept to the K Street Transitway, the City of Alexandria will develop a bus transitway in the median of US 1 within its city limits. The TIGER-funded transitway would provide exclusive right of way for buses. Other funding sources have been identified to provide passenger amenities, such as transitway stations and new buses.</p>	8,500,000
11	<p><b>VA 7 (Leesburg Pike) Bus Priority Improvements (VA):</b> A WMATA Priority Corridor that provides connects the Cities of Alexandria and Falls Church with the commercial center of Tysons Corner, improvements include NextBus displays at several express service bus stops and transit signal priority at a number of intersections along the corridor. This project supports future street car corridors by creating linkages other transit lines, such as the I-66 and I-395 Express Bus corridors.</p>	1,340,000

#	Project Component	Grant Amount (\$)
12	<p><b>Van Dorn-Pentagon Rapid Bus(VA):</b>  The project will provide a new rapid bus service in the City of Alexandria from the Van Dorn Metrorail Station in the City of Alexandria to the Pentagon. It will incorporate limited stop service, signal prioritization, super stops, and possibly queue jump lanes; however, the City of Alexandria eventually seeks to build exclusive bus lanes on Van Dorn Street. This project is being developed partly to support a the Mark Center BRAC facility opening at Seminary Road and I-395 by September 2011.</p>	670,000
13	<p><b>Theodore Roosevelt Bridge to K Street Bus Priority Improvements (DC):</b>  This major regional connection will be improved to link the K Street Transitway to bus priority/HOV lanes along I-66 in Virginia. This corridor is a major access point for commuters into the Washington D.C. central business district, and would receive complimentary transit signal priority and bus mounted enforcement cameras along E Street, northbound 18th Street, and southbound 19th Street. Local money may be provided for dedicated curbside bus lanes, if deemed feasible.</p>	1,800,000
14	<p><b>14th Street Bus Priority Improvements (DC):</b>  This major regional connection will be improved to link the K Street Transitway to bus priority/HOV lanes along I-395 in Virginia. This is a major access point for commuters into the Washington D.C. central business district, and includes complimentary transit signal priority and bus mounted enforcement cameras along 14<sup>th</sup> Street from the bridge to K Street. Bus only lanes may be included along 14<sup>th</sup> Street to south of Constitution Ave, which is consistent with a current federal EIS process to reconfigure the bridge in concert with HOT lane development on I-395 south of the bridge. Local money may be provided to extend the bus only lanes to K Street.</p>	5,200,000
16	<p><b>I-95/395 Multimodal Improvements (VA):</b>  The corridor, like I-66, is an often congested connector of Virginia with the DC core. The barrier-separated HOV right-of-way was originally built as a busway and this proposal seeks to begin to restore some of its transit functionality through station improvements at Pentagon Station and Franconia/Springfield Station, including bus bays, real time bus information, and traffic circulation/access/security improvements. Major technology improvements include a mobile web application for real-time bus information, bus information display, cameras outfitted on 40 buses, computer-aided dispatch and automatic vehicle location technology. Finally, this component includes the retirement of 13 buses, replacing them with state-of-the-art clean-fuel technology.</p>	19,930,000
18	<p><b>Takoma/Langley Transit Center (MD):</b>  This transit center will be located at the intersection of University Boulevard and New Hampshire Avenue on the border of Montgomery and Prince George's Counties in Suburban Maryland. This bustling intersection is one of the busiest transit locations in the DC area, however bus stops are currently scattered far from each other at different locations around the intersection. The new transit center will consolidate all the bus stops at the intersection into one facility. This will eliminate the need for transferring passengers to cross wide and busy roads where there is an unfortunate history of vehicles colliding with pedestrians. This will also provide a permanent and visible transit amenity. Through new bus bays, pedestrian walkways, a full canopy, restrooms, lighting, and bus information, the transit center will ultimately provide a safe, attractive, comfortable and efficient facility for passengers and for bus transfer activities, and will also improve pedestrian safety, accessibility, and connections to bus services in an area that is largely low income and transit dependent.</p>	12,300,000
<b>Total</b>		<b>58,838,000</b>

District of Columbia:	13,566,000
Maryland	14,832,000
Virginia	30,440,000
<b>TOTAL</b>	<b>58,838,000</b>

**REVISED TABLE 2: Included revised project amounts for the K Street Transitway, as submitted to DOT January 6, 2010**

ID	Project Name	Location	Project Owners	Project Parties	Project Cost	TIGER Grant Request	% TIGER
<b>Package 1: Priority Corridors Network</b>							
<b>K Street Transitway Sub-package</b>							
1	K Street Transitway	District of Columbia	DDOT	District DOT (DDOT)	95,553,900	76,443,120	80%
<b>K Street Transitway Subtotal</b>					<b>95,553,900</b>	<b>76,443,120</b>	<b>100%</b>
<b>Priority Corridor Enhancements Sub-package</b>							
2	16th Street	District of Columbia	DDOT	WMATA/DDOT	1,295,000	1,295,000	100%
3	Georgia Avenue	District of Columbia	DDOT	WMATA/DDOT	4,111,000	4,111,000	100%
4	H Street/Benning Road	District of Columbia	DDOT	WMATA/DDOT	415,000	415,000	100%
5	Wisconsin Avenue	District of Columbia	DDOT	WMATA/DDOT	745,000	745,000	100%
6	Addison Road	Prince George's Co. (MD)	WMATA	WMATA / MD State Hwy Admin (SHA)/Prince George's Co.	200,000	200,000	100%
7	University Boulevard	Montgomery and Prince George's Co.'s. (MD)	MD State Hwy Admin (SHA)	WMATA/SHA/Montgomery Co./Prince George's Co.	1,262,000	1,262,000	100%
8	US 1 (MD)	Prince George's Co. (MD)	SHA	WMATA/SHA/Prince George's Co.	805,000	805,000	100%
9	Veira Mill Road	Montgomery Co. (MD)	SHA	WMATA/SHA/Montgomery Co.	265,000	265,000	100%
10	US 1 Transitway (VA)	City of Alexandria (VA)	Alexandria	Alexandria	20,500,000	8,500,000	41%
11	VA 7 Leesburg Pike	Cities of Alexandria/Falls Church and Fairfax Co. (VA)	VDOT/WMATA	WMATA/VDOT	1,340,000	1,340,000	100%
12	Van Dorn-Pentagon BRT	City of Alexandria and Arlington Co. (VA)	Alexandria	Alexandria	670,000	670,000	100%
13	T.R. Bridge to K Street	Washington DC	DDOT	DDOT	1,800,000	1,800,000	100%
14	14th Street to K Street	Washington DC	DDOT	DDOT	5,200,000	5,200,000	100%
<b>Priority Corridors Enhancements Subtotal</b>					<b>38,608,000</b>	<b>26,608,000</b>	<b>69%</b>
<b>Bus Priority on Managed Lanes Sub-package</b>							
15	I-66 Multimodal Improvements	Fairfax and Prince William Counties (VA)	VDOT	VDOT	44,500,000	18,500,000	42%
16	I-95/395 Multimodal Improvements	City of Alexandria and Fairfax and Prince William Counties (VA)	WMATA / PRTC / Alexandria	WMATA/PRTC/Alexandria	19,930,000	19,930,000	100%
<b>Bus Priority on Managed Lanes Subtotal</b>					<b>64,430,000</b>	<b>38,430,000</b>	<b>60%</b>
<b>Priority Corridors Subtotal</b>					<b>\$188,591,900</b>	<b>\$141,481,120</b>	<b>71%</b>

**Package 2: Regional Bike-sharing**

17	Regional Bike-sharing and Intermodal Technology Service	District of Columbia, Arlington Co., Cities of Alexandria and Fairfax (VA), Montgomery and Prince George's Counties (MD)	COG	District of Columbia; Arlington Co.; Cities of Alexandria and Fairfax; Montgomery Co.; Cities of Hyattsville and College Park; and National Harbor	18,580,500	13,380,500	72%
<b>Bike sharing Subtotal</b>					<b>\$18,580,500</b>	<b>\$13,380,500</b>	<b>72%</b>

**Package 3: Transit Centers**

18	Takoma/Langley Transit Center	Prince George's Co. (MD)	MTA	MTA	24,600,000	12,300,000	50%
19	Rosslyn Metro/ail Station Access	Arlington Co. (VA)	Arlington County	Arlington DOT	42,000,000	15,000,000	36%
20	Medical Center Station Access	Montgomery Co. (MD)	Montgomery County	Montgomery Co./MDOT/WMATA	40,000,000	20,000,000	50%
<b>Transit Centers Subtotal</b>					<b>\$106,600,000</b>	<b>\$47,300,000</b>	<b>44%</b>

**Grant Program Management**

21	Program Management		COG	COG	2,000,000	2,000,000	100%
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**PROJECT TOTAL**

**\$325,772,400      \$204,161,620      63%**

**Grant Funding Allocation By State**

<b>District of Columbia</b>	<b>95,916,626</b>
<b>Maryland</b>	<b>36,338,414</b>
<b>Virginia</b>	<b>69,906,581</b>
<b>Program Mgmt (not allocated to states)</b>	<b>2,000,000</b>
<b>PROJECT TOTAL</b>	<b>\$204,161,620</b>

Note: State allocation may not sum due to rounding.

DOT 30-10  
February 17, 2010  
Contact: Olivia Alair  
Tel.: 202-366-4570

**Secretary LaHood Announces Funding for Over 50 Innovative, Strategic Transportation Projects through Landmark Competitive TIGER Program**  
***Recovery Act-Funded Projects Will Create Jobs, Spur Lasting Economic Growth***

KANSAS CITY, MO - One year to the day after President Obama signed the historic American Recovery and Reinvestment Act (ARRA) into law, Secretary of Transportation Ray LaHood will announce Recovery Act awards to states, tribal governments, cities, counties and transit agencies across the country to fund 51 innovative transportation projects.

The TIGER (Transportation Investment Generating Economic Recovery) Discretionary Grant Program was included in the Recovery Act to spur a national competition for innovative, multi-modal and multi-jurisdictional transportation projects that promise significant economic and environmental benefits to an entire metropolitan area, a region or the nation. Projects funded with the \$1.5 billion allocated in the Recovery Act include improvements to roads, bridges, rail, ports, transit and intermodal facilities.

In an overwhelming show of demand for the program, the U.S. Department of Transportation was flooded with more than 1,400 applications from all 50 states, territories and the District of Columbia requesting funding for almost \$60 billion worth of projects – 40 times the amount available through the program.

"TIGER grants will tackle the kind of major transportation projects that have been difficult to build under other funding programs," said **U.S. Transportation Secretary Ray LaHood**. "This will help us meet the 21st century challenges of improving the environment, making our communities more livable and enhancing safety, all while creating jobs and growing the economy."

The projects announced today will create jobs and spur lasting economic growth, reduce gridlock for the traveling public, and provide Americans with more safe, affordable and environmentally sustainable transportation choices. They will also help factories, farms and businesses across the U.S. move goods more efficiently and better compete in the global economy. Sixty percent of the funding will go to economically distressed areas, which are home to 39 percent of the U.S. population.

Awardees were selected based on their contribution to economic competitiveness of the nation, improving safety and the condition of the existing transportation system, increasing quality of life, reducing greenhouse gas emissions and demonstrating strong collaboration among a broad range of participants, including the private sector.

Projects were funded in large cities as well as rural and tribal communities across the country and were selected based on merit. Selected projects represent some of the most innovative projects as well as multi-modal, multi-jurisdictional projects that are often overlooked by the existing funding system. The winning TIGER projects highlighted the diversity of transportation needs throughout the U.S. from grand Moynihan Station in New York City, which will carry millions of train and subway riders each year to "the most beautiful drive in America" – Wyoming's Beartooth Highway – the gateway to Yellowstone National Park. They ranged from major billion dollar freight rail corridors in the Midwest and South, to bridge repairs in Oklahoma and South Carolina to port projects in Maine and Hawaii.

TIGER funds will also help construct the Union Passenger Terminal/Loyola Streetcar Loop in New Orleans, make safety improvements to a key highway in New Mexico Navajo country and spur economic growth in Appalachia through the Appalachian Regional Short Line Rail Project and the

Gateway Project.

The U.S. Department of Transportation required rigorous economic justifications for projects more than \$100 million and will require all recipients to report on their activities on a routine basis. A complete list of recipients can be viewed [HERE](#).

###

**Briefing Room**



**TIGER Awards, Feb. 17, 2010, By Project And State**

<u>State</u>	<u>Amount</u>	<u>Location</u>	<u>Project Description</u>
AK	\$ 3,640,000	Juneau	Auke Bay Loading Facility
AL	\$ 52,500,000	Birmingham	NS Crescent Corridor intermodal facility
AR	\$ 5,000,000	Bella Vista	Bypass for future I-49 (leverage for TIFIA loan)
AZ	\$ 63,000,000	Tucson	Construct new streetcar line
CA	\$ 46,000,000	San Francisco	Improve and replace Doyle Drive
CA	\$ 33,800,000	Colton	Improve Colton Crossing freight corridor
CA	\$ 20,200,000	Otay Mesa	Improve freight border crossing
CA	\$ 30,000,000	(Several)	Stockton-Oakland-W. Sacramento marine highway
CO	\$ 10,000,000	(Several)	Boulder-Denver managed lane BRT service
DC	\$ 13,566,000	DC Metro	Metro bus only lanes and improved service
HI	\$ 24,500,000	Honolulu	Pier 29 container yard, Honolulu Commercial Harbor
IA	\$ 5,600,000	Dubuque	Millwork District street redesign
IA	\$ 8,463,000	Ames	Ames Intermodal Transportation Facility
IL	\$ 100,000,000	Chicago	CREATE Program
IL	\$ 22,000,000	Normal	Normal Multimodal Transportation Center
IL	\$ 6,000,000	(Several)	Madison County multimodal facility/harbor
IN	\$ 20,500,000	Indianapolis	Complete urban bicycle/pedestrian trail
IN	\$ 10,000,000	(Several)	Milton-Madison bridge replacement
KY	\$ 10,000,000	(Several)	Milton-Madison bridge replacement
KY	\$ 12,964,443	(Several)	Appalachian Regional Short Line upgrades
LA	\$ 45,000,000	New Orleans	UPT/French Quarter Streetcar
MA	\$ 55,500,000	(Several)	Montachusett/Fitchburg/Westminster rail improvements
MA	\$ 20,000,000	Revere	MBTA Blue Line Ocean Avenue facility
MA	\$ 20,000,000	New Bedford	Fast Track New Bedford bridges
MD	\$ 14,832,000	DC Metro	Metro bus only lanes and improved service
ME	\$ 14,000,000	(Several)	Portland-Searsport-Eastport 3-Port Strategy
MI	\$ 30,000,000	Port Huron	Port Huron Bridge replacement
MI	\$ 25,000,000	Detroit	M-1 Rail Project
MN	\$ 35,000,000	St. Paul	Union Depot renovations
MO	\$ 50,000,000	Kansas City	Green Zone program of projects
MO	\$ 5,000,000	(Several)	Bypass for future I-49 (leverage for TIFIA loan)
MS	\$ 20,000,000	Gulfport	Port rail line improvements
MT	\$ 3,500,000	Whitefish	U.S. 93 upgrades
MT	\$ 12,000,000	(Several)	Lake County Transportation Connectivity Project
NC	\$ 10,000,000	Salisbury	I-85 Corridor improvement (leverage for TIFIA loan)
NJ	\$ 5,800,000	Philadelphia	Greater Philadelphia bicycle & pedestrian network
NM	\$ 31,000,000	(Several)	U.S. 491 Corridor improvements
NV	\$ 34,400,000	Las Vegas	Bus lane conversion and bus service improvements
NY	\$ 83,000,000	New York	Penn Station area improvements
OH	\$ 20,000,000	Kent	Kent transit station construction
OH	\$ 30,000,000	(Several)	CSX Freight rail double-stack clearance
OK	\$ 49,480,000	Tulsa	I-244 Arkansas River bridge replacement
OR	\$ 23,203,988	Portland	SW Moody Avenue rebuilding
PA	\$ 35,000,000	(Several)	CSX Freight rail double-stack clearance
PA	\$ 17,200,000	Philadelphia	Greater Philadelphia bicycle & pedestrian network
RI	\$ 22,300,000	N. Kingstown	Program of port projects
SC	\$ 10,000,000	Charleston	U.S. 17 redesign
SC	\$ 10,000,000	(Several)	Myrtle Beach-Latta hwy extension (leverage for TIFIA loan)
SD	\$ 10,000,000	(Several)	Oglala-Pine Ridge U.S. 18 improvements
TN	\$ 2,820,458	(Several)	Appalachian Regional Short Line upgrades
TN	\$ 52,500,000	Memphis	NS Crescent Corridor intermodal facility
TX	\$ 20,000,000	Dallas	\$400m TIFIA loan for second highway loop around D-FW
TX	\$ 23,000,000	Dallas	Dallas streetcar transit connection
VA	\$ 30,440,000	DC Metro	Metro bus only lanes and improved service
VT	\$ 3,150,000	Burlington	Urban streetscape and roadway expansion
WA	\$ 35,000,000	Spokane	U.S. 395 North Spokane Corridor
WA	\$ 30,000,000	Seattle	South Lake Union biotech hub main street
WI	\$ 21,500,000	Milwaukee	Juneau Avenue and Wisconsin Avenue bridges rehab
WV	\$ 1,766,127	(Several)	Appalachian Regional Short Line upgrades
WV	\$ 33,000,000	(Several)	CSX Freight rail double-stack clearance
WY	\$ 6,000,000	(Several)	Red Loge-Cocke-Cody Beartooth Highway segment
	<b>\$ 1,498,126,016</b>		<b>61 Total Project Awards</b>

# NVTC

Northern Virginia Transportation Commission

# NVTC

## AGENDA ITEM #10

**TO:** Chairman Hudgins and NVTC Commissioners  
**FROM:** Scott Kalkwarf and Coletia Quarles  
**DATE:** February 25, 2010  
**SUBJECT:** NVTC Financial Items for December, 2009 and January, 2010.

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Attached for your information are NVTC financial reports for December, 2009 and January, 2010.

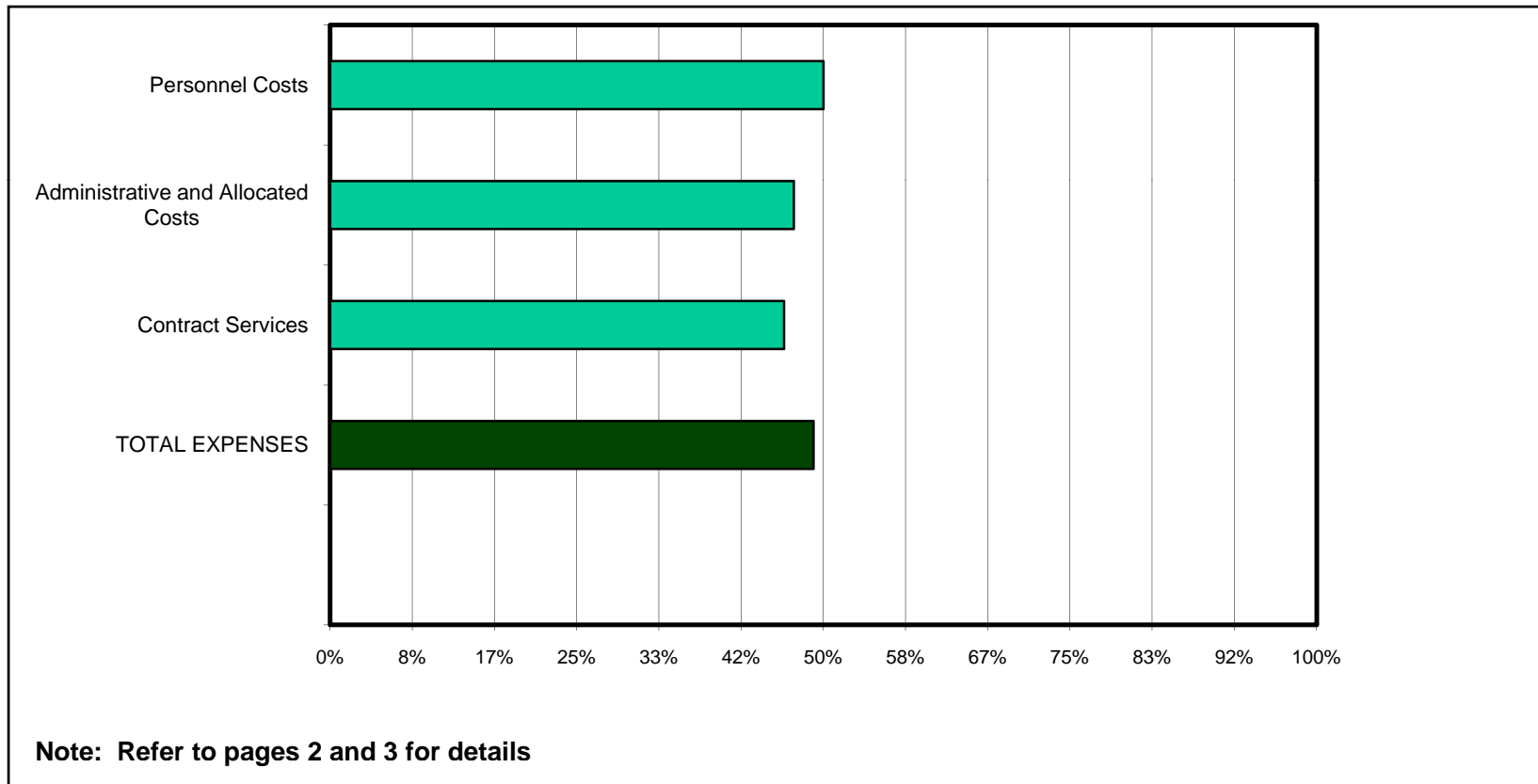


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E-mail [nvtdc.org](mailto:nvtdc.org) • Website [www.thinkoutsidethecar.org](http://www.thinkoutsidethecar.org)

# Northern Virginia Transportation Commission

Financial Reports  
December, 2009

Percentage of FY 2010 NVTC Administrative Budget Used  
December, 2009  
(Target 50% or less)



**NORTHERN VIRGINIA TRANSPORTATION COMMISSION  
G&A BUDGET VARIANCE REPORT  
December 2009**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<u>Personnel Costs</u>					
Salaries	\$ 61,434.21	\$ 379,280.92	\$ 734,500.00	\$ 355,219.08	48.4%
Temporary Employee Services	-	-	-	-	
Total Personnel Costs	61,434.21	379,280.92	734,500.00	355,219.08	48.4%
<u>Benefits</u>					
Employer's Contributions:					
FICA	3,019.79	23,872.98	51,800.00	27,927.02	53.9%
Group Health Insurance	5,188.90	30,819.75	70,400.00	39,580.25	56.2%
Retirement	5,240.00	32,670.00	69,500.00	36,830.00	53.0%
Workmans & Unemployment Compensation	95.00	570.00	3,400.00	2,830.00	83.2%
Life Insurance	338.35	2,030.10	4,150.00	2,119.90	51.1%
Long Term Disability Insurance	288.43	1,734.35	4,100.00	2,365.65	57.7%
Total Benefit Costs	14,170.47	91,697.18	203,350.00	111,652.82	54.9%
<u>Administrative Costs</u>					
Commissioners Per Diem	1,500.00	6,950.00	17,450.00	10,500.00	60.2%
<i>Rents:</i>					
Office Rent	15,631.23	94,859.38	191,880.00	97,020.62	50.6%
Parking	14,989.23	89,935.38	179,980.00	90,044.62	50.0%
	642.00	4,924.00	11,900.00	6,976.00	58.6%
<i>Insurance:</i>					
Public Official Bonds	2,071.18	3,146.18	4,100.00	953.82	23.3%
Liability and Property	-	500.00	2,200.00	1,700.00	77.3%
	2,071.18	2,646.18	1,900.00	(746.18)	-39.3%
<i>Travel:</i>					
Conference Registration	661.35	1,470.47	7,800.00	6,329.53	81.1%
Conference Travel	-	-	-	-	0.0%
Local Meetings & Related Expenses	-	182.64	2,500.00	2,317.36	92.7%
Training & Professional Development	661.35	1,287.83	5,000.00	3,712.17	74.2%
	-	-	300.00	300.00	100.0%
<i>Communication:</i>					
Postage	437.95	3,584.75	10,350.00	6,765.25	65.4%
Telephone - LD	141.51	952.35	4,000.00	3,047.65	76.2%
Telephone - Local	-	607.70	1,300.00	692.30	53.3%
	296.44	2,024.70	5,050.00	3,025.30	59.9%
<i>Publications &amp; Supplies</i>					
Office Supplies	1,740.61	7,103.60	13,600.00	6,496.40	47.8%
Duplication	-	588.74	3,500.00	2,911.26	83.2%
Public Information	1,240.61	6,014.86	9,600.00	3,585.14	37.3%
	500.00	500.00	500.00	-	0.0%

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION  
G&A BUDGET VARIANCE REPORT  
December 2009**

	<b><u>Current Month</u></b>	<b><u>Year To Date</u></b>	<b><u>Annual Budget</u></b>	<b><u>Balance Available</u></b>	<b><u>Balance %</u></b>
<i>Operations:</i>	79.95	2,045.22	8,000.00	6,112.28	76.4%
Furniture and Equipment	-	157.50	-	-	0.0%
Repairs and Maintenance	-	-	1,000.00	1,000.00	100.0%
Computers	79.95	1,887.72	7,000.00	5,112.28	73.0%
<i>Other General and Administrative</i>	156.83	2,549.78	5,250.00	700.22	13.3%
Subscriptions	-	-	-	-	0.0%
Memberships	72.43	1,039.58	1,300.00	260.42	20.0%
Fees and Miscellaneous	84.40	1,510.20	950.00	(560.20)	-59.0%
Advertising (Personnel/Procurement)	-	-	1,000.00	1,000.00	100.0%
Total Administrative Costs	<u>22,279.10</u>	<u>121,709.38</u>	<u>258,430.00</u>	<u>134,878.12</u>	<u>52.2%</u>
	<u>Contracting Services</u>				
Auditing	4,150.00	11,650.00	25,600.00	13,950.00	54.5%
Consultants - Technical	-	-	-	-	0.0%
Legal	-	-	-	-	0.0%
Total Contract Services	<u>4,150.00</u>	<u>11,650.00</u>	<u>25,600.00</u>	<u>13,950.00</u>	<u>54.5%</u>
 Total Gross G&A Expenses	 <u>\$ 102,033.78</u>	 <u>\$ 604,337.48</u>	 <u>\$ 1,221,880.00</u>	 <u>\$ 615,700.02</u>	 <u>50.4%</u>

**NVTC  
RECEIPTS and DISBURSEMENTS  
December 2009**

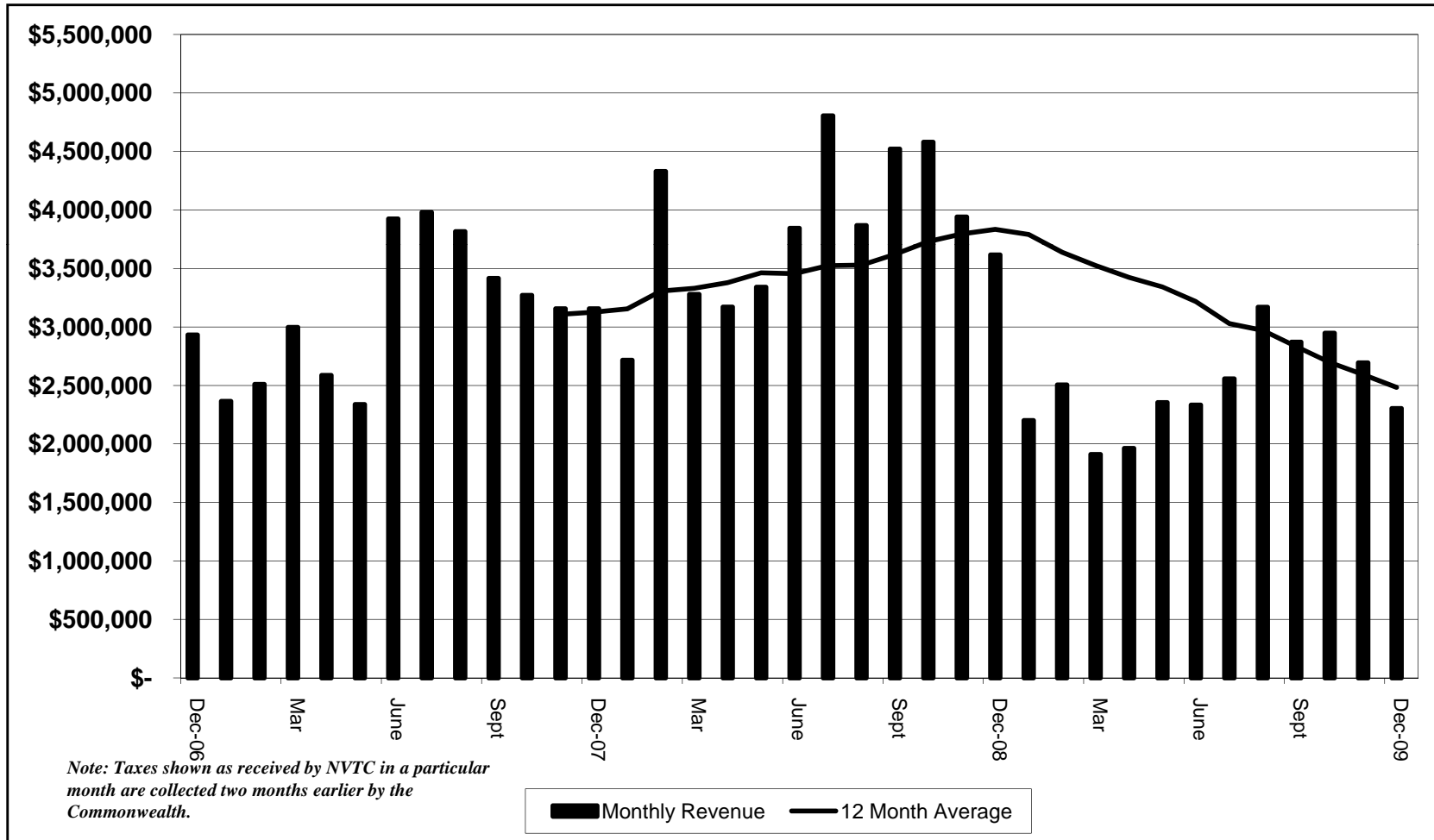
<u>Date</u>	<u>Payer/ Payee</u>	<u>Purpose</u>	<u>Wachovia (Checking)</u>	<u>Wachovia (Savings)</u>	<u>VA LGIP</u>	
					<u>G&amp;A / Project</u>	<u>Trusts</u>
<b>RECEIPTS</b>						
9	VRE	Staff support		\$ 6,329.17		
9	Staff	Expense reimbursement		4.96		
14	DRPT	Capital grant receipt				7,628.00
14	ADP	Payroll processing incentive	400.00			
17	DRPT	FTM/Admin grant receipt				4,481,287.00
17	Dept. of Taxation	Motor Vehicle Fuels Sales tax receipt				2,303,182.80
30	City of Alexandria	G&A contribution		9,628.25		
31	Banks	Interest earnings		12.59	92.17	29,007.67
			<u>400.00</u>	<u>15,974.97</u>	<u>92.17</u>	<u>6,821,105.47</u>
<b>DISBURSEMENTS</b>						
1-31	Various	G&A expenses	(86,950.56)			
3	City of Falls Church	Other operating				(37,435.49)
8	City of Fairfax	Other operating				(8,559.95)
22	Redmond Group	E-Schedule project	(1,310.40)			
22	Stantec	Consulting - NTD project	(27,440.62)			
31	Wachovia	Bank charges	(16.46)			
			<u>(115,718.04)</u>	<u>-</u>	<u>-</u>	<u>(45,995.44)</u>
<b>TRANSFERS</b>						
22	Transfer	From LGIP to LGIP (NTD project)			27,440.62	(27,440.62)
			<u>-</u>	<u>-</u>	<u>27,440.62</u>	<u>(27,440.62)</u>
<b>NET INCREASE (DECREASE) FOR MONTH</b>			<u>\$ (115,318.04)</u>	<u>\$ 15,974.97</u>	<u>\$ 27,532.79</u>	<u>\$ 6,747,669.41</u>

**NVTC  
INVESTMENT REPORT  
December 2009**

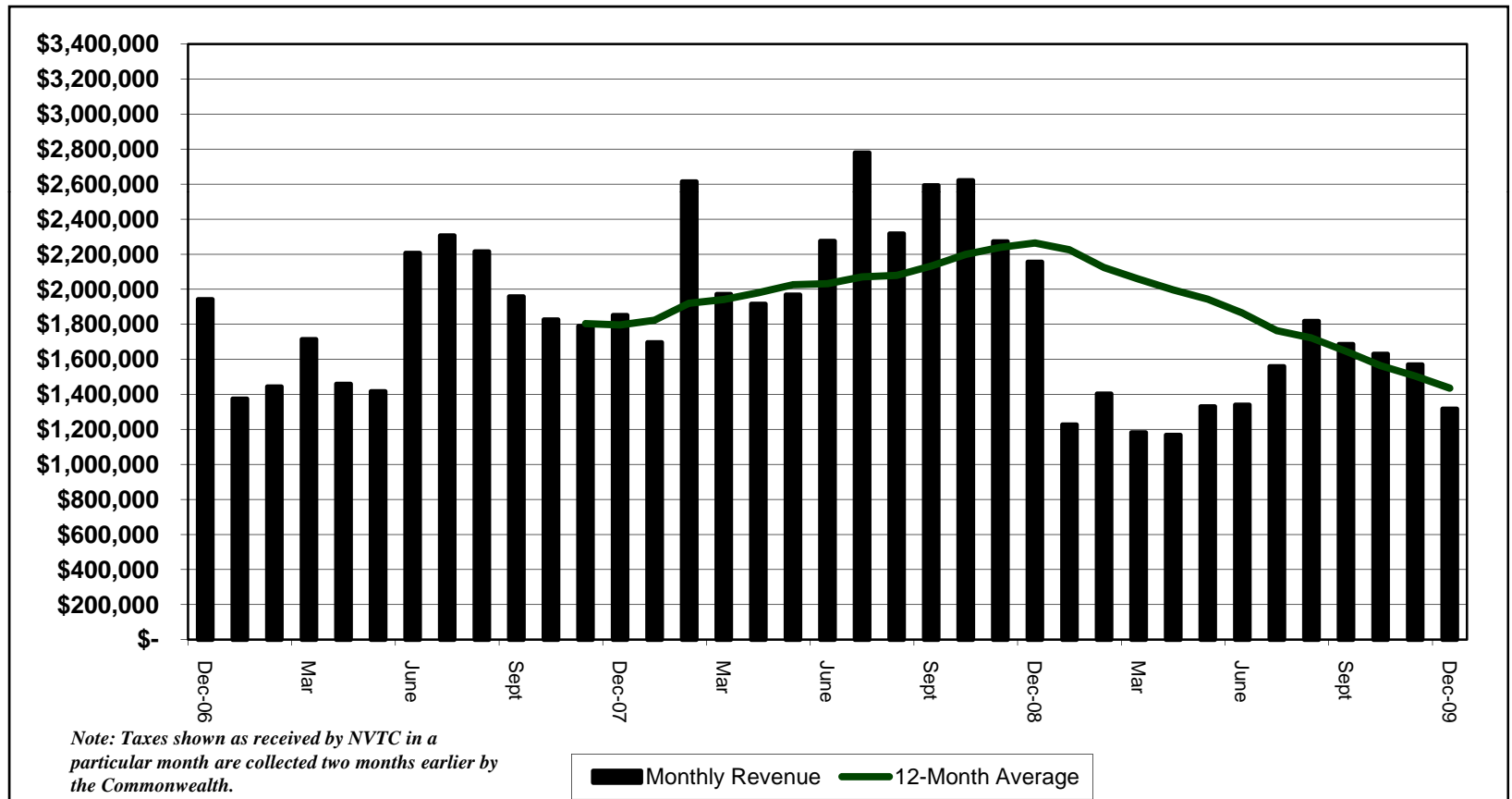
<u>Type</u>	<u>Rate</u>	<u>Balance 11/30/2009</u>	<u>Increase (Decrease)</u>	<u>Balance 12/31/2009</u>	<u>NVTC G&amp;A/Project</u>	<u>Jurisdictions Trust Fund</u>	<u>Loudoun Trust Fund</u>
<b><u>Cash Deposits</u></b>							
Wachovia: NVTC Checking	N/A	\$ 132,750.46	\$ (115,318.04)	\$ 17,432.42	\$ 17,432.42	\$ -	\$ -
Wachovia: NVTC Savings	0.100%	143,124.61	15,974.97	159,099.58	159,099.58	-	-
<b><u>Investments - State Pool</u></b>							
Nations Bank - LGIP	0.230%	146,074,801.57	6,775,202.20	152,850,003.77	492,486.88	128,965,309.63	23,392,207.26
		<u>\$ 125,562,739.29</u>	<u>\$ 6,703,391.92</u>	<u>\$ 153,026,535.77</u>	<u>\$ 669,018.88</u>	<u>\$ 128,965,309.63</u>	<u>\$ 23,392,207.26</u>



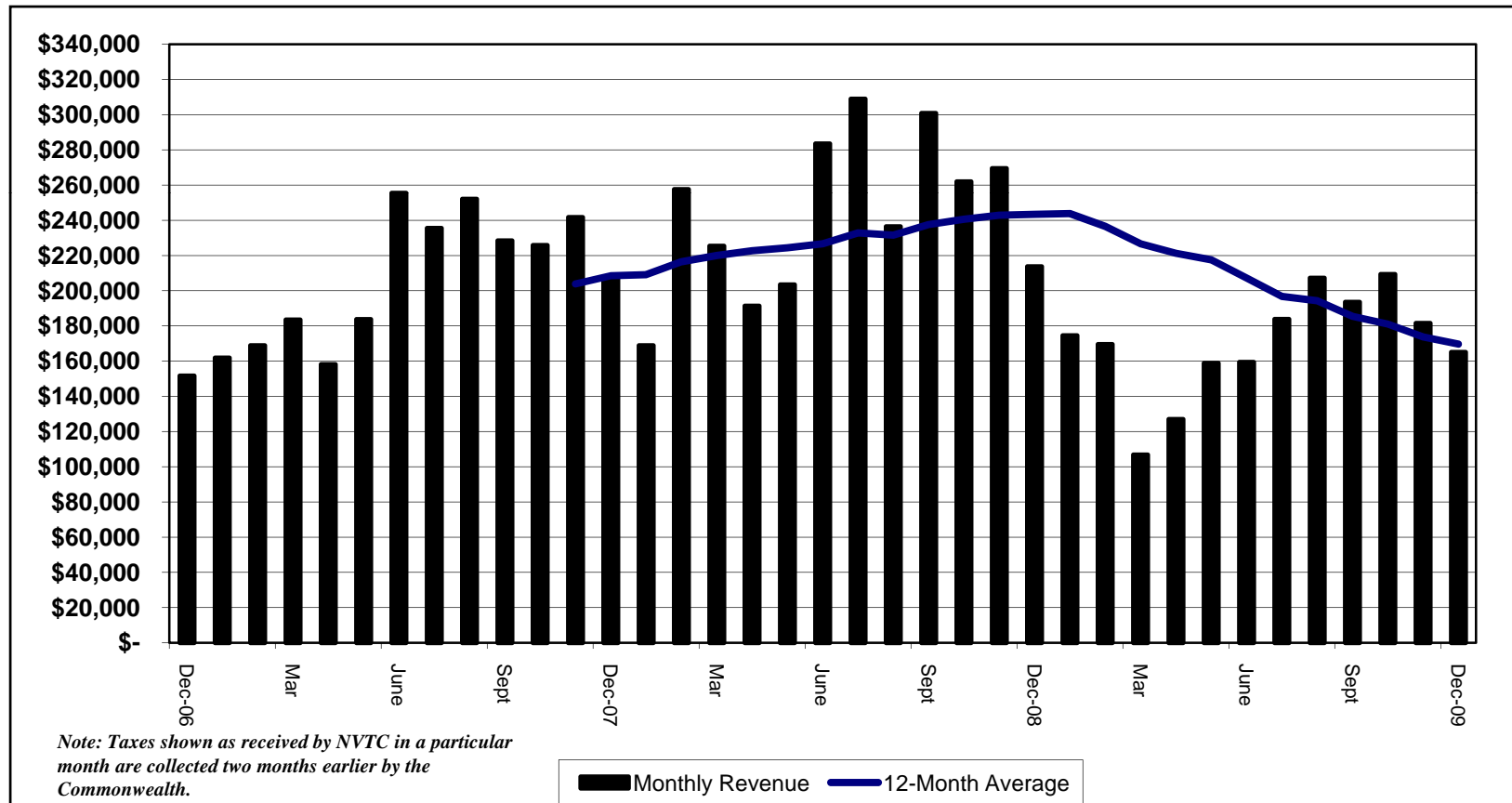
# NVTC MONTHLY GAS TAX REVENUE ALL JURISDICTIONS FISCAL YEARS 2007-2010



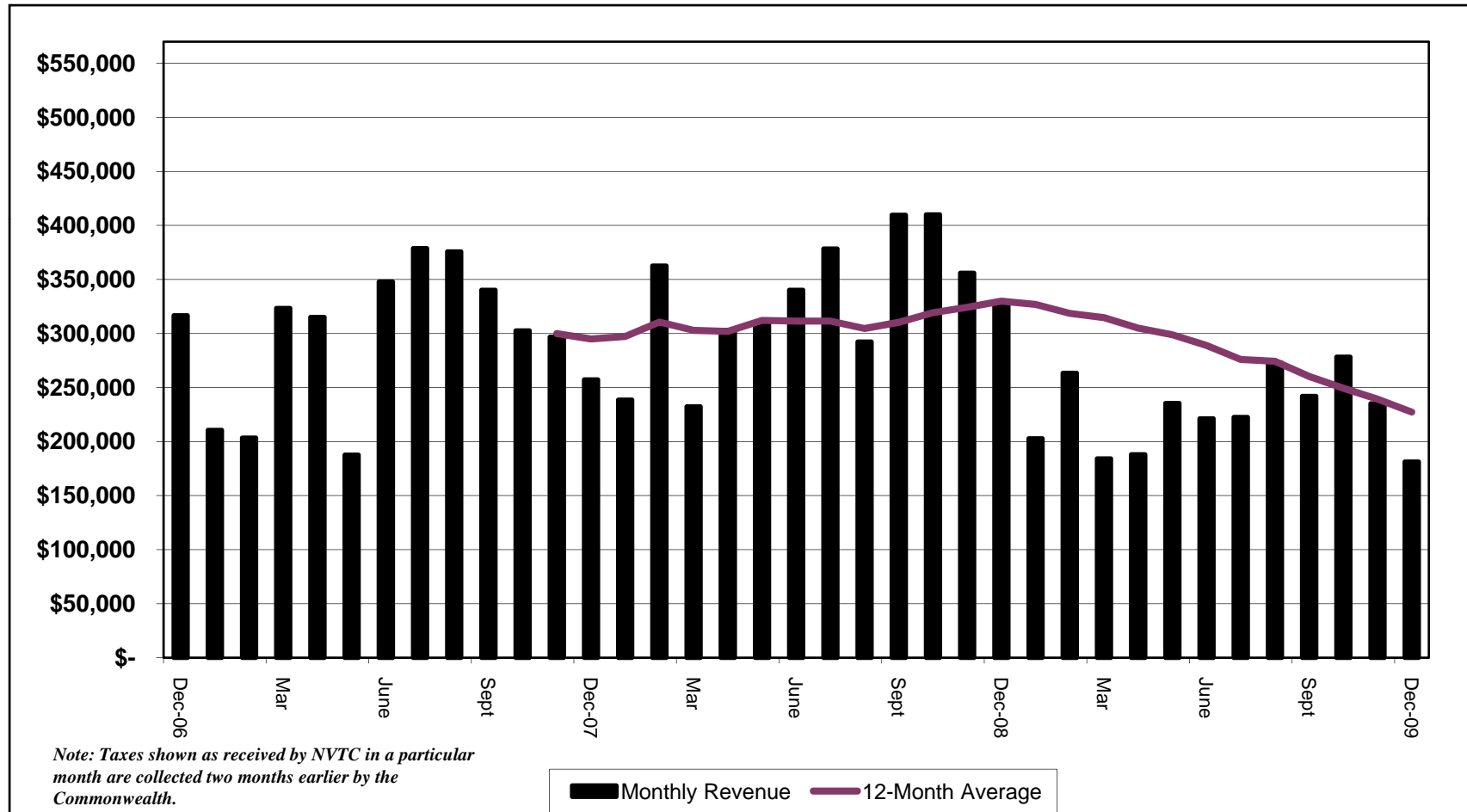
# NVTC MONTHLY GAS TAX REVENUE FAIRFAX COUNTY FISCAL YEARS 2007-2010



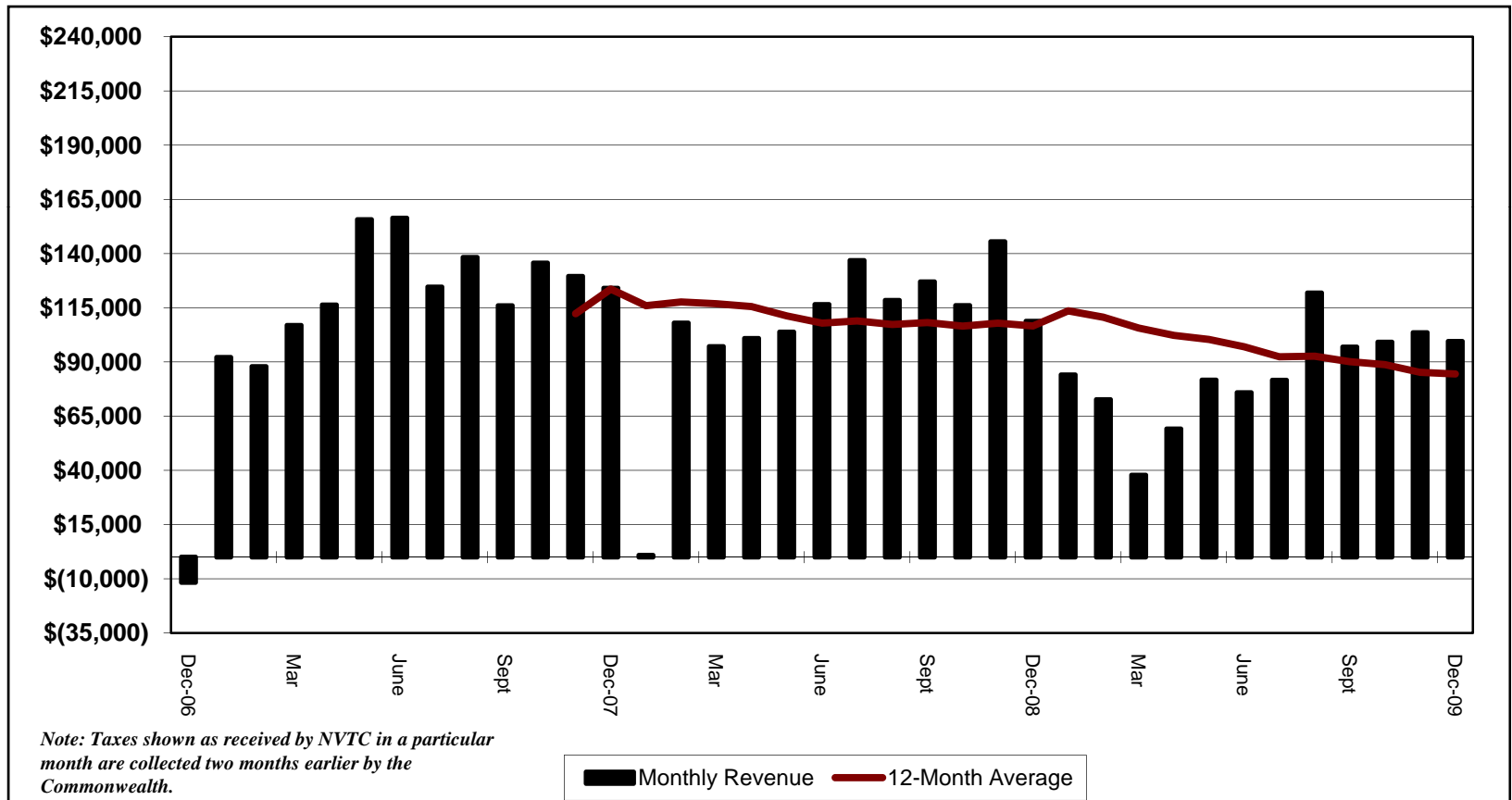
# NVTC MONTHLY GAS TAX REVENUE CITY OF ALEXANDRIA FISCAL YEARS 2007-2010



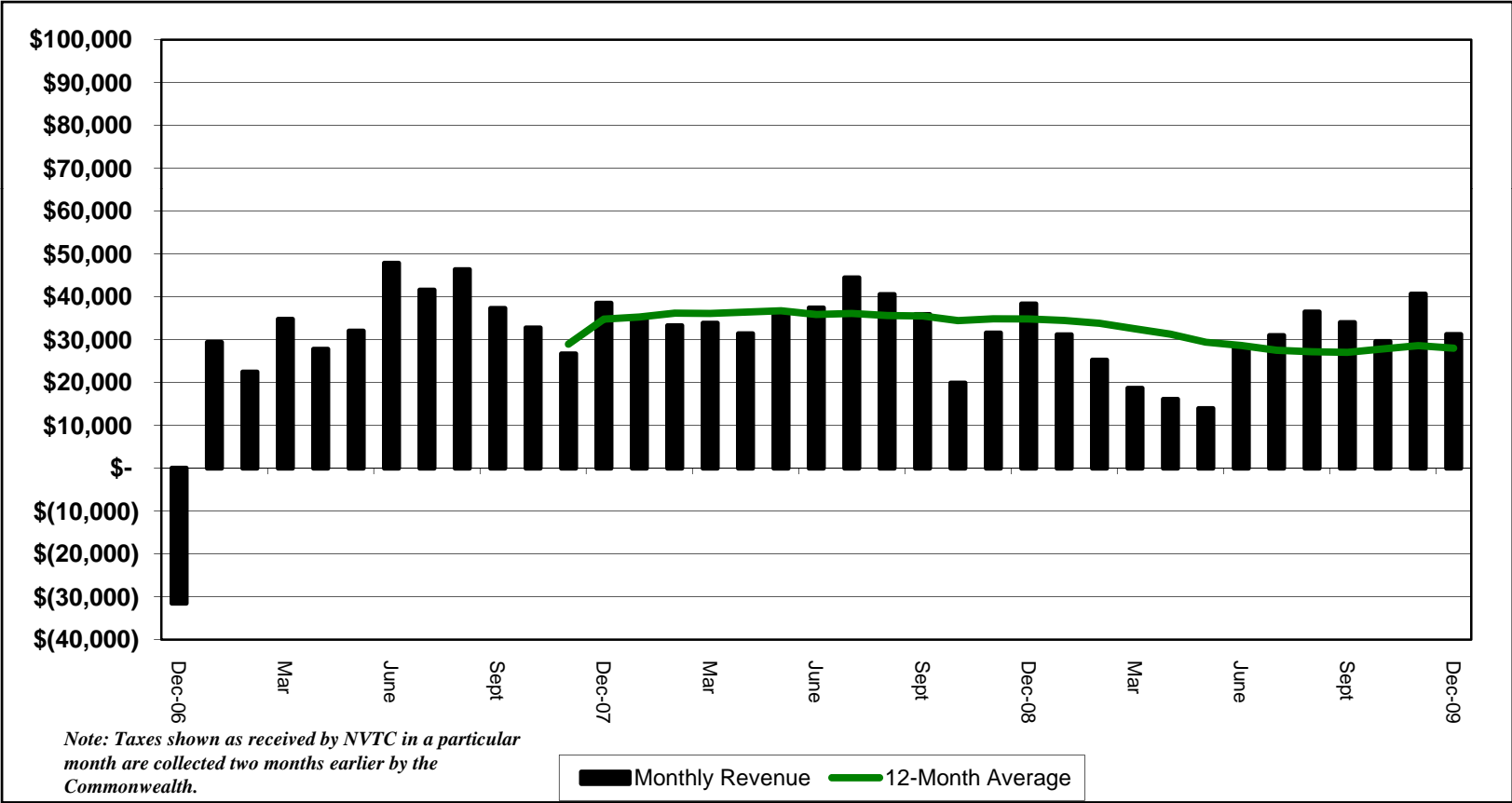
# NVTC MONTHLY GAS TAX REVENUE ARLINGTON COUNTY FISCAL YEARS 2007-2010



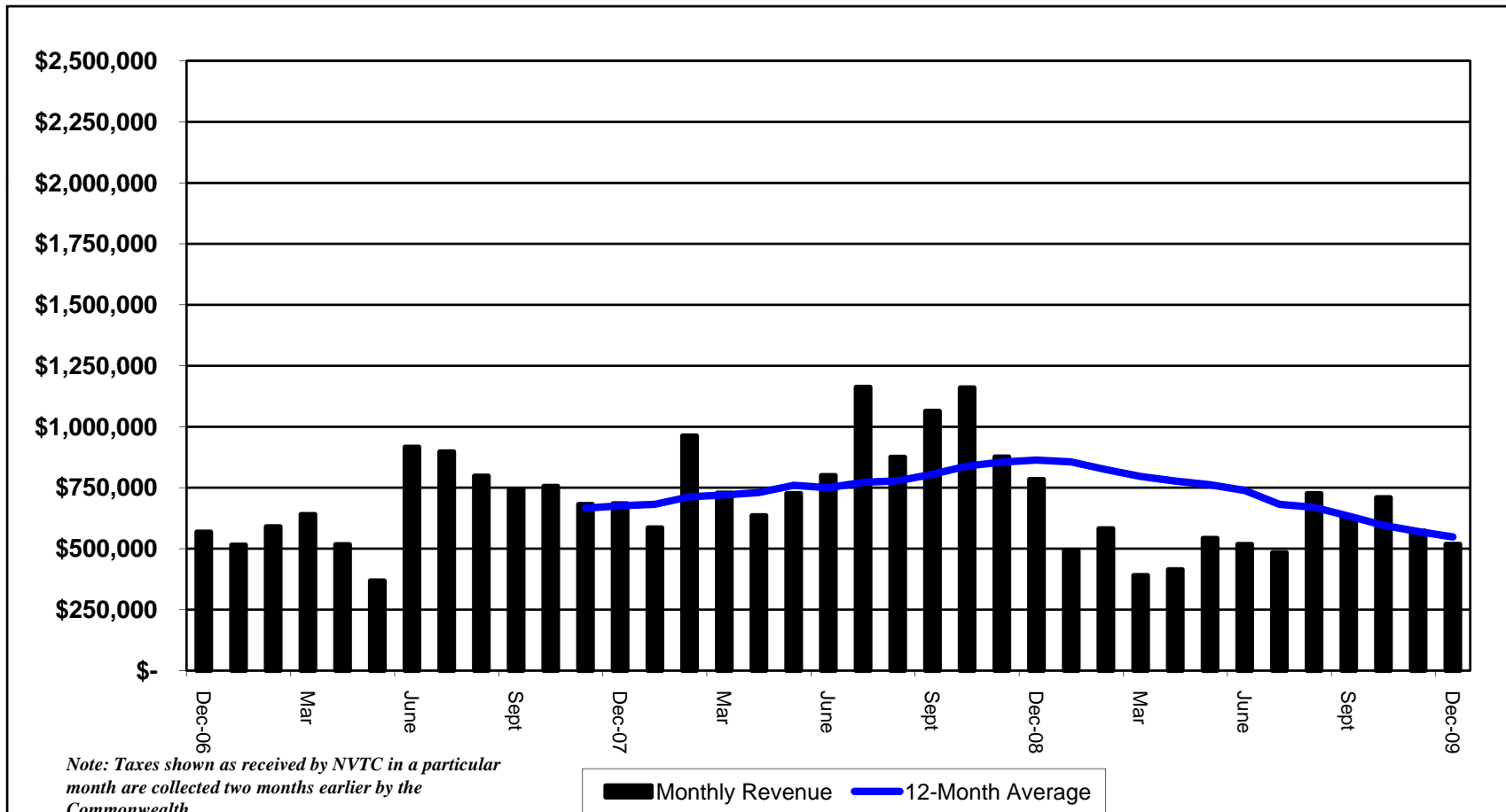
# NVTC MONTHLY GAS TAX REVENUE CITY OF FAIRFAX FISCAL YEARS 2007-2010



# NVTC MONTHLY GAS TAX REVENUE CITY OF FALLS CHURCH FISCAL YEARS 2007-2010



# NVTC MONTHLY GAS TAX REVENUE LOUDOUN COUNTY FISCAL YEARS 2007-2010



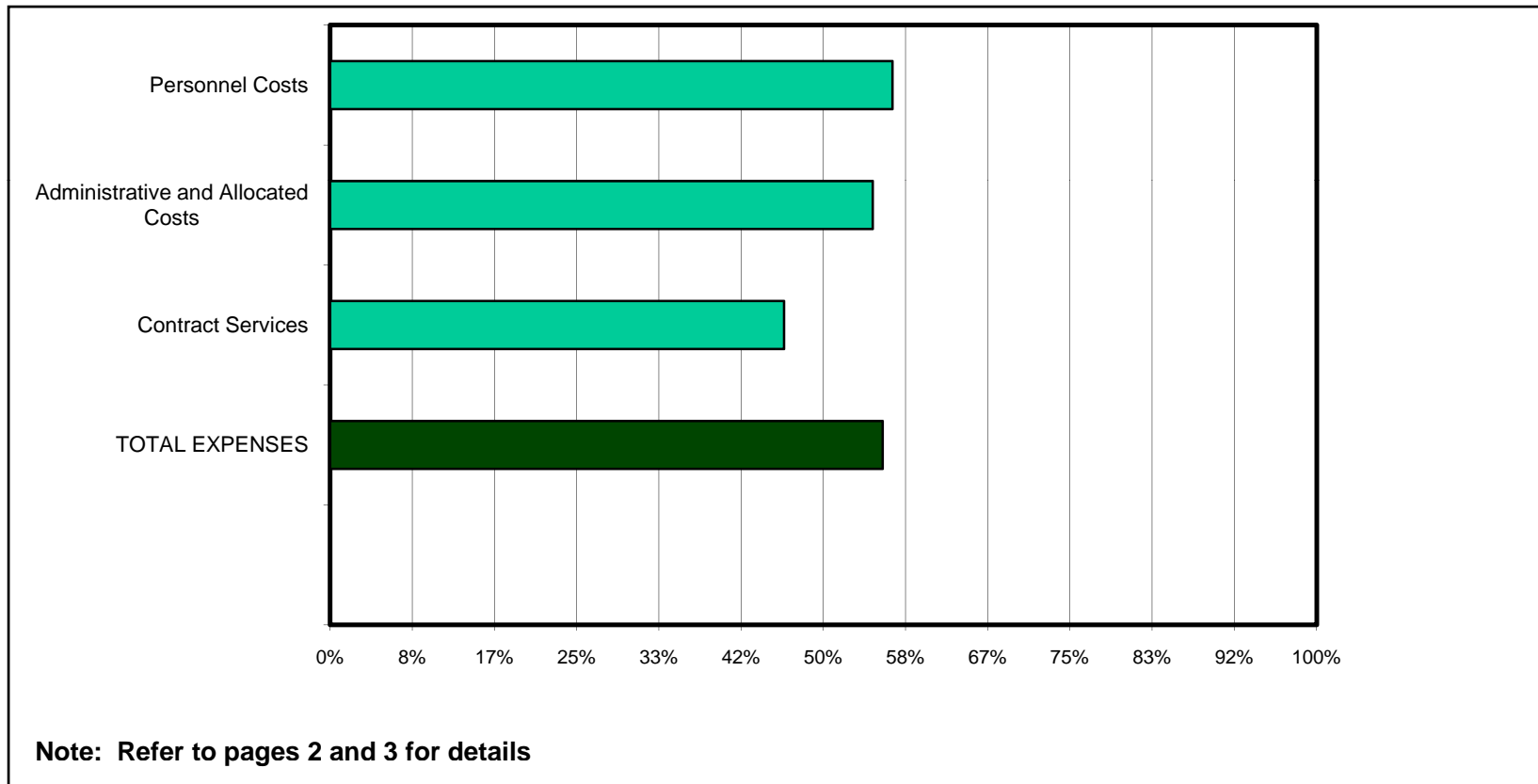
# Northern Virginia Transportation Commission

Financial Reports

January, 2010



Percentage of FY 2010 NVTC Administrative Budget Used  
January, 2010  
(Target 58.33% or less)



**NORTHERN VIRGINIA TRANSPORTATION COMMISSION**  
**G&A BUDGET VARIANCE REPORT**  
**January 2010**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<u>Personnel Costs</u>					
Salaries	\$ 47,564.95	\$ 426,845.87	\$ 734,500.00	\$ 307,654.13	41.9%
Temporary Employee Services	-	-	-	-	
Total Personnel Costs	47,564.95	426,845.87	734,500.00	307,654.13	41.9%
<u>Benefits</u>					
Employer's Contributions:					
FICA	5,907.80	29,780.78	51,800.00	22,019.22	42.5%
Group Health Insurance	4,527.72	35,347.47	70,400.00	35,052.53	49.8%
Retirement	5,240.00	37,910.00	69,500.00	31,590.00	45.5%
Workmans & Unemployment Compensation	345.31	915.31	3,400.00	2,484.69	73.1%
Life Insurance	292.04	2,322.14	4,150.00	1,827.86	44.0%
Long Term Disability Insurance	284.66	2,019.01	4,100.00	2,080.99	50.8%
Total Benefit Costs	16,597.53	108,294.71	203,350.00	95,055.29	46.7%
<u>Administrative Costs</u>					
Commissioners Per Diem	1,100.00	8,050.00	17,450.00	9,400.00	53.9%
<i>Rents:</i>					
Office Rent	15,571.23	110,430.61	191,880.00	81,449.39	42.4%
Parking	14,989.23	104,924.61	179,980.00	75,055.39	41.7%
	582.00	5,506.00	11,900.00	6,394.00	53.7%
<i>Insurance:</i>					
Public Official Bonds	1,029.00	4,175.18	4,100.00	(75.18)	-1.8%
Liability and Property	400.00	900.00	2,200.00	1,300.00	59.1%
	629.00	3,275.18	1,900.00	(1,375.18)	-72.4%
<i>Travel:</i>					
Conference Registration	266.50	1,736.97	7,800.00	6,063.03	77.7%
Conference Travel	-	-	-	-	0.0%
Local Meetings & Related Expenses	91.10	273.74	2,500.00	2,226.26	89.1%
Training & Professional Development	100.40	1,388.23	5,000.00	3,611.77	72.2%
	75.00	75.00	300.00	225.00	75.0%
<i>Communication:</i>					
Postage	522.58	4,107.33	10,350.00	6,242.67	60.3%
Telephone - LD	-	952.35	4,000.00	3,047.65	76.2%
Telephone - Local	190.43	798.13	1,300.00	501.87	38.6%
	332.15	2,356.85	5,050.00	2,693.15	53.3%
<i>Publications &amp; Supplies</i>					
Office Supplies	1,480.11	8,583.71	13,600.00	5,016.29	36.9%
Duplication	773.09	1,361.83	3,500.00	2,138.17	61.1%
Public Information	707.02	6,721.88	9,600.00	2,878.12	30.0%
	-	500.00	500.00	-	0.0%

**NORTHERN VIRGINIA TRANSPORTATION COMMISSION  
G&A BUDGET VARIANCE REPORT  
January 2010**

	<u>Current Month</u>	<u>Year To Date</u>	<u>Annual Budget</u>	<u>Balance Available</u>	<u>Balance %</u>
<i>Operations:</i>	960.93	3,006.15	8,000.00	5,151.35	64.4%
Furniture and Equipment	-	157.50	-	-	0.0%
Repairs and Maintenance	-	-	1,000.00	1,000.00	100.0%
Computers	960.93	2,848.65	7,000.00	4,151.35	59.3%
<i>Other General and Administrative</i>	481.65	3,031.43	5,250.00	218.57	4.2%
Subscriptions	-	-	-	-	0.0%
Memberships	72.43	1,112.01	1,300.00	187.99	14.5%
Fees and Miscellaneous	409.22	1,919.42	950.00	(969.42)	-102.0%
Advertising (Personnel/Procurement)	-	-	1,000.00	1,000.00	100.0%
Total Administrative Costs	<u>21,412.00</u>	<u>143,121.38</u>	<u>258,430.00</u>	<u>113,466.12</u>	<u>43.9%</u>
	<u>Contracting Services</u>				
Auditing	-	11,650.00	25,600.00	13,950.00	54.5%
Consultants - Technical	-	-	-	-	0.0%
Legal	-	-	-	-	0.0%
Total Contract Services	<u>-</u>	<u>11,650.00</u>	<u>25,600.00</u>	<u>13,950.00</u>	<u>54.5%</u>
 Total Gross G&A Expenses	 <u>\$ 85,574.48</u>	 <u>\$ 689,911.96</u>	 <u>\$ 1,221,880.00</u>	 <u>\$ 530,125.54</u>	 <u>43.4%</u>

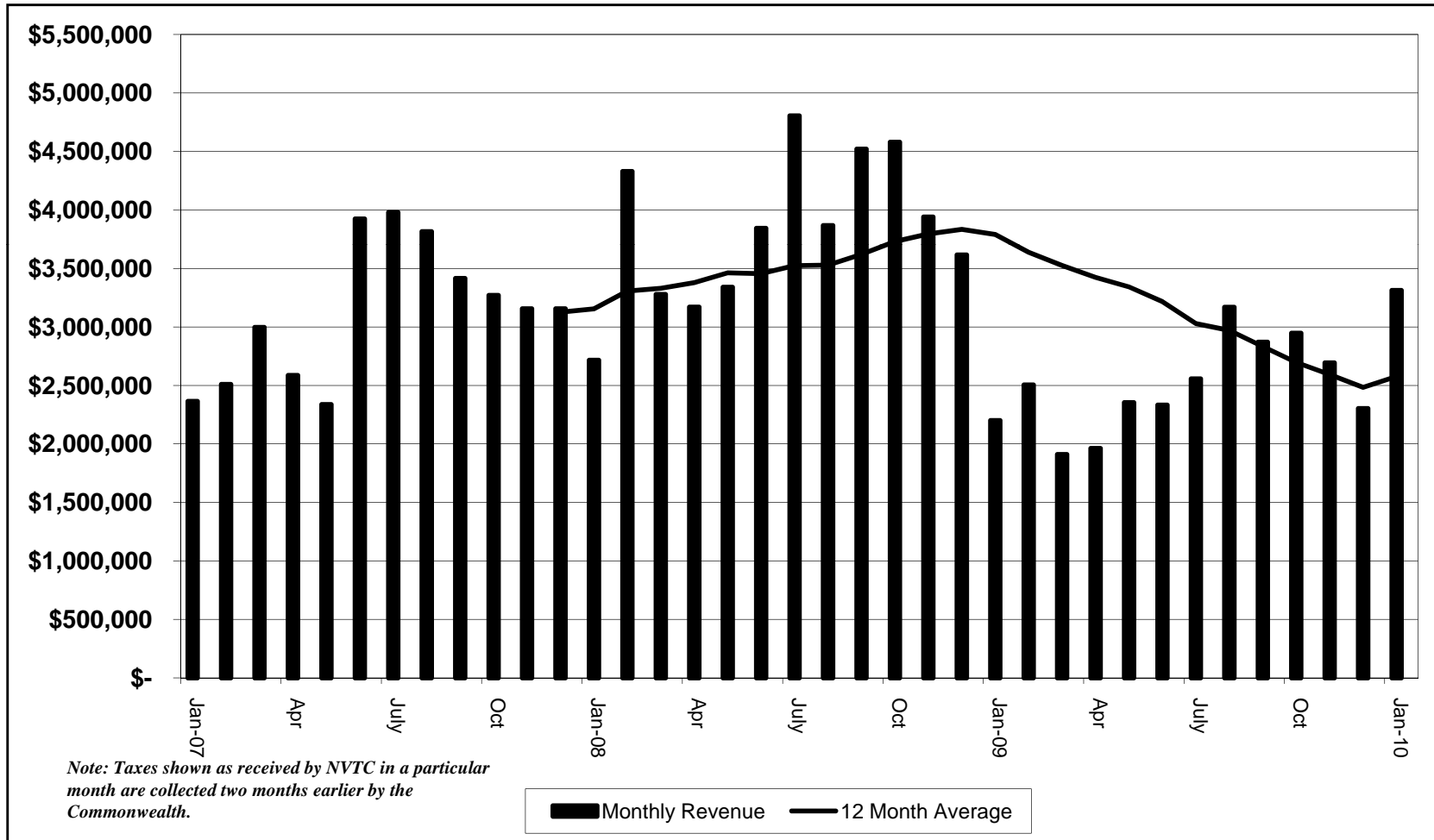
**NVTC**  
**RECEIPTS and DISBURSEMENTS**  
**January, 2010**

<u>Date</u>	<u>Payer/ Payee</u>	<u>Purpose</u>	<u>Wachovia (Checking)</u>	<u>Wachovia (Savings)</u>	<u>VA LGIP</u>	
					<u>G&amp;A / Project</u>	<u>Trusts</u>
<b>RECEIPTS</b>						
6	City of Fairfax	G&A contribution		\$ 3,382.50		
6	Staff	Expense reimbursement		10.68		
6	Arlington County	G&A contribution		15,643.25		
6	Loudoun County	G&A contribution			4,874.25	
11	ADP	Payroll tax impound refund	125.75			
14	VRE	Staff support		6,120.56		
19	Dept. of Taxation	Motor Vehicle Fuels sales tax				3,312,183.15
19	DRPT	FTM/Admin grant receipt				7,299,441.00
22	DRPT	Capital grant receipt				158,813.00
26	DRPT	Intern grant receipt			2,688.00	
31	Banks	Interest earnings		12.08	73.67	24,465.84
			<u>125.75</u>	<u>25,169.07</u>	<u>7,635.92</u>	<u>10,794,902.99</u>
<b>DISBURSEMENTS</b>						
1-31	Various	G&A expenses	(90,751.76)			
4	WMATA	Metrobus operating				(12,366,698.00)
4	WMATA	Metrorail operating				(10,599,385.00)
4	WMATA	Paratransit operating				(2,277,708.00)
4	WMATA	Debt service				(1,853,125.00)
4	WMATA	Metro Matters				(1,963,605.00)
4	WMATA	Beyond Metro Matters				(173,000.00)
6	Loudoun County	Other operating				(4,874.25)
22	City of Fairfax	Other operating				(131,050.74)
31	Wachovia	Bank charges	(18.92)	(12.00)		
			<u>(90,770.68)</u>	<u>(12.00)</u>	<u>-</u>	<u>(29,369,445.99)</u>
<b>TRANSFERS</b>						
5	Transfer	From savings to checking	30,000.00	(30,000.00)		
5	Transfer	From LGIP to checking	120,000.00		(120,000.00)	
			<u>150,000.00</u>	<u>(30,000.00)</u>	<u>(120,000.00)</u>	<u>-</u>
<b>NET INCREASE (DECREASE) FOR MONTH</b>			<u>\$ 59,355.07</u>	<u>\$ (4,842.93)</u>	<u>\$ (112,364.08)</u>	<u>\$ (18,574,543.00)</u>

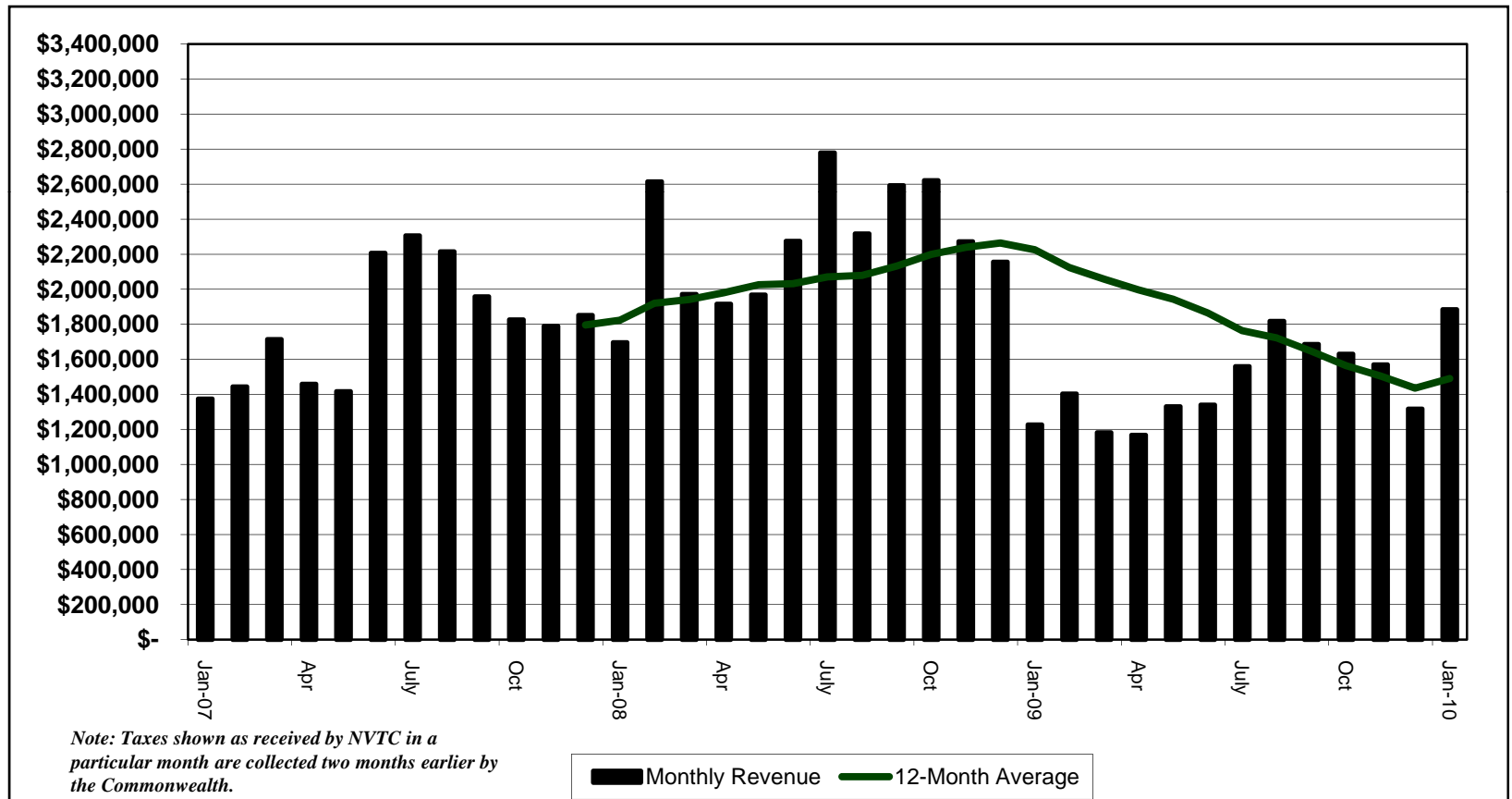
**NVTC  
INVESTMENT REPORT  
January, 2010**

<u>Type</u>	<u>Rate</u>	<u>Balance 12/31/2009</u>	<u>Increase (Decrease)</u>	<u>Balance 1/31/2010</u>	<u>NVTC G&amp;A/Project</u>	<u>Jurisdictions Trust Fund</u>	<u>Loudoun Trust Fund</u>
<b><u>Cash Deposits</u></b>							
Wachovia: NVTC Checking	N/A	\$ 17,432.42	\$ 59,355.07	\$ 76,787.49	\$ 76,787.49	\$ -	\$ -
Wachovia: NVTC Savings	0.100%	159,099.58	(4,842.93)	154,256.65	154,256.65	-	-
<b><u>Investments - State Pool</u></b>							
Nations Bank - LGIP	0.220%	152,850,003.77	(18,686,907.08)	134,163,096.69	380,122.80	109,677,521.36	24,105,452.53
		<u>\$ 153,026,535.77</u>	<u>\$ (18,744,759.02)</u>	<u>\$ 134,394,140.83</u>	<u>\$ 611,166.94</u>	<u>\$ 109,677,521.36</u>	<u>\$ 24,105,452.53</u>

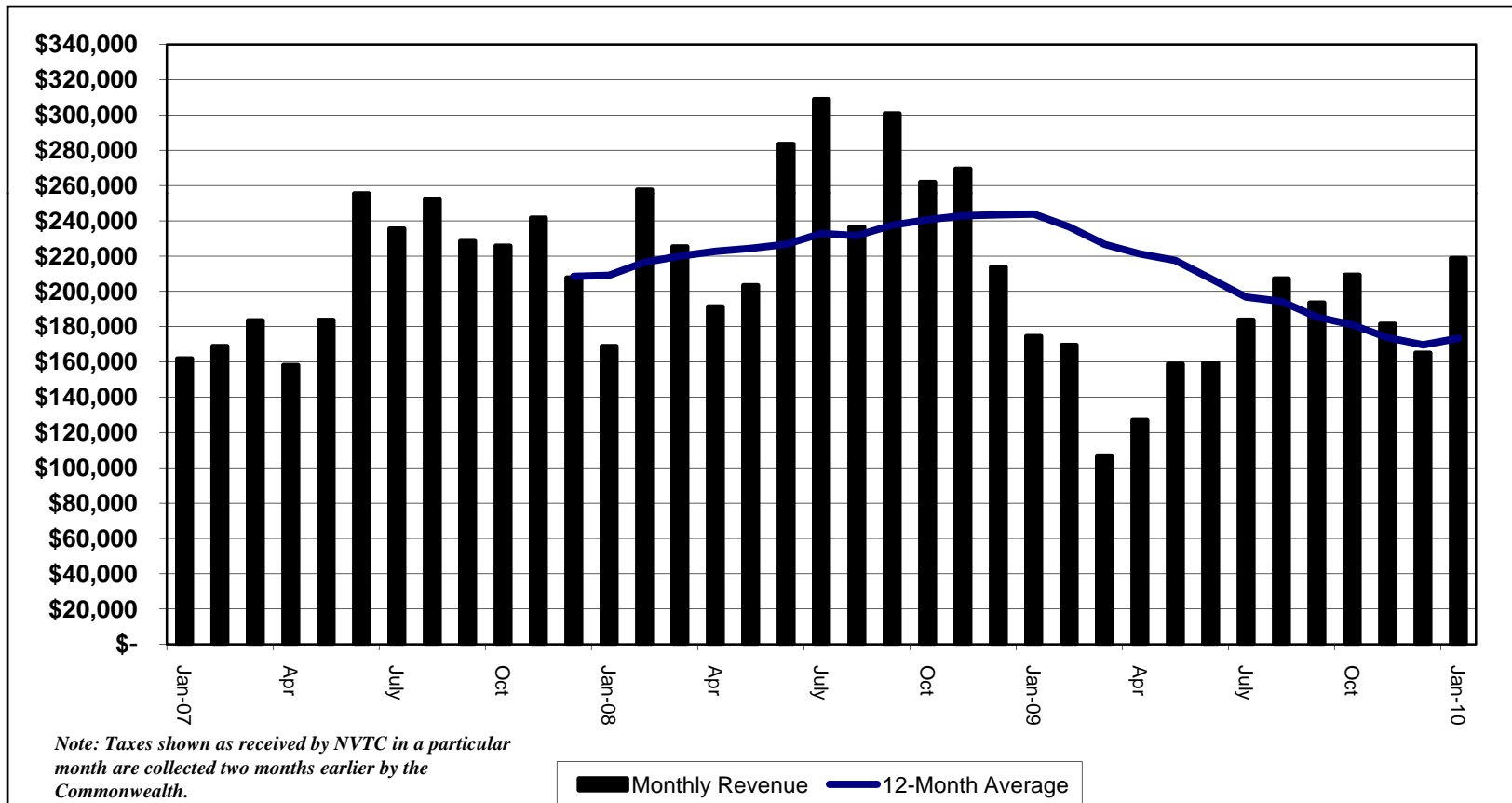
# NVTC MONTHLY GAS TAX REVENUE ALL JURISDICTIONS FISCAL YEARS 2007-2010



# NVTC MONTHLY GAS TAX REVENUE FAIRFAX COUNTY FISCAL YEARS 2007-2010

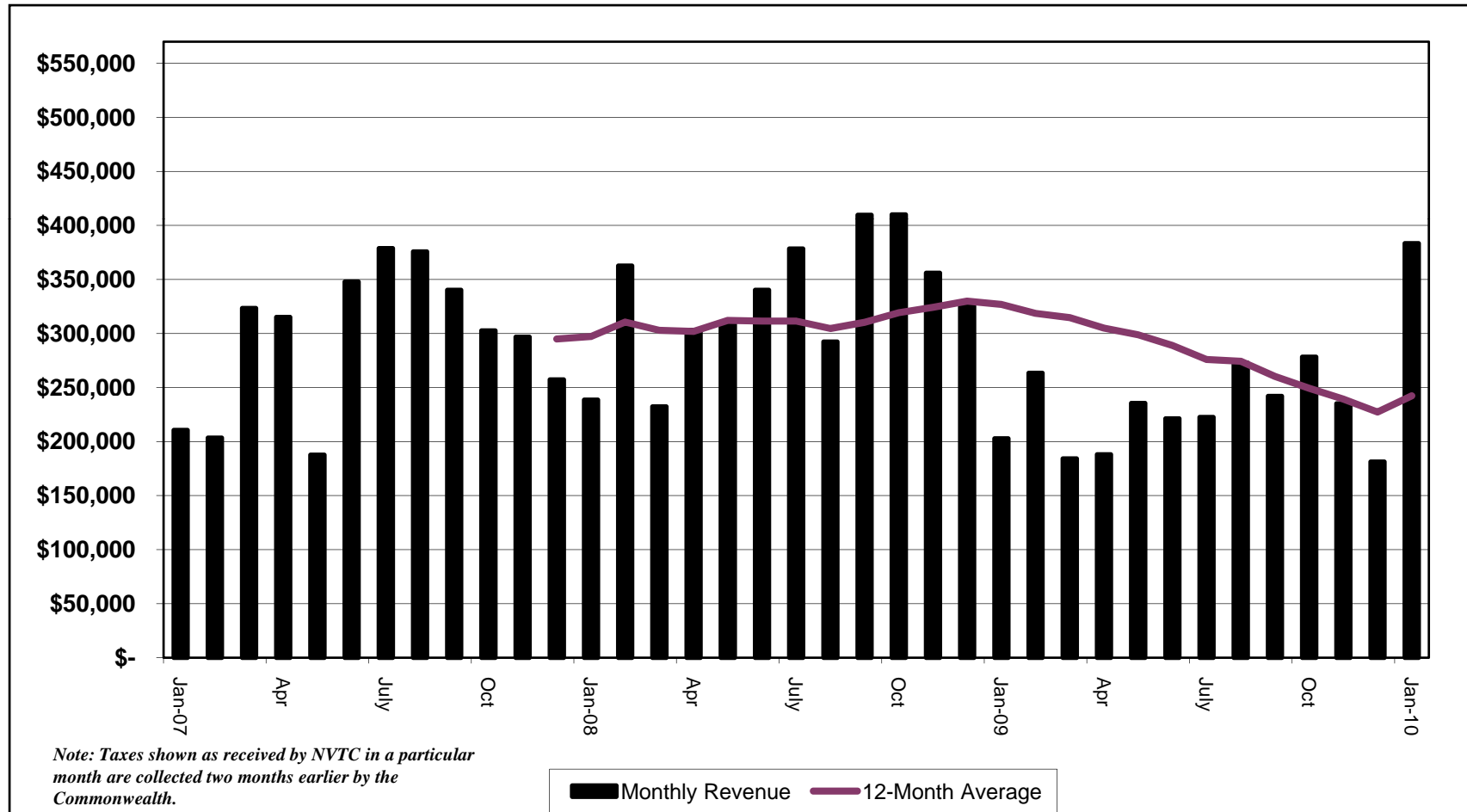


# NVTC MONTHLY GAS TAX REVENUE CITY OF ALEXANDRIA FISCAL YEARS 2007-2010

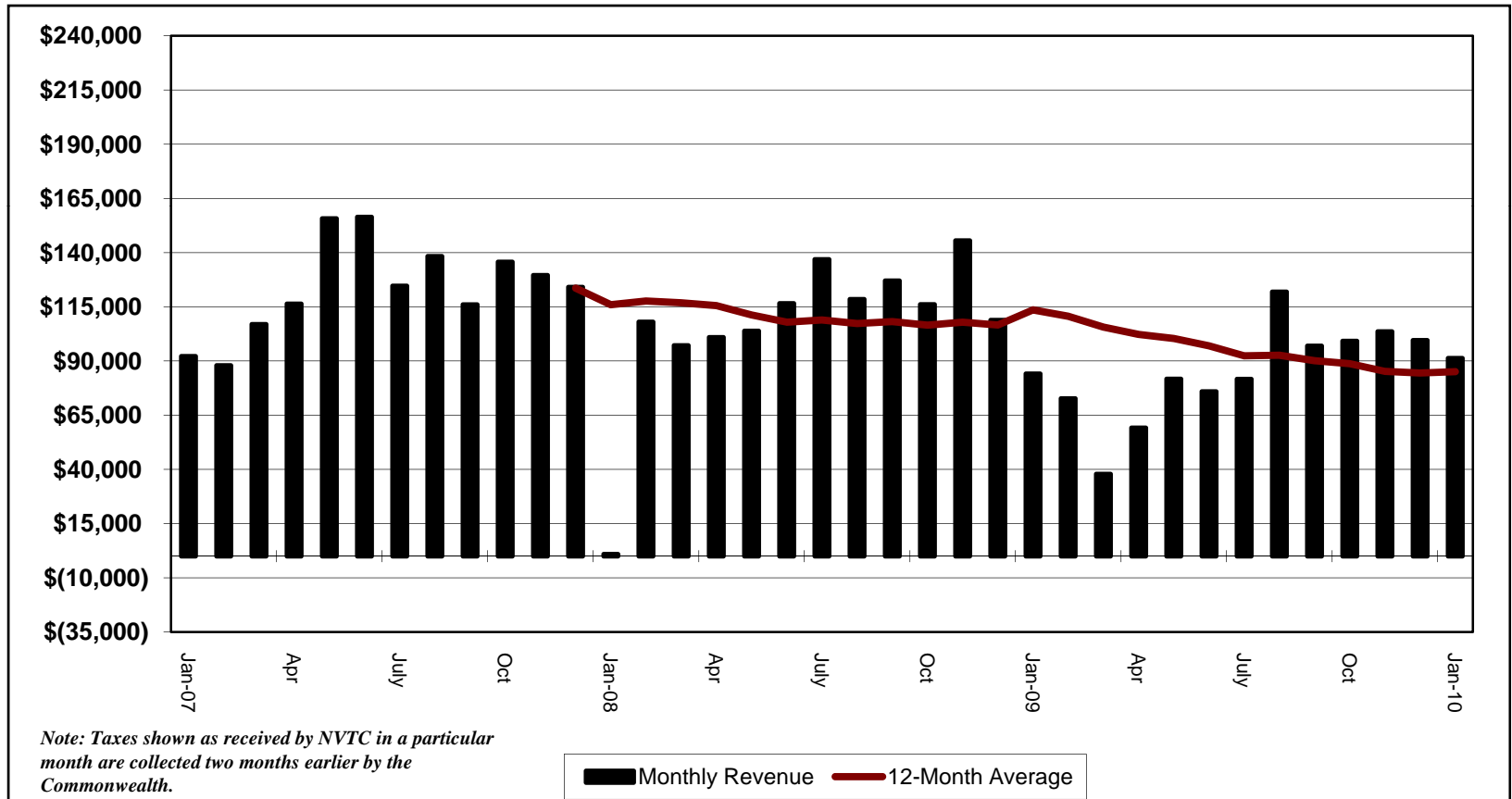




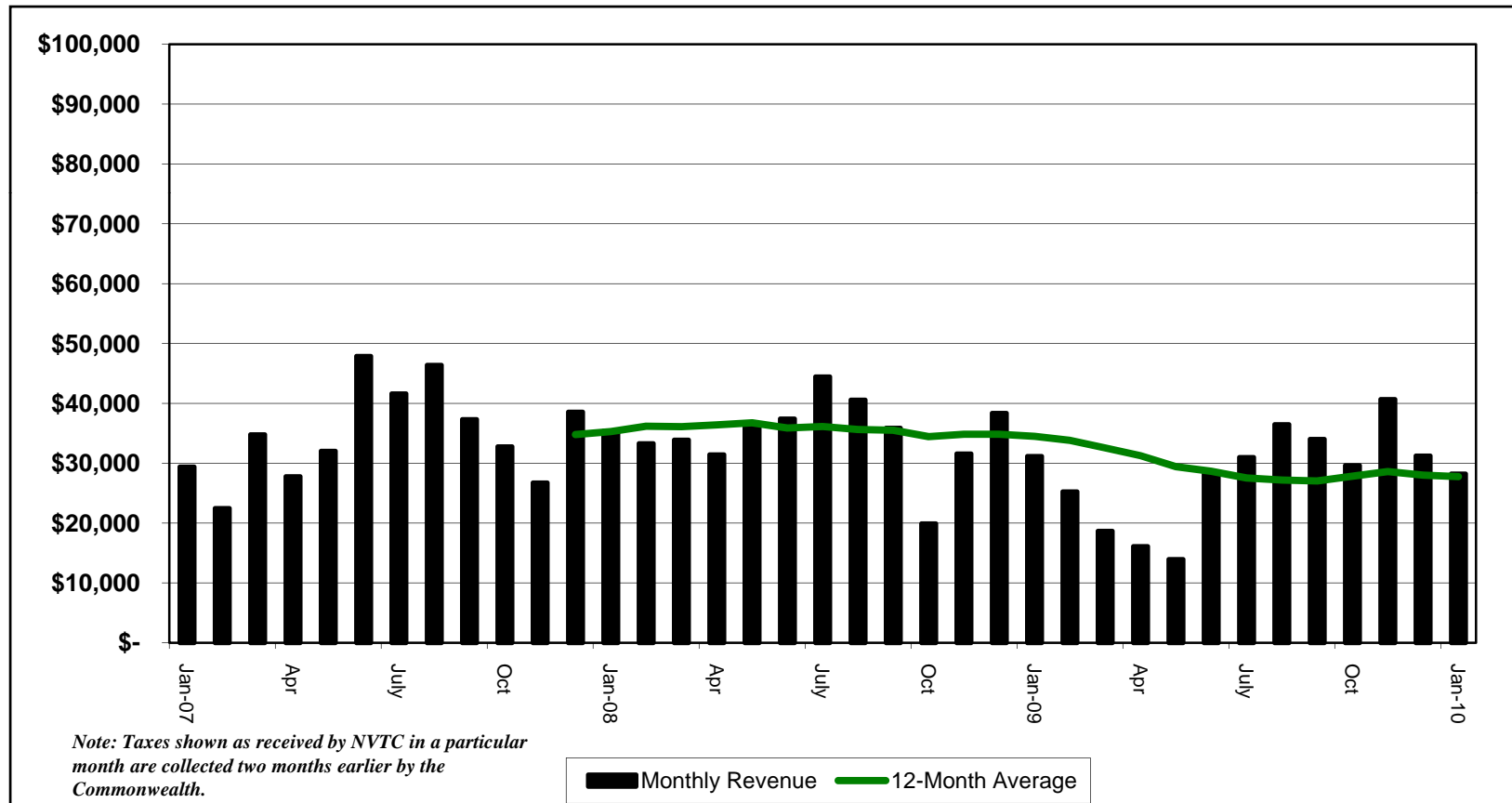
# NVTC MONTHLY GAS TAX REVENUE ARLINGTON COUNTY FISCAL YEARS 2007-2010



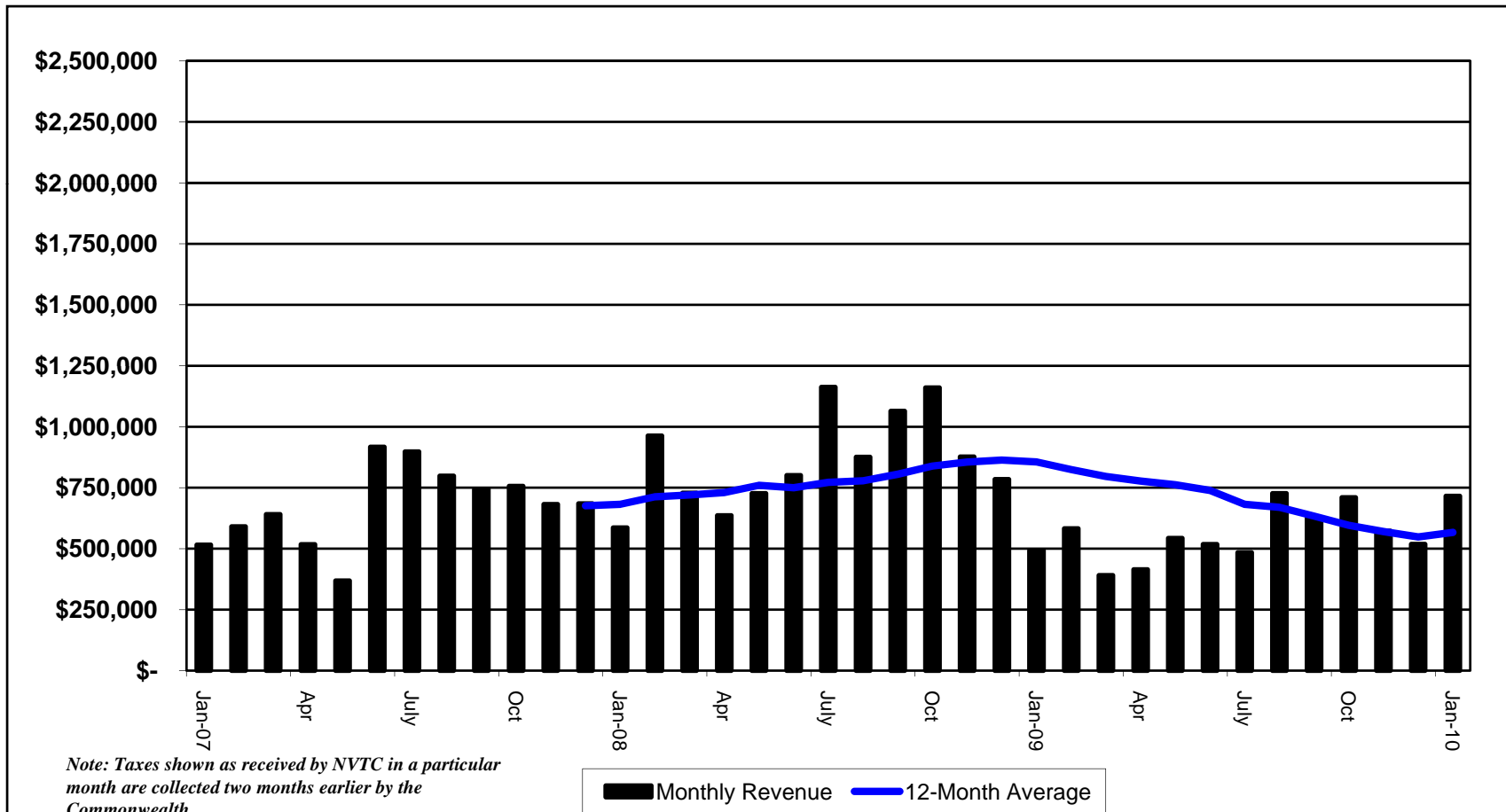
# NVTC MONTHLY GAS TAX REVENUE CITY OF FAIRFAX FISCAL YEARS 2007-2010



# NVTC MONTHLY GAS TAX REVENUE CITY OF FALLS CHURCH FISCAL YEARS 2007-2010



# NVTC MONTHLY GAS TAX REVENUE LOUDOUN COUNTY FISCAL YEARS 2007-2010



## **BLUE ITEM #8**

### **Northern Virginia Transportation Authority 2010 Legislative Program Approved: November 12, 2009 Updated: March 5, 2010**

#### **STATE**

##### ***TRANSPORTATION FUNDING***

The lack of new transportation investment in the Commonwealth has reached a crisis. Over the past two years, the Commonwealth Transportation Board has cut **\$3.7 billion** from the Six Year Program and projections indicate that another cut of at least \$900 million will be necessary to further adjust the Six Year Program to match current revenue estimates. Revenues from ALL major state transportation funding sources continue to deteriorate. In addition, federal transportation funding levels remains uncertain. Secondary and urban system construction funds have essentially been eliminated, and the growth in maintenance spending in being reduced, even though costs are increasing overall. The Commonwealth is risking serious disinvestment in its existing transportation infrastructure that will be more difficult and more expensive to correct in the future. Today, approximately \$1 billion is needed to address existing deficient pavement conditions and approximately \$3.7 billion is needed to fix the Commonwealth's deficient bridges. Very shortly the Commonwealth will be out of options for ensuring the matches are available for the federal transportation funds the Commonwealth receives. Should this happen, Virginia would have to return federal transportation funds, further compounding the crisis. **Major new revenue sources for transportation must be enacted during the 2010 General Assembly session.**

NVTA continues to support additional state and regional transportation funding for highway, transit, bicycle and pedestrian improvements. In 2006, the region's TransAction 2030 Long-Range Transportation Plan estimated that Northern Virginia alone needs \$700 million per year in additional transportation funding to address the region's transportation problems. This figure has only increased since then since much of the major revenue sources included in HB 3202 have been eliminated.

NVTA seeks reinstatement of exclusive Northern Virginia revenues in the range of at least \$300 million annually, as well as Northern Virginia's portion of additional statewide revenues to address transportation needs not originally covered by the HB 3202 funding approved for Northern Virginia. Both the regional and statewide revenues should be provided from stable, reliable, proven and permanent source(s).

NVTA asks the General Assembly to adopt new statewide transportation revenue sources to bolster existing highway and transit revenue sources which are not generating sufficient funding to meet the Commonwealth's critical transportation needs or to meet the Commonwealth's statutory 95 percent share of eligible transit operating and capital costs (net of fares and federal assistance). This additional transit funding alone would require approximately \$166 million annually in new funds for the limited transit projects and eligible operating costs included in CTB's six-year program.

Any funding solutions must ensure that dedicated funding for Washington Metropolitan Area Transit Authority capital improvements and for Virginia Railway Express capital and operating expenses are addressed.

NVTA does not support diverting existing General Fund revenue streams to transportation. These General Funds are used for other important priorities of the Commonwealth; such are K-12 education, higher education and public safety. *(Updates previous position).*

General Assembly Action: *A variety of bills have been introduced. See attached matrix.*

### **BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS**

NVTA supports the inclusion of sufficient funding in the 2010-2011 budget to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations. This is particularly critical, because the BRAC relocations will occur in 2011, and there is significant lead time required to implement needed transportation improvements. *(Updates previous position).*

General Assembly Action: *No specific bills introduced.*

### **PEDESTRIAN SAFETY**

NVTA supports revisions to Virginia's existing pedestrian legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less. Recent events throughout the region have highlighted a growing concern for the safety of pedestrians attempting to cross streets. Many Northern Virginia jurisdictions are exploring a variety of means to effectively provide for pedestrian safety while avoiding both the potential for serious vehicular accidents and the potential for creating a false sense of security for the pedestrians. *(Reaffirms previous position).*

General Assembly Action: *Two bills were introduced: House Transportation Subcommittee #2 recommended passing by indefinitely HB 459 (Herring). SB 228 (Barker) has passed the Senate. It was tabled by House Transportation Subcommittee #2.*

### **CHAPTER 527 TRAFFIC IMPACT ANALYSES**

NVTA supports modifications to Chapter 527 Transportation and Land Use legislation and regulations to adjust timeframes for traffic impact analyses to be more consistent with local government review times and scheduled public hearings. In addition, the Comprehensive Plan amendment/updates section of the regulations should be further developed and improved to meet the needs of the process (especially dealing with multiple amendments at same time), and Low-volume rule traffic impact analysis requirements should be revised to address situations when existing roadway capacity is obviously sufficient to meet demands of a new development even though the development might otherwise cross the threshold for a traffic impact analysis. *(Reaffirms previous position).*

General Assembly Action: *Several bill have been introduced related to 527 Traffic Impact Analyses. HB 808 (Watts)/HB 1098 (Sickles)/SB 550 (Barker) adds the Department of Rail and Public Transportation to the 527 Review. HB 1098 was incorporated into HB 808. The House Transportation, Subcommittee #4 recommended carrying over HB 808 to 2011. SB 222 (Puller) exempts homeowners' associations, neighborhood associations and similar non-profit organizations from VDOT fees and from submitted Traffic Impact Analyses at the*

*comprehensive plan stage. Amendments delete non-profit organizations; passed Senate. It has also passed the House. SB 550 was continued to 2011 by Senate Local Government.*

### **SECONDARY ROAD DEVOLUTION**

NVTA opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance. NVTA also opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties. *(Reaffirms previous position).*

*General Assembly Action:* *No specific bills introduced.*

## **Bill Sponsored by Northern Virginia Transportation Agencies**

### Fraudulent Tickets

- HB 688 (Miller)/SB 25 (Puller) – VRE bill related to penalties for counterfeit ticket violations; [A substitute for HB 688 passed the House; passed the Senate. A substitute for SB 25 passed the Senate; passed the House].

### Assaulting a Transit Operator

- SB 588 (Marsden) – WMATA bill: provides that it is a Class 6 felony to commit an assault or battery upon a mass transit operator defined as a person who operates any train, bus, trolley or van that is designed to carry six or more passengers. [A substitute passed the Senate; House Courts continued to 2011.] The substitute changes the violation to a Class 1 misdemeanor.

### Criminal Background Checks

- HB 690 (Miller) – PRTC Bill: authorizes certain transportation district commissions and their contractors and public service corporations or contractors that provide public transit services to a locality to require fingerprint checks of certain applicants and employees so that an FBI criminal background check can be conducted [A substitute for HB 690 passed the House; passed the Senate.] The substitute limits background checks to individuals who have been offered employment.

### Photo Monitoring – Backtracking (MWAA Bill)

- HB 1295 (Rust)/SB 667 (Herring) Provides for the enforcement of the use of a photo-monitoring system or automatic identification system on the Dulles Access Highway. [A substitute for HB 1295 passed the House, on the Senate floor; SB 667 was amended and passed the Senate, passed the House]. The substitutes for HB 1295 and SB 667 clarify that the violation is a civil penalty rather than a criminal penalty.

### Tax Information Disclosure to NVTC

- HB 457 (Herring) Allows the Tax Commissioner to disclose to the Executive Director of NVTC for his confidential use tax information as is necessary to facilitate the collection of the motor vehicle fuel sales tax. [Passed House; Passed Senate]

## **Other Bills of Interest**

### Northern Virginia Transportation Projects

- HB 779 (LeMunyon) requires VDOT to evaluate and make periodic reports on transportation improvement projects in the Northern Virginia highway construction district [House Trans passed by and referred to the Governor's Government Reform Commission]

### Statewide Transportation Plan

- HB 25 (Herring) requires that the Statewide Transportation Plan include quantifiable measures and achievable goals for greenhouse gas emissions [Left in House Transportation]

### Secondary Road Acceptance Standards

- HB 95 (Loupassi) provides that if, on March 9, 2009, a subdivision was subject to a specific zoning requirement that prohibited a state-maintained stub road connection, such requirement will not preclude acceptance of such road into the state secondary highway system [Stricken by Patron]



- HB 197 (Ware, R.) provides that the VDOT will allow the acceptance of any street within a network addition that meets the public service requirement of three or more occupied dwelling units. [Substitute passed House; on Senate floor] The substitute changes bonding requirement to one year.
- HB 1369 (Poindexter) requires VDOT to reconsider its Secondary Street Acceptance Requirements effective July 1, 2009, with specific focus on the connectivity index and the means by which an exception can be granted. The reconsideration is also to focus on the unique challenges in rural applications. [Left in House Transportation]

#### Secondary Road Standards

- HB 222 (Watts) requires the Secretary of Transportation to develop new secondary system design standards to be used in urban areas. [A substitute passed the House; passed the Senate] The substitute limits to Fairfax County.

#### Other Virginia Railway Express Related Bills

- HB 19 (Cole) allows PRTC to set higher fares for passengers from non-VRE jurisdictions; [received no motion in House Trans, Sub #1]
- HB 55 (Cole) caps VRE subsidy levels at the level of each jurisdiction's gas tax collections [received no second n House Trans, Sub #1]

#### Telecommuting and Alternative Work Schedules

- HB 1015 (Hugo) provides that the Secretary of Administration and the Secretary of Technology measure the effectiveness of the comprehensive statewide telecommuting and alternative work schedule policy. [Continued to 2011 by House Science and Technology]
- HB 1023 (Hugo) requires the head of each agency within the legislative branch of state government to adopt a telecommuting and alternative work schedule policy for eligible employees. The policy shall authorize voluntary participation in telecommuting and alternative work schedule programs for up to eight days per month, provided such participation does not diminish employee performance or service delivery. No policy adopted pursuant to this Act shall authorize participation in either program during any session or special session of the General Assembly. [Passed the House; Assigned to Senate Rules].
- HB 1144 (Scott) increases the target for eligible state employee participation in telecommuting and alternative work schedules to 40 percent in each respective program by January 1, 2012. [Continued to 2011 by House Science and Technology]

#### Hybrids on HOV Lanes

- HB 214 (Greason)/HB 320 (Plum)/HB 980 (Hugo) extends until July 1, 2011, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants. [HB 214 passed the House; passed the Senate].
- SB 552 (Barker) extends the "sunset" on use of HOV lanes by clean special fuel vehicles, regardless of the number of their occupants, until July 1, 2011, but only if they are not traveling on I-66, I-95, or I-395. [A substitute passed the Senate; on the House floor]. The substitute limits new hybrids on I-66 after July 1, 2010; but allows hybrid exemption to continue until June 30, 2011, for all facilities.

#### Washington Bypass

- HB 277 (Albo) requires the Commonwealth Transportation Board to establish a Washington Bypass transportation corridor. [House Appropriations Transportation Subcommittee failed to recommend reporting (2-5)]

### Photo Red

- HB 461 (Herring) provides that the operator of a photo-monitoring system may enter into an agreement with DMV to obtain vehicle information on vehicles that fail to comply with a traffic light. Also, removes requirement that a locality must submit a list of potential intersections to DMV for final approval; [Left in House Transportation].
- HB 1292 (Tata) provides that a summons executed for violation of a photo-monitoring ordinance shall provide to the person summoned at least 30, rather than 60, business days to inspect information collected in connection with the violation. Deletes a provision prohibiting a private entity, on behalf of a locality, from obtaining records regarding the registered owners of vehicles that fail to comply with traffic light signals and allows a locality to access and use recorded images and associated information if the vehicle involved is owned, leased or rented by the locality, for employee disciplinary purposes. [Passed the House; passed the Senate]

### Composition of Commonwealth Transportation Board

- HB 818 (Surovell) changes the composition of the CTB: one will be appointed from each of Virginia's 11 Congressional Districts (as they were on January 1, 2010, four more will be at-large appointees: one representing seaports, one representing aviation, one representing railroads, and one representing mass transit; the three ex-officio members remain unchanged. [Left in House Transportation]
- HB 1131 (Keam) adds one member from the Northern Virginia highway construction district to the CTB. The bill also provides for allocation of highway construction funds within primary, urban, and secondary systems by the CTB on the basis of (i) population, (ii) traffic congestion, (iii) ambient air quality, (iv) functional classifications of highways, and (v) other important objectives as determined by the CTB, with each such factor being given equal weight. [Left in House Transportation]

### HOT Lanes

- HB 948 (Englin) requires VDOT to conduct a NEPA study prior to any HOT lane construction on any portion of I-95 or I-395. [House Transportation Sub #3 recommends passing by indefinitely]
- HB 968 (Englin) provides that HOT lane violations are traffic infractions. Penalties for violations are no longer civil penalties and are not payable to the HOT lane operator. [Tabled by House Transportation]
- HB 969 (Englin) requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. [Tabled by House Transportation]
- HB 1223 (Ebbin) requires that, in designating HOT lanes, lane shoulder widths are sufficient for safe operation of transit vehicles and levels of performance of existing HOV facilities do not deteriorate. The bill further mandates that local governments' concerns with congestion at points of access and egress and on parallel local streets are openly and meaningfully addressed. [Tabled by House Transportation]
- SB 365 (Barker) requires that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility. [Senate Transportation passed by indefinitely]

### PPTA Related Bills

- HB 480 (Carrico) requires the CTB to conduct third party audits of agreements executed under the Public-Private Transportation Act. The audits will consist of a review of the bidding process and certain other summary information regarding each project. The bill requires responsible public entities proceeding under the Act to advertise in the area where the project will be located to encourage participation by local small contractors. In addition, the bill (i) provides that contracts must be rebid if a change order exceeds 25% or \$1.0 million over the original contract amount, (ii) limits agreements under the act from extending more than two years past the original completing date without being rebid, and (iii) requires all agreements to include standard small, women-owned and minority-owned participation components of 30 percent as of July 1, 2010. [Tabled by House Transportation]
- HB 567 (Iaquinto) raises the competitive bidding/competitive negotiation dollar threshold from \$30,000 to \$50,000 for state-aid construction projects. [Passed House; on Senate floor]
- HB 969 (Englin) requires that highway construction projects of \$100 million or more undertaken under the PPTA have prior approval from the General Assembly. The bill further requires that any proposed PPTA contract involving HOT lanes be subject to an explicit evaluation comparing its impact with a mass-transit-based alternative. [Tabled by House Transportation]
- SB 101 (Stosch) provides that the Division of Legislative Services shall provide legal and research services to the Public-Private Partnership Advisory Commission with technical assistance being provided by the staffs of the House Committee on Appropriations, the Senate Finance Committee, and the Auditor of Public Accounts. The bill also clarifies that responsible public entities required to submit copies of detailed proposals under the Public-Private Education Facilities and Infrastructure Act must submit the copies to the clerk of the Commission [Passed the Senate; on House floor]
- SB 181 (Stosch) authorizes state agencies and state authorities, upon the approval of the Governor, to enter into agreements with private entities under the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002 for the development of a project by the private entity, which agreements provide for the private entity to be paid grants from a portion of the growth in state taxes and fees attributable to the development of the project. [Substitute recommitted to Senate Finance and failed to report (7-7)].
- HB 1395 (Massie) authorizes state agencies/authorities to enter into agreements with private entities under the Public-Private Transportation Act of 1995 and the Public-Private Education Facilities and Infrastructure Act of 2002 for the development of a project by the private entity, which agreements provide for the private entity to be paid grants from a portion (50%) of the growth in state taxes attributable to the development of the project. The bill also would allow local governments, agencies, and authorities to join in the agreement entered into between the private entity and the state agency/authority. [House General Laws Subcommittee #2 recommended reporting].

### Hampton Road Bridge Tunnel

- HB 402 (Oder) directs the Virginia Department of Transportation to accept unsolicited proposals to add capacity to the Hampton Roads Bridge-Tunnel. [Substitute passed the House; passed the Senate]

### Norfolk/Virginia Beach Light Rail

- HB 564 (Tata) provides that funds for the Norfolk/Virginia Beach light rail project will be expended in accordance with Federal Transit Administration requirements, notwithstanding any contrary provision of law [Passed the House; passed the Senate]

### Military on HOV Lanes (Hampton Roads)

- HB 759 (Stolle)/HB 788 (Villanueva) allows certain military personnel to use HOV lanes in Hampton Roads regardless of the number of passengers. [Substitute passed the House; passed the Senate.] Substitute requires military personnel to be in uniform and is contingent on Federal approval.

### Rest Area Closure

- HB 584 (Landes) requires VDOT to reopen closed highway rest areas and residency offices and prohibits closure of highway welcome centers [Left in House Transportation]
- HB 1081 (Crockett-Stark) requires VDOT to reopen closed highway rest stops and prohibits closure of highway welcome centers. [Left in House Transportation]
- HJ 126 (Nutter)/SJ 99 (Herring) direct the Joint Legislative Audit and Review Commission to study the privatization of all or portions of the Commonwealth's rest areas [Substitute for HJ 126 passed House; passed Senate. A substitute for SJ 99 passed the Senate; on House floor]. The substitutes direct the Virginia Transportation Research Council to be the study, rather than the Joint Legislative Accounting and Review Committee.

### State Asset Maximization Commission

- HB 1021 (Hugo) creates the State Asset Maximization Commission and sets its membership and duties. The Commission is to review transportation assets. [Left in House Rules]

### High Speed Rail

- HB 1275 (Cosgrove) establishes the Virginia High-Speed Rail Commission to promote and augment the state's competitive stance for matters related to high-speed passenger rail service in Virginia. The Commission is to study, assess, and advise the General Assembly and the Secretary of Transportation on effective and competitive design, planning, financing, construction, and operations involving high-speed rail service. The Commission is, further, to coordinate high-speed rail programs with neighboring states and federal and regional entities. [Passed the House; continued to 2011 by Senate Transportation] The amendments delete references to the Virginia-North Carolina High Speed Rail Commission.
- SJ 63 (Miller) creates a 10-member joint subcommittee to study expansion of inter-city high-speed passenger rail service in Virginia and ways to pay for it. [Substitute passed the Senate; on House floor] The substitute limits the study to seeking the most efficient and beneficial way to fund high speed and intercity passenger rail operations. The House amendments direct DRPT to conduct the study.

### Prince William County Metrorail Improvement District

- HB 1313 (Torian) creates the Prince William County Metro Rail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County. [A substitute was reported by House Transportation. It was continued to 2011 by House Appropriations]

### Chief Executive Officer for Transportation

- SB 103 (McDougle) abolishes the office of Commonwealth Transportation Commissioner and replaces that position with a Chief Executive Officer for Transportation who takes over the powers, duties, and responsibilities of the Commonwealth Transportation Commissioner, the Director of the Department of Aviation, and the Director of DRPT. The Virginia Board of Aviation and the Rail Advisory Board are also abolished, and their functions transferred to the CTB. The composition of the CTB is changed to remove the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of DRPT, and to provide for election of the at-large members of the Board by the General Assembly. [Carried over by Senate Transportation]

### Air Quality

- SB 128 (McDougle)/HB 1300 (Kilgore) retains the authority of the Air Pollution Control Board to provide for participation in the EPA-administered cap and trade system for NO<sub>x</sub> and SO<sub>2</sub> to the fullest extent permitted by federal law, but prohibits the Board from requiring that electric generating facilities located in a nonattainment area meet NO<sub>x</sub> and SO<sub>2</sub> compliance obligations without the purchase of allowances from in-state or out-of-state facilities. [Both HB 1300 and SB 128 have been amended to remove current non-attainment areas; both passed the Senate; passed the House.]

### Transportation Program Audits

- SB 201 (Blevins) requires the Auditor of Public Accounts to perform a performance audit of the Commonwealth's transportation programs [A substitute passed the Senate; amended and reported by House Rules] the substitute modifies the requirements for the study and removes the limit of \$4 million of the study.
- SB 351 (Obenshain) requires the Secretary of Transportation to arrange for a performance audit of the Commonwealth's transportation programs [Passed by indefinitely by Senate Rules]

### Clean Fuel Plates – Local Governments

- SB 404 (Petersen) removes requirement that the Commissioner provide written regulations before the Department of Motor Vehicles may issue government-use license plates for clean special fuel vehicles [Passed the Senate; passed the House]

### TransDominion Express Commission

- SB 435 (Edwards) establishes the TransDominion Express Commission, to be responsible, within the TransDominion Corridor, for identifying needed construction, reconstruction, improvements of or repairs to railroads and their facilities, and equipment to provide enhanced passenger rail service coordinated with freight rail opportunities within the corridor. [Continued to 2011 by Senate Rules]

### Increase Use of Transit Strategies

- SB 553 (Barker) requires the Secretary of Transportation to make an annual report to the General Assembly on actions taken to promote transit use [passed the Senate; passed the House.]

### Studies

- HJ 61 (Plum) – Virginia's Transportation Needs – [Tabled]
- HJ 68 (Rust) – Tolling [Failed]
- HJ 81 (Oder) – Hampton Roads Bridge Tunnel [Passed House; Passed by indefinitely by Senate Rules]
- HJ 96 (May) – Commission on Virginia's Transportation Needs [Tabled by House Rules]
- HJ 119 (Surovell) – U. S. Route 1 Corridor [Tabled]
- HJ 134 (Jones) – Hampton Roads Transportation Network [Passed House; Reported by Senate Rules]
- HJ 151 (Miller) – Norfolk Light Rail [Left in House Rules]
- SJ 94 (Miller) – Replacement of the gas tax [Passed the Senate; House Rules Study Subcommittee failed to recommend reporting]
- SJ 98 (Barker) – Regional Rapid Transit Network – continuation of SJ122 Study [Passed Senate; House Rules Study Subcommittee recommended reporting]

## 2010 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Position	Notes
<b>Transportation Funding Bills</b>						
<b>HOUSE</b>						
HB 756	Stolle	Offshore drilling; royalties to be deposited in Transportation Trust Fund	Senate Floor	Passed House; Passed Senate (20-19)		<b>Governor's Bill.</b> Substitute requires that 70% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund; 20% to Virginia Coastal Energy Research Consortium; 10% to affected localities for infrastructure and transportation
HB 970	Rust	Transportation Trust Fund; designation of annual surplus	Senate Finance	Passed House		<b>Governor's Bill.</b> Increases from 2/3 to 75% the amount of the general fund surplus designated to the Transportation Trust Fund within the Comptroller's annual report following the close of each fiscal year. The governor would include in his budget bill an amount for deposit into the TTF equivalent to the amount designated by the Comptroller
HB 1329	Lingamfelter	Motor fuels sales tax; defines gross sales and sales price for purposes of tax in Northern Virginia	S Floor	Passed House (99-0); Passed Senate		Defines "gross sales" and "sales price" for purposes of the state motor fuels sales tax in Northern Virginia. "Gross sales" means the same as its definition in provisions of the Retail Sales and Use Tax and would exclude separately stated federal diesel excise taxes. "Sales price" means the same as its definition in provisions of the Retail Sales and Use Tax but would include all transportation and delivery charges, even if separately stated.
<b>SENATE</b>						
SB 513	Norment	Racing Commission; allocations from simulcast horse racing	House General Laws; ABC/Gaming Sub.	Passed Senate (25-14); Sub recommends tabling		Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with fifty percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining fifty percent distributed to other entities. In addition, the bill (i) requires the existing race track to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) requires the promulgation of emergency regulations. Could generate \$33 million for transportation annually.
<b>Transportation Allocation Formula Bills</b>						
<b>HOUSE</b>						
HB 421	Hope	Transportation Board; allocating funds for transit projects	S Floor	Passed House (94-3); Passed Senate (40-0)		<b>NVTC Bill.</b> Substitute allows the Commonwealth Transportation Board (CTB) to allocate up to 20% of transit capital funds to operating in any year in which transit operating funds are projected to be less than the current year.
<b>SENATE</b>						
<b>Protecting the Transportation Trust Fund</b>						
<b>House</b>						
<b>Senate</b>						
<b>Other Transportation Bills</b>						
<b>House</b>						
<b>Senate</b>						
<b>House</b>						
<b>Senate</b>						
<b>Legislation No Longer Under Consideration</b>						
<b>Transportation Funding Bills</b>						
<b>HOUSE</b>						
HB 37	Marshall, R.	Overload and overweight permits; fees established by Commissioner	H Trans	Passed by with a letter to JCTA		Revises the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council

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HB 230	Watts	Motor fuels tax rate increase; allocation of construction funds for primary highway system	H Finance	Left in H Finance		Increases motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax will be indexed every 2 years beginning July 1, 2011, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. Revenue generated is used for transportation purposes as required by existing law, and allocates primary system highway construction funds among the 9 highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90%, and a need factor, weighted 10%.
HB 269	Englin	Retail Sales and Use Tax; increases rate on motor fuels in Northern Virginia.	H Finance, Sub. #1	Left in H Finance		<b>NVTC Bill.</b> Increases the rate of the state sales tax on motor fuels in Northern Virginia from 2.1 percent to 4.2 percent.
HB 342	Marshall, R.	Alcoholic beverage control; privatization of ABC stores	H Gen Laws	Left in H Gen Laws		Provides for the issuance of a "package store" license to authorize the retail sale of alcoholic beverages for off-premises consumption. Bill also requires the ABC Board to sell at auction all real estate used as ABC stores, and to terminate leased property upon which the ABC Board has operated a government store. Bill requires the ABC Board to complete an implementation study by December 31, 2010, on how it will privatize government stores. Bill has a delayed effective date of January 1, 2011, to achieve full retail privatization of government stores. Bill provides that any monetary savings realized by the ABC Board from the implementation of the bill shall be applied to the Transportation Trust Fund.
HB 344	Marshall, R.	Efficiency in Government Advisory Councils; established	H Rules; Sub #3	Left in H Rules		Establishes an Efficiency in Government Advisory Council for each secretariat of state government to review the operations of the agencies within the assigned secretariat for the purposes of identifying efficiencies and determining specific operational areas where savings may be realized. All recommendations that result in identifiable monetary savings among agencies within the assigned secretariat shall be presented in the form of a bill or budget amendment. Savings resulting from implementation of the recommendations will go to the Transportation Efficiency Fund to be used to (i) supplement transportation projects that are aimed at reducing congestion, increasing the efficiency of mass transit, or reducing harmful emissions associated with vehicle traffic, and (ii) facilitate economic development associated with transportation projects.
HB 404	Oder	Transportation funding and administration; provides funding in certain localities	H Trans	Substitute passed by and referred to Governor's Gov't Reform Commission by H Approp.		Provides for transportation funding and administration in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District, and the Salem Highway Construction District. The amount of funding is based on: (i) for No. Va., a portion of the growth in certain state tax revenues in No. Va.; (ii) for Hampton Roads, a portion of the growth in certain state tax revenues generated or facilitated by the marine terminals in Hampton Roads; (iii) for the Richmond Highway Construction District, a portion of the growth in certain state tax revenues generated or facilitated by the Port of Richmond; (iv) for the Staunton Highway Construction District, a portion of the growth in certain state tax revenues generated or facilitated by the Inland Port at Front Royal; and (v) for the Salem Highway Construction District, a portion of the growth in certain state tax revenues expected to be generate or facilitated by the Elliston Intermodal Facility. Substitute changes projects in the Salem District and removes language requiring VDOT to develop requests for PPTA proposals for projects in Hampton Roads
HB 540	Marshall, D.	Salem Highway Construction District; transportation funding	H Trans	Left in H Approp.		Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County. Substitute allocates 25% of the growth in tax revenue from Inland Port to the Bristol Highway Construction District.
HB 665	May	Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund	S Finance	Passed House (65-35); Carried over to 2011.		<b>Governor's Bill.</b> Requires Governor, in submitting his biennial budget bill, to provide for additional appropriations to the Transportation Trust Fund from general fund revenues in cases in which general fund revenues for a fiscal year are projected to grow by at least 3%. Any such additional appropriation to the TTF recommended by the Governor would be required to be in an amount not less than 1% of the projected growth in general fund revenues for the fiscal year
HB 666	May	Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects	H Trans	Passed by with the letter to the Joint Comm on Trans Account.		<b>Governor's Bill.</b> Provides that at least 50% of the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds would be used for new road or highway construction projects. The bill defines a new road or highway construction project as the construction of, enhancement of, or addition to a road or highway (or a portion or segment of a road or highway), which construction, enhancement, or addition did not commence prior to January 1, 2010. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds were authorized for issuance in 2007 pursuant to HB 3202 (2007)
HB 782	LeMunyon	Surplus real property; DGS to inventory all real property owned and update at least annually	H Gen Laws; FOIA Sub	Continued to 2011 by H Approp.		Provides for the Department of General Services to inventory all real property owned by the Commonwealth by October 30, 2010, and update the inventory at least annually thereafter. The bill also provides for the Department to submit an annual report to the Governor and the General Assembly containing the full inventory of real property owned by the Commonwealth and recommendations regarding property that may be disposed of as surplus property. The bill also changes the portion of the proceeds from sales or leases of, or from the conveyance of any interest in, surplus property by the Commonwealth from the Conservation Resources Fund to the Transportation Trust Fund.
HB 805	Poindexter	Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund	H Appr. Trans. Sub	Incorporated into HB 756		Requires that 80% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. The remaining 20% shall be used to encourage and incentivize non-petroleum based transportation fuels.
HB 900	Comstock	Offshore drilling; portion of royalties to be deposited in Transportation Trust Fund	H Appr. Trans. Sub	Incorporated into HB 756		Apportions 80% of any royalties that the Commonwealth might receive from offshore drilling for natural gas and oil to the Transportation Trust Fund, and 20% to programs developed by the Secretary of Natural Resources to clean up the Chesapeake Bay
HB 971	Rust	Northern Virginia Transportation Authority Sales and Use Tax Fund; established	H Finance; Sub #1	Continued to 2011.		<b>Potential Northern Virginia Vehicle.</b> Provides additional funding for transportation by (i) imposing a transportation infrastructure users fee of 1% on motor fuels to be used for highway maintenance in the highway construction district in which the fuel is sold; (ii) increasing the state sales tax in No. Va. by 0.5 % for transportation projects in No. Va.; and (iii) imposing a regional congestion relief fee in No. Va. at a rate of \$0.40 per \$100. Neither the fees nor the tax increase shall become effective until the unemployment rate in the Commonwealth is equal to or lower than it was in January 2008 for six consecutive months. Substitute (yet to be introduced) will require No. Va. local government to impose a commercial and industrial property tax of \$0.125 per \$100 valuation to benefit from the sales tax and congestion relief fee.
HB 1059	Marshall, R.	Transportation Capital Projects Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended tabling		Authorizes the CTB to issue bonds in an aggregate amount not to exceed \$3,963,000,000 for specific transportation projects throughout the Commonwealth. The bonds will be paid for by the revenues collected for each project through tolls and other fares or fees
HB 1061	Marshall, R.	Transportation Bond Act of 2010; created	H Appr. Trans. Sub	Subcommittee recommended tabling		Authorizes issuance of general obligation bonds in an amount not to exceed \$3,963,000,00 to finance capital transportation projects

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HB 1153	Scott, J.	Motor fuels tax	H Finance; Sub #2	Left in H Finance		Converts the rates of taxation on motor fuels from cents per gallon to percentage rates. Percentage rates shall be calculated by the Commissioner of the DMV in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the DMV over rolling six-month periods, to determine the cents to be charged.
HB 1323	May	Tolls; provided at Monitor Merrimac Memorial Bridge-Tunnel & Hampton Roads Bridge-Tunnel	H Trans	Continued to 2011		Provides for tolls at the Monitor Merrimac Memorial Bridge-Tunnel and the Hampton Roads Bridge-Tunnel.
<b>SENATE</b>						
SB 76	Reynolds	Salem Highway Construction District; transportation funding	S Finance	Left in S Finance		Provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or facilitated by the Inland Port in Montgomery County.
SB 114	Petersen	Motor fuels taxes; rate increase or decrease each year using fuel efficiency index	S Finance	Continued to 2011		Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the FHWA. Establishes 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes.
SB 115	Petersen	Surcharge on fuels sales; locality to impose a one percent surcharge	S Finance	Continued to 2011		Authorizes each city and county to impose a 1% surcharge on the retail price of motor fuels sold at retail in the city or county. The Tax Commissioner would collect the surcharge in the same manner that he collects the retail sales and use tax. Revenues from the surcharge would be used solely for funding of roads or highways in the urban or the secondary system of state highways
SB 132	Obenshain	Retail Sales and Use Tax; increases distribution to Transportation Trust Fund	S Local Govt	Left in S Finance		Increases the distribution to the Transportation Trust Fund from the sales and use tax revenue generated by a 1/2% sales and use tax to the sales and use tax revenue generated by a 1% sales and use tax upon the Comptroller determining in any fiscal year that (i) the growth in general fund revenues for the most recently completed fiscal year was at least 3%, and (ii) the actual dollar increase in general fund revenues for the most recently completed fiscal year was at least equal to the sales and use tax revenue generated by a 1/2% sales and use tax.
SB 164	Edwards	Transportation; source of revenue by increase of motor vehicle sales and use tax	S Finance	Left in S Finance		Creates additional sources of revenue for transportation by increasing the motor vehicle sales and use tax by 1/2% and the motor vehicle rental tax by 1%, and by imposing a five percent tax on the wholesale price of gasoline. The new revenue sources will be directed to the Rail Enhancement Fund, the Transportation Trust Fund, the Highway Maintenance and Operating Fund for transportation projects and needs of the Commonwealth, and certain priority transportation projects, as designated by the Commonwealth Transportation Board, in No. Va. and Hampton Roads. The bill would also eliminate the 1/2% sales tax on food currently going to the Transportation Trust Fund, and would raise the allowed credit for low-income taxpayers
SB 223	Barker	Motor fuels tax; converts rates of taxation from cents per gallon to percentage rates	S Finance	Left in S Finance		Replaces current fuels tax on gasoline, gasohol, and diesel fuel with a tax that is a percentage of the wholesale price of a gallon of self-serve unleaded regular gasoline. Percentage shall be established by the Commissioner by determining the percentage that would most closely yield 17.5 cents per gallon, based on the average wholesale price of a gallon of self-serve unleaded regular gasoline for the period beginning October 1, 2009, and ending March 31, 2010.
SB 343	Hanger	Fuels taxes; annually adjusted	House Finance, Sub. #2	Passed Senate (31-9); H Fin continued to 2011.		Adjusts fuels taxes each year on April 1 by the percentage increase in the Corporate Average Fuel Economy (sales volume weighted), Total Fleet (the CAFE) for the immediately preceding calendar year over the CAFE for calendar year 2009. The first adjustment would occur on April 1, 2011. Could eventually generate \$200+ million annually.
SB 418	Vogel	Infrastructure in Urban Development Areas Loan Fund; created	S Local Govt	Continued to 2011.		Creates the Virginia Infrastructure in Urban Development Areas Loan Fund. Fund would be administered by the Virginia Resources Authority. Money in the Fund would be used exclusively for the financing of road, small water facility, and wastewater treatment facility projects located or to be located within an urban development area and undertaken by a local government. Priority for loans would be given to projects that will serve two or more local governments to encourage regional cooperation
SB 541	Newman	Transportation Capital Projects Revenue Bonds; used for new road or highway construction projects	S Finance	Left in S Finance		<b>Governor's Bill.</b> Provides that at least 50% of the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds would be used for new road or highway construction projects. Bill defines a new road or highway construction project as the construction of, enhancement of, or addition to a road or highway (or a portion or segment of a road or highway), which construction, enhancement, or addition did not commence prior to January 1, 2010. Commonwealth of Virginia Transportation Capital Projects Revenue Bonds were authorized for issuance in 2007 pursuant to HB 3202 (2007)
SB 600	Wagner	Transportation Trust Fund; increases amount of general fund surplus.	S Finance	Failed to Report		<b>Governor's Bill.</b> Increases from 2/3 to 75% the amount of the general fund surplus designated to the Transportation Trust Fund within the Comptroller's annual report following the close of each fiscal year. Governor would include in his budget bill an amount for deposit into the Transportation Trust Fund equivalent to the amount designated by the Comptroller
SB 601	Wagner	Offshore drilling; royalties to be deposited in Transportation Trust Fund.	S Finance	Continued to 2011.		<b>Governor's Bill.</b> Requires that at least 80% of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. Substitute allocates 70% of any revenues to the state General Fund, 10% to localities for infrastructure and transportation; and 20% to Virginia Coastal Energy Research Consortium.



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SB 684	Miller, J.	Transportation funding.	S Finance	Left in S Finance	(i) decreases fuels tax from \$0.175 to \$0.05/gallon & establish a 5% tax on fuel based on state average ws price of gas; (ii) subject to the additional revenues generated in (i), increases fuels tax by \$0.10/gallon in increments of \$0.02/gallon per yr for 5 yrs starting in 2011; (iii) starting in 2011 increases vehicle sales/use tax by 1/2% each yr for 4 yrs; (iv) provide that of the retail sales/use tax revenues generated by the 4% tax on auto parts/accessories, an amount equivalent to the revenues generated by a 3% retail sales/use tax on such parts/accessories would be sent to the HMOF; (v) subject to federal approval, authorize CTB to impose a \$1 per axle toll on vehicles entering VA from NC on I-85 & I-95; (vi) dedicate for hwy maintenance 10% of future growth in certain state taxes attributable to economic activity generated/facilitated by cargo marine terminals & inland ports; and (vii) dedicate for trans purposes royalties paid to the Commonwealth from offshore drilling. Amounts generated would be deposited into the HMOF, except revenues from tolls on vehicles entering VA from NC & revenues from royalties as a result of offshore drilling, which would be deposited into the TTF.
SB 694	McWaters	Budget bill; Governor to provide for additional appropriations to Transportation Trust Fund	S Finance	Failed to Report (6-9)	Authorizes the Governor, in submitting his biennial budget bill, to provide for additional appropriations to the Transportation Trust Fund from general fund revenues in cases in which general fund revenues for a fiscal year are projected to grow by at least 3%. Any such additional appropriation to the Transportation Trust Fund recommended by the Governor would be required to be in an amount not less than 1% of the projected growth in general fund revenues for the fiscal year.
<b>Transportation Allocation Formula Bills</b>					
<b>HOUSE</b>					
HB 224	Watts	Highways; payments to cities and towns for maintenance	H Trans	Tabled by H Trans Sub #4	Equalizes municipal street payments to comparable amounts paid for state maintenance
HB 276	Albo	Highway maintenance funds; requires CTB to allocate funds on basis of achieving level of disparity	S Trans	Passed House (59-37); Continued to 2011 by Senate Transportation	Requires the CTB, when allocating funds for highway maintenance, to do so on the basis of achieving a minimal level of disparity among highway construction districts in meeting asset performance standards in § 33.1-13.02. Substitute directs the CTB to prepare a comparison of proposed funding allocations with funding allocations that would be based entire on asset performance standards.
HB 1047	Kory	Mass Transit Fund; increases percentage of Transportation Trust Fund revenues in.	H Appr. Trans. Sub	Left in H Approps.	Increases the percentage of Transportation Trust Fund revenues flowing into the Commonwealth Mass Transit Fund from 14.7 to 19 %
HB 1103	Sickles	Primary system highway construction funds; allocation.	H Trans Sub # 4	Passed by with a letter to JCTA.	Allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90%, and a need factor, weighted 10%.
HB 1124	Keam	Street maintenance payments; provides for increased payments where traffic volumes exceed average	H Trans	Tabled by H Trans	Provides for increased payments where traffic volumes exceed the statewide average by more than 20%.
HB 1131	Keam	Transportation Board; formulas for allocating funds	H Trans	Left in H Trans	Adds one member from the Northern Virginia highway construction district to the CTB. Bill also provides for allocation of highway construction funds within primary, urban, and secondary systems by the CTB on the basis of (i) population, (ii) traffic congestion, (iii) ambient air quality, (iv) functional classifications of highways, and (v) other important objectives as determined by the CTB, with each such factor being given equal weight.
<b>SENATE</b>					
<b>Transportation Trust Fund Bills</b>					
<b>HJR</b>					
HJ 5	Oder	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with interest by the end of the 4th fiscal year following the date of the borrowing.
HJ 67	Marshall, R.	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits use of moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan or reduction must be repaid with interest within 4 years.

## 2010 General Assembly Session Transportation Funding/Allocation Bills

HJ 69	Watts	Constitutional amendment; Transportation Funds	H Priv. & Elections	Left in H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly may alter the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with interest within 4 years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
HJ 86	Marshall, D.	Constitutional amendment; Transportation Trust Fund	H Priv. & Elections	Left in H Priv. & Elections	Provides that the Transportation Trust Fund established in 1986 will be a permanent fund & receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. Amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements; public transportation; railways; seaports; and airports. The General Assembly may use fund proceeds for other purposes only by a 2/3 vote of the members in each house and, fund proceeds thus approved for other purposes must be repaid to the Fund within 3 years
<b>SJR</b>					
SJ 100	Newman	Constitutional amendment; Transportation Funds	H Priv. & Elections	Continued to 2011 by H Priv. & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. Amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3s + 1 of the members voting in each house, and the loan must be repaid with reasonable interest within 4 years.
SJ 137	Norment	Constitutional amendment; Transportation Funds	H Priv. & Elections	Continued to 2011 by H Priv & Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment requires Funds be appropriated only for transportation systems and projects. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan or reduction must be repaid with interest within 3 years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for certain debt service payments.
<b>Other Transportation Bills</b>					
<b>House</b>					
<b>Senate</b>					