

MINUTES  
NVTC COMMISSION MEETING – JANUARY 6, 2011  
NVTC CONFERENCE ROOM – ARLINGTON, VIRGINIA

The meeting of the Northern Virginia Transportation Commission was called to order by Chairman Hudgins at 8:02 P.M.

**Members Present**

Sharon Bulova  
Kelly Burk  
Barbara Comstock  
John Cook  
Thelma Drake  
Adam Ebbin  
William D. Euille  
Jay Fiset  
John Foust  
Jeffrey Greenfield  
Catherine Hudgins  
Mary Hynes  
Jeffrey McKay  
Paul Smedberg  
David F. Snyder  
Mary Margaret Whipple  
Christopher Zimmerman

**Members Absent**

Mark R. Herring  
Joe May  
Thomas Rust

**Staff Present**

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

Chairman Hudgins welcomed everyone to NVTC's new office location.

### Minutes of the December 2, 2010 NVTC Meeting

On a motion by Mrs. Bulova and a second by Mr. Smedberg, the commission unanimously approved the minutes. The vote in favor was cast by commissioners Bulova, Burk, Cook, Drake, Ebbin, Euille, Fissette, Foust, Greenfield, Hudgins, Hynes, Smedberg, Whipple and Zimmerman. Mr. McKay and Mr. Snyder abstained.

### VRE Items

Report from the VRE Operations Board and VRE Chief Executive Officer. Mr. Zehner reported that ridership for the month of December was 17,400 which was down slightly from November but can be explained because of the holidays. On-time performance for December was 92 percent for the Fredericksburg line and 85 percent for the Manassas line. Prince William County added another 180 parking spaces to the Broad Run station to address capacity issues. This parking lot is now the second largest parking lot in the VRE system. Design work has begun on a parking deck for this station. Mr. Zehner also stated that commissioners will be receiving individual invitations to VRE's legislative reception for House and Senate members to be held on January 26, 2011 in Richmond.

Approval of FY 2012 VRE Capital and Operating Budget, Revisions to the FY 2011 Budget and Master Agreement Amendment. Mrs. Bulova reported that the VRE Operations Board recommends approval of Resolution #2161, which would approve VRE's FY 2012 capital and operating budget as well as revisions to VRE's FY 2011 budget. For FY 2012 VRE would continue to operate 30 revenue trains each workday with projected average daily ridership of 17,350. There would be no fare increase and total jurisdictional subsidy would be reduced to \$15.9 million, down \$126,000 from FY 2011. With an amendment to VRE's Master Agreement, Alexandria and Arlington would no longer be required to increase their payments by five percent annually and could share in the overall subsidy reductions.

Mrs. Bulova explained that with passage by NVTC of Resolution #2161 (and similar action by PRTC), VRE's FY 2012 budget would be forwarded to participating and contributing jurisdictions for their consideration under the terms of the VRE Master Agreement. The amendment to the Master Agreement would also be forwarded to the jurisdictions for their action.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2161 (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Cook, Drake, Ebbin, Euille, Fissette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Extend CSXT Operating Agreement. Mrs. Bulova stated that the current operating agreement with CSXT needs to be extended through July 31, 2011 on the same terms while negotiations on a revised agreement continue. Resolution #2162 would accomplish this.

On a motion by Mrs. Bulova and a second by Mr. Smedberg, the commission unanimously approved the resolution (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Cook, Drake, Ebbin, Euille, Fisetete, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Extend Norfolk Southern Operating Agreement. Mrs. Bulova also reported that the agreement with Norfolk Southern needs to be extended. Resolution #2163 would extend the current operating agreement with Norfolk Southern through July 31, 2011 on the same terms while negotiations on a revised agreement continue.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2163 (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Cook, Drake, Ebbin, Euille, Fisetete, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Keolis Contract Modifications. Mrs. Bulova stated that the VRE Operations Board recommends approval of Resolution #2164, which would increase the contract with Keolis Rail Services Virginia LLC for operating and maintenance services by \$2,085,000 to a new total not to exceed \$20,544,348 through June 30, 2011. It also removes the requirement that Keolis indemnify VRE for all liability claims up to \$5 million, effective July 1, 2011. Several items are being added to the contract, including service enhancements and increased locomotive maintenance. Liability insurance costs are passed through to VRE and have been greater than anticipated, so VRE will remove the indemnification requirement and will rely on its own insurance coverage.

Mrs. Bulova moved, with a second by Mr. Smedberg, to approve Resolution #2164 (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Cook, Drake, Ebbin, Euille, Fisetete, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Whipple and Zimmerman. Mr. Snyder abstained.

### Election of Officers for 2011

Chairman Hudgins reported that NVTCs executive committee served as the nominating committee and has recommended the following slate of officers for 2011:

Chairman:	Bill Euille
Vice-Chairman:	Jay Fisetete
Secretary-Treasurer:	Jeff McKay

There were no other nominations. Mrs. Hynes moved, with a second by Mr. Zimmerman, to approve the slate of officers. The vote in favor was cast by

commissioners Bulova, Burk, Cook, Drake, Ebbin, Euille, Fisetle, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

Chairman Hudgins administered the oath of office to Mr. Euille, Mr. Fisetle and Mr. McKay. Commissioners congratulated the new officers.

Chairman Euille presented an award to Cathy Hudgins and thanked her for her outstanding service as NVTC chairman during 2010. He also announced that Mrs. Hudgins will be appointed to serve as the chairman of the WMATA Board for 2011. Mrs. Hudgins thanked NVTC's executive committee, staff and commissioners for working with her over the past year.

### Metro Items

Mr. Zimmerman clarified that he did not resign from the WMATA Board but completed his term on the Board.

Mrs. Hudgins reported that in November, the commission adopted a process and schedule for discussions with the Commonwealth on WMATA governance, funding and safety. All the scheduled meetings have occurred and a summary of the discussions has been drafted into a letter to be sent to Governor McDonnell. Work still needs to be done on reaching agreement on how to provide more Commonwealth participation in WMATA. The letter asks the Commonwealth to work with NVTC to develop a collaborative agreement but not at the expense of local representation.

Delegate Comstock arrived at 8:17 P.M. and joined the discussion.

Mrs. Hudgins moved, with a second by Senator Whipple, to authorize NVTC's chairman to sign and send the letter to the governor.

Mrs. Drake stated that the position of the Commonwealth is that there should be one principal representative from the Commonwealth and one from Fairfax County, one alternate from the City of Alexandria and one alternate from Arlington County on the WMATA Board.

Mr. McKay suggested a wording change on page two, paragraph four of the letter to begin with "In the interim, we will continue to work..." Mrs. Hudgins and Senator Whipple both agreed to include this friendly amendment. There were no objections.

Mrs. Burk observed that although it is a little bit early, Loudoun County will begin to participate soon with WMATA given the expansion of the Metro system in the Dulles Corridor. The county will expect that it will have a seat at the table once the county starts contributing funds. Chairman Euille replied that this has been noted and discussed as an issue that will need to be resolved.

Mr. Snyder stated that as he has watched this particular issue evolve and with his experience as a regular Metro rider for many years, as well as seeing other systems in other countries that are adequately funded, in his view, governance plus adequate funding equals safety. To deal with the issue of governance without dealing with adequate funding will fall far short of what the systems needs, the region needs, and what the Commonwealth needs. Any discussion that is not directly connected with increased funding will not provide a way for the Metro system to return to its first class status and provide the safety and reliability that riders have the right to expect. As a Metro rider, he has been asked to pay his fair share and has done so. As localities, they have paid their fair share. It appears to him that the shortfalls are at the state and federal levels. Therefore to deal with governance that is separate from discussions of increased funding from the state is a serious and tragic mistake. Mr. Snyder stated that funding is the number one significant issue and that, unless it is addressed, Metro's problems will not be solved. In his opinion, \$50 million annually from the Commonwealth is not an adequate amount.

Mr. Snyder suggested that the letter be changed so that the first sentence of the third paragraph reads: "The local government members of NVTC's board believe there is value in having the Commonwealth participate in the oversight of WMATA and welcome the Commonwealth as a partner in addressing various operating and capital challenges, including the safety, reliability, increased funding and long-term viability of the transit system on which our region and the Commonwealth so critically depend." The maker and seconder of the motion agreed to include this friendly amendment into the main motion. There were no objections.

Mrs. Hudgins stated that the letter conveys a clear message that funding is part of the solution. There needs to be a comprehensive discussion of all of these issues.

Mr. Cook stated that it is easy to demand that someone else pay more money. He suggests that if there is going to be a funding discussion then it is counter productive to say that the only discussion is that the Commonwealth needs to pay more. Everyone is facing funding challenges—federal, state and local governments. He asked about the status is of the Board of Trade study and any other discussions that are occurring. Mrs. Hudgins replied that the Board of Trade study has been completed and received by the WMATA Board.

Mr. McKay stated that the Riders Advisory Council has also issued a report and the Government Accounting Office will release its report in a few months. Mr. Cook expressed his hope that all of these entities are coordinating these discussions. Mr. McKay explained that many of the recommendations would require WMATA Compact amendments, which is a long process requiring an act of Congress. Mr. Cook asked if there is a way for NVTC to provide regular updates on these various discussions. Mr. McKay stated that the RAC and Board of Trade studies are available. Mrs. Hudgins noted that both studies have executive summaries. Mr. Taube responded to Mr. Cook's request stating that staff could provide regular updates. Mrs. Drake also noted that the signatories report will be released shortly and the Congressional Research Service's report (2010) is also informative.

Mr. Snyder stated that it would be interesting if WMATA could generate data on what funding it would need to maintain a high level of service. Also, what other states contribute to transit.

The commission then voted on the motion to send the letter to Governor McDonnell, incorporating the requested changes. The vote in favor was cast by commissioners Bulova, Burk, Cook, Ebbin, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman. Commissioners Comstock and Drake voted no. The motion passed.

### Selection of NVTC Representatives to Boards and Committees

Chairman Euille announced NVTC nominations for the WMATA, VRE and VTA boards:

#### WMATA Board:

Principals:	Cathy Hudgins Mary Hynes	Alternates:	Jeff McKay Bill Euille
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#### VRE Operations Board:

Principals:	Sharon Bulova John Cook Chris Zimmerman Paul Smedberg	Alternates:	Jeff McKay  Jay Fisette Rob Krupicka
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#### VTA Board:

Principals:	Chris Zimmerman Bill Euille	Alternates:	Jeff McKay Rick Taube
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#### NVTC Legislative Committee

William Euille  
Tom Rust  
Mary Margaret Whipple  
Catherine Hudgins  
Mary Hynes  
Jeff Greenfield  
Dave Snyder  
Kelly Burk

#### NVTC Executive Committee

Bill Euille (chairman)  
Jay Fisette (vice-chairman)  
Jeff McKay (secretary-treasurer)  
Mary Margaret Whipple  
(General Assembly)  
Mary Hynes (WMATA Board)  
Catherine Hudgins (immediate  
past chairman)

Mr. Taube explained that Resolution #2165 has been updated to reflect Jeff McKay serving as alternate for VTA replacing Senator Whipple. Mrs. Bulova noted that the Fairfax County Board of Supervisors does not meet until January 11, 2011, so the action would be contingent on county action.

Mrs. Hudgins moved, with a second by Mr. Zimmerman, to approve Resolution #2165 (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Cook, Comstock, Drake, Ebbin, Euille, Fissette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

#### Selection of NVTC Signatories and Pension Trustees

Mr. Taube explained that Resolution #2166 would establish that Mr. McKay, as NVTC's new secretary-treasurer, is eligible to sign NVTC documents (including financial transactions) and to serve as a trustee of NVTC's Employees' Pension Trust.

On a motion by Senator Whipple and a second by Mr. Smedberg, the commission unanimously approved the resolution (copy attached). The vote in favor was cast by commissioners Bulova, Burk, Cook, Comstock, Drake, Ebbin, Euille, Fissette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

#### Public Hearing on and Approval of NVTC's 2011 Work Program and Schedule

Mr. Taube stated that NVTC's draft work program and schedule have been posted on the website for a month for review by the public. Local staff discussed the work program in November and December.

Chairman Euille opened the meeting for public comment at 8:39 P.M.

Mr. Allen Muchnick, Board Member of the Virginia Bicycling Federation, stated that to get people out of their cars, the region needs to make it easier and safer to use other means of travel, including bicycles. He is glad to see that bicycle usage is a part of NVTC's work program. However, the WMATA Comprehensive Report on Bus and Pedestrian Access Improvement Study should be included. The study includes some very ambitious goals for bicycle usage and access to Metro. The study includes itemized bicycle recommendations for four case stations in Northern Virginia (Braddock, Huntington, Ballston and Vienna). NVTC staff and the MAC Advisory Group should review the formal report and look to help implement the recommendations.

Mr. Muchnick stated that in regards to VRE, there has not been much improvement for bicycle access to VRE stations. VRE's website needs more specific information about bike access and available storage. It would be helpful to include photos of bike rack and locker locations at the stations.

In response to a question from Delegate Ebbin, Mr. Zehner stated that VRE could add more bicycle information to its website. In response to a question from Delegate Comstock, Mr. Muchnick stated that having two to four bike lockers at each station would be a good start. Lockers are safer and more secure for serious bicyclists compared to bike racks.

Mr. Ed Tennyson, of Vienna, Virginia, thanked NVTC for its excellent work over many years. As to the Metro issues the region is facing, NVTC must work to restore good management at WMATA. The WMATA Board must not micro-manage but must set policies that are both constructive and feasible. They must realize that WMATA contends with government tax receipts that are way down and cannot pay exorbitant bills. Metrobus must be reorganized to be more efficient and cost effective. Metrobus costs \$1.24 per passenger mile in 2009 while Metro rail costs only \$0.48 per passenger mile, about the same as VRE. Mr. Tennyson suggested that NVTC and WMATA adopt more useful and meaningful transit data measures to see how well management is performing. Passenger-miles are the prime purpose so they must be measured and FTA requires it.

Mr. Tennyson also stated that NVTC should get a periodic report on the cost and revenue by passenger-mile for bus and rail separately. Merged together, they are meaningless. It is important to see a year-to-year comparison of costs and revenues, as well as passenger miles, cost per vehicle hour by bus and rail, with a peer group comparison (such as MBTA, MTA, SEPTA, L.A. and Chicago). He urged NVTC not to look at cost per passenger or cost per vehicle-mile because cost per hour is much more consistent. It is also important to receive reports on Metro on-time performance.

Mr. Robert Whitfield, of the Dulles Corridor Users Group, stated that it is time for NVTC to be radically restructured or merged into another entity. NVTC says it is a transportation commission but in reality it only promotes transit and doesn't talk about roads and highways. The needs of over 90 percent of the people in this region are not being served by NVTC. He stated that he will ask the General Assembly to investigate what can be done. He does not know how to restructure NVTC but the people living outside the Beltway need to be addressed. He stated that NVTC's website/tagline [www.thinkoutsidethecar.org](http://www.thinkoutsidethecar.org) should be changed.

Mr. Jesse Weiss, of Alexandria, Virginia, stated that in response to Mr. Whitfield's comments, the region will never be able to build enough lanes to keep up with people trying to drive to and from work and school. The region needs alternatives. With the projections of increased gasoline prices looming in the near future, people will be looking to transit more and more. He also observed that the Metro system feeds people into the District, but there needs to be connections for east to west transit travel. He encouraged commissioners to ride the system. Connections between transit services could be better coordinated.

Mrs. Bulova noted that NVTC's history and purpose is to serve as an advocate for transit. There are other organizations that deal with roads and transportation planning. She asked Mr. Taube to respond to Mr. Whitfield's comments. Mr. Taube explained that the General Assembly created NVTC and its objectives did not include transportation planning or operating transportation services. He stated that specialization is often a good thing and it works for NVTC. NVTC's mission statement accurately reflects what NVTC is doing and is consistent with the General Assembly's intent for NVTC:



To serve the public by providing a forum for elected officials to achieve an effective regional transportation network. Focusing primarily on transit, NVTC will develop strategies, identify funding sources, advocate for additional funding, prioritize allocations, oversee transit systems such as VRE and WMATA, measure and report transit performance and pursue new transit programs. NVTC will work to improve mobility, reduce traffic congestion, protect the environment and stimulate the regional economy by increasing transit and ridesharing use.

Chairman Euille closed the public hearing at 9:02 P.M.

Mr. Zimmerman moved, with a second by Mr. McKay, to approve the 2011 work program and schedule. The vote in favor was cast by commissioners Bulova, Burk, Cook, Comstock, Drake, Ebbin, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

#### FY 2012 NVTC Administrative Budget

Mr. Taube stated that the commission is asked to approve the FY 2012 budget. It is the same budget reviewed in September and local staff have reviewed it again in December. For FY 2012, NVTC staff is proposing a reduction in overall spending by 2.2 percent, with total expenditures dropping to \$1.195 million from \$1.221 million in the FY 2011 approved budget. A footnote has been added at the request of DRPT Director Drake to clarify where the state funds originate and flow.

Mrs. Bulova moved, with a second by Mrs. Hynes, to approve the NVTC FY 2012 budget. The vote in favor was cast by commissioners Bulova, Burk, Cook, Comstock, Drake, Ebbin, Euille, Fisette, Foust, Greenfield, Hudgins, Hynes, McKay, Smedberg, Snyder, Whipple and Zimmerman.

#### Legislative Items

Chairman Euille stated that NVTC's 2011 Legislative Agenda has been widely distributed to General Assembly members and other interested parties. Mr. Taube reported that Congress extended the \$230 monthly tax-free transit benefit through calendar year 2011.

#### Regional Transportation Items

Governor's Multimodal Strategic Plan. VTrans 2035 is the current Virginia statewide transportation plan and this strategic plan describes how VTrans 2035 will be implemented by the McDonnell administration.

Pentagon Transit Center Briefing. On December 8, 2010, a briefing for transit staff was held at the Pentagon to describe the status of ongoing security improvements and to anticipate the impacts on transit operators and their customers. Transit staff provided comments that Pentagon staff agreed to consider.

NVTC Financial Items for November, 2010

Commissioners were provided with the financial report and there were no questions.

Adjournment

Chairman Euille reminded commissioners that NVTC's joint meeting with NVTA will be held in Richmond on February 3<sup>rd</sup> in the General Assembly Building from 5:30 – 6:30 P.M. Mr. Smedberg asked staff to send an email to remind commissioners of the change in location and time.

Without objection, Chairman Euille adjourned the meeting at 9:06 P.M.

Approved this 3<sup>rd</sup> day of February, 2011.

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William D. Euille  
Chairman

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Jeffrey McKay  
Secretary-Treasurer

# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2161

**SUBJECT:** FY 2012 VRE Budget, FY 2011 Budget Revisions and Master Agreement Amendment.

**WHEREAS:** The VRE Master Agreement requires that the commissions be presented with a fiscal year budget for their consideration at their respective January meetings prior to the commencement of the subject fiscal year;

**WHEREAS:** The VRE Operations Board has recommended a FY 2012 budget reviewed by the jurisdictional chief administrative officers task force in cooperation with VRE staff;

**WHEREAS:** The VRE Operations Board has recommended revisions to the FY 2011 budget; and

**WHEREAS:** The VRE Operations Board has recommended an amendment for the VRE Master Agreement.

**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission approves the revised FY 2011 and proposed FY 2012 VRE Operating and Capital Budgets recommended by the VRE Operations Board and authorizes staff to forward the FY 2012 budget to the local jurisdictions for inclusion in their budgets in accordance with the Master Agreement.

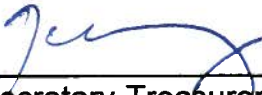
**BE IT FURTHER RESOLVED** that NVTC also authorizes the executive directors of both PRTC and NVTC to submit to the Transportation Planning Board of the National Capital Region and to the Federal Transit Administration or other federal agencies, the appropriate Transit Improvement Program and grant applications for FY 2011 and FY 2012.


**BE IT FURTHER RESOLVED** that NVTC also authorizes its executive director to submit to the commonwealth the approved budget as part of the FY 2012 VRE state aid grant applications.



**BE IT FURTHER RESOLVED** that NVTC approves an amendment to Sections VIII A(1)(a) and (b) of the VRE Master Agreement to no longer require Alexandria and Arlington to increase their local VRE subsidies by five percent annually, by striking "...by a factor of 5%" and adding "adjusted upwards or downwards each year by the same percentage of change as the total subsidy allocated among the PARTICIPATING JURISDICTIONS."

Approved this 6<sup>th</sup> day of January, 2011.

  
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Secretary-Treasurer

  
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Chairman



# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2162

**SUBJECT:** Extend CSXT's Operating Agreement.

**WHEREAS:** The commissions currently have an amended operating/access agreement with CSXT relating to VRE operations in the Fredericksburg to Washington corridor, with said agreement ending on January 31, 2011;

**WHEREAS:** Staff is currently engaged in ongoing discussions with CSXT concerning a new agreement and does not anticipate conclusion of these discussions prior to the expiration of the amended operating/access agreement;

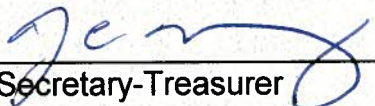
**WHEREAS:** A proposal to extend the existing agreement to July 31, 2011, without any changes, is expected from CSXT;

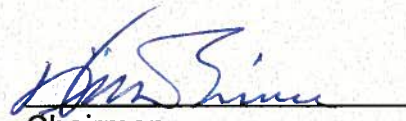
**WHEREAS:** The purpose of this extension is to allow time to negotiate and resolve the outstanding liability issues relating to a new agreement; and

**WHEREAS:** Necessary funding has been incorporated into the FY 2011 and FY 2012 VRE budgets to allow VRE to continue its operations over CSXT tracks via this contract extension.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute an extension of the existing amended operating/access agreement with CSXT to July 31, 2011.

Approved this 6<sup>th</sup> day of January, 2011

  
Secretary-Treasurer

  
Chairman



# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2163

**SUBJECT:** Extend Norfolk Southern's Operating Agreement.

**WHEREAS:** The commissions currently have an amended operating/access agreement with Norfolk Southern relating to VRE operations in the Manassas to Washington corridor, with said agreement ending on January 31, 2011;

**WHEREAS:** Staff is currently engaged in ongoing discussions with Norfolk Southern concerning a new agreement and does not anticipate conclusion of these discussions prior to the expiration of the amended operating/access agreement;

**WHEREAS:** A proposal to extend the existing agreement to July 31, 2011, without any changes, is expected from Norfolk Southern;


**WHEREAS:** The purpose of this extension is to allow time to negotiate and resolve the outstanding liability issues relating to a new agreement; and

**WHEREAS:** Necessary funding has been incorporated into the FY 2011 and FY 2012 VRE budgets to allow VRE to continue its operations over Norfolk Southern tracks via this contract extension.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to execute an extension of the existing amended operating/access agreement with Norfolk Southern to July 31, 2011.

Approved this 6<sup>th</sup> day of January, 2011.

  
Secretary-Treasurer

  
Chairman





# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2164

**SUBJECT:** Keolis Contract Modification.

**WHEREAS:** In November, 2009 the commissions approved a contract with Keolis Rail Services Virginia for VRE operating and maintenance services and mobilization in the amount of \$18,459,348 through June 30, 2011;

**WHEREAS:** The contract approval did not include funding for a contingency or for proposed service enhancements;


**WHEREAS:** Authorization is now being sought to modify the contract value to accommodate these and other items; and

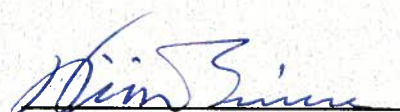
**WHEREAS:** The requirement that the contractor indemnify VRE for the first \$5,000,000 in claims arising from the contract services has been found not to be cost effective and is also proposed for modification.

**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to increase the contract with the Keolis Rail Services Virginia for operating and maintenance services and mobilization by \$2,085,000 for a total amount not to exceed \$20,544,348 through June 30, 2011.

**BE IT FURTHER RESOLVED** that NVTC authorizes the VRE Chief Executive Officer to remove the requirement that the contractor indemnify VRE for the first \$5,000,000 in claims arising from the contract services, effective July 1, 2011.

Approved this 6<sup>th</sup> day of January, 2011.

  
Secretary-Treasurer

  
Chairman





**RESOLUTION #2165**

**SUBJECT:** Selection of NVTC Representatives to Various Boards.

**WHEREAS:** NVTC is empowered to make appointments for the Board of Directors of the Washington Metropolitan Area Transportation Authority, the Virginia Railway Express and the Virginia Transit Authority;

**WHEREAS:** Some of NVTC's jurisdictions may not formally appoint their NVTC members prior to NVTC's January meeting and some may not be ready with recommendations; and

**WHEREAS:** A group of NVTC members is meeting periodically to discuss WMATA governance, funding and safety and may be ready at some point in the next few weeks or months with revised recommendations on Metro Board membership.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Northern Virginia Transportation Commission hereby appoints the following persons to various boards, contingent upon possible subsequent action by NVTC's jurisdictions to alter their NVTC members for 2011 and their recommendations for members of the various boards, and contingent on potential subsequent action by the commission to implement recommendations to revise the Virginia membership of the WMATA Board.

**BE IT FURTHER RESOLVED THAT** the contingent appointments for 2011 are:

WMATA Board:

Principals

Hon. Cathy Hudgins  
Hon. Mary Hynes

Alternates

Hon. Jeff McKay  
Hon. Bill Euille

VRE Board:

Principals

Hon. Sharon Bulova  
Hon. John Cook  
Hon. Chris Zimmerman  
Hon. Paul Smedberg

Alternates

Hon. Jeff McKay  
  
Hon. Jay Fisette



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**RESOLUTION #2165 cont'd**

VTA Board:

Principals

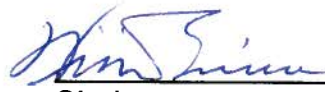
Hon. Chris Zimmerman  
Hon. Bill Euille

Alternates

Hon. Jeff McKay  
Rick Taube

Approved this 6<sup>th</sup> day of January, 2011.

  
Secretary-Treasurer

  
Chairman

# NVTC

Northern Virginia Transportation Commission

## RESOLUTION #2166

**SUBJECT:** Designation of NVTC Signatories and Pension Trustees.

**WHEREAS:** The Honorable Jeffrey McKay has been elected Secretary-Treasurer of NVTC for 2011; and

**WHEREAS:** NVTC desires that the person holding the office of Secretary-Treasurer be designated as an official signatory as well as a pension trustee.

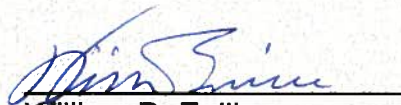
**NOW, THEREFORE BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby selects the following persons to serve as NVTC signatories (who are eligible to sign individually for any transaction of less than \$5,000 and with one other signatory for transactions of \$5,000 or greater):

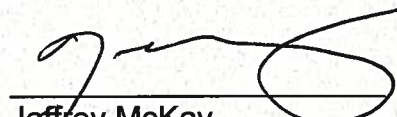
Hon. Jeffrey McKay  
Richard K. Taube  
Scott C. Kalkwarf

Secretary-Treasurer  
Executive Director  
Director of Finance and Administration

**BE IT FURTHER RESOLVED** that the individuals listed above shall serve as NVTC employees' pension trustees, with the addition of NVTC's Assistant Financial Officer, Colethia Quarles.

Approved this 6<sup>th</sup> day of January, 2011.

  
William D. Euille  
Chairman

  
Jeffrey McKay  
Secretary-Treasurer

