

MINUTES
NVTC COMMISSION MEETING – JUNE 3, 2021
Via Electronic Participation
Public Streaming via YouTube

The meeting of the Northern Virginia Transportation Commission was called to order by Chair Cristol at 7:00 p.m.

Members Present via Electronic Participation

Canek Aguirre
Walter Alcorn
Katie Cristol
Matt de Ferranti
Adam Ebbin
Eileen Filler-Corn
John Foust
Libby Garvey
Paul Krizek
Matt Letourneau
Jeff McKay
David Meyer
Dalia Palchik
David Reid
Paul Smedberg
David Snyder
Mike Turner
James Walkinshaw

Members Not Present

John J. Bell
Elizabeth Bennett-Parker
Richard Sullivan

Staff Present via Electronic Participation

Kate Mattice, Executive Director	
Andrew D’huyvetter	Zachary Smith
Allan Fye	Aimee Perron Siebert
Rhonda Gilchrest	Melissa Walker
Dan Goldfarb	Steve MacIsaac (legal counsel)
Patricia Happ	Rich Dalton (VRE)
Scott Kalkwarf	Greg Potts (WMATA)
Ben Owen	Tim Roseboom (DRPT)

Opening Remarks

Chair Cristol welcomed everyone to the June 3, 2021 NVTC meeting. She stated that given the ongoing COVID-19 public health emergency, the meeting is being conducted electronically. This is possible because the governor signed into law on April 22, 2020 a legislative amendment to the budget bill to allow public bodies to meet electronically without a physical quorum present to discuss or transact the business statutorily required or necessary to continue operations of that public body. NVTC staff followed the procedures and guidelines in the legislation to give notice to the Commission, staff and the public.

Chair Cristol reviewed the procedures and instructions for the electronic meeting, including that all votes will be conducted by roll call vote. The only visual component of the meeting is the presentation slides which are being shown on Webex for Commissioners and on YouTube livestream for the public. Commission Secretary Rhonda Gilcrest then called the roll and confirmed a quorum was present.

Chair Cristol stated that for tonight's meeting she suggests several block votes. She proposed that following separate votes on the consent agenda and minutes, the Commission will hear each of the staff presentations for action items 4A, 5 and 6 and then vote those actions as a block. There would also be another block vote for the five VRE action items. Commissioners had no objections to this approach.

Chair Cristol also provided an update on the July meeting. She stated that based upon the feedback of Commissioners, NVTC will aim to hold the July 1st Commission meeting in-person at the NVTC conference space with public and staff continuing to watch via YouTube. There will be a WebEx option, but Commissioners were encouraged to come in-person. If the governor's executive order on the state of emergency is modified, NVTC may need to have an in-person quorum.

Consent Agenda

Chair Cristol stated that there is one action on the Consent Agenda to approve Resolution #2446: Finding Need to Conduct the June 3, 2021 NVTC Meeting Electronically.

Before the vote, Ms. Mattice reported that one comment was received and provides support for NVTC's efforts to further the Envision Route 7 Bus Rapid Transit. She noted that the Commission will be taking action on the next phase of study on the Route 7 BRT corridor later in the agenda. The comment was provided to Commissioners prior to the meeting.

Mr. Aguirre moved, with a second by Mr. Reid, to approve the Consent Agenda.

The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Foust, Garvey, Krizek, Letourneau, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Turner and Walkinshaw. (Ms. Filler-Corn did not participate in the vote.) (A copy of Resolution #2446 is attached.)

Minutes of the May 6, 2021 NVTC Commission Meeting

Mr. Ebbin moved, with a second by Mr. Smedberg, to approve the minutes of the May 6, 2021 meeting. The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Filler-Corn, Foust, Garvey, Krizek, Letourneau, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Turner and Walkinshaw.

Commuter Choice

Chair Cristol stated that there is one Commuter Choice action to approve Resolution #2447: Approve the Commuter Choice on the I-395/95 Corridor Round Two Program of Projects for Submission to the Commonwealth Transportation Board and Authorize the Executive Director to Execute the Standard Project Agreements.

Ms. Mattice reminded Commissioners that staff presented the Commission with the proposed list of projects of the second round of I-395/95 Commuter Choice funding at its May meeting. NVTC received a total of 40 comments during the public comment period; all supported one or more of the projects being proposed. The action would formally approve the proposed list of 13 projects and NVTC oversight and administration funding, totaling \$22.7 million in Commuter Choice funding. The recommended Program of Projects is as follows:

Recommended Program of Projects for Round Two (FY 2022-FY 2023) Funding for Commuter Choice on the I-395/95 Corridor			
	Project Name	Applicant	Funding Request
1	Renewal of Enhanced Bus Service from Dale City to Ballston	OmniRide	\$291,831
2	New Park and Ride Lot in Massaponax	Spotsylvania Co.	\$1,100,000
3	Renewal of Route 396 Express Bus Service: Backlick North Park and Ride to Pentagon	Fairfax County	\$1,386,000
4	Renewal of Bus Service from Staffordboro to the Pentagon	OmniRide	\$704,773
5	Renewal of Bus Service from Staffordboro to Downtown D.C.	OmniRide	\$968,308
6	Enhanced Bus Service from Van Dorn Metro to the Pentagon	DASH	\$5,734,000
7	Renewal of Enhanced Bus Service on Route 1 Local: Quantico to Woodbridge VRE	OmniRide	\$541,169
8	Renewal of Enhanced Bus Service on Prince William Metro Express: OmniRide Transit Center to Franconia-Springfield Metro	OmniRide	\$434,776
9	New Bus Service from Route 208 Park and Ride Lot to Fredericksburg VRE	FRED Transit	\$1,218,800
10	Enhanced Bus Service from Mark Center to Potomac Yard	DASH	\$3,650,000
11	TDM Strategy-- I-395/95 Corridor Vanpool Monthly Incentive	OmniRide	\$604,800
12	Enhanced Bus Service for Route 371: Lorton to Franconia - Springfield Metro Station	Fairfax County	\$2,496,529
13	Horner Road Park and Ride Lot Expansion	Prince William Co.	\$2,800,000
	<i>Program Administration and Oversight for FY 2022-FY 2023</i>	NVTC	<i>\$800,000</i>
		TOTAL	\$22,730,986

Joint Commission Working Group Chair McKay thanked the working group for meeting and having a good discussion and great collaboration with PRTC. He also acknowledged staff's expert work on evaluating the projects and working with the jurisdictional partners.

Chair Cristol reminded Commissioners that the Commission will take action as a block vote at the conclusion of Agenda Item #6.

NVTC FY 2022 General and Administrative Budget and Work Plan

Chair Cristol reminded Commissioners that they acted earlier in the year to delay the approval of the budget and Work Plan due to the uncertainties surrounding the current environment and jurisdictions' own budgets resulting from the pandemic. She reminded the Commission that staff presented the budget and Work Plan at the May meeting.

Ms. Mattice stated that the Commission is asked to approve the FY 2022 General and Administrative Budget and Work Plan. The budget was developed with a conservative approach to maintain a near zero growth in budget while covering our fixed costs and ensuring we had the resources to retain our strong professional staff. The details of the budget request and justifications for each line item are included in the meeting materials as well as the FY 2022 Work Plan.

There were no questions from Commissioners. Chair Cristol reminded Commissioners that the Commission will take action as a block vote at the conclusion of Agenda Item #6.

Revisions to the NVTC Electronic Participation Policy to Align with Current Law

Ms. Mattice explained that NVTC has an electronic participation policy that governs how and when Commissioners can participate remotely. The policy aligns with the Freedom of Information Act (FOIA) and open meeting legislation for public bodies. The policy needs to be revised to reflect changes in these laws enacted during the 2021 General Assembly Session. The proposed NVTC Electronic Participate Policy has been updated to reflect the following changes, which would go into effect July 1, 2021:

- Adds the addition of an allowable circumstance if a member is unable to attend the meeting due to a family member's medical condition.
- Clarifies that electronic participation is limited to two meetings per calendar year OR 25% of the meetings, whichever is greater. For NVTC this means that each Commissioner can participate remotely for two Commission or Committee meetings per year for any personal reason.
- Adds language regarding electronic participation during a local declared state of emergency.

In response to a question from Mr. Ebbin, Ms. Perron Siebert confirmed that allowable circumstances for a family member's medication condition is an unlimited number. Chair Cristol

acknowledged Ms. Bennett-Parker for her hard work to spearhead getting the legislative changes for family medical conditions.

Chair Cristol called for a motion for a block vote. Mr. McKay moved, with a second by Mr. Reid, to approve the following actions:

- Approve Resolution #2447: Approve the Commuter Choice on the I-395/95 Corridor Round Two Program of Projects for Submission to the Commonwealth Transportation Board and Authorize the Executive Director to Execute the Standard Project Agreements
- Approve the FY 2022 General and Administrative Budget and Work Plan
- Approve the Revisions to the NVTC Electronic Participation Policy

The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Filler-Corn, Foust, Garvey, Krizek, Letourneau, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Turner and Walkinshaw. (A copy of Resolution #2447 is attached.)

Transit Resource Center

Request for Proposals for Envision Route 7 Phase IV Mobility Analysis Study. Ms. Mattice reminded Commissioners that staff provided an overview at the May meeting of the planned regional Bus Rapid Transit for the Route 7 corridor. The Commission is being asked to authorize staff to issue a Request for Proposals (RFP) Envision Route 7 Phase IV Mobility Analysis Study. The project, funded by the Department of Rail and Public Transit (DRPT) with local contributions by Arlington County, Fairfax County, City of Alexandria and City of Falls Church, will provide a key next step in the project planning process. The study will focus on Tysons to Seven Corners and will determine the travel time benefits of travelers provided by the BRT; understand the traffic impacts of a BRT in both dedicated and mixed traffic lanes; and include a comprehensive public outreach and stakeholder engagement process for people who live and work along the corridor. Staff will bring the contract award back for Commission approval and work is anticipated to start in the fall.

Mr. Snyder stated that this project will improve equity and the environment, as well as provide assistance to the businesses and communities throughout the BRT corridor. He thanked NVTC staff and all the local elected officials for supporting this project.

Mr. Snyder moved, with a second by Mr. Foust, to authorize the executive director to issue an RFP for the Envision Route 7 Phase IV Mobility Analysis Study. The vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Foust, Garvey, Krizek, Letourneau, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Turner and Walkinshaw. (Ms. Filler-Corn did not participate in the vote.)

Washington Metropolitan Area Transit Authority

Report from Virginia WMATA Board Members. Mr. Smedberg reported that the end of May marked the completion of Virginia's portion of the Platform Improvement Project with the re-opening of the Arlington Cemetery Station. This summer the platform reconstruction work will move to Maryland with the reconstruction of four rail stations north of Fort Totten on the Green and Yellow Lines.

Mr. Smedberg stated that the WMATA Finance and Capital Committee convened on June 2 to discuss different service changes and fare options for the full WMATA Board to consider as restrictions begin to lift around the region and schools and employers make plans for the fall. Specifically, the Board members were asked to consider what level of service should Metro provide and should service look different from before the pandemic; how should WMATA balance revenue, ridership, and equity goals; and how should federal relief funds be applied through FY 2024.

Mr. Smedberg stated that WMATA staff presented the committee with information on various travel trends that informed their proposals. According to WMATA staff, data and ridership surveys indicate continued uncertainty about the future of commuting patterns and travel during peak periods. To encourage riders to return to transit, staff proposed improving frequencies on rail and bus throughout the day. For Metrorail, staff proposed extended rail hours to midnight, 7 days a week and eventually extending Friday and Saturday hours to 1:00 a.m.; running eight-car trains; and 5- to 10-minute headways during the traditional rush hour periods and 12-minute headways throughout the day. For Metrobus, WMATA staff proposed to restore additional bus routes and improved frequencies of 12 minutes or less on 20 lines and 20 minutes or less on 16 lines.

Mr. Smedberg noted that the majority of restored Metrobus routes will be in Maryland and D.C., but the Virginia WMATA Board members have communicated the lack of restored service for Virginia. If there are additional routes that the jurisdictions would like restored, they should communicate this to him or Mr. Letourneau before WMATA staff makes a final recommendation to the Board on June 10.

Mr. Smedberg also reviewed some of the proposed fare changes that were deferred from the original FY 2021 budget for the WMATA Board to consider. The deferred fare changes could take effect this fall if approved at the June 10 meeting. Longer term, staff asked the Board to consider broader changes to the fare structure such as creating a zone fare structure, developing group or family passes, lowering the minimum or maximum fare on rail, and low-income fare passes.

Mr. Letourneau gave an overview of WMATA's ridership projections, which include a projection of a 50-55% return to pre-COVID levels in FY 2023 and 70-75% return in FY 2024. In his opinion, the FY 2023 projections are reasonable, but he is not sure that type of growth will happen between FY 2023 and FY 2024. He has asked WMATA staff to do more analysis on this. He noted that under these ridership scenarios it is anticipated there will be an operating deficit in FY 2024 (approximately \$190 - \$240 million) even after applying the remainder of COVID relief federal funding. As discussions continue about fare reductions and service changes, Mr. Letourneau

stated that it is important to recognize there are costs associated with those changes. He provided more information about potential fare strategies and the timing of implementation. Chair Cristol observed that if Commissioners have strong opinions on the direction WMATA is taking on fares, they should participate in the NVTC WMATA Committee meeting.

Chair Cristol thanked Mr. Smedberg and Mr. Letourneau for their advocacy and collaboration with jurisdictional staff concerning the briefing of bus routes in Maryland and the District where service is increasing before unfreezing Northern Virginia Metrobus routes. Virginia has an interest in fairness and bringing back service. Ms. Garvey thanked both WMATA Board members regarding the bus issue especially for advocating for the Route 16Y service. She noted that if the region wants to get people back to using transit, it needs to be convenient for them. She also stated that this could be the time to relook at fare structure.

Mr. Smedberg also acknowledged WMATA staff for their help in resolving the bus issue. Mr. Letourneau stated that he has submitted a request to WMATA to reactivate several routes that are highest priority for the Virginia jurisdictions, which would be restored in two waves (September and then in December 2021). Mr. Alcorn stated that NVTC needs to keep an eye on the disconnect of Metrobus service levels and subsidies, with Maryland and the District getting more service restoration than Virginia. Hopefully, it will begin to balance out. He also asked if projections have been updated on such things as the bus transfer proposal. Mr. Smedberg noted that some analysis has been done and Mr. Letourneau stated that he hopes the WMATA Board will see more detailed information next week. Mr. Smedberg stated that the ultimate goal is to move towards a more seamless system between bus and rail, as well as regional services. With the help of Mr. D'huyvetter, Mr. Letourneau was able to confirm that the budget projections for the full transfer discount would be \$4.9 million for FY 2022. Commissioners also had a discussion about the process of ridership projections and equity issues related to the Silver Line Phase 2.

Report from the Chair of the NVTC WMATA Committee. WMATA Committee Chair Aguirre stated that at the May 20 WMATA Committee meeting, the committee received an update on staff's approach to the 2021 Annual Report on the Performance and Condition of WMATA as well as staff's upcoming work on the 3% Cap Working Group companion document. The committee was supportive of staff's approach for the 2021 annual report but stressed that it will be important to approach this report with a lot of flexibility since the region is entering into a post-COVID recovery period. Mr. Aguirre announced that the next WMATA Committee is scheduled for June 30, where the committee will continue its discussions on the 2021 annual report, get an update from the 3% cap working group's work for 2021, as well as updates from WMATA Board members. He encouraged all Commissioners to attend.

Transit Technology Program

NVTC Transit Technology Program Manager Patricia Happ gave an update. She stated that NVTC and its partners have worked hard over the past several months regarding fare boxes, mobile payments and SmarTrip application improvements. NVTC has assisted partners with over 120 farebox equipment upgrades; assisted with new procurement of new fareboxes which will be available in 2022; and assisted with on-board, garage and off-board equipment. The SmarTrip

app for the iPhone and Apple Watch was released in 2020. The Google Play/Android app is in the testing phase and should be available in the near future. Miss Garvey asked about rear door boardings. Ms. Happ replied that part of the new farebox procurement includes rear door validators, which will be available starting next summer.

Virginia Railway Express

Chair Cristol stated that there are five VRE actions items this month, which will be voted on as a block vote. There were no objections. Since Ms. Bennett-Parker was unable to join the meeting, Chair Cristol asked Mr. Dalton to also introduce the action items after his CEO Report.

VRE CEO Report. Mr. Dalton reported that VRE ridership continues to increase. VRE is seeing average daily ridership numbers above 2,000 with an estimated increase of 75 new riders a day. On June 1 VRE returned to a full schedule. Systemwide on-time performance for the month of May was 87%. Most of the delays happened in the last two weeks of May and were the result of random reasons and not systemic problems. Reasons for delays include signal outages, weather related incidents, one mechanical issue, interference from Amtrak and the freight railroads, and maintenance-of-way work by the host railroads. VRE staff meets every morning with the host railroads (Norfolk Southern, Amtrak, and CSX) and its operator (Keolis) to review delays and look for opportunities for improvement. Mr. Dalton also announced that VRE will participate in the 26th annual Heritage Railway Festival in the City of Manassas on June 5. VRE will not run excursion trains but will have a railcar on display.

VRE Contract for Maintenance Services. Mr. Dalton stated that the Commission is asked to approve Resolution #2448 to authorize the VRE Chief Executive Officer to amend the contract for Maintenance Services for Commuter Rail with Keolis Rail Services Virginia, LLC (KRSV) by approving the first five-year option period and approving up to \$8,980,774 for the first year of the first option period, for a total contract value not to exceed \$48,901,626 through June 30, 2022.

VRE Contract for Operating Services. Mr. Dalton stated that the Commission is asked to approve Resolution #2449 to authorize the VRE Chief Executive Officer to execute an amendment for the second year of the second option period of the Contract for Operating Services for Commuter Rail with Keolis Rail Services Virginia, LLC, by approving up to \$16,787,500 for the second year of the second option period, for a total contract value not to exceed \$212,790,557 through June 30, 2022.

VRE Railcar Purchase. Mr. Dalton stated that the Commission is asked to approve Resolution #2450 to authorize the VRE Chief Executive Officer to execute a contract with Alstom Transportation Inc. of New York, New York, for 21 new passenger railcars in the amount of \$80,594,822, plus a 5% contingency, for a total amount not to exceed \$84,624,563. The contract will be for the design, manufacture, and delivery of a base order of 21 new multilevel passenger railcars.

VRE Right-of-Way Easement Agreement. Mr. Dalton stated that the Commission is asked to approve Resolution #2451 to authorize the VRE CEO to enter into a Right-of-Way Easement Agreement with the Rappahannock Electric Cooperative (REC) for an electric utility easement at Crossroads Maintenance and Storage Facility for the Lifecycle Overhaul and Upgrade Facility Electric Service.

VRE Amended FY 2022 Operating Budget. Mr. Dalton stated that the Commission is asked to approve Resolution #2452 to adopt the amended FY 2022 VRE Operating Budget. The budget was originally adopted by the Commissions in January 2021. Since that time, the federal government has approved additional pandemic relief funds for transit providers, and VRE is incorporating a portion of these revenues into the FY 2022 Operating Budget. Total planned expenditures in FY 2022 are unchanged, and the budget remains balanced, with all expenditures funded by reasonably expected revenue sources. The budget will eliminate the operating portion of the \$18.3 million total jurisdictional subsidy. The pandemic relief funding will offset the operating portion of the subsidy, which represents approximately 74% of the total or \$13.5 million. VRE will not seek track access fee reimbursement from the Commonwealth in FY 2022. The pandemic relief funds will offset \$15.6 million of state reimbursements.

Mr. Dalton explained that if the amended budget is approved by the Commissions, the jurisdictions can make their first-half FY 2022 subsidy contributions to VRE on July 1, 2021, at the lower amended amount.

The Commission then watched a two-minute video about the new railcars.

Chair Cristol called for a motion for the block vote for the five VRE actions. Mr. Walkinshaw moved, with a second by Mr. Reid, to approve the following block of actions:

- Approve Resolution #2448: Authorize the VRE CEO to Execute an Amendment for the First Year of the First Option Period of the Contract for Maintenance Services for Commuter Rail with Keolis Rail Services Virginia, LLC
- Approve Resolution #2449: Authorize the VRE CEO to Execute an Amendment for the Second Year of the Second Option Period of the Contract for Operating Services for Commuter Rail with Keolis Rail Services Virginia, LLC
- Approve Resolution #2450: Authorize the VRE CEO to Execute a Contract with Alstom Transportation Inc. of New York, New York, for 21 New Passenger Railcars
- Approve Resolution #2451: Authorize the VRE CEO to Enter into a Right-of-Way Easement Agreement with the Rappahannock Electric Cooperative (REC) for an Electric Utility Easement at Crossroads Maintenance and Storage Facility for the Lifecycle Overhaul and Upgrade (LOU) Facility Electric Service
- Approve Resolution #2452: Adopt the Amended FY 2022 VRE Operating Budget

The block vote was conducted by a roll call vote and the motion passed. The vote in favor was cast by Commissioners Aguirre, Alcorn, Cristol, de Ferranti, Ebbin, Filler-Corn, Foust, Garvey, Krizek, Letourneau, McKay, Meyer, Palchik, Reid, Smedberg, Snyder, Turner and Walkinshaw. (Copies of the resolutions are attached.)

DRPT Report

Chair Cristol stated that since DRPT Director Mitchell was unable to attend tonight's meeting, she asked Mr. Roseboom to give the DRPT Report. Mr. Roseboom stated that DRPT is receiving public comment on the Transit Ridership Incentive Program (TRIP) until June 18. DRPT anticipates issuing the FY 2022 call for projects in July. DRPT plans to brief NVTC on the TRIP program at the July 1 meeting. He also reported that the Virginia Passenger Rail Authority passed its FY 2022 budget and authorized its executive director to sign the CSX agreements.

Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter. She reviewed upcoming meetings and noted that the NVTC WMATA Committee is scheduled to meet on June 30 at 6:00 p.m. The next Commission meeting will be Thursday, July 1st at 7:00 p.m. NVTC will have the honor of Rep. Don Beyer joining the Commission at the beginning of the meeting to share some remarks. The rest of the meeting will be focused on presentations and discussions on NVTC's reduced- and zero-fare white paper which will include policy considerations and funding opportunities. The July Commission meeting will provide the first opportunity for Commissioners to meet in person at NVTC's offices (first floor conference room) as well as provide access via WebEx. If the Governor's executive order on the state of emergency is lifted, NVTC will be returning to in-person meetings. Staff will be happy to provide accommodations to those Commissioners who may need to join remotely in accordance to the new electronic meeting policy passed this evening.

Ms. Mattice noted that the Financial Report for April 2021 was provided to Commissioners in their meeting materials. There were no questions from Commissioners.

Adjournment

Without objection, Chair Cristol adjourned the meeting at 8:17 p.m.

Approved this 1st day of July 2021.

Katie Cristol
Chair

Dalia Palchik
Secretary-Treasurer



RESOLUTION #2446

SUBJECT: Finding Need to Conduct the June 3, 2021 Meeting Electronically

WHEREAS: On March 12, 2020, the Governor of Virginia declared a state of emergency in Virginia in response to the spread of novel coronavirus, or COVID-19, a communicable disease of public health threat as so declared by the State Health Commissioner on February 7, 2020 ("COVID-19");

WHEREAS: In subsequent Executive Orders, particularly Executive Order Nos. 53 and 55, as amended, the Governor of Virginia, among other measures designed to ensure safe physical distancing between individuals, prohibited public and private in person gatherings of 10 or more individuals and ordered all individuals in Virginia to remain at their place of residence, with limited exceptions, to mitigate the impacts of COVID-19 and prevent its spread;

WHEREAS: The Northern Virginia Transportation Commission finds that it has a responsibility to demonstrate to the public, through the Commission's conduct, the importance of maintaining proper physical distance from others and to avoid gathering in public where the risks of infection are highest, and to take measures that promote physical distancing in order to protect the public health and mitigate the impacts and spread of COVID-19, including, among others, conducting meetings electronically whenever possible;

WHEREAS: On April 22, 2020, the Virginia General Assembly adopted, and the Governor signed, budget bill amendments to HB 29 that expressly authorize "any public body, including any state, local, [or] regional body" to "meet by electronic means without a quorum of the public body . . . physically assembled at one location when the Governor has declared a state of emergency . . . , provided that (i) the nature of the declared emergency makes it impracticable or unsafe for the public body . . . to assemble in a single location; (ii) the purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operations of the public body . . . and the discharge of its lawful purposes, duties, and responsibilities" among other provisions; and

WHEREAS: Several member jurisdictions of the Northern Virginia Transportation Commission have adopted continuity of government ordinances pursuant to Va. Code Ann. § 15.2-1413 which ordinances, among other provisions, authorize regional bodies of which the locality is a member may meet electronically to transact business essential to the continuity of government.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby finds that meeting by electronic means is authorized because the nature of the declared emergency makes it both impracticable and unsafe for the Commission

to assemble in a single location on June 3, 2021, to discuss and transact the business of the Commission listed on the June 3, 2021 Commission Meeting Agenda.

BE IT FURTHER RESOLVED that NVTC that hereby finds that meeting by electronic means is authorized because the items on the June 3, 2021 Commission Meeting Agenda are statutorily required or necessary to continue operations of the Commission and the discharge of the Commission's lawful purposes, duties, and responsibilities.

BE IT FURTHER RESOLVED that NVTC hereby finds that the items on the June 3, 2021 Commission Meeting Agenda are encompassed within the continuity of operations ordinances adopted by several member localities of the Northern Virginia Transportation Commission as essential to the continued operation of the government during the disaster posed by the public health emergency resulting from COVID-19.

Approved this 3rd day of June 2021.



Katie Cristol
Chair



Dalia Palchik
Secretary-Treasurer



RESOLUTION #2447

SUBJECT: Approve the Commuter Choice on the I-395/95 Corridor Round Two Program of Projects for Submission to the Commonwealth Transportation Board and Authorize the Executive Director to Execute the Standard Project Agreements

WHEREAS: Under the *Memorandum of Agreement Regarding the Annual Transit Investment from the 395 HOT Lanes* (MOA), NVTC and the Potomac and Rappahannock Transportation Commission (PRTC) are responsible for selecting and administering multimodal projects under Commuter Choice on the I-395/95 Corridor;

WHEREAS: The principal objective of the Commuter Choice program is to support projects that meet goals identified in the MOA, which are to (1) maximize person throughput and (2) implement multimodal improvements to (i) improve mobility along the corridor, (ii) support new, diverse travel choices and (iii) enhance transportation safety and travel reliability;

WHEREAS: According to the *Agreement between NVTC and PRTC for Distribution and Allocation of I-395 Annual Transit Investment Funds*, NVTC staff is responsible for Commuter Choice project evaluation; financing and financial management; compliance, including evaluation, reporting, and quality assurance; and providing information to the public;

WHEREAS: From November 2020 to January 2021, NVTC conducted a Commuter Choice on the I-395/95 Corridor Round Two call for projects for the FY 2022-FY 2023 period, which yielded 13 eligible applications that support the program goals with a total funding request of \$22.7 million, inclusive of NVTC's administrative and oversight costs;

WHEREAS: Approximately \$30 million in funding is expected to be available over the two years of the Round Two program, which could accommodate all of the eligible proposals;

WHEREAS: Based upon technical evaluation results and the concurrence of the NVTC-PRTC Joint Commission Working Group, staff recommends approval of the Commuter Choice on the I-395/95 Corridor Round Two (FY 2022-FY 2023) Program of Projects that includes 13 projects and NVTC's administrative costs, totaling \$22,730,986 (Table 1 attached);

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby approves the Commuter Choice on the I-395/95 Corridor Round Two (FY 2022-FY 2023) Program and authorizes staff to submit the Program of Projects to the Commonwealth Transportation Board for action, contingent upon the Potomac and Rappahannock Transportation Commission's approval of a comparable authorization.

BE IT FURTHER RESOLVED that NVTC hereby authorizes the executive director, or her designee, to execute the Standard Project Agreements for the Commuter Choice on the I-395/95 Corridor Round Two (FY 2022-FY 2023) Program following approval by the Commonwealth Transportation Board.

Approved this 3rd day of June 2021.



Katie Cristol
Chair



Dalia Palchik
Secretary-Treasurer

**Table 1: Recommended Commuter Choice on the I-395/95 Corridor
Round Two (FY 2022-FY 2023) Program**

	Commuter Choice on the I-395/95 Corridor Round Two (FY 2022-FY 2023) Project Name	Applicant	Funding Request
1	Renewal of Enhanced Bus Service from Dale City to Ballston	OmniRide	\$291,831
2	New Park and Ride Lot in Massaponax	Spotsylvania County	\$1,100,000
3	Renewal of Route 396 Express Bus Service: Backlick North Park and Ride to Pentagon	Fairfax County	\$1,386,000
4	Renewal of Bus Service from Staffordboro to the Pentagon	OmniRide	\$704,773
5	Renewal of Bus Service from Staffordboro to Downtown D.C.	OmniRide	\$968,308
6	Enhanced Bus Service from Van Dorn Metro to the Pentagon	DASH	\$5,734,000
7	Renewal of Enhanced Bus Service on Route 1 Local: Quantico to Woodbridge VRE	OmniRide	\$541,169
8	Renewal of Enhanced Bus Service on Prince William Metro Express: OmniRide Transit Center to Franconia-Springfield Metro	OmniRide	\$434,776
9	New Bus Service from Route 208 Park and Ride Lot to Fredericksburg VRE	FRED Transit	\$1,218,800
10	Enhanced Bus Service from Mark Center to Potomac Yard	DASH	\$3,650,000
11	TDM Strategy-- I-395/95 Corridor Vanpool Monthly Incentive	OmniRide	\$604,800
12	Enhanced Bus Service for Route 371: Lorton to Franconia - Springfield Metro Station	Fairfax County	\$2,496,529
13	Horner Road Park and Ride Lot Expansion	Prince William County	\$2,800,000
	<i>Program Administration and Oversight for FY 2022-FY 2023</i>	NVTC	\$800,000
	TOTAL		\$22,730,986



RESOLUTION #2448

SUBJECT: Authorize the VRE CEO to Execute an Amendment for the First Year of the First Option Period of the Contract for Maintenance Services for Commuter Rail with Keolis Rail Services Virginia, LLC

WHEREAS: In 2015, the VRE Operations Board recommended, and the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission (the "Commissions") approved, a five-year contract for Maintenance Services for Commuter Rail with Keolis Rail Services Virginia, LLC (KRSV);

WHEREAS: The contract start date and total authorization was amended in May of 2016;

WHEREAS: On April 21, 2017, the VRE Operations Board recommended, and the Commissions subsequently approved, the second contract year, through June 30, 2018, in the amount of \$7,092,267, for a total contract value not to exceed \$14,344,638;

WHEREAS: On April 20, 2018, the VRE Operations Board recommended, and the Commissions subsequently approved, the third contract year, through June 30, 2019, in the amount of \$7,674,000, for a total contract value not to exceed \$22,018,638;

WHEREAS: On May 17, 2019, the VRE Operations Board recommended, and the Commissions subsequently approved, the fourth contract year, through June 30, 2020, in the amount of \$8,889,465 for a total contract value not to exceed \$30,908,103;

WHEREAS: On May 15, 2020, the VRE Operations Board recommended, and the Commissions subsequently approved, the fifth contract year, through June 30, 2021, in the amount of \$9,012,749 for a total contract value not to exceed \$39,920,852;

WHEREAS: The current contract authorization runs through June 30, 2021;

WHEREAS: The increase in contract authorization will allow for continued maintenance services and life cycle maintenance work scheduled for FY 2022; and

WHEREAS: The VRE Operations Board recommends the following Commission action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to amend the Contract for Maintenance Services for Commuter Rail for the first option period of five years.

BE IT FURTHER RESOLVED that NVTC that hereby authorize the VRE CEO to amend the contract for Maintenance Services for Commuter Rail with Keolis Rail Services Virginia, LLC by increasing the total contract authorization by \$8,980,774 for the first year of the first five-year option period, for a total contract value not to exceed \$48,901,626 through June 30, 2022.

Approved this 3rd day of June 2021.



Dalia Palchik
Secretary-Treasurer



Katie Cristol
Chair



RESOLUTION #2449

- SUBJECT:** Authorize the VRE CEO to Execute an Amendment for the Second Year of the Second Option Period of the Contract for Operating Services for Commuter Rail with Keolis Rail Services Virginia, LLC
- WHEREAS:** On October 16, 2009, the VRE Operations Board approved a 5-year contract with Keolis Rail Services Virginia for VRE operations and maintenance services and mobilization in the amount of \$18,459,348 through June 30, 2011;
- WHEREAS:** A contract amendment was approved on December 17, 2010, in the amount of \$2,085,000;
- WHEREAS:** On May 20, 2011, the Operations Board approved the second contract year, through June 30, 2012, in the amount of \$17,954,527, for a total contract value not to exceed \$38,498,875;
- WHEREAS:** On April 20, 2012, the Operations Board approved the third contract year, through June 30, 2013, in the amount of \$18,008,591, for a total contract value not to exceed \$56,507,466;
- WHEREAS:** On April 19, 2013, the Operations Board approved the fourth contract year, through June 30, 2014, in the amount of \$18,974,041, for a total contract value not to exceed \$75,481,507;
- WHEREAS:** On April 18, 2014, the Operations Board approved the fifth contract year, through June 30, 2015, in the amount of \$20,115,047, for a total contract value not to exceed \$95,596,554;
- WHEREAS:** On May 15, 2015, the Operations Board approved the first year of the first option period, through June 30, 2016, in the amount of \$20,931,000, for a total contract value not to exceed \$116,527,554;
- WHEREAS:** On May 20, 2016, the Operations Board further authorized amending the agreement to remove the requirements for the Maintenance of Equipment and Facilities;
- WHEREAS:** On May 20, 2016, the Operations Board approved the second year of the first option period, through June 30, 2017, in the amount of \$15,463,003, for a total contract value not to exceed \$131,990,557;
- WHEREAS:** On April 21, 2017, the Operations Board approved the third year of the first option period, through June 30, 2018, in the amount of \$15,416,000, for a total contract value not to exceed \$147,406,557;

WHEREAS: On April 20, 2018, the Operations Board approved the fourth year of the first option period, through June 30, 2019, in the amount of \$15,718,000, for a total contract value not to exceed \$163,124,557;

WHEREAS: On May 17, 2019, the Operations Board approved the fifth year of the first option period, through June 30, 2019, in the amount of \$16,287,000, for a total contract value not to exceed \$179,411,557;

WHEREAS: On May 15, 2020, the Operations Board approved the second and final option period;

WHEREAS: On May 15, 2020, the Operations Board approved the first year of the second option period through June 30, 2021, in an amount of \$16,591,500, for total contract value not to exceed \$196,003,057;

WHEREAS: Approval of this resolution will allow for continued VRE train operations in FY 2022; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to amend the Contract for Operating Services for Commuter Rail with Keolis Rail Services Virginia, LLC (KRSV) by increasing the total contract authorization by \$16,787,500 for the second year of the second option period, for a total contract value not to exceed \$212,790,557 through June 30, 2022.

Approved this 3rd day of June 2021.



Katie Cristol
Chair



Dalia Palchik
Secretary-Treasurer



RESOLUTION #2450

SUBJECT: Authorize the VRE CEO to Execute a Contract with Alstom Transportation Inc. of New York, New York, for 21 New Passenger Railcars

WHEREAS: VRE has identified a need to purchase additional passenger railcars to increase seating capacity;

WHEREAS: The purchase of additional passenger railcars is part of a program of projects to increase capacity and ridership on both the Fredericksburg and Manassas lines;

WHEREAS: VRE worked with Chicago Metra to incorporate VRE's requirement within their Request for Proposals for the purchase of additional passenger railcars to increase capacity for both organizations;

WHEREAS: On June 19, 2019 an addendum was issued to Metra's Request for Proposals identifying it as a joint procurement with VRE and three proposals were subsequently received in response to the solicitation on November 8, 2019;

WHEREAS: Following a comprehensive evaluation process conducted by Metra and VRE, it was determined that the proposal from Alstom Transportation Inc. received in response to the Request for Proposals was technically compliant and selected as the highest ranked;

WHEREAS: The VRE Operations Board's approval of this procurement does not represent its independent assessment of the candidate's responses to the solicitation or of each step in the procurement process followed by staff; rather, the Operations Board's action is premised upon its conclusion, after review of the information before it, that the process used by the staff was in accordance with law and that the staff recommendation appears to be reasonable; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the VRE Chief Executive Officer to execute a contract with Alstom Transportation Inc. of New York, New York for the purchase of 21 New Passenger Railcars in the amount of \$80,594,822, plus a 5% contingency of \$4,029,741, for a total amount not to exceed \$84,624,563.

Approved this 3rd day of June 2021.

Dalia Palchik
Secretary-Treasurer

Katie Cristol
Chair



RESOLUTION #2451

SUBJECT: Authorize the VRE CEO to Enter into a Right-of-Way Easement Agreement with Rappahannock Electric Cooperative for LOU Facility Electric Service

WHEREAS: VRE has adopted a lifecycle maintenance strategy for its rolling stock;

WHEREAS: VRE is in the process of constructing a new building at the Crossroads Maintenance and Storage Facility fully dedicated to lifecycle maintenance activities;

WHEREAS: The VRE Operations Board previously approved execution of a contract with Clark Construction Group, LLC for construction of the Lifecycle Overhaul and Upgrade Facility, and construction began in December 2020;

WHEREAS: New electric service is required for the Lifecycle Overhaul and Upgrade Facility and the associated yard expansion;

WHEREAS: Rappahannock Electric Cooperative is in the process of bringing a feeder line to the Crossroads Maintenance and Storage Facility in order to provide the new service required for the Lifecycle Overhaul and Upgrade Facility and the corresponding storage yard expansion; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes the VRE Chief Executive Officer to enter into a Right-of-Way Easement Agreement with the Rappahannock Electric Cooperative for an electric utility easement at Crossroads Maintenance and Storage Facility for the Lifecycle Overhaul and Upgrade Facility electric service.

Approved this 3rd day of June 2021.

A handwritten signature in black ink, reading "Katie Cristol".

Katie Cristol
Chair

A handwritten signature in purple ink, reading "Dalia Palchik".

Dalia Palchik
Secretary-Treasurer



RESOLUTION #2452

SUBJECT: Adopt the Amended FY 2022 VRE Operating Budget

WHEREAS: The FY 2022 VRE Operating and Capital Budgets were adopted by the Operations Board in December 2020 and by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission (the "Commissions") in January 2021;

WHEREAS: The FY 2022 VRE Operating Budget includes federal pandemic relief funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act to supplement reduced passenger fare revenues;

WHEREAS: Subsequent to the budget adoption action by the Operations Board in December 2020, additional federal pandemic relief for transit providers was signed into law through the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and the American Rescue Plan Act (ARPA);

WHEREAS: By utilizing these additional federal funds, VRE can provide relief to local and state funding partners in FY 2022;

WHEREAS: VRE, the Commissions, and the local jurisdictions wish to reflect these new pandemic relief revenues in the FY 2022 budget prior to the start of the fiscal year on July 1, 2021;

WHEREAS: Total planned expenditures in FY 2022 remain unchanged, and the budget remains balanced, with all expenditures funded by reasonably expected revenue sources; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby adopts the amended FY 2022 VRE Operating Budget.

Approved this 3rd day of June 2021.

Katie Cristol
Chair

Dalia Palchik
Secretary-Treasurer