



Commission Meeting Materials

May 5, 2022



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Meeting Overview



NVTC's May 5, 2022 meeting will be an in-person meeting. It can also be viewed via the [NVTC YouTube Link](#).

Action Items

- Resolutions of Commendation for Departing Commissioner Jennifer Mitchell
- Consent Agenda: Financial Services Auditing Contract, NVTC Title VI Program, WMATA Certification Letter and five endorsements letters for jurisdictional funding requests
- Proposed Amendments to the FY 2023 NVTC G&A Budget
- Letter on Virginia's Priorities for the Blue/Orange/Silver Corridor Capacity and Reliability Study
- RFP for Envision Route 7 BRT Strategic Implementation Roadmap
- VRE Deed of Ground Lease and Parking Garage Agreement for VRE Manassas Park Station

Other Meeting Highlights

- Public Comment Received
- Oath of Office for New Commissioner
- I-66 Commuter Choice FY 2023 – 2024 Staff-Recommended Program of Projects
- Reports from NVTC Committee Chairs
- Reports from the Virginia WMATA Board Members, VRE CEO and DRPT Director

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**NVTC COMMISSION MEETING
THURSDAY, MAY 5, 2022
MAIN FLOOR CONFERENCE ROOM
2300 Wilson Blvd., Arlington, VA 22201
Public Streaming Via YouTube
7:00 p.m.**

AGENDA

Masks are no longer required at NVTC. Attendees may choose to wear a mask based on their own personal preference. The meeting can be viewed via the [NVTC YouTube Link](#).

5:45 p.m. Boxed Dinners Available for Commissioners Only

6:00 p.m. Executive Committee Meeting – Suite #230 Conference Room

7:00 p.m. Commission Meeting – First Floor Large Conference Room (public streaming)

*NVTC is also receiving general public comment. Persons wishing to provide **written public comments** should submit them by **3:00 p.m. on Thursday, May 5** via [NVTC's website](#). Comments will be provided to Commissioners prior to the May 5 meeting.*

1. Opening Remarks
 - General Public Comments Received
2. Recognition of New and Departing Commissioners
 - A. Oath of Office for New Commissioner
 - B. Recognition of Departing Commissioner
 - **ACTION ITEM: Approve a Resolution of Commendation for Jennifer Mitchell on Her Departure from NVTC**
3. **ACTION: Approve the Minutes of the March 3, 2022 NVTC Meeting**
4. **ACTION: Approve the Consent Agenda (subject to chair approval)**
 - A. **ACTION: Approve Resolution #2474: Authorize the Executive Director to Execute a Contract for NVTC Financial Auditing Services**
 - B. **ACTION: Approve Resolution #2475: Approve the NVTC Title VI Program and Authorize the Executive Director or Her Designee to Submit the Program to the Federal Transit Administration (FTA)**
 - C. **ACTION: Authorize the Executive Director to Send a Letter Certifying Receipt of Certain Documents from WMATA Required by State Code**

- D. **ACTION: Authorize the Chair to Send a Letter of Endorsement for the City of Alexandria's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant**
 - E. **ACTION: Authorize the Chair to Send a Letter of Endorsement for the City of Alexandria's Application for the Federal Transit Administration's Low or No Emission Vehicle and Bus and Bus Facilities Discretionary Grant Programs**
 - F. **ACTION: Authorize the Chair to Send a Letter of Endorsement for Arlington County's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant**
 - G. **ACTION: Authorize the Chair to Send a Letter of Endorsement for Fairfax County's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant**
 - H. **ACTION: Authorize the Chair to Send a Letter of Endorsement for Loudoun County's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant**
5. **ACTION: Approve the Proposed Amendments to the FY 2023 NVTC General and Administrative Budget**
6. **Washington Metropolitan Area Transit Authority (WMATA)**
- A. Report from the Virginia WMATA Board Members
 - B. **Report from the WMATA Committee Chair**
 - **ACTION: Authorize the Chair to Send a Letter to WMATA Regarding Virginia's Priorities for the Blue/Orange/Silver Corridor Capacity and Reliability Study**
 - C. Other WMATA News
7. **Report from the Chair of the Program Advisory Committee**
- A. **Transit Resource Center**
 - **ACTION: Authorize the Executive Director to Issue a Request for Proposals (RFP) for the Envision Route 7 Bus Rapid Transit (BRT) Strategic Implementation Roadmap**
 - B. Commuter Choice
 - I-66 Commuter Choice FY 2023 – 2024 Staff-Recommended Program of Projects
8. **Report from the Chair of the Legislative and Policy Committee**
- A. General Assembly Update
 - B. Transit Service Delivery Advisory Committee (TSDAC) Update
 - C. Federal Update

9. Virginia Railway Express (VRE)

- A. VRE CEO Report and Minutes
- B. **ACTION: Approve Resolution #2476: Authorize the VRE CEO to Execute a Deed of Ground Lease and Parking Garage Agreement with the Economic Development Authority of City of Manassas Park and the City of Manassas Park for a Parking Garage at the VRE Manassas Park Station**
- C. VRE Tariff Changes
- D. VRE Crystal City Station Update

10. Department of Rail and Public Transportation (DRPT)

11. Executive Director Report

- A. Executive Director Newsletter
- B. NVTC Financial Reports
- C. DRPT FY 2023 Six-Year Improvement Program (SYIP) – NVTC Funding

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice
DATE: April 28, 2022
SUBJECT: Recognition of New and Departing Commissioners

At the May meeting, the Commission will recognize new and departing Commissioners.

A. Oath of Office for New Commissioner

At the May meeting, Chair Aguirre will administer the ceremonial oath of office to DRPT Acting Director Jennifer DeBruhl. On March 11, 2022, Virginia Secretary of Transportation W. Sheppard Miller III selected Jennifer DeBruhl to serve as the acting director of the Department of Rail and Public Transportation (DRPT) following the departure of Jennifer Mitchell. Ms. DeBruhl has served as DRPT's chief of public transportation for more than five years and has over 25 years of public service to the transportation community. Secretary Miller subsequently appointed her to serve on NVTC as Paul Smedberg's alternate.

B. Recognition of Departing Commissioner

- **ACTION ITEM: Approve a Resolution of Commendation for Jennifer Mitchell on Her Departure from NVTC**

The Commission will be asked to approve a Resolution of Commendation for Jennifer Mitchell recognizing her eight years of service on NVTC. On March 11, 2022, Virginia Secretary of Transportation W. Sheppard Miller III announced that DRPT Director Mitchell was stepping down from the agency effective March 18 to become deputy administrator of the Federal Railroad Administration (FRA) starting in April.

Jennifer Mitchell was appointed by former Governor Terry McAuliffe to be the director of the Virginia Department of Rail and Public Transportation (DRPT) in January 2014 following more than 20 years of experience in the transportation industry. Prior to joining DRPT, she was an assistant vice president in the Strategic Consulting Practice of Parsons Brinckerhoff, where she worked with state and local agencies to develop funding and implementation plans for several major capital projects in Baltimore, Honolulu, Los Angeles and San Diego.

Jennifer Mitchell has been a true partner with NVTC and its jurisdictions and was instrumental in helping Northern Virginia make great strides in transit. Some highlights include two multi-decade agreements (I-66 Inside the Beltway and I-395/95) to create and fund the Commuter Choice program, an innovative, first of its kind program to invest toll revenue in multi-modal projects along two major interstate corridors in Northern Virginia; dedicated funding for WMATA and

VRE, resulting in long-term financial investments in Northern Virginia's two rail systems and enabling them to provide safe and reliable service that supports Northern Virginia's growing economy; and the creation of the Virginia Passenger Rail Authority, a vital Commonwealth agency that supports the growth of intercity passenger rail and is a vital partner to the ongoing and future growth and success of VRE.



RESOLUTION OF COMMENDATION

SUBJECT: Commending Jennifer Mitchell on Her Departure from NVTC

WHEREAS: The Northern Virginia Transportation Commission (NVTC) serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public transit and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: In January 2014, Jennifer Mitchell was appointed by then Governor Terry McAuliffe to be the director of the Virginia Department of Rail and Public Transportation (DRPT);

WHEREAS: The Department of Rail and Public Transportation oversees and supports the funding, planning and implementation of public transportation and rail services throughout the Commonwealth of Virginia;

WHEREAS: Ms. Mitchell joined NVTC as an Alternate Commissioner in February 2014 and has supported and partnered with NVTC on several major efforts to improve transit in Northern Virginia;

WHEREAS: Ms. Mitchell was instrumental in creating two multi-decade agreements (I-66 Inside the Beltway and I-395/95) to create and fund the Commuter Choice Program, an innovative, first of its kind program to invest toll revenue in multi-modal projects along two major interstate corridors in Northern Virginia;

WHEREAS: Ms. Mitchell was a steadfast and valued proponent of dedicated funding for WMATA and VRE, resulting in long-term financial investments in Northern Virginia's two rail systems and enabling them to provide safe and reliable service that supports Northern Virginia's growing economy; and

WHEREAS: Ms. Mitchell has overseen the creation and operational startup of the Virginia Passenger Rail Authority, a vital Commonwealth agency that supports the growth of intercity passenger rail and is a vital partner to the ongoing and future growth and success of VRE.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby commends Jennifer Mitchell for her service to the citizens of Northern Virginia and to the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC congratulates Ms. Mitchell on her appointment as deputy administrator of the Federal Railroad Administration and looks forward to continuing to work with her in her new role.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to Ms. Mitchell as an expression of its gratitude and in appreciation for her leadership and work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 5th day of May 2022.

Canek Aguirre
Chair

**MINUTES
NVTC COMMISSION MEETING –MARCH 3, 2022
FIRST FLOOR LARGE CONFERENCE ROOM – 2300 WILSON BLVD.
ARLINGTON, VIRGINIA**

The meeting of the Northern Virginia Transportation Commission was called to order by Chair Aguirre at 7:04 p.m.

Members Present

Canek Aguirre
Walter Alcorn
Sarah Bagley
Nick Clemente
Katie Cristol
Matt de Ferranti
John Foust
Libby Garvey
Aimee S. Gilroy
Matt Letourneau
David Meyer
Jennifer Mitchell (Alternate, Commonwealth of Virginia)
M. David Skiles
Paul Smedberg
David Snyder
Dan Storck (Alternate, Fairfax County)
John C. Tuck III
James Walkinshaw (*via electronic participation*)

General Assembly Members

Absent During Session

Adam Ebbin
John J. Bell

Members Not Present

Jeff McKay
Dalia Palchik
Mike Turner

Staff Present

Kate Mattice, Executive Director
Monique Blyther
Andrew D’huyvetter
Allan Fye
Rhonda Gilchrest
Adam Hager
Patricia Happ
Scott Kalkwarf
Ben Owen

Sophie Spiliotopoulos
Silas Sullivan
Ronneta Zack-Williams
Melissa Walker
Aimee Perron Siebert (*via electronic participation*)
Alex Thorup (*via electronic participation*)
Rich Dalton (VRE)
Steve MacIsaac (VRE)
Joe Swartz (VRE)

Opening Remarks

Chair Aguirre welcomed everyone to the March 3, 2022 NVTC meeting and noted that the meeting is also being livestreamed for the public on YouTube.

Chair Aguirre stated that Mr. Walkinshaw is participating electronically due to a personal reason. He also noted that Mr. Storck will participate in the votes since he is serving as Mr. McKay's alternate. Commission Secretary Rhonda Gilchrest confirmed a quorum was present.

Ms. Mattice reported that NVTC received one public comment from a Fairfax County resident asking two questions: 1) When does WMATA anticipate submitting an updated service inspection plan to the Washington Metrorail Safety Commission (WMSC) for their review and approval to return 7000-series railcars to passenger service? and 2) When may Virginia riders anticipate 7000-series railcars will return to service to alleviate 20-minute headways?

Chair Aguirre observed that these questions can be answered directly from WMATA General Manager/CEO Paul Wiedefeld, who is present at this meeting. He welcomed Mr. Wiedefeld and thanked him for joining the Commission to give an update on WMATA.

New and Departing Commissioners

Oath of Office for New Commissioners. Chair Aguirre announced that NVTC was notified that Speaker of the House Todd Gilbert appointed four new members to NVTC: M. David Skiles, Nick Clemente, Aimee S. Gilroy and John C. Tuck III.

Chair Aguirre welcomed them and invited them up to the front to administer the ceremonial oath of office. Chair Aguirre administered the oath of office to Ms. Gilroy, Mr. Skiles, Mr. Clemente and Mr. Tuck and Commissioners welcomed them to NVTC.

Recognition of Departing Commissioners. Chair Aguirre reported that NVTC received notification that as of February 2, 2022 the appointments of Delegates Filler-Corn, Krizek, Reid and Sullivan to NVTC were expired. These four legislators joined NVTC at the same time in May 2020. During their time on NVTC, they championed NVTC's interests during the General Assembly, which was also during the unprecedented COVID-19 public health and economic crisis. They worked diligently to get major transportation legislation passed which has provided funding for the region's transit network, including WMATA, VRE and local transit providers.

Chair Aguirre noted that although the delegates were not able to attend tonight's meeting as they are busy down in Richmond, the Commission wants to acknowledge their service to NVTC, the region and the entire Commonwealth. NVTC looks forward to continuing to work with them in the future as they continue to serve as House Delegates. Resolutions of Commendation were prepared for all four delegates. He proposed the Commission vote on these resolutions as a block vote and there were no objections.

Mr. de Ferranti moved, with a second by Mr. Smedberg, to approve the Resolutions of Commendation for the Honorable Eileen Filler-Corn, the Honorable Paul Krizek, the Honorable David Reid and the Honorable Richard Sullivan on their departure from NVTC. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, Foust, Garvey, Gilroy, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck and Tuck. A roll call vote followed for Mr. Walkinshaw who was participating electronically, and he cast an affirmative vote. The motion passed.

Minutes of the January 6, 2022 NVTC Meeting

Ms. Cristol moved, with a second by Mr. de Ferranti, to approve the minutes of the January 6, 2022 meeting. The vote in favor was cast by Commissioners Aguirre, Bagley, Cristol, de Ferranti, Foust, Garvey, Letourneau, Meyer, Smedberg and Snyder. Commissioners Alcorn, Clemente, Gilroy, Skiles, Storck and Tuck abstained. A roll call vote followed for Mr. Walkinshaw who was participating electronically, and he cast an affirmative vote. The motion passed.

Consent Agenda

Chair Aguirre stated that there are three actions on the Consent Agenda:

- A. Appoint Senator Adam Ebbin to the NVTC Executive Committee
- B. Authorize the Executive Director to Execute the Transit Recovery Marketing Campaign Agreements and Contracts
- C. Approve Resolution #2471: Approve the Submission of State Assistance Applications to DRPT

Mr. de Ferranti moved, with a second by Ms. Cristol, to approve the Consent Agenda. The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, Foust, Garvey, Gilroy, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck and Tuck. A roll call vote followed for Mr. Walkinshaw who was participating electronically, and he cast an affirmative vote. The motion passed.

Washington Metropolitan Area Transit Authority (WMATA)

Presentation by the WMATA General Manager/CEO. Chair Aguirre introduced WMATA General Manager Paul Wiedefeld, who is present to update the Commission on WMATA issues and to bring NVTC up to speed on the challenges facing WMATA. Chair Aguirre noted that Mr. Wiedefeld was hired in November 2015 during a particularly difficult time in the agency's history. During his tenure Mr. Wiedefeld improved rail safety and reliability through SafeTrack, securing dedicated capital funding, accelerating WMATA's capital program to tackle to the state of good repair backlog, and steering the agency through the pandemic in partnership with labor leaders. After six years at the helm of WMATA, Mr. Wiedefeld recently announced that he will retire this summer. Chair Aguirre stated that as NVTC jurisdictions are the principal funding

partners for WMATA here in Virginia, on behalf of the Commission, he expressed appreciation for Mr. Wiedefeld's service and taking the time to speak to the Commission.

WMATA General Manager/CEO Paul Wiedefeld thanked the Commission for inviting him to give an update on WMATA issues, including the impacts of the COVID-19 pandemic, the 7000-series railcars, the FY 2023 and FY 2024 budgets and his thoughts on Metro as he is retiring in July 2022.

Mr. Wiedefeld reported that in regard to the pandemic, keeping employees and riders safe is the number one priority. Employees are required to be vaccinated or tested weekly and currently WMATA is at a 97% compliance rate. Unfortunately, COVID-19 has taken a toll on WMATA as eight employees have died. WMATA has instituted several initiatives to keep customers and employees safe, including improvements to the air filtration systems, deep cleaning, etc., just as the other transit systems are doing across the country.

Mr. Wiedefeld stated that the most recent data shows that rail ridership is at 27% of pre-pandemic levels for weekday ridership and 50% for weekends. Bus ridership is at about 60% pre-pandemic levels for weekday and a little higher for weekends. The large portion of ridership loss is on rail peak period trips. Pre-pandemic, federal employees represented 40% of trips. This has had a significant impact on revenues since rail passengers generated the biggest percentage of revenue before the pandemic.

Mr. Wiedefeld stated that WMATA has not been running 7000-series railcars after an October 2021 derailment identified concerns about the wheelsets. Initial data shows that there are unique circumstances playing out and it's more complicated than first thought. WMATA is working with the National Transportation Safety Board (NTSB) and the Washington Metrorail Safety Commission (WMSC) to find the root cause and testing different theories for solutions, in order to solve the problem and mitigate future issues.

Mr. Wiedefeld stated that WMATA has focused on its Capital Program over the past years, although the program has slipped a little this past year due to supply issues, but WMATA is still on track to spend over 90% of capital funds. WMATA continues to make significant progress because of the dedicated revenue it received a few years ago which allowed WMATA to tackle state of good repair projects. One example of this is the platform improvement project.

Mr. Wiedefeld gave an update on the Silver Line Phase 2 project and the Potomac Yard Station, both of which are expected to open in 2022. WMATA is working closely with the Metropolitan Washington Airports Authority (MWAA), which is responsible for the construction of the Silver Line Phase 2 project. He stated that WMATA is getting closer to testing and accepting the project, but there are a few outstanding issues to resolve before WMATA can start the testing and training phase. He also stated that the Potomac Yards Station is expected to be completed in the fall of 2022. This station will benefit the entire region, including the Virginia Tech campus.

Mr. Wiedefeld gave an update on the FY 2023 Budget. He stated that the FY 2023 WMATA Budget is solid due to the federal aid received because of the pandemic. However, for FY 2024 the federal assistance will dry up and there will be a significant budget gap. However, WMATA received some

good news today that Metro will be receiving another \$120 million in federal aid. This will reduce the projected FY 2024 budget gap from \$540 million to \$420 million.

Mr. Wiedefeld shared his personal view that this is a pivotal time for WMATA as the travel market has changed so much. WMATA's current financial model is based on strong Metrorail ridership that is driven by peak period service and distance traveled. This is an opportunity for the region to reimagine what the transit network can be in the future. New technology will be an important factor. He believes this should be a regional discussion and should not just be determined by the agency.

On behalf of the Commission and the jurisdictional funding partners, Chair Aguirre thanked Mr. Wiedefeld for his six years of service to the region as he has led WMATA, especially during these past two years during the pandemic. Chair Aguirre noted that during the pandemic, bus ridership surpassed rail, returning closer to pre-pandemic levels. As the region starts to think about the FY 2024 fiscal cliff and the possibility of service cuts to continue operations, he asked what WMATA is looking at in terms of service cuts and what will be WMATA's strategy to ensure drastic changes are not made to bus service. Mr. Wiedefeld responded that WMATA had to look at these types of issues and potential dramatic service cuts for the FY 2022 Budget before federal aid was provided. He suggested that it is important to take a step back and think about what transit means to the region and what can be financially supported.

Mr. Letourneau observed that one of the confusing things for the public is that there has been a series of dates about the completion of the Silver Line Phase 2 project, but in reality WMATA is the only agency that can put out a date for when service will begin, which will be based on a timeline for testing and training, discussions with MWAA about outstanding issues, and WMATA taking delivery of the project. He asked Mr. Wiedefeld if anything has changed in WMATA's perspective about an opening date. Mr. Wiedefeld stated that he can understand some of the confusion about dates, because MWAA has different contractual dates with different contractors, which has nothing to do with WMATA. WMATA will not take possession of the project until it has determined that it is safe to do so and to protect the future financial investment of the region. MWAA still has things it needs to do, such as safety certifications and occupancy certifications. WMATA has roughly a 90-day window for what it needs to do to start service, and that 90-days has not started.

Chair Aguirre noted that there are some technical difficulties with the YouTube livestream, which staff is trying to resolve. Zoom is still working and recording so Mr. Walkinshaw is able to continue to participate. The recording will be available at the end of the meeting for those listening.

Mr. Alcorn stated that he appreciates Mr. Wiedefeld's comments regarding the challenges of setting a date for the Silver Line, but it is important to acknowledge the implications of not giving a date. There are a lot of business owners along the Silver Line that are depending on the line opening. Mr. Alcorn agreed that the financial model needs to be a regional discussion. He stated that it is important to remember that it's not just about fare revenue, but that jurisdictional subsidies also fund Metro service, which has to be part of the discussion. He personally thinks that a discussion of a dedicated regional funding source is needed. Mr. Wiedefeld stated that he agrees and at the end of the day, jurisdictions are paying a large portion of Metro service.

Mr. Walkinshaw thanked Mr. Wiedefeld for his service. Mr. Walkinshaw asked for more details about the 7000-series railcars and the root cause analysis and the details of a timeline of when the analysis will be completed. He observed that in Fairfax County, 20-minute headways are troublesome during a time where at least some federal workers are returning to the office and that should continue to increase over the next weeks and months. Mr. Wiedefeld stated that he cannot provide an exact timeline, but WMATA is investing its time focusing on finding the root cause as soon as possible. Safety issues are driving the timing. He hopes WMATA can start testing theories of possible causes, but it will take time. WMATA will be monitoring wheel trucks in real-time to get data real-time. Currently, even with the reduced fleet of trains, Metrorail is below 50% capacity. However, he understands it is also a headway issue.

Mr. Foust stated that he was in construction for 30 years and involved in more complex projects than the Silver Line, and he just does not understand the delays and not having a set date, which allows people to plan and to manage the project to a completion date. He expressed his opinion that WMATA is on the wrong course if it's not scheduling completion. Mr. Wiedefeld stated that he agrees but WMATA does not control the Metropolitan Washington Airports Authority (MWAA), which is the agency building the line. WMATA has provided MWAA with the types of data it needs for completion. He believes MWAA and its contractors need to do their job, and they are getting closer to completion.

Ms. Cristol thanked Mr. Wiedefeld for his many visits to NVTC to discuss WMATA issues with the Commission and for his service to the region. She stated that she associates herself with Mr. Walkinshaw's comments and wants to articulate the nightmare of extended reduced service while people are returning to the office. It is not a problem of capacity, but a problem of getting people to return to transit. The long headways are a real issue. She stated that the region is finally at the point where people are deciding what means of transportation they will use to go back to the office, and to have 20-minute Metrorail headways will have a tremendous impact on their decision to choose transit, which will in-turn impact WMATA's ability to increase ridership. It's not a capacity problem; it's a ridership problem. Mr. Wiedefeld agreed that it is important to get headways down and the 7000-series railcars back in service.

Mr. de Ferranti thanked Mr. Wiedefeld for his six extraordinarily busy years of service. Given the situation with the 7000-series trains, Mr. de Ferranti asked what steps are being taken, particularly with the manufacturer Kawasaki, to ensure this issue won't happen again as WMATA procures 8000-series trains in the future. Mr. Wiedefeld responded that WMATA is not far along in the 8000-series procurement process, which is a new design and does not replicate the 7000-series railcar.

Ms. Garvey asked if WMATA's ridership recovery is similar to other transit agencies or if WMATA is an outlier. Mr. Wiedefeld explained that WMATA is a little bit of an outlier because of the federal workforce. 40% of pre-pandemic peak service was made up from the federal workforce. Ridership recovery growth for bus service is on trend across the country. Ms. Garvey thanked Mr. Wiedefeld for his years of service. She observed that when he came to WMATA, the ship was in danger of sinking and needed to be righted, and he did that, and now is in some rough waters again.

Mr. Skiles thanked Mr. Wiedefeld for his service. Mr. Skiles observed that traffic on the roadways and expressways are back to pre-pandemic levels but seeing peak periods very different than what was before the pandemic. He asked if WMATA has started to look at ridership trends for different times of the day and if the changes be long-term, as well as compiling data to help look at what the next decade will look like. Mr. Wiedefeld responded that WMATA is actively looking at different scenarios such as extended peak service, mid-day service, etc. Mr. Smedberg also added that WMATA is looking at reverse commuting. Mr. Skiles asked when any preliminary data would be available. Mr. Wiedefeld stated that the data will be incorporated into the FY 2024 budget cycle. Mr. Letourneau stated that some data is available now, but it may be too soon to know how to use it. WMATA is reluctant to make fare changes based on the very evolving landscape, so it is important to watch and see what the new normal will be before making significant changes.

Mr. Meyer observed that the focus is concentrated on getting the 7000-series railcars back into service, but there are a number of other safety issues that have been identified. WMATA's oldest structures are 50+ years old and a significant portion of the rest of the system is 40 years old. He asked how WMATA will accommodate the oversight of these structures as well as address the immediate concerns of the 7000-series rolling stock. Mr. Wiedefeld stated that WMATA has an aggressive state of good repair program. These kinds of projects do impact services (the platform improvement project is a good example). Mr. Meyer stated that he agrees with Ms. Garvey that when Mr. Wiedefeld first came to WMATA, there was a long list of issues to tackle, and his legacy is that he has done a lot to improve WMATA over the past six years.

Mr. Storck expressed his appreciation for Mr. Wiedefeld's leadership. Since Mr. Wiedefeld is retiring and has decades of experience and knowledge, Mr. Storck stated that he would like to hear Mr. Wiedefeld's unvarnished opinion, observations and recommendations regarding Metro service before he retires. Mr. Wiedefeld stated that he plans to do that with the WMATA Board. He observed that the Metro system is one of the best systems in the country and the world. WMATA does have issues, but it is a great system and the support WMATA receives from the region, state and federal levels is phenomenal. For the future, it will be important not to lose that commitment. Mr. Storck asked for Mr. Wiedefeld's commitment to provide his thoughts regardless of the WMATA Board, because it is so important for NVTC and the region to hear directly from him.

Mr. Smedberg stated that the WMATA Board is planning a mini retreat with Mr. Wiedefeld to take advantage of his insights and look to the future, as well as what a new general manager should look like. He also noted that there a lot of people in this region that are transit dependent, which adds other issues that need to be looked at, such as equity issues.

Ms. Bagley asked Mr. Wiedefeld to speak to the electrification of buses and if revenue projections will impact the timeline for acquiring electric buses. Mr. Wiedefeld stated that WMATA is still committed to move in that direction although WMATA is looking at zero-emission buses as well as electric buses. He stated that it is important to understand that it's not just acquiring buses, but it will require major infrastructure to support this technology.

Mr. Snyder stated that he has seen some data on crime, and he asked what WMATA is doing to respond to this issue. Mr. Wiedefeld stated that WMATA is taking a hard look at this issue and is increasing visibility on platforms, trains and buses, as well as providing outreach to schools. WMATA is seeing Metrorail stations as a safe haven where people are coming for safety. Mr. Snyder stated that addressing the crime issue will be a critical factor to bringing people back to using transit.

Mr. Snyder asked about any other general ideas on what a new Metro business model would look like, with the assumption of the same level of funding. He expects many federal employees won't go back to commuting every day. WMATA will need to confront these changes. Mr. Wiedefeld stated that on the rail side, WMATA is looking at how to manage service based on customer needs. There also needs to be a recognition that those people that don't use the system still benefit as transit provides a value to the region. One just needs to look at all the development around transit stations to see the value. Transit is part of the culture of this region, and it serves commuters, as well as tourists and visitors. It will be important to look at all this. Mr. Wiedefeld stated that from a pure business perspective, WMATA needs to look at operating costs (labor costs, fare increases, etc.) and beyond that, there are the policy issues (fare policy, development, advertising, etc.)

Chair Aguirre thanked Mr. Wiedefeld for his time with the Commission and for his years of leadership at WMATA.

[The technical difficulties with the livestream were resolved.]

Report from the WMATA Board Members. Mr. Letourneau stated that last month the Finance and Capital Committee conducted a work session on the FY 2023 Capital Budget and CIP. The proposed CIP continues WMATA's acceleration of the capital budget to address overdue state of good repair needs. The Infrastructure Investment and Jobs Act provides additional capital funding for WMATA thru the renewal of federal dedicated capital funding (PRIIA funding), increased formula funds and discretionary grant opportunities to address additional needs. As WMATA staff work through the details of the legislation, they will provide the WMATA Board with additional capital updates. For the moment, he stated that it is safe to say this additional federal funding will extend the lifespan of the regional dedicated capital funding.

Mr. Letourneau also reported that last month the Finance and Capital Committee received a quarterly fare evasion update. WMATA staff provided an update on WMATA's efforts to accurately detect and report fare evasion as well as current estimates of its occurrence. For Metrobus, WMATA uses automatic passenger counters and manually recorded counts by bus operators to estimate fare evasion on bus. For Quarter 2 of FY 2022, fare evasion was 34% systemwide. This breaks out to 42% in DC, 34% in MD and 6% in VA. This compares to pre-pandemic rates of 17% systemwide, breaking out to 22% in DC, 16% in MD and 2% in VA. For Metrorail, WMATA uses an assumed rate based on peer averages. This is not a reliable estimate for Metrorail and is likely an underestimate. WMATA continues to install new faregates at rail stations, which have sensors capable of recording fare evasion. Staff are currently validating this data. The combined revenue loss attributed to fare evasion for both modes was \$10 million in the first half of FY 2022 but is likely higher. Mr. Letourneau reminded Commissioners that state and local governments set the

law regarding fare evasion, not WMATA. In 2019, the District decriminalized fare evasion, making it a civil fine. The civil fine, however, is currently unenforceable as there is no adjudication process which is pending regulatory action from the District of Columbia's Office of Administrative Hearings. He noted that as the region discusses the projected FY 2024 operating budget gap, it is important that the full scope and impact of fare evasion is understood. He reported that there was consensus of the WMATA Board to take a "deeper dive" and look at the issue, root causes, better data and a better discussion of what can really be done to fix this issue.

Mr. Letourneau stated that there will be a work session on the FY 2023 Budget next week, which will include review of the public comments received on the budget. He stated that the WMATA Board still needs to make a decision on the add-value bonus fare proposal.

Mr. Smedberg gave a brief update on the search process for the new WMATA General Manager/CEO. It is an aggressive timeline and WMATA is using a well-regarded recruiting firm to help find the right candidate. He will continue to provide updates to the Commission.

Report from the Chair of the NVTC WMATA Committee. Mr. Alcorn reported that the NVTC WMATA Committee met in January to review comments on the Proposed FY 2023 WMATA Budget and NVTC staff submitted a letter of comments to WMATA in February. The next two NVTC WMATA Committee meetings are scheduled for April 21 at 6:00 p.m. and June 16 at 6:00 p.m.

Mr. Foust asked about projections for future budgets. Mr. Letourneau stated that as the WMATA Finance and Committee chair, he personally met with WMATA staff and did a deep dive look at future budget years. His personal opinion is that WMATA would have had budget problems in the future even without the pandemic. Personnel/labor costs drives the budget, so there is not a lot of flexibility with the budget. The current funding level won't support the size of the operation. Mr. Smedberg stated that there is no quick fix, and it will probably take three to four years to identify additional funding sources. There will need to be a lot of tough choices. Mr. Letourneau stated that the good news is that WMATA has opportunities, including the Silver Line Phase 2 opening. Mr. Alcorn stated that the NVTC WMATA Committee will be taking a deeper dive into some of these issues this year.

Report from the Chair of the Program Advisory Committee

Chair Aguirre stated that the Program Advisory Committee has been busy this past month. He asked Program Advisory Committee Chair David Snyder to give his report.

Mr. Snyder reported that the Program Advisory Committee (PAC) met on February 23 to discuss the Commuter Choice on the I-66 Corridor FY 2023 - 2024 project eligibility, the Envision Route 7 BRT project and two DRPT grant applications, all which will be discussed at this meeting. The Commission will be asked to take action on the two grant applications.

Commuter Choice I-66 Round Five (FY 2023 – FY 2024) Project Eligibility Results. Mr. Snyder reported that at its February 21 meeting, the PAC discussed a high-level programming

approach for Commuter Choice on the I-66 Corridor for FY 2023-2024 funding. The PAC discussed how to prioritize projects to maximize long-term benefits to toll payers and performance certainty in light of limited program revenue and a ridership market that at this time remains challenging for commuter transit services.

Mr. Snyder explained that the PAC will reconvene in April, after scoring is complete, to consider a staff recommended Program of Projects for the Commission to consider based on the revenue anticipated to be available, which will be presented at the May Commission meeting. Approval will be requested at the June meeting. Mr. Snyder asked Mr. Owen to provide more information the I-66 Commuter Choice eligibility results.

Mr. Owen stated that since there are new Commissioners, he gave a brief overview of the Commuter Choice program and the roles NVTC and the Commonwealth play in the project.

Mr. Owen explained that for this round for I-66 Commuter Choice for FY 2023 - 2024, the first step in the process is eligibility review. NVTC received 11 total applications from six applicants totaling \$23.1 million (which was decreased to \$22.3 million after confirming project details with applicants). The applications include five enhanced bus services, including renewals of service improvements funded in prior rounds (\$7.8 million); two rail capital improvements (\$7 million); one TDM strategy (\$0.7 million); and three access to transit projects (\$6.8 million). Nine of the 11 (\$21.8 million request) were deemed eligible and will be carried forward into the technical evaluation (and subsequent public comment). NVTC staff collaborated with DRPT staff, looking at each proposed project's anticipated benefits to toll payers as well as consistency with established program policy. He noted that one application was deemed ineligible, and one application was withdrawn. Staff conservatively anticipate a total of about \$12 million to be available to fund the two-year program.

Mr. Owen reviewed next steps which include moving into the technical evaluation of the nine eligible applications over the coming weeks. Staff will share the results with the Program Advisory Committee on April 14. Around that time the public comment period will open. It will be fully online and for the first time be produced in both English and Spanish versions of all materials. At the May 5 NVTC meeting, the Commission will be briefed on the committee-endorsed draft Program of Projects, with action being requested at the June meeting. The CTB is also expected to take action in June.

In response to a question from Mr. Skiles, Mr. Owen explained that pre-pandemic the I-66 Inside the Beltway toll revenues totaled \$15 million a year. Currently, with the reduced toll revenues it is approximately \$12 million for two years. NVTC does receive an annual \$5 million concessionaire payment from the I-66 Outside the Beltway project.

Transit Resource Center: Envision Route 7 Bus Rapid Transit (BRT) Update. Mr. Snyder stated that since its inception, NVTC has led the Envision Route 7 BRT project that when completed will provide high-quality, high-capacity transit service between Tysons and Mark Center in Alexandria, via Seven Corners, Falls Church and the East Falls Church Metrorail Station. He stated that this is a significant regional project inside the Beltway. He asked Mr. Fye to give a brief update on the project.

Mr. Fye stated that the project is currently in Phase 4-1 Mobility Study which will provide an analysis of traffic operations and impacts as well as include extensive public outreach focused on the City of Falls Church segment of the corridor. NVTC is planning a very robust engagement starting in the fall. Over the summer, the focus will be on technical work, collecting data, needs analysis, modeling work, etc. The Program Advisory Committee will receive another update at its April meeting.

Mr. Fye stated that NVTC staff is working closely with Fairfax County staff to look at possible implementation plans on how to actually get to the build phase. Currently the scope of work for the implementation plan is being finalized. The effort is proposed to be jointly funded by Fairfax County and NVTC and will focus developing a strategic framework that will serve as a guide for NVTC staff and the Commission in the implementation of the BRT project; identifying and prioritizing the key funding sources for each stage of the BRT project and the applicable timeline for each funding source; and developing an interjurisdictional governance approach to guide the planning, implementation and operation of the BRT project. NVTC staff will be providing a complete briefing on this effort and seek approval to release a request for proposals for consulting services at the May meeting.

Mr. Fye stated that as this project will cross four jurisdictions (City of Falls Church, Fairfax County, Arlington County and the City of Alexandria), it will be important to make sure all their interests are being identified and represented. This project will also involve local financial commitments from the jurisdictions and it will be important to look at all the potential funding sources.

Chair Aguirre stated that as a resident of the City of Alexandria, he is excited for this project to move forward.

Resolution #2472: Approve the Submission of a Technical Assistance Application to DRPT for a Northern Virginia Regional Zero-Emission Bus Strategic Plan. Mr. Snyder stated that the Commission is being asked to approve Resolution #2472, which will provide authorization to apply for a FY 2023 DRPT technical assistance grant for \$480,000, of which 50% (\$240,000) would be covered by DRPT and the 50% local match (\$240,000) would be provided by NVTC member jurisdictions to conduct a multi-year Regional Zero-Emissions Bus Strategic Plan. The resolution would also authorize the executive director to enter into a Memorandum of Agreement (MOA) with NVTC jurisdictions to secure the required local match. He asked Ms. Happ to present more information about the grant request.

Ms. Happ stated that the NVTC Transit Technology program oversees the zero-emission bus (ZEB) effort. All NVTC transit partners and transit agencies are at some stage of planning zero- or low-emission implementation or transition. She stated that there is a tremendous amount of

enthusiasm and interest in working together at a regional level to realize opportunities for economy of scale. This could include joint infrastructure, joint procurements, technical assistance opportunities, technology compatibility and joint funding opportunities. NVTC has launched a Zero-Emission Working Group to provide a regular forum for Northern Virginia partner agency staff to share information on ZEB plans, procurements, and funding; discuss opportunities to work together; and provide technical expertise from industry experts. Meetings will be held monthly beginning in March and will include technical and policy staff from Northern Virginia transit agencies and jurisdictions as well as DRPT and WMATA. Ms. Happ acknowledged Ronnetta Zack-Williams for her assistance in this ZEB effort.

Ms. Happ stated that NVTC is strategically positioned to lead a regional coordinated effort. Moving this forward requires a coordinated strategic plan and the goals of the plan will be to:

- Identify regional zero-emission strategic goals and objectives with a focus on realizing economies of scale;
- Leverage individual agency goals and plans as well as stakeholder input;
- Document strategies and priorities to achieve those strategic goals and objectives;
- Identify and leverage local, state and federal funding to accomplish the goals laid out in the strategic plan; and
- Identify short, medium and long-term action items for NVTC to achieve the plan's strategic goals and objectives.

Mr. Foust asked when staff expects the plan to be completed. Ms. Happ stated that if the grant is awarded, the funds will be available for FY 2023 (starting July 1, 2022) and the plan is expected to be completed within 12 months.

Mr. Snyder moved, with a second by Mr. de Ferranti, to approve Resolution #2472 (copy attached). The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, Foust, Garvey, Gilroy, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck and Tuck. A roll call vote followed for Mr. Walkinshaw who was participating electronically, and he cast an affirmative vote. The motion passed.

Resolution #2473: Approve the Submission of a Technical Assistance Application to DRPT for a Northern Virginia Regional Bus Analysis. Mr. Snyder explained that the Commission is being asked to approve Resolution #2473, which would provide authorization to apply for a FY 2023 DRPT technical assistance grant for \$300,000, 50% (\$150,000) would be covered by DRPT and the 50% local match (\$150,000) would be provided by NVTC member jurisdictions to conduct a multi-year Northern Virginia Regional Bus Analysis. The resolution would also authorize the executive director to enter into a Memorandum of Agreement (MOA) with NVTC jurisdictions to secure the required local match. Mr. Snyder explained that this is an effort to be efficient and maximize the effort of analyzing the entire regional bus network in a systemic way, instead of each jurisdiction doing their own individual analysis. He asked Mr. Fye to provide more information about this grant application.

Mr. Fye explained that the work is on top of the work already done in the 2016 study, but a lot has changed since then in the transit world. Ms. Bagley asked about any coordination between

the zero/low-emission bus strategic plan and this work. Mr. Fye stated that the work for both will be happening simultaneously so there will be coordination. In response to a question from Mr. Foust, Mr. Fye gave some more information about the 2016 study. He noted that there have been a lot of changes since 2016 so what may have made sense back then, may not necessarily make sense now. He stated that this work is not to dictate what the jurisdictions should do but is meant to be a guiding tool for the jurisdictions to use as they make decisions. In response to a question from Mr. Foust, Ms. Mattice stated that she meets at least quarterly with all the transportation directors of each jurisdiction to keep them informed about these kinds of issues. NVTC holds other regular meetings with other jurisdictional staff.

Mr. Snyder moved, with a second by Ms. Bagley, to approve Resolution #2473 (copy attached). The vote in favor was cast by Commissioners Aguirre, Alcorn, Bagley, Clemente, Cristol, de Ferranti, Foust, Garvey, Gilroy, Letourneau, Meyer, Skiles, Smedberg, Snyder, Storck and Tuck. A roll call vote followed for Mr. Walkinshaw who was participating electronically, and he cast an affirmative vote. The motion passed.

Report from the Chair of the Legislative and Policy Committee

Chair Aguirre observed that the 2022 General Assembly Session is coming to an end and will adjourn on March 12, 2022. Following crossover on February 15, the NVTC Legislative and Policy Committee met on February 17 and discussed the bills that survived crossover. He asked Legislative and Policy Committee Chair David Meyer to give a legislative update.

General Assembly Update. Mr. Meyer stated that of special concern to the committee was HB 90 (McNamara) and SB 451 (Boysko) which would eliminate the grocery tax and there is no plan to replace the loss of transportation funding from this grocery tax repeal. The estimated losses to the Commonwealth Transportation Fund (CTF) from the elimination of this tax is in excess of \$135 million annually and will remove one of the sustainable sources of funding for the CTF and, as a result, will deplete statewide funding for roadway maintenance, transit operations and many other transportation efforts that cannot be funded with federal money. Therefore, the committee directed staff to prepare a letter to Senators Saslaw, Howell and Barker urging them to identify a replacement funding source for revenues lost with the enactment of this legislation. Since the message of the letter was consistent with NVTC's approved 2022 Legislative and Policy Agenda, following review by committee members and NVTC Chair Aguirre, the letter was sent on February 21.

Mr. Meyer introduced NVTC's Legislative Liaison Aimee Perron Siebert to provide an update on what has happened over the last few weeks in the General Assembly. Ms. Siebert reported that HB 90/SB 451 has gone into conference to make the two bills identical. Conferees are Senators Boysko, Barker and Norment who are working on the Senate side and Delegates McNamara, Durant and Keam who are working on the House side. She and her counterparts have been lobbying for an enactment clause, which would be fairly benign language asking the Commonwealth Transportation Board to look at long-term transportation maintenance, operations, safety and constructions needs across all modes dealing with the sustainability of dedicated state transportation funding sources. She explained that it has been determined that

there is enough funding to fill transportation needs for the current Six-Year Improvement Program (SYIP), both with federal and state funds. So, there is no “ask” for a dedicating funding source at this time, but it is important to get the acknowledgement that the dedicated funding source is being removed. The intent would be that the study would be completed by 2025 for consideration in the 2026 General Assembly Session.

Mr. Meyer asked if the legislation would allow local governments to retain a grocery tax at the local level. Ms. Siebert stated that she does not think so and there is no interest in replacing the transportation funding source this year. Ms. Garvey thanked staff and the committee for their quick turn-around getting the letter sent.

Mr. Snyder observed that there needs to be long-term predictability and funding through a steady revenue source for transportation. Transportation projects are long-term investments that need predictable funding. Mr. Meyer agreed and noted that infrastructure (bridges, roads, sidewalks, transit systems, etc.) wear out and when the long-term revenue stream is cut, it then defaults to annual maintenance. Mr. Walkinshaw stated that he learned recently that due to the increases in labor and materials costs and bids, the Virginia Department of Transportation (VDOT) predicts it will do significantly less repaving and road maintenance efforts in Northern Virginia this year. Mr. Meyer stated that deferred maintenance actually exacerbates the overall costs.

Ms. Siebert also stated that Senator Ebbin’s bill (SB 281) is continuing to move thru the legislative process. She also reported that Delegate Bennett-Parker’s bill (HB 444) regarding Freedom of Information Act and electronic meetings came out of committee with a vote of 12-3 with some amendments.

Federal Update. Ms. Mattice stated that despite a continuing resolution that holds the Federal Transit Administration (FTA) formula transit funding at last year/pre-infrastructure levels, FTA just announced a round of competitive grant funding specifically for buses – including those that are low or no emissions. FTA was given the approval to front load the Lo-No Program and is making \$1.1 billion available for that program this year. FTA is also making available an additional \$372 million for bus and bus facility projects. She stated that these are competitive grant programs and a successful grantee for these funds will need to ensure they (and their transit system) meets a variety of federal transit administration requirements.

Ms. Mattice also announced that she has been appointed to the Legislative Steering Committee of the American Public Transportation Association (APTA) which will allow her to get first-hand industry access and connections that will continue to help the region understand the federal program guidance and regulatory changes. On behalf of the Commission, Chair Aguirre congratulated Ms. Mattice on her appointment.

Virginia Railway Express (VRE)

VRE CEO Report. Mr. Dalton reported that VRE on-time performance for the last several months have been above 90% (January 92% and February 95%). Winter weather impacted ridership in January, but it picked back up in February. VRE is seeing its highest ridership numbers this past week since the pandemic.

Mr. Snyder observed that WMATA is having to look at its business model and asked if VRE is doing similar analysis and what it is doing to seek new riders. Mr. Dalton explained that at its March 18 meeting the VRE Operations Board will be focusing on this issue. It is possible that by the fall of 2022 the region will know what the new normal looks like for transit. He will continue to update the Commissions on this issue as the VRE Operations Board tackles these challenges.

Department of Rail and Public Transportation (DRPT)

DRPT Director Mitchell stated that grant applications were due February 1, 2022 and DRPT is currently evaluating the applications. DRPT plans to present the Six-Year Improvement Program (SYIP) to the Commonwealth Transportation Board in April. She also announced that the Transit Service Delivery Advisory Committee (TSDAC) is scheduled to meet on March 11. TSDAC is beginning a three-year review of the capital and operating funding process. A recommendation is expected to be submitted to the CTB by September 2022, so any changes can be incorporated into the next fiscal year grant cycle. She also reported that starting on March 14 the statewide “Discover Your Ride” marketing campaign will launch to encourage people to return to transit.

Executive Director Report

Ms. Mattice encouraged Commissioners to read her Executive Director Newsletter. She reported that her trips to Richmond during the General Assembly continue to be important. She also is focused on a greater engagement with the Council of Governments and the Transportation Planning Board leadership on opportunities for collaboration – from zero-emission buses (ZEB) to transit marketing to WMATA funding outlook. Some other highlights include her providing a Northern Virginia transit perspective to an online event hosted by the MetroNow coalition’s progress assessment of the Bus Transformation Project, engaging with the real estate community as a featured speaker for the Urban Land Institute’s DC office, and participating in the branding event for the new “The One” BRT along Richmond Highway in Fairfax County.

Ms. Mattice noted that NVTC and its priorities was featured and quoted in the Washington Post, Progressive Railroading, the Virginia Mercury, WTOP and ABC7. Staff are also working on highlighting some of the prominent women in NVTC history, during Women’s History Month in March.

Ms. Mattice reminded Commissioners that there is no April meeting, although there are two committee meetings in April: Program Advisory Committee meeting (4/14) and WMATA Committee meeting (4/21).

The December Financial Report and the January Financial Report were provided to Commissioners in the meeting materials. There were no questions from Commissioners.

Adjournment

Without objection, Chair Aguirre adjourned the meeting at 9:15 p.m.

Approved this 5th day of May 2022.

Canek Aguirre
Chair

Matt de Ferranti
Secretary-Treasurer



RESOLUTION OF COMMENDATION

SUBJECT: Commending the Honorable Eileen Filler-Corn on Her Departure from NVTC

WHEREAS: The Northern Virginia Transportation Commission (NVTC) serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public transit and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: The Honorable Eileen Filler-Corn was appointed to NVTC in May 2020 and served on the Commission until February 2022;

WHEREAS: The Honorable Eileen Filler-Corn is the first woman in the 400-year history of Virginia's Legislature to hold the position of Speaker of the House. She rose to this role after representing the 41st House District for a decade, making her the fastest person to ascend to the post. The 41st District includes parts of Fairfax, Fairfax Station, and West Springfield.

WHEREAS: The Honorable Eileen Filler-Corn now serves as the House Democratic Leader and serves on the House Education Committee; the House Agriculture, Chesapeake, and Natural Resources Committee; and the House Rules Committee.

WHEREAS: Leader Filler-Corn oversaw the House of Delegates during the COVID-19 public health and economic crisis, passing critical legislation to keep Virginians safe and put the Commonwealth's economy on the path to a strong recovery.

WHEREAS: During the 2020 General Assembly Session, Speaker Filler-Corn patroned the landmark transportation bill (HB 1414) which modernized transportation funding and highway safety. The legislation:

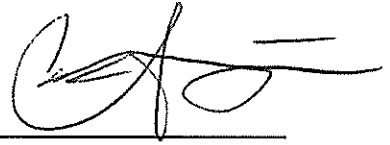
- Ensured the Commonwealth's transportation fund remains solvent;
- Supported critical transit and infrastructure projects, including Metro;
- Increased funds for local transportation projects and improvements across the Commonwealth;
- Generated an expected \$30 Million in additional funds for Northern Virginia transportation improvement projects;
- Established the Virginia Passenger Rail Authority, which will manage the Commonwealth's \$3.7 Billion Transforming Rail in Virginia Program over the next decade;
- Provided for a revitalization of Long Bridge, which connects Virginia to DC by rail, expanding passenger and freight capacity for VRE commuters and Virginia business;

WHEREAS: During the 2021 General Assembly Session, Speaker Filler-Corn helped to pass budget amendments to fund the revenue gap in the Commonwealth's portion of the \$500 million annual commitment to the WMATA Capital program, support transit incentives focused on fare and congestion reduction programs and expand and improve passenger rail in Southwest Virginia.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby commends the Honorable Eileen Filler-Corn for her service to the citizens of Northern Virginia and to the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to Leader Filler-Corn as an expression of its gratitude and in appreciation for her work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 3rd day of March 2022.

A handwritten signature in black ink, appearing to read 'Canek Aguirre', written over a horizontal line.

Canek Aguirre
Chair



RESOLUTION OF COMMENDATION

SUBJECT: Commending the Honorable Paul Krizek on His Departure from NVTC

WHEREAS: The Northern Virginia Transportation Commission (NVTC) serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public transit and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: The Honorable Paul Krizek was appointed to NVTC in May 2020 and served on the Commission until February 2022;

WHEREAS: The Honorable Paul Krizek has served as a member of the House of Delegate since 2016, representing the 44th District which covers part of Fairfax County including the Mount Vernon area.

WHEREAS: During the 2020 and 2021 General Assembly Session, Delegate Krizek served as chair of the Appropriations – Transportation and Public Safety Subcommittee and under his leadership, he helped pass instrumental transportation funding legislation;

WHEREAS: During the 2020 General Assembly Session, Delegate Krizek voted for the landmark transportation bill (HB 1414) which modernized transportation funding and highway safety;

WHEREAS: During the 2021 General Assembly Session, Delegate Krizek was the chief patron of a budget amendment that allocated one-time general fund monies in FY 2022 to be allocated to the Northern Virginia Transportation Commission to be distributed using the current formula to localities to support Northern Virginia's FY 2022 operating obligation to Metrorail, Metrobus and MetroAccess services. Without these funds, the localities would have faced difficult budget decisions that could have threatened support for this important regional transportation service.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby commends the Honorable Paul Krizek for his service to the citizens of Northern Virginia and to the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to the Honorable Paul Krizek as an expression of its gratitude and in appreciation for his work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 3rd day of March 2022.

Canek Aguirre
Chair



RESOLUTION OF COMMENDATION

SUBJECT: Commending the Honorable David Reid on His Departure from NVTC

WHEREAS: The Northern Virginia Transportation Commission (NVTC) serves as the voice of public transit in Northern Virginia, promoting the region's transit network through effective and efficient public transit and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: The Honorable David Reid was appointed to NVTC in May 2020 and served on the Commission until February 2022;

WHEREAS: The Honorable David Reid has served as a member of the House of Delegate since 2017 representing the 32nd District, which includes much of the eastern portion of Loudoun County;

WHEREAS: During the 2020 and 2021 General Assembly Sessions, Delegate Reid served on the House Appropriations Committee, the Transportation Committee, and the Privileges and Elections Committee; and

WHEREAS: During the 2020 General Assembly Session, Delegate Reid voted for the landmark transportation bill (HB 1414) which modernized transportation funding and highway safety.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby commends the Honorable David Reid for his service to the citizens of Northern Virginia and to the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to the Honorable David Reid as an expression of its gratitude and in appreciation for his work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 3rd day of March 2022.

A handwritten signature in black ink, appearing to read "Canek Aguirre", is written over a horizontal line.

Canek Aguirre
Chair



RESOLUTION OF COMMENDATION

SUBJECT: Commending the Honorable Richard “Rip” Sullivan on His Departure from NVTC

WHEREAS: The Northern Virginia Transportation Commission (NVTC) serves as the voice of public transit in Northern Virginia, promoting the region’s transit network through effective and efficient public transit and ridesharing programs to foster economic vitality in the region and the Commonwealth;

WHEREAS: The Honorable Richard Sullivan was appointed to NVTC in May 2020 and served on the Commission until February 2022;

WHEREAS: The Honorable Richard Sullivan has served as a member of the House of Delegate since 2014, representing the 48th District which covers parts of Arlington and Fairfax Counties;

WHEREAS: During the 2020 and 2021 General Assembly Sessions, Delegate Sullivan served as chair of the House Democratic Caucus, a leadership role in which he worked with the Speaker of the House Eileen Filler-Corn and Majority Leader Charniele Herring to promote the goals of the House Democrats;

WHEREAS: During the 2020 General Assembly Session, Delegate Sullivan was a chief co-patron of the landmark transportation bill (HB 1414) which modernized transportation funding and highway safety. The legislation:

- Ensured the Commonwealth’s transportation fund remains solvent;
- Supported critical transit and infrastructure projects, including Metro;
- Increased funds for local transportation projects and improvements across the Commonwealth;
- Generated an expected \$30 Million in additional funds for Northern Virginia transportation improvement projects;
- Established the Virginia Passenger Rail Authority, which will manage the Commonwealth’s \$3.7 Billion Transforming Rail in Virginia Program over the next decade;
- Provided for a revitalization of Long Bridge, which connects Virginia to DC by rail, expanding passenger and freight capacity for VRE commuters and Virginia business;

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby commends the Honorable Richard Sullivan for his service to the citizens of Northern Virginia and to the Commonwealth of Virginia.

BE IT FURTHER RESOLVED that NVTC prepare a copy of this resolution for presentation to the Honorable Richard Sullivan as an expression of its gratitude and in appreciation for his work on the Commission in promoting and funding public transit and ridesharing in Northern Virginia.

Approved this 3rd day of March 2022.

Canek Aguirre
Chair



RESOLUTION #2471

SUBJECT: Approve the FY 2023 State Transit Assistance Applications to DRPT

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

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation authorizes the executive director, or her designee, for and on behalf of NVTC and as an agent for its members:

- 1) To execute and file applications to the Virginia Department of Rail and Public Transportation (DRPT) for grants of public transportation assistance for FY 2023 commencing July 1, 2022 in the amount of \$146.2 million in eligible local transit operating costs to defray a portion of the public transportation cost of NVTC and its members for operations;
- 2) To accept from DRPT and execute 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 requests.

BE IT FURTHER RESOLVED that NVTC' authorizes the executive director, or her designee, for and on behalf of NVTC and as an agent for its members:

- 1) To file applications to DRPT for grants of public transportation assistance for FY 2023 for capital expenses totaling \$42.9 million in costs to defray the costs borne by NVTC and its members for capital expenditures;
- 2) To revise the capital portion of the application to reflect refined estimates by the local governments when they become available;
- 3) To accept from DRPT and execute 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 authorizes the executive director, or her designee, for and on behalf of NVTC and PRTC and their members:

- 1) To file FY 2023 VRE applications to DRPT in the amount of \$58.4 million in eligible operating costs and \$5.2 million in eligible state costs for capital (\$134.7 million total costs);
- 2) To revise the application to reflect refined estimates by VRE;
- 3) To accept from DRPT and execute 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.

NOW, THEREFORE, BE IT RESOLVED that NVTC authorizes the executive director, or her designee, for and on behalf of NVTC and as an agent for its members:

- 1) To execute and file an application to the Virginia Department of Rail and Public Transportation (DRPT) for an intern grant to help support NVTC's Transit Fellows Program for FY 2023 commencing July 1, 2022 in the amount of \$40,000, with the state share provided at 80%;
- 2) To accept from DRPT and execute 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 requests.

BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, for and on behalf of NVTC:

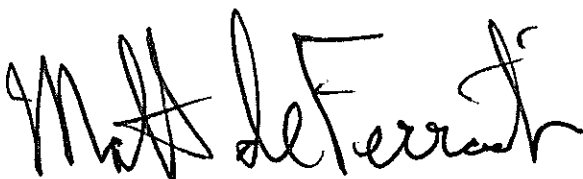
- 1) To accept from DRPT and execute the grant for WMATA capital and operating purposes per Section 33.2-1526.1 of the Code of Virginia in such amounts as may be awarded; and
- 2) To furnish to DRPT such documents and other information as may be required for processing the grant request.

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 authorizes the executive director, or her designee, for and on behalf of NVTC and its members, to furnish to the Transportation Planning Board, the Commonwealth Transportation Board, 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.

BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, to amend the above-described applications at the request of NVTC's member jurisdictions to include the most recent information and project costs.

Approved this 3rd day of March 2022.



Matt de Ferranti
Secretary-Treasurer



Canek Aguirre
Chair



RESOLUTION #2472

- SUBJECT:** Approve the FY 2023 State Transit Assistance Application to DRPT for a Northern Virginia Regional Zero-Emission Bus Strategic Plan
- WHEREAS:** At the request of Commissioners, NVTC seeks to prepare a Northern Virginia Regional Zero-Emission Bus Strategic Plan to assist Northern Virginia transit providers in assessing and implementing zero-emission bus (ZEB) programs, along with associated technology and infrastructure;
- WHEREAS:** In 2021, NVTC held a Zero-Emission Bus Symposium and a Commissioner Roundtable. Both events were enthusiastically received and built on the existing agency interest in developing regional capacity in ZEB;
- WHEREAS:** Employing strategic analysis at the regional level will allow transit agencies to achieve economies of scale and realize the benefits of ZEBs. Regional coordination and investing in compatible infrastructure are key elements of ZEB planning; and
- WHEREAS:** Realizing regional and agency goals requires careful strategic planning and a feasible long-term deployment strategy, and technical support and advanced tools are required for making planning and procurement decisions both at the regional and individual transit agency level.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes the executive director, or her designee, for and on behalf of NVTC:

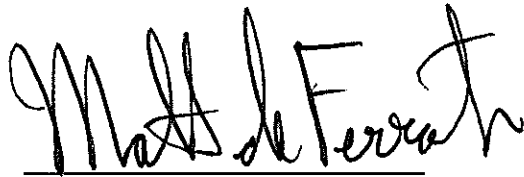
- 1) To file an application with DRPT under the Technical Assistance Program for FY 2023 in the amount of \$480,000, with state funds anticipated at 50%;
- 2) To accept from DRPT and execute the grant in such amount as may be awarded;
- 3) To furnish to DRPT such documents and other information as may be required for processing the grant request; and
- 4) To enter into a Memorandum of Agreement (MOA) with NVTC jurisdictions to secure the required local match.

BE IT FURTHER RESOLVED that NVTC certifies that the funds for all of the above grant 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.

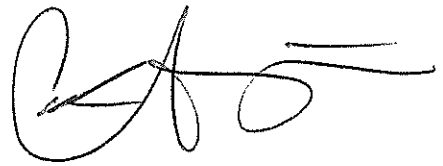
BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, for and on behalf of NVTC and its members, to furnish to the Transportation Planning Board, the Commonwealth Transportation Board, and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, to amend the above-described applications at the request of NVTC's member jurisdictions to include the most recent information and project costs.

Approved this 3rd day of March 2022.

A handwritten signature in black ink, appearing to read "Matt de Ferranti", written over a horizontal line.

Matt de Ferranti
Secretary-Treasurer

A handwritten signature in black ink, appearing to read "Canek Aguirre", written over a horizontal line.

Canek Aguirre
Chair



RESOLUTION #2473

SUBJECT: Approve the Submission of a FY 2023 Technical Assistance Application to DRPT for the Northern Virginia Regional Bus Analysis

WHEREAS: Northern Virginia Transportation Commission (NVTC) member jurisdictions provide local, express and commuter bus service, either through their own local transit agencies or through Metrobus, a vital mobility service that both supports Northern Virginia's economic growth and provides climate change-related benefits;

WHEREAS: Building upon previous analysis by NVTC in 2016, it is necessary and prudent to periodically re-examine bus transit service at a regional level to ensure a coordinated and collaborative approach to transit planning while leveraging regional economies of scale;

WHEREAS: The purpose of this study is to: 1) provide a regional context and analysis of existing and planned services by Northern Virginia's bus transit providers; and 2) serve as a complementary strategic planning resource for the Commission and its jurisdictional members;

WHEREAS: This study provides a macro level assessment of how bus systems are serving Northern Virginia by using the transit strategic plans (TSP) developed by individual transit service providers as well as other planning documents developed by NVTC member jurisdictions (capital improvement plans, local transportation/mobility plans, etc.);

WHEREAS: The study will 1) assess service gaps; 2) identify opportunities for coordination of service, including the identification of cross-jurisdictional high priority transit corridors; 3) identify opportunities for shared facilities and other infrastructure; and 4) provide a regional-level overview of existing and anticipated financial needs;

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission authorizes the executive director, or her designee, for and on behalf of NVTC:

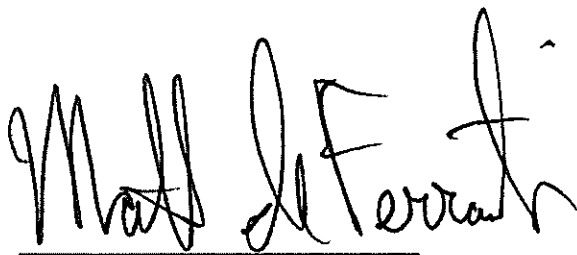
- 1) To file an application with DRPT under the Technical Assistance Program for FY 2023 in the amount of \$300,000, with state funds anticipated at 50%;
- 2) To accept from DRPT and execute the grant in such amount as may be awarded;
- 3) To furnish to DRPT such documents and other information as may be required for processing the grant request; and
- 4) To enter into a Memorandum of Agreement (MOA) with NVTC jurisdictions to secure the required local match.

BE IT FURTHER RESOLVED that NVTC certifies that the funds for all of the above grant 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.

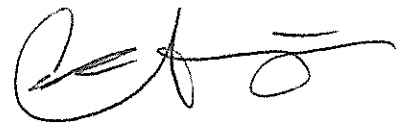
BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, for and on behalf of NVTC and its members, to furnish to the Transportation Planning Board, the Commonwealth Transportation Board, and other state and federal funding agencies such documents, information, assurances and certifications as may be required for pursuing the above grant requests and continuing previously awarded grants.

BE IT FURTHER RESOLVED that NVTC authorizes the executive director, or her designee, to amend the above-described applications at the request of NVTC's member jurisdictions to include the most recent information and project costs.

Approved this 3rd day of March 2022.



Matt de Ferranti
Secretary-Treasurer



Canek Aguirre
Chair

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice
DATE: April 28, 2022
SUBJECT: Consent Agenda (subject to approval of chair)

At the May meeting, the Commission will be asked to approve the Consent Agenda, which includes eight action items: Financial Auditing Services Contract, Title VI Program, WMATA Certification Letter and five letters of endorsement for jurisdictional federal funding requests.

ACTION ITEM: Approve the CONSENT AGENDA

A. Resolution #2474: Authorize the Executive Director to Execute a Contract for NVTC Financial Auditing Services

The Commission is asked to approve Resolution #2474, which will authorize the executive director to execute a contract for NVTC financial auditing services with PBMares, LLP. The contract will be for a base period of three years, with options for four additional years, in two-year increments, with the executive director exercising the option years at her discretion. The three-year base contract totals \$74,550, with annual cost escalation of approximately 2% over the four option years for a total potential contract value of \$181,200.

NVTC staff will meet with the Executive Committee, acting as NVTC's Audit Committee, before the May Commission meeting to discuss the outcome of the procurement process, and to recommend that NVTC contract with the top ranked firm, PBMares, LLP. A memo from NVTC staff to the Executive Committee in its capacity as the Audit Committee is attached.

B. Resolution #2475: Approve the NVTC Title VI Program and Authorize the Executive Director or Her Designee to Submit the Program to the Federal Transit Administration

The Commission is asked to approve Resolution #2475, which will approve the updated NVTC Title VI Program and authorize the executive director or her designee to submit the program to the Federal Transit Administration (FTA).

Title VI of the Civil Rights Act of 1964 requires that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The Title VI Program documents the processes and procedures that NVTC undergoes to ensure that it is in compliance with the statute.

To document compliance with the Title VI regulations, FTA requires that all primary recipients of federal financial assistance submit a Title VI Program once every three years. NVTC is required to comply as NVTC is the primary funding recipient for transit grants on behalf of the cities of Alexandria and Falls Church. The Title VI Program must be approved by the primary recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA.

NVTC's last Title VI Program (covers the periods August 2019 – July 2022) was approved in 2019. Once approved, this updated Title VI Program will cover the periods August 2022 – July 2025.

C. ACTION: Authorize the Executive Director to Send a Letter Certifying Receipt of Certain Documents from WMATA Required by State Code

The Commission is asked to authorize the executive director to send a [letter to the Comptroller of Virginia certifying receipt of certain documents from the Washington Metropolitan Area Transit Authority \(WMATA\)](#). All documents are anticipated to be received by the time of the May Commission meeting. The final document is the latest Single Audit Report, which is anticipated to be posted by WMATA in late April.

Background

State Code ([§33.2-3402](#)) requires that NVTC request certain documents and reports from WMATA related to the transit agency's system budget, financial performance and operating characteristics. Funding from the Commonwealth Mass Transit Fund to support WMATA is contingent upon NVTC providing an annual certification to the Comptroller that such documents and reports have been received. NVTC must certify to the Virginia Comptroller receipt of the following:

- WMATA's Annual Capital Budget
- WMATA's Annual Independent Financial Audit
- WMATA's National Transit Database Annual Profile
- WMATA's Single Audit Reports – issued in accordance with the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 C.F.R. Part 200)

The WMATA Board approved the [FY 2023 Capital Budget](#) on March 24, 2022. NVTC will post the approved FY 2023 budget book when it is received in June. WMATA's annual [National Transit Database profile for FY 2020](#) was posted on the Federal Transit Administration's (FTA) website in December 2020. WMATA also posted its [most recent Comprehensive Annual Financial Report \(CAFR\)](#). The most recent Independent Auditor's report starts on page three of the report. The Single Audit Report for the fiscal year ended June 30, 2021, issued in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200), is anticipated to be posted after the WMATA Board accepts the report at its April 28 meeting. Received documents have been added to [NVTC's WMATA Oversight webpage](#). Once

all required documents are received, NVTC's executive director will send the letter to the Comptroller of Virginia certifying receipt of all documents in accordance with state code.

NVTC will continue the certification process annually on a schedule to match WMATA's fiscal year.

D. ACTION: Authorize the Chair to Send a Letter of Endorsement for the City of Alexandria's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant

The Commission is asked to authorize the chair to sign a letter of endorsement for the City of Alexandria's application to the U.S. Department of Transportation's RAISE discretionary program for up to \$6 million to construct vital transit and safety improvements at the King Street/N. Beauregard Street intersection in Western Alexandria, including: lane reconfiguration, removing a right turn slip lane, upgrades to the traffic signal equipment and operations, enhanced pedestrian crossings with raised and painted pedestrian refuges to improve access to transit stops near the intersection, and stormwater improvements.

E. ACTION: Authorize the Chair to Send a Letter of Endorsement for the City of Alexandria's Application for the Federal Transit Administration's Low or No Emission Vehicle and Bus and Bus Facilities Discretionary Grant Programs

The Commission is asked to authorize the chair to sign a letter of endorsement for the City of Alexandria's application to the Federal Transit Administration's Low or No Emission Vehicle and Bus and Bus Facilities discretionary grant programs for \$60 million to purchase zero emissions buses, install new electrical service and infrastructure, and enable workforce development. The proposed grant application will support 12 megawatts of new electric service capacity and infrastructure to provide sufficient electricity to the DASH facility for bus charging. The project also funds the conversion of 25 planned replacement buses in FY 2023 and FY 2024 from conventional diesel to battery electric.

F. ACTION: Authorize the Chair to Send a Letter of Endorsement for Arlington County's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant

The Commission is asked to authorize the chair to sign a letter of endorsement for Arlington County's application to the U.S. Department of Transportation's RAISE discretionary program for \$15 million to construct the Arlington National Cemetery Wall Trail which will provide bike and pedestrian connections to the Arlington Cemetery Metrorail Station and other Arlington County trails.

G. ACTION: Authorize the Chair to Send a Letter of Endorsement for Fairfax County's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant

The Commission is asked to authorize the chair to sign a letter of endorsement for Fairfax County's application to the U.S. Department of Transportation's RAISE discretionary program for \$25 million to construct the Richmond Highway Bus Rapid Transit (BRT) project. The 7.4-mile project will include median bus lanes, nine stations, bike and pedestrian facilities and roadway improvements along the corridor.

H. ACTION: Authorize the Chair to Send a Letter of Endorsement for Loudoun County's Application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant

The Commission is asked to authorize the chair to sign a letter of endorsement for Loudoun County's application to the U.S. Department of Transportation's RAISE discretionary program for \$12 million to construct an overpass for bicyclist and pedestrians where the Washington & Old Dominion Trail (W&OD) crosses Sterling Boulevard. The W&OD Trail serves as a major arterial for bicyclists accessing Loudoun County Metrorail stations and is a convenient route to the existing Wiehle-Reston East Metrorail Station in Fairfax County.

RESOLUTION #2474

SUBJECT: Authorize the Executive Director Execute a Contract for NVTC Financial Auditing Services

WHEREAS: On December 2, 2021, the Commission authorized the executive director to issue a Request for Proposals for financial auditing services for NVTC jointly with VRE and PRTC for a base period of three years, with options for two additional two-year periods;

WHEREAS: On February 10, 2022, NVTC issued a Request for Proposals for financial auditing services on behalf of both Commissions and VRE;

WHEREAS: Six proposals were received and ranked by the selection committee in accordance with the guidelines specified in the RFP, with interviews conducted with the top four firms;

WHEREAS: The selection committee recommends that the contract be awarded to PBMares, LLP, the highest ranked proposing firm; and

WHEREAS: The NVTC Executive Committee, acting as the Audit Committee, recommends approval of this contract award.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission hereby authorizes the executive director to execute a contract with PBMares, LLP for NVTC financial auditing services for a base period of three years for \$74,550 with options for two additional two-year periods to be exercised at the executive director's discretion, for a total potential contract value of \$181,200.

Approved this 5th day of May 2022.

Canek Aguirre
Chair

Matt de Ferranti
Secretary-Treasurer



Executive Committee Agenda #3 Recommendation of Audit Firm for Financial Auditing Services

TO: Chair Aguirre and NVTC Executive Committee Members
FROM: Kate Mattice and Scott Kalkwarf
DATE: April 28, 2022
SUBJECT: Recommendation of Audit Firm for Financial Auditing Services

The Executive Committee will be asked to support Commission action for NVTC to enter into a contract with PBMares for a base period of three years, effective with the audit of FY 2022, with options for two additional two-year periods with the executive director exercising the option years at her discretion. No formal action is required of the Executive Committee.

Summary

On December 2, 2021, the Commission authorized the executive director to issue a Request for Proposals (RFP) for financial auditing services for NVTC jointly with VRE and PRTC, with the expectation that each entity would enter into individual contracts with the selected firm. Of the six proposing firms, PBMares, LLP was ranked highest by the selection committee.

It is recommended that NVTC enter into a contract with PBMares for a base period of three years, effective with the audit of FY 2022, with options for two additional two-year periods. The three-year base contract totals \$74,550, with annual cost escalation of approximately 2% over the four option years for a total potential contract value of \$181,200. VRE received authorization to contract with PBMares at the April Operations Board meeting, and PRTC is expected to request a similar authorization request at its May 2022 meeting.

Background

NVTC's contract for auditing services with PBMares, LLP expired with the completion of the FY 2021 audit. In 2008, NVTC and VRE jointly issued an RFP for auditing services and entered into individual contracts for a period of three years, with the option of two additional two-year periods, which were both exercised. (PBMares was also the audit firm for PRTC, but as the result of a separate procurement.) The final year of the contract covered the FY 2014 financial statement audit, and the Commission authorized the issuance of an RFP with VRE and PRTC. PBMares was selected as the highest-ranking firm in that solicitation, and the Commission authorized the executive director to enter into a new contract for three years, with the option of two additional two-year periods, which were both exercised.

On December 2, 2021, the Commission approved a request for NVTC to issue an RFP with VRE and PRTC, with expected contract terms of three years with options for two additional two-year

periods. While the intention is for each entity to contract with the same firm, the RFP did not prohibit contracting with separate firms.

As joint owners of VRE, NVTC and PRTC each recognize a portion of VRE as a proprietary fund in their audited financial statements. Contracting all three engagements with the same firm will result in the most cost-effective approach and will help to ensure timely completion of the audits.

The best practices recommended by the Government Finance Officers Association (GFOA) include the recommendation to enter into multi-year agreements of at least five years in duration. Such agreements allow for greater continuity and help to minimize the potential for disruption in connection with the audit. Multi-year agreements can also help to reduce audit costs by allowing auditors to recover certain “start-up” costs over several years, rather than over a shorter period. At the conclusion of the contract, a competitive procurement process is recommended whereby participation of all qualified firms, including the current auditors, is sought.

While the perception that auditor independence may be enhanced by required audit firm rotation at the end of the audit contract, the GFOA recognizes the frequent lack of competition among audit firms fully qualified to perform public-sector audits and meeting a government’s unique selection criteria. The GFOA further recommends that the audit procurement process should be structured so that the principal factor in the selection of an auditor is the auditor’s ability to perform a quality audit. Accordingly, the GFOA does not recommend the mandatory rotation of auditors.

A distribution list of five prospective firms was established. To ensure maximum participation, the RFP was also posted on eVA, Virginia’s procurement portal. On February 10, 2022, the RFP was issued, and six proposals were received by the March 10, 2022 due date.

Ranking and Selection

The proposals were evaluated by a selection committee composed of financial staff from NVTC, PRTC and VRE, using the following criteria:

- Qualifications and government experience of the firm
- Qualifications and government experience of assigned staff including experience with Virginia localities, commissions, authorities and the public transit industry
- Audit understanding, approach and work plan
- Ability to complete audit by required deadlines
- Commitment to provide continuity of audit staff
- References from clients with similar size and complexity

Interviews were conducted with the top four ranked firms. The proposal from PBMares, LLP was ranked highest by the selection committee.



RESOLUTION #2475

- SUBJECT:** Approve NVTC's Title VI Program and Authorize the Executive Director or Her Designee to Submit the Program to the Federal Transit Administration
- WHEREAS:** The Federal Transit Administration (FTA) requires grant recipients to submit a Title VI Program every three years;
- WHEREAS:** Title VI of the 1964 Civil Rights Act requires that "No persons in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance;"
- WHEREAS:** NVTC staff has reviewed these requirements and has prepared a Title VI Program in compliance with Title VI of the Civil Rights Act of 1964;
- WHEREAS:** NVTC must collect its subrecipient's Title VI Programs and review the programs for compliance;
- WHEREAS:** NVTC staff has reviewed the Title VI Programs of its subrecipients, the City of Falls Church and the City of Alexandria, and ensured their compliance with Title VI of the Civil Rights Act of 1964; and
- WHEREAS:** NVTC will maintain a copy of its subrecipient's Title VI Program on file, internally, to document compliance with this subrecipient monitoring requirement.
- NOW, THEREFORE, BE IT RESOLVED** that the Northern Virginia Transportation Commission hereby approves the Title VI Program (covering the period August 2022 – July 2025) and authorizes the executive director or her designee to submit it to the Federal Transit Administration.

Approved this 5th day of May 2022.

Canek Aguirre
Chair

Matt de Ferranti
Secretary-Treasurer



Northern Virginia Transportation Commission

Title VI Program

June 2022

DRAFT



novatransit.org

2300 Wilson Boulevard, Suite 230 • Arlington, VA 22201 • (703) 524-3322

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Attachment 1—NVTC’S NOTICE TO THE PUBLIC & TITLE VI COMPLAINT PROCEDURES

Attachment 2—NVTC’S TITLE VI COMPLAINT FORM(S)

Attachment 3—NVTC’S INTERNAL PROCEDURES FOR HANDLING AND PROCESSING TITLE VI COMPLAINTS

Attachment 4—NVTC’S FOUR FACTOR ANALYSIS

Attachment 5—NVTC’S LIMITED ENGLISH PROFICIENCY (LEP) PLAN

Attachment 6—SCHEDULE OF NVTC’S SUBRECIPIENT’S TITLE VI PROGRAM SUBMISSIONS

Attachment 7—NVTC’S BOARD RESOLUTION

INTRODUCTION

The Northern Virginia Transportation Commission (NVTC or the Commission) was established to manage and control the functions, affairs, and property of the Northern Virginia Transportation District—which was created by the Transportation District Act of 1964 (§ 33.2-1900 through 33.2-1935 of the Virginia Code). The purpose of the Act is to facilitate “the development of transportation systems [...] for the orderly growth and development of the urban areas of the Commonwealth; for the safety, comfort and convenience of its citizens; and for the economical utilization of public funds.”

NVTC is comprised of 21 Commissioners and five Alternates. Fourteen are locally elected officials from its six-member jurisdictions: Arlington (3), Fairfax (5), and Loudoun (2) counties, and the cities of Alexandria (2), Fairfax (1), and Falls Church (1). Six of the 21 commissioners are appointed from the General Assembly (two senators and four House of Delegates members or appointees). Additionally, one Commissioner is appointed by Virginia Secretary of Transportation. NVTC officers are appointed in January and serve for one year.

NVTC is a strong advocate of adequate, stable, and reliable funding to finance public transit and supports improved efficiency of the region’s transportation system. NVTC provides a policy forum for the region and allocates over \$220 million in state, regional and federal transit assistance each year among member jurisdictions. NVTC’s budget is funded primarily by its member jurisdictions. NVTC appoints Virginia’s two principal and two alternate members to the Board of Directors of the Washington Metropolitan Area Transit Authority (WMATA) and, as a co-owner of the Virginia Railway Express (VRE), appoints five voting members and three alternates to the VRE Operations Board.

Federal Transit Administration (FTA) funded transit projects performed by NVTC’s subrecipients, the Cities of Alexandria and Falls Church include studies, new infrastructure, and facilities and amenities for WMATA.

POLICY STATEMENT

NVTC has established a Title VI Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 21. The Commission has received federal financial assistance from the Department of Transportation and, as a condition of such assistance, the Commission will comply with 49 CFR Part 21.

The primary goal of the Commission’s Title VI Program is to ensure all management, staff, contractors, and service beneficiaries are aware of the provisions and the responsibilities associated with Title VI of the Civil Rights Act of 1964.

FTA requires recipients to report certain general information to determine compliance with Title VI. The collection and reporting of this information constitutes the recipient’s Title VI Program. To ensure compliance with 49 CFR 21.9(b), FTA requires that all recipients document their compliance by submitting a Title VI Program to the agency’s regional civil rights officer once every three years. The information in the pages that follow documents NVTC’s Title VI Program, which will cover the periods August 2022–July 2025.

ASSURANCES

NVTC's most recent Certifications and Assurances have been uploaded in TrAMS. NVTC also requires its subrecipients to sign certifications & assurances, which are kept on file internally.

NOTICE TO THE PUBLIC REGARDING TITLE VI OBLIGATIONS

NVTC maintains its Title VI notice to the public on its website and has physical copies available in the reception area of its administrative office. See [Attachment 1](#)

The notice states in English that the Commission operates its programs without regard to race, color and national origin. It informs the public on how to request additional information regarding NVTC's Title VI obligations. It directs the public to a copy of NVTC's procedures for filing, receiving and tracking complaints. The notice also includes a Title VI complaint form. The Google Translate feature on the website allows the notice to be translated into over 100 languages. See [Attachment 2](#)

TITLE VI COMPLAINT INVESTIGATION AND TRACKING PROCEDURES

[Attachment 3](#) is NVTC's internal procedures for handling and processing Title VI Complaints.

TITLE VI INVESTIGATIONS, COMPLAINTS AND LAWSUITS

Neither NVTC nor its subrecipients have had any transportation-related Title VI investigations, complaints or lawsuits filed since the last submission in 2019.

NVTC's PUBLIC PARTICIPATION STRATEGY

NVTC seeks out and considers the viewpoints of minority, low-income and limited English proficient (LEP) persons in the course of its public outreach and involvement activities for each of its projects. It considers the composition of the population affected by the project, the type of practical public outreach to be undertaken, and the resources available to NVTC. NVTC seeks to overcome linguistic, institutional, cultural, economic, historical or other barriers that might prevent minority and low-income people from effectively participating in NVTC's decision-making process.

To that end, NVTC:

1. Conducts its meetings at locations convenient to low-income and minority populations (i.e. within walking distance of a Metrorail station and/or bus routes).
2. Streams its meetings on YouTube, where it can be translated into any language via YouTube's translation services.
3. Conducts its meetings at times convenient to low-income and minority populations.
4. Distributes media releases broadly to include news outlets tailored to such communities.
5. Encourages its members to establish and maintain contacts within those communities.
6. Implements fully its policies on reaching out to LEP persons (see policy below).
7. Advertises its new programs and initiatives in non-English publications and media outlets, as applicable.
8. Identifies outreach opportunities in schools and universities; places of worship; ethnic marketplaces; and neighborhood and cultural centers, when appropriate to the project.

Since the last Title VI Program submission, NVTC conducted the following outreach activities:

- NVTC hosted one in-person open house and public hearing related to the I-395/95 Commuter Choice program. NVTC also engaged in enhanced outreach efforts, such as the Celebrate Fairfax Festival, to increase visibility and awareness of the Commuter Choice program. NVTC staff were available to answer any questions from the public. Translation services were available upon prior request.
- NVTC hosted three public hearings to discuss NVTC's budget and annual work plan.
- NVTC hosted three virtual town hall meetings via NVTC's YouTube channel for members of the public to learn more about the projects under consideration for Commuter Choice funding. NVTC and applicant staff were available, live, to answer any questions from the public about Commuter Choice and the proposed projects. The meeting was recorded for later streaming.
- NVTC hosted two virtual Joint Regional public meetings with the Virginia Department of Rail and Public Transportation (DRPT), the Northern Virginia Transportation Authority (NVTA), the Virginia Department of Transportation (VDOT), and the Virginia Railway Express (VRE).

Members of the public are able to translate all recorded virtual meetings into any language via YouTube's translation services.

NVTC'S LIMITED ENGLISH PROFICIENCY (LEP) PLAN

See [Attachment 4](#) for the Four Factor Analysis.

See [Attachment 5](#) for the Limited English Proficiency (LEP) Plan.

RACIAL BREAKDOWN OF NON-ELECED PLANNING BOARDS

NVTC is comprised of 21 Commissioners and five Alternates. Fourteen are locally elected officials from its six-member jurisdictions, six are appointed from the General Assembly, and one is appointed by the Virginia Secretary of Transportation.

The membership of the Commission is not determined by NVTC. Thus, the requirement to provide a table depicting the racial breakdown of the membership is not applicable.

NVTC'S TITLE VI SUBRECIPIENT MONITORING PROCESS

The City of Alexandria and the City of Falls Church are NVTC's subrecipients which receive federal funding for transit-related projects.

NVTC requires its subrecipients to sign certifications and assurances annually to certify that they will comply with all federal statutes relating to nondiscrimination, including, but not limited to, Title VI of the Civil Rights Act of 1964. Every three years, NVTC reviews drafts of its subrecipient's Title VI programs and suggests changes where needed to ensure compliance with the FTA requirements. Furthermore, NVTC ensures its subrecipients are exploring all opportunities to deliver competent and accurate language services, as they have more direct interaction with the general public.

In the event that there are any transportation-related Title VI investigations, complaints or lawsuits filed against its subrecipients, NVTC is promptly notified and included in the review and response preparation process.

NVTC also provides assistance to its subrecipients in complying with DOT's Title VI regulations as necessary and appropriate. NVTC maintains the following information and makes it available for all subrecipients:

- Sample notices to the public informing beneficiaries of their rights under DOT's Title VI regulations, procedures on how to file a Title VI complaint and NVTC's Title VI complaint form.
- Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient and when NVTC expects the subrecipient to notify NVTC of complaints received by the subrecipient.
- Demographic information on the race and English proficiency of residents served by its subrecipients.

A schedule of the City of Alexandria and the City of Falls Church's Title VI Program submission is provided in [Attachment 6](#). Once approved by their respective City Councils, NVTC obtains a final copy and maintains it on file internally.

EQUITY ANALYSIS FOR FACILITY CONSTRUCTION

NVTC has not constructed a facility. Thus, the requirement to include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility is not applicable.

REQUIREMENTS FOR FIXED ROUTE TRANSIT PROVIDERS

The following requirements apply to all providers of fixed route public transportation that receive federal financial assistance:

- Set system-wide standards and policies
- Collect and report data
- Evaluate service and fare equity changes
- Monitor transit service

While NVTC is part of a large urbanized area, neither NVTC nor its subrecipients are transit providers. Therefore, these requirements do not apply to NVTC.

NVTC'S NOTICE TO THE PUBLIC

The Northern Virginia Transportation Commission (NVTC) is committed to ensuring that no person is excluded from participation in, is denied the benefits of, or is subjected to discrimination under its services on the basis of race, color or national origin in accordance with Title VI of the Civil Rights Act of 1964.

It is NVTC's objective to:

- Ensure that the level and quality of transportation service is provided without regard to race, color or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and
- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP).

The executive director and all NVTC staff share the responsibility for carrying out NVTC's commitment to Title VI.

For more information on NVTC's Title VI obligations, please contact NVTC at 703-524-3322 or via email at NVTC@novatransit.org.

TITLE VI COMPLAINT PROCEDURES:

Any person who believes that they have been subjected to an unlawful discriminatory practice by NVTC on the basis of race, color, or national origin may file a Title VI complaint within 180 days from the date of the alleged discrimination. Complaints may either be filed with NVTC or with the Federal Transit Administration.

Filing a Complaint with NVTC

- Title VI Complaint Form English
- Title VI Complaint Form Spanish
- Online: Complaints may be filed via e-mail at NVTC@novatransit.org
- By Mail: Complaints may be filed with NVTC in writing and may be addressed to:

NVTC
Executive Director
2300 Wilson Blvd #230
Arlington, Virginia 22201

Once the complaint is received, the complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated.

Within 30 days from receipt of the complaint, NVTC's executive director will provide a response containing findings and remedies or, if such a response cannot be completed, a progress report to the complainant with an estimate of when the response will be completed. NVTC will endeavor to complete its investigation and issue its findings and remedies within 180 days of receipt of the complaint and additional information it may request.

Filing a Complaint Directly to the Federal Transit Administration

A complainant may file a Title VI complaint with the Federal Transit Administration by contacting the FTA Office of Civil Rights at:

Federal Transit Administration
Office of Civil Rights
Attention: Complaint Team
East Building, 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

Complete a [FTA complaint form](#) and attach:

- A summary of your allegation and any supporting documentation.
- Sufficient details for an investigator to understand why you believe a public transit provider has violated your rights, with specifics such as dates and times of incidents.
- Any related correspondence from the transit provider.

NVTC will provide appropriate assistance to individuals who are limited in their ability to communicate in English.

A copy of this notice is posted on NVTC's website (novatransit.org) in English and can be translated into 100+ languages through the use of the Google Translate tool.

NVTC'S TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that "no persons in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

If you believe you have been discriminated against by NVTC, you may file a signed, written complaint within 180 days of the date of alleged discrimination. You may use the form below, which includes the necessary information to process your claim. When completed, please return this form to the executive director, NVTC, 2300 Wilson Boulevard, Suite 230, Arlington VA 22201.

SECTION I

Complainant's Information

Name:

Phone Number (work):

Address:

Phone Number (home):

E-mail Address:

Victim's Information (if different than above)

Name:

Phone Number (work):

Address:

Phone Number (home):

E-mail Address:

Confirm you have obtained the permission of the aggrieved party. ☐

Explain why you have filed for a third party:

SECTION II

Date of alleged discrimination:

Do you believe that the reason for the alleged discrimination was based on: Race ☐

Color ☐

National Origin ☐

SECTION III

Have you filed this complaint with any other federal, state, or local agency; or with any federal or state court?

Yes ☐

No ☐

If yes, mark all appropriate boxes: Local Agency ☐

State Court ☐

State Agency ☐

Federal Court ☐

Federal Agency ☐

Contact information for the agency/court where the complain was filed:

Name:

Phone Number:

Address:

SECTION IV

Describe in your own words the alleged discrimination. Please explain what happened and who you believe was responsible. Provide all details and pertinent facts and circumstances surrounding the alleged discrimination that will help NVTC investigate your complaint. You may also attach any written materials and other information that you think is relevant to your complaint.

SECTION V

Complainant's Signature:

Date:

Formulario de queja de Título VI

El Título VI del Decreto de los Derechos Civiles de 1964 dispone que “ninguna persona en los Estados Unidos debe ser excluida de participar en, negada de los beneficios de sus servicios en base a su raza, color u origen étnico, o ser sujeto(a) a discriminación bajo cualquier programa o actividad que reciba ayuda económica federal.”

Si cree que ha sufrido discriminación, puede presentar una queja por escrito y firmada en un plazo de 180 días de la fecha de la presunta discriminación. Puede utilizar el formulario a continuación, que incluye la información necesaria para procesar su queja. Cuando termine, favor de entregar este formulario a Ejecutivo Director, NVTC, 2300 Wilson Boulevard, Suite 230, Arlington VA 22201.

SECCIÓN I

Datos Del Reclamante

Nombre:

Número telefónico (trabajo):

Dirección:

Número telefónico (casa):

Dirección electrónica:

Datos de la Víctima (si es diferente del anterior)

Nombre:

Número telefónico (trabajo):

Dirección:

Número telefónico (casa):

Dirección electrónica:

Confirmar que ha obtenido la autorización de la parte perjudicada. ☐

Explicar por qué usted ha presentado para un tercero :

SECCIÓN II

Fecha de la presunta discriminación:

Cree que la razón para la presunta discriminación es debido a: Raza ☐

Color ☐

Origen étnico ☐

SECCIÓN III

¿Ha entregado esta queja a cualquier otro organismo local, estatal, o federal o con cualquier tribunal estatal o federal? Sí ☐ No ☐

De ser así, marque todas las cajas apropiadas : Tribunal estatal ☐ Organismo local ☐
Organismo estatal ☐ Tribunal federal ☐
Organismo federal ☐

Información de contacto para el organismo/tribunal donde se presente la queja:

Nombre :

Número telefónico:

Dirección :

SECCIÓN IV

Describa en sus propias palabras la presunta discriminación. Favor de explicar qué fue lo que sucedió y quién cree que es responsable. Proporcione todos los detalles y hechos pertinentes, y circunstancias en torno a la presunta discriminación que ayudarán a MTS a investigar su queja. También puede añadir cualquier material escrito u otra información que considere relevante a su queja.

SECCIÓN V

Firma del reclamante :

Fecha :

NVTC'S INTERNAL PROCEDURES FOR HANDLING AND PROCESSING TITLE VI COMPLAINTS

1. NVTC's executive director will issue notification to the person submitting the complaint of its receipt by NVTC within 2 working days.
2. Within 15 working days from receipt of the complaint, NVTC's executive director will initiate a review of the complaint. The executive director may request additional relevant information from the complainant.
3. Within 30 days from receipt of the complaint, NVTC's executive director will provide a response containing findings and remedies, or if such a response cannot be completed, a progress report to the complainant with an estimate of when the response will be completed. NVTC will endeavor to complete its investigation and issue its findings and remedies within 180 days of receipt of the complaint and additional information it may request.
4. Upon completion of the response and notice to the complainant, NVTC will record the findings and inform FTA in NVTC's next Title VI Program submission.
5. Complainant will be informed of NVTC's appeal procedure, which is consistent with the Code of Virginia.
6. If the complaint results in a modification to NVTC policies, procedures or practices, compliance with the change will be monitored by the executive director or their designee and recorded at least twice each year for a period of at least three years.

NVTC'S FOUR FACTOR ANALYSIS

NVTC has performed a DOT Four Factor Analysis of its program to ensure meaningful access to benefits, services, information and other important portions of its programs and activities for individuals who are limited English proficient (LEP). An individual who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English can be limited English proficient, or "LEP," and, therefore, are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter.

This Four Factor Analysis helps NVTC to determine if it communicates effectively with LEP persons and informs language access planning. The analysis is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by NVTC;
2. The frequency with which LEP persons come into contact with NVTC programs;
3. The nature and importance of NVTC's services and programs in people's lives; and
4. The resources available to NVTC for LEP outreach, as well as the costs associated with that outreach.

FACTOR 1. NUMBER OF LEP PERSONS IN THE SERVICE REGION

Persons "eligible to be served, or likely to be directly affected by" a recipient's programs or activities are those who are in fact, served or encountered in the eligible service population. This population includes persons who are in the geographic area that is part of the recipient's service area.

The guidance provides that recipients should first examine their prior experiences with LEP individuals and determine the breadth and scope of language services that are needed. NVTC does not operate transit service and has limited direct interaction with the general public, including LEP individuals. Furthermore, NVTC has not been approached, to date, for information from anyone who does not appear to understand the English language.

Therefore, to conduct the analysis, NVTC evaluated the types of languages spoken at home for the people in the NVTC service region and the level at which those individuals did not speak English "very well." Data for the review was collected for NVTC's six jurisdictions (counties of Arlington, Fairfax and Loudon and the cities of Alexandria, Falls Church and Fairfax) as it represents the individuals most likely served or encountered in the NVTC service population. NVTC consulted the United States Census Bureau 2016-2020 American Community Survey five-year estimates to retrieve the data. See [Table 1](#).

According to the data, the most common language spoken other than English is Spanish, which is the primary language of 28,833 residents in Arlington County (12.95% of the population); 145,333 residents in Fairfax County (13.51% of the population); 40,620 residents in Loudon County (10.78% of the population); 19,899 residents in Alexandria City (13.54% of the population); 2,911 residents in Fairfax City (13.44% of the population); and 847 residents in Falls Church City (6.26% of the population). Other common categories of languages spoken in the NVTC service region include Other Indo-European languages, Chinese, Other Asian and Pacific Island languages, and Other unspecified languages. However, these languages represent, on average, less than 5% of the total NVTC service region.

Of these top five languages spoken in the NVTC service region, an analysis was conducted to determine the number of individuals that did not speak English “very well.” See [Table 2](#). This data revealed the LEP persons likely to be encountered by NVTC.

[Map 1](#) is provided to illustrate where in the region populations of LEP persons reside.

FACTOR 2. FREQUENCY OF LEP USE

NVTC does not operate transit service and has limited direct interaction with the general public. Moreover, NVTC has not been approached, to date, for information from anyone who does not appear to understand the English language.

However, despite the unpredictable or infrequent basis in which NVTC comes in contact with LEP persons, NVTC takes proactive steps to ensure it is prepared to provide language assistance should it be needed.

For example, NVTC is prepared to use the services of a translator or sign language interpreter for public hearings, free-of-charge, within seven days notice.

FACTOR 3. IMPORTANCE TO LEP PERSONS OF NVTC’S PROGRAMS, ACTIVITIES AND SERVICES

Although NVTC’s primary focus is not the provision of transit services, it does focus on funding, policy, and research that benefits transit users. Decisions made by the Commission can influence the types of transit available in the region and the routes they follow. Public transportation is a primary need of LEP individuals, many of whom do not have personal vehicles to access jobs, health care, government services, and recreation. Therefore, providing opportunities for the LEP population to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions is paramount. NVTC fully believes that language should not be a barrier to participating in the transportation decision-making process, as access to all points of view allows the Commission to make informed decisions on policies, funding, studies, and analyses.

FACTOR 4. RESOURCES AVAILABLE FOR LEP OUTREACH

NVTC serves as a regional forum for discussion and analysis of transit issues that are critically important to the region and our economy. However, despite its smaller size and limited direct interaction with the general public, NVTC is committed to exploring the most cost-effective means of delivering competent and accurate language services.

To that end, NVTC has adopted the following cost-efficient and reasonable practices:

- Translating informational brochures into languages other than English, when appropriate;
- Offering, with seven days notice, the services of a translator or sign language interpreter for public hearings, free-of-charge;
- Providing a Google Translator link on the website to translate the Title VI notice and other key NVTC policies;
- Using visual aids, such as maps and charts, to illustrate topics and concepts; and
- Avoiding technical jargon and targeting presentations to a general audience.

Currently, the costs associated with these efforts are found within the NVTC General and Administrative Budget.

TABLE 1

TYPES OF LANGUAGES SPOKEN AT HOME IN THE NVTC SERVICE REGION

	Arlington County		Arlington County Percentages		Fairfax County		Fairfax County Percentages		Loudoun County		Loudoun County Percentages		Alexandria City		Alexandria City Percentages		Fairfax City		Fairfax City Percentages		Falls Church City		Falls Church City Percentages	
English Only	158,314	71.12%	656,217	61.00%	255,057	67.68%	100,051	68.08%	14,443	66.66%	10,852	80.17%												
Spanish	28,833	12.95%	145,333	13.51%	40,620	10.78%	19,899	13.54%	2,911	13.44%	847	6.26%												
French, Haitian, or Cajun	2,632	1.18%	8,444	0.78%	2,341	0.62%	2,039	1.39%	180	0.83%	97	0.72%												
German or other West Germanic languages	1,334	0.60%	5,580	0.52%	2,041	0.54%	836	0.57%	48	0.22%	99	0.73%												
Russian, Polish, or other Slavic languages	2,559	1.15%	9,258	0.86%	2,818	0.75%	1,400	0.95%	106	0.49%	80	0.59%												
Other Indo-European languages	8,751	3.93%	70,056	6.51%	31,028	8.23%	5,180	3.52%	932	4.30%	517	3.82%												
Korean	1,394	0.63%	35,501	3.30%	3,417	0.91%	821	0.56%	610	2.82%	113	0.83%												
Chinese (incl. Mandarin, Cantonese)	4,841	2.17%	27,114	2.52%	3,468	0.92%	769	0.52%	711	3.28%	121	0.89%												
Vietnamese	976	0.44%	25,914	2.41%	4,006	1.06%	298	0.20%	498	2.30%	42	0.31%												
Tagalog (incl. Filipino)	1,150	0.52%	10,153	0.94%	3,239	0.86%	963	0.66%	254	1.17%	324	2.39%												
Other Asian and Pacific Island languages	4,069	1.83%	31,418	2.92%	20,011	5.31%	1,483	1.01%	562	2.59%	334	2.47%												
Arabic	3,163	1.42%	24,178	2.25%	5,538	1.47%	2,886	1.96%	310	1.43%	45	0.33%												
Other and unspecified languages	4,572	2.05%	26,570	2.47%	3,277	0.87%	10,345	7.04%	101	0.47%	65	0.48%												
TOTAL	222,588		1,075,736		376,861		146,970		21,666		13,536													

U.S. Census Bureau (2020). American Community Survey: Languages Spoken at Home for the Population 5 Years and Over. Retrieved from [https://data.census.gov/cedsci/table?q=C16001%093:18;PMId=ACSDT5Y2020.C16001].

TABLE 2

INDIVIDUALS WITHIN TOP 5 LANGUAGE CATEGORIES IN THE NUTC SERVICE REGION THAT SPEAK ENGLISH "LESS THAN VERY WELL"

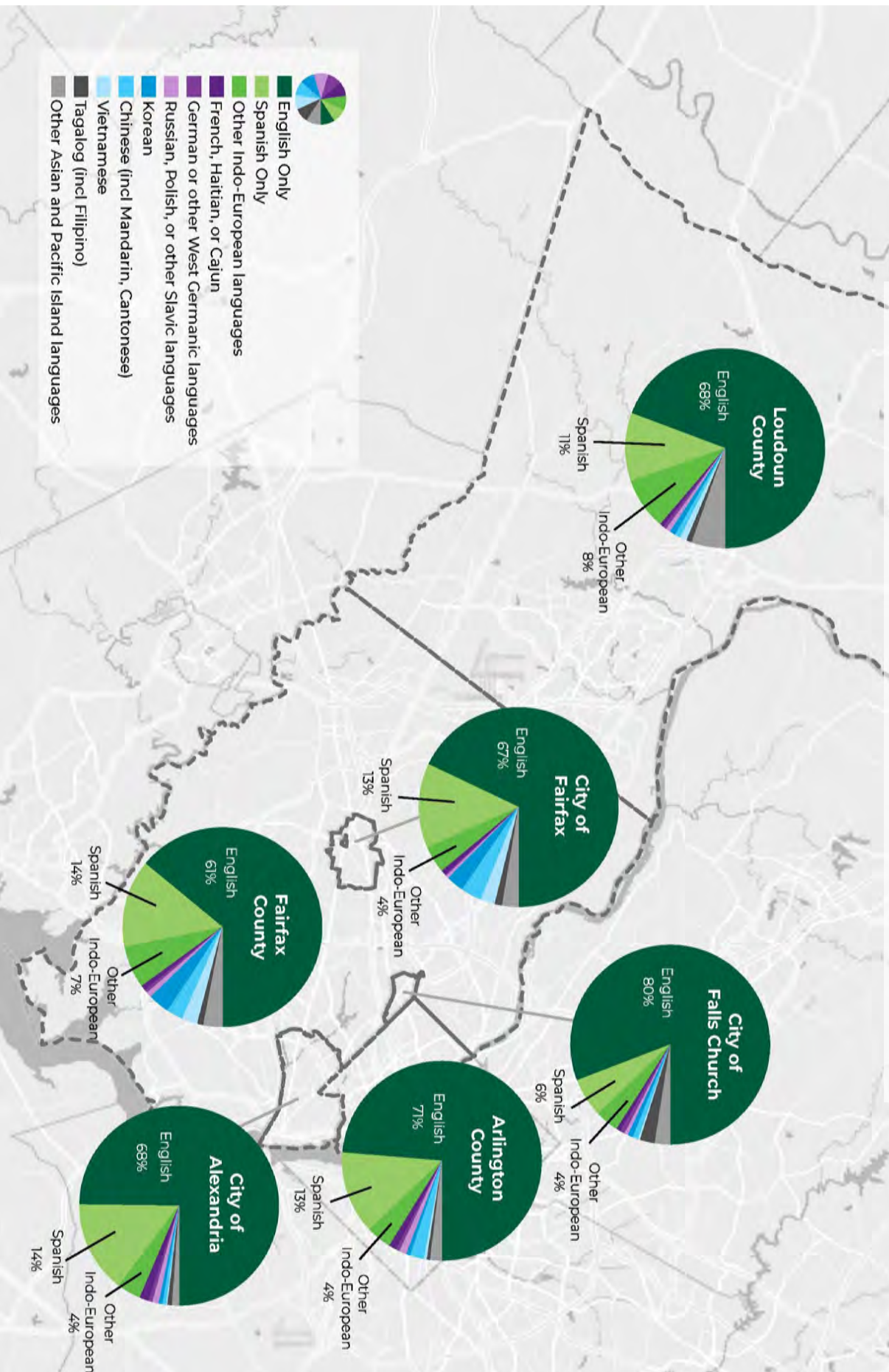
	Arlington County, Virginia	Fairfax County, Virginia	Loudoun County, Virginia	Alexandria city, Virginia	Fairfax city, Virginia	Falls Church city, Virginia
Spanish	9,588	62,798	16,192	9,203	1,272	304
Other Indo-European languages	1,557	18,440	6,684	1,680	227	55
Chinese	2,026	11,934	1,510	295	321	28
Other Asian and Pacific Island languages	1,329	8,546	3,852	552	248	139
Other and unspecified languages	1,030	8,290	639	3,588	33	14
TOTAL	15,530	110,008	28,877	15,318	2,101	540

U.S. Census Bureau (2020). American Community Survey: Languages Spoken at Home for the Population 5 Years and Over. Retrieved from <https://data.census.gov/cedsci/table?q=C16001%093:15 PMId=ACSDT5Y2020.C16001>.

MAP 1

2016-2020 American Community Survey 5 Year Estimates

Languages Spoken at Home in the NVTC Service Region



NVTC'S LIMITED ENGLISH PROFICIENCY (LEP) PLAN

After completing the Four Factor Analysis, NVTC used the results of the analysis to determine which language assistance services are appropriate and developed an assistance plan to address the identified needs of the LEP population it serves. The following is NVTC's Limited English Proficiency (LEP) Plan:

FOUR FACTOR ANALYSIS

The complete Four Factor Analysis can be found in [Attachment 4](#).

The results of the analysis determined that Spanish is the LEP population that will most likely come in contact with NVTC.

LANGUAGE ASSISTANCE SERVICES

The following are the responsible steps NVTC will take to ensure meaningful access to its programs and activities:

1. NVTC will translate informational brochures into languages other than English when it is cost-effective to do so.
2. NVTC will, within seven days of notice, offer the services of a translator or sign language interpreter for its public hearings free-of-charge.
3. NVTC will provide a Google Translator link on its website to translate the Title VI notice and other key NVTC policies; and
4. NVTC will work closely with its subrecipients to ensure that they are exploring all opportunities to deliver competent and accurate language services to its LEP population(s).

NOTICE OF THE AVAILABILITY OF LANGUAGE ASSISTANCE

The following are the ways in which NVTC provides notice to LEP persons that language assistance services are available free of charge:

1. Stating in the Title VI Notice to the Public, which is available on NVTC's website and in its reception area, that assistance is available to individuals who are limited in their ability to communicate in English.
2. Stating in outreach documents, when appropriate, that language services are available from NVTC.

MONITORING, EVALUATION AND UPDATES TO THE LEP PLAN

NVTC will monitor the following on an ongoing basis:

- Frequency of encounters with LEP language groups.
- Nature and importance of activities to LEP persons.
- Whether existing assistance is meeting the needs of LEP persons.
- Whether identified sources for assistance are still available and viable.

In the event that changes or additions are made to its LEP Plan, NVTC will provide notice to the LEP public.

NVTC EMPLOYEE TRAINING

NVTC ensures that current and new staff understand the LEP Plan and how to implement it.

NVTC also included the Title VI Program, which includes the LEP Plan, into the Staff Work Plan, which is updated and approved by the Commission annually.

VITAL DOCUMENTS AVAILABLE IN SPANISH

NVTC provides the Google Translator link on the website so all NVTC webpages can be translated. Vital documents on the NVTC website that are able to be translated include:

- Title VI Notice;
- Title VI Complaint Form; and
- Advertisements for public hearings and select public meetings.


SCHEDULE OF NVTC'S SUBRECIPIENT'S TITLE VI PROGRAM SUBMISSIONS

	Title VI Program Reviewed by NVTC	Approval by Subrecipient's City Council
City of Alexandria	March 30, 2022	April 5, 2022
City of Falls Church	March 21, 2022	April 25, 2022



novatransit.org

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 facebook.com/NoVaTransit  twitter.com/NoVaTransit



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Mr. Nick Clemente
Ms. Aimee S. Gilroy
Mr. M. David Skiles
Mr. John C. Tuck III

Executive Director
Katherine A. Mattice

June __, 2022

DRAFT

Mr. David A. Von Moll
Comptroller of Virginia
Office of the Comptroller
Department of Accounts
P.O. Box 1971
Richmond, Virginia 23218-1971

Re: Request for Documents under Virginia Code § 33.2-3402

Dear Mr. Von Moll,

The Northern Virginia Transportation Commission (NVTC) certifies receipt of certain documents and reports from the Washington Metropolitan Area Transit Authority (WMATA) as detailed in Section 33.2-3402 of the Code of Virginia, pursuant to Chapter 854 of the 2018 Virginia Acts of Assembly.

These documents include the following:

- WMATA's Annual Capital Budget;
- WMATA's Annual Independent Financial Audit;
- WMATA's National Transit Database Annual Profile; and
- Single Audit Reports - issued in accordance with the Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards (2 C.F.R. Part 200).

We have provided links to the documents on our website:
<<http://www.novatransit.org/wmata/wmata-oversight/>>.

The Commonwealth provides transit capital and operating funding from the Commonwealth Mass Transit Fund to support WMATA. Access to this funding is contingent on upon NVTC providing this annual certification indicating receipt of these documents.

Best regards,

Katherine A. Mattice
Executive Director

cc: Jen Debruhl, DRPT
Greg Potts, WMATA



May 6, 2022

DRAFT

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Vice Chair
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Mr. M. David Skiles
Mr. John C. Tuck III

Executive Director
Katherine A. Mattice

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary Buttigieg,

I am writing to share the Northern Virginia Transportation Commission's (NVTC) support for the City of Alexandria's application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant. The application requests up to \$6 million for vital transit and safety improvements at the intersection of King Street and N. Beauregard Street in the West End of Alexandria.

The proposed improvements at the King Street and N. Beauregard Street intersection include lane reconfiguration, removing a right turn slip lane, and upgrades to the traffic signal equipment and operations. In addition, the project will enhance the pedestrian crossing experience with raised and painted pedestrian refuges to decrease crossing lengths, reduce conflicts with vehicles, and will provide safer access to transit stops near the intersection. It will also provide streetscape improvements such as six-foot wide landscaped buffers and minimum six-foot wide sidewalks in addition to improving stormwater management at the intersection.

The intersection of King Street and N. Beauregard Street, near the border of the Mason District in Fairfax County, is served by several DASH and Metrobus lines and will also serve as a key intersection between two planned bus rapid transit (BRT) lines – Alexandria's West End Transitway and NVTC's Envision Route 7 BRT line.

The RAISE grant will get this critical project – with both local and regional benefits – across the finish line.

Thank you for your consideration of this important project for 2022 RAISE funds.

Sincerely,

Canek Aguirre
Chair



May 6, 2022

DRAFT

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Vice Chair
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Secretary-Treasurer
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Katherine A. Mattice

The Honorable Nuria Fernandez
Administrator
Federal Transit Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Administrator Fernandez,

I am writing to share the Northern Virginia Transportation Commission's support for the City of Alexandria's application for the Federal Transit Administration's Low or No Emissions Vehicle and Bus and Bus Facilities discretionary grant programs. The application requests up to \$60 million for zero emissions buses, new electrical service and infrastructure, and workforce development.

In 2018 the City and DASH adopted a policy direction to shift to a 100% Zero Emissions bus fleet by 2037 for all 120+ of its buses. The City and DASH has shown commitment to this goal by purchasing 14 battery electric buses, building charging infrastructure, completing Zero Emissions Bus Feasibility/Implementation Plans, and securing \$9 million for a new 40-bus electric bus charging yard.

The proposed grant application will support new electrical service and infrastructure to provide sufficient electricity to the DASH facility for bus charging. This will bring 12 megawatts of new energy service to the DASH facility needed to support the incremental and final charging needs of the entire DASH Zero Emissions fleet. The project also funds the conversion of 25 replacement buses in FY 2023 and FY 2024 from conventional to Battery Electric. Additionally, DASH has six expansion buses currently funded as conventional, which are proposed to be converted to Battery Electric under this proposal, along with associated charging infrastructure.

NVTC and the City of Alexandria have successfully partnered on various transportation projects. We are committed to continuing our support for the City of Alexandria and DASH to help electrify the DASH's bus fleet and bus facilities, improving air quality and combat climate change, benefiting the communities, residents and stakeholders.

Thank you for your consideration of this important project for 2022 Low or No Emission Vehicle and Bus and Bus Facilities discretionary funds.

Sincerely,

Canek Aguirre
Chair



Chair
Hon. Canek Aguirre

May 6, 2022

DRAFT

Vice Chair
Hon. Dalia Palchik

Secretary-Treasurer
Hon. Matt de Ferranti

City of Alexandria
Hon. Canek Aguirre
Hon. Sarah Bagley

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Arlington County
Hon. Katie Cristol
Hon. Matt de Ferranti
Hon. Libby Garvey

Dear Secretary Buttigieg,

Fairfax County
Hon. Walter L. Alcorn
Hon. John Foust
Hon. Jeffrey C. McKay
Hon. Dalia A. Palchik
Hon. James R. Walkinshaw

I am writing to share the Northern Virginia Transportation Commission's support for Arlington County's application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant. The application requests \$15 million to construct the Arlington National Cemetery Wall Trail.

City of Fairfax
Hon. David Meyer

City of Falls Church
Hon. David F. Snyder

This project will construct approximately 1.4 miles of a pedestrian and bicycle trail on the west side of Virginia Route 110 (Richmond Highway), the west side of Virginia Route 27 (South Washington Boulevard), and outside the boundary wall of Arlington National Cemetery. The project will provide a major missing link for both commuter and recreational trail users in the county and regional network and improves access and connectivity to the Arlington Cemetery Metrorail Station which is owned and operated by the Washington Metropolitan Area Transit Authority (WMATA).

Loudoun County
Hon. Matthew Letourneau
Hon. Michael R. Turner

Commonwealth of Virginia
Hon. Paul C. Smedberg

Virginia General Assembly

The project is part of the National Capital Regional Trail Network, providing a "crosstown" bicycle and pedestrian connection between the three major development corridors radiating west from Washington, D.C. through Arlington: Rosslyn-Ballston, Richmond Highway and Columbia Pike.

Senate
Hon. John J. Bell
Hon. Adam Ebbin

Thank you for your consideration of this important project for 2022 RAISE funds.

House of Delegates
Appointees
Mr. Nick Clemente
Ms. Aimee S. Gilroy
Mr. M. David Skiles
Mr. John C. Tuck III

Sincerely,

Executive Director
Katherine A. Mattice

Canek Aguirre
Chair



May 6, 2022

DRAFT

Chair
Hon. Canek Aguirre

Vice Chair
Hon. Dalia Palchik

Secretary-Treasurer
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City of Alexandria
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City of Fairfax
Hon. David Meyer

City of Falls Church
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Loudoun County
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Commonwealth of Virginia
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Virginia General Assembly

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Executive Director
Katherine A. Mattice

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Secretary Buttigieg,

I am writing to share the Northern Virginia Transportation Commission's support for Fairfax County's application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant. The application requests \$25 million to construct the Richmond Highway Bus Rapid Transit (BRT) line, a vital corridor connecting residents and commuters to major transportation hubs and employment centers.

The project includes approximately 7.4 miles of both median and mixed traffic running BRT from the Huntington Metrorail Station along North Kings Highway and Richmond Highway (U.S. Route 1) to U.S. Army Fort Belvoir, the largest employment center in Fairfax County. Nine new transit stations, facilities for bicycles and pedestrians, and roadway improvements for vehicle travel will also be constructed as part of the project.

Furthermore, the project directly responds Northern Virginia's transportation goals by making improvements to the existing transportation network, enhancing connectivity to job opportunities throughout the region, and enabling more sustainable, mixed-use development along the corridor.

Thank you for your consideration of this important project for 2022 RAISE funds.

Sincerely,

Canek Aguirre
Chair



Chair
Hon. Canek Aguirre

May 6, 2022

DRAFT

Vice Chair
Hon. Dalia Palchik

Secretary-Treasurer
Hon. Matt de Ferranti

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

City of Alexandria
Hon. Canek Aguirre
Hon. Sarah Bagley

Arlington County
Hon. Katie Cristol
Hon. Matt de Ferranti
Hon. Libby Garvey

Dear Secretary Buttigieg,

Fairfax County
Hon. Walter L. Alcorn
Hon. John Foust
Hon. Jeffrey C. McKay
Hon. Dalia A. Palchik
Hon. James R. Walkinshaw

I am writing to share the Northern Virginia Transportation Commission's (NVTC) support for Loudoun County's application for the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant. The application requests \$12 million to construct an overpass for bicyclist and pedestrians where the Washington & Old Dominion (W&OD) Trail crosses Sterling Boulevard.

City of Fairfax
Hon. David Meyer

The W&OD Trail serves as a major arterial for bicyclists accessing the Loudoun County Metrorail stations from the east or west and is currently a convenient route to the Wiehle-Reston East Metrorail Station, currently the western-most Metrorail station on the Silver Line in Fairfax County.

City of Falls Church
Hon. David F. Snyder

Loudoun County
Hon. Matthew Letourneau
Hon. Michael R. Turner

The W&OD trail has 41 public road crossings within Loudoun County, 25 of which are at-grade intersections. This is the only W&OD crossing of a four-lane divided highway in Loudoun County that is not grade-separated. Trail users have expressed safety concerns regarding at-grade road crossings and, following extensive analysis by Loudoun County's Department of Transportation and Capital Infrastructure (DTCI), the W&OD crossing at Sterling Boulevard was identified as the number one priority in Loudoun County.

Commonwealth of Virginia
Hon. Paul C. Smedberg

Virginia General Assembly

Senate
Hon. John J. Bell
Hon. Adam Ebbin

Thank you for your consideration of this important project for 2022 RAISE funds.

House of Delegates
Appointees
Mr. Nick Clemente
Ms. Aimee S. Gilroy
Mr. M. David Skiles
Mr. John C. Tuck III

Sincerely,

Executive Director
Katherine A. Mattice

Canek Aguirre
Chair

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice and Scott Kalkwarf
DATE: April 28, 2022
SUBJECT: Proposed Amendments to the FY 2023 NVTC General and Administrative Budget

ACTION: Approve the Proposed Amendments to the FY 2023 NVTC General and Administrative Budget

At the May meeting, the Commission will be asked to approve amendments to NVTC's approved FY 2023 General and Administrative Budget in the amount of \$50,000, a 1.2% increase, for additional funding related to employee compensation and the training and professional development budget lines. The funding would be applied from state assistance to the local jurisdictions through NVTC and would not impact the direct contributions from the jurisdictions' budgets. The Executive Committee will also discuss this and take action at their May 5 meeting.

NVTC historically attempts to align salary adjustments with those of the member local jurisdictions. The FY 2023 Budget was developed this past fall before long-term inflation concerns and our jurisdictions' budget assumptions were fully known. The NVTC budget, which was approved in January, includes a conservative 2% cost-of-living (COLA) adjustment and 2% for potential merit increases. The FY 2023 advertised budgets for NVTC's larger jurisdictions on average include approximately 6% in salary increases for COLA, step and merit increases.

In addition, effective with FY 2023, NVTC intends to transition to a new formal pay scale approach for employee compensation, from the present percentage-based method. This pay scale structure is similar to the approach used by several of our member jurisdictions, as well as the federal government. Under this method staff positions are classified into grade ranges, where an employee can earn steps within those ranges based upon performance. Compared to the current method, it is expected this structure will provide more predictability and transparency for staff and will allow them to better see the growth potential within NVTC.

A budget amendment for employee compensation of \$40,000 will allow for a COLA adjustment approaching 4%, combined with budgeted merit increases of 2%. The additional funding will also allow NVTC to implement this new pay scale structure in a fair and equitable manner among staff, while recognizing increases consistent with our jurisdictions.

The present long-term inflation trend is resulting in greatly increased travel costs, beyond what was assumed in the approved budget. Additional funding of \$10,000 for the training and professional development line will assist in meeting these rising costs.

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice, Andrew D’huyvetter and Ronnetta Zack-Williams
DATE: April 28, 2022
SUBJECT: Washington Metropolitan Area Transportation Authority (WMATA)

Blue Line Derailment Update

On October 12, 2021, a 7000-series Blue Line train derailed between the Arlington Cemetery and Rosslyn Stations. On October 13 WMATA, the National Transportation Safety Board (NTSB), Federal Transit Administration (FTA) and Washington Metrorail Safety Commission (WMSC) launched an investigation into the derailment. The wheel assembly on the 7000-series railcar is suspected to be a factor in the derailment. On October 17 the [WMSC ordered WMATA](#) to remove the 7000-series railcars from service, and the reduction in the active railcar fleet caused WMATA to run reduced service.

On March 24, 2022, the General Manager provided an [update on the 7000-series trains](#) (GM remarks on the 7000-series starts at 22:09). The agency will conduct a three-step process to improve the frequency, capacity and reliability of Metrorail:

- Restore fifty 6000-series cars by May to increase Green and Yellow Line service.
- Concurrently work to get WMSC approval for daily inspection of 7000-series trains using a digital gauge. This will make up to eight trains a day available to provide better reliability and reduce crowding.
- Meanwhile, WMATA will work to install multiple automatic wayside inspection stations that take measurements as trains pass by on the lines. This will permit a gradual restoration of the 7000-series this summer, ultimately improving service on all lines.

Timely delivery of this plan depends on an iterative process of approvals from the WMSC. WMATA has created a [web page on the derailment investigation and related service impacts](#).

At the May meeting the Commission will receive reports from the Virginia WMATA Board members and the NVTC WMATA Committee Chair. The Commission will be asked to take action, as recommended by the NVTC WMATA Committee, to send a letter to WMATA regarding Virginia’s priorities for the Blue/Orange/Silver Corridor Capacity and Reliability Study.

A. Report from the Virginia WMATA Board Members

▪ Approval of the FY2023 Budget and FY2023-2028 Capital Improvement Program (CIP)

On March 10 the WMATA Board approved the [FY 2023 Operating Budget and FY 2023-2028 Capital Improvement Program](#). The approved FY2023 Budget is \$2.261 billion and contains approximately \$43 million in savings when compared to the proposed FY2023 Operating Budget. The savings included:

- No longer expending \$20 million in equity initiatives that were held for Silver Line Phase 2 Title VI mitigation efforts that were not needed
- \$10 million in Voluntary Separation Plan (VSP) position restoration savings
- \$5 million for match to the Federally required funding of the Office of the Inspector General
- \$7.9 million for not moving forward with the Add Value Bonus fare proposal

The FY 2023 Operating Budget maintains current budgeted service levels and introduces several new fare and service initiatives meant to drive ridership. This operating budget includes \$680.8 million in federal aid, which allows Metro to maintain operations and avoid layoffs while ridership recovers from the pandemic. New service and fare changes approved in this budget include:

- Revenue service for the opening of the Silver Line Phase 2 and Potomac Yard Stations
- A \$2 late-night rail fare
- Discounted monthly passes
- Discounting the 7-day unlimited pass for a six-month promotional period

This budget also makes permanent several piloted or previously approved service and fare initiatives that were implemented or approved in 2021. The FY 2023 Capital Budget and \$12.4 billion six-year Capital Improvement Program focus investments on ongoing safety and state of good repair programs and projects. This CIP includes reauthorization of federal dedicated funding, which was recently included in Infrastructure Investment and Jobs Act of 2021.

▪ Silver Line Phase 2

On April 28 the Safety and Operations Committee received an [update on Silver Line Phase 2](#). WMATA continues to review outstanding issues on the project and work with the Metropolitan Washington Airports Authority (MWAA) to reach a mutual agreement on the path forward. With the substantial completion designation announced on Package A (mainline and stations) on October 25, 2021, and package B (the rail yard) on December 1, 2021, the project remains in MWAA's custody while WMATA continues to conduct operational readiness testing (ORT). The punch list for Package A and B are 85% and 97% complete, respectively. The operational readiness testing/system performance demonstration for package A and B are 88% and 87% complete, respectively. WMATA is in communication with MWAA regarding critical project issues that must be resolved before WMATA can declare an operational readiness date (ORD). Following the determination of operational readiness, the ORD will be set and WMATA will accept provisional care, custody and control of the project and perform activities in preparation for revenue service.

▪ Sustainability and Zero-Emission Bus Update

On April 28 WMATA staff gave a presentation on [Metro's Sustainability and Zero-Emission Bus \(ZEB\) Programs](#) and opportunities for alignment in the Greater Washington region. In June 2021 Metro adopted a new sustainability vision along with principles to provide a framework to guide policy and investment decisions in the future and the board adopted the following goals for ZEB goals:

- Purchase only lower-emission and electric buses in next bus procurement
- Transition to 100% zero-emission bus purchases by 2030
- Have a 100% zero-emission bus fleet by 2045

In 2019 Metrorail and Metrobus displaced over 300,000 metric tons of CO₂ in the air and bus electrification is one method to decarbonize service. Metro's sustainability program includes several projects including:

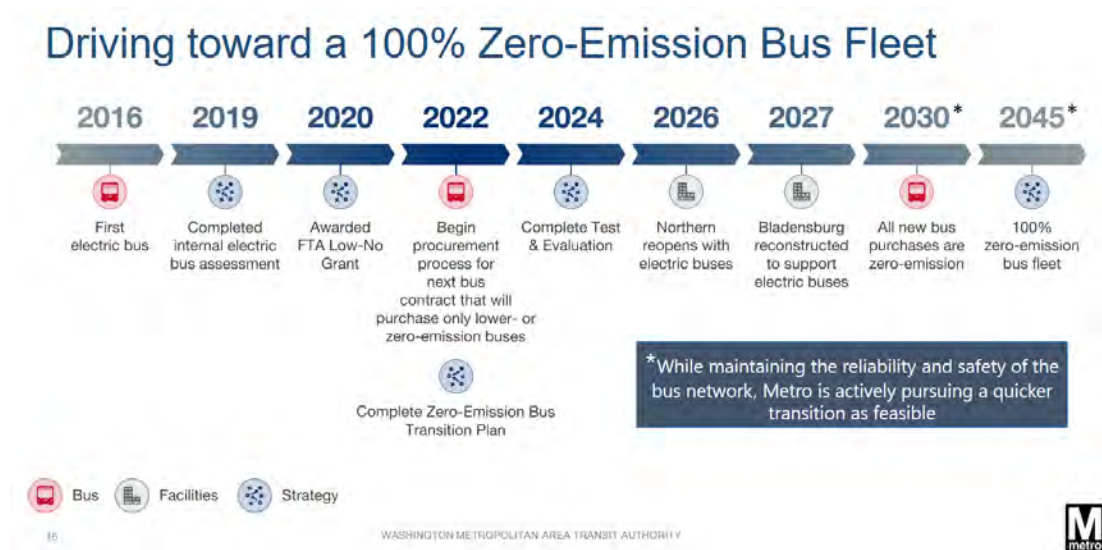
- Energy Action Plan
- Clean Energy/Decarbonization
- Sustainable Capital Investments
- Sustainability Action Plan & Equity
- Zero-Emission Bus Fleet

WMATA is installing on-site solar at four Metrorail stations, with solar planned at additional new facilities. In June 2021, Metro awarded a new District of Columbia electric supply contract that requires the supplier to provide 50% of the electricity from renewable sources. WMATA has also incorporated energy efficiency and environmental design standards into major facilities under development. WMATA is currently developing an action plan to help guide planning and investment decisions and to develop draft goals, targets and performance measures.

WMATA is actively moving forward with its ZEB goals. This year, in addition to completing its ZEB transition plan, WMATA will initiate several ZEB implementation efforts including purchasing its first electric buses and charging equipment for test and evaluation, developing training requirements and beginning the procurement process for the next bus contract that will purchase low/zero-emission buses. Furthermore, the Shepherd Parkway facility is in the design and construction phase for test and evaluation. In 2023 WMATA will begin running buses in revenue service for test and evaluation with completion in 2024 (Figure 1).

The ZEB fleet transition is a planned investment in the six-year capital program and will be a multibillion-dollar investment over the next 20+ years. In 2020 WMATA received \$4.2 million from the Low or No Emission Program Grant to support the Battery-Electric Bus Test and Evaluation. This year, WMATA applied for the U. S. Department of Transportation Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant for the Northern Bus Garage electrification project and committed to continue pursuing competitive discretionary grant funding opportunities.

Figure 1: Goal to Zero-Emission Bus Fleet



[Source: WMATA April 28, 2022 Executive Committee Meeting](#)

▪ Safety Promotion - Path Forward

On April 28 WMATA staff gave a presentation on Metro's [Safety Promotion Path Forward](#). As part of its Safety Management System (SMS), safety promotion is a critical step and is composed of a combination of training and communication of safety information that provides safety information proactively to staff, engages staff to solicit their feedback, and incorporates safety into training. To advance these efforts, WMATA is launching an assessment of its safety culture that will identify key actions required to improve safety and that will serve as a baseline against which future improvements are measured. Employee engagement is a key part of the SMS and of a robust safety culture and features strongly in the Department of Safety's promotional activities.

▪ Safety Assurance - Path Forward

On March 10 WMATA staff gave a presentation on [Metro's Safety Assurance Path Forward](#). As part of its Safety Management System (SMS), Safety Assurance is a critical step and composed of safety investigations, safety data analytics and operations safety oversight. The operations safety oversight team's top three priorities include:

1. Voluntary Employee Safety Reports
 - WMATA has addressed over 500 safety reports over the last two fiscal years and plans to continue building this process. The operations safety oversight's plans to partner with safety promotions and communications to increase the promotion of voluntary reporting.
2. Safety Committee Oversight
 - WMATA has over 50 safety committees, which are governed by the Executive Safety Committee, that meets monthly to discuss recent safety events, metrics and safety concerns. The operations safety oversight team will revisit the composition

of the safety committee to ensure they reflect their corresponding locality/department and work with safety officers to standardized incident reviews, track action items and escalate issues to the Executive Safety Committee or Department Safety Committee as required.

3. Roadway Worker Protection (RWP) Verification

- The RWP program ensures mitigation for safety risks associated with performing rail work. A recent spike in RWP incidents led to the development of RWP compliance criteria for operational management and SAFE personnel. The operations safety oversight team and operational management are continuing to conduct on-site inspection and provide assistance on RWP compliance with work crews.

Going forward the operations safety oversight team will continue to develop as the safety officer position will be converted to senior safety specialist with responsibilities aligned with the SMS safety assurance.

B. Report from the NVTC WMATA Committee Chair

The NVTC WMATA Committee met on April 21. The committee received a [presentation](#) from WMATA's Director for Bus Priority Raka Choudhury on WMATA's Bus Priority Program. The committee also received a briefing from NVTC staff on how WMATA is funded in Virginia and an update on WMATA's FY 2024 Operating Budget gap. In addition, NVTC's WMATA Board members provided an update on the Blue/Orange/Silver Corridor Capacity and Reliability Study and directed staff to prepare a letter to WMATA for the Commission's consideration.

The next two NVTC WMATA Committee meetings are scheduled for June 16 at 6:00 p.m. and July 21 at 6:00 p.m.

▪ **ACTION ITEM: Authorize the Chair to Send a Letter to WMATA Regarding Virginia's Priorities for the Blue/Orange/Silver Corridor Capacity and Reliability Study**

The Commission is asked to authorize the chair to send a [letter](#) to WMATA regarding Virginia's priorities for the [Blue/Orange/Silver \(BOS\) Corridor Capacity and Reliability Study](#). At the April 21 NVTC WMATA Committee meeting, Mr. Letourneau informed the committee that WMATA will solicit public input on alternatives presented in the Blue/Orange/Silver Corridor Capacity and Reliability Study, which the [committee was briefed on in October](#). The committee discussed the long-standing need to fix the bottleneck at Rosslyn and relieve train congestion and crowding where the Blue, Orange and Silver Lines meet. Committee members expressed concerns that the solutions proposed in the BOS study include the expansion of Metrorail lines beyond the need to relieve congestion and crowding at the Rosslyn tunnel. The committee discussed its desire for WMATA to approach investments in the BOS corridor that:

- Prioritize improvements that address the bottleneck at Rosslyn;
- Take a phased approach to capacity improvements; and

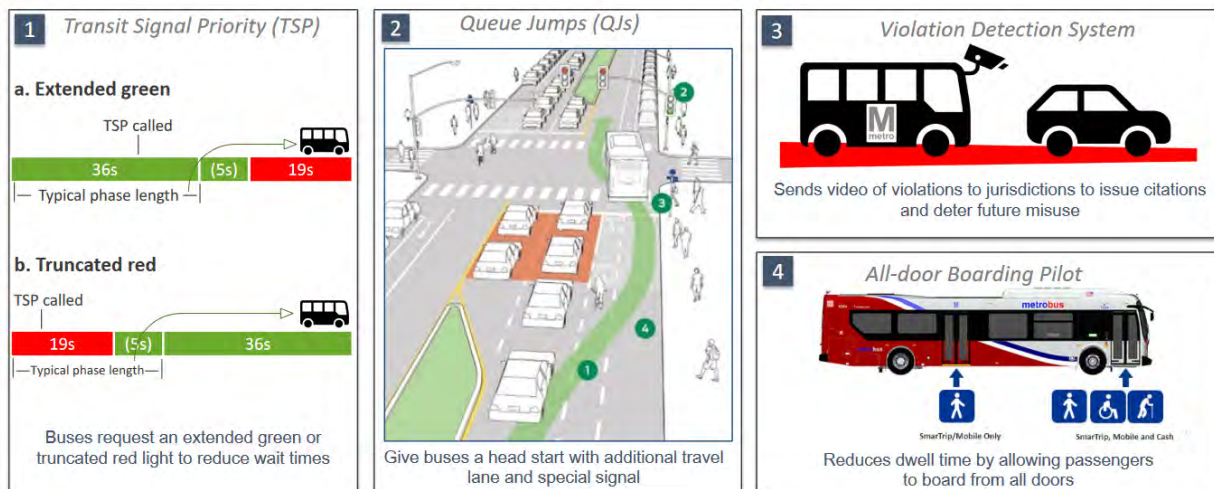
- Strategically pursue federal funding opportunities provided by the Infrastructure and Jobs Act and other federal programs.

At the direction of the WMATA Committee, NVTC staff prepared a [letter of comment](#) for Commission action at the May meeting that articulates the Commission's priorities as the study advances further.

WMATA Bus Priority Program

WMATA's Director of Bus Priority Raka Choudhury briefed the committee on WMATA's efforts to advance bus priority, which aims to improve bus speeds and reliability throughout the region and in Virginia. Potential strategies include Transit Signal Priority, which allows buses to move forward at signalized intersections ahead of other vehicles; queue jumps, which give buses a dedicated travel lane to move around vehicles; and camera enforcement, which helps enforce bus-only road lanes, similar to traffic cameras (Figure 2). The Commission previously [endorsed the vision, goals and strategy of WMATA's Bus Transformation Project](#), which included the advancement of bus priority across the region. Since local and state governments are typically the roadway owners where these improvements take place, advancing bus priority requires extensive coordination between WMATA and state and local agencies. NVTC staff will continue to participate in WMATA's regional bus priority coordination efforts and look for additional opportunities with our local and state partners.

Figure 2: Active Projects in WMATA's Bus Priority Program

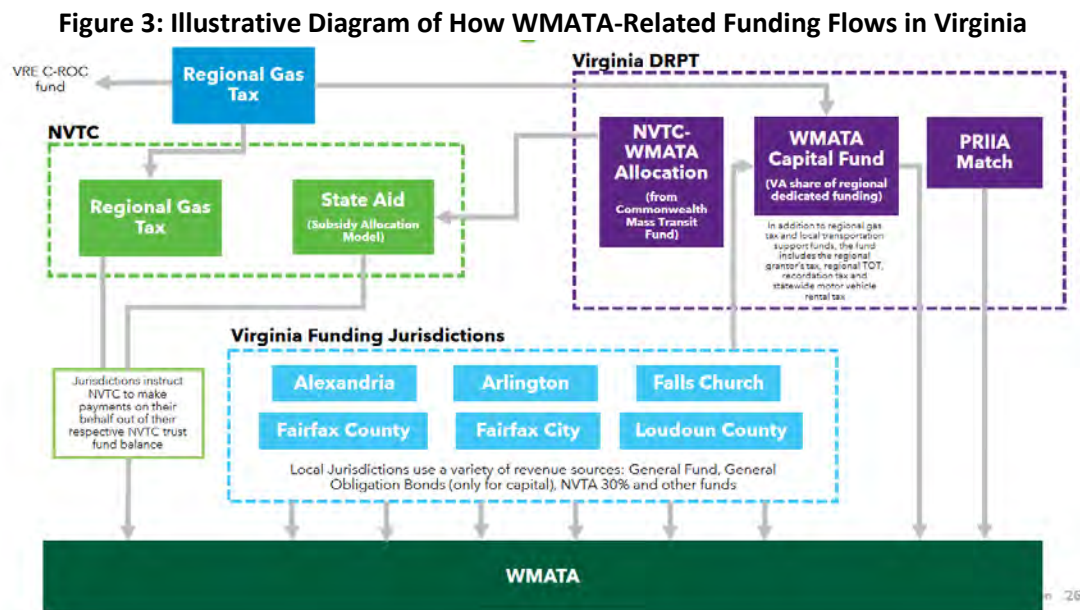


Source: [WMATA's Bus Priority Presentation to the April 21 NVTC WMATA Committee Meeting](#)

WMATA Funding in Virginia

Considering WMATA's looming FY 2024 Operating Budget gap, NVTC staff provided the committee with an overview of WMATA's capital and operating budgets, as well as how funding that pays for the upkeep, maintenance and daily operations of WMATA flows in Virginia (Figure 3). NVTC staff also provided an update on WMATA's FY 2024 Operating Budget gap, which is anticipated at over \$300 million in FY 2024. The funding gap has been reduced through savings achieved in the approved FY 2023 Budget and an additional \$120 million in American Rescue Plan Act (ARPA) additional assistance funding that was awarded to WMATA in March. As WMATA

recovers from the pandemic, committee members articulated the need for a new funding model. NVTC staff will work with NVTC WMATA Committee Chair Alcorn to facilitate future work products and discussions with the committee throughout the year.



Source: [NVTC Presentation at the April 21 NVTC WMATA Committee meeting](#)

C. Other WMATA News

■ Appointment of Acting Inspector General/Acceptance of OIG Reports

On April 28 the Executive Committee of the WMATA Board is anticipated to accept two Inspector General Reports: the Single Audit for the Fiscal Year Ending June 30, 2021 and the SmarTrip Regional Partner Comparative Billing Statements Audit for the Fiscal Years Ending June 30, 2021 and 2020. The auditor issued an unmodified opinion for both reports and the OIG will post the reports on the WMATA OIG website after acceptance by the Executive Committee.

On March 24 the WMATA Board announced the [appointment of Rene Febles as acting inspector general](#), effective April 17, 2022 and until a permanent inspector general is appointed. The five-year term of the previous inspector general ended on April 16, 2022. Concurrently, on March 24, the Board accepted the [Inspector General's Semiannual Report No.29 and Management Assistance Report](#), which summarizes the activities and accomplishments of the OIG General during a six-month period ending on December 31, 2021.

■ Yellow Line Tunnel/Bridge Rehabilitation and Potomac Yard Construction

As part of its capital program project schedule for 2022, WMATA is preparing for [the Yellow Line Bridge/Tunnel Rehabilitation and Potomac Yard Station Tie-In](#) which will begin concurrently on September 10, 2022. The Yellow Line Bridge/Tunnel rehabilitation will require a closure between the Pentagon and L'Enfant Plaza stations until the work is completed in the spring of 2023. The steel-lined tunnel near L'Enfant Plaza is in need of repair in order to prevent water intrusion and

strengthen the tunnel's lining, while the bridge rehabilitation will require the removal and rewiring of essential communication cables. Moreover, the Potomac Yard Construction will require a shutdown of rail service south of National Airport to integrate the new tracks and station into the existing Metrorail system. The construction is set to take place for six weeks, ending on October 22, 2022.

NVTC is supporting WMATA in coordinating the regional planning effort to mitigate the service impacts of this work. The stakeholder group held a kickoff meeting on March 29 which included representatives from Northern Virginia as well as DC. The group will meet monthly to coordinate on mitigation efforts, report progress on planning, and ensure coordination and information sharing on major construction projects in the affected area. Service plans will be released later in the year as construction plans are finalized. Upon finalization of the mitigation and service plan, NVTC staff will brief the Commission at its July meeting.

▪ WMSC Audit of Rail Operations

The Washington Metrorail Safety Commission (WMSC) recently prepared its [Audit of Rail Operations](#) at WMATA, which is based on data collection from 2021. The audit assessed rail operations and the personnel directly involved in railcar (Class 1 vehicle) movements on mainline and rail yards, station managers and station operations. While this report does not concentrate on the Rail Operations Control Center (ROCC), it does include systems of communication and cooperation between field personnel and the ROCC. The WMSC identified a number of positive practices while conducting this audit including:

- Metrorail has restored 30-day, 60-day and 90-day classes.
- Department of Rail Transportation division managers (superintendents) appear to collaborate effectively and have resumed holding meetings with all supervisors.
- Metrorail has installed CCTV systems at several curved platforms.
- Rail Operations Quality Training is tracking documents such as temporary orders.
- Operations support leadership.
- Training supervisors are responsive to student feedback.
- Safety committees meet regularly.

However, this audit revealed areas where WMATA is not meeting its own written requirements or lacks satisfactory procedures and training. The WMSC issued 14 findings requiring WMATA to develop corrective action plans (CAPs). Furthermore, the WMSC issued the following recommendations WMATA must address:

- Metrorail operations departments do not have effective processes to consider and act upon safety input from employees at all levels of the organization.
- Metrorail has an opportunity to improve training by assigning dedicated instructors to each division.
- Interlocking operators are authorized to hand crank switches but are not being certified to take this action.

- Metrorail has an opportunity to improve the integrity of its certification process by establishing a procedure for QA/QC personnel to be certified by an entity other than their own colleagues.

Each recommendation is accompanied by a possible corrective action for WMATA to make improvements.

▪ 10-Year Strategic Plan for Joint Development

On April 7 WMATA announced its first [10-Year Strategic Plan for Joint Development](#), which prepares for the construction and/or modernization of public transit facilities when private development occurs on Metro-owned property. WMATA has completed 55 joint development projects since 1975 that have generated \$194 million in annual state and local tax revenue and close to five million additional Metro trips annually. The joint development program is vital to WMATA's mission and will deliver valuable benefits such as increased ridership, new revenue from fares and real estate proceeds, new housing and business opportunities near transit as well as generating new state and local taxes on formerly undeveloped and tax-exempt land. The 10-year plan seeks to implement 20 new joint development agreements by 2032 by accelerating development that generates new Metro ridership and revenues, prioritizing Metro planning and investments, aligning Metro and jurisdictional interests, and attracting private sector investment. In order to achieve this objective, WMATA has developed four strategies with corresponding actions:

1. Partner with Local Jurisdictions
 - Coordinate Site Infrastructure Needs and Funding
 - Pursue Policies and Funding that Support Housing Goals
 - Leverage Local Economic Development Strategies
2. Right-size Transit Facilities
 - Reduce Parking
 - Modernize Pick Up/Drop Off Zones
 - Optimize Bus Infrastructure
3. Increase Development Readiness
 - Evaluate Site Conditions and Development Feasibility
 - Resolve Entitlements and Other Site Issues
 - Secure Gap Funding Commitments
4. Minimize Implementation Risks
 - Complete Compact Public Hearings for Transit Facility Changes Pre-RFP
 - Simplify Solicitations and Proposal Requirements
 - Offer Smaller Parcels

DRAFT COMMENTS

NVTC: Blue/Orange/Silver Corridor Capacity and Reliability Study Comments

Dear Mr. Wiedefeld,

On behalf of the Northern Virginia Transportation Commission (NVTC), we ask WMATA to recognize the strategic importance of moving swiftly to design a solution to relieve train congestion at the Rosslyn Tunnel ahead of any broader Blue Line, Orange Line or Silver Line rail expansion desires. By doing so, WMATA will be able to focus resources and talents on fixing this long-standing core system capacity issue and poise itself to leverage the near-term investment opportunities of the new Bipartisan Infrastructure Law.

NVTC greatly appreciates the continued engagement with WMATA staff throughout development of the Blue/Orange/Silver (BOS) Corridor Capacity and Reliability Study. The ongoing staff and Commission briefings have helped foster regional dialog and cooperation on the important decisions that can help improve the system's overall performance.

Alas, we are at an important moment in time when it is necessary for WMATA to be strategic in its approach to major transit investments – and the next steps for improvements to the BOS lines are no exception. Changes to travel behavior compounded with future operational funding concerns do highlight the need for WMATA to approach future infrastructure investments with a more refined approach.

To this end, NVTC strongly encourages WMATA to **approach investments in the BOS Corridor in phases** and to **focus first on fixing the Rosslyn tunnel**. Adding tunnel capacity at Rosslyn is the single most important element of the BOS Study that will prepare the Metrorail system for long term growth and success. For decades, the entire region has recognized the fundamental design flaw that forces three transit lines through a single tunnel at Rosslyn. A solution at Rosslyn should be the top priority for any investment along the BOS lines to allow all three lines to run frequent, reliable, one-seat ride service.

Furthermore, NVTC understands that adding capacity at Rosslyn is a long-term, complicated and expensive undertaking. Alas, this larger capacity-focused investment should not stop the incremental capital projects that will provide nearer term reliability improvements such as additional pocket tracks and crossovers (to improve short-term system flexibility and reliability). These smaller capital improvements will provide meaningful improvements in operational reliability.

Finally, WMATA should **strategically pursue Infrastructure Investment and Jobs Act and Federal Transit Administration Capital Investment Grant Program funds**. Improvements at Rosslyn, pocket tracks and crossovers, and other phased capacity improvements are prime candidates to be considered for federal infrastructure funding. WMATA should be poised to take advantage of the significant increase in both formula and discretionary funding being offered at the U.S. Department of Transportation and the Federal Transit Administration.

Please contact NVTC staff to discuss the recommendations of this letter in greater detail. We look forward to continuing our long-term partnership with WMATA to provide safe and reliable transit service in Northern Virginia.

Sincerely,

Canek Aguirre
NVTC Chair

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice, Ben Owen, Adam Hager and Xavier Harmony
DATE: April 28, 2022
SUBJECT: Report from the Chair of the Program Advisory Committee

At the May meeting, Program Advisory Committee (PAC) Chair David Snyder will provide an overview of the April 14 PAC meeting and introduce an action item related to developing a Strategic Implementation Roadmap for the Envision Route 7 BRT project. Staff will also brief the Commission on a proposed I-66 Commuter Choice FY 2023-2024 Program of Projects.

A. Transit Resource Center

- **ACTION: Authorize the Executive Director to Issue a Request for Proposals (RFP) for the Envision Route 7 Bus Rapid Transit (BRT) Strategic Implementation Roadmap**

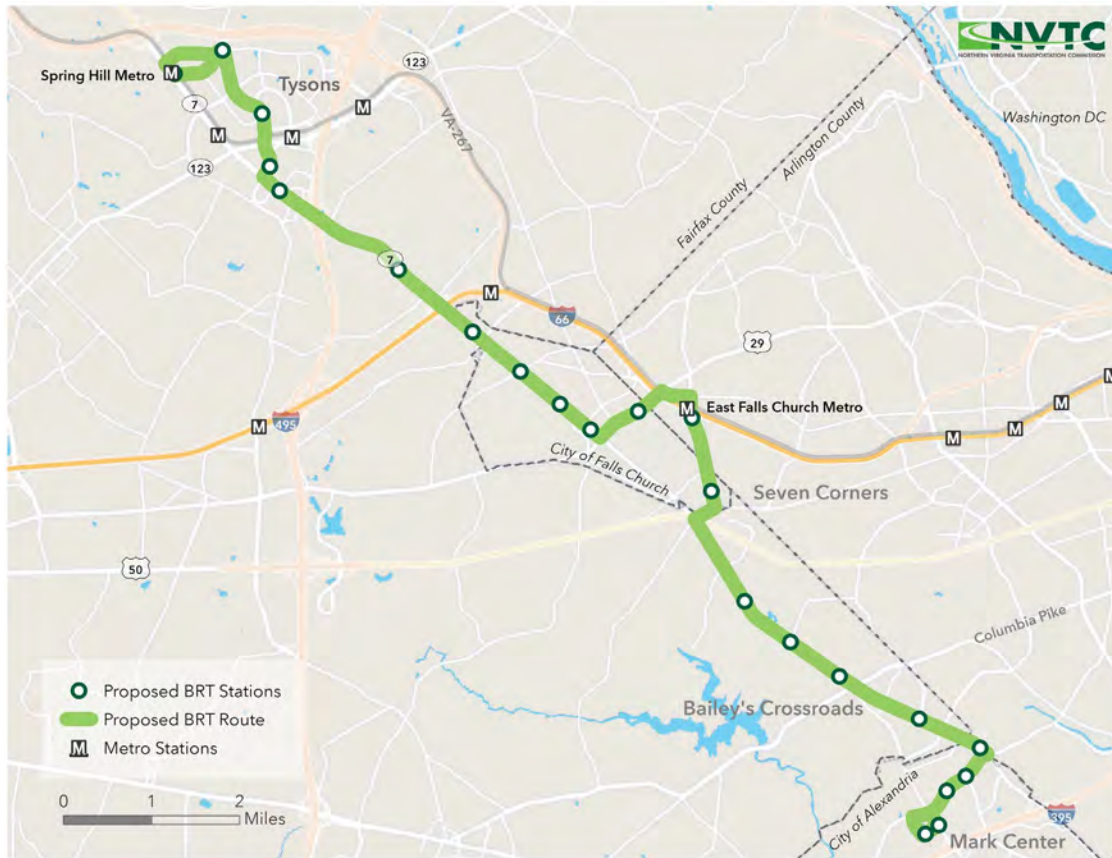
At the May meeting the Commission will be asked to authorize the executive director to issue a Request for Proposals (RFP) for consulting services for the Envision Route 7 Bus Rapid Transit (BRT) Strategic Implementation Roadmap. The Envision Route 7 BRT project is planned as a high performing BRT service that connects Tysons (via Falls Church, Seven Corners and Bailey's Crossroads) to the Mark Center in Alexandria where a portion of the service will share infrastructure with the West End Transitway BRT in Alexandria. Figure 1 (below) provides an overview of the corridor alignment and shows potential stop locations.

The purpose of this study is to provide a strategic framework to help guide the remaining work for the Envision Route 7 BRT project. The overall study objectives for this effort are to:

- Develop a Strategic Implementation Roadmap that will serve as a guide for NVTC staff and the Commission in the implementation of the BRT project.
- Identify and prioritize the key funding sources for each stage of the BRT project and the applicable timeline for each funding source.
- Develop an interjurisdictional governance approach to guide the planning, implementation and operation of the BRT project.

The Envision Route 7 BRT Strategic Implementation Roadmap is jointly funded by NVTC and Fairfax County. The study is estimated to cost approximately \$50,000, with NVTC providing \$25,000 and Fairfax County providing \$25,000, and is anticipated to take approximately four to six months to complete. Following the procurement process, staff will return in July to request Commission approval to award a consultant contract.

Figure 1: Envision Route 7 BRT Corridor



B. Commuter Choice

■ I-66 Commuter Choice FY 2023-2024 Staff-Recommended Program of Projects

The Commission will receive a briefing on the projects being considered for funding under the [I-66 Commuter Choice](#) FY 2023-2024 Program of Projects. NVTC received a total of 11 applications seeking a total of \$22.3 million in funding under the call for projects that concluded in January. Nine applications with a total funding request of \$21.8 million met eligibility criteria and are under consideration for funding. The nine applications and their total technical evaluation scores are shown in the attached chart, [I-66 Commuter Choice FY 2023-2024 Draft Application Evaluations](#).

Staff anticipate approximately \$13.4 million to be available for new projects in the FY 2023-2024 period. This amount comprises carryover balances, a modest amount of new I-66 Inside the Beltway toll revenue and two years' installments of Outside the Beltway Express Lanes concessionaire payments to the Commonwealth.

While the Inside the Beltway revenues that would typically fund much of the program continue to rebound gradually and NVTC has resumed receiving modest quarterly payments from the Virginia Department of Transportation, these payments are a small fraction of the roughly \$10 million total annual target identified in the [I-66 Memorandum of Agreement](#). Any significant, reliable funding from that source in the next two years is contingent upon continued upswings in toll-paying traffic. Any surplus payments that NVTC receives in FY 2023-2024 would be applied to the next call for projects.

Given the available funding, staff recommend funding the six highest-scoring applications of the nine eligible proposals under consideration for funding. These six proposals, which have a total funding request of \$12.4 million, would support 4,000 weekday trips in the I-66 corridor and, relative to driving alone for typical trips using the projects, reduce greenhouse gas emissions by 84% and save commuters \$2 million per year in fuel expenses. The proposed program, shown in Table 1, includes:

- Two rail capital improvements that would leverage a total of over \$160 million in other federal, Commonwealth, regional and local funds, and provide decades of benefit to corridor commuters;
- Continuations of three established commuter bus services funded in prior funding rounds, all of which are experiencing rebounding ridership and two of which will provide faster and more reliable travel once the I-66 Outside the Beltway Express Lanes open later this year; and
- A commuter incentive campaign to bolster ridership on commuter bus routes from Prince William County into Arlington and D.C. by temporarily reducing fares in the first 10 months that the new I-66 Outside the Beltway Express Lanes are open.

**Table 1: Staff Recommended Program of Projects
I-66 Commuter Choice FY 2023-2024 Funding**

	Applicant	Application Title	Score (100 Points)	Funding Request	Cumulative Funding Request
1	City of Manassas Park	Manassas Park VRE Station Parking Garage	97	\$2,500,000	\$2,500,000
2	Arlington County	Ballston-MU Metrorail West Entrance	90	\$4,500,000	\$7,000,000
3	OmniRide	Renewal of Bus Service from Gainesville to Pentagon and Navy Yard	83	\$2,560,449	\$9,560,449
4	Fairfax County	Renewal of Bus Service from Vienna Metrorail Station to Pentagon	69	\$1,232,850	\$10,793,299
5	OmniRide	Renewal of Bus Service from Haymarket to Rosslyn	64	\$947,554	\$11,740,853
6	Prince William County	TDM Strategy - Fare Buy-Down on I-66 Commuter Bus Service	60	\$650,000	\$12,390,853

Program oversight and administration costs for FY 2023-2024 are still to be finalized and will be provided in June. These activities include individual project oversight and administration, public outreach, contracted technical support and staff expenses.

Next Steps

Public comment on the nine proposals under consideration for funding opened on April 15 and remains open through May 16. This year staff produced all published materials in both [English](#) and [Spanish](#). On April 27 staff held an interactive Virtual Town Hall meeting at which members of the public were able to learn more about the projects under consideration for funding as well as the overall Commuter Choice program. The meeting recording is available for viewing on [NVTC's YouTube channel](#). Staff will share all input received with the PAC and Commission in advance of seeking adoption of a Program of Projects at next month's Commission meeting.

As a function of staff's close coordination with the Department of Rail and Public Transportation (DRPT) on administering Commuter Choice, this year's approval process with the Commonwealth Transportation Board (CTB) will be streamlined. DRPT staff will provide a short briefing to the CTB's Rail and Transit Subcommittee later in May, then the set of projects adopted by the Commission in June will be incorporated into the CTB's approval of the Commonwealth-wide Six-Year Improvement Program (SYIP) in June.

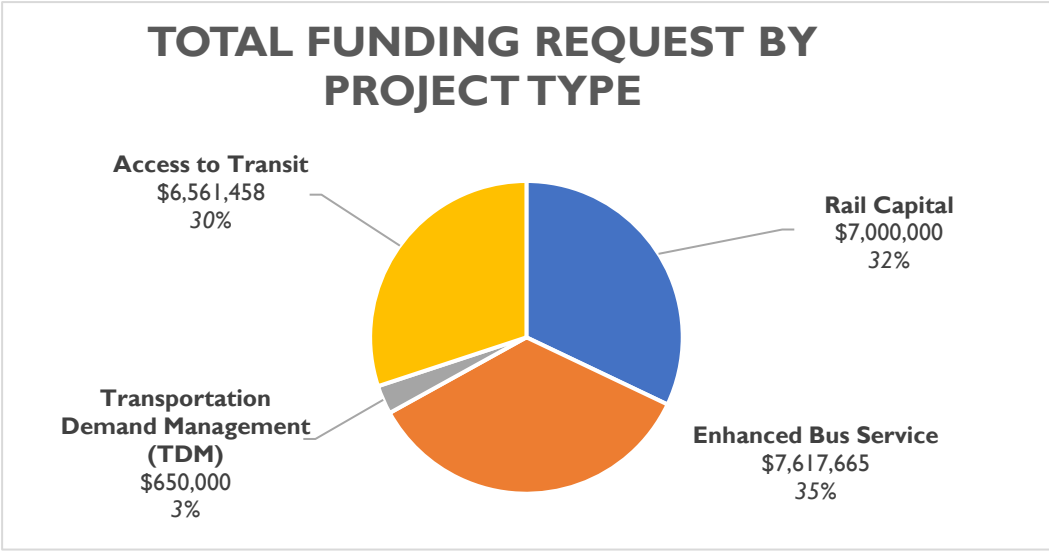
Following the Commission's adoption of a Program of Projects next month and the CTB's subsequent approval of the SYIP inclusive of the new I-66 Commuter Choice projects, staff will distribute Standard Project Agreements for the selected projects so that implementation may begin with the start of the new fiscal year on July 1, 2022.



I-66 Commuter Choice
FY 2023-2024 DRAFT Application Evaluations

DRAFT

Applicant	Application Title	Application Type	Technical Merit (70 Points)	Annualized Cost Effectiveness (15 Points)	Applicant Preference (10 Points)	Interagency Collaboration (5 Points)	Application Score (100 Points)	Funding Request	Cumulative Funding Request
City of Manassas Park	Manassas Park VRE Station Parking Garage	Rail Capital	67	15	10	5	97	\$2,500,000	\$2,500,000
Arlington County	Ballston-MU Metrorail West Entrance	Rail Capital	60	15	10	5	90	\$4,500,000	\$7,000,000
OmniRide	Renewal of Bus Service from Gainesville to Pentagon and Navy Yard	Enhanced Bus Service	63	5	10	5	83	\$2,560,449	\$9,560,449
Fairfax County	Renewal of Bus Service from Vienna Metrorail Station to Pentagon	Enhanced Bus Service	49	10	10	0	69	\$1,232,850	\$10,793,299
OmniRide	Renewal of Bus Service from Haymarket to Rosslyn	Enhanced Bus Service	49	10	0	5	64	\$947,554	\$11,740,853
Prince William County	TDM Strategy - Fare Buy-Down on I-66 Commuter Bus Service	Transportation Demand Management (TDM)	40	5	10	5	60	\$650,000	\$12,390,853
Fairfax County	Trail Access to Vienna Metrorail Station	Access to Transit	37	15	0	5	57	\$2,200,000	\$14,590,853
Fairfax County	Enhanced Bus Service from Stringfellow Park-and-Ride to Pentagon	Enhanced Bus Service	42	5	0	0	47	\$2,876,812	\$17,467,665
Fairfax County	Trail Access to Monument Drive Commuter Garage	Access to Transit	30	10	0	0	40	\$4,361,458	\$21,829,123



Applications have been evaluated based on the information documented in the submitted applications or in subsequent technical clarifications. The evaluation is consistent with the methodology established in the project selection process adopted by the Commission in November 2019.

Transit operating funding requests total \$6,160,065 (28% of all requested funds) and are defined based on FTA Circulars 9030 and 9040 (urbanized and rural area formula grant programs) and includes fuel, oil, driver salaries and fringe benefits, dispatcher salaries and fringe benefits, and licenses.

The table above does not include NVTC's set-aside for program administration activities. Staff are working to identify the needed amount of funding for these activities over the two fiscal years.



DRAFT

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice
DATE: April 28, 2022
SUBJECT: Report from the Chair of the Legislative and Policy Committee

At the May meeting, Legislative and Policy Committee Chair David Meyer will lead the discussion of legislative issues, which will include federal and state updates, as well as a Transit Service Delivery Advisory Committee (TSDAC) status report. The NVTC Legislative and Policy Committee is scheduled to meet on May 25 at 8:30 a.m.

A. General Assembly Update

NVTC's Legislative Liaison Aimee Perron Seibert will provide an update on legislation passed during the regular General Assembly Session as well as legislation presented during the Special Session, which started on April 4, to finish work on the state budget and outstanding bills that were still in conference committees when the regular Session adjourned on March 12.

Following the regular General Assembly Session, Governor Youngkin signed [HB 444](#) (FOIA; electronic meetings) into law, with an effective date of September 2022. [SB 281](#) (transit bus procurement) as well as [SB 342](#) and [HB 142](#) (both TRIP funding) all have amendments made by the governor that do not alter the substance of the bills; these bills will be considered on April 27, when the legislature convenes to vote on gubernatorial amendments and vetoes. [SB 451](#) and [HB 90](#) (grocery tax elimination) are still being considered as part of the Special Session and as part of the budget negotiations. An update on the status of these bills will be provided to the Commission at its May meeting.

On April 27, the Senate Finance and Appropriations Committee voted to "pass by indefinitely" [SB 6001](#), Governor Youngkin's proposal to suspend the state gas tax for three months, phase it back in by 50% for two months and cap the consumer price index (CPI) index at 2% moving forward. This effectively stops the legislation from progressing. The House Finance Committee had met on April 19 and voted to support referring HB 6001 to House Appropriations. At the meeting, the House Democrats proposed a substitute bill, offered by Del. Vivian Watts, to instead give a rebate of \$50 to Virginia residents with vehicles registered in the Commonwealth.

Below are details and links to NVTC-related bills that were passed during the regular General Assembly Session, as well as bills NVTC is currently tracking in the Special Session.

NVTC-related bills that passed and the governor has signed:

HB 444 Virginia Freedom of Information Act; meetings conducted through electronic meetings.

Patron: Del. Elizabeth B. Bennett-Parker (D) - House District 45

Amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing certain public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. 04/11/22 Governor: *Approved by Governor-Chapter 597 (effective 9/1/22)*

NVTC-related bills that passed during the regular legislative Session but have gubernatorial amendments (scheduled for consideration on April 27):

SB 281 Transit buses.

Chief Patron: Sen. Adam P. Ebbin (D) - Senate District 30

Exempts a manufacturer, factory branch, distributor, distributor branch, or factory or distributor representative engaged in the manufacture or distribution of transit buses from the requirements of obtaining a license from the Department of Motor Vehicles to engage in business. The bill also exempts transit buses from dealer's license plate and temporary license plate requirements. 04/11/22 [*Senate: Governor's recommendation received by Senate*](#)

SB 342 Transit Ridership Incentive Program (TRIP); use of funds for reduced-fare or zero-fare transit projects.

Chief Patron: Sen. George L. Barker (D) - Senate District 39

Directs the Commonwealth Transportation Board to use at least 25% of the funds available for the Transit Ridership Incentive Program (TRIP) for grants to fund reduced-fare or zero-fare transit projects. Under current law, the amount that may be used for such programs is capped at 25%. The bill provides that funds awarded for reduced-fare or zero-fare transit projects shall not be included in the requirement that funds be awarded in accordance with a statewide equitable ratio. 04/11/22 [*Senate: Governor's recommendation received by Senate*](#)

HB 142 Transit Ridership Incentive Program (TRIP); amount of funds to be used to establish programs.

Chief Patron: Del. Delores L. McQuinn (D) - House District 70

The bill requires at least 25% of TRIP funds to be used to support regional transit initiatives and provides that the Commonwealth Transportation Board has the discretion to allocate the remaining funds available as authorized by law and based on the programs and initiatives submitted during the application process. 04/11/22 [*House: Governor's recommendation received by House*](#)

NVTC-related bills being tracked during Special Session:

SB 451 Retail Sales and Use tax; exemption for essential personal hygiene products.

Sen. Jennifer B. Boysko (D) - Senate District 33

This bill was amended to include the repeal of the grocery tax, as well as providing a sales and use tax exemption for essential personal hygiene products. *03/12/22 Senate: Continued to 2022 Sp. Sess. pursuant to HJR 455. No action in Special Session so far. IN CONFERENCE COMMITTEE*

HB 90 Sales tax; exemption for food purchased for human consumption and essential personal hygiene products.

Chief Patron: Del. Joseph P. McNamara (R) - House District 8

Exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional and local sales taxes. *03/12/22 House: Continued to 2022 Sp. Sess. pursuant to HJR 455. No action in Special Session so far. IN CONFERENCE COMMITTEE*

HB 6001 Motor fuel tax; limits rate of taxation.

Chief Patron: Del. Tara A. Durant (R) - House District 28

Limits to 2% the amount that the statewide tax on motor fuels can be raised annually pursuant to statutorily required indexing. The bill also eliminates the statewide motor fuel tax from May 1, 2022 to July 31, 2022, reduces the statewide motor fuel tax by 50% from August 1, 2022 to August 31, 2022, and by 25% from September 1, 2022 to September 30, 2022. The bill contains an emergency clause. *04/19/22 House: Referred to Committee on Appropriations*

SB 6001 Motor fuel tax; limits rate of taxation.

Chief Patron: Sen. Stephen D. Newman (R) - Senate District 23

Limits to 2% the amount that the statewide tax on motor fuels can be raised annually pursuant to statutorily required indexing. The bill also eliminates the statewide motor fuel tax from May 1, 2022 to July 31, 2022, reduces the statewide motor fuel tax by 50% from August 1, 2022 to August 31, 2022, and by 25% from September 1, 2022 to September 30, 2022. The bill contains an emergency clause. *04/27/22 Senate: Passed by indefinitely*

B. Transit Service Delivery Advisory Committee (TSDAC) Update

Executive Director Kate Mattice will provide a status report on the work of the Transit Service Delivery Advisory Committee (TSDAC), which has been meeting monthly over the past few months. She serves as a member of TSDAC representing the Virginia Transit Association (VTA).

The Department of Rail and Public Transportation's (DRPT) Transportation Service Delivery Advisory Committee (TSDAC) began their triennial revaluation of the Commonwealth's state and operating funding allocation approach. Throughout the year, TSDAC will be convening monthly to review the MERIT Capital and Operating grant programs and the Transit Strategic Plans. This is a full year process and currently no official recommendations have been made by the committee to DRPT. All TSDAC findings and recommendations will be brought to the Commonwealth Transportation Board (CTB) for approval. Prior to CTB approval, recommendations will be presented to relevant House and Senate committees.

During the past two meetings, DRPT staff briefed TSDAC members on the Joint Legislative Audit and Review Commission (JLARC) Transit Infrastructure Report, DRPT's Transit Equity Modernization Study, and proposed changes to the MERIT Capital Assistance grant program. In the next few months, the committee will dive deeper into the MERIT Operating assistance program, Transit Strategic Plans and the Six-Year Improvement Plan.

NVTC will receive another TSDAC update at the June meeting and the Commission will have an opportunity to discuss whether the Commission may wish to submit comments.

C. Federal Update

Executive Director Kate Mattice will provide an update on the latest federal legislative news.

In mid-April, NVTC provided information to U.S. Representative Don Beyer to support a FY 2023 Community Project Funding effort for a \$2 million grant to complete planning and environmental analysis for [Envision Route 7 Bus Rapid Transit \(BRT\)](#). If funded, this study would bring the project one step closer to entering the Project Development phase of FTA's Capital Investment Grants program as well as make it eligible for SMART SCALE funding, Northern Virginia Transportation Authority (NVTA) funding and Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary grant consideration. Envision Route 7 BRT is a regional high-quality, high-capacity bus rapid transit system that would run across four Northern Virginia jurisdictions, from Tysons through Falls Church, linking through East Falls Church and Seven Corners, through to Bailey's Crossroads and Alexandria. Part of NVTC's submission includes letters of endorsement from several jurisdictions and regional stakeholder groups. Information on this funding request was also shared with Representative Gerry Connolly and Senator Mark Warner.

Regarding other federal funding opportunities, the U.S. Department of Transportation recently published a [list of upcoming Notice of Funding Opportunity Announcements](#) tied to the Bipartisan Infrastructure Law enacted last year. The first opportunity covers the [Transit Oriented Development](#) (TOD) planning program, that provides funding for efforts associated with an eligible transit project for which the project sponsor will seek funding through FTA's Capital Investment Grants Program. Other programs that may be of particular note in Northern Virginia include the [Consolidated Rail Infrastructure and Safety Improvements](#) and the [All Stations Accessibility Program](#).

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice
DATE: April 28, 2022
SUBJECT: Virginia Railway Express (VRE)

At the April meeting, VRE CEO Rich Dalton will update the Commission on recent VRE activities. There is one VRE action item this month to authorize the VRE CEO to execute a deed of ground lease and parking garage agreement related to the VRE Manassas Park Station.

A. VRE CEO Report and Minutes

VRE CEO Rich Dalton will provide his report. The [VRE CEO Report for April 2022](#) and the [Minutes of the April 22, 2022 VRE Operations Board meeting](#) are attached. The [VRE CEO Report for March 2022](#) and [Minutes of the March 18, 2022 VRE Operations Board meeting](#) can be viewed on VRE's website.

B. ACTION ITEM: Approve Resolution #2476: Authorize the VRE CEO to Execute a Deed of Ground Lease and a Parking Garage Agreement with the Economic Development Authority of City of Manassas Park and the City of Manassas Park for a Parking Garage at the VRE Manassas Park Station

On the recommendation of the VRE Operations Board, the Commission is asked to approve [Resolution #2476](#), which will authorize the VRE CEO to execute a [Deed of Ground Lease and Parking Garage Agreement](#) with the Economic Development Authority of the City of Manassas Park and the City of Manassas Park for a parking garage at the VRE Manassas Park Station.

VRE and City of Manassas Park staff have worked collaboratively to negotiate the terms of a [Ground Lease and Parking Garage Agreement](#) ("Agreement"). The city has conveyed the site for the parking garage to its Economic Development Authority (EDA) in order to allow for the long term of the Ground Lease. The City of Manassas Park and the EDA are therefore parties to the Ground Lease. The proposed Ground Lease addresses terms of operations and maintenance as well as the city's request to have the ability to reacquire the parking garage site in the event VRE service at the Manassas Park Station was discontinued.

The Manassas Park Station currently provides approximately 600 parking spaces for VRE riders: 300 spaces constructed by the City of Manassas Park (the City Lot) in 1992, and an additional 300-space parking lot (the Expansion Lot) constructed by VRE in 2001. Pre-pandemic parking demand at the station exceeded available spaces. In addition to the surface parking lots available at the station, riders have been able to park on street and at another lot adjacent to City Hall due to the lagging development of the City Center. However, with the proposed City Center development

plan, these spaces will no longer be available. Additionally, pre-pandemic VRE ridership forecasts estimated ridership/boardings would continue to grow in the future at Manassas Park. The attached [VRE memorandum provides more information](#) about 2019 pre-pandemic boarding counts and projected parking demand, as well as background information about the project.

C. VRE Tariff Changes

At its April 22 meeting, the VRE Operations Board voted to amend the [VRE Passenger Tariff](#) by updating sections covering classes of ticket, fare evasion, VRE and contract carrier rights and bicycle policy. The VRE Passenger Tariff is a set of operating rules and procedures that address the many elements of VRE service. These changes include discontinuing the 5-day pass and enhancing the 7-day pass and updating the bicycle policy as well as the definition of bicycle and electric power assisted bicycle to permit full-size bicycles, e-bikes and e-scooters on every car of every train to promote the use of bicycles as the first/last mile option for commuters.

The tariff changes also include updates reflecting Virginia Code changes on fare evasion (penalties for fraudulent or counterfeit tickets) and adding the Virginia Passenger Rail Authority (VPRA) as a right-of-way owner to the section for VRE and Contract Carriers Rights Reserved.

D. Crystal City Station Improvements

At the April 22 meeting, VRE staff updated the Operations Board with a [presentation on progress of the Crystal City Station Improvement project](#) along with adjacent projects. The station is being relocated 400 yards south of the current station and the preliminary engineering, surveying and geotechnical investigation is complete. The project is currently under the National Environmental Policy Act (NEPA) review by the Federal Transit Administration. Adjacent projects include the PRA/CSXT Alexandria Fourth Track, CC2DCA Connection of Crystal City to Airport and Amtrak High-Level Platform. The Crystal City project is currently under consideration for a Construction Manager/General Contractor (CM/GC) delivery method at 60%.



MINUTES

VIRGINIA RAILWAY EXPRESS OPERATIONS BOARD MEETING

April 22, 2022

14700 Potomac Mills Road, Woodbridge, VA 22192

Members Present

*Walter Alcorn (NVTC) **
 *Sarah Bagley (NVTC)
 *Andrea Bailey (PRTC)
 *Preston Banks (PRTC)
 *Meg Bohmke (PRTC)
 *Margaret Franklin (PRTC)
 *Libby Garvey (NVTC) **
 *Monica Gary (PRTC)
 *Lori Hayes (PRTC)
 *Matt Kelly (PRTC)
 *Ralph Smith (PRTC)
 *Daniel G. Storck (NVTC)
 *James Walkinshaw (NVTC)

Jurisdiction

Fairfax County
 City of Alexandria
 Prince William County
 City of Manassas Park
 Stafford County
 Prince William County
 Arlington County
 Stafford County
 Spotsylvania County
 City of Fredericksburg
 City of Manassas
 Fairfax County
 Fairfax County

Members Absent

Jeanine Lawson (PRTC)
 Michael McLaughlin (VPRA)

Prince William County
 Commonwealth of Virginia

Alternates Present

Emily Stock (DRPT)

Commonwealth of Virginia

Alternates Absent

Canek Aguirre (NVTC)
 Victor Angry (PRTC)
 Pete Candland (PRTC)
 Katie Cristol (NVTC)
 Deborah Frazier (PRTC)
 Jason Graham (PRTC)
 Jeffrey C. McKay (NVTC)
 Alanna Mensing (PRTC)
 Pam Sebesky (PRTC)
 Ann Wheeler (PRTC)
 Pamela Yeung (PRTC)

City of Alexandria
 Prince William County
 Prince William County
 Arlington County
 Spotsylvania County
 City of Fredericksburg
 Fairfax County
 City of Manassas Park
 City of Manassas
 Prince William County
 Stafford County

*Voting Member

**Delineates arrival/departure following the commencement of the Operations Board Meeting. Notation of exact arrival/departure time is included in the body of the minutes.

‡ Indicates Member participated remotely

Staff and General Public

Jason Bortz – VRE
Alex Buchanan- VRE
Cindy Bullock - VRE
Rich Dalton – VRE
Chris Henry – VRE
Robert Hostelka – VRE
Chris Kocher - VRE

Lezlie Lamb – VRE
Steve MacIsaac – VRE Chief Counsel
Kate Mattice – NVTC
Kristin Nutter – VRE
Dallas Richards - VRE
Dr. Bob Schneider – PRTC
Mark Schofield – VRE
Alex Sugatan – VRE
Joe Swartz – VRE

Chair Franklin called the meeting to order at 9:00 a.m. The Pledge of Allegiance and Roll Call followed.

Safety Briefing – 3

Rich Dalton briefed attendees on safety procedures and assigned specific tasks to qualified staff members in case of an emergency.

[Ms. Garvey arrived at 9:03 a.m.]

[Mr. Alcorn arrived at 9:04 a.m.]

Approval of the Agenda – 4

Mr. Kelly moved, with a second by Ms. Bailey, to approve the agenda as presented. There was no discussion on the motion. The vote in favor was cast by Members Bagley, Bailey, Banks, Bohmke, Franklin, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Approval of the Minutes of the March 18, 2022, VRE Operations Board Meeting – 5

Ms. Bailey moved, with a second by Mr. Kelly, to approve the Minutes from the March 18, 2022, VRE Operations Board meeting. The vote in favor was cast by Members Bagley, Bailey, Banks, Bohmke, Franklin, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Chairman's Comments – 6

Chair Franklin welcomed Stafford County Supervisor Monica Gary to the VRE Operations Board. Supervisor Gary was previously the alternate for Stafford County and was recently appointed to be a primary Member. She also welcomed DRPT's Chief of Rail, Emily Stock, who is the Alternate for the Commonwealth of Virginia.

The Chair announced there would be a Closed Session to receive an update on VRE's cyber-security activities. She also reminded Members that the Bylaws Committee would meet after the Operations Board Meeting.

Chief Executive Officer's Report – 7

Mr. Dalton briefed the Operations Board on the following items of interest:

- Safety
- Performance
- Ridership
- Mask Mandate
- Manassas Line Maintenance

Public Comment Time – 8

The Chair opened the floor for public comment time. There were no speakers. Chair Franklin inquired if any electronic comments had been received in which there was one submitted by Mark Scheufler of Prince William County (attached.)

Action Items – 9

Authorization to Issue an Invitation for Bids for Construction of the Manassas Park Parking Expansion – 9A

Mr. Banks moved, with a second by Mr. Kelly, to authorize the CEO to issue an invitation for bids for construction of the Manassas Park Parking Expansion. The vote in favor was cast by Members Alcorn, Bagley, Bailey, Banks, Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Authorization to Amend the VRE Passenger Tariff – 9B

Ms. Bailey moved, with a second by Mr. Smith, to authorize the CEO to amend the VRE Passenger Tariff by updating the sections covering classes of ticket, fare evasion, VRE and contract carrier rights, and the bicycle policy. The vote in favor was cast by Members Alcorn, Bagley, Bailey, Banks, Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Authorization to Execute a Contract for Financial Auditing Services – 9C

Ms. Bohmke moved, with a second by Mr. Kelly, to authorize the CEO to execute a contract with PBMares for Financial Auditing Services. The vote in favor was cast by Members Alcorn, Bagley, Bailey, Banks, Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Authorization to Provide a Letter of Support to the Virginia Passenger Rail Authority for a USDOT RAISE Grant Program Application for the Pedestrian and Bicycle Bridge Section 4(f) Mitigation of the Long Bridge Railroad Expansion Project – 9D

Mr. Kelly moved, with a second by Ms. Bailey, to authorize the CEO to provide a letter of support on behalf of the Operations Board for the Virginia Passenger Rail Authority application to the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary infrastructure grant program for the Pedestrian and Bicycle Bridge Section 4(f) Mitigation of the Long Bridge Railroad Expansion Project. The vote in favor was cast by Members Alcorn, Bagley, Bailey, Banks, Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Information Items – 10

Crystal City Station Improvements Update – 10A

VRE Staff provided an overview of the Crystal City Station Improvement project, adjacent projects, and related funding.

[Mr. Alcorn left the meeting at 10:09 a.m.]

Spending Authority Report – 10B

In March 2022, VRE made the following purchases greater than \$50,000 but less than \$100,000:

- On March 3, 2022, VRE issued a Task Order in the amount of \$54,500 to HDR Engineering under the General Engineering Consulting Services contract to provide project and technical support for multiple VRE projects, as an extension of VRE staff. Activities addressed as part of this Task Order may include host railroad (Amtrak, CSXT and Norfolk Southern) coordination, as well as support for shop and yard related projects.

Closed Session – 11

Vice-Chair Walkinshaw moved, with a second by Ms. Bailey, pursuant to the Virginia Freedom of Information Act (Section 2.2-3711.A (19) of the Code of Virginia,) to convene a closed meeting for the purpose of discussing one matter involving plans to protect public safety as it relates to specific cybersecurity threats or vulnerabilities and actions taken to respond to such matters and related threats to public safety. The vote in favor was cast by Members Bagley, Bailey, Banks, Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Storck, and Walkinshaw.

Vice-Chair Walkinshaw moved, with a second by Mr. Kelly, to certify that to the best of each member's knowledge and with no individual member dissenting, at the just concluded Closed Session, only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed; and, only such public business matters as were identified in the motion by which the Closed Session was convened were heard, discussed or considered. The vote in favor was cast by Members Bagley, Bailey, Banks, , Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Chair Franklin asked if there were any other business of which there was not.

Ms. Bailey moved, with a second by Ms. Bagley, to adjourn the meeting. The vote in favor was cast by Members Bagley, Bailey, Banks, Bohmke, Franklin, Garvey, Gary, Hayes, Kelly, Smith, Stock, Storck, and Walkinshaw.

Approved this 20th day of May 2022.

Margaret Franklin
Chair

Sarah Bagley
Secretary

CERTIFICATION

This certification hereby acknowledges the minutes for the April 22, 2020, Virginia Railway Express Operations Board Meeting have been recorded to the best of my ability.



Leslie M. Lamb

CEO REPORT

APRIL 2022



OUR MISSION

The Virginia Railway Express, a joint project of the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission, will provide safe, cost-effective, accessible, reliable, convenient, and customer responsive commuter-oriented rail passenger service. VRE contributes to the economic vitality of its member jurisdictions as an integral part of a balanced, intermodal regional transportation system.



CEO REPORT | APRIL 2022

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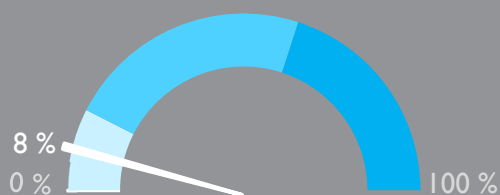
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A better way. A better life.

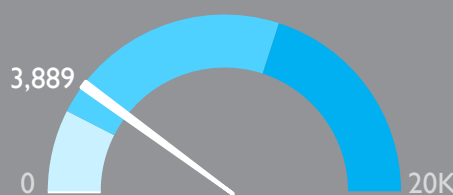


PERFORMANCE AT A GLANCE



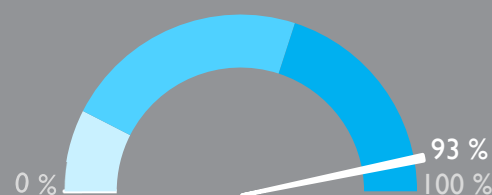
PARKING UTILIZATION

The total number of parking spaces used in the VRE system during the month, divided by the total number of parking spaces available.



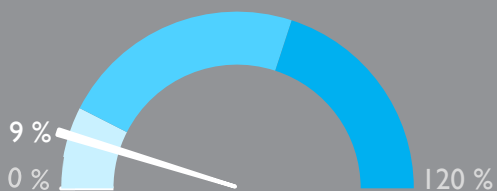
AVERAGE DAILY RIDERSHIP

The average number of boardings each operating day inclusive of Amtrak Step-Up boardings and reduced, "S" schedule, service.
Same month, previous year: 1,379



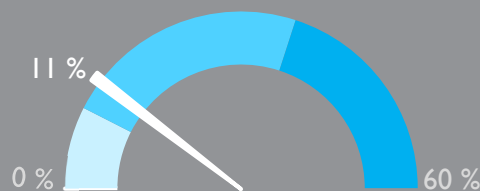
ON-TIME PERFORMANCE

Percent of trains arriving at their destination within 5 minutes of the schedule.
Same month, previous year: 93%



SYSTEM CAPACITY

The percent of peak hour train seats occupied. The calculation excludes reverse flow and non-peak hour trains.



OPERATING RATIO

Through February 2022

Year-to-date operating revenues divided by year-to-date operating expenses, which represents the share of operating costs paid by the riders.
Board-approved goal: 52%

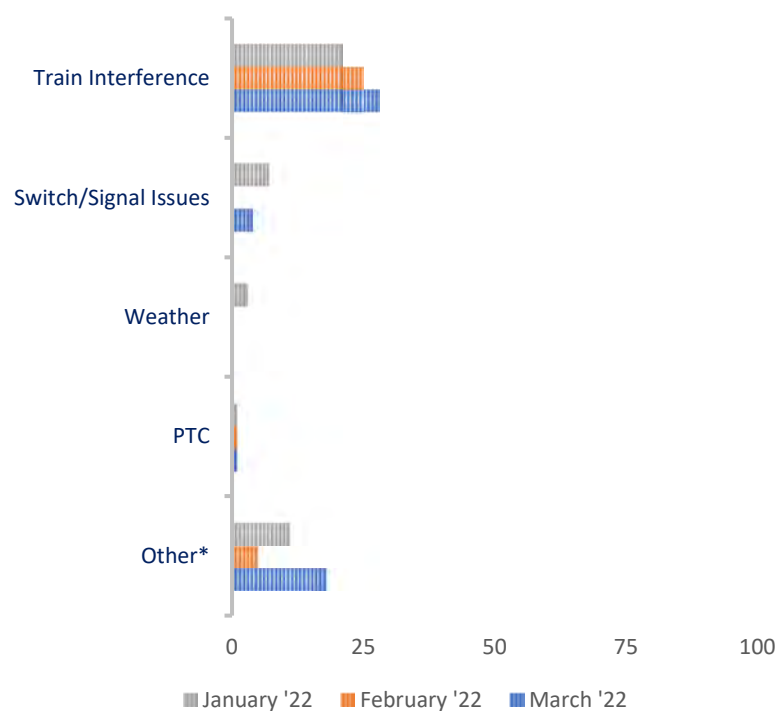
March 2022

ON-TIME PERFORMANCE

OUR RECORD

	March 2022	February 2022	March 2021
Manassas Line	92%	91%	93%
Fredericksburg Line	94%	98%	93%
Systemwide	93%	95%	93%

PRIMARY REASON FOR DELAY



VRE operated 736 trains in March. The on-time rate was 93 percent.

Fifty-one trains arrived more than 5 minutes late to their final destinations. Of those late trains, 28 were on the Manassas Line (55 percent), and 23 were on the Fredericksburg Line (45 percent).

Slow orders and congestion due to crews working on the right of way attributed to the upturn in delays in "Other," but "Train Interference" continued to be the most common cause for delay.

*Includes trains that were delayed due to operational testing and passenger handling.

LATE TRAINS

	System Wide			Fredericksburg Line			Manassas Line		
	Jan.	Feb.	Mar.	Jan.	Feb.	Mar.	Jan.	Feb.	Mar.
Total late trains	43	31	51	18	5	23	25	26	28
Average minutes late	22	12	13	21	14	13	22	12	13
Number over 30 minutes	9	2	3	4	0	1	5	2	2
Heat restrictions	0	0	0	0	0	0	0	0	0

ON-TIME PERFORMANCE

VRE SYSTEM



FREDERICKSBURG LINE



MANASSAS LINE

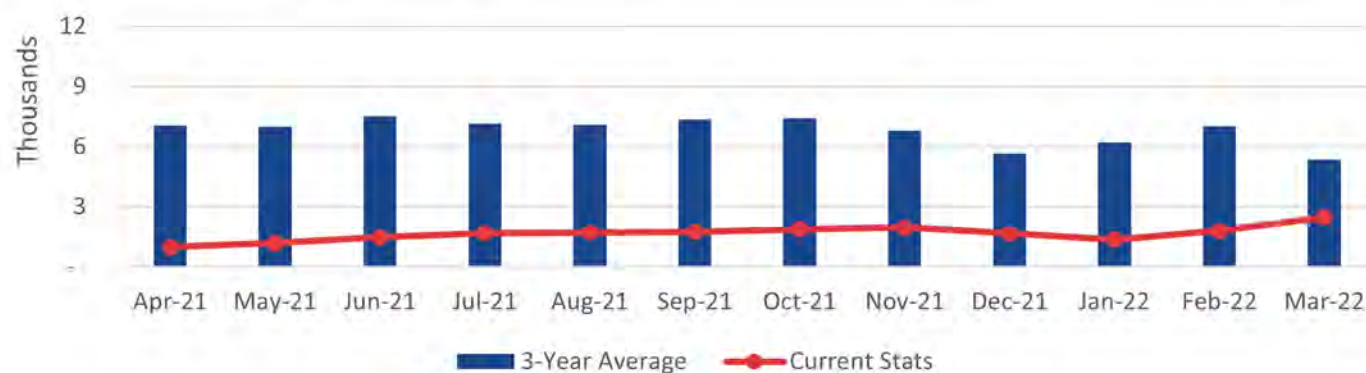


AVERAGE DAILY RIDERSHIP

VRE SYSTEM



FREDERICKSBURG LINE



MANASSAS LINE



RIDERSHIP UPDATES

Average daily ridership in March was 3,889.
There were 23 service days.

Ridership in March continued to trend upward, month over month. Our peak day came on March 30th, when we registered 4,871 passengers. For the month, ridership was just short of 90,000.

	March 2022	February 2022	March 2021
Monthly Ridership	89,455	52,916	31,714
Average Daily Ridership	3,889	2,785	1,379
Full Service Days	23	19	0
"S" Service Days	0	0	23

SUMMONSES ISSUED

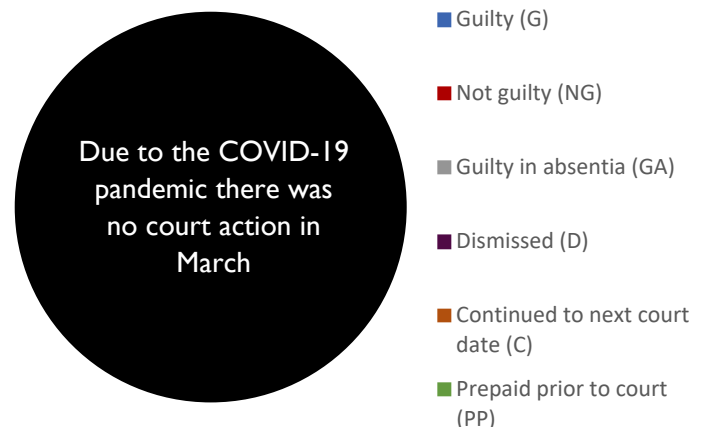
VRE SYSTEM



SUMMONSES WAIVED OUTSIDE OF COURT

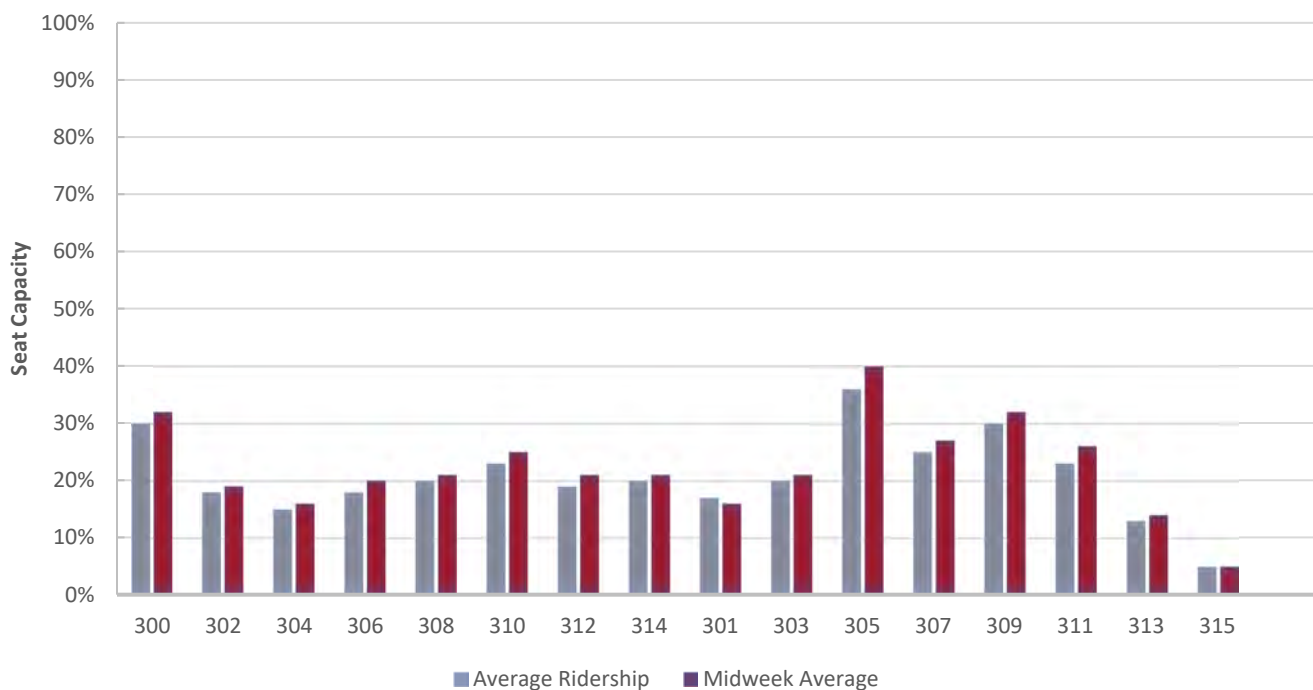
Reason for Dismissal	Occurrences
Passenger showed proof of a monthly ticket	0
One-time courtesy	0
Per the request of the conductor	0
Defective ticket	0
Per ops manager	0
Unique circumstances	0
Insufficient information	0
Lost and found ticket	0
Other	0
Total Waived	0

MONTHLY SUMMONSES COURT ACTION

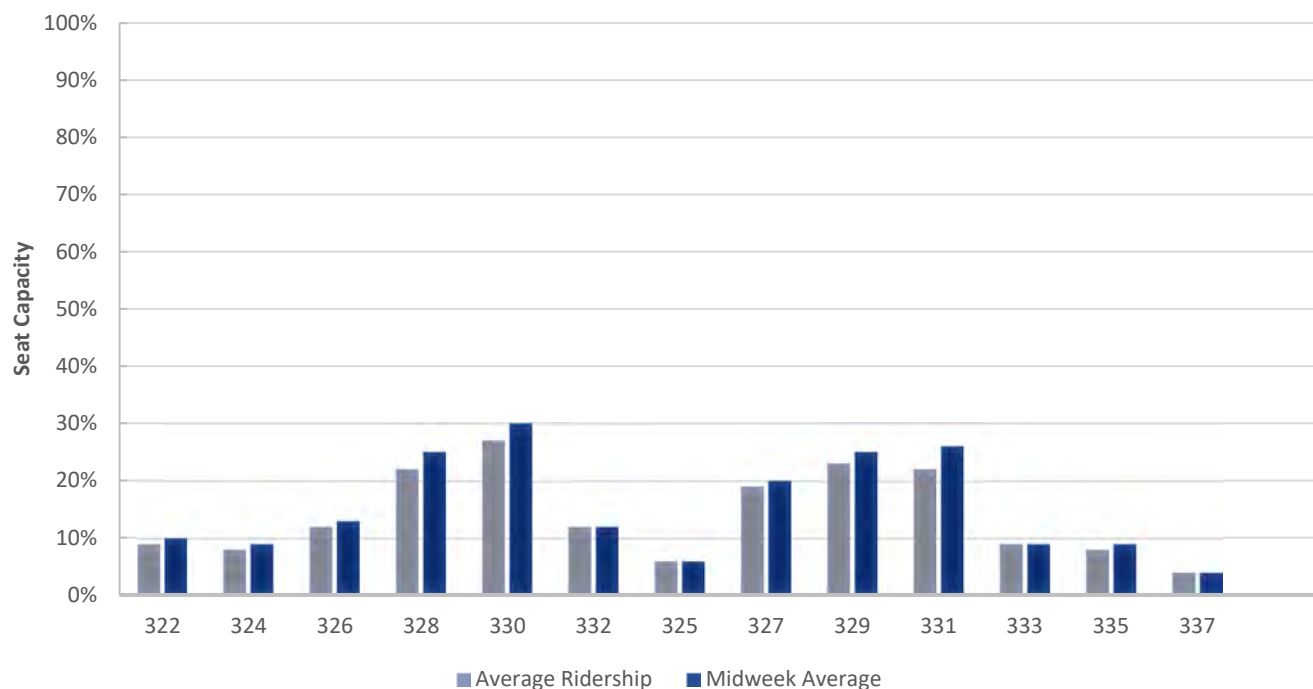


TRAIN UTILIZATION

FREDERICKSBURG LINE

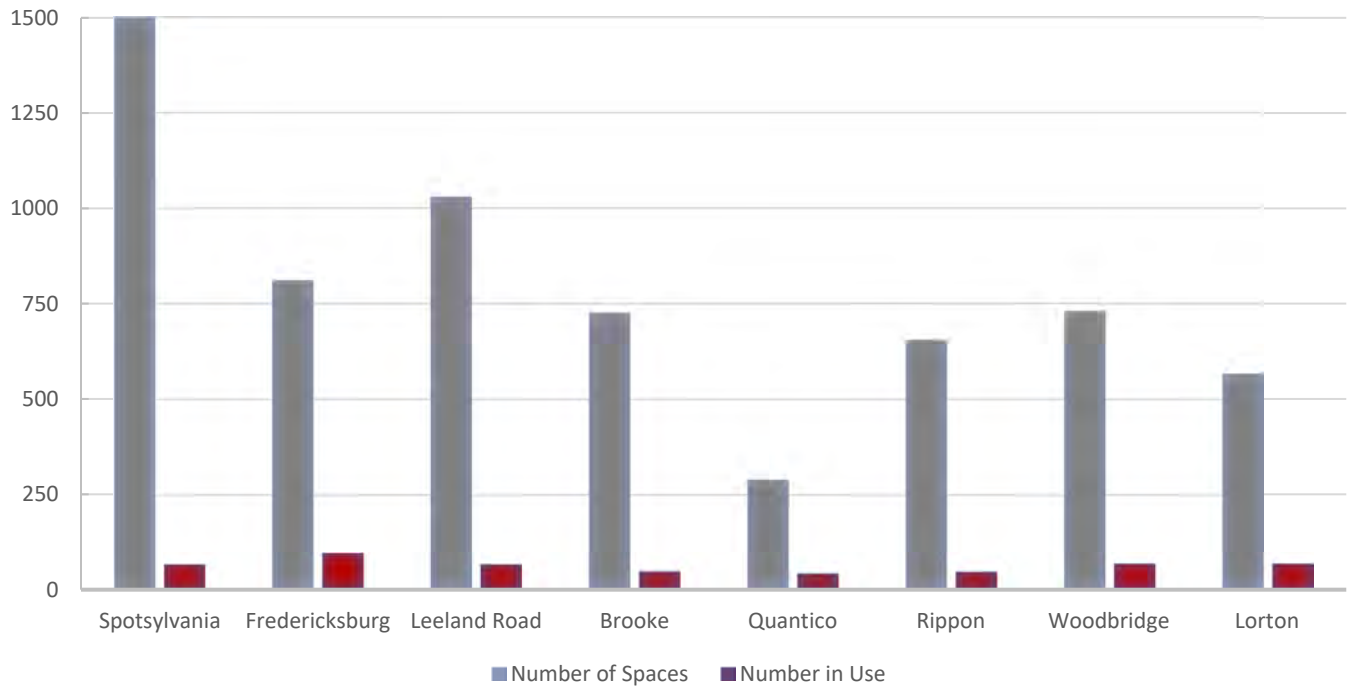


MANASSAS LINE

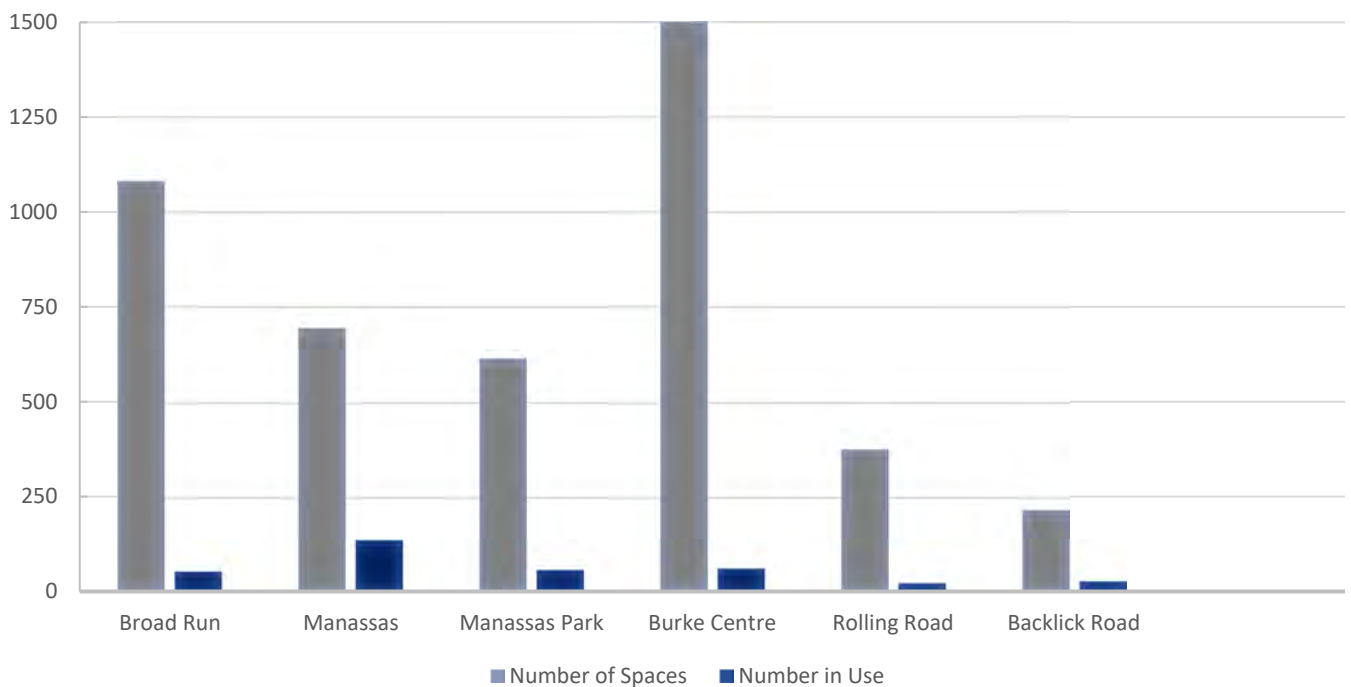


PARKING UTILIZATION

FREDERICKSBURG LINE



MANASSAS LINE



FACILITIES UPDATE

Completed projects:

1. Replacement of vertical blinds with window shades at Alexandria HQ
2. Replacement of timber pedestrian crossing at Leeland Road station, following CSX rail replacement work
3. Repair of sidewalk foundation at Leeland Road station
4. Placement of drainage stone at Broad Run MASF pipe outfall



Replacement of timber crossing



Placement of drainage stone

Projects scheduled to be completed this quarter:

1. Replacement of existing west platform and canopy lighting with LED lighting at Woodbridge station
2. Replacement of windscreen plexiglass panels at Rippon station
3. Overhaul of emergency generators at Fredericksburg office and Alexandria HQ
4. Installation of VRE station-themed wall graphics in Alexandria headquarters elevator lobby
5. Installation of air purifiers at Alexandria headquarters, Fredericksburg office, and Crossroads MASF and Broad Run MASF buildings
6. Issuance of purchase order for waste and recycling receptacles for station platforms
7. Installation of additional bicycle parking at various stations

Projects scheduled to be initiated this quarter:

1. Minor structural concrete repairs at Woodbridge station parking garage, pending permit issuance
2. Modernization of east elevator at Woodbridge station
3. Minor structural concrete bridge repairs at Rippon and Brooke stations
4. Replacement of existing lighting with LED lighting at Fredericksburg Lot G
5. Replacement of fluorescent lighting with LED lighting at Fredericksburg office
6. Fabrication of pathfinder signage for Fredericksburg and Spotsylvania stations
7. Repair of platform sealer delamination at Spotsylvania station
8. Repair of concrete stairs at Burke Centre station
9. Replacement of existing lighting with LED lighting at Manassas Park station
10. Replacement of existing lighting with LED lighting at Manassas station parking garage
11. Painting of various stations

Ongoing projects:

1. Procurement of construction contract for L'Enfant Station Waiting Area, pending permit issuance
2. Overhaul of emergency generators at Woodbridge and Manassas stations, Alexandria headquarters and Fredericksburg office
3. Replacement of existing yard lighting with LED lighting at Crossroads MASF and Broad Run MASF

UPCOMING PROCUREMENTS

1. Renewal of locomotive head end power engine systems
2. Program management consulting services
3. Modernization of VRE Woodbridge Station east elevator
4. Forklift trucks
5. Passenger car wheelchair lift assemblies
6. Purchase of LED light fixtures
7. Variable Messaging System replacement
8. Tactile strip replacements
9. Construction Manager / General Contractor for the Alexandria Station improvements project
10. Broad Run and Crossroads security camera system power and network infrastructure upgrade

CAPITAL PROJECTS UPDATE

Project Name	Project Description	Current Phase	Budget	Project Notes
Alexandria Station Improvements	Passenger safety will be improved by replacing an at-grade pedestrian track crossing with elevators to connect the two platforms. The elevators and the current and proposed stairs, will connect to the existing tunnel between the two platforms. Adjustments to platform elevation will eliminate the need for step-boxes to access VRE and Amtrak trains. The center platform will be widened and lengthened to accommodate trains on both tracks.	Final Design	\$ 30,975,014.00	Permit coordination ongoing with the City of Alexandria. (Mar. & Apr. 2022)
Broad Run Expansion	To accommodate forecasted ridership growth and increase service reliability, improvements are needed at both the Maintenance and Storage Facility (MSF) and station. An enlarged MSF can store longer trains and additional equipment. That requires shifting the existing platform and adding a pedestrian tunnel between the platform and existing and proposed parking lots. A second, 600-space lot and third main track will be constructed.	Final Design	\$ 137,230,000.00	30% redesign continues. Fieldwork progressing. Geotechnical borings ongoing (Apr. 2022) 30% redesign in progress. Fieldwork progressing. Boring to start 3/7/22 (Mar. 2022)
Brooke Station Improvements	Design and construction of a platform extension up to 700 feet to accommodate full-length VRE trains.	Development	\$ 9,284,208.00	VRE has reengaged this project and returned it to the CIP Budget for future years. Project schedule updates pending input from various stakeholders. (Mar. & Apr. 2022)
Crossroads MSF - Storage Expansion, Short-term	The project constructs additional storage tracks at the Crossroads Maintenance and Storage Facility (MSF) adjacent to the existing facility.	Development	\$ 8,365,765.00	SMART SCALE funding for this project is allocated in FY 2022 and 2023. A funding ageement is pending. (Mar.& Apr. 2022)
Crystal City Station Improvements	Improved station access and service reliability will result from a new station. The platform at the relocated station will allow for the simultaneous boarding of two full-length trains. The station's design will accommodate a future pedestrian/bicycle connection between the station and the airport.	Development	\$ 50,114,624.00	Met with CC2DCA to discuss station details and how their alternative 7D would interact with our design. (Apr. 2022) Final design efforts are underway as package advances toward the 60% deliverable. (Mar. 2022)
Facilities Design Guidelines Update	Update to the 2019 VRE Facility Design Guidelines.	Final Design	\$ 80,000.00	Comments on draft drawing sent to HDR to address in next update (Apr. 2022). Finalizing internal draft package reviews with intent to return to consultant later this month (Mar. 2022)
Franconia-Springfield Station Improvements	Extended platforms will be able to accommodate eight-car trains, eliminating the need for passengers near the rear to move to a different railcar when disembarking. Enhanced passenger safety and reduced station dwell times will result. The longer platforms will increase operational flexibility and capacity. The design will allow for a future third mainline track.	Final Design	\$ 13,000,000.00	In process of issuing a task order to design a pedestrian tunnel. (Mar. & Apr. 2022)

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CAPITAL PROJECTS UPDATE

Project Name	Project Description	Current Phase	Budget	Project Notes
Fredericksburg Station Rehabilitation	The rehabilitation of platforms, stairs and bridges will improve passenger safety and better accommodate the boarding and disembarking of riders from VRE and Amtrak trains. New stairs will allow passengers to move between the platform and a parking lot without crossing the street at grade level. New signage, sidewalks, lighting and paint are included, as is installation of a low-clearance warning sign to a bridge that has experienced numerous vehicle strikes.	Final Design	\$ 3,000,000.00	Invitation for bids package complete; finalizing agreements. (Mar. & Apr. 2022)
HQ Office Renovations	The project will improve employee safety and security and maximize workspace efficiency at VRE Headquarters, and will include modifications to kitchen, supply room, mail room, bathroom/shower, office and cubicle areas in the north and south wings. The east wing will be modified to include additional offices.	Construction	\$ 250,000.00	Replacement of existing light fixtures with new LED light fixtures completed (Apr. 2022) LED fixture replacement complete but for two emergency fixtures. Completion expected by 3/11/22 (Mar. 2022)
Leeland Road Parking Improvements	This project will expand the surface parking lot at the Leeland Road station by approximately 225 spaces to accommodate future demand.	Development	\$ 5,519,178.00	The project is funded through Virginia SMART SCALE. Funding is allocated for FY20 and 22. A funding agreement is pending. (Mar. & Apr. 2022)
Leeland Road Station Improvements	Design and construction of a platform extension to accommodate full-length VRE trains.	Development	\$ 6,736,091.00	VRE has reengaged this project and returned it to the CIP budget for future years. Project schedule updates pending input from various stakeholders. (Mar. & Apr. 2022)
L'Enfant Station Waiting Area	The existing platform at the L'Enfant station experiences overcrowding during the evening service period. The proposed project will create an additional paved area behind the existing platform, currently landscaped with shrubs and grass, for riders to wait for trains or to bypass riders waiting on the platform.	Final Design	\$ 350,000.00	Paid plan review fees for District DOEE sediment control and stormwater permit applications. (Apr. 2022) Processing plan review fees for District DOEE sediment control and stormwater permit applications. (Mar. 2022)
L'Enfant Track and Station Improvements	Expansion of the VRE L'Enfant Station to provide two platform edges and serve full-length trains. Add a new mainline track between LE and VA interlockings.	Development	\$ 79,980,000.00	A property boundary and topographical survey is underway. Alternatives analysis and concept design to define a preferred alternative initiated. (Mar. & Apr. 2022)

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CAPITAL PROJECTS UPDATE

Project Name	Project Description	Current Phase	Budget	Project Notes
Lifecycle Overhaul and Upgrade (LOU) Facility	Featuring 33,000 square feet of maintenance space, the LOU will allow VRE to cost-effectively maintain rolling stock, as well as systems and components, in a state of good repair. It will optimize maintenance and reduce costs by allowing the in-house replacement of items before they fail. The LOU will house two tracks that can hold up to four cars at one time and be equipped with a drop table and wheel truing machine. To maintain storage capacity within Crossroads Yard three new tracks are being constructed to provide enhanced flexibility to our operations crews for train movements and storage.	Construction	\$ 52,183,632.00	Subgrade concrete work on drop table through pit and stairs along with wheel truing machine pit nearing completion. Site permit amendment approval expected within weeks. (Apr. 2022) Deep foundations have been constructed, waterproofed and backfilled. Work has progressed to building perimeter foundations. Steel building materials have arrived on site. (Mar. 2022)
Manassas Park Parking Expansion	A new garage will nearly double the 600 spaces currently available in the existing surface lot. A pedestrian bridge will provide grade-separated access to the existing platform and lot. The VRE station and garage are an integral part of the City Center Redevelopment District, the proposed transit-accessible high-density mixed-use town center of Manassas Park.	Final Design	\$ 25,983,000.00	Site plan second submission made to the city. Building plan review initiated (Apr. 2022) Site plan comments received from the city. Building plan review scheduled for March 11. (Mar. 2022)
Manassas Station Improvements	The project expands the VRE Manassas Station platform to serve full length trains and enhances pedestrian access to the station. Alternatives to increase the platform length to enable boarding and alighting from all passenger cars will be evaluated.	Development	\$ 9,125,000.00	This project is funded with I-66 OTB funding. Initiation of project planning pending completion of a Force Account Addendum with Norfolk Southern Railway. (Mar. & Apr. 2022)
New York Avenue Midday Storage Facility	This new facility will store trains currently located in Amtrak's Ivy City coach yard, as Amtrak now has need for the storage tracks. The New York Avenue site, which is proximate to Washington Union Station, will be able to accommodate additional VRE trains.	Development	\$ 89,666,508.00	Amtrak permit renewal received which includes expanded areas of survey in Ivy City Coach Yard (Apr. 2022) Renewing access permits with Amtrak to allow for more field work as part of preliminary design efforts. (Mar. 2022)
Potomac Shores Station	This new station, in a master-planned community in Prince William County, is being funded, designed, and constructed by the developer of Potomac Shores in consultation with VRE and other stakeholders. The station will be just a short walk from the town center. A new side platform will be constructed which is designed to be converted into an island platform in the future when the 3rd track is added to corridor operations.	Final Design	\$ -	CSX and VRE comments being incorporated into final 100% plans for final construction docs for final review/comments cycle (Apr. 2022) Coordination with CSX final design comments and responses continuing along with Prince William County permit resubmissions. (Mar. 2022)

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CAPITAL PROJECTS UPDATE

Project Name	Project Description	Current Phase	Budget	Project Notes
Quantico Station Improvements	Service and safety will be enhanced through the construction of a new center platform, ADA-compliant pedestrian bridges, existing platform extension, and third track. These improvements will allow the station to accommodate additional passengers and more frequent and longer trains and operations flexibility with three boardable platform edges.	Construction	\$ 23,973,061.00	Retaining wall H pile installation started. Platform installation proceeding at all three towers. Island platform drainage installation and canopy footings proceeding. (Apr. 2022) Elevator pits and foundations under construction (Mar. 2022).
Rippon Station Improvements	Extend existing platform with a second pedestrian overpass.	Development	\$ 16,634,794.00	VRE has reengaged this project and returned it to the CIP budget for future years. Project schedule updates pending input from various stakeholders. (Mar. & Apr. 2022)
Rolling Road Station Improvements	An extended platform will accommodate eight-car trains, eliminating the need for passengers near the rear to move to a different railcar when disembarking. Enhanced passenger safety and reduced station dwell times will result. Rehabilitation and repair of the existing platform, replacement of stairs and the existing canopy roof, and an upgrade of the lighting and communication systems are planned.	Construction	\$ 5,000,000.00	Stair #1 has been installed. Waiting on handrails to open the stairs. New canopy steel is installed. New light poles being installed (Apr. 2022) Contractor replacing stair #1 and continue installing electrical conduits. (Mar. 2022)

For more information about VRE capital projects, visit <https://projects.vre.org/list>



VIRGINIA RAILWAY EXPRESS

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VRE.ORG



**RESOLUTION #2476**

SUBJECT: Authorize the VRE CEO to Execute a Deed of Ground Lease and Parking Garage Agreement at the VRE Manassas Park Station

WHEREAS: Pre-pandemic parking demand at the Manassas Park VRE Station exceeded available spaces;

WHEREAS: Pre-pandemic VRE ridership forecasts estimated ridership/boardings would continue to grow in the future at the Manassas Park VRE Station;

WHEREAS: The City of Manassas Park and VRE began work on a joint project for the design and construction of a parking garage on City-owned property located across the Norfolk Southern railroad tracks near City Hall;

WHEREAS: The City of Manassas Park has agreed to create and ground lease to VRE, through the City's Economic Development Authority, a parcel of land approximately 2.5 acres in size from the formerly city-owned property, now owned by the Economic Development Authority, located across the railroad tracks from the Manassas Park Station;

WHEREAS: VRE and city staff have successfully negotiated terms of the Deed of Ground Lease and Parking Garage Agreement;

WHEREAS: The terms are consistent with previous board actions and agreeable to VRE; 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 the Deed of Ground Lease and Parking Garage Agreement with the Economic Development Authority of the City of Manassas Park and the City of Manassas Park.

Approved this 5th day of May 2022.

Canek Aguirre
Chair

Matt de Ferranti
Secretary-Treasurer

DEED OF GROUND LEASE AND PARKING GARAGE AGREEMENT

THIS DEED OF GROUND LEASE AND PARKING GARAGE AGREEMENT (this "Ground Lease") is made and entered into as of the ____ day of _____, 2022 (the "Effective Date"), by and between the ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF MANASSAS PARK, VIRGINIA, its successors and assigns (the "EDA"), as Lessor; the POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION, its successors and assigns (the "PRTC"), and the NORTHERN VIRGINIA TRANSPORTATION COMMISSION, its successors and assigns (the "NVTC") (together, the "Commissions"), together known and hereinafter referred to as the VIRGINIA RAILWAY EXPRESS, its successors and assigns (the "VRE"), as Lessee; and the CITY OF MANASSAS PARK, VIRGINIA, its successors and assigns (the "City").

RECITALS:

R-1. The EDA is the owner of certain real property situate in Manassas Park, Virginia, known as Lot 5-1, CONNER CENTER, Blooms Court (the "Property"), with tax map number 24-3-5-1, as created by that certain Deed of Boundary Line Adjustment recorded as Instrument No. 202008030065196, and as duly platted and shown on the plat attached thereto, incorporated therein by reference, and recorded as Instrument No. 202008030065197, having acquired the Property by Special Warranty Deed recorded as Instrument No. 202203040017467, all among the land records of Prince William County, Virginia (the "Land Records").

R-2. The City and the VRE are parties to that certain Agreement for Design, Construction, Operation, Use, and Maintenance of Parking Garage and Conveyance of Expansion Parking Lot at Manassas Park Virginia Railway Express Station dated November 5, 2021 (the "Parking Agreement"), a copy of which is attached hereto as Exhibit A and incorporated herein by reference.

R-3. The EDA and the VRE desire to enter into a ground lease for the Property to allow for the construction, operation, and maintenance of the Garage (as defined therein and below) to provide parking for commuter rail patrons and non-commuter rail patrons, as contemplated by the Parking Agreement and as provided herein.

R-4. The EDA and the City desire for the City to serve as its agent for the purpose of administering this Ground Lease.

R-5. The City joins in this Ground Lease to acknowledge, affirm, and agree to its rights, responsibilities, and obligations, as specified in the Parking Agreement and as set forth herein.

NOW, THEREFORE, for and in consideration of foregoing recitals, each of which is hereby incorporated into this Ground Lease as if set forth herein in its entirety, the rights, responsibilities, and obligations specified in the Parking Agreement and in this Ground Lease, including the rentals herein agreed to be paid by the VRE and other respective covenants to be performed by the parties, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the EDA, the VRE, and the City hereby agree as follows:

1. LEASE OF PROPERTY. The EDA hereby demises and leases unto the VRE, and the VRE hereby takes and accepts from the EDA, the Property, on which the VRE will, in collaboration with the City, as provided for in the Parking Agreement, design and construct a structured parking garage (the "Garage") with three levels at and above grade with approximately 544 parking spaces primarily for the VRE's use (the "VRE Parking Levels") and one level below grade with approximately 191 parking spaces primarily for the City's use (the "City Parking Level"). The lease of the Property and the operation, use, and maintenance of the Garage shall be in accordance with the terms and conditions set forth in the Parking Agreement and herein. In the event of conflict between the provisions of the Parking Agreement and this Ground Lease, the terms of this Ground Lease shall prevail.

2. GROUND LEASE TERM. The EDA shall lease to the VRE and the VRE shall lease from the EDA the Property for a term commencing on the Effective Date first above written and continuing for as long as the VRE uses the Garage for commuter rail patron parking. During such term, the VRE shall have access to the Property on all days of the year and at all times. If the VRE either (i) determines that it no longer requires use of the Property for commuter rail patron parking and provides written notice to the EDA and the City of the same, or (ii) does not use the Garage for commuter rail patron parking for a period of one year, then the term of this Ground Lease shall automatically expire and this Ground Lease shall be deemed to have been terminated as of the date of such expiration and will thereafter have no further force and/or effect, except for those provisions that by definition necessarily survive the termination of this Ground Lease.

3. RENT. The VRE shall pay to the EDA rent in the amount of One Dollar (\$1.00) per annum, commencing on the Effective Date and payable in arrears annually within ten (10) calendar days following the anniversary of the Effective Date. If this Ground Lease is terminated the rent due will be prorated.

4. CITY AS EDA'S AGENT. The City shall serve as the EDA's agent for purposes of administering this Ground Lease, acting on behalf of the EDA in preserving, defending, and performing the EDA's rights, responsibilities, and obligations as set forth herein. The EDA further authorizes the City to exercise its rights and discharge its responsibilities under the Parking Agreement as such relates to the Property.

5. GARAGE OPERATIONS AND MAINTENANCE.

(a) The VRE shall be responsible for design and construction of the Garage in accordance with the terms providing for such in the Parking Agreement.

(b) The VRE shall be responsible for all maintenance of the VRE Parking Levels except as otherwise provided herein and in the Parking Agreement. The VRE shall be responsible for the operation of the VRE Parking Levels during VRE Service Hours (defined below), including payment of all utilities therefor. For purposes of this Ground Lease, "VRE Service Hours" is defined as the period, on those days VRE commuter rail service is operated at the VRE's commuter rail station at Manassas Park, beginning when the first VRE train commences commuter rail service on the Norfolk Southern railroad right-of-way and ending when the last VRE train ceases such commuter rail service. Snow removal from the VRE Parking Levels during VRE Service Hours, including removal of snow from the entrances to the VRE Parking Levels and any sidewalk adjacent to the northwest side of the Garage, will be the responsibility and at the

cost of the VRE. Snow removal outside of VRE Service Hours may be provided at the City's cost upon prior arrangement with the VRE. The City's Police Department will provide additional periodic patrol of the VRE Parking Levels as requested by the VRE. The VRE reserves the right to close all or a portion of the VRE Parking Levels for purposes of maintenance and repair, including outside VRE Service Hours, and shall provide the EDA and the City with not less than 30 days' advance notice thereof.

(c) Maintenance of the City Parking Level shall be performed by the VRE as part of overall Garage maintenance, with the City paying the VRE for its pro rata share of such maintenance as hereafter provided. The City shall be responsible for the operation and use of the City Parking Level, including payment of all utilities therefor and the designation of all or a portion of the parking spaces on the City Parking Level for use as determined by the City.

(d) The VRE and the City shall each be responsible for providing clean-up of the Property as required due to the use of the Garage by the invitees, patrons, employees, officers, or agents of the VRE and the City, respectively.

(e) Parking on the VRE Parking Levels will be primarily for the use of commuter rail patrons during VRE Service Hours. Outside of VRE Service Hours and on days with no VRE service the VRE Parking Levels may be used for public parking by the City.

(f) The VRE may take reasonable measures to ensure that commuter rail patrons are given the first priority for use of the VRE Parking Levels during VRE Service Hours.

(g) At such time as the daily parking occupancy on the VRE Parking Levels regularly exceeds 90% during VRE Service Hours on average over a twenty-eight (28) day period, the VRE and the City will jointly conduct a survey using agreed upon methodology to determine the proportion of parking spaces being used by commuter rail patrons and non-commuter rail patrons on the VRE Parking Levels and the City Parking Level during VRE Service Hours. The VRE and the City will thereafter conduct an annual survey using agreed upon methodology to determine the proportion of commuter rail patrons and non-commuter rail patrons using the VRE Parking Levels and the City Parking Level.

i. If any survey shows that more than twenty percent (20%) of the spaces in the VRE Parking Levels are being used by non-commuter rail patrons during VRE Service Hours, the costs of maintenance and operation of the Garage will be apportioned between the VRE and the City based on the use of commuter rail patrons and non-commuter rail patrons as determined by the survey.

ii. If any survey shows that more than twenty percent (20%) of the spaces in the City Parking Level are being used by commuter rail patrons during VRE Service Hours, the costs of maintenance and operation of the City Parking Level will be apportioned between the VRE and the City based on the use of commuter rail patrons and non-commuter rail patrons as determined by the survey.

iii. The City and the VRE will agree upon signage to be installed during initial construction of the Garage and thereafter, including signs to discourage, but not prohibit,

non-commuter rail patron use of the VRE Parking Levels and commuter rail patron use of the City Parking Level during VRE Service Hours.

6. SURRENDER UPON TERMINATION; OWNERSHIP OF IMPROVEMENTS.

Upon the termination of this Ground Lease:

(a) The VRE shall forthwith surrender and deliver the Property to the EDA and shall place the EDA in quiet and peaceable possession of the same; and

(b) The City shall acquire ownership of all improvements constructed on the Property, including the Garage, at no additional cost, subject to the requirement that the City will thereafter use the Garage in accordance with the conditions imposed by each grant funding entity that provided funds to design and construct the Garage. The VRE shall take all actions necessary to convey ownership of such improvements to the City.

7. LIENS. The EDA, the VRE, and the City shall not permit to be created or to remain undischarged any lien, encumbrance or charge arising out of any work of any contractor, mechanic, laborer or materialman that might be or become a lien or encumbrance or charge upon the Property or any part thereof. If any lien on account of an alleged debt of the EDA, the VRE, or the City is filed against the Property or any part thereof, the party against whom the debt is alleged shall, within thirty (30) days after written notice of the filing thereof is received, cause, or commence to cause and diligently pursue thereafter, the same to be discharged of record by payment, deposit, bond, order of a court of competent jurisdiction, or otherwise. If such party fails to cause, or commence to cause and diligently pursue thereafter, such lien to be discharged within the period aforesaid, then, in addition to any other right or remedy provided herein, the other parties may, but shall not be obligated to, discharge the same either by paying the amounts claimed to be due or by procuring the discharge of such lien by deposit or by bonding proceedings. Any amount so paid and all costs and expenses incurred in connection therewith, together with interest thereon from the respective dates of the payment or incurring of the cost and expense shall constitute an obligation of the party against whom the debt was alleged and shall be paid by such party to the other(s) on demand.

8. ASSIGNMENT AND SUBLETTING. No party shall transfer or assign this Ground Lease, any interest in this Ground Lease, or any portion thereof, or sublet the Property or any portion thereof without first obtaining the written consent of the other parties. Any attempted transfer, assignment or subletting, including any involuntary transfers or assignments by operation of law, without such consent shall be void and confer no rights upon any third party. Consent by a party to one transfer, assignment or subletting shall not operate as a waiver of its approval rights as to any future transfer, assignment or subletting, and this Section shall continue to apply to any transferee, assignee or subtenant. No transfer, assignment or subletting shall relieve the transferring party of its liability for the full performance of all of the terms, agreements, covenants and conditions of this Ground Lease; provided, however, that the parties agree to proceed against the party then in possession prior to demanding performance by any prior transferor.

9. INSURANCE.

(a) The VRE shall procure and maintain, at its expense, general liability insurance against claims for bodily injury, death, and property damage and loss occurring within the Property or arising out of the use thereof by the VRE or its agents, employees, officers or invitees, visitors, and guests. The VRE shall provide a certificate of insurance from its insurance company evidencing general liability insurance with limits not less than Two Million Dollars (\$2,000,000.00) for bodily injury to or death of all persons and for property damage or loss in any one occurrence, which coverage may be met by umbrella insurance. The VRE may satisfy the foregoing requirements through use of its Commuter Rail Liability Insurance Plan administered by the Commonwealth of Virginia's Division of Risk Management.

(b) The EDA and the City shall be listed as additional insureds on all insurance policies, and copy(ies) of the endorsement(s) listing the EDA and the City as additional insureds shall be attached to each certificate of insurance.

(c) The City shall carry and maintain general liability insurance against claims for bodily injury, death, and property damage and loss occurring within the Property or arising out of the use thereof by the City or its agents, employees, officers or invitees, visitors, and guests in limits it reasonably deems appropriate (but in no event less than the limits required of the VRE pursuant to this Section). The EDA shall be a named insured under, and therefore covered by, the City's insurance policy.

(d) The VRE shall be listed as an additional insured on all insurance policies, and a copy of the endorsement listing the VRE as an additional insured shall be attached to each certificate of insurance.

10. CASUALTY DAMAGE. If the Property, or any part thereof, shall be damaged by fire or other casualty, the VRE shall give prompt written notice thereof to the EDA and the City. In case the Garage shall be so damaged that substantial alteration or reconstruction shall, in the VRE's reasonable opinion, be required, the parties shall meet and confer on whether substantial alteration or reconstruction of the Garage should occur and how. In the event the parties are unable to reach agreement on a plan to complete the substantial alteration or reconstruction within one hundred and twenty (120) days following the determination that such alteration or reconstruction is required, the VRE may, at its option, terminate this Ground Lease by notifying the EDA and the City, in writing, of such termination.

11. CLAIMS. Neither the EDA, the VRE, nor the City will be responsible for claims arising out of another party's use of the Property, including the Garage. The foregoing will not, however, be construed as a waiver by the EDA, the VRE, or the City of any defenses, legal or statutory, that the EDA, the VRE, or the City can use in response to claims being asserted against them.

12. DISPUTE RESOLUTION. In the event of a disagreement concerning the provisions of this Ground Lease or regarding the maintenance, use, or operation of the Garage generally, the parties shall use their best efforts to reach a mutually agreed resolution of the disagreement. As necessary, the disagreement shall be brought to the VRE Chief Executive Office, the EDA Chairman, and/or the City Manager, as appropriate, for discussion and resolution.

13. DEFAULT. The failure of any party to perform its obligations hereunder in accordance with the terms of this Ground Lease or the Parking Agreement shall constitute a default, and in the event of such, the non-defaulting party may, after the provision of not less than 30 days' notice and an opportunity to cure, the period for such cure being reasonable under the circumstances, and assuming the failure to perform is not the subject of ongoing efforts of dispute resolution, bring an action in a court of competent jurisdiction to enforce the defaulting party's obligations.

14. "AS IS" CONDITION. The VRE shall accept the Property in its "as is" condition as of the Effective Date and the EDA and the City shall have no obligation whatsoever to perform any alterations, additions, or improvements thereto on account of this Ground Lease, except as otherwise provided in the Parking Agreement or this Ground Lease.

15. NOTICE.

(a) Notice and other correspondence provided for or required by this Ground Lease will be deemed received (i) upon actual receipt, (ii) on the same day if hand-delivered or sent via fax or email, or (iii) the following day if sent using overnight mail, as follows:

To the EDA: EDA of Manassas Park
One Park Center Court
Manassas Park, VA 20111
Attention: Mark Botros, Chairman
Fax Number: (703) 335-0053
Email: m.botros@manassasparkva.gov

With a Copy to: City of Manassas Park
One Park Center Court
Manassas Park, VA 20111
Attention: Dean Crowhurst, EDA Attorney
Fax Number: (703) 335-0053
Email: d.crowhurst@manassasparkva.gov

To the VRE: Virginia Railway Express
1500 King Street, Suite 202
Alexandria, VA 22314
Attention: Rich Dalton, Chief Executive Officer
Fax Number: (240) 497-6700
Email: rdalton@vre.org

With a Copy to: Virginia Railway Express
1500 King Street, Suite 202
Alexandria, VA 22314
Attention: Stephen A. MacIsaac, General Counsel
Fax Number: (240) 497-6700
Email: smacisaac@vre.org

To the City: City of Manassas Park
One Park Center Court

Manassas Park, VA 20111
Attention: Laszlo Palko, City Manager
Fax Number: (703) 335-0053
Email: l.palko@manassasparkva.gov

With a Copy to: City of Manassas Park
One Park Center Court
Manassas Park, VA 20111
Attention: Dean Crowhurst, City Attorney
Fax Number: (703) 335-0053
Email: d.crowhurst@manassasparkva.gov

(b) Any party shall have the right from time to time, upon at least ten (10) days' prior written notice thereof, to change their respective addressees, physical addresses, fax numbers, and email addresses. Rejection or refusal to accept or the inability to deliver because of changed address of which no notice was timely given shall be deemed to be receipt of the notice or other correspondence.

16. MISCELLANEOUS.

(a) The EDA hereby represents, warrants and covenants and agrees that, at the time of the execution and delivery of this Ground Lease, it: (i) is the owner of the Property and has not received any written notice of any claim or demand contesting or impairing its interests in the Property; and (ii) has the full right, power and authority to enter into this Ground Lease and thereby to lease the Property to the VRE.

(b) This Ground Lease shall be binding upon and inure to the benefit of and be enforceable by the respective successors and permitted assigns of the parties hereto. Time is declared to be of the essence of this Ground Lease. No third party beneficiary rights are created by this Ground Lease.

(c) The Section headings contained in this Ground Lease are for purposes of reference only and shall not limit or define the meaning of any of the terms or provisions hereof.

(d) This Ground Lease may be amended only by an instrument in writing signed by all parties. All approvals required hereunder shall also be in writing.

(e) This Ground Lease shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

(f) If any provision of this Ground Lease is found by a court of competent jurisdiction to be in violation of any applicable law, and such court declares such provision to be unlawful, void, illegal, or unenforceable, such provision shall be modified to make it lawful, valid, legal, and enforceable, or, if such modification is not possible, severable, with the remainder of this Ground Lease to continue in full force and effect.

(g) The failure of the VRE, the EDA, or the City to insist upon or enforce any of its rights hereunder shall not constitute a waiver thereof.

(h) In the event any party is prevented from meeting its obligations hereunder, through no fault of its own, because of circumstances beyond its control, including, but not limited to, acts of God, strikes, and governmental and other approvals, then that party shall be excused from meeting its obligations for the pendency of those circumstances.

(i) This Ground Lease constitutes the final expression of, and contains the entire agreement between, the VRE, the EDA, and the City with respect to the subject matter hereof and shall not be amended except by a written instrument executed on behalf of the EDA, the VRE, and the City.

(j) This Ground Lease may be executed in multiple counterparts, which, taken together, shall constitute one and the same instrument, any of which may be deemed the original Ground Lease.

(k) Whenever anything is to be done or performed by the VRE, the EDA, or the City pursuant to this Ground Lease, unless otherwise expressly provided to the contrary, it shall be done or performed at the sole cost and expense of the VRE, the EDA, or the City, as the case may be.

(l) If and to the extent required under applicable laws to make this Ground Lease effective, this Ground Lease shall constitute a deed of lease executed under seal. This Ground Lease shall not be recorded among the Land Records without the mutual written consent of the VRE, the EDA, and the City. A memorandum of this Ground Lease approved by and signed on behalf of the VRE, the EDA, and the City may be recorded among the Land Records by any party.

[Signature pages follow]

IN WITNESS WHEREOF, the parties hereto have executed these presents as of the day and year first above written.

ECONOMIC DEVELOPMENT AUTHORITY OF
MANASSAS PARK, VIRGINIA

By: _____

Mark Botros, Chairman

COMMONWEALTH OF VIRGINIA
CITY OF MANASSAS PARK, to-wit:

The foregoing instrument was acknowledged before me this 4th day of March, 2022, by Mark Botros, as Chairman of the Economic Development Authority of Manassas Park, Virginia.

Lana A. Conner

Notary Public

My Commission Expires: 6-30-24

APPROVED AS TO FORM

Dean H. Crowhurst

Dean H. Crowhurst, EDA Attorney



POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION and
NORTHERN VIRGINIA TRANSPORTATION
COMMISSION, together, the VIRGINIA
RAILWAY EXPRESS

By: _____
Rich Dalton, VRE Chief Executive Officer

COMMONWEALTH OF VIRGINIA
CITY OF ALEXANDRIA, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
2022, by Rich Dalton, as Chief Executive Officer of the Virginia Railway Express.

Notary Public

My Commission Expires: _____

APPROVED AS TO FORM

Stephen A. MacIsaac, General Counsel

CITY OF MANASSAS PARK, VIRGINIA

By: Jeanette Rishell
Jeanette Rishell, Mayor

COMMONWEALTH OF VIRGINIA
CITY OF MANASSAS PARK, to-wit:

The foregoing instrument was acknowledged before me this 3rd day of March, 2022, by Jeanette Rishell, as Mayor of the City of Manassas Park, Virginia.

Lana A. Conner
Notary Public

My Commission Expires: 6-30-24

APPROVED AS TO FORM



Dean H. Crowhurst
Dean H. Crowhurst, City Attorney

EXHIBIT A

PARKING AGREEMENT

**AGREEMENT FOR DESIGN, CONSTRUCTION,
OPERATION, USE, AND MAINTENANCE OF
PARKING GARAGE AND CONVEYANCE OF
EXPANSION PARKING LOT
AT MANASSAS PARK
VIRGINIA RAILWAY EXPRESS STATION**

This Agreement is entered into the 4th day of November, 2021, between and among the POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION (the "PRTC") and the NORTHERN VIRGINIA TRANSPORTATION COMMISSION (the "NVTC"), (collectively, the "COMMISSIONS"), together known as hereinafter referred to as the VIRGINIA RAILWAY EXPRESS (the "VRE"), and the CITY OF MANASSAS PARK, VIRGINIA (the "City").

WITNESSETH:

WHEREAS, the VRE operates commuter rail service into Washington, D.C., providing service to stations located within various jurisdictions including a station in the City (the "Manassas Park Station"); and

WHEREAS, the Manassas Park Station originally provided parking for commuter rail patrons in a 300-space parking lot constructed by the City with City funds (the "City Lot"); and

WHEREAS, because of the increased ridership on VRE, the City subsequently agreed to create, through subdivision, and convey to the VRE a parcel of land of approximately 4.8 acres from City-owned property adjacent to both the City Lot and the Manassas Park Station (the "Expansion Lot Parcel"), on which the VRE agreed to construct an additional 300-space parking lot (the "Expansion Lot"); and

WHEREAS, although the VRE paid to the City the agreed upon purchase price of \$116,000 for the Expansion Lot Parcel and subsequently constructed the Expansion Lot, the Expansion Lot Parcel was never created nor was a deed of conveyance for the Expansion Lot Parcel ever recorded among the land records of Prince William County, Virginia (the "Land Records"); and

WHEREAS, because demand for parking at the Manassas Park Station has continued to increase, exceeding the capacity of the City Lot and the Expansion Lot, the City and the VRE began work on a joint project for the design and construction of a parking garage on City-owned property located across the Norfolk Southern railroad tracks from the Expansion Lot near the City Hall, for which project the VRE expended costs and expense to advance the garage design to approximately the 60% stage; and

WHEREAS, subsequently, the City requested, and the VRE agreed, subject to recoupment of some of its previously expended costs, to change the location of the project to a different, preferred site located directly across the Norfolk Southern railroad tracks from the Manassas Park Station; and

WHEREAS, in furtherance of the project at the preferred location, the City acquired property directly across the Norfolk Southern railroad tracks from the Manassas Park Station and created therefrom a parcel of land of 2.50337 acres, more or less (the "Garage Parcel"), as more particularly shown and described on a plat entitled "PLAT SHOWING LOTS 3-2, 4-2, 5-1 & 6, CONNER CENTER A BOUNDARY LINE ADJUSTMENT OF LOTS 1B, 3-1, 5A, 5B & 5C & AREAS 1, 1A, 2, 2A & 2B CONNER CENTER DEED BOOK 1235 PAGE 1422, DEED BOOK 1542 PAGE 1931, DEED BOOK 1909 PAGE 563 & INSTRUMENT# 202004150029572", dated May 5, 2020, revised through July 31, 2020, prepared by Land Design Consultants of Woodbridge, Virginia, and recorded as Instrument No. 202008030065197, together with that Deed of Boundary Line Adjustment recorded as Instrument No. 202008030065196, both among the Land Records; and

WHEREAS, the City has agreed to convey to the VRE the Garage Parcel, on which the VRE will design and construct a structured parking garage with three levels at and above ground level and one level below ground (the "Garage"), with approximately 544 parking spaces at and above ground level for the VRE's use (the "VRE Parking Levels") and approximately 191 parking spaces below grade on a lower level for the City's use (the "City Parking Level"); and

WHEREAS, the VRE and the City desire to enter into this Agreement to memorialize their understandings concerning the creation and conveyance of the Expansion Lot Parcel and the Garage Parcel and the design and construction of the Garage, and to provide for the operation, use, and maintenance of the Garage.

NOW, THEREFORE, in consideration of the foregoing recitals, each of which are hereby incorporated herein, the sum of one dollar (\$1.00), and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the VRE and the City agree as follows:

1. Expansion Lot Parcel.

- a. The VRE will complete the preparation of a subdivision plat creating the Expansion Lot Parcel for review and approval by the City.
- b. The City will convey fee simple title to the Expansion Lot Parcel to the VRE, at no cost to the VRE beyond the sum already paid by the VRE, by special warranty deed in the form attached hereto and incorporated herein.
- c. The operation, use, and maintenance of both the City Lot and the Expansion Lot shall continue to be governed by existing agreements between the City and the VRE.

2. Garage Parcel.

- a. The City and the VRE will enter into a ground lease for the Garage Parcel, whereby the VRE will lease the Garage Parcel from the City for \$1.00 per year for the purposes of constructing, operating and maintaining the Garage. The term of such ground lease will continue for as long as the VRE uses the Garage for commuter rail patron parking. The ground lease must be fully executed prior to issuance by the VRE of a competitive solicitation for construction of the Garage.

- b. The ground lease for the Garage Parcel will include a provision that if the VRE either (i) determines that it no longer requires use of the Garage Parcel for commuter rail patron parking and provides written notice to the City of the same, or (ii) does not use the Garage for commuter rail patron parking for a period of one year, then the ground lease will terminate and the City will acquire ownership of all improvements constructed on the Garage Parcel, including the Garage, at no additional cost, subject to the requirement that the City will thereafter use the Garage in accordance with the conditions imposed by the grant funding entities that provided funds to design and construct the Garage.

3. Design and Construction of Garage.

- a. The VRE will be responsible for the design and construction of the Garage.
- b. The City and the VRE will cooperate on the design and construction of the Garage to ensure that the City Parking Level is constructed in conjunction with construction of the Garage.
- c. The City will be responsible for all costs required to advance the Garage project to 60% design, subject to a not to exceed amount of \$678,764.90, inclusive of the costs incurred prior to the execution of this Agreement necessary to advance the Garage project to 10% conceptual design and previously authorized by a Letter of No Prejudice from the City dated April 9, 2020, in the amount of \$182,085.00. If additional design funding is required above the foregoing amounts to reach 60% design, the VRE will notify the City of the need for further funding by the City.
- d. The VRE will expend a maximum amount of \$1,169,270.00 to advance the Garage project from 60% design to 100% design, which represents the funds remaining under the VRE's Standard Project Agreement with the Northern Virginia Transportation Authority for Final Design of a Manassas Park VRE parking garage.
- e. If additional design funding beyond \$1,169,270.00 is required to reach 100% design, the VRE will notify the City of the need for further funding and the VRE and the City will work cooperatively in seeking other sources of funding.
- f. The VRE will provide design drawings for review and comment by the City at not less than the following design points: 30% design, 60% design, and 100% design.
- g. The VRE will expend a maximum amount of \$23.5 million for construction of the Garage using I-66 Outside the Beltway concessionaire funds previously awarded to the VRE.
- h. The City will be responsible for all costs of construction of the Garage in excess of the aforesaid \$23.5 million provided by the VRE. Prior to issuance by the VRE of a competitive solicitation for construction of the Garage, the VRE shall work cooperatively with the City to identify portions of the Garage project located on the Garage Parcel that could be constructed by the City's development partner, Norton Scott LLC and its affiliates and subsidiaries ("Norton Scott"), or Norton Scott's

contractor, and which could be included in the solicitation as add alternates, the purpose being to allow the add alternates to be constructed by Norton Scott if it can do so at a cost that is less than the add alternate price in the winning bid received by the VRE. The number of add alternates, however, shall not exceed a maximum of three. Permission to use Norton Scott in such situations will not be unreasonably denied by the VRE.

- i. The City and the VRE shall agree upon a method for the City to provide its share of such costs during the design and construction phases based on invoices submitted not more than monthly by VRE to the City and payable by the City within thirty (30) days of receipt.
- j. The Garage will not be equipped for attendant or mechanically controlled access or paid parking.
- k. The VRE shall not issue a competitive solicitation for construction of the Garage unless the Expansion Parcel has been conveyed to the VRE.

4. Garage Operations and Maintenance.

- a. The VRE will be responsible for all maintenance and operation of the VRE Parking Levels of the Garage, including but not limited to snow removal during times VRE service is operated ("VRE Service Hours"). Snow removal during times outside of VRE Service Hours may be provided at the City's cost upon prior arrangement with the VRE. The City's Police Department will provide additional periodic patrol of the VRE Parking Levels as requested by the VRE. The VRE reserves the right to close the VRE Parking Levels for purposes of maintenance and repair, and will provide the City with not less than 30 days' advance notice thereof.
- b. Maintenance of the City Parking Level will be performed by the VRE as part of overall Garage maintenance, with the City paying the VRE for its pro rata share of such maintenance. The City will be responsible for the operation and use of the City Parking Level, including the designation of all or a portion of the parking spaces on the City Parking Level for use as determined by the City Manager.
- c. The VRE and the City will each be responsible for providing clean-up of the Garage Parcel as required due to the use of the Garage by the invitees, patrons, employees, officers, or agents of the VRE and the City, respectively.
- d. Parking on the VRE Parking Levels of the Garage will be primarily for the use of commuter rail patrons during VRE service hours ("VRE service hours"). Outside of VRE service hours and on days that VRE service does not operate, the VRE Parking Levels of the Garage may be used for public parking by the City.
- e. The VRE may take reasonable measures to ensure that commuter rail patrons are given the first priority for use of the VRE Parking Levels of the Garage. The VRE and the City shall agree upon a means to count use of the Garage spaces by

commuter rail patrons and non-commuter rail patrons outside of VRE service hours and on days that VRE service does not operate.

- f. At such time as the daily parking occupancy on the VRE Parking Levels of the Garage regularly exceeds 90% during VRE service hours on average over a twenty-eight (28) day period, the VRE and the City will jointly conduct a survey using agreed upon methodology to determine the proportion of parking spaces being used by commuter rail patrons and non-commuter rail patrons on the VRE Parking Levels and the City Parking Level of the Garage during VRE service hours. The VRE and the City will thereafter conduct an annual survey to determine the proportion of commuter rail patrons and non-commuter rail patrons using the VRE Parking Levels and the City Parking Level.
 - i. If any survey shows that more than twenty percent (20%) of the spaces in the VRE Parking Levels of the Garage are being used by non-commuter rail patrons during VRE service hours, the costs of maintenance and operation of the Garage will be apportioned between the VRE and the City based on the average use of commuter rail patrons and non-commuter rail patrons.
 - ii. If any survey shows that more than twenty percent (20%) of the spaces in the City Parking Level are being used by commuter rail patrons during VRE service hours, the costs of maintenance and operation of the City Parking Level will be apportioned between the VRE and the City based on the average use of commuter rail patrons and non-commuter rail patrons.
 - iii. The City and the VRE may install signs to discourage non-commuter rail patron use of the VRE Parking Levels of the Garage and commuter rail patron use of the City Parking Level during VRE service hours.

5. Miscellaneous Provisions.

- a. Notice. Any notice which may be or is required to be given pursuant to this Agreement shall be delivered or sent by certified mail, prepaid, return receipt requested, and addressed to the following:

To the VRE: Virginia Railway Express
1500 King Street, Suite 202
Alexandria, Virginia 22314
Attention: Chief Executive Officer

To the City: Manassas Park City Hall
One Park Center Court
Manassas Park, Virginia 20111-2395
Attention: City Manager

- b. Term. The term of this Agreement shall commence on the date it has been signed by both the VRE and the City and shall expire on June 30, 2025. The term shall automatically extend for additional five (5) year terms, each commencing on July 1

and expiring on the following June 30, unless a party provides written notice to the other party not less than ninety (90) days prior to the expiration of the then-current term that the party does not wish to automatically extend the term, in which case this Agreement will terminate on the last day of such term and will have no further force or effect, except for those provisions that by definition necessarily survive the termination of this Agreement.

- c. Dispute Resolution. In the event of a disagreement concerning the provisions of this Agreement or regarding the maintenance, use, or operation of the Garage generally, the parties shall use their best efforts to reach a mutually agreed resolution of the disagreement. As necessary, the disagreement shall be brought to the VRE Chief Executive Office and the City Manager for discussion and resolution.
- d. Default. The failure of either party to perform its obligations hereunder in accordance with the terms of this Agreement shall constitute a default, and in the event of such, the non-defaulting party may either (i) bring an action in the appropriate court to enforce the defaulting party's obligations, or (ii), after the provision of not less than 30 days' notice and an opportunity to cure, the period for such cure being reasonable under the circumstances, and assuming the failure to perform is not the subject of ongoing efforts of dispute resolution (see Subsection 5c above), terminate this Agreement.
- e. Governing Law; Venue. This Agreement shall be governed by and construed under the laws of the Commonwealth of Virginia, and all actions to interpret or enforce its terms shall be instituted in Circuit Court of Prince William County, Virginia, or the United State District Court for the Eastern District of Virginia, Alexandria Division.
- f. Claims. Neither the City nor the VRE will be responsible for claims arising out of the other party's use of Garage. The foregoing will not, however, be construed as a waiver by the City or the VRE of any defenses, legal or statutory, that the City or the VRE can use in response to claims being asserted against them.
- g. Severability. If any provision of this Agreement is found by a court of competent jurisdiction to be in violation of any applicable law, and such declares such provision to be unlawful, void, illegal or unenforceable, the provision shall be severable, and the remainder of this Agreement shall continue in full force and effect.
- h. Non-Waiver. The failure of either the VRE or the City to insist upon or enforce any of its rights hereunder shall not constitute a waiver thereof.
- i. Force Majeure. In the event either party is prevented from meeting its obligations hereunder, through no fault of its own, because of circumstances beyond its control, including, but not limited to, acts of God, strikes, and governmental and other approvals, then the party shall be excused from meeting its obligations for the pendency of those circumstances.

- j. Incorporation. This Agreement constitutes the final expression of, and contains the entire agreement between, the VRE and the City with respect to the subject matter hereof and shall not be amended except by a written instrument executed on behalf of both the City and the VRE.
- k. Counterparts. This Agreement may be executed in counterparts which, taken together, shall constitute one and the same instrument, either of which may be deemed the original agreement.
- l. No Third Party Rights. This Agreement shall not be construed as creating any rights in third parties not a party to this Agreement.

{Signature page follows}

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representatives effective the date and year aforesaid.

City of Manassas Park, Virginia


Jeanette Rishell, Mayor

Northern Virginia Transportation Commission and
Potomac and Rappahannock Transportation
Commission, together, the Virginia Railway
Express


Rich Dalton, Chief Executive Officer

Return to:
Virginia Railway Express
1500 King Street, Suite 202
Alexandria, VA 22314
Attn: Stephen A. MacIsaac, Esq.

Tax Map Number: 29-(A)-1

EXEMPT FROM RECORDATION AND GRANTOR TAXES AND FEES
PURSUANT TO VIRGINIA CODE §§ 58.1-811.A.3, 58.1-811.C.4, AND 17.1-279.E

**DEED OF DIVISION AND CONVEYANCE
AND DECLARATION OF EASEMENTS.**

THIS DEED OF DIVISION AND CONVEYANCE AND DECLARATION OF EASEMENTS (this "Deed") is made this ____ day of _____, 2021, by and between the CITY OF MANASSAS PARK, a Virginia municipal corporation, its successors and assigns (together, the "City"); and the NORTHERN VIRGINIA TRANSPORTATION COMMISSION ("NVTC") and the POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION ("PRTC"), transportation commissions established under Virginia law, together the owners and operators of the VIRGINIA RAILWAY EXPRESS, their successors and assigns (together, the "VRE").

RECITALS

R.1. The City is the owner of certain real property situate in the City of Manassas Park, Virginia, containing 15.12128 acres (658,683 square feet) of land (the "Property"), with tax map number 29-(A)-1, as shown on the plat attached hereto and incorporated herein by this reference (File Name CMP-TM29-A-1-PLAT) dated March 17, 2021, titled "PLAT SHOWING PROPOSED SUBDIVISION ON THE PROPERTY OF CITY OF MANASSAS PARK, VIRGINIA", and prepared by NXL, a division of Century Engineering of Richmond, Virginia (the "Plat"), having acquired the Property by deed recorded in Deed Book 660, at Page 386, among the land records of Prince William County, Virginia.

R.2. It is the desire and intent of the City to divide the Property to create an outlot and a residue, to convey said outlot to the VRE in accordance with this Deed and the Plat, and to retain the residue.

R.3. It is the desire and intent of the City to create, establish and reserve unto itself certain easements in the locations as shown on the Plat.

NOW, THEREFORE, WITNESSETH, that for and in consideration of the premises, the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, that parties hereto agree as follows:

INCORPORATION OF RECITALS

The foregoing Recitals are hereby incorporated into this Deed by this reference as if set forth herein in their entirety.

DIVISION

The City does hereby divide the Property, containing 15.12128 acres (658,683 square feet) of land, into an outlot, to be known as Outlot "E", containing 5.76853 acres (251,277 square feet) of land, and a residue (the "Residue") containing 9.35275 acres (407,406 square feet) of land, in accordance with the Plat.

STORM DRAINAGE EASEMENTS

The City hereby creates, establishes and reserves unto itself and its successors and assigns, storm drainage easements for the purpose of installing, constructing, operating, maintaining, repairing, adding to, altering, or replacing present or future storm drainage, storm sewer lines, and appurtenant facilities (the "Storm Drainage Work") for the collection of storm drainage and its transmission through, upon and across Outlot "E", in the locations as more particularly bounded and described on the Plat as "C/L 15' DRAINAGE EASEMENT", "C/L 30' DRAINAGE EASEMENT", and "30' DRAINAGE EASEMENT" (the "Storm Drainage Easements").

The Storm Drainage Easements are subject to the following conditions:

1. All storm drainage, storm sewer lines, and appurtenant facilities which are installed in the Storm Drainage Easements shall be and remain the property of the VRE, which shall properly maintain Outlot "E" and said storm drainage, storm sewer lines, and appurtenant facilities and perform all Storm Drainage Work within the Storm Drainage Easements. The City and its officers, employees, and agents shall have the right to enter upon Outlot "E" to evaluate the Storm Drainage Work. In the event the VRE does not properly perform the Storm Drainage Work, the City shall have the right, but not the obligation, to enter into the easement area to act on the VRE's behalf, as the City reasonably deems necessary, in which case the reasonable cost of performing the Storm Drainage Work by the City shall be reimbursed to the City by the VRE upon demand.
2. In the event the City must enter into the easement area as set forth above, the City and its officers, employees, and agents shall have full and free use of the Storm Drainage Easements for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the Storm Drainage Easements, including the right of access to and from the Storm Drainage Easements and the right to temporarily use adjoining land of the VRE where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of actual performance of the Storm Drainage Work; and further provided that this right shall not be construed to allow the City to erect any building, structure, or facility of a permanent nature on such adjoining land.
3. In the event the City must enter into the easement area as set forth above, the City and its officers, employees, and agents shall have the right to trim, cut and remove trees, shrubbery, fences, structures, or other obstructions or facilities in or reasonably near the Storm Drainage Easements, reasonably deemed by it to interfere with the proper performance of the Storm Drainage Work; provided, however, that the City shall restore, as nearly as possible, the premises to their original condition, such restoration to include the backfilling of trenches, the replacement

of shrubbery and the reseeding or resodding of lawns or pasture areas, but not the replacement of structures, trees or other obstructions.

4. The VRE shall have the right to make any use of the Storm Drainage Easements which may not be inconsistent with the rights herein reserved, or interfere with the use of the Storm Drainage Easements by the City, if necessary, for the purposes named; provided, however, that no use shall be made of the Storm Drainage Easements which shall interfere with the natural drainage.

5. To the extent practicable, the City shall provide advance notice to the VRE of its intent to exercise any of the easement rights set forth herein, and shall in any case so notify the VRE no later than two (2) working days following the exercise of such right.

Nothing in this Deed shall be construed to imply that the City has any obligation to perform the Storm Drainage Work in or on Outlot "E".

STORM WATER MANAGEMENT EASEMENT

The City hereby creates, establishes and reserves unto itself and its successors and assigns, a storm water management easement for the purpose of installing, constructing, operating, maintaining, repairing, adding to, altering, or replacing present or future storm water management facilities, sewers and appurtenances, including any storm water management ponds (the "SWM Work") for the collection of storm water and storm drainage and its transmission through and across Outlot "E", in the location as more particularly bounded and described on the Plat as "STORMWATER MANAGEMENT EASEMENT" (the "SWM Easement").

The SWM Easement is subject to the following conditions:

1. All storm water management facilities, sewers and appurtenances, including any storm water management ponds, which are installed in the SWM Easement shall be and remain the property of the VRE, which shall properly maintain said stormwater management facilities, sewers and appurtenances, including any storm water management ponds, and shall perform all SWM Work within the SWM Easement. The City and its officers, employees, and agents shall have the right to enter upon Outlot "E" to evaluate the SWM Work. In the event the VRE does not properly perform the SWM Work, the City shall have the right, but not the obligation, to enter into the easement area to act on the VRE's behalf, as the City reasonably deems necessary, in which case the reasonable cost of performing the SWM Work by the City shall be reimbursed to the City by the VRE upon demand.

2. In the event the City must enter into the easement area as set forth above, the City and its officers, employees, and agents shall have full and free use of the SWM Easement for the purposes named, and shall have all rights and privileges reasonably necessary to the exercise of the SWM Easement, including the right of access to and from the SWM Easement and the right to temporarily use adjoining land of the VRE where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of performance of the SWM Work; and

further provided that this right shall not be construed to allow the City to erect any building, structure, or facility of a permanent nature on such adjoining land.

3. In the event the City must enter into the easement area as set forth above, the City and its officers, employees, and agents shall have the right to trim, cut and remove trees, shrubbery, fences, structures, or other obstructions or facilities in or reasonably near the SWM Easement, reasonably deemed by it to interfere with the proper performance of the SWM Work; provided, however, that the City shall restore, as nearly as possible, the premises to their original condition, such restoration to include the backfilling of trenches, the replacement of shrubbery and the reseedling or resodding of lawns or pasture areas, but not the replacement of structures, trees or other obstructions.

4. The VRE shall have the right to make any use of the SWM Easement which may not be inconsistent with the rights herein reserved, or interfere with the use of the SWM Easement by the City, if necessary, for the purposes named; provided, however, that no use shall be made of the SWM Easement which shall interfere with the natural drainage.

5. To the extent practicable, the City shall provide advance notice to the VRE of its intent to exercise any of the easement rights set forth herein, and shall in any case so notify the VRE no later than two (2) working days following the exercise of such right.

Nothing in this Deed shall be construed to imply that the City has any obligation to perform the SWM Work in or on Outlot "E".

STORM WATER MANAGEMENT ACCESS EASEMENT

The City hereby creates, establishes, and reserves unto itself and its successors and assigns, a storm water management access easement for the purpose of ingress and egress by City maintenance vehicles through and across Outlot "E" to the hereinabove described SWM Easement area, in the locations as being more particularly bounded and described on the Plat as "30' STORMWATER MANAGEMENT ACCESS EASEMENT" (the "SWM Access Easement").

The SWM Access Easement is subject to the following terms and conditions:

1. The City and its agents shall have full and free use of the SWM Access Easement for the purposes named, and shall have all rights and privileges reasonably necessary to the enjoyment and exercise of the SWM Access Easement, including the right of reasonable access to and from the SWM Access Easement and the right to temporarily use adjoining land of the VRE where necessary; provided, however, that this right to use adjoining land shall be exercised only during periods of actual ingress and egress by City maintenance vehicles through and across Outlot "E" to the hereinabove described SWM Easement area; and further provided that this right shall not be construed to allow the City to erect any building, structure or facility of a permanent nature on such adjoining land.

2. The City shall have the right to trim, cut and remove trees, shrubbery, fences, structures or other obstructions or facilities in or reasonably near the SWM Access Easement,

reasonably deemed by it to interfere with the proper enjoyment of the SWM Access Easement; provided, however, that the City shall, at the City's expense, restore, as nearly as possible, the premises to their original condition, such restoration to include the backfilling of trenches, the replacement of shrubbery and the reseeding or resodding of lawns or pasture areas, but not the replacement of structures, trees or other obstructions.

3. The VRE shall have the right to make any use of the SWM Access Easement which may not be inconsistent with the rights herein reserved, or interfere with the use of the SWM Access Easement by the City, if necessary, for the purposes named; provided, however, the VRE shall not erect any building or other structure, except a fence running parallel to the easement, on the easement, without obtaining the prior written approval of the City.

Nothing in this Deed shall be construed to imply that the City has any obligations whatsoever with regard to the SWM Access Easement.

CONVEYANCE

The City does hereby grant, bargain, sell and convey, with Special Warranty of Title, unto the VRE, all of that certain lot or parcel of land situate, lying and being in the City of Manassas Park, Virginia, being more particularly described as Outlot "E" on the Plat, subject to the restriction, running with the land, that if Outlot "E" ceases to be used as a parking lot in support of commuter rail service to the rail station in the City of Manassas Park for one (1) year or longer, then at any time thereafter, upon receipt of a written notice from the City, the VRE must sell Outlot "E" to the City at the then-appraised fair market value of Outlot "E" (or at such value necessary to extinguish any remaining Federal interest in Outlot "E" and improvements if such value is higher than the appraised fair market value). The City's right to repurchase Outlot "E" shall arise immediately and automatically upon the passage of said time period and shall be exercisable in the City's sole discretion, and such sale shall occur within sixty (60) days of the City and VRE reaching agreement on the fair market value of Outlot "E" and improvements. The City's right to repurchase Outlot "E" shall be extinguished, however, if the VRE recommences a commuter rail service prior to the City's provision of written notice demanding the sale of Outlot "E" as described above.

FURTHER subject to all covenants, conditions, restrictions, agreements, rights-of-way and easements of record, including the easements granted and reserved herein.

TOGETHER with all improvements located in or on said Outlot "E".

GENERAL PROVISIONS

The parties agree that the agreements and covenants stated above are not covenants personal to the City or the VRE, but are covenants running with the land, which are and shall be binding upon the City and the VRE, their personal representatives, successors and assigns, as owners of the Residue and Outlot "E", respectively.

The term "City", as used in this Deed, shall mean the person, department, agency, board, commission, committee, or other sub-unit of the City having the legal obligation or right to act on behalf of the City, as the context may require.

This Deed of Division, Easements, and Conveyance is made in accordance with the statutes made and provided in such cases; with the approval of the proper authorities of the City of Manassas Park, Virginia, as shown by the signatures affixed to this Deed and the Plat, and is with the free consent and in accordance with the desires of the City and the VRE, owners and proprietors of the land within the bounds of the Residue and Outlot "E", respectively.

This document may be executed in counterparts, which, taken together, shall constitute one and the same instrument.

[Signature pages follow]

FURTHER WITNESS THE FOLLOWING SIGNATURES AND SEALS.

CITY OF MANASSAS PARK,
a Virginia municipal corporation

By: _____
Jeanette Rishell, Mayor

COMMONWEALTH OF VIRGINIA
CITY OF MANASSAS PARK, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
2021, by Jeanette Rishell, Mayor of the City of Manassas Park.

Notary Public

My Commission Expires: _____

APPROVED AS TO FORM:

Dean H. Crowhurst, City Attorney

THE NORTHERN VIRGINIA TRANSPORTATION
COMMISSION and THE POTOMAC AND
RAPPAHANNOCK TRANSPORTATION
COMMISSION, transportation commissions established
under Virginia law, together the owners and operators of
the VIRGINIA RAILWAY EXPRESS

By: _____
Rich Dalton, Chief Executive Officer

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this ____ day of _____,
2021, by Rich Dalton, Chief Executive Officer for the Virginia Railway Express, on behalf of the
Potomac and Rappahannock Transportation Commission and the Northern Virginia
Transportation Commission.

Notary Public

My Commission Expires: _____

APPROVED AS TO FORM:

Stephen A. MacIsaac, General Counsel



VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD

Agenda Item 9-A
Action Item

To: Chair Franklin and the VRE Operations Board

From: Rich Dalton

Date: March 18, 2022

Re: Recommend Authorization to Execute a Deed of Ground Lease and Parking Garage Agreement at the VRE Manassas Park Station

Recommendation:

The VRE Operations Board is asked to recommend the Commissions authorize the Chief Executive Officer to execute a Deed of Ground Lease and Parking Garage Agreement with the Economic Development Authority of City of Manassas Park and the City of Manassas Park for a parking garage at the VRE Manassas Park Station.

Summary:

VRE and City of Manassas Park staff have worked collaboratively to negotiate the terms of a Ground Lease and Parking Garage Agreement ("Agreement"). The City has conveyed the site for the parking garage to its Economic Development Authority (EDA) in order to allow for the long term of the Ground Lease. The City and the EDA are therefore parties to the Ground Lease. The proposed Ground Lease addresses terms of operations and maintenance as well as the City's request to have the ability to reacquire the parking garage site in the event VRE service at the Manassas Park Station was discontinued.

Background:

The Manassas Park Station currently provides approximately 600 parking spaces for VRE riders: 300 spaces constructed by the City of Manassas Park (the City Lot) in 1992, and an additional 300-space parking lot (the Expansion Lot) constructed by VRE in 2001.



Northern Virginia
Transportation Commission
2300 Wilson Blvd., Suite 230
Arlington, VA 22201
703-524-3322



Virginia Railway Express
1500 King Street, Suite 202
Alexandria, VA 22314
703-684-1001
VRE.org



Potomac and Rappahannock
Transportation Commission
14700 Potomac Mills Road
Woodbridge, VA 22192
703-580-6121

Pre-pandemic parking demand at the station exceeded available spaces. In addition to the surface parking lots available at the station, riders have been able to park on street and at another lot adjacent to City Hall due to the lagging development of the City Center. However, with the proposed City Center development plan, these spaces will no longer be available.

Additionally, pre-pandemic VRE ridership forecasts estimated ridership/boardings would continue to grow in the future at Manassas Park. The most recent pre-pandemic boarding counts available (2019) indicate about 670 AM boardings at the Manassas Park Station. The proposed parking garage is planned to accommodate forecast 2040 VRE boardings at the Manassas Park Station or approximately 1,300 AM boardings. About 90% of riders drive to the station and park a vehicle, based on VRE rider survey data and on-site observations at the station during the planning and preliminary design development for the garage. Parking demand in 2040 was calculated at 1,180 spaces using that demand assumption.

The City and VRE began work on a joint project for the design and construction of a parking garage on City-owned property located across the Norfolk Southern railroad tracks near City Hall. In September of 2019, the City requested, and VRE agreed, to change the location of the project to a different site contingent upon VRE's ability to recoup previously expended design costs.

The City has agreed to create and ground lease to VRE, through the City's EDA, a parcel of land approximately 2.5 acres in size from the formerly City-owned property, now owned by the EDA, located across the railroad tracks from the Manassas Park Station. VRE will design and construct a structured parking garage with three above ground levels, and one below ground level. The garage will consist of approximately 540 parking spaces above ground for use by VRE riders and approximately 196 below grade parking spaces for use by the City of Manassas Park.

This request is consistent with previous Board Actions, specifically *Resolution 9C-10-2020 Recommend Authorization to Execute an Agreement for Design, Construction, Operation, and Maintenance of a Parking Garage at the VRE Manassas Park Station*, and *Resolution 10C-11-2020 Update: Recommend Authorization to Execute an Agreement for Design, Construction, Operation, and Maintenance of a Parking Garage at the VRE Manassas Park Station*.

Fiscal Impact:

Funding for construction of the parking garage is provided through the I-66 Outside the Beltway (OTB) Concessionaire payment as part of the broader Manassas Line Capacity Expansion program.

**Virginia Railway Express
Operations Board Resolution**

9A-03-2022

**Recommend Authorization to Execute a Deed of Ground Lease and
Parking Garage Agreement at the VRE Manassas Park Station**

WHEREAS, pre-pandemic parking demand at the Manassas Park VRE Station exceeded available spaces; and,

WHEREAS, pre-pandemic VRE ridership forecasts estimated ridership/boardings would continue to grow in the future at the Manassas Park VRE Station; and,

WHEREAS, the City of Manassas Park and VRE began work on a joint project for the design and construction of a parking garage on City-owned property located across the Norfolk Southern railroad tracks near City Hall; and,

WHEREAS, the City of Manassas Park has agreed to create and ground lease to VRE, through the City's Economic Development Authority, a parcel of land approximately 2.5 acres in size from the formerly City-owned property, now owned by the Economic Development Authority, located across the railroad tracks from the Manassas Park Station; and,

WHEREAS, VRE and City staff have successfully negotiated terms of the Deed of Ground Lease and Parking Garage Agreement; and,

WHEREAS, the terms are consistent with previous Board actions and agreeable to VRE;

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend the Commissions authorize the Chief Executive Officer to execute the Deed of Ground Lease and Parking Garage Agreement with the Economic Development Authority of the City of Manassas Park and the City of Manassas Park.

Approved this 18th day of March 2022

Margaret Franklin
Chair

Secretary

PROJECT SPOTLIGHT

CRYSTAL CITY STATION IMPROVEMENTS

- **Project Update**
- **Project Overview**
- **Adjacent Projects and Related Funding (Phase 1 and 2)**
- **Phased Approach**
- **Benefits of Recommended Phased Approach**



PROJECT UPDATE

- Project relocates station approximately 400 yards south of current station
- NEPA review by FTA complete
- Preliminary engineering, surveying and geotechnical investigation completed
- Project under consideration for a CM/GC delivery method at 60 percent

Anticipated Project Schedule

Phase	Start Date	Finish Date
Development	12/01/2016	06/30/2021
Property Acquisition	07/01/2020	06/30/2021
Final Design	11/01/2021	05/15/2023
Construction	08/15/2023	10/01/2025

South Entrance



PROJECT OVERVIEW



ADJACENT PROJECTS AND RELATED FUNDING – PHASE I

- **VPRA / CSXT Alexandria Fourth Track (AF to RO)**
 - Funded by VPRA as part of TRV
 - Design and Construction by CSXT
 - Construction anticipated 2023
- **VRE Crystal City Station**
 - Coordinated closely with Fourth Track design and construction sequence
 - Funded (partially) by NVTA

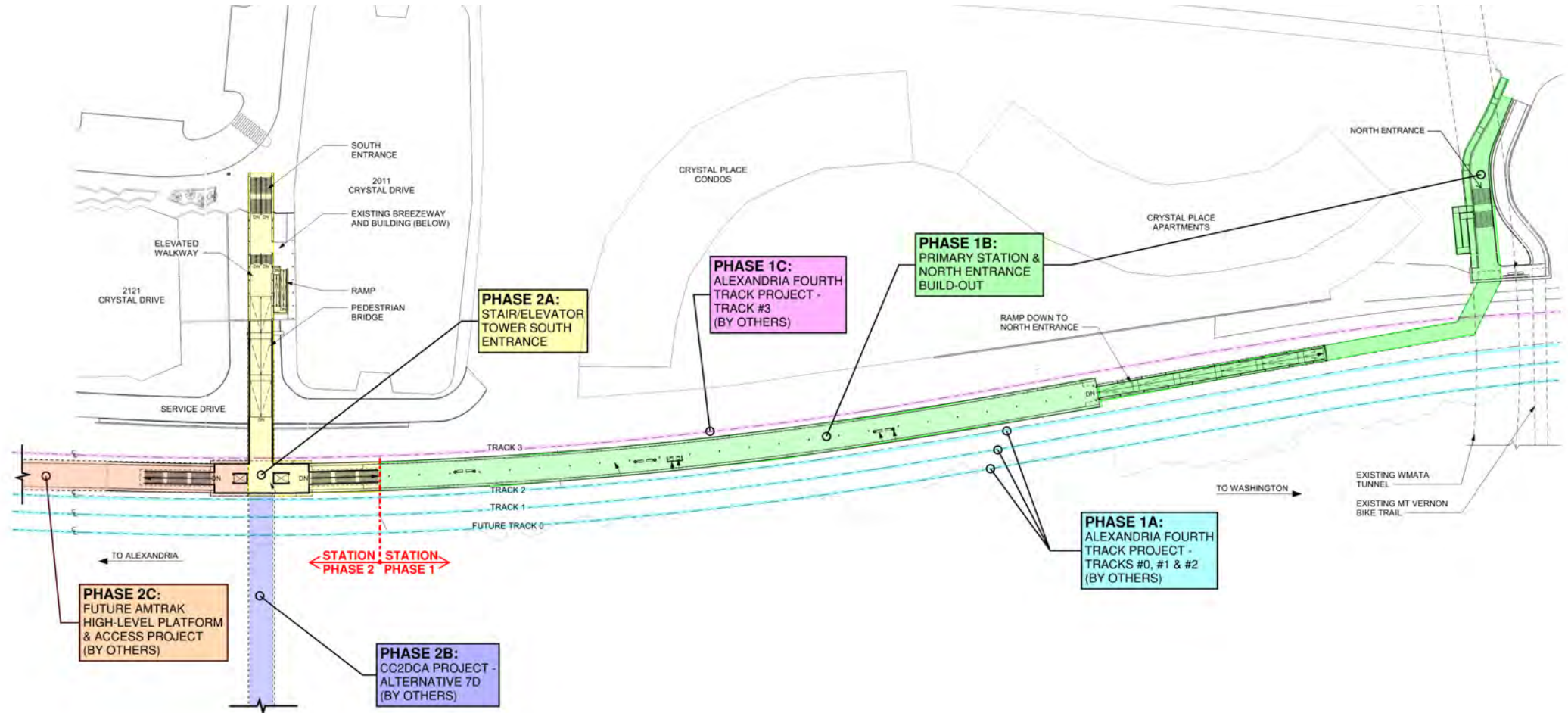


ADJACENT PROJECTS AND RELATED FUNDING – PHASE 2

- **CC2DCA Connection of Crystal City to Airport**
 - Led by Arlington County assisted by VDOT
 - Funded (partially) by NVTA
 - Currently in NEPA Alternatives Analysis
- **Amtrak High-Level Platform**
 - Requires gauntlet track
 - In-Service once Long Bridge Project is completed by VPRRA



PHASED APPROACH



BENEFITS OF RECOMMENDED PHASED APPROACH

- **Enhances Constructability (Safety and Operations)**
 - Reduces construction between active tracks
- **Allows Delivery of Station Coordinated with Fourth Track**
 - Critical to construct platform prior to Fourth Track
- **Permits Open Design of CC2DCA Connector Alternatives**
 - Design is not constrained infrastructure built by VRE
- **Enhances Continuity and Appearance of Adjacent Structures**
 - Bridge to JBGSmith and Bridge to DCA similar in size and architecture



QUESTIONS?



TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice
DATE: April 28, 2022
SUBJECT: Department of Rail and Public Transportation (DRPT)

At the May meeting, DRPT Acting Director Jen DeBruhl will give her report. The [monthly DRPT Report](#), which provides updates on DRPT programs and initiatives, is attached.



COMMONWEALTH of VIRGINIA

Jennifer B. DeBruhl
Acting Director

DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION
600 EAST MAIN STREET, SUITE 2102
RICHMOND, VA 23219-2416

(804) 786-4440
FAX (804) 225-3752
Virginia Relay Center
800-828-1120 (TDD)

TO: Chair Aguirre and NVTC Commissioners

FROM: Jennifer DeBruhl, Acting Director

DATE: April 26, 2022

SUBJECT: Virginia Department of Rail and Public Transportation (DRPT) Update

The Commonwealth Transportation Board (CTB) met on April 19 in Richmond. At its workshop, the CTB received briefings on the [FY23 DRPT and VDOT budgets](#) and the draft [FY23-28 Six Year Improvement Program](#) (SYIP). The draft SYIP was released on April 20 and is available for review in DRPT's [Open Data Portal](#). In addition to funding for local transit capital projects and operating expenses, the FY23 transit program allocates approximately \$473.4 million for WMATA expenses, including \$154.5 million in Dedicated Capital Funding, \$50 million in PRIIA matching funds (capital) and \$268.9 million to NVTC for WMATA capital and operating expenses.

[Public meetings](#) on the draft SYIP began on April 25, and the Northern Virginia District meeting will be held on May 4 at the VDOT office located at 4975 Alliance Drive in Fairfax. NVTC, NVTa and VRE will also participate in the NOVA public meeting to satisfy the annual joint Northern Virginia public meeting statutory requirement. Comments are being accepted through May 23 and can be submitted to DRPTPR@drpt.virginia.gov, via the [online comment form](#), or via U.S. mail to Public Information Office, Virginia Department of Rail and Public Transportation, 600 East Main Street, Suite 2102, Richmond VA, 23219.

At its [action meeting](#) on April 9, the CTB approved the \$595.4 million FY23 Virginia Passenger Rail Authority (VPRA) [budget](#). The \$122.7 million operating budget includes the operational costs of the state sponsored intercity passenger rail service as well as the general and administrative costs to run the Authority. Two additional state sponsored regional trains will be initiated in FY23 by VPRA – a 33% increase to regional passenger rail service in the Commonwealth. The capital budget for FY 23 totals \$286.9 million. The amended FY 22-28 capital plan includes \$1.4 billion for the Long Bridge and fully funds the Alexandria 4th Track, Franconia to Lorton 3rd Mainline, Franconia-Springfield Bypass, Route 1 Bridge, Newington Bridge and the Lorton to Route 1 3rd Track.

The Transit Service Delivery Advisory Committee (TSDAC) met on April 8 at the DRPT office in Richmond. The agenda included the 2022 work plan, a review of statutory requirements, and a presentation on recommended changes to the MERIT capital program. [Meeting materials](#) including an archived recording are available on DRPT's website. The next TSDAC meeting is scheduled for May 13. TSDAC members from Northern Virginia include NVTC Executive Director Kate Mattice (Virginia Transit Association appointee), Falls Church Assistant City Manager Cindy Mester (Virginia Municipal League appointee), and Jim Dyke (DRPT appointee).

On April 21, DRPT hosted a virtual forum for the [Transit Equity and Modernization Study](#). The study will be completed this spring with the final report due to the General Assembly in August. An [interim report](#) was submitted in January.

DRPT launched the [Rediscover Your Ride](#) marketing initiative in March. The campaign aims to rebuild transit ridership as Virginians return to office work, either full time or hybrid. It is funded with a Federal Transit Administration (FTA) [COVID-19 Research Demonstration Grant](#). DRPT is leading a statewide ridership recovery campaign, and the initiative also features a [strategies handbook](#) to support local transit partners.

DRPT recently welcomed a new engineering project manager, [Bethel Kefyalew](#), to the NOVA office. Bethel has seven years' experience in construction and maintenance with multiple VDOT offices. She began her career at VDOT as an Engineering Scholar while studying civil and environmental engineering at the University of Virginia. Bethel will provide support and oversight to local transit partners who receive state funding for transit construction projects.

TO: Chair Aguirre and NVTC Commissioners
FROM: Kate Mattice
DATE: April 28, 2022
SUBJECT: Executive Director Report

A. Executive Director Newsletter

NVTC's Executive Director Newsletter provides updates on specific NVTC projects and programs and highlights items of interest at the federal and state levels and among partners such as the Transportation Planning Board (TPB) and the Northern Virginia Transportation Authority (NVTA).

This month the [Executive Director Newsletter](#) reports on outreach for the I-66 Commuter Choice Program of Projects, efforts to improve bus speeds and reliability in the region and NVTC's work to help the region manage the move to zero-emission buses.

B. NVTC Financial Reports

The [February 2022 Financial Report](#) and the [March 2022 Financial Report](#) are provided as information.

C. DRPT FY 2023 Draft Six-Year Improvement Plan (SYIP) – NVTC Funding

DRPT presented the [Draft FY2023 Six-Year Improvement Program \(SYIP\)](#) at the April 19 Commonwealth Transportation Board (CTB) workshop, including the state aid that can be anticipated to be received by NVTC jurisdictions for their payments to Metro as well as for capital and operating their local transit systems. The final SYIP is scheduled to be approved in June.

The draft SYIP includes \$43.8 million in operating assistance applied for by NVTC for its local systems, an increase of 5.1% over the prior year, and \$272.8 million in assistance for the jurisdictions' share of WMATA capital and operating commitments, a 2.9% increase. The draft program funds all of the NVTC local capital requests for state of good repair and minor expansion. No major expansion projects were applied for this fiscal year.

NVTC will be the grantee for the state assistance supporting a portion of the WMATA capital and operating subsidies, while the NVTC jurisdictions will be the grantees for the local systems funding. However, all funding will flow through NVTC's Special Revenue Fund where it is allocated by the Subsidy Allocation Model (SAM) formula and held in trust for the jurisdictions' restricted use.

NVTC applied for technical assistance for a Regional Zero-Emission Bus Strategic Plan, and a Regional Bus Transit Analysis which were both recommended in the draft program. Funding from DRPT's Intern Program to continue NVTC's successful fellows program was also recommended for approval.

The draft SYIP also includes the Commonwealth's \$50 million annual commitment to match one third of the federal PRIIA funding for WMATA. This assistance is not applied for through NVTC and is contracted directly by DRPT with WMATA.

The draft SYIP program includes \$24.5 million in operating assistance for VRE, an increase of 20% over the prior year. The capital program provides funding for two VRE major expansion projects; Crystal City station improvements and rail car purchase. While both are high-cost projects, the state ask was relatively small due to other funding available.

Additional tables providing a greater level of detail are attached.

NORTHERN VIRGINIA TRANSPORTATION COMMISSION
STATE TRANSIT ASSISTANCE APPLIED FOR THROUGH NVTC
FY 2023 Draft and FY 2022 Approved SYIP

	State Assistance		
	FY 2023 Draft	FY 2022 Amended	Increase (Decrease)
Local Systems			
Transit Capital	\$ 27,491,205	\$ 52,545,666	\$ (25,054,460)
Transit Operating	43,796,284	41,668,165	2,128,119
Total Local Systems	71,287,489	94,213,831	(22,926,341)
WMATA Subsidies			
Transit Capital and Operating	272,824,271	265,096,933	7,727,338
Total Local Systems and WMATA	344,111,760	359,310,764	(15,199,003)
Other Transit Assistance	422,000	-	422,000
Total NVTC Transit Assistance	<u>\$ 344,533,760</u>	<u>\$ 359,310,764</u>	<u>\$ (14,777,003)</u>
VRE			
Transit Operating	\$ 24,476,892	\$ 20,397,259	\$ 4,079,633
Transit Capital	6,186,871	979,700	5,207,171
Total VRE Transit Assistance	<u>\$ 30,663,763</u>	<u>\$ 21,376,959</u>	<u>\$ 9,286,804</u>



Executive Director Newsletter



May
2022

Northern Virginia
Transportation Commission
2300 Wilson Blvd., Ste. 230
Arlington, VA 22201

NoVaTransit.org
NoVaRides.org



@NoVaTransit





A Message from Kate Mattice

We want to hear from you! That's a refrain we repeat often these days as we ask the public for their [feedback](#) on the latest round of proposed projects for I-66 Commuter Choice. The projects have the potential to provide more options for people to ride VRE, Metro or the bus networks that serve Northern Virginia. Public feedback gives us a better sense of which proposals matter most to the people who could benefit from them. This year we've made it even easier to participate. We've streamlined our survey process, included Spanish-language outreach and are providing online and in-person opportunities to comment.

Those efforts include a [virtual town hall](#), led by Commuter Choice Senior Program Manager Ben Owen and the return of an [open house](#), designed to promote face-to-face interactions with staff who can answer questions and explain the goals of the program.

While Commuter Choice provides NVTC's marquee opportunity to solicit comments from the public, it's not the only one. Later this year we expect a new round of public engagement for the [Envision Route 7 Bus Rapid Transit system](#) as the planning process looks at the mobility impacts along the route.

Beyond our tentpole programs, we strive to provide other ways for people to tell us what they think. Since the start of the pandemic two years ago we've made it easy for people to let Commissioners know what they think of our work by providing online comment forms prior to Commission and committee meetings. We know that the people who live in Northern Virginia are invested in their communities and want to have a voice in how they grow and develop. That's why we say, we want to hear from you!

A handwritten signature in black ink that reads "Kate A. Mattice".

Executive Director

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*Save
the
Date*

May 17 – 18
Commonwealth
Transportation Board

May 20
Virginia Railway Express
Operations Board

May 23
Virginia Passenger Rail
Authority Board

May 25
NVTC Legislative
and Policy Committee

June 1-2
Virginia Transit Association
Conference

June 2
Commission Meeting

NoVaTransit.org
NoVaRides.org



@NoVaTransit





WMATA Committee reviews bus priority, Metro funding in Virginia



NVTC's WMATA Committee [convened](#) to hear about Metro's efforts to make buses faster and more reliable through investments in bus priority and received a briefing from NVTC staff on Metro funding April 21.

Bus priority

Metro's Director of Bus Priority, Raka Choudhury, briefed the committee on the agency's efforts to advance bus priority, which aims to improve bus speeds and reliability, throughout the region and in Virginia. Potential strategies include Transit Signal Priority (TSP), which allows buses to move forward at signalized intersections ahead of other vehicles; queue jumps, which give buses a dedicated travel lane to move around vehicles; and camera enforcement, which helps enforce bus-only road lanes, similar to traffic cameras. The Commission previously [endorsed](#) the vision, goals and strategy of Metro's Bus Transformation Project, which included the advancement of bus priority across the region. Since local and state governments are typically the roadway owners where these improvements take place, advancing bus priority requires extensive coordination between Metro and state and local agencies. NVTC staff will continue to participate in Metro's regional bus priority coordination efforts and look for additional opportunities with our local and state partners.

Metro funding in Virginia

In light of Metro's looming FY 2024 operating budget gap, NVTC staff provided the committee with an overview of Metro's capital and operating budgets, as well as how funding that pays for the upkeep, maintenance and daily operations of Metro flows in Virginia. NVTC staff also provided an update on Metro's FY 2024 operating budget gap, which is anticipated at over \$300 million. The funding gap has been reduced through savings achieved in the Approved FY 2023 budget and an additional \$120 million in additional federal assistance funding that was awarded to Metro in March. As Metro recovers from the pandemic, committee members articulated the need for a new funding model. NVTC staff will work with Committee Chair Walter Alcorn to facilitate future work products and discussions with the committee throughout the year.

The committee also received an update from the Virginia members of the Metro Board, Paul Smedberg and Matt Letourneau. Mr. Letourneau informed the committee that Metro will solicit public input on alternatives presented in the Blue/Orange/Silver Line Capacity and Reliability [Study](#), which the committee was briefed on in October 2021. At the direction of the committee, NVTC staff will prepare a letter of comment for the May Commission meeting that articulates the Commission's priorities as the study advances further.





Virginia Senate halts Youngkin gas tax proposal

The General Assembly convened in Special Session in April to finish work on the state budget and outstanding bills. [The House Finance Committee](#) referred Gov. Glenn Youngkin's gas tax proposal to the House Appropriations Committee April 19, which means House Finance demurred on voting on the policy itself and the motion was instead purely procedural. The measure would have suspended the state gas tax for three months, phase it back in by 50% for two months and cap the CPI index at 2% moving forward. The Senate Finance Committee later rejected the measure by a 12-3 vote. The House Finance Committee also rejected a substitute bill, offered by Del. Vivian Watts, which would instead give a rebate of \$50 to Virginia residents with vehicles registered in the Commonwealth.

Meanwhile, Gov. Youngkin signed several other bills, including electronic meetings, transit bus

procurement and the Transit Ridership Incentive Program (TRIP). The elimination of the Grocery tax is still being considered as part of the Special Session and as part of the budget negotiations.

On the federal side, NVTC provided information to Rep. Don Beyer to support a FY 2023 Community Project Funding effort for a \$2 million grant to complete planning and environmental analysis for [Envision Route 7](#) Bus Rapid Transit (BRT). Funding for this study will bring the project one step closer to entering the Project Development phase of the Federal Transit Administration's Capital Investment Grants program, as well as make it eligible for Smart Scale, the Northern Virginia Transportation Authority and RAISE capital grant consideration. We appreciate support given thus far on this proposal, in addition to our submission, and we anticipate several letters of endorsement from our jurisdictions and regional stakeholder groups. Information on this request was also shared with Rep. Gerry Connolly, and Sen. Mark Warner.



Program Advisory Committee considers initial I-66 Commuter Choice funding recommendations

NVTC's Program Advisory Committee convened [April 14](#) to begin discussions around forming an I-66 Commuter Choice FY 2023-2024 [Program of Projects](#) and to receive updates on NVTC's Transit Technology Program and Envision Route 7 BRT project. Regarding Commuter Choice, committee members expressed general agreement with staff's recommended draft program of the six top-scoring projects – three transit services, two transit capital improvements and a commuter incentive program that together would support 4,000 weekday trips in the I-66 corridor and, relative to driving alone, reduce greenhouse gas emissions by 84% and save commuters \$2 million a year in fuel costs. The \$12.4 million total funding request for the six projects could be accommodated within the \$14 million conservatively expected to be available. A one-month [public comment](#) period on all nine

eligible proposals opened April 15. All input will be shared with the Commission prior to adoption of a Program of Projects.

The committee also received updates on NVTC's Regional Fare Collection Program and Zero-Emission Bus Program, including highlights from the first Zero-Emission Bus Working Group meeting that took place on March 31 and of regional strategic planning that NVTC is looking to conduct should an FY 2023 DRPT grant application be successful. Staff updated the committee on upcoming Envision Route 7 planning activities as well and noted that the Commission will be asked to approve issuance of a request for proposals in May for a Strategic Implementation Plan that would help to map out key steps and decisions toward project implementation.

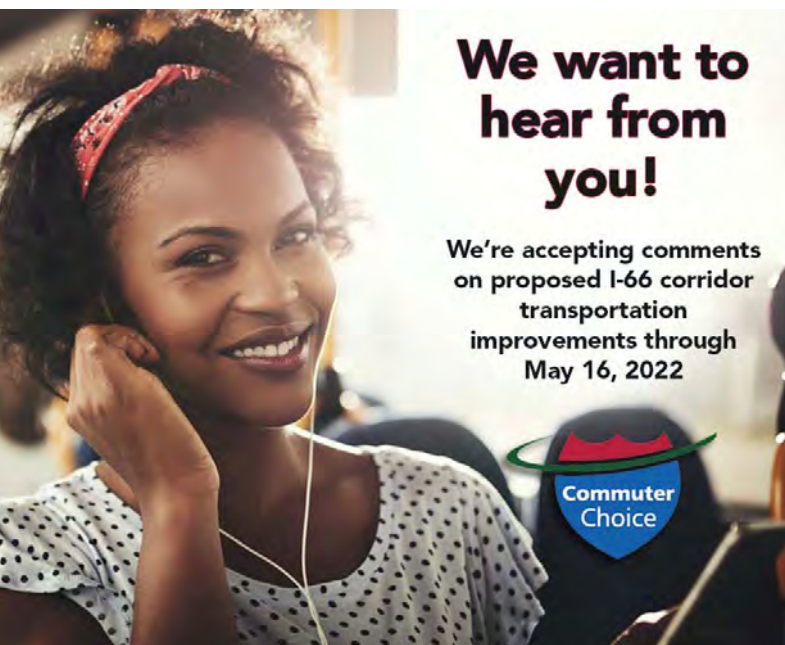




Commuter Choice comment period opens with English and Spanish outreach

The public comment period for I-66 Commuter Choice opened April 15 and includes NVTC's first Spanish-language outreach effort. Led by Senior Program Manager Ben Owen and Senior Program Analyst Adam Hager, the public outreach for the FY 2023-24 Program of Projects includes social media graphics in English and Spanish. Marketing and Engagement Manager Monique Blyther also worked with Chair Canek Aguirre to produce videos in [English](#) and [Spanish](#) encouraging people to complete [surveys](#) in [both languages](#).

Ben hosted a virtual town hall April 27, which you can watch on [YouTube](#). The comment period remains open until Monday, May 16.





joins coalition opposing Virginia gas tax suspension

NVTC [sent a letter](#) to members of the General Assembly April 1 on behalf of a unique coalition of chambers of commerce, trade groups, builders, realtors, labor organizations and transportation agencies opposing a [proposed suspension](#) of Virginia's gasoline tax as well as a proposed cap on future increases, while reminding Gov. Glenn Youngkin and members that the money raised by the gas tax pays for critical transportation priorities.

The letter acknowledges the impacts of the rising cost of living for Virginians, adding, "We support the Commonwealth's commitment to easing that burden and helping everyday Virginians make ends meet. However, the proposed suspension of the gasoline tax over a period of five months is not an effective way to provide needed relief to Virginia residents. Due to the lack of transparency and market fluctuations of gasoline prices, there is no way to guarantee that gasoline tax savings will be passed on to Virginia consumers."

The gasoline tax is one of the top three dedicated sources of Virginia transportation funding. This user fee is directly reinvested into maintaining and improving our multimodal transportation system including roadways, bridges, ports, airports, rail, transit, bike, pedestrian and transportation technology infrastructure. Capping annual indexing means the revenue source will fail to keep up with the cost of materials and services supporting maintenance and operations of the system.



SYIP includes increases for Metro, VRE, NoVa transit systems

The Department of Rail and Public Transportation (DRPT) [presented](#) the draft Six Year Improvement Program at the Commonwealth Transportation Board [workshop](#) April 19. The \$870 million FY 2023 Transit Program includes funding for operating and capital assistance for local systems and Metro, as well the transit ridership incentive program, commuter assistance and special programs.

What this means for NVTC is \$43.8 million in operating assistance for its local systems, an increase of 5.1% over the prior year and \$272.8 million in assistance for the jurisdictions' share of Metro's capital and operating commitments, a 2.9% increase. The program also funds all of the NVTC local capital requests for state of good repair and minor expansion. No major expansion projects were applied for this fiscal year. NVTC's Regional Zero-Emission Bus Strategic Plan and the Regional Bus Transit Analysis receive technical assistance under the draft program. For Metro, the program also provides \$50 million to meet the Commonwealth's share of the required match to federal PRIIA funding.

The draft program includes \$24.5 million in operating assistance for Virginia Railway Express (VRE), an increase of 20% over the prior year. The capital program provides funding for two VRE major expansion projects; Crystal City station improvements and rail car purchase. While both are high cost projects, the state ask was relatively small due to other funding available.





NVTC-led group starts strategizing on zero-emission buses

NVTC hosted the the first Zero-Emission Bus (ZEB) Working Group meeting March 31, led by Patricia Happ, Senior Manager for the [Transit Technology](#) program with Program Analyst Ronnetta Zack-Williams providing valuable assistance as the meeting facilitator. This group was formed to provide a regular forum for regional partner agency staff to discuss and share information on plans, procurement and funding; discuss opportunities to work together; and provide technical expertise from industry experts. In 2021, NVTC held a ZEB symposium and a Commissioner roundtable, which were both well-received and built on partner interest in developing regional capacity in ZEB.

At this meeting we had an engaging discussion with agency staff in the region as well as our partners at the Virginia Department of Rail and Public Transportation (DRPT) and Metro. The

majority of NVTC partners are in the planning or implementation stages for transitioning to full or partial ZEB fleets. There was a lot of discussion around the need for a regional forum, not only to share information and collaborate in Northern Virginia, but also hear from agencies across the country and support the development of guidelines and standards related to ZEB practices and infrastructure.

We look forward to continuing these discussions as agencies look to build capacity and realize economies of scale through regional ZEB coordination. In addition to this working group, NVTC has applied for a DRPT Technical Assistance grant to build a Northern Virginia Regional Zero-Emission Strategic Plan.

Conference focuses on transit fleet electrification

Senior Transit Technology Program Manager Patricia Happ participated in the Fleet Electrification US [Conference](#) in Washington April 20-21. The event provided an opportunity for thought leaders to explore zero-emission policies and technologies and to discuss strategies with fleet electrification specialists in innovation, funding and technical capacity. Climate change, funding opportunities and sustainability goals are fueling the tremendous scale and speed of electric fleet deployment at the federal, state and local government levels. The conference provided insights on utilizing the momentum and demand for new solutions and tools for charging, grid planning, workforce management and fleet maintenance.

Transit Programs and innovation experts from the Federal Transit Administration (FTA) were

among the presenters, discussing policies, regulations and programs to facilitate nationwide transit electrification. Another highlight was a session on the role of electric utilities in transit electrification, including specialists in vehicle facility electrification from Con Ed and PSEG discussing how transit agencies can partner with electric utilities for efficient and effective implementation. Transit agencies LA Metro, Utah Transit Authority, DDOT and the Central Ohio Transit Authority also presented their transit electrification strategy and fleet transition plans.

The information learned at the conference will assist NVTC's Transit Technology team with advancing the regional Zero-Emission Program and strategic planning process.



Patricia Happ with Perrin Palistrant (left) and Bob Schneider (right) from OmniRide



Employer outreach training features NoVa transit options

Communications and Public Affairs Manager Matt Friedman joined a panel of experts March 29 at a training hosted by the Metropolitan Washington Council of Government's [Commuter Connections](#) program. Matt joined representatives from Metro, the Maryland Transit Administration and National Capital Regional Transportation Planning Board to provide detailed information on transit and commuting options across the Washington region as part of a workshop for employer outreach workers. Those workers help educate employers about transit options and transit benefits they can offer for employees. Matt discussed the coverage areas and service available from Virginia Railway Express, ART, DASH, City of Fairfax-CUE, Fairfax Connector, Loudoun Transit and OmniRide. The training was timed to coincide with return to work efforts across the region. Matt also talked about the regional marketing campaign that will launch later this spring to encourage riders to come back to transit. The campaign is in partnership with Arlington, Fairfax and Loudoun counties, the cities of Alexandria, Falls Church and Fairfax, as well as VRE and OmniRide. It's made possible by a [grant](#) from the Virginia Department of Rail and Public Transportation.

TSDAC reviews MERIT program changes

Director of Finance and Administration Scott Kalkwarf and Program Analyst Sophie Spiliotopoulos sat in for Kate Mattice April 8 at a meeting of the Department of Rail and Public Transportation (DRPT) Transit Service Delivery Advisory Committee ([TSDAC](#)). Executive Director Kate serves as representative for the Virginia Transit Association. This month the committee received an overview of the [MERIT](#) Capital Assistance grant program and discussed several proposed policy changes. These monthly meetings will continue all year as we review transit funding allocations for the Commonwealth and provide our recommendations to DRPT. In the next few months, the committee will also cover the FY 2023 Budget and Six-Year Improvement Plan, Transit Strategic Plans, and the MERIT Operating Assistance grant program.

NVTC kicks off #TransitTuesday series

NVTC kicked off a new series of informational social media posts April 5 using the hashtag [#TransitTuesday](#). The inspiration came from WMATA Committee Chair Walter Alcorn who asked staff to research and communicate relevant information about the outstanding safety record for public transportation in America. Program Analyst Ronnetta Zack-Williams identified research documents from the American Public Transportation Association and others and worked with Communications and Public Affairs Manager Matt Friedman and Marketing and Engagement Manager Monique Blyther to write and create graphics to be posted on NVTC's [Twitter](#), [Facebook](#) and [LinkedIn](#) accounts. New posts will go live each Tuesday. In addition to safety messages, future posts will highlight transit providers serving Northern Virginia and the environmental benefits of riding transit.



Community **design** influences safety. Dense, mixed-used development promotes use of **public transit** and reduces traffic deaths.



Metropolitan areas with higher **public transportation** use have lower traffic fatality rates.



A study of 3 decades of traffic data found a correlation between increased use of **public transit** and a decrease in traffic deaths.



The Washington region has one of the **lowest traffic fatality rates** in the country **AND** one of the highest rates of people who **ride transit**.



Public transportation is one of the **safest ways to travel**. It's ten times safer per mile than traveling by car.



City of Fairfax opens bikeshare location survey

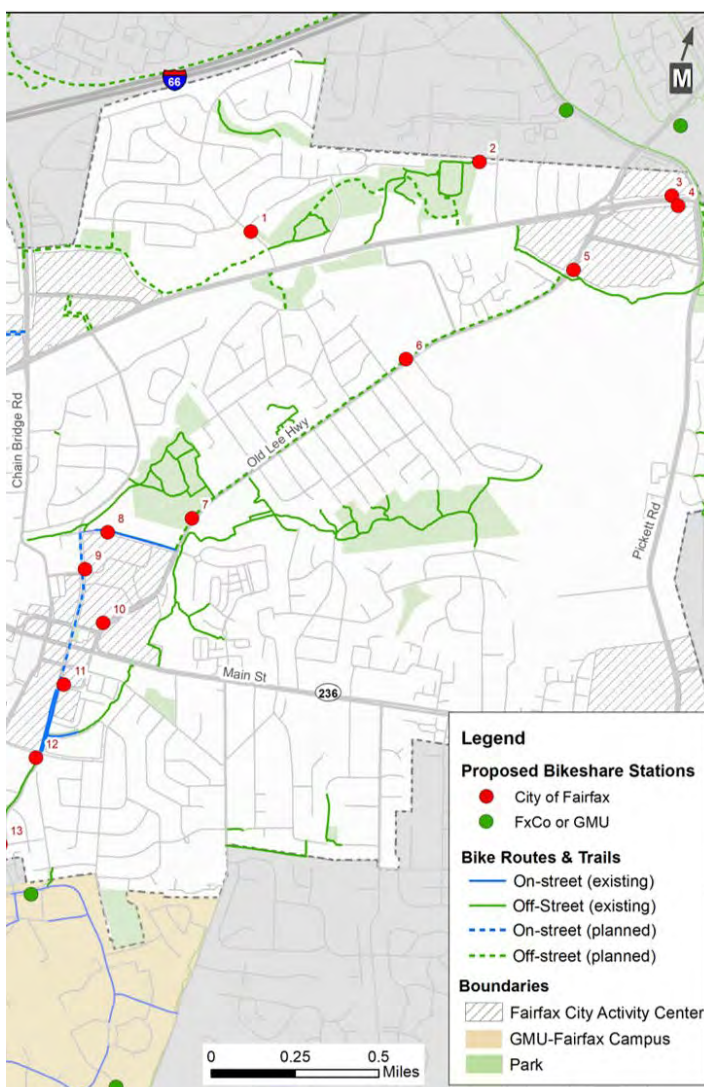
NVTC's Commuter Choice program will fund four of 13 planned [Capital Bikeshare](#) stations in the City of Fairfax and city planners are asking for [public input](#) on the locations of those stations. The Commuter Choice-funded stations will be located within a two-mile "bike shed" of the Vienna Metrorail station. The stations will help residents and visitors connect to Metrorail, commuter buses and regional trails and add to the extensive Capital Bikeshare network. In addition to the stations planned in Fairfax City, stations are proposed in Fairfax County near the Vienna Metro station and on GMU's Fairfax campus. The city expects to announce final station locations this June and installation and system launch is expected in mid-2023.

USDOT compiles list of Bipartisan Infrastructure Law opportunities

The U.S. Department of Transportation recently published [a list](#) of upcoming Notice of Funding Opportunity Announcements tied to the Bipartisan Infrastructure Law enacted last year. The first opportunity covers the [Transit Oriented Development](#) (TOD) planning program, that provides funding for efforts associated with an eligible transit project for which the project sponsor will seek funding through FTA's Capital Investment Grants Program. Other programs that may be of particular note in Northern Virginia include the [Consolidated Rail Infrastructure & Safety Improvements](#) and the [All Stations Accessibility Program](#).

White House Infrastructure Implementation Coordinator Mitch Landrieu notes, "The Bipartisan Infrastructure Law is historic in its size largest ever investments in broadband, rail and transit, clean energy, and water, just to name a few the as well as the breadth of programs and sectors included in the law."

In addition, Executive Director Kate Mattice has been working with members of Virginia's Congressional delegation and our location jurisdictions to identify other opportunities to access federal funding for transportation and transit improvements.



NVTC helps region prepare for Yellow/Blue Line Construction

Regional coordination efforts are underway ahead of two major Metrorail [construction projects](#) scheduled for later this year. As part of its capital program project schedule for 2022, Metro is preparing for the Yellow Line Tunnel/Bridge Rehabilitation and integration of the new Potomac Yard Station, which will begin concurrently on September 10, 2022. The Yellow Line Bridge/Tunnel rehabilitation will require a closure between the Pentagon and L'Enfant Plaza stations for seven to eight months. The steel-lined tunnel near L'Enfant Plaza are in need of repair in order to prevent water intrusion and strengthen the tunnel's lining, while the bridge rehabilitation will require the removal and rewiring of essential communication cables. The Potomac Yard construction will require a shutdown of rail service south of the airport in order to integrate the new station into the existing Metrorail system. That work is set to take over six weeks, ending on October 22, 2022.

NVTC, is supporting Metro in coordinating travel alternatives and public communication and outreach efforts. The stakeholder group held a kickoff meeting on March 29, which included representatives from Northern Virginia as well as the District. The group, which includes NVTC Program Analyst Ronnetta Zack-Williams, will meet monthly to coordinate on mitigation efforts, report progress on planning and ensure coordination and information sharing on major construction projects like the current construction at the Pentagon. This coordination work builds on previous efforts that started with the 2019 Platform Improvement Project.

In addition, two additional groups have been formed for the fall 2022 work: (1) the bus planning group to focus on the bus shuttle and services plan and (2) the Public Information Officer (PIO) group to focus on communications to the general public on the alternative routes. Both of these groups will support and inform the stakeholder group coordinated by Metro and NVTC.







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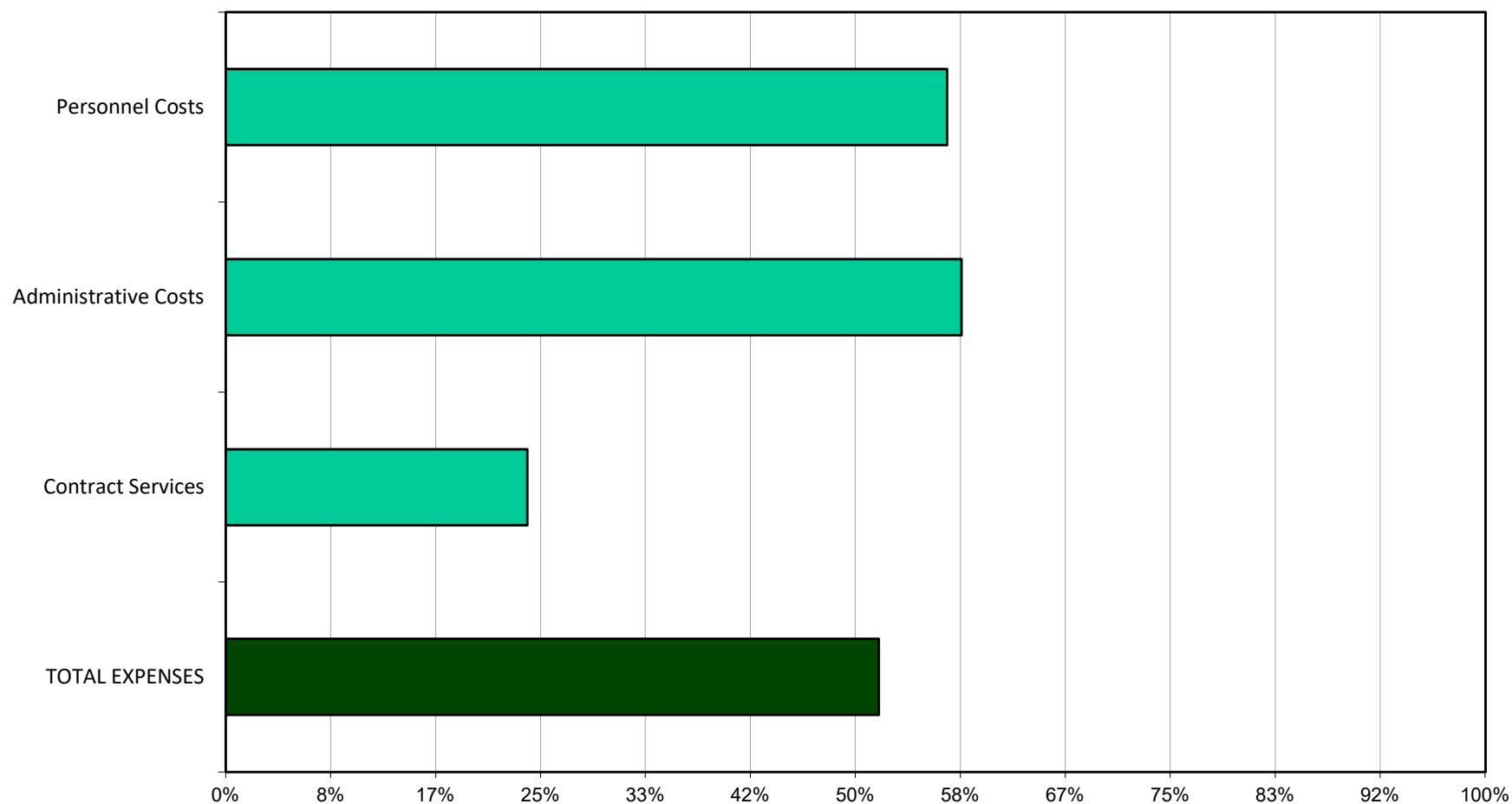
Northern Virginia Transportation Commission

Financial Reports
February 2022

PERCENTAGE OF FY 2022 NVTC ADMINISTRATIVE BUDGET USED

February 2022

(TARGET 66.7% OR LESS)



Note: Refer to pages 2 and 3 for details

NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
February 2022

	<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 and Wages	\$ 156,247.13	\$ 1,198,026.24	\$ 2,102,700.00	\$ 904,673.76	43.0%
Temporary Employee Services	-	-	-	-	
Total Personnel Costs	<u>156,247.13</u>	<u>1,198,026.24</u>	<u>2,102,700.00</u>	<u>904,673.76</u>	<u>43.0%</u>
<u>Benefits</u>					
Employer's Contributions:					
FICA	10,549.21	87,029.67	144,000.00	56,970.33	39.6%
Group Health Insurance	11,263.86	91,656.26	183,100.00	91,443.74	49.9%
Retirement	13,874.00	110,992.00	170,000.00	59,008.00	34.7%
Workmans & Unemployment Compensation	392.44	4,152.14	5,500.00	1,347.86	24.5%
Life Insurance	997.93	4,472.60	6,800.00	2,327.40	34.2%
Long Term Disability Insurance	681.49	5,909.58	11,000.00	5,090.42	46.3%
Total Benefit Costs	<u>37,758.93</u>	<u>304,212.25</u>	<u>520,400.00</u>	<u>216,187.75</u>	<u>41.5%</u>
<u>Administrative Costs</u>					
Commissioners Per Diem	700.00	8,000.00	14,500.00	6,500.00	44.8%
<i>Rents:</i>	<i>32,075.12</i>	<i>256,104.96</i>	<i>408,200.00</i>	<i>152,095.04</i>	<i>37.3%</i>
Office Rent	32,075.12	255,270.88	379,600.00	124,329.12	32.8%
Parking & Transit Benefits	-	834.08	28,600.00	27,765.92	97.1%
<i>Insurance:</i>	<i>400.00</i>	<i>4,700.00</i>	<i>7,400.00</i>	<i>2,700.00</i>	<i>36.5%</i>
Public Official Bonds	-	1,500.00	2,300.00	800.00	34.8%
Liability and Property	400.00	3,200.00	5,100.00	1,900.00	37.3%
<i>Travel:</i>	<i>3,489.32</i>	<i>18,407.03</i>	<i>44,000.00</i>	<i>25,592.97</i>	<i>58.2%</i>
Conference / Professional Development	2,920.99	10,576.00	27,100.00	16,524.00	61.0%
Non-Local Travel	120.54	402.46	2,500.00	2,097.54	83.9%
Local Travel, Meetings and Related Expenses	447.79	7,428.57	14,400.00	6,971.43	48.4%

NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
February 2022

	<u>Current</u> <u>Month</u>	<u>Year</u> <u>To Date</u>	<u>Annual</u> <u>Budget</u>	<u>Balance</u> <u>Available</u>	<u>Balance</u> <u>%</u>
<i>Communication:</i>	792.47	9,377.02	16,000.00	6,622.98	41.4%
Postage	-	460.44	1,400.00	939.56	67.1%
Telephone and Data	792.47	8,916.58	14,600.00	5,683.42	38.9%
<i>Publications & Supplies</i>	711.57	8,938.70	28,900.00	19,961.30	69.1%
Office Supplies	119.86	1,586.03	3,000.00	1,413.97	47.1%
Duplication and Paper	406.00	4,875.54	10,900.00	6,024.46	55.3%
Public Engagement	185.71	2,477.13	15,000.00	12,522.87	83.5%
<i>Operations:</i>	3,754.57	18,214.53	37,700.00	19,485.47	51.7%
Furniture and Equipment (Capital)	2,452.05	8,172.98	13,000.00	4,827.02	37.1%
Repairs and Maintenance	51.50	487.00	1,000.00	513.00	51.3%
Computer Operations	1,251.02	9,554.55	23,700.00	14,145.45	59.7%
<i>Other General and Administrative:</i>	688.83	7,223.34	10,000.00	2,776.66	27.8%
Memberships	80.75	1,157.72	1,600.00	442.28	27.6%
Fees and Miscellaneous	608.08	5,637.62	6,900.00	1,262.38	18.3%
Advertising (Personnel/Procurement)	-	428.00	1,500.00	1,072.00	71.5%
Total Administrative Costs	<u>42,611.88</u>	<u>330,965.58</u>	<u>566,700.00</u>	<u>235,734.42</u>	<u>41.6%</u>
<u>Contracting Services</u>					
Auditing	-	17,050.00	25,100.00	8,050.00	32.1%
Contract Services and Support - Commuter Choice	1,398.46	58,324.56	463,600.00	405,275.44	87.4%
Contract Services and Support - Other	11,855.91	55,339.32	120,000.00	64,660.68	53.9%
Legal	2,916.67	23,333.36	35,000.00	11,666.64	33.3%
Total Contract Services	<u>16,171.04</u>	<u>154,047.24</u>	<u>643,700.00</u>	<u>489,652.76</u>	<u>76.1%</u>
Total Gross G&A Expenses	<u>\$ 252,788.98</u>	<u>\$ 1,987,251.31</u>	<u>\$ 3,833,500.00</u>	<u>\$ 1,846,248.69</u>	<u>48.2%</u>

NVTC
RECEIPTS and DISBURSEMENTS
February 2022

February 2022

			Virginia LGIP				
Date	Payer / Payee	Purpose	Wells Fargo Checking	Wells Fargo Savings	NVTC G&A / Project	Commuter Choice	Trusts
RECEIPTS							
1	DMV	CROC funds			\$ 1,250,000.00		
1	DMV	Motor Vehicle Fuels Sales tax revenue					1,861,762.06
2	VDOT	I-66 Commuter Choice net toll revenue				1,401,500.00	
4	DRPT	Capital assistance - Arlington					80,082.00
7	DRPT	Capital assistance - Alexandria					42,435.00
15	DRPT	Operating assistance - City of Fairfax					214,296.00
15	DRPT	Operating assistance - Alexandria					1,201,182.00
15	DRPT	Operating assistance - Arlington					960,099.00
15	DRPT	Operating assistance - Fairfax					4,111,174.00
15	DRPT	Operating assistance - VRE			3,069,719.00		
17	DRPT	Capital assistance - Arlington					273,472.00
28	Banks	Investment earnings		15.52	20.57	4,532.52	21,569.78
			-	15.52	4,319,739.57	1,406,032.52	8,766,071.84
DISBURSEMENTS							
1-28	Various	G&A expenses	(191,501.79)				
1	VRE	CROC funds			(1,250,000.00)		
10	Falls Church	Commuter Choice I-66 project reimbursement				(61,349.00)	
15	VRE	Grant revenue			(3,069,719.00)		
28	Banks	Service charges	(55.43)	(66.41)			
			(191,557.22)	(66.41)	(4,319,719.00)	(61,349.00)	-
TRANSFERS							
1	Transfer	From LGIP to LGIP (NTD project)			60,563.40		(60,563.40)
14	Transfer	From LGIP to checking	150,000.00		(150,000.00)		
25	Transfer	From LGIP to checking	100,000.00		(100,000.00)		
			250,000.00	-	(189,436.60)	-	(60,563.40)
NET INCREASE (DECREASE) FOR MONTH			\$ 58,442.78	\$ (50.89)	\$ (189,416.03)	\$ 1,344,683.52	\$ 8,705,508.44

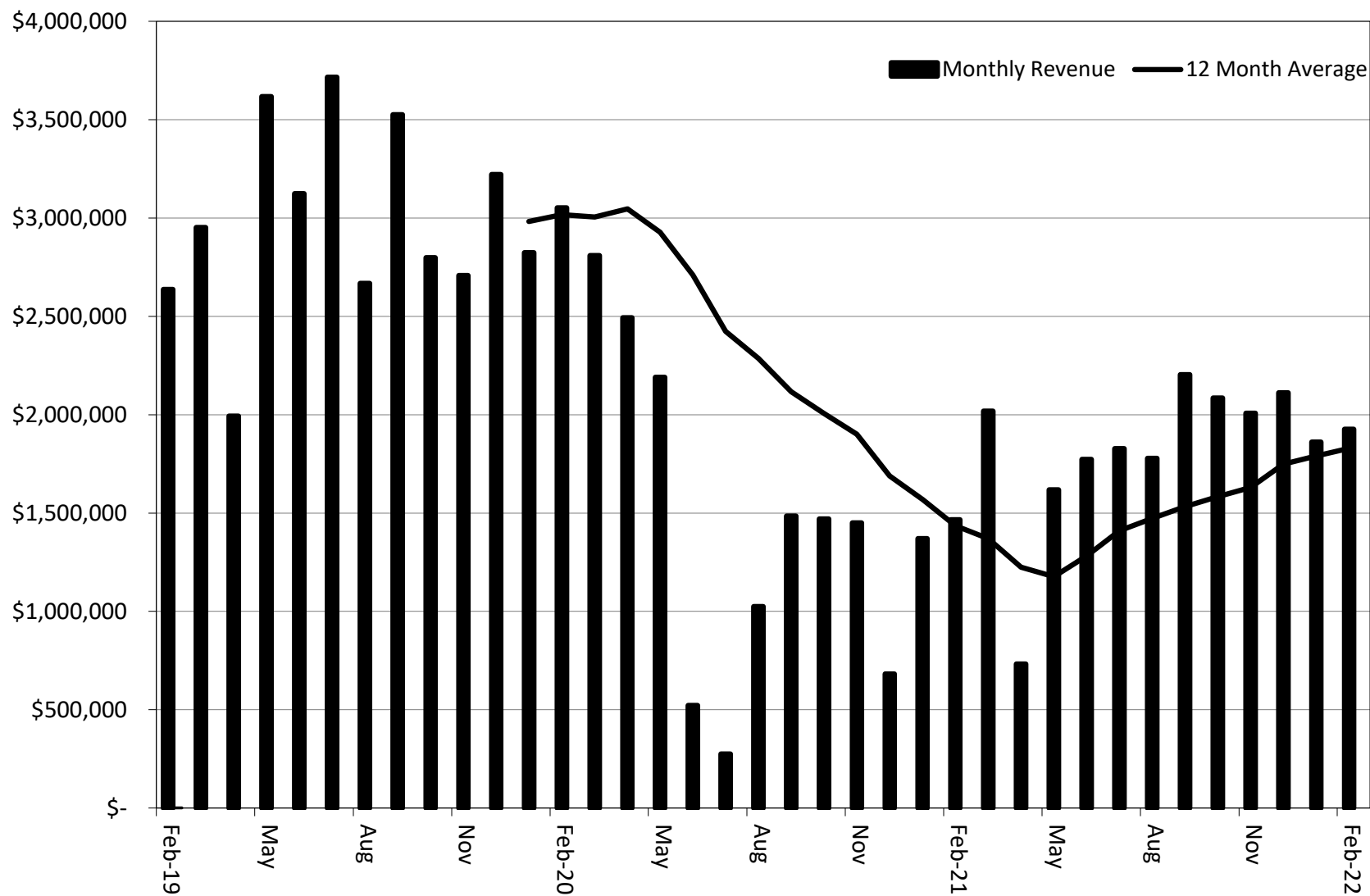
**NVTC
INVESTMENT REPORT
February 2022**

Type	Rate	Balance 1/31/2022	Increase (Decrease)	Balance 2/28/2022	Balance			
					NVTC G&A/Project	Commuter Choice	Jurisdictions Trust Fund	Loudoun Trust Fund
<u>Cash Deposits</u>								
Wells Fargo: NVTC Checking	N/A	\$ 102,597.48	\$ 58,442.78	\$ 161,040.26	\$ 161,040.26	\$ -	\$ -	\$ -
Wells Fargo: NVTC Savings	0.160%	126,473.08	(50.89)	126,422.19	126,422.19	-	-	-
<u>Investments</u>								
Bank of America: Virginia Local Government Investment Pool	0.104%	248,848,779.61	9,860,775.93	258,709,555.54	42,866.69	44,386,450.45	165,954,143.20	48,326,095.20
		<u>\$ 249,077,850.17</u>	<u>\$ 9,919,167.82</u>	<u>\$ 258,997,017.99</u>	<u>\$ 330,329.14</u>	<u>\$ 44,386,450.45</u>	<u>\$ 165,954,143.20</u>	<u>\$ 48,326,095.20</u>

NVTC MONTHLY GAS TAX REVENUE

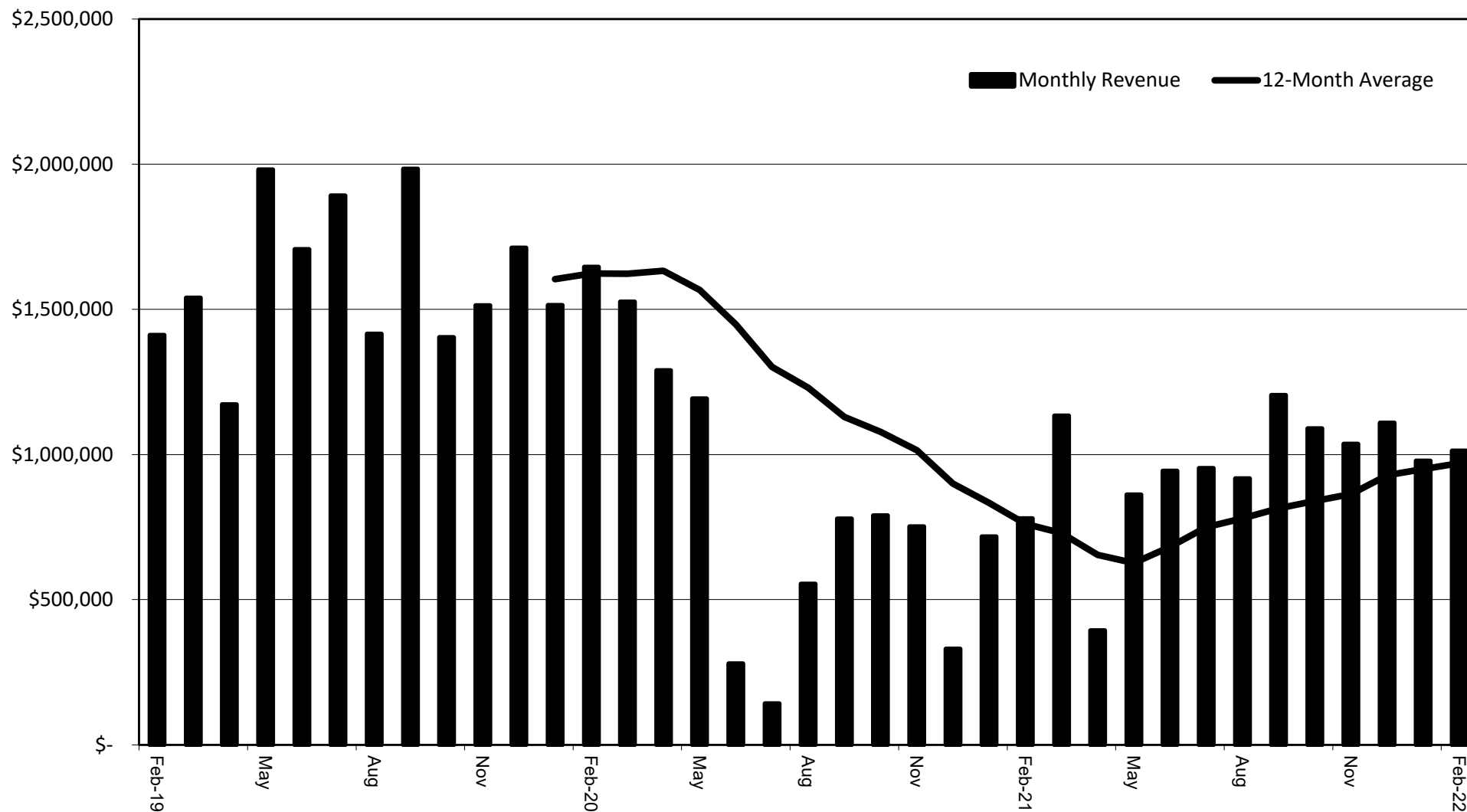
ALL JURISDICTIONS

FISCAL YEARS 2019-2022



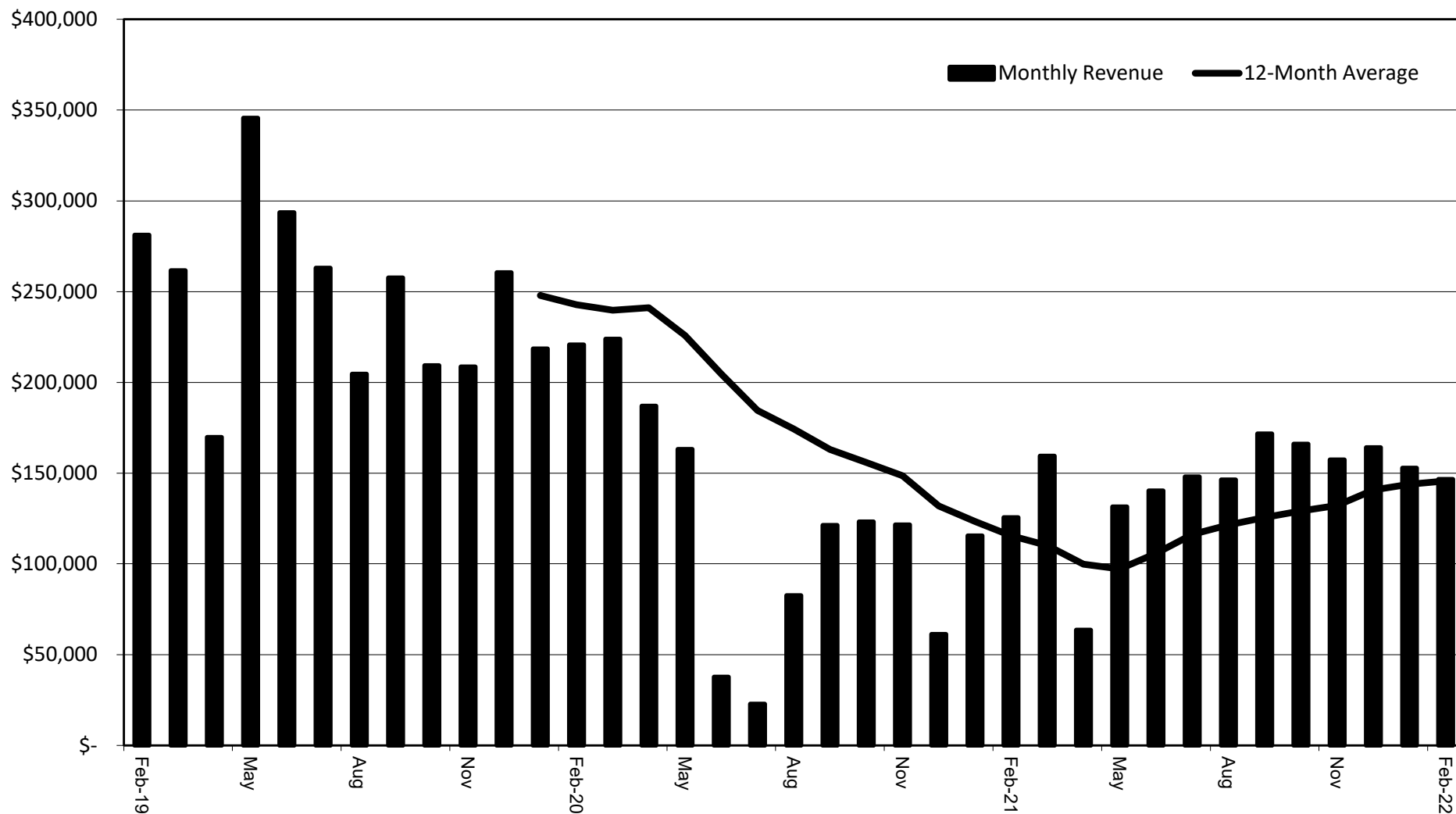
Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE FAIRFAX COUNTY FISCAL YEARS 2019-2022



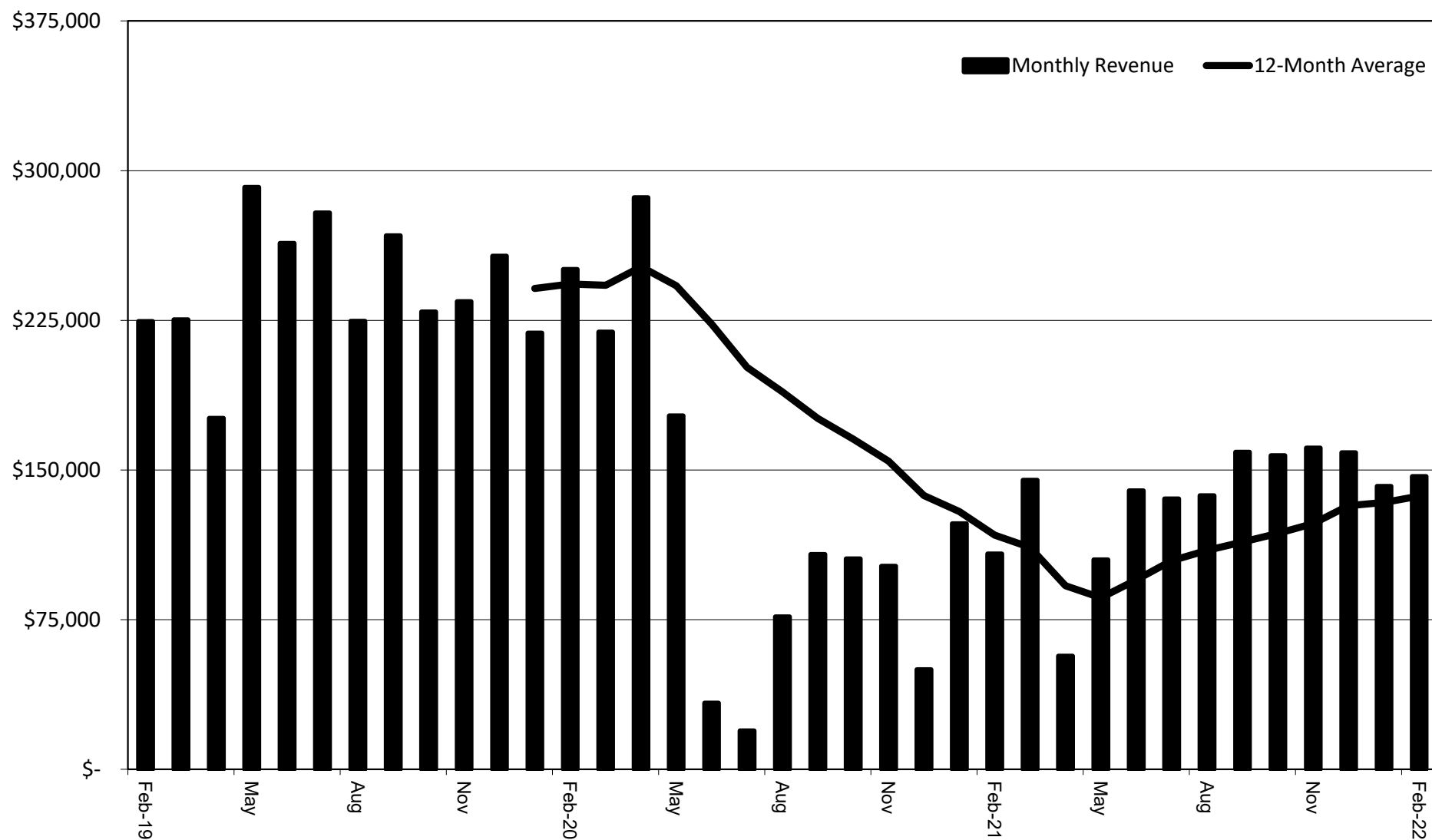
Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE CITY OF ALEXANDRIA FISCAL YEARS 2019-2022



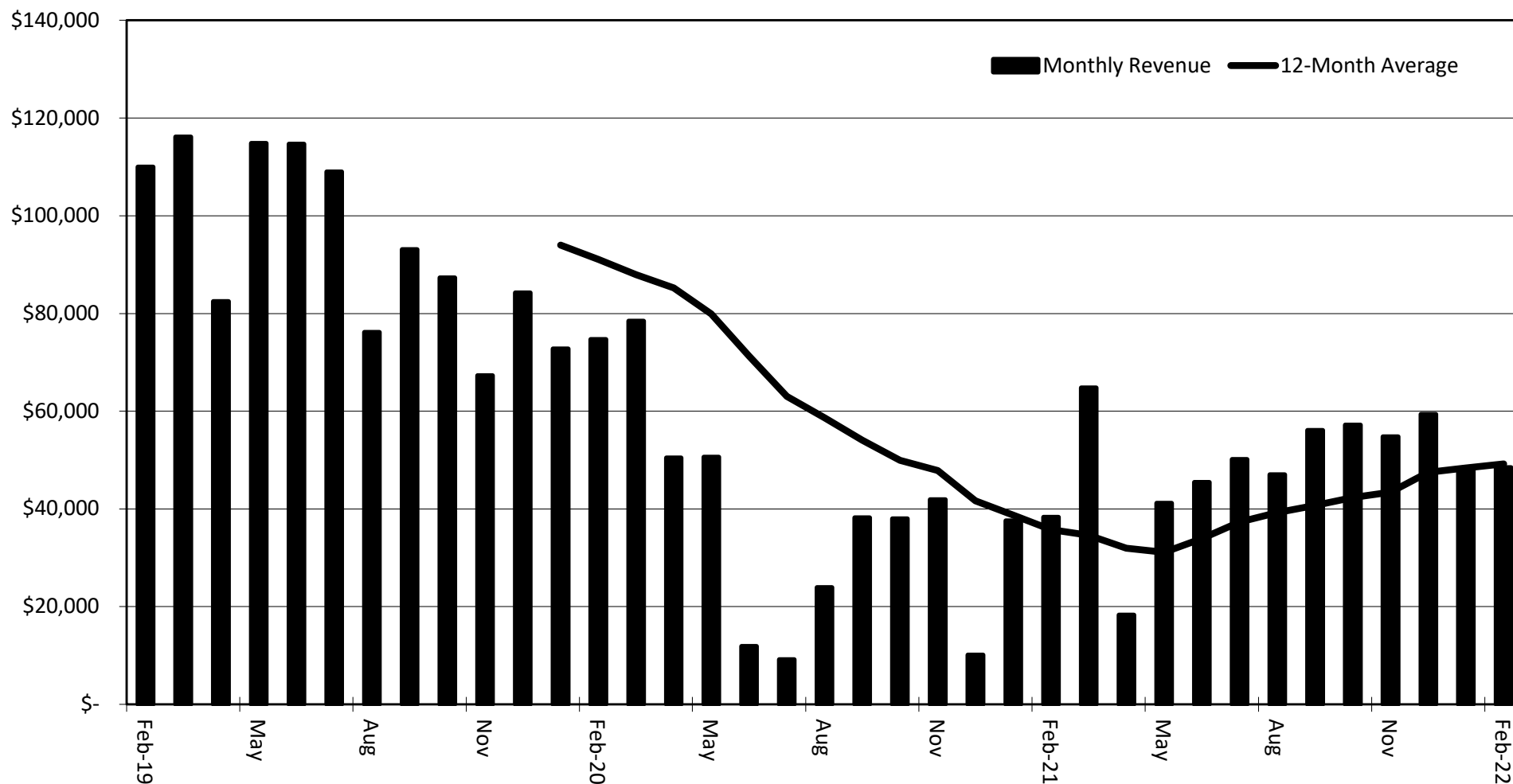
Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE ARLINGTON COUNTY FISCAL YEARS 2019-2022



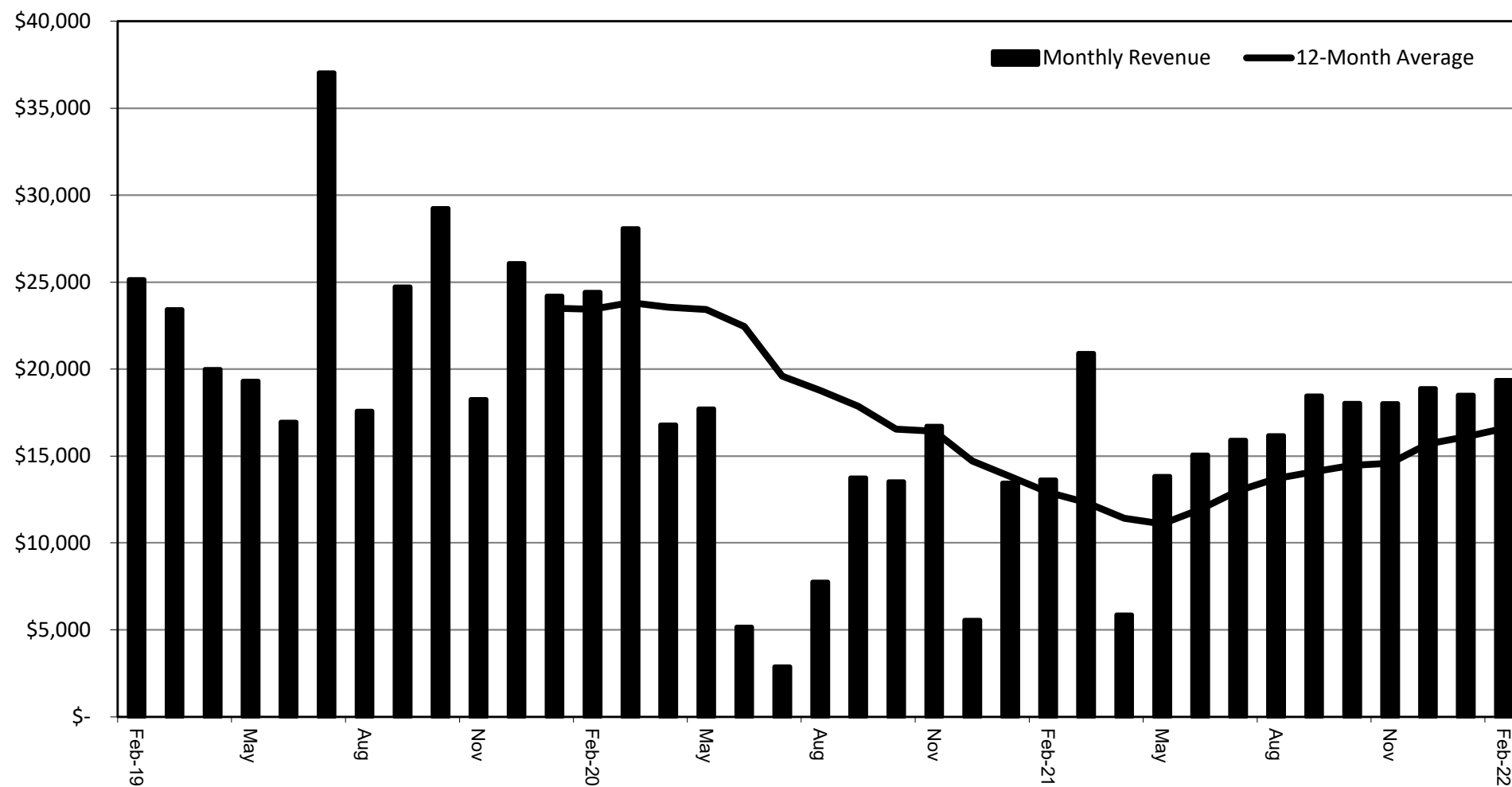
Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE CITY OF FAIRFAX FISCAL YEARS 2019-2022



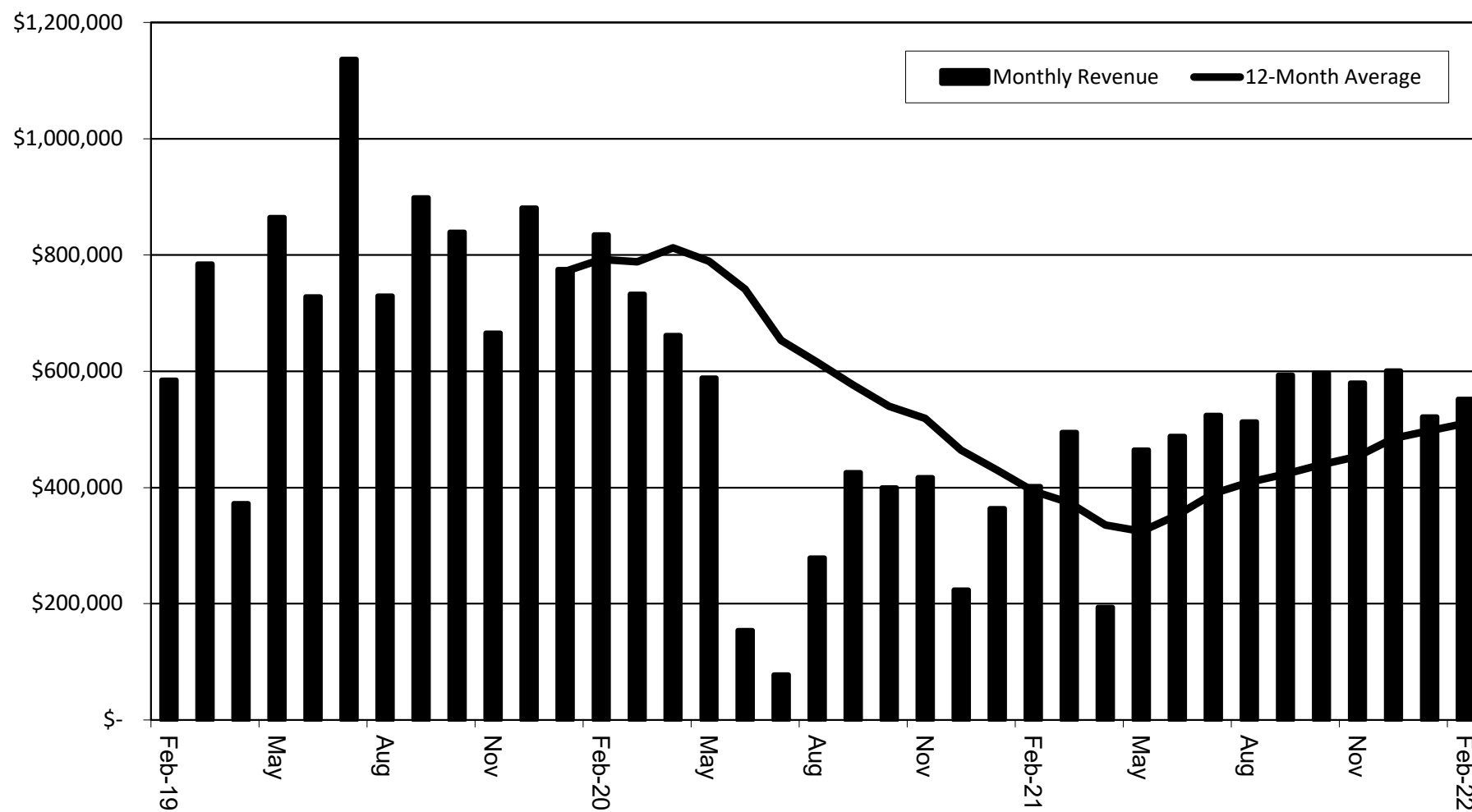
Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE CITY OF FALLS CHURCH FISCAL YEARS 2019-2022



Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier .

NVTC MONTHLY GAS TAX REVENUE LOUDOUN COUNTY FISCAL YEARS 2019-2022



Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.



Northern Virginia Transportation Commission

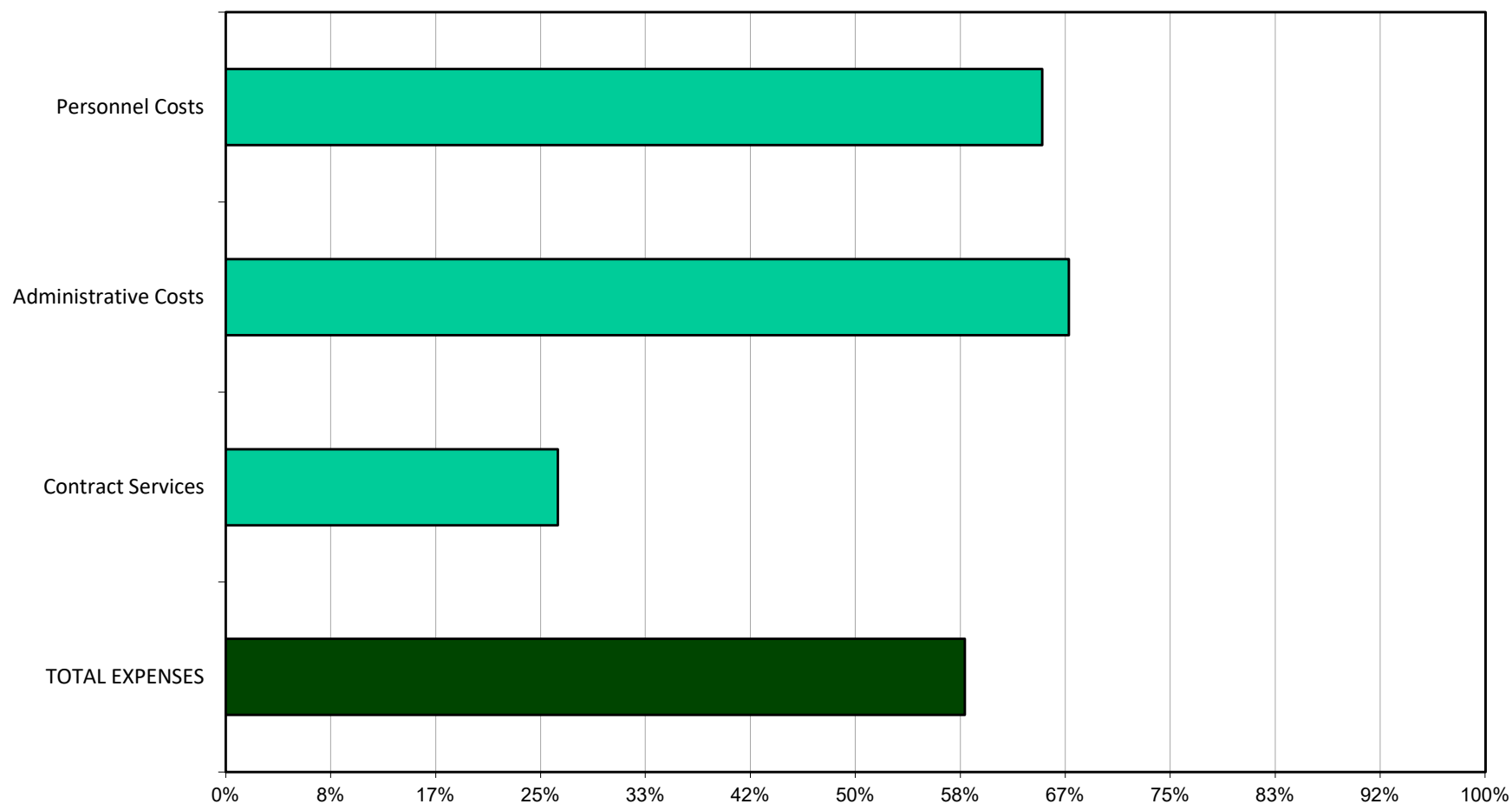
Financial Reports

March 2022

PERCENTAGE OF FY 2022 NVTC ADMINISTRATIVE BUDGET USED

March 2022

(TARGET 75% OR LESS)



Note: Refer to pages 2 and 3 for details

NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
March 2022

	<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 and Wages	\$ 161,717.31	\$ 1,359,743.55	\$ 2,102,700.00	\$ 742,956.45	35.3%
Temporary Employee Services	-	-	-	-	
Total Personnel Costs	<u>161,717.31</u>	<u>1,359,743.55</u>	<u>2,102,700.00</u>	<u>742,956.45</u>	<u>35.3%</u>
<u>Benefits</u>					
Employer's Contributions:					
FICA	10,748.43	97,778.10	144,000.00	46,221.90	32.1%
Group Health Insurance	11,263.86	102,920.12	183,100.00	80,179.88	43.8%
Retirement	13,874.00	124,866.00	170,000.00	45,134.00	26.5%
Workmans & Unemployment Compensation	201.79	4,353.93	5,500.00	1,146.07	20.8%
Life Insurance	271.12	4,743.72	6,800.00	2,056.28	30.2%
Long Term Disability Insurance	-	5,909.58	11,000.00	5,090.42	46.3%
Total Benefit Costs	<u>36,359.20</u>	<u>340,571.45</u>	<u>520,400.00</u>	<u>179,828.55</u>	<u>34.6%</u>
<u>Administrative Costs</u>					
Commissioners Per Diem	1,050.00	9,050.00	14,500.00	5,450.00	37.6%
<i>Rents:</i>	<i>32,195.27</i>	<i>288,300.23</i>	<i>408,200.00</i>	<i>119,899.77</i>	<i>29.4%</i>
Office Rent	31,978.27	287,249.15	379,600.00	92,350.85	24.3%
Parking & Transit Benefits	217.00	1,051.08	28,600.00	27,548.92	96.3%
<i>Insurance:</i>	<i>867.35</i>	<i>5,567.35</i>	<i>7,400.00</i>	<i>1,832.65</i>	<i>24.8%</i>
Public Official Bonds	400.00	1,900.00	2,300.00	400.00	17.4%
Liability and Property	467.35	3,667.35	5,100.00	1,432.65	28.1%
<i>Travel:</i>	<i>2,358.41</i>	<i>20,765.44</i>	<i>44,000.00</i>	<i>23,234.56</i>	<i>52.8%</i>
Conference / Professional Development	1,526.68	12,102.68	27,100.00	14,997.32	55.3%
Non-Local Travel	139.54	542.00	2,500.00	1,958.00	78.3%
Local Travel, Meetings and Related Expenses	692.19	8,120.76	14,400.00	6,279.24	43.6%

NORTHERN VIRGINIA TRANSPORTATION COMMISSION
G&A BUDGET VARIANCE REPORT
March 2022

	<u>Current</u> <u>Month</u>	<u>Year</u> <u>To Date</u>	<u>Annual</u> <u>Budget</u>	<u>Balance</u> <u>Available</u>	<u>Balance</u> <u>%</u>
<i>Communication:</i>	1,586.87	10,963.89	16,000.00	5,036.11	31.5%
Postage	-	460.44	1,400.00	939.56	67.1%
Telephone and Data	1,586.87	10,503.45	14,600.00	4,096.55	28.1%
<i>Publications & Supplies</i>	7,367.23	16,305.93	28,900.00	12,594.07	43.6%
Office Supplies	-	1,586.03	3,000.00	1,413.97	47.1%
Duplication and Paper	365.40	5,240.94	10,900.00	5,659.06	51.9%
Public Engagement	7,001.83	9,478.96	15,000.00	5,521.04	36.8%
<i>Operations:</i>	2,142.27	20,356.80	37,700.00	17,343.20	46.0%
Furniture and Equipment (Capital)	1,050.00	9,222.98	13,000.00	3,777.02	29.1%
Repairs and Maintenance	51.50	538.50	1,000.00	461.50	46.2%
Computer Operations	1,040.77	10,595.32	23,700.00	13,104.68	55.3%
<i>Other General and Administrative:</i>	725.79	7,949.13	10,000.00	2,050.87	20.5%
Memberships	80.75	1,238.47	1,600.00	361.53	22.6%
Fees and Miscellaneous	645.04	6,282.66	6,900.00	617.34	8.9%
Advertising (Personnel/Procurement)	-	428.00	1,500.00	1,072.00	71.5%
Total Administrative Costs	<u>48,293.19</u>	<u>379,258.77</u>	<u>566,700.00</u>	<u>187,441.23</u>	<u>33.1%</u>
<u>Contracting Services</u>					
Auditing	-	17,050.00	25,100.00	8,050.00	32.1%
Contract Services and Support - Commuter Choice	6,429.98	64,754.54	463,600.00	398,845.46	86.0%
Contract Services and Support - Other	6,247.91	61,587.23	120,000.00	58,412.77	48.7%
Legal	2,916.67	26,250.03	35,000.00	8,749.97	25.0%
Total Contract Services	<u>15,594.56</u>	<u>169,641.80</u>	<u>643,700.00</u>	<u>474,058.20</u>	<u>73.6%</u>
 Total Gross G&A Expenses	 <u>\$ 261,964.26</u>	 <u>\$ 2,249,215.57</u>	 <u>\$ 3,833,500.00</u>	 <u>\$ 1,584,284.43</u>	 <u>41.3%</u>

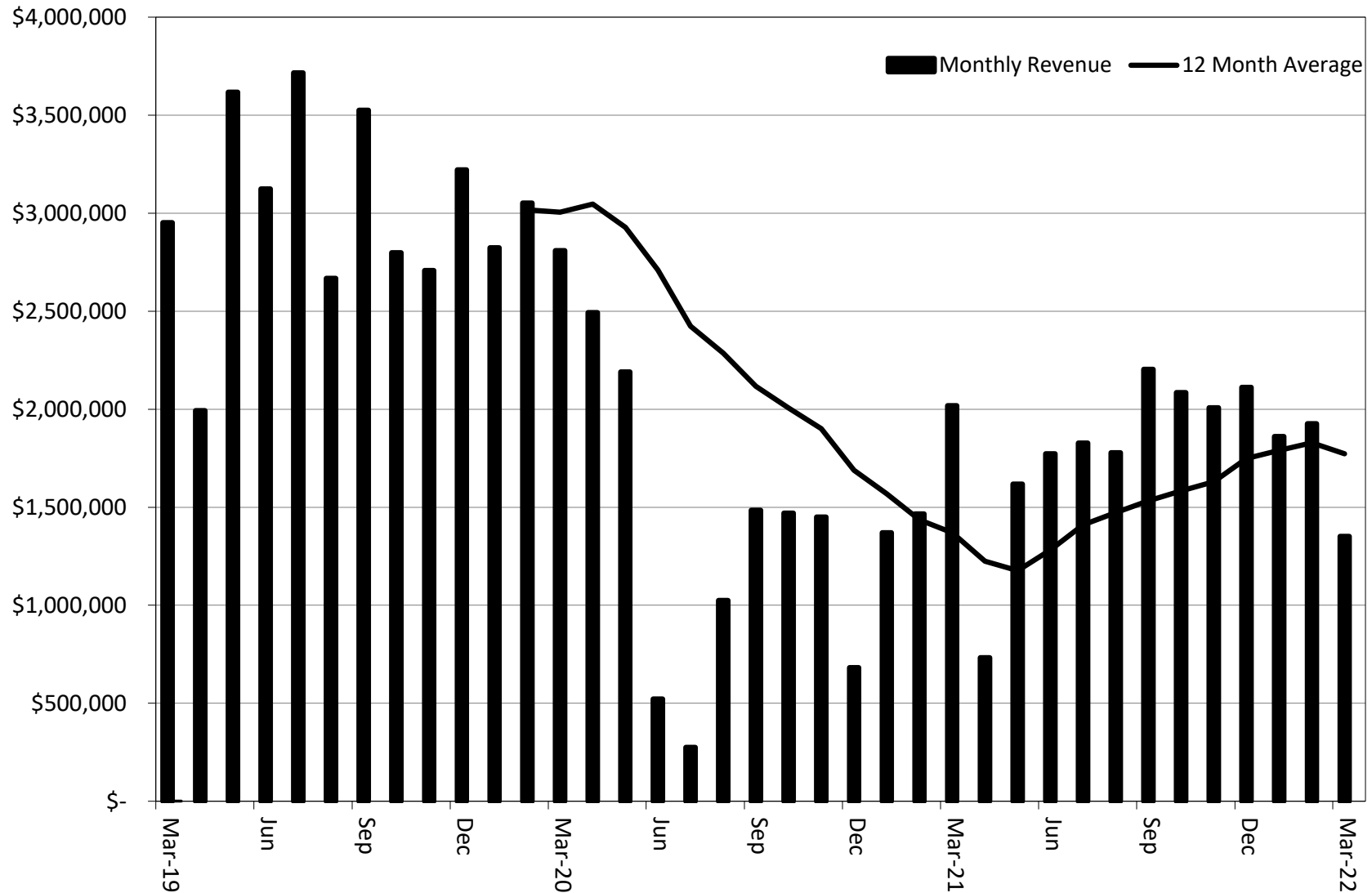
NVTC
RECEIPTS and DISBURSEMENTS
March 2022

March 2022			Virginia LGIP				
Date	Payer / Payee	Purpose	Wells Fargo Checking	Wells Fargo Savings	NVTC G&A / Project	Commuter Choice	Trusts
RECEIPTS							
2	DRPT	WMATA capital and operating assistance					\$ 47,756,663.00
4	DMV	Motor Vehicle Fuels Sales tax receipt					1,927,084.83
4	DMV	CROC funds			1,250,000.00		
8	VRE	Staff support		14,524.36			
21	VRE	Local match - Fare collection project		3,645.52			
23	DRPT	WMATA capital and operating assistance					47,756,662.00
31	Banks	Investment earnings		7.88	33.58	8,666.64	57,631.81
			-	18,177.76	1,250,033.58	8,666.64	97,498,041.64
DISBURSEMENTS							
1-31	Various	G&A expenses	(298,438.78)				
1	Fairfax County	Other capital					(1,000,000.00)
1	Arlington County	Commuter Choice I-66 reimbursement request				(46,632.00)	
1	Fairfax County	Commuter Choice I-66 reimbursement request				(1,492,398.00)	
1	City of Fairfax	Commuter Choice I-66 reimbursement request				(22,011.00)	
1	NVRC	Commuter Choice I-395/95 reimbursement request				(31,262.00)	
1	Fairfax County	Commuter Choice I-395/95 reimbursement request				(557,816.00)	
4	VRE	CROC funds			(1,250,000.00)		
8	Stantec	Consulting - NTD project	(11,810.04)				
8	Kimley-Horn	Consulting - Commuter Choice program	(6,030.48)				
24	Kimley-Horn	Consulting - Fare collection project	(4,816.40)				
31	Banks	Service charges	(172.72)	(51.12)			
			(321,268.42)	(51.12)	(1,250,000.00)	(2,150,119.00)	(1,000,000.00)
TRANSFERS							
8	Transfer	LGIP to LGIP (NTD project)			11,810.04		(11,810.04)
8	Transfer	Savings to checking	120,000.00	(120,000.00)			
24	Transfer	LGIP to LGIP (G&A contribution)			500,000.00		(500,000.00)
24	Transfer	From LGIP to checking	150,000.00		(150,000.00)		
			270,000.00	(120,000.00)	361,810.04	-	(511,810.04)
NET INCREASE (DECREASE) FOR MONTH			\$ (51,268.42)	\$ (101,873.36)	\$ 361,843.62	\$ (2,141,452.36)	\$ 95,986,231.60

**NVTC
INVESTMENT REPORT
March 2022**

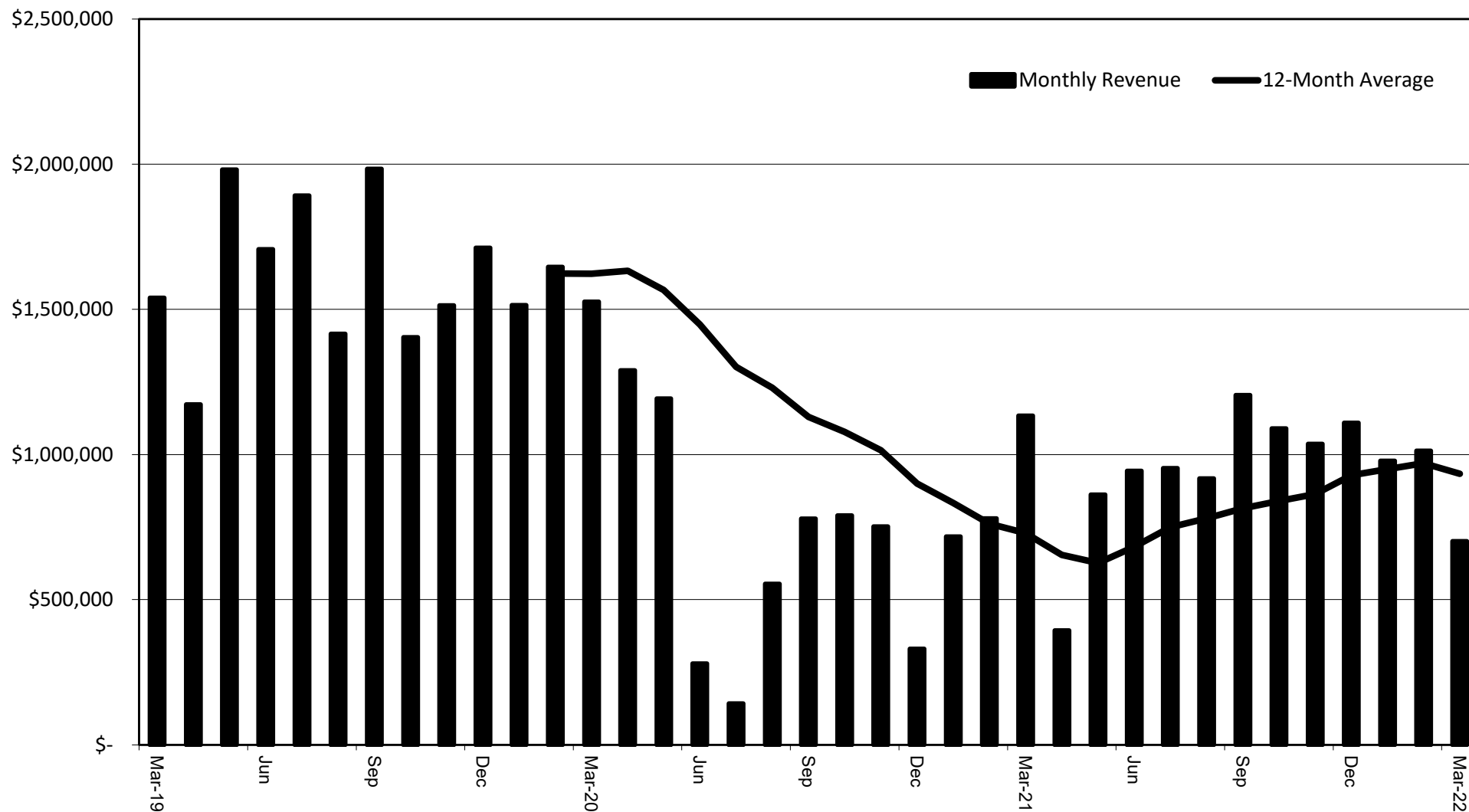
Type	Rate	Balance 2/28/2022	Increase (Decrease)	Balance 3/31/2022	Balance				
					NVTC G&A/Project	Commuter Choice	Jurisdictions Trust Fund	Loudoun Trust Fund	
<u>Cash Deposits</u>									
Wells Fargo: NVTC Checking	N/A	\$ 161,040.26	\$ (51,268.42)	\$ 109,771.84	\$ 109,771.84	\$ -	\$ -	\$ -	
Wells Fargo: NVTC Savings	0.160%	126,422.19	(101,873.36)	24,548.83	24,548.83	-	-	-	
<u>Investments</u>									
Bank of America: Virginia Local Government Investment Pool	0.241%	258,709,555.54	94,206,622.86	352,916,178.40	404,710.31	42,244,998.09	261,378,107.97	48,888,362.03	
		<u>\$ 258,997,017.99</u>	<u>\$ 94,053,481.08</u>	<u>\$ 353,050,499.07</u>	<u>\$ 539,030.98</u>	<u>\$ 42,244,998.09</u>	<u>\$ 261,378,107.97</u>	<u>\$ 48,888,362.03</u>	

NVTC MONTHLY GAS TAX REVENUE ALL JURISDICTIONS FISCAL YEARS 2019-2022



Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE FAIRFAX COUNTY FISCAL YEARS 2019-2022

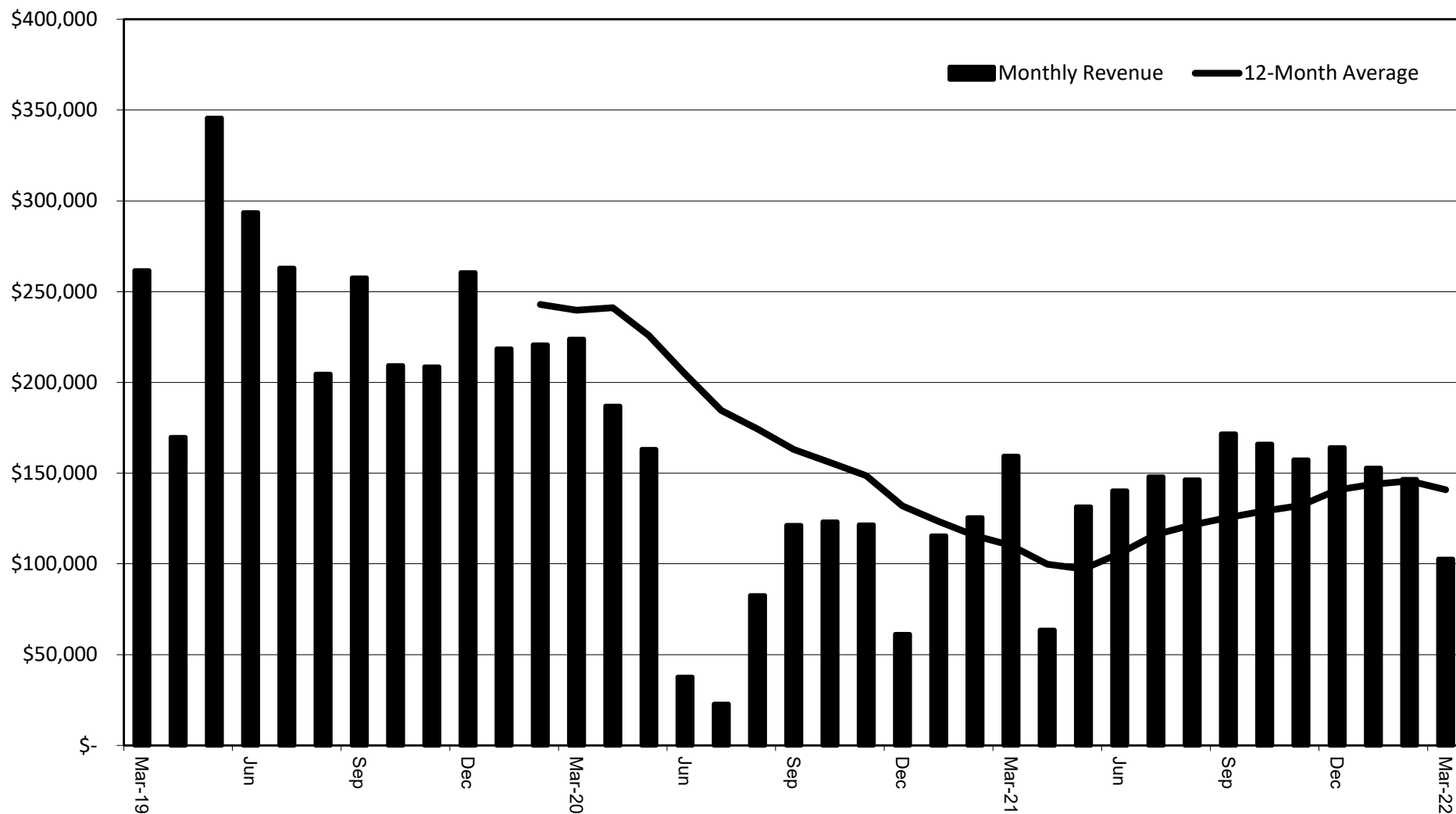


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NVTC MONTHLY GAS TAX REVENUE

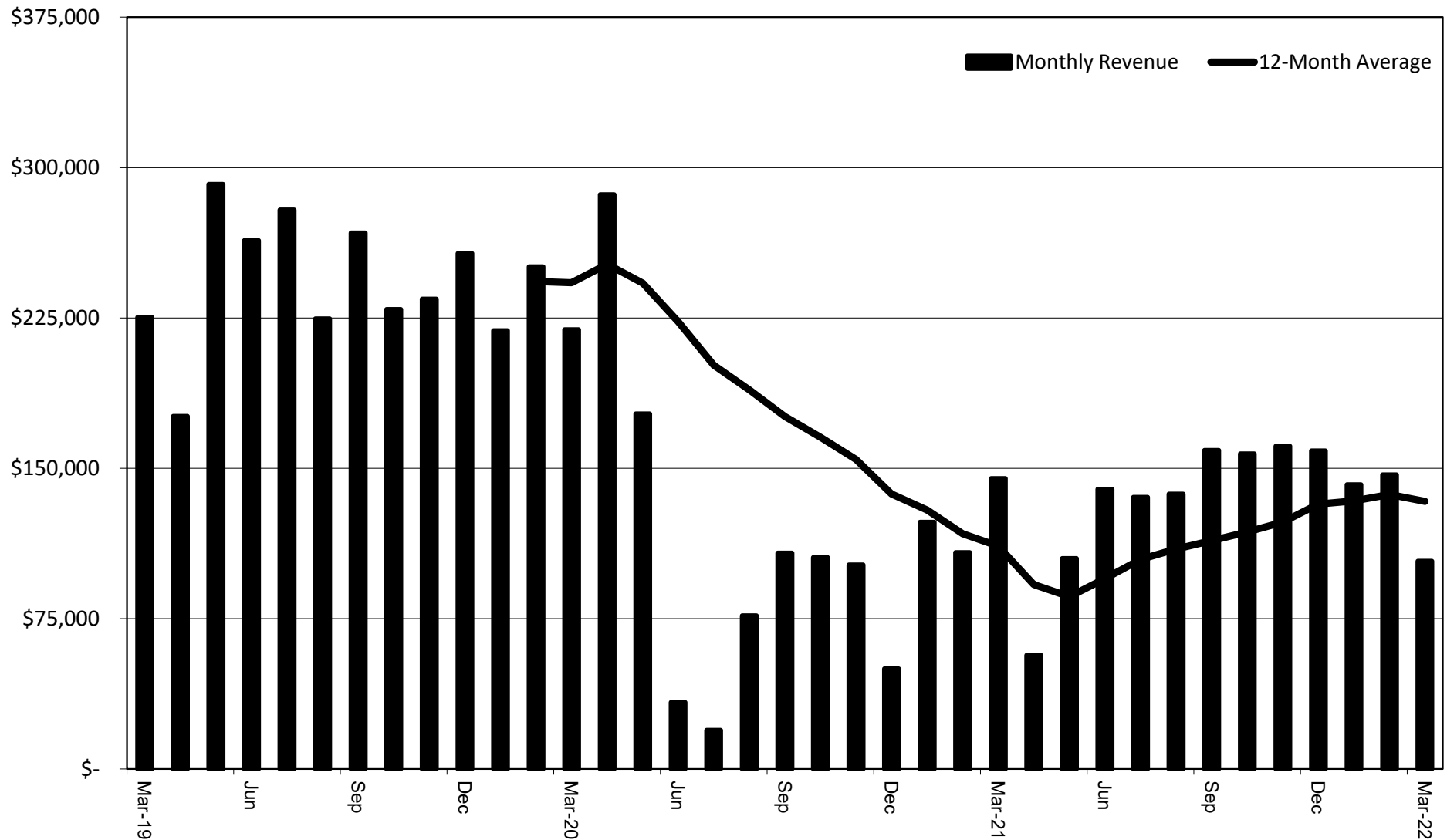
CITY OF ALEXANDRIA

FISCAL YEARS 2019-2022



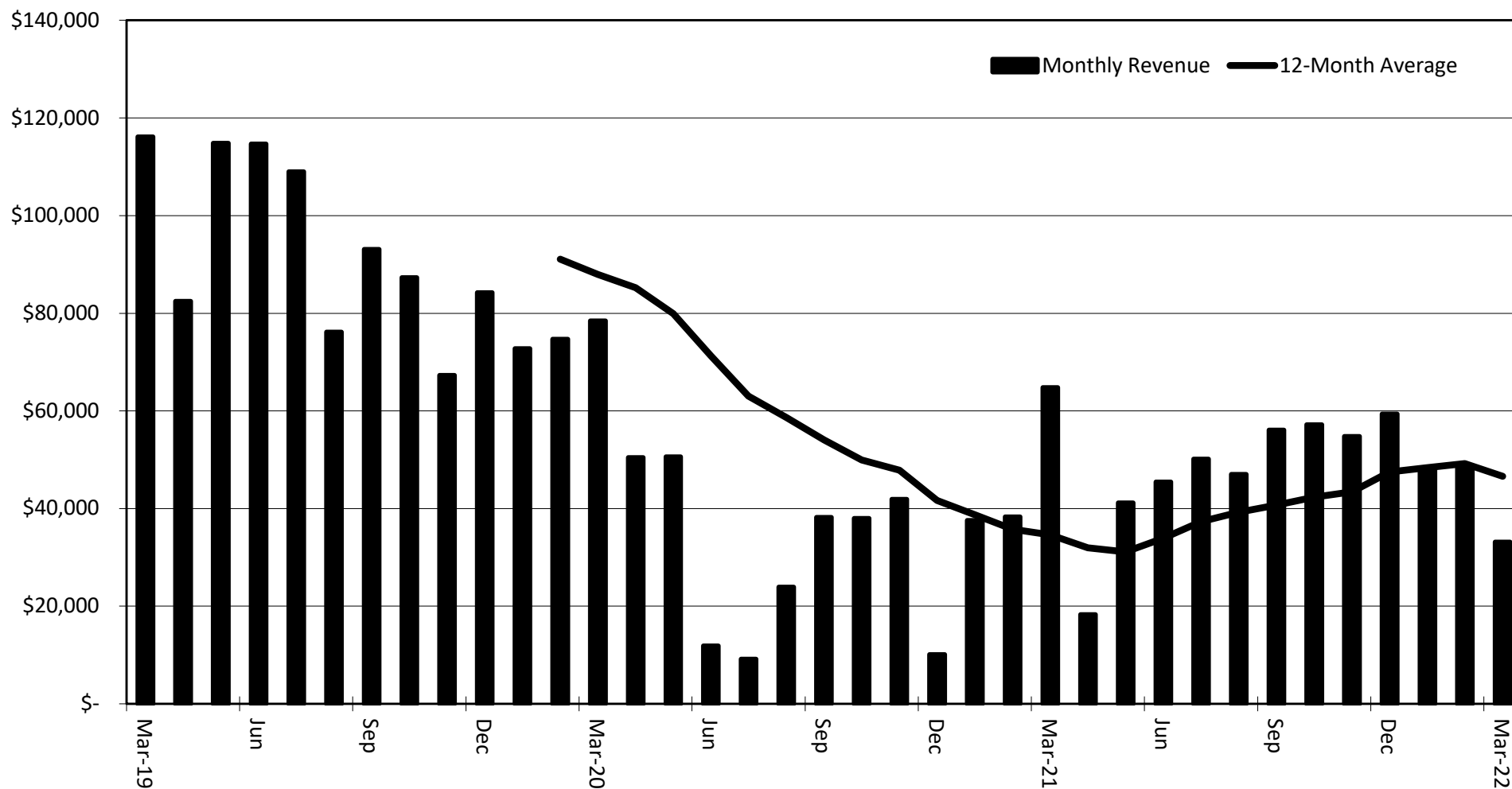
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NVTC MONTHLY GAS TAX REVENUE ARLINGTON COUNTY FISCAL YEARS 2019-2022



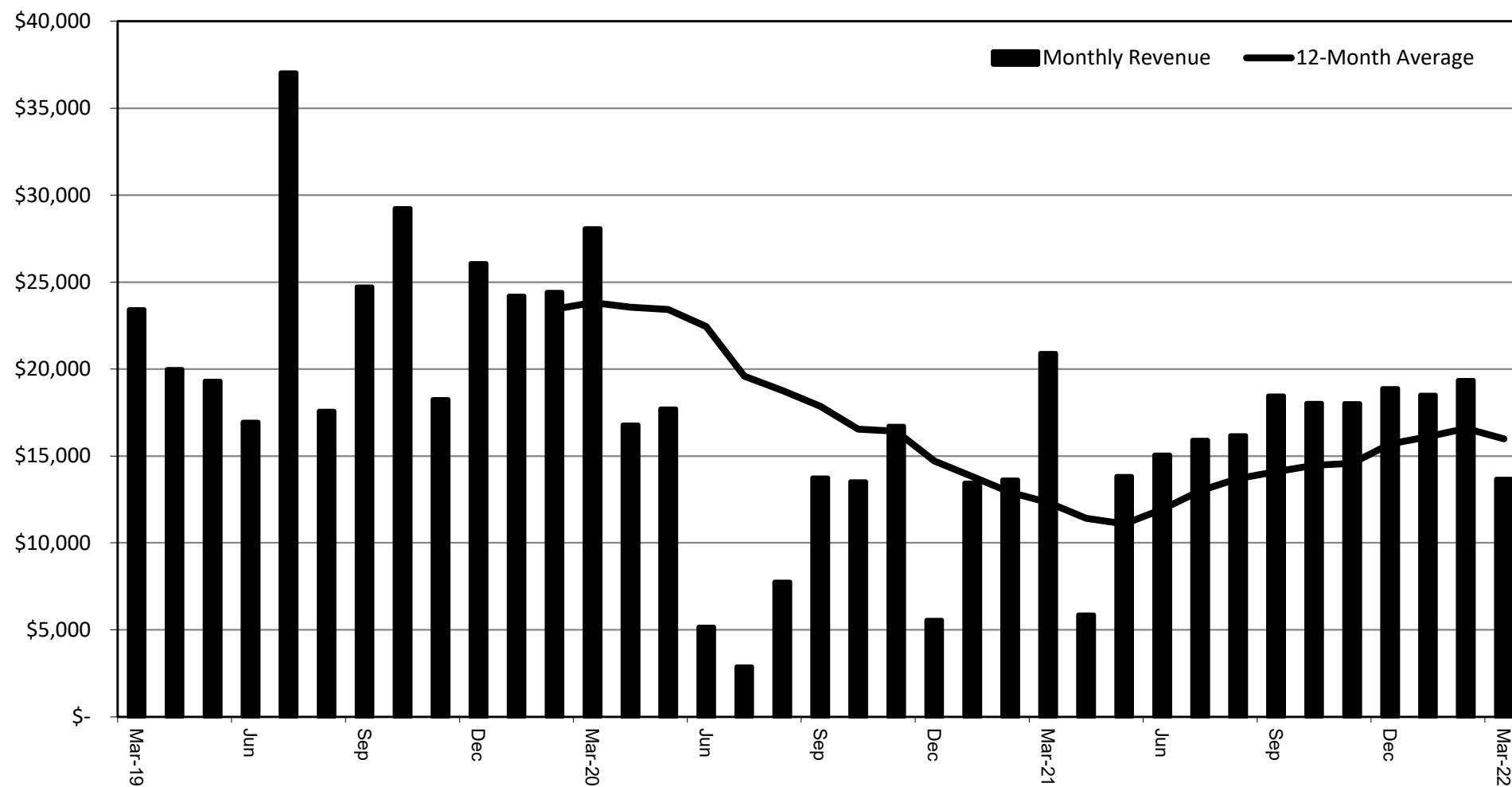
Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NVTC MONTHLY GAS TAX REVENUE CITY OF FAIRFAX FISCAL YEARS 2019-2022



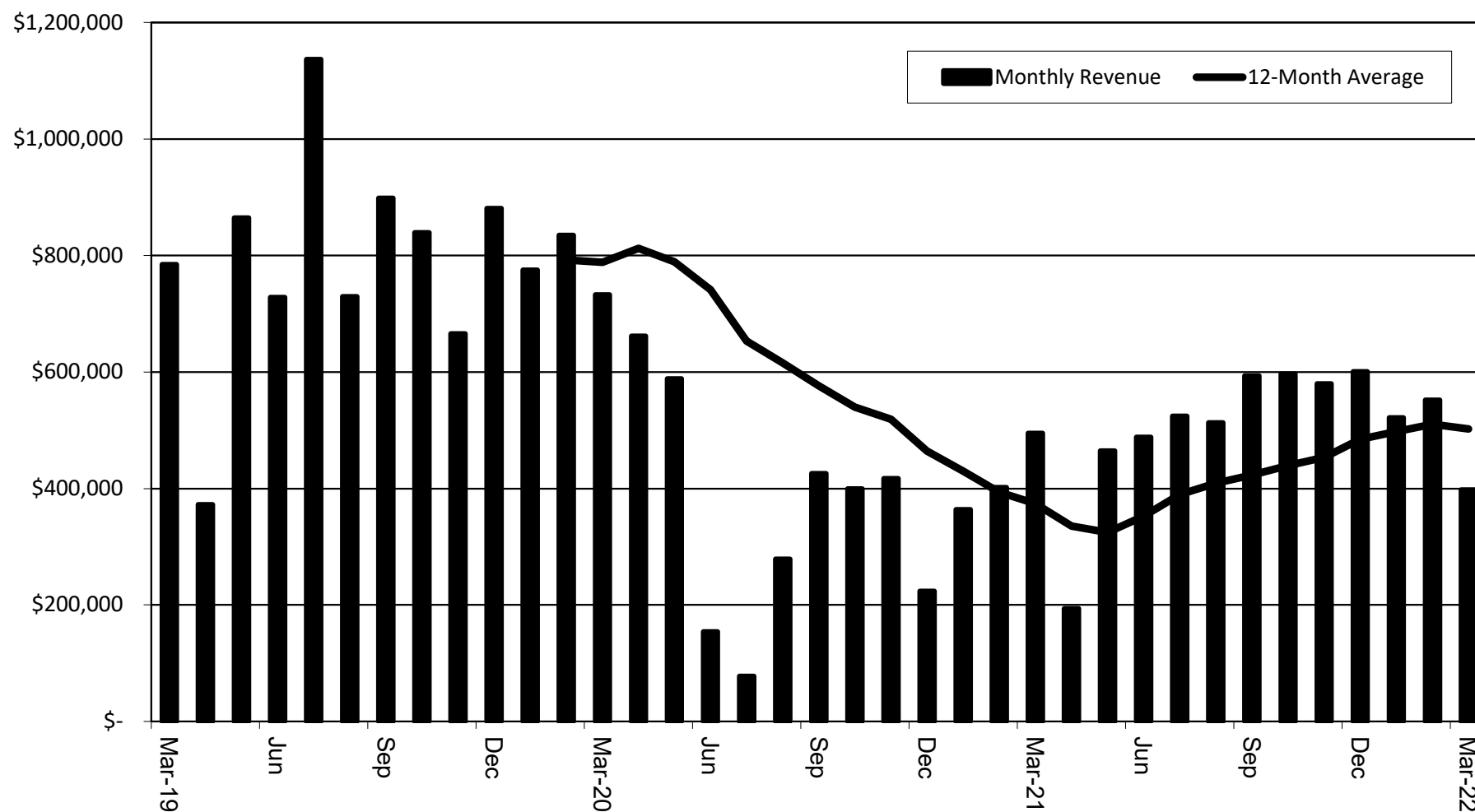
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NVTC MONTHLY GAS TAX REVENUE CITY OF FALLS CHURCH FISCAL YEARS 2019-2022



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NVTC MONTHLY GAS TAX REVENUE LOUDOUN COUNTY FISCAL YEARS 2019-2022



Note: Taxes shown as received by NVTC in a particular month are generated from sales two months earlier.

NORTHERN VIRGINIA TRANSPORTATION COMMISSION
STATE TRANSIT ASSISTANCE APPLIED FOR THROUGH NVTC
FY 2023 Draft and FY 2022 Approved SYIP

	State Assistance		
	<u>FY 2023 Draft</u>	<u>FY 2022 Approved*</u>	<u>Increase (Decrease)</u>
Local Systems			
Transit Capital (Schedule A)			
State of Good Repair	\$ 23,832,806	\$ 27,747,817	
Minor Enhancement	3,658,399	4,186,849	
Major Enhancement	-	20,611,000	
Total Transit Capital	27,491,205	52,545,666	(25,054,460)
Transit Operating (Schedule B)			
Performance Based Formula	43,796,284	41,668,165	2,128,119
Total Local Systems	71,287,489	94,213,831	(22,926,341)
WMATA Subsidies			
Transit Capital and Operating	272,824,271	265,096,933	7,727,338
Total Local Systems and WMATA	344,111,760	359,310,764	(15,199,003)
Other Transit Assistance (Schedule C)	422,000	-	422,000
Total NVTC Transit Assistance	\$ 344,533,760	\$ 359,310,764	\$ (14,777,003)
VRE			
Transit Operating	\$ 24,476,892	\$ 20,397,259	\$ 4,079,633
Transit Capital (Schedule D)	6,186,871	979,700	5,207,171
Total VRE Transit Assistance	\$ 30,663,763	\$ 21,376,959	\$ 9,286,804

Notes:

The table excludes \$50M PRIIA match and dedicated funding provided directly to WMATA
 FY 2022 assistance includes December 2021 and January 2022 CTB actions

SCHEDULE A

**STATE TRANSIT CAPITAL ASSISTANCE
LOCAL SYSTEMS
FY2023**

LOCAL SYSTEMS		Draft SYIP								
FY2023	Project Type	As Applied	Projects Not Approved	Eligible Costs	Costs by Project Type				State Funding	
					SOGR	Minor	Major	Total	DRT	Funding %
CITY OF ALEXANDRIA										
Purchase 35-40' replacement buses (8)	State of Good Repair	\$ 4,830,774	\$ -	\$ 4,830,774	\$ 4,830,774	\$ -	\$ -	\$ 4,830,774	\$ 3,284,926	68%
Total		4,830,774	-	4,830,774	4,830,774	-	-	4,830,774	3,284,926	
CITY OF FAIRFAX										
Purchase vehicle support equipment - security	State of Good Repair	26,742	-	26,742	26,742	-	-	26,742	18,185	68%
Purchase vehicle support equipment - misc.	State of Good Repair	120,000	(120,000)	-	-	-	-	-	-	
Transit infrastructure - route signage	State of Good Repair	50,000	-	50,000	50,000	-	-	50,000	34,000	68%
Total		196,742	(120,000)	76,742	76,742	-	-	76,742	52,185	
FAIRFAX COUNTY										
Purchase replacement support vehicles (4)	State of Good Repair	125,000	-	125,000	125,000	-	-	125,000	85,000	68%
3rd party project management - Maintenance	State of Good Repair	650,000	-	650,000	650,000	-	-	650,000	442,000	68%
Replace shop equipment	State of Good Repair	660,000	-	660,000	660,000	-	-	660,000	448,800	68%
Renovation of maintenance facility - Huntington	State of Good Repair	216,995	-	216,995	216,995	-	-	216,995	147,557	68%
Bus stop inventory and safety program	State of Good Repair	1,200,000	-	1,200,000	1,200,000	-	-	1,200,000	816,000	68%
Facilities equipment - fire alarm replacement West Ox	State of Good Repair	260,000	-	260,000	260,000	-	-	260,000	176,800	68%
Tyson's West Park Transit Center renovations	Minor Expansion	2,200,000	-	2,200,000	-	2,200,000	-	2,200,000	1,496,000	68%
Rehabilitate/rebuild buses - mid-life overhaul (35)	State of Good Repair	3,850,000	-	3,850,000	3,850,000	-	-	3,850,000	2,618,000	68%
Bus ITS project	Minor Expansion	1,140,000	-	1,140,000	-	1,140,000	-	1,140,000	775,200	68%
Purchase 35-40' replacement leased diesel buses (32)	State of Good Repair	21,145,636	(2,357,703)	18,787,933	18,787,933	-	-	18,787,933	12,775,794	68%
Purchase vehicle support equipment chargers (3)	Minor Expansion	924,999	-	924,999	-	924,999	-	924,999	628,999	68%
SmarTrip program updates	State of Good Repair	2,100,000	-	2,100,000	2,100,000	-	-	2,100,000	1,428,000	68%
Total		34,472,630	(2,357,703)	32,114,927	27,849,928	4,264,999	-	32,114,927	21,838,150	
ARLINGTON COUNTY										
Bus stop shelter program	Minor Enhancement	652,000	-	652,000	-	652,000	-	652,000	443,360	68%
Transit signal priority	Minor Enhancement	463,000	-	463,000	-	463,000	-	463,000	314,840	68%
Bus stop accessibility improvements program	State of Good Repair	710,000	-	710,000	710,000	-	-	710,000	482,800	68%
Arlington Transit ITS and security program	State of Good Repair	915,000	-	915,000	915,000	-	-	915,000	622,200	68%
Transitway state of good repair	State of Good Repair	550,000	-	550,000	550,000	-	-	550,000	374,000	68%
Fare collection equipment (20)	State of Good Repair	115,800	-	115,800	115,800	-	-	115,800	78,744	68%
Total		3,405,800	-	3,405,800	2,290,800	1,115,000	-	3,405,800	2,315,944	
CITY OF FALLS CHURCH										
		-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	
TOTAL LOCAL CAPITAL		\$ 42,905,946	\$ (2,477,703)	\$ 40,428,243	35,048,244	5,379,999	-	40,428,243	27,491,205	

STATE TRANSIT CAPITAL ASSISTANCE
LOCAL SYSTEMS
FY2022

SCHEDULE A

LOCAL SYSTEMS

Y2022

Approved SYIP

	Project Type	As Applied	Projects Not Approved	Eligible Costs	Costs by Project Type				State Funding			Funding %	
					SOGR	Minor	Major	Total	DRT	VW Fund	Total		
CITY OF ALEXANDRIA													
Purchase 60' articulated electric expansion buses (4)	Major expansion	\$ 5,208,148	\$ (5,208,148)	\$ -	-	\$ -	\$ -	\$ -	-	\$ -	\$ -	-	
Purchase 40' electric expansion buses (4)	Major expansion	3,605,004	(3,605,004)	-	-	-	-	-	-	-	-	-	
Total		8,813,152	(8,813,152)	-	-	-	-	-	-	-	-	-	
CITY OF FAIRFAX													
Purchase 35-40' replacement hybrid buses (6)	State of good repair	3,000,000	-	3,000,000	3,000,000	-	-	3,000,000	2,040,000	-	2,040,000	68%	
Purchase replacement support vehicle (1)	State of good repair	35,000	-	35,000	35,000	-	-	35,000	23,800	-	23,800	68%	
Total		3,035,000	-	3,035,000	3,035,000	-	-	3,035,000	2,063,800	-	2,063,800		
FAIRFAX COUNTY													
Purchase replacement support vehicles (3)	State of Good Repair	75,000	-	75,000	75,000	-	-	75,000	51,000	-	51,000	68%	
3rd party bus maintenance inspections and audits	State of Good Repair	450,000	(450,000)	-	-	-	-	-	-	-	-	-	
Replace shop equipment	State of Good Repair	600,000	-	600,000	600,000	-	-	600,000	408,000	-	408,000	68%	
Renovation of rail related facilities - parking lot	Minor expansion	1,200,000	-	1,200,000	-	1,200,000	-	1,200,000	816,000	-	816,000	68%	
Bus shelter project*	State of Good Repair	1,200,000	-	1,200,000	1,200,000	-	-	1,200,000	816,000	-	816,000	68%	
Rehabilitate/rebuild buses (31)	State of Good Repair	2,932,500	(2,932,500)	-	-	-	-	-	-	-	-	-	
Bus ITS project	Minor expansion	1,200,000	-	1,200,000	-	1,200,000	-	1,200,000	816,000	-	816,000	68%	
Purchase 35-40' replacement buses (32)	State of Good Repair	17,124,448	-	17,124,448	17,124,448	-	-	17,124,448	11,644,625	-	11,644,625	68%	
Purchase vehicle support equipment chargers (3)	Minor expansion	586,245	-	586,245	-	586,245	-	586,245	-	586,245	586,245	100%	
Farebox upgrades*	State of Good Repair	1,500,000	-	1,500,000	1,500,000	-	-	1,500,000	1,020,000	-	1,020,000	68%	
Purchase support vehicles (14)*	Minor expansion	300,006	-	300,006	-	300,006	-	300,006	204,004	-	204,004	68%	
Purchase 35-40' replacement electric buses (4)	State of Good Repair	3,410,800	-	3,410,800	3,410,800	-	-	3,410,800	1,456,068	1,269,524	2,725,592	80%	
Total		30,578,999	(3,382,500)	27,196,499	23,910,248	3,286,251	-	27,196,499	17,231,697	1,855,769	19,087,466		0
ARLINGTON COUNTY													
Ballston-MU Metrorail station 2nd entrance	Major expansion	47,020,000	(47,020,000)	-	-	-	-	-	-	-	-	-	
Bus stop shelter program*	Minor Enhancement	426,000	-	426,000	426,000	-	-	426,000	289,680	-	289,680	68%	
Purchase 35-40' replacement buses (20)	State of Good Repair	13,660,000	-	13,660,000	13,660,000	-	-	13,660,000	9,288,800	-	9,288,800	68%	
Bus stop accessibility improvements program*	State of Good Repair	669,000	-	669,000	669,000	-	-	669,000	454,920	-	454,920	68%	
Arlington Transit ITS and security program	State of Good Repair	1,102,941	-	1,102,941	1,102,941	-	-	1,102,941	750,000	-	750,000	68%	
Construction admin/operations/maintenance facility*	Major expansion	27,108,000	-	27,108,000	27,108,000	-	-	27,108,000	20,611,000	-	20,611,000		
East Falls Church station bus bay expansion	Major expansion	4,080,000	(4,080,000)	-	-	-	-	-	-	-	-	-	
Total		94,065,941	(51,100,000)	42,965,941	42,965,941	-	-	42,965,941	31,394,400	-	31,394,400		
CITY OF FALLS CHURCH													
		-	-	-	-	-	-	-	-	-	-	-	
Total		-	-	-	-	-	-	-	-	-	-	-	
TOTAL LOCAL CAPITAL		\$ 136,493,092	\$ (63,295,652)	\$ 73,197,440	\$ 69,911,189	\$ 3,286,251	\$ -	\$ 73,197,440	\$ 50,689,897	\$ 1,855,769	\$ 52,545,666		

* Indicates projects approved in December 2022 due to additional funding availability

NVTC
STATE TRANSIT OPERATING ASSISTANCE
LOCAL SYSTEMS

SCHEDULE B

	LOCAL SYSTEMS				
	Alexandria	City of Fairfax	Fairfax County	Arlington County	Total
FY 2023					
State Operating Assistance	\$ 7,229,866	\$ 1,369,833	\$ 28,910,548	\$ 6,286,037	\$ 43,796,284
FY2021 Operating Expenses (50%)	24,080,087	4,423,113	95,634,454	22,027,116	146,164,770
FY2021 Ridership (30%)	1,541,149	326,881	4,566,013	1,423,589	7,857,632
FY2021 Revenue Vehicle Hours (10%)	216,186	34,280	775,301	182,007	1,207,774
FY2021 Revenue Vehicle Miles (10%)	1,962,617	439,054	9,967,405	1,815,035	14,184,111
FY 2022					
State Operating Assistance*	\$ 7,324,687	\$ 1,391,324	\$ 27,349,908	\$ 5,602,246	\$ 41,668,165
FY2019 Operating Expenses (50%)	20,649,615	3,975,210	83,591,088	16,006,416	124,222,329
FY2019 Ridership (30%)	3,831,061	601,578	8,334,820	2,918,849	15,686,308
FY2019 Revenue Vehicle Hours (10%)	251,751	34,273	762,124	226,817	1,274,965
FY2019 Revenue Vehicle Miles (10%)	2,363,882	435,847	10,124,159	2,318,716	15,242,604

NVTC
OTHER STATE TRANSIT ASSISTANCE

SCHEDULE C

	Eligible Costs		Draft SYIP	
	DRPT Funding			
	FY2023	FY2022	FY2023	FY2022
Intern Program				
NVTC fellows program	\$ 40,000	\$ -	\$ 32,000	\$ -
Technical Assistance				
NVTC Regional Zero-Emission Bus Strategic Plan	480,000	-	240,000	-
NVTC Regional Bus Transit Analysis	300,000	-	150,000	-
	<u>\$ 820,000</u>	<u>\$ -</u>	<u>\$ 422,000</u>	<u>\$ -</u>

NVTC
STATE TRANSIT CAPITAL ASSISTANCE
VRE

SCHEDULE D

FY2023	Project Type	Draft SYIP			
		Costs	Federal/Other	State Cost	State Funds
Crystal City Station improvements	Major	\$ 50,114,619	\$ 47,924,465	\$ 2,190,154	\$ 2,190,154
Fleet expansion coaches - 21 rail cars	Major	84,624,563	81,607,518	3,017,045	3,017,045
Debt Service for Rail Projects	SOGR prior multi-year	6,122,951	4,898,361	1,224,590	979,672
		\$ 140,862,133	\$ 134,430,344	\$ 6,431,789	\$ 6,186,871

FY2022	Project Type	Draft SYIP			
		Costs	Federal/Other	Non-Federal	State Funds
Debt Service for Rail Projects	SOGR	\$ 6,123,126	\$ 4,898,501	\$ 1,224,625	\$ 979,700
		\$ 6,123,126	\$ 4,898,501	\$ 1,224,625	\$ 979,700