

Resolution #2242

SUBJECT: Authorize the VRE CEO to Execute an Amended Operating Agreement with Norfolk Southern.

WHEREAS: The Commissions currently have an amended Operating Access Agreement with Norfolk Southern Corporation with Commission authority to extend through July 31, 2014;

WHEREAS: Following detailed negotiations with Norfolk Southern Corporation representatives, an agreement has been reached for a new amended and restated Operating Access Agreement;

WHEREAS: The new Agreement allows for renewal after five (5) years if no major changes are necessary to the existing Agreement;

WHEREAS: Escalation of the base payment and train mile fees are now based on the AAR index adjusted annually;

WHEREAS: Funding for the Norfolk Southern track access fees has been included in the FY 2014 and FY 2015 VRE budgets, including an estimated annual escalation of four percent;

WHEREAS: Funding for additional fiscal years will be included in the annual budgets submitted for approval to the VRE Operations Board and Commissions;


WHEREAS: Norfolk Southern requires the effective date of the new agreement become retroactive to July 1, 2013; and

WHEREAS: The VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission authorize the VRE Chief Executive Officer to execute an amended Operating Access Agreement with Norfolk Southern Corporation for track access with a retroactive effective date of July 1, 2013.

Approved this 3rd day of April 2014.


Jay Fisette
Secretary-Treasurer


Paul C. Smedberg
Chairman