VRE OPERATIONS BOARD MEETING

June 20, 2014 9:30 am
PRTC Headquarters
14700 Potomac Mills Road
Woodbridge, VA 22192

AGENDA

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes from the May 16, 2014 VRE Operations Board Meeting
5. Chairman’s Comments
6. Chief Executive Officer’s Report
7. Virginia Railway Express Riders’ and Public Comments
8. Closed Session
9. Action Items
   A. Authorization to Issue a Request for Proposals for Maintenance of Equipment and Equipment Storage and Maintenance Facilities
   B. Authorization to Issue a Request for Proposals for Fence Installation and Repair Services
   C. Authorization to Award a Contract for Wheelset Rehabilitation Services
   D. Authorization to Award a Contract for Interior Cleaning of Passenger Rail Cars
E. Authorization to Award a Purchase Order for Multi-Function Copier
   Lease Agreement

F. Authorization to Award a Task Order to NV Enterprises for Electrical Service
   Installation

G. Authorization to Award a Sole Source Agreement with Dominion Virginia Power
   for Electrical Services

H. Authorization to Sell Six Legacy Gallery Cars

I. Recommend the Commissions Approve Amendment to FRA Financing
   Agreement

J. Authorization to Execute the Second Amendment to the Corridor Improvement
   Project MOU Between VRE, DRPT, and CSXT for the Addition of the Potomac
   Shores Station

K. Recommendation of Amended VRE Master Agreement Regarding Weighted
   Voting to the Commissions and Participating and Contributing Jurisdictions for
   Approval

10. Information Item

   A. Legislative Update

11. Operations Board Members’ Time

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   **Executive Committee Meeting** June 20, 2014 – 9:00 am

   **Capital Committee Meeting** to immediately follow
   adjournment of the Operations Board Meeting.

   **The Next VRE Operations Board Meeting**
   July 18, 2014 - 9:30 am at PRTC
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Issue a Request for Proposals for Maintenance of Equipment and Equipment Storage and Maintenance Facilities

Recommendation:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to issue a Request for Proposals (RFP) for maintenance of equipment and equipment storage and maintenance facilities.

Background:

On December 17, 2009, VRE awarded a contract to Keolis Rail Services America for Operations and Services. Since this time, VRE has acquired new locomotives, issued contracts to replace the remaining legacy passenger car fleet and has adopted a life-cycle maintenance approach. Currently, all mechanical services are provided for under a cost plus purchase of services agreement. VRE is in need of a competitive procurement to transition to a fixed fee Contract and a modified scope of work that reflects the implementation of life cycle maintenance. Therefore, VRE must now complete a competitive solicitation for continuation of these services.

The scope of work for the RFP includes providing management, supervision and labor to perform daily, preventive and life cycle maintenance for a current fleet of twenty (20) MP36PH-3CT2R locomotives and up to one-hundred ten (110) Gallery Style passenger coaches currently manufactured by Nippon Sharyo. This will be considered the base work and provided for under a fixed fee purchase of services agreement. The Contract will include mechanisms to expand the scope of work if fleet size increases. In addition, running repair services will be included in this
Contract and provided through separate task orders. Included in this solicitation will be maintenance and repairs for VRE’s equipment storage and maintenance facilities.

As a result of this solicitation, there will be separate Contracts for train operations and maintenance of equipment services. In both Contracts there will be protocols and requirements to ensure harmony and a focused approach towards a common goal. These protocols and requirements will be in the form of mandated, cooperative processes developed jointly by VRE and the contractors. Incentives and penalties will be based on these cooperative efforts to promote a safe and reliable service for VRE customers.

The base Contract term will be for five years with two, five year options exercised at the discretion of VRE. This Contract will run concurrent with the train operations services Contract.

Upon receipt of the proposals, VRE will return to the VRE Operations Board with a request for authorization to award the contract in an effort to continue the services without interruption. The RFP is planned to be published in July 2014 with proposals due in October 2014. Contract award is anticipated in January of 2015 allowing for a five month mobilization and seamless transition period.

**Fiscal Impact:**

There is no fiscal impact associated with the issuance of this solicitation.
Virginia Railway Express
Operations Board

Resolution
9A-06-2014

Authorization to Issue a Request for Proposals
for Maintenance of Equipment and Equipment
Storage and Maintenance Facilities

WHEREAS, VRE currently contracts all VRE train operations and mechanical services under an Operations and Services contract; and,

WHEREAS, VRE has acquired new locomotives and passenger cars; and,

WHEREAS, VRE has adopted a life-cycle maintenance approach to ensure long-term reliability of VRE locomotives and passenger cars; and,

WHEREAS, currently maintenance of equipment services are provided for under a cost plus purchase of services agreement; and,

WHEREAS, VRE desires to obtain these maintenance services through a fixed fee purchase of services agreement for the base work with task order Contracts for running repair and non-standard work.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to issue a Request for Proposals (RFP) for Maintenance of Equipment and Equipment Storage and Maintenance Facilities.

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Issue a Request for Proposals for Fence Installation and Repair Services

Recommendation:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to issue a Request for Proposals (RFP) for Fence Installation and Repair Services.

Background:

Throughout the VRE service area, including stations, maintenance and storage facilities and between tracks, VRE utilizes fences to act as barriers to limit encroachment and maintain security perimeters. As such, VRE is often in need of installation, replacement and repairs services. The scope of work for this RFP includes installing new fences and the replacement or repair of existing fencing at various locations.

This will be a multi-year contract that includes a base year plus two (2) one (1) year options. Upon receipt of the proposals, VRE will return to the Board with authorization to award the contract.

Fiscal Impact:

There is no fiscal impact to issuing this solicitation. Repair of existing fences is budgeted in the FY 2015 operating budget. The cost of future repairs will be budgeted in subsequent fiscal years.
Virginia Railway Express
Operations Board

Resolution
9B-06-2014

Authorization to Issue a Request for Proposals For Fence Installation and Repair Services

WHEREAS, fencing in and around VRE stations and other facilities are routinely in need of repair; and,

WHEREAS, requirements for new fence installations and replacement of existing fencing have been identified; and,

WHEREAS, upon receipt of proposals VRE will return to the Operations Board to seek authorization to award a contract.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to issue a Request for Proposals (RFP) for Fence Installation and Repair Services.

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Award a Contract for Wheelset Rehabilitation Services

Recommendation:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to execute a contract for wheelset rehabilitation services with UTCRAS of Morton, PA for an amount not to exceed $783,939, plus a 10% contingency of $78,394, for a total amount not to exceed $862,333. The contract is for a base year and two option years, with the CEO exercising the option years at his discretion.

Background:

On January 17, 2014, the VRE Operations Board approved a request to issue an Invitation for Bids (IFB) for the rehabilitation of wheelsets. A mailing list of five (5) prospective Bidders was established for the solicitation to ensure access to adequate sources of services. On April 11, 2014, an IFB was issued and bids were due on May 12, 2014. One (1) bid was received. A second bid was delivered after the published due date and, therefore, could not be accepted. Staff assessed the single bid price and determined it was reasonable.

The bid abstract is as follows:

<table>
<thead>
<tr>
<th>BIDDERS</th>
<th>BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. UTCRAS of Morton, PA</td>
<td>$261,313.00</td>
</tr>
</tbody>
</table>
After review of the bids, it was determined that UTRAS was the lowest responsive-responsible bidder for wheelset rehabilitation services.

**Fiscal Impact:**

The FY 2015 budget for equipment operations includes funding for the base year of this contract. Funding will be requested in the FY 2016 and FY 2017 budgets for the option years.
Virginia Railway Express
Operations Board

Resolution
9C-06-2014

Authorization to Award a Contract for
Wheelset Rehabilitation Services

WHEREAS, VRE has a need for wheelset rehabilitation services in order to operate
daily commuter trains; and,

WHEREAS, the wheelset rehabilitation services contract is set to expire on June 30,
2014; and,

WHEREAS, the VRE Operations Board authorized the issuance of an invitation for
bids on January 17, 2014; and,

WHEREAS, one response was received and VRE has determined UTCRAS to have
provided a responsive and responsible bid and the lowest price for wheelset
rehabilitation services.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does
hereby authorize the Chief Executive Officer to execute a contract for wheelset
rehabilitation services with UTCRAS of Morton, PA for an amount not to exceed
$783,939, plus a 10% contingency of $78,394, for a total amount not to exceed
$862,333. The contract is for a base year and two option years, with the CEO
exercising the option years at his discretion.

Approved this 20\textsuperscript{th} day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board
From: Doug Allen
Date: June 20, 2014
Re: Authorization to Award a Contract For Interior Cleaning of Passenger Railcars

Recommendation:
The VRE Operations Board is being asked to authorize the Chief Executive Officer to execute a contract with ServiceMaster Preferred Services of Woodbridge, VA for interior cleaning of passenger cars in the amount of $573,624, plus a 10% contingency of $57,362, for a total amount not to exceed $630,986, for a base year and two option years, with the CEO exercising the option years at his discretion.

Background:
On April 18, 2014, the VRE Operations Board approved a request to issue a Request for Proposals (RFP) for intensive interior cleaning of passenger railcars to supplement the daily cleaning. A mailing list of nine (9) prospective Offerors was established for the solicitation to ensure access to adequate sources of services. On May 2, 2014, an RFP was issued and proposals were due on June 2, 2014. Three (3) responses were received.

The Technical Evaluation Team met to review and discuss the proposals. It was determined that the proposal from ServiceMaster Preferred Service of Woodbridge, VA was technically compliant and unanimously selected to be best value for the project.

The contract will be for a base year and two option years, with the VRE CEO exercising the option years at his discretion. This authorization allows work to begin immediately upon execution of Contract.
**Fiscal Impact:**

The FY 2015 budget for equipment operations includes funding for the first year of this activity. Funding for future years will be included in subsequent annual budgets.
Virginia Railway Express
Operations Board

Resolution
9D-06-2014

Authorization to Award a Contract for Interior Cleaning of Passenger Railcars

WHEREAS, VRE has a need for intensive interior cleaning of passenger railcars to supplement the daily cleaning, in order to maintain a state of good repair and a positive customer image; and,

WHEREAS, the VRE Operations Board authorized the issuance of a request for proposals on April 18, 2014; and,

WHEREAS, three (3) proposals were received and it was determined by the selection committee ServiceMaster Preferred Services of Woodbridge, VA to have provided a responsive and responsible proposal for interior cleaning of passenger railcars.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to execute a contract with ServiceMaster Preferred Services of Woodbridge, VA for interior cleaning of passenger cars in the amount of $573,624, plus a 10% contingency of $57,362, for a total amount not to exceed $630,986, for a base year and two option years, with the CEO exercising the option years at his discretion.

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
Agenda Item 9-E  
Action Item

To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Award a Purchase Order for Multi- function Copier Lease Agreement

Recommendation:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to execute a Purchase Order with Sharp Electronics Corporation of Mahwah, NJ in an amount not to exceed $79,740 for the lease of two (2) multi-function color copiers. The term of the lease agreement shall be for a period of one base year and four option years with the CEO exercising the option years at his discretion.

Background:

The two multi-function black and white copiers currently utilized at the VRE offices were obtained through an eVA (public procurement) lease agreement executed in 2006 with Ricoh. The copiers are presently leased on a month-to-month basis with supply, maintenance and repair costs paid as needed.

New color copiers with greater capacity and functionality are required to increase VRE’s in-house printing capabilities, thereby reducing the need to rely on outside sources to provide printed materials used to disseminate information to passengers and others. Additionally, the new copiers will also serve to replace two networked color printers and multiple black and white printers that are no longer supported by the manufacturer.
In December 2012, following a competitive Request for Proposals process, the National Joint Powers Alliance (NJPA) entered into Contract No. 100312-SEC with Sharp Electronics Corporation for copiers with related imaging equipment solutions, accessories, supplies and services. VRE intends to take advantage of this national cooperative price contract.

**Fiscal Impact:**

Funding is provided for in the FY 2015 operating budget for Administration and is expected to save approximately $6,800 annually in reduced outsourcing and printing supplies. Funding for future years will be included in each proposed annual budget.
Virginia Railway Express
Operations Board

Resolution
9E-06-2014

Authorization to Award a Purchase Order for
Multi-function Copier Lease Agreement

WHEREAS, in 2006, VRE entered a lease agreement with Ricoh America, Inc. for two (2) multi-function black and white copiers; and,

WHEREAS, new multi-function color copiers will replace the existing multi-function black and white copiers as well as multiple networked printers, which are no longer being supported by the manufacturer; and,

WHEREAS, the new multifunction color copiers will reduce the need to outsource large color print jobs to third party printing companies.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to execute a Purchase Order with Sharp Electronics Corporation of Mahwah, NJ in an amount not to exceed $79,740 for a period of one base year and four option years with the CEO exercising the option years at his discretion.

Approved this 20th day of June, 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Award a Task Order to NV Enterprises for Electrical Service Installation

Recommendation:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to award a task order under the facilities maintenance contract to NV Enterprises for electrical services associated with the installation of a new electric service at the Broad Run yard in an amount of $125,000, plus a 10% contingency of $12,500, for a total amount not to exceed $137,500.

Background:

Electric power for the Broad Run crew building, Broad Run station and a portion of the parking lot lighting is currently supplied from an existing electric service adjacent to the service and inspection building by means of an electrical duct bank underneath the yard’s storage tracks. An electrical investigation conducted by NV Enterprises in response to a recent power outage affecting these facilities revealed significant damage to this duct bank.

Similar power outages have occurred over recent years, and repairs were made by pulling new wiring through the duct bank. However, the electrical investigation indicated that the damage has increased in severity and pulling new wiring is no longer an option. As the duct bank is located directly below active tracks, a conventional open cut repair is also infeasible.
VRE is requesting Board authorization separately to execute an agreement with Dominion Virginia Power for a new electric service that will reroute the power supply to the affected facilities and will result in the abandonment of the damaged duct bank.

In order to address immediate power needs and develop a permanent solution to the problem, NV Enterprises is providing a number of necessary electrical services. These include generator rental and fuel, an electrical investigation, preparation of a load letter for Dominion Virginia Power and the design and installation of electrical wiring and equipment beyond the scope of Dominion’s service installation.

This task order covers the estimated costs of the above-referenced electrical services.

**Fiscal Impact:**

Funding for this agreement is included in the FY 2014 operating budget for facilities non-routine repairs.
WHEREAS, damage to an existing electrical duct bank underneath the Broad Run yard storage tracks has caused several power outages affecting yard, station and lighting facilities; and,

WHEREAS, conventional repair methods are infeasible due to the severity of the damage and the duct bank's location under the tracks; and,

WHEREAS, VRE is requesting Board authorization separately to execute an agreement with Dominion Virginia Power for the installation of a new electric service; and,

WHEREAS, this task order will allow NV Enterprises to provide necessary electrical services associated with the new electric service.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to award a task order under the facilities maintenance contract to NV Enterprises for electrical services associated with the installation of a new electric service at the Broad Run yard in an amount of $125,000, plus a 10% contingency of $12,500, for a total amount not to exceed $137,500.

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
Agenda Item 9-G

Action Item

To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Award a Sole Source Agreement with Dominion Virginia Power for Electrical Services

Recommendation:

The VRE Operations Board is being asked to authorize the Chief Executive Officer to execute a Sole Source agreement with Dominion Virginia Power for the installation of a new electric service at the Broad Run Yard for a total amount not to exceed $118,000.

Background:

Electric power for the Broad Run crew building, Broad Run station and a portion of parking lot lighting is currently supplied from an existing electric service adjacent to the service and inspection building by means of an electrical duct bank underneath the yard’s storage tracks. An electrical investigation conducted by NV Enterprises in response to a recent power outage affecting these facilities revealed significant damage to this duct bank.

Similar power outages have occurred over recent years, and repairs were made by pulling new wiring through the duct bank. However, the electrical investigation indicated that the damage has increased in severity and pulling new wiring is no longer an option. As the duct bank is located directly below active tracks, a conventional open cut repair is also infeasible.
Installation of a new electric service by Dominion Virginia Power will reroute the power supply to the affected facilities and will result in the abandonment of the damaged duct bank.

VRE has initiated a work request with Dominion Virginia Power and received a preliminary estimate. NV Enterprises’ electrical design consultant also provided an estimate for this work therefore the cost is not expected to exceed the requested amount.

**Fiscal Impact:**

Funding for this agreement is included in the FY2014 operating budget for facilities non-routine repairs.
Virginia Railway Express
Operations Board

Resolution
9G-06-2014

Authorization to Award a Sole Source Agreement with
Dominion Virginia Power for Electrical Services

WHEREAS, Damage to an existing electrical duct bank underneath the Broad Run yard storage tracks has caused several power outages affecting yard, station and lighting facilities; and,

WHEREAS, Conventional repair methods are infeasible due to the severity of the damage and the duct bank's location under the tracks; and,

WHEREAS, this agreement will provide a new power supply to the affected facilities and result in the abandonment of the damaged duct bank; and,

WHEREAS, the pending cost estimate from Dominion Virginia Power is not expected to exceed the requested amount.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to execute a sole source agreement with Dominion Virginia Power for the installation of a new electric service at the Broad Run Yard for a total amount not to exceed $118,000.

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board  
From: Doug Allen  
Date: June 20, 2014  
Re: Authorization to Sell Six Legacy Gallery Cars

Recommendation:

The VRE Operations Board is being asked to recommend the Commissions authorize the Chief Executive Officer to sell six legacy Gallery cars and spare parts to Metra of Chicago, IL for *(amount to be provided at the meeting.)*

Background:

In February of 2013, the Operations Board granted the CEO authority to sell the remaining legacy Gallery cars as new passenger cars are delivered and placed into revenue service. Since that time, a Request For Interest (RFI) has been posted on the VRE website for public sale and staff received a single proposal from Metra of Chicago, IL to purchase six legacy Gallery cars V430, V431, V433, V437, V440 and V449 and spare parts.

VRE staff recommends execution of a sales agreement as no other offers have been received and the cost to dispose of these cars is higher than this proposal. The spare parts are unique to these cars and would be considered obsolete for use by VRE once the cars are no longer in VRE service. The sales agreement will include no warranties, implied or expressed, and the sale will be considered “as is, where is”. There is no federal, state, or local interest remaining in these cars. However, because federal and state funds were used to purchase and renovate the above listed cars, both FTA and the state will be notified of the sale in accordance with grant requirements.
**Fiscal Impact:**

The proceeds from this sale will be placed into the capital reserve and used for the future purchase of rolling stock equipment.
Authorization to Sell Six Legacy Gallery Cars

WHEREAS; in February of 2013, the Operations Board granted authority to sell the remaining legacy Gallery cars in anticipation of the new railcar delivery; and

WHEREAS, VRE posted a Request for Interest (RFI) on the VRE website for public sale; and,

WHEREAS, a proposal was received from Metra of Chicago, IL to purchase the V430, V431, V433, V437, V440 and V449 legacy Gallery cars and spare parts.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend the Commissions authorize the Chief Executive Officer to sell six legacy Gallery cars V430, V431, V433, V437, V440 and V449 and spare parts to Metra of Chicago, IL for (amount to be provided at the meeting.)

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Recommend the Commissions Approve Amendment to FRA Financing Agreement

Recommendation:

The VRE Operations Board is being asked to recommend that the Commissions approve Amendment No. 1 to the Financing Agreement with the Federal Railroad Administration (FRA) for the purchase of rolling stock in order to amend the timeframe for the annual submission of audited financial statements.

Background:

In October 2007, NVTC, on behalf of VRE, entered into a Financing Agreement with the FRA for the purchase of rolling stock under the Railroad Rehabilitation and Improvement Financing Loan Program (RRIF). PRTC was a signatory on the Financing Agreement, as a consenting party. The RRIF loan was initially for the purchase of 50 replacement rail cars, later increased to 60 rail cars, in a loan amount not to exceed $72.5 million. The final amount borrowed was $68.9M.

Section 4.6 (a) of the Financing Agreement requires that audited financial statements be provided within 120 days of the end of each fiscal year, which is the end of October. The VRE financial statements are presented to the Operations Board in November, which gives us the necessary time to close our books, coordinate with our funding partners, provide the auditors with the necessary information for their review, produce the CAFR document and present it at a monthly Board meeting. As a result, each year FRA has extended the requirement by 30 days to the end of November. This year at their annual review of the RRIF loan, FRA recommended that the Financing Agreement be modified in order to change the requirement to 120 days for the provision of unaudited financial statements, with audited statements provided within 150 days.
Fiscal Impact:

This modification of the Financing Agreement has no fiscal impact.
Recommend the Commissions Approve Amendment to FRA Financing Agreement

WHEREAS, the Northern Virginia Transportation Commission (NVTC) entered into a Financing Agreement with the Federal Railroad Administration (FRA) dated October 31, 2007 for the purchase of rolling stock, with the Potomac and Rappahannock Transportation Commission (PRTC) as a consenting party; and,

WHEREAS, Section 4.6 (a) of the Financing Agreement requires that audited financial statements be provided to the FRA within 120 days of the end of each fiscal year; and,

WHEREAS, the VRE audited financial statements are available after the November Operations Board meeting, which is beyond the 120 day timeframe; and,

WHEREAS, the FRA has approved a change to the terms of the Financing Agreement to accommodate the VRE schedule for the provision of the required information.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby request that the Commissions approve Amendment No. 1 to the Financing Agreement between NVTC and the FRA to amend Section 4.6 (a) to require that audited financial statements be delivered by 150 days after the end of each fiscal year, with unaudited statements provided within 120 days and that the Executive Directors of NVTC and PRTC be authorized to sign the amendment on behalf of the Commissions.

Approved this 20th day of June 2014

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Paul Milde
Chairman

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Gary Skinner
Secretary
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Authorization to Execute the Second Amendment to the Corridor Improvement Project MOU Between VRE, DRPT, and CSXT for the Addition of the Potomac Shores Station

Recommendation:

The VRE Operations Board is being asked to recommend that the Commissions authorize the Chief Executive Officer to execute the attached Second Amendment to the January 31, 2002, Memorandum of Understanding (MOU) with CSX Transportation (CSXT) and the Commonwealth of Virginia’s Department of Rail and Public Transportation (DRPT) pertaining to the CSXT Third Mainline Corridor Improvement Project. This proposed amendment allows the Potomac Shores station to open when it is complete.

Background:

On January 31, 2002, VRE executed a MOU with CSXT and DRPT that memorialized the process for how the Commissions would fulfill their commitment to build a third mainline track in the CSXT Washington to Richmond rail corridor. The MOU identifies the Group 1 Improvements to the CP Virginia to XR rail corridor to expand its capacity and corresponding enhancements in VRE service enabled by the implementation of those improvements.

In March 2009, a First Amendment to the MOU was approved by all parties addressing details concerning the allocation of passenger service benefits resulting from corridor improvement made pursuant to the MOU.

The addition of the VRE Potomac Shores station and/or the initiation of VRE service to that station are not addressed in the MOU. This Second Amendment to the MOU details the Group 2 Improvements necessary to allow Potomac Shores Station to open.
VRE plans for a station at Potomac Shores in Prince William County (formerly referred to as Cherry Hill or Harbor Station) date to the early years of VRE operations. Following several earlier attempts, Prince William County and the current developer agreed on a proffer approved by Prince William County in July 2013 (REZ #PLN2012-00420) that includes a commitment by the current developer to fund and construct the VRE Potomac Shores station. The station will consist of dual station platforms connected by a pedestrian bridge and 550 parking spaces for VRE patron priority use.

The developer will commence the design and construction of the station facilities upon receipt of the following:

- A written request from VRE or Prince William County, subject to VRE and the County approving the plans for the station,
- The provision of evidence that funding is available and all permits and approvals have been issued to enable VRE rail service to the Potomac Shores station (i.e., approval from CSXT to permit VRE service to the station), and
- A commitment by VRE or the County to assume maintenance of all station facilities.

In order to permit Potomac Shore Station, CSX has asked that improvements according to the time commitments reflected in Exhibit A of Addendum B, are made at each of the stations along the CSX line to accommodate serving each station from more than one track. These commitments are shown in the table below.

<table>
<thead>
<tr>
<th>Project</th>
<th>Preliminary Engineering Entry</th>
<th>Final Design Entry</th>
<th>Construction Notice to Proceed</th>
<th>Revenue Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alex. Station Pedestrian Tunnel</td>
<td>March 2014</td>
<td>September 2014</td>
<td>June 2015</td>
<td>September 2016</td>
</tr>
<tr>
<td>Slaters Lane Crossover</td>
<td>June 2015</td>
<td>June 2016</td>
<td>July 2017</td>
<td>January 2018</td>
</tr>
<tr>
<td>Lorton Station Second Platform</td>
<td>Complete</td>
<td>September 2014</td>
<td>January 2016</td>
<td>December 2017</td>
</tr>
<tr>
<td>Brooke Station Second Platform</td>
<td>September 2014</td>
<td>July 2016</td>
<td>July 2018</td>
<td>July 2020</td>
</tr>
<tr>
<td>Leeland Station Second Platform</td>
<td>September 2014</td>
<td>July 2016</td>
<td>July 2018</td>
<td>July 2020</td>
</tr>
</tbody>
</table>

This will provide operational flexibility to CSX and VRE as well as throughput capacity. The list of improvements (a.k.a. Group 2 Interim Improvements) is shown in Exhibit A of Addendum B.
The proposed MOU Second Amendment, Addendum B, and Exhibit A drafts are attached and are subject to final revision based on further discussion among the parties.

Fiscal Impact:

Funding for the bulk of the Group 2 Interim Improvements has been secured from the federal CMAQ program, various state programs, allocations of NVTA funds, and a small amount of VRE formula funds. Funding for two projects, the track and signal improvements at Slater's Lane and the remaining funding for a second platform at Rippon were submitted to NVTA for funding consideration for the FY14-FY16 round of funding. If not fully awarded in this round, the proposed timing would allow for resubmission in future years.

The expanded station facilities will add to VRE’s ongoing operating and maintenance costs, which will be reflected in future annual budgets. The maintenance portion will be quantified as part of the facilities asset management plan, currently in process.
WHEREAS, on January 31, 2002, VRE executed a Memorandum of Understanding (MOU) with CSX Transportation (CSXT) and the Commonwealth of Virginia’s Department of Rail and Public Transportation (DRPT) that detailed the process to jointly identify and implement improvements to the CSXT rail corridor between Washington, DC and the VRE Crossroads Yard and corresponding enhancements in VRE rail service following such improvements in order to implement VRE’s commitment to build a third mainline in the rail corridor as set forth in the Operating Access Agreement with CSXT; and,

WHEREAS, VRE and Prince William County have long-held plans for a station at the Potomac Shores site; and,

WHEREAS, a proffer statement was approved by the Prince William County Board of Supervisors in July 2013 that included a commitment by the Potomac Shores developer to fund and construct the VRE Potomac Shores station; and,

WHEREAS, the Potomac Shores developer will commence design and construction of the VRE Potomac Shores station upon receipt of evidence of CSXT approval to permit VRE service to the station.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend the Commissions authorize the Chief Executive Officer to execute the attached Second Amendment to the January 31, 2002, Memorandum of Understanding (MOU) with CSX Transportation (CSXT) and the Commonwealth of Virginia’s Department of Rail and Public Transportation (DRPT) pertaining to the addition of the Potomac Shores Station.

Approved this 20th Day of June 2014.

________________________________________
Paul Milde
Chairman

________________________________________
Gary Skinner
Secretary
SECOND AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN AND AMONG CSX TRANSPORTATION, INC., THE NORTHERN VIRGINIA AND POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSIONS, AND THE COMMONWEALTH OF VIRGINIA’S DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION PERTAINING TO CORRIDOR IMPROVEMENT PROJECT

This Second Amendment to the Memorandum of Understanding dated January 31, 2002, (“MOU”), as amended March 19, 2009, (“First Amendment to MOU”), entered into the _____ day of __________, 2013, is between and among the Potomac and Rappahannock Transportation Commission (“PRTC”) and the Northern Virginia Transportation Commission (“NVTC”), together the owners and operators of the Virginia Railway Express (“VRE”), CSX Transportation, Inc. (“CSXT”), and the Commonwealth of Virginia’s Department of Rail and Public Transportation (“DRPT”).

WITNESSETH:

WHEREAS, in the MOU, the VRE reaffirmed its commitment, first set forth in its 1995 operating access agreement with CSXT, and reaffirmed in its 2011 operating access agreement with CSXT, to implementation of a third mainline throughout the CSXT corridor between MP 53.2 (Olive) and MP 112.3 (CP Virginia Interlocking) (the “Corridor”), with the assistance of DRPT, by completing a set of capital improvements identified as the Corridor Improvement Project for the purpose of enhancing freight and passenger rail service in the Corridor; and

WHEREAS, DRPT was a party to the MOU because of its interest in promoting VRE commuter rail service as well as the augmentation of inter-city passenger service, particularly between Richmond, Virginia and Washington, D.C., and, as a result, DRPT has an interest in completing capital improvement projects beyond the aforesaid Corridor; and

WHEREAS, the MOU set forth the Corridor Task Force process whereby the parties, with the participation of others, would complete the Corridor Improvement Project, as well as projects within the CSXT right-of-way from MP 53.2 to Richmond, in phases by selecting, obtaining funding for, and constructing groups of one or more specific capital improvements, in return for which one or more specific passenger rail enhancements would be obtained; and

WHEREAS, Addendum A attached to the MOU set forth more specifics concerning the implementation of capital improvements and resulting passenger rail service enhancements, and identified in Exhibits A and B to Addendum A the Group 1 Interim Improvements and passenger rail service enhancements resulting therefrom, which capital improvements were modified by the First Amendment to MOU and which service enhancements included a round trip VRE train
(the “VRE Fredericksburg Train”) that, by agreement between DRPT and VRE, and with CSXT’s approval, was substituted for a DRPT contracted inter-city service train, along with a mid-day train operated by VRE on the rights-of-way of Norfolk Southern and CSXT since 1999 but discontinued by the VRE in 2005 (the “VRE Manassas Train”) which substitution was also by agreement between DRPT and VRE and with CSXT’s approval; and

WHEREAS, as described in the MOU, the parties have identified and agreed upon further improvements constituting parts of the Corridor Improvement Project, the schedule and means for the implementation of such improvements and the related passenger service enhancements; and

WHEREAS, by this Second Amendment to the MOU, the parties wish to set forth their mutual understandings with respect to the process for implementing the agreed upon improvements and the related passenger service enhancements;

NOW, THEREFORE, in consideration of the foregoing, which is hereby incorporated in this Second Amendment to MOU, and the mutual undertakings and promises of the parties hereafter set forth, the VRE, DRPT, and CSXT agree as follows:

1. The MOU, as amended by the First Amendment to MOU, is further amended by this Second Amendment to MOU by the addition of a new Addendum B attached hereto and incorporated herein.

2. All other provisions of the MOU and the First Amendment to MOU not inconsistent with the foregoing amendments shall remain in full force and effect.

This area intentionally left blank.

IN WITNESS WHEREOF, the parties hereto by their duly authorized representatives have executed this Second Amendment to the Memorandum of Understanding effective as of the
date aforesaid.

NORTHERN VIRGINIA AND POTOMAC
AND RAPPAHANNOCK
TRANSPORTATION COMMISSIONS,
owners of VIRGINIA RAILWAY
EXPRESS

___________________________________
Doug Allen
Chief Executive Officer
Virginia Railway Express

ATTEST:

______________________
Clerk

CSXT, INC.

___________________________________
Name: ___________________________
Title: _____________________________

ATTEST:

______________________

DEPARTMENT OF RAIL AND PUBLIC
TRANSPORTATION

___________________________________
Jennifer Mitchell
Director

ATTEST:

______________________
This ADDENDUM “B” to the MEMORANDUM OF UNDERSTANDING (this “Addendum”) is made by and among CSX TRANSPORTATION, INC. (“CSXT”), the NORTHERN VIRGINIA TRANSPORTATION COMMISSION and the POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION (jointly and severally, the “Commissions”), and the COMMONWEALTH OF VIRGINIA’S DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (“DRPT”).

Explanatory Statement

This Addendum is executed and delivered by the parties to evidence their understanding, pursuant to Section 5(b) of the Memorandum of Understanding dated January 31, 2002, as amended from time to time, among the parties (the “Memorandum”), as to the construction of specific improvements, the maintenance and operation of such improvements and the implementation of associated enhancements in passenger rail service, in accordance with the terms and conditions of this Addendum and the Memorandum, as amended.

NOW, THEREFORE, in consideration of the foregoing Explanatory Statement and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by the parties, the parties agree as follows:

1. **Definitions.** All capitalized terms not otherwise defined by this Addendum shall have the meanings ascribed to them by the Memorandum and any amendments thereto.
2. **Improvements.** The parties acknowledge that, in accordance with the Memorandum, they have identified and agreed upon the improvements more particularly described by Exhibit A to this Addendum, as constituting some of the improvements encompassed by the Corridor Improvement Project (collectively, the “Group 2 Interim Improvements”).

3. **Construction and Design.**
   
a. **Preliminary Engineering and Design.** Pursuant to separate written preliminary engineering agreements between CSXT and the Commissions, either or both CSXT and or the Commissions shall perform preliminary engineering and design services to better define the Group 2 Interim Improvements, so as to permit the commencement of construction of the Group 2 Interim Improvements, all as more particularly described by such preliminary engineering agreements.

   b. **Construction.** Pursuant to separate construction agreements between CSXT and the Commissions, CSXT or the Commissions shall construct, cause to be constructed, or oversee the final design and construction of the Group 2 Interim Improvements, all as more particularly described by the applicable construction agreement.

   c. **Potomac Shores Station.** The VRE passenger station to be designed and built at Potomac Shores shall be designed and built to enable train service on at least two (2) of the main line tracks.

4. **Funding.** The Commissions and DRPT represent and warrant to CSXT that funds necessary for the design and construction of the Group 2 Interim Improvements have been or will be secured and appropriated for those purposes. The parties acknowledge and agree that CSXT shall bear no costs or expenses other than those expressly agreed to CSXT by written
agreement, and that, unless otherwise agreed, the costs and expenses incurred by CSXT in connection with the design or construction of the Group 2 Interim Improvements shall be advanced or reimbursed to CSXT by DRPT and/or the Commissions pursuant to the preliminary engineering agreements and the construction agreements.

5. **Applicability of Operating Agreements.** Notwithstanding anything to the contrary in this Addendum, the parties’ respective rights and obligations with respect to indemnification, insurance, regulation of rail operations, and the ownership, operation, repair, replacement and maintenance of the Group 2 Interim Improvements shall be subject to the provisions of the operating access agreement, dated July 1, 2011, between CSXT and the Commissions.

6. **Initial Implementation.** Upon completion of the funding schedule for Phase I and II of the Group 2 Interim Improvements to the satisfaction of CSXT, and subject to the satisfaction of the other conditions set forth in the Memorandum, CSXT shall permit the initiation of the rail service enhancements as described by Exhibit A to this Addendum.

7. **No New Stations Until Group 2 Interim Improvements Completed.** Upon the execution of this Addendum and the Second Amendment to the Memorandum of Understanding dated January 31, 2002, no additional new stations, other than the Potomac Shores station described in the Service Enhancements in Exhibit A to this Addendum, and the previously approved station in Spotsylvania County, shall be permitted by CSXT until all of the construction of all projects listed in Exhibit A to this Addendum is completed.

8. **Notices.** All notices, approvals and consents required or permitted by this Addendum shall be written and shall be deemed delivered upon personal delivery, upon the expiration of three (3) days following mailing by certified mail, or upon the next business day following mailing by a recognized overnight delivery service, to the parties at the addresses set
for below, or such other address as either party may designate by delivery of prior notice to the
other party:

If to CSXT: CSX Transportation, Inc.
500 Water Street J-315
Jacksonville, Florida 32203
Attention: Vice President of Passenger Services

If to the Department: Virginia Department of Rail and Public Transportation
1313 E. Main Street, Suite 300
P.O. Box 590
Richmond, Virginia 23218-0590
Attention: Director

If to the Commissions: Chief Executive Office
Virginia Railway Express
1500 King Street, Suite 202
Alexandria, Virginia 22314

IN WITNESS WHEREOF, the parties have examined and delivered this Addendum as of
the date set forth above.

CSX TRANSPORTATION, INC.

Attest: ________________________________
By: _________________________________
Name: _______________________________
Title: ______________________________

NORTHERN VIRGINIA TRANSPORTATION COMMISSION

Attest: ________________________________
By: _________________________________
Chairman

Title: _______________________________

4
POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION

Attest: ________________________________
By: ________________________________
Chairman
Title: ____________________________

COMMONWEALTH OF VIRGINIA’S DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION

Attest: ________________________________
By: ________________________________
Director
Title: ____________________________
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To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Recommendation of Amended VRE Master Agreement Regarding Weighted Voting to the Commissions and Participating and Contributing Jurisdictions for Approval

Recommendation:

The VRE Operations Board is being asked to recommend approval of the attached proposed amended Master Agreement for the Provision of Commuter Rail Service by the Commissions and Participating and Contributing Jurisdictions. The Amendment incorporates the weighted vote requirement as set forth in HB 2152, which amended § 15.2-407 and 15.2-4512 of the Code of Virginia effective July 1, 2015

Background:

In February 2013, the Virginia State Legislature approved House Bill 2152. Signed into law on March 20, 2013 by then Governor McDonnell, the bill amends and reenacts §§ 15.2-4507 and 15.2-4512 of the Code of Virginia, relating to quorums and voting on the commissions and weighted voting on the Operations Board.

As amended, § 15.2-4507, subsection C states “…the agreement governing the creation of the railway shall provide that the Chairman of the Commonwealth Transportation Board or his designee shall have one vote on the oversight board for the railway. For each year in which the state contribution to the railway is greater than or equal to the highest contribution from an individual jurisdiction, the total annual jurisdictional subsidy used to determine vote weights shall be recalculated to include the Commonwealth contributing an amount equal to the highest contributing jurisdiction. The vote weights shall be recalculated to provide the Chairman of the Commonwealth Transportation Board or his designee the same weight as the highest contributing jurisdiction. The revised vote weights shall be used in determining the passage of motions before the oversight board.”
As amended, § 15.2-4512 provides in pertinent part: “... The presence of a quorum and a vote of the majority of the members necessary to constitute a quorum of all the members appointed to the commission, including an affirmative vote from a majority of the members, shall be necessary to take any action. The Chairman of the Commonwealth Transportation Board or his designee shall have voting rights equal to appointees of component governments on all matters brought before the commission.”

In February 2014, the Virginia State Legislature passed HB 957 which delayed the effective date of HB 2152 to July 1, 2015.

Due to the complexity of the process to fully execute an amended Master Agreement, staff recommends that the VRE Operations Board recommend to the Commissions that they forward the attached amended Master Agreement addressing the requirements of HB 2152 to the Participating and Contributing Jurisdictions for their approval and execution, and thereafter, that the Commissions approve and execute the amended Master Agreement. It is further recommended that the amendment be limited to the statutory requirement that will be effective on July 1, 2015.

**Fiscal Impact:**

There is no fiscal impact.

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1 The amendments to § 15.2-4512 do not necessitate amendments to the VRE Master Agreement and thus are not part of any recommended action by the Operations Board.
Recommendation of Amended VRE Master Agreement Regarding Weighted Voting to the Commissions and Participating and Contributing Jurisdictions for Approval

WHEREAS, the Master Agreement for the Provision of Commuter Rail Service in Northern Virginia (the "Master Agreement") was approved by the Potomac and Rappahannock Transportation Commission (PRTC) and the Northern Virginia Transportation Commission (NVTC), as well as the Participating and Contributing Jurisdictions; and,

WHEREAS, the Master Agreement sets forth the requirements for passage of motions by the VRE Operations Board; and,

WHEREAS, the Virginia General Assembly has enacted a statutory requirement amending § 15.2-4507 and providing that for each year the state contribution is greater or equal to the highest contribution from a single jurisdiction, the Chairman of the Commonwealth Transportation Board or his designee shall have a weighted vote equal to the highest contributing jurisdiction; and,

WHEREAS, an amendment to Section II, Part B, Paragraph 4 of the current Master Agreement is necessary for compliance with § 15.2-4507 as amended.

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend to the Commissions that the attached proposed amendment to the Master Agreement for the Provision of Commuter Rail Service in Northern Virginia be transmitted to all Participating and Contributing Jurisdictions for their approval and execution, and that thereafter it be approved and executed by the Commissions.

Approved this 20th Day of June 2014

______________________________
Paul Milde
Chairman

______________________________
Gary Skinner
Secretary
Excerpt from the current Master Agreement: Section II, Part B, Paragraph 4

(4) The OPERATIONS BOARD shall endeavor to conduct its business by consensus to the extent possible. Nonetheless, each jurisdiction represented on the OPERATIONS BOARD shall be entitled to a vote with a weight proportionate to the jurisdiction’s annual subsidy determined in accordance with Section VIII.A.(1) and (2) for the then current fiscal year, e.g., a jurisdiction paying 25% of the annual jurisdictional subsidy shall have a vote with a weight equal to 25% of the total, and, in each year in which the Commonwealth’s contribution to the annual cost of the commuter rail service, based on that year’s transit operating formula assistance, and excluding any federal funds provided through the Commonwealth, is greater than or equal to the subsidy from the jurisdiction paying the highest annual subsidy that year, the Chair of the Commonwealth Transportation Board, or his designee shall be entitled to a vote with a weight equal to that of the jurisdiction paying the highest annual subsidy that year. The members of the OPERATIONS BOARD from jurisdictions with more than one representative may each cast an individual vote with a weight based on an equal proportion of the jurisdiction’s total voting weight. A quorum of the OPERATIONS BOARD shall consist of a majority of the members which shall include at least one member from a majority of the PARTICIPATING and CONTRIBUTING JURISDICTIONS. The presence of a quorum and a vote of the majority of members present, including at least one affirmative vote from a majority of the members from the PARTICIPATING and CONTRIBUTING JURISDICTIONS, which majority shall constitute not less than sixty percent (60%) of the total annual jurisdictional subsidy, shall be necessary for the OPERATIONS BOARD to take any action. The representative of the Chairman of the Commonwealth Transportation Board shall have one vote on the OPERATIONS BOARD.
To: Chairman Milde and the VRE Operations Board

From: Doug Allen

Date: June 20, 2014

Re: Legislative Update

Virginia General Assembly Legislative Issues:

General Assembly Budget Update - as of June 9, 2014

On June 8th, we had a major upheaval in the legislature. Senator Philip Puckett, a Democrat from Southwest Virginia has resigned, effective Monday, June 9, 2014. This flips control of the Senate back to the Republicans with a 20-19 split. Republicans will now be reorganizing committee chairs and membership and figuring out how to get a budget bill to the floor while excluding Marketplace Virginia. The balance of power on expansion and therefore passing a budget lies with three Senate Republicans - Hanger, Watkins and Stosch. The pressure is on for them to side with the Senate Republicans and move forward to decoupling the budget and Medicaid expansion, as Senator Hanger recommended last week. The general feeling is that we will see movement early next week and once there is a bill, the compromise will happen quickly. The legislature must have a budget by June 30th to be able to use rainy day funds to fill the projected $300 million dollar shortfall. If they don’t have a budget by then, the legislature will have to cut the budget by double that number in order to fill the hole and to make a deposit into the rainy day fund, as is statutorily required.

Senate Budget Amendment: Project Development Funding – as of June 12, 2014

A Senate budget amendment included $2M in project development funding to identify current and future VRE core capacity issues. VRE was planning to use the funds to develop projects, including scoping and preliminary engineering, to compete for Federal Transit Administration (FTA) core capacity funding. Unfortunately, House and the Senate budget conferees diverted all $30M in available TPOF funds toward the budget deficit that has now grown to approximately $1.5B.
Federal Legislative Update

Virginia Congressional Delegation Office Meetings

Mr. Allen and Mr. Jungwirth met with Senator Kaine and staff from D.C. Congresswoman Holmes Norton since the last Operations Board meeting. Topics of discussion have included the importance of and future plans for VRE, Federal Surface Transportation Reauthorization, our TIGER grant submittal with the DDOT and DRPT, Commuter Benefits Equity, Core Capacity improvements and Positive Train Control.

Selected Text from Important Press Releases from APTA:

SENATE APPROPRIATIONS SUBCOMMITTEE PASSES THUD APPROPRIATIONS BILL

6/3/2014

In a short markup on June 3, the Senate Committee on Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (THUD), passed its version of the Fiscal Year (FY) 2015 THUD Appropriations Bill.

While the legislative text is not yet public, the Subcommittee’s summary of the bill provides several top-line appropriation amounts, a number of which are increases over the House THUD appropriations bill. In FY 2015, the Senate bill would continue transit formula grants at FY 2014 levels, totaling $8.595 billion – the same level as the House bill. The Senate would nearly double – at $36.5 million, including $3 million for TCRP – the amount provided for research and technical assistance programs, as compared to the House.

The Senate bill provides $2.163 billion for Capital Investment Grants (New Starts), compared to $1.691 billion in the House bill. The Senate bill also includes $550 million for TIGER Grants, with the House bill including $100 million.

Additionally, the Senate would restore the $200 million cut to Amtrak grants proposed by the House, and set Amtrak funding at $1.39 billion, the level provided in FY 2014. The Washington Metropolitan Area Transit Authority would continue to receive $150 million, as authorized under separate legislation.


EPW COMMITTEE PASSES HIGHWAY BILL & SENATE COMMERCE HOLDS HEARING ON MAP-21

5/16/2014
Monday evening, the bipartisan leadership of the Senate Environment and Public Works (EPW) Committee jointly released the draft text of the committee’s proposal for reauthorization of Moving Ahead for Progress in the 21st Century Act (MAP-21). The bill released by Senate Committee of Environment and Public Works Chairman Barbara Boxer (D-CA), EPW Ranking Member David Vitter (R-LA), EPW’s Transportation and Infrastructure Subcommittee Chairman Tom Carper (D-DE), and Subcommittee Ranking Member John Barrasso (R-WY) would authorize the nation’s Federal-aid highway programs for six years at current funding levels plus inflation.

On Thursday morning, the EPW Committee marked-up the draft legislation in a short markup where the Committee adopted by unanimous consent a manager’s amendment and a limited number of individual amendments, before passing the entire package out of committee by voice vote.

This bill creates a $400 million per year program for Projects of National and Regional Significance (PNRS). The PNRS program is modeled after the popular TIGER program, but would be paid for with HTF revenues instead of General Fund appropriations as TIGER is currently funded. Eligible projects would be those currently authorized by the highway or public transportation titles, with a total cost greater than $350 million, although the bill does include a 20 percent cap on rail, transit, and other non-highway projects that can be funded under the newly structured program.

On June 4th the Senate Committee on Commerce, Science, and Transportation Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security held a hearing titled: Surface Transportation Reauthorization: Examining the Safety and Effectiveness of our Transportation Systems.


**HOUSE PASSES FY 2015 TRANSPORTATION-HUD APPROPRIATIONS BILL**

6/10/2014

The House of Representatives finished floor debate and passed, by a vote of 229-192, the Fiscal Year (FY) 2015 Transportation, Housing and Urban Development and Related Agencies (THUD) Appropriations bill. The bill is nearly identical to the one passed last week by the House Committee on Appropriations.

As with the Committee’s bill, the final House THUD FY 2015 Appropriations bill funds the core Federal Transit Administration (FTA) formula programs at the MAP-21 FY 2014 authorized level of $8.595 billion, but also includes the Committee’s cuts to Amtrak, Research, TIGER Grants, Capital Investment Grants and FTA Administration, which are funded from the General Fund. A chart showing the appropriations levels in the House approved bill, Senate Appropriations Committee bill, Administration’s Budget Request, and FY 2014 appropriated levels, can be found at: