Agenda Item 8-E
Action Item

To: Chairman Skinner and the VRE Operations Board

From: Doug Allen

Date: April 15, 2016

Re: Authorization to Execute a Construction Agreement with Harbor Station Communities, LLC for Oversight of the Construction of Potomac Shores Station

Recommendation:

The VRE Operations Board is asked to authorize the Chief Executive Officer to execute a Construction Agreement with Harbor Station Communities, LLC (Developer), for construction oversight by VRE, and coordinate oversight, Right of Entry (ROE) and flagging services with CSXT, as the Developer constructs the Potomac Shores Station.

Background:

On January 31, 2002, VRE executed a Memorandum of Understanding (MOU) with CSXT and the Virginia Department of Rail and Public Transportation (DRPT) that outlined the process the Commissions would undertake to implement a third mainline track in the CSXT Washington to Richmond rail corridor and corresponding service expansion. In August 2014, a Second Amendment to the MOU was approved by all parties addressing the addition of the VRE Potomac Shores Station and the initiation of VRE service to the station. The Second Amendment to the MOU outlines a set of rail infrastructure and VRE station improvements that must be made in order to allow the Potomac Shores Station to open.
On July 15, 2013, Prince William County, Virginia, accepted proffers from Harbor Station Communities, LLC (Developer), for the Potomac Shores Development which included provisions for a new VRE station and commuter parking.

Under a previous agreement, VRE and CSXT have been involved in the oversight of the design and engineering of the Potomac Shores Station. As the developer begins the construction phase of the project, this agreement allows VRE to continue providing oversight to ensure it is built to a standard allowing VRE to take control of the facility once construction is complete. VRE will also coordinate CSXT oversight of construction, ROE, and flagging.

**Fiscal Impact:**

No VRE funds will be expended. All costs incurred by VRE will be reimbursed by the Developer.
Virginia Railway Express
Operations Board

Resolution
8E-04-2016

Authorization to Execute a Construction Agreement with Harbor Station Communities, LLC for Oversight of the Construction of Potomac Shores Station

WHEREAS, Prince William County accepted a proffer from Harbor Station Communities, LLC on July 15, 2013, for the Potomac Shores Development, which includes provision of a new VRE station on the CSX Transportation (CSXT) RF&P Subdivision; and,

WHEREAS, the Second Amendment to the Memorandum of Understanding pertaining to the Corridor Improvement Project, between VRE, CSXT, the Virginia Department of Rail and Public Transportation, and the Commissions dated July 10, 2014, allows for the addition of a new VRE station at Potomac Shores; and,

WHEREAS, VRE and CSXT are required to review and approve the design and construction of the improvements; and,

WHEREAS, an agreement between VRE and Harbor Station Communities, LLC is needed for VRE to conduct its construction reviews and to coordinate construction reviews, Right of Entry (ROE), and flagging with CSXT;

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby authorize the Chief Executive Officer to execute a Construction Agreement with Harbor Station Communities, LLC for construction reviews by VRE and CSXT, ROE and flagging services by CSXT, in a form approved by legal counsel.

Approved this 15th day of April 2016

__________________________
Gary Skinner
Chairman

__________________________
Maureen Caddigan
Secretary