Agenda Item 8-H
Action Item

To: Chairman Skinner and the VRE Operations Board

From: Doug Allen

Date: June 17, 2016

Re: Recommend Authorization to Execute an Agreement After Certificate to Transfer Property at the Woodbridge VRE Station to the Virginia Department of Transportation and to Accept VDOT Permit for Continued Operation of Kiss and Ride at Woodbridge VRE Station

Recommendation:

The VRE Operations Board is asked to recommend the Commissions authorize the Chief Executive Officer to execute an Agreement After Certificate to complete the transfer of VRE property at the Woodbridge VRE Station to the Virginia Department of Transportation and to accept a VDOT permit for continued operation of the bus loop and kiss-and-ride area at VRE Woodbridge Station.

Background:

The Virginia Department of Transportation (VDOT) has been working with VRE and PRTC since 2014 to acquire property at the VRE Woodbridge Station for Phases I and II of a grade-separated highway interchange for the intersection of US Route 1 and VA Route 123. Phase I work is presently on-going and has no effect on the station. For Phase II, VDOT needs the VRE property presently used for a bus loop and short-term kiss-and-ride parking along Route 1. VDOT needs to acquire property for Phase II at this time but is amenable to VRE continuing to use the property until Phase II begins at an undetermined time in the future.
On July 2015, VDOT filed a certificate of take for this acquisition in the Prince William Circuit Court. The filing of the certificate had the effect of transferring title to the property and improvements to VDOT, and left remaining only the issue of the amount of compensation due VRE. VDOT and VRE subsequently were able to resolve all of the issues regarding the acquisition and reach agreement on a settlement. VDOT agreed to compensate VRE for the property in an amount equal to VRE’s appraisal, specifically, $1,068,280. Because the original property purchase and bus loop and kiss and ride project was federally funded VRE was required to obtain, and received, approval from the Federal Transit Administration (FTA) of the proposed compensation. A copy of the agreement with VDOT (an “Agreement after Certificate” or “AAC”) is attached.

VDOT has also agreed to issue a permit allowing VRE to continue to operate the bus loop and kiss-and-ride area until such time as the property is needed for Phase II. This point in time is not known since Phase II will not begin until the project is funded. The purpose of this item is to request that the Operations Board recommend the Commissions authorize the CEO to execute the agreement with VDOT for payment of just compensation for the VRE property, and to accept a VDOT permit for continued operation of the bus loop/kiss-and-ride area.

**Fiscal Impact:**

VDOT will compensate VRE for the property in an amount of $1,068,280, which is equal to VRE’s appraisal. Because the original project was federally funded, the FTA share of the proceeds, calculated on 80% of the land value and 80% of the depreciated value of the original improvements, must be reimbursed to FTA or applied to another future eligible project.
Recommend Authorization to Execute an Agreement After Certificate to Transfer Property at the Woodbridge VRE Station to the Virginia Department of Transportation and to Accept VDOT Permit for Continued Operation of Kiss and Ride at Woodbridge VRE Station

WHEREAS, the Virginia Department of Transportation requires property at VRE Woodbridge Station for improvements to the highway intersection of US Route 1 and Virginia Route 123; and,

WHEREAS, the Virginia Department of Transportation, in accordance with its property acquisition policies, filed a Certificate of Take for this acquisition in the Prince William Circuit Court; and,

WHEREAS, VDOT and VRE subsequently resolved all of the issues regarding the property acquisition and reached agreement on the terms of an agreement which compensates VRE for the property and improvements in an amount equal to its appraisal; and,

WHEREAS, the Virginia Department of Transportation has agreed to issue a permit that allows VRE to continue to operate the bus loop and kiss-and-ride area until such time as the property is needed for Phase II of the interchange improvement;

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board hereby recommends the Commissions authorize the Chief Executive Officer to execute an Agreement After Certificate to complete the transfer of VRE property at the Woodbridge VRE Station to the Virginia Department of Transportation in the amount of $1,068,280, and to accept a VDOT permit for continued operation of the bus loop and kiss-and-ride area at VRE Woodbridge Station.

Approved this 17th day of June 2016

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Gary Skinner
Chairman

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Maureen Caddigan
Secretary