



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Aubrey L. Layne, Jr.
Chairman

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Agenda item # 4

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2016

MOTION

**Made By: Mr. Malbon, Seconded By: Ms. Valentine.
Action: Motion Carried, Unanimously**

Title: Authorization to Enter Into a Memorandum of Understanding and a Subrecipient Agreement between VDOT and the Williamsburg Area Transit Authority (WATA) - Jamestown-Scotland Ferry Grant Implementation

WHEREAS, VDOT owns and operates the Jamestown-Scotland Ferry (the “Ferry”), which provides vehicle and pedestrian ferry services across the James River connecting two portions of Virginia State Route 31 and serving as a link in the local transit bus service; and

WHEREAS, Williamsburg Area Transit Authority (WATA) buses use the Ferry to link service between Surry County, Virginia and James City County/Williamsburg, Virginia; and

WHEREAS, the Ferry fleet presently consists of four ferry boats: the *Virginia*, the *Surry*, the *Williamsburg*, and the largest boat, the *Pocahontas*; collectively, they service a 2015 Average Daily Traffic volume of 2,710 vehicles, with peaks of up to 4,560 vehicles per day on summer weekends; and

WHEREAS, due to their age, parts for the existing engines and propulsion drive systems in the *Pocahontas* are becoming increasingly difficult to find; furthermore, the engines no longer meet Environmental Protection Agency standards for emissions, nor are they as fuel efficient as more modern engines, leading VDOT to conclude that replacement of these systems is necessary to preserve reliable service; and

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WHEREAS, WATA, as a Designated Recipient in accordance with Federal Transit Administration (FTA) Circular 9030.1E (Final Rule, January, 2014) and Title 49 of the United States Code § 5302, sponsored an application for the replacement of the two engines and the two drive systems used in the *Pocahontas* (the “Project”) to the Passenger Ferry Grant Program (“Ferry Program”) on behalf of VDOT in October 2013; and

WHEREAS, the United States Department of Transportation announced the award of a Ferry Program grant in the amount of \$2.68 million to WATA, the Designated Recipient, on behalf of VDOT, the Grant Recipient; and

WHEREAS, VDOT will provide \$670,000 in state funding which represents 20 percent of the total Project funding - (\$3.35 million) addressed pursuant to a Memorandum of Agreement negotiated by WATA and VDOT, attached hereto; and

WHEREAS, WATA, VDOT and the FTA have agreed upon the roles, responsibilities and rights of each party, and the terms and conditions for administration of the Project under the FTA Master Agreement; and

WHEREAS, WATA, VDOT, and the FTA have agreed upon a Subrecipient Agreement, also attached hereto, wherein WATA agrees to permit VDOT to receive and dispense the Ferry Grant funds as described in the FTA Master Agreement and the Subrecipient Agreement, WATA is not responsible for reimbursement of FHWA funds, and VDOT, as the Grant Recipient, agrees to assume all responsibilities set forth in the FTA Master Agreement and Subrecipient Agreement; and

WHEREAS, the Commonwealth Transportation Board believes it to be in the best interest of the Commonwealth to enter into such agreements; and

WHEREAS, § 33.2-214(C) of the *Code of Virginia* authorizes the Commonwealth Transportation Board to enter into contracts with local districts, commissions, agencies, and other entities created for transportation purposes.

NOW, THEREFORE BE IT RESOLVED, that pursuant to § 33.2-214(C) of the *Code of Virginia*, the Commonwealth Transportation Board hereby authorizes the Commissioner to enter into the Memorandum of Agreement and a Subrecipient Agreement with WATA attached hereto collectively as Attachment A, with such additions and changes as necessary, to effectuate implementation of the Project as described herein.

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