



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Aubrey L. Layne, Jr.  
Chairman

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*Agenda item # 13*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

March 16, 2016

#### MOTION

**Made By: Mr. Brown, Seconded By: Mr. Williams**  
**Action: Motion Carried, Unanimously**

**Title: Delegation of Authority to Execute a Project Development and Related Agreements, and Delegation of Authority to the Commissioner of Highways for Approval of Award and Execution of Design-Build Contract, for the Greater Richmond Transit Company (GRTC) Bus Rapid Transit Project, City of Richmond and County of Henrico**

**WHEREAS**, the Greater Richmond Transit Company ("GRTC") was awarded a 2014 TIGER Grant from the Federal Transit Administration in the amount of \$24.9 million to develop and construct a 7.6 mile Bus Rapid Transit ("BRT") system ("GRTC Bus Rapid Transit Project" or "Project"); and

**WHEREAS**, the proposed BRT route passes through the right-of-way of the Virginia Department of Transportation ("VDOT"), Henrico County, and the City of Richmond, from the Willow Lawn area of Henrico County, through downtown Richmond to the Rocketts Landing area of the City of Richmond; and

**WHEREAS**, Henrico County, the City of Richmond, and the Department of Rail and Public Transportation ("DRPT") are providing matching funds, including \$16.9 million from the DRPT Capital Grant Funding Program, bringing the total committed funding to \$49.8 million; and

**WHEREAS**, the parties involved intend for VDOT to procure and administer the design and construction of the BRT facilities; and

**WHEREAS**, VDOT, GRTC, DRPT, the City of Richmond, and Henrico County have negotiated a Project Development Agreement (attached hereto as Exhibit A), which sets forth the

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rights and obligations of those parties in the funding, procurement and construction of the Project, in which VDOT will act as Project Manager; and

**WHEREAS**, VDOT and/or DRPT may be required to execute other agreements associated with administration of the Project or funding for the Project; and

**WHEREAS**, section 33.2-214 (C) of the *Code of Virginia* provides that the Board shall have the power and duty to enter into contracts with local districts, commissions, agencies, or other entities created for transportation purposes; and

**WHEREAS**, § 33.2-209 (B) of the *Code of Virginia* authorizes the Commonwealth Transportation Board (CTB) to award Design-Build transportation construction contracts; and

**WHEREAS**, VDOT previously developed a Finding of Public Interest for the Greater Richmond Transit Company Bus Rapid Transit Project detailing the nature and scope of the project, and the Commissioner made his written determination on September 23, 2015 that (i) the proposed design-build project meets the Objective Criteria for a Design-Build Project, and (ii) the Design-Build method of procurement will expedite the completion of an urgently needed transportation improvement and (iii) will best serve the public interest; and

**WHEREAS**, the Federal Transit Administration has previously approved environmental impacts for the project; and

**WHEREAS**, it is advantageous to award the design-build contract as soon as practical in order to take full advantage of the Design-Build Proposals (price proposals) to be opened on March 17, 2016; and

**WHEREAS**, it is desirable to award the design-build contract as soon as practical in order to further accomplish the desired objective and public interest in completing this project in the most expeditious manner and further the public interest by improving transit service, increasing quality of life, enhancing economic opportunity, revitalizing commercial properties, improving environmental sustainability, and stimulating economic development; and

**WHEREAS**, it is expedient to award the design-build contract as soon as practical, and the Board is not scheduled to meet again for a regular action meeting until April 20, 2016.

**NOW THEREFORE, BE IT RESOLVED** by the Commonwealth Transportation Board that the Commissioner of Highways and the Director of DRPT are hereby authorized and delegated the authority to approve and execute the Project Development Agreement relating to the GRTC Bus Rapid Transit Project attached hereto as Exhibit A, with such changes and

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additions as they deem necessary, as well as other agreements that may be necessary to effectuate administration of or funding for the Project.

**BE IT FURTHER RESOLVED**, that the Commissioner of Highways is hereby authorized and delegated the Board's authority to approve the Design-Build award, and execute the Design-Build contract, for this Project, provided the necessary proposal evaluation tasks and activities related to award of the contract are appropriately completed.

**BE IT FURTHER RESOLVED**, that the Commissioner shall present the Design-Build Project and the evaluation of the Design-Build Proposals at the next Board action meeting for its affirmation of this Design-Build contract award.

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