



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

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Agenda item # 11

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

April 21, 2021

MOTION

Made By: Ms. Hynes **Seconded By:** Mr. Rucker

Action: Motion Carried, Unanimously

Title: Authority to Award Surveying Services for Delineation of Right of Way for the I-95 CSX Transportation, Inc. Rail Corridor between Petersburg, VA and Washington, DC

WHEREAS, Section 33.2-209 of the Code grants the Commonwealth Transportation Board (“CTB”) the power and duty to let all contracts to be administered by the Department of Rail and Public Transportation (“DRPT”) for all activities related to passenger and freight rail in excess of \$5M; and

WHEREAS, DRPT has entered into an agreement with CSX Transportation, Inc. (“CSXT”) to acquire rail track and Right of Way (“ROW”) and desires to obtain surveying services for the ROW delineation including the I-95 CSXT rail corridor between Petersburg, VA and Washington, DC; and

WHEREAS, DRPT issued a solicitation for surveying services for the ROW for the I-95 CSXT rail corridor; and

WHEREAS, DRPT desires to award a contract to AECOM with a term beginning the date of the award and ending at the completion of the project; and

WHEREAS, the desired contract will procure services of a consultant capable of rendering a comprehensive surveying oversight related to the ROW delineation for the I-95 CSXT rail corridor; and

WHEREAS, the desired contract includes detail to establish land surveying and mapping from a contractor with specific experience in performing property boundary surveys and rail profile surveys for property located in a corridor with active freight and passenger rail; and

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WHEREAS, DRPT will assign this contract to the Virginia Passenger Rail Authority (“VPRA”) once it is mobilized;

WHEREAS, DRPT recommends that the CTB approve DRPT to complete its procurement for the ROW delineation of the I-95 CSXT rail corridor;

NOW THEREFORE, BE IT RESOLVED that the Board authorizes DRPT to complete its procurement on behalf of the Authority and award a resulting contract for the ROW delineation for the Petersburg to DC I-95 CSXT rail corridor.

####

CTB Decision Brief

Authorization to Award Surveying Services for Delineation of Right Of Way for the I-95 CSX Transportation, Inc. Rail Corridor between Petersburg, VA and Washington, DC **April 21, 2021**

Issue: DRPT has been conducting a procurement for surveying services to support the delineation of Right Of Way (ROW) for the I-95 CSX Transportation, Inc. (“CSXT”) rail corridor between Petersburg, VA and Washington, DC. DRPT seeks approval to award a contract greater than \$5M. The contract will be assigned to the Virginia Passenger Rail Authority (“VPRA”) once it is mobilized.

Facts: In December of 2019 the Governor and Secretary Valentine announced an agreement with CSXT to purchase track and ROW, including half of the I-95 CSXT rail corridor from Washington to Petersburg, and that agreement was finalized April 14, 2021. In 2020 the CTB allocated funds for projects to be administered by DRPT including Long Bridge and additional passenger rail expansion through the Commonwealth.

To complete the acquisition from CSXT, surveys of the I-95 CSXT rail corridor are required to establish property boundary lines between (i) what property will be retained by CSXT and (ii) what property will be conveyed to DRPT. The survey work will take years to complete. Prior to survey work, DRPT will initially obtain from CSXT an easement interest in the land to be conveyed to DRPT. The geographical bounds of the easement will be based on enhanced valuation maps developed between DRPT and CSXT. The surveys will be more precise than the enhanced valuation maps and will establish the exact boundary lines between CSXT property and DRPT property. The consultant will establish project controls and perform field surveys and records research to develop an accurate record of the existing railroad ROW and railroad tracks within the project limits. The consultant will survey the existing CSXT property boundaries and will prepare ROW Strip Maps. As surveys are completed incrementally, DRPT will record “deeds of confirmation” that will automatically convert DRPT’s easement interest in the property covered by the deed into fee title ownership.

The RFP for this work was prepared and procurement conducted between February 2020 and now. In response to the RFP, there were eight respondents. This procurement covers surveying services estimated at a cost of \$6,806,855. Although this is a procurement greater than \$5,000,000, it does not trigger High Risk Review pursuant to Va Code § 2.2-4303.01 because it is not being procured by two or more state bodies, the term and renewals are not greater than 5 years, and DRPT has procured similar services within the last 5 years.

Recommendation: DRPT recommends approval of the attached resolution.

Action Required by CTB: Approval of the attached resolution.

Options: Approve, Deny or Defer.