



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Pierce R. Homer  
Chairman

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*Agenda item # 12*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 17, 2009

#### MOTION

**Made By: Mr. Keen Seconded By: Mrs. Carter Action: Motion Carried, Unanimously**

**Title: Design Build High Speed Rail Initiative  
Arkendale to Powell's Creek  
Virginia Railway Express**

**Location: Stafford and Prince William Counties**

**WHEREAS**, pursuant to § 33.1-391.4(1) of the *Code of Virginia*, the Department of Rail and Public Transportation (DRPT) has applied for grant funding from the United States government for a shovel-ready High Speed Rail project from Arkendale to Powell's Creek under the American Recovery and Reinvestment Act of 2009 (ARRA) (Pub. L. 111-5 (Feb. 17, 2009)); and

**WHEREAS**, upon securing the grant, DRPT proposes to enter into a grant agreement with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission (the Commissions), acting jointly as Virginia Railway Express (VRE) which calls for VRE to design and construct the High Speed Rail project between Arkendale and Powell's Creek, in Stafford and Prince William Counties, utilizing the design-build process; and

**WHEREAS**, § 15.2-4614 of the *Code of Virginia* requires that multi-county transportation improvement districts may not construct or improve a mass transit system without the approval of the Commonwealth Transportation Board and without the approval of each county in which the transportation improvement will be located; and

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**WHEREAS**, § 2,2-2405(A)(1) of the *Code of Virginia* charges the Design-Build/Construction Management Review Board with the review and approval of design-build projects for public bodies other than the Commonwealth; and

**WHEREAS**, the Board believes that this project is for the common good of a region of the Commonwealth and serves a public purpose.

**NOW THEREFORE, BE IT RESOLVED**, that the Board approves the design and construction of the High Speed Rail Project between Arkendale and Powell's Creek by the Commissions acting as VRE using the design-build process, provided that all other necessary approvals are secured.

**NOW THEREFORE, BE IT FURTHER RESOLVED THAT**, the Board authorizes the execution a grant agreement acceptable to the Virginia Department of Rail and Public Transportation for the High Speed Rail project between Arkendale and Powell's Creek.

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