



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item # 12

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

December 4, 2013

MOTION

Made By: Mr. Sterling Seconded By: Mr. Miller

Action: Motion Carried, Unanimously

**Arkendale to Powell's Creek Third Track Improvements
Location: Stafford and Prince William Counties**

WHEREAS, § 33.1-12 of the *Code of Virginia* establishes the general powers and duties of the Board; and

WHEREAS, § 33.1-12(2)(b) states it is the purview of the Board to award contracts for construction of transportation projects on a design-build basis; and

WHEREAS, the Department of Rail and Public Transportation, with CSX Transportation as a sub-grantee, wishes to construct improvements funded by a federal grant utilizing the design-build procurement and construction method; and

WHEREAS, pursuant to § 33.1-12, the Director of the Department of Rail and Public Transportation has made a [written determination](#) based on adopted objective criteria that it is in the public interest to proceed with the design-build method and transmitted such determination to the Board on November 7, 2013; and

WHEREAS, pursuant to the Code of Virginia and the Cooperative Agreement with the Federal Railroad Administration, the Department of Rail and Public Transportation requires approval of the Board to procure a design-builder for construction; and

NOW THEREFORE, BE IT RESOLVED, that the Board hereby permits award of a design-build contract for the construction of the federally funded Arkendale to Powell's Creek Third Track project contingent upon the following:

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1. The Department of Rail and Public Transportation approves an open and competitive design-build procurement process utilized by CSX Transportation.
2. The procurement process is compliant with federal regulations established under the Cooperative Agreement between the Department of Rail and Public Transportation and the Federal Railroad Administration.
3. Execution of an agreement between CSX Transportation and a design-build contractor acceptable to the Director of the Virginia Department of Rail and Public Transportation.

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