



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

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Chairman

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*Agenda item # 20*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**January 14, 2015**

#### **MOTION**

**Made By: Mr. Williams, Seconded By: Ms. Valentine**

**Action: Motion Carried**

#### **Title: Delegation of Authority for Commissioner to Enter Into Agreements with Certain Entities for Specified Activities**

**WHEREAS**, section 33.2-214 (C) of the *Code of Virginia*, as amended, provides that the Commonwealth Transportation Board (“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**, section 33.2-221 (A) provides that the Board may enter into all contracts or agreements with the United States government and may do all other things necessary to carry out fully the cooperation contemplated and provided for by present or future acts of Congress related to transportation; and

**WHEREAS**, section 33.2-221 (B) of the *Code of Virginia*, as amended, provides for the Board to enter into all contracts with other states which are necessary for the coordination of location, construction, maintenance, improvement, and operational activities; and

**WHEREAS**, the requirement to obtain the Board’s review and approval in each instance when an administrative, ministerial, data sharing or operational activity necessitates an agreement or memorandum of understanding (MOU) with other entities set forth in §§ 33.2-214 (C), 33.2-221 (A) and 33.2-221 (B) constrains the timely completion and delivery of routine transportation services and programs and emergency/incident-related operations; and

**WHEREAS**, delegation to the Commissioner or his designee of the Board’s authority to enter into contracts and agreements with the above-referenced entities for certain administrative, ministerial, data sharing and operational matters, specifically traffic

Resolution of the Board

Delegation of Authority for Commissioner to Enter Into Agreements with Certain Entities for Specified Activities

January 14, 2015

Page Two

control; incident and emergency response; work zone establishment and coordination; ITS device maintenance and related activities; and data and information access and sharing, would facilitate coordination of transportation activities with such entities and would ensure timely delivery of routine transportation services and programs and emergency/incident-related operations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board delegates to the Commissioner of Highways or his designee(s), the authority to enter into contracts and agreements, up to \$5 million in value, with local districts, commissions, agencies, or other entities created for transportation purposes, other states, and the federal government, as necessary, relating to the following activities: traffic control; incident and emergency response; work zone establishment and coordination; ITS device maintenance and related activities; and data and information access and sharing.

**BE IT FURTHER RESOLVED**, that the Commissioner shall report to the Board on a quarterly basis listing all such contracts and agreements executed pursuant to this delegation of authority.

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