



NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

The Authority for Transportation in Northern Virginia

AGENDA

Thursday, October 24, 2013

5:30 pm

3060 Williams Drive (Ste 510), Fairfax, VA 22031

- I. **Call to Order** Chairman Nohe
- II. **Roll Call** Ms. Speer, Clerk
- III. **Minutes of the September 26, 2013 Meeting**

Recommended action: Approval [with abstentions from those not present at September meeting]

Presentations

- IV. **WMATA – Momentum Strategic Plan** Richard Sarles, GM & CEO

Reports/Recommendations from Working Groups

- V. **Organizational Working Group** No report
- VI. **Financial Working Group** Chair Euille

A. Resolution 14-06: Procurement Authority

Recommended action: Approval

- VII. **Project Implementation Working Group** Chair Zimmerman

A. JACC Comments on the Next Steps for Implementation of HB599

Ms. Backmon

- VIII. **Public Outreach Working Group** No report

- IX. **Legal Working Group** Chair Snyder

Additional Action Items

- X. **Ratification of NVRC Service Agreement** Mr. Mason

Recommended Action: Approval

XI. NVTa Staff Benefits Guidelines Mr. Mason

Recommended Action: Approval

XII. Provision of Payroll Services Mr. Mason

Recommended Action: Approval

XIII. Liability and Property Insurance Mr. Mason

Recommended Action: Approval

Information Items

XIV. Draft 2014 Legislative Program Ms. Dominguez

XV. CMAQ/RSTP Reallocation Requests Ms. Backmon

XVI. Final Testimony on Six-Year Program Fall Meeting Ms. Backmon

XVII. Executive Director's Report Mr. Mason

Adjournment

XVIII. Adjournment

Correspondence

- A. To Commonwealth Transportation Board Action on Priorities for Northern Virginia Transportation District Significant Projects Evaluation and Rating Study
- B. CTB Resolution: Adoption of Priorities for Northern Virginia Transportation District Significant Projects Evaluation and Rating
- C. CTB Response to NVTa letter of October 16, 2013

Next Meeting: December 12, 2013 – 5:30pm

3060 Williams Drive (Ste 510)
Fairfax, Virginia

**Northern Virginia Transportation Authority
3060 Williams Drive (Ste 510)
Fairfax, VA 22031
www.TheNovaAuthority.org**

REVISED 10.24.13

SUMMARY MINUTES NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

September 26, 2013
Fairfax City Hall
10455 Armstrong Street
Fairfax, VA

NVTA Members Present:

Voting Members:

Martin Nohe, Chairman
Mayor Euille, Vice Chairman

Board Member Chris Zimmerman
Chairman Sharon Bulova
Chairman Scott York
Mayor Scott Silverthorne
Council Member David Snyder

Council Member Rishell
Mayor Parrish
Senator Adam Ebbin

Delegate Thomas Rust

Mr. Gary Garczynski
Ms. Sandra Bushue

Prince William County
City of Alexandria
(arrived at 7:15 p.m.)
Arlington County
Fairfax County
Loudoun County
City of Fairfax
City of Falls Church
(arrived at 7:15 p.m.)
City of Manassas Park
City of Manassas
Virginia General Assembly
(arrived at 7:13 p.m.)
Virginia General Assembly
(arrived at 7:16 p.m.)
Governor's Appointee, CTB Member
Governor's Appointee

Non-voting Members:

Helen Cuervo
Joe Swartz

VDOT
DRPT

Members Absent

Delegate Joe May
Mayor Foreman

Virginia General Assembly
Town of Dumfries

Staff:

John Mason
Camela Speers
Pam Martin
Various jurisdictional staff

Interim Executive Director
Administrative Assistant
Clerk

Item I: Call to Order

Chairman Nohe called the meeting to order at 7:03 p.m.

Item II: Roll Call

The roll was called and members present were as noted above.

Item III: Approval of the Minutes of July 24, 2013

Corrections were noted by Chairman York and Mayor Parrish to be incorporated into the final minutes. Chairman York stated that the Organizational Working Group was not asked to work with the Financial Working Group regarding the budget. Mayor Parrish noted some spelling and grammar corrections. Chairman Bulova requested that page numbers be included in the future. Chairman York moved and Chairman Bulova seconded and the minutes were approved unanimously.

Item IV: Discussion/Action Items

A. DRPT's SuperNoVa Action Plan

Chairman Nohe introduced Amy Inman from DRPT who gave a PowerPoint presentation on the SuperNoVa Vision Plan which was completed last fall. Ms. Inman indicated that the next step is to develop a SuperNoVa Action Plan.

Senator Ebbin requested an example of where the hubs would be located in relation to the Core Capacity slide. Ms. Inman stated that the connections haven't been identified at this time, as DRPT wants to ensure that hubs are located in appropriate areas, and that the information will be included in the final Action Plan.

Mr. Zimmerman questioned how the definition of region was determined, as the SuperNoVa region includes areas outside of Planning District 8 and areas outside of the PRTC service area. He also asked what percentages of trips are coming from outside of Planning District 8 or PRTC service area. Ms. Inman stated that the desire is to provide mobility options further out, such as people coming from West Virginia to Loudoun County. She also stated that they can provide the information requested. Mr. Zimmerman also asked who will integrate the Vision Plan recommendations into local, state and regional plans. He also asked if localities will be asked to modify their Comprehensive Plans or if the NVTA will be asked to add recommendations to its long range plan. Ms. Inman responded that DRPT worked closely with staff in developing the recommendations so the recommendations are suitable with what's in the localities plans.

She also stated that the DRPT is working on a resolution which will spell out who will be the lead versus the support for the near time/short term.

Chairman Bulova stated that she was in attendance at the last SuperNoVa Consortium meeting. Chairman Bulova stated that there was a good discussion and that there is value in looking at Planning District 8 and where the traffic is coming from. Chairman Bulova wanted to avoid creating a new organization as there are several existing initiatives that cover planning studies/initiatives.

Mr. Snyder commented that the study is interesting and worthwhile. However, he cautioned against having another unfunded mandate. Mr. Snyder noted concern of any justification of dispersing existing transit funds to a wider area.

Chairman York expressed concern that the plan doesn't have funding for implementation. He noted that the study showed a lot of need and asked if funding for implementation was available to the areas outside of Northern Virginia. Chairman York also noted that the study is valuable in that it reflects Loudoun's need to work with Frederick and Charles Counties.

Mayor Euille agreed with the comments expressed by the other Authority members. He expressed concern that this is another unfunded mandate questioning where the funds for implementation would come from. Mayor Euille stated that the study needs to look at the economic and tourist standpoint and use a cautionary approach.

Chairman Nohe thanked Ms. Inman for her presentation.

B. VDOT-HB599 Prioritization Study

Chairman Nohe introduced Helen Cuervo from VDOT. Ms. Cuervo opened with remarks about the study and noted that both the Commonwealth Transportation Board (CTB) and the NVTa will be involved. Ms. Cuervo stated that there will be a framework and that the CTB and NVTa will be asked to nominate projects. The final report will not recommend priorities but will be an evaluation for projects to be considered. Ms. Cuervo introduced Kanti Srikanth, study project manager from VDOT, who presented the PowerPoint presentation. Mr. Srikanth informed the NVTa that the HB599 passed a full year before HB2313, stating that HB599 is separate and independent of HB2313. Mr. Srikanth stated that HB2313 creates a linkage between HB599 and HB2313. HB599 states that a minimum of 25 projects that will reduce congestion will be recommended for study. He stated that the ratings that come out of HB599 will be made available to the CTB, the NVTa, and others who have money for implementation. Mr. Srikanth's presentation described the overall tasks and the sequence of these tasks starting with CTB priorities to the final report with ratings for each of the projects evaluated. (Slide # 8) Mr. Srikanth introduced Mr. Davis Roden of AECOM, the consultant VDOT selected for the project. Mr. Roden presented the analytical and decision framework, stating that the NVTa will help define what is regionally significant, and noted that the Authority will

have a vote on how they think congestion will be evaluated. These will be in place prior to project nominations. Mr. Roden indicated that the timeline for this study will be: (1) end of 2013 – identify existing and future congestion problems; (2) early 2014 – project selection; (3) summer of 2014 – analyze and evaluate projects; and (4) end of 2014 – project rating.

AECOM will start with the model used by the Metropolitan Washington Council of Governments (MWCOC) to define demand for the region and then look at the simulation model to determine density, crowding on transit, distribution of benefits and where people live, as it relates to Northern Virginia. Mr. Roden stated that they will use a decision support tool (i.e. Decision Lens). The demand and operational modeling will provide the data on congestion and mobility and Decision Lens tool will help provide the weights for each of these measures that will be used in the final rating scores. This tool will also allow for the "what if" analysis. Once this data is obtained, it will be used as inputs for the rating scores. The study team will do "what if" tests to determine how the measures are rated, the benefits to the counties, etc. Over the next two months, the study team will define analysis measures and the tools.

Chairman Bulova asked if localities will be asked to submit projects. Mr. Roden stated that the CTB and NVTA will nominate projects. He noted that the end product is 25-30 projects. Chairman Bulova questioned whether a larger list of projects should be analyzed since some projects may not qualify under the definitions used. Mr. Srikanth stated that the 25-30 projects will all meet the criteria although they may be rated differently.

Mr. Garzynski stated that it doesn't look as if the study will help the CTB or the NVTA with the development of their respective Six Year Plans. He asked if there will be a ranking at the end of the evaluation process that will identify the top projects that relieve congestion. Mr. Srikanth stated that the study team can do a project ranking but the law doesn't require them to do it. Mr. Srikanth noted that most metropolitan planning organizations (MPOs) only have a few priorities, while Northern Virginia has many more. VDOT wants to have objective rankings that carry weight with the General Assembly.

Delegate Rust stated that it is critical that the end product provide a project ranking—stating that we need to know which projects do the most.

Chairman Nohe stated that VDOT is facing the same challenge that NVTA faces in that they are trying to implement a piece of legislation that evolved rapidly. Chairman Nohe stated Northern Virginia has many more congestion and regionally significant projects than we can fund, and HB599 creates a process to tell us what we already know. Further, ranking projects 1-25 makes project number 25 look like it is a bad project when it may not be. Chairman Nohe also referenced the fact that in many cases, several alternatives are possible to address a specific need. Therefore, if several of these proposals are part of the evaluation and rating study, yet only one is selected for completion, this still reduces

the pool of projects that the Authority can consider for implementation. Mr. Garzynski stated that we need to prioritize at some point.

Mr. Zimmerman asked what role the NVTa model plays in designing the formula to use for rating the projects. He expressed concern about creating a new model for rating the projects since the NVTa has an adopted long-range plan that included extensive modeling. Chairman Bulova commented that the NVTa used modeling in the development of the TransAction 2040 Plan. Mr. Roden stated that the TransAction 2040 model used MWCog's model that provided demand estimates and could not provide operational congestion impacts such as those listed on slide # 14. Mr. Roden also stated that they will use the same MWCog model to get demand data.

Mr. Zimmerman asked if the structure of the model will be the same as was used in TransAction 2040. Mr. Roden answered no. Mr. Zimmerman question the inputs that VDOT and the study team will be using to incorporate into the model as that has a direct impact on the outputs of the model. He reiterated the fact that VDOT must coordinate with the Authority in determining model inputs and the suggested framework. Mr. Zimmerman went on to ask what coordination is being done with the NVTa to develop evaluation criteria. Mr. Roden stated that VDOT and the study team will work with the NVTa to develop the evaluation criteria. Mr. Zimmerman requested that the study team work with the professional staff to help develop the evaluation criteria; suggesting that the evaluation criteria be vetted among the Authority prior to any analysis work and reminded VDOT and the consultant that the study is to be done in coordination with the NVTa. Mr. Zimmerman also asked if the study team had any idea of how the projects would be compared—wanting to know what are the ways to say Project A reduces congestion more than Project B and why there is a 25-30 project limit. Mr. Srikanth stated that there would be congestion and mobility related measures of effectiveness used to evaluate and rate each project, and that VDOT is limiting the number of projects to 25-30 due to time and funding constraints. He also noted that the law requires the study to be updated every 4 years.

Mr. Zimmerman expressed concerns regarding the decision to only analyze 25-30 projects. Mr. Zimmerman stated that analyzing a few projects does not give the full picture with the dynamic analysis tools that VDOT is proposing. It is difficult to demonstrate how projects fair if the analysis only includes 25-30 projects. He also stated that in order to fully understand the impact of projects across the region, the Authority needs to know how the projects interact system-wide.

Mr. Zimmerman asked VDOT to ensure that the "Open Source" model would be transparent, including proprietary data. Mr. Srikanth responded the Open Source model is transparent and can be downloaded from the internet.

Ms. Rishell wanted clarity on whether the funding source will be used as a selection criterion. Mr. Srikanth stated that the law prohibits selecting projects based on its funding source but it could be used as a measure to rate the project Ms. Rishell stated that the Authority may want to use this as a criterion and wanted to know the exact mechanism for NVTa project selection. Chairman Nohe directed staff to provide some

level of technical analysis as well as with a recommendation regarding the process in the selection of the projects.

Mr. Snyder expressed concerns with Chart 3 of the presentation, stating that it draws a legal conclusion that the study is binding to NVTa funding. He requested that the Council of Counsel review the “binding nature.” He also stated that this study will assist the Authority in making decisions but the NVTa will make the decisions regarding project selection and funding.

Mayor Parrish and Chairman York expressed that the process identified for HB599 is cumbersome and doesn’t necessary allow jurisdictions to benefit from the funds generated in their localities, as is required by HB 2313.

Item V. HB 2313 – Working Group Updates

A. Public Outreach

There was no committee report.

B. Organizational

There was no committee report. Chairman York stated that the group needs to make a decision regarding long term housing for NVTa staff.

C. Project Implementation Working Group

Mr. Zimmerman stated that the last recommendations of the project implementation working group were included under the bond validation suit. He also stated that the group will meet early next month where he expects the group to start developing recommendations for HB599.

D. Financial

Vice Chairman Euille stated that the Maintenance of Effort request was answered by all jurisdictions; noting that Arlington, Fairfax County and the City of Fairfax has the Commercial and Industrial Tax-other jurisdictions have developed what they will do to make up the equivalent of the C&I tax. Tom Biesiadny, staff coordinator for the Financial Working Group, informed the group that the Treasury Board deferred action, as there was no quorum. Mayor Euille informed the Authority that the next meeting of the Financial Working Group is Monday, October 7th at noon at the Fairfax County Department of Transportation. Chairman Nohe stated that the Authority is required to have a Finance Committee and that the Financial Working Group should transition to this committee.

E. Legal

Council Member Snyder briefed the Authority that the hearing of the Bond Validation in Fairfax County Circuit Court will be September 30, 2013. Mayor Parrish raised several questions regarding who owes the debt if the revenue goes away. Other questions were raised regarding the Route 28 landowners and the 70% from HB 2313. Council Member Snyder requested the Council of Counsels respond to these questions and to review the “binding nature” at the next meeting. Chairman York asked that the Council of Counsels look into the concerns of the Route 28 landowners about the allocation of funds for Hot Spot Improvements with the tax district.

Item VI: Executive Director’s Report

A. Approval of 2014 Budget and NVRC Service Agreement

John Mason briefed the Authority on the budget. He advised that NVRC is providing office space rent free to NVTa for six months. The original budget was set at \$1.047 million and now revised at \$904,000 due to the six months of rent free. Chairman Bulova moved and Vice Chairman Euille seconded and Chairman York abstaining.

Mr. Mason briefed the Authority on the Service Agreement with NVRC. He indicated to the Authority that the indemnification clause and insurance matters were still in the reviewing process. Chairman Bulova moved and Vice Chairman Euille seconded that the Service Agreement between NVTa and NVRC, in a form approved by the Council of Counsels, subject to resolution of terms relating to indemnity and insurance matters and other provisions relating to non-compliance with the Agreement’s terms; and that the Service agreement, once it has been executed, shall be brought back to the NVTa for ratification. This motion passed unanimously.

Item VII: Information Items-CMAQ/RSTP Reallocation Requests

Information items only.

Item VIII: Other Business

Chairman Nohe stated that the Commonwealth Transportation Board Fall Hearing on the Six Year Improvement Program will be on October 22, 2013. Since this meeting is prior to the NVTa meeting, Chairman Nohe requested staff to provide draft comments to be vetted by the Authority so comments can be provided at the CTB meeting.

IX: Adjournment

The NVTa meeting was adjourned at 9:27 p.m. Next meeting is at 3060 Williams Drive, Suite 510, Fairfax, Virginia 22031 at 5:30 p.m. on October 24, 2013.

MOMENTUM

metro The Next Generation of Metro

EXECUTIVE SUMMARY

Executive Summary

Metro is at a critical juncture. Since the system opened, the region has grown tremendously; yet investments and upgrades to the system have not kept up. Today's customers are experiencing the effects of years of chronic underfunding and underinvestment: aging equipment, deteriorating infrastructure and less-reliable service. Recent efforts to renew the system are helping, but will only bring the system back to where it should have been all along.

Meanwhile, the region is projected to continue to grow over the coming decades, and this growth will place even more pressure on a system that is already nearing capacity. To ensure the system continues to meet the region's mobility needs as well as support

the competitiveness of the region, Metro must continue to rehabilitate the system and plan for future growth by articulating a strategic, long-term vision for the future.

To rise to this challenge, Metro's leadership has created *Momentum*, a strategic plan that will guide Metro's decisions over the next ten years and ensure that the system continues to support the region's competitiveness for decades to come. Building on the Board of Director's governance improvements, a renewed safety and performance management culture, achieving financially-measurable efficiencies and preparing for more, and the accomplishments of MetroForward, *Momentum*:

- Ensures that Metro will provide the transit system the Washington region needs to deliver hundreds of millions of trips to residents and visitors each year;
- Provides vision and guidance for decision-making to efficiently meet the needs of today while proactively preparing to support the future needs of a healthy, prosperous, and competitive region tomorrow;
- Establishes priorities for near- and long-term action and establishes a vision for its regional role that is consistent with language in the Metro Compact;
- Sets the stage for addressing Metro's chronic funding challenges, and among other items specifically calls for an aggressive effort to secure a reliable and sustainable source of funding for the system; and
- Calls on Metro to fill a critical role in regional transit leadership.

Concurrently, *Momentum* gives Metro clear direction in fully-committing itself to the customer experience





and ensuring the system and its customers are safe and secure.

The Strategic Planning Process

The strategic plan presented in *Momentum* reflects thorough technical analyses and extensive outreach and feedback from regional stakeholders. Board members and management initially reached out to stakeholders based on a draft framework for *Momentum*. As a result of the initial intensive discussions by the Board and the executive leadership team, Metro drafted a new vision, mission and goals that reflect the priorities of the region. With this new strategic framework in hand, the Board of Directors and management launched a comprehensive outreach program for *Momentum*.

Reflecting Metro's broad reach across the region, the outreach plan was extensive and sought input from

Metro's customers, the general public, jurisdictional and federal funders, key regional civic organizations, Metro's own employees, and stakeholders. Business and advocacy groups further extended the initiative's reach. Metro's partners simultaneously joined the effort to promote maximum exposure, regional reach, and breadth of input.

Among the most prominent shared areas of feedback were the following sentiments:

- **Metro is critical to the region's future:** The transit system is the region's circulatory system; tending to it is essential to competitiveness, prosperity, and enhanced qualities of life;
- **Continue rebuilding:** "Fix it" and make the system more reliable;
- **Reduce crowding:** Metro needs more capacity on both rail and bus;

- **Provide better customer information:** Customers want all types of trip information, on-demand, everywhere; and
- **Ensure predictable funding:** Citizens, leaders, and businesspeople alike are unified in calling for sustainable, reliable funding so Metro can continue to produce a return on investment for the region.

The Strategy

Momentum is both responsive to current feedback as well as proactive in anticipating future needs. Built around the four Board-endorsed strategic goals, *Momentum* articulates the following strategies for Metro:

Goal 1

Build and Maintain a Premier Safety Culture and System



Keep safety Metro's first priority

Metro will continue its efforts to return to and keep the system, equipment, and infrastructure in good condition. Metro will use data-driven and science-based methods to allocate resources, use system safety practices and principles and environmental design to enhance safety, and seek to meet or exceed national safety and security standards for transit.

Create a shared climate of safety

Metro will work with employees, riders, jurisdictional partners, and the general public to make sure that everyone does their part in creating and sustaining a culture of safety and security in stations, vehicles, support facilities, and access points. Metro will enhance its communications feedback loops to bring critical safety information to empowered agents quickly and prevent accidents before they happen.

Expect the unexpected

Metro will continue to support the region's emergency transit management and security readiness protocols, and seek to make transit emergency protocols widely- and easily-understood. Metro will maintain regional evacuation capability and prepare for any event that requires wide-scale response. On a smaller scale, Metro will continue to improve incident response timing, planning, preparation and investigation.

Prepare for extreme weather

Extreme weather is becoming more commonplace. Metro will continue to design and build the system, as well as implement operational protocols which assume extreme weather may become the "new normal". Facility enhancements, new equipment, and strategic partnerships will also improve Metro's ability to adapt to changing weather patterns.

Goal 2

Meet or Exceed Expectations by Consistently Delivering Quality Service

Focus on the customer

Metro will focus on the needs of Metro's customers at all stages of a trip and optimize its customer-facing employee approach.



Make it easy and intuitive to plan, pay, and ride

Metro will provide customers with accurate and timely information to navigate the region and plan their trips, including real-time information on arrivals and departures, or delays and incidents. Adopting new technologies and policies will help our customers experience an easy, intuitive and seamless trip.

Fix it first and fast

Metro's results focused maintenance approach is critical to keeping assets in a state of good repair and services running reliably. Metro will collect and utilize data on the performance of the system in order to deploy resources.

Be on-time

Metro is dedicated to delivering service on time. Metro will continue to adjust service delivery to improve reliability, reduce crowding, and better serve travel markets.

Goal 3

Improve Regional Mobility and Connect Communities



Be the region's transit leader

Metro is not only the region's largest transit provider, but is chartered as the region's transit planner. Through leadership and partnerships, Metro will cultivate a culture of regional collaboration and push the boundaries of joint problem-solving, ensuring that tomorrow's regional transit services move people where they want to go, seamlessly.

Maximize what we have

Metro will meet growing demand and address overcrowding by optimizing the capacity of the existing infrastructure. In addition, Metro will work with local jurisdictions to implement transit priority improvements on the street to move buses faster.

Enhance access

Access to and linkages between stations/stops and services is the basis for a successful transit network. Metro and its partners have added sidewalks and bike

lanes and connected local bus services to stations, but there is still much work to be done. Metro will continue to improve the usability of multiple modes of transit and the overall accessibility of the entire system to all riders.

Expand for the future

Metro will work with local partners to enlarge the rail and bus network to provide high quality transit to communities across the region.

Support the region's economic competitiveness

Transit is the backbone of the region and a key to its vitality. Metro will continue to support the development of places where people want to invest, live and work.

Goal 4

Ensure Financial Stability and Invest in our People and Assets



Secure funds for strategic investments

Metro will work with regional and federal partners to secure predictable funding sources to enable strategic investments for transit. Metro is already working with regional partners to develop multi-year budgets to form the basis of stable funding agreements.

Invest for the long-term

Vehicles, tunnels, bridges, stations and systems are all valuable physical assets for the region that will require replacement. Metro will prioritize and replace assets with a view to providing long-term safety, reliability and cost savings.

Increase efficiency and lower costs

Metro will operate efficiently by focusing on key cost drivers, improving business processes, and using technology more effectively.

Be Green

Metro will employ technologies and practices to reduce consumption of natural resources and pollution. Lower energy usage, alternative fuels, and sustainable development criteria will be considered for new facilities and vehicles.

Recruit and keep the best

Continued growth and development throughout the region requires an organization that is capable of recruiting, developing, and motivating and retaining a diverse, high-performing workforce necessary to achieve Metro's goals and to foster the next generation of Metro employees and leaders. Metro's human capital strategies will leverage the priority actions identified in *Momentum* to address future workforce demands and challenges.

Metro 2025

Momentum includes a set of seven pivotal investments, called Metro 2025, that are essential to implement immediately so that the system can keep up with today's demands and continue to support the region's economic competitiveness and quality of life.

Table 1: Summary of Metro 2025 Capital Initiatives

Summary of Metro 2025 Initiatives	Description	Regional Benefits
Eight-Car Trains During Peak Periods p. 55-56	Operate all eight-car trains (longest possible) during rush hour by acquiring additional railcars, power capacity, and railcar storage	Trains will carry 35,000 more passengers per hour during rush hour – the equivalent of building 18 new lanes of highways into Washington, D.C.
Core Station Improvements p. 57-58	Expand or enhance high-volume rail transfer stations in the Metro system core to ease congestion for existing customers and to accommodate more riders in the future. Build new underground pedestrian connections between select stations such as the Farragut Stations or Metro Center/Gallery Place	Brighter, safer, and easier to navigate stations that will serve more people than today. Customers will be able to walk between stations rather than transfer on trains, which will be more convenient, save time and relieve crowding at the major transfer stations
Metrobus Priority Corridor Network (PCN) p. 59-60	Enhance and make bus service faster by completing the PCN, which outlines a variety of improvements that allow buses to bypass traffic congestion	Buses will move 50 percent faster, save each passenger on these routes an average of 3-4 minutes per trip, and remove an additional 100,000 trips from roadways each day
New Blue Line Connections p. 61-62	Seek to restore peak period Blue Line service between Pentagon and Rosslyn stations	Five more trains per hour during the peak period between Pentagon and Rosslyn stations, which would provide capacity for at least 4,000 more passengers per direction per hour. This would reduce crowding and wait times by an average of three minutes per trip for around 16,000 trips.
Next Generation Communications p. 63-64	Become a one-stop shop for all regional transit trip planning, and payment for the region's 15 transit systems. Upgrade communications systems for better, more accurate, and audible information for riders	Regardless of the regional provider, customers will be able to plan, pay for, and take a transit trip seamlessly and effortlessly all across the region. Information, everywhere, all the time, will allow travelers to know where buses and trains are and how to time their trips, as well as receive real-time travel and consumer information while in stations
Bus Fleet Expansion p. 65-66	Expand bus fleet and storage/maintenance facilities along growing corridors	Enables Metro to serve 40,000 additional bus trips per day. Allows Metrobus to maintain existing levels of service. Places Metrobus on a course to help relieve Metrorail congestion on some of its busiest segments.
Pocket Tracks p. 67-68	Build new rail infrastructure, such as pocket tracks and crossovers, to improve service for customers and provide more flexibility in the system	Customers will benefit from a rail system that is more flexible and better able to respond to service disruptions. The infrastructure has the potential to reduce operating costs to local jurisdictions.

Order of Magnitude Cost Estimate (\$2012)	FY2014-2019 Investments	Timeline for Implementation																										
\$2 Billion	\$100 Million	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																
\$1 Billion	\$100 Million	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																
\$600 Million	\$85 Million	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																
\$1 Billion	\$1 Million	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																
\$400 Million	\$60 Million	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																
\$450 Million	\$85 Million	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																
\$500 Million	None	<table><tr><td>2013</td><td>2014</td><td>2015</td><td>2016</td><td>2017</td><td>2018</td><td>2019</td><td>2020</td><td>2021</td><td>2022</td><td>2023</td><td>2024</td><td>2025</td></tr><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025													
2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025																





**Financial Working Group
Northern Virginia Transportation Authority**

MEMORANDUM

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: William Euille, Chairman
Financial Working Group
Northern Virginia Transportation Authority

SUBJECT: Report of the Financial Working Group (Agenda Item VI.)

DATE: October 16, 2013

Recommendation:

The Financial Working Group recommends that the Authority approve the revised procurement procedures included as Attachment A.

Background:

In January 2008, concurrent with the hiring of an executive director, the Authority adopted procurement procedures. These procedures were used as the executive director established the Authority's office. However, following the Virginia Supreme Court ruling that the seven taxes and fees imposed by the Authority were not constitutional, the Authority's formal operations were scaled back and eliminated in September 2008. Since that time, there has been no need for the Authority to engage in direct procurement.

Following the approval of HB 2313, the Authority directed the working groups to begin the process of reestablishing a formal office and preparing for the implementation of the bill. As part of this effort, the Financial Working Group reviewed several policies and procedures that were established in 2008 to determine whether changes should be made. The Authority's procurement procedures were one of the documents reviewed. A subcommittee of the Financial Working Group met with procurement staff from several of the jurisdictions and members of the Legal Working Group to review the procurement procedures that were adopted in 2008 and recommend changes.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
October 16, 2013
Page Two

Since 2008, the Virginia Procurement Act has been amended to increase limits of procurement of professional and non-professional services. The Authority's procurement policies have been updated to reflect this change. In addition, contrary to 2008, it appears that the Authority will likely hire a Chief Financial Officer later this fall. The procurement policy has been revised to anticipate this change. An annotated version of the procurement policy showing the proposed changes is included as Attachment A.

Other Updates:

Since the July 24, 2013, Authority meeting, the Financial Working Group has met twice to continue its efforts to implement the financial aspects of HB 2313. Several subcommittee meetings were also held. Progress on each of the working group's activities is discussed below.

Status of Action by the Treasury Board

Following the Authority's July 24, 2013, meeting, Chairman Nohe wrote to the Commonwealth Treasury Board seeking an exemption from typical Treasury Board approval for selling bonds supported by the three taxes that the Authority will be receiving from the Commonwealth as a result of HB 2313. The Authority's bond counsel also coordinated this issue with Treasury Board staff. The Treasury Board did not meet on September 18, 2013. The Board's next scheduled meeting is October 16, 2013. An update will be provided at the Authority meeting on October 24, 2013.

Agreements

There are four agreements that the Authority will be asked to consider. These agreements include:

- a) An agreement between the Authority and its nine member jurisdictions outlining the policies and procedures associated with the distribution of the 30 percent funding that HB 2313 requires be distributed to the local governments. STATUS: Members of the Financial and Legal Working Groups have met to discuss the various items that should be included in the agreement and have reached consensus on how to approach them. The agreement is being drafted and will be circulated among the working groups for comment and refinement. It is anticipated that a draft agreement can be presented for the Authority's consideration at its December 12, 2013, meeting.

- b) An agreement between each county and its town(s) for the distribution of the 30 percent funding that HB 2313 requires be distributed to the local jurisdictions and proportionately to the towns. STATUS: As described below, the Financial Working Group has discussed procedures for distributing revenues to the towns. These procedures will be incorporated into a standard agreement that each of the three counties will execute with its town(s). This agreement will closely follow the agreement between the Authority and the counties, but will also include specific information about the distribution of each revenue source and documentation requirements. A draft of items to be included in the agreement has been developed and reviewed. An agreement will be prepared after the agreement between the Authority and its member jurisdictions is finalized.
- c) An agreement between the Authority and agencies implementing projects and services funded by the 70 percent funding that the Authority will be retaining for regional projects. Since the Authority will have limited capabilities to implement projects and services on its own, particularly in the short term, it will need to coordinate with local jurisdictions, regional transportation agencies and state transportation agencies, and potential others, to implement projects and services using the 70 percent funding that the Authority will retain. To accomplish this, the Authority will need to develop a standard agreement with these implementing agencies establishing appropriate policies and procedures to protect the Authority, outline the reimbursement practices and specify documentation and records keeping requirements. STATUS: The Financial and Legal Working Groups have not begun to work on this agreement yet. It is anticipated that it will be ready for the Authority's consideration at the December 12, 2013, meeting.
- d) An agreement between the Authority and the Commonwealth (Virginia Department of Transportation and the Department of Rail and Public Transportation) related to the roles and responsibilities of each agency associated with the collection and distribution of the regional transportation revenues, the implementation of projects and the applicability of the Authority's regional funding for local matches to state transportation funding. STATUS: VDOT and DRPT have prepared a draft agreement for the Authority's consideration. The Financial and Legal Working Group are in the process of reviewing the agreement. It is anticipated that an agreement will be ready for the Authority's consideration at the December 12, 2013, meetings.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
October 16, 2013
Page Four

Distribution of Revenues to the Towns

HB 2313 requires that counties ensure that the town(s) within their boundaries receive a proportional share of the revenues made available to the counties. The Financial Working Group has been discussing ways to determine the proportional share and the procedures for making these revenues available to the towns. Draft procedures have been developed and reviewed. It is anticipated that these procedures will be submitted to the Authority for consideration at the December 12, 2013, meeting.

Debt and Financial Policies

A subcommittee of the Financial Working Group met several times with the Authority's financial advisors, bond counsel and members of the Legal Working Group to update the debt and financial policies in anticipation of a bond sale in Spring 2014. These policies were originally approved by the Authority in 2008. This assumes that the Authority ultimately prevails in the bond validation suit. These policies address various aspects of NVTa's financial requirements for a bond sale, including coverage ratios, reserve requirements, and the selection of future financial advisors and bond counsel, etc. The document is currently being reviewed by the entire Financial Working Group. It is anticipated that this document will be submitted to the Authority for consideration in December 2013 or January 2014.

Cash Flow Procedures

A subcommittee of the Financial Working Group met with the Authority's financial advisor to prepare recommendations for cash flow procedures and documentation that will be needed to manage the distribution of the 70 percent funding that the Authority is retaining to implement regional projects and manage its bond proceeds. The subcommittee also developed the forms that implementing agencies will need to complete to provide data on individual projects. These forms have been reviewed by the entire Financial Working Group. In addition, the Financial Working Group is beginning to solicit cash flow information for each of the bond and pay-as-you-go projects approved by the Authority on July 24, 2013. This information will be needed for the development on an initial bond issuance.

Martin E. Nohe, Chairman
Members, Northern Virginia Transportation Authority
October 16, 2013
Page Five

Hiring of a Chief Financial Officer

The Financial Working Group has identified several members to assist the executive director with interviewing and hiring process for a chief financial officer for the Authority.

Revenue Collections

To date, the Commonwealth has transferred \$46.524 million in transportation revenues to the Authority. The revenues collected and transferred are reported in Attachment B.

On-Going Activities

The Financial Working Group is still working on several additional tasks. These include:

- developing audit procedures;
- preparing a recommendation for the Authority related to the calculation of the long-term benefit that jurisdictions will receive from the implementation of the projects and services supported by the 70 percent of funding that the Authority will retain for regional projects.

Financial Working Group members and I will be available at the NVTa meeting on October 24, 2013, to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee
Members, NVTa Financial Working Group
Members, NVTa Legal Working Group

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

RESOLUTION 14-06

ESTABLISHING GUIDELINES FOR EXECUTIVE DIRECTOR'S
~~INITIAL~~ FINANCIAL AND PROCUREMENT AUTHORITY

WHEREAS, ~~upon hiring an executive director,~~ the Northern Virginia Transportation Authority looks forward to transitioning financial and procurement responsibilities from the existing temporary support being provided by participating jurisdictions to ~~interim~~permanent Authority staff; and

WHEREAS, it is recognized that transition measures are necessary until a formal staffing plan is approved and the Authority's permanent staff is acquired, and written financial and procurement procedures are adopted; and

WHEREAS, associated with the aforesaid transition, it is necessary to provide the executive director with authority to initiate the below prescribed financial and procurement functions; and

WHEREAS, it is understood that the purpose of this policy is to provide ~~initial~~ authority to the executive director and that a formal staffing plan and more detailed financial and procurement policies will subsequently be submitted to the Authority for its approval.

NOW, THEREFORE, BE IT RESOLVED BY THE NVTa THAT:

1. ~~Upon being appointed, the~~ executive director or the chief financial officer shall assume lead responsibility for initiating financial and procurement actions for the Authority consistent with applicable authorization by the Authority, the availability of budgeted funds for the purpose, and the Virginia Public Procurement Act and all applicable laws.
2. All procurements shall be conducted in accordance with the requirements of the Virginia Public Procurement Act. Subject to, and as provided for by those requirements, the following shall apply to single and term contracts for goods and professional and non-professional services ~~other than professional services~~ not expected to exceed \$50,000:
 - a. Small purchases:
 - 1) Up to \$5,000 – one written quote or documented verbal quote
 - 2) \$5,000 - \$15,000 – solicitation of a minimum of three qualified sources (verbally and documented or in writing)
 - 3) \$15,000 -- ~~\$~~530,000 – written solicitation of a minimum of four qualified sources.

Purchases consistent with above guidelines and within approved budget parameters may be approved by the executive director.
 - b. Procurements anticipated to cost more than ~~\$~~530,000 shall be conducted in accordance with applicable requirements of the Virginia Public Procurement Act, and prior approval of the Authority is required.
3. Until financial management policies have been adopted, the following procedures shall apply:
 - a. ~~The existing financial management procedures shall remain in place, with the exception of process for small purchases and the authorization to sign checks.~~

- ~~b.a. The~~ Upon appointment of an executive director ~~is, he shall be~~ authorized to sign checks up to \$5,000; checks exceeding that amount must be counter-signed by the chairman or the vice chairman. Upon hiring of a chief financial officer (CFO), the CFO is authorized to sign checks up to \$5,000. Checks over \$5,000 must be countersigned by the executive director. In all cases, expenditures shall be consistent with approved budget or a separate approval by Authority.
- ~~e.b.~~ Specific prior approval of the Authority is needed for any expenditure that exceeds \$30,000.
- ~~d.c.~~ In all cases, appropriate documentation will be established and maintained consistent with state records management requirements.

Adopted by the Northern Virginia Transportation Authority on this 10th day of January, 2008.

BY _____
Chairman

ATTEST: _____
Vice Chairman

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

RESOLUTION 14-06

ESTABLISHING GUIDELINES FOR EXECUTIVE DIRECTOR'S FINANCIAL AND PROCUREMENT AUTHORITY

WHEREAS, the Northern Virginia Transportation Authority looks forward to transitioning financial and procurement responsibilities from the existing temporary support being provided by participating jurisdictions to interim Authority staff; and

WHEREAS, it is recognized that transition measures are necessary until a formal staffing plan is approved and the Authority's permanent staff is acquired, and written financial and procurement procedures are adopted; and

WHEREAS, associated with the aforesaid transition, it is necessary to provide the executive director with authority to initiate the below prescribed financial and procurement functions; and

WHEREAS, it is understood that the purpose of this policy is to provide authority to the executive director and that a formal staffing plan and more detailed financial and procurement policies will subsequently be submitted to the Authority for its approval.

NOW, THEREFORE, BE IT RESOLVED BY THE NVTa THAT:

1. The executive director or the chief financial officer shall assume lead responsibility for initiating financial and procurement actions for the Authority consistent with applicable authorization by the Authority, the availability of budgeted funds for the purpose, and the Virginia Public Procurement Act and all applicable laws.
2. All procurements shall be conducted in accordance with the requirements of the Virginia Public Procurement Act. Subject to, and as provided for by those requirements, the following shall apply to single and term contracts for goods and professional and non-professional services not expected to exceed \$50,000:

- a. Small purchases:

- 1) Up to \$5,000 – one written quote or documented verbal quote
- 2) \$5,000 - \$15,000 – solicitation of a minimum of three qualified sources (verbally and documented or in writing)
- 3) \$15,000 -- \$50,000 – written solicitation of a minimum of four qualified sources.

Purchases consistent with above guidelines and within approved budget parameters may be approved by the executive director.

- b. Procurements anticipated to cost more than \$50,000 shall be conducted in accordance with applicable requirements of the Virginia Public Procurement Act, and prior approval of the Authority is required.
3. Until financial management policies have been adopted, the following procedures shall apply:

- a. The executive director is authorized to sign checks up to \$5,000; checks exceeding that amount must be counter-signed by the chairman or the vice chairman. Upon hiring of a chief financial officer (CFO), the CFO is authorized to sign checks up to \$5,000. Checks over \$5,000 must be countersigned by the executive director. In all cases, expenditures shall be consistent with approved budget or a separate approval by Authority.
- b. Specific prior approval of the Authority is needed for any expenditure that exceeds \$30,000.
- c. In all cases, appropriate documentation will be established and maintained consistent with state records management requirements.

Adopted by the Northern Virginia Transportation Authority on this 10th day of January, 2008.

BY _____
Chairman

ATTEST: _____
Vice Chairman

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY
STATEMENT OF REVENUES RECEIVED, BY JURISDICTION IN WHICH REVENUE WAS GENERATED
JULY 1, 2013 THROUGH OCTOBER 18, 2013
(CASH BASIS)

<u>Jurisdiction</u>	<u>Grantor's Tax*</u>	<u>Regional Sales Tax</u>	<u>Transient Occupancy Tax</u>	<u>Total</u>
City of Alexandria	\$ 686,257	\$ 2,328,786	\$ 385,775	\$ 3,400,818
Arlington County	961,472	3,440,368	1,301,710	5,703,549
City of Fairfax	42,283	1,167,344	-	1,209,627
Fairfax County	4,417,389	15,348,021	214,442	19,979,853
Falls Church	58,133	335,922	-	394,055
Loudoun County	2,267,657	5,884,870	-	8,152,526
City of Manassas*	-	723,230	10,869	734,099
City of Manassas Park*	-	194,458	-	194,458
Prince William County*	1,552,504	5,180,576	22,063	6,755,143
Total Revenue	<u>\$ 9,985,695</u>	<u>\$ 34,603,574</u>	<u>\$ 1,934,859</u>	<u>\$ 46,524,128</u>

<u>Date Received</u>	<u>Remitting Agency</u>				
8/28/2013	VDOT	\$ 3,551,883	\$ -	\$ -	\$ 3,551,883
9/20/2013	Dept. of Taxation	-	17,153,792	-	17,153,792
9/20/2013	VDOT	3,484,477	-	1,021,374	4,505,851
10/15/2013	VDOT	2,949,335	-	913,485	3,862,820
10/18/2013	Dept. of Taxation**	-	17,449,782	-	17,449,782
Total Revenue		<u>\$ 9,985,695</u>	<u>\$ 34,603,574</u>	<u>\$ 1,934,859</u>	<u>\$ 46,524,128</u>

*To date VDOT has been unable to determine the portion of the Grantor's Tax reported for Prince William County that is attributable to the cities of Manassas and Manassas Park. In addition, VDOT is in the process of reconciling the allocation by jurisdiction of the Grantor's Tax revenue received by the NVTA in October, and the allocation will likely change from what is reported in this schedule.

**The Regional Sales Tax revenue transferred to the NVTA in October is net of \$210,894 in fees charged by the Department of Taxation.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

DATE: October 22, 2013

FOR: Chairman Martin E. Nohe
Members, Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman, Jurisdiction and Agency Coordination Committee

SUBJECT: JACC Comments on the Next Steps for the Implementation of HB599

Background:

At the September 26, 2013, Authority meeting, Chairman Nohe directed staff to provide some level of technical analysis as well as a recommendation regarding the process for the project evaluation process required by HB599. At the October 10, 2013, JACC meeting, Virginia Department of Transportation (VDOT) staff discussed the “next steps” regarding the implementation of HB599. As part of this discussion, VDOT staff informed the JACC that VDOT will ask the Commonwealth Transportation Board (CTB) to approve priorities intended to be used as the first step in the HB599 ranking and evaluation study. VDOT stated that they had identified five (out of thirteen) Investment Priorities that were endorsed as part of VTrans2035, for approval as part of the HB599 project selection criteria. VDOT also identified “milestones” in which the input of local jurisdictions and the transit agencies would be sought in addition to holding a work session with the Authority.

Due to the CTB meeting being held prior to the October NVTA meeting, Chairman Nohe requested input from the JACC on the priorities being considered. Attached is the October 15th, 2013 memorandum prepared by the JACC outlying some initial concerns with the priorities and strategies (see attached). Chairman Nohe communicated these concerns in a letter to VDOT. On October 17, 2013, the CTB approved these priorities including one additional VTrans 2035 priority suggested in Chairman Nohe’s letter. Chairman Nohe’s letter and the CTB Resolution are included within the Correspondence items in the meeting packet. In addition to those items, staff has prepared the following response to VDOT’s October 10, 2013 update to the JACC regarding the study process and the next steps.

Process

Overall, staff would like VDOT to provide a more detailed project schedule that identifies all project milestones, including NVTA feedback and decisions points, working group e.g. the JACC and public participation. This schedule should outline what will be discussed or presented at each of these project milestones, to ensure sufficient time for feedback and input. This will

streamline the dialogue between the Authority and VDOT, helping to facilitate the on-going coordination as required by law.

The JACC believes that receiving the following information would be helpful as NVTA begins its role in this process:

- How does VDOT intend to structure the coordination with the NVTA?
- How will VDOT gather input from the NVTA? VDOT staff has noted that there will be input sessions with the localities and transit agencies followed by a work session with the Authority. Staff is uncertain as to how the data collected from the input sessions and work session with the Authority will be utilized in developing the criteria. Further, VDOT staff has mentioned a voting process. Staff would like additional detail regarding this methodology.
- How will VDOT align the rating and evaluation process with the development of the TPB FY 2014 CLRP and FY 15 – FY 20 TIP? Staff has noted that VDOT's rating and evaluation schedule for does not align with the Transportation Planning Board's schedule for the development of the 2014 Constrained Long Range Plan (CLRP). It is likely that many of the projects that will be included in the evaluation and ranking will need to be included in the CLRP.
- How will public input be incorporated into the process?

Additionally, staff has the following comments for consideration by the Authority:

- Staff is concerned that the CTB's Six Year Improvement Program will be adopted prior to the development of the first set of results. As such, there is no opportunity to have projects that are included in the evaluation and rating, included in the SYIP for additional consideration.
- NVTA requires a sufficient amount of projects in order to develop their Six Year Plan (SYP). An evaluation and rating of a maximum of 30 projects does not allow for the Authority to develop a comprehensive SYP. While staff understands that VDOT intends to update the study every two years as opposed to every four years as required by law; staff remains concerned about the Authority's ability to deliver a robust transportation program with so few projects rated by VDOT. Consequently staff recommends that the list of projects to be evaluated be expanded. Staff also believes it is critical that the universe of projects selected for the evaluation and rating are drawn from TransAction 2040; as the Authority can only consider projects evaluated as part of HB599 and included in TransAction 2040, for funding.
- VDOT staff informed the NVTA and the JACC that the project selection criteria, to

include the definitions of congestion reduction and projects of regional significance, as well as the secondary selection criteria will be presented to the jurisdictions and transit agencies as well as the NVTa for comment.. Staff believes the NVTa, in addition to the PIWG and the JACC, should participate in the development of the draft definitions and draft secondary evaluation criteria as opposed being able to comment on the draft after being produced by VDOT and the consultant.

- With regards to how VDOT gathers/seeks input from Northern Virginia, staff believes that using the existing Authority structure is the best way to garner input. The Authority has an existing structure in place to facilitate input and feedback. Staff believes this process should be utilized.
- While we appreciate that the CTB included an additional Vtrans2035 priority, we remain concerned as to how VDOT will coordinate with the NVTa to adapt the selected statewide priorities for the Northern Virginia region.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

DATE: October 15, 2013

FOR: Chairman Martin E. Nohe
Members, Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman, Jurisdiction and Agency Coordination Committee

SUBJECT: VDOT's Proposal that the CTB Approve five of the thirteen VTrans2035 Investment Priorities For Use In Selecting the Significant Transportation Projects to Be Evaluated and Rated Pursuant to § 33.1-13.03 (HB 599 – 2012)

Background:

At the October 10, 2013, Jurisdiction and Agency Coordination Committee (JACC) meeting, Virginia Department of Transportation (VDOT) staff discussed the "next steps" regarding the implementation of HB599. As part of this discussion, VDOT staff informed the JACC that VDOT will ask the Commonwealth Transportation Board (CTB) to approve priority strategies as the first step in the ranking and evaluation study as referenced in HB599 and the identification of projects to be included for the study. VDOT stated that they have identified five (out of thirteen) Investment Priorities that were endorsed as part of VTrans2035, for approval as part of the HB599 project selection criteria. JACC was informed that this recommendation is being considered at the CTB's October 17, 2013, meeting in Chincoteague, Virginia.

Chairman Nohe requested that the JACC provide comments and feedback on the Investment Priorities being considered for the review of the Authority. Below represents a comprehensive list of comments received from the JACC.

Selection of project rating priorities must include coordination with the Authority.

Ongoing coordination with the Authority in the development of priorities for the VDOT rating process is required by statute. Section 33.1-13.03:1 of the Code of Virginia states projects must be selected "according to priorities determined by the Commonwealth Transportation Board, in ongoing coordination with the Northern Virginia Transportation Authority." The proposed VDOT rating process seeks CTB approval of five project selection priorities. Despite assurances made by VDOT staff at the September 26, 2013 Authority meeting to coordinate with the Authority throughout the process, JACC was informed of the CTB's proposed actions only one week prior to the CTB meeting, providing no time for the Authority to meet and provide input into the development of these priorities, which are a vital part of this process. In fact, the

"Study Tasks and Coordination" document prepared by VDOT (9/24/13) does not identify Task 1 "CTB priorities" as a step that requires coordination with the Authority.

The Authority was established by the General Assembly in 2002 to give Northern Virginia a common voice on transportation issues in the region. Under § 15.2-4838, the Authority is responsible for long-range transportation planning and setting policies and priorities for regional transportation projects in Northern Virginia. In addition, the Authority has significant powers granted by the General Assembly to allocate both federal formula funds as well as 70% of the revenues generated through new regional taxes and fees established under HB 2313 to implement its long-range transportation plan. As such, the Authority is obligated by law to ensure that the priorities used as the basis for determining which projects are selected to be rated by VDOT enable the Authority to meet its statutory responsibilities. Consequently it is important that VDOT coordinate with the Authority at all critical milestones, including the selection of priorities. In this respect, Section 33.1-13.03:1 provides that VDOT may rely on the results of transportation modeling performed by other entities, including the Authority, which suggests, at a minimum, the CTB should be informed of the Authority's work and be asked whether that work should be used.

Greater coordination with the Authority by VDOT and the CTB is needed to ensure VDOT's rating process results in a sufficient number of projects for the Authority to select from using its statutory based criteria. The rating criteria used by VDOT are separate from those the Authority are required to use in selecting projects to fund with the regional funds. Further, it is imperative that VDOT rates projects contained in the Authority's regional plan. If this is not the case, the Authority will be unable to select any of the projects VDOT has rated because none of them meet the statutory criteria the Authority must use. Additionally, any projects that may extend beyond the Authority's jurisdictional boundaries cannot be funded with the regional funds provided by HB 2313. Further, the Authority must take into account the statutory requirements that each localities long-term benefit shall be proportional to the fees and taxes generated by that locality.

Comments on Specific Investment Priorities for Consideration

Clarification of the VTRANS2035 Investment Priorities and Strategies must be provided. Several of the Strategies listed as part of the individual Investment Priorities are unrelated to congestion mitigation and/or are problematic.

- ***Investment Priority #1 - Preserve and Enhance Statewide Mobility.*** VTrans2035 criteria were developed as statewide investment priorities. The first investment priority listed- "Preserve and enhance statewide mobility" seems entirely too broad for evaluating the effectiveness of would-be projects in the NVTA area. While that is entirely understandable for state-funded investments, ascribing significant weight to this criterion for an analysis of would-be Authority-funded projects could end up causing projects that arguably should be state-funded to be judged by the HB 599 analysis the highest rated projects for the regional funding. Priorities selected should aim to reduce

congestion and improve regional mobility in Northern Virginia while preserving and enhancing statewide mobility.

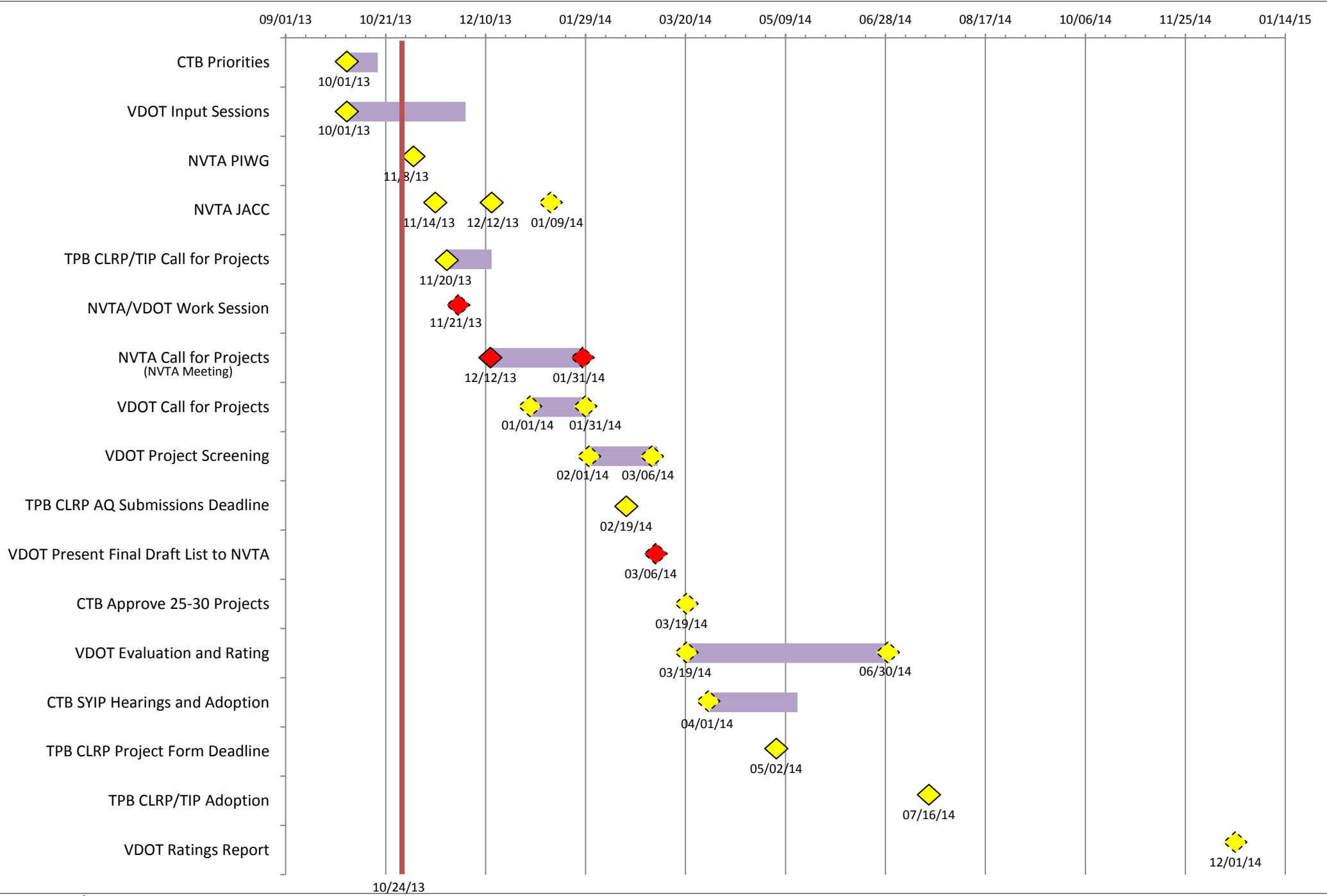
VTrans2035 focuses on Corridors of Statewide Significance, four of which travel through Northern Virginia: North South Corridor, Northern Virginia Corridor (I-66); Seminole Corridor (Route 29), and Washington to North Carolina Corridor (I-95). The Strategies included in within this Investment Priority, include “Develop master plans to improve access to Corridors of Statewide Significance,” “Reduce freight related congestion,” and “Complete in-progress PPTAs.” Northern Virginia has projects throughout the region that must be focused on, and cannot restrict itself to those Corridors. Further, while freight-related congestion is interconnected to congestion relief, the completion of PPTA’s should not be included as a factor in the congestion relief evaluation.

- ***Investment Priority #2 - Increase Coordinated Safety and Security Planning.*** This item appears to be related to the HB 599 study evaluation related to the regional mobility in the event of a homeland security emergency. However, as part of this regional mobility criteria, Investment Priority #3 (Improved Safe Operations and Services) is also relevant and should be included.

Further, while staff understands that VDOT is suggesting the use of the Investment Priority, it should be noted that this is fundamentally a “planning” criterion, not a performance criterion. It is unclear to staff how this Investment Priority will be used to adequately assess emergency response and mobility.

- ***Investment Priority #5 - Improve the Interconnectivity of Regional and Activity Centers.*** The Authority has a similar priority included within its regional plans. However, the Strategies listed as part of the Investment Priority in VTRANS2035 are largely related to high speed and intercity passenger rail, which are regional priorities. The other Strategy listed is to “provide effective regional transit systems in concert with supportive land uses and bike/ped connections,” which are relevant to the area.
- ***Investment Priority #6 - Reduce the Cost of Congestion to Virginia's Residents and Businesses.*** Page 31 of the VTrans2035 plan uses this priority to assess the economic value of a project’s congestion-reduction impacts. The Code states that “the evaluation shall provide an objective, quantitative rating for each project according to the degree to which the project is expected to reduce congestion and, to the extent feasible, the degree to which the project is expected to improve regional mobility in the event of a homeland security emergency.” While cost effectiveness is an important aspect of investment decision-making process, this criterion goes far beyond the scope of the requirements under HB 599.

- Further, it is important that the cost of congestion to our residents and businesses be addressed. However, we must also address the visitors, tourists, and those traveling through the area, as they are also part relevant to the issue.
- ***Investment Priority #10 - Increase System Performance by Making Operational Improvements.*** HB 599 notes that projects evaluation could include technology projects that could make a significant impact on mobility. This Priority seems relevantly related for that option.
- ***Investment Priority #9 - Increase Travel Choices to Improve Quality of Life for Virginians.*** The CTB should include this investment priority. As described in the VTrans2035 document, this priority is focused on keeping "Virginia competitive by reducing travel times and increasing mobility options." Reducing travel times and increasing mobility are applicable measures of congestion and mobility.
- ***Investment Priority # 8- Promote Sustainable Methods of Planning, Design, Operation and Construction That Are Sensitive to Environmental, Cultural and Community Resources.*** The CTB should also include this item, as it is directly related to congestion mitigation and substantially impact the feasibility of projects. Further, the Strategies listed within the Priority include "Expand non-Single-Occupant-Vehicle (SOV) travel options," which has a direct impact on congestion-relief.



- Critical Milestone (Date Confirmed)
- NVTA Critical Milestone (Date Confirmed)
- Critical Milestone (Date Unconfirmed)

Northern Virginia Transportation Authority**MEMORANDUM**

TO: Martin E. Nohe, Chairman
Northern Virginia Transportation Authority

Members
Northern Virginia Transportation Authority

FROM: David Snyder
Legal Working Group, Chairman
Northern Virginia Transportation Authority

SUBJECT: Legal Working Group Sixth Interim Report

DATE: October 21, 2013

Background and Recommendations:

On October 10, 2013, the NVTa Legal Working Group held a meeting in the City of Falls Church.

I presided at that meeting. Also in attendance were Steve MacIsaac, Angela Horan, Ellen Posner, Rob Dickerson, Corinne Lockett, John Foster, Arthur Anderson, and Tom Biesiadny.

The meeting was called to order at 9:30a.m., at which time participant introductions were made.

The first order of business was an update from the NVTa's September 26, 2013, meeting. Steve MacIsaac and Ellen Posner advised the Legal Working Group with regard to three questions that the NVTa broached at its September meeting that required input from the Legal Working Group.

In sum, those questions were: 1) If the General Assembly acted to undo NVTa or change its powers in some material respect, who would be responsible for NVTa's debt if the legislature's actions resulted in a default; 2) With regard to any funds that NVTa might choose to contribute/appropriate to the Rt. 28 projects in Fairfax County and Loudoun County, how would those NVTa funds be applied or credited to the project cost overall (i.e. would the NVTa third party funding implicate or affect the 25%/75% split as between the state and the landowners in the tax district?); and 3) Does the VDOT rating process under Va. Code Ann. Section 33.1-13.03:1 govern or bind NVTa's project selection?

The Legal Working Group engaged in substantial discussion on the substance of each question and the manner in which the answer to each question should be delivered to the NVTa. The Legal Working Group recommended that the Council of Counsels prepare a memorandum to the NVTa with responses and analysis. During the discussion, counsel noted that NVTa's Financial Advisor PFM had generally advised NVTa with regard to the issues set forth in question #1

during PFM's presentation to the NVTa in July, 2013; and thus, reference to that portion of PFM's presentation should be included in any response to question #1. With regard to question #2 and the Rt. 28 projects, the Legal Working Group endorsed the recommendation made by Steve MacIsaac, Ellen Posner, and Angela Horan that the answer to that question be prepared after consultation and in coordination with counsel from Fairfax County and Loudoun County. It was observed that this question raises similar issues that should be addressed by the Council of Counsels concerning the extent to which NVTa funds, both the 30% and the 70%, are non-state, regional funds that can be used in the state's revenue sharing program and to match state grant funds. With regard to the answer to question #3, there was general consensus among Legal Working Group members that NVTa's duty to fulfill its statutory mission was separate and distinct from VDOT's duty to rate projects under Section 33.1-13.03:1, that the VDOT rating process was a tool to be used by NVTa in fulfilling its statutory mission, and that VDOT's proposal to rate only 25 projects could prove problematic for NVTa in its ability to carry out its statutory mission and to comply with all relevant requirements under the NVTa Act.

Ellen Posner next delivered a brief update on the status of NVTa's bond validation proceeding. She reported that at the conclusion of the two day Final Hearing that commenced on September 30, 2013, Fairfax County Circuit Judge Dennis J. Smith had ruled in favor of NVTa on all counts and all issues. Entry of the Final Order in the case was scheduled for October 11, 2013.

Tom Biesiadny then updated the Legal Working Group with respect to the ongoing activities of NVTa's Financial Working Group. He discussed the progress that had been made on the development of NVTa's MOA with its constituent counties and cities concerning distribution of the 30% monies under HB2313. Although a draft of this MOA would likely not be ready for presentation to the NVTa at its October 24, 2013, meeting, a draft of the MOA would soon be ready for circulation to the Financial and Legal Working Groups. Mr. Biesiadny also reported that substantial progress had been made to revise NVTa's Debt Policy, Cash Flow Policy, and Procurement Policy. He also reported that Mr. Mason was in the process of assembling a selection committee for the NVTa CFO position.

With regard to NVTa's insurance and liability matters, Tom Biesiadny reported that the jurisdictional Risk Managers had conferred and had made specific recommendations to John Mason and to the Financial Working Group in consultation with NVTa's Council of Counsels. Mr. Mason was in the process of obtaining the suggested liability and other insurance coverages for NVTa. One coverage-related issue that will warrant input from the Project Implementation Group is the scope of oversight responsibility that will be vested in NVTa's program coordinators. After this discussion, the Legal Working Group agreed that the Council of Counsels should review the proposed insurance coverages before final submission to the NVTa.

The Legal Working Group's next meeting will be held on November 18, 2013, in the City of Falls Church.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**M E M O R A N D U M**

FOR: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: John Mason, Interim Executive Director

SUBJECT: Ratification of NVRTA Service Agreement with NVRC

DATE: October 16, 2013

RECOMMENDATION: *Authority ratify attached service agreement with the Northern Virginia Regional Commission.*

BACKGROUND:

- Consistent with Authority guidance, a Service Agreement has been negotiated with the Northern Virginia Regional Commission (NVRC).
- At its meeting of September 26, 2013, the Authority approved in concept the Agreement with NVRC with guidance to executive director to complete details and have agreement ratified at October meeting.
- Based on conceptual approval in September and final review by Council of Counsels, attached agreement has been signed.

COORDINATION:

- Finance Working Group
- Organizational Working Group
- Council of Counsels

ATTACHMENT: Service Agreement with NVRC

ATTACHMENT

Northern Virginia Regional Commission (NVRC) SERVICE AGREEMENT

Client information:

Contact Name/Title: John Mason
Company Name: Northern Virginia Transportation Authority
Address: 3060 Williams Drive, Fairfax, Virginia 22031
Telephone: 703-642-4710
Fax:
Email:

Client invoicing details (if different):

Contact Name/Title:
Company Name:
Address:
Telephone:
Fax:
Email:

Initial Agreement Period:

Start Date: September 23, 2013

End Date: March 31, 2014

The nature of your business for the purpose of this agreement: Northern Virginia Transportation Authority (NVTA) administration/management.

Description of facilities and services you are paying for:	
<ul style="list-style-type: none">• Use of following offices beginning of following dates:<ul style="list-style-type: none">➤ September 23: #504 (203 sq ft) and #505 (125 sq ft)➤ October 15: 1 additional interior office (100 sq ft)➤ November 15: 1 additional interior office (100 sq ft)➤ December 1: 1 additional interior office (100 sq ft)➤ January 1, 2014: 1 additional interior office (100 sq ft)	No charge
<ul style="list-style-type: none">• Use of NVRC's furnishings located in offices listed above, including (<u>NVRC-owned furnishings</u>)	Included
<ul style="list-style-type: none">• Greeting and announcement of visitors, as well as acceptance and batching of incoming mail, by NVRC reception staff.	Included
<ul style="list-style-type: none">• Shared use of NVRC's meeting rooms on a scheduled basis.	Included
<ul style="list-style-type: none">* On-site shared use of amenities supporting meeting rooms, including A/V equipment; access to coin-operated soft drink machine; access to microwaves, toaster ovens, refrigerators, coffee / tea making equipment, etc.	Included
<ul style="list-style-type: none">• Non-exclusive free parking for Client and its visitors in accordance with Rules established by NVRC's Landlord. A copy of the current rules are attached and incorporated as Exhibit C.	Included
<ul style="list-style-type: none">• IT services: Will be contracted separately	
<ul style="list-style-type: none">• Use of one of NVRC's desktop telephones, if available, including the carrier service and call management software used by NVRC. The exclusive direct-inward-dial numbers assigned to NVTA include 703-642-4710, 703-642-4711, additional to be determined when provided per schedule of rooms above. Client's calls will not be handled in any manner by NVRC staff.	\$ 30/phone monthly effective with activation of each phone
<ul style="list-style-type: none">• Access to international and long distance telephone and fax services.	At cost

• Use of copiers and use of postage machine on a fee-for-service basis.	At cost
• Other services as may be negotiated for a fee.	To be determined

NVRC SERVICE AGREEMENT – TERMS OF BUSINESS

These are the terms of business that apply to the service agreement which you the Client have signed (which we refer to simply as your agreement).

STANDARD SERVICES INCLUDED IN YOUR AGREEMENT

Office services: We will provide the following office services Monday through Friday:

- Heating and (where available) air conditioning during normal business hours
- Routine cleaning and removal of trash

Furnished office accommodation: Your agreement lists the room(s) we have initially allocated for your use. We may need to allocate different rooms from time to time, but these will be of equivalent size and we will attempt to obtain your approval with respect to such different rooms in advance. Said room(s) will be occupied by no more than one person(s).

USE OF FACILITIES

Comply with house rules: You must comply with the rules and regulations of NVRC's landlord, which are included in this agreement as Exhibit C.

Comply with the law: You must comply with all relevant laws and regulations in the conduct of your business. You must do nothing illegal. You must not do anything that may interfere with the use of NVRC's premises by us or by others, cause any nuisance or annoyance, increase the insurance premiums we have to pay, or cause loss or damage to us or to the owner of any interest in the building which contains NVRC's premises. You acknowledge that (a) the terms of the foregoing sentence are a material inducement to us for the execution of your agreement and (b) any violation by you of the foregoing sentence shall constitute a material default by you hereunder, entitling us to terminate your agreement.

On moving in: You will be asked to sign an inventory of all accommodations, furniture and equipment you are permitted to use, together with a note of its condition and details of the keys or entry cards issued to you. The inventory will be included is considered part of this agreement, and is incorporated as Exhibit B.

The nature of your business: You may use the accommodations only for the purposes stated in your agreement or subsequently agreed with us. Office use of a "retail" nature, including frequent visits by members of the public, is not permitted. You must not use the name Northern Virginia Regional Commission in any way in connection with your business.

Your name and address: You may carry on that business only in your name or some other name that we previously agree. Any signage you wish to use must be approved in advance by NVRC, and if required, by NVRC's Landlord. You may use the following as your business address: 3060 Williams Drive, Suite 510, Fairfax VA 22031.

Taking care of our property: You must take care of all parts of the NVRC's facilities, including its equipment, fittings and furnishings that you use. You must not alter any of it. You are liable for any damage caused by you or those in NVRC's premises with your permission or at your invitation.

Office furniture and equipment: With prior coordination with NVRC, you may install additional furniture and necessary cabling for IT services. Keys and security: Any keys or entry cards that we let you use remain our property at all times. You must not make any copies of them or allow anyone else to use them without our consent. Any loss must be reported to us immediately and you must pay the cost of replacement keys or cards as well as changing locks, if required. NVTA is permitted to use NVRC's premises outside normal working hours, and accepts that it is NVTA's responsibility to lock the doors to NVTA's accommodations and to the NVRC's premises when you leave.

Insurance: It is your responsibility to arrange insurance for any and all of your own property that you bring into the NVRC's premises, and for your own liability to your employees and to third parties.

PROVIDING THE SERVICES

At the start of the agreement: If for any reason we cannot provide the number of rooms stated in your agreement by the date when your agreement is due to start we have no liability to you for any type of loss or damages however you may cancel the agreement without penalty. We will not charge you the monthly fee for rooms you cannot use until they become available.

Access to your accommodation: We can enter your accommodation at any time. However, unless there is an emergency we will as a matter of courtesy try to inform you in advance when we need access to your suite to carry out testing, repairing or work other than routine inspection, cleaning and maintenance. We will also respect security procedures to protect the confidentiality of your business.

Suspension of services: We may by notice suspend the provision of services (including access to the accommodations) for reasons of political unrest, strikes or other events beyond our reasonable control, in which event payment of the monthly fee will also be suspended for the same period.

Our liability: We are not liable for any loss as a result of our failure to provide any service as a result of mechanical breakdown, strike, delay, failure of staff termination of our interest in the building containing the business center or otherwise unless we do so deliberately or are grossly negligent. We are also not liable for any failure until you have told us about it and given us a reasonable time to put it right.

NATURE AND DURATION OF AGREEMENT

The nature of your agreement: Your agreement is the commercial equivalent of any agreement for accommodation in a hotel. The whole of NVRC's premises remains our property and in our possession and control. You acknowledge that your agreement creates no tenancy interest, leasehold estate or other real property interest in your favor with respect to the services to the accommodation. We are giving you just the right to share with us the use of the facilities so that we can provide the services to you. The agreement is personal to you and cannot be transferred to anyone else. We may transfer the benefit of your agreement and our obligations under it at any time.

Duration: Your agreement lasts for the period stated in it, and will then be extended for successive periods with the mutually agreeable terms until brought to an end by you or us. Any monthly fee

during any extension period shall be equal to the then current monthly fee for your accommodation but in no event lower than the fee paid by you during the then expired period.

Bringing your agreement to an end: Either of us can terminate your agreement at the end date stated in the agreement, or at the end of any extension period, by giving at least sixty days prior written notice to the other which shall be effective the last day of the calendar month in which the last day of such sixty (60) day period falls.

Ending your agreement immediately: We may end your agreement immediately by giving you notice if:

- You are in breach of one of your material obligations which cannot be put right, or which we have given you notice to put right and which you have failed to put right, or commenced to put right, within fourteen days of that notice; or
- Your conduct, or that of someone at NVRC's premises with your permission or at your invitation, is incompatible with ordinary office use.

If we put an end to the agreement for any of these reasons it does not put an end to any then outstanding obligations you may have and you must:

- Pay for the services you have used;
- Pay the monthly fee for the remainder of the period for which your agreement would have lasted had we not ended it, or (if longer) for a further period of three months; and
- Indemnify us against all costs and losses we incur as a result of the termination, other than fees lost as a result of the termination.

If the accommodation is not available: In the unlikely event that we are no longer able to provide the services and accommodation stated in your agreement, then your agreement will end and you will only have to pay applicable fees up to the date it ends, including fees for the services you have used.

When your agreement ends:

- You are to vacate the accommodation immediately, leaving it in the same condition as it was when you took it, save for fair wear and tear. If you leave any of your own property in the accommodation, or anywhere in NVRC's premises, we may, upon five business days notice, dispose of it in any way we chose without owing you any responsibility for it or any proceeds of sale.
- We will forward mail to you at your new address and give out your new telephone number via voice mail messaging for up to 3 months.

If you continue to use the accommodation when your agreement has ended:

- You are responsible for any loss, claim or liability we incur as a result of your failure to vacate on time.
- We may, at our discretion, permit you an extension subject to a surcharge on the monthly fee.

Employees: While your agreement is in force and for a period of one year after it ends, you must not solicit or offer employment to our staff. If you do, we estimate our loss at the equivalent of one year's salary for each of the employees concerned and you must pay us damages equal to that amount.

Notices: All formal notices must be in writing to: Mr. G. Mark Gibb, Executive Director, Northern Virginia Regional Commission, 3060 Williams Drive, Suite 510, Fairfax VA 22031.

Indemnities: You must indemnify us in respect of liability, claims, damages, loss and expenses which may arise (except to the extent caused by our negligence or misconduct).

- If someone dies or is injured while in the accommodation you are using.
- From a third party in respect of your use of the business center and services.
- From a third party of our provision of services to you.
- If you do not comply with the terms of your agreement.

You must also pay any costs, including reasonable legal fees, which we incur in enforcing your agreement.

Applicable law: Your agreement is interpreted and enforced in accordance with the laws of the state in which the business center in question is located. We both accept the non-exclusive jurisdiction of the courts of such jurisdiction.

FEES AND PAYMENTS

Service retainer: An initial amount of \$0.00 (zero) is payable when your agreement begins. This includes the \$0.00 (zero) in monthly fees for (first month), plus an equal amount that will be held by NVRC as security for performance of all your obligations under this agreement. This service retainer, or any balance after deducting outstanding fees or costs due to us will be returned to you within 60 days after your agreement ends. We may require you to pay an increased service retainer if your outstanding fees become greater than the service retainer held, or if you frequently fail to pay fees when due.

Standard services: The monthly fees for use of office space with telephone facilities, is payable in advance in full by the 1st day of each month in respect of standard services to be provided during such calendar month. For a period of less than a month the fee will be apportioned on a daily basis.

Additional services: Fees for additional services are invoiced in arrears and payable monthly upon your receipt of the invoice we will provide you.

Payment terms: All payments are to be made on or before the required date. We will supply an invoice no later than the 20th of each month, setting forth all the fees then due. When you pay by check, we reserve the right to deny you access to your accommodation and/or refuse to provide additional services to you in the absence of cleared funds. If a check for payment is returned for any reason, a \$100.00 per returned check will be assessed and for the purpose of considering default and/or late charge. It will be as if payment represented by the returned check had never been paid. A 4% convenience fee will be charged for credit card payments.

Late payment: If you do not pay fees when due, you agree to pay an additional amount equal to 10% of the outstanding amounts owed. If you dispute any part of an invoice, you must pay the amount not in dispute by the due date.

Withholding services: We may withhold services (including the avoidance of debt, denying you access to your accommodation, except to the extent limited access is necessary to carry on Client's business) while there are any outstanding fees or you are in breach of your agreement.

Subordination: Your agreement is subordinate to our lease with our landlord and to any other agreements to which our lease with our landlord is subordinate.

AMENDMENTS

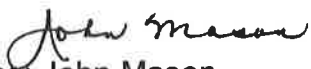
This agreement may be amended by further agreement between NVRC and the Client. To be effective, any amendment must be a) set forth in writing signifying the nature and effective period of the amendment and b) signed and dated by both parties.

ATTACHMENTS

- Exhibit A. Floor plan designating Client's assigned office(s) in NVRC's premises.
- Exhibit B. Inventory of furniture, equipment and keys issued to Client.
- Exhibit C. Landlord's Rules and Regulations.

ATTESTATION

The parties to this Service Agreement are the Client identified on page 1 of 8, and Northern Virginia Regional Commission (aka NVRC), a political subdivision of the Commonwealth of Virginia, doing business at 3060 Williams Drive, Suite 510, Fairfax VA 22031. This Service Agreement sets forth our terms of business, which your signature below confirms you have read and understood. Elsewhere, pages initialed by the representatives of Client and NVRC, whose signatures appear below, verify that these are the pages comprising the agreement. We both agree to comply with these terms and our obligations as set out in them. Note that the agreement does not come to an end automatically. See "Bringing Your Agreement to an End" on page 4 of 8.


Name: John Mason
Title: Interim Executive Director
Date: 10/11/2013
SIGNED on behalf of NVTA

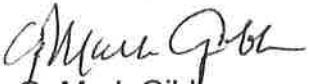
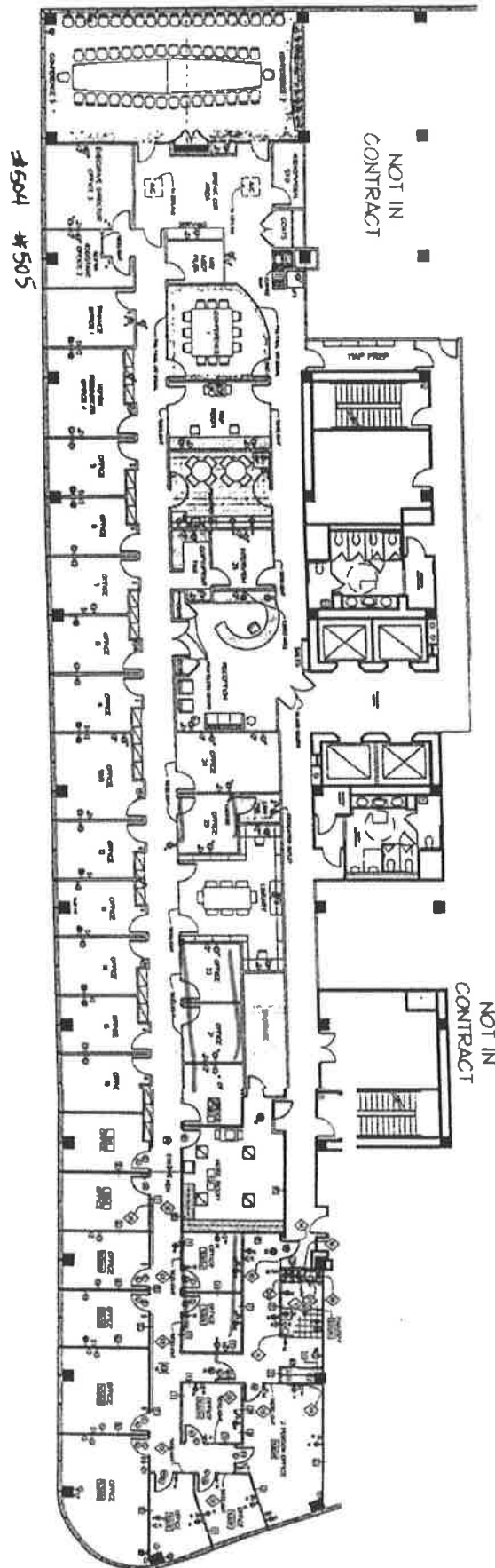

Name: G. Mark Gibb
Title: Executive Director
Date: 10/11/2013
SIGNED on behalf of NVRC:

EXHIBIT A
PLAT OF PREMISES

Northern Virginia Regional Commission

Proposed Office Space
3080 Williams Plaza II, 5th Floor
Arlington, VA



ARKI.X.P.C.
1111 11th Street, N.W.
Arlington, VA 22202
703.261.1111
www.arkixpc.com

NOT TO SCALE
FOR REFERENCE ONLY
ON PLOD

EXHIBIT B

INVENTORY OF FURNITURE, EQUIPMENT AND KEYS

To be accomplished upon joint inventory.

NIRC Lease
3060 Williams Dr
Fairfax VA

EXHIBIT C

RULES AND REGULATIONS

Tenant shall faithfully observe and comply with the following Rules and Regulations:

1. Neither the whole nor any part of the sidewalks, plaza areas, entrances, passages, courts, elevators, vestibules, stairways, corridors or halls of the Building or Property shall be obstructed or encumbered by any tenant or used for any purpose other than ingress and egress to and from the premises of such tenant.

2. No awning, canopy, sign or other projection shall be attached to the outside walls or windows of the Building without Landlord's prior written consent. No curtain, blind, shade, or screen (other than those furnished by Landlord as building standard) shall be attached to, hung in, or used in connection with any window or door of the premises of any tenant. All electrical ceiling fixtures hung in spaces along the perimeter of the Building must be fluorescent and/or of a quality, type, design and bulb color approved by Landlord.

3. The sashes, sash doors, skylights, windows, and doors that reflect or admit light and air into the halls, passageways or other public places in the Building shall not be covered or obstructed by Tenant, nor shall any bottles, parcels or other articles be placed on the windowsills.

4. Except for customary office décor (including pictures, paintings and calendars) found in first class office buildings in Fairfax, Virginia, no tenant shall mark, paint, drill into, or in any way deface any part of the Building or its premises. No boring, cutting, stringing of wires or driving of nails or screws shall be permitted.

5. Tenant shall not permit the Premises to be occupied or used in a manner offensive or objectionable to Landlord or other occupants of the Building or neighboring buildings, nor shall Tenant make, or permit to be made, any unseemly or disturbing noises or disturb or interfere with any other tenant or occupant of the Building or neighboring buildings whether by the use of any musical instrument, radio, television, or other audio device or in any other way.

6. Tenant shall not alter any lock or install any new or additional locks, bolts or security devices on any doors or windows of the Premises without Landlord's prior written consent. Two keys will be furnished by Landlord for the Premises, and any additional keys required by Tenant must be obtained from Landlord at a reasonable cost to be established by Landlord. Each tenant must upon the termination of its tenancy restore to Landlord all keys to rooms either furnished to, or otherwise procured by, such tenant.

7. Landlord intends to provide an electronic access system to facilitate all tenants' after-hours access to the Building and Parking Garage. Landlord reserves the right to alter, discontinue, or modify said service if such action in Landlord's sole judgment is consistent with the prudent management of the Building and Parking Garage. Tenant acknowledges that Landlord is in no way guaranteeing the security of the Building, Parking Garage, or Tenant's premises. Furthermore, Landlord shall have no liability in connection with any breach of security.

8. Landlord reserves the right to control and operate the public portions of the Building and Property, as well as facilities furnished for the common use of the tenants, in such manner as it deems best for the benefit of the tenants generally, including, without limitation, the right to exclude from the Building all persons who do not present identification reasonably satisfactory to Landlord.

9. Each tenant, before closing and leaving its premises at any time, shall see that all entrance doors are locked and that all electrical appliances are turned off. Suite and entrance doors shall remain closed at all times except for normal ingress and egress.

10. No cooking shall be done or permitted by any tenant on the Premises, nor shall the Premises be used for the storage of merchandise, for lodging or for any improper, objectionable or immoral purposes. Notwithstanding the foregoing, Underwriters' Laboratory-approved equipment and microwave ovens may be used in the Premises for heating food and brewing coffee, tea, hot chocolate and similar beverages, provided that such use is in

accordance with all applicable federal, state and city laws, codes, ordinances, rules and regulations, and does not cause odors which are objectionable to Landlord or any other tenant or occupant of the Building.

11. Canvassing, soliciting, and peddling in the Building are prohibited.

12. There shall not be used in the Building by any tenant or their agents or contractors, in the delivery or receipt of merchandise, freight or other matter, any hand trucks or other means of conveyance, except those equipped with rubber tires, rubber side guards, and such other safeguards as Landlord may require.

13. No animals of any kind shall be brought into or kept about the Building by any tenant.

14. No furniture, freight or equipment of any kind shall be brought into or removed from the Building without prior notice to Landlord, which shall not be unreasonably withheld, conditioned or delayed. All moving of the same into or out of the Building shall be scheduled with Landlord and done only at such time and in such manner as Landlord shall designate. Landlord shall have the right to prescribe the weight, size and position of all safes and other heavy property brought into the Building and also the times and manner of moving the same in and out of the Building. Safes and other heavy objects shall, if considered necessary by Landlord, stand on supports of such thickness as is necessary to properly distribute the weight. Landlord will not be responsible for loss of or damage to any such safe or property in any case. All damage done to any part of the Building, its contents, occupants or visitors by moving or maintaining any such safe or other property shall be the sole responsibility of Tenant and any expense of said damage or injury shall be borne by Tenant.

15. No furniture, packages, supplies, equipment or merchandise will be received in the Building or carried up or down in the elevators, except during such hours and in such specific elevator as shall be designated by Landlord. Further, all deliveries to the Premises shall be made through the rear service entrance of the Building and under no circumstances shall any such delivery be made through the main lobby of the Building or any other entrance to the Building. No tenant shall place, or permit to be placed, on any part of the floor or floors of its premises a load exceeding the floor load per square foot which such floor was designed to carry and which is allowed by law.

16. No vending machines shall be permitted to be placed or installed in any part of the Building or premises by any tenant without the prior written consent of Landlord. Landlord reserves the right to place or install vending machines in any of the common areas of the Building.

17. No plumbing or electrical fixtures shall be installed by any tenant without the prior written consent of Landlord, which consent shall not be unreasonably withheld, conditioned or delayed.

18. Bicycles, motorcycles, or any other type of vehicle shall not be brought into the Building, other than the Parking Garage if expressly permitted by the Lease, or into the premises of any tenant.

19. Tenant will refer all contractors, contractor's representatives and installation technicians rendering any services on or to the Premises for Tenant to Landlord for Landlord's approval, which approval shall not be unreasonably withheld, conditioned or delayed, and supervision before performance of any service. This provision shall apply to all work performed in the Building, including installation of telephones, telegraph equipment, electrical devices and attachments, and any installation of any nature affecting floors, walls, woodwork, trim, windows, ceilings, equipment, or any other physical portion of the Building. Such approval, if given, shall in no way make Landlord a party to any contract between tenant and any such contractor, and Landlord shall have no liability therefor.

20. Tenant shall store all its trash and garbage within the interior of the Premises in suitable containers. No material shall be placed in the common trash boxes or receptacles for the Property if such material is of such nature that it may not be disposed of in the ordinary and customary manner of removing and disposing of trash and garbage in the area in which the

Property is located without violation of any law or ordinance governing such disposal. All trash, garbage and refuse disposal shall be made only through entry-ways and elevators provided for such purposes and at such times as Landlord shall designate. No trash or other objects shall not be placed in the public corridors or sidewalks of the Building.

21. Tenant, its employees and agents shall not loiter in the entrances or corridors of the Building, nor in any way obstruct the sidewalks, lobby, halls, stairways or elevators of the Building, and shall use the same only as a means of ingress and egress for the Premises.

22. Tenant shall comply with all safety, fire protection and evacuation procedures and regulations established by Landlord or any governmental agency.

23. Landlord shall not be responsible to clean or maintain suite finishes which are non-standard, such as kitchens, bathrooms, wallpaper, special lights, etc. However, should the need arise for the cleaning or repair of such items, Landlord may arrange for the work to be done at Tenant's sole expense.

24. Landlord reserves the right to exclude or expel from the Property any person who, in the judgment of Landlord, is intoxicated or under the influence of liquor or drugs, or who poses danger to any person or property, or who shall in any manner do any act in violation of any of these Rules and Regulations.

25. Tenant shall not request any employee of Landlord or the Building to accept any package for Tenant or otherwise, it being understood that no such employee is authorized to accept any such package. In the event Tenant shall, in violation of this rule or otherwise, request any employee of Landlord or the Building to accept a package for Tenant, such request and acceptance shall be at the sole risk of Tenant.

26. Landlord may waive any one or more of these Rules and Regulations for the benefit of any particular tenant or occupant of the Building, but no such waiver by Landlord shall be construed as a waiver of such Rules and Regulations in favor of any other tenant or occupant of the Building, nor prevent Landlord from thereafter enforcing any such Rules or Regulations against any or all tenants of the Building.

27. The Building is a non-smoking facility. Tenant, its agents, employees, contractors or invitees shall not be allowed to smoke from or possess a lighted cigarette, cigar, pipe or any other form of tobacco or similar substance used for smoking anywhere in the interior, including, without limitation, in the Premises, and/or within twenty-five feet (25') of any of the exterior doors of the Building or the dock area. Notwithstanding the foregoing, Landlord reserves the right, in its sole and absolute discretion, to designate smoking areas in and around the Building from time to time. Tenant shall comply with Landlord's Building smoking policy, as the same may be amended from time to time.

28. Landlord reserves the right, at any time and from time to time and with reasonable prior notice, to rescind, alter or waive, in whole or in part, or to add to any of these Rules and Regulations when it is deemed necessary, desirable or proper, in Landlord's reasonable judgment, for its interest or for the interests of tenants generally. Landlord shall not be responsible to Tenant or to any other person or entity for the nonobservance of the Rules and Regulations by another tenant or other person or entity.

29. Violations of these Rules and Regulations, or any amendments thereof or additions thereto, by Tenant or any of its employees, agents or consultants shall constitute a default by Tenant under the Lease.

3861281_011

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: John Mason, Interim Executive Director

SUBJECT: NVTa Staff Benefits Guidelines

DATE: October 18, 2013

RECOMMENDATION: *Approval of the benefits guidelines in attachment as the basis for the Executive Director arranging for NVTa staff benefits, with understanding that final version of benefits package will be ratified by Authority.*

BACKGROUND:

- With the hiring of staff (other than Interim ED) it is necessary to be able to offer a package of benefits to potential candidates. I anticipate hiring CFO and perhaps accountant and one program coordinator before next Authority meeting, therefore need benefits package to offer candidates.
- As a general principle in drafting benefits, the aim is to be consistent with Northern Virginia jurisdictions and regional agencies.
- Attachment provides a comparison of benefits of selected jurisdictions and agencies.
Key observations:
 - Work week: Regular work week varies, with some jurisdictions/agencies at 37.5 hours per week and others at 40 hours.
 - Accrual leave: For first three (3) years of service, 13 days per year, with accumulation of 30 days per year, the norm.
 - Sick leave: Designated sick leave time is the norm as opposed to paid time off (PTO, in which ordinary leave and sick leave are combined) with 13 days per year.
 - Civil and military leave: All jurisdictions/agencies grant, with some variation in compensation rules.
 - Holidays: Regular holidays vary from 11.5 to 12.5 days per year.
 - Deferred compensation: All offer 457 plans.
 - Health benefits: All offer, with considerable variation. This area requires further research.
 - Retirement: All offer. As in 2008, I will look at VRS. Policies have changed since then and further exploration needed.
 - Insurance. All jurisdictions/agencies have employer paid life insurance, typically at 2 times annual salary. Need to explore further the long-term disability consideration.
- The proposed NVTa benefits are shown in right hand column, recognizing that some additional research is needed.

FISCAL IMPACT: Anticipate that expenses will be within the allocated budget amount.

COORDINATION: Following completion of research, package of benefits will be reviewed by appropriate working groups and counsel.

ATTACHMENT: NVTB Benefits Comparison

NVTA Benefits Comparison
October 2013

ATTACHMENT

Benefit	NVTC	NVRC	Fairfax County	Prince William	Loudoun	NVTA Proposed
Work week	37.5 hrs.	40 hrs.	40 hrs.	37.5 hrs.	37.5 hrs.	40 hrs.
Annual leave	0-3 yrs. 4 hrs./pp (26pp) (13 days) 3-6 yrs. 5 hrs./pp (16.25 days) 6-9 yrs. 6 hrs./pp (19.5 days) 9-12 yrs. 7 hrs./pp (22.75 days) 12+ yrs. 8 hrs./pp (26 days)	0-3 yrs. 13 days/yr. 3-5 yrs. 20 days/yr. 15+ yrs. 26 days/yr.	0-3 yrs. 13 days/yr. 3-15 yrs. 19.5 days/yr. 15+ yrs. 26 days/yr.	0-3 yrs. 4 hrs./pp (26pp) (13 days) 3-6 yrs. 5 hrs./pp (17.3 days) 6-9 yrs. 6 hrs./pp (20.8 days) 9-12 yrs. 7 hrs./pp (24.3 days) 12+ 8 hrs./pp (27.7 dya)	0-3 yrs. 4 hrs./pp (26pp) (13 days) 3 yrs. 14 days/yr. 4 hrs. 15 days/yr. 5 yrs. 16 days/yr. Continues 1 day/yr.	0-3 yrs. 13 days/yr.
Annual leave accumulation	0-10 yrs. 240 hrs./yr. (30 days) 10-15 yrs. 320 hrs./yr. (40 days) 15+ yrs. 360 hrs. (45 days)	30 days/yr.	0-10 yrs. 30 days/yr. 10+ yrs. 40 days/yr.	0-10 yrs. 225 hrs./yr. (30 days) 10+ yrs. 300 hrs./yr. (40 days)	hrs. over 364 convert to sick leave at end of leave yr.	0-10 yrs. 30 days/yr. 10+ yrs. 40 days/yr.
Sick leave	4hrs./pp (13 days)	1 day/month (12 days)	13 days/yr.	4 hrs./pp (26) (13 days)	4 hrs./pp (26) (13 days)	13 days/yr.
Sick leave accumulation	No limit	No limit	No limit	No limit	No limit	No limit
Sick bank	Leave donation option	Can transfer to other employees		Available	Leave donation option	Leave donation option
Bereavement leave	Information not readily available	3 days paid	16 hrs paid (2 days)	3 days paid	5 days paid	3 days
Civil leave	15 days, paid for salary amount the exceeds civil/jury pay	Paid, must return monies paid by the court or jury duty to Commission.	Leave with pay	Paid + income from court	Paid + income from court	15 days, paid for salary amount the exceeds civil/jury pay
Military leave	15 days/yr. paid	15 days/yr. paid	15 days/yr. paid	15 days/yr. paid	15 days/yr. paid	15 days/yr. paid
Holidays	12.5 days/yr.	11.5 days/yr.	12.5 days/yr.	12 days/yr.	12.5 days/yr. in handbook, 13.5 days/yr. on website	12.5 days/yr.

NVTA Benefits Comparison

October 2013

Benefit	NVTC	NVRC	Fairfax County	Prince William	Loudoun	NVTA Proposed
Deferred comp	457 plan available	457 plan available	For 2013, may contribute up to \$17,500/yr. Age 50 or older, may contribute an additional \$5,500 (total \$23,000)/yr.	457 plan available	457 plan available	457 plan?
Flex Benefits	Medical and dependent care	Medical and dependent care	Medical and dependent care	Medical and dependent care	Medical and dependent care	Medical and dependent care
Health	Offered - no details	2 plan options (HMO and other through FXC)	POS - First Care OAP High/Low - Cigna HMO - Kaiser	POS or PPO - Blue Cross/Anthem	Several Cigna options, incl: HRA/ HSA/ POA and Open access	Plan TBD
% paid by employer	Information not readily available	80% covered by employer	Single - 85% Two/Family 75% Part-time 50%	Information not readily available	Information not readily available	75-80%
Vision	Information not readily available	Information not readily available	Vision benefits incl. with health care insur.	VSP - optional, annual eye exam \$15.	Comprehensive coverage	Plan TBD
Dental	Information not readily available	Information not readily available	Delta Dental DPMO	Delta Dental - Core: annual benefits up to \$1000, or Enhanced: annual benefits up to \$2000	Delta Dental	Delta Dental
% paid by employer	Information not readily available	Information not readily available	Full time 50% Part-time 25%	Information not readily available	Information not readily available	TBD
Retirement	NVTC Trust Fund Pension Plan	457 plan and 401A, employer pays some matching.	FXC ERS http://www.fairfaxcounty.gov/retirement/active_employees/benefit.htm	VRS - employees pay 2% of annual salary, with a 1% salary offset. Increases to 5% over time.	VRS	Plan TBD

NVTB Benefits Comparison

October 2013

Benefit	NVTC	NVRC	Fairfax County	Prince William	Loudoun	NVTA Proposed
Life Insurance	Employer paid, 2x annual salary	Employer paid, 2x annual salary	All employees covered, equal to annual salary. Option to increase and/or add dependent coverage.	Free to all employees, through VRS, equal to 2x annual salary.	No cost to employees, 2x annual salary	Employer paid, 2x annual salary
Long-term Disability	Information not readily available	Employer provided for full time-employees.	Up to 60% of monthly basic earnings up to \$5,000. Optional plan, no County contribution.	Information not readily available	Premiums paid in full by County.	TBD
Additional	Commuting benefits	Professional development financial support	Employee child care center, Employee Assistance Program (EPA), Credit Union, Transportation benefits, Employee wellness programs, Employee development	EPA	EPA, Credit Union, discount fitness memberships, VA Prepaid Education payroll deductions	Professional development financial support. Will consider credit union.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: John Mason, Interim Executive Director

SUBJECT: Provision of Payroll Services

DATE: October 17, 2013

RECOMMENDATION: *Approval of a contract with ADP to provide payroll services and authorization for Executive Director to sign on behalf of NVTa.*

BACKGROUND:

- As in 2008, payroll service is needed for NVTa staff.
- Proposal bids were solicited from ADP and Paychex. Attachment A summarizes services and costs. Both firms offer similar services, however ADP is less expensive. Of interest, NVTC also uses ADP.
- Attachment B is ADP proposal.

FISCAL IMPACT: For remainder of FY2014: \$976.30; annually, approximately \$1,500.

ATTACHMENTS:

- A. Payroll Company Comparisons
- B. ADP Contract

NVTA

Payroll Company Comparisons

	October 2013		
Service/Activity	Paychex	ADP	Notes
Setup/Activation fee	\$ 25.00	\$ 25.00	
Pay-per-period fee (bi-weekly)	\$60 for 1-5 employees	\$43.50 for 1-2 employees	ADP: \$1.00 increase for 3-4 emp. Then \$1.87/emp/check after 4. PCX: \$3.30/emp/check for 6-10 emp. Then drops to \$2.25/emp/check after 10 emp.
New hire fee	none	none	
Year-end W-2's	\$50 + \$5.75/emp.	\$40 + \$5.50/emp.	both free for 2013, charges for 2014
Payroll delivery	\$5 (mail)	Incl. (UPS del.)	
Payroll processing	incl.	incl.	
Taxpay service/Tax filing service	incl.	incl.	
Direct deposit	incl.	incl.	
HR State & Federal Resources	incl.	incl.	
New hire reporting	incl.	incl.	
HR library/dictionary	incl.	incl.	
Employee online access	incl.	incl.	
Online reporting	incl.	incl.	
Electronic reports	incl.	incl.	
General ledger interface	not incl.	incl.	
Mobile reporting	incl.		
RUN Powered by ADP mobile payroll		incl.	
401K Reporting	incl.	incl.	
Vacation tracking	\$35 + \$5/pay period	basic tracking incl.	
Pretaxed health & dental premiums	\$40/month	incl.	Paychex offered 1st 6-months free
Estimated cost for FY2014:	\$ 1,459.40	\$ 976.30	6 employees, assuming start Nov. 1
Estimated cost for FY2015:	\$ 2,505.30	\$ 1,447.10	6 employees
Based on twice per month payroll.			
NOTES:			
NVTC uses ADP.			
Paychex in same building as NVTA.			

Sales Order

Client Code	Client ID	Federal ID Number							
		9	0	-	0	3	4	8	1 8 2

TAXPAYER LEGAL NAME (Include spaces, ampersands, and hyphens. Do not enter any other punctuation.):

N O R T H E R N V I G I N I A T R A N S P O R T A T I O N A U T H

DBA NAME (Include spaces, ampersands, and hyphens. Do not enter any other punctuation.):

Address (No P.O. Box) 3060 WILLIAMS DR SUITE 510				Accounting Firm Name			
City, State, Zip FAIRFAX VA 22031				County		Accountant Contact(s) Name First, Last Name	
Payroll Contact(s) First, Last Name CAMELA SPEER				First, Last Name		Accountant Street Address	
Phone(s) 703-642-4651				Fax #		City, State, Zip	
Client Email Address - Required, indicate N/A if email address is not established.				Accountant Phone			
First Check Date		First Period Start		First Period End		First Input	
Day: M T W TH F		Day: S M T W TH F S		Day: S M T W TH F S		Day: M T W TH F	
Date / / 2013		Date / / 2013		Date / / 2013		Date / / 2013	
Sales Order based on				2		paid employee(s)	
				Existing Business w/ Balances		Yes	
				<input type="checkbox"/> General Ledger <input type="checkbox"/> Electronic Reports <input type="checkbox"/> Tax Forms			
				Accountant ID # (Required) _____			

Payroll Features	Frequency	Processing	Conversion	Comments
<input checked="" type="checkbox"/> RUN Essential Payroll	Semi-Monthly	\$ 58.00	\$ 200	<input checked="" type="checkbox"/> Internet Mobile Device (Y/N) Yes
<input checked="" type="checkbox"/> Checks, Tax Filing, FSDD, EE Access, Electronic Reports, GLI	Semi-Monthly	\$ Included	-175	<input type="checkbox"/> Phone (View Only Access (Y/N))
<input checked="" type="checkbox"/> Delivery, New Hire Reporting, HR411 Essential	Semi-Monthly	\$ Included		Total EEs (Active & Termed) 2
<input type="checkbox"/> Poster Compliance, GPS, SUI Mgmt		\$		Tipped Establishment (Y/N) No
<input type="checkbox"/> TotalPay, Aline Card, FSDD, Signing, Stuffing		\$		Best Time to Call (AM/PM)
<input type="checkbox"/> HR Complete		\$		
<input type="checkbox"/> HR Plus : HR Tracking, Document Vault		\$		WAIVE \$175 OF SETUP
Type of Business				FREE W-2 PROCESSING (2013)
# of Years in Business				WAIVE 25% OF RUN PACKAGE
<input type="checkbox"/>		\$		
<input type="checkbox"/>		\$		INDIRECT INBOUND Zone 3
Total Per Processing →		\$ 43.50	\$ 25.00	← Conversion Total

Year-End W-2 Information	\$40.00 Base	\$ 5.50 Per W-2
Applied for Status	\$25.00 Fee Per State Per Month	\$25.00 Fee Per SUI State Per Quarter
Additional Jurisdiction Fee	\$ 7.00 Per Additional State & SUI Jurisdiction	

SA Name/ADP E-mail Address	SA Code	% Proc.	% Setup	Sales Office Code	Promo Code
melonie.briggs@adp.suth.com	770011	100	100	SBS 0140 (NEW YO 3070	9482

SST - (NEW UNITS ONLY! Bold/Italic sources require referring party's name and company)

Accountant (Indicate if <input type="checkbox"/> Accountant Referral: <input type="checkbox"/> Accountant part of R2: <input type="checkbox"/> Accountant/Wholesale: <input type="checkbox"/> Accountant/Acquisition): <input type="checkbox"/> Padgett <input type="checkbox"/> Bank (complete section below) <input type="checkbox"/> Client Referral (Company Code <input type="checkbox"/> <input type="checkbox"/> Prospecting (<input type="checkbox"/> Foot or <input type="checkbox"/> Phone) <input type="checkbox"/> LAR <input type="checkbox"/> Add'l Ctrl <input type="checkbox"/> Tip Group <input type="checkbox"/> Internet <input type="checkbox"/> Referral Rewards (R2) <input type="checkbox"/> Franchise					
Referring Party's Name & Company:					
Bank Name:	Banker Name:	Banker Employee ID:	Branch Name:	Cost Center #:	
<input checked="" type="checkbox"/> New Client <input type="checkbox"/> Additional Business <input type="checkbox"/> Downgrade (from _____) <input type="checkbox"/> Reactivate					
<input type="checkbox"/> Additional Control ___ of ___ <input type="checkbox"/> Spin-off (from _____) <input type="checkbox"/> Change of Ownership (from _____) <input type="checkbox"/> Other: _____					
Parent Co. Code _____ <input type="checkbox"/> Upgrade (from _____) <input type="checkbox"/> Transfer (from _____)					

I hereby absolve ADP, Inc., of any errors, penalties and interest payment responsibility arising from incorrect deposits, filings or payroll liability information prior to my ADP start date. I will make all payroll tax deposits for payrolls run before setup of ADP's tax filing service. THE ADP SERVICES COVERED BY THIS SALES ORDER ARE PROVIDED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF SERVICE FOR RUN - POWERED BY ADP. BY SIGNING THIS SALES ORDER YOU ACKNOWLEDGE RECEIPT OF AND AGREE TO ADP'S TERMS AND CONDITIONS OF SERVICE FOR RUN.

ADP Sales Associate	Phone	Date	Client Authorization	Date
Melonie Briggs	888-292-2971 x 6394	October 18, 2013	X	October 18, 2013



Tax Filing Service

Reporting Agent Authorization (State Limited Power of Attorney & Tax Information Authorization)

(In accordance with Internal Revenue Service Revenue Procedures)

1	2	3
CoCode	Branch	Federal ID Number
		9 0 - 0 3 4 8 1 8 2
4 If you are a seasonal employer, check here <input type="checkbox"/>		

5 TAXPAYER LEGAL NAME (Use all capital letters. Include spaces, ampersands, and hyphens. Do not enter any other punctuation.)

N O R T H E R N V I G I N I A T R A N S P O R T A T I O N A U T H

6 DBA NAME (Use all capital letters. Include spaces, ampersands and hyphens. Do not enter any other punctuation.)7 **2300 WILSON BLVD SUITE 620****ARLINGTON VA 22201**

Address (number, street and room or suite no.)

City or town, state and ZIP code

REPORTING AGENT: ADP Tax Services, 400 West Covina Boulevard, San Dimas, CA 91773, ID # 22-3006057, 800/235-7212

Authorization of Reporting Agent to Sign and File Returns

8 Use the entry lines below to indicate the tax return(s) to be filed by the Reporting Agent. Enter the beginning year for annual tax returns or beginning quarter for quarterly tax returns. See the instructions for how to enter the quarter and year. Once this authority is granted, it is effective until revoked by the taxpayer or Reporting Agent

940	2013	941	4 13	940-PR	N/A	941- PR	N/A	941- SS	N/A	943	
	Tax Year		Qtr/Year		Tax Year		Qtr/Year		Qtr/Year		Tax Year
943- PR	N/A	944		944-PR	N/A	945					
	Tax Year		Tax Year		Tax Year		Tax Year				

Authorization of Reporting Agent to Make Deposits and Payments

9 Use the entry lines below to enter the starting date (the first month and year) for any tax return(s) for which the Reporting Agent is authorized to make deposits or payments. See the instructions for how to enter the month and year. Once this authority is granted, it is effective until revoked by the taxpayer or Reporting Agent.

940	10 13	941	10 13	943		944		945	
	Mo/Yr		Mo/Yr		Mo/Yr		Mo/Yr		Mo/Yr

Disclosure of Information to Reporting Agent

10a Check here to authorize the Reporting Agent to receive or request duplicate copies of tax information, notices, and other communications from the IRS, related to the authorization granted on Line 8 and or Line 9 ☒

10b Check here if the reporting agent also wants to receive copies of notices from the IRS ☒

Form W-2 Series or Form 1099 Series Disclosure Authorization

11 The Reporting Agent is authorized to exchange otherwise confidential taxpayer information with the IRS, including responding to certain IRS notices relating to the Form W-2/1099 series information returns. This authority is effective for calendar years beginning:

W-2	2013	1099
	Tax Year	Tax Year

State and Local Authorization

12 By checking the box to the right and signing in Box 13 below, the taxpayer identified above hereby appoints ADP as Reporting Agent and grants ADP a limited power of attorney with the authority to sign and file employment tax returns and make deposits electronically, on magnetic media, or on paper for all state and local jurisdictions in which the taxpayer is required to file tax returns and make tax deposits. ADP is also hereby authorized to receive notices, correspondence and transcripts from all applicable state and local jurisdictions, resolve matters pertaining to these deposits and filings, and to request and receive deposit frequency data and any other information from applicable state and local jurisdictions related to taxpayer's employment tax returns and deposits for the tax periods indicated in Section 8 above and all returns filed and deposits made by ADP from the date hereof.

This authorization shall include all applicable state and local forms and shall commence with the tax period indicated and shall remain in effect through all subsequent periods until either revoked by the taxpayer or terminated by ADP. Unless the taxpayer is required to file or deposit electronically, ADP will, in its discretion, file and make deposits on the taxpayer's behalf in one of the filing methods: electronic, magnetic media, or paper.

4 | 13
Qtr/Year**Authorization Agreement**

I understand that this agreement does not relieve me, as the taxpayer, of the responsibility to ensure that all tax returns are filed and that all deposits and payments are made. If Line 8 is completed, the Reporting Agent named above is authorized to sign and file the return indicated, beginning with the quarter or year indicated. If any starting dates on line 9 are completed, the Reporting Agent named above is authorized to make deposits and payments beginning with the period indicated. Any authorization granted remains in effect until it is revoked by the taxpayer or Reporting Agent. I am authorizing the IRS to disclose otherwise confidential tax information to the reporting agent relating to the authority granted on Line 8 and/or Line 9 including disclosure required to process Form 8655. Disclosure authority is effective upon signature of the taxpayer and IRS receipt of Form 8655. The authority granted on Form 8655 will not revoke any Power of Attorney (Form 2848) or Tax Information Authorization (Form 8821) in effect.

13 Signature of Taxpayer or Authorized Representative

I certify that I have the authority to execute this form and authorize disclosure of otherwise confidential information on behalf of the taxpayer.

JOHN MASON

Name (Required)

Executive Director

Title

Signature (Required)


October 18, 2013

Date (Required)

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin Nohe and Members
Northern Virginia Transportation Authority

FROM:  John Mason, Interim Executive Director

SUBJECT: Liability and Property Insurance; Workers' Compensation

DATE: October 16, 2013

RECOMMENDATION: *Approval of VML(Virginia Municipal League) proposal for general liability, public officials liability, property, automobile insurance and workers' compensation with authorization for Executive Director to sign contract.*

SUMMARY:

- Lease for NVTa office space does not include liability and property insurance.
- While workers' compensation issue may not arise, given the small cost (\$550 annually), it makes sense to obtain at the same time.
- As there are no NVTa-owned vehicles, employees will use their privately owned vehicles. Typically, first call on insurance will be on the owner's personal insurance. The purpose of a modest policy with VML is to provide backup in the event owner's insurance is not sufficient.
- Many jurisdictions/agencies use VML insurance programs.
- Proposed coverage includes comprehensive general liability, public officials liability, property, auto liability (when NVTa employee using private vehicle) and workers' compensation.
- Proposal is similar to that approved in 2008.
- Funding was allocated in approved FY2014 budget.

FISCAL IMPACT: Annual costs are approximately \$3,000. For remainder of FY2014, rate has been pro-rated with cost of \$2,189.

COORDINATION:

- Council of Counsels
- Finance Working Group

ATTACHMENT: VML Insurance Proposal



Risk Management Training

Value

Stability Service

Strength

A collage of various local government buildings, including a town hall, a courthouse, and a city hall, is positioned behind the word "Value".

Northern Virginia Transportation Authority

Quotes for Coverage Effective 7/1/13-7/1/14 and 10/1/13-7/1/14

PO Box 3239 | Glen Allen, VA 23058 | (800) 963-6800 | www.vmlins.org

Northern Virginia Transportation Authority**CONTRIBUTION SUMMARY**

	Annual Contribution	Pro-rata 10/1/13
Automobile Coverage	\$106	\$79
General Liability	\$1,260	\$942
Public Officials Liability	\$1,012	\$757
Workers' Compensation Coverage	\$550	\$411
Annual Premium	\$2,928	\$2,189

Quarterly installments available.

Northern Virginia Transportation Authority**AUTOMOBILE COVERAGE****POLICY PERIOD:**

07/01/13 - 07/01/14

LIMITS AND COVERAGES:

\$1,000,000 CSL for bodily injury & property damage

Statutory uninsured motorist - minimum limits \$25,000/\$50,000/\$20,000 per occurrence.

VML Insurance Programs provides uninsured motorist coverage at the minimum limits required by law. It is in the member's best financial interest as a member to limit this coverage to what is required by law. Unlike liability coverage, you do not owe any money beyond the limits that are insured.

Garage and Garagekeepers Liability, Hired, Non-Owned Automobile Physical Damage, and Rental Reimbursement coverages included.

POLICY FORM:

Occurrence - covers claims which occur during the period 07/01/13 through 07/01/14.

TOTAL AUTOMOBILE CONTRIBUTION:

	Pro-rata Effective	
	Annual	10/1/2013
Automobile Liability	\$106	\$79
Uninsured Motorist	included	included
TOTAL	\$106	\$79

Northern Virginia Transportation Authority

LOCAL GOVERNMENT **LIABILITY** (Includes General Liability, Public Officials Liability)

POLICY PERIOD:

07/01/13 - 07/01/14

LIMITS AND COVERAGES:

Each occurrence limit	\$1,000,000
Damages to Premises Rented to You	\$1,000,000 <i>Any one fire</i>
Defense of certain excluded occurrences	\$100,000
Land Use Coverage	\$100,000
Medical expense limit	\$10,000 <i>Any one person</i>

Deductible

None

POLICY FORM:

Occurrence - covers claims which occur during the period 07/01/13 through 07/01/14.

TOTAL CONTRIBUTION (NON-AUDITABLE):

		Pro-rata Eff 10/1/13
General Liability	\$1,260 Annual premium	\$942
Public Officials Liability	\$1,012 Annual premium	\$757

Constitutional officers are excluded from coverage.

VML Insurance Programs Member Advantage

VML Insurance Programs provides **Land Use Coverage** to protect members from claims or suits arising out of a variety of land use issues including, but not limited to inverse condemnation and injunctive relief actions. See policy for details. Coverage for these type claims or suits are typically excluded by commercial carriers. While Land Use Coverage may be offered by other pools, you should be aware that VML's coverage has no deductible and members are not required to pay a pro rata portion of each claim.

VML Insurance Programs provides **Crisis Intervention/Violent Acts coverage** including on-site crisis and grief counseling for students and employees who have experienced a personal crisis. This coverage will also cover the expense of a media specialist to help handle the external communications following a crisis.

COVERAGE

VML Insurance Programs provide workers' compensation coverage in accordance with and limited to the Virginia Workers' Compensation Act and Employers Liability.

Any other extensions of coverage requested in your specifications are not part of the coverage offered in this proposal.

Employers' Liability

Bodily Injury by Accident	\$1,000,000
Bodily Injury by Disease	\$1,000,000
Bodily Injury by Disease	\$1,000,000

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

DATE: October 16, 2013

FOR: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman
Jurisdiction and Agency Coordinating Committee

SUBJECT: DRAFT 2014 Legislative Program

1. **Purpose.** To provide a DRAFT of the 2014 Legislative Program, for informational purposes and input.
2. **Background.** The Jurisdiction and Agency Coordinating Committee (JACC) has begun discussing recommendations to the Authority for the 2014 Legislative Program. Significant changes to the program are anticipated, due to the actions of General Assembly and Governor during the 2013 Session. As such, is providing a DRAFT of the Proposed Legislative Program, to ensure that the Authority has sufficient time to examine and provide input. Some additional changes may be included prior to the JACC's action on the document, and it is anticipated that the JACC will bring back the item for the Authority's approval at the December 12, 2013, meeting.
3. **Attachments:**
 - A. DRAFT 2014 Legislative Program
4. **Coordination:**
 - A. Jurisdiction and Agency Coordinating Committee

**Northern Virginia Transportation Authority
2014 Legislative Program
DRAFT: October 17, 2013**

STATE

TRANSPORTATION FUNDING

The passage of HB 2313 was the result of bipartisan cooperation throughout the Commonwealth, as the Governor, General Assembly, localities and the business community worked vigilantly to enact a transportation funding package that provides substantial new resources in addressing statewide transportation needs that had long been underfunded. Of particular interest to Northern Virginia was the inclusion of a regional package generating \$300 million annually in increased Northern Virginia revenues. This funding is a significant step towards addressing the transportation needs of Northern Virginia, estimated in the TransAction 2040 Long-Range Transportation Plan at approximately \$950 million per year in additional funding. It is critical, that Northern Virginia continues to receive its fair share of statewide revenues, as required by HB 2313, and that any potential changes to the HB 2313 statewide revenues generate funds at least equal to the law as enacted.

NVTA has initiated a bond validation proceeding related to the regional funds to test the validity of the bonds, processes, and authorizing statutes. It is imperative that no changes be made to the Northern Virginia portions of HB 2313 or to the code sections specifically related to NVTA during this process.

Additionally, ongoing coordination between Commonwealth and NVTA, other regional agencies, and local governments is essential as we all work to implement HB 2313's regional provisions. This is especially critical as VDOT commences work on the evaluation required by HB 599/SB 531 (2012), which will directly impact NVTA and its future actions.

Due to legislative changes in 2012, the Commonwealth Transportation Board now has the authority to allocate up to \$500 million to priority projects before funds are provided to the construction fund. Due to this provision, the secondary and urban construction programs will receive no new funds until 2017, despite the additional transportation revenues. This is especially alarming as localities have not received funds for this program since FY 2010. Further, this change gives the CTB significant authority in allocating statewide resources, resulting in funds being allocated to a few large projects, rather than funds being provided equitably to localities throughout the state through the normal funding formula. It is imperative that the region receives its share of the statewide funds. It is recommended that this set aside be eliminated or modified to, at the very least, ensure equitable distribution of funds to each region.

A modern, efficient, multimodal transportation system is essential to the Commonwealth, and is intrinsically tied to continued economic development and the ability to compete in a global economy. We must all work together to maintain and build the multimodal infrastructure that Virginia needs to remain an active and dynamic participant in a 21st Century economy. *(Revises previous transportation funding position.)*

WMATA FUNDING

The Commonwealth must work with the Federal Government to ensure that it, too, provides sufficient resources to address transportation needs. The Commonwealth is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system. As part of the federal Passenger Rail Investment and Improvement Act (PRIIA) of 2008, WMATA received a 10-year, \$1.5B federal authorization to address urgent capital needs. The region matches these federal funds with \$50M each annually from DC, MD, and VA. The capital funding is used to support areas such as: meeting safety requirements of the NTSB, repairing aging rail track, investing in new rail cars, fixing broken escalators and elevators, rehabilitating decaying rail stations and platforms, modernizing the bus fleet, and improving bus facilities. *(Revises and reaffirms previous position).*

VRE TRACK ACCESS FEES

Since its inception, VRE has received money from the Commonwealth through the Equity Bonus Program for the track access fees. MAP-21 eliminated the Equity Bonus Program while keeping the level of program funding the same through the first two years of the law. If VRE is unable to resolve this potential funding shortfall then there will be significant budgetary ramifications which could include reductions in service, 58% jurisdiction increase in subsidies, and/or a 28% fare increase. NVTA supports the inclusion of VRE track access funding within the Commonwealth's transportation budget. If this does not occur then NVTA supports a separate appropriation through eligible federal pass through money for track access fees within its capital program. *(Revises and Reaffirms Previous Position)*

SECONDARY ROAD DEVOLUTION/LOCAL MAINTENANCE PROGRAMS

NVTA opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements. While there are insufficient resources to adequately meet the maintenance and improvement needs of secondary roads within the Commonwealth, the solution to this problem is not to simply transfer these responsibilities to local government that have neither the resources nor the expertise to fulfill them. Further, NVTA also opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance.

Additionally, NVTA is opposed to changes to maintenance allocation formulas

detrimental to localities maintaining their own roads. Urban Construction Funds are already far below what is needed and localities must already find other ways to fund new construction initiatives and changing current formulas or requiring additional counties to maintain their roads could lead to a reduction in Urban Construction and Maintenance Funds, placing a huge extra burden on these localities.

(Reaffirms previous position).

EQUAL TAXING AUTHORITY FOR COUNTIES, CITIES AND TOWNS

NVTA supports granting counties the authority cities and towns currently have to enact local excise taxes, including the cigarette tax, admissions tax, and meals tax. Doing so would allow counties to raise additional revenues for transportation projects. *(Reaffirms previous position)*

BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS

NVTA supports the inclusion of sufficient funding to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations. This is particularly critical, because the BRAC relocations have occurred, and Northern Virginia localities are facing significant shortfalls in the capacity of current infrastructure to support the additional military and civilian jobs. *(Reaffirms previous position).*

PEDESTRIAN AND TRANSIT SAFETY

Safe access to transit facilities can be improved through infrastructure improvements and better traffic safety laws. NVTA supports revisions to Virginia's existing pedestrian legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less and at unsignalized crosswalks in front of schools. This issue is of special importance for pedestrians with physical or sensory disabilities, who are at particular risk of injury when crossing streets. Further, strong safety records depend on strong safety practices and training and NVTA supports training programs for transit systems, pedestrians and bicyclists. *(Revises and reaffirms previous position.)*

MAXIMIZING USE OF EXISTING FACILITIES

High performance, high capacity transit requires smart usage of existing road facilities. Localities in cooperation with the Commonwealth (DRPT and VDOT) should ensure that urban design standards for transportation system components allow for the efficient movement of vehicles; accommodate safe pedestrian and bicyclist movement; and encourage user-friendly access to transit. More flexibility in the design of transit infrastructure and facilities that enhance safety should be provided. Additionally, localities with cooperation of the Commonwealth, should to identify existing facilities that can be flexed or used by transit vehicles on an as needed or scheduled basis in order to maximize the efficient use of roadways to expand capacity. Examples are:

- The conversion of shoulders for bus use during peak rush hour - with appropriate

safety practices and improved infrastructure - will improve service and expand capacity on important corridors.

- *Express Bus, Commuter Bus, and Bus Rapid Transit as well as Light Rail and Streetcar; and*
- *Expanded use of Buses in HOT lanes.*

(New Position)

CHAPTER 729 PLANNING

Land use provisions included in legislation during the 2012 Session changed transportation planning requirements for jurisdictions. Specifically, the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) can decide whether local transportation plans are consistent with their current priorities. If they decided this is not the case, they are able to withhold funding for transportation projects in counties. While the NVTa is appreciative of efforts to better coordinate local and state transportation planning, the Authority is concerned that these provisions essentially transfer the responsibility for land use planning from local governments to the Commonwealth. Land use and zoning are fundamental local responsibilities and these provisions can override the work done by our local governments and our residents, property owners, and the local business communities on land use and transportation plans. *(Reaffirms previous position)*

TRANSPORTATION COORDINATION AND REGIONAL STUDIES

NVTa believes it is critical for ongoing coordination between the Authority and the Commonwealth. Additionally, it is vital that the Commonwealth involve local and regional officials in any studies or audits related to funding, planning, operations, organizational structure and processes related to agencies in the Transportation Secretariat. This is essential as VDOT commences work on the evaluation created by HB 599, which will directly impact NVTa and its future actions. Further, NVTa recommends that the Code of Virginia be amended to specify that transportation studies related to facilities wholly within one VDOT construction district, should be managed by that construction district rather than the VDOT Central Office. Regional VDOT staff is better equipped to address the concern of the affected citizens and local governments. *(Revises and reaffirms previous position).*

FEDERAL

SURFACE TRANSPORTATION PROGRAM REAUTHORIZATION

In July 2012, Congress passed a two-year transportation reauthorization bill, Moving Ahead for Progress in the 21st Century (MAP-21). This bill provides \$120 billion for federal transportation programs from July 2012 – September 2014. The bill does not direct funding towards specific projects. The U.S. Department of Transportation (USDOT) is currently developing rules for many of the programs, in consultation with

state departments of transportation, Metropolitan Planning Organizations (MPOs) and other stakeholders.

As discussions on the rulemaking and possible future legislation continue, NVTa believes that a number of significant issues should be considered, including:

- The level of Federal investment in the nation's transportation infrastructure, including both maintenance of the existing system and expansion, must increase significantly;
- The distribution of funding within the Federal Surface Transportation Program must be simplified and the number of funding programs streamlined.
- The time required to complete the federal review process of significant new transportation projects must be reduced, and the approval process must be consistent across all modal administrations. In addition, federal implementation regulations should be streamlined;
- To recognize the uniqueness of metropolitan areas, greater decision-making authority for determining how transportation funding is spent should be given to local governments and regional agencies, such as the Northern Virginia Transportation Authority;
- Energy efficiency and environmental protection must be addressed in the development of transportation projects; however environmental reviews should be conducted within specified timeframes, so that a project's environmental impacts can be identified and adequately addressed; and
- Safety and security must continue to be an important focus of transportation projects. *(Revises and reaffirms previous position)*

DEDICATED FUNDING FOR WMATA

WMATA is the only major transit provider in the country without a permanent dedicated revenue source for a significant part of their revenue base. Congress passed legislation that authorizes \$1.5 billion for WMATA over ten years, if the region adopts a dedicated funding source(s) and provides an additional \$1.5 billion to match the federal funds. All three signatory jurisdictions have passed the compact amendments required to receive the federal funding, and the non-Federal matches are in place. This authorization must continue to be accompanied by annual appropriations. *(Revises and reaffirms previous position).*

FUNDING FOR THE VIRGINIA RAILWAY EXPRESS

NVTa supports the Virginia Railway Express efforts to secure federal funding for the following capital projects: high capacity railcars, positive train control; train storage of rail equipment, station parking expansion, platform extensions and additions, and expansion of commuter rail service. *(Updates previous position.)*

LIMITS ON COMMUTER RAIL RELATED LIABILITY

NVTa calls upon Congress to approve legislation to broaden the applicability of existing

statutory language in 49 USC, 28301 related to commuter rail related liability. The language should be amended to reflect the existing liability standard of a \$250M annual aggregate limit while broadening the cap beyond passenger rail related claims for property damage, bodily injury or death so that they apply to all claims brought by third parties. *(Reaffirms previous position)*

FUNDING FOR TRANSPORTATION EMERGENCY PREPAREDNESS

NVTA calls upon Congress to provide increased security funding to local and regional transportation agencies in the metropolitan Washington area. *(Reaffirms previous position.)*

FUNDING FOR THE METROPOLITAN AREA TRANSPORTATION OPERATIONS COORDINATION (MATOC) PROGRAM

NVTA calls upon Congress to provide increased funding to transportation agencies in the metropolitan Washington area to continue funding for MATOC's operations. *(Reaffirms previous position)*

COMMUTER PARITY

NVTA supports legislation that would permanently create parity between the level of tax-free transit benefits employers can provide to employees for transit and for parking benefits, as a way to make transit service more attractive to commuters who currently drive alone. In addition, NVTA supports legislation to permanently extend the current transit benefit to all branches of the federal government. *(Revises and reaffirms previous position.)*

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman, Jurisdiction and Agency Coordination Committee

SUBJECT: JACC Approval of the Reallocation of Regional Surface Transportation Program and Congestion Mitigation Air Quality Funds for Loudoun County

DATE: October 16, 2013

Purpose. To inform the Authority of JACC approval of Loudoun County's request to reallocate Regional Surface Transportation Program and Congestion Mitigation Air Quality Funds

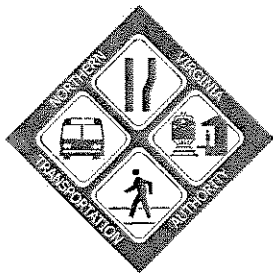
Explanation: On September 11, 2008, the NVTA delegated the authority to approve requests to reallocate Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funding between projects that were previously approved by the NVTA to the Jurisdiction and Agency Coordinating Committee (JACC).

On October 10, 2013, Loudoun County requested such reallocations. The reallocation requests are noted below:

- Transfer \$1,000,000 in FY2013 Regional Surface Transportation Program funds from Lexington Drive Overpass UPC 100425 to Route 7 Climbing Lane UPC 58599
- Transfer \$1,000,000 in FY2014 Regional Surface Transportation Program funds from Lexington Drive Overpass UPC 100425 to Route 7 Climbing Lane UPC 58599
- Transfer \$800,000 in FY2013 Congestion Mitigation Air Quality funds from Lexington Park and Ride Lot UPC100472 to Route 7 Climbing Lane UPC 58599
- Transfer \$356,858 in Congestion Mitigation Air Quality funds from UPC 82830, Eastern Loudoun Park and Ride Lot Development, to UPC 97678, Dulles North Transit Center Canopy Project.

NVTA's delegation requires that the JACC notify the NVTA of these requests. The JACC approved these requests on October 10, 2013. Unless otherwise directed, I will send the attached letter to VDOT NOVA District Administrator, Helen Cuervo, asking that the funds be reallocated.

Attachment(s): Letter to VDOT NOVA District Administrator Cuervo, Loudoun County transfer request



Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

3060 Williams Drive ♦ Suite 510 ♦ Fairfax, VA 22031

www.TheNoVaAuthority.org

October 16, 2013

Mr. Helen Cuervo
District Administrator
Virginia Department of Transportation
4975 Alliance Dr. Suite 4E-342
Fairfax, Virginia 22030

Reference: Request to Reallocate Regional Surface Transportation Program and Congestion Mitigation Air Quality Funds for Loudoun County

Dear Ms. Cuervo:

On September 11, 2008, the NVTA delegated the authority to approve requests to reallocate Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funding between projects that were previous approved by the NVTA to the Jurisdiction and Agency Coordinating Committee (JACC).

On October 10, 2013, Loudoun County requested such reallocations. The reallocation requests are noted below:

- Transfer \$1,000,000 in FY2013 Regional Surface Transportation Program funds from Lexington Drive Overpass UPC 100425 to Route 7 Climbing Lane UPC 58599
- Transfer \$1,000,000 in FY2014 Regional Surface Transportation Program funds from Lexington Drive Overpass UPC 100425 to Route 7 Climbing Lane UPC 58599
- Transfer \$800,000 in FY2013 Congestion Mitigation Air Quality funds from Lexington Park and Ride Lot UPC100472 to Route 7 Climbing Lane UPC 58599
- Transfer \$356,858 in Congestion Mitigation Air Quality funds from UPC 82830, Eastern Loudoun Park and Ride Lot Development, to UPC 97678, Dulles North Transit Center Canopy Project.

Please take the necessary steps to reallocate these funds in the Transportation Improvement Program and the State Transportation Improvement Program. Thank you very much.

Sincerely,

Monica Backmon
NVTA JACC Chairman

Cc: Jan Vaughn, Transportation Planning Section, VDOT
Dic Burke, Transportation Planning Section, VDOT
Bob Brown, Loudoun County



Loudoun County, Virginia

www.loudoun.gov

Office of the County Administrator

1 Harrison Street, S.E., 5th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Wednesday, September 18, 2013 at 4:00 p.m.

IN RE: REALLOCATION OF CMAQ FUNDING FOR CONSTRUCTION OF CANOPY
FOR DULLES NORTH TRANSIT CENTER

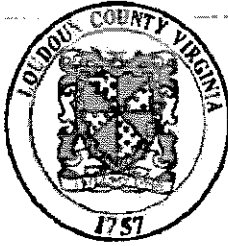
Mr. Buona moved that the Board of Supervisors request that NVTa re-allocate \$356,858 in CMAQ funds from UPC 82830, Eastern Loudoun Park and Ride Lot Development to UPC 97678, DNTC Canopy project.

Mr. Buona further moved that the County Administrator be authorized to make this request on behalf of the Loudoun County Board of Supervisors.

Seconded by Mr. Williams.

Voting on the Motion: Supervisors Buona, Clarke, Delgaudio, Letourneau, Reid, Volpe, Williams and York - Yes; None - No; Supervisor Higgins - Absent for the Vote.


DEPUTY CLERK FOR THE LOUDOUN
COUNTY BOARD OF SUPERVISORS



Loudoun County, Virginia

www.loudoun.gov

Department of Transportation and Capital Infrastructure

1 Harrison Street, S.E., 4th Floor, P.O. Box 7000, Leesburg, VA 20177-7000

Telephone (703) 771-5665 • Fax (703) 737-8513

September 23, 2013

Mr. Monica Backmon, Chairman - JACC
Northern Virginia Transportation Authority
3060 Williams Drive, Suite 510
Fairfax, VA 22031

Mr. Richard (Dic) Burke
Programming and Investment Director
Virginia Department of Transportation
4975 Alliance Drive
Fairfax, VA 22030

RE: Loudoun County Request for Reallocation of Funds from UPC 82830 to UPC 97678

Dear Ms. Backmon and Mr. Burke:

Loudoun County is requesting the approval from the JACC of the Northern Virginia Transportation Authority (NVTA) to move \$356,858 on CMAQ fund from UPC 82830, Eastern Loudoun Park and Ride Lot Development to UPC 97678, Dulles North Transit Center Canopy project. This additional funding will allow VDOT to award a contract to have the installation of the canopy completed.

At their business meeting on September 18, 2013, the Loudoun County Board of Supervisors voted to support the transfer of these funds, and directed staff to make this request on their behalf. A copy of that action has been enclosed.

If you have any questions related to this request, please contact Nancy Gourley at (703) 737-8384. Thank you for your assistance in this matter.

Sincerely,

Joseph Kroboth, III, PE, LS, Director
Loudoun County Department of Transportation and Capital Infrastructure

cc: Carroll (Ray) Guy, Sr., Fairfax County Department of Transportation
Terrie Laycock, Loudoun County, DTCI
Jim Zeller, VDOT

Enclosures (1)

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

DATE: October 18, 2013

FOR: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Chairman
Jurisdiction and Agency Coordinating Committee

SUBJECT: FY 2015 – 2020 Six-Year Improvement Program Testimony

1. **Purpose.** To provide testimony to the Secretary of Transportation and the Commonwealth Transportation Board as they work on the Fiscal Year 2015-2020 Six-Year Improvement Program.
2. **Background.** As was done in previous years, the Secretary of Transportation and the Commonwealth Transportation Board will be conducting public hearings to receive testimony regarding potential Interstate, Primary, and Urban Highway Systems and Public Transportation projects for the Fiscal Year 2015-2020 Six-Year Improvement Program. The Public Hearing is scheduled for October 22, 2013 in the Potomac Conference Center at VDOT's Northern Virginia District Office, located at 4975 Alliance Dr., Fairfax, VA. 22030.

At the September 26, 2013, Authority meeting, the Authority moved to have staff prepare testimony for the meeting, which would be circulated to the Membership prior to the CTB meeting. The draft testimony includes requests made previously by the Authority, as well as language related to the implementation of HB 2313, VDOT's required ranking of regional projects, and the proposed changes to the transit formulas.

3. **Attachments:**
 - A. Northern Virginia Transportation Authority Comments for FY 2015 to FY 2020 Six-Year Improvement Program
4. **Coordination:**
Jurisdiction and Agency Coordinating Committee

**Northern Virginia Transportation Authority
Comments for
FY 2015 to FY 2020 Six-Year Improvement Program
October 22, 2013**

Good Evening Secretary Connaughton, Commissioner Whirley, Director Drake, and members of the Commonwealth Transportation Board. My name is Martin Nohe and I am Chairman of the Northern Virginia Transportation Authority. I am here to present the Authority's comments on the FY 2015 to FY 2020 Six-Year Improvement Program as well as comment on several other matters. NVTa's comments are as follows:

- We would like to thank the Administration and the General Assembly for their actions during the 2013 Session to pass HB 2313. The Governor and many members of the Northern Virginia General Assembly Delegation worked together and passed a transportation funding bill that will provide substantial resources to begin addressing the transportation needs of the Commonwealth and the Northern Virginia region.
- The NVTa is working diligently to implement the regional components of HB 2313, by approving an FY 2014 project list and initiating a bond validation proceeding to test the validity of the bonds, processes, and authorizing statutes. Continued coordination and cooperation with this Administration is essential to ensuring that NVTa is able to fully utilize the resources it has been given to implement the necessary improvements to Northern Virginia's transportation infrastructure. Due to the large role that VDOT has in this process, it is essential that VDOT also has sufficient resources needed to help implement the projects created through the new statewide and regional funds. This is especially true as VDOT begins working on the evaluation and rating of at least 25 significant projects, which is required by HB 599/SB 531 (2012) and will impact NVTa's future funding decisions. Understanding that VDOT has budgetary and time constraints for this evaluation, we are still concerned that rating only 25-30 projects will provide neither the CTB nor the NVTa with sufficient projects to select from when making allocation decisions.
- In addition to the ongoing cooperation with the Commonwealth that we anticipate when allocating the regional funds, we appreciate that HB 2313 specifically includes language providing that these regional funds may not be used to reduce the region's share of statewide funds distributed through allocation formulas. Local, regional, state-wide, and federal funds are all part of the solution for addressing the long-term transportation funding needs of the Commonwealth.
- While we are appreciative of the new revenues, we are concerned that no new urban and secondary funds are allocated in the plan until 2017. As provided in the Code, the CTB has the authority to allocate up to \$500 million to priority projects before funds are provided to the construction fund. We ask that Northern Virginia receive its share of funding from this funding. Additionally, due to this

provision, the secondary and urban road programs are not expected to receive new funds until FY 2017, even with the new transportation funds. This is concerning, as our localities have not received funds for this program since FY 2010.

Improvements to secondary and urban road are vital. If not addressed, the lack of improvements to these roads will seriously impact our economy and compromise the movement of people and goods to and from Northern Virginia and other parts of the Commonwealth.

- The Authority also remains opposed to any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties and specifically, Northern Virginia jurisdictions. We understand that the maintenance of secondary roads is a huge expenditure for the state; however, unfunded mandates of this nature, resulting in the shift of an expenditure of this magnitude to local jurisdictions, would result in dire consequences.
- The Commonwealth Transportation Board (CTB) has been discussing issues related to street maintenance payments for localities that maintain their own roads. The Authority remains opposed of changes to maintenance allocation formulas detrimental to localities maintaining their own roads. Urban Construction Funds are far below what is needed and these localities spend a significant amount of their local funds on maintenance and construction. Further, the Authority believes that the Commonwealth should not enact any further restrictions on how localities may spend this money.
- We would like to thank you for continuing to include the Virginia match for Federal dedicated funding for the Washington Metropolitan Area Transit Authority. We appreciate this significant commitment to maintaining Metro's assets and ensuring that Metro can continue to safely and efficiently meet the region's transportation needs. Please continue to provide these funds, even if the Federal government does not provide their match, as long as Maryland and the District of Columbia provide their \$50 million each. If the Federal government does not provide its \$150 million, these non-Federal funds will be even more critical to Metro.
- As part of SB 1140, the Administration is currently working on efforts to modify statewide transit formulas. The proposed operations formula includes ridership data as part of its transit system sizing. We believe that discussions about how to count passenger trips on WMATA's Metrorail must continue to take place and we believe that the methodology used must appropriately reflect those transit trips taken in Virginia. This should be based on boardings and alightings within the Commonwealth, rather than residency or other methodologies not based specifically on ridership. Further, SB 1140 requires that service delivery factors be based on effectiveness and efficiency, and focused on efficiency. It is imperative that the Transit Service Delivery Advisory Committee (TSDAC), DRPT, and the CTB work with transit providers to ensure economic and congestion mitigation benefits are included.

- Additionally, TSDAC has also been considering capital assistance prioritization. TSDAC and DRPT have carefully worked through this process. However, in addition to what is called for in the legislation, DRPT has proposed overhauling the way the state's share of a capital project is calculated from the current system of using non-federal share to total cost a project. This proposed change will penalize our local jurisdictions, which already invest significant local and regional resources to these services. Further, this proposal could also negate the purpose of SB 1140's requirement to establish a new tiering structure.
- Northern Virginia serves the most transit riders and provides the most transit options in the Commonwealth, and, as such, receives the majority of available transit funding. However, as stated above, our local governments also provide significant local and regional resources for these services. We ask that, as this process moves forward, you remember the importance of transit to the Northern Virginia region and the impacts that any change to funding could impact the metropolitan area.
- I would also like to discuss provisions in the 2012 transportation bill, HB 1248/SB 639, which remain a concern to many of our jurisdictions. The 2012 bill provided VDOT and the CTB the ability to decide whether a local transportation plan is consistent with the Commonwealth's priorities. If VDOT and the CTB decide this is not the case, the CTB can withhold funding for projects in that locality. While efforts to better coordinate local and state transportation planning are appreciated, these provisions essentially transfer the responsibility for land use planning, as it relates to transportation, from local governments to the Commonwealth. Our localities work diligently with our residents, property owners, and the local business communities on our land use and transportation plans and these provisions could inhibit development and redevelopment efforts throughout Virginia.
- The federal government now requires that a quarter of all CMAQ funds be spent on projects that reduce PM 2.5. This new requirement restricts projects this federal funding can be used for. As such, we ask the CTB to reconsider its decision regarding hybrid vehicle purchases using CMAQ funds since these vehicles qualify for this purpose while many other projects may not.
- In addition to addressing the foregoing major issues, NVTa requests that:
 - the CTB, continue funding VRE's track leases with federal funds and assist with funding necessary capacity improvements to the system;
 - the CTB, simplify and shorten environmental reviews for locally administered projects;
 - the CTB, DRPT and VDOT support, promote, and encourage walking and bicycling as more viable modes of transportation and look for opportunities to enhance pedestrian and bicycle connectivity in the

- Northern Virginia;
 - the CTB, support the policy that major transportation corridor studies related to facilities wholly within one VDOT construction district, should be managed by that construction district rather than the VDOT Central Office. Regional VDOT staff is better equipped to address the concern of the affected citizens and local governments; and
 - the CTB, adopt policies that streamline transportation project review by further delegating the design review process from VDOT to the local governments and by adopting a uniform timeframe for plan reviews that remain under VDOT jurisdiction. These efforts would save Virginia taxpayers money and simultaneously result in timely approvals of contextually appropriate projects.
- We request that this testimony be made part of the Draft Six-Year Improvement Program public hearing record, and that full consideration be given to these comments in preparing the final FY 2014-FY 2019 SYIP. Thank you, again, for the opportunity to speak today. Please let me know if I can provide any clarification regarding the Authority's testimony.

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin Nohe and Members
Northern Virginia Transportation Authority

FROM: John Mason, Interim Executive Director

SUBJECT: Executive Director's Report

DATE: October 18, 2013

This report is focused on tasks associated with establishing a functioning NVTa administrative office and "coming up to speed" on activities of Working Groups and committees.

- **Re-orientation/updating**

- To date:
 - Attended multiple working group and committee meetings.
 - Met with Chairman Nohe, Chairman Bulova and Chairman York.
- Going forward:
 - Continue one-on-one meetings with Authority members.
 - Need further discussion on inter-relationships between JACC, TAC, PCAP and NVTa staff.

- **Financial**

- Completed or under way:
 - NVTa budget approved. Note: The initially projected interest earnings (\$100,000) may be a bit high; range may be between \$80,000 - \$100,000). Does not necessitate a change to budget at this time.
 - Created simple spreadsheet system for tracking expenses until hire of CFO.
 - Interim payroll procedures initiated with NVTC (Scott Kalkwarf). Permanent procedures will be recommended at October meeting.
 - Interim procurement procedures coordinated with NVTC (Scott Kalkwarf) and Arlington County (John Touhy); will modify upon hiring CFO.
 - Interim approach for administering funds agreed with NVTC (Scott Kalkwarf) and Arlington County (John Touhy); will modify upon hiring of CFO.
 - NVTC (Scott Kalkwarf) will continue to track receipt of state funds until hire of CFO.
 - Acquisition of Procurement card for office purchases.
- Next steps:
 - Upon hire of CFO, procurement and funds administration will be brought in-house.
 - Drafting of financial management policy (by CFO).

- **Creation of functioning office**
 - Completed:
 - Service agreement in place with NVRC, initially providing for two offices; will be increased as staff comes on board. Note: NVRC may be moving as its existing space is needed by GD. Will work with NVRC to define potential NVTa considerations in any new space.
 - IT/internet service operational.
 - Mail and email logs established.
 - Stored files and supplies retrieved.
 - Transfer of FIOA inquiries, mail and general inquiries, as well as responsibility for responses.
 - Next steps:
 - Creating appropriate paper and electronic filing structure.
 - Transition of files and presentation materials from 2009 - present to NVTa office.
 - Establishment of office and procurement procedures.
- **Insurance**
 - Proposing VML liability/property insurance (as we planned in 2008)
- **Staffing**
 - Completed:
 - Administrative assistant (Camela Speer) hired.
 - CFO position description agreed and advertised; anticipate hire by late November.
 - Next steps:
 - Coordinating arrangements for interview panel.
 - Following hire of CFO, refinement of job description for accountant and hiring of accountant.
 - Clarification of role of program coordinators (or managers?). Note: Needs discussion by Organizational and Implementation Working Groups.
- **Benefits package.** As guiding principle, our NVTa staff benefits package should be consistent with jurisdictions and agencies (e.g., NVTC, NVRC) in Northern Virginia. Need to have basics in place prior to hiring CFO (which will be before next Authority meeting); proposing guidelines at October meeting.
- **Clerk responsibilities**
 - Completed/under way:
 - Transfer of clerk function to NVTa.
 - Transfer of responsibility for coordinating meeting arrangements to NVTa, to include coordination with NVRC and City of Fairfax.
 - Transfer of public meeting attendance tracking and public notification to Clerk.
 - Going forward:
 - Transition of meeting documents from 2009 – present to NVTa.
 - Establishment of Clerk documents, procedures and practices.

- Updating Authority and Committee rosters and member information, such as resumes/biographies and appointment confirmation letters.
- Establish NVTa master calendar.
- **Web site and public notification**
 - Completed or under way:
 - Transfer (from NVTC to NVTa) of information phone line/ general email address/fax number and response to queries.
 - Transfer (from NVTC to NVTa) of responsibility for posting documents and notifications of meetings.
 - Going forward:
 - Website management
 - Master calendar
 - Website redesign and implementation for greater flexibility, information gathering and documentation availability.
- **Policies**
 - Existing:
 - Audit policy approved May 8, 2008.
 - Under way:
 - Bond debt
 - Procurement (resolution for October meeting).
 - Going forward
 - Conflict of interest. Note: Appreciate that elected officials file an annual report within their jurisdictions. Need to consider a more comprehensive conflict of interest policy.
 - Financial management
 - Other?
- **TAC and PCAC.** Although these committees have mandated roles, the reality is that we need to explore how best to engage in the context of current process. I have had a courtesy meeting with chair of TAC.

Correspondence Section



C.A

Northern Virginia Transportation Authority

The Authority for Transportation in Northern Virginia

3060 Williams Drive ♦ Suite 510 ♦ Fairfax, VA 22031

www.TheNoVaAuthority.org

October 16, 2013

Ms. Helen L. Cuervo, P.E.
Northern Virginia District Administrator
4975 Alliance Drive
Fairfax, VA 22030

Subject: Commonwealth Transportation Board Action on Priorities for Northern Virginia Transportation District Significant Projects Evaluation and Rating Study

Dear Ms. Cuervo:

As Chairman of the Northern Virginia Transportation Authority, I appreciate the opportunity to comment on the Investment Priorities for the Northern Virginia Project Evaluation and Rating Study, being considered by the Commonwealth Transportation Board (CTB) at its October 17, 2013, meeting. I recognize that the priorities being established are a necessary first step that must be taken prior to selecting projects for evaluation and rating. However, it is important that any priorities adopted are not construed to address projects that are outside of our authority to fund.

The Authority was established by the General Assembly in 2002 to give Northern Virginia a common voice on transportation issues in the region. Under § 15.2-4838, the Authority is responsible for long-range transportation planning and setting policies and priorities for regional transportation projects in Northern Virginia. In addition, the Authority has significant powers granted by the General Assembly to allocate both federal formula funds as well as 70% of the revenues generated through new regional taxes and fees established under HB 2313 to implement its long-range transportation plan. As such, the Authority is obligated by law to ensure that the priorities used as the basis for determining which projects are selected to be rated by VDOT enable the Authority to meet its statutory responsibilities. Consequently it is important that VDOT coordinate with the Authority at all critical milestones, including the selection of priorities. In this respect, Section 33.1-13.03:1 provides that VDOT may rely on the results of transportation modeling performed by other entities, including the Authority, which suggests, at a minimum, the CTB should be informed of the Authority's work and be asked whether that work should be used.

Recognizing that these investment priorities are all taken from VTrans2035, it is important to note that VTrans2035 is a statewide plan, while HB599 is specific to the Northern Virginia Transportation Authority region. Therefore, while the language in Investment Priority #1 --Preserve and Enhance Statewide Mobility -- is an excellent goal for the CTB and VDOT, this priority is not as relevant for the study required by HB599, as it is required to focus on evaluating and rating projects in Northern Virginia. We understand the importance of improving statewide mobility. However, the improvement of regional mobility is the priority for this region. Further, it must be reiterated that if these priorities lead to the evaluation of projects that we are legislatively prohibited from funding, they will not be considered by the Authority for implementation.

In addition to the items noted above, I would also like to submit observations specifically regarding the proposed investment priorities:

- ***Clarification of the VTRANS2035 Investment Priorities and Strategies must be provided.*** Several of the Strategies listed as part of the individual Investment Priorities are unrelated to congestion mitigation and/or could be construed as problematic to the regions processes in implementing transportation improvements.
- ***Investment Priority #1 - Preserve and Enhance Statewide Mobility.*** VTrans2035 criteria were developed as statewide investment priorities. The first investment priority listed-“Preserve and enhance statewide mobility” seems entirely too broad for evaluating the effectiveness of would-be projects in the NVTa area. While that is entirely understandable for state-funded investments, ascribing significant weight to this criterion for an analysis of would-be Authority-funded projects could end up causing projects that arguably should be state-funded to be judged by the HB 599 analysis the highest rated projects for the regional funding. Priorities selected should aim to reduce congestion and improve regional mobility in Northern Virginia while preserving and enhancing statewide mobility.

VTrans2035 focuses on Corridors of Statewide Significance, four of which travel through Northern Virginia: North South Corridor, Northern Virginia Corridor (I-66); Seminole Corridor (Route 29), and Washington to North Carolina Corridor (I-95). The Strategies included in within this Investment Priority, include “Develop master plans to improve access to Corridors of Statewide Significance,” “Reduce freight related congestion,” and “Complete in-progress PPTAs.” Northern Virginia has projects throughout the region that must be focused on, and cannot restrict itself to those Corridors. Further, while freight-related congestion is interconnected to congestion relief, the completion of PPTA’s should not be included as a factor in the congestion relief evaluation.

- ***Investment Priority #2 - Increase Coordinated Safety and Security Planning.*** This item appears to be related to the HB 599 study evaluation related to the regional mobility in the event of a homeland security emergency. However, as part of this regional mobility criteria, Investment Priority #3 (Improved Safe Operations and Services) is also relevant and should be included.

Further, while staff understands that VDOT is suggesting the use of the Investment Priority, it should be noted that this is fundamentally a “planning” criterion, not a performance criterion. It is unclear to staff how this Investment Priority will be used to adequately assess emergency response and mobility.

- ***Investment Priority #5 - Improve the Interconnectivity of Regional and Activity Centers.*** The Authority has a similar priority included within its regional plans. However, the Strategies listed as part of the Investment Priority in VTRANS2035 are largely related to high speed and intercity passenger rail, which are regional priorities. The other Strategy listed is to “provide effective regional transit systems in concert with supportive land uses and bike/ped connections,” which are relevant to the area.
- ***Investment Priority #6 - Reduce the Cost of Congestion to Virginia's Residents and Businesses.*** Page 31 of the VTrans2035 plan uses this priority to assess the economic value of a project’s congestion-reduction impacts. The Code states that “the evaluation shall provide an objective,

quantitative rating for each project according to the degree to which the project is expected to reduce congestion and, to the extent feasible, the degree to which the project is expected to improve regional mobility in the event of a homeland security emergency." While cost effectiveness is an important aspect of investment decision-making process, this criterion goes far beyond the scope of the requirements under HB 599.

Further, it is important that the cost of congestion to our residents and businesses be addressed. However, we must also address the visitors, tourists, and those traveling through the area, as they are also relevant to the issue.

- ***Investment Priority #10 - Increase System Performance by Making Operational Improvements.*** HB 599 notes that projects evaluation could include technology projects that could make a significant impact on mobility. This Priority seems relevantly related for that option.
- ***Investment Priority # 8- Promote Sustainable Methods of Planning, Design, Operation and Construction That Are Sensitive to Environmental, Cultural and Community Resources.*** The CTB should also include this item, as it is directly related to congestion mitigation and substantially impact the feasibility of projects. Further, the Strategies listed within the Priority include "Expand non-Single-Occupant-Vehicle (SOV) travel options," which has a direct impact on congestion-relief.
- ***Investment Priority #9 - Increase Travel Choices to Improve Quality of Life for Virginians.*** The CTB should include this investment priority. As described in the VTrans2035 document, this priority is focused on keeping "Virginia competitive by reducing travel times and increasing mobility options." Reducing travel times and increasing mobility are applicable measures of congestion and mobility.

We look forward to working with you on this process as we implement transportation improvements to relieve congestion in Northern Virginia. If you have any questions or would like to discuss any of the comments, please contact me at (703) 792-4620. Again, thank you for efforts.

Sincerely,



Martin E. Nohe
Chairman

Cc: Members, Northern Virginia Transportation Authority
The Honorable Sean T. Connaughton, Secretary of Transportation
Mr. F. Gary Garczynski, Northern Virginia District Board Member, Commonwealth
Transportation Board
Ms. Fran Fisher, At-Large Urban Board Member, Commonwealth Transportation Board
Members, Commonwealth Transportation Board



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda Item # 16

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

October 17, 2013

MOTION

Made By: Ms. Fisher Seconded By: Mr. Garczynski

Action: Motion Carried, Unanimously

Title: Adoption of Priorities for Northern Virginia Transportation District Significant Projects Evaluation and Rating

WHEREAS, pursuant to § 33.1-13.03:1 of the *Code of Virginia*, enacted by the Virginia General Assembly in 2012, the Virginia Department Of Transportation (VDOT) is directed, in ongoing coordination with the Commonwealth Transportation Board (CTB), the Department of Rail and Public Transportation (DRPT) and the Northern Virginia Transportation Authority (NVTA), to evaluate significant transportation projects, including highway, mass transit, and technology projects, in and near Northern Virginia Transportation District, (hereinafter the Northern Virginia Transportation District Significant Projects Evaluation and Rating) to the extent funds are available for such purpose; and,

WHEREAS, § 33.1-13.03:1 provides that the evaluation shall provide an objective, quantitative rating for each project according to the degree to which the project is expected to reduce congestion and, to the extent feasible, the degree to which the project is expected to improve regional mobility in the event of a homeland security emergency; and,

WHEREAS, § 33.1-13.03:1 further provides that in determining the allocation of highway construction funding in Northern Virginia Transportation District, the CTB shall, in ongoing coordination with the NVTA, give priority to projects that most effectively reduce congestion in the most congested corridors and intersections but that nothing in the section limits the ability of the CTB to consider other criteria, including the performance-based criteria set forth in § 15.2-4838; and

WHEREAS, pursuant to § 33.1-13.03:1 the significant projects to be evaluated shall comprise at least 25 such projects selected according to priorities determined by the CTB, in ongoing coordination with the NVTA, without regard to the funding source of the project, and;

WHEREAS, the projects to be evaluated may include but not be limited to projects included in (i) the version of the Constrained Long Range Plan of the National Capital Region Transportation Planning Board in effect when the evaluation is made; (ii) projects in the NVTA's TransAction 2030 Regional Transportation Plan and subsequent updates; and (iii) other highway,



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

GREGORY A. WHIRLEY
COMMISSIONER

October 23, 2013

The Honorable Martin E. Nohe, Chairman
Northern Virginia Transportation Authority
3060 William Drive, Suite 510
Fairfax, VA 22031

Dear Chairman Nohe:

Thank you for your letter of October 16, 2013, regarding the Commonwealth Transportation Board's (CTB) project rating study to evaluate and rate significant transportation improvement projects in Northern Virginia.

The CTB took action at its meeting on October 17, 2013, to establish the priorities for the Projects Rating Study. The CTB received a presentation on the background, proposed framework, and schedule for this legislative study. They reviewed the thirteen investment priorities previously identified in the Statewide VTrans 2035 Transportation Plan update (accepted by the CTB February 20, 2013), and the five specific priorities staff had highlighted as having direct applicability to the Project Ratings Study. In response to the Northern Virginia Transportation Authority's (NVTA) comments on the VTrans 2035 investment priorities, the CTB added one additional priority to the proposed list of five priorities: Increase travel choices to improve quality of life for Virginians. A copy of the CTB's resolution is attached for the NVTA's information and file.

Northern Virginia's CTB members and the study team (VDOT and DRPT) agree that the VTrans 2035 Update Plan is a statewide plan while the Project Ratings Study focuses on the Northern Virginia (NoVA) region. The NoVA CTB members had previously advised the study team to adapt the VTrans 2035 priorities for the region. During the CTB meeting, the NoVA CTB members did note that the VTrans 2035 Update Plan priorities would serve as overarching principles that will be applied in a regional context for this study. The adopted CTB resolution reflects this sentiment in that the text of one of the selected investment priorities has already been tailored to a regional priority. The VTrans 2035 investment priority Preserve and Enhance Statewide Mobility now reads Preserve and Enhance Statewide Mobility Through the Region.

The NVTA's letter discusses the 13 investment priorities and *strategies* described in the VTrans 2035 Plan update that were not identified by the study team for CTB's consideration as priorities for this study. The investment *strategies* listed in the VTrans 2035 Plan update are examples of means of achieving the investment *priority*. These *strategies* are not intended to be comprehensive and/or exhaustive of all potential strategies to achieve the priority visions of VTrans 2035. This point was explicitly discussed and noted in the CTB's deliberations on October 17, 2013; the CTB's action was to nominate specific priority statements as overarching principles to guide the Project Ratings Study and not intended to adopt all aspects of the VTrans 2035 priorities and strategies. To this end, we believe that strategies such as those identified by the NVTA will fit under one or more of the six priorities provided by the CTB.

NVTA's observation that if the CTB priorities for this study lead to projects that the NVTA is legislatively prohibited from funding, the NVTA would be unable to fund such projects is duly noted. It is also noted that the legislation governing the Project Ratings Study mandates that projects selected for evaluation shall be independent of the funding source for the project. The priorities are guiding principles; however, the screening process for regional significance, congestion relief, and mobility will further screen projects to meet the legislative mandates.

VDOT and DRPT are committed to working and coordinating efforts with the NVTA throughout this study. On behalf of the study team, thank you and the members of the NVTA for your help and collaboration.

If you wish to discuss any aspects of the study, please contact Mr. Kanathur Srikanth, our Transportation Planning Director, at (703) 259-2220 or kanathur.srikanth@vdot.virginia.gov.

We look forward to working with you.

Sincerely,



Helen L. Cuervo, P.E.
District Administrator
Northern Virginia District

Attachment

Copy: Sean T. Connaughton, Secretary of Transportation
Commonwealth Transportation Board Members



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda Item # 16

**RESOLUTION
OF THE COMMONWEALTH TRANSPORTATION BOARD
October 17, 2013
MOTION**

**Made By: Ms. Fisher Seconded By: Mr. Garczynski
Action: Motion Carried, Unanimously**

**Title: Adoption of Priorities for Northern Virginia Transportation District Significant
Projects Evaluation and Rating**

WHEREAS, pursuant to § 33.1-13.03:1 of the *Code of Virginia*, enacted by the Virginia General Assembly in 2012, the Virginia Department Of Transportation (VDOT) is directed, in ongoing coordination with the Commonwealth Transportation Board (CTB), the Department of Rail and Public Transportation (DRPT) and the Northern Virginia Transportation Authority (NVTA), to evaluate significant transportation projects, including highway, mass transit, and technology projects, in and near Northern Virginia Transportation District, (hereinafter the Northern Virginia Transportation District Significant Projects Evaluation and Rating) to the extent funds are available for such purpose; and,

WHEREAS, § 33.1-13.03:1 provides that the evaluation shall provide an objective, quantitative rating for each project according to the degree to which the project is expected to reduce congestion and, to the extent feasible, the degree to which the project is expected to improve regional mobility in the event of a homeland security emergency; and,

WHEREAS, § 33.1-13.03:1 further provides that in determining the allocation of highway construction funding in Northern Virginia Transportation District, the CTB shall, in ongoing coordination with the NVTA, give priority to projects that most effectively reduce congestion in the most congested corridors and intersections but that nothing in the section limits the ability of the CTB to consider other criteria, including the performance-based criteria set forth in § 15.2-4838; and

WHEREAS, pursuant to § 33.1-13.03:1 the significant projects to be evaluated shall comprise at least 25 such projects selected according to priorities determined by the CTB, in ongoing coordination with the NVTA, without regard to the funding source of the project, and;

WHEREAS, the projects to be evaluated may include but not be limited to projects included in (i) the version of the Constrained Long Range Plan of the National Capital Region Transportation Planning Board in effect when the evaluation is made; (ii) projects in the NVTA's TransAction 2030 Regional Transportation Plan and subsequent updates; and (iii) other highway,

rail, bus and technology projects that could make a significant impact on mobility in the region; and

WHEREAS, pursuant to Chapter 766 (HB2313) of the 2013 Acts of Assembly, 70 percent of the revenues received by the NVTB under §15.2-4838.1 shall be used by the NVTB solely to fund (i) transportation projects selected by the Authority that are contained in the regional transportation plan adopted by the NVTB in accordance with § 15.2-4830 and for purposes of revenues received after fiscal year 2014, for such projects that have been rated in accordance with § 33.1-13.03:1 or (ii) mass transit capital projects that increase capacity; and

WHEREAS, VDOT has hired a consultant to assist the Department in performing the Northern Virginia Transportation District Significant Projects Evaluation and Rating and requires direction from the CTB regarding the priorities to be used in selecting the significant transportation projects to be evaluated and rated pursuant to § 33.1-13.03:1; and

WHEREAS, pursuant to §33.1-23.03 of the *Code of Virginia*, the CTB, by resolution, on February 20, 2013, officially accepted VTrans2035 Update as the Statewide Transportation Plan, which among other things, sets forth investment priorities that “represent the range of activities necessary to achieve the VTrans Goals” (hereinafter “VTrans Investment Priorities”).

NOW, THEREFORE, BE IT RESOLVED, by the CTB, that the following VTrans Investment Priorities set forth in the VTrans2035 Update as amended by this resolution are hereby adopted by the CTB as the CTB priorities to be used for and applied in selecting the significant transportation projects to be evaluated and rated pursuant to § 33.1-13.03:1 :

- Preserve and Enhance Statewide Mobility Through the Region
- Increase Coordinated Safety and Security Planning
- Improve the Interconnectivity of Regions and Activity Centers
- Reduce the Costs of Congestion to Virginia’s Residents and Businesses
- Increase System Performance by Making Operational Improvements
- Increase Travel Choices to Improve Quality of Life for Virginians

BE IT FURTHER RESOLVED, that, based on the priorities identified herein, VDOT and DRPT shall recommend to the CTB, at its March, 2014 meeting, a minimum of 25 significant transportation projects that should be evaluated and rated in accordance with § 33.1-13.03:1.

###

rail, bus and technology projects that could make a significant impact on mobility in the region; and

WHEREAS, pursuant to Chapter 766 (HB2313) of the 2013 Acts of Assembly, 70 percent of the revenues received by the NVTa under §15.2-4838.1 shall be used by the NVTa solely to fund (i) transportation projects selected by the Authority that are contained in the regional transportation plan adopted by the NVTa in accordance with § 15.2-4830 and for purposes of revenues received after fiscal year 2014, for such projects that have been rated in accordance with § 33.1-13.03:1 or (ii) mass transit capital projects that increase capacity; and

WHEREAS, VDOT has hired a consultant to assist the Department in performing the Northern Virginia Transportation District Significant Projects Evaluation and Rating and requires direction from the CTB regarding the priorities to be used in selecting the significant transportation projects to be evaluated and rated pursuant to § 33.1-13.03:1; and

WHEREAS, pursuant to §33.1-23.03 of the *Code of Virginia*, the CTB, by resolution, on February 20, 2013, officially accepted VTrans2035 Update as the Statewide Transportation Plan, which among other things, sets forth investment priorities that “represent the range of activities necessary to achieve the VTrans Goals” (hereinafter “VTrans Investment Priorities”).

NOW, THEREFORE, BE IT RESOLVED, by the CTB, that the following VTrans Investment Priorities set forth in the VTrans2035 Update as amended by this resolution are hereby adopted by the CTB as the CTB priorities to be used for and applied in selecting the significant transportation projects to be evaluated and rated pursuant to § 33.1-13.03:1 :

- Preserve and Enhance Statewide Mobility Through the Region
- Increase Coordinated Safety and Security Planning
- Improve the Interconnectivity of Regions and Activity Centers
- Reduce the Costs of Congestion to Virginia’s Residents and Businesses
- Increase System Performance by Making Operational Improvements
- Increase Travel Choices to Improve Quality of Life for Virginians

BE IT FURTHER RESOLVED, that, based on the priorities identified herein, VDOT and DRPT shall recommend to the CTB, at its March, 2014 meeting, a minimum of 25 significant transportation projects that should be evaluated and rated in accordance with § 33.1-13.03:1.

###