

MOTION:

SECOND:

**RE: AUTHORIZE THE VIRGINIA RAILWAY EXPRESS (VRE) CHIEF EXECUTIVE OFFICER TO
EXECUTE AN AGREEMENT FOR DESIGN, CONSTRUCTION OPERATIONS AND
MAINTENANCE OF A PARKING GARAGE AT THE VRE MANASSAS PARK STATION**

ACTION:

WHEREAS, the City of Manassas Park originally provided parking for VRE riders by constructing a 300-space surface parking lot; and

WHEREAS, as VRE ridership grew, and available parking spaces diminished, the City of Manassas Park agreed to convey a 4.8-acre parcel owned by the city to VRE to construct an additional 300-parking space lot adjacent to the city's original surface parking lot, which the VRE constructed; and

WHEREAS, as VRE ridership has continued to increase, VRE and the City of Manassas Park have collaborated on developing additional parking capacity at the VRE Manassas Park Station; and

WHEREAS, VRE and the City of Manassas Park have obtained funding for the design and construction of additional parking capacity; and

WHEREAS, VRE and the City of Manassas Park have collaborated to determine the location and conceptual design - including the estimated number of additional parking spaces - and the responsibilities for the ongoing operation and maintenance; and

WHEREAS, the VRE Operations Board recommends the following action.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission (PRTC) hereby authorizes the VRE Chief Executive Officer to execute an agreement for the design, construction, operation and maintenance of a parking garage at the VRE Manassas Park Station, subject to approval as to form by legal counsel.

BE IT FURTHER RESOLVED that PRTC authorizes the VRE Chief Executive Officer to execute all deeds and other documents required to accept the conveyance of real property by the City to the Commissions.

Votes:

Ayes:

Abstain:

Nays:

Absent from Vote:

Alternate Present Not Voting:

Absent from Meeting:



VIRGINIA RAILWAY EXPRESS
OPERATIONS BOARD

Agenda Item 9-C
Action Item

To: Chairman Skinner and the VRE Operations Board

From: Rich Dalton

Date: October 16, 2020

Re: Recommend Authorization to Execute an Agreement for Design, Construction, Operation, and Maintenance of a Parking Garage at the VRE Manassas Park Station.

Recommendation:

The VRE Operations Board is asked to recommend the Commissions authorize the Chief Executive Officer to execute an agreement with the City of Manassas Park for the design, construction, operation, and maintenance of a parking garage at the VRE Manassas Park Station; and to authorize the Chief Executive Officer to execute all deeds and other documents required to accept the conveyance of real property by the City to the Commissions.

Summary:

The Agreement will memorialize the mutual understandings between VRE and the City of Manassas Park concerning the creation and conveyance of the existing expansion parking lot parcel and a parcel for constructing the new parking garage, funding for additional design costs, collaboration on the design and construction and the operation, use and maintenance of the parking garage.

Background:

The Manassas Park Station originally provided parking for VRE riders in a 300-space parking lot constructed by the City of Manassas Park (the City Lot). Once ridership increased, the City subsequently agreed to create additional parking by conveying to VRE a parcel of land of approximately 4.8 acres from City-owned property adjacent to both the



Northern Virginia
Transportation Commission
2300 Wilson Blvd., Suite 230
Arlington, VA 22201
703-524-3322



Virginia Railway Express
1500 King Street, Suite 202
Alexandria, VA 22314
703-684-1001
VRE.org



Potomac and Rappahannock
Transportation Commission
14700 Potomac Mills Road
Woodbridge, VA 22192
703-580-6121

original lot and the VRE Manassas Park Station. VRE constructed an additional 300-space parking lot (referred to as the Expansion Lot).

VRE paid to the City the agreed-upon purchase price of \$116,000 for the Expansion Lot parcel. However, the deed of conveyance for the expansion lot parcel was never created and recorded among the land records of Prince William County, Virginia. This action will allow VRE to create a current document identifying the parcel, and the City of Manassas Park will have the deed of conveyance recorded at no cost to VRE.

Demand for parking at the Manassas Park Station has continued to increase, exceeding the capacity of the City Lot and the Expansion Lot. The City and the VRE began work on a joint project for the design and construction of a parking garage on City-owned property located across the Norfolk Southern railroad tracks near City Hall, for which project the VRE expended costs and expense to advance the garage design to the 60% stage.

In September of 2019, the City requested, and VRE agreed, to change the location of the project to a different site contingent upon VRE's ability to recoup previously expended design cost.

The City has agreed to create and convey to VRE a parcel of land approximately 2.5 acres in size from the City-owned property located across the railroad tracks from the Manassas Park Station. The VRE will design and construct a structured parking garage with three above ground levels and one below ground level consisting of approximately 544 parking spaces above ground for use by VRE. Approximately 131 below grade parking spaces will be for use by the City of Manassas Park.

This Agreement will memorialize the mutual understandings concerning the creation and conveyance of the expansion lot parcel, the additional parcel for constructing the new parking garage and provide for the operation, use and maintenance of the parking garage. The major elements of the Agreement are summarized as follows:

Expansion Lot Parcel

VRE will complete the preparation of a subdivision plat creating the Expansion Lot parcel for review and approval by the City of Manassas Park. The City of Manassas Park will convey fee simple title at no cost to VRE beyond the sum already paid by VRE.

Garage Parcel

The City of Manassas Park will prepare a subdivision plat creating the parcel for the parking garage subject to review and approval by VRE. The City of Manassas Park will convey fee simple title to the garage parcel to VRE at no cost to VRE. The deed conveying the garage parcel will include a provision granting the right, in the event VRE ceases to use the garage parcel for commuter rail related purposes during a specified time, to re-acquire ownership of garage parcel.

Design and Construction of the Parking Garage

VRE will be responsible for the design and construction of the parking garage. VRE and the City of Manassas Park will continue to collaborate on the design and construction of the parking garage to ensure the City of Manassas Park's parking level is constructed in conjunction with the construction of the garage.

The City of Manassas Park will be responsible for all costs required to advance the parking garage project to 60% design including, but not limited to, all costs incurred prior to the execution of the agreement necessary to advance the project to a 10% conceptual design consistent with a Letter of No Prejudice from the City of Manassas Park dated April 9, 2020. Upon reaching 60% design, VRE will expend a maximum amount of \$1,169,270 to advance the parking garage project from 60% design to 100% design, which represents the funds remaining under the VRE's Standard Project Agreement (SPA) with the Northern Virginia Transportation Authority (NVTA) for Final Design of the Manassas Park parking garage project.

VRE will expend a maximum amount of \$23.5 million for construction of the parking garage using I-66 Outside the Beltway (OTB) concessionaire funds previously awarded to VRE. The City of Manassas Park will be responsible for all construction costs in excess of \$23.5 million. If the projected cost for construction of the parking garage exceeds \$23.5 million, the City may request VRE to permit the City's development partner, Norton Scott, or its contractor, to construct exterior portions of the Garage project. VRE and the City will work cooperatively to identify portions of the Garage project that can be separated from the work being done by VRE's contractor and be constructed separately by the City's development partner or its contractor.

Garage Operations and Maintenance

The VRE will be responsible for all maintenance and operation of the parking levels assigned to VRE. The City of Manassas Park will be responsible for all maintenance and operation of the parking level assigned to the City.

Parking on the VRE parking levels will be primarily for the use of commuter rail patrons during VRE service hours. Outside of the VRE service hours and on days the VRE does not operate, the VRE parking levels may be used for public parking by the City of Manassas Park.

If it is determined parking capacity on the VRE parking levels regularly exceed ninety percent (90%) during VRE service hours a survey or similar process will be conducted by VRE and the City of Manassas Park. From this process, if it is determined that more than twenty percent (20%) of the VRE parking levels are being used by non-commuter rail patrons during the VRE service hours, the cost of maintenance and operations will be shared proportionally between VRE and the City of Manassas Park.

Fiscal Impact:

As outlined above, VRE and the City have agreed to a funding structure that will allow VRE to recoup costs previously expended on reaching 60% design for the garage at the original location. With NVTAs concurrence, VRE has temporarily halted all reimbursable activities under its SPA for final design with NVTAs, and the City will be responsible for all costs necessary to return the garage design to 60% at the new location. When 60% design is achieved, VRE will advise NVTAs and commence work again under the existing SPA to take the garage design to 100% and prepare for construction.

Similarly, the City will be responsible for any costs in excess of VREs existing \$23.5 million of I-66 OTB funding for construction of the garage. VRE has committed to working cooperatively with the City, if necessary, to identify portions of the garage project that could be constructed separately by the City or its development partner.

REMOVED

**Virginia Railway Express
Operations Board**

**Resolution
9C-10-2020**

**Recommend Authorization to Execute an Agreement for Design,
Construction, Operation, and Maintenance of a Parking Garage at the
VRE Manassas Park Station**

WHEREAS, the City of Manassas Park originally provided parking for VRE riders by constructing a 300-space surface parking lot; and,

WHEREAS, as VRE ridership grew, and available parking spaces diminished, the City of Manassas Park agreed to convey a 4.8 acre parcel owned by the City to VRE to construct an additional 300-parking space lot adjacent to the City's original surface parking lot, which the VRE constructed; and,

WHEREAS, as VRE ridership has continued to increase, VRE and the City of Manassas Park have collaborated on developing additional parking capacity at the VRE Manassas Park Station; and,

WHEREAS, the VRE and the City of Manassas Park have obtained funding for the design and construction of additional parking capacity; and,

WHEREAS, the VRE and the City of Manassas Park have collaborated to determine the location and conceptual design - including the estimated number of additional parking spaces - and the responsibilities for the ongoing operation and maintenance;

NOW, THEREFORE, BE IT RESOLVED THAT, the VRE Operations Board does hereby recommend the Commissions find that, in accordance with recently adopted amendments to budget bills HB 29 and 30, meeting by electronic means is authorized because the nature of the declared emergency makes it both impracticable and unsafe for the Operations Board to assemble in a single location on October 16, 2020, and that meeting by electronic means is authorized because the items on the October 16, 2020 Operations Board Meeting Agenda are statutorily required or necessary to continue operations of the Operations Board and the discharge of the Operations Board's lawful purposes, duties, and responsibilities; and further find that meeting by electronic means is authorized because the items on the October 16, 2020 Operations Board Meeting Agenda are encompassed within the continuity of operations ordinances adopted by member localities of the Virginia Railway Express Operations Board to assure the continued operation of the government during the disaster posed by the public health emergency resulting from COVID-19; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations Board does hereby recommend the Commissions authorize the Chief Executive Officer execute an Agreement for the Design, Construction, Operation and Maintenance of a Parking Garage at the VRE Manassas Park Station, subject to approval as to form by legal counsel; and,

BE IT FURTHER RESOLVED THAT, the VRE Operations Board does hereby recommend the Commissions authorize the Chief Executive Officer to execute all deeds and other documents required to accept the conveyance of real property by the City to the Commissions.

Approved this 16th day of October 2020

Jeanine Lawson

Jeanine Lawson
Secretary

Signature: Gary F. Skinner
Gary F. Skinner (Oct 22, 2020 10:02 EDT)
Email: gskinner@spotsylvania.va.us

Gary F. Skinner

Gary Skinner
Chairman

Signature: Jeanine Lawson
Jeanine Lawson (Oct 22, 2020 13:02 EDT)
Email: jlawson@pwcgov.org