

PRESENTED & ADOPTED:

SUBJECT: WEST OX BUS FACILITY - APPROVAL OF PUBLIC HEARING STAFF REPORT; APPROVAL OF FINANCIAL PLAN; AUTHORIZATION TO EXECUTE JOINT USE AGREEMENT; NEXT PRIORITY FOR GARAGE RELOCATION

**PROPOSED
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY**

WHEREAS, The Regional Bus Study determined that there was insufficient maintenance and storage capacity among the northern Virginia Metrobus facilities for service expansion beyond the current fleet and that the Southeastern Bus Garage in the District of Columbia should be relocated; and

WHEREAS, On October 21, 2004, the Board approved, by Resolution #2004-52, the Metro Matters Funding Agreement, which included \$48.9 million for a new bus maintenance and storage facility in Virginia; and

WHEREAS, Staff examined several sites in Virginia for a new bus facility, but found the sites to be not entirely satisfactory; and

WHEREAS, Staff has discussed with Fairfax County the possible joint use of a large County bus maintenance facility now under development at Fairfax County's West Ox Road Complex (County Facility) through a joint-use agreement, and Staff considers the proposed joint-use of the County Facility to be an attractive approach for increased bus capacity in Virginia (Joint-Use Facility); and

WHEREAS, On February 17, 2005, the Board authorized Staff to hold a Compact public hearing on the proposed Joint-Use West Ox Bus Maintenance Facility, and for the General Manager to release the Public Hearing Staff Report for public review, as soon as the Report was available; and

WHEREAS, On February 17, 2005, the Board also authorized the General Manager to enter into Letter of Intent with Fairfax County regarding a proposed use and operating agreement, and to negotiate and execute the use and operating agreement with Fairfax County, subject to final Board action; and

WHEREAS, On March 10, 2005, the General Manager issued the Letter of Intent to Fairfax County on the joint use of the facility as a means for WMATA to increase bus capacity in Virginia; and

WHEREAS, A public hearing was held on the Technical Reports and Proposed General Plans on Wednesday, March 30, 2005 at 7:00 p.m. at the Fairfax County Government Center in Fairfax, Virginia; and

WHEREAS, The record of the public hearing remained open until April 13, 2005; and

WHEREAS, A report of the public hearing entitled *Public Hearing Staff Report; Review of the Public Hearing and Staff Recommendation For the Proposed West Ox Joint-Use Bus Facility; Hearing No. 168; Docket No. R05-1* dated April 2005 (Staff Report) was prepared; and

WHEREAS, The Staff Report addressed issues and comments raised at the public hearing and during the period for written and electronic comments after the hearing, and presented the staff recommendation for the Project; and

WHEREAS, Upon receiving authorization from the Chief Executive Officer, the Staff Report was released for public review for a two-week period; and

WHEREAS, The Staff Report, including the transcripts of the public hearing, was available for review through the Office of Secretary; and

WHEREAS, The public review period closed on Friday, June 3, 2005, without any comments received; and

WHEREAS, The final staff recommendation in the Staff Report is approval of the proposed West Ox Bus Facility, as depicted in the proposed General Plans and having an initial capacity of 100 Metrobuses; and

WHEREAS, Staff has negotiated with Fairfax County the Joint Use Agreement, which includes an operating agreement; and

WHEREAS, On January 5, 2006, the Planning and Development Committee was briefed on the contents of the Staff Report, including issues raised in the record of the public hearing and the final staff recommendation; and

WHEREAS, The Staff Report, the Technical Reports and the proposed General Plans, along with the transcript of the public hearing, have been made available to the Board and the Board has considered this information; now, therefore, be it

RESOLVED, That the Board of Directors approve the *Public Hearing Staff Report; Review of the Public Hearing and Staff Recommendation For the Proposed West Ox Joint-Use Bus Facility; Hearing No. 168; Docket No. R05-1* dated April 2005 and the proposed General Plans for the West Ox Bus Facility; and be it further

RESOLVED, That the Board approves the proposed financial plan for the acquisition of the 75-year leasehold interest for the West Ox Bus Facility, consisting of Metro Matters funding for the proportional share of the cost for 45 buses and Paint and Body Shop, and of WMATA joint development revenues for the remainder of the cost of the facility, and be it further

RESOLVED, That the Board approves funds to be advanced from the Metro Matters budget until reimbursement by joint development revenues in early FY2009; and be it further

RESOLVED, That the Board authorizes the General Manager to execute the Joint Use Agreement with Fairfax County; and be it further

RESOLVED, That the Board adopts the Southeastern Bus Garage as a first priority project for relocation and staff is directed to explore all reasonable alternatives in preparing a plan to accomplish the relocation, subject to the availability of funding and jurisdictional coordination and endorsement; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel



(Board Copy)
Washington Metropolitan Area Transit Authority
**METRO ELECTRONIC ACTION
DOCUMENT**

IDENTIFICATION			
MEAD ID:	98869	ACTION:	N/A
AWARD VALUE:	(Not yet awarded)	CONTRACT: (Proposed)	
FUND SOURCES: (View)		CONTRACTOR:	
LAST MODIFIED:	01/04/2006		

DESCRIPTION	
SUBJECT:	West Ox Bus Facility Public Hearing Staff Report, Financial Plan and Joint-Use Agreement
PURPOSE:	That the Planning and Development Committee concur and forward to the Board for approval the attached resolution for the West Ox Bus Facility: 1. Approving the Public Hearing Staff Report; 2. Approving the financial plan; and, 3. Authorizing the GMGR/CEO to execute the Joint-Use Agreement with Fairfax County.

ORIGINATION					
INITIATOR			DEPARTMENTAL APPROVAL		
JOHN DITMEIER on 10/06/2005			Approved by SALPEAS , PANAGIOTIS 12/06/2005		
PHONE:	202-962-2676	OFFICE:	CONS	DEPT:	Capital Projects Manageme

COORDINATION (ROUTING)		
OFFICE	NAME	ACTION/DATE
(4110)	SALPEAS, PANAGIOTIS	Approved 12/06/2005
CONS (4210)	DITMEIER, JOHN	Approved 12/05/2005
CONS (4210)	HAGGINS, JAMES	Approved 12/05/2005
COOB (3211)	REQUA, JOHN	Approved w/ Comments 12/07/2005
OLIA (3131)	HICKS, BEA	Approved 12/07/2005
LAND (7310)	MALASKY, GARY	Approved 12/06/2005
(8110)	THOMAS, EDWARD	Approved 12/14/2005
CFO1 (2110)	WOODRUFF, HARRY	Approved 12/21/2005
COUN (1410)	O'KEEFFE, CAROL	Approved w/ Comments 12/23/2005
OPAS (3161)	HUGHES, JAMES	Approved 12/23/2005

FINAL APPROVALS	
OFFICE	NAME/ACTION
PLN_DEV_CMTE	Approved for by PANAGIOTIS SALPEAS on 12/06/2005
OPER_CMTE	Approved for OPAS by JAMES HUGHES on 12/23/2005
BEMR	Approved for by HAROLD BARTLETT on 12/28/2005
GM	Approved for GMGR by GMGR CEO on 01/13/2006
BOARD	BOARD WMATA (Not Yet Approved)



Washington Metropolitan Area Transit Authority
**METRO ELECTRONIC ACTION
 DOCUMENT**

NARRATIVE

BACKGROUND

Among the recommendations of the Regional Bus Study (2000-2003) were new and expanded bus garages to support service expansion. The Capital Improvement Plan (November 2002) proposed new Metrobus garages in Western Fairfax County, the District of Columbia and Southern Prince George's County and the relocation and expansion of the Metrobus Royal Street, Alexandria garage. Subsequently, the Metro Matters Funding Agreement (October 2004) included \$48.9 million for a new bus maintenance facility in Northern Virginia.

Over the years, staff had examined several sites in Virginia for a new facility, but found the sites to be not entirely satisfactory. Staff discussed with Fairfax County the possible joint use of a large County bus maintenance facility now under development at Fairfax County's West Ox Road Complex. Fairfax County will design, construct, and own the facility while WMATA will share the facility for Metrobus maintenance and storage. By Resolution #2005-03, the Board authorized the GMGR/CEO to negotiate the use and operating agreement with Fairfax County, subject to final Board action. As authorized by the same resolution, the GMGR/CEO issued a March 10, 2005 Letter of Intent to Fairfax County regarding the joint-use facility as a means for WMATA to increase bus capacity in Virginia and identifying negotiation points: 1) facility size and equipment; 2) amount and timing of use payments; 3) operations and maintenance cost; and 4) agency roles during all phases of the joint-use facility.

COMPACT PUBLIC HEARING

On March 30, 2005, WMATA held a Compact public hearing to receive public and agency comments on the proposed joint-use of the West Ox Bus Facility, having an initial capacity of 75 Metrobuses and an ultimate capacity of 150 Metrobuses. Of four hearing participants, the foremost concern was the possibility of major WMATA expansion of the facility and of storage and maintenance of Metrobuses from service areas outside Fairfax County. Staff released the Public Hearing Staff Report for public review on May 20, 2005 and received no comments on the Report by the June 3, 2005 close of the review period. Since there were no comments on the Staff Report, no Staff Report Supplement was prepared. Subsequent to the hearing, West Ox Bus Facility was expanded to have an initial capacity for 100 Metrobuses; the Staff Report was accordingly updated. Fairfax County had previously held a public hearing on the bus facility, as required by County ordinances, and approved a bus facility at this location. The final staff recommendation is approval of the Bus Facility, as depicted in the proposed General Plans and having an initial capacity of 100 Metrobuses.

FACILITY DESCRIPTION

Fairfax County will design, construct and own the Fairfax County's West Ox Bus Facility. Its location is near the intersection of West Ox Road and the Fairfax County Parkway. The bus facility is part of a larger redevelopment of County and Commonwealth land. New elements of the West Ox Road Complex will include a Public Safety and Transportation Operations Center, Virginia Department of Transportation Northern Virginia Headquarters and Virginia State Police Division Headquarters. Fairfax County presently owns part of the bus facility site and is acquiring the remainder of the site from the Commonwealth of Virginia.

Although the site of the County facility would allow an ultimate capacity of 300 buses, the initial requirement is for 100 Metrobuses and for 75 Fairfax Connector buses for a total initial capacity of 175 buses. The 100 Metrobuses will include those re-assigned from existing Virginia Metrobus facilities and new buses for service expansion purchased under Metro Matters.

The facility includes four buildings (administration, maintenance, service and paint & body shop),

bus parking, employee parking and underground tanks for clean diesel fuel. An example of joint use is the maintenance building in which WMATA and the County have separate bus bays and parts rooms but share the training room, locker room, etc. The paint & body shop will be for WMATA use only.

For high-speed data flow and the advanced Metrobus systems for operations and maintenance, staff recommends fiber-optics connection for all new garages. For the West Ox Bus Facility, the nearest connection to the existing WMATA system is the Vienna Station communication room. To establish the link between the communication room and the bus facility, VDOT has offered use of its existing duct bank in the I-66 right-of-way. In exchange for that use, VDOT requests WMATA construct a new fiber-optic duct along West Ox Road between I-66 and the West Ox Road Complex and in the northwest quadrant of West Ox Road Complex. The new ducts would be owned by VDOT and used by WMATA. Staff will return to the Board for approval of a fiber-optics agreement between WMATA and VDOT.

Fairfax County plans to complete design of the facility for advertisement in May 2006, to start construction in September 2006, and to complete construction by June 2008.

FINANCIAL PLAN

As shown in the table below, the WMATA cost for West Ox Bus Facility is \$40.3 million, for which there are two funding sources: upcoming joint development revenues and Metro Matters funds. The Metro Matters portion will have no Federal funds. From the Metro Matters budget of \$48.9 million, which by itself is more than adequate for the facility, funds will be advanced until reimbursement by joint development revenues in early FY2009.

Staff forecasts that the operating and maintenance costs will be comparable to that of the existing bus garages. There will be additional annual WMATA operating costs, estimated at \$1.1 million (2005 dollars), due to deadheading of the 55 existing buses (See Operating Plan below). The additional subsidy in FY2009 will be allocated based on the existing bus subsidy formulas. Staff considers this additional cost reasonable in light of the FY2006 budget of \$384.4 million for Metrobus expenses.

OPERATING PLAN

The operating plan for Metrobus in Northern Virginia assumes that Fairfax County will fulfill its long-standing intent to take over Metrobus Routes 12 and 20 in the western part of the County. OPAS will totally reassign buses among the Northern Virginia bus facilities. Fifty-five Metrobuses will be reassigned to West Ox Bus Facility. Forty-five new Metrobuses from Metro Matters, if and when purchased and funded for operations, will complete WMATA's initial 100-bus capacity at the West Ox Bus Facility.

JOINT USE AGREEMENT WITH FAIRFAX COUNTY

The following are the important elements of the joint-use agreement:

- Term of the joint use is 75 years, after which the lease may be extended in five-year increments.
- WMATA will share in the County's capital costs through 'pre-paid annual rents'. Therefore, WMATA will not pay conventional rent.
- WMATA will share in the annual facility operating costs, such as utilities, trash, etc. The proration of operating costs is based on how square footage of the four buildings is used: 57 percent by WMATA and 43 percent by the County.
- The agreement includes an operating agreement. It provides the principles and procedures for the County and WMATA managers and superintendents to formulate and amend joint operating policies through cooperation and mutual accommodation.
- WMATA may expand the facility beyond 100 Metrobuses upon County approval.
- WMATA will share the costs of infrastructure renewal.
- Fairfax County will procure and install WMATA maintenance equipment and then transfer ownership of the equipment upon joint testing and acceptance.
- WMATA will oversee but not manage design, construction and start-up, since the facility is under the ownership and management of Fairfax County.

Fairfax County has had concerns that WMATA might not approve the Joint-Use Agreement by January 19, 2006 and that WMATA might withdraw, though unlikely, from any joint-use of the

facility. Therefore, staff made commitments to the County: 1) Should the WMATA Board not approve the Joint Use Agreement by January 19, 2006, WMATA would increase its contribution to the capital cost of the West Ox Bus Facility, equivalent to the effect of inflation; and 2) should the WMATA Board decline to approve the execution of the Joint-Use Agreement and thus withdraw from any joint-use, WMATA would repay Fairfax County for the County's cost to redesign the facility as a single-user facility. If either of these two cases occur, staff would return to the Board for approval of a Memorandum of Understanding.

ALTERNATIVES

WMATA could choose not to execute the Joint Use Agreement with Fairfax County for the West Ox Bus Facility. Consequently, WMATA would need to continue the search for an acceptable site in Virginia to build or acquire a facility and to fulfill the above commitments to the County.

PRIOR APPROVALS

On October 21, 2004 the Board of Directors approved the Metro Matters Funding Agreement, which included \$48.9 million for a new bus maintenance facility in Virginia.

On February 17, 2005, the Board authorized 1) staff to hold a public hearing on the West Ox Bus Facility and the GMGR/CEO to release the Public Hearing Staff Report for public review, as soon as the Report is available; and 2) authorized the GMGR/CEO to enter into Letter of Intent with Fairfax County and to negotiate and execute the joint use agreement with Fairfax County, subject to final Board action on the public hearing.

IMPACT ON FUNDING:

The Joint Use Agreement will obligate WMATA to pay Fairfax County:

- Its share of the capital costs in payments over ten fiscal quarters.
- Its share of operations and maintenance costs of the facility on a quarterly basis through the established WMATA operating budget.
- Its share of the costs of infrastructure renewal over time.

The County costs below include project management, design fees and permit fees. The other WMATA costs below include WMATA project management, information technology, fiber optic ducts and connection, and additional contingency.

Facility Estimates	Millions (for opening in June 2008)		
	Total	County	WMATA
Capital Cost (Year of Expenditure Dollars)			
County Estimate	59.7	25.0	34.7
Other WMATA			5.6
Total			40.3
Annual Operating Cost (2005 Dollars) for FY2009			
Base	For WMATA, cost is comparable to that of existing garages.		
Deadheading			1.1

Capital Budget: Metro Matters Resolution FY2006-FY2011

Project Title: Bus Program

Project Category: Garage Facility

	Metro Matters *				
	FY2006	FY2007	FY2008	FY2009	Total
Line Item Budget	8.9	20.6	16.2	-	45.7
This Contract Action	4.9	20.0	15.4	-	40.3

Prior Actions	-	-	-	-	-
Sub Total	4.9	20.0	15.4	-	40.3
Remaining Budget	4.0	0.6	0.8	-	5.4

*The above budget is subject to approval of the Metro Matters Annual Work Plan, since it differs from the original budget of the Metro Matters Funding Agreement, and is also subject to the annual availability of funds as defined by the annual budget approval process. Reprogramming of any funds remaining in the Metro Matters budget for the bus garage facility will be incorporated into the FY2008 budget process.

AFFIRMATIVE ACTION REQUIREMENTS:

None applicable to this action.

RECOMMENDATION:

That the Planning and Development Committee concur and forward to the Board for approval the attached resolution for the West Ox Bus Facility:

1. Approving the Public Hearing Staff Report;
2. Approving the financial plan; and,
3. Authorizing the GMGR/CEO to execute the Joint-Use Agreement with Fairfax County.

ELECTRONIC ATTACHMENTS:

Public Hearing Staff Report
Board Resolution

PRINT ATTACHMENT:

Joint-Use Agreement (available upon request)