

Consent Item (C) 06-27-2019

Washington Metropolitan Area Transit Authority

Board Action/Information Summary

☒ Action ☐ Information

MEAD Number:
202081

Resolution:
☒ Yes ☐ No

TITLE:

Indemnification for New Entrance at Huntington

PRESENTATION SUMMARY:

Board approval for indemnifications required by Fairfax County as part of the permitting process

PURPOSE:

Board approval to authorize the GM/CEO or designee to indemnify Fairfax County in connection with constructing a new entrance at the Huntington Metro Station.

DESCRIPTION:

Key Highlights:

A new entrance is being added to the Huntington Station to improve overall ADA accessibility to the station. Preliminary work is proposed to be performed during the summer of 2019 shutdown. The work requires permits and related agreements with Fairfax County which may include indemnification language.

Background and History:

Huntington Station has two entrances at each end of the station and three parking garages. The south garage has reached the end of its useful life and is closed to vehicular traffic. The middle of the three garages sits between the entrances. People who park in the middle garage access the station through the south entrance, which is incorporated into the south garage. The demolition and rebuilding of the south garage will require the closure of the south entrance effectively closing off access to the station from patrons who park in the middle garage. It has been determined that the demolition and rebuilding of the south garage will take longer than the three months available during the summer of 2019 shutdown.

Discussion:

To rectify the problem, a new entrance is proposed to directly connect the middle garage to the station. The new entrance will provide a short, direct path between the garage and the station for the ADA community. The new

entrance will also allow for the demolition and reconstruction of the south garage/entrance with minimal impact on commuters who use the south entrance.

There are work activities associated with construction of the new entrance that will benefit from being performed during the summer shutdown. However, Fairfax County requires permits and related agreements that may contain indemnification language. Since Resolution 2011-30 requires Board approval to indemnify a counterparty, staff is seeking delegation of authority to the General Manager/CEO for the indemnification. Providing the authority will allow for the work to move forward expeditiously.

FUNDING IMPACT:

There is no impact on funding for indemnification actions.	
Project Manager:	John D Thomas
Project Department/Office:	COO/DECO

TIMELINE:

Previous Actions	Summer shutdown proposed for the reconstruction of platforms
Anticipated actions after presentation	May 2019, receive permits and approvals from Fairfax County for work proposed during the summer of 2019 shutdown.

RECOMMENDATION:

That the Board approve authorization of the GM/CEO or designee to indemnify Fairfax County as may be required for constructing a new entrance at the Huntington Metro Station.

**SUBJECT: APPROVAL TO INDEMNIFY FAIRFAX COUNTY IN CONNECTION WITH
CONSTRUCTING A NEW ENTRANCE AT HUNTINGTON METRO STATION**

2019-19

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

WHEREAS, Resolution 2011-30 requires approval by the Board for WMATA to indemnify a counterparty; and

WHEREAS, WMATA is preparing to build a new entrance to the Huntington Metro Station in Fairfax County, and Fairfax County may require an indemnity in the permits and related Fairfax County agreements that are required for the construction of the new entrance;

NOW, THEREFORE, be it

RESOLVED, That the Board authorizes the General Manager/Chief Executive Officer or his designee to indemnify Fairfax County as may be required by the permits and related agreements for WMATA's construction of the new entrance to the Huntington Metro Station; and be it finally

RESOLVED, That in order to timely execute the proposed permits and agreements with Fairfax County, this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Patricia Y. Lee
General Counsel

WMATA File Structure No.:
15.2.1 Grants of Indemnification