I-95/395 HOT Lanes PPTA

Advisory Panel Meeting Agenda
November 1, 2005
7:00 PM

Minutes

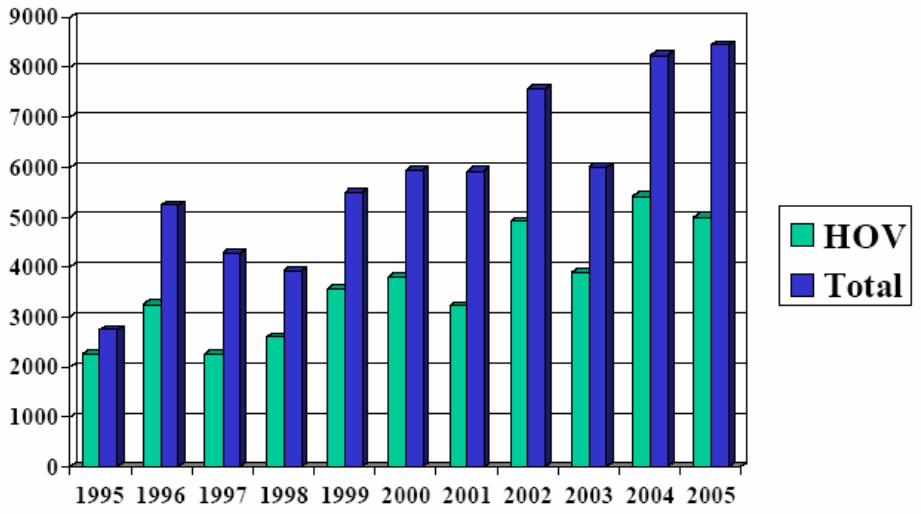
Attendees:

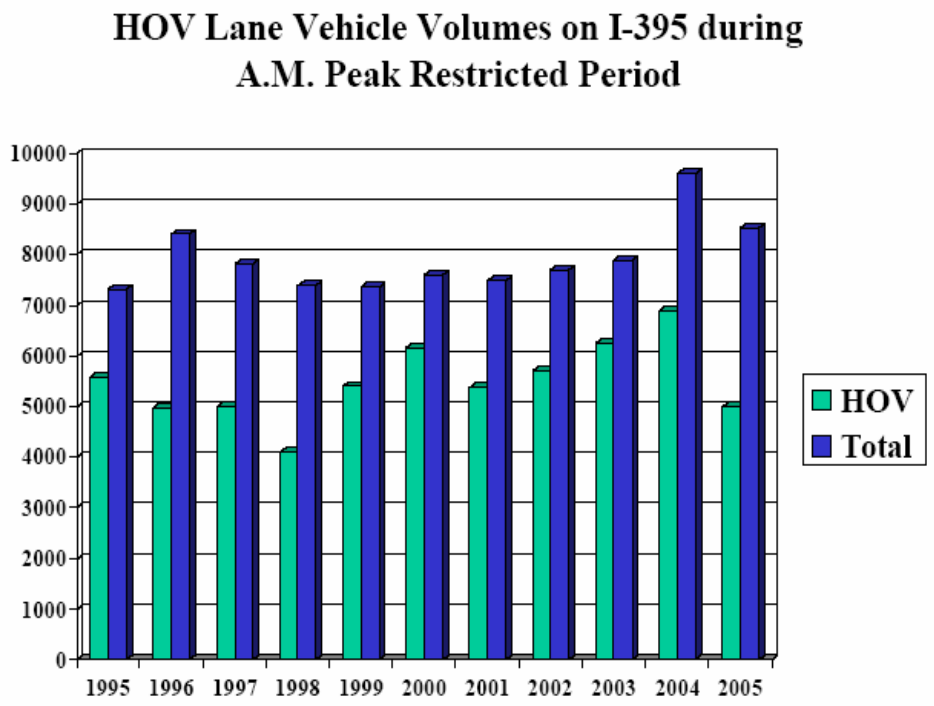
Mr. John A. Rollison, III
Mr. Charles Badger
Ms. Julia Connally
Mr. Malcolm Kerley, P. E.
Ms. Katherine K. Hanley
Mr. Alfred H. Harf
Mr. Ron Kirby
Mr. Dennis Morrison
Mr. Dave Ogle
Mr. Robert E. Sevila
Mr. Brian Smith
Mr. Dan Tangherlini
Mr. Zeke Newcomb

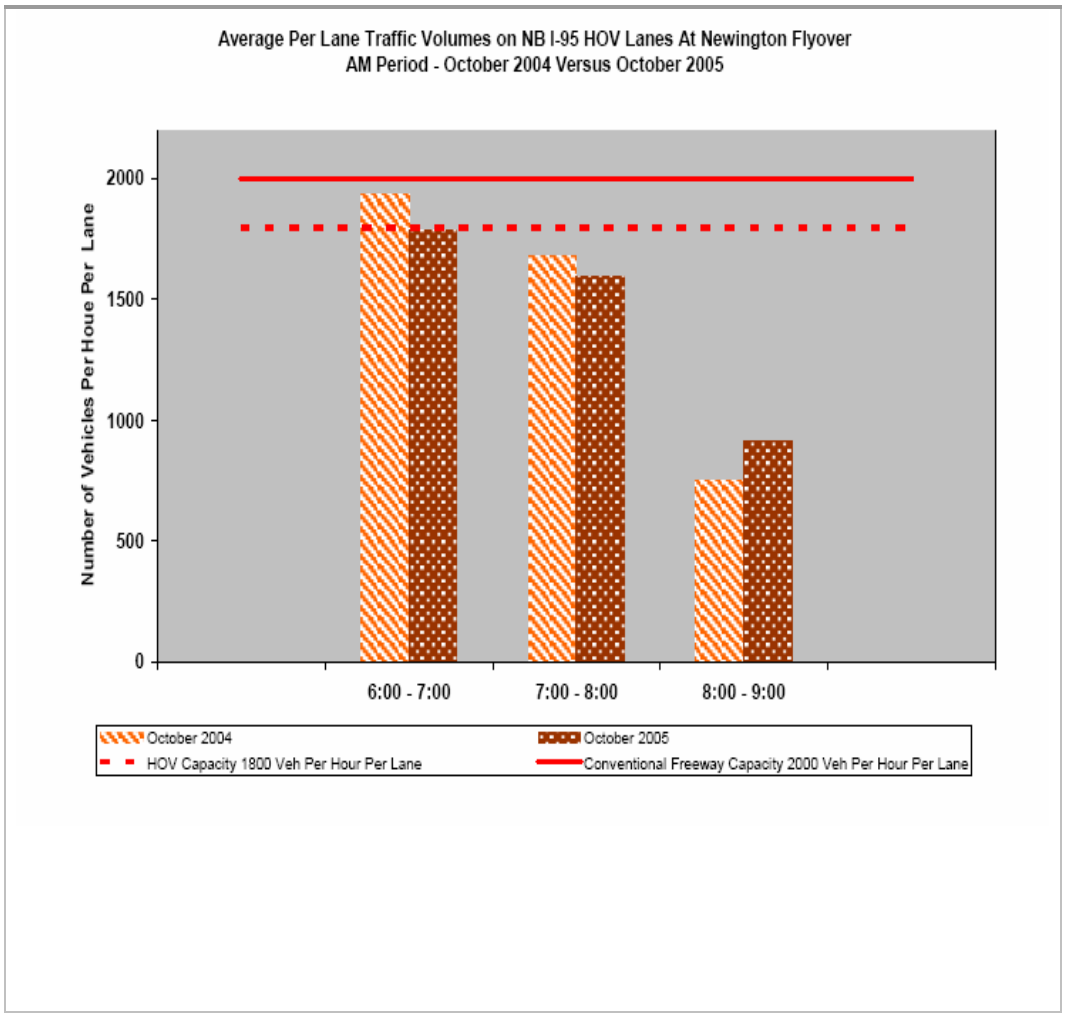
The meeting began with opening remarks by Chairman, John A. Rollison, III.

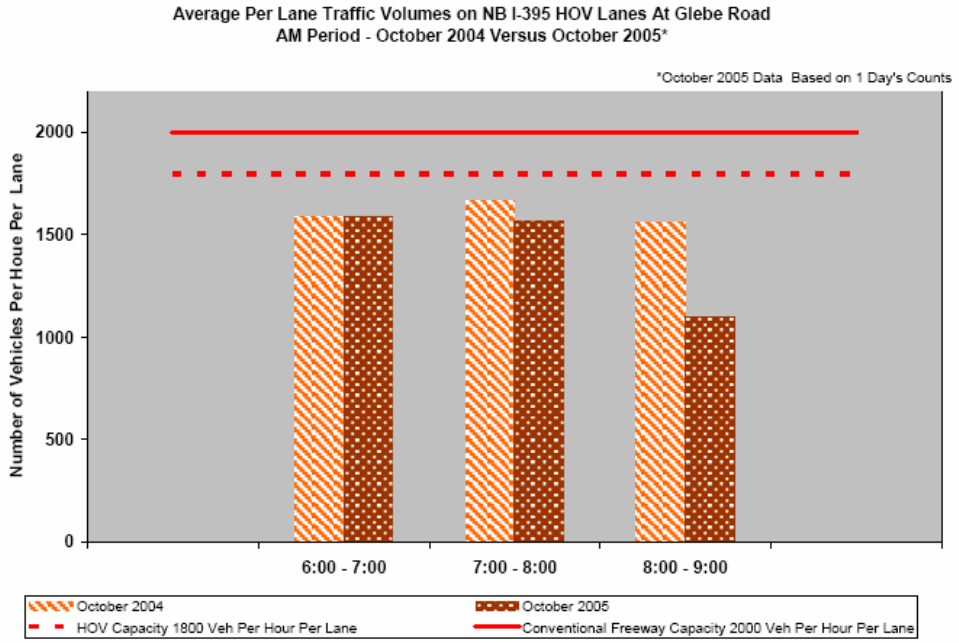
The minutes of the October 11, 2005, Advisory Panel meeting were approved. Ms. Julia Connally abstained from voting due to her absence at the October 11, 2005, meeting.

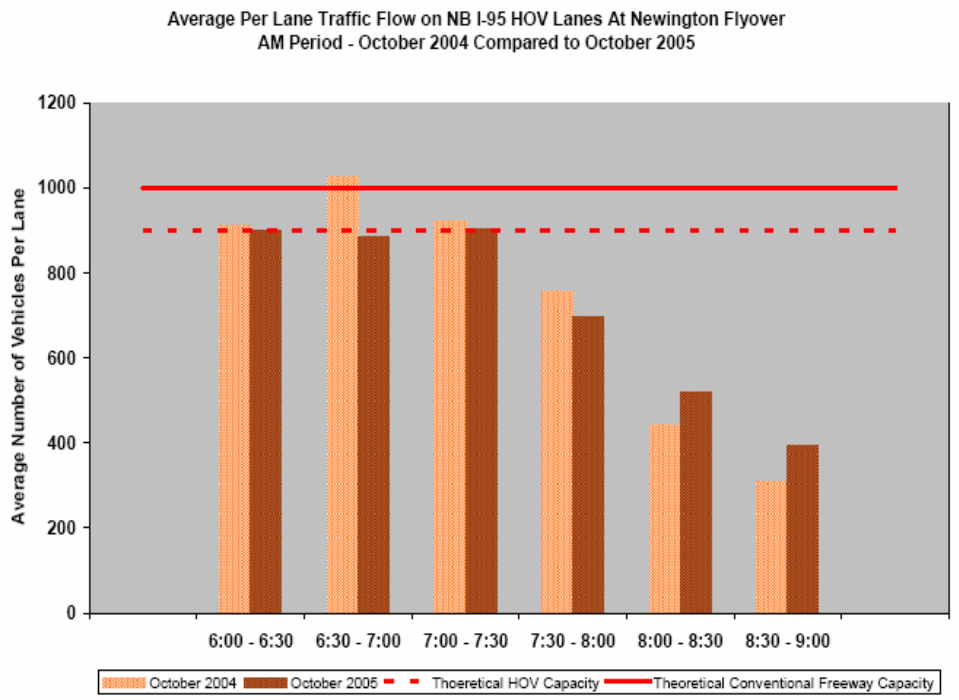
A report was presented by VDOT's representative, Mr. Richard W. Steeg, Assistant District Engineer, NOVA District. The following graphics were presented in association with Mr. Steeg's report.

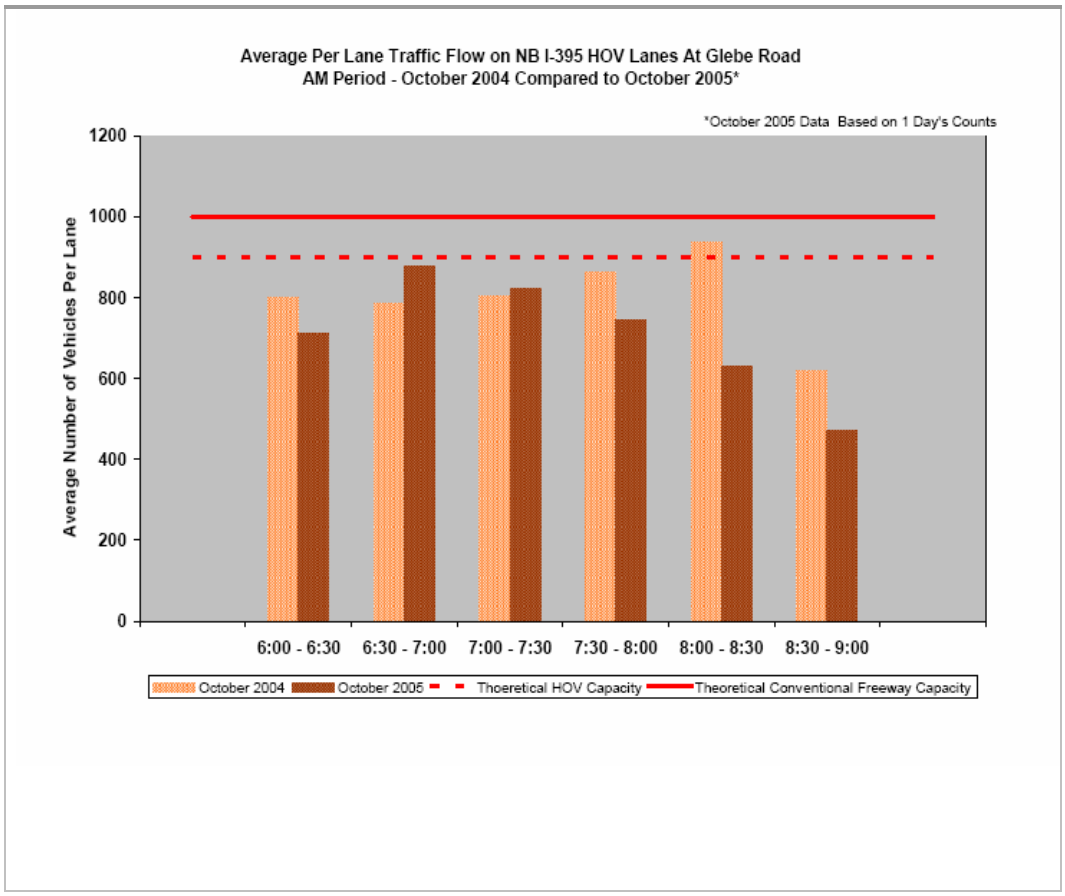

HOV Lane Vehicle Volumes on I-95 during
A.M. Peak Restricted Period
9000
8000
7000
6000
5000
4000
3000
2000
1000
0
1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005
HOV
Total


HOV Lane Vehicle Volumes on I-395 during
A.M. Peak Restricted Period
10000
9000
8000
7000
6000
5000
4000
3000
2000
1000
0
1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005
HOV
Total


Average Per Lane Traffic Volumes on NB I-95 HOV Lanes At Newington Flyover
AM Period - October 2004 Versus October 2005
Number of Vehicles Per Houe Per Lane
2000
1500
1000
500
0
6:00 - 7:00
7:00 - 8:00
8:00 - 9:00
October 2004
October 2005
HOV Capacity 1800 Veh Per Hour Per Lane
Conventional Freeway Capacity 2000 Veh Per Hour Per Lane


Average Per Lane Traffic Volumes on NB I-395 HOV Lanes At Glebe Road
AM Period - October 2004 Versus October 2005*
*October 2005 Data Based on 1 Day's Counts
Number of Vehicles Per Houe Per Lane
2000
1500
1000
500
0
6:00 - 7:00
7:00 - 8:00
8:00 - 9:00
October 2004
October 2005
HOV Capacity 1800 Veh Per Hour Per Lane
Conventional Freeway Capacity 2000 Veh Per Hour Per Lane


Average Per Lane Traffic Flow on NB I-95 HOV Lanes At Newington Flyover
AM Period - October 2004 Compared to October 2005
Average Number of Vehicles Per Lane
1200
1000
800
600
400
200
0
6:00 - 6:30
6:30 - 7:00
7:00 - 7:30
7:30 - 8:00
8:00 - 8:30
8:30 - 9:00
October 2004
October 2005
Thoeretical HOV Capacity
Theoretical Conventional Freeway Capacity



A memo from VDOT's Chief Financial Officer (CFO), Ms. Barbara W. Reese, was distributed, noting four areas for discussion by the two proposers, Fluor-Transurban and Clark/Shirley (the Group). Ms. Reese noted that the September, 2005, financial evaluation examined the possibility of a financial investment. A letter from the surety stated that the I-95 Expressed LLC has a bonding capability of $2.5 Billion. The report stated that Clark Construction Group, LLC, is a majority-owned and privately-held subsidy of Clark Enterprises Associated and Shirley LLC. An independent evaluation of Clark's financial capacity cannot be released to the public in accordance with Section 2.2 - 3705.6 of the *Code of Virginia*. Fluor's proposal included a corporate guarantee. Fluor's proposal also demonstrated solid financial health, and a strong credit rating, in addition to having a low asset to liability ratio (significantly lower than the Group's). She reminded the panel that their role is not to negotiate, but to evaluate the information in the proposals.

The four areas covered included the proposers' experience, project costs, public transportation investments and financing, with central focus on the financial status of both parties.

Ms. Reese recommended that the Panel advise the Commissioner to move into I-95/395 HOV/HOT Lanes negotiations, based on the findings in the September financial report.

Next, the panel considered the question: "Should the HOV/HOT Lane concept be approved and forwarded to the Commissioner?"

Mr. Kerley moved and was seconded by Ms. Hanley that the Advisory Panel recommends concept be advanced.

Motion carried unanimously.

The next item considered was: "Are the proposers qualified to carry out the project?"

Ms. Connally moved and seconded by Mr. Harf that the Advisory Panel felt both proposers were highly qualified.

Motion carried unanimously

The next item considered was: "Recommendation of proposer(s) to the Commissioner?"

Ms. Hanley moved and seconded by Ms. Connally that the Advisory Panel recommends that negotiations be pursued with Fluor-Transurban.

Mr. Newcomb disagreed, and stated Commuter/Distributor (CD) lanes in the Clark's proposal are needed. He also stated the Clark's proposal brings 3-HOT Lanes to Rt. 610, includes the Springfield Phase VIII, and improvements to the 14th Street Bridge which the Flour proposal doesn't address. Additionally, the Flour proposal costs are too high. The Flour proposal requires everyone to have a transponder, which is not encouraging to present HOV users, and, therefore, he could not support the Flour proposal.

Mr. Ogle agreed with the need for CD lanes at the Southern end of the project. The Flour proposal's current plans are to build general purpose lanes in the median, which conflicts with HOT Lanes. Mr. Ogle supports the Clark/Shirley proposal.

Mr. Kerley stated both teams were well-qualified, highly ranked in engineering, and have good safety records. He considered advancing both proposals; however, it would be unfair to ask two teams to do more work at-risk (traffic & revenue studies). Therefore, he supports the motion to advance Fluor's proposal only.

Mr. Morrison stated both are very good teams. However, weight was given heavily to the recommendation from VDOT's CFO for the Fluor proposal. Therefore, he supports advancing Fluor's proposal.

Mr. Sevila stated he supports the motion to advance Fluor's proposal.

Mr. Harf stated he supports the motion to advance Fluor's proposal. He noted that National Environmental Policy Act (NEPA) requirements will further shape project parameters. Additionally, Fluor's proposal is a sounder tolling rational for traffic management, the enforcement mechanism is beneficial, the concept is more sensitive to

NOVA's activity center access, and locating the HOT lane terminus further south is a more logical premise.

Mr. Tangherlini moved a substitute motion to advance both proposals. The motion died for lack of a second.

Mr. Kirby stated he supports the motion to advance the Fluor proposal.

Mr. Badger stated he supports the motion to advance the Fluor proposal.

Mr. Smith stated he supports the motion to advance the Fluor proposal, and stated Fluor proposal is the stronger proposal.

The motion carried ten to three.

The next item: Draft Findings of the Advisory Panel to the Commissioner.

It was moved and seconded in Item 1A, to add the words, "travel choices" and eliminate the word "possibly".

In item 4, it was moved and seconded to delete the word, "may" and let it say "satisfies".

In item 8B, it was moved and seconded to remove the first sentence beginning with "With revenues . . . " and let it start with the second sentence.

The draft findings were approved as amended by the Panel.

The next item: Recommendations of the Advisory Panel for a Comprehensive Agreement to the Commissioner.

Environmental and Engineering Section:
Depending on the Environmental Impact Statement (EIS) for the Northern and Southern portions of the project, it was noted that the environmental work could span three years. Meanwhile, it was recommended that an agreement be entered into and to move forward with the traffic and revenue studies. It was also requested that future transportation needs be given adequate consideration on the basis of analysis of the affected groups. It was moved and seconded that an item "C" be added, giving consideration to minimizing impacts on future improvements in the corridor. Motion carried.

It was moved and seconded that an amendment be added to Item 12, stakeholders, to include pedestrians and bicyclists. This motion passed twelve to one.

Financial Section:
Mr. Newcomb spoke against a concession model as too expensive, and moved that no concession model be used. The motion died for lack of a second.

Mr. Tangherlini requested that consideration be given to Virginia entering into an agreement with the District, pertaining to cost sharing (versus revenue sharing) for necessary construction and maintenance expenditures associated with the 14th Street Bridge, which is presently maintained by the District of Columbia. It was noted that a number of such agreements are already in place, i.e., the Woodrow Wilson Bridge.

Mr. Rollison stated VDOT's Commissioner does not have authority to enter into agreements with other States or the District, and this issue is beyond the scope of the Panel.

Mr. Tangherlini moved that Virginia should require the facility sponsor, in conjunction with the Commonwealth, to develop a plan of finance that includes cost sharing with the District to cover capital and operational expenses associated with the 14th Street Bridge to ensure Virginia's HOT facility operates as intended. Motion was seconded.

Mr. Kerley moved a substitute motion stating, "The Advisory Panel recognizes the importance of the 14th Street Bridge operations to the HOT Lane's facility and a proper agreement concerning maintenance and operations should be considered."

Substitute motion died for lack of a second.

Original motion (Mr. Tangherlini's) was seconded and passed twelve to one.

Operations:
Item 18 – Mr. Smith moved that Traffic Management for the facility is to be integrated and/or coordinated with the existing VDOT traffic management system to include the use of hardware and software. Motion was seconded.

Item 19 – Mr. Harf moved to add the clause "as defined in a transit service plan for the corridor" and then incorporating Item 19 with Item 14. Motion was seconded.

Item 20 – Mr. Harf moved to substitute the word "priority" for "importance" and replace the term, "net toll revenues" with "revenues remaining after . . ." to reflect the intent of the clause. Motion was seconded.

Item 22 – Ms. Hanley moved that the comprehensive agreement include maintenance of traffic and congestion mitigation measures during construction in the corridor. Mr. Morrison seconded.

Mr. Kirby moved a substitute motion that all recommendations be accepted as amended. Mr. Kerley seconded. Motion carried unanimously.

The Chairman expressed his appreciation to the Panel members for their dedication and expertise and they reciprocated their thanks.

The meeting was then adjourned.