

**POTOMAC AND RAPPAHANNOCK
TRANSPORTATION COMMISSION**

RESOLUTION

MOTION: _____

**RESOLUTION NO. 09-05-_____
OFFICIAL COMMISSION MEETING
MAY 7, 2009**

SECOND: _____

RE: FEDERAL AUTHORIZATION EARMARK REQUEST FOR PRTC

WHEREAS, the Congress has commenced work on a new federal transportation authorization bill because SAFETEA-LU is scheduled to expire on September 30, 2009; and

WHEREAS, the House Transportation and Infrastructure (T&I) Committee (which has jurisdiction over transportation authorization legislation in the House) has signaled its intention to incorporate earmarks in the new authorization bill; and

WHEREAS, it is in the Potomac and Rappahannock Transportation Commission's (PRTC) interest to seek an earmark for those bus investments that are essential for sustaining existing operations; and

WHEREAS, bus replacements and construction funding for a new westerly maintenance facility to address overcrowded conditions at PRTC's sole existing maintenance facility are recognizably the two most critical projects to sustain PRTC's existing operations; and

WHEREAS, PRTC has seventy-three buses that will reach retirement age during the six year period that the next federal authorization bill will span (i.e., FY 2010 through FY 2015), with an estimated replacement cost of \$37,320,267; and

WHEREAS, the westerly maintenance facility has an estimated construction cost of \$12 million.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby endorse an earmark request for these two projects and authorizes the submission of this request to would-be sponsors.




Potomac and Rappahannock
Transportation Commission

14700 Potomac Mills Road
Woodbridge, VA 22192

May 7, 2009

TO: Chairman May and Commissioners

FROM: Alfred Harf 
Executive Director

RE: Federal Authorization Earmark Request for PRTC

Recommendation:

Endorse management's proposed federal authorization earmark request for PRTC.

Background:

With SAFETEA-LU set to expire on September 30, 2009, Congress has started deliberations about reauthorization. As previously reported, the House is further along in its deliberations than the Senate is, and House Transportation and Infrastructure (T&I) Committee Chairman James Oberstar has publicly said he is intent on passage of a House bill by Memorial Day. While there is heightened sensitivity about earmarks, from all appearances the House bill will contain them, as the letter sent by House T&I leadership dated April 2, 2009 signals (attachment one).

On April 7th, Congressman Wittman's staff forwarded the "earmark request" form that the House T&I Committee developed (attachment two) and advised that submissions would have to be made to Congressman Wittman no later than April 24th¹. Because we didn't learn of this until after the April Commission meeting and faced with a deadline of April 24th, management prepared and submitted an "earmark" request for PRTC with the proviso that endorsements are in the process of being sought, including (most importantly) one from the PRTC Board. Management's proposed earmark request has been shaped to the degree possible by the most recently approved federal legislative agenda, though it must be said that the agenda did not address earmark aspirations in the context of reauthorization figuring that would be best left for later action once the complexion of reauthorization and procedures for seeking earmarks became clearer.

¹ The April 24th deadline took us by surprise, because the House T&I leadership's letter advises that earmark requests can be submitted as late as May 8, 2009.

Chairman May and Commissioners
May 7, 2009
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Since the prospective reauthorization bill is expected to be a six year bill as SAFTEA-LU and its predecessors were, PRTC's earmark request accounts for anticipated investments spanning the entire six-year period between FY 2010 and FY 2015. Because local funds are currently in such short supply, management dismissed the possibility of assuming any service expansion for the purpose of formulating an earmark request, confining the request to only bus replacements and the construction of a new westerly maintenance facility in keeping with prior appropriation earmark requests.

Between FY 2010 and FY 2015, PRTC would be ordering replacements for 73 buses that would be reaching retirement age -- thirteen (13) 2000-vintage OmniRide buses (Orions), thirty-eight (38) 2002-vintage OmniRide buses (MCIs), and eighteen (22) 2004 to 2006-vintage OmniLink buses (Gilligs). Assuming replacements are timed in accordance with federal replacement guidelines, the total cost for replacing these 73 buses is \$37,320,267. This is one of the two "projects" comprising management's proposed reauthorization earmark request.

Turning to the proposed westerly maintenance facility, PRTC has adequate committed funding to complete environmental analysis and design work but no funding as yet for construction. A federal grant that will permit the commencement of environmental analysis work is imminent, and all preconstruction work is expected to be completed within the next three years. Thus construction could commence well before the end of the reauthorization six-year period, provided that construction funding were available. Accordingly, construction funding for the westerly maintenance facility -- \$12 million -- is the second "project" management has proposed in the reauthorization earmark request.

Federal participation rates in the past several transportation authorizations (including SAFETEA-LU) were 80%. The "earmark request" form seems to suggest that this participation rate will be sustained. The cost estimates cited earlier in this staff report are 100% cost estimates.

Fiscal Impact:

Not applicable.

Attachments: As stated



U.S. House of Representatives
Committee on Transportation and Infrastructure
 Washington, DC 20515

James L. Oberstar
 Chairman

John L. Mica
 Ranking Republican Member

David Haysfeldt, Chief of Staff
 Ward W. McCarragher, Chief Counsel

April 2, 2009

James W. Coon II, Republican Chief of Staff

Dear :

The Committee on Transportation and Infrastructure is crafting new surface transportation authorization legislation to replace the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (P.L. 109-59), which expires on September 30, 2009.

This legislation will transform our surface transportation programs by strengthening the current Federal-state-local partnership, ensuring that programs meet specific performance-based metrics, and providing for greater transparency and accountability for Federal, state, and local decision-making.

Under current law, the U.S. Department of Transportation, States, Metropolitan Planning Organizations, and public transit agencies are responsible for the vast majority of surface transportation investment decisions. Although the current Federal-state-local partnership has served highway and transit systems well, not all communities are treated equally in the decision-making process.

To complement the work done by these agencies, and to ensure that the needs of the communities that we represent are full partners in these important programs, a small percentage of the overall investment of the authorization bill will be available for Member-designated, High Priority Projects ("HPPs"). As elected Members of Congress, we are uniquely responsible and accountable to our constituents; as such, we must be responsive to them by investing in worthwhile projects critical to our districts that may otherwise not be funded. The Committee will accept requests from Members of Congress to designate funding for High Priority Projects to ensure that the diverse transportation needs of our districts — urban, suburban, and rural — are addressed with the investment provided in this legislation.

The new authorization legislation will include a strong focus on performance and accountability, and these same high standards will be applied throughout the High Priority Project submission and selection process. To address concerns that have been raised with the Member-designated High Priority Project program authorized in SAFETEA-LU and prior surface transportation legislation, and to ensure that projects that receive funding in this surface

transportation authorization act result in tangible transportation and safety benefits, the Committee on Transportation and Infrastructure has adopted the following principles for Member-designated High Priority Projects:

- **The Committee requires all projects to meet eligibility criteria under Title 23 (Highways) or Chapter 53 of Title 49 (Public Transit) of the United States Code to ensure that HPPs comply with highway and transit program objectives. In addition, the Committee specifically prohibits HPP funding for non-surface transportation projects, such as funding of transportation museums, horse trails, historic battlefields, and other non-transportation projects.**

- **The Committee requires Members to provide specific information on the type, location, total cost, percentage of total cost that the request would finance, and benefits of the project, in order for the Committee to effectively analyze the merits of the project request.**

- **The Committee requires Members to specifically identify funding to finance at least 80 percent of the total cost of the phase or segment of the project requested by either (1) the amount requested by the Member; or (2) the amount requested by the Member and other specifically designated Federal, state, local, or private funding sources. The intent of this provision is to increase the likelihood that construction of the project will be underway during the term of the act.**

- **To ensure that HPPs have significant state or local support, the Committee requires Members to provide at least one letter of support for the project from the state Department of Transportation or affected local government or governmental agency.**

The Committee requires such government or agency to specify the process that will be followed to provide an opportunity for public comment (such as the Environmental Impact Statement or other permitting process that requires public review) on the project.

The Committee also requires such government or agency to identify other Federal, state, local, or private funding sources that may be used to advance the project.

- **To ensure greater transparency and accountability for HPPs, the Committee establishes the following transparency and accountability principles:**
 - **Members are required to certify that neither the Member nor his or her spouse has any financial interest in a project requested;**

 - **Members are required to post requests for projects on the Member's website;**

- The Committee will afford the U.S. Department of Transportation at least 20 days to review all project requests to ensure that the projects meet program eligibility criteria;
 - A list of all Member-designated High Priority Projects that are included in the bill will be posted on the Committee website; and
 - A copy of all Member financial interest certifications for HPPs that are included in the bill will be posted on the Committee website.
- The Committee intends to repeal prior ISTEA and TEA 21 project designations that have not proceeded to construction or have remaining unused funds to ensure the effective use of highway and transit funds.

The Committee will accept HPP requests that adhere to these specific principles beginning on April 27, 2009, and ending on May 8, 2009. Members will have the opportunity to submit project requests through the Committee's online database, which will be located at <http://hpp.transportation.house.gov>. Members will be required to submit both electronic and hard copies of all High Priority Project requests. Online answers to the enclosed questionnaire will be required for each project submission.

We strongly recommend that Members immediately begin to compile the information and letters of support necessary to complete their project requests.

To assist Members in this process, the Committee will hold a series of staff briefings and question-and-answer sessions for Congressional staff, as follows:

Date	Time	Location
April 8, 2009	2:00 p.m.	2167 Rayburn HOB
April 15, 2009	2:00 p.m.	2167 Rayburn HOB
April 24, 2009	10:00 a.m.	2167 Rayburn HOB
May 1, 2009	2:00 p.m.	2167 Rayburn HOB

In addition, on April 28, 2009, in room 2167 of the Rayburn House Office Building, the Subcommittee on Highways and Transit will hold a hearing to receive testimony from Members of Congress regarding project requests. Although participating in the hearing will not impact the inclusion of a requested project in this legislation, the hearing will provide an opportunity for Members to publicly discuss the needs of their district and the merits of their project requests. If you are interested in participating in this hearing, please contact the Subcommittee on Highways and Transit staff at (202) 225-9989.

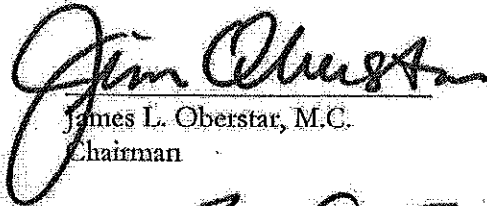
April 2, 2009

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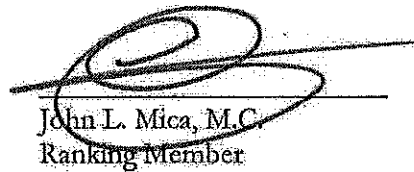
If you have any questions about the High Priority Project submission process, please have your staff contact Jackie Schmitz of the Majority staff of the Subcommittee on Highways and Transit at Jackie.Schmitz@mail.house.gov or (202) 225-9989, or Dan Veoni of the Republican staff of the Subcommittee on Highways and Transit at Dan.Veoni@mail.house.gov or (202) 225-6715.

We believe that Member-designated projects can play an appropriate role in the upcoming surface transportation authorization act, and that the High Priority Project reform principles will ensure that projects that receive funding will result in tangible transportation and safety benefits. We appreciate your willingness to work with us to ensure that this process meets the highest standards of transparency and accountability.

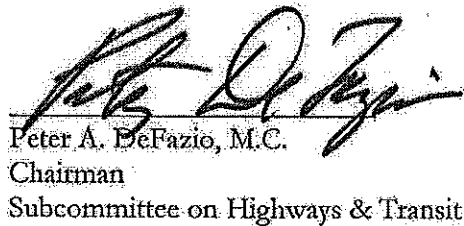
Sincerely,



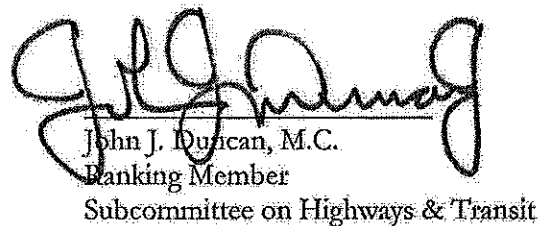
James L. Oberstar, M.C.
Chairman



John L. Mica, M.C.
Ranking Member



Peter A. DeFazio, M.C.
Chairman
Subcommittee on Highways & Transit



John J. Duncan, M.C.
Ranking Member
Subcommittee on Highways & Transit

Enclosure

**COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
MEMBER-DESIGNATED HIGH PRIORITY PROJECT QUESTIONNAIRE**

The database will allow you to: (1) submit requests; or (2) save drafts which can be submitted on a later date.

1. General Information.
 - Member of Congress
(Drop-down menu of Members of Congress with Congressional district¹)
 - Staff Contact
 - Staff Phone Number
 - Staff E-mail Address

2. Who is the primary Member of Congress sponsoring the project?
 - Member of Congress
(Drop-down menu of Members of Congress; only 1 Member may be selected)

3. Is this project located in your Congressional District?
 - Yes
 - No
 - The project is located in the following Congressional District(s):
(Drop-down menu of Members of Congress; more than one Member of Congress may be selected)

4. Will other Members of Congress be submitting project requests supporting the project?
 - Yes
The other Members submitting requests supporting the project are:
(Drop-down menu of Members of Congress; more than one Member of Congress may be selected)
 - No

5. What type of eligible project under Title 23 (Highways) or Chapter 53 of Title 49 (Public Transit) of the U.S. Code is the project request? Note: The Committee will not accept requests for non-surface transportation projects, such as transportation museums, horse trails, or historic battlefields, as part of the High Priority Projects program.
 - Federal-aid Highway
 - Highway/road
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No

¹ All references to "Members of Congress" include Delegates and Resident Commissioner.

- No
 - No
- Bridge
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
 - No
- Tunnel
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
 - No
- Bicycle/Pedestrian project
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
- Intelligent Transportation System (Technology) project
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
 - No
- Ferry Boats or Ferry Boat Facilities
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?

- Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
 - Intermodal Freight Facility
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
 - Other
 - Located on a Federal-aid highway?
 - Yes
 - Located on the National Highway System?
 - Yes
 - Located on the Interstate System?
 - Yes
 - No
 - No
 - No
- Public Transit (Public transit refers to transportation services provided to the general public via a variety of vehicle modes, including buses, subways, light rail, commuter rail, monorail, passenger ferry boats, transit van pools, streetcars, inclined railways, and paratransit vehicles. Public transit does not include school bus or charter bus services, nor intercity passenger rail (such as Amtrak), high-speed rail, or private rail operations. For these types of rail projects, please proceed to the Rail section of the form.)
 - Passenger Vehicles
 - Transit Bus or Van
 - Transit Rail Car or Locomotive, including Streetcars
 - Transit Ferry
 - Transit Facilities
 - Vehicle Maintenance or Administration Facility
 - Passenger Facility, including Intermodal Facilities, stations, and terminals
 - Transit Rights-of-Way
 - Property Acquisition
 - Corridor Development
 - Rail Track Construction or Maintenance
 - Bus-only Lane Construction or Maintenance
 - Transit Equipment

- Vehicle-related Equipment
 - System-related Equipment
- New Start Project (A New Start project is a major new fixed guideway capital project seeking more than \$75 million in Federal funds.)
- Small Start Project (A Small Start project is a new fixed guideway capital project seeking less than \$75 million in Federal funds and with a total estimated net capital cost of less than \$250 million.)
- Rail
 - Intercity Passenger Rail (Intercity rail passenger transportation means rail passenger transportation, except commuter rail passenger transportation. Commuter rail passenger transportation means short-haul rail passenger transportation in metropolitan and suburban areas usually having reduced fare, multiple-ride, and commuter tickets and morning and evening peak period operations. Intercity rail passenger transportation projects are not commuter rail projects. Funds for commuter rail projects should be requested under public transit, not under intercity passenger rail.)
 - Located within a corridor previously designated by the Secretary of Transportation pursuant to section 104(d)(2) of Title 23, United States Code, or the Northeast Corridor?
 - Yes (drop-down menu)
 - California Corridor
 - Chicago Hub Network
 - Empire Corridor
 - Florida Corridor
 - Gulf Coast Corridor
 - Keystone Corridor
 - Northeast Corridor
 - Northern New England Corridor
 - Pacific Northwest Corridor
 - South Central Corridor
 - Southeast Corridor
 - No
 - Freight Rail
 - Class I Freight Rail
 - Class II or Class III Freight Rail
- Research
 - University Transportation Center
 - Other

6. Did the Federal Highway Administration, Federal Transit Administration, or State Department of Transportation,² or public transit agency confirm that the project is eligible under Title 23 (Highways) or Chapter 53 of Title 49 (Public Transit) of the United States Code?
- Yes
 - Which entity confirmed the project eligibility?
 - Federal Highway Administration Contact (Name, Position, Phone)
 - Federal Transit Administration Contact (Name, Position, Phone)
 - State Department of Transportation Contact (Name, Position, Phone)
 - Public Transit Agency Contact (Name, Position, Phone)
 - According to the entity, is the project eligible under Title 23, Title 49, or both Titles 23 and title 49?
 - Title 23 (Highways)
 - Chapter 53 of Title 49 (Public Transit)
 - Both Title 23 and Chapter 53 of Title 49
 - No
7. Please identify the state, regional, or local governmental entity that is an eligible recipient of the funds.
- Highways
(Drop-down menu of State Departments of Transportation (DOTs); only 1 State DOT may be selected)
(Note: If a project is a multi-state project, please select the State Department of Transportation which will serve as the lead agency for the project.)
 - Public Transit
 - State DOT
(Drop-down menu of State Departments of Transportation (DOTs); only 1 State DOT may be selected)
 - Local Government
(Drop-down menu of the following; only one entity may be selected)
 - Metropolitan Planning Organization "MPO" (write in name and address)
 - Transit Agency (write in name and address)
 - City (write in name and address)
 - County (write in name and address)
 - Federally-recognized tribe (write in name and address)
 - Other (write in name and address)

(Note: If a project is a multi-state project, please select the state, regional, or local governmental entity which will serve as the lead agency for the project.)
 - Rail
(Drop-down menu of Amtrak and State DOTs; only 1 State may be selected)
(Note: If a project is a multi-state project, please select the State Department of Transportation which will serve as the lead agency for the project.)

² All references to "State Departments of Transportation" include Washington, DC, and Territories.

8. Please identify the specific segment or activity for which project funding is requested. The request must finance at least 80 percent of the total estimated cost of the specific segment or activity by either (1) the amount requested by the Member; or (2) the amount requested by the Member and other specifically designated Federal, state, local, or private funding sources.

- Project description (include the specific terminus points of the project or activity, as appropriate; include drop-down menu of activity choices; may select more than 1 activity; activities include: construct, plan, design, engineer, conduct environmental review, acquire right-of-way, conduct alternatives analysis, research, develop, demonstrate, deploy, reconstruct, rehabilitate, replace, retrofit, install, mitigate, implement, realign)
- Total estimated cost (please write out in numeral form (e.g., \$2,000,000, not \$2 million))
- Request amount (please write out in numeral form (e.g., \$1,600,000, not \$1.6 million))
- Percentage of total estimated cost
(If the percentage is less than 80 percent, the Member must identify other specifically designated Federal, state, local, or private funding sources that, combined with the Member request, equal at least 80 percent.)

▪ Source	Amount of Funding
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9. If you are requesting funding for a specific segment or activity, please describe the overall project of which this segment/activity is a part.

- Project description (please limit your response to 3-4 sentences; up to 500 characters)
- Total estimated cost

10. Is the project included in the State's Long-Range Transportation Plan?

- Yes
 - Please provide the date of approval of the most recent version of the plan and the title of the plan.
 - Date of approval (MM/YYYY)
 - Title of the plan
- No

11. Is the project included in the Metropolitan Transportation Improvement Program (TIP) and/or State Transportation Improvement Program (STIP)?

- Yes
 - Please provide the date of approval of the most recent version of the program(s), and the title of the program(s).
 - Metropolitan Transportation Improvement Program (TIP)
 - Date of approval (MM/YYYY)
 - Title of the Program
 - State Transportation Improvement Program (STIP)
 - Date of approval (MM/YYYY)
 - Title of the Program
- No

12. If the project is an intercity passenger rail project, is it included in the State Rail Plan?

- Yes

- Please provide the date on which the Governor approved the most recent version of the plan, and the title of the plan.
 - Date of approval (MM/YYYY)
 - Title of the plan
- No
- Not Applicable

13. Please describe the current status of the project and the expected schedule for its completion.

- Current status
 - Federal-aid Highway projects (drop-down menu):
 - In Planning
 - In Environmental Review
 - In Final Design
 - In Right-of-Way Acquisition
 - Under Construction
 - Public Transit projects (drop-down menu)
 - In Planning
 - In Alternatives Analysis
 - In Preliminary Engineering
 - In Final Design
 - Under Construction or Procurement
 - Rail projects (drop-down menu)
 - In Planning
 - In Environmental Review
 - In Preliminary Engineering
 - In Design
 - Under Construction
 - Research
 - Under Research
 - Under Development
 - Under Demonstration
 - Under Deployment
- What is the expected date of completion of the project for which you are requesting funding? (Drop-down menu of choices fiscal year 2010 through 2020)

14. Please provide a letter of support from a state, regional, or local governmental official specifically supporting the project request. This letter should discuss the merits of the project; specify the process to provide the public with an opportunity to comment on the project; and identify the other sources of Federal, state, or private funding that will be used to complete this project or project phase. **This letter must contain an explicit statement of support for the project. In addition, if the Member is requesting less than 80 percent of the total estimated cost of the specific segment or activity, the letter must identify other specifically designated Federal, state, local, or private funding sources that, combined with the Member request, equal at least 80 percent of the total estimated cost.** Please use boldface font to highlight these statements in the letter.

- appropriations act(s)
 - Public Law Name
 - Public Law Number
 - Section Project Number
 - Amount of Funding Amount Obligated

- other legislation
 - Public Law Name
 - Public Law Number
 - Section Project Number
 - Amount of Funding Amount Obligated
- No

18. Has the project received any prior funding from a State, local, or private source?

- Yes
 - Source Amount of Funding Amount Obligated
- No

19. Please provide the proposed legislative text (in no more than 250 characters) of the project as you would like it to appear in the bill. (Please note that project line items carry the force of law, and can only be amended through subsequent public laws. If Congressional intent (as established through answers listed on this form, or in letters to the Committee) is different from the legislative text, the entity administering the project is required to adhere to the statutory language.)

(Drop-down menu provides action verbs to begin description: construct, plan, design, engineer, conduct environmental review, acquire right-of-way, conduct alternatives analysis, research, develop, demonstrate, deploy, reconstruct, rehabilitate, replace, retrofit, install, mitigate, implement, realign; Members can choose multiple verbs)

Please finalize the first 19 questions before completing the certification page; after moving onto the certification page, Members will not be able to amend their answers to the first 19 questions.

20. Each project request must include a Member certification or it will not be considered by the Committee. The Member certification must be attached to the electronic request. In addition, two **original** copies of the attached certification must be submitted to the Committee pursuant to clause 17 of Rule XXIII and clause 9 of Rule XXI of the Rules of the House of Representatives.

(Sample certification is derived from database)

The certification letter must be printed on letterhead, signed by the Member, and attached as a PDF document to this request.

- Attached letter

[Click here to submit your finalized project request to the Committee.](#)