



COMMONWEALTH of VIRGINIA

Virginia Passenger Rail Authority Board

Jennifer L. Mitchell
Chairperson

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RESOLUTION

OF THE

VIRGINIA PASSENGER RAIL AUTHORITY BOARD

June 28, 2021

MOTION

Made By: Ms. Mariia Zimmerman Seconded By: Ms. Sharon Bulova

Action: Motion Carried, Unanimously

Title: Authorization of Assignment of Agreements between DRPT and AMTRAK, and Agreements among DRPT and NVTC and PRTC, from DRPT to the Virginia Passenger Rail Authority

WHEREAS, the Commonwealth is undertaking the Transforming Rail in Virginia Program (“TRV”) to expand and improve passenger and freight rail services; and

WHEREAS, under the TRV, the Department of Rail and Public Transportation (“DRPT”) has entered into the following agreements with the National Railroad Passenger Corporation, also known as Amtrak, (collectively the “Amtrak Agreements”):

- (1) Passenger Rail Improvement Funding and Partnership Agreement dated March 26, 2021,
- (2) Master Property Lease dated March 31, 2021, and
- (3) Operating Agreement dated March 31, 2021; and

WHEREAS, under the TRV, the Department of Rail and Public Transportation (“DRPT”) has entered into the following agreements with both the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission (collectively the “VRE Agreements”):

- (1) Passenger Rail Improvements and Funding Agreement dated March 26, 2021,
- (2) Passenger Station Ground Lease Agreement dated March 26, 2021, and
- (3) Passenger Rail Operations and Access Agreement dated March 26, 2021; and

WHEREAS, the VRE Agreements together with the Amtrak Agreements, are referred to as the “Assigned Agreements”, and when each of the Assigned Agreements was executed, the necessary executive and administrative actions had not yet been taken to permit the Virginia Passenger Rail Authority (“VPRA”) to undertake the rights and duties imposed by such agreements; and

WHEREAS, because such actions had not yet been taken at the time of execution, each of the Assigned Agreements permits DRPT to make an assignment to VPRA of DRPT’s rights and duties thereunder; and

WHEREAS, VPRA has now taken the necessary executive and administrative actions to undertake the rights and duties imposed by the Assigned Agreements, and DRPT and VPRA now desire that the Assigned Agreements be assigned fully to VPRA and for VPRA to be availed of all the rights and duties of DRPT under the Assigned Agreements.

NOW THEREFORE, BE IT RESOLVED, that the Board authorizes the VPRA Executive Director to execute one or more agreements in a form acceptable to the VPRA Executive Director, making effective the assignment of the Assigned Agreements from DRPT to VPRA.

[SIGNATURE PAGE TO FOLLOW]


VIRGINIA DEPARTMENT OF RAIL
AND PUBLIC TRANSPORTATION

By: Jennifer L. Mitchell

Name: Jennifer Mitchell

Title: Director

VIRGINIA PASSENGER RAIL AUTHORITY

By: 

Name: DJ Stadtler

Title: Executive Director