

## VPRA Decision Brief

### 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 June 28, 2021

**Issue:** DRPT has entered into three agreements each with passenger rail service providers: (i) the National Railroad Passenger Corporation (“Amtrak”) and (ii) the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission. These agreements are collectively referred to as the “Assigned Agreements”. Under the Assigned Agreements, the passenger service providers (i) commit certain funding toward rail infrastructure improvements, and (ii) receive certain service and operating rights.

**Facts:** The Assigned Agreements are as follows:

- (1) Agreements between DRPT and Amtrak:
  - a. Passenger Rail Improvement Funding and Partnership Agreement dated March 26, 2021,
  - b. Master Property Lease dated March 31, 2021, and
  - c. Operating Agreement dated March 31, 2021;
  
- (2) Agreements among DRPT and the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission:
  - a. Passenger Rail Improvements and Funding Agreement dated March 26, 2021,
  - b. Passenger Station Ground Lease Agreement dated March 26, 2021, and
  - c. Passenger Rail Operations and Access Agreement dated March 26, 2021.

At the time the Assigned Agreements were executed, administrative actions had not yet been taken to permit the VPRA to undertake the rights and duties imposed by the Assigned Agreements. Those administrative actions have now been completed.

**Recommendation:** Authorize the assignment of the Assigned Agreements from DRPT to the VPRA.

**Action Required by VPRA:** Authorize the assignments.

**Options:** Approve. Deny. Defer.