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HOUSE BILL NO. 2120

Offered January 12, 2011

Prefiled January 12, 2011

A BILL to require the Virginia Department of Transportation to accept for review unsolicited proposals to add physical capacity to the Intermodal Connector of I-664 (Patriot Crossing).

Patron—Villanueva

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. § 1. Unsolicited proposals to add capacity to the Intermodal Connector of I-664 (Patriot Crossing) to be accepted for review by the Virginia Department of Transportation; procedure.

A. The Virginia Department of Transportation is hereby directed to accept for review unsolicited proposals under the Public-Private Transportation Act of 1995 (§ 56-556 et seq. of the Code of Virginia) to add physical capacity to the Intermodal Connector of I-664 (Patriot Crossing). Unsolicited proposals shall be filed with the Department no later than September 30, 2011.

B. Upon enactment of this act, the Department shall make available on its website the following: (i) all information about the existing Intermodal Connector of I-664 (Patriot Crossing), including traffic counts, maintenance records, and current plans and specifications, and (ii) all information, studies, and reports analyzing potential scenarios for the physical expansion of the Intermodal Connector of I-664 (Patriot Crossing). The Department may take necessary measures to protect confidential information or to protect vital state and national security interests that may be contained in the information.

C. Unsolicited proposals filed pursuant to this act shall provide information regarding team qualifications and experience, project structure, a schedule for project development, and the proposed cost and outline public benefits of the project. The Department shall develop a process that would permit a private entity that is part of a proposal team to assist with the development of state or federally mandated environmental reviews or permits required to complete the project. Completion of reviews or permits shall not be necessary before a decision by the Department to advance consideration of conceptual proposals.

D. Within 30 days of the receipt of unsolicited proposals, the Department shall post a public notice of the unsolicited proposals and provide 120 days for competing proposals. Following an internal analysis to determine the financial and technical merit of the proposals and the proposal teams, the Department shall recommend no later than May 1, 2012, to the Commonwealth Transportation Board whether to advance no more than two proposals to an Independent Review Panel. The Panel, which shall be appointed by the Secretary of Transportation, shall afford opportunities for public comment on the proposals and provide additional review and analysis of the remaining proposals.

E. No later than September 1, 2012, the Department shall recommend to the Commonwealth Transportation Commissioner whether to execute an interim agreement to continue design, environmental reviews, and preliminary right-of-way acquisitions and to take any other steps necessary to advance the development of the project. Moneys in the Transportation Partnership Opportunity Fund may be made available to carry out the provisions of the interim agreement. The interim agreement shall also provide a schedule for the completion of the necessary reviews and approvals for construction of the project.

2. That the Virginia Department of Transportation shall promptly inform the Joint Commission on Transportation Accountability, as authorized by Chapter 43 (§ 30-282 et seq.) of Title 30 of the Code of Virginia, by written update, of its completion of each requirement of this act.

INTRODUCED

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