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SENATE BILL NO. 856

Offered January 12, 2011

Prefiled January 10, 2011

A *BILL to require the Virginia Department of Transportation to accept unsolicited proposals for construction of the Patriots Crossing project.*

Patrons—Wagner and McWaters

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. *§ 1. Unsolicited proposals for construction of the Patriots Crossing (Third Crossing) project by the Virginia Department of Transportation; procedure.*

A. *The Virginia Department of Transportation is hereby directed to accept unsolicited proposals under the Public-Private Transportation Act of 1995 (§ 56-556 et seq. of the Code of Virginia) for construction of the Patriots Crossing (Third Crossing) project at Hampton Roads. 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 any and all information about the proposed Patriots Crossing (Third Crossing) project. The Department may take such measures as necessary to protect confidential information or to protect vital state and national security interests that may be contained in such 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 such reviews or permits shall not be necessary prior to a decision by the Department to advance consideration of conceptual proposals.*

D. *Within 60 days of the receipt of unsolicited proposals, and following an internal analysis of the proposals to determine the financial and technical merit of the proposals and the proposal teams, the Department shall make a recommendation to the Commonwealth Transportation Board to advance no more than two proposals to an Initial 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 March 31, 2012, the Department shall make a recommendation to the Commonwealth Transportation Commissioner 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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