



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Sean T. Connaughton
Chairman

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Agenda item # New Business 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

March 16, 2011

MOTION

Made By: Mr. Garczynski Seconded By: Mr. Rich

Action: Motion Carried, Unanimously

Title: Delegation of Authority to the Commonwealth Transportation Commissioner for Approval of Bids and Execution of Contract Concerning the Reconstruction of Interchange of Route 50 with Courthouse Road and 10th Street Project
Arlington County

WHEREAS, in connection with the procurement of the Reconstruction of Interchange of Route 50 with Courthouse Road and 10th Street Project (Contract ID No.: C00093526C01) (the "Project"), on March 04, 2011, the Virginia Department of Transportation ("VDOT") received a Notice of Protest from the second bidder following VDOT's issuance of the Notice of Intent to Award.

WHEREAS, on February 16, 2011, the Commonwealth Transportation Board (CTB) approved the Award of the Project; and,

WHEREAS, the work for the Route 50 Widening Project is funded by a combination of Northern Virginia Transportation District (NVTB) Revenue Bonds, and American Recovery and Reinvestment Act (ARRA) funds; and,

WHEREAS, VDOT has considered the grounds for protest, determined the protest lacks merit, and communicated its findings to the bidder/protesting party; and,

WHEREAS, pursuant to Section 2.2-4362 of the *Code of Virginia*, for the reasons set forth below VDOT has determined that proceeding without delay with execution of the contract for the Project pending the outcome of the protest process set forth in the *Code of Virginia* is necessary to protect the public interest; and,

Resolution of the Board

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WHEREAS, the public interest will be harmed if the execution of contract is delayed because the rising costs of raw materials and inflation will cause the total cost of the Project to increase greatly, thereby requiring an allocation of additional public funds; and,

WHEREAS, the public interest will be harmed if the execution of contract is delayed because such a delay will in turn negatively impact the proposed schedule for the construction of the Project.

NOW, THEREFORE BE IT RESOLVED that, due to the harm the public may suffer if the execution of contract for the Project is delayed pending the outcome of the protest process set forth in the *Code of Virginia*, the Board does hereby find that the award of contract for the Project shall move forward and that proceeding without delay with the award of this contract and the construction thereto is necessary to protect the public interest and to ensure that the selected bid/offer will not expire.

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