

WHEREAS, in 1995, the General Assembly enacted the Public Private Transportation Act (“PPTA”), as amended, to encourage the development of qualifying transportation facilities and required responsible public entities such as the Chesapeake Bay Bridge and Tunnel District (“District”) to adopt guidelines sufficient to establish the process of acceptance and approvals of proposals submitted by private entities; and,

WHEREAS, in 2013, Chesapeake Bay Bridge and Tunnel Commission (“Commission”) adopted the required guidelines (the “Guidelines”); and,

WHEREAS, in 2013, the Commission determined to commence the Thimble Shoal Parallel Tunnel construction (the “Project”) as soon as financially practicable; and,

WHEREAS, in 2013, the District received an unsolicited proposal (the “Proposal”) from Parallel Crossing Consortium (“PC2”) to provide certain preconstruction and design services for the Project; and,

WHEREAS, the Project Development Committee of the Commission has reviewed the Proposal and has determined that it is compliant with the PPTA and the Guidelines and has recommended to the Commission to accept the proposal for conceptual-phase review; and,

WHEREAS, the Guidelines specifically provide for public notice and a timeline to receive competing proposals from other interested private entities.

NOW, THEREFORE, BE IT RESOLVED That

- (1) The findings and recommendations of the Project Development Committee are hereby accepted and approved;
- (2) Notice shall be given to the public no later than January 15, 2014, in accordance with the PPTA and the Guidelines stating that the District (i) has received and accepted an unsolicited proposal under the PPTA from PC2, (ii) intends to evaluate the Proposal, (iii) will accept for simultaneous consideration for a period of ninety (90) days any competing proposals that comply with the District’s adopted Guidelines;
- (3) The Commission has determined that Volume III, Section 4.e of the Proposal includes financial records of two (2) members of the PC2 Construction Joint Venture, including balance sheets and financial statements that are not generally available to the public through regulatory disclosure or otherwise. This material is proprietary and confidential and the disclosure thereof would adversely affect the financial interest and bargaining position of PC2 and the Commission if such information were made public prior to the execution of an interim agreement or comprehensive agreement. This material is therefore exempt from disclosure under Virginia’s Freedom of Information Act;
- (4) The Commission shall contract for work with the Strategic Advisor selected pursuant to its solicited request for proposal procurement process and with the help of the Strategic Advisor, continue to evaluate the Proposal and any competing proposals submitted to the Commission;

(5) The Commission encourages the submission of competing proposals during the ninety (90) day competition notice period in accordance with its Guidelines; and

(6) The Executive Director is hereby authorized and directed to comply with all of the posting requirements as set forth in Section IV.B. of the Guidelines.