

A RESOLUTION

23-488

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 21, 2020

To declare the existence of an emergency with respect to the need to approve a one-year Capital Funding Agreement with the Washington Metropolitan Area Transit Authority to provide capital funding for a capital improvement program from July 1, 2020, through June 30, 2021.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Declaration Resolution of 2020”.

Sec. 2. (a) There exists an immediate need to approve the Capital Funding Agreement with the Washington Metropolitan Area Transit Authority (“WMATA”) and the Contributing Jurisdictions consisting of the District, the State of Maryland, Arlington County, Virginia, Fairfax County, Virginia, Loudoun County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia, and to provide new capital funding for the capital improvement program for the Washington metro system from July 1, 2020, to June 30, 2021.

(b) On July 1, 2010, the Office of Contracting and Procurement (“OCP”), on behalf of the District Department of Transportation (“DDOT”), executed a multiyear Capital Funding Agreement with WMATA to provide capital funding for a capital improvement program from July 1, 2010 through June 30, 2016 in the ceiling amount of \$397,314,000.

(c) On July 1, 2016, OCP, on behalf of DDOT, executed a modification to the multiyear Capital Funding Agreement with WMATA to increase the amount for Fiscal Year 2017 by \$92,100,000 for a total ceiling amount of \$489,414,000.

(d) On July 1, 2017, OCP, on behalf of the DDOT, executed a second modification to the multiyear Capital Funding Agreement with WMATA to increase the amount for Fiscal Year 2018 by \$76,100,000 for a total ceiling amount of \$565,514,000.

(e) On July 1, 2018, OCP, on behalf of DDOT, executed a third modification to the multiyear Capital Funding Agreement with WMATA to increase the amount for Fiscal Year 2019 by \$75,235,000 for a total ceiling amount of \$640,749,000.

**ENROLLED ORIGINAL**

(f) A one-year Capital Funding Agreement with WMATA to provide \$92,700,000 in capital funding for a capital improvement program from July 1, 2019 to June 30, 2020 was executed.

(g) A new one-year Capital Funding Agreement with WMATA to provide \$95,116,884 in capital funding for a capital improvement program from July 1, 2020 to June 30, 2021 is now necessary. This capital funding excludes Passenger Rail Investment and Improvement Act funding.

(h) Council approval is necessary since the contract is for more than \$ 1 million during a 12-month period.

(i) Approval is necessary to allow the continuation of these vital services. Without this approval, WMATA cannot be paid for services provided in excess of \$1 million for the contract period July 1, 2020, through June 30, 2021.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.