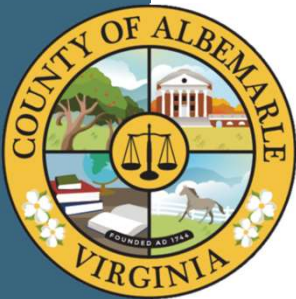


# Public-Private Transportation Act Guidelines

Lance Stewart

March 20, 2024



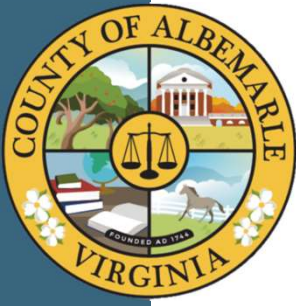
# Agenda

Background

Public-Private Transportation Act

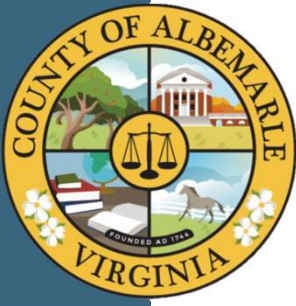
Recommended Guidelines

Recommended Next Steps



# Background

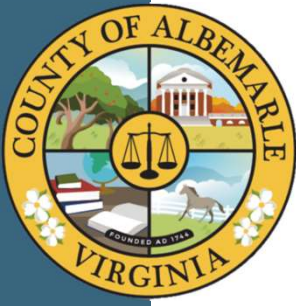
- Increasing demands for public infrastructure investments to accommodate the needs of our community
- Costs of construction and the complexity of project implementation are increasing
- Local governments are forced to make difficult decisions about how to invest public funds
- Historically utilized methods to fund, design, and construct infrastructure can be slow and add to costs



# Public-Private Transportation Act

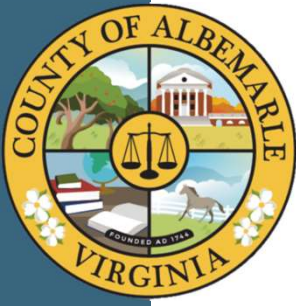
Codified in 1995, the Virginia PPTA enables creative partnerships between the public and private sectors for transportation projects, including:

- Roadway improvements
- Tunnels and bridges
- Sidewalks, shared-use-paths
- Park-and-ride facilities
- Toll roads



## Public-Private Transportation Act

Similar to P3s for economic development, PPTA provides alternative financing structures, expedited project execution, and deal structures that are beneficial to both parties where there is a finding of public interest for a transportation project.



# Public-Private Transportation Act

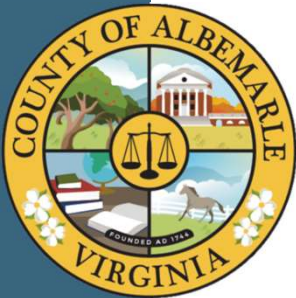
Successful PPTA projects should:

- Enable projects that might not otherwise be possible
- Be advantageous to the public and private sectors
- Speed the development and execution of projects



## PPTA Process – Solicited Proposals

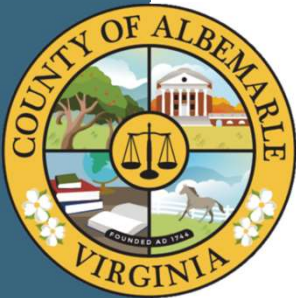
- Board of Supervisors receives and approves a recommendation that seeking a public-private partnership is in the public interest
- Issue Request for Proposals *or*
- Issue Requests for Information to gauge project viability
- Team of staff reviews responses
- Select a private partner and negotiate terms
- Draft a Comprehensive Agreement and seek Board authorization to execute a contract



## PPTA Process – *Unsolicited* Proposals

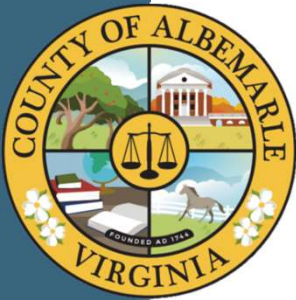
- Private entity submits an unsolicited proposal to the County
- After staff evaluation, the County must publish notice that proposal is being considered and may issue a notice inviting others to submit a proposal
- Team of staff reviews response(s), makes recommendation to the Board of Supervisors
- Select a private partner and negotiate terms
- Draft a Comprehensive Agreement and seek Board authorization to execute a contract





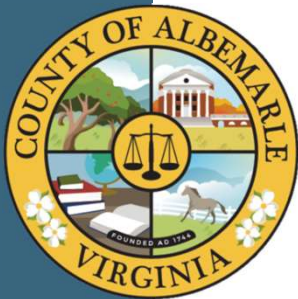
## PPTA Guidelines Required

- Ensures local compliance with enabling Code of Virginia
- Establishes local protocols specific to:
  - The locality's form of government and organizational structure
  - Options allowed within the guidance of the Code (e.g. application of fees to review unsolicited proposals)
  - Defines the members of the staff Selection Committee: County Executive, Chief Financial Officer, Planning Director, and Facilities & Environmental Services Director (or their designees)



# Potential Local Projects

- Adoption of PPTA Guidelines enables options
- Viable projects will have the potential to benefit both the County and interested private sector entities
- Potential partnerships may be most likely within the County's development areas

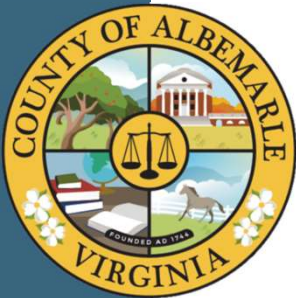


## Examples of Potential Local Projects

- Rivanna Futures road extension, utilities
- Eastern Avenue road, bridge, sidewalks
- Berkmar Drive extension to Airport Road



Questions?



# Proposed Resolution

WHEREAS, the Virginia General Assembly has enacted the Public-Private Transportation Act of 1995 (the "PPTA") (Virginia Code § 33.2-1800 et seq.); and

WHEREAS, the PPTA provides Albemarle County and other responsible public entities with the opportunity to create public-private partnerships for the development of transportation projects for public use if the County determines there is a need for the project and that the use of PPTA procedures may provide the project to the public in a more timely or cost-effective fashion; and

WHEREAS, Virginia Code § 33.2-1802 requires that the Board adopt guidelines before the County may request or consider a proposal for a qualifying project under the PPTA; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Albemarle County, Virginia that the PPTA Guidelines are hereby adopted and the Chair of the Board of Supervisors is directed to sign the same.