



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of March 15, 2008**

DATE: March 11, 2008

SUBJECT: Authorize the County Manager to execute a Memorandum of Understanding (MOU) between the Washington Metropolitan Area Transit Authority (WMATA) and the County Board to Fuel and Clean Arlington Transit (ART) Compressed Natural Gas (CNG)-Powered Passenger Vehicles.

C. M. RECOMMENDATIONS:

Approve the attached MOU and authorize the County Manager or his designee to execute the MOU on behalf of the County Board, subject to approval of the MOU as to form by the County Attorney.

ISSUES: Upon execution of this MOU, the ART contractor will be able to have buses fueled and cleaned at the WMATA Four Mile Run Division (FMRD) facility in Arlington. The notable provision of the attached MOU states that the Board will not make any claim against WMATA for any damages to property or injury to personnel or equipment which may result from use of the WMATA Four Mile Run Division facility for fueling and cleaning of buses.

SUMMARY: Through its contractor (Veolia Transportation, Inc.), Arlington operates a fleet of passenger vehicles including eight heavy-duty transit buses which run on CNG and which can be fueled and cleaned at FMRD. The Trades Center CNG fuel site does not currently have sufficient fuel capacity to fuel all eight buses to stay in service all day. The Trades Center vehicle cleaning facility is not large enough to adequately clean the exterior of these same eight buses. Through the MOU, Arlington County and its contractor will clean and fuel up to twenty heavy-duty transit buses at FMRD.

BACKGROUND: The Arlington Transit (ART) fleet of 30 buses includes 25 CNG-powered buses to promote clean air and reduce localized impacts of transit operations in Arlington neighborhoods. Eight of the buses are heavy-duty low-floor transit buses. Arlington County intends to procure an additional twelve heavy-duty low-floor transit buses to replace nine older vehicles and expand service in FY 2009.

DISCUSSION: The attached MOU provides permission for ART buses to be fueled and cleaned at the FMRD facility by WMATA personnel during early morning weekday hours. Billing and payment shall be made directly on a monthly basis and Arlington shall require its

County Manager: _____

County Attorney: _____

Staff: Steve Yaffe, Dept. of Environmental Services – Transportation Division

contractor, upon entering WMATA property to provide specified indemnification of WMATA, which has been provided. This MOU would replace the MOU effective October 11, 2005, in order to address the cleaning of the buses and to more completely specify the cost to be charged to Arlington County. This MOU would remain in effect until terminated upon thirty days written notice by either party. The County Board, by acceptance of the MOU, agrees that natural gas entering the facility may, at the discretion of the utility, Washington Gas, contain additions of propane (“peak shaving”) and that the County will not make any claim against WMATA for personal injury or property damage caused by, or related to, ingestion of “peak shaved” fuels by Arlington or contractor equipment. This is an acceptable risk that WMATA also undertakes for Metrobuses. Also, the Board acknowledges that it will not seek to hold WMATA responsible for any damages to property or injury to personnel which may result from Arlington’s or the contractor’s use of FMRD. The risk posed here is outweighed by the benefit of fueling and washing ART buses at FMRD.

FISCAL IMPACT: The purchase of CNG fuel is a regular, budgeted item for ART services. All costs associated with the MOU will be addressed within the approved ART budget.