



**MURIEL BOWSER**  
**MAYOR**

July 9, 2020

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Ave., NW, Suite 402  
Washington, D.C. 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is the "Washington Metropolitan Area Transit Authority Fiscal Year 2021 Local Capital Funding Agreement Emergency Act of 2020" ("Contract"). The emergency bill will authorize the Mayor to amend an existing local capital funding agreement with Washington Metropolitan Area Transit Authority ("WMATA") to use \$ 95,116,884 in additional funds paid by the District to finance WMATA's Fiscal Year 2021 Annual Work Plan.

Council action is necessary to approve the Contract, which totals an amount of \$ 95,116,884 for the period from July 1, 2020 through June 30, 2021.

The agency Chief Financial Officer has certified that funding is available for FY 2020.

As always, I am available to discuss any questions you may have regarding this Contract. In order to facilitate a response to any questions, please have your staff contact District Department of Transportation Director Jeff Marootian at (202) 671-2317.

I urge you to take prompt and favorable action regarding the enclosed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser", written over a circular stamp.

Muriel Bowser

Enclosures  
MEB/jmm



Chairman Phil Mendelson  
at the request of the Mayor

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve a one-year Local Capital Funding Agreement with the Washington Metropolitan Area Transit Authority (WMATA) to provide capital funding for a capital improvement program during WMATA fiscal year 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 Local Capital Funding Agreement Emergency Declaration Resolution of 2020".

Sec. 2. (a) There exists a need to approve the Local Capital Funding Agreement with the Washington Metropolitan Area Transit Authority (WMATA) to provide 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, executed a multiyear Local 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.

1 (c) On July 1, 2016, the Office of Contracting and Procurement (“OCP”), on  
2 behalf of the District Department of Transportation, executed a modification to the  
3 multiyear Local Capital Funding Agreement with the Washington Metropolitan Area  
4 Transit Authority to increase the amount for fiscal year 2016 by \$92,100,000 for a total  
5 ceiling amount of \$489,414,000.

6 (d) On July 1, 2017, the Office of Contracting and Procurement (“OCP”), on  
7 behalf of the District Department of Transportation, executed a second modification to  
8 the multiyear Local Capital Funding Agreement with the Washington Metropolitan Area  
9 Transit Authority to increase the amount for fiscal year 2018 by \$76,100,000 for a total  
10 ceiling amount of \$565,514,000

11 (e) On July 1, 2018, the Office of Contracting and Procurement (“OCP”), on  
12 behalf of the District Department of Transportation, executed a third modification to the  
13 multiyear Local Capital Funding Agreement with the Washington Metropolitan Area  
14 Transit Authority to increase the amount for fiscal year 2020 by \$75,235,000 for a total  
15 ceiling amount of \$640,749,000

16 (f) A one-year Local Capital Funding Agreement with WMATA to provide  
17 \$92,700,000 in capital funding for a capital improvement program from July 1, 2019 to  
18 June 30, 2020 was executed.

19 (g) A new one-year Local Capital Funding Agreement with WMATA to provide  
20 \$95,116,884 in capital funding for a capital improvement program from July 1, 2020 to  
21 June 30, 2021 is now necessary. This capital funding excludes Passenger Rail  
22 Investment and Improvement Act funding.

1 (h) Council approval is necessary since the contract is for more than \$1,000,000  
2 during a 12-month period.

3 (i) Approval is necessary to allow the continuation of these vital services.  
4 Without this approval, WMATA cannot be paid for services provided in excess of  
5 \$1,000,000.00 for the contract period July 1, 2020 through June 30, 2021.

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

11 Sec. 4. This resolution shall take effect immediately.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



Legal Counsel Division

MEMORANDUM

TO: Ronan Gulstone  
Executive Director  
Office of Policy and Legislative Affairs

FROM: Brian K. Flowers  
Deputy Attorney General  
Legal Counsel Division

DATE: June 18, 2020

SUBJECT: Legal Sufficiency Review of the "Washington Metropolitan Area  
Transit Authority Fiscal Year 2021 Capital Funding Agreement  
Emergency Act of 2020" and an Accompanying Emergency  
Declaration Resolution  
(AE-20-491)

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**This is to Certify** that this Office has reviewed the "Washington Metropolitan Area Transit Authority Fiscal Year 2021 Capital Funding Agreement Emergency Act of 2020" and an accompanying Emergency Declaration Resolution on the same subject, and found them to be legally unobjectionable. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

*Brian K. Flowers*

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Brian K. Flowers

BKF/arh