

Potomac Development Corporation 900 Second Street, N.E., Suite 114 Washington, DC 20002 202-789-8100
www.pdcdc.com

May 7, 2010

Scott Kubly, Associate Director
DC Department of Transportation
2000 14th Street, N.W., 5th Floor
Washington, DC 20009

Re: H Street Tunnel

Dear Mr. Kubly:

After reviewing sketches and meeting with DDOT on three occasions, we are convinced that running streetcars through the H Street tunnel will unreasonably interfere with our use of said tunnel and the adjacent public space, which is critical for access to our garage and loading dock, and essential to the operation of our building.

Even if you could find ways to minimize interference with our uses once operations begin, the construction phase is likely to be especially disruptive. And, according to a DDOT employee at one of the meetings, you anticipate replacing the H Street Overpass in approximately five years, during which time we expect to suffer interference with our use of the tunnel. We see no reason to subject ourselves to such interference twice.

Furthermore, according to you, DDOT ultimately intends to run the streetcars over the Overpass. As taxpayers, we object to the District building this two-block run of the streetcar line twice. Please instruct your personnel and contractors that we will no longer provide access to our portion of the tunnel.

Yours truly,

Richard J. Bell
President

Copies to: Bruce Looloian, Amtrak
Mort O'Boyle, Amtrak

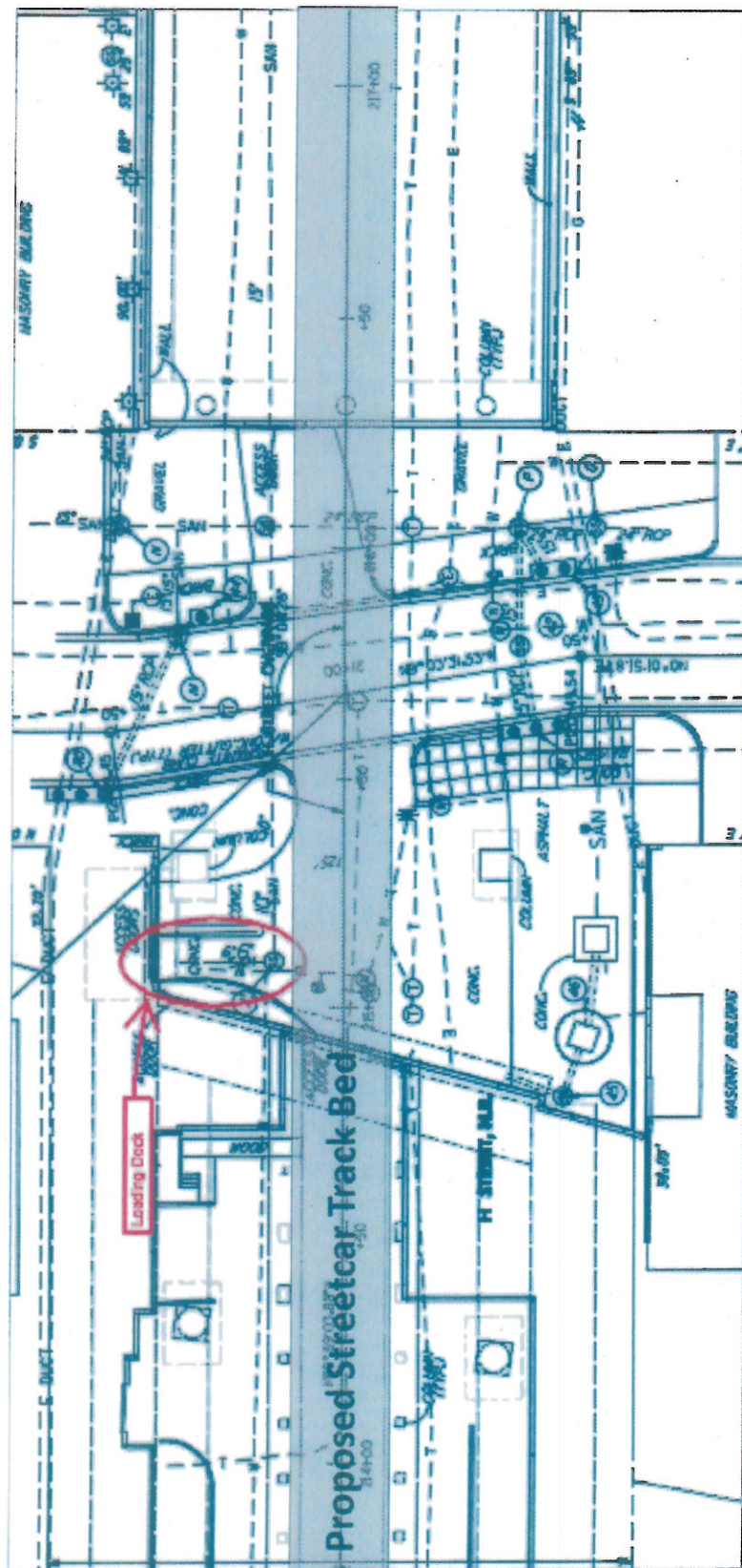
Attachment 12

Potomac Development Corporation Loading Dock

PDC Loading Dock

d.

District Department of Transportation



Attachment 13

DDOT Response to Potomac Development Corporation

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



Progressive Transportation Systems Administration

April 11, 2010

Mr. Richard Bell
President, Potomac Development Corporation
900 2nd Street, NE, Suite 114
Washington, DC 20002

Re: H Street – Benning Road Initial Streetcar Segment Access through H Street Underpass

Dear Mr. Bell,

I received your letter dated May 7, 2010. It is unfortunate that Potomac Development Corporation has elected to conclude any discussion about a shared use of this facility. We feel that there is a great opportunity to develop a transportation investment that benefits both parties.

We appreciate Potomac Development Corporation's concerns with this project and have developed a number of design features to mitigate those concerns. Below you will find a listing of DDOT's understanding of Potomac Development Corporation's specific concerns and our response and/or proposed mitigation of each concern.

PDC's concerns and DDOT's proposed solutions:

- Issue 1: Overall security in the underpass during streetcar operations, particularly in preventing vehicular and pedestrian access to the underpass.
- Solution: DDOT proposes to provide sliding gates at each end of the underpass that will be operated either automatically or by the operator that will open and close when the streetcar approaches. The planned platform at First Street will be sealed off to the tunnel using a sliding gate and fencing to keep pedestrians and riders from entering the underpass except to access the platform or continue on to the WMATA pedestrian tunnel. The platform area will be sealed off during non-operating hours with a gate at the First Street entrance and at the WMATA tunnel.
- Issue 2: Continued use of the underpass for parking and access.
- Solution: The underpass can continue to be used for parking and access to the underground parking facility. The streetcar operation, as currently envisioned will operate in the center portal at or near the existing grade. Similar to the on-street operation, the streetcar will operate in mixed traffic at low (~10 mph) speeds. The tracks are laid flush to the surface in a concrete track slab that will not impact automobile or

pedestrian traffic. The car is fully controlled by the operator on a line-of-sight operation so that streetcars and parking vehicles can co-exist in the underpass.

Issue 3: Potomac Development concerns on ownership, liability, indemnification and compensation.

Solution: DDOT envisions the tunnel to remain the property of PDC and Amtrak. DDOT would like to request that it be granted an easement to allow the construction and operation of the streetcar facilities, which include tracks, lighting, overhead contact system and fire protection. DDOT's plan is to use of the underpass area for passenger service as a temporary solution until the H Street overpass is reconstructed with streetcar track to extend the system westerly into downtown DC. At that time, use of the underpass would be limited to accessing the maintenance and storage facility west of First Street. Since this access would primarily be outbound in the AM period and inbound in the PM period, the southern track can be eliminated along with the First Street platform.

Issue 4: Impact of construction to the underpass area.

Solution: Construction in the underpass will include the installation of the track slabs, overhead contact system for powering the streetcars, fire protection, emergency egress lighting, general area lighting and ventilation. The entrance at each end of the underpass will require widening to 24' to accommodate the two track configuration. New entrance gates will be installed at each end and the east end will require modification to the grade to allow for the proper vertical clearance and grades. Likely, the existing fiber optic utilities will require relocation to provide sufficient clearance to the track slabs. Track drainage will also be installed to improve drainage in the underpass. The construction will likely impact your operations, but DDOT will take every precaution and care to minimize the disturbance and reduce your inconvenience.

Issue 5: Duplicative construction of streetcar tracks.

Solution: As mentioned in Issue 3, DDOT plans to use the tracks for revenue service on a temporary basis, pending reconstruction of the H Street overpass. After the reconstruction of the overpass DDOT will operate revenue service on the bridge and will use the tracks in the tunnel to access the maintenance and storage facility under the western abutment. As such, the investment is not duplicative and by using District owned land (the western abutment) will ultimately save the District money by obviating the need to purchase land on which to construct a storage and maintenance facility.

Issue 6: Disruption due to reconstruction of the H Street overpass

Solution: Every construction project has some impact on the surrounding community. However, DDOT is committed to minimizing that disruption. DDOT has not developed conceptual designs for the proposed bridge replacement. Without these designs DDOT cannot provide concrete information on any impact on Potomac Development Corporation's property. However, we can commit to minimizing that disruption.

Once again, we thank you for your cooperation in contributing to the development the streetcar plans for this corridor. Please review these suggested solutions and let us know if you have any additional questions or concerns that have not been addressed. We can provide any backup material, drawings or computations to respond to your concerns as necessary. Please contact me at (202) 369-5886 for any additional information.

Sincerely,



Scott Kubly
Associate Director

Attachment 14

DDOT Letter to Amtrak

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



Progressive Transportation Systems Administration

May 12, 2010

Mr. Martin O'Boyle
Project Director, Real Estate Development
Amtrak
30th Street Station
5S-013, Box 25
Philadelphia, PA 19104

Re: H Street – Benning Road Initial Streetcar Segment Access through H Street Underpass

Dear Mr. O'Boyle,

We appreciate Amtrak continuing to work with DDOT on the implementation of streetcars on the H Street and Benning Road corridor, including the utilization of the H Street underpass beneath the rail yard at Union Station. Based on our previous meetings with Amtrak, we would like to address the issues you and your colleagues have raised and DDOT's proposed solution to these issues:

Amtrak's concerns and DDOT's solutions:

- Issue 1: Overall security in the underpass during streetcar operations, particularly in preventing vehicular and pedestrian access to the underpass.
- Solution: DDOT proposes to provide sliding gates at each end of the underpass that will be operated either automatically or by the operator that will open and close when the streetcar approaches. The planned platform at First Street will be sealed off to the tunnel using a sliding gate and fencing to keep pedestrians and riders from entering the underpass except to access the platform or continue on to the WMATA pedestrian tunnel. The platform area will be sealed off during non-operating hours with a gate at the First Street entrance and at the WMATA tunnel.
- Issue 2: Overhead Contact System (OCS) required to power the streetcar needs to be attached to the structure and could lead to stray current degrading the structure or impacting Amtrak operations.
- Solution: The OCS system as proposed by DDOT will be attached to the support columns or header beams at regular spacing of approximately 30' and will be fully insulated from the structure along the span wire and between the span wire and the contact wire to prevent electrical contact with the structure. The rail, which provides the negative

return, is constructed in a concrete track slab with a rubber insulating boot to prevent stray current. The OCS system will be analyzed to determine if any mitigation is required for stray current and to determine if the loading and tensioning of the system poses any concerns to the structure.

Issue 3: Continued use of the underpass for parking.

Solution: The underpass can continue to be used for parking. The streetcar operation, as currently envisioned will operate in the center portal at or near the existing grade. Similar to the on-street operation, the streetcar will operate in mixed traffic at low (~10 mph) speeds. The tracks are laid flush to the surface in a concrete track slab that will not impact automobile or pedestrian traffic. The car is fully controlled by the operator on a line-of-sight operation so that streetcars and parking vehicles can co-exist in the underpass.

Issue 4: Amtrak/Akridge concern about future use of the underpass area for emergency egress and potential operations for baggage transfer.

Solution: DDOT envisions the use of the underpass area for passenger service as a temporary solution until the H Street overpass is reconstructed with streetcar track to extend the system westerly into downtown DC. At that time, use of the underpass would be limited to accessing the maintenance and storage facility west of First Street. Since this access would primarily be outbound in the AM period and inbound in the PM period, the southern track can be eliminated along with the First Street platform. This would free up the southern half of the center portal along with the remaining areas for use by Amtrak for these operations. The underpass track area would be used for emergency egress for streetcar operations. Egress lighting with redundant power would be provided. Access through the gates at each end would be provided either through automatic opening of the gates or manual operation.

Issue 5: With the OCS installed, Amtrak has concerns regarding their ability to access the structure for maintenance and repair from inside the underpass.

Solution: Due to the voltage in the contact wires, it would not be possible to access the structure above the center portal during operational hours without de-energizing the system. The underpass area will be designed to segment the system so that the OCS can be de-energized within the underpass area as needed for Amtrak access. Once the streetcar passenger service is shifted to the overpass, the OCS will only have a single contact wire in the underpass for access to the maintenance facility. The system need only be energized when the vehicles are exiting and returning to the maintenance facility at the begin and end of daily operations.

Issue 6: Amtrak noted that the underpass has drainage issues during major storm events.

Solution: The track slabs will be designed to incorporate track drainage to intercept storm water and prevent inundation of the track slabs. Storm drainage will be collected and conveyed to the nearest drainage structure.

Once again, we thank you for your cooperation in developing the streetcar plans for this corridor. Please review these suggested solutions and let us know if you have any additional questions or concerns that have not been addressed. We can provide any backup material, drawings or computations to respond to your concerns as necessary. Please contact me at (202) 369-5886 for any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Kubly", is written over the typed name and title.

Scott Kubly
Associate Director