



# COMMONWEALTH of VIRGINIA

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Pierce R. Homer  
Secretary of Transportation

August 10, 2009

Mr. John G. Milliken  
Chairman  
Virginia Port Authority  
600 World Trade Center  
Norfolk, Virginia 23510

Dear Mr. Chairman:

Section 1.4 of the Public-Private Transportation Act of 1995 (PPTA) Implementation Guidelines provides an opportunity for the Secretary of Transportation to review unsolicited PPTA proposals and determine if the unsolicited proposal is consistent with the goals, principles and priorities of the Commonwealth. On March 27, I determined that an unsolicited conceptual proposal from CenterPoint Properties Trust generally met the quality control criteria established by the Commonwealth for PPTA proposals. That determination included a 120-day period during which competing proposals would be encouraged and accepted.

On July 27, the Port Authority formally received two competing proposals under the PPTA: one from the Carlyle Group and one from the Carrix/Goldman partnership.

I have reviewed both competing proposals and have determined that both proposals generally meet the quality control criteria established by the Commonwealth for PPTA proposals, and that the proposals generally address the applicable goals, principles, and priorities of the Commonwealth relating to the Port of Virginia. Based on those findings, I am requesting that the Port Authority waive its right to a thirty-day quality control review and immediately post the Carlyle and Carrix/Goldman proposals on its website, make a copy available for public inspection, and arrange for its posting on the Department of General Service's web-based electronic procurement program, commonly known as "eVA."

Consistent with our June 9, 2009 Memorandum of Agreement, the next step will be the consideration of these proposals by an Independent Review Panel. We will work collaboratively, subject to the conditions of the June 9 Memorandum of Agreement, to support a transparent, independent, and competitive review of all three proposals by the Independent Review Panel. We look forward to these next steps and the process of determining what is in the best interests of the Commonwealth.

Please call with any questions.

Sincerely,  
  
Pierce Homer

PRH:es  
Copy: Mr. Jerry A. Bridges