

MEMORANDUM OF AGREEMENT
BETWEEN THE
DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION,
PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
AND THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION
TO
ALLEVIATE EXISTING AND FUTURE CONGESTION ALONG
THE I-95 SCUDDER FALLS BRIDGE CORRIDOR

BACKGROUND: Interstate Route 95 (hereinafter called I-95) serves as a vital link in the Federal interstate highway system with a significant role in meeting both regional and national transportation needs associated with trade, commerce, and defense. The main span of the I-95 Scudder Falls Bridge was constructed in 1959 by the Delaware River Joint Toll Bridge Commission (Commission) while the approaches to the bridge were constructed by the departments of transportation for the respective states, Pennsylvania and New Jersey, using a combination of Federal and state funding program sources. Although the bridge was completed in November 1959, it was not opened to traffic until June 22, 1961 due to incomplete approaches on both sides of the river. The project area consists of the section of I-95 from the PA Route 332 Newtown Interchange located in Lower Makefield Township, Bucks County, PA to the Bear Tavern Road Interchange located in Ewing Township, Mercer County, NJ. This project has been incorporated into the region's Long Range Plan, *Horizons: The Year 2025 Land Use and Transportation Plan for the Delaware Valley*" (June 2002), by the Delaware Valley Regional Planning Commission (DVRPC), the Metropolitan Planning Organization (MPO) for the region. A recently completed Phase I Transportation Needs Study (Southerly Crossings Corridor Study, August, 2002) has determined that there is a need to increase the capacity of the Scudder Falls Bridge from four to six lanes to achieve acceptable traffic flow conditions. The proposed project would involve the widening of I-95 from a four-lane section to a six-lane section between the PA Route 332 Newtown Interchange and the NJ Route 29 Interchange. The existing six-lane section between the NJ Route 29 Interchange and the Bear Tavern Road Interchange would experience some transition engineering and ancillary improvements. Total length of the project is 4.4 miles, including 2.8 miles in PA and 1.6 miles in NJ.

The Delaware River Joint Toll Bridge Commission was established in 1934 by legislation enacted by the Commonwealth of Pennsylvania and the State of New Jersey and operates under a compact that was approved by the United States Congress in August, 1935. The mission of the Delaware River Joint Toll Bridge Commission is to assure safe and efficient river crossings, and in so doing, to facilitate commerce between the States. The Commission's core business is to maintain and improve its inventory of twenty bridges - seven toll bridges and thirteen toll supported bridges (eleven vehicular and two pedestrian). It is also responsible for evaluating the need and feasibility

of additional crossings within its jurisdiction, and to plan and construct new infrastructure. Finally, the Commission has an obligation to foster economic development within its jurisdiction, and is specifically empowered to construct port and terminal facilities in furtherance of that goal.

The Pennsylvania Department of Transportation (PennDOT) is one of the nation's leading public works organizations. It owns and operates the nation's fifth largest state-owned highway system (comparable to the combined state highway systems of New Jersey, New York and all of New England). "Mobility and Access" considerations are cornerstones of PennDOT's overall vision for "Moving Pennsylvania Forward". Utilizing innovative management of the Commonwealth's transportation system to ensure that people and goods can move efficiently is a key strategic focus area of the PennDOT platform. Implementation of congestion management strategies to reduce corridor travel delays is also a critical element in the PennDOT mission statement.

It is the mission of the New Jersey Department of Transportation (NJDOT) to provide reliable, environmentally and socially responsible transportation and motor vehicle networks and services to support and improve the safety and mobility of people and goods in New Jersey. As stewards of transportation infrastructure, the Department and its employees have and will continue to act as responsible stewards of the environment. NJDOT will find ways to improve New Jersey's environment and the quality of life of its citizens, within its funded responsibilities for planning, design, construction, maintenance and operation of its transportation network. In doing so, NJDOT has become one of the leaders in innovative techniques such as Context Sensitive Design (CSD), where a new approach is being taken in the planning and design of transportation projects through the use of active and early partnerships with communities. NJDOT's CSD initiative involves a commitment to a process that encourages transportation officials to collaborate with community stakeholders so the design of its projects reflect the goals of the people who live, work and travel in the area. Such collaboration is envisioned in alleviating and avoiding congestion in the Scudder Falls Bridge Corridor.

PURPOSE: This Memorandum of Agreement (MOA) is established to create a partnership of these state and bi-state transportation agencies, working with DVRPC (MPO) to alleviate current and future traffic congestion along the I-95 corridor at the Scudder Falls Bridge over the Delaware River. This will be done in coordination with identifying and achieving the region's long-term transportation vision to improve access and mobility, and to ensure that people and goods can move safely and efficiently. Further, subsequent phases of this project will demonstrate that they follow the goals and objectives of Pennsylvania's 21st Century Growth Plan and with New Jersey's Smart Growth Initiative.

Goals: The parties to this MOA are committed to working together to achieve the following goals along the I-95/Scudder Falls Bridge Corridor:

1. To achieve mutual understanding of each respective agency's missions and authorities;
2. To jointly progress Environmental Documentation and Preliminary Engineering in a single project to achieve acceptable traffic flow conditions in both the short-term and long-term timeframes. The Preliminary Engineering and Environmental Documentation process will guide and confirm the need for additional capacity for this project;
3. Commission will undertake Environmental Documentation and Preliminary Engineering for the section of I-95 from the PA Route 332 Newtown Interchange in Pennsylvania to the Bear Tavern Road Interchange in New Jersey. Commission will designate and contract with a consulting engineering firm for the performance of this work. The Environmental

Documentation and Preliminary Engineering effort will follow the guidance outlined in the Pennsylvania Department of Transportation's 10-step Project Development Process;

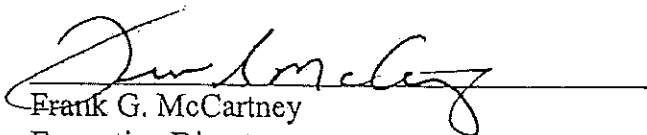
4. Commission will bear sole financial responsibility for funding the Environmental Documentation and Preliminary Engineering costs associated with this phase of the project. The three agencies that are party to this MOA will work together to negotiate future sources of funding for this project; and,
5. Commission may undertake studies to evaluate, and if appropriate, implement interim solutions to address current traffic congestion.

TO ACHIEVE THESE GOALS, the parties to this MOA pledge to communicate regularly, share information, and work together.

THIS MEMORANDUM OF AGREEMENT SHALL TAKE EFFECT on the date of the last signature hereto. This MOA is not intended to, nor does it, create any right, benefit, or trust responsibility, substantive or procedural.


IN WITNESS THEREOF, the signatures of the Key Officials below execute this MOA:

For the DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION


Frank G. McCartney
Executive Director

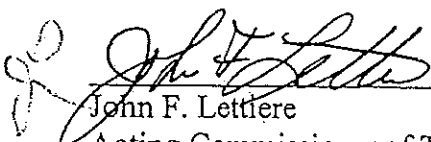
1/10/03
Date

For the PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

38m
jd
adp

~~Bradley L. Maloney~~ Allen D. Biehler
Acting Secretary of Transportation

1/23/03
Date

For the NEW JERSEY DEPARTMENT OF TRANSPORTATION


John F. Lettiere
Acting Commissioner of Transportation

1-21-03
Date

APPROVED AS TO LEGALITY
AND FORM

PRELIMINARILY APPROVED

BY _____
For Chief Counsel DATE

BY _____
Assistant Counsel DATE

BY _____
Deputy Attorney DATE
General

RECORDED NO. _____
CERTIFIED FUNDS AVAILABLE UNDER
ACTIVITY PROGRAM _____
SYMBOL _____
AMOUNT _____

BY _____
Deputy General DATE
Counsel

BY _____
for Comptroller DATE