October 9, 2025

The Honorable Marc Elrich
County Executive
Montgomery County
Executive Office Building, 2nd floor
101 Monroe Street
Rockville MD 20850

The Honorable Kate Stewart
President
Montgomery County Council
Stella B. Werner Council Office Building
100 Maryland Avenue
Rockville MD 20850

Dear County Executive Elrich and President Stewart:

The Maryland Department of Transportation (MDOT) is developing the American Legion Bridge + 270 (ALB+270) Program, an effort to implement multimodal enhancements along the I-495 and I-270 corridors. The initial phase includes the construction and implementation of managed lanes along I-495 from the George Washington Memorial Parkway to the I-270 West Spur and on the I-270 Spur to North of Westlake Terrace, as well as accompanying improvements for transit and pedestrian-bicycle infrastructure.

The MDOT is seeking to advance the initial phase of the ALB+270 Program. In a series of Transportation Planning Board (TPB) resolutions since 2022, MDOT has committed to certain transit investments associated within the corridor limits along I-495 from the George Washington Memorial Parkway to I-270/I-370, alongside commitments memorialized in the Project's National Environmental Policy Act (NEPA) document, and to partner with the Montgomery County Department of Transportation (MCDOT) in the implementation of the ALB+270 Program.

The MDOT is eager to continue this partnership with Montgomery County (County). To this end, MDOT and MCDOT (Parties) have collaborated to agree to the following principles and commitments related to the implementation of the ALB+270 Program.

1. **Shared Interests.** The MDOT and MCDOT see the benefits of the ALB+270 Program for its ability to provide multimodal transportation benefits for residents of the County. The MDOT sees transit investment as a critical component of an integrated program of activities on advancing the corridor. Both Parties recognize that MDOT's funding of new transit commitments is tied to the construction and implementation of the managed lanes outlined in the Federal Highway Administration Record of Decision for the I-495 & I-270 Managed Lanes Study.

2. **Transit Commitment and Working Relationship.** The MDOT and MCDOT are committed to delivering transit improvements through establishing and maintaining a collaborative, coordinated effort during the development and implementation of the initial phase of the ALB+270 Corridor Program.

3. **Rescoping Previous Transit Commitments.** The MDOT notes that the facility and financial commitments it previously made related to transit projects in Montgomery County associated with the inclusion of the replacement of the American Legion Bridge and widening of I-495 and I-270 in Visualize 2045 considered a certain scope, phasing and project delivery methodology, as reflected in TPB Resolutions R2-2022 and R15-2022. Those commitments include the following:

a. Identify additional transit investments that will be fully developed through ongoing coordination with the affected counties;
b. After financial close of the Phase 1 South Public Private Partnership (P3) agreement, MDOT will commit to fund not less than $60 million for design and permitting of high priority transit investments in Montgomery County, such as Phase 1 of the Corridor Cities Transitway, Bus Rapid Transit in the MD 355 Corridor, or other high priority projects. The MDOT will work collaboratively with Montgomery County to develop plans for construction, final delivery, and operation, funded through ongoing toll revenue;
c. As part of Phase 1 South, MDOT will commit to provide not less than $300 million of additional transit investment funding inclusive of the phase developer's proposed transit investment to implement high priority transit projects in Montgomery County. The funds will be provided over the operating term of Phase 1 South within a schedule developed through collaboration on a plan for the construction, final delivery, and operations of the project(s) in conjunction with the managed lane development and financing;
d. Additionally, as mitigation and as part of Phase 1 South highway improvements, MDOT will construct new bus bays at Shady Grove Station; increase parking capacity at the Westfield Montgomery Park and Ride; provide the necessary bus fleet; and construct and equip the Metropolitan Grove Bus Operations and Maintenance Facility. These resources should be provided for use early in the construction period to support expanded local transit operations for the long term. MDOT will brief the TPB on these plans prior to TPB adoption of the updated Visualize 2045 Plan in 2022; and

e. Additional and appropriately scaled transit investments will be made by MDOT for Phase 1 North to fulfill its commitment to complete major transit improvements concurrent with all sections of Phase 1. MDOT shall seek concurrence with the affected counties on these transit investments and will report to and brief TPB on these investments prior to TBP adoption of the inputs for the next Long Range Transportation Plan and air quality conformity analysis update expected in 2024.

Consistent with Resolution R12-2024, the Parties agree that the transit commitments contained in Resolution R2-2022 should be revised for consistency with MDOT's current I-495 and I-270 project phasing and the status of Montgomery County's transit projects.

Accordingly, MDOT commits to providing a transit funding contribution that is consistent with the Resolution R2-2022 commitment with funds distributed to MCDOT in amounts commensurate with the per lane-mile basis phasing of the added managed lanes and existing funding commitments. The previous commitments were estimated by MDOT to have a cumulative value of $560 to $610 million over a 50-year operating period. The investments contemplated in this agreement represent approximately 54 percent of 3.b. and 3.c above and provide a partial payment toward the construction and equipping of a bus operations and maintenance facility as contemplated in 3.d. above. It does not account for future construction of NEPA mitigation commitments at Shady Grove Metro Station and the Westlake Transit Center in 3.d. above, nor does it account for mitigations associated with Phase 1 North (3.e.).

4. **MDOT Bus Rapid Transit Support Funding Contribution.** The MDOT has budgeted $1 million in its six-year Consolidated Transportation Program to support permitting and coordination efforts to advance the Flash Bus Rapid Transit and bus priority in Montgomery County. The MDOT is working collaboratively with Montgomery County to advance this critical program. This $1 million of MDOT funding is in addition to annual payment of $10 million of the Transportation Trust Fund committed to the State Bus Rapid Transit Fund by the General Assembly beginning in Fiscal Year (FY) 2026.

5. **Initial Transit Funding Investment.** If construction funding for the managed lanes along I-495 from the George Washington Memorial Parkway to the I-270 West Spur and on the I-270 Spur to north of Westlake Terrace is obligated, MDOT will provide, after award of the contract and before the commencement of construction of the managed lanes, a one-time supplemental funding contribution of $32 million to Montgomery County through a mutually agreed funding mechanism. This initial funding investment is based on the percentage of added managed lanes delivered with this phase of the project from the George Washington Memorial Parkway to the I-270 Y-split North of Westlake Terrace, which is approximately 54 percent of the total proposed added managed lanes for the I-495 & I-270 Managed Lanes Study. Should the limits of this phase of the project be modified, the contribution shall be adjusted proportionally on a lane-mile basis for the added managed lanes.

6. **Additional Transit Funding Investment.** When managed lanes along I-495 from the George Washington Memorial Parkway to the I-270 West Spur and on the I-270 Spur to North of Westlake Terrace become operational, MDOT will provide a supplemental funding contribution to the County through a mutually agreed funding mechanism. This supplemental contribution of additional transit funding investment will be in 20 consecutive annual payments starting at $3.8 million and escalated annually by three percent. This additional transit funding investment is based on the 54 percent of the total proposed added managed lanes for the I-495 & I-270 Managed Lanes Study delivered with this phase of the project. Should the limits of this phase of the project be modified, the contribution shall be adjusted proportionally on a lane-mile basis for the added managed lanes.

7. **No State Funds Supplanted/No Additional TTF Fund Diversion Sought**. The MDOT and the County agree that outside this agreement, the State of Maryland, through the Transportation Trust Fund and other legislatively directed funding, has contributed significant resources toward Montgomery County Bus Rapid Transit (BRT) system. No funds provided to the County by MDOT through this agreement shall supplant funds previously pledged to the County for BRT as of FY 2026, explicitly including the $10 million contribution to the State Bus Rapid Transit Fund from the Transportation Trust Fund.

   The County acknowledges that additional Transportation Trust Funds committed to County BRT projects will impact the State's ability to deliver on other transportation priorities not just in the County, but Statewide. Both the County and MDOT acknowledge that neither party can limit the legislative and budgeting authority of the General Assembly and that members of the Montgomery County General Assembly Delegation are separate from Montgomery County Government. Should the General Assembly increase the allocation of Transportation Trust Funds without the consent of MDOT to the State Bus Rapid Transit Fund above the $10 million annual funding level established in FY 2026, the County agrees MDOT may elect to credit Montgomery County's allocation of these additional funds toward the Initial Transit Funding Investment, up to a maximum total of $24 million.

8. **MDOT Elective Transit Investments.** Any funding MDOT may elect to make available above that described in 4, 5, and 6 above shall be available to other transit investments, including MARC Brunswick Corridor investments, or transit-oriented development infrastructure subject to collaborative discussions between MDOT and the County at a later date.

9. **NEPA Commitments.** The MDOT will continue facility commitments from the Federal Highway Administration's Record of Decision on the I-495 and I-270 Managed Lanes Study. Those commitments include increased parking capacity at the Westfield Montgomery Transit Center, estimated at approximately $50 million for the fully loaded project, and new bus bays at Shady Grove, estimated at approximately $75 million for the fully loaded project. The County acknowledges that the commitments at Westfield Montgomery Mall and Shady Grove are not the highest priority County needs at this time and that these commitments are associated with the entirety of Phase 1 South. The County is agreeable for these commitments to be implemented as part of a future phase and not part of the phase from I-495 from the George Washington Memorial Parkway to the I-270 West Spur and on the I-270 Spur to North of Westlake Terrace. The County and MDOT through mutual agreement in the future may revisit the size and scope of these commitments, considering the needs at the time, and may utilize other options to deliver these commitments, such as MDOT providing funding to the County to construct the facilities. If the funding amounts change for these commitments in the future due to changes to the size and scope of the commitments, the funding of the Other Commitments below in Section 10 will be adjusted on a dollar-for-dollar basis to maintain the total combined funding of this section 9 and section 10 below.

10. **Other Commitments.** The MDOT agreed to other transit infrastructure investments, including to construct and equip the Metropolitan Grove Bus Operations and Maintenance Facility and provide the necessary bus fleet in TPB resolutions R2-2022 and R15-2022 as mitigation. In 2022, MDOT estimated that these improvements would cost $75-125 million based off the design of the Corridor Cities Transitway at that time. Montgomery County identified MDOT estimates for the facility from the Corridor Cities Transitway Environmental Assessment published in 2017 that indicate a 2022 estimated cost of $220 million, exclusive of land purchase. Recognizing the differing estimates of value of this commitment, MDOT and Montgomery County agree that MDOT will commit a total funding contribution of $172.5 million for this facility. During the construction of the phase from I-495 from the George Washington Memorial Parkway to the I-270 West Spur and on the I-270 Spur to North of Westlake Terrace, MDOT will provide $93 million of this total funding contribution. The remainder of the $172.5 million shall be paid on a per mile basis of managed lanes constructed for the limits from North of Westlake Terrace to I-370. Should the limits of this phase of the project be modified, the contribution shall be adjusted proportionally on a lane-mile basis for the added managed lanes. The MDOT acknowledges that MCDOT has transit operations and maintenance needs that existed during the time of the earlier TPB resolutions. MCDOT has continued to advance plans to remedy those needs, which may result in construction of this facility at a different location and before the Managed Lanes project begins. Should the operations and maintenance facility be constructed before the Managed Lanes funding contribution is provided, MDOT acknowledges that Montgomery County will have deferred other transit projects to fund construction of the facility and can use the funding contribution to refinance the facility or to fund other transit projects in Montgomery County. This commitment is in addition to the Transit Investments identified as 5 and 6 above.

11. **Commitments to the TPB.** The MDOT reaffirms its previous commitments to the TPB under Resolutions R12-2024 to continue to update the TPB on the project, to engage with communities along the corridor, and to implement additional transit investments when later phases of the ALB+270 Corridor Program are developed.

12. **Future Agreements.** The MCDOT and MDOT recognize that future agreements shall be necessary to implement the comparable investments for any future phases North of the initial phase along I-495 from the George Washington Memorial Parkway to the I-270 West Spur and on the I-270 Spur to North of Westlake Terrace, including any additional implementation of managed lanes North of I-370 to Frederick County or for a scope reduction where MDOT has indicated that it will not be pursuing managed lanes, such as only replacement of the American Legion Bridge. The Parties shall work in good faith to execute those agreements when timely and appropriate. The MCDOT and MDOT recognize that the use of multiple contracts to construct the initial phase that start construction within 5 years of one another will not be considered a scope reduction.

13. **Montgomery County Fare Collection.** The County acknowledges that there is value to fare program consistency on a statewide and metropolitan level and will continue to collaborate with MDOT on the evaluation of user-based revenue strategies for County-operated transit services. The County acknowledges that lack of fare program consistency may impact on the State's ability to deliver on other transportation priorities not just in Montgomery County, but Statewide. This statement acknowledges that only the County Council has the authority to make decisions about fare collection and other budgetary commitments, and the County cannot make commitments on behalf of a future elected body.

    The MDOT values the collaboration and partnership needed to reach agreement for the above principles and commitments that will cement and advance an ALB+270 Program that includes robust transit enhancements.

I respectfully request your concurrence on the above principles and commitments. If you have any questions, you may contact Mr. Joe McAndrew, MDOT Assistant Secretary for Planning and Project Development, at 410-865-1006 or jmcandrew@mdot.maryland.gov. Mr. McAndrew will be happy to assist you.

Sincerely,

Samantha Biddle

Samantha J. Biddle
Acting Secretary

cc: Mr. Chris Conklin, Director, MCDOT
Ms. Jaclyn Hartman, Assistant Secretary for Transportation Investments, MDOT
Mr. Joe McAndrew, Assistant Secretary, MDOT
Mr. Will Pines, Administrator, State Highway Administration

MONTGOMERY COUNTY
ROCKVILLE, MARYLAND

October 14, 2025

Ms. Samantha Biddle, Acting Secretary
Maryland Department of Transportation
7201 Corporate Center Drive
Hanover, MD 21062

RE: TPB Resolution R12-2024 Transit Investments

Dear Secretary Biddle:

Thank you for the engagement of team at the Maryland Department of Transportation (MDOT) with Montgomery County to clarify the scale and timing of the transit commitments MDOT made in 2022 regarding its then-proposed Managed Lanes program for I-495 and I-270. In 2024, MDOT proposed reduced limits for an initial phase of highway improvements for this corridor. Through TPB Resolution R12-2024, both MDOT and the County agreed to address the timing and scale of the associated transit investments to reflect a smaller highway project.

The proposal you shared with us in a letter dated October 9, 2025 provides a reasonable framework that we believe to be consistent with the intent of the original commitments made by MDOT to the County in TPB Resolutions R2-2022 and R15-2022 and through other correspondence.

We also note that no new specific action associated with the implementation of the American Legion Bridge + 270 project is before the TPB and the County is not aware of specific plans by MDOT to implement a project at this time. Our concurrence is limited to the timing and scale of transit investments described in your letter, without endorsement of any specific plan for physical or operational changes to I-495 and I-270.

It is our understanding that MDOT is continuing to evaluate the elements of a viable plan for this corridor and will engage further with our community when there is more certainty about what might be proposed and when a project might occur. As you are keenly aware, the original proposals generated significant concerns and widely divergent views within our community about what actions are appropriate for this corridor. Additional public engagement about a specific proposal will be needed before a project advances.

Sincerely,

Marc Elrich
Montgomery County Executive

Kate Stewart
Montgomery County Council President

cc: Ms. Jaclyn Hartman, Assistant Secretary for Transportation Investments, MDOT
Mr. Joe McAndrew, Assistant Secretary, MDOT
Mr. Will Pines, Administrator, State Highway Administration
Mr. Chris Conkin, Director Montgomery County Department of Transportation