

The following are conditions of ownership of the bridge as stated in the *National Preservation Act* Section 106 Programmatic Agreement for the Route 1 Fort Belvoir Improvements Project effective November 19, 2012:

1. Prior to removal of the bridge the State Historic Preservation Office (SHPO) and Army requires that a, Historic American Engineering Record 669 (HAER) Level 1 survey and documentation be performed for the bridge. The FHWA through its Project Design-Build Contractor will perform the survey and documentation. The proposal will need to account for the completion of the HAER Level 1 documentation of the bridge prior to removing it.
2. Proposals must describe in detail:
 - a) the individual, organization, or government agency that will assume ownership
 - b) the prospective use of the bridge and a plan for implementing that use
 - c) a plan and schedule for moving the bridge in accordance with a construction schedule specified by the Design-Build Contractor
 - d)) the financial and technical capabilities of the recipient to move and maintain the bridge, and
 - e) the ability of the recipient to indemnify the Army from all future liability and claims.
3. Proposals must include a map showing the location of the proposed new site for the existing structure, maps or drawings depicting any areas of the new site where the ground surface will be disturbed by the reconstruction activities, and a plan to identify any archaeological sites that might be present at the new site and for avoiding harm to any archaeological sites eligible for the National Register (NR).
4. Proposals must certify that the recipient will:
 - a) assume responsibility for conducting all work associated with the bridge relocation, including complying with all applicable environmental regulations and laws, obtaining all appropriate environmental clearances and permits, conducting any necessary archaeological studies, and moving, dismantling, and reconstructing the bridge according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR Part 68)
 - b) assume all liability associated with the bridge and will indemnify the Army from any further responsibility, and
 - c) consent to offer the donation of a preservation easement on the bridge to the Board of Historic Resources, to be administered by the Virginia Department of Historic Resources (*Code of Virginia* 10.1-2204), or to another party selected in consultation with the State Historic Preservation Office (SHPO) and other consulting parties. The

Board of Historic Resources or another selected party is not obligated to accept a preservation easement offered pursuant to this Agreement. If no entity is found that will accept an easement on the bridge, the parties to this Agreement will consult in order to decide upon a mutually acceptable alternative.

5. Only those proposals submitted to be compliant with the Project DB Contractor's established schedule will be accepted. If no expressions of interest in acquiring the bridge are received by the close of the thirtieth (30th) day following receipt of the solicitation date, or following publication of notice of the bridge's availability, which of the later dates, FHWA will initiate procedures to demolish the bridge.
6. FHWA reserves the exclusive right to accept or reject any or all proposals.
7. A proposal will be rejected if it fails:
 - a) to include the information or certifications requested
 - b) to preserve the historic significance of Railroad Bridge Facility No. 1433 by using the entire bridge at another location within either the District or a location nearby
 - c) to demonstrate that the prospective recipient has the financial and technical capabilities to move and maintain the bridge
 - d) to ensure that the bridge will be moved in accordance with the Project Design-Build Contractor's specified construction schedule, or
 - e) to include appropriate and adequate measures for avoiding harm to archaeological sites eligible for the NR that may be present at the new site for the bridge.
8. For acceptance of any proposal consideration will be given to:
 - a) the degree to which each proposal conforms to the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (36 CFR 763 68), and
 - b) any comments received from the Army or the SHPO within thirty (30) calendar days of delivery of the proposals to the Army and SHPO after received by FHWA.
9. If the proposal is approved and the bridge is subsequently relocated, the new owner will be required to submit to the FHWA both black and white, and color 35 mm photographs (digitals accepted) of the bridge at its new location within thirty (30) calendar days of completion of the relocation and installation.

As an incentive to ownership a one-time monetary payment up to \$33,400 will be provided to the new owner for implementing a plan, for the relocation and preservation of the Railroad Bridge Facility No. 1433. FHWA will provide this payment only on a reimbursement basis for funds already expended by the new owner on the relocation and preservation plan.

