

PLTC Media Statement on Temporary Restraining Order – August 11, 2020

Yesterday, the Owner of the Purple Line Project, the Maryland Transit Administration (MTA), requested the Baltimore City Circuit Court issue a temporary restraining order stopping Purple Line Transit Partners (PLTP) – the lead finance consortium for the Purple Line Project – from winding down and moving off of the Project.

As is common, the hearing took place on an expedited basis and within hours of the MTA's filing papers with the court without the court having the benefit of any briefing from PLTP in opposition to MTA's motion. After the expedited hearing, the court issued a restraining order to maintain the status quo until September 14, 2020.

While PLTC disagrees with this temporary order, we will cooperate with PLTP in complying and look forward to an independent and fair evaluation of our claims at the upcoming full evidentiary hearing.

A temporary restraining order like the one issued yesterday is not uncommon and does not reflect a judgment on the merits of PLTC's claims against MTA. The next step in the process is a full evidentiary hearing on the matter where the project partners will be permitted, for the first time, to present in writing their full legal arguments and to present evidence to the court which will demonstrate that PLTP and PLTC have the unconditional right to terminate the P3 Agreement and Design-Build Contract for Extended Delay and exit the Project. PLTC looks forward to this independent, fair evaluation of our claims.

Since PLTC received MTA's last settlement offer in late February 2020, PLTC has responded with three different settlement offers, most recently in late July 2020. PLTC has offered multiple creative solutions and strategies to work with MTA to complete the Purple Line while minimizing costs. This includes offering to complete the Project under an open book, zero profit basis. In addition, PLTC has offered an alternative contracting method where both parties would share in any cost overruns, but conversely allowing MTA to benefit from the majority of any cost savings so as to incentivize the parties to work collaboratively to finish the Purple Line in the most cost-efficient, timely manner as possible. MTA has refused to provide a counter-offer to any of PLTC's offers.

As we have been throughout this process, PLTC remains committed to working with PLTP and MTA towards a solution allowing the Purple Line Project to continue.