



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

We are concerned about your health, and we are committed to do all we can to reduce the risk and spread of novel coronavirus. Governor Ralph Northam declared a state of emergency in Virginia on Thursday, March 12, 2020 in response to COVID-19. In light of this action, we have decided to conduct the February 17, 2021 Commonwealth Transportation Board (CTB) meeting using electronic communications in accord with Item 4-0.01.g. of Chapter 1289 (2020 Acts of Assembly), as the COVID-19 emergency makes it impracticable or unsafe to assemble in a single location. The purpose of the meeting is to discuss or transact the business statutorily required or necessary to continue operation of the CTB and the discharge of its lawful purposes, duties, and responsibilities.

All board members will be participating remotely. The public may view the meeting via live stream by clicking the "View video" button at the following link: http://www.ctb.virginia.gov/public_meetings/live_stream/default.asp. There will be opportunity for public comment during this meeting. Public comment can be submitted by calling the following telephone number 1-601-688-3378 followed by PIN 711 374 413# when it is announced that public comment will begin. A caller may be placed on hold until others who have called in earlier have had opportunity to speak.

In the event there is an interruption in the broadcast of the meeting, please call (804) 729-6495.

Should you wish to offer comment regarding how meetings using electronic communications technology compare to traditional meetings when the CTB is physically present, you may complete the FOIA Council's Electronic Meetings Public Comment form appearing at the end of this agenda and submit it to the FOIA Council as described on the Form.

AGENDA

February 17, 2021

9:00 a.m. or upon adjournment of the February 17, 2021 Workshop Meeting

Public Comments:

Approval of Minutes:

January 19, 2021

OFFICE OF LAND USE:

Presenting: Robert Hofrichter
Division Director

1. Action on Abandonment of Route FR-773 Located in Fairfax County in the Northern Virginia District.

INFRASTRUCTURE INVESTMENT DIVISION:

Presenting: Kimberly Pryor
Division Director

2. Action on Addition of Projects to the Six-Year Improvement Program for Fiscal Years 2021-2026.
3. Action on FY21-26 Six-Year Improvement Program Transfers for November 14, 2020 through January 15, 2021.
4. Action on Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution.

LOCATION AND DESIGN DIVISION:

Presenting: Susan Keen
Division Administrator

5. Action on Limited Access Control Changes for I-95 Southbound (Exit 126) and Route 1 Southbound, Spotsylvania County Located in the Fredericksburg District.

LOCAL ASSISTANCE DIVISION:

Presenting: Russ Dudley
Division Administrator

6. Action on Revenue Sharing Reallocation, Town of Vienna on Old Courthouse Road Located in the Northern Virginia District.

TOLLING OPERATIONS DIVISION:

Presenting: David Caudill
Division Administrator

7. Action on Approval of Proposed Amendments to Rules, Regulations and Rates Concerning Toll and Bridge Facilities.

SCHEDULING AND CONTRACT:

Presenting: Harold Caples
Assistant State Construction Engineer

8. Bids.

NEW BUSINESS:

1. Action on Authorization for the Director of DRPT to Enter into a Comprehensive Rail Agreement Between the Virginia Department of Rail and Public Transportation and CSX Transportation, Inc.
2. Authorization for the Director of DRPT to Enter into a Passenger Rail Improvement Funding and Partnership Agreement Between the Virginia Department of Rail and Public Transportation and Amtrak.

ADJOURNMENT:

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Agenda item # 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: _____ Seconded By: _____

Action: _____

Title: Abandonment – Primary System of State Highways

WHEREAS, pursuant to §33.2-902, *Code of Virginia 1950*, as amended, the Commissioner of Highways was provided with a petition to abandon from the Primary System of State Highways a segment of Route FR-773 in Fairfax County. This matter is being considered at the request of an adjacent property owner for the purpose of the development of Tysons Corner and the Station Place Public Improvement Plan. The road segment's total distance of 0.07 mile is

- (a) no longer necessary as a public road, and
- (b) no longer provides a public convenience that warrants maintenance at public expense;
and

WHEREAS, the Fairfax County Board of Supervisors supports the Commissioner of Highways' action to abandon from the Primary System of State Highways a segment of Route FR-773 and has provided a letter of support, attached hereto as Exhibit A, requesting the abandonment of a segment of Route FR-773, as seen in the map attached hereto as Exhibit B;
and

WHEREAS, the Virginia Department of Transportation (VDOT) posted notice, attached hereto as Exhibit C, of the intent to abandon such segment on behalf of the Commonwealth Transportation Board (Board), and such posting was done in accordance with § 33.2-902, and VDOT received no requests for public hearing on the matter; and

WHEREAS, a primary highway that is no longer providing sufficient public convenience to warrant maintenance at public expense may be abandoned by the Board, pursuant to §33.2-902, *Code of Virginia 1950*, as amended.

NOW THEREFORE, BE IT RESOLVED, that the roadway segment identified below, is hereby ordered abandoned as part of Primary system of state highways, pursuant to § 33.2-902, Code of Virginia, 1950, as amended.

Primary System of State Highways

Abandonment

Northern Virginia District

Fairfax County

- Route FR-773 0.07 Mi.

Total Mileage Abandoned from the Primary System: 0.07 Mi.

####

CTB Decision Brief

Abandonment of Route FR-773 Located in Fairfax County

Issue: An adjacent landowner has requested the abandonment of a 0.07 mile segment of Route FR-773 in Fairfax County and the County Board of Supervisors supports the abandonment and its approval by the Commonwealth Transportation Board (Board).

Facts: A segment of Route FR-773 in Fairfax County, a distance of 0.07 mile, is no longer necessary as a public road. This matter is being considered at the request of an adjacent property owner for the purpose of the development of Tysons Corner and the Station Place Public Improvement Plan.

The Fairfax County Director of the County Department of Transportation has provided a letter of support, dated December 9, 2020 (Exhibit A, attached), indicating the Fairfax County Board of Supervisors' support of the abandonment of a 0.07 mile portion of Route FR-773 (segment identified in "Red" on Exhibit B, attached).

Upon review of the area, VDOT staff determined the 0.07 mile portion should be abandoned as a part of the Primary System of State Highways, pursuant to § 33.2-902 of the *Code of Virginia*, since no public necessity exists for the continuance of the segment as a public road.

Pursuant to and in accordance with § 33.2-902 of the *Code of Virginia*, VDOT published a "Notice of Intent to Abandon" in the *Washington Times* publication on December 16 and 23, 2020 (Exhibit C, attached). No requests for public hearing were submitted during the requisite 30-day timeframe.

Recommendations: VDOT recommends the Commonwealth Transportation Board approve the abandonment of the 0.07 mile portion of Route FR-773 referenced above.

Action Required by CTB: The *Code of Virginia* requires a majority of the Board's members to approve the change proposed in this brief within four months of the end of the 30-day period after publication of the notice of intent to abandon. A letter of support describing the proposed segment to be abandoned is provided for the Board's consideration.

Result if Approved: If approved, VDOT will suspend all its maintenance activity on the roadway segment.

Options: Approve or Deny

Public Comments/Reactions: A public hearing was not requested during the requisite timeframe.

Exhibit A
Fairfax County Letter of Support dated December 9, 2020



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

December 9, 2020

Ms. Nadia Alphonse
Northern Virginia District
Virginia Department of Transportation
4975 Alliance Drive
Fairfax, Virginia 22030

Reference: Abandonment of a Portion of Route FR-773 from the Primary System of State Highways

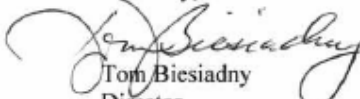
Dear Ms. Alphonse:

I have received your notice of the Virginia Department of Transportation's (VDOT) intent to abandon a portion of Route FR-773 from the Primary System of State Highways.

This letter is intended to notify you that the abandonment depicted in the attached sketch is consistent with Fairfax County land development application RZ 2011-PR-005 (Tysons Central) – approved by the Board of Supervisors on November 19, 2013. This area is also shown on site plan 1682-SP-001 (Tysons Central Building F), and public improvement plan 1683-PI-001 (Tysons Central Place). In addition, the Fairfax County Department of Transportation (FCDOT) supports VDOT's action to abandon this portion of Route FR-773 from the Primary System of State Highways pursuant to §33.2-902 of the Code of Virginia, because no public necessity exists for the continuance of this section of highway as a public highway.

If you have any questions or need additional information, please call Jeffrey Edmondson at (703) 877-5836 or me at (703) 877-5663.

Sincerely,


Tom Biesiadny
Director

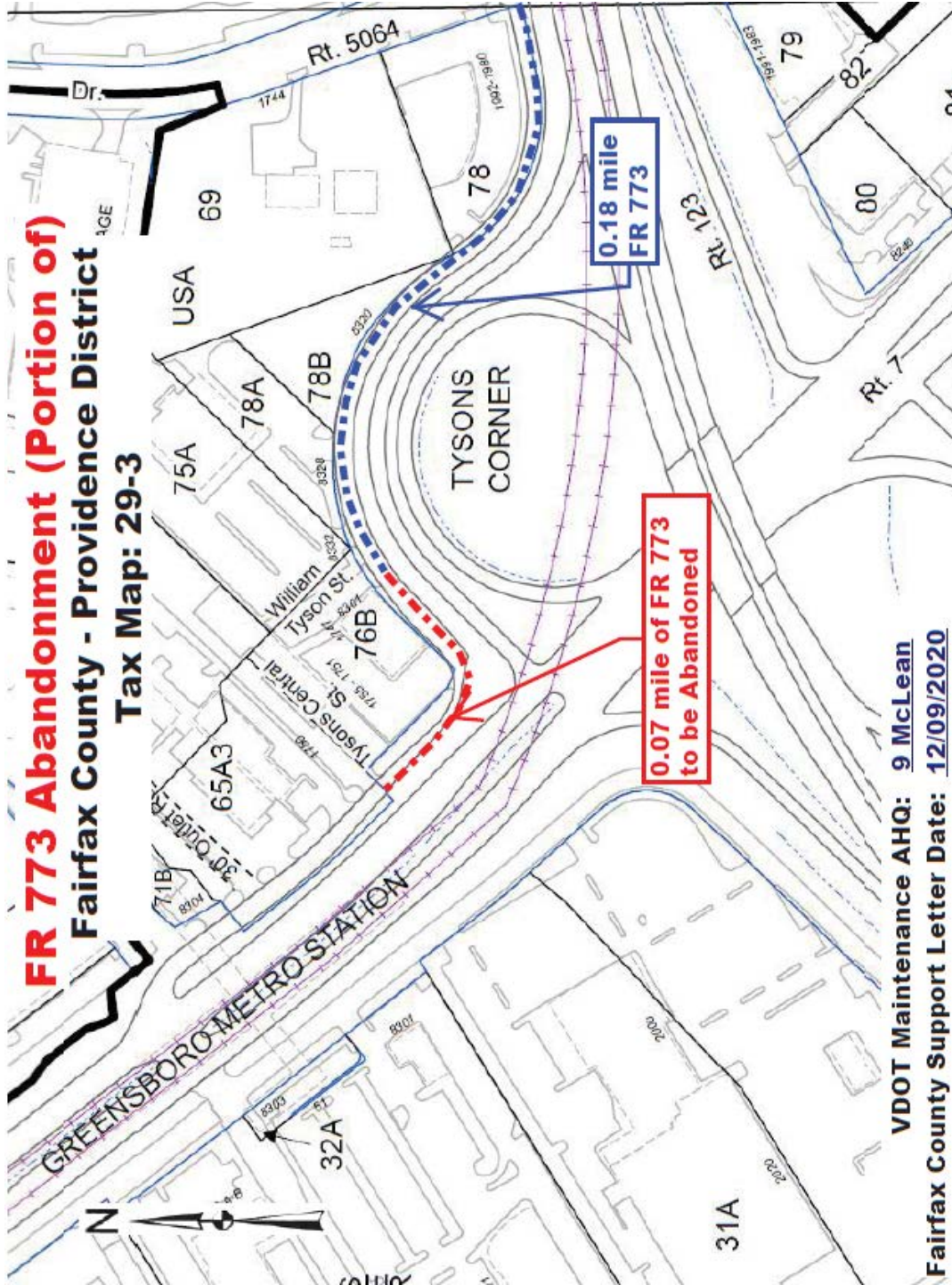
Attachment: a/s

CC: Members, Fairfax County Board of Supervisors
Bryan Hill, County Executive
Rachel Flynn, Deputy County Executive

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot



Exhibit B
Sketch of Proposed Abandonment



FR 773 Abandonment (Portion of)
Fairfax County - Providence District
Tax Map: 29-3

VDOT Maintenance AHQ: 9 McLean
Fairfax County Support Letter Date: 12/09/2020

Exhibit C
“Notice of Intent to Abandon”
Published in the *Washington Times*
December 16 and 23, 2020

VDOT Virginia Department of Transportation

**FR 773 Proposed Abandonment
Public Notice**

The Virginia Department of Transportation (VDOT) hereby gives formal notice of its intent to consider the abandonment of a portion of Frontage Road FR 773 along the interchange ramp from southbound Chain Bridge Road (Route 123) to northbound Leesburg Pike (Route 7), for a distance of about 0.07 mile. The subject portion is located in Fairfax County, Providence Magisterial District on Tax Map 29-3. The proposed abandonment is pursuant to §33.2-902 of the Code of Virginia.

Materials related to the proposed abandonment are available for public viewing upon request. Due to COVID-19 restrictions, please send the request via email to novafairfaxpermits@vdot.virginia.gov, by calling 703-259-1773 (TTY/TDD 711); or by mail to VDOT Northern Virginia District Office, Fairfax Permits, 4975 Alliance Drive, Fairfax, VA 22030.

Written requests for a public hearing to be held by VDOT prior to the consideration of the proposed abandonment must be submitted to VDOT Fairfax Permits within 30 days of this publication. Please submit the request via email or by mail as listed above.

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, please call the number listed above.

Run Dates: December 16th, and 23rd, 2020

AD#46005



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Agenda item # 2

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: _____ Seconded By: _____

Action: _____

Title: Addition of Projects to the Six-Year Improvement Program for Fiscal Years 2021-2026

WHEREAS, Section 33.2-214(B) of the *Code of Virginia* requires the Commonwealth Transportation Board (Board) to adopt by July 1st of each year a Six-Year Improvement Program (Program) of anticipated projects and programs and that the Program shall be based on the most recent official revenue forecasts and a debt management policy; and

WHEREAS, after due consideration the Board adopted a Final Fiscal Years 2021-2026 Program on December 9, 2020; and

WHEREAS, the Board is required by §§ 33.2-214(B) and 33.2-221(C) of the *Code of Virginia* to administer and allocate funds in the Commonwealth Transportation Fund and the Transportation Trust Fund, respectively; and

WHEREAS, § 33.2-214(B) of the *Code of Virginia* provides that the Board is to coordinate the planning for financing of transportation needs, including needs for highways, railways, seaports, airports, and public transportation and is to allocate funds for these needs pursuant to §§ 33.2-358 and Chapter 15 of Title 33.2 (33.2-1500 et seq.) of the *Code of Virginia*, by adopting a Program; and

WHEREAS, §§ 33.2-1526 and 33.2-1526.1 authorize allocations to local governing bodies, transportation district commissions, or public service corporations for, among other

things, capital project costs for public transportation and ridesharing equipment, facilities, and associated costs; and

WHEREAS, the projects shown in Appendix A were not included in the FY 2021-2026 Program adopted by the Board on December 9, 2020; and

WHEREAS, the Board recognizes that the projects are appropriate for the efficient movement of people and freight and, therefore, for the common good of the Commonwealth.

NOW THEREFORE, BE IT RESOLVED, by the Commonwealth Transportation Board, that the projects shown in Appendix A are added to the Six-Year Improvement Program of projects and programs for Fiscal Years 2021 through 2026 and are approved.

#####

CTB Decision Brief

Addition of Projects to the Six-Year Improvement Program for Fiscal Years 2021 - 2026

Issue: Each year the Commonwealth Transportation Board (CTB) must adopt a Six-Year Improvement Program (Program) and allocations in accordance with the statutory formula.

Facts: The CTB must adopt a Program of anticipated projects and programs by July 1st of each year in accordance with § 33.2-214(B) of the *Code of Virginia*. On December 9, 2021, after due consideration, the CTB adopted a Final FY 2021-2026 Program.

Recommendations: The Virginia Department of Transportation (VDOT) recommends the addition of the projects in Appendix A to the Program for FY 2021–2026.

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to add the projects listed in Appendix A to the Program for FY 2021–2026 to meet the CTB’s statutory requirements.

Result, if Approved: If the resolution is approved, the projects listed in Appendix A will be added to the Program for FY 2021-2026.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: None

**Appendix A
Amendments to the FY2021-2026 SYIP**

UPC	District	Jurisdiction	Route	Project Description	Total Cost	Total Allocation	Balance	Major Fund Source	Fully Funded
118534	Northern Virginia	Prince William County	2190	VDOT OVERSIGHT - Summit School Rd Extension	\$675,838	\$675,838	\$0	Accounts Receivable	Yes
T-24724	Northern Virginia	Prince William County	627	VDOT OVERSIGHT & TECHNICAL SUPPORT - VAN BUREN RD NEPA STUDY	\$200,000	\$200,000	\$0	Accounts Receivable	Yes
T-24858	Northern Virginia	Prince William County	234	VDOT OVERSIGHT - PR WM PKWY AT BRENTSVILLE RD INTERCHANGE	\$700,000	\$700,000	\$0	Accounts Receivable	Yes
T-24859	Northern Virginia	Prince William County	294	VDOT OVERSIGHT - PR WM PKWY AT MINNIEVILLE RD INTERCHANGE	\$994,000	\$994,000	\$0	Accounts Receivable	Yes
T-24860	Northern Virginia	Prince William County	28	VDOT OVERSIGHT - RTE 28 BYPASS/GODWIN EXTENSION	\$1,300,000	\$1,300,000	\$0	Accounts Receivable	Yes
					\$3,869,838	\$3,869,838	\$0		



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Agenda item # 3

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: Seconded By:

Action:

Title: FY21-26 Six-Year Improvement Program Transfers
for November 14, 2020 through January 15, 2021

WHEREAS, Section 33.2-214(B) of the Code of Virginia requires the Commonwealth Transportation Board (Board) to adopt by July 1st of each year a Six-Year Improvement Program (Program) of anticipated projects and programs. On December 9, 2020, a resolution was approved to allocate funds for the Fiscal Years 2021 through 2026 Program; and

WHEREAS, the Board authorized the Commissioner, or his designee, to make transfers of allocations programmed to projects in the approved Six-Year Improvement Program of projects and programs for Fiscal Years 2021 through 2026 to release funds no longer needed for the delivery of the projects and to provide additional allocations to support the delivery of eligible projects in the approved Six-Year Improvement Program of projects and programs for Fiscal Years 2021 through 2026 consistent with Commonwealth Transportation Board priorities for programming funds, federal/state eligibility requirements, and according to the following thresholds based on the recipient project; and

Table with 2 columns: Total Cost Estimate and Threshold. Rows include categories like <\$5 million, \$5 million to \$10 million, and >\$10 million with corresponding allocation increase thresholds.

Resolution of the Board
FY21-26 Six-Year Improvement Program Transfers for
November 14, 2020 through January 15, 2021
February 17, 2021
Page 2 of 2

WHEREAS, the Board directed that (a) the Commissioner shall notify the Board on a monthly basis should such transfers or allocations be made; and (b) the Commissioner shall bring requests for transfers of allocations exceeding the established thresholds to the Board on a monthly basis for its approval prior to taking any action to record or award such action; and

WHEREAS, the Board is being presented a list of the transfers exceeding the established thresholds attached to this resolution and agrees that the transfers are appropriate.

NOW THEREFORE, BE IT RESOLVED, by the Commonwealth Transportation Board, that the attached list of transfer requests exceeding the established thresholds is approved and the specified funds shall be transferred to the recipient project(s) as set forth in the attached list to meet the Board's statutory requirements and policy goals.

#####

CTB Decision Brief

FY2021-2026 Six-Year Improvement Program Transfers For November 14, 2020 through January 15, 2021

Issue: Each year the Commonwealth Transportation Board (CTB) must adopt a Six-Year Improvement Program (Program) in accordance with statutes and federal regulations. Throughout the year, it may become necessary to transfer funds between projects to have allocations available to continue and/or initiate projects and programs adopted in the Program.

Facts: On December 9, 2020, the CTB granted authority to the Commissioner of Highways (Commissioner), or his designee, to make transfers of allocations programmed to projects in the approved Six-Year Improvement Program of projects and programs for Fiscal Years 2021 through 2026 to release funds no longer needed for the delivery of the projects and to provide additional allocations to support the delivery of eligible projects in the approved Six-Year Improvement Program of projects and programs for Fiscal Years 2021 through 2026 consistent with Commonwealth Transportation Board priorities for programming funds, federal/state eligibility requirements, and according to the following thresholds based on the recipient project:

Total Cost Estimate	Threshold
<\$5 million	up to a 20% increase in total allocations
\$5 million to \$10 million	up to a \$1 million increase in total allocations
>\$10 million	up to a 10% increase in total allocations up to a maximum of \$5 million increase in total allocations

In addition, the CTB resolved that the Commissioner should bring requests for transfers of allocations exceeding the established thresholds to the CTB on a monthly basis for its approval prior to taking any action to record or award such action.

The CTB will be presented with a resolution for formal vote to approve the transfer of funds exceeding the established thresholds. The list of transfers from November 14, 2020 through January 15, 2021 is attached.

Recommendations: VDOT recommends the approval of the transfers exceeding the established thresholds from donor projects to projects that meet the CTB's statutory requirements and policy goals.

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to adopt changes to the Program for Fiscal Years 2021– 2026 that include transfers of allocated funds exceeding the established thresholds from donor projects to projects that meet the CTB's statutory requirements and policy goals.

Result, if Approved: If approved, the funds will be transferred from the donor projects to projects that meet the CTB's statutory requirements and policy goals.

Options: Approve, Deny, or Defer.

Decision Brief

FY21-26 Six-Year Improvement Program Transfers for November 14, 2020 through January 15, 2021

February 17, 2021

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Public Comments/Reactions: None

Six-Year Improvement Program Allocation Transfer Threshold Report

Row	Donor District	Donor Description	Donor UPC	Recipient District	Recipient Description	Recipient UPC	Fund Source	Transfer Amount	Total Allocation	Total Estimate	Transfer Percent	Comments
1	Bristol	I-77 Wythe Co. Median Barrier	109512	Bristol	West Jackson Street Sidewalk Improvements	110878	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 79,633	\$ 203,773	\$ 203,773	39.1%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a completed project fund a scheduled project.
2	Fredericksburg	ITS DEPLOYMENT - DISTRICT WIDE - FREDERICKSBURG DISTRICT	107663	Fredericksburg	I95 Corr Tech 1, 17 Signal Comm Cam - Prnc Will to Hanover	105443	CTB Formula - ITS State (CS0160)	\$ 200,000	\$ 740,000	\$ 740,000	27.0%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a completed project to fund an underway project.
3	Hampton Roads	Norfolk ATMS Phase IV	98828	Hampton Roads	Norfolk Bus Shelters and Pedestrian Improvements	109572	CMAQ Federal - Urban : Hampton Roads MPO (CNF214), Local Project Contributions - Urban (NOP723)	\$ 318,211	\$ 1,082,764	\$ 1,026,440	29.4%	Transfer of surplus funds recommended by District and MPO from a completed project to a scheduled project.
4	Hampton Roads	#SGR Hampton Roads-VDOT SGR Paving-Balance Entry	T13509	Hampton Roads	#SGR21VP - Cold In-Place Recycling, 2021 Accomack Residency	115541	SGR Paving Federal NHPP (SFP110), SGR Paving Soft Match NHPP (SFP111), SGR Paving State (SSP700)	\$ 962,519	\$ 962,519	\$ 962,519	100.0%	Transfer of surplus funds recommended by District from the SGR VDOT Paving Balance Entry line item to fund a scheduled project.
5	Statewide	FERRY BOAT PROGRAM	110839	Hampton Roads	Jamestown Scotland Ferry Composite Piles On-Call Contract	116812	Discretionary Grant State Match (CNS251), Ferry Boat - Federal (CNF223), Ferry Boat - Soft match (CNF823)	\$ 1,154,268	\$ 1,154,268	\$ 3,439,228	100.0%	Transfer of surplus funds recommended by District from the Ferry Boat Program Balance Entry line item fund a scheduled project.
6	Northern Virginia	BIKESHARE CONNECTIONS-ORANGE and SILVER LINE METRORAIL STATION	109954	Northern Virginia	W&OD TRAIL CROSSING IMPROVEMENTS	111402	RSTP : Northern Virginia (CF2M10), RSTP Match : Northern Virginia (CS2M11)	\$ 430,000	\$ 1,052,000	\$ 1,525,407	40.9%	Transfer of surplus funds recommended by District and MPO from a completed project to a scheduled project.
7	Northern Virginia	RTE 15 IMPROVEMENT WITH RAILROAD OVERPASS	T17496	Northern Virginia	#SMART18 - POTOMAC COMMUTER GARAGE	111485	RSTP : Northern Virginia (CF2M10), RSTP Match : Northern Virginia (CS2M11)	\$ 11,129,041	\$ 48,799,041	\$ 53,328,850	22.8%	Transfer of surplus funds recommended by District and MPO from a cancelled project to a scheduled project.
8	Fredericksburg	#SMART18 - BROOKE PLATFORMS + PED BRIDGE + PED/BIKE ACCESS	111883	Northern Virginia	#SMART18 - VRE QUANTICO STATION PLATFORM EXTENSION & BRIDGE	111653	HPP - NHPP (HF1100), HPP - NHPP Soft Match (HF1101), HPP - State (HS0100)	\$ 5,600,112	\$ 10,350,857	\$ 23,973,061	54.1%	Transfer of surplus funds recommended by DRPT from an underway project to fund a completed project.
9	Salem	121 CFX - 460 Corridor Q Route 460 Poplar Creek - Phase B, RTE 58 - CORRIDOR DEVELOPMENT PROG - 4 LANES (Crooked Oak), RTE 58 - CORRIDOR DEVELOPMENT PROG - 4 LANES (Vesta)	T23462, 17534, 17537	Salem	RTE 58 - CORRIDOR DEVELOPMENT PROG - 4 LANES (Lovers Leap)	17536	Route 58 Bond Proceeds (CNB581)	\$ 41,918,849	\$ 352,818,849	\$ 310,900,000	11.9%	Transfer of funds recommended by District and Budget and Funds Management Division from scheduled projects to fund an underway project.

Six-Year Improvement Program Allocation Transfer Threshold Report

Row	Donor District	Donor Description	Donor UPC	Recipient District	Recipient Description	Recipient UPC	Fund Source	Transfer Amount	Total Allocation	Total Estimate	Transfer Percent	Comments
A	Bristol	Town of Abingdon - Creeper Trail Meade Meadow Crossing	113449	Bristol	RURAL RETREAT SIDEWALKS, PHASE 9 & 10	107921	Local Funds for Enhancement Projects (NPL206), TAP 5-200K (CF6600)	\$ 107,484	\$ 1,169,700	\$ 1,054,000	9.2%	Transfer of surplus funds recommended by District and Local Assistance Division from a cancelled project to fund a scheduled project.
B	Bristol	BRISTOL DGP DEALLOCATION BALANCE ENTRY	T21760	Bristol	#HB2.FY17 I-81 at State Route 75 (Exit 17) Interchange Mod.	109419	DGP - State (GS0100)	\$ 1,498,874	\$ 33,286,414	\$ 32,035,536	4.5%	Transfer of surplus funds recommended by District from the District DGP Balance Entry line item to fund an underway project.
C	Salem	RTE 58 - CORRIDOR DEVELOPMENT PROG - 4 LANES (Lovers Leap)	17536	Bristol	121 CFX - 460 Corridor Q Route 460 Poplar Creek - Phase B	118490	Appalachian Funds - Federal (CF7310)	\$ 8,060,518	\$ 152,970,179	\$ 174,326,737	5.3%	Transfer of surplus funds recommended by District from a scheduled project to fund a scheduled project.
D	Culpeper	PEDESTRIAN IMPROVEMENTS AT MONTICELLO AVE/2ND	113917	Culpeper	Construct Multi-Use Path along McIntire Rd	100548	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 5,922	\$ 884,854	\$ 884,854	0.7%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a scheduled project to fund an underway project.
E	Culpeper	Rt.522-Install New Flashing Lights and Gates with CWT Predictors	109596	Culpeper	Rt.860-Upgrade Flashing Lights and Gates w CWT Predictors	110980	Rail Highway Crossings (CF4100), Rail Highway Crossings Soft Match (CF4101)	\$ 4,637	\$ 128,283	\$ 128,283	3.6%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a completed project fund a scheduled project.
F	Culpeper	District-wide Pedestrian Crossings Installations	116007	Culpeper	PSAP - Pedestrian Facility Improvements in Albemarle County	114666	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 37,099	\$ 444,439	\$ 444,439	8.3%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a scheduled project to a completed project.
G	Fredericksburg	SAFETY PRESCOPING UPC - FREDERICKSBURG	118231	Fredericksburg	SAFETY PRESCOPING - FREDERICKSBURG	109475	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 438	\$ 744,299	\$ 506,953	0.1%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a scheduled project to fund a completed project.
H	Hampton Roads	CITY OF NEWPORT NEWS - ITS FIBER LINK	52346	Hampton Roads	Newport News Pedestrian Improvements	103059	Hampton Roads (CNF214), Local Project Contributions - Urban (NOP723)	\$ 100,000	\$ 1,377,015	\$ 1,266,918	7.3%	Transfer of surplus funds recommended by District and MPO from a completed project to a scheduled project.
I	Hampton Roads	Norfolk ATMS Phase IV	98828	Hampton Roads	Norfolk ATMS Phase 4C	105592	CMAQ Federal - Urban : Hampton Roads MPO (CNF214)	\$ 55,075	\$ 2,106,646	\$ 2,106,646	2.6%	Transfer of surplus funds recommended by District and MPO from a completed project to an underway project.
J	Hampton Roads	HSIP HR Edge Line Rumbles Primaries	115940	Hampton Roads	HSIP HR CL Rumbles Primaries	115923	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 12,516	\$ 114,717	\$ 114,718	10.9%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a scheduled project to fund a scheduled project.
K	Hampton Roads	CITY OF HAMPTON - INTERSECTION IMPROVEMENTS, Citywide CCTV Camera Locations - Phase 2 (10 Locations), Citywide Traffic Signal System Retiming	52364, 84364, 97717	Hampton Roads	Citywide Traffic Signal Upgrades Phase IV - CN only	116318	Accounts Receivable - Urban (NOP722), CMAQ Federal - Access : Hampton Roads MPO (CNF214), CMAQ Federal - Urban : Hampton Roads MPO (CNF214), Hampton Roads (CNF214)	\$ 143,352	\$ 1,826,190	\$ 1,826,190	7.8%	Transfer of surplus funds recommended by District and MPO from completed projects to fund a scheduled project.
L	Lynchburg	LYNCHBURG DGP DEALLOCATION BALANCE ENTRY	T21764	Lynchburg	#HB2.FY17 RTE 501 - PASSING LANE (HALIFAX COUNTY)	104946	DGP - State (GS0100)	\$ 1,856,878	\$ 21,978,965	\$ 20,122,087	8.4%	Transfer of surplus funds recommended by District from the District DGP Balance Entry line item to fund an underway project.

Six-Year Improvement Program Allocation Transfer Threshold Report

Row	Donor District	Donor Description	Donor UPC	Recipient District	Recipient Description	Recipient UPC	Fund Source	Transfer Amount	Total Allocation	Total Estimate	Transfer Percent	Comments
M	Lynchburg	LYNCHBURG DGP DEALLOCATION BALANCE ENTRY	T21764	Lynchburg	#HB2.FY17 RTE 15 - LEFT & RIGHT TURN LANES AT RTE 665	109535	DGP - State (GS0100)	\$ 62,628	\$ 2,695,018	\$ 3,092,089	2.3%	Transfer of surplus funds recommended by District from the District DGP Balance Entry line item to fund an underway project.
N	Northern Virginia, Statewide	I-495 HOT Lanes Final Landscaping Phase I, I-495 HOT Lanes Final Landscaping Phase II	103580, 103581	Northern Virginia	HOT Lanes Bicycle/Pedestrian Facilities - Phase II	104005	Federal NHS - Interstate (CNF331), Interstate NHS Soft Match (CNF831)	\$ 1,170,750	\$ 13,405,718	\$ 13,405,718	8.7%	Transfer of surplus funds recommended by District from completed projects to fund a scheduled project.
O	Northern Virginia	NORTHERN VIRGINIA (NOVA) CMAQ BALANCE ENTRY	70716	Northern Virginia	ITS INTEGRATION - PHASE IV	106562	CMAQ: Federal: Northern Virginia (CNF214)	\$ 150,605	\$ 6,549,117	\$ 2,235,381	2.3%	Transfer of surplus funds recommended by District and MPO from the District CMAQ Balance Entry line item to a scheduled project.
P	Northern Virginia	BIKESHARE CONNECTIONS-ORANGE and SILVER LINE METRORAIL STATION, NORTHERN VIRGINIA (NOVA) REGIONAL STP (RSTP) BALANCE ENTRY	109954, 70717	Northern Virginia	#SMART20 - S. WASHINGTON STREET MULTI-MODAL IMPROVEMENTS	110038	RSTP : Northern Virginia (CF2M10), RSTP Match : Northern Virginia (CS2M11)	\$ 723,131	\$ 9,076,336	\$ 9,076,336	8.0%	Transfer of surplus funds recommended by District and MPO from a completed project and RSTP Balance Entry line item to fund a scheduled project.
Q	Northern Virginia	RTE 15 BYPASS INTERCHANGE AT EDWARDS FERRY AND FORT EVANS RD , RTE 15 BYPASS INTERCHANGE-EDWARDS FERRY/FORT EVANS -RW PH1	T22284, 89890	Northern Virginia	RTE 15 BYPASS INTERCHANGE AT EDWARDS FERRY & FORT EVANS RD	T22210	NVTA AR Funds (NPRV22), RSTP - Urban : Northern Virginia MPO (CNF273), RSTP : Northern Virginia (CF2M10), RSTP Match - Urban : Northern Virginia MPO (CNS273), RSTP Match : Northern Virginia (CS2M11)	\$ 1,600,000	\$ 18,652,262	\$ 124,581,218	8.6%	Transfer of surplus funds recommended by District and MPO from scheduled and underway projects to fund a scheduled project.
R	Richmond	RICHMOND MPO CMAQ BALANCE ENTRY	70719	Richmond	Richmond Region-wide Traffic/Operations Improvements	101492	CMAQ : Richmond (CF5M20), CMAQ Match : Richmond (CS5M21)	\$ 8,659	\$ 30,181,036	\$ 34,539,742	1.0%	Transfer of surplus funds recommended by District and MPO from the District CMAQ Balance Entry Line item to fund a scheduled project.
S	Richmond	SYSTEMIC UNSIGNALIZED INTERSECTION TREATMENTS - DISTRICTWIDE	107045	Richmond	TRAFFIC SIGNAL CLEARANCE INTERVALS EVALUATIONS- DISTRICTWIDE	104663	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 46,241	\$ 1,773,241	\$ 1,773,241	2.6%	Transfer of surplus funds recommended by District and Traffic Engineering Division from an underway project to fund a completed project.
T	Richmond	INSTALL PEDESTRIAN ACCOMMODATIONS - DISTRICTWIDE	106240	Richmond	PEDESTRIAN IMPROVEMENTS AT OAK GROVE ELEMENTARY SCHOOL	110886	Safety (statewide) (CF3100), Safety Soft Match (statewide) (CF3101)	\$ 15,669	\$ 283,929	\$ 283,929	5.5%	Transfer of surplus funds recommended by District and Traffic Engineering Division from a completed project fund a scheduled project.
U	Salem, Statewide	STATEWIDE SYIP UPDATE BALANCE ENTRY, RTE. 693 OVER BIG REED ISLAND CREEK (STR. 14614) BRDG REPL.	T1179, 75933	Salem	RTE. 772 OVER SPOON CREEK (STR. 13399) - BRIDGE REPLACEMENT	88616	Bond Match - Secondary (CNB266), BROS - Secondary (CNF245), CTB Formula - Bridge State (CS0110)	\$ 44,668	\$ 2,186,744	\$ 2,186,744	2.0%	Transfer of surplus funds recommended by District and Structure and Bridge Division from the SYIP Balance Entry line item and a completed project to fund a completed project.
V	Salem	#SGR21VP - Roanoke FKEY 1364 Hollins Rd NE, #SGR21VP - Roanoke FKEY 1370 Riverland Rd SE	118180, 118184	Salem	#SGR21VP - Roanoke FKEY 1366 Plantation Rd NE	118183	CTB Formula - Paving for Primary Extensions (CS0170)	\$ 65,647	\$ 806,599	\$ 806,599	8.1%	Transfer of surplus funds recommended by District and Local Assistance Division from scheduled projects to fund a scheduled project.



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Chairperson

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Agenda Item #4

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: Seconded By:

Action:

Title: Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

WHEREAS, § 33.2-369 of the Code of Virginia prescribes that the Commonwealth Transportation Board (the Board) shall use funds allocated in § 33.2-358 and § 58.1-1741 for state of good repair purposes for reconstruction and replacement of structurally deficient state and locally-owned bridges and reconstruction and rehabilitation of deteriorated pavement on the Interstate System and Primary State Highway System, including municipality-maintained primary extensions; and

WHEREAS, § 33.2-369 (B) also requires that the State of Good Repair funds be allocated by the Board to projects in all nine construction districts based on a priority ranking system that takes into consideration (i) the number, condition, and costs of structurally deficient bridges and (ii) the mileage, condition, and costs to replace deteriorated pavements, and further provides that the Board shall ensure an equitable needs-based distribution of funding among the highway construction districts, with no district receiving more than 17.5 percent or less than 5.5 percent of the total funding allocated in any given year; and

WHEREAS, Enactment Clause 2 of Chapter 684 of the 2015 Virginia Acts of Assembly required the Board to develop the priority ranking system pursuant to § 33.2-369 of the Code by July 1, 2016; and

WHEREAS, the Board developed and last approved, on June 14, 2016, a prioritization process methodology for the allocation of funds and selection of projects for structurally deficient bridges and deteriorated pavements that meets the requirements set forth in 33.2-369 (B); and

Resolution of the Board

Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

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WHEREAS, the Board developed and last approved, on October 17, 2019, a Primary Extension Improvement Policy governing selection of municipality-maintained primary extension paving projects for funding; and

WHEREAS, the Board last approved the State of Good Repair Percentage Fund Distribution Chart on May 16, 2018, based on the needs identified in the VDOT 2017 Annual Report of the Commissioner of Highways pursuant to § 33.2-232 of the Code of Virginia as the State of Good Repair Program Needs and directed that the FY 2019 State of Good Repair Percentage Fund Distribution be used by VDOT in applying the State of Good Repair Prioritization Process Methodology for identifying and recommending to the Board projects for State of Good Repair funding for FY 2019 through FY 2024; and

WHEREAS, VDOT has revised the FY 2019 State of Good Repair Percentage Fund Distribution Chart based on the needs identified in the 2020 Biennial Report of the Commissioner of Highways pursuant to § 33.2-232 of the Code of Virginia as the State of Good Repair Program Needs, so that the resulting FY 2022 State of Good Repair Percentage Fund Distribution could be used by VDOT in applying the State of Good Repair Prioritization Process Methodology for identifying and recommending to the Board projects for State of Good Repair funding for FY 2022 through FY 2027;

WHEREAS, Chapter 56 enacted in the 2020 Special Session of the General Assembly included provisions intended to address issues stemming from the COVID-19 pandemic, including but not limited to provisions that afford certain flexibility in development of the Six-Year Improvement Program (SYIP); and

WHEREAS, based on the provisions in Chapter 56, the Board elected to defer certain processes associated with the FY2021-2026 Six-Year Improvement Program adopted by the Board December 9, 2020, including but not limited to updates to the State of Good Repair Percentage Fund Distribution factors for FY2021 through FY2026 until the FY2022 through FY2027 SYIP update.

NOW THEREFORE BE IT RESOLVED, the Board hereby updates the State of Good Repair Prioritization Process Methodology for the allocation of funds and selection of projects, previously adopted on June 14, 2016, which governs the selection of projects for funding pursuant to § 33.2-369, as follows:

1. Identification of State of Good Repair Needs

- a. Condition and inventory data on the Commonwealth's bridges is derived from regular inspections performed in accordance with the National Bridge Inspection Standards. Data is collected and recorded in VDOT's Bridge Management System, which is used to determine the type of work recommended, and provides a list of bridge needs. Bridge needs for structurally deficient bridges in VDOT's Bridge Management System are used to determine State of Good Repair Bridge Needs.
- b. Pavement needs are assessed and identified annually using automated data collection technology and asset management principles. Pavements are rated based on visible distresses and the data is incorporated into the Pavement Management System, which is used to assess maintenance needs using the elements of pavement distresses, traffic level, and structural condition to determine mileage, recommended treatment, and estimated costs to perform the necessary work. Deteriorated pavement needs on the Commonwealth's Interstate, Primary, and Primary Extension facilities are used to determine State of Good Repair Paving Needs.

Resolution of the Board

Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

February 17, 2021

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- c. State of Good Repair Needs are the total cost of the structurally deficient bridge needs for VDOT-Owned and Locality-Owned bridges in VDOT’s Bridge Management System and the total cost of the deteriorated pavement needs on Interstate, Primary, and Primary Extension facilities.
- d. Prioritized State of Good Repair needs are reported in the Biennial Report of the Commissioner of Highways required by § 33.2-232.
- e. A recommended list of projects, from the Prioritized State of Good Repair needs, eligible for funds under the State of Good Repair Program, is made public annually at least 150 days prior to the Board’s vote to adopt a Six-Year Improvement Program (SYIP) as required by §33.2-214.2.

2. Allocation of State of Good Repair Funds

- a. Needs are compiled and used to determine the Percentage Fund Distribution for each highway construction district.
 - i. As provided for in § 33.2-369, each construction district receives no less than 5.5% and no more than 17.5% of total funding allocated in a given year.
 - ii. Individual district percentages are determined by dividing district needs by the statewide needs.
 - iii. If any district’s needs are less than 5.5% then the amount provided to other districts is reduced on a pro-rata basis to ensure such district receives 5.5% of available funding.
 - iv. If any district’s needs percentage would require more than 17.5% of the funding, the district’s percentage of funding is reduced to 17.5% and the delta between the district’s need percentage and 17.5% is distributed to the remaining districts based on their needs percentage.
 - v. The Board may waive the 17.5 percent allocation cap for one fiscal year, when it determines that, due to extraordinary circumstances or needs, the cap inhibits the ability of the Department to address a key pavement or bridge need. If the Board does waive the allocation cap, then an explanation must be provided in the allocation methodology submitted by the Commissioner of Highways pursuant to §33.2-232.
- b. The State of Good Repair Needs are used to break down the percentage at the highway construction district level into four separate funding distributions – VDOT-Owned Bridges, Locality-Owned Bridges, VDOT Pavement, and municipality-maintained Primary Extensions (Pavement).

3. Prioritization of State of Good Repair Bridge Needs

- a. The priority ranking system examines all bridges in the Commonwealth eligible for State of Good Repair funding to develop a final priority list of bridges. The final priority list will be developed from the recommended list of projects, which is published at least 150 days prior to the adoption of the Six-Year Improvement Program in accordance with §33.2-214.2, and will use finalized project estimates to calculate prioritization using a formula that is based on the following criteria:

Measure	Description
Condition	Measures overall condition of the bridge using detailed condition data compiled from the safety inspection report

Resolution of the Board

Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

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Cost Effectiveness	Ratio of actual project cost to the cost for full replacement
Highway Traffic Impacts	Traffic volume, truck traffic, detour route, future traffic volume, and key route designations
Design Redundancy and Safety	Fracture-critical bridges, fatigue prone details, and scour and seismic vulnerability
Structure Capacity	Consideration of whether the bridge will be posted or has issues with clearances or waterway adequacy

- b. Recommended bridge projects for State of Good Repair funding in each district are recommended from the district’s final prioritized list of needs in order.
- c. VDOT-owned bridges
 - i. Recommended bridge projects are created based on the final priority ranking.
 - ii. Exceptions for funding bridges out of priority order may be granted based on a request from the District Engineer submitted to the State Structure and Bridge Engineer and approved by the Chief Engineer.
 - iii. Acceptable justifications for exceptions include instances where practicality, conflicting construction, or coordination with other highway work necessitate deviating from the established priority ranking.
- d. Locality-owned bridges
 - i. Localities submit Work Notification Forms in the SMART Portal for recommended bridge projects.
 - ii. Recommended bridge projects are created based on the final priority ranking.
 - iii. If a locality does not want to pursue corrective action to a priority bridge recommended for funding, the locality must provide a written justification and the next locality-owned bridge within the highway construction district on the priority list is recommended to receive the State of Good Repair funding.
 - iv. Acceptable justifications for exceptions include instances where practicality, conflicting construction, or coordination with other highway work necessitate deviating from the established priority ranking.
 - v. Costs associated with additional scope elements beyond the recommended repair are the responsibility of the locality.
 - vi. The locality must submit a Work Notification Form for all of the bridges eligible for State of Good Repair funding. If a locality fails to submit a Work Notification Form by the published deadline, the next locality-owned bridge within the highway construction district on the priority list is recommended to receive the State of Good Repair funding.

4. Prioritization of State of Good Repair Pavement Needs

- a. The Pavement Management System takes the pavement condition data and applies an optimization process that considers factors such as available funds, performance targets, and benefit cost ratio of treatments to prepare a section by section priority list and appropriate maintenance treatment that takes into account pavement distresses, structural and subgrade strength, traffic volume, and maintenance history.

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b. VDOT Pavements

- i. Recommended paving projects are created based on the number of lane miles of deficient pavement that qualify for State of Good Repair funding and prioritized using the following criteria:

Criteria	Description
Road System	Interstate Systems has the higher priority over the Primary System
Use or Traffic Count	Amount of traffic the lane miles carry; also considers the number of heavy trucks and buses
Condition	Severity of distress of the pavement based on the standard pavement rating system
Potential for Immediate or Near-term Further Degradation	Impact caused if the lanes miles are not repaired or treated immediately

- ii. Recommended VDOT paving projects for State of Good Repair funding in each district are recommended from the district's prioritized list in order.
- iii. Exceptions for funding paving projects out of priority order may be granted based on a request from the District Engineer submitted to the State Maintenance Engineer and approved by the Chief Engineer in coordination with the Chief of Maintenance and Operations.
- iv. Acceptable justifications for exceptions include instances where practicality, conflicting construction, or coordination with other highway work necessitate deviating from the established prioritization.

c. Locality Pavements

- i. Localities submit applications in the SMART Portal for recommended pavement overlay, rehabilitation or construction projects.
- ii. Projects are prioritized for funding based on a technical score that considers the following criteria:

Criteria	Description
Pavement Condition	Critical Condition Index (CCI) < 60
Traffic Volume	AADT
NHS Designation	Yes/No
Past Expenditures on Pavement by the Locality	Current level of pavement maintenance expenditures in the locality

- iii. Recommended municipality-maintained primary extension projects for State of Good Repair funding in each district are taken from the district's prioritized list in order.
- iv. The maximum request under the program is \$1,500,000 per locality, per fiscal year, regardless of the number of eligible routes in the locality.

Resolution of the Board

Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

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- v. Exceptions may be granted if the project is the next highest scoring project within the district and the request does not exceed the \$1,500,000 limit for the locality for the fiscal year.
- vi. All projects funded under this program must be advertised within 12 months of allocation. Projects that receive funding and do not meet this criterion may be subject to deallocation by the CTB.
- vii. As part of the application process, localities must provide certification that the funding allocated will supplement, not replace, the current level of effort on the part of the locality.

BE IT FURTHER RESOLVED, neither the scope nor the budget of a project may be substantially modified in such a manner that the proposed improvements do not accomplish the same benefits as the original scope. Efforts must be made to review a project scope for opportunities to modify or reduce scope to bring the cost back in line with the original budget while maintaining similar life-cycle cost benefits.

BE IT FURTHER RESOLVED, in cases where programmed funds are no longer needed for delivery of a project due to estimate decreases, contract award savings, schedule changes, etc., the unexpended surplus funds are State of Good Repair funds unless superseded by the terms of a signed project agreement.

- a. Surplus State of Good Repair funds no longer needed for delivery of a project will remain within the applicable Construction District and may not be used in other districts.
- b. Surplus State of Good Repair funds no longer needed for delivery of a project will remain within the applicable asset type (i.e., Bridge or Paving).
- c. Such surplus funds will be reserved to address budget adjustments on existing State of Good Repair projects or reserved for allocation in the next solicitation cycle for State of Good Repair.

BE IT FURTHER RESOLVED, pursuant to § 33.2-214 (E), any project added to the SYIP funded wholly or in part with funding from the State of Good Repair Program shall be fully funded within the six-year horizon of the SYIP.

BE IT FURTHER RESOLVED, the development and management of the State of Good Repair portion of the SYIP shall be conducted in accordance with the Board's then current Six-Year Improvement Program Development Policy.

BE IT FURTHER RESOLVED, that the proposed State of Good Repair needs, allocation and prioritization process methodologies as updated herein are approved for the purpose of selecting projects for funding through the State of Good Repair Program.

BE IT FURTHER RESOLVED, that the FY 2022 State of Good Repair Percentage Fund Distribution set forth in Attachment A, as attached hereto, is approved for the purpose of identifying and recommending to the Board projects for State of Good Repair funding for FY 2022 through FY 2027.

BE IT FURTHER RESOLVED, that VDOT is hereby directed to update the State of Good Repair Percentage Fund Distribution set forth in Attachment A for purposes of identifying and recommending to the Board projects for State of Good Repair funding for FY 2023 through FY 2028 in a manner that takes into consideration (i) the number, condition, and costs of structurally deficient bridges and (ii) the mileage, condition, and costs to replace deteriorated pavements and that ensures an equitable needs-based

Resolution of the Board

Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

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distribution of funding among the highway construction districts as required by § 33.2-369 prior to adoption of the FY 2023 through FY 2028 SYIP.

BE IT FURTHER RESOLVED, by the Board, that nothing herein is intended to modify the Board's action on March 21, 2019 granting a waiver of the district cap for the Hampton Roads District pursuant to subsection B of § 33.2-369 for Fiscal Years 2025 and 2026 so that replacement of the HRBT South Island Trestle Bridge is fully funded. The actual increase of the Hampton Roads District share shall be limited to the share of State of Good Repair allocations required to provide the amount needed to fund the actual final cost of the HRBT South Island Trestle Bridge.

BE IT FURTHER RESOLVED, given that its provisions have been incorporated into and adopted pursuant to this action, the Primary Extension Improvement Program Policy adopted by the Board on October 17, 2019, is hereby rescinded; and

BE IT FURTHER RESOLVED, the Board hereby directs VDOT to take all actions necessary to implement and administer this policy and process as adopted, including but not limited to update of technical and policy documents consistent with the State of Good Repair Policy adopted herein.

Attachment A

FY 2022 State of Good Repair Percentage Fund Distribution Chart

2022 Percentage Fund Distribution Updates*					
District	Proposed 2022 Update	VDOT		Locality	
		Pavement	Bridge	Pavement	Bridge
Bristol	12.76%	14%	63%	2%	21%
Salem	11.00%	19%	65%	4%	11%
Lynchburg	6.28%	18%	70%	4%	7%
Richmond	17.50%	10%	78%	3%	9%
Hampton Roads	17.50%	5%	40%	18%	37%
Fredericksburg	11.95%	8%	88%	1%	3%
Culpeper	6.28%	15%	47%	2%	36%
Staunton	10.45%	28%	66%	3%	3%
Northern Virginia	6.28%	23%	71%	4%	1%

*Numbers may not add to 100% due to rounding.

CTB Decision Brief

February 17, 2021

Approval of State of Good Repair Prioritization Process Methodology and FY 2022 State of Good Repair Percentage Fund Distribution

Issue: Pursuant to § 33.2-369 of the *Code of Virginia*, the Commonwealth Transportation Board (the Board) shall allocate funds for state of good repair purposes (defined as “improvement of deficient pavement conditions and improvement of structurally deficient bridges”) (State of Good Repair Funds) for reconstruction and replacement of structurally deficient state and locally owned bridges and reconstruction and rehabilitation of deteriorated pavement on the Interstate System and primary state highway system including municipality-maintained primary extensions. Section 33.2-369 requires the Board to allocate the state of good repair funds to projects in all nine construction districts based on a priority ranking system that takes into consideration (i) the number, condition, and costs of structurally deficient bridges and (ii) the mileage, condition, and costs to replace deteriorated pavements.

Further, Enactment Clause 2 of Chapter 684 of the 2015 Virginia Acts of Assembly required the Board to develop a priority ranking system considering requirements in § 33.2-369 by July 1, 2016. The Board developed and last approved on June 14, 2016 a priority ranking system methodology for structurally deficient bridges and deteriorated pavements (State of Good Repair Prioritization Process Methodology). The Board also developed and last approved on October 17, 2019, a Primary Extension Improvement Policy governing selection of municipality-maintained primary extension paving projects.

VDOT seeks the Board’s consideration and approval of minor modifications to the previously approved methodology in order to simplify, reorganize and create consistency with other Board policies (such as SMART SCALE and the SYIP Development Policy). Modifications do not make substantive changes to the current policy or process and including the following:

- Reorganize to make the policy more consistent with the SMART SCALE Policy in terms of format and to eliminate separate attachments,
- Add standard policy language referencing the Board’s SYIP Development Policy and other existing legislative requirements,
- Add language regarding scope changes and surplus funds, consistent with the Board’s SMART SCALE Policy and current practice,
- Incorporate and replace the Board’s separate Primary Extension Improvement Policy,
- Add language directing the Department to update the Percentage Fund Distribution provided that it is done in a manner that takes into consideration the factors outlined in the Code.

Further, the Board last approved the State of Good Repair Percentage Fund Distribution Chart on May 16, 2018 for FY 2019 through FY 2024 based on needs identified in the *Virginia Department of Transportation 2017 Annual Report Pursuant to Section 33.2-232 of the Code of Virginia* as State of Good Repair Program Needs. VDOT has revised the State of Good Repair district allocation percentages as set out in Attachment A (FY 2022 State of Good Repair Percentage Fund Distribution Chart) for use for FY 2022 through FY 2027.

Facts: VDOT modified the Board’s current State of Good Repair Prioritization Process Methodology in order to simplify, reorganize and create consistency with other Board policies.

VDOT revised the State of Good Repair Percentage Fund Distribution based on the most recent Biennial Report of the Commissioner of Highways pursuant to § 33.2-232 for use in allocating State of Good

Repair funds in FY 2022 through FY 2027.

Recommendation: VDOT recommends the Board approve the proposed modifications to the State of Good Repair Prioritization Process Methodology and the updated FY22 Percentage Fund Distribution for use in allocating State of Good Repair funds in FY 2022 through FY 2027.

Action Required by CTB: The Board will be presented with a resolution for a formal vote.



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Agenda item # 5

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: Seconded By: Action:

**Title: Limited Access Control Changes (LACCs) for I-95 Southbound (Exit 126) and
Route 1 Southbound
Spotsylvania County**

WHEREAS, on October 4, 1956, the State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), designated the Interstate Highway System, including I-95, to be Limited Access Highways in accordance with then Article 3, Chapter 1, Title 33 of the 1950 Code of Virginia, as amended, and established the limited access line locations and limits as “the final locations of said routes, including all necessary grade separations, interchanges, ramps, etc.”; and

WHEREAS, State Highway Project 0001-088-709, P101, R201, C501, B617, D609, D610 (UPC# 110914) provides for the widening of the I-95 Southbound (Exit 126) off-ramp, and the widening of Route 1 Southbound, including turn lanes onto Route 711 (Southpoint Parkway) and the widening of Route 711 (Southpoint Parkway) (the “Project”); and

WHEREAS, the widening of the I-95 Southbound (Exit 126) off-ramp onto Ramp 1 Southbound requires an adjustment in the limited access line in accordance with the Virginia Department of Transportation’s (VDOT) Access Management Standards and Interstate Access Control policy as shown on the Limited Access Line Exhibit and the Limited Access Control Point Stations and Offsets Table (attached); and

WHEREAS, VDOT posted a Notice of Willingness for Public Comment (“Willingness”) on December 15, 2020, and December 21, 2020, in *The Free Lance-Star*, and on December 17, 2020, and December 24, 2020, in the *Star Weekly* (Spotsylvania County) for the proposed LACCs for the Project, including the current and proposed locations of the limited access lines, and allowed public input to be collected concerning the request. The Willingness expired on December 29, 2020, with no comments or other input from the public; and

WHEREAS, the economic, social and environmental effects of the Project have been duly examined and given proper consideration, and this evidence, along with all other relevant evidence, has been carefully reviewed; and

WHEREAS, VDOT’s Central Office has completed the Operational and Safety Analysis Report (OSAR), and VDOT’s Fredericksburg District Office reviewed and approved the OSAR on January 7, 2021, and found that it adequately addresses the impacts from the Project; and

WHEREAS, the Project is in compliance with National Environmental Policy Act requirements and a Programmatic Categorical Exclusion was prepared under an agreement between VDOT and the Federal Highway Administration (FHWA) and approved on December 17, 2018; and

WHEREAS, the Project is located within an attainment area for all National Ambient Air Quality Standards, and the Project will not have an adverse impact on air quality; and

WHEREAS, the Project is in Spotsylvania County and the LACCs are supported by a letter from the Chairman of the Board of Supervisors dated January 13, 2021; and

WHEREAS, FHWA provided approval for State Highway Project 0001-088-709, P101, R201, C501, B617, D609, D610 (UPC# 110914) and the proposed LACCs on January 20, 2021; and

WHEREAS, VDOT’s Chief Engineer has determined that the proposed LACCs will not adversely affect the safety or operation of the highways; and

Resolution of the Board
Proposed Limited Access Control Change (LACCs)
I-95 Southbound (Exit 126) and Route 1 Southbound
Spotsylvania County
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WHEREAS, VDOT has reviewed the requested LACCs and determined that all are in compliance with §33.2-401 of the *Code of Virginia* and that the requirements of 24 VAC 30-401-20 have been met; and

WHEREAS, VDOT recommends approval of the LACCs as shown on the Limited Access Line Exhibits and the Limited Access Control Point Stations and Offsets Table (attached).

NOW, THEREFORE, BE IT RESOLVED, in accordance with §33.2-401 of the *Code of Virginia* and 24 VAC 30-401-10 *et seq.*, that the CTB hereby finds and concurs in the determinations and recommendations of VDOT made herein, and directs that the I-95 and Route 1 interchange continue to be designated as a limited access control area, with the boundaries of limited access control being modified from the current locations as shown on the Limited Access Line Exhibits and the Limited Access Control Point Stations and Offsets Table (attached).

BE IT FURTHER RESOLVED, the Commissioner of Highways is authorized to take all actions and execute any and all documents necessary to implement such changes.

####

CTB Decision Brief
Proposed Limited Access Control Changes (LACCs)
I-95 Southbound (Exit 126) and Route 1 Southbound
Project 0001-088-709, P101, R201, C501, B617, D609, D610
UPC# 110914
Spotsylvania County

Issues: The area designated as limited access previously approved for the I-95 Southbound (Exit 126) off-ramp onto Route 1 Southbound requires modifications to accommodate the widening of the I-95 Southbound (Exit 126) off-ramp, and the widening of Route 1 Southbound, including turn lanes onto Route 711 (Southpoint Parkway) and the widening of Route 711 (Southpoint Parkway). These changes require the approval of the Commonwealth Transportation Board (CTB) pursuant to §33.2-401 of the *Code of Virginia*, and 24 VAC 30-401-10 *et seq.*

Facts:

- Limited access control for I-95 was previously established on October 4, 1956. The State Highway Commission, predecessor to the Commonwealth Transportation Board (CTB), designated the Interstate Highway System, including I-95, to be a Limited Access Highway in accordance with then Article 3, Chapter 1, Title 33 of the *Code of Virginia* of 1950, as amended, and established the limited access line locations and limits as “the final locations of said routes, including all necessary grade separations, interchanges, ramps, etc.”
- State Highway Project 0001-088-709, P101, R201, C501, B617, D609, D610 (UPC #110914) provides for the widening of the I-95 Southbound (Exit 126) off-ramp, and the widening of Route 1 Southbound, including turn lanes onto Route 711 (Southpoint Parkway) and the widening of Route 711 (Southpoint Parkway) to reduce the traffic that backs up onto the I-95 Southbound off-ramp and congestion along the Route 1 corridor. This project will add an additional right turn lane to the I-95 Southbound (Exit 126) off-ramp and continue to provide a full right turn lane on Route 1 Southbound, which will extend to Route 711 (Southpoint Parkway). These improvements will impact the existing limited access control lines in accordance with the Virginia Department of Transportation’s (VDOT) Access Management Standards and Interstate Access Control policy as shown on the Limited Access Line Exhibit and the Limited Access Control Point Stations and Offsets Table (attached).
- VDOT posted a Notice of Willingness for Public Comment (“Willingness”) on December 15, 2020, and December 21, 2020, in *The Free Lance-Star*, and on December 17, 2020, and December 24, 2020, in the *Star Weekly* (Spotsylvania County) for the proposed LACC’s for the Project, including the current and proposed locations of the limited access lines, and allowed public input to be collected concerning the request. The Willingness expired on December 29, 2020, with no comments or other input from the public.
- The economic, social, and environmental effects of the Project have been duly examined and given proper consideration, and this evidence, along with all other relevant evidence, has been carefully reviewed.

- VDOT's Central Office has completed the Operational and Safety Analysis Report (OSAR), and VDOT's Fredericksburg District Office reviewed and approved the OSAR on January 7, 2021, and found that it adequately addresses the impacts from the Project.
- The Project is in compliance with National Environmental Policy Act requirements and a Programmatic Categorical Exclusion was prepared under an agreement between VDOT and the Federal Highway Administration (FHWA) and approved on December 17, 2018.
- The Project is located within an attainment area for all National Ambient Air Quality Standards, and the Project will not have an adverse impact on air quality.
- The Project is in Spotsylvania County and the LACCs are supported by a letter from the Chairman of the Board of Supervisors dated January 13, 2021.
- FHWA provided the approval for State Highway Project 0001-088-709, P101, R201, C501, B617, D609, D610 (UPC# 110914) and the proposed LACCs on January 20, 2021.
- VDOT's Chief Engineer has determined that the proposed LACCs will not adversely affect the safety or operation of the highways.
- The proposed LACCs are in compliance with §33.2-401 of the *Code of Virginia* and with the policies and requirements of the CTB contained in 24 VAC 30-401-10 *et seq.*

Recommendations: It is recommended, pursuant to §33.2-401 of the *Code of Virginia*, and 24 VAC 30-401-10 *et seq.*, that the I-95 corridor in Spotsylvania County continue to be designated as a Limited Access Highway with the LACCs modified and/or established as shown on the Limited Access Line Exhibit and the Limited Access Control Point Stations and Offsets Table (attached). This action will modify the limited access line and right of way previously approved by the CTB's predecessor, the State Highway Commission, on October 4, 1956.

Action Required by CTB: The *Code of Virginia* §33.2-401 and 24 VAC 30-401-10 *et seq.* require a majority vote of the CTB to approve the recommended LACCs. The CTB will be presented with a resolution for a formal vote to approve the LACCs for the Project and to provide the Commissioner of Highways the requisite authority to execute all documents necessary to implement the LACCs.

Result, if Approved: The Commissioner of Highways will be authorized to execute any and all documents needed to comply with the resolution, and the I-95 (Exit 126) project will move forward.

Options: Approve, Deny, or Defer.

CTB Decision Brief
Proposed Limited Access Control Changes (LACCs)
I-95 Southbound (Exit 126) and Route 1 Southbound
Spotsylvania County
February 17, 2021
Page 3 of 3

Public Comments/Reactions: There were no comments or other input received from the public as a result of the posting of the Willingness for the Project.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.
Commissioner

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

February 1, 2021

The Honorable Shannon Valentine
The Honorable Stephen C. Brich, P. E.
The Honorable Jennifer Mitchell
The Honorable Jerry L. Stinson
The Honorable Mary Hughes Hynes
The Honorable Allison DeTuncq
The Honorable Bert Dodson, Jr.
The Honorable W. Sheppard Miller III
The Honorable Carlos M. Brown
The Honorable Cedric Bernard Rucker
The Honorable Stephen A. Johnsen
The Honorable Mark H. Merrill
The Honorable E. Scott Kasprovicz
The Honorable Raymond D. Smoot, Jr.
The Honorable Marty Williams
The Honorable John Malbon
The Honorable Greg Yates

Subject: Approval of Limited Access Control Changes (LACCs) for I-95 Southbound (Exit 126) and Route 1 Southbound in Spotsylvania County.

Dear Commonwealth Transportation Board Members:

The Department has initiated the above request for LACCs for your consideration. The proposed LACCs on State Highway Project 0001-088-709, P101, R201, C501, B617, D609, D610 have been determined as a necessary design feature and recommended for approval by the Department's staff.

I have reviewed the staff's recommendations and determined that approving these LACC's will not adversely affect the safety or operation of the affected highway network. I have determined that this request should be considered by the Board.

Sincerely,

Barton A. Thrasher, P.E.
Chief Engineer

Board of Supervisors
DEBORAH H. FRAZIER
BARRY K. JETT
KEVIN W. MARSHALL
TIMOTHY J. MCLAUGHLIN
DAVID ROSS
GARY F. SKINNER
CHRIS YAKABOUSKI



County Administrator
ED PETROVITCH
Deputy County Administrator
MARK L. COLE
P.O. BOX 99, SPOTSYLVANIA, VA 22553
Voice: (540) 507-7010
Fax: (540) 507-7019

January 13, 2021

Mrs. Marcie Parker, P.E.
Virginia Department of Transportation
Fredericksburg District
87 Deacon Road
Fredericksburg, VA 22405

RE: Exit 126 Limited Access Change for UPC 110914

Dear Mrs. Parker:

We are writing to confirm that Spotsylvania County supports the Exit 126 limited access change along US Rte 1 SB as shown on attachment 1 to support the ongoing advancement of the UPC 110914: I-95 SB ramp improvement project.

If you need any additional information or have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin W. Marshall', written in a cursive style.

Honorable Kevin W. Marshall, Chairman
Spotsylvania County Board of Supervisors

Cc: Mr. Byrd Holloway, VDOT
Mr. Kyle Bates, VDOT

**Minutes of the Meeting of the State Highway
Commission of Virginia, held in
Richmond
October 4, 1958**

The Commission met in the Central Office Building, Richmond, Virginia, at 9:00 A.M., Thursday, October 4, 1958. The following members were present: Messrs. E. P. Barrow, S. S. Flythe, S. D. May, Burgess E. Nelson, Wm. A. Wright and J. A. Anderson.

The meeting was called to order by the Chairman.

The Chairman read a letter from Mr. Howard O. Rogers stating that he would not be able to attend because of illness.

On motion made and seconded, the minutes of the August 9-10 meeting were approved.

Moved by Mr. May, seconded by Mr. Barrow, that the permits issued from the August 9-10 meeting to date, inclusive, as recorded in the Auditing Division, be approved. Motion carried.

Moved by Mr. May, seconded by Mr. Barrow, that the permits cancelled by the Commissioner from the August 9-10 meeting to date, inclusive, as authorized June 25, 1947, and recorded in the Auditing Division, be approved. Motion carried.

Moved by Senator Nelson, seconded by Senator Wright, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1887-15-18, Route 615, Bridge and Approaches Three Creek, Southampton County, to the low bidder, Norfolk Contracting Co., Norfolk, Va., at the bid of \$102,949.41, that 10% additional be set aside to cover the cost of engineering and additional work and \$1,064.54 for work by the A. & D. Railroad, making a total of approximately \$114,500.00 chargeable to this project; to be financed 50/50 State and Federal. Motion carried.

Moved by Senator Wright, seconded by Mr. Barrow, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1307-24, Route 600, S. End of Bridge over Claytons Mill Creek-0.864 Mile N. Rockbridge County Line, Augusta County, to the low bidder, Bohls Brothers, Inc., Staunton, Va., at the bid of \$67,435.15 and that 10% additional be set aside to cover the cost of engineering and additional work, making a total of approximately \$74,180.00 chargeable to this project; to be financed 50/50 State and Federal. Motion carried.

Moved by Mr. Barrow, seconded by Mr. Flythe, that the Commission confirm award of contract on bids received August 15 for the construction of Project 1881-10, Routes 681, 640, 0.01 Mile E. of W. Int. Route 661, (E. of Pizarro)-Franklin County Line, Floyd County, to the low bidder, D. E. Worley Construction Co., Rocky Mount, Va., at the bid of \$127,856.70, that 10% additional be set aside to cover the cost of engineering and additional work and \$1,226.60 for work by State Forces (not included in contract), making a total of approximately \$141,960.00 chargeable to this project; to be financed with \$71,580.00 State and \$70,520.00 Federal Funds. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 33-115.2 of the 1950 Code of Virginia, as amended, request is made by City of Warwick for payment at the base rate of \$500 per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of \$500 Per Mile annually be made to the City of Warwick on additional streets totaling 11.20 miles, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 33-115.2 of the 1950 Code of Virginia, as amended, request is made by City of Waynesboro for payment at the base rate of \$500 per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of \$500 Per Mile annually be made to the City of Waynesboro on additional streets totaling 10.612 miles, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, Whereas, under authority of Section 33-115.2 of the 1950 Code of Virginia, as amended, request is made by the Town of Wytheville for payment at the base rate of \$500 Per Mile annually on additional streets meeting the required standards; Now, Therefore, be it resolved, that quarterly payments at the base rate of \$500 Per Mile annually be made to the Town of Wytheville on additional streets totaling 0.984 Mile, effective beginning the second quarter, October 1, 1956. Motion carried.

Moved by Mr. Flythe, seconded by Senator Nelson, that, it so be declared that, Whereas, by action of the Congress of the United States, whereby all routes on the National System of Interstate and Defense Highways are to be constructed to interstate standards and whereas, one of the requirements of interstate standards is the control of access to these routes; Therefore, be it resolved that all routes on the National System of Interstate and Defense Highways within the confines of the Commonwealth of Virginia, upon determining the final location of said routes, including all necessary grade separations, interchanges, ramps, etc., are here and now designated Limited Access Highways, pursuant to Article 8, Chapter 1, Title 33, of the Code of Virginia of 1950, as amended. Motion carried.

On motion made by Senator Nelson, seconded by Mr. Barrow, the Chairman was instructed to report to the Bureau of Public Roads, at a meeting called for October 9, that the Virginia Department of Highways will undertake one-third of the cost of operation and maintenance of the proposed bridge over the Potomac River at Jones Point, with the thought that the other two-thirds shall be borne by the State of Maryland and the District of Columbia. This could be handled by written agreement looking to appropriate Federal legislation.

SB I-95 Exit Ramp 126 and SB Rte.1 Widening
Proposed Right of Way and Limited Access
Commonwealth Transportation Board Meeting December XX, 2020
Points shown romanized are subject to Early Acquisition By VDOT Proj. 0001-088-709, P101, R201, C501,
B617, D-609, D610 - UPC 110914

Corresponding Page Number on CTB Exhibits	Alignment	Station	Offset	Radius (ft)	Direction	Type
1	RTE 1	115+69.23	57.25	LT		Proposed Limited Access and Existing Right of Way
1	RTE 1	115+99.03	57.38	LT		Proposed Limited Access and Existing Right of Way
1	RTE 1	116+15.03	57.45	LT		Proposed Limited Access and Existing Right of Way
1	RTE 1	116+67.34	57.67	LT		Proposed Limited Access and Existing Right of Way
1	RTE 1	117+28.70	92.15	LT		Proposed Limited Access and Existing Right of Way

RE: LACC UPC 110914 I-95 SOUTHBOUND (EXIT 126) and ROUTE 1 SOUTHBOUND

January 14, 2021
10:35 AM

Lori Snider

to Neil, me

I approve of the LACC from a Right of Way & Utilities perspective.

Lori

From: Hord, Neil <neil.hord@vdot.virginia.gov>

Sent: Thursday, January 14, 2021 9:51 AM

To: Lori Snider <Lori.Snider@vdot.virginia.gov>

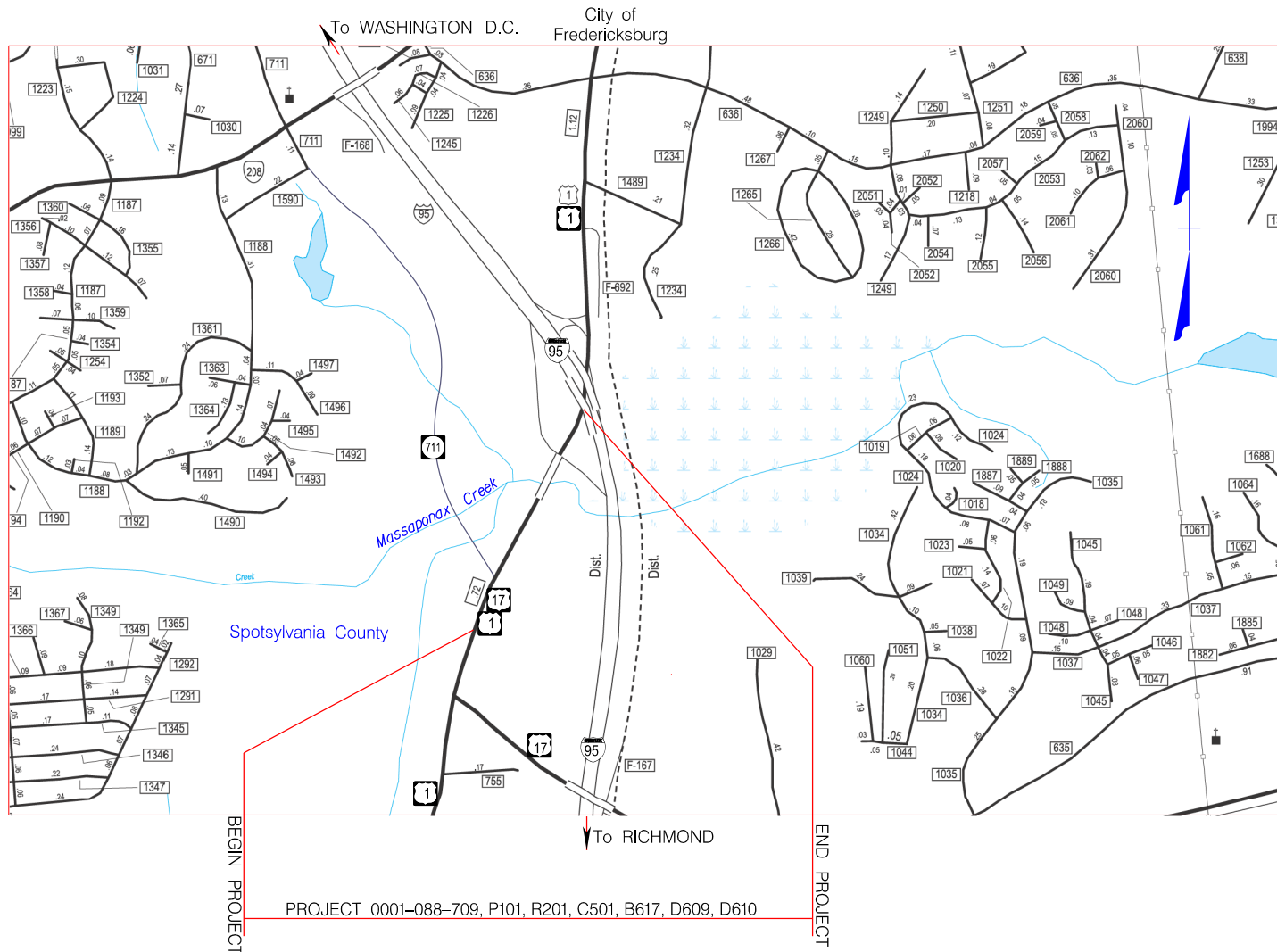
Cc: George Rogerson <george.rogerson@vdot.virginia.gov>

Subject: Fwd: LACC UPC 110914 I-95 SOUTHBOUND (EXIT 126) and ROUTE 1 SOUTHBOUND

Lori,

I have reviewed the attached proposed LACC at the request of L&D. I have spoken with George Rogerson concerning the nature of the changes and he indicated that to meet access management standards the limits needed to be extended west on Route 1, which prompted my question concerning the proposed break in the limits. George stated that the proposed break will be gated and is for the sole purpose of maintenance access for a 16' utility easement and is not for vehicular ingress/egress access to the abutting landowner. I recommend your approval from a right of way and utilities perspective. If you concur please respond to George Rogerson, who is included here.





Neil



Notes

LIMITED ACCESS CONTROL MODIFICATIONS APPROVED BY THE COMMONWEALTH TRANSPORTATION BOARD BY RESOLUTION DATED October 4, 1956

Legend

-  Interstate Highway
-  U.S. Highway
-  VA Primary Highway
-  VA Secondary Highway

Project Location



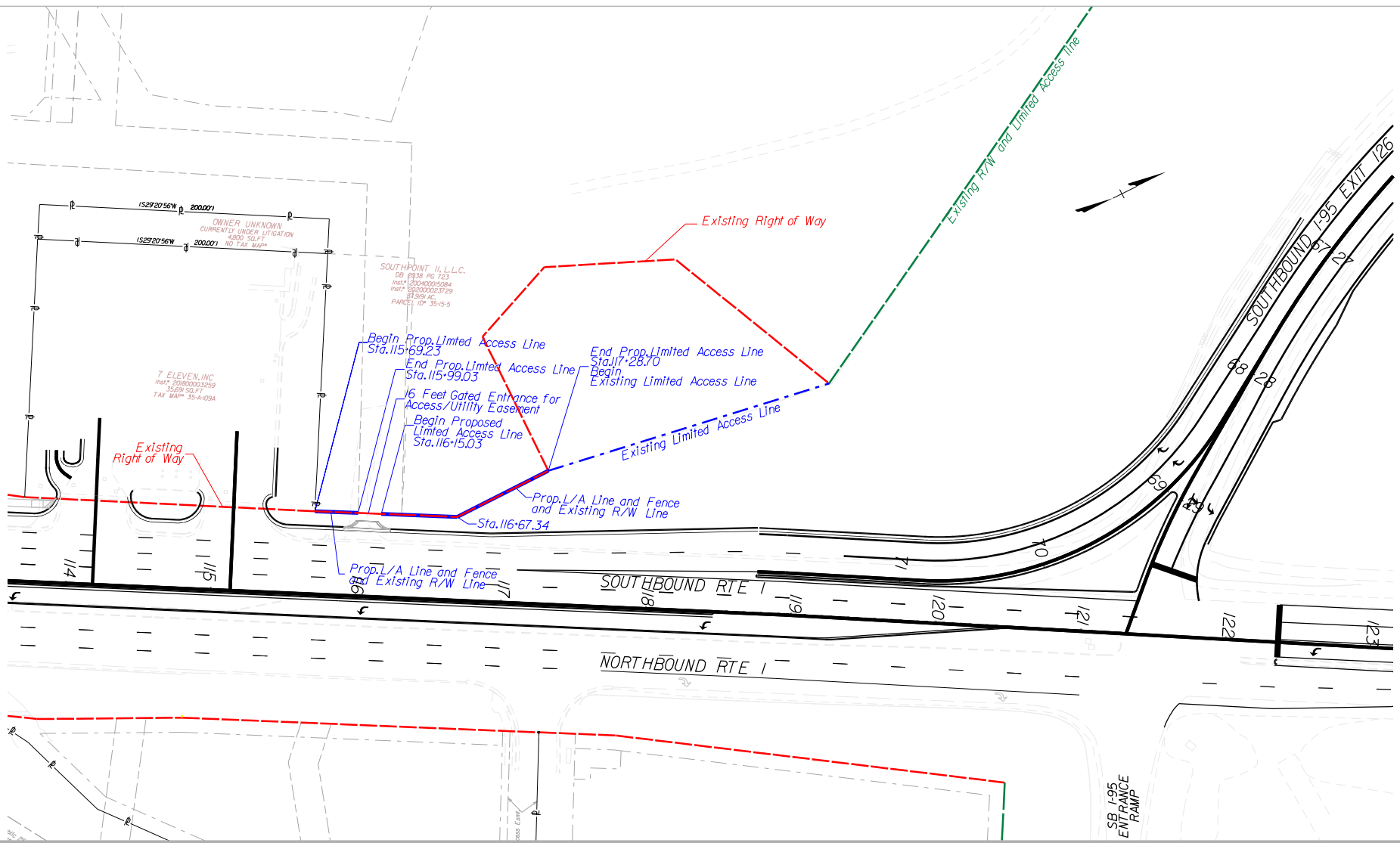
North Arrow and Scale



Not To Scale



**SB INTERSTATE 95
EXIT RAMP 126
AND SB RTE 1 WIDENING**



Notes

LIMITED ACCESS CONTROL MODIFICATIONS APPROVED BY THE COMMONWEALTH TRANSPORTATION BOARD BY RESOLUTION DATED October 4, 1956

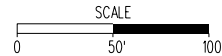
Legend

- Existing R/W & Limited Access Line
- Existing Right of Way
- Existing Limited Access Line
- Prop. Limited Access Line
- Prop. R/W
- Prop. Limited Access Line & Exist. R/W

Project Location



North Arrow and Scale



**SB INTERSTATE 95
EXIT RAMP 126
AND SB RTE 1 WIDENING**

Disclaimer

These plans are unfinished and unapproved and are not to be used for any type of construction or the acquisition of Right of Way. Additional Easement for Right of Way may be required beyond the proposed right-of-way shown on these plans.



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

Date: February 17, 2021

MOTION

Made By: Seconded By: Action:

**Title: Revenue Sharing Reallocation
Town of Vienna – Old Courthouse Road**

WHEREAS, §33.2-357 of the *Code of Virginia* (1950), as amended (“*Va. Code*”) prescribes that from funds made available by the General Assembly, the Commonwealth Transportation Board (CTB) may make an equivalent matching allocation to any locality for the improvement, construction, reconstruction or maintenance of the highway systems within such locality; and

WHEREAS, the governing body of the Town of Vienna elected to participate in this program in fiscal years 2017/2019 and, with the Virginia Department of Transportation (VDOT), identified specific eligible project work to be financed from the special fund account; and

WHEREAS, the governing body of the Town of Vienna has, by appropriate resolution, requested the Old Courthouse Road (UPC 106049) project to be established as a revenue sharing project; and

WHEREAS, the Old Courthouse Road (UPC 106049) project meets the criteria for eligibility to receive such funds; and

WHEREAS, funds previously allocated to the Town of Vienna for the Marshall Road (UPC 108692) project and the Church Street NE (UPC 113222) project remain unexpended after completion of those projects, and may be reallocated by the CTB in accordance with the CTB’s Policy and Guidelines; and

WHEREAS, the governing body of the Town of Vienna has, by appropriate resolution, requested that the funds set forth herein be transferred from the Marshall Road (UPC 108692) project and the Church Street NE (UPC 113222) project to the Old Courthouse Road (UPC 106049) project for eligible work, as indicated herein; and

WHEREAS, this project work falls within the intent of § 33.2-357 of the *Va. Code*, and complies with the CTB’s Policy and Guidelines for the use of such funds.

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board hereby establishes the Old Courthouse Road (UPC 106049) project as a revenue sharing project and approves the transfer of these funds as indicated herein.

**Reallocation of Funds Pursuant to
 § 33.2-357 of the *Code of Virginia***

Fiscal Year of Revenue Sharing Allocation	Locality Match	State Match	Original Project Number (UPC)	New Project Number (UPC)	Scope of Eligible Work for New Project
Town of Vienna					
2017	\$114,042	\$114,042	108692	106049	Sidewalk
2019	\$102,816	\$102,816	113222	106049	Sidewalk

#####

CTB Decision Brief

Revenue Sharing Reallocation – Town of Vienna Old Courthouse Road

Issue: The Town of Vienna has requested that an existing Six-Year Improvement Program project be approved as a revenue sharing project and that revenue sharing funds be reallocated to that project.

Facts: Section 33.2-357 of the *Code of Virginia* authorizes the Commonwealth Transportation Board (CTB) to make matching allocations to any city, town or county for highway projects. The CTB approves each project and scope of work, and the program funds are distributed and administered in accordance with guidelines established by the CTB.

The revenue sharing program guidelines stipulate that surplus funds may be transferred from a completed revenue sharing project to an existing project in the Six-Year Improvement Program if approved by the CTB. In addition, such transfers require that the recipient project needs the funding in order to proceed to advertisement or award within the next twelve months. The current advertisement date for the recipient project is March 2021, thereby meeting the prescribed guidelines requirement. The transfer request must also include a resolution from the locality establishing the project as a revenue sharing project.

The Town of Vienna requests that the Virginia Department of Transportation (VDOT) reallocate funds from two existing revenue sharing projects that were for the Marshall Road (UPC 108692) project and the Church Street NE (UPC 113222) project to a project in the Six-Year Improvement Plan, Old Courthouse Road (UPC 106049), which currently is not being funded with revenue sharing funds. The Old Courthouse Road (UPC 106049) project is currently underfunded and the addition of these funds to replace local funds will assist in meeting the advertisement date of March 2021. The Town of Vienna, by resolution, has established the Old Courthouse Road (UPC 106049) project as a revenue sharing project and has requested, by resolution, to have revenue sharing funds transferred from the Marshall Road (UPC 108692) project and the Church Street NE (UPC 113222) project, which have been completed by the county and have a surplus of funding. This transfer will allow the Old Courthouse Road (UPC 106049) project advertisement to occur. The transfer will not affect the overall allocation of the revenue sharing program. The VDOT NOVA District Office has obtained concurrence for this transfer from Ms. Mary Hynes, NOVA District CTB representative.

Recommendations: VDOT recommends that the Old Courthouse Road (UPC 106049) project in the Six-Year Improvement Plan be established as a revenue sharing project and the proposed reallocation be approved.

Action Required by CTB: A resolution is presented for CTB approval to establish the Old Courthouse Road (UPC 106049) project as a revenue sharing project and document CTB approval of the reallocation.

Result, if Approved: Revenue Sharing Program funding will be reallocated in accordance with the Board of Supervisor's request to the CTB. The Town of Vienna will be able to advertise the Old Courthouse Road (UPC 106049) project on schedule.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: N/A



RESOLUTION

Res. #007-2020

DESIGNATING OLD COURTHOUSE ROAD SIDEWALK, UPC 106049, AS A REVENUE SHARING PROJECT

WHEREAS, the Council of the Town of Vienna desires to install sidewalk along Old Courthouse Road NE; and

WHEREAS, the Council of the Town of Vienna supports this project as a priority; and

WHEREAS, the Town of Vienna desires to designate the above project as a Revenue Sharing Project and requests that Revenue Sharing funds in the total amount of \$433,590 (including state and local match) be transferred as follows: \$227,956 from UPC 108692, Marshall Road SW Sidewalk and \$205,634 from UPC 113222, Church Street NE Sidewalk, to this requested project Old Courthouse Road NE sidewalk, UPC 106049.

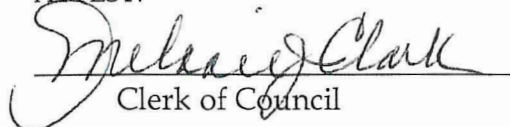
NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Vienna on this 14th day of September, 2020, that Old Courthouse Road sidewalk, UPC 106049 be designated as a Revenue Sharing project and that VDOT hereby is requested to transfer all remaining available funds (approximately \$433,590) in previously allocated Revenue Sharing Funds and previously committed Local Match from UPC 10692 and UPC 113222 to UPC 106049; and

BE IT FURTHER RESOLVED that the Council of the Town of Vienna hereby commits to fund its local share of preliminary engineering, right-of-way and construction (if applicable) of all project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial documents(s); and

BE IT FURTHER RESOLVED that the Town Manager is authorized to execute all agreements and addendums for any approved projects with the Virginia Department of Transportation.

Adopted this 14th day of September 2020

ATTEST:


Clerk of Council

9/16/2020
Date

At a regularly scheduled meeting of the Town of Vienna held on September 14, 2020, on a motion by Council Member Somers, seconded by Council Member Springsteen, the above resolution was adopted by a vote of 7 to 0.



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda item # 7

**RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD**

February 17, 2021

MOTION

Made By: _____ Seconded By: _____

Action: _____

Title: Approval of Proposed Amendments to Rules, Regulations and Rates Concerning Toll and Bridge Facilities

WHEREAS, the Commonwealth Transportation Board completed a periodic review of the Rules, Regulations and Rates Concerning Toll and Bridge Facilities, 24VAC30-620, (Regulation) in June, 2020, and based on that review directed that the Regulation be amended; and,

WHEREAS, The Virginia Department of Transportation (VDOT) has developed proposed amendments (Attachment A) to the Rules, Regulations and Rates Concerning Toll and Bridge Facilities, 24VAC30-620, based on the direction by the Commonwealth Transportation Board to amend the Regulation; and,

WHEREAS, the proposed amendments have been reviewed by the Commonwealth Transportation Board; and,

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board approves the proposed amendments to the Regulation as presented in Attachment A, and further authorizes the Commissioner of Highways or his designee to take all acts necessary to file the proposed amendments in accord with submission requirements established by the *Code of Virginia*, Executive Order 14 (2018), and the Virginia Code Commission Regulations relating to regulatory actions.

#####

CTB Decision Brief
Approval of Proposed
Amendments to Rules, Regulations and
Rates Concerning Toll and Bridge Facilities

Issue: The Virginia Department of Transportation (VDOT) has developed proposed amendments (Attachment A) to the Rules, Regulations and Rates Concerning Toll and Bridge Facilities, 24VAC30-620, (Regulation) based on the recommendation by the Commonwealth Transportation Board (CTB) after a periodic review of the Regulation was completed.

Facts: The current Regulation, 24VAC30-620, explicitly applies to the Dulles Toll Road, the George P. Coleman Bridge, and the Powhite Parkway Extension. New VDOT-owned and operated toll facilities have opened, or are likely to open in the near future, that are not included in the existing Regulation. Further, authority to operate the Dulles Toll Road, including the authority to set toll rates, has been delegated to the Metropolitan Washington Airports Authority (MWAA), pursuant to an agreement between the CTB and MWAA. Regional transportation authorities, such as the Hampton Roads Transportation Accountability Commission, Richmond Metropolitan Transportation Authority, and the Northern Virginia Transportation Authority, have been or may, in the future, be authorized by law to establish toll rates and operate toll facilities on highways that are otherwise owned and operated by VDOT. In order to avoid the need to amend the Regulation every time a new VDOT-owned and operated toll facility opens or authority over an existing facility is transferred by agreement or by law to another entity, VDOT proposes to amend Section 10 of the Regulation to describe the facilities to which the Regulation applies, rather than by specifically naming the facilities.

Section 20 of the existing Regulation delegates authority for the suspension of tolls at the facilities to which the Regulation applies from the Commissioner of Highways to his designee, and specifies the general conditions and criteria under which tolls can be suspended, as authorized by § 33.2-613. Section 33.2-613 of the Code of Virginia was amended recently to allow for the temporary suspension of tolls for a mandatory evacuation during a state of emergency. VDOT, therefore, proposes to amend Section 20 of the Regulation to reflect this additional condition for the temporary suspension of tolls. VDOT also proposes, for purposes of organizational consistency, that the provisions in existing Section 30 that address the Commissioner's ability to delegate the assessment of risk and determination that tolls should be suspended to a designee be moved to Section 20. VDOT has also proposed amendments that would consolidate language regarding the delegation of suspension authority and render it more general instead of repeating the same procedures for each individually named facility, for the same reasons as the amendments in Section 10 are being proposed.

In Section 30 of the Regulation, the established toll rates for the fixed toll rate facilities to which the Regulation applies are not being amended. A new subsection is being added to specify that tolls for High Occupancy Toll facilities will be charged variable toll rates to manage demand on the facility, which is required by 23 U.S.C. 166.

Recommendations: VDOT recommends that the proposed amendments to the Rules, Regulations and Rates Concerning Toll and Bridge Facilities, 24VAC30-620, as set forth in Attachment A, be adopted, so that the proposed amendments can then be advanced to the next stages in the regulatory process, which will include, among other things, the opportunity for public comment.

Action Required by CTB: A resolution will be presented for CTB approval to adopt the proposed amendments to the Regulation, and to authorize the Commissioner of Highways or his designee to take any actions necessary to publish the proposed amendments in the Virginia Register and to continue the process of amending the Regulation.

Result, if Approved: The proposed amendments to the Regulation will be reviewed under the executive branch review process and published in the Virginia Register for public comment, and the final amendments to the Regulation will be brought back to the CTB for approval.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: One comment was received from the public during the Notice of Intended Regulatory Action stage, asking that the CTB not raise toll rates. The proposed amendments do not raise toll rates.

ATTACHMENT A

1 **Project 6422 - NOIRA**

2 **DEPARTMENT OF TRANSPORTATION**

3 **Amend Rules, Regulations and Rates Concerning Toll and Bridge Facilities**

4
5 **CHAPTER 620**

6 **RULES, REGULATIONS, AND RATES CONCERNING TOLL AND BRIDGE FACILITIES**

7 **24VAC30-620-10. Applicability and effective dates.**

8 This chapter applies to ~~the following facilities: the Dulles Toll Road, located in the Northern~~
9 ~~Virginia District; the Powhite Parkway Extension Toll Road, located in the Richmond District; and~~
10 ~~the George P. Coleman Bridge, located in the Hampton Roads District, all administered by the~~
11 ~~Innovative Finance and Revenue Operations Division~~all VDOT-owned and -operated toll facilities,
12 unless and until, by agreement or law, authority to operate and set tolls is provided to another
13 public or private entity.

14 **24VAC30-620-20. General conditions and criteria concerning suspension of toll collection.**

15 A. Tolls may be temporarily suspended on any toll facility subject to this chapter, under the
16 following conditions:

- 17 1. The Commissioner of Highways or his designee has investigated or assessed a threat
18 to public safety on or in the vicinity of the toll facility; and
- 19 2. As a result of the investigation or assessment, the Commissioner of Highways or his
20 designee believes that a temporary suspension of toll collection will alleviate an actual or
21 potential threat or risk to the public's safety, or facilitate the flow of traffic on or within the
22 vicinity of the toll facility.

23 B. Incidents which may justify the temporary suspension of toll collection operations include,
24 but are not limited to, the following: natural disasters, such as hurricanes, tornadoes, fires, and
25 floods; accidental releases of hazardous materials, such as chemical spills; major traffic
26 accidents, such as multi-vehicle collisions; and any other incidents deemed to present a risk to
27 public safety.

28 C. Any mandatory evacuation during a state of emergency as defined in § 44-146.16 shall
29 require the temporary suspension of toll collection operations in affected evacuation zones on
30 routes designated as mass evacuation routes. The Commissioner of Highways or his designee
31 shall reinstate toll collection when the mandatory evacuation period ends.

32 D. The suspension of tolls and reinstatement of tolls shall be conducted in accordance with
33 internal agency procedures established by the Commissioner of Highways. The Commissioner of
34 Highways may delegate in writing the authority to suspend and reinstate toll collection operations,
35 as a result of the conditions and criteria outlined in this section. This delegation of authority
36 includes following the policies and procedures, established by the Commissioner of Highways
37 and specific to each toll facility, governing the investigation and decision-making processes
38 associated with the possible suspension and reinstatement of toll collections.

39 E. Judicial proceedings arising from any incident resulting in the suspension of toll collection
40 will be conducted as provided for by § 33.2-613 of the Code of Virginia.

41 **24VAC30-620-30. Rates and delegation of authority to suspend toll collection.**

42 A. ~~The Commissioner of Highways delegates the authority to suspend toll collection~~
43 ~~operations on the Dulles Toll Road to the Dulles Toll Road's Toll Facilities Administrative Director,~~
44 ~~subject to consultation with the Northern Virginia District Administrator and to the conditions and~~
45 ~~criteria outlined in 24VAC30-620-20 A and B. At his discretion, the Dulles Toll Road's Toll~~
46 ~~Facilities Administrative Director may delegate this authority to others within the toll facility's~~
47 ~~organization. This delegation of authority includes establishing policies and procedures specific~~

ATTACHMENT A

48 to the toll facility governing the investigation and decision-making processes associated with the
 49 possible suspension of toll collections. These policies and procedures shall become part of the
 50 toll facility's operating plan.

51 B. The following are the toll rate schedules for the Dulles Toll Road.

DULLES TOLL ROAD RATE STRUCTURE		
VEHICLE CLASS	MAIN PLAZA	ALL RAMPS
Two axles ¹	\$0.75	\$0.50
Three axles ²	\$1.00	\$0.75
Four axles	\$1.25	\$1.00
Five axles	\$1.50	\$1.25
Six axles or more	\$1.75	\$1.50

¹Includes passenger cars, motorcycles, motorcycles equipped with a sidecar, towing a trailer or equipped with a sidecar and towing a trailer, and 2-axle trucks (4 and 6 tires).

²Includes trucks, buses, and passenger cars with trailers.

52 C. The Commissioner of Highways delegates the authority to suspend toll collection
 53 operations on the Powhite Parkway Extension Toll Road to the Richmond Toll Facilities' Toll
 54 Facilities Administrative Director, subject to consultation with the Richmond District Administrator
 55 and to the conditions and criteria outlined in 24VAC30-620-20 A and B. At his discretion, the
 56 Richmond Toll Facilities' Toll Facilities Administrative Director may delegate this authority to
 57 others within the toll facility's organization. This delegation of authority includes establishing
 58 policies and procedures specific to the toll facility governing the investigation and decision-making
 59 processes associated with the possible suspension of toll collections. These policies and
 60 procedures shall become part of the toll facility's operating plan.

61 D. The following are the toll rate schedules for the Powhite Parkway Extension Toll Road.

POWHITE PARKWAY EXTENSION TOLL ROAD MAXIMUM RATE STRUCTURE				
VEHICLE CLASS	MAIN LINE PLAZA	MAIN LINE PLAZA - EAST & WEST RAMP	RAMP - ROUTE 60	RAMP - COURTHOUSE ROAD
Two axle vehicles ¹	\$0.75	\$0.25	\$0.25	\$0.50
Three axle vehicles	\$1.00	\$0.35	\$0.35	\$0.60
Four axle vehicles	\$1.25	\$0.45	\$0.45	\$0.70
Five axle vehicles	\$1.50	\$0.55	\$0.55	\$0.80
Six axle vehicles	\$1.50	\$0.55	\$0.55	\$0.80

¹Includes passenger cars, motorcycles, motorcycles equipped with a sidecar, towing a trailer or equipped with a sidecar and towing a trailer, and 2-axle trucks (4 and 6 tires).

62 E. The Commissioner of Highways delegates the authority to suspend toll collection
 63 operations on the George P. Coleman Bridge to the George P. Coleman Bridge Facility's Toll

ATTACHMENT A

64 ~~Facilities Administrative Director, subject to consultation with the Hampton Roads District~~
65 ~~Administrator and to the conditions and criteria outlined in 24VAC30-620-20 A and B. At his~~
66 ~~discretion, the George P. Coleman Bridge Facility's Toll Facilities Administrative Director may~~
67 ~~delegate this authority to others within the toll facility's organization. This delegation of authority~~
68 ~~includes establishing policies and procedures specific to the toll facility governing the investigation~~
69 ~~and decision-making processes associated with the possible suspension of toll collections. These~~
70 ~~policies and procedures shall become part of the toll facility's operating plan.~~

71 FB. The following are the toll rate schedules for the George P. Coleman Bridge.

GEORGE P. COLEMAN BRIDGE TOLL RATE STRUCTURE	
VEHICLE CLASS ¹	ONE-WAY RATE
Motorcycles, pedestrians and bicyclists ²	\$0.85
Commuter ETC cars, vans, pick-ups	\$0.85
Commuter ETC two-axle commercial vans/trucks	\$0.85
Cars, vans, pick-ups	\$2.00
Two-axle, six-tire trucks and buses	\$2.00
Three-axle vehicles and buses	\$3.00
Four or more-axle vehicles	\$4.00

¹Commuter toll rates will be available only via the ~~Smart Tag/E-Pass~~E-ZPass electronic toll collection (ETC) system to two-axle vehicles making ~~three round-trip~~northbound crossings ~~within a 90-day period~~ on the George P. Coleman Bridge.

²Includes motorcycles equipped with a sidecar, towing a trailer, or equipped with a sidecar and towing a trailer. Motorcyclists requesting this rate must use the manual toll collection lanes because the Automatic Vehicle Identification system cannot accommodate the \$0.85 rate.

72

73 C. For all designated High-Occupancy Toll facilities, the toll rates shall vary as necessary to
74 manage the demand to use the facility in accordance with 23 U.S.C. 166.

Letting Date: 1/20/2021

AWARD

INTERSTATE

Order No.	UPC No. Project No.	Location and Work Type	Vendor Name	No Of Bidders	Bid Amount	Estimated Construction Cost.	EE Range
932	118098	LOCATION: VARIOUS	EUROVIA ATLANTIC COAST LLC DBA VIRGINIA PAVING COMPANY	3	\$6,072,336.80	\$4,892,998.63	Within
	PM9G-96A-F21,N501	FAIRFAX	CHANTILLY				
	PM09(360)	PRINCE WILLIAM	VA				
	Maintenance Funds	NORTHERN VIRGINIA DISTRICT					
		2021 PLANT MIX					

1 Recommended for AWARD \$6,072,336.80



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

Agenda Item NB 1

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: Seconded By:

Title: Authorization for the Director of DRPT to Enter into a Comprehensive Rail Agreement Between the Virginia Department of Rail and Public Transportation and CSX Transportation, Inc.

WHEREAS, the Virginia Department of Rail and Public Transportation (“DRPT”) desires to acquire three rail corridors now owned by CSX Transportation, Inc. (“CSXT”) to improve intercity and commuter passenger rail service within the Commonwealth; and

WHEREAS, DRPT has negotiated with CSXT a comprehensive rail agreement under which DRPT would acquire the following rail corridors in exchange for five hundred twenty-five million dollars (\$525,000,000):

1. **Segment 1** – about half of a rail corridor (divided longitudinally) extending approximately 144.8 miles between milepost CFP 112.4 in Washington, D.C. and milepost CFP A 29.04 in the County of Dinwiddie, Virginia;
2. **Segment 2** – an abandoned rail corridor extending approximately 75.13 miles between milepost CFP A 29.04 in the County of Dinwiddie, Virginia and milepost CFP S 100.1 at Ridgeway, North Carolina; and
3. **Segment 3** – a rail corridor extending approximately 164.3 miles between milepost CFP 276.0 in Clifton Forge, Virginia and milepost CFP 111.7 at Doswell, Virginia; and

Resolution of the Board

Authorization for the Director of DRPT to Enter into a Comprehensive Rail Agreement Between the Virginia Department of Rail and Public Transportation and CSX Transportation, Inc.

February 17, 2021

Page Two

WHEREAS, with respect to Segments 1 and 3, CSXT would continue freight operations within those corridors after DRPT's acquisition; and

WHEREAS, the comprehensive rail agreement would require CSXT and DRPT to collaborate, after DRPT's acquisition of Segment 1, with respect to a program of rail construction projects intended to expand rail infrastructure, increase passenger rail service, and to shift highway traffic to rail transportation; and

WHEREAS, the comprehensive rail agreement would also govern the continued operations and maintenance over Segments 1 and 3 after DRPT's acquisition; and

WHEREAS, DRPT has updated and briefed the Commonwealth Transportation Board ("CTB") during the negotiation period with respect to the major business terms of the comprehensive rail agreement, sometimes in closed session, including updates and briefings on the following dates: June 17, 2020; September 16, 2020; October 20, 2020; and February 17, 2021; and

WHEREAS, as of February 17, 2021, DRPT has briefed the CTB with respect to the final, major business terms of the comprehensive rail agreement; and

WHEREAS, pursuant to Va. Code § 33.2-284(5), DRPT is empowered to, among other things, acquire and hold title to land necessary to construct railway lines to reduce traffic congestion on highways; and

WHEREAS, pursuant to Va. Code § 33.2-209(A), the CTB has the power and duty to let all contracts to be administered by DRPT for all activities related to passenger and freight rail in excess of \$5,000,000.

NOW, THEREFORE, BE IT RESOLVED: that the CTB hereby authorizes the Director of DRPT to execute a comprehensive rail agreement between DRPT and CSXT, including ancillary agreements required to implement the comprehensive rail agreement, which comprehensive rail agreement is consistent with the final major business terms presented by DRPT to the CTB on February 17, 2021.

* * *

CTB Decision Brief

Title: Authorization for Director of DRPT to Enter into a Comprehensive Rail Agreement between the Virginia DRPT and CSX Transportation, Inc.

Issue: Since announcement of a term sheet between CSX Transportation, Inc. (CSXT) and Virginia DRPT for the sale of three CSXT rail corridors to Virginia on December 19, 2019, Virginia DRPT and the Virginia Secretary of Transportation have negotiated a comprehensive rail agreement to acquire three discrete segments of railroad tracks and railroad ROW in Virginia for \$525,000,000:

- **Segment 1:** approximately half of the rail corridor (divided longitudinally) extending approximately 144.8 miles between milepost CFP 112.4 in Washington, D.C. and milepost CFP A 29.04 in the County of Dinwiddie, Virginia; and
- **Segment 2:** an abandoned rail corridor extending approximately 75.13 miles between milepost CFP A 29.04 in the County of Dinwiddie, Virginia and milepost CFP S 100.1 at Ridgeway, North Carolina; and
- **Segment 3:** a rail corridor extending approximately 164.3 miles between milepost CFP 276.0 in Clifton Forge, Virginia and milepost CFP 111.7 at Doswell, Virginia.

Facts: The comprehensive rail agreement memorializes terms regarding each Segment purchased, including:

- CSXT will continue freight operations in Segments 1 and 3;
- Per the comprehensive rail agreement, CSXT and DRPT will collaborate to accomplish a program of rail construction projects on Segment 1 intended to expand rail infrastructure capacity, increase passenger rail service on Segment 1, and separate freight and passenger rail to the maximum extent feasible;
- Buckingham Branch Railroad Company will continue as the primary freight operator of Segment 3, with certain rights retained by CSXT to operate limited freight traffic over the line;
- Virginia will have the right to provide for the operation of future passenger rail services over Segments 2 and 3;
- Ownership and responsibility to maintain owned track, right-of-way, and infrastructure owned by Virginia following this purchase will fall under the purview of the Virginia Passenger Rail Authority; and,
- Ancillary agreements, attached as exhibits, would also be executed in conjunction with the comprehensive rail agreement, including a Joint Operating and Maintenance Agreement for the long-term operations and maintenance of the Segments, as well as master engineering and construction agreements governing the program of rail construction projects on Segment 1.

Recommendation: DRPT recommends that the Commonwealth Transportation Board (CTB) authorize the Director of DRPT to execute a comprehensive rail agreement between DRPT and CSXT, including ancillary agreements required to implement the comprehensive rail agreement, consistent with the final major business terms presented by DRPT to the CTB on February 17, 2021.

Action Required by CTB: Approval of the attached resolution to authorize the DRPT Director to enter into the comprehensive rail agreement with CSXT for purchase of the above enumerated Segments.

Options: Approve, Deny or Defer.



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

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Agenda Item NB 2

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

February 17, 2021

MOTION

Made By: Seconded By:

Title: Authorization for the Director of DRPT to Enter into a Passenger Rail Improvement Funding and Partnership Agreement Between the Virginia Department of Rail and Public Transportation and Amtrak

WHEREAS, the Virginia Department of Rail and Public Transportation (“DRPT”) plans to acquire the following three rail corridors now owned by CSX Transportation, Inc. to improve intercity and commuter passenger rail service within the Commonwealth:

1. **Segment 1** – about half of a rail corridor (divided longitudinally) extending approximately 144.8 miles between milepost CFP 112.4 in Washington, D.C. and milepost CFP A 29.04 in the County of Dinwiddie, Virginia;
2. **Segment 2** – an abandoned rail corridor extending approximately 75.13 miles between milepost CFP A 29.04 in the County of Dinwiddie, Virginia and milepost CFP S 100.1 at Ridgeway, North Carolina; and
3. **Segment 3** – a rail corridor extending approximately 164.3 miles between milepost CFP 276.0 in Clifton Forge, Virginia and milepost CFP 111.7 at Doswell, Virginia; and

WHEREAS, after acquiring Segment 1, DRPT plans to undertake a program of rail infrastructure improvements within and adjacent to Segment 1, which will increase rail capacity for both freight and passenger operations; and

Resolution of the Board

Authorization for the Director of DRPT to Enter into a Passenger Rail Improvement Funding and Partnership Agreement Between the Virginia Department of Rail and Public Transportation and Amtrak

February 17, 2021

Page Two

WHEREAS, the additional capacity will permit DRPT and the National Railroad Passenger Corporation (“Amtrak”) to add six additional daily state-supported Amtrak roundtrip, resulting in nearly hourly Amtrak service between Richmond and Washington, D.C.; and

WHEREAS, DRPT and Amtrak have negotiated a passenger rail improvement funding and partnership agreement under which Amtrak will provide \$944,000,000 to DRPT in support of DRPT’s program of rail infrastructure improvements, and under which Amtrak may obtain certain rights, including among other rights, train dispatching rights over certain sections of Segment 1; and

WHEREAS, DRPT has updated and briefed the Commonwealth Transportation Board (“CTB”) during the negotiation period with respect to the major business terms of the passenger rail improvement funding and partnership agreement, sometimes in closed session, including updates and briefings on the following dates: September 16, 2020; October 20, 2020; November 24, 2020; and February 17, 2021; and

WHEREAS, as of February 17, 2021, DRPT has briefed the CTB with respect to the final, major business terms of the passenger rail improvement funding and partnership agreement; and

WHEREAS, pursuant to Va. Code § 33.2-284(1) and (2), DRPT is empowered to, among other things, accept grants from any source and to execute agreements as necessary, convenient, or desirable in connection with such funding; and

WHEREAS, pursuant to Va. Code § 33.2-209(A), the Commonwealth Transportation Board (“CTB”) has the power and duty to let all contracts to be administered by DRPT for all activities related to passenger and freight rail in excess of \$5,000,000.

NOW, THEREFORE, BE IT RESOLVED: that the CTB hereby authorizes the Director of DRPT to execute a passenger rail improvement funding and partnership agreement between DRPT and Amtrak, including ancillary agreements required to implement the passenger rail improvement funding and partnership agreement, which passenger rail improvement funding and partnership agreement is consistent with the final major business terms presented by DRPT to the CTB on February 17, 2021.

* * *

CTB Decision Brief

Title: Authorization for the Director of DRPT to Enter into a Passenger Rail Improvement Funding and Partnership Agreement Between the Virginia Department of Rail and Public Transportation and Amtrak

Issue: As part of the Transforming Rail in Virginia initiative, the Department of Rail and Public Transportation (DRPT) plans to acquire the following three rail corridors now owned by CSX Transportation (CSXT) to improve and expand intercity and commuter passenger rail services operating in the Commonwealth:

- **Segment 1:** approximately half of the rail corridor (divided longitudinally) extending approximately 144.8 miles between milepost CFP 112.4 in Washington, D.C. and milepost CFP A 29.04 in the County of Dinwiddie, Virginia; and
- **Segment 2:** an abandoned rail corridor extending approximately 75.13 miles between milepost CFP A 29.04 in the County of Dinwiddie, Virginia and milepost CFP S 100.1 at Ridgeway, North Carolina; and
- **Segment 3:** a rail corridor extending approximately 164.3 miles between milepost CFP 276.0 in Clifton Forge, Virginia and milepost CFP 111.7 at Doswell, Virginia.

Acquiring Segment 1 will also require a program of rail infrastructure improvements to increase rail capacity for both freight and passenger operations. The additional capacity will enable DRPT to add six additional daily state-sponsored intercity passenger rail roundtrips. To secure funding from Amtrak towards the planned capacity improvements, DRPT and Amtrak have negotiated a funding and partnership agreement under which Amtrak will provide \$944,000,000 to DRPT in support of the program of rail infrastructure improvements in return for certain Amtrak rights in the Segment 1 corridor.

Facts: The funding and partnership agreement for will:

- provide DRPT with \$944,000,000 in support of its overall \$3.2 billion program of rail infrastructure improvements on Segment 1;
- provide Amtrak train dispatching rights over certain sections of Segment 1 upon completion of defined infrastructure projects that enables maximum feasible separation of passenger from freight operations;
- provide Amtrak the right to operate six additional daily state-supported intercity passenger rail round trips enabled by the additional rail capacity;
- secure for Amtrak certain partnership rights in the construction of infrastructure in Segment 1.

Recommendation: DRPT recommends that the Commonwealth Transportation Board (CTB) authorize the Director of DRPT to execute a funding and partnership agreement between DRPT and Amtrak, including ancillary agreements required to implement the passenger rail improvement funding and partnership agreement, which is consistent with the final major business terms presented by DRPT to the CTB on February 17, 2021.

Action Required by CTB: Approval of the attached resolution to authorize the DRPT Director to enter into the funding and partnership agreement with Amtrak for \$944,000,000 towards Segment 1 improvements.

Options: Approve, Deny or Defer.

10. If there were any presentations (PowerPoint, etc.), were you able to hear and see them?

Poorly
1 2 3 4 5
Clearly

COMMENT _____

11. Were the members as attentive and did they participate as much as you would have expected?

Less
1 2 3 4 5
More

COMMENT _____

12. Were there differences you noticed in how the members interacted?

With the other members present:

Very Different
1 2 3 4 5
No Difference

With members participating from other locations:

Very Different
1 2 3 4 5
No Difference

With the public:

Very Different
1 2 3 4 5
No Difference

COMMENT _____

13. Did you feel the technology was a help or a hindrance?

Hindered
1 2 3 4 5
Helped

COMMENT _____

14. How would you rate the overall quality of this meeting?

Poor
1 2 3 4 5
Excellent

COMMENT _____

THANK YOU. Please send your completed form by mail, facsimile or electronic mail to the FOIA Council using the following contact information:

Virginia Freedom of Information Advisory Council
General Assembly Building, Second Floor
201 North 9th Street, Richmond, Virginia 23219
foiacouncil@dls.virginia.gov/Fax: 804-371-8705/Tele: 866-448-4100