



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Shannon Valentine  
Chairperson

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*Agenda item # 15*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**June 23, 2021**

#### **MOTION**

**Made By:** Mr. Johnsen, **Seconded By:** Ms. Hynes

**Action:** Motion carried, unanimously

#### **Title: Approval of Round Two I-395/I-95 Commuter Choice Program of Projects and Inclusion into FY 2022 – FY 2027 Six Year Improvement Program**

**WHEREAS**, on December 6, 2017, the Commonwealth Transportation Board (CTB) approved a Memorandum of Agreement (MOA) among the CTB, the Virginia Department of Transportation (“VDOT”), the Virginia Department of Rail and Public Transportation (“DRPT”), the Northern Virginia Transportation Commission (“NVTC”) and the Potomac and Rappahannock Transportation Commission (“PRTC”) regarding the Annual Transit Investment (“ATI”) from the I-395 High Occupancy Toll (“HOT”) lanes to be paid to the Commonwealth by 95 Express Lanes, LLC (“the Concessionaire”) (the “Project”) ; and

**WHEREAS**, the Improvement Goals of the Project are to maximize person throughput in the Corridor and implement multimodal improvements through the following: (i) improve mobility along the Corridor; (ii) support new, diverse travel choices, and, (iii) enhance transportation safety and reliability, each of which will benefit the users of the portion of I-395 beginning at Turkeycock Run in Fairfax County, Virginia and ending at the Potomac River in Arlington County, Virginia (the “Corridor” or the “Facility”); and

**WHEREAS**, the Project will facilitate implementation of recommendations from DRPT’s August 2017 I-95/I-395 Transit/Transportation Demand Management Study Final Report and projects in the region’s constrained long range plan, as such plan may be updated from time to time, including but not limited to multimodal transportation improvements to the roadways and associated transportation and transit facilities in the vicinity of the Facility (“Multimodal Projects”) as described in the aforesaid DRPT report; and

**WHEREAS**, the MOA delegates to NVTC and PRTC the authority to select and administer the implementation of Multimodal Projects designed specifically to attain the Improvement Goals to be financed from the ATI paid to the Commonwealth by the Concessionaire from toll revenues attributable to the Facility; and

**WHEREAS**, such Multimodal Projects shall be selected by NVTC and PRTC in accordance with a process established pursuant to the MOA and the “Agreement Between NVTC and PRTC for Distribution and Allocation of I-395 Annual Transit Investment Funds” that was executed on January 28, 2019, (the “Distribution Agreement”); and

**WHEREAS**, the CTB shall approve the Multimodal Projects selected by NVTC and PRTC and shall allocate ATI funds for them, provided the Multimodal Projects meet the Project Criteria specified in the MOA and are selected in accordance with the selection process described in the MOA and the “Distribution Agreement”; and

**WHEREAS**, all future I-395/I-95 Commuter Choice Programs of Projects will be approved as a part of the Six Year Improvement Program presented to the CTB for approval in June of each year; and

**WHEREAS**, both NVTC and PRTC approved a program of Multimodal Projects, attached hereto, in the amount of \$22,730,986 at their respective meetings on June 3, 2021; and

**WHEREAS**, DRPT recommends that the CTB approve the program of Multimodal Projects, attached hereto, and allocate funding for the Multimodal Projects in the Six Year Improvement Program for FY 2022-FY 2027.

**NOW THEREFORE, BE IT RESOLVED** that the Board approves the I-395/I-95 Commuter Choice Program Multimodal Projects, attached hereto, that have been previously approved by NVTC and PRTC; and

**BE IT FURTHER RESOLVED** that the Board allocates \$22,730,986 in funding for the I-395/I-95 Commuter Choice Program Multimodal Projects in the Six Year Improvement Program for FY 2022-FY 2027.

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## CTB Decision Brief

### **Approval of Round 2 I-395/I-95 Commuter Choice Program of Projects and Inclusion into FY 2022-2027 Six-Year Improvement Program**

**Issue:** In accordance with the January 2019 “Memorandum of Agreement Regarding the Annual Transit Investment from the 395 HOT Lanes” (the “MOA”) among the CTB, VDOT, DRPT, the Northern Virginia Transportation Commission (“NVTC”) and the Potomac and Rappahannock Transportation Commission (“PRTC”), on May 6, 2021, the governing boards for both NVTC and PRTC approved a Round 2 program of multimodal projects for the I-395/I-95 Commuter Choice Program (the “Program of Projects”). The Program of Projects requires CTB approval for inclusion into the Six Year Improvement Program (“SYIP”) for FY 2022-2027. DRPT and NVTC staff briefed the CTB on the multimodal program development process at the CTB workshop on May 17, 2021. The total cost of the proposed Program of Projects is \$22,730,986 and includes 13 projects to be implemented by six separate entities as well as NVTC program administration costs. A list of the projects approved for funding by NVTC and PRTC on May 6, 2021 is attached.

**Facts:** The MOA among the CTB, VDOT, DRPT, NVTC and PRTC relating to the development and implementation of the I-395/I-95 Commuter Choice Program was approved by the CTB on December 6, 2017, and fully executed as of January 28, 2019. The MOA delegates to NVTC and PRTC the authority to select and administer the implementation of multimodal projects that are specifically designed to meet the “Project Criteria” specified in the MOA and that are to be financed from a portion of the toll revenues from the facility that is to be paid to the Commonwealth by the I-395/I-95 concessionaire as an Annual Transit Investment (“ATI”). The MOA outlines the process to be used by NVTC and PRTC for selecting multimodal projects to be funded with ATI revenues and it requires the CTB to give final approval to the program of multimodal projects by allocating funding for the projects in the SYIP. Between Fall 2020 and Winter 2021, NVTC and PRTC jointly issued a call for projects, received and evaluated project applications, developed the proposed program of multimodal projects (with input and guidance from DRPT), received public input and, on June 3, 2021, the governing boards for both entities approved a program of multimodal projects for funding. The total cost of the proposed Program of Projects is \$22,730,986 and includes 13 projects to be implemented by six separate entities as well as NVTC program administration costs.

**Recommendation:** DRPT recommends that the CTB approve the proposed I-395/I-95 Commuter Choice Program of Projects and include funding for the projects in the SYIP for FY 2022-2027. DRPT staff provided input and guidance to NVTC and PRTC throughout the development of the proposed Program of Projects and coordinated a legal review of the program with the Office of the Attorney General. DRPT is satisfied that the proposed I-395/I-95 Commuter Choice Program of Projects was developed in compliance with the MOA and that the selected multimodal projects satisfy the “Project Criteria” specified in the MOA.

**Action Required by CTB:** Approval of the attached resolution to allocate \$22,730,986 in funding for the 13 identified multimodal projects and NVTC program administration costs in the SYIP for FY 2022-2027.

**Options:** Approve, Deny or Defer.

**Round Two I-395/I-95 Commuter Choice Program of Projects (Multimodal Projects) for inclusion in FY 2022-2027 SYIP**

<b>Multimodal Program Project Description</b>	<b>Applicant</b>	<b>Funding</b>
Renewal Enhanced OmniRide Bus Service from Dale City to Ballston	OmniRide	\$ 291,831
New Park and Ride Lot in Massaponax	Spotsylvania County	\$ 1,100,000
Renewal of Route 396 Express Bus Service: Backlick North Park and Ride to Pentagon	Fairfax County	\$ 1,386,000
Renewal of Bus Service from Staffordboro to the Pentagon	OmniRide	\$ 704,773
Renewal of Bus Service from Staffordboro to Downtown D.C.	OmniRide	\$ 968,308
Enhanced Bus Service from Van Dorn Metro to the Pentagon	DASH	\$ 5,734,000
Renewal of Enhanced Bus Service on Route 1 Local: Quantico to Woodbridge VRE	OmniRide	\$ 541,169
Renewal of Enhanced Bus Service on Prince William Metro Express: OmniRide Transit Center to Franconia-Springfield Metro	OmniRide	\$ 434,776
New Bus Service from Route 208 Park and Ride Lot to Fredericksburg VRE	FRED Transit	\$ 1,218,800
Enhanced Bus Service from Mark Center to Potomac Yard	DASH	\$ 3,650,000
TDM Strategy—I-395/95 Corridor Vanpool Monthly Incentive	OmniRide	\$ 604,800
Enhanced Bus Service for Route 371: Lorton to Franconia-Springfield Metro Station	Fairfax County	\$ 2,496,529
Horner Road Park and Ride Lot Expansion	Prince William County	\$ 2,800,000
I-395/I-95 Commuter Choice Program Administration, Evaluation, Oversight, Marketing and Outreach	NVTC	\$ 800,000
<b>Total Funding Request</b>		<b>\$ 22,730,986</b>