



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

Shannon Valentine
Chairperson

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Agenda item # 9

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

Date: June 23, 2021

MOTION

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

Action: Motion carried, unanimously

Title: Revenue Sharing Reallocation **County of Prince William – Potomac Commuter Garage**

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 County of Prince William elected to participate in this program in fiscal year 2018 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 County of Prince William has, by appropriate resolution, requested the Potomac Commuter Garage (UPC 111485) project to be established as a revenue sharing project; and

WHEREAS, the Potomac Commuter Garage (UPC 111485) project meets the criteria for eligibility to receive such funds; and

WHEREAS, funds previously allocated to the County of Prince William for the Widen Minnieville Road (UPC 103484) project remain unexpended after completion of the project, and may be reallocated by the CTB in accordance with the CTB’s Policy and Guidelines; and

WHEREAS, the governing body of the County of Prince William has, by appropriate resolution, requested that the funds set forth herein be transferred from the Widen Minnieville Road (UPC 103484) project to the Potomac Commuter Garage (UPC 111485) 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 Potomac Commuter Garage (UPC 111485) Project as a revenue sharing project and approves the transfer of these funds as indicated herein.

BE IT FURTHER RESOLVED, by the Commonwealth Transportation Board that establishment of and provision of funding for the Potomac Commuter Garage Project as a Revenue Sharing Project is contingent upon the garage’s continual use as a facility for commuter parking purposes for its useful life and that failure to use the facility for said purpose may require repayment of this funding.

**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
County of Prince William					
2018	\$3,000,000	\$3,000,000	103484	111485	Commuter parking garage.

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CTB Decision Brief

Revenue Sharing Reallocation – County of Prince William Potomac Commuter Garage

Issue: The County of Prince William 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 policy and 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 award date for the recipient project is December 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 County of Prince William requests that the Virginia Department of Transportation (VDOT) reallocate funds from an existing revenue sharing project that was for the Widen Minnieville Road (UPC 103484) project to a project in the Six-Year Improvement Plan, Potomac Commuter Garage (UPC 111485), which currently is not being funded with revenue sharing funds. The Potomac Commuter Garage (UPC 111485) project is currently underfunded but will be able to meet the award date of December 2021 with these funds. The County of Prince William, by resolution, has established the Potomac Commuter Garage (UPC 111485) project as a revenue sharing project and has requested, by resolution, to have revenue sharing funds transferred from the Widen Minnieville Road (UPC 103484) project, which has been completed by the County and has a surplus of funding. This transfer will allow the Potomac Commuter Garage (UPC 111485) project award to occur. The transfer will not affect the overall allocation of the revenue sharing program. The existing Project Administration Agreement for the parking garage includes a requirement that the locality must continue to operate the facility as constructed. The VDOT NOVA District Office has obtained concurrence for this transfer from Ms. Mary Hynes, NOVA District CTB representative.

Recommendations: VDOT recommends that the Potomac Commuter Garage (UPC 111485) project in the Six-Year Improvement Plan be established as a revenue sharing project and the proposed reallocation be approved with the condition that the facility remain in use as a commuter parking garage.

Action Required by CTB: A resolution is presented for CTB approval to establish the Potomac Commuter Garage (UPC 111485) project as a revenue sharing project and document CTB approval of the reallocation. The resolution further includes the condition that the garage remain in use as a commuter parking garage.

Result, if Approved: Revenue Sharing Program funding will be reallocated in accordance with the Board of Supervisor's request to the CTB. The County of Prince William will be able to award the Potomac Commuter Garage (UPC 111485) project on schedule.

Options: Approve, Deny, or Defer.

Public Comments/Reactions: N/A

MOTION: BAILEY

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Regular Meeting
Res. No. 21-192**

SECOND: CANDLAND

RE: DESIGNATE THE POTOMAC/NEABSCO MILLS COMMUTER GARAGE PROJECT, UPC 111485, AS A REVENUE SHARING PROJECT; AND BUDGET AND APPROPRIATE \$9,549,210 IN FEDERAL FUNDING, \$3,000,000 IN STATE REVENUE SHARING FUNDING; AND TRANSFER, BUDGET, AND APPROPRIATE \$3,000,000 IN NORTHERN VIRGINIA TRANSPORTATION AUTHORITY 30% FUNDING TO THE POTOMAC/NEABSCO MILLS COMMUTER GARAGE PROJECT – NEABSCO AND WOODBRIDGE MAGISTERIAL DISTRICTS

ACTION: APPROVED

WHEREAS, the Potomac/Neabsco Mills Commuter Garage Project (Project) includes the construction of a 1,400-space garage in the vicinity of the Neabsco Mills Road Widening Project. This Project was previously submitted to the Virginia Department of Transportation (VDOT) under the name Potomac Town Center Garage Project. The construction of the garage will serve as a park and ride facility for commuters, relieving capacity at the Route 1/ Route 234 and Prince William Parkway/Horner Road park and ride lots; and

WHEREAS, on November 21, 2017, via Resolution Number (Res. No.) 17-548, the Prince William Board of County Supervisors (Board) authorized the agreement that provided \$37,284,640 in reimbursable federal and state funding for the design and construction of the Project; and

WHEREAS, via Res. No 19-204, the Board authorized execution of an agreement for land acquisition which increased the total project cost to \$37,670,000 and authorized a new agreement to include funding for the design, right-of-way, and construction phases for the Project, of which, \$37,175,000 is reimbursable to the County. The reduction was due to an increase in VDOT's project expenditures; and

WHEREAS, the current engineering estimate for the Project is \$53,328,850, which includes VDOT expenses, and is more than the previous estimate of \$37,670,000; and

WHEREAS, the \$15,658,850 deficit can be eliminated with the addition of additional federal funds and state Revenue Sharing funds by designating the Project as a Revenue Sharing Project; and

WHEREAS, the Board supports this Project as a priority and desires to designate the Project as a Revenue Sharing Project and request that Revenue Sharing funding in the total amount of \$6,000,000 (including state and local match) be transferred from UPC 103484, Minnieville Road (Spriggs to Route 234) Improvement Project, to the Potomac/Neabsco Mills Commuter Garage Project, UPC 111485; and

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WHEREAS, the County's \$3,000,000 local match will be comprised of funding from completed or substantially complete projects with remaining NVTA 30% Funding. These projects are the Minnieville Road (Spriggs to Route 234), Route 1 (Neabsco to Featherstone), Prince William Parkway (Old Bridge to Minnieville), and Dumfries Road Path – North;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby designates the Potomac/Neabsco Mills Commuter Garage Project, UPC 111485, as a Revenue Sharing Project;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby budgets and appropriates \$9,549,210 in federal funding, \$3,000,000 in state revenue sharing;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby transfers, budgets, and appropriates \$3,000,000 in local Northern Virginia Transportation Authority 30% funding from the identified completed or substantially completed projects;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby commits to fund its local share of the Project costs (as applicable) of all project(s) under the agreement with the Virginia Department of Transportation in accordance with the Project's financial documents;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors hereby authorizes the Director of Transportation, or his designee, to execute any document(s) that is necessary to affect the intent of this resolution and are approved as to form by the County Attorney's Office.

ATTACHMENT: Draft Appendix A Revision 1 - UPC 111485

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Director of Transportation

ATTEST:



Clerk to the Board

Appendix A - Revision 1

DRAFT - NOT FOR SIGNATURES

Date: 3/4/2021 Page 1 of 1

Project Number: PRGA-076-242 UPC: 111485 CFDA # 20.205 Locality: Prince William County

Project Location ZIP+4: 22191-7549	Locality DUNS # 3096740	Locality Address (incl ZIP+4): 5 County Complex Court, Suite 290 Prince William, VA 22192-9201
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Project Narrative

Work Description:	Construct commuter parking garage and road improvements at Neabsco Mills Road / Potomac Center Blvd to support congestion mitigation in the surrounding road network and to relieve capacity needs at the Route 1 / Route 234 park & ride lot.
From:	Adjacent to Neabsco Mills Road Corridor
To:	Opitz Boulevard
Locality Project Manager Contact info:	Dagmawie Shikurye 703-792-5537 DShikurye@pwcgov.org
Department Project Coordinator Contact Info:	Derick Undan 703-259-3347 Rhoderick.Undan@VDOT.Virginia.gov

Project Estimates				
	Preliminary Engineering	Right of Way and Utilities	Construction	Total Estimated Cost
Estimated Locality Project Expenses	\$3,252,250	\$85,000	\$49,496,600	\$52,833,850
Estimated VDOT Project Expenses	\$200,000	\$15,000	\$280,000	\$495,000
Estimated Total Project Costs	\$3,452,250	\$100,000	\$49,776,600	\$53,328,850

Project Cost and Reimbursement						
Phase	Estimated Project Costs	Funds type (Choose from drop down box)	Local % Participation for Funds Type	Local Share Amount	Maximum Reimbursement (Estimated Cost - Local Share)	Estimated Reimbursement to Locality (Max. Reimbursement - Est. VDOT Expenses)
Preliminary Engineering	\$1,000,000	Bonds	0%	\$0	\$1,000,000	
	\$2,452,250	RSTP	0%	\$0	\$2,452,250	
Total PE	\$3,452,250			\$0	\$3,452,250	\$3,252,250
Right of Way & Utilities	\$100,000	RSTP	0%	\$0	\$100,000	
				\$0	\$0	
Total RW	\$100,000			\$0	\$100,000	\$85,000
Construction	\$7,106,600	RSTP	0%	\$0	\$7,106,600	
	\$6,000,000	Revenue Sharing	50%	\$3,000,000	\$3,000,000	
	\$36,670,000	Smart Scale (HB2)	0%	\$0	\$36,670,000	
				\$0	\$0	
Total CN	\$49,776,600			\$3,000,000	\$46,776,600	\$46,496,600
Total Estimated Cost	\$53,328,850			\$3,000,000	\$50,328,850	\$49,833,850

Total Maximum Reimbursement by VDOT to Locality (Less Local Share)		\$50,328,850
Estimated Total Reimbursement by VDOT to Locality (Less Local Share and VDOT Expenses)		\$49,833,850

Project Financing					
Smart Scale (HB2) HPP	Bonds	RSTP	Revenue Sharing State Match	Revenue Sharing Local Match	Aggregate Allocations
\$36,670,000	\$1,000,000	\$9,658,850	\$3,000,000	\$3,000,000	\$53,328,850

Program and Project Specific Funding Requirements

- This Project shall be administered in accordance with VDOT's Locally Administered Projects Manual and Revenue Sharing Program Guidelines.
- This Project shall be administered in accordance with VDOT's Guidance for Locally Administered Design-Build Projects Manual and any other applicable manuals.
- In accordance with Chapter 12.1.3 (Scoping Process Requirements) of the LAP Manual, the locality completed project scoping on 01/07/2021.
- This is a limited funds project. The LOCALITY shall be responsible for any additional funding in excess of \$50,328,850
- Reimbursement for eligible expenditures shall not exceed funds allocated each year by the Commonwealth Transportation Board in the Six Year Improvement Program.
- Project estimate, schedule and commitment to funding are subject to the requirements established in the Commonwealth Transportation Board (CTB) Policy and Guide for Implementation of the SMART SCALE Project Prioritization Process, Code of Virginia, and VDOT's Instructional and Informational Memorandums.
- This Project shall be initiated and at least a portion of the Project's programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other Projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the CTB, the LOCALITY or Metropolitan Planning Organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the DEPARTMENT for all state and federal funds expended on the Project.
- This Project has been selected through the Smart Scale (HB2) application and selection process and will remain in the SYIP as a funding priority unless certain conditions set forth in the CTB Policy and Guidelines for Implementation of a Project Prioritization Process arise. Pursuant to the CTB Policy and Guidelines for Implementation of a Project Prioritization Process and the SMART SCALE Reevaluation Guide, this Project will be re-scored and/or the funding decision re-evaluated if any of the following conditions apply: a change in the scope, an estimate increase, or a reduction in the locally/regionally leveraged funds. Applications may not be submitted in a subsequent SMART SCALE prioritization cycle to account for a cost increase on a previously selected Project.
- This Project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. These funds must be obligated within 12 months of allocation and expended within 36 months of the obligation.
- This Project has Revenue Sharing Program allocations. Per §33.2-357 the Project must progress in order to prevent these funds from being de-allocated.
- The LOCALITY will continue to operate and maintain the facility as constructed. Should the design features of the Project be altered by the LOCALITY subsequent to Project completion without approval of the DEPARTMENT, the LOCALITY inherently agrees, by execution of this agreement, to make restitution, either physically or monetarily, as required by the DEPARTMENT.
- All local funds included on this appendix have been formally committed by the local government's board or council resolution subject to appropriation.
- This Appendix A updates the project estimate and funding as requested by the LOCALITY and supersedes all previous versions signed by VDOT and the LOCALITY.

This attachment is certified and made an official attachment to this document by the parties to this agreement.

DRAFT - Not for Signatures

DRAFT - Not for Signatures

 Authorized Locality Official Date

 Typed or printed name of person signing

 Authorized VDOT Official Date

 Typed or printed name of person signing