



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Agenda item # 6

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

March 19, 2024

MOTION

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

Action: Motion Carried, Unanimously

Title: SMART SCALE Project Cancellation **Loudoun County Park and Ride (UPC 111470) – Northern Virginia District**

WHEREAS, the Commonwealth Transportation Board's (Board's) SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that a project that has been selected for funding through either the High Priority Projects Program or Highway Construction District Grant Program may be cancelled only by action of the Board; and

WHEREAS, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that surplus Construction District Grant Funds no longer needed for delivery of a project will remain in the applicable Construction District Grant Program and may not be used in other districts, and further, provides that such surplus funds may either be reserved to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE; and

WHEREAS, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that surplus High Priority Projects Program Funds no longer needed for delivery of a project will remain in the statewide High Priority Projects Program, and further, provides that such surplus funds may either be reserved to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE; and

WHEREAS, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that 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schedule changes, etc., the unexpended surplus funds are SMART SCALE unless superseded by the terms of a signed project agreement; and

WHEREAS, Loudoun County Park and Ride (UPC 111470) (Project) was submitted by Loudoun County for consideration and selected for \$3,633,400 in funding through the Construction District Grant Program in the second round of the prioritization process pursuant to section 33.2-214.1; and

WHEREAS, Loudoun County committed an additional \$3,971,000 in leveraged funding to the Project at application; and

WHEREAS, the project is locally administered and has been scoped resulting in expenditures totaling \$468,032, which are covered by the leveraged funding committed to the Project; and

WHEREAS, due to proffered delivery of the One Loudoun lot and the lack of support by the Town of Purcellville for the western lot, Loudoun County, by action dated January 16, 2024, requested cancellation of the Project; and

WHEREAS, VDOT recommends Board action to cancel the Project and transfer all Construction District Grant funds to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765).

NOW THEREFORE BE IT RESOLVED, by the Commonwealth Transportation Board, that the Loudoun County Park and Ride (UPC 111470) project is hereby cancelled.

BE IT FURTHER RESOLVED, by the Commonwealth Transportation Board, that the existing expenditures of \$468,032 will be covered by the leveraged funding committed to the project.

BE IT FURTHER RESOLVED, by the Commonwealth Transportation Board that all Construction District Grant funds allocated to the Project be transferred to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765).

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CTB Decision Brief
SMART SCALE Project Cancellation
Loudoun County Park and Ride (UPC 111470)

Issue: The Loudoun County Park and Ride (UPC 111470) (Project) was selected for funding in the second round of the Commonwealth Transportation Board's (Board's) SMART SCALE Prioritization Process. For reasons stated herein, on January 16, 2024, the Loudoun Board of Supervisors directed its staff to rescind their leveraged funding for, and sought cancellation of, the project. Board approval is needed for cancellation of this Project pursuant to the Policy for Implementation of the SMART SCALE Project Prioritization Process last approved by the Board December 4, 2023 and as revised January 16, 2024.

Facts: The Project was submitted by Loudoun County and screened in for meeting a VTrans need. The Project consisted of design and construction of two park-and-ride lots, totaling a minimum of 450 spaces, in the Loudoun One development site and a site in western Loudoun in the Town of Purcellville. The County committed \$3,971,000 in leveraged funding to the project at application. It was selected for funding and received \$3,633,4000 in Construction District Grant funds to fully fund the Project. The project is locally administered and has been scoped.

After the County applied for funding, the developer of One Loudoun proffered the design and construction of the park and ride lot within the associated development. On January 16, 2024, the Purcellville Town Council rescinded approval of the rezoning and permits for the site of the western lot due to significant public opposition. The Project is locally administered and has been scoped. As of this date, a total of \$468,032 has been charged to the Project.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that a project that has been selected for funding through either the High Priority Projects Program or Highway Construction District Grant Program may be cancelled only by action of the Board. In the event that a project is not advanced to the next phase of construction when requested by the Board, 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.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that Surplus Construction District Grant Funds no longer needed for delivery of a project will remain in the applicable Construction District Grant Program and may not be used in other districts. In addition, the Prioritization Process provides that such surplus funds may either be reserved to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that 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 SMART SCALE unless superseded by the terms of a signed project agreement.

Decision Brief

SMART SCALE Project Cancellation Loudoun County Park and Ride (UPC 111470)

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Recommendation: VDOT recommends that the Board cancel the Loudoun County Park and Ride project (UPC 111470) and transfer all Construction District Grant funds to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765). The existing expenditures of \$468,032 will be covered by the leveraged funding committed to the project.

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to cancel the Loudoun County Park and Ride project (UPC 111470) and transfer all Construction District Grant funds to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765). The existing expenditures of \$468,032 will be covered by the leveraged funding committed to the project.

Result, if Approved: If approved, the project will be removed from the Six-Year Improvement Program and all Construction District Grant funds will be transferred to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765).

Options: Approve, Deny, or Defer.

Public Comments/Reactions: None