



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

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Agenda item # 7

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 Route 50 Corridor Improvements (UPC 114827) – 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estimate decreases, contract award savings, schedule changes, etc., the unexpended surplus funds are SMART SCALE unless superseded by the terms of a signed project agreement; and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, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024 states that once a project is selected for funding, an entity must wait for two rounds of SMART SCALE following the end date of construction before submitting a new project application for the same location that meets the same need as the project that was selected for funding; and

WHEREAS, the Route 50 Corridor Improvements project (UPC 114827 (Project) was submitted by Loudoun County for consideration and selected for \$1,292,500 in funding through the Construction District Grant Program in the third round of the prioritization process pursuant to section 33.2-214.1; and

WHEREAS, Loudoun County (the County) committed an additional \$3,707,500 in leveraged funding to the Project at application; and

WHEREAS, the Project is VDOT administered and needs to be re-scoped; and

WHEREAS, the project has expenditures totaling \$731,384, which are covered by the leveraged funding committed to the Project; and

WHEREAS, the County intends to submit an application in Round 6 of SMART SCALE to provide a more comprehensive solution to the Loudoun County Parkway and Route 50 interchange, which is within the termini of the Project; and

WHEREAS, on December 5, 2023, the County voted to request cancellation of the Project so that a Round 6 application may be submitted; 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 Route 50 Corridor Improvements (UPC 114827) project is hereby cancelled.

BE IT FURTHER RESOLVED, by the Commonwealth Transportation Board, that the existing expenditures of \$731,384 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
Route 50 Corridor Improvements (UPC 114827)

Issue: The Route 50 Corridor Improvements (UPC 114827) (Project) was selected for funding in the third round of the Commonwealth Transportation Board's (Board's) SMART SCALE Prioritization Process. For reasons stated herein, on December 5, 2023, the Loudoun County Board of Supervisors voted to request the removal of SMART SCALE funds from this 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 County identified \$3,707,500 in leveraged funding. It was selected for SMART SCALE funding and received \$1,292,500 in Construction District Grant funds in the third round of SMART SCALE pursuant to section 33.2-214.1.

The project is VDOT administered and needs to be rescoped. The project has expenditures totaling \$731,384, which are covered by the leveraged funding committed to the Project. The county requested removal of funding for the project to allow them to apply for SMART SCALE funding in Round 6 for the Loudoun County Parkway and Route 50 interchange project, which is a longer-term improvement. This will allow the County to apply for SMART SCALE funding for the interchange project in Round 6.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023, 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, 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, this item 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, 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 Route 50 Corridor Improvements (UPC 114827)

March 19, 2024

Page 2 of 2

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 states that once a project is selected for funding, an entity must wait for two rounds of SMART SCALE following the end date of construction before submitting a new project application for the same location that meets the same need as the project that was selected for funding.

Recommendation: VDOT recommends that the Board cancel the Route 50 Corridor Improvements project (UPC 114827) and transfer all Construction District Grant funds to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765). The existing expenditures of \$731,384 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 Route 50 Corridor Improvements project (UPC 114827) and transfer all Construction District Grant funds to the Northern Virginia District Construction District Grant deallocation balance entry (UPC -21765). The existing expenditures of \$731,384 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