### MINUTES OF

## MEETING OF THE COMMORMEALTH TRANSPORTATION BOARD Kilmarnock, Virginia August 20, 1987

The monthly meeting of the Commonwealth Transportation Board was held at the Kilmarnock Fire House, Kilmarnock, Virginia, on August 20, 1987, at 10:00 a.m. The chairman, Mr. Ray D. Pethtel, presided.

Present: Messrs. Pethtel, Bacon, Beyer, Davidson, Guiffre, Howlette, Humphreys, Leafe, Malbon, Musselwhite, Quicke and Smalley and Mrs. Kincheloe and Dr. Thomas.

Absent: Mr. Kelly

Mr. H. R. Humphreys, Jr., Board Member representing the Fredericksburg District, welcomed the members to the area. Mayor Edward Davis welcomed the Board to Kilmarnock and thanked Mr. Humphreys for his assistance to the citizens of the area. Delegate W. Tayloe Murphy, representing the 99th District, welcomed the Board to the Northern Neck and discussed the need for improvements to Route 3. Delegate Harvey Morgan representing the 98th District, addressed the Board regarding the study of the Coleman Bridge now underway by the consultant firm of Parsons, Brinckerhoff, Quade and Douglas.

Mr. J. W. Bean, Sr. thanked the Board for consideration to Route 3 and Mr. Stephen Whiteway, Richmond County Administrator, on behalf of the Board of Supervisors, welcomed the Board to the area and urged further improvements to Route 3 and continued attention to maintenance of the highways. Mr. Ray Hargett, President, Kilmarnock Chamber of Commerce, urged improvements to Route 3. Mr. Everett O'Meill, Chairman of the Westmoreland County Board of Supervisors, expressed the Board's concern regarding Route 3 and urged the Commonwealth Transportation Board to include Westmoreland County as a part of the plan for improvements to Route 3. Ms. Helen White also addressed the Board regarding Route 3.

Mr. Stewart Pierce spoke to the Board regarding transportation costs in public-agency purchasing and furnished the attached statement for the record. Mr. Leroy O. Jacobson, Sr. asked that the speed limit and site distance at curves near his house on Route 695, Lancaster County, be examined. Ms. Ann Riley Smith urged that plans for Route 3 be long range plans to accommodate growth in the area.

On motion of Mr. Smalley, seconded by Dr. Howlette, the minutes of the meetings of June 18, 1987 and July 16, 1987, were approved.

On motion of Mr. Musselwhite, seconded by Mr. Davidson, permits issued and canceled from July 16, 1987 to August 15, 1987, inclusive, as shown by the records of the Department, were approved.

## COMMONWEALTH TRANSPORTATION BOARD

Earlier this year, both the Virginia General Assembly and the Richmond City Council expressed awareness and sensitivity to the possibility of fictitious transportation cost factors in public-agency purchasing.

The Department of Transportation is now making a major annual purchase of compact automobiles for state-use and for use by counties and cities (including the City of Richmond).

Over the next 60 days this Department will have a first-time opportunity to take the necessary action to assure the avoidance of such transportation-cost factors, if any, in the purchase of automobiles.

Current General Terms and Conditions of solicitation require that bidders must certify that the offered FOB-destination price includes only the actual freight-rate costs at the lowest and best rate. Two additional provisions, unique to this purchase, are necessary to fully implement this exemplary bid-certification requirement as now in effect.

These suggested provisions are:

- requirement for bidder to state (as agent of manufacturer; or otherwise) the
  anticipated or planned "final assembly point" from which shipment of subject
  automobiles will be made.
- requirement for bidder to state (as agent of manufacturer; or otherwise), the
  estimated for-hire transportation cost, included in the FOB-delivered price,
  for delivery of each bid unit (automobile) from the above-stated final assembly
  point.

Attached, for your information, is background outline in connection with the determination of automobile "destination charges" (1958-1987).

I appreciate the opportunity of filing this statement with the Board, as an individual state-taxpayer ( and of the City of Richmond).

Respectfully,

Stewart W. Pierce 25 Libbie Avenue Richmond, Va. 23226

Kilmarnock, Virginia August 20, 1987

# AUTOMOBILE DESTINATION CHARGES(1958-1987)

Example 1987	Compact seden-for state use Nearest "final assembly point" to Richmond: Newark, Del.	Fublished destination charge: \$396.00 .  Estimate(#) of "actual transportation cost from above final assembly point to Richmond, Va. (Note I) \$173.00 (Reference C)	ShippingAutomakers Hike Charges, greement of parties) , for City of Richmond , B. (October, 1986)	DEALER
1982-1987	"But now manufacturers are throwing all sorts of their own expenses into this chargeincluding the cost of shipping parts to their plants" (Reference A1982 models)	"(Defendant car manufacturer) states that the destination charge on plaintiff's automobile was determined by estimating the total cost associated with delivery of production materials and final assembled vehicles for that .XX car line and dividing that estimated cost by the number of vehicles estimated to be shipped for the model year" [1986]	Reference A: National Enquiror. Page 5, Dec. 1, 1981; New Car Prices Raised On SlyAutomakers Hike Charges.  B: Answer to Interrogatory, Civil Docket L.K-942-4, Circuit Court, City of Richmond (settled and terminated, October 20, 1986; by agreement of parties)  C: 4-roughly right/exactly wrong. See Purchase Order, 3/20/87, 12 units, for City of Richmond under DOT state contract 1769-W.A.B. (October, 1986)	ALS ASSEMBLY POINT
1958-1981	"The destination charge traditionally has been just that-the amount it costs to transport the car from assembly plants to showroom!" [Reference A]		Reference A: National Enquirer, P. B. Answer to Interrogate C: 4-roughly right/exact	PARTS AND PRODUCTION MATERIALS

Note 1: The "actuality" of this estimate is based on its use of (demonstrably) real/non-fictitious freight rates of for-hire transportation carriers. Potential inexactifude of the estimate involve unknown quantities such as the variable number of minimum/maximum/setual units(automobile) to be loaded on freight car or vehicle trailer of for-hire carrier (approximately 225 miles) SWP 8/20/87

multiple dealers

multiple assembly points

multiple sources

Moved by Mr. Guiffre, seconded by Mr. Musselwhite, that the Board approve additions and abandonments to the Secondary System from June 18, 1987, to July 28, 1987, inclusive, as shown by the records of the Department. Motion carried.

Moved by Mr. Seyer, seconded by Mr. Musselwhite, that

WHEREAS, by proper resolutions, the Boards of Supervisors of Hanover, Isle of Wight, City of Suffolk (Rural) and Northampton Counties have requested that certain roads which no longer serve as a public necessity be discontinued as parts of the Secondary System of Highways;

NOW. THEREFORE, BE IT RESOLVED, that pursuant to Section 33.1-150 of the Code of Virginia of 1950, as amended, the following roads be discontinued as parts of the Secondary System of Highways, effective this date:

Haлover County 0638-042-566, С-502 Sections 1 thru 6 - Routes 638, 639 and 711 - From Station 159+00 to Station 170+00, with conn. Reloc. Rt. 639 From: Old Rt. 638 to Station 13+35, with conn. Rt. 711 From: Station 11+00 to Route 638 0.28 Mi.

Isle of Wight County 0058-046-105, C-501 RW-202 Sections 8, 9, 10, 11, 12, 13, 15, 17 and 31 - Rts. 618, 617 and 1603 -From: Various locations within Station 48+64.45 to Station 135+79.35 Please refer to map for various routes and sections 1,633 Mi.

City of Suffolk (Rural) -0058-061-110, C-501, RW-201 Sections 7 and 8 - Route 618 and 617
Section 7 - From: Old location of Route
744 to Station 32+50 - Section 8 From NBL of Route 617 to Isle of Wight
County Line 0.351 Mi.

Northampton County 0606-065-143, C-502

Sections 1 and 2 - Route 606 - Section 1 From: Station 135+00 to Station 143+50; Section 2 From: Station 216+50 to Station 229+45 0.407 Mi.

Moved by Mr. Beyer, seconded by Mr. Musselwhite, that,

WHEREAS, Route 58 in Isle of Wight County and City of Suffolk (Rural) has been altered and reconstructed as shown on plans for Project 0058-061-110, C-501, RW-201 and 0058-046-105, C-501, RW-202 and.

WHEREAS, one section of the old road is no longer necessary as a public road, the new road serving the same citizens as the old, and one section of the old road is no longer necessary for purposes of the State Righway System;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 33.1-144 of the Code of Virginia of 1950, as amended, 0.17 mile of old Route 189, shown in yellow and designated as Section 1 on the plat dated December 30, 1986, the Project as stated above be discontinued as a part of the State Highway System.

Motion carried.

Moved by Mr. Beyer, seconded by Mr. Musselwhite, that

WHEREAS, under authority of Section 33.1-34 of the 1950 Code of Virginia, as amended, the Commonwealth Transportation Board may add such roads, bridges and streets as it shall deem proper to the Primary System of Highways, not to exceed fifty miles during any one year; and

NHEREAS, the extension of State Route 144 (Temple Avenue), from a point on existing State Route 144 in Colonial Heights to State Route 36 in Prince George County was recently completed; and

WHEREAS, it is deemed necessary to add this new facility to the Primary System of Highways and establish a route number designation:

NOW, THEREFORE, BE IT RESOLVED, that this Board does hereby declare that the 3.30 mile extension of State Route 144 (Temple Avenue), as described herein, be added to the Primary System of Highways and designated State Route 144.

Motion carried.

Moved by Mr. Beyer, seconded by Mr. Musselwhite, that

WXEREAS, the Commonwealth Transportation Board is authorized under Section 33.1-41.1 of the Code of Virginia, as amended, to make payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain local streets within the corporate limits of the City of Emporia are eligible for such payment; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the City of Emporia, for maintenance payments on additional local streets meeting required criteria;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the City of Emporia for additional local streets totaling 0.33 centerline mile and meeting the required criteria under the aforementioned section of the Code, effective July 1, 1987. The additional local streets are described on the attached tabulation sheet number 1, dated June 9, 1987.

The local streets additions totaling 0.33 centerline mile increase the total mileage to 19.86 centerline miles of approved streets subject to maintenance payments.

Motion carried.

Moved by Mr. Beyer, seconded by Mr. Musselwhite, that

WHEREAS, the Commonwealth Transportation Board is authorized under Section 33.1-41.1 of the Code of Virginia, as amended, to make payments to cities and certain towns for street maintenance purposes; and

WHEREAS, certain local streets within the corporate limits of the Town of Blacksburg are eligible for such payment; and

WHEREAS, under the authority of Section 33.1-41.1, request is made by the Town of Blacksburg, for maintenance payments on additional local streets meeting the required criteria;

NOW, THEREFORE, BE IT RESOLVED, that quarterly payments be made to the Town of Blacksburg for additional local streets totaling 1.00 centerline miles and meeting the required criteria under the aforementioned section of the code effective July 1, 1988. The additional local streets are described on the attached tabulation sheet numbered 1, dated June 15, 1987.

The local streets additions totaling 1.00 centerline mile increase the total mileage to 79.27 centerline miles of approved streets subject to maintenance payments.

Rev. 13

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## REGUEET FOR STREET ADDITIONS OR DELETIONS FOR MUNICIPAL ASSISTANCE PAYMENTS Senhe 33,141.0 Geds of Viginia

MUNICIPALITY City of Emporia, Virginia

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FROM	Oak Hill Drive to Cul-da-suc Grove Avn.	Longround Road					<u>.</u>		
STREET NAME ROUTE MANAEN	S. Oak Mill Dr. Grove Ave.	Falson St.		-4a-					

\*COUNCIL RESOLUTION & MAP ATTACHED

SIGNED ANTICIPAL OFFICIAL

6/9/87

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		End 4-Lane	Broce Drive	20	37	0.16	2	0,32	Local
		University City Blvd.	Old Glade Road	SS	37	0.10	. 2	0.20	100
-4b	Lord, Lane	Broce Drive	Deed End South	۶	31	0.04	2	0.08	4
_	Tell Cake Drive	Wakefleld Drive	D.E. South	S	31	0.10	2	0.20	toc.
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\*COUNCIL REPOLUTION & MAP ATTACHED

SIGNED WANTERPLÖFFICHAL

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The bids received July 6 and July 28, 1987, were approved/rejected as noted on the attached sheets numbered 5a through 5p.

Moved by Mr. Musselwhite, seconded by Mr. Bacon, that

WHEREAS, heavy rains in April, 1987, caused movement of the roadway prism on Route 77 in Carroll County identified as Project 17-0077-7108-003; and

WHEREAS, geological investigations have revealed that immediate stabilization of the slope is necessary to prevent further movement of the embankment resulting in the blockage of Interstate 77, the Department advertised this project on July 28, 1987, and received bids on August 14, 1987, for necessary work to restore the road to adequate service; and

WHEREAS, bids were received from five bidders; and

WHEREAS, Blythe Industries, Inc., & Subsidiaries, was the successful low bidder in the amount of \$2,398,518.50.

NOW, THEREFORE, 8E IT RESOLVED, that the Transportation Board approves the award of the contract to 81ythe Industries, Inc., & Subsidiaries, in the amount of \$2,398,618.50.

Motion carried.

Moved by Mr. Bacon, seconded by Mr. Quicke, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Springfield Engineering Corporation, for the preparation of complete right of way plans and construction plans for a primary project in Lee County.

This work is identified as:

Project 0058-052-110, PE-100

WHEREAS, the urgency to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

PROPERTY AUGY 6 & 28, 1987

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Moved by Dr. Thomas, seconded by Mr. Smalley, that the Board approve the bida listed above for award for the INTERSTATE SYSTEM PROJECTS and suthorize execution of contracts by the Deputy Countssioner or Chief Engineer. Motion carried.

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Moved by Mr. Musselwhite, seconded by Dr. Thomas, that the Board approve the bids listed above for evert for the PRIMARY SYSTEM.PROJECTS and authorize execution of contracts by the Deputy Compisatoner or Chief Engineer, and approve rejection of bids listed above for rejection and authorize readvertisement. Motion carried.

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Moved by Hrs. Kinchelos, seconded by Dr. Thomas, that the Board approve the bids listed above for award for the URBAN SYSTEM PROJECTS and authorize execution of contracts by the Daputy Commissioner or Chief Sugineer. Motion carried.

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-5 <b>m-</b>	Moved sward Compis suthor	Moved by Mr. Bumphreys, seconds award for the SECONDARY SYSTEM Complesioner or Chief Engineer, suthorize readvertisement. Not Brunswick County.		- H	t the Board execution of bids 1:	by Mr. Davidson, that the Board approve the bids listed aboracles on authorize execution of contracts by the Deputy and approve rejection of bids listed above for rejection and ion carried. Mr. Quicke abstained on Proj. 0705-012-177,8501, answers moments	sted abornery tion and 77,8501,	ve for
-	59	PMD-1A-87-636 PMD-1A-67-636 PMD-1A-87-636 PMD-1A-87-636 PMD-1A-87-636 PMD-1A-87-636 PMD-1A-87-636 PMD-1A-87-636	, i	War. Warlows Locations (tuges)   Buchanan Co's. Plant Mix Overlay	OT THE STATE OF TH	EDANGE, VA.	os	40.00 vice

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Moved by Mr. Bacon, seconded by Dr. Thomas, that the Board approve the bide listed above for award for the MISCBLLANBOUS PROJECTS and authorize execution of contracts by the Daputy Commissioner of Chief Engineer, and approve rejection of bide listed above for rejection and authorize readvartigement. Motion carried.

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\$84,116.29

Moved by Mr. Davidson, seconded by Dr. Thomas, that the Board approve the bids listed above for award for the BiTUNINOUS PLANT MIX PROJECTS and authorize execution of contracts by the Deputy or Commissioner or Chief Engineer. Motion carried.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with Springfield Engineering Corporation, which establishes a maximum total compensation not to exceed \$427,207.96 which includes a net fee of \$38,422.22.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Thomas, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Thompson and Litton, Inc., for the preparation of complete right of way plans and construction plans for a primary project in Wise County.

This work is identified as:

Project 6058-097-114, PE-101

WHEREAS, the urgency to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with Thompson and Litton, Inc., which establishes a maximum total compensation not to exceed \$611,568.37 which includes a net fee of \$44,937.09.

Motton carried.

Moved by Dr. Howlette, seconded by Mr. Quicke, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Buchart-Korn, Inc., for additional survey and preparation of complete right of way plans and construction plans for an interstate interchange improvement project and a secondary project in Hanover County.

This work is identified as:

I-95 - Atlee-Elmont (Route 656) interchange improvements.

Route 656 From: Intersection Route 1

To: Intersection Route 637

WHEREAS, the urgency to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement has been made:

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with Buchart-Horn, Inc., which establishes a maximum total compensation not to exceed \$331,241.00 which includes a net fee of \$29,267.60.

Motion carried, Mrs. Kincheloe abstaining.

Moved by Dr. Howlette, seconded by Nr. Bacon, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of J. K. Timmons and Associates of Richmond, Virginia for engineering services to prepare complete right of way and construction plans in the City of Newport News.

This work is identified as:

Project 0143-121-104, PE-101; and

WHEREAS, the urgency of commencing, and the time limit to complete the design work requires augmentation of the Department's staff; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement has been made.

NDW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with J. K. Timmons and Associates, which establishes a maximum total compensation not to exceed \$386,518.95 which includes a net fee of \$38,225.10.

Moved by Mr. Bacon, seconded by Dr. Howlette, that

NHEREAS, in accordance with Department policy, the consulting firm of URS Company, Inc., Virginia Beach, Virginia, has been determined to be better qualified to perform the required engineering services, and a firm proposal has been received from the consulting firm for Stage I, Preliminary Structure Plans and Estimates; Stage II, Contract Structure Plans, Specifications and Estimates; and Stage [II], Review of Shop Drawings, for engineering services in connection with the design of five (5) bridges identified as projects:

Federal Project: F-014-1(101) State Project: 0083-013-110, PE101 8507 - Route 83 over Levisa Fork Buchanan County

Federal Project M-5403(217)

State Project: 0168-131-104, PE103 City of Chesapeake

8603 - Route 168 over Liberty Street Connector

B604 - Route 168 over Morfolk and Western Railroad

B607 - Route 168 over Ramp

B608 - Ramp over Norfolk and Hestern Railroad

WHEREAS, the urgency of commencing, the magnitude and time limit to complete the design work requires augmentation of the Department's engineering staff; and

WHEREAS, the agreed upon Stage II services are to be completed by November, 1988; and

WHEREAS, careful consideration has been made of the required services and just compensation for same as established and set forth in the Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Commonwealth Transportation Board authorize the execution of an Agreement with URS Company, inc., which establishes a maximum total compensation not to exceed:

0083-013-110, B-607 0168-131-104, B603, B604, B607, B608	\$96,327.57 \$516,887.15
Total	\$613,214.72
which includes a net fee of:	
0083-013-110, 8607 0168-131-104, 8603, 8604, 8607, 8608	9,722.60 \$38,356.22
Total Motion carried.	\$48,078.82

Moved by Mr. Smalley, seconded by Dr. Thomas, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Modjeski and Masters, Leesburg, Virginia, for the preparation of complete surveys, right of way and construction plans for a primary project in Botetourt and Alleghany Counties.

This work is identified as:

Route 220, Project 6

6220-011-105, PE-101 6220-011-106, PE-101 6220-003-107, PE-101

WHEREAS, the urgency to supplement the design manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in the Memorandum of Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Board authorizes the execution of an Agreement with Modjeski and Masters which establishes a maximum total compensation not to exceed \$1,045,458.44, which includes a net fee of \$68,768.07.

Motion carried.

Moved by Dr. Howlette, seconded by Mr. Bacon, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Bengtson, DeBell, Elkin and Titus of Virginia Beach, Virginia for engineering services to prepare complete construction plans and right of way plans, if warranted, in the City of Hampton. This work is identified as Project 0258-114-109, PE-101; and

MMEREAS, the urgency of commencing, and the time limit to complete the design work requires augmentation of the Department staff; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement has been made.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with Bengtson, DeBell, Elkin and Titus, which establishes a maximum total compensation not to exceed \$346,580, which includes a net fee of \$30,093. Motion carried.

Moved by Mrs. Kincheloe, seconded by Or. Thomas, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of J. K. Timmons and Associates, P.C., Richmond, Virginia, for the preparation of complete surveys, right of way plans and construction plans for secondary projects in Albemarle County.

This work is identified as:

Routes: 671, 660, 601, 631 Projects: 0671-002-191, C-501 0660-002-187, C-501 0603-002-225, C-507 0633-002-224, C-507 0631-002-224, C-502

WHEREAS, the urgancy to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with J. K. Timmons and Associates, P. C. Inc., which establishes a maximum total compensation not to exceed \$305,740.19 which includes a net fee of \$27,522.63.

Motion carried.

Moved by Mr. Bacon, seconded by Dr. Howlette, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of URS Co., Inc. for the preparation of complete right of way plans and construction plans for secondary projects in the counties of Tazewell, Washington and Wise. This work is identified as:

Projects 0700-095-160, C-501 0700-095-160, C-502 0644-092-320, C-501 0633-097-284, C-501

NHEREAS, the urgency to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with URS Co., Inc., which establishes a maximum total compensation not to exceed \$517,200.00 which includes a net fee of \$43.461.67.

Motion carried.

Moved by Dr. Howlette, seconded by Mr. Smalley, that

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Patton, Harris, Rust and Associates of Virginia Beach, Virginia, for the preparation of complete survey, right of way and construction plans for two urban projects in the City of Portsmouth.

This work is identified as:

Churchland Boulevard, Project UCCO-124-105, PE-101 Cedar Lane, Project UCCC-124-104, PE-101

WHEREAS, the urgency to supplement the Department's manpower requires augmentation of the Department's staff; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with Patton, Harris, Rust and Associates, which establishes a maximum total compensation not to exceed \$1,237,888.00 which includes a net fee of \$91,312.00.

Motion carried.

Moved by Mr. Malbon, seconded by Dr. Howlette, that

WHEREAS, the urgency of commencing, and the time limit required to provide complete design plans for projects U000-131-112, PE-100 and U000-134-123, PE-100 in the Cities of Virginia Beach and Chesapeake require the Department's staff be augmented; and

WHEREAS, in accordance with Department Policy, a firm proposal has been received from the consulting firm of Maguire Group, Inc., of Virginia Beach. Virginia for engineering services to provide Phase I Corridor Studies, Location Studies, Traffic Analysis and Draft and Final Environmental Impact Statement and Phase II which will provide surveying, mapping, preliminary design, complete right of way and construction plans; and

WHEREAS, careful consideration of these required services and just compensation for same as established and set forth in the Memorandum of Agreement has been made.

NOW, THEREFORE, BE IT RESOLVED, that the Board authorize the execution of an Agreement with Maguire Group, Inc., for the work described above for a maximum total compensation not to exceed \$2,767,984 for Phase I which includes a net fee of \$143,265, and a maximum total compensation not to exceed \$8,972,515 for Phase II which includes a net fee of \$272,534, and subject to the condition that Maguire Group, Inc., will not begin any work on any portion of Phase II until further authorized and directed by the Department; and further subject to the appropriation and commitment of funds to finance the design of all or a portion of Phase II.

Motion carried.

Moved by Mr. Smalley, seconded by Dr. Thomas, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a location and design public hearing was held in the Broadway High School on June 11, 1987, at 7:00 p.m., for the purpose of considering the proposed location and design of Route 42 from 2.22 miles north of the 1983 north corporate limits of Harrisonburg (near the intersection of Route 772) to the intersection of Route 259 (in Broadway) in Rockingham County, State Project 0042-082-106, C-503, C-504, C-502; Federal Project 6-031-1(), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

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

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said location and design public hearing by the Department's engineers as Alternative C.

Motion carried.

Moved by Or. Howlette, seconded by Mr. Malbon, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a combined location and design public hearing was held in the Hopkins Elementary School Auditorium at 6000 Hopkins Road, on January 5, 1987, at 7:00 p.m., for the purpose of considering the proposed location and major design features of Route 637 (Hopkins Road) from the intersection of Route 641 (Beulah Road) to the intersection of Route 770 (Meadowdale Boulevard), in Chesterfield County, State Project 0637-020-237, C-501; Federal Project M-5127(), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, SE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plans as proposed and presented at the said location and design public bearing by the Department's engineers but modified to provide sidewalks only on the west side of Hopkins Road and along Beulah Road near Beulah Elementary School.

Motion carried.

Moved by Mr. Leafe, seconded by Mr. Malbon, that

WHEREAS, in accordance with the provisions of Section 128 of Title 23 - Righways, United States Code, and FHPM 7-7-5, a location and design public hearing was held in the Indian River High School on February 5, 1986, at 7:00 p.m., for the purpose of considering the proposed location and major design features of Battlefield Boulevard (Route 168) from 0.46 mile south of Military Highway (Route 13) to 0.32 mile north of Military Highway (Route 13), in the City of Chesapeake, State Project 0168-131-104, C-505; Federal Project BR-M-5403(), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plans as proposed and presented at the said location and design public hearing by the Department's engineers.

Motion carried.

Moved by Mr. Bacon, seconded by Mr. Quicke, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a location and design public hearing was held in the Suffolk District office of the Department of Transportation on June 25, 1987, at 8:00 p.m., for the purpose of considering the proposed location and design of Pitchkettle Road (Route 604) from 0.03 mile south of Lake Kilby Road (Route 640) to the intersection of Kings Fork Road (Route 634) in the City of Suffolk, State Project 0604-061-213, N-501; Federal Project RS-654(), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

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

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said location and design public hearing by the Department's engineers.

Moved by Mr. Guiffre, seconded by Mr. Smalley, that

WHEREAS, a Haycock Road improvement to provide four lanes between Route 7 and Great Falls Street (Route 694) has been a part of Fairfax County's Comprehensive Plan for nearly ten years, and

WHEREAS, a public meeting was conducted by Fairfax County, with representatives of the Department present at which the proposed project was presented and during which citizens presented comments for consideration, and

WHEREAS, Feirfax County and the Department of Transportation have reviewed the concerns, and

WHEREAS, on November 24, 1986, the Fairfax County Board of Supervisors requested the Department to proceed with the implementation of the project, and

WHEREAS, funding has been established utilizing Fairfax County revenue-sharing funds through the Fairfax County Six-year Plan.

NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved as presented at the public meeting on September 30, 1986, with four 11-foot wide lanes between Route 7 and Great Falls Street and sidewalks on both sides.

Motion carried, Mr. Beyer abstaining.

Moved by Mr. Smalley, seconded by Mr. Musselwhite, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a location and design public hearing was held in the Covington City Hall on April 29, 1987, at 7:00 p.m., for the purpose of considering the proposed location and design of the relocation of North Magazine Avenue from just south of East Virginia Street looping north and then east to intersect North Alleghany Avenue (Route 220) north of East Washington Street; and improvements at the intersection of South Alleghany Avenue and South Monroe Avenue, in the City of Covington, State Project U000-107-103. C-501, and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

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

MOW, THEREFORE, BE IT RÉSOLVED, that the location and major design features of this project be approved in accordance with the plans as proposed and presented at the said location and design public bearing by the Department's engineers.

Motion carried.

Moved by Dr. Howlette, seconded by Mr. Bacon, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a location and design public hearing was held at the Yirginia State University on July 30, 1987, at 7:00 p.m., for the purpose of considering the proposed location and design of Route 36 from 0.16 mile west of Hickory Road to 0.07 mile east of James Street (bridge and approaches over the CSX Transportation/Seaboard Systems Railroad, in Chesterfield County, State Project 0036-020-102, C-501, B-601; Federal Project M-5402 ( ), and

WHEREAS, proper notice was given in advance and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded, and

WHEREAS, the economic, social and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

•NOW, THEREFORE, BE IT RESOLVED, that the location and major design features of this project be approved in accordance with the plans as proposed and presented at the said location and design public hearing by the Department's engineers as Alternative II.

Moved by Mr. Musselwhite, seconded by Dr. Thomas,

that

WHEREAS, in connection with Route 57 (formerly Route 33). State Highway Project 415, the Commonwealth acquired certain lands from W. E. Spencer and Madeline Spencer by deed dated April 16, 1928, recorded in Deed Book 48, page 524; and from George J. Turner and Hattie A. Turner by deed dated April 18, 1928, recorded in Deed Book 48, Page 523 in the Office of the Clerk of the Circuit Court of Henry County; and

WHEREAS, under Project 6220-044-111, RW-201, a portion of Route 57 was incorporated in the right of way for Route 220 and thus eliminated a need for another portion of Route 57; and

WHEREAS, the old location of Route 57, west of the new location, from Route 754 northerly 0.03 mile was abandoned by the State Highway and Transportation Commission on April 19, 1984; and

WHEREAS, the adjacent landowner has requested that the land so acquired lying between the south right of way and limited access line of Route 220 and the north normal right of way limits of Route 754 be conveyed to him; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the excess lands comprising a portion of old Route 57. Lying between the south right of way and limited access line of Route 220 and the north normal right of way limits of Route 754, from a point approximately 435 feet opposite approximate Station 179+30 (SBL centerline, Project 6220-044-111, RW-201) to a point approximately 315 feet opposite approximate Station 180+35 (SBL centerline, Project 6220-044-111, RW-201), containing 0.51 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOM. THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a deed, without warranty, conveying same to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions and conditions as may be deemed requisite.

Moved by Mr. Musselwhite, seconded by Dr. Thomas.

that

WHEREAS, in connection with Route 221 (formerly Route 206), State Highway Project 620-A, the Commonwealth acquired certain lands from 0.8. Ferguson by condemnation dated March 13, 1931; and in connection with Route 682, State Highway Project 1380-11, from D. B. Ferguson by instrument dated February 25, 1957, case for which has been concluded, recorded in Deed Book 570, Page 506; and from L. H. Wilson and Margaret L. Wilson by deed dated February 26, 1957, recorded in Deed Book 575, Page 19. These instruments are recorded in the Office of the Clerk of the Circuit Court of Roanoke County; and

WHEREAS, in order to more fully develop the adjacent lands which will provide additional parking. The Kroger Company has requested that the lands comprising a portion of Route 682 be conveyed; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the lands lying north of the north normal right of way limits of Route 221, from a point approximately 40 feet opposite approximate Station 65+68 (office revised centerline Route 221, Project 0221-080-103, RW-201) to a point approximately 40 feet opposite approximate Station 68+53 (office revised centerline Route 221, Project 0221-080-103, RW-201), containing 21,650 square feet, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Sections 33.1-149 and 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of the land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed conveying same to The Kroger Company for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions and conditions as may be deemed requisite, pending the abandonment of Route 682.

Motion carried.

Moved by Mr. Musselwhite, seconded by Dr. Thomas.

that

WHEREAS, in connection with Route 258 (also known as Route 10), State Highway Project 367, the Commonwealth acquired certain lands from W. H. Watkins and M. E. Watkins by deed dated March 10, 1926, recorded in Deed Book 97, Page 482; from Standard Oil Company by deed

dated June 3, 1926, recorded in Deed Book 97, Page 553; and from Merritt Gray and Julia M. Gray by deed dated March 10, 1926, recorded in Deed Book 97, Page 483. The above instruments are recorded in the Office of the Clerk of the Circuit Court of Isle of Wight County; and

WHEREAS, a portion of old Route 258 was relocated in a southern direction under the plans for Route 258, State Highway Project 0258-046-107, RW-201 from a point opposite approximate survey Station 1657+52 (office revised centerline Route 258) to a point opposite approximate survey Station 1663+00 (office revised centerline Route 258) and will serve the same citizens as the old location; and

WHEREAS, by resolution passed by the Isle of Wight Board of Supervisors on December 4, 1975, a section of old Route 258 from Station 1658+00 easterly 0.16 mile was abandoned, effective February 19, 1976; and

WHEREAS, the Town of Smithfield has requested that the Commonwealth convey to it the excess lands, so acquired; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the lands comprising the right of way of old Route 258 which lie between the north existing right of way line of Route 258 and/or the north normal right of way limits and north revised right of way line (12/26/73) of proposed Route 258, from a point approximately 30 feet opposite approximate survey Station 1657+50 (proposed centerline Route 258) to a point approximately 30 feet opposite approximate survey Station 1663+03 (proposed centerline Route 258), containing 15,775 square feet, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Yirginia (1950), as amended, the conveyance of the said land, so certified, is hereby approved and the Commonwealth Transportation Commissioner is authorized to execute a deed of quitclaim in the name of the Commonwealth conveying same to the Town of Smithfield for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

FURTHER, that the resolution pertaining to the matter passed by the Commission at its meeting of November 29, 1973, is hereby rescinded.

Moved by Mr. Musselwhite, seconded by Dr. Thomas,

that

WHEREAS, in connection with Route 621, State Highway Project 0621-099-102, C-501, the Commonwealth acquired certain lands from Jennie Holloway, et al by instrument dated September 22, 1961, case for which has been concluded, recorded in Deed Book 152, Page 730 in the Office of the Clerk of the Circuit Court of York County; and

WHEREAS, the adjoining landowner has requested that the Commonwealth convey to her the excess land lying south of the south normal right of way limits of Route 621 in order that she may more fully utilize the adjacent property; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying south of the south normal right of way limits of Route 621, from a point approximately 25 feet opposite approximate Station 63+15 (Route 621 centerline) to a point approximately 25 feet opposite approximate Station 63+95 (Route 621 centerline), containing 0.215 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, the conveyance of the said land, so certified, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed without warranty conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Musselwhite, seconded by Dr. Thomas.

that

WHEREAS, the Commonwealth is the apparent owner of certain excess right of way located on the west side of Route 18, south of the Jackson River in the City of Covington; and

WHEREAS, in order to more fully develop the adjacent lands, the adjoining landowners have requested that the Commonwealth convey to them the excess right of way; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying west of and adjacent to the west normal right of way limits of Route 18, from a point approximately 38 feet opposite approximate Station 249+00 (proposed centerline Route 18) to a point approximately 55 feet opposite approximate Station 253+75 (proposed centerline Route 18), containing 0.54 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, TKEREFORE, the conveyance of the said land, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a quitclaim deed, conveying same to the adjoining landowners of record for a consideration satisfactory to the Department, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Musselwhite, seconded by Dr. Thomas,

that

WHEREAS, in connection with Route 413, State Highway Project 8229-06, the Commonwealth acquired certain lands from Mildred Viola Smith by deed dated June 26, 1958, recorded in Deed Book 1669, Page 300 in the Office of the Clerk of the Circuit Court of Fairfax County; and

WHEREAS, in order to more fully develop the adjacent lands, the adjoining landowner has requested that the excess lands so acquired be conveyed; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land lying north of and adjacent to the north normal right of way limits of Route 50, from a point approximately 150 feet opposite approximate Station 532+80 (survey and construction centerline, Route 50, Project 0050-029-118, RW-201) to a point approximately 100 feet opposite approximate Station 534+90 (survey and construction centerline, Route 50, Project 0050-029-118, RW-201), containing 9,350 square feet, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW, THEREFORE, the conveyance of the said land, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner

is hereby authorized to execute in the name of the Commonwealth a deed, conveying same to the adjoining landowner of record for a consideration satisfactory to the Department, subject to such restrictions as may be deemed requisite.

Motion carried.

Moved by Mr. Musselwhite, seconded by Or. Thomas,

that

MHEREAS, the Commonwealth is the owner of the fee in a certain street known as Crowder Drive, in Chesterfield County, Virginia; and

WHEREAS, Mr. and Mrs. Gregory T. Gwaltney and Mr. and Mrs. Mark E. Gwaltney are the owners of a parcel of land located at the northeast intersection of said Crowder Drive and Route 60; and

WHEREAS, a portion of the paved section of Crowder Drive encroaches on the property of the Gwaltneys; and

WHEREAS, the Commonwealth has agreed that the eastern line of Crowder Drive is as shown on a certain plat made by J. K. Timmons and Associates entitled "Property Located at the Northeast Corner of U.S. Route 60 and Crowder Drive, Midlothian District, Chesterfield Co., Virginia", dated December 4, 1958, and duly recorded in the Clerk's Office of Chesterfield County, Virginia; and

WHEREAS, in recognizing the encroachment, the Commonwealth Transportation Commissioner has certified in writing that the lands lying east of the boundary line are necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the encroachment of the land, so certified, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute a boundary line agreement releasing and quitclaiming unto the Gwaltneys all rights, title and interest to any property lying east of the boundary line and the Gwaltneys to release and quitclaim unto the Commonwealth all rights, title and interest they may have in Crowder Drive, lying west of the boundary line, subject to such restrictions and conditions as may be deemed requisite.

Moved by Mr. Musselwhite, seconded by Dr. Thomas.

that

WHEREAS, in connection with Route 58, State Highway Project 6058-061-106, RW-201, the Commonwealth acquired certain lands from G. L. Cline and Son, Inc. by instrument dated April 24, 1972, case for which has been concluded, recorded in Deed Book 349, Page 359 in the Office of the Clerk of the Circuit Court of Nansemond County (now City of Suffolk); and

WHEREAS, the lend, so acquired, was purchased from the subject landowners as a borrow pit in connection with the Suffolk By-Pass; and

MHEREAS, it has been recommended that a portion of this land lying south of the south proposed right of way line be conveyed to the City of Suffolk for a possible correctional site, or to any other governmental agency; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the 150.295 acres, more or less, land lying south of the south proposed right of way line of Route 58, from a point approximately 560 feet opposite approximate Station 505+00 (proposed EBL Route 58) to a point approximately 134.74 feet opposite approximate Station 578+75 (proposed EBL Route 58) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System.

NOW. THEREFORE, the conveyance of the land, so certified, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same for a consideration satisfactory to the State Right of Way Engineer and subject to such restrictions as may be deemed requisite.

FURTHER, that the resolution pertaining to the matter passed by the Commission at its meeting of May 16, 1985, is bereby rescinded.

Mr. Joseph G. Ripley, Director of Planning and Programming, reviewed the following revenue sharing guidelines:

"Back in 1972, the Federal Government passed what they called the State and Local Assistance Act of 1972. This is more commonly known as the Federal Revenue Sharing Act.

The Virginia General Assembly passed a law that said that if the County would put up 15% of the revenue sharing money then the Highway Department could take an equal amount off the top to match it for use on the Secondary System in that County. There have been a lot of amendments to the State Statute between 1972 and 1987. I really don't think it would serve any useful purpose to go through the step-by-step; year-by-year explanation of those amendments and changes. I think it is sufficient to say that there is no such thing as federal revenue sharing at this time.

However, we do have provisions in the Code and we refer to it as Revenue Sharing because that is the way it is referred to in the Code. The bottom line is it allows each county to put up a maximum of \$500,000 which is matched by State funds from revenues prior to other allocations for use in the County for construction on the Primary or Secondary System. The County Board of Supervisors designates the portion of the fund that is to be used for maintenance and the Commonwealth Transportation Board approves the recommendation of where the money shall be spent for construction purposes.

Since we have had some interest expressed in this fund which we have not had before, within the last year we have developed some guidelines and procedures that put it on a more business like basis.

## Eligibble Items

Items of work on the Primary or Secondary System eligible for financing under this program shall generally consist of:

- A. Deficits on completed construction/improvements or supplemental funding for ongoing construction improvements.
- B. Supplemental funding for future construction/ improvements contained in the adopted Six-Year Plan.

- C. Construction/improvements not included in the adopted Six-Year Plan or to finance the construction/improvements necessary for the acceptance of certain subdivision streets into the system for maintenance, that are otherwise eligible, contingent upon the entire estimated cost of such work being provided from this program within the fiscal year involved.
- D. Unprogrammed maintenance whose accomplishment is consistent with the Department's operational policies.

### Program Funding

Pursuant to applicable provisions of the statute, the Department shall annually allocate funds to provide an equivalent matching allocation to the portion of each county's federal revenue sharing or general funds designated to this program by the governing body.

In the event the total funds so designated in any one fiscal year by all participating counties exceed \$5 million, the state matching allocation to each such county will be adjusted. The basis for this adjustment will be the proportion of \$5 million to the total of such funds designated by the counties, as applied to the initial amount pledged by each governing body.

# Annual Motification of Intent to Participate in Program

To permit the effective utilization of all funds available under this program, the governing body of each county electing to participate in this program must officially advise the Department of this decision and the total amount of County funds proposed to be provided. Such notification should be in writing to the Commissioner, Virginia Department of Transportation, 1401 East Broad Street, Richmond, Virginia 23219. To permit the County's contribution of funds to be eligible for equivalent State Matching funds, such notification must be received by the Commissioner no later than 90 calendar days in advance of the start of the Department's fiscal year involved.

Upon receipt of the prescribed notification by the counties, the Department shall determine if the State funds available for the equivalent matching allocation are sufficient to match the total funds committed by all counties involved. Each governing body will then be officially advised as to the amount of State Matching funds that will be available for use in their county.

## Plan Approval and Allocation of Available Funds

Upon the governing body and the Resident Engineer's concurrence in the plan, as outlined above, the Resident Engineer will forward it and any other relative information for appropriate action. The funding of eligible items involving the maintenance or improvement of primary or secondary roads in the county, and otherwise in compliance with these guidelines, shall be implemented pursuant to the adopted plan. Any construction allocation proposed to a specific project shall be subject to approval by the Commonwealth Transportation Board. It is intended such projects be presented for the Board's consideration as early as possible in the fiscal year involved.

Note: In the administration of the guidelines the following definition of certain terms shall apply:

Maintenance - Those activities involved in preserving or restoring the roadway facility and structure, as near as possible to its condition as constructed.

Improvements (incidental construction) - any operation which which changes the type, width, length, location, or gradient of a road, facility, or structure; or the function of building into, or adding to such road, facility, or structure features not originally provided. The magnitude of all activities required is such that they can be accomplished within one fiscal year. As a consequence, improvements generally involve items of work which are relatively uncomplicated and limited in scope.

Construction - Like "improvements", this involves operations which change or add to the characteristics of a road, facility, or structure from that originally provided. However, due to the magnitude of all activities required for the development and accomplishment of the work involved, more than one fiscal year will be involved.

Upon approval of the plan, it shall constitute the "... County Primary and Secondary Road Fund." State matching funds will be allocated to the specific items of work included in the approved plan upon receipt of payment for the county's funds designated to such items. Payment by the county shall be made within 30 days of receipt of prescribed billing by the Department.

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We have been through this procedure this year. On July 16, 1987, the Commonwealth Transportation Board allocated \$3,984,000 state and \$3,984,000 county for a total of \$7.968.000.\*

Moved by Mr. Guiffre, seconded by Mr. Beyer, that

WHEREAS, on April 19, 1979, the Highway Commission passed a resolution adopting a policy for the utilization of federal-aid and state urban construction funds in municipalities with populations in excess of 3500; and

WHEREAS, this policy cited extensions of the state primary system or urban freeways designated by an "Urban Transportation Planning Study"; and

WHEREAS, the 1985 session of the legislature, in enacting Section 33.1-41.1 of the Code, made no reference to the primary extension designation or to urban freeways; and

WHEREAS, the 1987 session of the legislature, in amending Section 33.1-23.3 of the Code, included eight towns with populations of less than 3500 with cities and towns eligible for urban construction funding; and

WHEREAS, the above legislative amendments render the policy of April 19, 1979 inappropriate;

NOW, THEREFORE, BE IT RESOLVED, that it shall be the policy of the Commonwealth Transportation Board that the utilization of federal-aid and/or state urban construction funds can be authorized for expenditure in cities and towns eligible to receive construction funding in any of the following categories:

- a. Highways or streets designated in the state functional classification system as principal and minor arterials or collectors.
- b. Needs designated by a study approved by the Department or included in the statewide highway needs.
- c. Deficient bridges on public streets as defined by FHWA sufficiency index for rehabilitation or replacement,
- d. Projects eligible for special federal categorical funding, such as: hazard elimination or railroad crossing protection.

BE IT FURTHER RESOLVED, that Commission Policy adopted on April 19, 1979 is hereby rescinded. Motion carried.

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Mr. R. C. Lockwood, State Transportation Planning Engineer, presented the results of the Department's Study of Operational Changes and Associated Construction Improvements to the Shirley Highway (copy attached). Motion was made by Mr. Guiffre, seconded by Mr. Beyer, that the Board 1) accept the study, 2) arrange to meet with the Virginia Congressional delegation as soon as possible to have Department staff present the study to them, 3) encourage the delegation to review the study and 4) if the delegation is inclined to make the change to HOV-3, urge them to find special funding sources to implement the change. Motion carried.

Motion was made by Mr. Guiffre, seconded by Mrs. Kincheloe, that the following resolution be adopted contingent upon a determination by the Assistant Attorney General's office that it is consistent with the provisions of the Surface Transportation and Assistance Act of 1987:

WHEREAS, in accordance with the provisions of Section 33.1-46.2 of the Code of Virginia, the Commonwealth Transportation Board may designate one or more lanes of any highway in the Interstate, Primary or Secondary Systems as commuter lanes for the exclusive use of buses and motor vehicles transporting multiple occupants to facilitate the rapid and orderly movement of traffic to and from urban areas during peak periods; and

WHEREAS, the reversible lames on I-95/395 (Shirley Highway) from their beginning just south of the Springfield interchange to the District of Columbia Line were originally established for the exclusive use, at all times, by emergency vehicles, buses and vanpools/carpools carrying four or more persons; and

WHEREAS, in order to accommodate construction on the Southwest Freeway, the District of Columbia has requested that the Commonwealth Transportation Board allow the unrestricted use of the southbound HOV lanes on I-395 from their beginning at the District of Columbia Line to a temporary slip ramp (to be constructed by, and at the expense of, the District of Columbia) located between the D. C. line and Route 1 during the four-month period from September 15, 1987 to January 15, 1988;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the authority granted under the provisions of Section 33.1-46.2, the restricted hours of operation on the I-395 southbound HOV lanes from the District of Columbia Line to the aforementioned slip ramp be removed for the four-month period beginning September 15, 1987, and ending January 15, 1988; and

BE IT FURTHER RESOLVED, that current restrictions on all other portions of the I-395 HOV facility will remain in effect;

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BE IT ALSO FURTHER RESOLVED, that the necessary signing be implemented to properly advise the public of the new regulation during this four-month period.

Motion carried.

Mr. Quicke, Chairman of the Internal Audit Committee, presented a report on the Committee's meeting of July 16, 1987. Un motion of Mr. Quicke, seconded by Mr. Guiffre, the Board adopted the report as follows:

The Commonwealth Transportation Board's Internal Audit Committee met on July 16, 1987, with the Commissioner, the Internal Audit Manager and a representative of the Department of the State Internal Auditor to discuss the State Internal Auditor's report on a peer review of the Internal Audit Division. The report states the Department's Internal Audit Division achieved a high rating based on their degree of compliance with the Institute of Internal Auditors Standards for the Professional Practice of Internal Auditing. The Committee accepts as adequate the action taken, or to be taken on the recommendations contained in the report.

The chairman indicated that the Mayor of the City of Staunton had contacted Mr. Smalley regarding action on a limited access break request. The material was to have been mailed to the Board but to date had not been received and was not placed on the agenda. Consideration will be given to the request upon receipt of the information.

The next meeting will be held on September 17, 1987, at 10:00. a.m. in the Department's Central Office Board Room in Richmond, Virginia.

Approved:

and Lether

Attested: