

**REVISED 3.13.14**



# **NORTHERN VIRGINIA TRANSPORTATION AUTHORITY**

*The Authority for Transportation in Northern Virginia*

## **AGENDA**

**Thursday, March 13, 2014**

**7:00 pm**

**City of Fairfax, City Hall, Work Session Room, Fairfax, VA 22030**

## **AGENDA**

- I. Call to Order** Chairman Nohe
- II. Roll Call** Ms. Speer, Clerk
- III. Minutes of the February 20, 2014 Meeting**  
*Recommended action: Approval [with abstentions  
from those who were not present]*

### **Action Items**

- IV. Project Agreement Template** Mr. Biesiadny  
*Recommended action: Approval of template*
- V. Confirmation/Revision of Project List for Evaluation** Mr. Srikanth, VDOT  
*Recommended action: Review, revision as appropriate, and approval of  
list of project for evaluation*

### **Information/Discussion Items**

- ~~**VI. Revised RSTP/CMAQ Program FY14 – FY19**~~ ~~Ms. Backmon, Chair, JACC~~
- VII. JACC Approval of Reallocation of RSTP/CMAQ Funds for the City of Fairfax** Ms. Backmon, Chair, JACC
- VIII. Status of Memoranda of Agreement** Mr. Mason, CEO
- IX. HB 2313 Funding Status** Mr. Longhi, CFO
- X. Flow of NVTA Funds** Mr. Longhi, CFO
- XI. NVTA Operating Budget Report** Mr. Longhi, CFO

**XII. Legislative Report**

Ms. Dominguez, Vice-Chair, JACC

**XIII. Executive Director's Report**

Mr. Mason, CEO

**Reports from Working Groups**

[Briefed if requested]

**XIV. Financial Working Group**

Chair Euille

**XV. Project Implementation Working Group**

Chair Nohe

**Adjournment**

**XVI. Chairman's Comments**

**Closed Session**

**XVII. Adjournment**

**Correspondence**

- Letter to Members of the Committee of Conference on the Budget
- Letter from Bruce Wright, Chairman, Fairfax Advocates for Better Bicycling
- Letter from Helen Cuervo, District Administrator, VDOT

**Next Meeting: April 17, 2014 – 7:00 pm**

3060 Williams Drive (Suite 510)  
Fairfax, Virginia

**Northern Virginia Transportation Authority**  
3060 Williams Drive (Suite 510)  
Fairfax, VA 22031  
**[www.TheNovaAuthority.org](http://www.TheNovaAuthority.org)**



# NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

*The Authority for Transportation in Northern Virginia*

Thursday, February 20, 2014

7:00 pm

3060 Williams Drive (Ste 510), Fairfax, VA 22031

## MEETING MINUTES

### I. Call to Order

Chairman Nohe

- Chairman Nohe called the meeting to order at 7:03pm.

### II. Roll Call

Ms. Speer, Clerk

- Voting Members: Chairman Nohe; Mayor Euille (arrived 7:11pm); Board Member Hynes; Chairman York; Chairman Bulova; Mayor Parrish; Mayor Silverthorne; Council Member Rishell; Council Member Duncan (arrived 7:07pm); Ms. Bushue; Mr. Garczynski.
- Non-Voting Members: Mrs. Cuervo; Ms. Mitchell; Mayor Umstattd.
- Staff: John Mason (Interim Executive Director); Michael Longhi (CFO); Camela Speer (Clerk); Peggy Teal (Accountant); various jurisdictional staff.

### III. Minutes of the January 23, 2013 Meeting

- Chairman York moved to approve the minutes of January 23, 2014; seconded by Mayor Parrish. Motion carried with eight (8) yeas [with Board Member Hynes abstaining as she was not an appointed member at the January meeting].

*(Council Member Duncan arrived.)*

## Informational Briefings

### IV. I-66 Outside the Beltway Tier I EIS

Ms. Hamilton, VDOT

- Ms. Hamilton presented the VDOT I-66 Outside the Beltway Tier I briefing.

*(Mayor Euille arrived.)*

- Mr. Garczynski noted that Doug Koelemay is heading up the P3 [VDOT] office and that this is beneficial as he knows I-66 and the challenges. Mr. Garczynski commented that Mr. Koelemay indicated that the next step regarding the RFI will be to send an RFQ to those firms that responded to the RFI.

## **V. Proposed Project Evaluation MOEs and Rating Framework**

Mr. Srikanth, VDOT

- Mr. Srikanth presented the VDOT Proposed Project Evaluation MOEs and Rating Framework briefing. He requested comments and feedback on the proposed methodology from the Authority. He stated that if the methodology is acceptable to the Authority, VDOT will proceed with it. If there are requested changes, VDOT will look into it and get back to the Authority.
- Mayor Umstattd asked if VDOT anticipates that in more densely populated areas of the region there might be more of a benefit in the reduction of person hours of delay. If so, does VDOT expect this to be more beneficial to transit improvements? Mr. Srikanth responded that the performance measures do not focus on the area, but on the corridor or the facility that the transportation improvement project is serving. If the proposed project is on a very heavily traveled facility, highway or transit, then it is likely to provide a greater impact or an impact to a larger number of people. So, it is not as much what area a project is in, but what type of facility and what is the severity and the duration of congestion on that facility.
- Chairman York interjected that not all members were at [PIWG] meeting for this presentation. He stated that at that meeting Mayor Parrish raised an important point that even after the Authority gets back the rankings evaluation from VDOT, at the end of the day this body will make the final decision as to which projects will get funded. Therefore, if NVTa has funding for ten projects, it does not need to pick the top ten. NVTa can pick some of the lesser ranked projects. This is just a tool for NVTa to use to get an understanding of all the projects that are proposed and what gives us “the best bang for the buck.”

*(At this point, the Chairman chose to call items out of agenda order to facilitate discussion. Not all items in Action Items section are action items, but are necessary to prepare for Action Item discussions.)*

### **Action Items**

## **XV. Project Implementation Working Group**

Chair Nohe

- Ms. Fioretti stated that the PIWG was charged by NVTa to coordinate efforts in the development of the Six-Year Plan in coordination with the VDOT Evaluation and Ratings Study. She reported that PIWG:
  - ✓ Has met four times to discuss the various elements of project selection framework, the project evaluation framework and the criteria thereof.
  - ✓ Has prepared a number of sets of comments for VDOT. At the last stakeholders working group meeting on January 31, there were a fair

number of comments. The VDOT staff accepted those comments and adjusted the measures of effectiveness accordingly. Expressed appreciation to VDOT staff for this.

- Ms. Fioretti stated that the PIWG has prepared the project nominations for consideration by the Authority for submission to the VDOT Evaluation and Ratings Study. She reviewed the process:
  - ✓ January 31 was the deadline for jurisdictions and agencies to submit projects for the NVTa call for projects. These projects will ultimately be used to develop the Six-Year Program.
  - ✓ On February 3 VDOT issued a call for project nominations from the CTB and the NVTa with a due date of February 25.
  - ✓ PIWG has looked at those projects to determine which should be recommended to the Authority for consideration as part of the VDOT Evaluation and Ratings Study.
  - ✓ PIWG received 52 projects; 33 were roadway, bridge and ITS; 19 were mass transit projects that increase capacity.
- Ms. Fioretti explained the criteria used to develop the list of project nominations.
  - ✓ Projects can either be submitted as projects or as packages of projects.
  - ✓ All projects should be considered, with the exception of those that are legally exempt by the HB 2313 requirement. Mass transit projects that increase capacity do not have to be rated by the VDOT Rating and Evaluations Study (required by HB 599).
  - ✓ Projects not legally exempt were required to meet NVTa's Tier I screening criteria which is the same set of criteria that was used to develop the FY2014 program. Criteria are specifically related to the legal requirements regarding how the Authority selects and approves projects.
  - ✓ Additionally, since VDOT has said they are willing to rate up to 40 projects this round, PIWG is recommending that if there is capacity that NVTa advance projects that do not necessarily meet the Tier I screening criteria.
- There are 33 non-mass transit projects for consideration. Four of those projects do not meet Tier I screening criteria. Given that VDOT is able to evaluate 40 projects, the recommendation from PIWG is that all 33 projects (32 since 2 are packaged) be considered by the Authority for nomination to the VDOT Evaluation and Ratings Study.

## **VII. Project Nominations for VDOT Evaluation and Rating Study** Chairman Nohe

- Ms. Fioretti presented the project nominations for the VDOT Evaluation and Rating Study.
- Upon invitation of the Chairman, Mr. Mason noted that the previous evening's meeting of the Technical Advisory Committee (TAC) was robust.

Commended Mr. Srikanth and Mr. Canizales for their presentations. Added that the Committee was very pleased with the solid material that was shared with them. Noted that we are not yet at the stage to provide that material to Committee sufficiently in advance for them to effect the early stages of the process. This is something that NVTa needs to pay more attention to.

- Mr. Mason shared the recommendations of the TAC:
  - ✓ At least some transit projects should be included in the selections that are nominated for the VDOT study. He explained the logic behind this was very supportive of transit. It was a concern that transit be represented. It was also believed that in this first round of analytical process, it would be helpful to have some experience in including transit in the overall evaluation process.
  - ✓ TAC hopes to be engaged in a more timely fashion, to be able to effect the process as it goes forward.
- Chairman Nohe noted that this afternoon [February 20] the House of Delegates debated and passed a prospective budget amendment that would require that the transit projects be subject to the evaluation process. It is uncertain what will happen in the Senate or in the Administration. While it is appropriate timing to deal with this project list tonight, the timing of the budget amendment is inconvenient. NVTa will be a little in limbo. The recommendation from PIWG is that we not include transit projects, noting that the law does not require this. Additionally VDRPT expressed some concern that it may not be feasible to evaluate them concurrently. Chairman Nohe acknowledged recommendation from TAC. He also acknowledged that NVTa needs to get TAC more information at an earlier stage in the process so that their recommendations can come to NVTa in a more timely fashion. Chairman Nohe stated based on getting the TAC recommendation from last night's meeting, he is disinclined to restructure the current plan based on the recommendation. He suggest NVTa move forward with the nomination of the recommended 32 projects for evaluation. He added that VDOT staff are starting the process knowing that additional projects may be nominated in the future should the budget amendment get approved as currently crafted.
- Ms. Cuervo confirmed that VDOT can take current nominations and start the evaluation process. If at a future date NVTa has to change course, VDOT will work with the Authority.
- Chairman Nohe further explained that with the limit of 40 projects, if we added the transit projects there would be more than 50 projects. He noted NVTa does have a selection model to narrow that list if necessary, however, there is concern that adding transit projects will push some highway projects off the list. The highway list was developed in anticipation of all getting evaluated.

- Chairman Nohe suggested moving forward with the PIWG recommendation, while being mindful of the TAC recommendation and the General Assembly and see what happens over next few weeks.
- Mayor Euille stated he supported that concept as NVTa is doing what it agreed to do with the guidance it had. What happens over time will happen, but NVTa cannot not move forward with its plan of action.
- Mayor Euille moved to approve the Project Nominations for the VDOT Evaluation and Rating Study; seconded by Chairman Bulova.
- Mayor Parrish asked about the VDOT timeframe to get results from the study. Mr. Srikanth explained that the CTB will approve the final project list on March 19. Prior to that meeting, VDOT will run the nominated projects through the Project Selection Methodology to get those scores. That evaluation will come back to the NVTa to review degrees of project significance and potential to reduce congestion. At March CTB meeting, they [CTB] will review projects to make sure they are consistent with their priorities, as consistent with the law. After the CTB takes action, VDOT will start the analysis of the projects using the methodology and framework presented this evening. First set of results should be available the end of June. Final and detailed set of results should be available around November.
- Mr. Garczynski added that in collaboration with Ms. Fisher, CTB may have some projects from a regional perspective that may be added to the study before the deadline of February 25.
- Chairman Nohe commented that one outcome discussed at PIWG was that the steps to the process were developed with the thought that the Authority was going to nominate 60-70 projects. In the end, jurisdictions chose wisely to be more selective so that the most important projects would get evaluated. This has left some capacity for CTB to add projects.
- Chairman Nohe mentioned that there was discussion at the TAC meeting about other projects they may have hoped to have seen evaluated. He stated that due to the odd timing, it was appropriate to try to inject them into this process. Suggested it might be something that CTB might want to consider.
- Chairman Nohe suggested that if the budget issue moves forward there may be some other mechanical issues. He asked Ms. Mitchell if those issues can be worked through, should they arise. Ms. Mitchell answered affirmatively. She explained that at the CTB meeting yesterday [February 19], the Secretary was very clear that CTB sees this as a local decision making process because these are local revenues. CTB will be very willing to work with NVTa if there is an interest or a requirement to evaluate transit projects, to figure out the best way to do that. CTB is also cognizant that the law does not require transit projects to go through the process and it is an NVTa decision.

- Chairman Bulova asked Mr. Garczynski if the CTB has some projects they might like to see evaluated. Mr. Garczynski replied that it is currently being discussed; suggested it may only be one or two.
- Chairman Bulova asked if CTB was also working with NVTA staff in this process. Mr. Garczynski answered affirmatively and added that CTB will take into consideration the recommendation from TAC.
- Mr. Garczynski added that if Senate Bill 2 gets passed, the rest of the Commonwealth will be dealing with the modeling district by district, as it has to be in place by 2015. He suggested districts may look to NVTA for guidance.
- Ms. Rishell asked, as NVTA is under scrutiny based on now having revenue, if there are any issues or potential problems with including projects that do not satisfy the Tier I screening. Chairman Nohe responded that it was determined that there is nothing wrong with evaluating them. He added that Loudoun has two projects that do not meet Tier 1, but it is fully anticipated that the projects will be included in the next TransAction update. Presuming the projects get included in the update, they will have already passed the evaluation process. He suggested there is nothing wrong with knowing the qualitative measures of a project, as long as there is understanding that it will be set aside for funding consideration until such time as other factors change. If we had more than 40 projects nominated, these projects would have been cut first.
- Chairman Bulova clarified that one reason a project may not clear in the Tier I screening is because it is not on the 2040 plan, but could be included in future rounds.
- Motion carried unanimously.

## **VI. Approval of Technical Advisory Committee Chair Appointment**

Chairman Nohe

- Mr. Mason reported that the Technical Advisory Committee recommended the reappointment of Randy Boice as Chair.
- Chairman York moved to approve Randy Boice as Chair of the Technical Advisory Committee; seconded by Mayor Parrish. Motion carried unanimously.

### **A. Letter to Conference Committee**

Ms. Dominguez

- Ms. Dominguez stated that there were several budget amendments offered in the General Assembly session. Two that specifically reference NVTA made it to the House Committee budget as of Sunday.



1. States that the joint commission on transportation accountability shall regularly review provide oversight on the use of the regional funds and provide an annual report to various General Assembly committees on how NVTa, Hampton Roads and the Intercity Passenger Rail Operating Funds are being used. These are some of the new funds created by HB 2313. Amendment was offered today and there was no real discussion on it.
  2. States that no funding provided by the Commonwealth to the NVTa through the funds created by HB 2313 will be allocated to provide additional funding to any project in FY2015 or 2016 unless they have been evaluated and prioritized by the requirements of HB 599. This limitation shall apply to projects receiving funding in FY2014 to the extent that the Authority is considering providing additional appropriations begun the prior year.
- Ms. Dominguez stated that jurisdictional and agency legislative liaison staff from Northern Virginia have reviewed language and have concerns. Specifically:
    1. Mass transit capital projects that increase capacity are currently exempt. This would take away the exemption, thereby limiting the Authority's ability to fund projects even further.
    2. Could affect projects the Authority has already voted on. If there were perhaps a cost overrun the entire project might have to go through the study.
  - Ms. Dominguez stated that in response to these concerns, members from the JACC and liaisons from Northern Virginia drafted a letter voicing concerns that NVTa might have with this language. Presented letter for Authority review. She added that Senator Ebbin and Delegate Rust have been helpful with this. Delegate Rust got on the floor and opposed the amendment that had been offered, as did Delegate Watts. There were two people who supported it on the floor, Delegate Marshall and Delegate Peace, who is the House Appropriations Transportation Subcommittee Chairman. Final vote was 29 to 70, close to party line. Working with Senate counterparts.
  - Chairman Bulova commented that it is a good letter and thoroughly lays out Authority's concerns.
  - Chairman Bulova moved to approve sending letter to members of the Committee of Conference on Budget; seconded by Mayor Parrish.
  - Chairman Nohe explained letter does not say that NVTa does not want to evaluate projects, it asks that NVTa be allowed to evaluate projects in a manner that allows it to move forward. Expressed concern that he has spent a lot of time in last month dealing with proposals that would cause NVTa to take even more time to use the taxes already collected to relieve congestion.
  - Motion carried unanimously.

- Ms. Dominguez recommended that draft letter go to the two NVTAs members in Richmond for their comments and to let them know that the Authority is completely on-board.
- Chairman Nohe requested consensus that if Senator Ebbin or Delegate Rust suggest a language change to letter, that Ms. Dominguez be authorized to incorporate change in final letter. There was consensus.
- Ms. Dominguez gave a brief legislative update:
  - ✓ General Assembly is spending much of its time now on the budget. Generally speaking the budget needs to be voted on by March 8, so theoretically NVTAs will know by then if this language was in budget that came out of House and Senate.
  - ✓ Mr. Garczynski asked if anything happened with public information advocacy and propaganda. Ms. Dominguez responded that an amendment made it into the House budget that says that the Secretary of Transportation shall assure that no funds appropriated to any transportation agency are expended directly or indirectly, including by private contractor, for advocacy or propaganda purposes in support of any proposed transportation project for which construction funding has not been allocated in the Six-Year Improvement Program. This prohibition shall not exist with advertising legally required for public notifications. Mr. Garczynski commented that this language is dangerous, that there have been situations in the past year where some may consider there to have been excessive advocacy for the Bi-County Parkway. Public outreach to get out facts and information for the I-66 improvements could be prohibited by this amendment. He stated that he believes this amendment is ill-conceived and is hopeful that it can be defeated or have the language ameliorated. Mr. Garczynski warned that this will handcuff attempts to get information out.
  - ✓ Ms. Dominguez added that there is another bill before the General Assembly that does the opposite of previously discussed bill. It says that for projects over \$100M, people in the study area, home owners or property owners, have to be notified by mail of a public hearing.
  - ✓ Chairman Bulova stated the issue is the line between notifying, making people aware of information and it being perceived as advocacy.
  - ✓ Council Member Rishell asked Ms. Dominguez to email the amendment. Ms. Dominguez responded affirmatively.
- Chairman Nohe noted that last month the Authority approved the circulation of a letter that would have addressed using budget amendments to kill specific transportation projects. Letter was circulated and approved, but then amendments were stricken so it was not sent.
- Chairman Bulova asked is the bill that was just discussed is for VDOT or does it include transportation projects localities are funding. Ms. Dominguez responded that bill HB 904 is specifically for VDOT projects. This is the bill that would require notification.

- Ms. Dominguez added that the budget amendment says “the Secretary of Transportation shall insure that no funds appropriated to a transportation agency”. Chairman Nohe responded that there is concern that if a locality wanted to do public outreach with the expectation that CTB will pay for 50% of the project, the project might fall under this new rule. Ms. Mitchell added that at the state level, VDRPT is always looking for innovative ways to do public outreach and this amendment might limit that. She agreed this could be very damaging for transportation. Mr. Garczynski stated that at the district level, CTB is always trying to figure out how to best inform the public. Ms. Cuervo added that if VDOT cannot get notification out to as many people as possible, it limits the feedback that can be used to advance the project. Chairman York stated the irony of this bill is that it is coming from a delegate who represents several people who were complaining they were not being informed about the very project they are now complaining about.
- Chairman Nohe introduced a need for a change to the previously approved Authority meeting schedule. He stated that the March meeting was scheduled for the March 20, but that this is a problem because the CTB meets on the March 19. Chairman Nohe invited Ms. Backmon to explain the challenge.
- Ms. Backmon explained that the Authority is expected to take action on the projects nominated to the VDOT Evaluation and Framework prior to the CTB taking action. If CTB meets on March 19 and Authority meets on March 20, it negates any impact that NVTa might have on the project selection.
- Chairman Nohe asked how this prospective action differs from action just taken in approving project nomination list. Ms. Backmon explained that the action taken this evening was to approve the projects to go through the preliminary screening. Once the Authority receives preliminary screening results in March it can make a final decision on which projects the Authority would like to have included in full evaluation study.
- Chairman Nohe noted that the assumption that projects needed to be fed through the preliminary screening was the assumption that there would be more than 40 projects. If current assumptions hold, we have fewer than 40 projects, therefore does that not obviate the need for the preliminary screening. Ms. Cuervo responded that NVTa is reviewing projects to see which should go forward. This is the opportunity to decide if all projects should go through screening, based on information available. Chairman Nohe clarified that this would be a second opportunity to review list.
- Ms. Backmon added that the Authority could decide that all projects acted on today are the projects it wants to move forward next month. However, the Authority would have the benefit of seeing how projects fared in the preliminary screening, so would get a second chance to look at projects with additional information.
- Chairman Nohe asked if Authority members can meet on March 13. There was consensus that most members could meet on March 13 at 7pm.

- Chairman Bulova moved to amend the NVTa calendar to move the meeting from March 20 to March 13; seconded by Chairman York. Motion carried unanimously.

### **Information/Discussion Items**

- Chairman Nohe invited Mr. Longhi to give a brief review of an anticipated report for March meeting. Mr. Longhi responded that the Authority would receive a report showing the flow of funds for the fiscal year from the 70% revenue, breaking out reserves to show the working capital available for projects. Chairman Nohe clarified that it will be a preliminary prospective statement of cash flows. Mr. Longhi added that the Financial Working Group will be meeting to begin verifying the revenue estimates for FY2104 and begin the revenue estimates for FY2015 and 2016.

#### **VIII. VDOT Response to NVTa/PIWG Comments on Evaluation Framework**

Ms. Cuervo, VDOT

- No verbal report.

#### **IX. CMAQ/RSTP Request**

Ms. Backmon, Chair, JACC

- No verbal report.

#### **X. Status of Memoranda of Agreement**

Mr. Mason, CEO

- No verbal report.

#### **XI. HB 2313 Funding Status**

Mr. Longhi, CFO

- No verbal report.

#### **XII. NVTa Operating Budget Report**

Mr. Longhi, CFO

- No verbal report.

#### **XIII. Executive Director's Report**

Mr. Mason, CEO

- No verbal report.

### **Reports from Working Groups**

#### **XIV. Financial Working Group**

Chair Euille

- Mayor Euille stated there was a meeting on January 23 and next meeting is March 6. He highlighted:

- ✓ FWG will continue to meet for a while, but is getting close to winding down and at some point will turn things over to the Finance Committee.
- ✓ Close to finalizing 70% funding agreements and will bring those back at a future Board meeting.
- ✓ Working with staff and financial advisors with regards to the line of credit and the bond issuance.

## **XVII. Chairman's Comments**

- Chairman Nohe stated that the FWG will continue to function until work is finished. He suggested that the Authority may not want to dissolve the FWG permanently, as it allows access to financial expertise from the various jurisdictions that the Authority would otherwise have to pay for. He added the FWG might be a parallel body to the Finance Committee which will be made up of members of the Authority. He stated that the Finance Committee will have responsibility for primary financial oversight, pursuant to NVTB By-laws.
- Chairman Nohe stated that the Authority will need to appoint the Finance Committee, consisting of five (5) members including the Chair. He added that he has asked Chairman York to serve as Chairman of that Committee. Chairman Nohe and Chairman York will work together to select the members of the Committee. He clarified that as NVTB Chairman he can appoint the members of the Finance Committee. Chairman Nohe asked members to let him know if they wish to serve on Committee.
- Chairman Nohe introduced Ms. Mitchell as the new representative from VDRPT. Ms. Mitchell stated that she is looking forward to being part of the NVTB and assisting on transit issues. She added that this administration is very committed to local decision making and sees VDRPT role as supporting NVTB in that process and advocating for NVTB.
- Chairman Nohe welcomed Council Member Duncan, alternate from Falls Church this evening.
- Chairman Nohe noted that a key team member will soon be leaving NVTB. He explained that Ms. Fioretti has accepted a position as Deputy Director of Parks for Arlington County. Chairman Nohe added that it is difficult to believe that NVTB would be here in February approving a project list for evaluation if it were not for Ms. Fioretti's work.
- Chairman Nohe stated that the Authority has a personnel matter to discuss in closed session. He noted that the Search Committee meeting was originally scheduled to have met at 5:30pm, but due to clerical oversight and not posting the meeting for public notice, it will take place now in closed session. He requested that all members stay to listen to proceedings and to have a quorum to at the end of the meeting.
- Mayor Parrish moved that the Northern Virginia Transportation Authority convene a closed meeting, as authorized by Virginia Code section 2.2-3711.A.1, for a personnel matter relating to the selection of an Executive

Director for the Authority; seconded by Chairman York. Motion carried unanimously.

### **Closed Session**

#### **XVI. Closed Session**

- Mayor Parrish moved that the members of the Northern Virginia Transportation Authority certify: (1) that only public business matters lawfully exempted from open meeting requirements under Chapter 37, Title 2.2 of the Code of Virginia; and (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered by the Authority; seconded by Chairman York. Motion carried unanimously.

### **Adjournment**

#### **XVIII. Adjournment**

- Meeting adjourned at 9:22pm.

**Financial Working Group  
Northern Virginia Transportation Authority**

**MEMORANDUM**

**TO:** Martin E. Nohe, Chairman  
Northern Virginia Transportation Authority

Members  
Northern Virginia Transportation Authority

**FROM:** William Euille, Chairman  
Financial Working Group  
Northern Virginia Transportation Authority

**SUBJECT:** Approval of Standard Project Agreement between the Authority and Recipients of 70 Percent Funding that the Authority is Allocating to Regional Projects (Agenda Item IV.)

**DATE:** Revised: March 12, 2014

**Recommendation**

The Financial Working Group recommends that the Authority approve, in substantial form, the Standard Project Agreement between the Authority and recipients of 70 percent funding that the Authority is allocating to regional projects (Attachment I).

**Background**

HB 2313 (2013) directs the Authority to use 70 percent of the revenue collected from the three Northern Virginia taxes and fees for (i) transportation projects selected by the Authority that are contained in the regional transportation plan or (ii) mass transit capital projects that increase capacity. On July 24, 2013, the Authority approved \$209.735 million in bond-funded and pay-as-you-go regional transportation projects. To facilitate the implementation of these projects, the Financial Working Group and the Council of Counsels have developed an agreement to govern the terms and conditions associated with the funding the Authority has agreed to provide to these regional projects and to ensure that the requirements of HB 2313 are met. In general, the agreement is based on the requirements of HB 2313, but it also includes practical provisions associated with the implementation of the law and standard contract language.

If the Authority approves this template agreement, specific project agreements will be prepared for each of the projects approved by the Authority. These projects agreements could be brought to the Authority for formal approval beginning at the April 17, 2014, meeting.

The major provisions of the agreement are:

Each recipient will:

- perform work in accordance with all applicable federal, state, and local laws and regulations, and the project agreement and the Project Description Sheet submitted by the recipient;
- perform or have performed all environmental work, right-of-way acquisition, construction, contract administration, testing services, inspection services, or capital asset acquisition necessary to complete the project;
- generally will not advance a project to the next phase until the current phase is complete; however, recipients can submit a written request to advance funding for a future phase of a project under certain circumstances. Such requests will be considered by the Authority's Executive Director, based on the circumstances and after evaluating the Authority's cash flow position. The agreement does not prevent a recipient from advance funding a phase of a projects and later seeking reimbursement consistent with the Authority's cash flow;
- update project cash flow requirements periodically using forms provided as attachments to the agreement;
- provide requests for payment consistent with the approved cash flow for a project on standard requisition forms provided as attachments to the agreement;
- notify the Authority's Executive Director of any additional project costs resulting from unanticipated circumstances. The Authority will decided whether to fund these additional costs or not, but only in accordance with the Authority's project selection process;
- release or return any unexpended funds to the Authority no later than 90 days following final payment to contractors;
- acknowledge the requirements of the Authority's Resolution 1408, if applicable, which directs that prior to the Authority's release of fund that may be part of a larger project being undertaken by an extra-territorial funding partner, all extra-territorial partners must commit to pay their appropriate, respective, proportionate shares of the project costs commensurate with the benefits to each on a basis agreed upon by the Authority's member localities; any Authority funds will be in addition to the funds that member localities are to receive from the extra-territorial funding partner for the project; and no Authority funding will be release for the project until other extra-territorial partners commit to fund their appropriate, respective, proportionate share of the project;
- certify that any matching funds required for the project have been secured;
- maintain financial records as required by the Virginia Public Records Act and other applicable state and federal laws and provide copies to the Authority free of charge;
- reimburse the Authority (with interest) for any funds misapplied or not used in accordance with the statutes governing the Authority's revenues;
- name the Authority and its bond trustee as additional insureds on insurance policies associated with the project;
- certify that it will use the project for its intended purpose for the duration of its useful life or reimburse the authority for the residual value of the asset (equipment) based on its depreciated value;



- acknowledge that the Authority will not be responsible for operating or maintaining to project upon completion;
- comply with VDOT Standards, Requirements and Guidance, if the project is to be accepted into the VDOT system for maintenance;
- obtain all necessary permits or permissions necessary for construction and/or operating the project;
- comply with will federal and state requirements for other funding sources which may be used to fund the project.
- certify that it has adhered to all applicable laws and regulations, as well as the requirements of the agreement;

The Authority will:

- provide funding for the project on a reimbursement basis, as outlined in the Project Agreement, Project Budget and Cash Flow as original or subsequently approved;
- assign a project coordinator to monitor the project to ensure compliance with the Agreement and review payment requisitions;
- make project payments within 20 days, if the payment requisition is sufficient;
- notify recipient of reasons a payment requisition is declined;
- consider additional payment requests recommended by the Executive Director and the Finance Committee;
- conduct periodic reviews of the project to ensure that it remains in compliance with the agreed upon project scope;
- advise the recipient in writing of any misused or misapplied funding and make recommendations to the Finance Committee, if the issue(s) is not resolved, and withhold additional funding for the project until final resolution of the matter.
- secure reimbursement (with interest) of any misused or misapplied funding;
- make guidelines available to assist with complying with the terms of the Agreement;
- retain records for time periods required by the Virginia Public Records Act and other applicable laws.

The agreement also:

- provides for termination by either party for cause;
- contains a dispute resolution clause;
- contains other standard language regarding notices, assignment, modification, sovereign immunity, governing law and other provisions.

Martin E. Nohe, Chairman  
Members, Northern Virginia Transportation Authority  
Page Four  
Revised: March 12, 2014

Members of the Financial Working Group and the Council of Counsels will be available at the March 13, 2014, Authority meeting to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Committee  
Members, NVTa Financial Working Group  
Members, Council of Counsels  
John Mason, Interim Executive Director  
Michael Longhi, Chief Financial Officer

Standard Project Agreement for Funding and Administration  
between  
Northern Virginia Transportation Authority  
and

\_\_\_\_\_  
(Recipient Entity)

NVTA Project Number: (\_\_\_\_\_)

This Standard Project Agreement for Funding and Administration ("this Agreement") is made and executed in duplicate on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, as between the Northern Virginia Transportation Authority ("NVTA") and \_\_\_\_\_ ("Recipient Entity")

**WITNESSETH**

WHEREAS, NVTA is a political subdivision of the Commonwealth of Virginia created by the Northern Virginia Transportation Authority Act ("the NVTA Act"), Chapter 48.2 of Title 15.2 of the Code of Virginia, as amended;

WHEREAS, Section 15.2-4830(4) of the Code of Virginia authorizes NVTA to enter into project agreements with certain statutorily designated entities for the provision of transportation facilities and services to the area embraced by NVTA;

WHEREAS, Section 15.2-4838.01 of the Code of Virginia authorizes NVTA to use funds from a fund established pursuant to that Code section (the "NVTA Fund") in order to assist in the financing, in whole or in part, of certain regional transportation projects in accordance with Code Section 15.2- 4838.1;

WHEREAS, the NVTA Fund provides for the deposit therein of certain dedicated revenues and other funds appropriated by the Virginia General Assembly;

WHEREAS, Section 15.2-4838.1 of the Code of Virginia authorizes the use of funds from the NVTA Fund and the use of proceeds from NVTA debt issuances ("NVTA Bond Proceeds") to be used by NVTA solely for transportation purposes benefitting those counties and cities embraced by NVTA;

WHEREAS, the Project set forth and described on Appendix A to this Agreement ("the Project") satisfies the requirements of Virginia Code Section 15.2-4838.1;

WHEREAS, the Project is to be financed, as described in Appendix B, in whole or in part, by funds from the NVTA Fund and/or from NVTA Bond Proceeds, is located within a locality embraced by NVTA's geographical borders, or is located in an adjacent locality; but only to the extent that any such extension is an insubstantial part of the Project and is essential to the viability of the Project within the localities embraced by NVTA;

WHEREAS, (\_\_\_\_\_) formally requested that NVTA provide funding to the Project by timely submitting an application for NVTA funding in response to NVTA's call for projects;

WHEREAS, NVTA has reviewed (\_\_\_\_\_'s) application for funding and has approved (\_\_\_\_\_'s) administration and performance of the Project's described scope of work;

WHEREAS, based on the information provided by (\_\_\_\_\_), NVTA has determined that the Project complies with all requirements of the NVTA Act related to the use of moneys identified in Virginia Code Sections 15.2-4838.1.A,C.1 and all other applicable legal requirements;

WHEREAS, the funds to be provided by NVTA described in Appendix B have been duly authorized and directed by (\_\_\_\_\_) to finance the Project;

WHEREAS, NVTA agrees that (\_\_\_\_\_) will design and/or construct the Project or perform such other specific work for the Project and (\_\_\_\_\_) agrees that it will perform such work on the terms and conditions set forth in this Agreement and the Appendices appended thereto;

WHEREAS, both parties have concurred in the (\_\_\_\_\_'s) administration, performance, and completion of the Project on the terms and conditions set forth in this Agreement and its Appendices and in accordance with all applicable federal, state, and local laws and regulations; and

WHEREAS, NVTA's governing body and (\_\_\_\_\_'s) governing body have each authorized that their respective designee(s) execute this agreement on their respective behalf(s) as evinced by copies of each such entity's clerk's minutes which are appended hereto as Appendix E;.

NOW THEREFORE, in consideration of the promises made mutual covenants, and agreements contained herein, the parties hereto agree as follows:

A. Recipient Entity's Obligations

(\_\_\_\_\_) shall:

- I. Complete or perform all said work as described in Appendix A, advancing such work diligently and ensuring that all work is completed in accordance with all applicable federal, state, and local laws and regulations, and all terms and conditions of this Agreement.
2. Ensure that all work performed or to be performed under this Agreement is in accordance with the Project Description Sheets attached to Appendix A and complies with Va. Code Ann. Sections 15.2-4838.1(A) and C(1).
3. Perform or have performed, and remit all payment requisitions and other requests for funding for design and engineering, including all environmental work, right-of-way acquisition, construction, contract administration, testing services, inspection services, or capital asset acquisitions for the Project, as is required by this Agreement and that may be necessary for completion of the Project.
4. Not use the NVTA funds specified on Appendix B to pay any Project cost if the NVTA Act does not permit such Project cost to be paid with NVTA funds.
5. Recognize that, if the Project contains "multiple phases" (as such "multiple phases" are defined for the Project on Appendix A), for which NVTA will provide funding for such multiple phases (as set forth on Appendix B), NVTA may not provide funding to (\_\_\_\_\_) to advance the Project to the next phase until the current phase is completed. In any circumstance where (\_\_\_\_\_) seeks to advance a Project to the next phase using NVTA funds, (\_\_\_\_\_) shall submit a written request to NVTA's Executive Director explaining the need for NVTA's funding of an advanced phase. NVTA's Executive Director will thereafter review the circumstances underlying the request in conjunction with Appendix B and NVTA's current and projected cash flow position and make a recommendation to NVTA whether to authorize the requested advance phase funding. Nothing herein, however, shall prohibit (\_\_\_\_\_) from providing its own funds to advance a future phase of the Project and from requesting

reimbursement from NVTA for having advanced funded a future phase of the Project. However, (\_\_\_\_\_) further recognizes that NVTA's reimbursement to (\_\_\_\_\_) for having advanced funded a Project phase will be dependent upon NVTA's cash flow position at the time such a request for reimbursement is submitted and to the extent that any such advanced funding is consistent with Appendix B.

6. Acknowledge that NVTA's Executive Director will periodically update NVTA's project cash flow estimates with the objective toward keeping those estimates accurate throughout the life of the Project. (\_\_\_\_\_) shall provide all information required by NVTA so as to ensure and facilitate accurate cash flow estimates and accurate updates to those cash flow estimates throughout the life of the Project as described in Appendix B.
7. Provide to NVTA requests for payment consistent with Appendix B and the most recently approved NVTA cash flow estimates that include NVTA's standard payment requisition(s), containing detailed summaries of actual project costs incurred with supporting documentation as determined by NVTA and that certify all such costs were incurred in the performance of work for the Project as authorized by this Agreement. Each payment requisition shall be in substantially the same form as set forth in Appendix C of this Agreement. If approved by NVTA, (\_\_\_\_\_) can expect to receive payment within twenty (20) days upon receipt by NVTA. Approved payments may be made by means of electronic transfer of funds from NVTA to or for the account of (\_\_\_\_\_).
8. Promptly notify NVTA's Executive Director of any additional project costs resulting from unanticipated circumstances and provide to NVTA detailed estimates of additional costs associated with those circumstances. (\_\_\_\_\_) understands that it will be within NVTA's sole discretion whether to provide any additional funding to the Project in such circumstances and that NVTA will do so only in accordance with NVTA's approved Project Selection Process and upon formal action and approval by NVTA. (\_\_\_\_\_) shall timely provide to NVTA a complete and accurate update to Appendix B, if NVTA approves funding of any additional Project costs for the Project under this Paragraph.

9. Release or return any unexpended funds to NVTA no later than 90 days after final payment has been made to the contractors.
10. Review and acknowledge the requirements of NVTA Resolution No. 1408 adopted January 23, 2014; to wit that, if applicable to (\_\_\_\_\_'s\_) Project: a) Prior to any NVTA funds being released for a project that may be part of a larger project, projects, or system undertaken with an extra-territorial funding partner, all such extra-territorial funding partners must commit to pay their appropriate, respective proportionate share or shares of the larger project or system cost commensurate with the benefits to each on a basis agreed upon by the NVTA member localities; b) any such funds released by NVTA for such project will be in addition to the funds that the NVTA member locality is to receive from or be credited with by the extra-territorial funding partner for the project or system; and c) there shall be no funding made available by NVTA until such time as all extra-territorial funding partners for such project or system pay or officially commit to fund their appropriate, respective proportionate shares of such large project or system commensurate with the benefits to each on a basis agreed upon with NVTA.
11. Should (\_\_\_\_\_) be required to provide matching funds in order to proceed or complete the funding necessary for the Project, (\_\_\_\_\_) shall certify to NVTA that all such matching funds have been either authorized and/or appropriated by (\_\_\_\_\_'s) governing body or have been obtained through another, independent funding source;
12. Maintain complete and accurate financial records relative to the Project for all time periods as may be required by the Virginia Public Records Act and by all other applicable state or federal records retention laws or regulations, unless superseded by the laws that govern (\_\_\_\_\_) and provide copies of any such financial records to NVTA, free of charge, upon request.
13. Maintain all original conceptual drawings and renderings, architectural and engineering plans, site plans, inspection records, testing records, and as built drawings for the Project for the time periods required by the Virginia Public Records Act and any other applicable records retention laws or regulations, unless superseded

by the laws that govern (\_\_\_\_); and provide to NVTA copies of all such drawings and plans free of charge, upon request.

14. Reimburse NVTA for all NVTA funds (with interest earned at the rate earned by NVTA that (\_\_\_\_) misapplied or used in contravention of Sections 15.2-4829 *et. seq.* of the Virginia Code (“the NVTA Act”) Chapter 766 of the 2013 Virginia Acts of Assembly (“Chapter 766”), or any term or condition of this Agreement.
15. Name NVTA and its Bond Trustee or require that all (\_\_\_\_’s ) contractors name NVTA or its Bond Trustee as an additional insured on any insurance policy issued for the work to be performed by or on behalf of (\_\_\_\_) for the Project and present NVTA with satisfactory evidence thereof before any work on the Project commences or continues.
16. Give notice to NVTA that (\_\_\_\_) may use NVTA funds to pay outside legal counsel services (as opposed to utilizing the services of its own in-house counsel or NVTA’s in-house legal counsel) in connection with the work performed under this Agreement (\_\_\_\_) so as to ensure that no conflict of interest may arise from any such representation.
17. Provide certification to NVTA, that upon final payment to all contractors for the Project, (\_\_\_\_) will use the Project for its intended purposes for the duration of the Project’s useful life. Under no circumstances will NVTA be considered responsible or obligated to operate and/or maintain the Project after its completion.
18. Comply with all requirements of the Virginia Public Procurement Act and other applicable Virginia Code provisions, or local ordinances which govern the letting of public contracts, unless superseded by the laws that govern (\_\_\_\_).
19. If the Project is being funded in whole or in part by NVTA Bond Proceeds, comply with the tax covenants attached as Appendix D.
20. If (\_\_\_\_) expects and/or intends that the Project is to be submitted for acceptance by the Commonwealth into its system that (\_\_\_\_) agrees to comply with the Virginia



Department of Transportation's ("VDOT's") Standards, Requirements and Guidance."

21. Recognizes that (\_\_\_\_\_) is solely responsible for obtaining all permits and permissions necessary to construct and/or operate the Project, including but not limited to, obtaining all required VDOT and local land use permits, applications for zoning approvals, and regulatory approvals.
22. Recognizes that if (\_\_\_\_\_) is funding the Project, in whole or in part, with federal and/or state funds, in addition to NVTA funds and/or NVTA Bond Proceeds that (\_\_\_\_\_) will need to comply with all federal and Commonwealth funding requirements, including but not limited to, the completion and execution of VDOT's Standard Project Administration Agreement and acknowledges that NVTA will not be a party or signatory to that Agreement; nor will NVTA have any obligation to comply with the requirements of that Agreement.
23. Will provide a certification to NVTA no later than 90 days after final payment to the contractors that (\_\_\_\_\_) adhered to all applicable laws and regulations and all requirements of this Agreement.

B. NVTA's Obligations

NVTA shall:

- I. Provide to (\_\_\_\_\_) the funding authorized by NVTA for design work, engineering, including all environmental work, all right-of-way acquisition, inspection services, testing services, construction, and/or capital asset acquisition(s) on a reimbursement basis as set forth in this Agreement and as specified in the Project Budget and Cash Flow contained in Appendix B to this Agreement or the most updated amendment thereto, as approved by NVTA.
2. Assign a Program Coordinator for the Project. NVTA's Program Coordinator will be responsible for monitoring the Project on behalf of NVTA so as to ensure compliance with this Agreement and all NVTA's requirements and with overseeing, managing, reviewing,

and processing, in consultation with NVTA's Executive Director and its Chief Financial Officer ("CFO") ,all payment requisitions submitted by (\_\_\_\_\_) for the Project. NVTA's Program Coordinator will have no independent authority to direct changes or make additions, modifications, or revisions to the Project Scope of Work as set forth on Appendix A or to the Project Budget and Cash Flow as set forth on Appendix B.

3. Route to NVTA's assigned Program Coordinator all (\_\_\_\_\_'s\_) payment requisitions, containing detailed summaries of actual Project costs incurred which are in substantially the same form as shown on Appendix C submitted to NVTA for the Project. After submission to NVTA, NVTA's Program Coordinator will conduct an initial review of all payment requisitions and supporting documentation for the Project in order to determine the submissions' legal and documentary sufficiency. NVTA's Program Coordinator will then make a recommendation to the NVTA's CFO and Executive Director whether to authorize payment, refuse payment, or seek additional information from (\_\_\_\_\_). If the payment requisition is sufficient as submitted, payment will be made within twenty (20) days from receipt. If the payment requisition is deemed insufficient, within twenty (20) days from receipt, NVTA's Program Coordinator will notify (\_\_\_\_\_) in writing and set forth the reasons why the payment requisition was declined or why and what specific additional information is needed for processing the payment request. Payment will be withheld until all deficiencies identified by NVTA have been corrected. Under no circumstances will NVTA authorize payment for any work performed by or on behalf (\_\_\_\_\_) that is not in conformity with the requirements of the NVTA Act, Chapter 766, or this Agreement.
4. Route all (\_\_\_\_\_'s\_) supplemental requests for funding from NVTA under Paragraphs A.5 and A.8 of this Agreement to NVTA's Executive Director. NVTA's Executive Director will initially review those requests and all supporting documentation with NVTA's CFO. After such initial review, NVTA's Executive Director will make a recommendation to NVTA's Finance Committee for its independent consideration and review. NVTA's Finance Committee will thereafter make a recommendation on any such request to NVTA for final determination by NVTA.

5. Conduct periodic compliance reviews scheduled in advance for the Project so as to determine whether the work being performed remains within the scope of this Agreement, the NVTA Act, Chapter 766, and other applicable law. Such compliance reviews may entail review of (\_\_\_\_\_'s) financial records for the Project and on - site inspections.
6. If, as a result of NVTA's review of any payment requisition or of any NVTA compliance review, NVTA staff determines that (\_\_\_\_\_) has misused or misapplied any NVTA funds in derogation of this Agreement or in contravention of the NVTA Act, Chapter 766 or applicable law, NVTA staff will promptly advise NVTA's Executive Director and will advise (\_\_\_\_\_'s) designated representative in writing. (\_\_\_\_\_) will thereafter have thirty (30) days to respond in writing to NVTA's initial findings. NVTA's staff will review (\_\_\_\_\_'s) response and make a recommendation to NVTA's Finance Committee. NVTA's Finance Committee will thereafter conduct its own review of all submissions and make a recommendation to NVTA. Pending final resolution of the matter, NVTA will withhold further funding on the Project. If NVTA makes a final determination that (\_\_\_\_\_) has misused or misapplied funds in contravention of this Agreement, the NVTA Act, Chapter 766, or other applicable law, NVTA will cease further funding for the Project and will seek reimbursement from (\_\_\_\_\_) of all funds previously remitted by NVTA (with interest earned at the rate earned by NVTA) which were misapplied or misused by (\_\_\_\_\_). Nothing herein shall, however, be construed as denying, restricting or limiting the pursuit of either party's legal rights or available legal remedies.
7. Make guidelines available to (\_\_\_\_\_) to assist the parties in carrying out the terms of this Agreement in accordance with applicable law.
8. Upon final payment to all contractors, retain copies of all contracts, financial records, design, construction, and as-built project drawings and plans for the Project for the time periods required by the Virginia Public Records Act and as may be required by other applicable records retention laws and regulations.

9. Shall be the sole determinant of the amount and source of NVTA funds to be provided and allocated to the Project and the amounts of any NVTA funds to be provided in excess of the amounts specified in Appendix B.

C. Term

1. This Agreement shall be effective upon adoption and execution by both parties.
2. (\_\_\_\_\_) may terminate this Agreement, for cause, in the event of a material breach by NVTA of this Agreement. If so terminated, NVTA shall pay for all Project costs incurred through the date of termination and all reasonable costs incurred by (\_\_\_\_\_) to terminate all Project related contracts. The Virginia General Assembly's failure to appropriate funds to NVTA as described in paragraph F of this Agreement or repeal of the legislation establishing the NVTA fund created pursuant to Ch.766 shall not be considered material breaches of this Agreement by NVTA. Before initiating any proceedings to terminate under this Paragraph, (\_\_\_\_\_) shall give NVTA sixty (60) days written notice of any claimed material breach of this Agreement; thereby allowing NVTA an opportunity to investigate and cure any such alleged breach.
3. NVTA may terminate this Agreement, for cause, resulting from (\_\_\_\_\_'s) material breach of this Agreement. If so terminated, (\_\_\_\_\_) shall refund to NVTA all funds NVTA provided to (\_\_\_\_\_) for the Project (including interest earned at the rate earned by NVTA). NVTA will provide (\_\_\_\_\_) with sixty (60) days written notice that NVTA is exercising its rights to terminate this Agreement and the reasons for termination. Prior to termination, (\_\_\_\_\_) may request that NVTA excuse (\_\_\_\_\_) from refunding all funds NVTA provided to (\_\_\_\_\_) for the Project based upon (\_\_\_\_\_'s) substantial completion of the Project or severable portions thereof; and NVTA may, in its sole discretion, excuse (\_\_\_\_\_) from refunding all or a portion of the funds NVTA provided to (\_\_\_\_\_) for the Project. No such request to be excused from refunding will be allowed where (\_\_\_\_\_) has either misused or misapplied NVTA funds in contravention of applicable law.

4. . Upon termination and payment of all eligible expenses as set forth in Paragraph C.3 above, (\_\_\_\_\_) will release or return to NVTA all unexpended NVTA funds with interest earned at the rate earned by NVTA no later than sixty (60) days after the date of termination.

D. Dispute

In the event of a dispute under this Agreement, the parties agree to meet and confer in order to ascertain if the dispute can be resolved informally without the need of a third party or judicial intervention. NVTA's Executive Director and (\_\_\_\_\_'s) Chief Executive Office or Chief Administrative Officer shall be authorized to conduct negotiations on behalf of their respective entities. If a resolution of the dispute is reached via a meet and confer dispute resolution method, it shall be presented to NVTA and to (\_\_\_\_\_'s) governing body for formal confirmation and approval. If no satisfactory resolution can be reached via the meet and confer method, either party is free to pursue whatever remedies it may have at law, including all judicial remedies.

E. NVTA's Financial Interest in Project Assets

(\_\_\_\_\_) agrees to use the real property and appurtenances and fixtures thereto, capital assets, equipment and all other transportation facilities that are part of the Project and funded by NVTA under this Agreement ("Project Assets") for the designated transportation purposes of the Project under this Agreement and in accordance with applicable law throughout the useful life of each Project Asset. NVTA shall retain a financial interest in the value of each of the of the Project Assets, whether any such Project Asset may have depreciated or appreciated, throughout its respective useful life proportionate to the amount of the cost of the Project Asset funded by NVTA under this Agreement. In the event that (\_\_\_\_\_) fails to use any of the Project Assets funded under this Agreement for the transportation purposes as authorized by this Agreement or applicable law throughout its respective useful life, (\_\_\_\_\_) shall refund to NVTA with interest at the rate earned by NVTA the amount attributable to NVTA's proportionate financial interest in the value of said Project Asset. If (\_\_\_\_\_) refuses or fails to refund said monies to NVTA, NVTA may recover its proportionate financial interest from (\_\_\_\_\_) by pursuit of any remedies available to NVTA, including but not limited to NVTA's withholding of commensurate amounts from future distributions of NVTA funds to (\_\_\_\_\_).

F. Appropriations Requirements

1. Nothing herein shall require or obligate any party to commit or obligate funds to the Project beyond those funds that have been duly authorized and appropriated by their respective governing bodies.
2. The parties acknowledge that all funding provided by NVTA pursuant to Ch.766 is subject to appropriation by the Virginia General Assembly. The parties further acknowledge that: (i) the moneys allocated to the NVTA Fund pursuant to Va. Code Ann. Sections 58.1-638, 58.1-802.2, and 58.1-1742 and any other moneys that the General Assembly appropriates for deposit into the NVTA Fund are subject to appropriation by the General Assembly and (ii) NVTA's obligations under this Agreement are subject to such moneys being appropriated for deposit in the NVTA Fund by the General Assembly.

G. Notices

All notices under this Agreement to either party shall be in writing and forwarded to the other party by U.S. mail, care of the following authorized representatives:

1) to: NVTA, to the attention of its Executive Director (address);

2) to: ( ), to the attention of (\_\_\_\_)(address)

H. Assignment

This Agreement shall not be assigned by either party unless express written consent is given by the other party.

I. Modification or Amendment

This Agreement may be modified, in writing, upon mutual agreement of both parties.

J. No Personal Liability or Creation of Third Party Rights

This Agreement shall not be construed as creating any personal liability on the part of any officer, employee, or agent of the parties; nor shall it be construed as giving any rights or benefits to anyone other than the parties hereto.

K. No Agency

(\_\_\_\_\_) represents that it is not acting as a partner or agent of NVTa; and nothing in this Agreement shall be construed as making any party a partner or agent with any other party.

L. Sovereign Immunity

This Agreement shall not be construed as a waiver of either party's sovereign immunity rights.

M. Incorporation of Recitals

The recitals to this Agreement are hereby incorporated into this Agreement and are expressly made a part hereof. The parties to this Agreement acknowledge and agree that such recitals are true and correct.

N. Mutual Preparation and Fair Meaning

The parties acknowledge that this Agreement has been prepared on behalf of all parties thereto and shall be construed in accordance with its fair meaning and not strictly construed for or against either party.

O. Governing Law

This Agreement is governed by the laws of the Commonwealth of Virginia.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written by their duly authorized representatives.

COUNTY OF \_\_\_\_\_ VIRGINIA:

Northern Virginia Transportation Authority

By: \_\_\_\_\_

Date: \_\_\_\_\_

(     Name of Recipient Entity     )

By: \_\_\_\_\_

Date: \_\_\_\_\_



**Appendix A –Narrative Description of Project**

***Attach- Approved NVTA Project Description Sheet***

NVTA Project Title:

Recipient Entity:

Recipient Entity/Project Manager Contact Information:

NVTA Program Coordinator Contact information:

<b>Project Scope</b>
<b>Only Complete if Different from the Approved NVTA Project Description Sheet</b>

<b>Detailed Scope of Services</b>
<b>Only Complete if Different from the Approved NVTA Project Description Sheet</b>

**APPENDIX B-PROJECT BUDGET & CASH FLOW****PROJECT IDENTIFICATION AND PROPOSED FUNDING**

NVTA Project Title: \_\_\_\_\_  
Recipient Entity: \_\_\_\_\_  
Project Contact Information: \_\_\_\_\_

**PROJECT COSTS & FUNDING SOURCE**

<b>Project Cost Category</b>	<b>Total Project Costs</b>	<b>NVTA PayGo Funds</b>	<b>NVTA Financed Funds</b>	<b>Description Other Sources of Funds</b>	<b>Amount Other Sources of Funds</b>	<b>Recipient Entity Funds</b>
Design Work	\$ -	\$ -	\$ -		\$ -	\$ -
Engineering						
Environmental Work						
Right-of-Way Acquisition						
Construction						
Contract Administration						
Testing Services						
Inspection Services						
Capital Asset Acquisitions						
<b>Total Estimated Cost</b>	\$ -	\$ -	\$ -		\$ -	\$ -

**FISCAL YEAR ANNUAL PROJECT CASH FLOW**

<b>Project Phase</b>	<b>Total Fiscal Year 2014</b>		<b>Total Fiscal Year 2015</b>		<b>Total Fiscal Year 2016</b>		<b>Total Fiscal Year 2017</b>		<b>Total Fiscal Year 2018</b>	
	PayGo	Financed	PayGo	Financed	PayGo	Financed	PayGo	Financed	PayGo	Financed
Design Work										
Engineering										
Environmental Work										
Right-of-Way Acquisition										
Construction										
Contract Administration										
Testing Services										
Inspection Services										
Capital Asset Acquisitions										
<b>Total Estimated Cost</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

*Please Note: If additional years are needed, please submit a separate form with additional columns*

**FISCAL YEAR ESTIMATED PROJECT CASH FLOW**

	<b>FY 14 Mthly Cash Flow</b>		<b>FY 15 Mthly Cash Flow</b>		<b>FY 16 Qtrly Cash Flow</b>		<b>FY 17 Qtrly Cash Flow</b>		<b>FY 18 Qtrly Cash Flow</b>	
	PayGo	Financed	PayGo	Financed	PayGo	Financed	PayGo	Financed	PayGo	Financed
July										
August										
September										
October										
November										
December										
January										
February										
March										
April										
May										
June										
<b>Total per Fiscal Year</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

*Please Note: If additional years are needed, please submit a separate form with additional columns*

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

**Recipient Entity Official**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Print name of person signing

**Northern Virginia Transportation Authority**

\_\_\_\_\_  
Signature  
NVTA Executive Director  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Print name of person signing

## APPENDIX C

### FORM OF REQUISITION

NVTA Project Number: \_\_\_\_\_  
NVTA Project Title: \_\_\_\_\_  
Draw Request Number: \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_

Northern Virginia Transportation Authority  
3060 Williams Drive  
Suite 510  
Fairfax, Virginia 22031

Attention \_\_\_\_\_, Program Coordinator:

This requisition, including required Detailed PayGo and/or Detailed NVTA Bond Proceeds Request Forms, is submitted in connection with the Standard Project Agreement for Funding and Administration dated \_\_\_\_\_, 20\_\_ (the "Agreement") between the Northern Virginia Transportation Authority ("NVTA") and \_\_\_\_\_ (the "Recipient Entity"). The Recipient Entity hereby requests \$\_\_\_\_\_ of NVTA funds, to pay the costs of the Project set forth in the Attached Detailed PayGo and/or Detailed NVTA Bond Proceeds Request forms and in accordance with the Agreement. Also included are copies of each invoice relating to the items for which this requisition is requested.

The undersigned certifies (i) the amounts included within this requisition will be applied solely and exclusively for the payment or the reimbursement of the Recipient Entity's approved costs of the Project, (ii) the Recipient Entity is responsible for payment to vendors/contractors, (iii) the Recipient Entity is not in default with respect to any of its obligations under the Agreement, including without limitation (but only if applicable) the tax covenants set forth in Appendix D to the agreement, (iv) the representations and warranties made by the Recipient Entity in the Agreement are true and correct as of the date of this Requisition and (v) to the knowledge of the Recipient Entity, no condition exists under the Agreement that would allow NVTA to withhold the requested advance.

#### RECIPIENT ENTITY

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

#### Recommended For Payment

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: NVTA Program Coordinator

## DETAILED PAYGO REQUEST

Draw Request Number: \_\_\_\_\_  
 NVT A Project Number: \_\_\_\_\_

Request Date: \_\_\_\_\_  
 Project Title: \_\_\_\_\_

Cost Category	NVT A Approved Project Costs	Total PayGo Requests Previously Received	PayGo Requisition Amount this Period	Remaining PAYGO Project Budget (Calculation)
<b>Project Starting Balance</b>	\$ -			\$ -
Design Work	\$ -	\$ -	\$ -	\$ -
Engineering	-	-	-	\$ -
Environmental Work	-	-	-	\$ -
Right-of-Way Acquisition	-	-	-	\$ -
Construction	-	-	-	\$ -
Contract Administration	-	-	-	\$ -
Testing Services	-	-	-	\$ -
Inspection Services	-	-	-	\$ -
Capital Asset Acquisitions	-	-	-	\$ -
<b>Other (please explain)</b>	-	-	-	\$ -
<b>TOTALS</b>	\$ -	\$ -	\$ -	\$ -

### LISTING OF ATTACHED INVOICES

Vendor/Contractor Name	Item Number	Invoice Number	Cost Category	Amount
	1			\$ -
	2			-
	3			-
	4			-
	5			-
	6			-
	7			-
	8			-
	9			-
	10			-
	11			-
	12			-
<b>Requisition Amount</b>				\$ -

#### Instructions

1. Column B-Please list approved PayGo Project Cost per category.
2. Column C-Please list Total PayGo Amounts per Category Previously Reimbursed by NVT A
3. Column D- Please list invoice amounts summarized by Category from the Listing of Attached Invoices
4. Column E - Is a calculation of the Remaining PAYGO Budget per Category

#### Instructions-Listing of Attached Invoices: (please list each invoice separately)

1. Column A- Please list the name as it appears on the Invoice
2. Column B- Please manually number the invoices attached with the corresponding Item number in this schedule.
2. Column C- Please list the invoice number as it appears on the Invoice
3. Column D- Please list the appropriate Cost Category based on the Project Category breakout above
4. Column E- Please enter the dollar amount listed on the invoice.
5. The calculated Requisition Amount should equal the total in Column D in the Schedule above.

## DETAILED NVTA BOND PROCEEDS REQUEST

Draw Request Number: \_\_\_\_\_  
 NVTA Project Number: \_\_\_\_\_

Request Date: \_\_\_\_\_  
 Project Title: \_\_\_\_\_

Cost Category	NVTA Approved Project Costs	NVTA Bond Proceeds Requests Previously Received	NVTA Bond Proceeds Requisition Amount this Period	Remaining NVTA Bond Proceeds Budget (Calculation)
<b>Project Starting Balance</b>	\$ -			\$ -
Design Work	\$ -	\$ -	\$ -	\$ -
Engineering	-	-	-	\$ -
Environmental Work	-	-	-	\$ -
Right-of-Way Acquisition	-	-	-	\$ -
Construction	-	-	-	\$ -
Contract Administration	-	-	-	\$ -
Testing Services	-	-	-	\$ -
Inspection Services	-	-	-	\$ -
Capital Asset Acquisitions	-	-	-	\$ -
<b>Other (please explain)</b>	-	-	-	\$ -
<b>TOTALS</b>	\$ -	\$ -	\$ -	\$ -

### LISTING OF ATTACHED INVOICES

Vendor/Contractor Name	Item Number	Invoice Number	Cost Category	Amount
	1			\$ -
	2			-
	3			-
	4			-
	5			-
	6			-
	7			-
	8			-
	9			-
	10			-
	11			-
	12			-
<b>Requisition Amount</b>				\$ -

#### Instructions

1. Column B-Please list approved NVTA Bond Proceed Project Cost per category.
2. Column C-Please list Total NVTA Bond Proceed Project Amounts per Category Previously Reimbursed by NVTA
3. Column D- Please list invoice amounts summarized by Category from the Listing of Attached Invoices
4. Column E - Is a calculation of the Remaining Financed (Bonded) Budget per Category

#### Instructions-Listing of Attached Invoices: (please list each invoice separately)

1. Column A- Please list the name as it appears on the Invoice
2. Column B- Please manually number the invoices attached with the corresponding Item number in this schedule.
2. Column C- Please list the invoice number as it appears on the Invoice
3. Column D- Please list the appropriate Cost Category based on the Project Category breakout above
4. Column E- Please enter the dollar amount listed on the invoice.
5. The calculated Requisition Amount should equal the total in Column D in the Schedule above.

## APPENDIX D

### TAX COVENANTS

*[Subject to Modification Depending on Tax Status of NVTA Bonds and Nature of Project—  
Illustrative Provisions Follow]*

[The Recipient Entity will not permit more than five percent of the total amount of NVTA Bond Proceeds or the Financed Property to be used directly or indirectly (i) for a Private Business Use or (ii) to make or finance loans to Nongovernmental Persons. Any transaction that is generally characterized as a loan for federal income tax purposes is a "loan" for purposes of this paragraph. In addition, a loan may arise from the direct lending of NVTA Bond Proceeds or may arise from transactions in which indirect benefits that are the economic equivalent of a loan are conveyed, including any contractual arrangement which in substance transfers tax ownership and/or significant burdens and benefits of ownership.]

[The Recipient Entity agrees not to requisition or spend NVTA Bond Proceeds for any Project Cost not constituting a Capital Expenditure.]

[The Recipient Entity acknowledges that may have to provide detailed information about the investment of the amount of any requisition unless (i) payments are not remitted directly by NVTA to the contractors/vendors or (ii) the Recipient Entity does not remit payment to the contractors/vendors within five banking days after the date on which NVTA advances the amount of the requisition. NVTA may request the detailed information in order to compute the rebate liability to the U.S. Treasury on NVTA's bonds or other debt financing pursuant to Section 148 of the Internal Revenue Code of 1986, as amended (the "Code").]

"Capital Expenditure" means any cost of a type that is properly chargeable to capital account (or would be so chargeable with (or but for) a proper election or the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general federal income tax principles, determined at the time the expenditure is paid.

"Federal Government" means the government of the United States and its agencies or instrumentalities.

"Financed Property" means the property financed by the NVTA Bond Proceeds.

"General Public Use" means use of Financed Property by a Nongovernmental Person as a member of the general public. Use of Financed Property by a Nongovernmental Person in a Trade or Business is treated as General Public Use only if the Financed Property is intended to be available and in fact is reasonably available for use on the same basis by natural persons not engaged in a Trade or Business. Use under arrangements that convey priority rights or other preferential benefits is not use on the same basis as the general public.

"Governmental Person" means any Person that is a state or local governmental unit within the meaning of Section 141 of the Code (or any instrumentality thereof) and does not include the Federal Government.

"NVTB Bond Proceeds" means, as used herein, the sale proceeds of any NVTB bonds or other debt instrument and the investment earnings on such proceeds, collectively.

"Nongovernmental Person" mean any Person other than a Governmental Person. The Federal Government is a Nongovernmental Person.

"Person" means any natural person, firm, joint venture, association, partnership, business trust, corporation, limited liability company, corporation or partnership or any other entity (including the Federal Government and a Governmental Person).

"Private Business Use" means a use of the NVTB Bond Proceeds directly or indirectly in a Trade or Business carried on by a Nongovernmental Person other than General Public Use. For all purposes hereof, a Private Business Use of any Financed Property is treated as a Private Business Use of NVTB Bond Proceeds. Both actual and beneficial use by a Nongovernmental Person may be treated as Private Business Use under Section 141 of the Code. In most cases, however, Private Business Use results from a Nongovernmental Person having special legal entitlements to use the Financed Property under an arrangement with the Recipient Entity. Examples of the types of special legal entitlements resulting in Private Business Use of Proceeds include ownership for federal tax purposes of Financed Property by a Nongovernmental Person and actual or beneficial use of Financed Property by a Nongovernmental Person pursuant to a lease, a Service Contract, an incentive payment contract or certain other arrangements such as a take-or-pay or other output-type contract. Private Business Use of the Financed Property may also be established on the basis of a special economic benefit to one or more Nongovernmental Persons even if such Nongovernmental Persons do not have a special legal entitlement to the use of the Financed Property. Any arrangement that is properly characterized as a lease for federal income tax purposes is treated as a lease for purposes of the Private Business Use analysis. An arrangement that is referred to as a management or Service Contract may nevertheless be treated as a lease, and in determining whether a management or service contract is properly characterized as a lease, it is necessary to consider all of the facts and circumstances, including (i) the degree of control over the property that is exercised by a Nongovernmental Person, and (ii) whether a Nongovernmental Person bears risk of loss of the Financed Property. Private Business Use of Financed Property that is not available for General Public Use may also be established on the basis of a special economic benefit to one or more Nongovernmental Persons even if such Nongovernmental Persons do not have a special legal entitlement to the use of the Financed Property. In determining whether special economic benefit gives rise to Private Business Use, it is necessary to consider all of the facts and circumstances, including one or more of the following factors: (i) whether the Financed Property is functionally related or physically proximate to property used in the Trade or Business of a Nongovernmental Person, (ii) whether only a small number of Nongovernmental Persons receive the economic benefit, and (iii) whether the cost of the Financed Property is treated as depreciable by the Nongovernmental Person.

"Service Contract" means a contract under which a Nongovernmental Person will provide services involving all, a portion or any function of any Financed Property. For example, a Service Contract includes a contract for the provision of management services for all or any portion of Financed Property. Contracts for services that are solely incidental to the primary governmental function or functions of Financed Property (for example, contracts for janitorial, office equipment repair, billing, or similar services) are not included in this definition. Additional contracts not included in this definition are (i) a contract to provide for services by a Nongovernmental Person in compliance with Revenue Procedure 97-13, 1997-1 C.B. 632, as modified by Revenue Procedure 2001-39, I.R.B. 2001-28, (ii) a contract to provide for services by a Nongovernmental Person if the only compensation is the reimbursement of the Nongovernmental Person for actual and direct expenses paid by the Nongovernmental Person to unrelated parties and (iii) a contract to provide for the operations by a Nongovernmental Person of a facility or system of facilities that consists predominately of public utility property (within the meaning of Section 168(i)(10) of the Code), if the only compensation is the reimbursement of actual and direct expenses of the Nongovernmental Person and reasonable administrative overhead expenses of the Nongovernmental Person.

"Trade or Business" has the meaning set forth in Section 141(b)(6)(B) of the Code, and includes, with respect to any Nongovernmental Person other than a natural person, any activity carried on by such Nongovernmental Person. "Trade or Business" for a natural person means any activity carried on by such natural person that constitutes a "trade or business" within the meaning of Section 162 of the Code.





# Evaluation and Rating of Significant Transportation Projects in NoVA

## Project Selection Model Results

Northern Virginia Transportation Authority

March 13, 2014

# Presentation Overview

- **Project Selection Model Purpose**
- **Project Selection Model (PSM)**
  - **Project Assessment Criteria**
  - **Criteria Weights and Scoring**
  - **Selection Process**
- **PSM Model Results**

## Project Selection Model Purpose

- **Ensure that projects selected for analysis are consistent with:**
  - **CTB Priorities**
  - **Overall intent of the law (study mandate/objectives)**
    - *Evaluate and rate significant transportation projects that reduce congestion and improve mobility during homeland security emergency situations*
    - *Projects should include significant highway, rail, bus, and/or technology investments that reduce congestion*
    - *Priority should be given to projects that most effectively reduce congestion in the most congested corridors and intersections*
- **Help select a finite number of qualified projects for evaluation and rating in this round of the study**

## Project Selection Model (PSM)

- **The Project Selection Model (PSM) implements the legislative requirements using the following overall structure**
- **Tier One – CTB Priority Principles**
  - The project must meet at least one of the six CTB selected priorities to be considered for selection
- **Tier Two – Study Mandates and Objectives**
  - The project is assessed against a set of criteria related to its significance, congestion reduction potential and Homeland Security mobility
- **PSM framework/structure reviewed by NVTa at December 11, 2013 workshop**

## PSM Tier One – CTB Priority Principles

- **Priority principles applied in a regional context**
- **The project must meet at least one of the following CTB priorities**
  - Preserve and Enhance Statewide Mobility through the Region
  - Increase Coordinated Safety and Security Planning
  - Improve the Interconnectivity of Regions and Activity Centers
  - Reduce the Cost of Congestion to Virginia Residents and Businesses
  - Increase System Performance by Making Operational Improvements
  - Increase Travel Choices to Improve Quality of Life for Virginians
- **ALL SUBMITTED PROJECTS MET THIS CRITERIA**

## PSM Tier Two – Study Mandates and Objectives

- **Three categories of criteria:**

- Project Significance

- 5 sub-criteria / attributes – *project type, designated corridors, high travel volume, connects activity centers, connects major facilities*

- Congestion Reduction Potential

- 5 sub-criteria / attributes – *congestion severity, congestion duration, person hours of delay, adds capacity, reduces vehicle trips*

- Homeland Security Mobility

- 1 sub-criteria / attribute – *facility and operational improvements*

- **All quantitative assessments will be based on 2020 Conditions**

- Facilities, volumes, congestion levels, delays, regional activity center sizes, ...

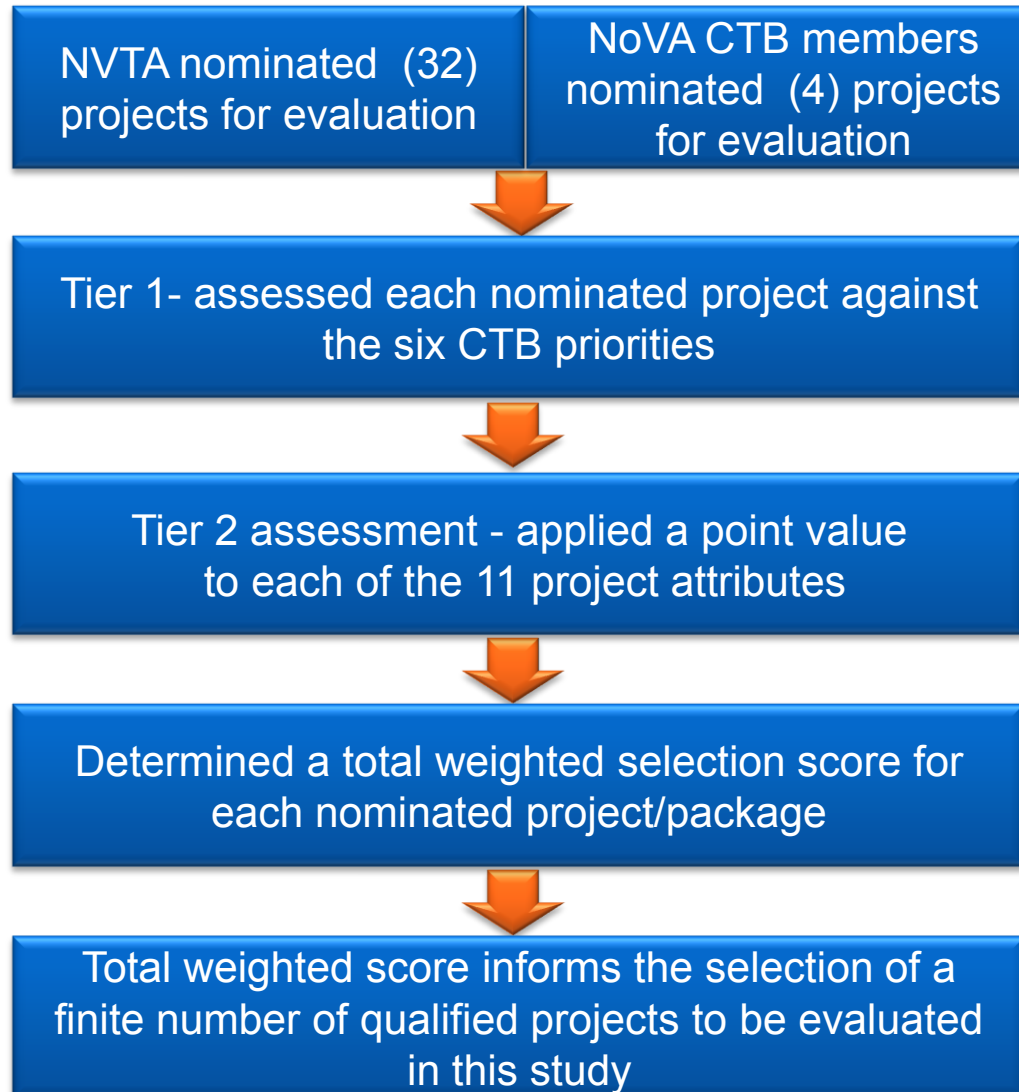
# Project Selection Criteria and Weights

Criteria		NVTA Assigned Weights	Possible Points Value
Project Significance			
	Project Type	3%	0, 100
	Designated Corridor	13%	0, 100
	High Travel Volume	15%	0 to 100
	Connects RACS	16%	0 to 100
	Connects Major Facilities	8%	0, 50, 100
Congestion Reduction Potential			
	Congestion Severity	6%	0, 25, 75, 100
	Congestion Duration	9%	0, 25, 75, 100
	Person Hours of Delay	8%	0, 25, 75, 100
	Adds Capacity	9%	0, 50, 100
	Reduces Vehicle Trips	5%	0, 25, 75, 100
Homeland Security Mobility			
	Facility Improvements	8%	0, 50, 100
		100%	



**Selection  
Score**

## Project Selection Process





## CTB Nominated Projects

- **Prince William Parkway (Rt. 294) grade separated interchanges**
  - Construct two grade separated interchanges along Prince William Parkway at Minnieville Road and Smoketown Road
  - Project also includes pedestrian improvements
- **Route 7 widening between Reston Avenue and Jarrett Valley Drive**
  - Widen Route 7 from four to six lanes
  - Add shared use paths on both sides of roadway
- **I-395 southbound widening between Duke St. and Edsall Road**
  - Add a fourth through lane on southbound I-395
- **Fairfax County Parkway improvements from I-95 to Route 1**
  - Construct improvements to the Fairfax County Parkway and I-95 interchange
  - Widen the Fairfax County Parkway from four to six lanes between I-95 and US 1
  - Construct grade separated interchanges at the Parkway and US 1 and the Parkway and John Kingman Road

## Project Selection Results

- **36 projects nominated (32 NVTA, 4 NoVA CTB)**
  - 24 roadway improvements/widenings, 1 HOV widening
  - 5 interchange construction
  - 4 intersection improvements
  - 2 ITS projects
- **Tier 1 selection criteria:**
  - All projects submitted met at least one of the CTB priorities
  - 16 met all 6 CTB priorities, 20 met multiple CTB priorities
- **Tier 2 selection criteria:**
  - Project PSM scores ranged from a high of 78 to a low of 24
  - All projects are in designated corridors (COSS, TA2040, SuperNova, SMS)
  - One project affects over 200,000 persons per day, 15 projects affect fewer than 50,000 persons per day
  - 23 projects are within or connect activity centers
  - 27 projects are congested during the peak hour or longer
  - 31 projects add more than 10% to their person moving capacity

## Project Selection Scores

ID	Name	Score	ID	Name	Score	ID	Name	Score
N-01	Columbia Pike	62	N-13	Route 15 Bypass	35	N-25	Main-Maple Purcellville	24
N-02	Rolling Road	53	N-14	Northfax (US 29/50)	46	N-26	Route 7/Battlefield	47
N-03	US 29 Widening	57	N-15	Jermantown/US 50	52	N-27	East Elden Street	42
N-04	Braddock Rd HOV	68	N-16	Frying Pan Road	45	N-28	Route 1 - PW	41
N-05	Van Dorn-Franconia	67	N-17	Kamp Washington	51	N-29	Route 15 Widening	30
N-06	Frontier Dr	48	N-18	Alex. Adaptive Controls	53	N-30	Route 28 Fairfax	67
N-07	Fairfax Co.Pkwy	78	N-19	Glebe Rd ITS	56	N-31	Route 28 - PW	44
N-08	Belmont Ridge	43	N-20	Pohick Road	39	N-32	Godwin Drive	53
N-09	Loudoun Co.Pkwy	61	N-21	Shirley Gate Rd	49	C-1	PW Pkwy Interchanges	46
N-10	Route 7 Bridge	54	N-22	Northstar Blvd	49	C-2	Route 7 Widening	56
N-11	US 1 - Dumfries	48	N-23	Route 7/690 Interchange	28	C-3	I-395 SB Lane	71
N-12	US 1 - Fairfax	54	N-24	Route 234/Grant Ave	30	C-4	Fairfax Co.Pkwy US 1	52

N-# = NVTa Project Number

C-# = NoVA CTB Project Number



*Questions / Comments*

**THANKS!**

Evaluation and Rating of Significant Transportation Projects in Northern Virginia  
Northern Virginia Transportation Authority  
March 13, 2014

V.HANDOUTS

Project ID	Project Name
NVTA-1	Columbia Pike Multimodal Streets
NVTA-2	Rolling Road Widening
NVTA-3	US 29 Widening
NVTA-4	Braddock Road HOV Widening
NVTA-5	South Van Dorn St & Franconia Rd Interchange
NVTA-6	Frontier Dr Extension
NVTA-7	Fairfax County Pkwy Improvements
NVTA-8	Belmont Ridge Rd
NVTA-9	Loudoun County Parkwy
NVTA-10	Route 7 Bridge Widening
NVTA-11	US 1 Widening and Relocation - Dumfries
NVTA-12	US 1 Widening - Fairfax
NVTA-13	Route 15 Bypass/Edwards Ferry Road Interchange
NVTA-14	Northfax Intersection Improvements (US29/50 @ VA123)
NVTA-15	Jermantown/US 50 Roadway Improvements
NVTA-16	Frying Pan Road Widening
NVTA-17	Kamp Washington Intersection Improvements (US 50/29 @ VA236)
NVTA-18	Real-Time Adaptive Traffic Control & Data Management System
NVTA-19	Glebe Rd Corridor ITS Improvements
NVTA-20	Pohick Road Widening
NVTA-21	Shirley Gate Road Extension
NVTA-22	Northstar Blvd Extension
NVTA-23	Route 7/690 Interchange
NVTA-24	Route 234/Grant Avenue Reconstruction
NVTA-25	Main St & Maple Ave Intersection Improvements
NVTA-26	Route 7/Battlefield Pkwy Interchange
NVTA-27	East Elden Street Widening
NVTA-28	Route 1 Widening - Prince William
NVTA-29	Route 15 Widening
NVTA-30	Route 28 Widening - Fairfax
NVTA-31	Route 28 Widening - Prince William
NVTA-32	Route 28 - Godwin Drive Extension
CTB-1	Route 294 (Prince William Pkwy) Grade Separated Interchanges
CTB-2	Route 7 Widening
CTB-3	I-395 Southbound Widening
CTB-4	Fairfax County Pkwy. Improvements Between I-95 and Route 1
CTB-5	Fairfax County Pkwy. I-95 to US 1 (County Alternative)

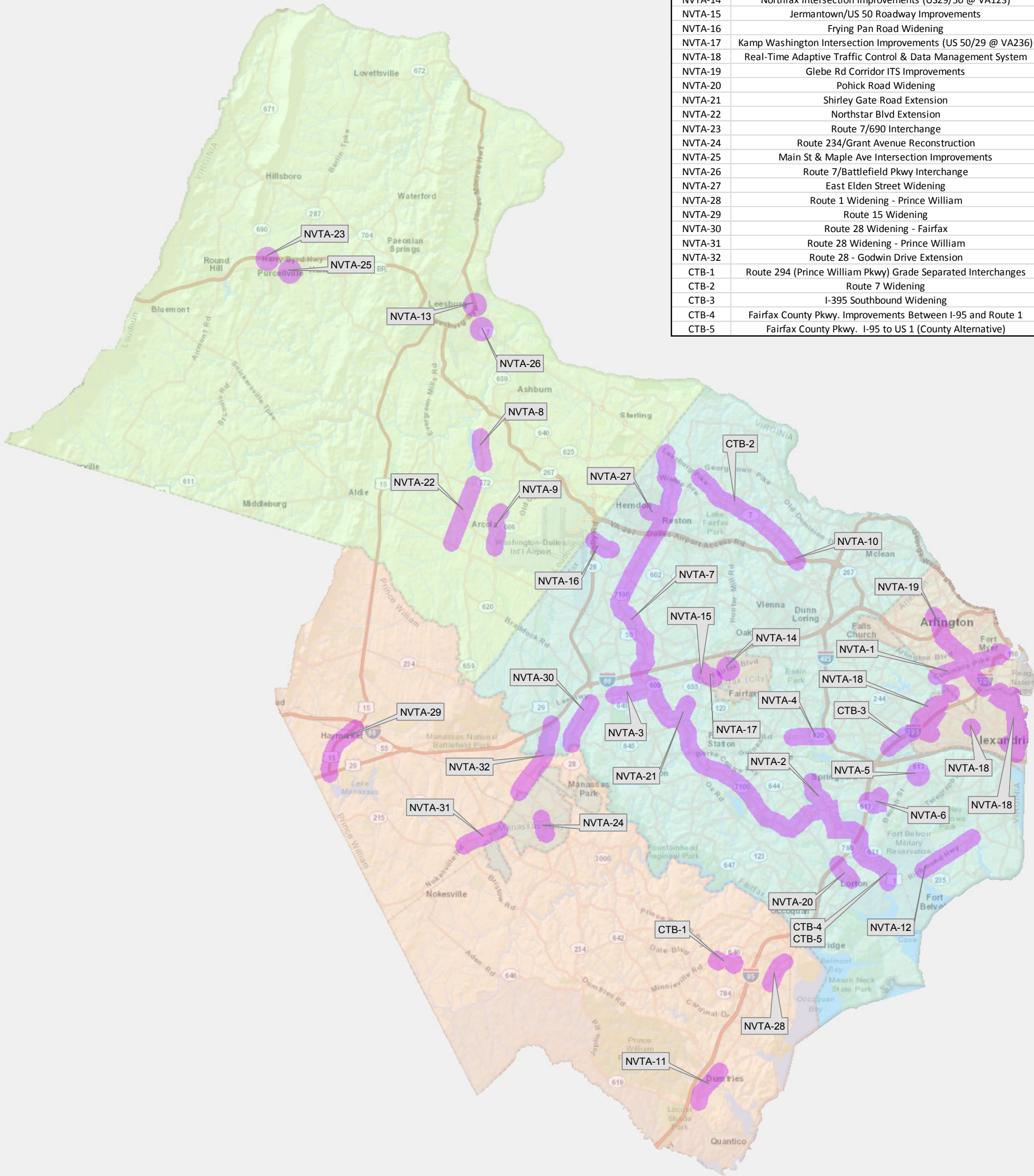


Figure 1  
NoVA Significant  
Projects Ratings Study-  
Projects Nominated for  
Evaluation and Rating

Project Location

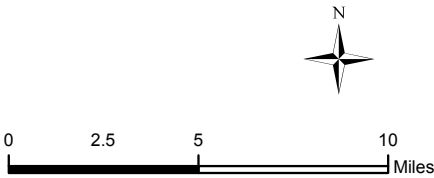




Table 1: NoVA Significant Projects Ratings Study – Summary Project Description and Selection Scores

Project ID	Project Name	Agency	Project Description	PSM Score
NVTA-1	Columbia Pike Multimodal Streets	Arlington	Improve Columbia Pike with left turn lanes, signalized intersections, bicycle & ped improvements and removal of 2 loop ramps at VA 27 interchange.	62
NVTA-2	Rolling Road Widening	Fairfax County	Widen Rolling Rd from 2 to 4 lanes between Old Keene Mill Rd and Springfield/Franconia Pkwy. Will include pedestrian and bike facilities.	53
NVTA-3	US 29 Widening	Fairfax County	Widen Lee Highway (US 29) from Union Mill Rd to Buckley's Gate Drive including bicycle and pedestrian improvements.	57
NVTA-4	Braddock Road HOV Widening	Fairfax County	Widen Braddock Road to include a HOV lane in each direction from Burke Lake Rd to I-495 and improve bicycle and pedestrian facilities.	68
NVTA-5	South Van Dorn St & Franconia Rd Interchange	Fairfax County	Construct a grade-separated interchange at FranconiaRoad /South Van Dorn St.	67
NVTA-6	Frontier Dr Extension	Fairfax County	Extend Frontier Dr from Franconia - Springfield Pkwy to Loisdale Rd including access to Metro Station.	48
NVTA-7	Fairfax County Pkwy Improvements	Fairfax County	Widening from 4 to 6 lanes of segments of Fairfax County Parkway between Rolling Rd and the Dulles Toll Rd.	78
NVTA-8	Belmont Ridge Rd	Loudoun County	Widen Belmont Ridge Rd (VA 659) from 2 lanes to 4 lanes between Turo Parish Rd and Croson Ln including turn lanes and signalization.	43
NVTA-9	Loudoun County Parkwy	Loudoun County	Construct 4-lane Loudoun County Parkway between Creighton Rd and US 50.	61
NVTA-10	Route 7 Bridge Widening	Fairfax County	Widen VA Route 7 Bridge over Dulles Toll Road from 4 to 6 lanes, including pedestrian/bike facilities.	54
NVTA-11	US 1 Widening and Relocation - Dumfries	Town of Dumfries	Widen US 1 from 2 to 3 lanes in each direction, while relocating southbound US1 to the same alignment as the northbound lanes.	48
NVTA-12	US 1 Widening - Fairfax	Fairfax County	Widen US 1 from 4 lanes to 6 lanes between Napper Rd and Mt. Vernon Memorial Hwy (VA235) in Fairfax County.	54
NVTA-13	Route 15 Bypass/Edwards Ferry Road Interchange	Leesburg	Construct a grade-separated interchange at the Route 15 Bypass and Edwards Ferry Road.	35
NVTA-14	Northfax Intersection (US29/50 @ VA123)	City of Fairfax	Geometric improvements at Route 29/50 at Route 123 including extension of a third NB lane on Route 123 and a dual left turn from SB Route 123.	46
NVTA-15	Jermantown/US 50 Roadway Improvements	City of Fairfax	Geometric improvements at US 50 and Jermantown Rd including addition of a third WB lane to Bevan Lane and widening of NB Jermantown Rd.	52
NVTA-16	Frying Pan Road Widening	Fairfax County	Widen Frying Pan Road to 4 lanes between VA 28 and Centreville Rd.	45
NVTA-17	Kamp Washington Intersection (US 50/29 @ VA236)	City of Fairfax	Geometric and signalization improvements at US 29/50 and VA 236, including addition of a third southbound lane on VA 236.	51
NVTA-18	Real-Time Adaptive Traffic Control & Management	Alexandria	Phase II of the Real-Time Adaptive Traffic Control & Data Management System to monitor congestion in real-time and redirect traffic.	53
NVTA-19	Glebe Rd Corridor ITS Improvements	Arlington	Adaptive Traffic Control System on Glebe Road in Arlington County.	56
NVTA-20	Pohick Road Widening	Fairfax County	Widen Pohick Road from 2 to 4 lanes between Richmond Highway (US1) and I-95.	39
NVTA-21	Shirley Gate Road Extension	Fairfax County	Extend Shirley Gate Road from Braddock Rd to Fairfax County Parkway.	49
NVTA-22	Northstar Blvd Extension	Loudoun County	Extend Northstar Blvd from Evergreen Mills Rd to US 50.	49
NVTA-23	Route 7/690 Interchange	Loudoun County	Construct an interchange at VA 7 and VA 690 in Purcellville.	28
NVTA-24	Route 234/Grant Avenue Reconstruction	Manassas	Reconstruct VA 234/Grant Ave between Lee Ave and Wellington Rd to include wider travel lanes, a dedicated turn lanes, and ped/bike improvements.	30
NVTA-25	Main St & Maple Ave Intersection	Purcellville	Intersection improvements at Maple Ave and Main St in Purcellville, including the addition of dedicated turn lanes.	24
NVTA-26	Route 7/Battlefield Pkwy Interchange	Leesburg	Construct a grade-separated interchange VA 7 and Battlefield Parkway.	47
NVTA-27	East Elden Street Widening	Herndon	Widen East Elden St from Fairfax County Parkway to Van Buren St in Herndon.	42
NVTA-28	Route 1 Widening - Prince William	Prince William	Widen US 1 from 4 lanes to 6 lanes between Featherstone Rd and Marys Way in Prince William County.	41
NVTA-29	Route 15 Widening	Prince William	Widen US 15 from 2 to 4 lanes between US 29 and VA 55, including construction of a new railroad overpass.	30
NVTA-30	Route 28 Widening - Fairfax	Fairfax County	Widen VA 28 from 4 to 6 lanes south of US 29 in Fairfax County.	67
NVTA-31	Route 28 Widening - Prince William	Manassas/PWC	Widen VA 28 from 4 to 6 lanes between Godwin Drive and Linton Hall Rd.	44
NVTA-32	Route 28 - Godwin Drive Extension	Manassas	Extend Godwin Drive north from VA 234 Business to a new interchange with I-66. Also includes grade separation of Godwin Drive at Sudley Rd.	53
CTB-1	Route 294 (PW Pkwy) Grade Separation	NoVA CTB	Construct two grade separated interchanges along VA294 (Prince William Pkwy): at Minnieville Rd and Smoketown Rd.	46
CTB-2	Route 7 Widening	NoVA CTB	Widen VA 7 from 4 to 6 lanes and add shared-use paths between Reston Parkway and Jarrett Valley Dr.	56
CTB-3	I-395 Southbound Widening	NoVA CTB	Add a fourth through lane on southbound I-395 between Duke Street and Edsall Rd.	71
CTB-4	Fairfax County Pkwy - I-95 to US1	NoVA CTB	Improve Fairfax County Pkwy/I-95 interchange, widen from 4 to 6 lanes between I-95 and US 1, and grade-separate at US1 and John Kingman Rd.	52

Table 2: NoVA Significant Projects Ratings Study – Detailed Project Selection Scores

Criteria #		1	2	3	4	5	6	7	8	9	10	11	Total
Project ID	Project Name	Project Type	Designated Corridor	Travel Volume	Connects Activity Centers	Connects Major Facilities	Congestion Severity	Congestion Duration	Person-Hours of Delay	Adds Capacity	Reduces Vehicle Trips	Emergency Mobility	PSM Score
Attribute Weight		3.1%	12.9%	15.2%	16.3%	8.0%	5.7%	9.3%	8.1%	8.9%	4.6%	8.0%	0-100
NVTA-1	Columbia Pike Multimodal Streets	100	100	20	82	100	75	75	25	0	0	100	62
NVTA-2	Rolling Road Widening	100	100	28	0	50	75	100	75	100	0	0	53
NVTA-3	US 29 Widening	100	100	24	67	50	25	25	25	100	0	100	57
NVTA-4	Braddock Road HOV Widening	100	100	45	0	50	100	100	100	100	25	100	68
NVTA-5	South Van Dorn St & Franconia Rd Interchange	100	100	71	0	0	100	100	100	100	0	100	67
NVTA-6	Frontier Dr Extension	100	100	12	25	50	75	75	25	100	0	0	48
NVTA-7	Fairfax County Pkwy Improvements	100	100	43	91	100	75	75	100	100	0	50	78
NVTA-8	Belmont Ridge Rd	100	100	15	0	0	75	100	25	100	0	0	43
NVTA-9	Loudoun County Parkwy	100	100	31	0	50	100	100	100	100	0	50	61
NVTA-10	Route 7 Bridge Widening	100	100	42	25	0	25	75	25	100	0	100	54
NVTA-11	US 1 Widening and Relocation - Dumfries	100	100	32	0	50	25	25	25	100	0	100	48
NVTA-12	US 1 Widening - Fairfax	100	100	24	25	0	75	75	25	100	0	100	54
NVTA-13	Route 15 Bypass/Edwards Ferry Road Interchange	100	100	40	25	0	0	0	0	100	0	0	35
NVTA-14	Northfax Intersection (US29/50 @ VA123)	100	100	41	25	0	75	100	25	50	0	0	46
NVTA-15	Jermantown/US 50 Roadway Improvements	100	100	38	25	0	75	75	25	50	0	100	52
NVTA-16	Frying Pan Road Widening	100	100	15	0	50	75	75	25	100	0	0	45
NVTA-17	Kamp Washington Intersection (US 50/29 @ VA236)	100	100	45	25	0	75	100	25	0	0	100	51
NVTA-18	Real-Time Adaptive Traffic Control & Management	100	100	10	60	100	75	75	25	0	0	50	53
NVTA-19	Glebe Rd Corridor ITS Improvements	100	100	20	64	100	100	75	25	0	0	50	56
NVTA-20	Pohick Road Widening	100	100	17	25	50	25	25	0	100	0	0	39
NVTA-21	Shirley Gate Road Extension	100	100	17	0	50	75	75	75	100	0	0	49
NVTA-22	Northstar Blvd Extension	100	100	17	0	0	75	100	100	100	0	0	49
NVTA-23	Route 7/690 Interchange	100	100	26	0	50	0	0	0	0	0	50	28
NVTA-24	Route 234/Grant Avenue Reconstruction	100	100	6	25	50	0	0	0	50	0	0	30
NVTA-25	Main St & Maple Ave Intersection	100	100	15	0	0	25	0	0	50	0	0	24
NVTA-26	Route 7/Battlefield Pkwy Interchange	100	100	64	25	0	0	0	0	100	0	100	47
NVTA-27	East Elden Street Widening	100	100	17	59	0	25	0	0	100	0	50	42
NVTA-28	Route 1 Widening - Prince William	100	100	42	0	0	0	0	25	100	0	100	41
NVTA-29	Route 15 Widening	100	100	10	0	50	0	0	0	100	0	0	30
NVTA-30	Route 28 Widening - Fairfax	100	100	31	37	100	75	100	75	100	0	50	67
NVTA-31	Route 28 Widening - Prince William	100	100	30	30	50	25	25	25	100	0	0	44
NVTA-32	Route 28 - Godwin Drive Extension	100	100	37	25	50	25	75	25	100	0	50	53
CTB-1	Route 294 (PW Pkwy) Grade Separation	100	100	100	25	0	0	0	25	100	0	0	46
CTB-2	Route 7 Widening	100	100	37	25	100	25	25	25	100	0	100	56
CTB-3	I-395 Southbound Widening	100	100	65	49	50	100	25	100	100	0	100	71
CTB-4	Fairfax County Pkwy - I-95 to US1	100	100	29	57	50	25	25	25	100	0	50	52

1 = highway, transit or ITS/TDM    2 = COSS, TA2040, SuperNoVa or SMS    3 = based on persons per day    4 = inside or based on pop+emp of connected RACs    5 = highways, principal arterials, transit station or airports    6 = peak hour travel time or load factor    7 = peak hour, peak period or peak and offpeak periods    8 = based on person hours of delay per mile/day    9 = 10-25% or >25% capacity increase    10 = 5-10%, 10-25% or >25% few vehicle trips    11 = mobility between jurisdictions, radial or reversible capacity or rail transit

# Evaluation and Rating of Significant Transportation Projects in Northern Virginia

## Project Selection Weights

December 16, 2013

### *Project Selection Weights*

This memo summarizes the rank ordering of the 11 project selection criteria adopted by the Northern Virginia Transportation Authority (NVTA) on December 12<sup>th</sup>.

#### **Category 1: Project Significance**

##### **1. Project Type**

The project includes a highway, rail, bus, technology or large scale travel demand management investment.

Yes → 100 points

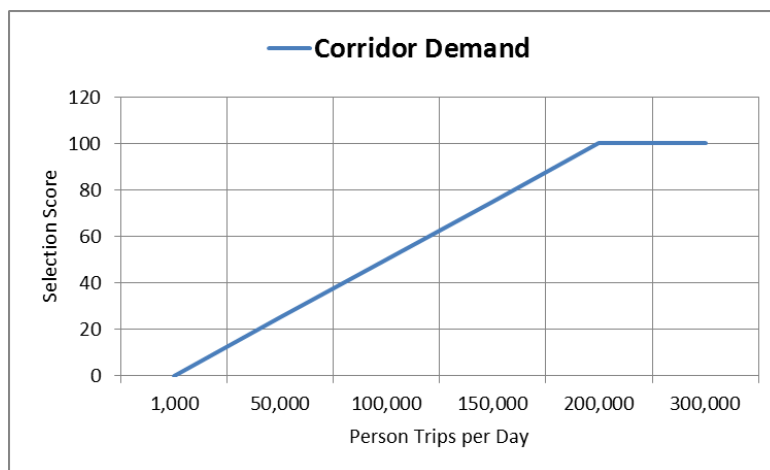
##### **2. Designated Corridors**

The project is on a facility in/near Northern Virginia and included in the Statewide Mobility System, Corridors of Statewide Significance, in a Super NoVA corridor or in a TransAction 2040 corridor.

Yes → 100 points

##### **3. High Travel Volume**

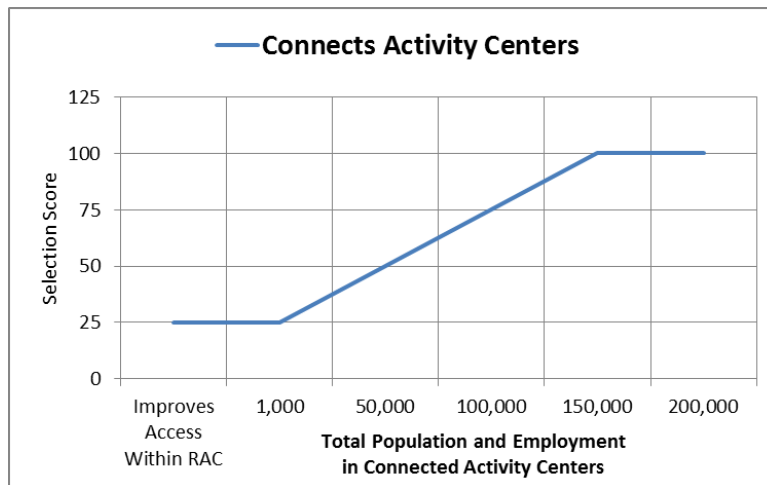
The project is in a corridor that serves a high volume of person trips.



##### **4. Connects Regional Activity Centers (RACs)**

The project enhances or expands transit, HOV/HOT or roadway connections between non-contiguous regional activity centers (RACs).





## 5. Connects Major Facilities

The project enhances or completes connections between interstate highways, principal arterials or transit stations, park-&-ride lots and DCA or IAD airports.

Improves or adds one connection → 50 points

Improves or adds two or more connections → 100 points

## Category 2: Congestion Reduction Potential

## 6. Congestion Severity

The project is located in a heavily congested corridor.

Moderate Congestion (peak hour TTI = 1.3-2.0 or Load Factor) → 25 points

Heavy Congestion (peak hour TTI = 2.0-3.0 or Load Factor) → 75 points

Severe Congestion (peak hour TTI > 3.0 or Load Factor) → 100 points

(TTI = travel time index = congested travel time / free flow travel time)

(Load Factor = transit passengers / vehicle seats)

Load Factors	Local Bus	Express Bus	Metrorail	Commuter Rail
Moderate	1.0-1.15	0.9-1.0	100-110 ppc	0.9-1.0
Heavy	1.15-1.3	1.0-1.1	110-120 ppc	1.0-1.1
Severe	> 1.3	> 1.1	> 120	> 1.1

## 7. Congestion Duration

The project corridor experiences moderate to heavy congestion for multiple hours of the day.

Congested during the peak hour only → 25 points

Congested for the whole peak period → 75 points

Congested during peak and off-peak periods → 100 points

## 8. Person Hours of Delay

The project is located in a corridor with significant person hours of delay.

Moderate Delay (100 person hours of delay per mile per day) → 25 points

Substantial Delay (500 person hours of delay per mile per day) → 75 points

Major Delay (1,000 person hours of delay per mile per day) → 100 points

#### 9. Adds Capacity

The project adds person moving capacity to a congested location, facility or corridor.

Adds 10% to 25% person moving capacity → 50 points

Adds 25% or more to the person moving capacity → 100 points

#### 10. Reduces Vehicle Trips

The project has the potential to reduce vehicle trips on a congested facility or corridor.

Reduce vehicle trips by 5% to 10% → 25 points

Reduce vehicle trips by 10% to 25% → 75 points

Reduce vehicle trips by 25% or more → 100 points

### Category 3: Homeland Security Mobility

#### 11. Facility and Operational Improvements

The project improves regional mobility in the event of a homeland security emergency.

Improve mobility between jurisdictions or activity centers → 50 points

Improves radial roadway or bus capacity or reversible capabilities → 100 points

Expands/extends rail transit system → 100 points

### Project Selection Weights

The following weights were assigned to each project selection criteria by NVTa based on the input from stakeholder agency representatives who participated in the December 3<sup>rd</sup> voting process.

Category	Attribute	Category Weights	Attribute Weights	Overall Weights
Project Significance		55.5%		
	Project Type		5.6%	3.1%
	Designated Corridors		23.3%	12.9%
	High Travel Volume		27.3%	15.2%
	Connects Regional Activity Centers		29.3%	16.3%
	Connects Major Facilities		14.4%	8.0%
			100.0%	55.5%
Congestion Reduction Potential		36.5%		
	Congestion Severity		15.6%	5.7%
	Congestion Duration		25.2%	9.3%
	Person Hours of Delay		22.1%	8.1%
	Adds Capacity		24.4%	8.9%
	Reduces Vehicle Trips		12.7%	4.6%
			100.0%	36.5%
Homeland Security Mobility		8.0%		
	Facility and Operational Improvements		100.0%	8.0%
Total		100.0%		

## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

**TO:** Chairman Martin E. Nohe and Members  
Northern Virginia Transportation Authority

**FROM:** Monica Backmon, Chairman, Jurisdiction and Agency Coordination Committee

**SUBJECT:** JACC Approval of the Reallocation of Regional Surface Transportation Program and Congestion Mitigation Air Quality Program Funds for the City of Fairfax

**DATE:** March 13, 2014

---

**Purpose.** To inform the NVTa of the JACC approval of the City of Fairfax's Regional Surface Transportation Program (RSTP) reallocation request.

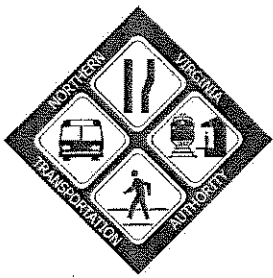
**Explanation:** On September 11, 2008, the NVTa delegated the authority to approve requests to reallocate Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funding between projects that were previously approved by the NVTa to the Jurisdiction and Agency Coordinating Committee (JACC).

The City of Fairfax requested the reallocation below. The JACC approved these requests on March 5, 2014.

- Transfer \$200,000 in RSTP funds from UPC16632 Northfax to UPC 100475 Repaving of Streets in the City of Fairfax (Fairfax Blvd Bridge and Repaving Construction).

NVTa's delegation requires that the JACC notify the NVTa of these requests. The JACC approved this request on March 5, 2014. Unless otherwise directed, I will send the attached letter to VDOT NOVA District Administrator, Helen Cuervo, asking that the funds be reallocated.

**Attachment(s):** Letter to VDOT NOVA District Administrator Cuervo, Fairfax County transfer request



VII. ATTACHMENT  
**Northern Virginia Transportation Authority**

*The Authority for Transportation in Northern Virginia*

3060 Williams Drive ♦ Suite 510 ♦ Fairfax, VA 22031  
[www.TheNoVaAuthority.org](http://www.TheNoVaAuthority.org)

March 13, 2014

Ms. Helen Cuervo  
District Administrator  
Virginia Department of Transportation  
4975 Alliance Dr. Suite 4E-342  
Fairfax, Virginia 22030

Reference: Request to Reallocate Regional Surface Transportation Program for the City of Fairfax

Dear Ms. Cuervo:

On September 11, 2008, the NVTA delegated the authority to approve requests to reallocate Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program (RSTP) funding between projects that were previously approved by the NVTA to the Jurisdiction and Agency Coordinating Committee (JACC).

On March 5, 2014, the City of Fairfax requested such reallocation. The reallocation request is noted below:

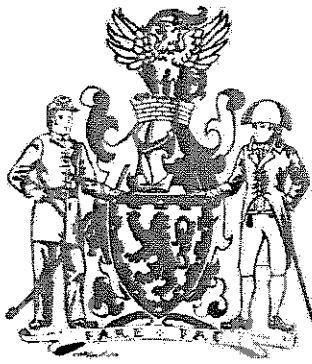
- Transfer \$200,000 in RSTP funds from UPC16632 Northfax to UPC 100475 Repaving of Streets in the City of Fairfax (Fairfax Blvd Bridge and Repaving Construction).

Please take the necessary steps to reallocate these funds in the Transportation Improvement Program and the State Transportation Improvement Program. Thank you very much.

Sincerely,

Monica Backmon  
NVTA JACC Chairman

Cc: Jan Vaughn/Dic Burke, Transportation Planning Section, VDOT  
Wendy Block Sanford, Director of Transportation, City of Fairfax



## City of Fairfax

10455 Armstrong Street

Fairfax, Virginia 22030-3630

February 28, 2014

Ms. Monica Backmon  
Chairman, Jurisdiction and Agency Coordinating Committee  
Northern Virginia Transportation Authority  
3060 Williams Drive, Suite 510  
Fairfax, VA 22031

Dear Ms. Backmon:

The City of Fairfax would like to request a transfer of \$200,000 in RSTP funds from UPC 16632 Northfax to UPC 100475 Repaving of Streets in the City of Fairfax (Fairfax Blvd Bridge and Pavement Reconstruction).

The City will be utilizing a third party inspector for this project. This cost was not originally included in the budget. However, given the complexity of the project and federal reporting requirements associated with the funding, the City has opted to hire an outside construction inspector for the project. If you have any questions, please contact me at (703) 385-7889 or [Wendy.Sanford@fairfaxva.gov](mailto:Wendy.Sanford@fairfaxva.gov).

Sincerely,

A handwritten signature in cursive script that reads "Wendy Block Sanford".

Wendy Block Sanford  
Transportation Director

cc: David Summers, Public Works Director  
Peter Millard, City Engineer  
Jan Vaughan, VDOT Urban Program Manager

## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

**TO:** Chairman Martin E. Nohe and Members  
Northern Virginia Transportation Authority

**FROM:** John Mason, Executive Director

**SUBJECT:** Status of Memoranda of Agreement

**DATE:** March 7, 2014 (Revised March 12, 2014)

---

1. **Purpose:** Update the status of the Memoranda of Agreement (MOA) and related HB2313 required documentation, which will allow the 30% local funds transfers to begin.
2. **Background:** As the Authority members are aware each County and City is required to adopt a MOA as a preliminary step to receiving their 30% local funds. To execute the MOA in practical terms a questionnaire was included to exchange banking information, establish points of contact and cover other implementation issues. In addition, HB2313 requires the Authority to ascertain the following:
  - a. Establishment of a special account (fund) on the books of the locality
  - b. The transfer of the C&I taxes to that fund
  - c. Determination of a matching C&I equivalency transfer or if a deduction from the 30% share is required.
  - d. Establish how each locality desires to pay its share of the Authority operating costs
3. **Comments:** As reflected in Attachment A, member jurisdictions are in various stages of completion with two jurisdictions receiving initial 30% distributions.
  - a. Fairfax County received its initial 30% distribution on February 25<sup>th</sup> for \$18.7 million.
  - b. City of Alexandria received its initial 30% distribution on March 12<sup>th</sup> for \$3.1 million.
  - c. Several jurisdictions have indicated they are compiling a complete package of required documents. Other jurisdictions are forwarding individual items as completed.
  - d. The most common outstanding documentation relates to the C&I transfer and special fund documentation.
4. **Summary:** Authority staff has worked with and/or offered assistance to each member jurisdiction. Based on the funds received or in process from the Commonwealth through March, there is approximately \$28 million awaiting transfer to member localities.

**Attachment:** Attachment A - NVTa Member Jurisdiction Transfer Preparation Status, as of March 12, 2014 (Revised)

**NVTA Member Jurisdiction 30% Transfer Preparation Status  
as of March 12, 2014**

	MOA					NVTA Operations		Date - NVTA	Date of
	Signed	Hard Copy		MOA Questionnaire	C&I Transfer/Match	Deduct	Direct Payment,	Signed / Returned	Initial 30%
	By Jurisdiction	Received By NVTA		Complete	& Fund Documented	From Transfer	Received	MOA to Jurisdiction	Transfer
City of Alexandria	Yes	Yes		Yes	Complete	No	Yes	Feb. 20, 2014 / March 11, 2014	March 12, 2014
Arlington County	Yes	Yes		Yes	Advised; in process	Yes			
City of Fairfax	Yes	Yes		Yes	Advised; in process	Yes		Feb. 20, 2014	
Fairfax County	Yes	Yes		Yes	Complete	Yes		Feb. 20, 2014 / Feb. 25, 2014	Feb 25, 2014
City of Falls Church	Yes	No		Advised; in process	Advised; in process				
Loudoun County	Yes	No		Advised; in process	Advised; in process		Billed; not received		
City of Manassas		No		Advised; in process	Advised; in process				
City of Manassas Park	Yes	Yes		Yes		Yes		Feb. 20, 2014	
Prince William County	Yes	Yes		Yes	Advised; in process	Yes		March 7, 2014	

## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

**TO:** Chairman Martin E. Nohe and Members  
Northern Virginia Transportation Authority

**THROUGH:** John Mason, Interim Executive Director

**FROM:** Michael Longhi, Chief Financial Officer

**SUBJECT:** HB 2313 Funding Status

**DATE:** March 7, 2014 (Revised March 12, 2014)

---

1. **Purpose:** Update of HB 2313 receipts and revenue estimates and distribution.
2. **Background:** NVTa receives funding through sales tax, grantors tax and transient occupancy tax (TOT). Revenues are received monthly from the Commonwealth for transactions that occurred in preceding months. The attached reports reflect funding received or in process through March 12, 2014 on a cash basis.
3. **Comments:**
  - a. Revenue receipts (Attachment A)
    - i. The Authority will have received approximately \$166.1 million through the March transfers from the Commonwealth.
    - ii. NVTa is receiving revenue streams for the first time, therefore no prior annual month-to-month transaction history is available for comparison and evaluation purposes.
    - iii. There are no changes in the revenue estimates at this time. Member jurisdiction are updating their original revenue estimates and working on the FY2015 and FY 2016 projections.
  - b. Distribution to localities (Attachment B)
    - i. Of the \$166.1 million received by the Authority, approximately \$49.8 million in 30% local funds is allocated for distribution to localities.
    - ii. Fairfax County received its initial 30% transfer of \$18.7 million on February 25<sup>th</sup>.
    - iii. City of Alexandria received its initial 30% transfer of \$3.1 million on March 12<sup>th</sup>.
    - iv. Once the 30% transfers commence they will occur monthly as funds are received from the Commonwealth.

**Attachments:**

- A. Revenues Received By Tax Type, Compared to NVTa Estimates, Through March 12, 2014 (Revised)
- B. Revenues Received With Pending 30% Distribution, Through March 12, 2014 (Revised)





# IX.B

**PENDING 30% DISTRIBUTION BY JURISDICTION**  
**JULY 1, 2013 THROUGH March 12, 2014**  
**(CASH BASIS)**

<u>Jurisdiction</u>	<u>Grantor's Tax</u>	<u>Regional Sales Tax (1)</u>	<u>Transient Occupancy Tax (2)</u>	<u>Total</u>	<u>Pending Initial 30% Distributions</u>	<u>NVTA Operational Budget (-)</u>	<u>Accrued Interest (3) (+)</u>	<u>Pending Distributions (=)</u>	<u>Actual Distributions</u>
City of Alexandria	\$ 1,822,594.50	\$ 8,554,771.91	\$ 1,471,083.87	\$ 11,848,450.28					\$ 3,142,514.37
Arlington County	\$ 2,777,313.60	\$ 13,235,617.35	\$ 4,245,516.82	\$ 20,258,447.77	\$ 6,077,534.33	\$ 55,609.93	\$ 899.02	\$ 6,022,823.42	
City of Fairfax	\$ 232,366.40	\$ 4,269,912.30	\$ 143,149.92	\$ 4,645,428.62	\$ 1,393,628.58	\$ 5,915.95	\$ 206.15	\$ 1,387,918.79	
Fairfax County	\$ 9,962,042.75	\$ 58,124,096.26	\$ 4,396,350.21	\$ 72,482,489.22					\$ 18,785,864.44
City of Falls Church	\$ 190,170.00	\$ 1,225,250.14	\$ 39,675.19	\$ 1,455,095.33	\$ 436,528.60	\$ 3,549.57	\$ 64.57	\$ 433,043.60	
Loudoun County	\$ 5,575,044.35	\$ 22,491,691.32	\$ 921,282.79	\$ 28,988,018.46	\$ 8,696,405.54	\$ 84,006.49	\$ 1,286.41	\$ 8,613,685.46	
City of Manassas	\$ 234,324.60	\$ 2,673,268.17	\$ 31,333.08	\$ 2,938,925.85	\$ 881,677.76	\$ 10,057.12	\$ 130.42	\$ 871,751.06	
City of Manassas Park	\$ 171,505.05	\$ 617,254.41	\$ -	\$ 788,759.46	\$ 236,627.84	\$ 3,549.57	\$ 35.00	\$ 233,113.27	
Prince William County	\$ 3,398,854.43	\$ 18,753,152.33	\$ 602,605.59	\$ 22,754,612.35	\$ 6,826,383.70	\$ 107,670.29	\$ 1,009.79	\$ 6,719,723.21	
<b>Total Revenue</b>	<b>\$ 24,364,215.68</b>	<b>\$ 129,945,014.19</b>	<b>\$ 11,850,997.47</b>	<b>\$ 166,160,227.34</b>	<b>\$ 24,548,786.35</b>	<b>\$ 270,358.92</b>	<b>\$ 3,631.38</b>	<b>\$ 24,282,058.81</b>	<b>\$ 21,928,378.81</b>

- 1 Net of Dept. of Taxation Fees
- 2 County TOT includes any town collections
- 3 Interest earned through 1/31/2014

## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

**TO:** Chairman Martin E. Nohe and Members  
Northern Virginia Transportation Authority

**THROUGH:** John Mason, Executive Director

**FROM:** Michael Longhi, Chief Financial Officer

**SUBJECT:** Flow of NVTAFunds

**DATE:** March 6, 2013

---

1. **Purpose:** This report responds to a request made by several Authority members for a description of the flow of funds received by the Authority and their projected uses.
2. **Background:** NVTAF is funded through taxes that are initially received by the Commonwealth. Several departments in the Commonwealth are then involved in transferring the monthly receipts to NVTAF. On a monthly basis, NVTAF will distribute 30% of revenues directly to member jurisdictions. The remaining 70% of revenues will be used for PayGo projects and to support bond funded projects approved by the Authority. Cash flow projections allow for the orderly planning of projects, ensure cash management and debt policy compliance and support financial best practices. In FY 2014, the funding of the Working Capital Reserve commenced for the first time, which requires a larger commitment of cash than will occur in future years.
3. **Comments:**
  - A. General Overview of Flow of NVTAF Funds (Attachment A)
    - i. Tax Receipt Revenue
      - 1) Tax Revenue is comprised of Sales Tax, Grantors Tax and Transient Occupancy Taxes. These are collected at the point of the transaction and remitted to the Commonwealth.
      - 2) The Virginia Departments of Taxation and Transportation collate the information and prepare a cash transfer to NVTAF on a monthly basis.
      - 3) The Virginia Department of Accounts advises the Authority that the funds are transferring. NVTAF directs 30% and 70% of the funds into separate investment accounts with the Local Government Investment Pool (LGIP).
      - 4) The 30% funds will be transferred to member jurisdictions as expeditiously as possible. As appropriate, funds will also be transferred to NVTAF's operational bank account.
      - 5) The 70% funds will be used for debt service payments, funding the working capital reserve and PayGo reimbursements for approved projects.
    - ii. Bond Proceeds
      - 1) Proceeds are collected upon the sale of bonds. A portion of these proceeds could be used to reimburse the cost of issuance as appropriate.
      - 2) Proceeds will be deposited in the State Non Arbitrage Program (SNAP), unless otherwise required. SNAP reduces the administrative overhead and risk in managing arbitrage compliance. Most project reimbursements to jurisdictions are intended to be directed by NVTAF from the appropriate SNAP account.

B. NVTa Flow of Funds Detail (Attachment B)

- i. Receipts - Predominant funding is through tax receipts. Interest earned on the 70% funds is used to partially offset NVTa operating expenses. Bond Proceeds are related to the projected FY 2014 bond funded expenditures.
  - ii. Distributions – Based on the last cash flow updates received by the Authority.
    - 1) 30% Distributions – Will occur monthly to each jurisdiction once the MOA's and HB2313 requirements are in place.
    - 2) Bond Project Expenditures – Regional project expenditures related to the planned FY 2014 bond sale. In conjunction with the FY 2014 bond sale, NVTa will fund a Debt Service Reserve from bond proceeds.
    - 3) PayGo Project Expenditures – Expenditures based on the project cash flow projections submitted by jurisdictions. We will work closely with the member jurisdictions and other project sponsors to monitor these projections.
    - 4) Transfer to Working Capital Reserve
      - a. The Working Capital Reserve (WCR) is set by the Debt Policy at 6 months (50%) of the budgeted annual regional funds (70% Funds).
      - b. Based on six months of revenue, the amount of the reserve will need to be approximately \$102 million. The WCR will be partially funded in FY 2014, with the balance being funded in FY 2015. Additional funding options are being prepared by our Financial Advisor. Options will be reviewed with Bond Counsel, jurisdiction debt selection committee members and then presented to the Finance Committee.
      - c. Once funded the annual level of the WCR will change based on changes in annual revenue.
      - d. Setting an objective of aggressively funding the WCR reserve prior to the issuance of debt will bolster NVTa rating agency presentations and potential underwriter interest.
  - iii. Summary - all regional funds are currently designated for projects or reserves. To consider additional FY 2014 projects, the timing of funding the reserves must be considered.
4. **Next Steps:** Options for the timing of funding of the WCR are under development by the Authority's Financial Advisor. These options along with objectives and/or policies to guide the distribution of resources between PayGo and debt funded projects will need to be reviewed by bond counsel, jurisdiction debt selection committee members and others to develop recommendations to the Finance Committee. This is in preparation for the Finance Committee bringing recommendations to the Authority for consideration.

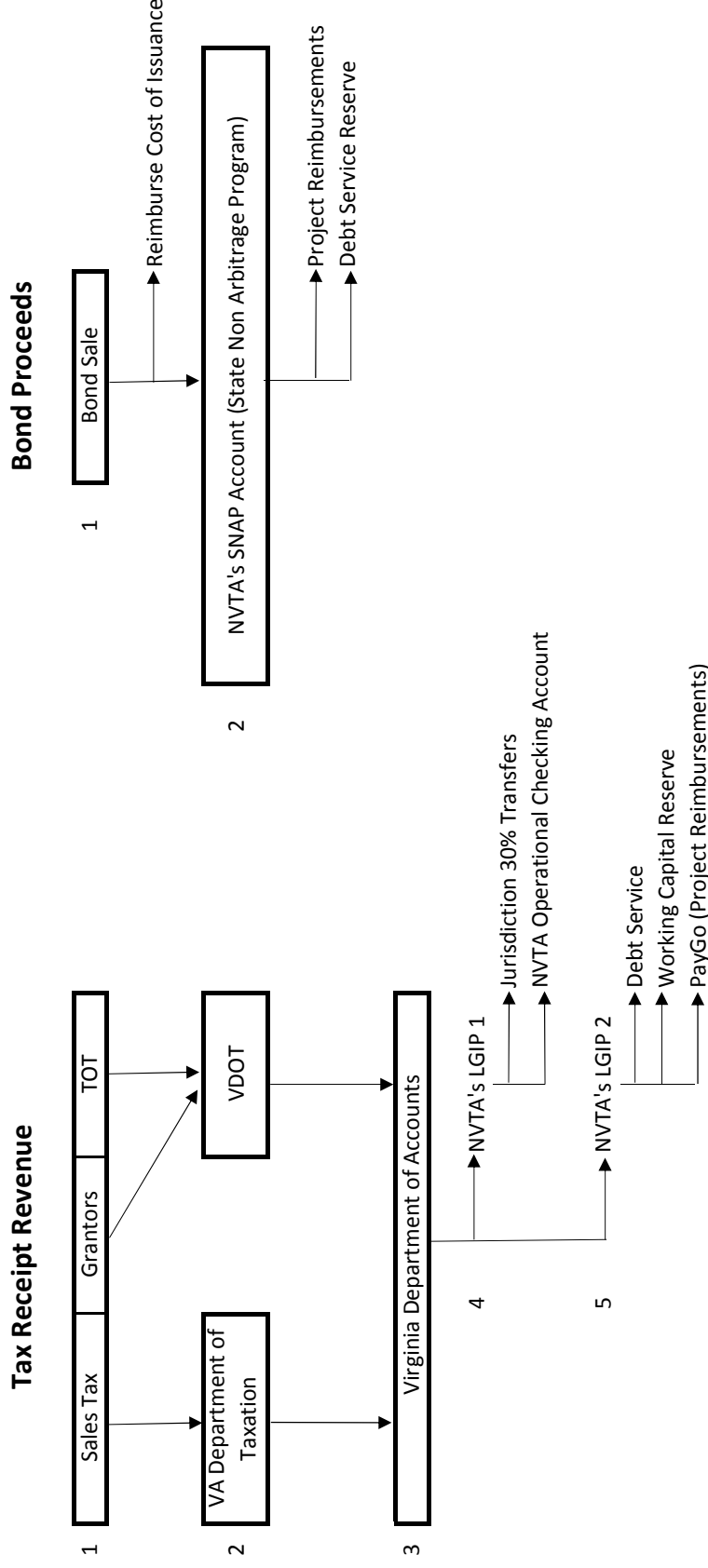
**Coordination:**

PFM (Financial Advisor)  
McGuire Woods (Bond Counsel)  
Financial Working Group

**Attachments:**

- A. General Overview of the Flow of NVTa Funds
- B. NVTa Flow of Funds Detail

## General Overview of the Flow of NVT A Funds



### Notes on Tax Receipt Revenue:

- 1 Taxes are imposed by Retailers, Clerks of Court and Hotels
- 2 Department of Taxation / VDOT Collate Information and Set up Transfer of Funds
- 3 Department of Accounts Transfers Funds to LGIP
- 4 NVT A deposits 30% of transfer to LGIP 1 for further distribution to localities and annual overhead costs, as appropriate.
- 5 NVT A deposits 70% of transfer to LGIP 2 for debt service, working capital reserve and PayGo reimbursements

### Notes on Bond Proceeds:

- 1 Bond proceeds are obtained through sale, a portion is used to cover cost of issuance, as appropriate.
- 2 Bond proceeds transferred to SNAP for arbitrage management. Most project reimbursements to jurisdictions will be made directly from SNAP.

**NVTA Flow of Funds Detail**  
**FY 2014 Year to Date, Projected to Actual**  
**As of March 5, 2014**

	<b>FY 2014 Projected</b>	<b>FY 2014 Actual</b>
<b>Receipts</b>		
Sales Tax	\$ 232,456,223	\$ 113,598,332
Transient Occupancy Tax	\$ 24,348,642	\$ 10,035,104
Grantors Tax	\$ 34,676,790	\$ 22,462,487
Tax Receipts	<u>\$ 291,481,655</u>	<u>\$ 146,095,923</u>
Interest Earned on 70% 1	\$ 100,000	\$ 22,852
Bond Proceeds 2	<u>\$ 7,801,181</u>	<u>\$ -</u>
<b>Total Receipts</b>	<u>\$ 299,382,836</u>	<u>\$ 146,118,775</u>
<b>Distributions</b>		
30% Transfer to Localities	\$ 87,444,497	\$ 18,785,865
Bond Project Expenditures	\$ 7,801,181	\$ -
PayGo Project Expenditures	\$ 20,898,303	\$ -
Transfer to Working Capital Reserve 3	\$ 87,979,159	\$ -
Transfer to Debt Service Reserve 2	\$ -	\$ -
Debt Service	\$ -	\$ -
Arbitrage Liability	\$ -	\$ -
Interest to NVTA Operating 1	<u>\$ 100,000</u>	<u>\$ 22,852</u>
<b>Total Distributions</b>	<u>\$ 204,223,140</u>	<u>\$ 18,808,717</u>
<b>Closing Balance Excluding Reserves</b>	<u>\$ 95,159,696</u>	<u>\$ 127,310,058</u>
<b>Reserves</b>		
Working Capital Reserve	\$ 87,979,159	\$ -
Arbitrage Liabilities	\$ -	\$ -
Debt Service Reserve	<u>\$ -</u>	<u>\$ -</u>
<b>Total Reserves</b>	<u>\$ 87,979,159</u>	<u>\$ -</u>
<b>Closing Balance Including Reserves</b>	<u>\$ 183,138,855</u>	<u>\$ 127,310,058</u>
<b>Summary of Available Balances</b>		
<b>Closing Balance Excluding Reserves</b>	\$ 95,159,696	
Reserved for FY2014 PayGo	\$ (95,159,696)	
<b>Unencumbered Balances</b>	\$ -	

**Notes:**

- 1 Interest Earned on 70% NVTA Regional Funds, used for NVTA Overhead
- 2 FY2014 Bond Expenditures paid from PArGo and reimbursed from bond proceeds
- 3 Options for timing of the funding of the Working Capital Reserve is under development by Financial Advisor. Options to be reviewed by Bond Counsel, jurisdiction debt selection committee members for review by the Finance Committee.

## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

### MEMORANDUM

**TO:** Chairman Martin E. Nohe and Members  
Northern Virginia Transportation Authority

**THROUGH:** John Mason, Interim Executive Director

**FROM:** Michael Longhi, Chief Financial Officer

**SUBJECT:** NVTA Operating Budget

**DATE:** March 7, 2014

---

1. **Purpose:** To update the Authority on the NVTA Operating Budget.
2. **Background:** NVTA is funded through the participating jurisdictions and interest earnings. The Memorandum of Agreement (MOA) between NVTA and the member cities/counties permits the appropriate jurisdictional share of NVTA operational costs to be deducted directly from the 30% distribution or to be billed to jurisdictions.
3. **Comments:** As of this report, the rate of NVTA expenditure is below projections. Current expenses of approximately \$455,000 include approximately \$151,000 in bond preparation expenses. This results in actual cost of operations being approximately \$304,000 or 34% of the budget through over half of the fiscal year. Specific considerations include:
  - a. Interest income is tied to the projected rate of regional (70%) project funding utilized by member jurisdiction as well as market rates. Interest earned on the 30% funding is being remitted to the member jurisdictions.
  - b. A significant amount (\$151,193) of NVTA expenses to date are related to preparation for the first bond issuance (bond validation suit and development of debt policy). These expenses are recognized as committed but are unpaid, pending receipt of cash related to the execution of the MOAs. Many of these expenses are eligible for reimbursement when the bonds are sold.
  - c. The rate of budgeted expenditures will increase as NVTA staff is hired, employee benefits are established and additional startup costs such as an accounting system are acquired.
  - d. Evaluation of prospective accounting systems is ongoing. Initial cost proposals for the system are in the \$30,000 range with web based or cloud hosting at approximately \$10,000/yr.
  - e. No changes to the operating budget are recommended at this time.

**Attachment:** NVTA Operating Budget for FY 2014 through February 28, 2014

# XI. ATTACHMENT

<b>Northern Virginia Transportation Authority</b> <b>Operating Budget - FY 2014</b> <b>July 1, 2013 through February 28, 2014</b>				
	<b>Approved Budget</b>	<b>Received</b>	<b>Anticipated</b>	<b>Projected Revenue</b>
<b>INCOME:</b>				
Cash on hand	\$ 212,117.00	\$ 212,117.36	\$ -	\$ 212,117.36
Interest (70% Regional Revenues)	\$ 100,000.00	\$ -	\$ 100,000.00	\$ 100,000.00
Billed to Member Jurisdictions	\$ 591,595.00	\$ 283,965.60	\$ 307,629.40	\$ 591,595.00
Misc. Income		\$ 7,473.19		
<b>Total Income</b>	<b>\$ 903,712.00</b>	<b>\$ 503,556.15</b>	<b>\$ 407,629.40</b>	<b>\$ 903,712.36</b>
				<b>Available Balance</b>
<b>EXPENDITURES:</b>	<b>Approved Budget</b>	<b>Expended</b>	<b>Committed</b>	
<b>Professional Service</b>				
Legal	\$ 125,000.00	\$ 4,899.50	\$ 69,193.63	\$ 50,906.87
Public Outreach	\$ 30,000.00	\$ -	\$ -	\$ 30,000.00
Financial Services	\$ 80,000.00	\$ -	\$ 82,000.00	\$ (2,000.00)
<b>Professional Subtotal</b>	<b>\$ 235,000.00</b>	<b>\$ 4,899.50</b>	<b>\$ 151,193.63</b>	<b>\$ 78,906.87</b>
<b>Operational Expenses</b>				
Start Up Expenses				
Office Space Build Out	\$ 4,000.00	\$ -	\$ -	\$ 4,000.00
One-time h/w,s/w	\$ 948.00	\$ -	\$ -	\$ 948.00
IT/Telecommunications	\$ -	\$ -	\$ -	\$ -
Computers/Installation	\$ 9,972.00	\$ 12,392.77	\$ 2,800.00	\$ (5,220.77)
<b>Start Up Subtotal</b>	<b>\$ 14,920.00</b>	<b>\$ 12,392.77</b>	<b>\$ 2,800.00</b>	<b>\$ (272.77)</b>
Annual Expenses				
Telephone Service	\$ 1,650.00	\$ -	\$ -	\$ 1,650.00
Copier/Postage	\$ 9,000.00	\$ 157.80	\$ -	\$ 8,842.20
Annual 3d party s/w costs	\$ 895.00	\$ -	\$ -	\$ 895.00
Monthly internet fee (Cox)	\$ 840.00	\$ 691.64	\$ -	\$ 148.36
Cell phones	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00
Lease Space	\$ 5,460.00	\$ -	\$ -	\$ 5,460.00
Mileage/Transportation	\$ 6,000.00	\$ 674.10	\$ -	\$ 5,325.90
Operating/Meeting Expenses	\$ 1,000.00	\$ 2,354.18	\$ -	\$ (1,354.18)
Insurance	\$ 3,000.00	\$ 2,673.00	\$ -	\$ 327.00
<b>Annual Expenses</b>	<b>\$ 37,845.00</b>	<b>\$ 6,550.72</b>	<b>\$ -</b>	<b>\$ 31,294.28</b>
<b>Operational Subtotal</b>	<b>\$ 52,765.00</b>	<b>\$ 18,943.49</b>	<b>\$ 2,800.00</b>	<b>\$ 31,021.51</b>
<b>Personnel Expenses</b>				
Salaries & Taxes	\$ 342,628.00	\$ 111,946.01	\$ -	\$ 230,681.99
Benefits	\$ 122,700.00	\$ 4,819.99	\$ 10,178.80	\$ 107,701.21
<b>Personnel Subtotal</b>	<b>\$ 465,328.00</b>	<b>\$ 116,766.00</b>	<b>\$ 10,178.80</b>	<b>\$ 338,383.20</b>
<b>Expense Subtotal</b>	<b>\$ 753,093.00</b>	<b>\$ 140,608.99</b>	<b>\$ 164,172.43</b>	<b>\$ 448,311.58</b>
<b>Operating Reserve (20%)</b>	<b>\$ 150,619.00</b>	<b>\$ -</b>	<b>\$ 150,619.00</b>	<b>\$ -</b>
<b>Total Expenditures</b>	<b>\$ 903,712.00</b>	<b>\$ 140,608.99</b>	<b>\$ 314,791.43</b>	<b>\$ 448,311.58</b>
<b>Billed to Local Governments</b>	<b>\$591,595</b>			
	<b>2010 Population</b>	<b>Billed Amounts</b>		
City of Alexandria	6.30%	\$ 37,270		
Arlington	9.40%	\$ 55,610		
City of Fairfax	1.00%	\$ 5,916		
Fairfax County	48.00%	\$ 283,966		
City of Falls Church	0.60%	\$ 3,550		
Loudoun	14.20%	\$ 84,006		
City of Manassas	1.70%	\$ 10,057		
City of Manassas Park	0.60%	\$ 3,550		
Prince William	18.20%	\$ 107,670		
	<b>100.00%</b>	<b>\$ 591,595</b>		



## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

### M E M O R A N D U M

**TO:** Chairman Martin E. Nohe  
Members, Northern Virginia Transportation Authority

**FROM:** Noelle Dominguez, Vice- Chairman  
Jurisdiction and Agency Coordinating Committee

**SUBJECT:** 2014 General Assembly Update

**Date:** March 11, 2014

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**Purpose:** Update on actions during the 2014 General Assembly Session

**Background:** The 2014 General Assembly session commenced on January 8, 2014, and adjourned sine die on March 8, 2014, having completed work on all their bills except the budget. Governor McAuliffe has announced that he will call the General Assembly back into special session on March 24<sup>th</sup> to address the budget.

The Attached Document includes information on bills considered during the 2014 Session that may be of interest to the Authority. The highlighted items note updates or changes since the Authority's last meeting.

Staff is available to answer any questions.

**Attachment:** 2014 State and Federal Legislative Program with Updated Actions

**Northern Virginia Transportation Authority**  
**2014 Legislative Program**  
*Updated March 11, 2014*

**STATE**

***TRANSPORTATION FUNDING***

The passage of HB 2313 was the result of bipartisan cooperation throughout the Commonwealth, as the Governor, General Assembly, localities and the business community worked vigilantly to enact a transportation funding package that provides substantial new resources in addressing statewide transportation needs that had long been underfunded. Of particular interest to Northern Virginia was the inclusion of a regional package generating \$300 million annually in increased Northern Virginia revenues. This funding is a significant step towards addressing the transportation needs of Northern Virginia, estimated in the TransAction 2040 Long-Range Transportation Plan at approximately \$950 million per year in additional funding. It is critical, that Northern Virginia continues to receive its fair share of statewide revenues, as required by HB 2313, and that any potential changes to the HB 2313 statewide revenues generate funds at least equal to the law as enacted.

NVTA initiated a bond validation proceeding related to the regional funds to test the validity of the bonds, processes, and authorizing statute. The Fairfax County Circuit Court ruled in NVTA's favor on all matters. It is imperative that no changes be made to the Northern Virginia portions of HB 2313 or to the code sections specifically related to NVTA, as it begins implementing these new funding provisions.

Additionally, ongoing coordination between Commonwealth and NVTA, other regional agencies, and local governments is essential as we all work to implement HB 2313's regional provisions. This is especially critical as VDOT continues work on the evaluation required by HB 599/SB 531 (2012), which will directly impact NVTA and its future actions.

Due to legislative changes in 2012, the Commonwealth Transportation Board now has the authority to allocate up to \$500 million to priority projects before funds are provided to the construction fund. Due to this provision, the secondary and urban construction programs will receive no new funds until 2017, despite the additional transportation revenues. This is especially alarming as localities have not received funds for this program since FY 2010. Further, this change gives the CTB significant authority in allocating statewide resources, resulting in funds being allocated to a few large projects, rather than funds being provided equitably to localities throughout the state through the normal funding formula. It is imperative that the region receives its share of the statewide funds. It is recommended that this set aside be eliminated or modified to, at the very least, ensure equitable distribution of funds to each region.

During the 2013 Session, the General Assembly passed SB 1140, which changed the methodology for distribution of new transit funding. NVTA is concerned about implementation decisions that go beyond the intent of the legislation; in particular, DRPT's method of counting Metrorail riders could negatively impact transit operating assistance for WMATA compact jurisdictions. Such calculations should be based on boardings and alightings at stations within the Commonwealth, rather than residency or other methodologies not based specifically on ridership. Additionally, NVTA is opposed to DRPT's decision to change the allocation of state funds for capital costs from the non-federal cost of a project to the total project cost. As several Northern Virginia transit systems do not receive federal funds, this change increases the local share our localities must pay while reducing the share for those other systems in the Commonwealth that provide far less local funding.

A modern, efficient, multimodal transportation system is essential to the Commonwealth, and is intrinsically tied to continued economic development and the ability to compete in a global economy. We must all work together to maintain and build the multimodal infrastructure that Virginia needs to remain an active and dynamic participant in a 21st Century economy. *(Revises previous transportation funding position)*

***Various bills related to HB 2313 statewide and regional funding have been introduced during the 2014 General Assembly Session.***

**Bills related to NVTA and Northern Virginia**

- ***HB 41(Marshall, R) provides that the Commonwealth Transportation Board (CTB) would select the projects funded by the Authority.***
- ***HB 84 (Marshall, R) removes the General Assembly Members from the Authority.***
- ***HB 281 (Albo) prohibits the Authority from providing funds to a project undertaken by a multi-state body unless a contract provides that all costs of that project will be borne equally.***
- ***HB 425 (LeMunyon) adds three additional General Assembly Members to the Authority.***
- ***HB 635 (LaRock) would require that all of NVTA's regional (70%) funds must be allocated to only projects included in the Authority's Long-Range Plan (TransAction 2040) that are included in VDOT's congestion and emergency evacuation evaluation required by HB 599 (2012).***
- ***HB 653 (LaRock) limits allocations by NVTA to transit projects to no more than 25% of its total allocations.***
- ***HB 658 (LaRock) limits transit allocations by the CTB to the Northern Virginia highway construction district to no more than 25% of total allocations.***
- ***HB 824 (Minchew) would prohibit the Authority from exercising its bonding authority until July 1, 2018 and require it to go through another bond validation lawsuit.***
- ***HB 1254 (Marshall, R) would require the Authority identify both the capital and operating costs of the project per rider for transit projects and compare the costs and benefits of at least three competing projects potentially eligible for the same source of funding for highway projects.***

***HB 41, HB 84, HB 425, HB 635, HB 653, HB 658 and HB 824 were Tabled by House Transportation Subcommittee #4. HB 1254 was Tabled by the House Appropriations***

**Subcommittee on Transportation.** Additionally, NVTa worked with Delegate Albo to address his concerns and, following action by NVTa on a resolution to address those concerns, he asked Transportation Subcommittee #4 to table HB 281.

**Budget Item 427 #1h in HB 30 prohibits NVTa from providing funding to any project after June 30, 2014, unless it has been evaluated and prioritized pursuant to the requirements of § 33.1-13.03:1 of the Code. Budget Item 427 #1h was included in the House passed Budget, but was not included in the Senate Budget. The General Assembly adjourned on March 9, 2014, but has not passed a budget. Governor McAuliffe has announced that he will call the General Assembly back into special session on March 24 to address the budget.**

#### **Bills Related to Statewide Provisions of HB 2313**

- **Annual License Tax on Hybrid Vehicles:** Numerous bills repealing this fee were introduced. The House bills were incorporated into HB 975 (Rust) and the Senate bills were incorporated into SB 127 (Newman). HB 975 was passed by the House (89-9) and the Senate (37-1), while SB 127 was passed by the Senate (35-3) and the House (92-7). Both bills were Approved by the Governor on February 27, 2014.
- **HB 3 (Cline)** would have ended all provisions of HB 2313 on July 1, 2014. **HB 40 (Marshall, R.)** would have repealed the language in HB 2313 requiring an increase in the gasoline tax, if Congress has not enacted the Marketplace Fairness Act by January 1, 2015. **HB 68 (Marshall, D)** would have changed the deadline for Congressional action from January 1, 2015, to January 1, 2016. **HB 65 (Marshall, D)** and **HB 148 (Minchew)** would have excluded credit given for a trade-in from the sale price for determining motor vehicle sales tax – HB 2313 included an increase in the vehicle sales tax, with those revenues being provided to the Commonwealth Transportation Fund. **HB 3, HB 40, and HB 68 were Tabled by House Finance Subcommittee #3 and HB 65 was Tabled by House Finance Subcommittee #1. HB 148 was Continued to 2015 by House Finance.**

#### **Transportation Funding Allocation Bills**

- **The principle bill introduced related to transportation funding formulas was HB 2 (Stolle). HB 2 was amended in both the House and Senate, and the final version approved by the General Assembly:**
  - **Directs the CTB to develop and implement a prioritization process for projects funded by the CTB. This process would be used for the development of the Commonwealth's Six-Year Improvement Program (SYIP) and would consider roadway, transit, rail, technology operational improvements, and transportation demand management strategies.**
    - **The development of this process would be done in cooperation with metropolitan planning organizations (MPOs) and the NVTa. The CTB would also solicit input from local governments, transit authorities, other transportation authorities, and other stakeholders.**
    - **The process would consider, at a minimum: congestion mitigation, economic development, accessibility, safety, and environmental quality. The CTB would weight these factors for each of the Commonwealth's transportation districts, and the CTB could assign different weights to the factors based on location and other factors.**
    - **For the Northern Virginia and Hampton Roads construction districts, the CTB would ensure that congestion mitigation is weighted highest among the factors.**

- *Allows the CTB to exempt from this prioritization process projects in the current SYIP that have completed the state environmental review or National Environmental Policy Act (NEPA) processes.*
  - *Provides that the CTB would select projects using this process starting July 1, 2016.*
  - *Excludes certain funds and programs from this prioritization process, including maintenance, congestion mitigation and air quality (CMAQ), federal Highway Safety Improvement Program funds, urban and secondary road program funds, Transportation Alternatives, revenue sharing, and federal Regional Surface Transportation Program funds. The CTB can, at its discretion, develop a prioritization process for these funds. However, the bill ensures that the CTB will defer to individual localities for secondary and urban road funds and requires that the process ensures federal funding and planning requirements are followed for federal funds.*
  - *Excludes the use of this process for the regional funds created by HB 2313 (2013) for Northern Virginia and Hampton Roads.*
  - *Provides that the CTB must ensure that no project shall be undertaken primarily for economic development purposes.*
- *HB 1100 (Yancey) requires the CTB's Six-Year Improvement Program give priority to either projects expected to provide the greatest congestion reduction relative to the cost of the project or projects that promote economic development and promote commerce and trade.*
  - *HB 87 (Cole) provides that all state funds expended on transportation projects be for (i) projects expected to provide congestion reduction or (ii) projects that increase safety for travelers.*
  - *HB 626 (Watts) and HB 920 (Sickles) eliminates the ability of the CTB to allocate up to \$500 million for priority projects prior to funds being provided to the construction formulas.*

*HB 87 and HB 658 were Tabled by House Transportation Subcommittee #4. HB 1100 was Left in the Transportation Committee. HB 626 and HB 920 were Tabled by the House Appropriations Subcommittee on Transportation. The Final Version of HB 2 was passed by the Senate (40-0) and by the House (99-0).*

### **WMATA FUNDING**

The Commonwealth must work with the Federal Government to ensure that it, too, provides sufficient resources to address transportation needs. The Commonwealth is a valuable partner in ensuring that WMATA continues to move ahead with important safety and infrastructure capital improvements in its system. As part of the federal Passenger Rail Investment and Improvement Act (PRIIA) of 2008, WMATA received a 10-year, \$1.5B federal authorization to address urgent capital needs. The region matches these federal funds with \$50M each annually from DC, MD, and VA. The capital funding is used to support areas such as: meeting safety requirements of the NTSB, repairing aging rail track, investing in new rail cars, fixing broken escalators and elevators, rehabilitating decaying rail stations and platforms, modernizing the bus fleet, and improving bus facilities. *(Revises and reaffirms previous position).*

### **VRE TRACK ACCESS FEES**

Since its inception, VRE has received money from the Commonwealth through the

Equity Bonus Program for the track access fees. MAP-21 eliminated the Equity Bonus Program while keeping the level of program funding the same through the first two years of the law. If VRE is unable to resolve this potential funding shortfall then there will be significant budgetary ramifications which could include reductions in service, 58% jurisdiction increase in subsidies, and/or a 28% fare increase. NVTA supports the inclusion of VRE track access funding within the Commonwealth's transportation budget. If this does not occur then NVTA supports a separate appropriation through eligible federal pass through money for track access fees within its capital program. (Revises and Reaffirms Previous Position)

### **SECONDARY ROAD DEVOLUTION/LOCAL MAINTENANCE PROGRAMS**

NVTA opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties, especially if these efforts are not accompanied with corresponding revenue enhancements. While there are insufficient resources to adequately meet the maintenance and improvement needs of secondary roads within the Commonwealth, the solution to this problem is not to simply transfer these responsibilities to local government that have neither the resources nor the expertise to fulfill them. Further, NVTA also opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to VDOT for the purposes of ongoing maintenance.

Additionally, NVTA is opposed to changes to maintenance allocation formulas detrimental to localities maintaining their own roads. Urban Construction Funds are already far below what is needed and localities must already find other ways to fund new construction initiatives and changing current formulas or requiring additional counties to maintain their roads could lead to a reduction in Urban Construction and Maintenance Funds, placing a huge extra burden on these localities. (*Reaffirms previous position*).

### **EQUAL TAXING AUTHORITY FOR COUNTIES, CITIES AND TOWNS**

NVTA supports granting counties the authority cities and towns currently have to enact local excise taxes, including the cigarette tax, admissions tax, and meals tax. Doing so would allow counties to raise additional revenues for transportation projects. (*Reaffirms previous position*)

### **BASE REALIGNMENT AND CLOSURE (BRAC) RECOMMENDATIONS**

NVTA supports the inclusion of sufficient funding to ensure significant fiscal resources to address the enormous planning and transportation issues associated with the Base Realignment and Closure Commission recommendations. This is particularly critical, because the BRAC relocations have occurred, and Northern Virginia localities are facing significant shortfalls in the capacity of current infrastructure to support the additional military and civilian jobs. (*Reaffirms previous position*).

### **PEDESTRIAN AND TRANSIT SAFETY**

Safe access to transit facilities can be improved through infrastructure improvements and better traffic safety laws. NVTA supports revisions to Virginia's existing pedestrian

legislation to clarify the responsibilities of drivers and pedestrians in order to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, support legislation that would require motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less and at unsignalized crosswalks in front of schools. This issue is of special importance for pedestrians with physical or sensory disabilities, who are at particular risk of injury when crossing streets. Further, strong safety records depend on strong safety practices and training and NVTa supports training programs for transit systems, pedestrians and bicyclists. *(Revises and reaffirms previous position.)*

***HB 277 (Krupicka) requires motorists to stop for pedestrians in crosswalks where the speed is 35 mph or less and yield to pedestrians in crosswalks where the speed is more than 35 mph. HB 277 Failed to Report in House Transportation Subcommittee #2.***

### **MAXIMIZING USE OF EXISTING FACILITIES**

High performance, high capacity transit requires smart usage of existing road facilities. Localities in cooperation with the Commonwealth (DRPT and VDOT) should ensure that urban design standards for transportation system components allow for the efficient movement of vehicles; accommodate safe pedestrian and bicyclist movement; and encourage user-friendly access to transit. More flexibility in the design of transit infrastructure and facilities that enhance safety should be provided. Additionally, localities with cooperation of the Commonwealth, should to identify existing facilities that can be flexed or used by transit vehicles on an as needed or scheduled basis in order to maximize the efficient use of roadways to expand capacity. Examples are:

- The conversion of shoulders for bus use during peak rush hour - with safety practices and improved infrastructure - will improve service and expand capacity on important corridors.
- Express Bus, Commuter Bus, and Bus Rapid Transit as well as Light Rail and Streetcar; and
- Expanded use of Buses in HOT lanes.

*(New Position)*

### **CHAPTER 729 PLANNING**

Land use provisions included in legislation during the 2012 Session changed transportation planning requirements for jurisdictions. Specifically, the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) can decide whether local transportation plans are consistent with their current priorities. If they decided this is not the case, they are able to withhold funding for transportation projects in counties. While the NVTa is appreciative of efforts to better coordinate local and state transportation planning, the Authority is concerned that these provisions essentially transfer the responsibility for land use planning from local governments to the Commonwealth. Land use and zoning are fundamental local responsibilities and these provisions can override the work done by our local governments and our residents, property owners, and the local business communities on land use and transportation plans. *(Reaffirms previous position)*

### **TRANSPORTATION COORDINATION AND REGIONAL STUDIES**

NVTa believes it is critical for ongoing coordination between the Authority and the

Commonwealth. Additionally, it is vital that the Commonwealth involve local and regional officials in any studies or audits related to funding, planning, operations, organizational structure and processes related to agencies in the Transportation Secretariat. This is essential as VDOT continues work on the evaluation created by HB 599 (2012), which will directly impact NVTa and its future actions. Further, NVTa recommends that the Code of Virginia be amended to specify that transportation studies related to facilities wholly within one VDOT construction district should be managed by that construction district rather than the VDOT Central Office. Regional VDOT staff is better equipped to address the concern of the affected citizens and local governments. *(Revises and reaffirms previous position).*



## NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

### MEMORANDUM

**FOR:** Chairman Martin E. Nohe and Members  
Northern Virginia Transportation Authority

**FROM:** John Mason, Interim Executive Director

**DATE:** March 11, 2014

**SUBJECT:** Executive Director's Report

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1. **Purpose.** To provide monthly report on items of interest not addressed in other agenda items.
2. **Recruitment of Executive Director.** Chairman of ED Search Committee will provide report.
3. **Recruitment of Program Coordinators.** From a pool of 23 applicants, 10 resumes were shared with key jurisdictional staff. Subsequently, four (4) were interviewed on March 10 and 11. Strong candidates. Follow-up interviews will be conducted the week of March 17<sup>th</sup>.
4. **Financial management.**
  - Work continues on the selection of a general ledger accounting system.
  - We have obtained audit services for FY2014 through riding on the NVTC contract with PBMares LLC.
5. **NVTA Organization.** In a meeting with key staff (Tom Biesiadny, Monica Backmon, Ric Canizales, and Noelle Dominguez) on March 6, we discussed general concept for NVTA organization going forward. Plan to have a recommendation for Authority on April 17.

**Financial Working Group  
Northern Virginia Transportation Authority**

**MEMORANDUM**

**TO:** Martin E. Nohe, Chairman  
Northern Virginia Transportation Authority  
  
Members  
Northern Virginia Transportation Authority

**FROM:** William Euille, Chairman  
Financial Working Group  
Northern Virginia Transportation Authority

**SUBJECT:** Report of the Financial Working Group

**DATE:** March 10, 2014

Since the February 20, 2014, Authority meeting, the Financial Working Group has continued its efforts to implement the financial aspects of HB 2313. Several subcommittee meetings were also held this past month. Progress on each of the working group's activities is discussed below.

Agreements

A joint subcommittee of the Financial Working Group and the Council of Counsels was been meeting to prepare four agreements for the Authority's consideration. Two agreements remain. The status of these agreements is summarized below. These agreements are:

- a) An agreement between the Authority and agencies implementing projects funded by the 70 percent funding that the Authority will be retaining for regional projects. Since the Authority will have limited capabilities to implement projects and services on its own, particularly in the short term, it will need to coordinate with local jurisdictions, regional transportation agencies, state transportation agencies, and potentially others (collectively "recipients") to implement projects and services using the 70 percent funding that the Authority will retain. To accomplish this, the Authority will need to have a standard project agreement to establish appropriate policies and procedures to protect the Authority, outline reimbursement practices, and specify documentation and records keeping requirements, among other things.

STATUS: A standard project agreement has been developed and reviewed. The Financial Working and the Council of Counsels are finalizing the document and will forward it to the Authority for consideration (Item IV on the March 13, 2014, agenda). Assuming the Authority approves the standard project agreement, individual project agreements could be brought to the Authority for consideration beginning at the April 17, 2014, meeting.

- b) An agreement between the Authority and the Virginia Department of Transportation and the Department of Rail and Public Transportation related to the roles and responsibilities of each agency associated with the collection and distribution of the regional transportation revenues, the implementation of projects and the applicability of the Authority's regional funding for local matches to state transportation funding. STATUS: VDOT and DRPT prepared a draft agreement for the Authority's consideration. The Financial Working Group and the Council of Counsels met with VDOT and DRPT staff on January 21, 2014, to discuss various aspects of the agreement and subsequently prepared a revised draft. The subcommittee is scheduling a meeting with VDOT and DRPT staff to review the revised document and will bring it to the Authority for consideration when a staff consensus is reached.

#### Line of Credit and Initial Bond Issuance

A subcommittee of the Financial Working Group has been working with the Authority's staff, financial advisor, bond counsel and members of the Council of Counsels to support efforts for a line of credit and an initial bond sale in Spring 2014. The subcommittee is also assisting the Authority staff with the procurement of other services needed to facilitate the line of credit and the initial bond issue.

#### Revenue Collections

Through February 11, 2014, the Commonwealth has transferred \$146 million in transportation revenues to the Authority. Additional revenue information may be presented at the March 13, 2014, Authority meeting; however, that will depend on whether additional revenues are received before the meeting.

Martin E. Nohe, Chairman  
Members, Northern Virginia Transportation Authority  
March 13, 2014  
Page Three

#### FY 2014 Revenue Updates and FY 2015 and FY 2016 Revenue Projections

The Financial Working Group established a subcommittee to review FY 2014 revenue collections and to prepare revised revenue estimates for FY 2015 and FY 2016. The subcommittee included key revenue estimators for several of the local governments. The subcommittee met in late February and began to review the revenue assumptions for the Authority's three taxes and fees on a jurisdiction by jurisdiction basis. The subcommittee is also evaluating revenue collections for FY 2014 to date. Based on this analysis, the subcommittee will develop revenue estimates for the next two years. These estimates will be used by the Project Implementation Working Group in preparing project funding recommendations for the Authority's consideration later this year.

#### Long-Term Benefit Measurement

HB 2313 requires that each jurisdiction's long-term benefit from the implementation of the projects supported by the 70 percent of funding that the Authority will retain for regional projects be proportional to the its share of the revenues collected. To better measure "long-term benefit," the Working Group has established a subcommittee to discuss ways to calculate this benefit. Ultimately, the Financial Working Group and the Council of Counsels will prepare a recommendation for the Authority's consideration.

#### On-Going Activities

The Financial Working Group is still working on several additional tasks with the Executive Director and the Chief Financial Officer. These include:

- developing review and verification procedures; and
- discussing aspects of funding for Washington Metropolitan Area Transit Authority and Virginia Railway Express projects.

Member of the Financial Working Group, the Council of Counsels and I will be available at the NVTa meeting on March 13, 2014, to answer questions.

Cc: Members, NVTa Jurisdiction and Agency Coordinating Committee  
Members, NVTa Financial Working Group  
Members, NVTa Council of Counsels

# **Correspondence Section**



# Northern Virginia Transportation Authority

*The Authority for Transportation in Northern Virginia*

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[www.TheNoVaAuthority.org](http://www.TheNoVaAuthority.org)

February 26, 2014

The Honorable Charles J. Colgan  
Senate of Virginia  
201 North 9th Street, Room 326  
Richmond, Virginia 23219

The Honorable S. Chris Jones  
House of Delegates  
P.O. Box 406, Room 948  
Richmond, Virginia 23218

The Honorable Emmett W. Hanger, Jr.  
Senate of Virginia  
201 North 9th Street, Room 431  
Richmond, Virginia 23219

The Honorable R. Steven "Steve" Landes  
House of Delegates  
P.O. Box 406, Room 947  
Richmond, Virginia 23218

The Honorable Janet D. Howell  
Senate of Virginia  
201 North 9th Street, Room 321  
Richmond, Virginia 23219

The Honorable M. Kirkland "Kirk" Cox  
House of Delegates  
P.O. Box 406, Room 607  
Richmond, Virginia 23218

The Honorable Thomas K. Norment, Jr.  
Senate of Virginia  
201 North 9th Street, Room 621  
Richmond, Virginia 23219

The Honorable John M. O'Bannon, III  
House of Delegates  
P.O. Box 406, Room 521  
Richmond, Virginia 23218

The Honorable Richard L. Saslaw  
Senate of Virginia  
201 North 9th Street, Room 613  
Richmond, Virginia 23219

The Honorable Thomas A. "Tag" Greason  
House of Delegates  
P.O. Box 406, Room 513  
Richmond, Virginia 23218

The Honorable John Watkins  
Senate of Virginia  
201 North 9th Street, Room 331  
Richmond, Virginia 23219

The Honorable Johnny S. Joannou  
House of Delegates  
P.O. Box 406, Room 423  
Richmond, Virginia 23218

Re: HB 30 Amendment Related to the Northern Virginia Transportation Authority (Item 427 #1h)

Dear Members of the Committee of Conference on the Budget:

On behalf of the Northern Virginia Transportation Authority (NVTA), and based on discussions that occurred at NVTA's February 20, 2014, meeting, I am writing to express our opposition to Budget Item 427 #1h, which affects future actions of the Northern Virginia Transportation Authority. If adopted, this language would prohibit the Authority from providing funding to any project after June 30, unless it has been evaluated and prioritized pursuant to the requirements of § 33.1-13.03:1 of the Code.

Last session, the Governor and General Assembly exempted FY 2014 funds from the requirement for this Virginia Department of Transportation (VDOT) evaluation to allow projects to commence quickly. Following that direction, NVTa approved a list of projects to be paid by both bonds and pay-as-you-go financing in July 2013. VDOT has also begun working on the analysis required by § 33.1-13.03:1 (as approved in 2012 in HB 599) and the first round of evaluations is not scheduled to be completed until the end of calendar year 2014. NVTa was scheduled to nominate projects for this analysis on February 20, 2014; and the Commonwealth Transportation Board (CTB) is expected to adopt a project list at its March meeting.

Additionally, HB 2313 exempts mass transit capital projects that increase capacity from this required analysis. Therefore, the list of projects considered by NVTa on February 20, 2014, does not include transit projects as would be required by the proposed budget item. Changing the scope of projects to be evaluated, transit or otherwise, also delays the evaluation, and, consequently, project implementation. Requiring this analysis for the unallocated FY 2014 funds would also delay project implementation.

Because NVTa is in agreement with giving priority to those projects that provide the greatest congestion relief relative to cost, NVTa undertook a thorough analysis of projects considered for FY 2014 funding to ensure compliance with HB 2313 and NVTa's authorizing statutes, which include analysis documenting that its projects would provide the greatest congestion relief relative to the cost. NVTa initiated a bond validation proceeding related to the regional funds to test the validity of the bonds, processes, and authorizing statute. The Fairfax County Circuit Court ruled in NVTa's favor on all matters. It is imperative that no changes be made to the Northern Virginia portions of HB 2313 or to the code sections specifically related to NVTa, as it begins implementing these new funding provisions.

We hope that the General Assembly will not use the budget to change well defined processes for the development, review and approval of transportation projects. If you have any questions or would like additional information, please call me at (703) 792-4620.

Sincerely,



Martin E. Nohe  
Chairman

Cc: Members, Northern Virginia Delegation of the General Assembly  
Members, Northern Virginia Transportation Authority



March 5, 2014

Ms. Helen L. Cuervo, P. E.  
District Administrator  
Northern Virginia District  
Virginia Department of Transportation  
4975 Alliance Drive  
Fairfax, Virginia 22030

The Honorable Martin Nohe  
Chairman  
Northern Virginia Transportation Authority  
4031 University Drive, Suite 200  
Fairfax, Virginia 22030

Dear Ms. Cuervo and Chairman Nohe:

We urge the Virginia Department of Transportation (VDOT) and the Northern Virginia Transportation Authority (NVTA) to take the action needed to establish continuous and high-quality bicycle routes in each of Northern Virginia's major transportation corridors. Such regional active-transportation routes would achieve many benefits, including increased mobility and safety, enhanced access to and use of public transportation, expanded affordable travel choices, reduced pollution and energy consumption, better public health, improved attractiveness for business locations, greater non-motorized visitation and tourism, and more livable, walkable, and vibrant communities.

VDOT and the localities have already identified much of the needed bicycling facilities in VDOT's *Northern Virginia Bikeway and Trail Network Study*, released in 2003, and local plans. The VDOT study made excellent recommendations, but, unfortunately, very few have been implemented. Similarly, *TransAction 2040* identified and prioritized unfunded bicycling needs in eight regional corridors. While some new bicycle facilities have been built in Northern Virginia over the past decade, progress has generally been anemic, and most of our region's major transportation corridors lack even mediocre bicycle facilities for most of their length.

We recommend that:

- VDOT and/or NVTA conduct an in-depth study of what needs to be done to establish continuous bicycling routes consisting of high-quality facilities in each of the following ten major transportation corridors: 1) Dulles/VA-7, 2) Loudoun Co Pkwy/Belmont Ridge Rd/Bi-County Pkwy/Gum Springs Rd/VA-234, 3) VA-28, 4) Prince William Pkwy, 5) Fairfax County Pkwy, 6) I-66/US-29/US-50, 7) I-495 (Capital Beltway), 8) I-95/I-395/US-1, 9) VA-123, and 10) Braddock Rd/



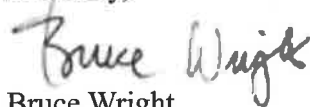
VA-620. The first eight corridors listed are the eight *TransAction 2040* corridors, whereas the VA-123 and VA-620 corridors are vital non-motorized routes through Fairfax County, the region's most populous locality.

- VDOT and NVTa develop a ten-year implementation plan for the 2003 *Northern Virginia Bikeway and Trail Network Study* recommendations.
- At least one continuous bicycle route should be established in each of the above corridors within the next five to ten years. In areas with the highest population densities, such a route should be established along each of the major highways where there is significant distance between them. All of these continuous routes should ultimately consist of high-quality facilities, including shared-use paths with grade-separated crossings of major roads, buffered bike lanes, and cycle tracks. In the nearer term, however, paved shoulders, bike lanes, signed shared roadways, and traffic-calmed streets (bicycle boulevards) could provide many of the links.
- VDOT and/or NVTa establish a bicycle advisory committee for Northern Virginia that is focused on implementing this initiative.

A broad range of people in Northern Virginia would benefit from improved bicycle facilities and continuous regional routes, including low-income workers who have no choice but to walk or bike in inhospitable corridors, families who want their children to have safe routes to school and to after-school activities, residents who would take more short trips by bike, and commuters who would bike to work if they had better facilities. In 2012, there were 1,016 crashes involving bicyclists in the Washington region, according to the Metropolitan Washington Council of Governments. The Pedestrian and Bicycle Information Center found that nationally only 35 percent of the children who lived within one mile of school in 2009 walked or biked, compared to 89 percent in 1969, which is especially problematic given current rates of childhood obesity. Polls also show that more commuters would bike to work if there were better facilities, and thus reduce congestion.

The new statewide, regional, and local funding in Virginia's recently enacted transportation bill (HB 2313) provides an excellent opportunity to expand high-quality facilities for bicyclists. The bulk of this new funding does not originate from motor vehicle use. We ask you to seize this opportunity to help make Northern Virginia a better and healthier place for our families and to do business.

Sincerely,



Bruce Wright

Chairman, Fairfax Advocates for Better Bicycling

Alexandria Bicycle and Pedestrian Advisory Committee  
AOL Bicycle Commuters  
BikeLoudoun  
Fairfax Advocates for Better Bicycling (FABB)  
Leidos  
Potomac Pedalers  
Prince William County Trails & Blueways Council  
Prince William Trails & Streams Coalition  
Verizon Bicycle Commuters  
Virginia Bicycling Federation  
Washington Area Bicyclist Association

cc: Members of Northern Virginia Transportation Authority  
Commonwealth Transportation Board members for Northern Virginia



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive  
Fairfax, VA 22030

CHARLES A. KILPATRICK, P.E.  
COMMISSIONER



Action: \_\_\_\_\_

Distribution: \_\_\_\_\_

my correspondence \_\_\_\_\_

File: \_\_\_\_\_

Notes: \_\_\_\_\_

March 7, 2014

Mr. John Mason  
Interim Executive Director  
Northern Virginia Transportation Authority  
3060 Williams Drive, Suite 510  
Fairfax, VA 22031

Dear Mr. Mason:

The Commonwealth Transportation Board will conduct a public hearing in Northern Virginia to give citizens the opportunity to review and provide comments on projects and programs to be included in the Fiscal Year 2015-2020 Six-Year Improvement Program (FY2015-2020 SYIP), including highway, rail, and public transportation initiatives. These projects and programs represent important improvements to address safety, congestion, and preservation of Virginia's transportation network.

It is important that we hear from you and your constituents about those projects you feel are the highest priority for the state's limited transportation funds. The public hearing for citizens in our region will be held at the Virginia Department of Transportation, Northern Virginia District Office, Potomac Conference Center, 4975 Alliance Drive, Fairfax, VA 22030 on April 24, 2014 beginning at 6:00 p.m. Written comments may also be submitted during the hearing, mailed or e-mailed afterwards.

You are encouraged to attend the public hearing in our region or one of the other hearings on the attached listing if it is more convenient for you. If you cannot attend the hearing, you may send your comments to Programming Director, Virginia Department of Transportation, 1401 E. Broad Street, Richmond, VA 23219 or e-mail them to [Six-YearProgram@vdot.virginia.gov](mailto:Six-YearProgram@vdot.virginia.gov).

We would truly appreciate your attendance at this session. If you have any questions prior to the meeting, please contact Joan Morris, our Public Relations Manager, at (703) 259-1799.

Sincerely,

Helen L. Cuervo  
District Administrator  
Northern Virginia District

Attachment

Copy: Joan Morris

**DRAFT FY 2015-2020 SYIP PUBLIC HEARING DATES AND LOCATIONS**

**Thursday, April 17, 2014**

Hampton Roads Planning District Commission  
723 Woodlake Drive  
Chesapeake, VA 23320

**Tuesday, April 22, 2014**

Holiday Inn Hotel & Suites  
Bristol Convention Center  
3005 Linden Drive  
Bristol, VA 24202

**Thursday, April 24, 2014**

VDOT  
Northern Virginia District Office  
Potomac Conference Center  
4975 Alliance Drive  
Fairfax, VA 22030

**Tuesday, April 29, 2014**

Rockingham County Administration Center  
Board of Supervisors Room  
20 East Gay Street  
Harrisonburg, VA 22802

**Monday, May 5, 2014**

VDOT  
Central Office Auditorium  
1221 E. Broad Street  
Richmond, VA 23219

**Monday, May 12, 2014**

Essex High School  
833 High School Circle  
Tappahannock, VA 22560

**Wednesday, May 14, 2014**

Germanna Community College  
Daniel Technology Center  
18121 Technology Drive  
Culpeper, VA 22701

**Thursday, May 15, 2014**

VDOT  
Lynchburg District Complex  
Ramey Memorial Auditorium  
4303 Campbell Avenue  
Lynchburg, VA 24501

**Monday, May 19, 2014**

Northside High School  
6758 Northside High School Road  
Roanoke, VA 24019