

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chair Phyllis J. Randall and Members
Northern Virginia Transportation Authority

FROM: Monica Backmon, Executive Director

DATE: March 4, 2021

SUBJECT: Approval of the City of Fairfax Request for Additional Transform 66 Outside the Beltway Concessionaire Payment Funding

1. Purpose: To seek Northern Virginia Transportation Authority (NVTa) recommendation of approval for additional concessionaire funding for the City of Fairfax's George Snyder Trail Project.

2. Suggested Motion: *I move Authority recommendation of \$3,660,000 in additional Transform 66 Outside the Beltway Concessionaire payment funds to fully fund the George Snyder Trail project.*

3. Background: – As part of the Transform 66 Outside the Beltway Project, the Concessionaire paid the Virginia Department of Transportation (VDOT), a Concession Fee/Payment to fund additional transportation improvements in the corridor (Concession Payment).

- Virginia Code specifies that allocations from the Concession Payments may be used to pay or finance all or part of the costs of programs or projects, but that (i) the allocations must be limited to programs and projects that are reasonably related to or benefit the users of the qualifying transportation facility that was the subject of a concession pursuant to the PPTA; and (ii) the priorities of metropolitan planning organizations, planning district commissions, local governments, and transportation corridors shall be considered by the Board in making project allocations from moneys in the Account.
- On July 13, 2017, the Authority, with input from local jurisdictions, developed a list of projects for presentation to and consideration by the Commonwealth Transportation Board (CTB) as projects that may be funded with funds from the Concession Payment. Both projects were included in the Authority's recommendation. The Virginia Department of Transportation also recommended that the funding be used to support to fund, in whole or part, several Route 29 Projects in Fairfax County. On December 6, 2017, the CTB endorsed the list of projects recommended by the Authority and the Route 29 Projects.

- The City of Fairfax was awarded \$13.6M in Transform 66 Outside the Beltway Project Concessionaire funding for the George Snyder Trail project as part of the projects recommended by the Authority.
- The City has been engaged in the design process since receiving that funding and the plans are now at the 65% design phase (post-Public Hearing). The updated project estimate is now \$17,630,000, which is \$3,660,000 over the available funding of \$13,975,000 (\$13.6M in concessionaire funding and \$370,000 in CMAQ funding).
- The City has been able to reduce the right of way estimate by limiting the project as much as possible to within city right of way; however, the construction cost has increased due to necessary project additions (one additional bridge, retaining walls, environmental mitigation, geotechnical engineering).
- The City requests Authority recommendation to the CTB for the additional \$3,660,000 to fully fund the George Snyder Trail project. There is approximately \$15M in unprogrammed concessionaire funds.
- The RJACC recommended approval of the additional funding request at the February 25, 2021 meeting.

4. Next steps. Upon Authority recommendation of additional funding approval, the request will be sent to the Commonwealth Transportation Board to be included in their transfer report.

Attachment(s):

- A.** Draft Letter to VDOT, District Administrator, Helen Cuervo
- B.** Additional Funding Request Letter from the City of Fairfax



Attachment A.

Northern Virginia Transportation Authority *The Authority for Transportation in Northern Virginia*

March 11, 2021

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

Reference: City of Fairfax Transform 66 Outside the Beltway Concessionaire Request for Additional Funding

Dear Ms. Cuervo:

As part of the Transform 66 Outside the Beltway Project, the Concessionaire paid the Virginia Department of Transportation (VDOT), a Concession Fee/Payment to fund additional transportation improvements in the corridor (Concession Payment). Virginia Code specifies that allocations from the Concession Payments may be used to pay or finance all or part of the costs of programs or projects, but that (i) the allocations must be limited to programs and projects that are reasonably related to or benefit the users of the qualifying transportation facility that was the subject of a concession pursuant to the PPTA; and (ii) the priorities of metropolitan planning organizations, planning district commissions, local governments, and transportation corridors shall be considered by the Board in making project allocations from moneys in the Account.

On July 13, 2017, the Northern Virginia Transportation Authority (the Authority), with input from local jurisdictions, developed a list of projects for presentation to and consideration by the Commonwealth Transportation Board (CTB) as projects that may be funded with funds from the Concession Payment. On December 6, 2017, the CTB endorsed the list of projects recommended by the Authority.

On February 9, 2021, the City of Fairfax requested the additional funding in the amount of \$3,660,000, to fully fund the George Snyder Trail project.

The City was awarded \$13.6M in Transform 66 Outside the Beltway Project concessionaire funding for the George Snyder Trail project. The City has been engaged in the design process since receiving that funding and the plans are now at the 65% design phase (post-Public Hearing). The updated project estimate is now \$17,630,000, which is \$3,660,000 over the available funding of \$13,975,000 (\$13.6M in concessionaire funding and \$370,000 in CMAQ funding). The city has been able to reduce the right of way estimate by limiting the project as much as possible to within

city right of way; however, the construction cost has increased due to necessary project additions (one additional bridge, retaining walls, environmental mitigation, geotechnical engineering).

On March 11, 2021, the Authority recommended approval of the additional funding.

If you should have any questions, please feel free to contact the Authority's Executive Director, Monica Backmon, at monica.backmon@thenovaauthority.org.

Sincerely,

Phyllis J. Randall
Chair

cc: Monica Backmon, Executive Director, NVTA
Wendy Block Sanford, Director, City of Fairfax Department of Transportation

Attachment B.



City of Fairfax, Virginia

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February 9, 2021

Ms. Monica Backmon, Executive Director
Northern Virginia Transportation Authority
3040 Williams Drive
Suite 200
Fairfax, VA 22031

RE: George Snyder Trail Request for Additional Funding

Dear Ms. Backmon,

The City was awarded \$13.6M in I-66 Outside the Beltway Project concessionaire funding for the George Snyder Trail project. The City has been engaged in the design process since receiving that funding and the plans are now at the 65% design phase (post-Public Hearing). The updated project estimate is now \$17,630,000, which is \$3,660,000 over the available funding of \$13,975,000 (\$13.6M in concessionaire funding and \$370,000 in CMAQ funding). The city has been able to reduce the right of way estimate by limiting the project as much as possible to within city right of way; however, the construction cost has increased due to necessary project additions (one additional bridge, retaining walls, environmental mitigation, geotechnical engineering).

The city requests NVTAs recommendation to the Commonwealth Transportation Board for the additional \$3,660,000 to fully fund the George Snyder Trail project.

If you have any questions or comments, please contact me at (703) 385-7889 or by electronic mail at Wendy.Sanford@fairfaxva.gov.

Sincerely,

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

Wendy Block Sanford
Transportation Director