

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

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

FROM: Monica Backmon, Executive Director

DATE: April 1, 2021

SUBJECT: Approval of Fairfax County's 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 Fairfax County.

2. Suggested Motion: *I move Authority recommendation to transfer \$2,569,017 in Concessionaire funds from Route 29 Widening Phase 1 to Route 29 Widening Phase 2 and add an additional \$10,851,983 from unprogrammed Concessionaire Funds for the following previously-approved projects: Monument Drive Parking Garage; Lee Highway Pedestrian Improvements; Poplar Tree Road Bridge Construction; Route 29 Widening Phase 2 Projects.*

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 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 Fairfax County was awarded a total of \$72,398,462 in Transform-66 Outside the Beltway Concession Fee funds for the projects listed below. As these projects have advanced through preliminary engineering and design, the cost estimates have increased. Fairfax County requests that the Northern Virginia Transportation Authority recommends approval the transfers of the 1-66 Concessionaire funds described below:
 - Transfer \$2,569,017 in Concessionaire funds from Route 29 Widening Phase 1 (UPC 110330) to Route 29 Widening Phase 2. Phase 2 cost estimates have increased due to inflation, unit cost increases, increased phase costs resulting from advanced design. Phase 1 widening has been completed under budget.
 - Request \$10,851,983 from unprogrammed Concessionaire Funds for the following previously-approved projects:
 - \$4,900,000 for the Monument Drive Parking Garage (UPC 112817). The funding is needed to address increase in project costs. This will bring total Concessionaire funds to \$43.4 million, and fully funds the project.
 - \$501,000 for the Lee Highway (Route 29) Pedestrian Improvements (UPC 113518), which will address project cost increases. This will bring total Concessionaire funds to \$2,585,000.
 - \$20,000 for the Poplar Tree Road Bridge Construction (UPC 112719) to pay for improved lighting at the Newbrook Drive intersection. This will bring total Concessionaire funds to \$2,620,000.
 - \$5,430,983 for Route 29 Widening Phase 2 (UPC 100329), in addition to the transfer from Phase 1 requested above, to meet project cost increases due to inflation, unit cost increases, increased phase costs resulting from advanced design. This will bring total Concessionaire funds to \$21,700,597.
- The RJACC recommended approval of the additional funding request at the March 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, John Lynch
- B. Additional Funding Request Letter from Fairfax County



April 8, 2021

Mr. John Lynch
District Administrator
Virginia Department of Transportation
4975 Alliance Dr. Suite 4E-342
Fairfax, Virginia 22030

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

Dear Mr. Lynch:

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 March 24, 2021, Fairfax County requested to transfer \$2,569,017 in Concessionaire funds from Route 29 Widening Phase 1 to Route 29 Widening Phase 2 and add an additional \$10,851,983 from unprogrammed Concessionaire Funds for the following previously-approved projects: Monument Drive Parking Garage; Lee Highway Pedestrian Improvements; Poplar Tree Road Bridge Construction; Route 29 Widening Phase 2 Projects.

Fairfax County was awarded a total of \$72,398,462 in I-66 Concession Fee funds for the projects listed below. As these projects have advanced through preliminary engineering and design, the cost estimates have increased. Fairfax

County requests that the Northern Virginia Transportation Authority approve the transfers of the I-66 Concessionaire funds described below:

- Transfer \$2,569,017 in Concessionaire funds from Route 29 Widening Phase 1 (UPC 110330) to Route 29 Widening Phase 2. Phase 2 cost estimates have increased due to inflation, unit cost increases, increased phase costs resulting from advanced design. Phase 1 widening has been completed under budget.
- Request \$10,851,983 from unprogrammed Concessionaire Funds for the following previously-approved projects:
- \$4,900,000 for the Monument Drive Parking Garage (UPC 112817). The funding is needed to address increase in project costs. This will bring total Concessionaire funds to \$43.4 million, and fully fund the project.
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- \$5,430,983 for Route 29 Widening Phase 2 (UPC 110329), in addition to the transfer from Phase 1 requested above, to meet project cost increases due to inflation, unit cost increases, increased phase costs resulting from advanced design. This will bring total Concessionaire funds to \$21,700,597.

On April 8, 2021, the Authority recommended approval of the additional concessionaire 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, NVT
Tom Biesiadny, Director, Fairfax County Department of Transportation



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

March 24, 2021

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

Re: I-66 Concession Fee Funds Requests and Transfer

Dear Ms. Backmon:

Fairfax County was awarded a total of \$72,398,462 in I-66 Concession Fee funds for the projects listed below. As these projects have advanced through preliminary engineering and design, the cost estimates have increased. Fairfax County requests that the Northern Virginia Transportation Authority (NVTA) approve the transfers of the I-66 Concessionaire funds described below:

- Transfer \$2,569,017 in Concessionaire funds from Route 29 Widening Phase 1 (UPC 110330) to Route 29 Widening Phase 2. Phase 2 cost estimates have increased due to inflation, unit cost increases, increased phase costs resulting from advanced design. Phase 1 widening has been completed under budget.
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If you have any questions or concerns about this request, please contact Ray Johnson at 703-877-5617.

Sincerely,

Tom Blesiadny
Director

cc. Todd Wigglesworth, Fairfax County Department of Transportation (FCDOT)
Carole Bondurant, Virginia Department of Transportation (VDOT)
Bethany Mathis, VDOT
Jan Vaughan, VDOT

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877-5723
www.fairfaxcounty.gov/fcdot

