

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

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

FROM: Monica Backmon, Chief Executive Officer

DATE: September 1, 2022

SUBJECT: Approval to Recommend the Reallocation of Transform 66 Outside the Beltway Concession Payment Funds for Prince William County

1. **Purpose:** To seek Northern Virginia Transportation Authority recommendation to reallocate Transform 66 Outside the Beltway Concession Payment funds for Prince William County.
2. **Suggested Motion:** *I move Authority recommendation to the Commonwealth Transportation Board, to approve the transfer of \$2,929,911 in Transform 66 Concession funds from Balance Entry (UPC 113539) to Route 234/Balls Ford Road Interchange (UPC 112815) and \$9,223,288.27 from Balance Entry (UPC 113539) to Devlin Road Widening (UPC 118253).*
3. **Background:**
 - a. 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).
 - b. 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 Public-Private Transportation Act (PPTA); and (ii) the priorities of metropolitan planning organizations, planning district commissions, local governments, and transportation corridors shall be considered by the Commonwealth Transportation Board (CTB) in making project allocations from moneys in the Account.
 - c. On July 13, 2017, the Authority, with input from local jurisdictions, developed a list of projects for presentation to and consideration by the CTB as projects that may be funded with funds from the Concession Payment. 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. Both projects to which fund transfers are requested were approved by CTB.
 - d. On July 28, 2022, Prince William County requested the following transfers:

- \$2,929,911 in Transform 66 Concession funds from Balance Entry (UPC 113539) to Route 234/Balls Ford Road Interchange (UPC 112815); and,
 - The receiver project is the Route 234/Balls Ford Road Interchange (UPC 112815), which will construct a new diverging diamond interchange at the Route 234 Bypass and relocated Balls Ford Road. The project includes construction of a grade-separated overpass crossing of relocated Balls Ford Road over Line B of the Norfolk Southern Railroad, relocation of Balls Ford Road as a new four-lane road with a raised median between Devlin Road and Doane Drive, and a 10-foot shared use path along relocated Balls Ford Road.
 - In May 2020, NVTa recommended expanding the project scope for the Route 234/Balls Ford Road Interchange project to include the extension and widening of Balls Ford Road through Devlin Road from two to four lanes for approximately 2,120 feet (0.4 miles) and terminate at Jennell Drive. Devlin Road connects directly to the Route 234/Balls Ford Road Interchange and the widening of the roadway will work with the interchange project to improve access to Route 234 and Interstate 66. The Project has a current funding deficit of \$2,929,911. The deficit is due to varying impacts on the construction industry to include inflation, labor shortage, supply chain issues and more.
 - \$9,223,288.27 from Balance Entry (UPC 113539) to Devlin Road Widening (UPC 118253).
 - The receiver project is the Devlin Road Widening project (UPC 118253). The project is being phased into two segments, north and south of University Boulevard. The requested transfer will fully fund the northern segment of the Devlin Road Widening project, which will widen Devlin Road from two to four lanes between University Boulevard and Jennell Drive. This project will connect to the Balls Ford Road/Route 234 Interchange project, improve access to the Route 234 and Interstate 66 corridors, and include bicycle and pedestrian facilities. Right-of-way activities are anticipated to begin late 2022 with construction of the northern segment expected to begin in the spring of 2024. The Project has a current funding deficit of \$9,223,288.27 due to cost increases associated with inflation and other current market conditions.
- e. The RJACC recommended approval of the transfer requests at their July 28, 2022, meeting.

4. Next Steps: Upon Authority recommendation of approval, the transfer requests will be sent to the CTB to include in the transfer report.

Attachments:

- A. Prince William County Request Letters for Concession Payment Funds Transfers
- B. Draft Letter Recommending Approval of Concession Payment Funds Transfer for Prince William County

Coordination: Regional Jurisdiction and Agency Coordinating Committee



July 18, 2022

Monica Backmon
Chief Executive Officer
Northern Virginia Transportation Authority (NVTA)
3040 Williams Drive
Fairfax, VA 22031

RE: Request to Transfer Concessionaire Funds

Ms. Backmon,

Prince William County requests the approval of the NVTA RJACC for the transfer of Transform 66 Outside the Beltway Concession Payment (Concessionaire) funds.

Prince William County requests the transfer of a total of \$2,929,911 in Concessionaire funds from the following balance account:

- Concessionaire Balance Entry- UPC 113539

The receiver project is the Route 234/Balls Ford Road Interchange (UPC 112815), which will construct a new diverging diamond interchange at the Route 234 Bypass and relocated Balls Ford Road. The project includes construction of a grade-separated overpass crossing of relocated Balls Ford Road over Line B of the Norfolk Southern Railroad, relocation of Balls Ford Road as a new four-lane road with a raised median between Devlin Road and Doane Drive, and a 10-foot shared use path along relocated Balls Ford Road.

In May 2020, NVTA recommended expanding the project scope for the Route 234/Balls Ford Road Interchange project to include the extension and widening of Balls Ford Road through Devlin Road from two to four lanes for approximately 2,120 feet (0.4 miles) and terminate at Jennell Drive. Devlin Road connects directly to the Route 234/Balls Ford Road Interchange and the widening of the roadway will work with the interchange project to improve access to Route 234 and Interstate 66. The Project has a current funding deficit of \$2,929,911. The deficit is due to varying impacts on the construction industry to include inflation, labor shortage, supply chain issues and more.

Pending RJACC approval, Prince William County requests approval of this transfer from the Authority. If you have questions or comments regarding this request, please contact me at (703) 792-6825.

Sincerely,

Elizabeth Scullin
Acting Director of Transportation



July 18, 2022

Monica Backmon
Chief Executive Officer
Northern Virginia Transportation Authority (NVTA)
3040 Williams Drive
Fairfax, VA 22031

RE: Request to Transfer Concessionaire Funds

Ms. Backmon,

Prince William County requests the approval of the NVTA RJACC for the transfer of Transform 66 Outside the Beltway Concession Payment (Concessionaire) funds.

Prince William County requests the transfer of a total of \$9,223,288.27 in Concessionaire funds from the following balance account:

- Concessionaire Balance Entry- UPC 113539

The receiver project is the Devlin Road Widening project (UPC 118253). The project is being phased into two segments, north and south of University Boulevard. The requested transfer will fully fund the northern segment of the Devlin Road Widening project, which will widen Devlin Road from two to four lanes between University Boulevard and Jennell Drive. This project will connect to the Balls Ford Road/Route 234 Interchange project, improve access to the Route 234 and Interstate 66 corridors and include bicycle and pedestrian facilities. Right-of-way activities are anticipated to begin late 2022 with construction of the northern segment expected to begin in the spring of 2024. The Project has a current funding deficit of \$9,223,288.27 due to cost increases associated with inflation and other current market conditions.

Pending RJACC approval, Prince William County requests approval of this transfer from the Authority. If you have questions or comments regarding this request, please contact me at (703) 792-6825.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Scullin'.

Elizabeth Scullin
Acting Director of Transportation



Northern Virginia Transportation Authority
The Authority for Transportation in Northern Virginia

September 8, 2022

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

Re: Reallocate Transform 66 Outside the Beltway Concession Payment funds for Prince William County

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 considered by the Commonwealth Transportation Board (CTB) 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 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 July 28, 2022, Prince William County requested the following transfers:

- \$2,929,911 in Transform 66 Concession funds from Balance Entry (UPC 113539) to Route 234/Balls Ford Road Interchange (UPC 112815):
 - The receiver project is the Route 234/Balls Ford Road Interchange (UPC 112815), which will construct a new diverging diamond interchange at the Route 234 Bypass and relocated Balls Ford Road. The project includes construction of a grade-separated overpass crossing of relocated Balls Ford Road over Line B of the Norfolk Southern Railroad, relocation of Balls Ford Road as a new four-lane road with a raised median between Devlin Road and Doane Drive, and a 10-foot shared use path along relocated Balls Ford Road.

- In May 2020, NVTA recommended expanding the project scope for the Route 234/Balls Ford Road Interchange project to include the extension and widening of Balls Ford Road through Devlin Road from two to four lanes for approximately 2,120 feet (0.4 miles) and terminate at Jennell Drive. Devlin Road connects directly to the Route 234/Balls Ford Road Interchange and the widening of the roadway will work with the interchange project to improve access to Route 234 and Interstate 66. The Project has a current funding deficit of \$2,929,911. The deficit is due to varying impacts on the construction industry to include inflation, labor shortage, supply chain issues and more.
- \$9,223,288.27 from Balance Entry (UPC 113539) to Devlin Road Widening (UPC 118253):
 - The receiver project is the Devlin Road Widening project (UPC 118253). The project is being phased into two segments, north and south of University Boulevard. The requested transfer will fully fund the northern segment of the Devlin Road Widening project, which will widen Devlin Road from two to four lanes between University Boulevard and Jennell Drive. This project will connect to the Balls Ford Road/Route 234 Interchange project, improve access to the Route 234 and Interstate 66 corridors and include bicycle and pedestrian facilities. Right-of-way activities are anticipated to begin late 2022 with construction of the northern segment expected to begin in the spring of 2024. The Project has a current funding deficit of \$9,223,288.27 due to cost increases associated with inflation and other current market conditions.

On September 8, 2022, the Authority recommended approval of the transfer. Thank you very much.

Sincerely,

Phyllis J. Randall
Chair

cc: Monica Backmon, Chief Executive Officer, NVTA
Ricardo Canizales, Director of Transportation, Prince William County Department of Transportation