

**NORTHERN VIRGINIA TRANSPORTATION AUTHORITY****MEMORANDUM**

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

**FROM:** Monica Backmon, Chief Executive Officer

**DATE:** November 3, 2022

**SUBJECT:** Recommend Approval to Reallocate Transform 66 Outside the Beltway  
Concessionaire Payment funds for Fairfax County

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- 1. Purpose.** To seek Northern Virginia Transportation Authority recommendation to transfer Transform 66 Outside the Beltway Concession Payments for Fairfax County.
- 2. Suggested Motion:** *I move Authority recommendation to transfer \$378,630 in I-66 Concession funds from Balance Entry to Lee Highway Pedestrian Improvement project (UPC 113518) and \$31,975 from Balance Entry to Route 50 and Waples Mill Road Intersection Improvements project (UPC 113517).*
- 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.
  - On November 3, 2022, Fairfax County requested the following transfers:

- \$378,630 in I-66 Concession funds from Balance Entry to Lee Highway Pedestrian Improvement project (UPC 113518),
    - \$1,325,000 in I-66 Concession Fee funds were originally awarded to the receiver project. The requested transfer will meet the higher than anticipated project bids received.
  - \$31,975 from Balance Entry (UPC 113539) to Route 50 and Waples Mill Road Intersection Improvements project (UPC 113517).
    - \$2,000,000 in I-66 Concession Fee funds were originally awarded to the receiver project. The requested transfer will meet the higher design costs based on recent cost updates by the Virginia Department of Transportation.
  - The RJACC recommended approval of the transfer request at their November 3, 2022, meeting.
- 4. Next Steps:** Upon Authority recommendation of approval, the transfer request will be sent to the Commonwealth Transportation Board to be included in the transfer report.

**Attachments:**

- A. Request Letter from Fairfax County
- B. DRAFT Letter to VDOT NOVA District Administrator Lynch

**Coordination:** Regional Jurisdiction and Agency Coordinating Committee



# County of Fairfax, Virginia

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

November 1, 2022

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

Re: I-66 Concession Funds Transfer Request

Dear Ms. Backmon: *Monica*

Fairfax County requests that the Northern Virginia Transportation Authority approve the transfers of I-66 Concessionaire funds for the two projects described below. As these projects have advanced through preliminary engineering and design, the cost estimates have increased. While transfers were recently approved for the projects below at the September 8, 2022, Authority meeting, Virginia Department of Transportation (VDOT) staff have since updated cost estimates, requiring the need for additional funding:

- \$1,325,000 in I-66 Concession Fee funds were originally awarded to the Lee Highway Pedestrian Improvement project (UPC 113518). Fairfax County is requesting the of transfer \$378,630 in I-66 Concession Fee funds from the Concession Balance Entry Account (UPC 113539) to the Lee Highway Pedestrian Improvements project to address the fact that project bids were higher than anticipated. If this request is approved, the total amount of Concession Fee funds on the project will be \$2,517,652.
- \$2,000,000 in I-66 Concession Fee funds were originally awarded to the Route 50 and Waples Mill Road Intersection Improvements project (UPC 113517). Fairfax County is requesting the transfer of \$31,975 in I-66 Concession Fee funds from the Concession Balance Entry Account (UPC 113539) to the Route 50 and Waples Mill Road Intersection Improvements project to address updated design costs. If this request is approved, the total amount of Concession Fee funds on the project will be \$2,346,703.

Thank you for your consideration. If you have any questions or concerns about this request, please contact Christina Cain at 703-877-5929.

Sincerely,

Tom Biesiadny  
Director

cc: Gregg Steverson, Deputy Director, Fairfax County Department of Transportation (FCDOT)  
Noelle Dominguez, Chief, Coordination and Funding Division, FCDOT  
Martha Coello, Chief, Special Projects Division, FCDOT  
Ray Johnson, Chief, Funding Section, FCDOT  
Carole Bondurant, Manager, Northern Virginia Program Management Virginia Department of Transportation (VDOT)  
Susan Shaw, Mega Projects Director, Northern Virginia, VDOT

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





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

November 10, 2022

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

Reference: Reallocate Transform 66 Outside the Beltway Concession Payment funds for Fairfax 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 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 November 3, 2022, Fairfax County requested the following transfers:

- \$378,630 in I-66 Concession funds from Balance Entry to Lee Highway Pedestrian Improvement project (UPC 113518),
  - \$1,325,000 in I-66 Concession Fee funds were originally awarded to the receiver project. The requested transfer will meet the higher than anticipated project bids received.
- \$31,975 from Balance Entry (UPC 113539) to Route 50 and Waples Mill Road Intersection Improvements project (UPC 113517).
  - \$2,000,000 in I-66 Concession Fee funds were originally awarded to the receiver project. The requested transfer will meet the higher design costs based on recent cost updates by the Virginia Department of Transportation.

On November 10, 2022, the Authority recommended approval of the transfer. Thank you very much.

Sincerely,

Phyllis J. Randall  
Chair

cc: Monica Backmon, Chief Executive Officer, NVTA  
Tom Biesiadny, Director, Fairfax County Department of Transportation