



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

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Agenda item # 3

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

January 10, 2018

MOTION

Made By: Ms. Hynes, Seconded By: Mr. Johnsen
Action: Motion Carried

Title: Allocaton of Funding From the Transform 66 Outside the Beltway Concession Payment Account and Addition of Certain Projects to the Six Year Improvement Program

WHEREAS, the Transform 66 Outside the Beltway Project (Project) entails multimodal transportation improvements on the approximately 22-mile corridor on I-66 between U.S. Route 29 near Gainesville in Prince William County and the I-495 Capital Beltway in Fairfax County (Outside the Beltway Component) and is designed to address existing and future transportation challenges in the I-66 Corridor in a cost-effective and timely manner, to improve multimodal mobility by providing diverse travel choices through an efficient network of park-and-ride, HOV, transit, and Express Lane opportunities, and to enhance transportation safety and travel reliability for the public; and

WHEREAS, the Project will be designed, built, financed, maintained, and operated by I-66 Express Mobility Partners LLC (the Concessionaire), pursuant to a Comprehensive Agreement developed under the Public Private Transportation Act of 1995 (PPTA) and entered into on December 8, 2016; and

WHEREAS, upon financial close of the Project on November 9, 2017, in accord with the terms of the Comprehensive Agreement, the Concessionaire paid the Virginia Department of Transportation (VDOT), a Concession Fee/Payment of \$578,919,450, and

WHEREAS, pursuant to §33.2-1528 of the *Code of Virginia*, Concession Payments to the Commonwealth from qualifying transportation facilities developed and/or operated pursuant to the PPTA must be held in a separate subaccount to be designated the Concession Payments Account, together with all interest, dividends, and appreciation that accrue to the Account, and said sums may only be used for the purposes specified; and

WHEREAS, §33.2-1528 specifies that allocations from the Concession Payments Account 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; and

WHEREAS, VDOT has been advised by the Federal Highway Administration that projects funded with the Concession Payment must be “federal-aid eligible” pursuant to Title 23 of the U.S. Code and if federal funds are used on any such project, federal-aid requirements must be met; and

WHEREAS, on December 6, 2017, the Board endorsed a list of Projects, attached hereto as Appendix A, comprised of (i) NVTA-selected Projects and (ii) Route 29 Projects consisting of improvements that extend from Shirley Gate Road to the vicinity of Pickwick Road in Fairfax County, and specified that the Board will consider allocating funds from the Concession Payment Account to said projects and adding the NVTA-selected projects to the Six Year Program at its January 2018 meeting or thereafter, provided that VDOT has documentation evidencing that each project satisfies all applicable requirements set forth in federal and state law, including but not limited to those set forth in §33.2-1528; and

WHEREAS, VDOT now has documentation evidencing that each of the projects set forth in Appendix A satisfy all applicable requirements set forth in federal and state law, including but not limited to those set forth in §33.2-1528 and further, has verified that each of the projects is federal aid eligible; and

WHEREAS, based on the foregoing, VDOT has recommended that each of the projects in Appendix A be allocated funds from the Concession Payment Account and added to the FY2018-2023 Six Year Improvement Program.

NOW THEREFORE, BE IT RESOLVED, that the Board subject to appropriation hereby allocates up to \$500 Million from the Transform 66 Outside the Beltway Concession Payment Account to the projects set forth in Appendix A and adds said projects to the FY 2018-2023 Six Year Improvement Program.

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CTB Decision Brief

Action on Content of Commonwealth Transportation Board Resolution- Approval and Amendment to the FY 18-23 Six Year Program with Projects to be funded with \$500 Million of the Transform 66 Outside the Beltway Concession Payment

Issue: The CTB is asked to approve a resolution to amend the FY 18-23 Six Year Program by adding projects and allocating funds for delivery of projects utilizing \$ 500 Million of I-66 Outside the Beltway concession payments.

Facts: I-66 Outside the Beltway will be financed, designed, built, maintained and operated by I-66 Mobility Partners LLC (the Concessionaire) pursuant to a Comprehensive Agreement developed under the Public Private Transportation Act of 1995 (PPTA) and entered into on December 8, 2017. In accord with the Comprehensive Agreement, the Concessionaire paid VDOT a concession fee of \$578,919,450. These funds may be used to fund additional transportation improvements in the I-66 Outside the Beltway Corridor that will benefit users of Corridor. 33.2-1528 requires that PPTA concession payments be deposited in a special Concession Payments Account. NVTa has selected and recommended a list of transportation projects for funding by the I-66 Outside the Beltway Concession Payment, and the Board has endorsed these projects at the October 6, 2017 meeting as well as improvements to Route 29 that extend from Shirley Gate Road to the vicinity of Pickwick Road in Fairfax County (Attachment A). The Commissioner has determined that VDOT has the appropriate documentation providing evidence that each project in the Appendix A satisfies all applicable requirements set forth in federal and state law, including but not limited to those set forth in 33.2-1528, which authorizes the Board to make allocations from the Concession Payments.

Recommendations: Approve the Resolution.

Action Required by CTB: Approve the Resolution

Results if Approved: If the Resolution is approved, the Commissioner will be able to amend the FY 18-23 Six Year Program by adding projects and allocating \$500 Million of the Concession Payment Account to the projects as depicted in Attachment A of the Resolution.

Appendix A
Transform 66 Outside the Beltway
Concession Fee Projects

Jurisdiction	Project	Request - Millions
Arlington County	East Falls Church Metrorail Station Bus Bay Expansion	\$4.8
Fairfax County	Jermantown Road Bridge over I-66: Widen to four lanes	\$11.0
	Route 50 and Waples Mill Road intersection improvements	\$2.0
	Monument Drive bridge pedestrian facility improvement	\$3.8
	Commuter parking structure at Government Center/Fairfax Corner	\$38.5
	Lee Highway pedestrian improvements: Completion of missing segments of pedestrian walkway on the south side of Lee Highway from Nutley Street to Vaden Drive	\$1.3
	Poplar Tree Road bridge construction to four lanes	\$6.0
	I-66 median widening (Lee Highway (Route 29) to Route 28) for WMATA Orange Line accommodation	\$40.0
Prince William County	Route 234 at Balls Ford Road interchange including Balls Ford Road improvements*	\$145.0
	Balls Ford Road widening: Groveton Road to Route 234 Business (Sudley Road)	\$67.4
City of Fairfax	George Snyder Trail: From Chain Bridge Road (Route 123) to Fairfax Boulevard (Route 50) at Draper Drive	\$13.6
Town of Vienna	Nutley Street SW mixed-use trail: From Marshall Road SW to Tapawingo Road SW	\$0.3
PRTC	Western bus maintenance & storage facility	\$11.1
VRE	VRE Manassas Line capacity expansion and real-time multimodal traveler information project (rolling stock, Broad Run station/parking/expansion, South Manassas 3rd track, Manassas Station platform extension, Manassas Park parking/bridge, real-time traveler info)	\$128.5
Fairfax County	Route 29 Improvements: From Pickwick Road to Shirley Gate Road, various phases	\$26.7
	Total	\$500.0

Project	Sponsoring Agency	Amount Requested (Millions)	Benefits the Users of the I-66 Express Lanes	Federal-aid Eligible	Project Benefits
East Falls Church Metro Bus Bay Expansion	Arlington	\$4.8	√	√	<ul style="list-style-type: none"> Provides new bus bays that are needed for new commuter bus service for the I-66 Outside the Beltway Express Lanes.
Jermantown Road Bridge Widening	Fairfax	\$11.0	√	√	<ul style="list-style-type: none"> Provides improved access to the I-66 Express Lanes and the connection at Route 123 (both eastbound and westbound). Reduces future disruption in the I-66 Corridor and minimized construction costs by building the ultimate typical section before Express Lanes operations begin.
Route 50 / Waples Mill Road Intersection	Fairfax	\$2.0	√	√	<ul style="list-style-type: none"> Reduces intersection delay at the Route 50 and Waples Mill Road intersection, immediately adjacent to the I-66 Express Lanes corridor. Improves access to the I-66 Express Lanes by reducing delay and intersection queues.
Monument Drive Bridge pedestrian improvement	Fairfax	\$3.8	√	√	<ul style="list-style-type: none"> Provides improved pedestrian access to transit services that will be provided at the proposed Commuter Parking Garage at Fairfax Corner, with expanded commuter bus service and transit operations.
Commuter Parking Structure at Government Center / Fairfax Corner	Fairfax	\$38.5	√	√	<ul style="list-style-type: none"> Provides 800+ new parking spaces for commuter parking with immediate access to the I-66 Express Lanes (both eastbound and westbound). Eliminates an interim, temporary conversion of existing parking at the Fairfax County Government Center. Expands access to multimodal connections with bus and transit transfers.
Lee Highway Pedestrian Improvements - Nutley Street to Vaden Drive	Fairfax	\$1.3	√	√	<ul style="list-style-type: none"> Enhances transportation connectivity and increases travel options by improving access to the Vienna Metrorail station and Metrobus stops, and completing missing segments of the bike and pedestrian network on the south side of Lee Highway from Nutley Street to Vaden Drive.

Project	Sponsoring Agency	Amount Requested (Millions)	Benefits the Users of the I-66 Express Lanes	Federal-aid Eligible	Project Benefits
Poplar Tree Road bridge Widening to 4 lanes	Fairfax	\$6.0	√	√	<ul style="list-style-type: none"> Improves access from the west side of Route 28 to the Stringfellow Park and Ride Lot. Reduces future disruption in the Route 28 Corridor, which is adjacent to the I-66 Express Lanes and minimizes construction costs by building the ultimate typical section before Express Lanes operations begin.
I-66 Median Widening at Route 29 for WMATA Orange Line Accommodation	Fairfax	\$40.0	√	√	<ul style="list-style-type: none"> Provides for a median in I-66 to extend transit in the future, consistent with Fairfax County Transportation Plan and the Tier 2 NEPA Preferred Alternate, previously planned for in a later phase. Improves substandard vertical and horizontal clearances on Route 29 underneath the existing I-66 bridges, allowing for Route 29 widening and pedestrian facilities to be improved. Improves access to I-66 and I-66 Express Lanes. Reduces future disruption in the I-66 Corridor and minimizes construction costs by building the ultimate typical section before Express Lanes operations begin.
Route 234 at Balls Ford Road Interchange including Balls Ford Road improvements	Prince William	\$145.0	√	√	<ul style="list-style-type: none"> Improves access to Balls Ford Road Park & Ride Lot and 1300 new commuter parking spaces, bus bays, and carpool area, providing connections to multi-modal access. Provides improves access to direct connection to 66 Express Lanes. Provides improved access to the existing park and ride lot at Cushing Road. Reduces peak period delay and increases peak period person throughput in the Balls Ford Road corridor, a parallel travel corridor to the I-66 Express Lanes.
Balls Ford Road Widening	Prince William	\$67.4	√	√	<ul style="list-style-type: none"> Improves access to Balls Ford Road Park & Ride Lot and I-66 Express Lanes. Reduces roadway congestion, moving more people, and improving travel options on Balls Ford Road. Includes pedestrian facilities parallel to the I-66 Express Lanes corridor.

Project	Sponsoring Agency	Amount Requested (Millions)	Benefits the Users of the I-66 Express Lanes	Federal-aid Eligible	Project Benefits
George Snyder Trail	City of Fairfax	\$13.6	√	√	<ul style="list-style-type: none"> • Completes an east-west trail system parallel to I-66 corridor south of I-66. • Connects trail-users south of I-66 to the I-66 Trail parallel and north of I-66, through the new trails along Chain Bridge Road (Route 123). • Provides improved pedestrian access to multi-modal facilities, including the Vienna Metro Station multimodal improvements.
Nutley Street SW Multi-Use Trail to Metro	Town of Vienna	\$0.3	√	√	<ul style="list-style-type: none"> • Enhances transportation connectivity and increases travel options by improving access to the Vienna Metrorail station and Metrobus stops, completing missing segments of the bike and pedestrian network on along Nutley Street from Marshall Road to Tapawingo Road, • The trail provides a link that connects the town trail system to the trails around the Vienna metro station and the proposed I-66 parallel trail north of I-66.
Western Bus Maintenance & Storage Facility	PRTC	\$11.1	√	√	<ul style="list-style-type: none"> • Provides for maintenance facility proximate to the I-66 Express Lanes corridor, in support of additional commuter bus service in the corridor. • Reduces operations costs and streamlines bus operations for transit service in the I-66 Express Lanes corridor.
VRE Manassas Line Upgrade - Phase I	Virginia Railway Express	\$128.5	√	√	<ul style="list-style-type: none"> • Improves transit service and increases travel options in the I-66 Express Lanes corridor. • Increases the number of VRE Manassas Line train seats by lengthening trains to a minimum of 8 cars, and up to 10 cars. • Real-time multimodal traveler information will provide enhanced information for travel choice decision making.
Route 29 Improvements (various phases) – From Pickwick Road to Shirley Gate Road	Fairfax County	\$26.7	√	√	<ul style="list-style-type: none"> • Increases capacity between Centreville and Fairfax on Route 29, a parallel east-west roadway, reducing demand in the I-66 Express Lanes corridor. • Provides pedestrian connections and connectivity to pedestrian facilities in the I-66 corridor.