



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Shannon Valentine  
Chairperson

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*Agenda item # 11*

### **RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD**

**January 15, 2020**

#### **MOTION**

**Made By: Ms. Hynes, Seconded By: Mr. Kasprovicz**  
**Action: Motion Carried, Unanimously**

**Title: SMART SCALE Project Cancellation**  
**Arcola Boulevard (Route 50 to Loudoun County Parkway) UPC 111481**

**WHEREAS**, the Commonwealth Transportation Board's (Board) Six-Year Improvement Program Development Policy adopted December 7, 2016 states that a project that has been selected for funding through either the High Priority Projects Program or Highway Construction District Grant Program may be cancelled only by action of the Board. In the event that a project is not advanced to the next phase of construction when requested by the Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Virginia Department of Transportation (VDOT) for all state and federal funds expended on the project; and

**WHEREAS**, Item 11 of the Board's SMART SCALE Prioritization Process adopted February 21, 2018 states that a project that has been selected for funding must be initiated and at least a portion of the programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the Commonwealth Transportation Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse VDOT for all state and federal funds expended on the project; and

**WHEREAS**, Item 18 of the Board's SMART SCALE Prioritization Process adopted February 21, 2018 states that surplus Construction District Grant Funds no longer needed for delivery of a project will remain in the applicable Construction District Grant Program and may not be used in other districts, and further, provides that such surplus funds may either be reserved

Resolution of the Board

SMART SCALE Project SMART SCALE Project Cancellation Arcola Boulevard (Route 50 to Loudoun County Parkway) UPC 111481

January 15, 2020

Page 2 of 2

to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE; and

**WHEREAS**, the Arcola Boulevard Project (Route 50 to Loudoun County Parkway) UPC 111481 (Project) was submitted for consideration and selected for \$28,969,930 in funding through the Construction District Grant Program in the second round of the prioritization process pursuant to section 33.2-214.1; and

**WHEREAS**, on October 17, 2019, the Loudoun County Board of Supervisors voted unanimously to process a budget adjustment rescinding the appropriation of SMART SCALE funds to the Project and to inform VDOT that the county will not accept future SMART SCALE allocations for the Project; and

**WHEREAS**, the county intends to complete the Project by working with developers to advance delivery of their preferred alignment using proffers; and

**WHEREAS**, the Project is locally administered and was scheduled to begin preliminary engineering in November 2017, but has not advanced to scoping; and

**WHEREAS**, VDOT recommends Board action to cancel the Project and transfer all Construction District Grant funds to the Northern Virginia Construction District Grant balance entry (UPC -15988) for allocation to projects selected in Round 4 of SMART SCALE.

**NOW THEREFORE BE IT RESOLVED**, by the Commonwealth Transportation Board, that the Arcola Boulevard Project (Route 50 to Loudoun County Parkway) UPC 111481 is hereby cancelled.

**BE IT FURTHER RESOLVED**, by the Commonwealth Transportation Board, that all Construction District Grant funds allocated to the project be transferred to the Northern Virginia Construction District Grant balance entry (UPC -15988) for allocation to projects selected in Round 4 of SMART SCALE.

###



**CTB Decision Brief**  
**SMART SCALE Project Cancellation**  
**Arcola Boulevard (Route 50 to Loudoun County Parkway) UPC 111481**

**Issue:** The Arcola Boulevard Project (UPC 111481) (Project) was selected for funding in the second round of the Commonwealth Transportation Board's (Board) SMART SCALE Prioritization Policy/Process. The Project was submitted by Loudoun County and screened in for meeting a VTrans regional network need. It was selected for funding and received \$28,969,930 in Construction District Grant funds to support a total Project cost of \$54,927,930. On October 17, 2019, the Loudoun County Board of Supervisors voted unanimously to process a budget adjustment rescinding the appropriation of SMART SCALE funds to the Arcola Boulevard Project and to inform the Virginia Department of Transportation (VDOT or Department) that the county will not accept future SMART SCALE allocations for the project. The county intends to complete the project by working with developers to advance delivery of their preferred alignment using proffers. CTB approval is needed for cancellation of this Project pursuant to the Six-Year Improvement Program Development Policy adopted by the Board on December 7, 2016.

**Facts:** The Project is locally administered and was scheduled to begin preliminary engineering in November 2017; however, the Project has not advanced to scoping. There are no expenditures.

The Board's Six-Year Improvement Program Development Policy adopted December 7, 2016 states that a project that has been selected for funding through either the High Priority Projects Program or Highway Construction District Grant Program may be cancelled only by action of the Board. In the event that a project is not advanced to the next phase of construction when requested by the Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the project.

Item 11 of the Board's SMART SCALE Prioritization Process adopted February 21, 2018 states that a project that has been selected for funding must be initiated and at least a portion of the programmed funds expended within one year of the budgeted year of allocation or funding may be subject to reprogramming to other projects selected through the prioritization process. In the event the Project is not advanced to the next phase of construction when requested by the Commonwealth Transportation Board, the locality or metropolitan planning organization may be required, pursuant to § 33.2-214 of the Code of Virginia, to reimburse the Department for all state and federal funds expended on the project.

Item 18 of the Board's SMART SCALE Prioritization Process adopted February 21, 2018 states that Surplus Construction District Grant Funds no longer needed for delivery of a project will remain in the applicable Construction District Grant Program and may not be used in other districts. In addition, this item provides that such surplus funds may either be reserved to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE.

**Recommendation:** VDOT recommends that the Board cancel the Arcola Boulevard Project (UPC 111481) and transfer all Construction District Grant funds to the Northern Virginia Construction District Grant balance entry (UPC -15988) for allocation to projects selected in Round 4 of SMART SCALE.

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to cancel the Arcola Boulevard Project (UPC 111481) and transfer all Construction District Grant funds to the Northern Virginia Construction District Grant balance entry (UPC -15988) for allocation to projects selected in Round 4 of SMART SCALE.

**Result, if Approved:** If approved, the project will be removed from the Six-Year Improvement Program and all Construction District Grant funds will be transferred to the Northern Virginia Construction District Grant balance entry (UPC -15988).

**Options:** Approve, Deny, or Defer.

**Public Comments/Reactions:** None