



# COMMONWEALTH of VIRGINIA

## Commonwealth Transportation Board

W. Sheppard Miller, III  
Chairperson

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*Agenda item # 8*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

March 19, 2024

#### MOTION

**Made By:** Mr. Davis, **Seconded By:** Ms. Hynes

**Action:** Motion Carried, Unanimously

**Title: SMART SCALE Project Cancellation**  
**Lower Appomattox River Trail (UPC 115402) – Richmond District**

**WHEREAS**, the Commonwealth Transportation Board's (Board's) SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, 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; and

**WHEREAS**, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, 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 to address budget adjustments for current SMART SCALE projects or for allocation in the next solicitation cycle for SMART SCALE; and

**WHEREAS**, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that surplus High Priority Projects Program Funds no longer needed for delivery of a project will remain in the statewide High Priority Projects Program, and further, 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; and

**WHEREAS**, the Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024, states that in cases where programmed funds are no longer needed for delivery of a project due to estimate decreases, contract award savings, schedule changes, etc., the unexpended surplus funds are SMART SCALE unless superseded by the terms of a signed project agreement; and

**WHEREAS**, the Lower Appomattox River Trail (UPC 115402) (Project) was submitted by Prince George County (the County) for consideration and selected for \$44,000 in funding through the Construction District Grant Program in the third round of the prioritization process pursuant to section 33.2-214.1; and

**WHEREAS**, the project is locally administered and has not commenced; and

**WHEREAS**, the purpose of the Project was to provide a Lower Appomattox River Trail link to the Capital Trail via a shuttle bus but due to the County's inability to secure an operator for the shuttle bus and associated cost increases due to delays, the County, by action dated April 28, 2023, requested cancellation of the Project; and

**WHEREAS**, VDOT recommends Board action to cancel the Project and transfer all Construction District Grant funds to the Richmond District Construction District Grant deallocation balance entry (UPC -21766).

**NOW THEREFORE BE IT RESOLVED**, by the Commonwealth Transportation Board, that the Lower Appomattox River Trail (UPC 1155402) project 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 Richmond District Construction District Grant deallocation balance entry (UPC -21766).

####

**CTB Decision Brief**  
SMART SCALE Project Cancellation  
Lower Appomattox River Trail (UPC 115402)

**Issue:** The Lower Appomattox River Trail (UPC 115402) (Project) was selected for funding in the third round of the Commonwealth Transportation Board's (Board's) SMART SCALE Prioritization Process. The Project was submitted by Prince George County and received \$44,000 in Construction District Grant funds to fully fund the Project. For reasons stated herein, the County has requested cancellation of the project. Board approval is needed for cancellation of this Project and transfer of the remaining funds pursuant to the Policy for Implementation of the SMART SCALE Project Prioritization Process last approved by the Board December 4, 2023 and as revised January 16, 2024.

**Facts:** The Project was submitted in the third round of SMART SCALE by Prince George County and screened in for meeting a VTrans need. The County submitted the application at the request of staff at the Crater Metropolitan Planning Organization and Planning District Commission and the Friends of the Lower Appomattox River and Lower Appomattox River Trail. It was selected for funding and received \$44,000 in Construction District Grant funds to fully fund the Project.

The purpose of the Project was to provide a Lower Appomattox River Trail link to the Capital Trail via a shuttle bus. When the project application was submitted, the County identified operational costs associated with the shuttle, but the County did not intend to cover those costs. With the delays associated with finding a shuttle operator, the purchase price for the shuttle and trailer have also increased. Without another agency willing to cover the operational expenses and the increased vehicle cost, the project is no longer viable. On April 28, 2023, the County requested cancellation of the project.

The Project is locally administered and has not commenced.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024 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.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16, 2024 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.

Decision Brief

SMART SCALE Project Cancellation Lower Appomattox River Trail (UPC 115402)

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The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 and as revised January 16<sup>th</sup>, 2024 states that in cases where programmed funds are no longer needed for delivery of a project due to estimate decreases, contract award savings, schedule changes, etc., the unexpended surplus funds are SMART SCALE unless superseded by the terms of a signed project agreement.

**Recommendation:** VDOT recommends that the Board cancel the Lower Appomattox River Trail (UPC 115402) and transfer all Construction District Grant funds to the Richmond District Construction District Grant deallocation balance entry (UPC -21766).

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to cancel the Lower Appomattox River (UPC 115402) project and transfer all Construction District Grant funds to the Richmond District Construction District Grant deallocation balance entry (UPC -21766).

**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 Richmond District Construction District Grant deallocation balance entry (UPC -21766).

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

**Public Comments/Reactions:** None