



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Shannon Valentine  
Chairperson

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*Agenda item # 4*

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

#### **MOTION**

**Made By:** Mr. Dodson, **Seconded By:** Mr. Johnsen

**Action:** Motion carried, unanimously

#### **Title: SMART SCALE Project Cancellation Route 29 and Route 6 R-Cut Improvement UPC 115490**

**WHEREAS**, the Commonwealth Transportation Board's (Board) Policy for implementation of the SMART SCALE Project Prioritization Process (SMART SCALE Prioritization Process) last approved February 19, 2020 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**, Item 22 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 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 Route 29 and Route 6 R-Cut Improvement UPC 115490 (Project) was submitted for consideration and selected for \$2,725,677 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**, Nelson County passed a resolution April 13, 2021 withdrawing their support for the Project and has requested that the Project be cancelled; and

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**WHEREAS**, VDOT recommends Board action to cancel the Project and transfer all Construction District Grant funds to the Lynchburg District Construction District Grant balance entry (UPC -21764).

**NOW THEREFORE BE IT RESOLVED**, by the Commonwealth Transportation Board, that Route 29 and Route 6 R-Cut Improvement UPC 115490 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 Lynchburg District Construction District Grant balance entry (UPC -21764).

#####

**CTB Decision Brief**  
**SMART SCALE Project Cancellation**  
**Route 29 and Route 6 R-Cut Improvement UPC 115490**

**Issue:** The Route 29 and Route 6 R-Cut Improvement UPC 115490 project (Project) was selected for funding in the third round of the Commonwealth Transportation Board's (Board) SMART SCALE Prioritization Policy/Process. The Project was submitted by Nelson County and screened in for meeting a VTrans need. It was selected for funding and received \$2,725,677 in Construction District Grant funds to fully fund the Project. Nelson County passed a resolution April 13, 2021 withdrawing their support for the project and has requested that the project be cancelled. CTB approval is needed for cancellation of this Project pursuant to the Policy for Implementation of the SMART SCALE Project Prioritization Process last approved by the Board February 19, 2020. If cancellation is approved remaining Project funding will be transferred to the Lynchburg Construction District Grant balance entry (UPC -21764).

**Facts:** The Project is VDOT administered and began preliminary engineering in March 2020.

Item 17 of the Board's Policy for Implementation of the SMART SCALE Project Prioritization Process last approved by the Board February 19, 2020 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 22 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 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 Route 29 and Route 6 R-Cut Improvement UPC 115490 and transfer all Construction District Grant funds to the Lynchburg Construction District Grant balance entry (UPC -21764).

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to cancel Route 29 and Route 6 R-Cut Improvement UPC 115490 project and transfer all Construction District Grant funds to the Lynchburg Construction District Grant balance entry (UPC -21764).

**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 Lynchburg Construction District Grant balance entry (UPC -21764).

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

**Public Comments/Reactions:** None