



COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
Chairperson

1401 East Broad Street
Richmond, Virginia 23219

(804) 482-5818
Fax: (804) 786-2940

Agenda item # 5

RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

March 19, 2024

MOTION

Made By: Mr. Stant, **Seconded By:** Mr. Coleman

Action: Motion Carried, Unanimously

Title: SMART SCALE Project Cancellation **Victory Boulevard Enhancement (UPC 115524) – Hampton Roads 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estimate decreases, contract award savings, schedule changes, etc., the unexpended surplus funds are SMART SCALE unless superseded by the terms of a signed project agreement; and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 Victory Boulevard Enhancement (UPC 115524) (Project) was submitted by the City of Poquoson (the City) for consideration and selected for \$3,686,000 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 City was unsuccessful in acquiring two private roadways for public use to support the intended scope for this project and the City, by letter from the City Engineer, dated November 3, 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 Hampton Roads Construction District Grant deallocation balance entry (UPC -21763).

NOW THEREFORE BE IT RESOLVED, by the Commonwealth Transportation Board, that the Victory Boulevard Enhancement (UPC 115524) 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 Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763).

####

CTB Decision Brief
SMART SCALE Project Cancellation
Victory Boulevard Enhancement (UPC 115524)

Issue: The Victory Boulevard Enhancement (UPC 115524) (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 the City of Poquoson and received \$3,686,000 in Construction District Grant funds to fully fund the Project. For reasons stated herein, the City Engineer requested cancellation of the project in November 2023. Board approval is needed for cancellation of this Project and for the funds transfer pursuant to the Policy for Implementation of the SMART SCALE Project Prioritization Process last approved by the Board December 4, 2023, as revised January 16, 2024.

Facts: The Project was submitted by the City of Poquoson and screened in for meeting a VTrans need. It was selected for funding and received \$3,686,000 in Construction District Grant funds to fully fund the Project.

The project is locally administered and has not commenced. Subsequent to approval of the Project for SMART SCALE funding, the City was unsuccessful in acquiring two private roadways for public use for this project. Without these acquisitions, the remaining scope of the project was not viable for the City. The only remaining scope item that could be completed was the multi-use path and the City plans to solicit new sources of funding for that portion of the project. The City Engineer requested cancellation of the project in a letter dated November 3, 2023.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 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 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.

The Board's SMART SCALE Project Prioritization Process last approved December 4, 2023 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.

Decision Brief

SMART SCALE Project Cancellation Victory Boulevard Enhancement (UPC 115524)

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Recommendation: VDOT recommends that the Board cancel the Victory Boulevard Enhancement (UPC 115524) and transfer all Construction District Grant funds to the Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763).

Action Required by CTB: The CTB will be presented with a resolution for a formal vote to cancel the Victory Boulevard Enhancement (UPC 115524) project and transfer all Construction District Grant funds to the Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763).

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 Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763).

Options: Approve, Deny, or Defer.

Public Comments/Reactions: None