



# COMMONWEALTH of VIRGINIA

## *Commonwealth Transportation Board*

Shannon Valentine  
Chairperson

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*Agenda item # 6*

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

**March 17, 2021**

#### **MOTION**

**Made By:** Dr. Smoot, **Seconded By:** Ms. Hynes  
**Action:** Motion Carried, Unanimously

**Title: SMART SCALE Project Cancellation**  
**Backlick Run Multiuse Path Phase I UPC 111469**

**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 13 of the Board's SMART SCALE Prioritization Process adopted February 19, 2020 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 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 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 Backlick Run Multiuse Path Phase I UPC 111469 (Project) was submitted for consideration and selected for \$5,044,545 in funding through the Construction District Grant Program in the second round of the prioritization process pursuant to section 33.2-214.1; and

Resolution of the Board  
SMART SCALE Project Cancellation Backlick Run Multiuse Path  
Phase I UPC 111469  
March 17, 2021  
Page 2 of 2

**WHEREAS**, the City of Alexandria passed a resolution December 12, 2020, withdrawing their support for the Project and requesting that the Project be cancelled; and

**WHEREAS**, no SMART SCALE/Construction District Grant Program funds have been expended on the project and VDOT recommends Board action to cancel the Project and transfer all Construction District Grant funds to the Northern Virginia District Construction District Grant balance entry (UPC 21765).

**NOW THEREFORE BE IT RESOLVED**, by the Commonwealth Transportation Board, that the Backlick Run Multiuse Path Phase I UPC 111469 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 Northern Virginia District Construction District Grant balance entry (UPC 21765).

###

**CTB Decision Brief**  
**SMART SCALE Project Cancellation**  
**Backlick Run Multiuse Path Phase I UPC 111469**

**Issue:** The Backlick Run Multiuse Path Phase I UPC 111469 (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 the City of Alexandria and screened in for meeting a VTrans need. It was selected for funding and received \$5,044,545 in Construction District Grant funds to fully fund the Project. The City of Alexandria passed a resolution December 12, 2020 withdrawing their support for the project and requesting 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 (the SMART SCALE Prioritization Process) last approved by the Board February 19, 2020.

**Facts:** The Project is locally administered and is in the preliminary engineering phase; however, no SMART Scale/Construction District Grant funds have been expended on the Project.

Item 17 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 accordance with Item 13 of the SMART SCALE Prioritization Process, 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.

Item 22 of the 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 the Backlick Run Multiuse Path Phase I UPC 111469 Project and transfer all Construction District Grant funds to the Northern Virginia Construction District Grant balance entry (UPC -21765).

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to cancel the Backlick Run Multiuse Path Phase I UPC 111469 project and transfer all Construction District Grant funds to the Northern Virginia Construction District Grant balance entry (UPC -21765).

**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 -21765).

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

**Public Comments/Reactions:** None