

ITEM 8 – Action

June 20, 2012

Approval of an Amendment to the FY 2011-2016 TIP that is Exempt from the Air Quality Conformity Requirement to Include Funding for the I-95/HOT Lanes Project as Requested by the Virginia Department of Transportation (VDOT)

Staff

Recommendation: Adopt Resolution R18-2012 to amend the FY 2011-2018 TIP to update and include funding for the construction of the I-95 HOV/HOT Lanes project, as described in the attached materials.

Issues: None

Background: In the enclosed letter of June 12, VDOT has requested an amendment to the FY 2011-2016 TIP to update funding for the I-95 HOV/HOT Lanes construction project and to add two related projects: the I-95/I-395 Preliminary Engineering Studies project and the I-95 HOV/HOT Lanes Project PPTA Development and Management Oversight.

**NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD
777 North Capitol Street, N.E.
Washington, D.C. 20002**

**RESOLUTION ON AN AMENDMENT TO
THE FY 2011- 2016 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)
THAT IS EXEMPT FROM THE AIR QUALITY CONFORMITY REQUIREMENT
TO INCLUDE FUNDING FOR CONSTRUCTION OF THE I-95 HOV/HOT LANES, AS
REQUESTED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)**

WHEREAS, the National Capital Region Transportation Planning Board (TPB), which is the metropolitan planning organization (MPO) for the Washington Region, has the responsibility under the provisions of Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the Metropolitan Area; and

WHEREAS, the TIP is required by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) as a basis and condition for all federal funding assistance to state, local and regional agencies for transportation improvements within the Washington planning area; and

WHEREAS, on November 17, 2010 the TPB adopted the FY 2011-2016 TIP; and

WHEREAS, in the attached letter of June 12, 2012, VDOT has requested an amendment to the FY 2011-2016 TIP to add \$289.9 million in GARVEE bonds and Advanced Construction funding (Private Equity, Private Activity Bonds, and TIFIA guaranteed funds) to the I-95 HOV/HOT Lanes Construction project, and to add the I-95 Preliminary Engineering Studies project with \$29.6 million in Interstate Maintenance (IM), National Highway System (NH), Advanced Construction-IM and accounts receivable state funds, and to add the I-95 HOV/HOT Lanes Project PPTA Development & Management Oversight to the TIP with \$94.2 million in NH and Advanced Construction funds, as described in the attached materials; and

WHEREAS, this project was previously included in the air quality conformity analysis of the 2011 CLRP;

NOW, THEREFORE, BE IT RESOLVED THAT the Transportation Planning Board amends the FY 2011-2016 TIP to add \$289.9 million in GARVEE bonds and Advanced Construction funding (Private Equity, Private Activity Bonds, and TIFIA guaranteed funds) to the I-95 HOV/HOT Lanes construction project, and to add the I-95 Preliminary Engineering Studies project with \$29.6 million in Interstate Maintenance (IM), National Highway System (NH), Advanced Construction-IM and accounts receivable state funds, and to add the I-95 HOV/HOT Lanes Project PPTA Development & Management Oversight to the TIP with \$94.2 million in NH and Advanced Construction funds, as described in the attached materials.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

4975 Alliance Drive
Fairfax, VA 22030

GREGORY A. WHIRLEY
COMMISSIONER

June 12, 2012

The Honorable Todd Turner, Chairman
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments
777 North Capitol Street, N.E., Suite 300
Washington, DC 20002-4201

RE: National Capital Region FY 2011-2016 Transportation Improvement Program Amendment

Dear Chairman Turner:

The Virginia Department of Transportation (VDOT) is requesting the Transportation Planning Board (TPB) amend the FY 2011-2016 Transportation Improvement Program (TIP) to include additional and updated funding information for the I-95 HOV/HOT Lanes Project. This amendment will reflect the latest planned obligation of funds for all aspects of the project in the Statewide TIP to secure federal obligation of funds to close the financial terms and conditions with the private sector partner who will be building and operating the project.

The Federal Highway Administration (FHWA), the Commonwealth, and the private sector partners are working to reach financial closure on the project in July; therefore, amending the TIP in June is important to maintain this schedule. The proposed TIP amendment adds three line items to the FY 2011-2016 TIP as detailed below:

- I-95 HOV/HOT Lanes Construction (UPC#103106 / T11635). This element was amended in the TIP in February 2012 and is being updated. The February TIP Amendment proposed adding \$641 million of the estimated construction project total of \$931million. The current amendment proposes to add the remaining \$290 million as outlined below and in the attached TIP table. Please note that the amount of public funds planned to be used for this project remains at an estimated \$92 million with the balance of funding from a variety of sources, including private equity, private activity bonds, and TIFIA guaranteed funds.

The anticipated source of public funding for the construction of the project is GARVEE bonds. The breakdown of the total project estimate of \$931 million is: \$621 million design/build; \$70 million tolling system; \$240million other, which includes debt service, financial reserve, contingency, operations center, start up costs, and project development costs. This TIP

Mr. Todd Turner
June 12, 2012
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amendment releases the earlier planned obligation of \$6,246,614 in AC-Other funds for the preliminary engineering (PE) phase, and adds \$92,000,000 in GARVEE Bonds and \$204,145,507 in AC-Other funds for the construction phase in FY 2012.

- I-95 Preliminary Engineering Studies (UPC#70849). The TIP Amendment adds \$13,669,708 in NH funds, \$8,441,815 in IM funds, and \$337,500 in AC-IM funds for the PE phase in FY 2012; adds \$180,000 in accounts receivable state funds for the PE phase in FY 2012; and adds \$337,500 in AC-Conversion for the PE phase in FY 2013.
- I-95 HOV/HOT Lanes Project PPTA Development and Management Oversight (UPC# 102711). The TIP amendment adds \$14,783,562 in NH funds and \$57,806,910 in AC-NH in FY 2012 for the construction phase; \$11,626,125 in AC-Conversion for the construction phase FY 2013; and \$10,000,000 in AC-Conversion for the construction phase in FY 2014.

The Board previously approved an amendment to the FY 2011-2016 TIP in February 2012 that included one of the line items--the construction element--that reflected part of the planned obligations. This amendment includes updates to the earlier funding plans and remaining amounts of the obligations needed for construction of the project. The amendment also adds the other two line items: preliminary engineering/studies, and project development and management oversight.

The I-95 HOV/HOT Lanes Project is part of the 2011 CLRP and the federally approved air quality conformity analysis for the 2011 CLRP. As such, the proposed TIP amendment will not affect the approved air quality conformity determination. Additionally the financial plan for the 2011 CLRP included the funding for the project; therefore, the proposed TIP amendment will not change the financial plan for the Virginia portion of the CLRP.

It is requested that this TIP Amendment be considered and acted on by the Transportation Planning Board at its meeting on June 20, 2012. Thank you for your consideration of this request.

Sincerely,



Garrett W. Moore, P.E.
District Administrator
Northern Virginia District

Attachment

Copy: Diane Mitchell, VDOT-PD, Richmond, VA
Dusty L. Holcombe, VDOT-OTP3, Richmond, VA
John Lynch, VDOT Megaprojects, Fairfax, VA
Renée N. Hamilton, VDOT -PIM, Fairfax, VA
Kanathur Srikanth, VDOT-Planning & Investment, Fairfax, VA

NORTHERN VIRGINIA
TRANSPORTATION IMPROVEMENT PROGRAM

FY 2011 - 2016

TIP Amendment - 6/20/2012

VDOT - Interstate	Phase	Previous Funding	Funding Source	Funding Shares			FY11	FY12	FY13	FY14	FY15	FY16	Source Total
				Fed	State	Local							
VDOT - Interstate													
TIP ID:	Agency ID: 103106			Title: I-95 HOV/HOT Lanes construction									Complete:
Facility:	Interstate 95	PE	AC-Other	0%	0%	100%	\$0	\$42,707	\$0	\$0	\$0	\$0	\$42,707.00
From:	Garrisonville Road	RW	AC-Other	0%	0%	0%	\$0	\$0	\$0	\$0	\$0	\$0	\$0.00
To:	1 mile North of Edsall Rd (28m)	CN	AC-Other	\$0	\$0	100%	\$0	\$92,000	\$0	\$0	\$0	\$0	\$92,000.00
		CN	AC-Other	\$0	\$0	100%	\$0	\$796,293	\$0	\$0	\$0	\$0	\$796,293.00
				Total Funds:									\$931,000.00
Description: The project involves the construction of a HOV lane and conversion of all HOV lanes into Bus/HOV/HOT lanes on I-95 between Garrisonville Road (Stafford County) and to a point on I 395 about one mile north of Edsall Road													
Jurisdiction: Statewide													
Amendment: TIP Amend to release \$6,246,614 AC-Other PE phase in FY12; to add \$92,000,000 Garvee Bonds;\$204,145,507 in AC-Other CN phase FY12..Includes UPC 102710,103019, 103020 Fund Sources Equity, PABS, TIFIA & Garvee bonds.													
Air Quality: The project was included in the Air Quality Conformity analysis for the 2011 CLRP.													
TIP ID:	Agency ID: 70849			Title: I-95 Preliminary Engineering Studies									Complete:
Facility:	Interstate I-95	PE	Fed-IM	90%	10%	0%	\$0	\$9,380	\$0	\$0	\$0	\$0	\$9,380.00
From:	1 mile North of Edsall Rd	PE	AC-IM	90%	10%	0%	\$0	\$375	\$0	\$0	\$0	\$0	\$375.00
To:	Garrisonville Rd Int. -Stafford	PE	Accts-Rec	0%	100%	0%	\$0	\$180	\$0	\$0	\$0	\$0	\$180.00
		PE	Fed-NH	80%	20%	0%	\$0	\$19,309	\$0	\$0	\$0	\$0	\$19,309.00
		PE	AC-Conv	90%	10%	0%	\$0	\$375	\$0	\$0	\$0	\$0	\$375.00
				Total Funds:									\$29,619.00
Description: The project corresponds to the Preliminary Engineering and Studies aspects of the I-95/395 HOV/HOT lanes project (UPC 103106).													
Jurisdiction: Statewide													
Amendment: TIP Amendment to add \$13,669,708 on NH funds, add \$8,441,815 in IM funds, add \$337,500 in AC-IM funds, \$180,000 Accts Rec State PE phase FY12; \$337,500 AC-Conv FY13 PE phase ..includesUPC101557.													
Air Quality: The PE phase of the project is exempt from air quality conformity consideration.													
TIP ID:	Agency ID: 102711			Title: I-95 HOV/HOT Lanes Project PTA Develop. & Mgmt Oversight									Complete:
Facility:	Interstate I-95	CN	Fed-NH	100%	0%	0%	\$0	\$14,784	\$0	\$0	\$0	\$0	\$14,784.00
From:	Garrisonville Road	CN	AC-NH	100%	0%	0%	\$0	\$57,807	\$0	\$0	\$0	\$0	\$57,807.00
To:	1 mile N of Edsall Rd (28m)	CN	AC-Conv	100%	0%	0%	\$0	\$0	\$11,626	\$0	\$0	\$0	\$11,626.00
		CN	AC-Conv	0%	0%	100%	\$0	\$0	\$10,000	\$0	\$0	\$0	\$10,000.00
				Total Funds:									\$94,217.00
Description: The project involves the project development, management and oversight of the construction and operations phase of the I 95/395 HOV/HOT lanes project (UPC 103106).													
Jurisdiction: Statewide													
Amendment: TIP Amendment to obligate \$14,783,562 of NH funds & \$57,806,910 in AC-NH funds CN phase FY12;\$11,626,125 AC-Conversion FY13;\$10,000,000 AC-Conversion FY14 CN phase.													
Air Quality: The development, oversight and management activities by themselves do not affect regional air quality conformity considerations. The construction aspect to the project was part of the approved air quality conformity analysis for the 2011 CLRP.													