Correspondence Section
November 13, 2015

Mr. F. Wyatt Shields
City Manager
Harry E. Wells Building
300 Park Avenue
Falls Church, VA 22046

Dear Mr. Shields,

I am responding to your letter dated October 30, 2015 requesting determination eligibility status utilizing 30% funding and C&I equivalent funds for the following project:

- Roadbed Reconstruction Projects within the City’s urban and highway street inventory. Roadbed reconstruction may involve some or all of the following activities: removal and replacement of the base stone or asphalt; removal and replacement of the surface and base asphalt; and removal and replacement of the concrete pavement.

Your letter notes that the City has reviewed the response to the City of Fairfax’s June 30, 2015 request regarding the same project type. The letter also references the June 3, 2014 determination of the City’s request regarding the proper usage of C&I equivalent funds. The determination noted that funds appropriated in lieu of C&I revenues would not be subject to the C&I statutory limitations on use of C&I revenues; but the transferred equivalency funds must be utilized in accordance to the provisions identified in HB 2313 for 30% funds.

According to the identified request, the NVTA staff have concluded that the request appears to be consistent with the use of 30% funds identified in the legislation.

As stated in the HB2313, 30% funding can be used for the purposes identified below:

1. additional urban or secondary road construction;
2. for other capital improvements that reduce congestion;
3. for other transportation capital improvements which have been approved by the most recent long range transportation plan adopted by the Authority;
4. or for public transportation purposes.
If you have any additional questions concerning the appropriateness of a specific potential use or expenditure, please let me know and the NVTA will be glad to work through the question with the City.

Best regards,

Monica Backmon  
Executive Director

cc: NVTA Council of Counsels  
   Councilmember David Snyder  
   Cindy Mester, Assistant City Manager  
   Paul Stoddard, Transportation Principal Planner  
   Michael Longhi, NVTA, CFO
October 30, 2015

Ms. Monica Backmon
Executive Director
Northern Virginia Transportation Authority
3040 Williams Drive, Suite 200
Fairfax, VA 22031

Re: Confirmation of Project Eligibility Status Utilizing 30% Funding and C&I Equivalent Funds

Dear Ms. Backmon:

The City of Falls Church is confirming that Roadbed Reconstruction Projects within the City’s urban street and highway inventory are eligible for use of 30 percent NVTA funding and C&I equivalent funds. Roadbed reconstruction may involve some or all of the following activities: removal and replacement of the base stone or asphalt; removal and replacement of the surface asphalt; and removal and replacement of the concrete pavement.

The City has reviewed your June 23, 2015 response to Fairfax City regarding the same project type, and note that any roadbed reconstruction on roads in the urban and secondary system can be funded with 30 percent NVTA resources. Additionally, the NVTA June 3, 2014 response to the City of Falls Church correspondence approves such similar use of C&I Equivalent Funds. If we have not accurately interpreted the project type eligibility for these funding sources please notify the City by November 30, 2015.

Sincerely,

F. Wyatt Shields
City Manager

Cc: Cindy Mester, Assistant City Manager
Carol McCoskrie, City Attorney
Paul Stoddard, Transportation Principal Planner

Attachments
June 24, 2015

Ms. Wendy Block Sanford  
Transportation Director  
City of Fairfax  
10455 Armstrong Street  
Fairfax, VA 22030

Dear Ms. Block Sanford,

I am responding to your letter dated June 24, 2015 requesting a determination of eligibility for the use of HB 2313 30 percent revenues for the following project:

- A Roadbed Reconstruction Project that the City is considering funding with 30 percent NVTA funding. In general, roadbed reconstruction may involve some or all of the following activities: removal and replacement of the base stone or asphalt; removal and replacement of the surface and base asphalt; and removal and replacement of the concrete pavement.

The letter also notes that the City of Fairfax has Revenue Sharing funding to complete a roadbed reconstruction project on Fairfax Boulevard (Route 50), but would like to supplement the funding with 30% funding since the bids have come in higher than the VDOT funding allocations. This is considered a Priority 1 Construction (not maintenance) Project in the VDOT Revenue Sharing Guidelines. Accordingly, the City believes that this would be eligible for NVTA 30% funding.

According to the identified request, the NVTA staff have concluded that the request is consistent with the use of 30% identified in the legislation.

As stated in the HB2313, 30% funding can be used for the purposes identified below:

1. additional urban or secondary road construction;
2. for other capital improvements that reduce congestion;
3. for other transportation capital improvements which have been approved by the most recent long range transportation plan adopted by the Authority;
4. or for public transportation purposes.
If you have any additional questions concerning the appropriateness of a specific potential use or expenditure, please let me know and NVTA will be glad to work through the question with the City.

Best regards,

Monica Backmon
Executive Director

cc: NVTA Council of Counsels
    Mayor David Silverthorne
    Robert Sisson, City Manager
    David Hodgkins, Assistant City Manager/CFO
    Brian Lubkeman, City Attorney
    Michael Longhi, NVTA, CFO
June 17, 2015

Ms. Monica Backmon
Executive Director
Northern Virginia Transportation Authority
3040 Williams Drive, Suite 200
Fairfax, Virginia 22031

Re: Request for determination about Project Eligibility Utilizing 30% Funding

Dear Ms. Backmon:

The City of Fairfax requests a determination from the NVTA Council of Counsels about eligibility for a Roadbed Reconstruction Project that the City is considering funding with 30 percent NVTA funding. In general, roadbed reconstruction may involve some or all of the following activities: removal and replacement of the base stone or asphalt; removal and replacement of the surface and base asphalt; and removal and replacement of the concrete pavement.

The City of Fairfax has Revenue Sharing funding to complete a roadbed reconstruction project on Fairfax Boulevard (Route 50), but would like to supplement the funding with 30% funding since the bids have come in higher than the VDOT funding allocations. This is considered a Priority 1 Construction (not maintenance) Project in the VDOT Revenue Sharing Guidelines. Accordingly, the City believes that this would be eligible for NVTA 30% funding.

Sincerely,

Wendy Block Sanford
Transportation Director

CC: Robert Sisson, City Manager
    David Hodgkins, Assistant City Manager/CFO
    Brian Lubkeman, City Attorney
    David Summers, Public Works Director
June 3, 2014

Mr. Wyatt Shields
City Manager
City of Falls Church
300 Park Avenue
Falls Church, VA 22046

Dear Mr. Shields,

I am responding to your letter of May 22, 2014 requesting a determination of proper expenditures of C&I equivalent funds identified in Va. Code Ann. Section 15.2-4838.1 (B)(1). The issues raised in your letter were discussed with NVTA’s Council of Counsels.

It is true that the funds appropriated in lieu of the C&I revenues would not be subject to the C&I statutory limitations on use of C&I revenues. However, the transferred equivalency funds must be utilized in accordance with the provisions identified in HB2313 for 30% funds. HB2313 identifies specific uses for these funds.

As stated in the legislation, 30% funding can be used for the purposes identified below:
1. additional urban or secondary road construction;
2. for other capital improvements that reduce congestion;
3. for other transportation capital improvements which have been approved by the most recent long range transportation plan adopted by the Authority;
4. or for public transportation purposes.

Please be mindful that unless the 30% documentation process is completed, the City’s proportionate share of 30% funds are required to be transferred to the 70% regional revenue fund after June 30, 2014. The City’s share of 30% funds is approximately $550,000 through May 2014. In order to complete the transfer in time, NVTA will need to receive completed C&I documentation by June 25, 2014. NVTA’s CFO will assist the City in completing the C&I transfer process.
If you have any questions concerning the appropriateness of a specific potential use or expenditure, please let me know and NVTA will be glad to work through the question with the City.

Best regards,

[Signature]

Monica Backmon
Executive Director

cc: NVTA Council of Counsels
    Mayor David Tarter
    Vice Mayor David Snyder
    Members of Falls Church City Council
    Cindy Mester, City Manager
    Paul Stoddard, Senior Planner
    Michael Longhi, NVTA, CFO