

TECHNICAL ADVISORY COMMITTEE
Wednesday, November 20, 2024, 7:00 p.m.
Northern Virginia Transportation Authority
Virtual Meeting Via Zoom
Live-streamed on [YouTube](#)

MEETING SUMMARY

I. Call to Order/Welcome

- The meeting was conducted virtually. Chair Boice called the meeting to order at 7:00 p.m.
- **Attendees:**
 - **TAC Members:** Randy Boice; Karen Campblin; Michelle Cavucci; Armand Ciccarelli; Amy Morris; Frank Spielberg.
 - **NVRTA Staff:** Monica Backmon, CEO; Keith Jasper, Principal, Transportation Planning and Programming; Sree Nampoothiri, Senior Manager, Transportation Planning and Programming; Michael Longhi, CFO; Alyssa Beyer, Regional Transportation Planner.
 - **Others:** None.

II. Summary Notes of June 20, 2024, Meeting

- Motion to approve the summary notes of the June 20, 2024, meeting, pending a revision to include Amy Morris on the list of attendees, was made by Ms. Cavucci. Seconded by Mr. Spielberg. The motion passed unanimously.

III. Summary Notes of October 16, 2024, Meeting

- Motion to approve the summary notes of the October 16, 2024, was made by Mr. Spielberg. Seconded by Mr. Ciccarelli. The motion passed with an abstention from Ms. Cavucci.

IV. Projects with Cost Underestimates/Overruns

- Mr. Longhi reviewed last month's TAC discussion regarding cost underestimates/overruns, referencing the staff memo in the packet. He also shared that the staff brought this matter to the November 14, 2024, Authority Meeting for direction on how to proceed with the development of the related Policy 30. Staff had brought forth three options on how to proceed.

- The first option would be to adopt a blanket statement that NVTa would not fund cost underestimates/overruns.
- The second option would be for NVTa to not fund cost underestimates/overruns with the provision that a project sponsor could “submit a petition for additional funding under unique and extraordinary circumstances which could not have been anticipated”. The staff memo outlined some considerations for what that petition process should entail, including the restriction of only reviewing petitions in the context of an update to the Six Year Program (SYP). This would allow for a lawful evaluation of the request in context of Congestion Reduction Relative to Cost (CRRC) ratings, taking into account the individuals involved in the review process, ensuring the completion of the requirements from the project sponsor submitting the petition, allowing the use of independent external consultants, with services paid for by the project sponsor, and outlining the recommendation process.
 - Mr. Spielberg asked for an example of the types of circumstances that might reach the bar for petition approval. Mr. Longhi highlighted the two examples discussed at the Authority meeting, which are the discovery of previously undocumented burial grounds or the loss of previously awarded federal funding for a project through no fault of the project itself. He stated that the policy would intentionally avoid referencing circumstances and scenarios, and all petitions would go through an extensive evaluation process.
 - Chair Boice asked if the petitions would be reviewed at the Authority level. Mr. Longhi clarified that they would be subject to the same recommendation process as other project applications in the SYP process, with the additional step of going through the Finance Committee.
 - Mr. Ciccarelli asked if NVTa will start recommending a contingency level, particularly given the likelihood of additional tariffs impacting project costs. Mr. Longhi stated that the Authority will continue to let project sponsors decide the best contingency levels for their projects due to their level of expertise on the matter, and the expansion of NVTa staff workload and assumption of risk that would be connected to such a recommendation or requirement. Mr. Ciccarelli also acknowledged that an event leading to higher tariffs would not have impacts unique to any project.

- The third option would be to fund cost underestimates/overruns, bearing in mind the substantial concerns and considerations already raised at previous meetings.
- Mr. Longhi stated that staff are on schedule to present a draft policy to the Authority in February, with the feedback that the Authority would like to move forward with an approach somewhere in between the first and second options. He shared that NVTa staff would like to bring the topic to the TAC one more time before that meeting if possible.
- Ms. Cavucci asked if there were any compelling arguments to the contrary since she had not attended the October TAC meeting. Mr. Longhi provided some additional context of what had been discussed in the previous meeting regarding the concerns with funding cost underestimates/overruns, and that there had not been arguments for the adoption of a policy to support them.
- Ms. Morris asked how common cost overruns are. Mr. Longhi shared that NVTa does not have a quantifiable response to that, as project sponsors often turn to other funding sources if they experience cost underestimates/overruns. In addition, NVTa does not have the same flexibility to reallocate project funding as other funding sources are able to, which limits how often projects return for additional funding.
- Chair Boice asked if the Authority needs to adopt this policy since NVTa does not engage in project delivery and mentioned that it should be the project sponsor's responsibility to ensure adequate funding. Mr. Longhi confirmed that according to the Standard Project Agreement (SPA), project sponsors agree to complete projects for which they receive funding, even if they have to bring in external funding. If project sponsors attempt to downsize a project due to insufficient funding, NVTa must evaluate if the project would still result in the same level of benefit / congestion reduction.

V. NVTa Update

- Ms. Backmon did not have any updates to share.

VI. Adjourn

- The meeting was adjourned at 7:27 p.m. The next meeting is scheduled for December 18, 2024, at 7:00 p.m. in person at the NVTa Offices.