COMMONWEALTH of VIRGINIA

Commonwealth Transportation Board

W. Sheppard Miller, III
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Agenda item # 5

RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD

May 21, 2025

MOTION

Made By: Mr. Stant, **Seconded By:** Ms. Green
Action: Motion Carried, Unanimously

Title: SMART SCALE Project Cancellation
Route 35/40 Roundabout (UPC 123042) – Hampton Roads District

WHEREAS, the Commonwealth Transportation Board's (the "Board's") SMART SCALE Project Prioritization Process last approved December 4, 2023, and as revised January 16, 2024, (the "Policy") 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 Policy 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 Policy 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 Policy 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estimate decreases, contract award savings, schedule changes, etc., the unexpended surplus funds are SMART SCALE unless superseded by the terms of a signed project agreement; and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, Sussex County submitted the Route 35/40 Roundabout (UPC 123042) for consideration and it was selected for $12,998,596 in funding through the Highway Construction District Grant Program in the fifth round of the prioritization process pursuant to Va. Code § 33.2-214.1; and

WHEREAS, the Project is VDOT administered; and

WHEREAS, since the project was submitted, VDOT installed a four-way stop configuration for this intersection, which has addressed the safety concerns; and

WHEREAS, in March 2025, Sussex County requested cancellation of the Project; and

WHEREAS, at its meeting on April 15, 2025, the Board was briefed on the proposed cancellation of the Project and transfer of all Highway Construction District Grant funds to the Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763); and

WHEREAS, VDOT recommends that the Board take action to cancel the Project and transfer all Highway Construction District Grant funds allocated to the Project to the Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763).

NOW THEREFORE BE IT RESOLVED, by the Commonwealth Transportation Board, that the Route 35/40 Roundabout (UPC 123042) is hereby cancelled.

BE IT FURTHER RESOLVED, by the Commonwealth Transportation Board that all Highway Construction District Grant funds allocated to the Project be transferred to the Hampton Roads District Construction District Grant deallocation balance entry (UPC -21763).

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CTB Decision Brief
SMART SCALE Project Cancellation
Route 35/40 Roundabout (UPC 123042)

Issue: The Route 35/40 Roundabout (UPC 123042) (the "Project") was screened in for meeting a VTrans need and selected for funding. For reasons stated herein, in March 2025, Sussex County requested cancellation of the Project. Board approval is needed for cancellation of this Project pursuant to the Policy for Implementation of the SMART SCALE Project Prioritization Process last approved by the Board December 4, 2023, and as revised January 16, 2024 (the "Policy").

Facts: Sussex County submitted the Route 35/40 Roundabout (UPC 123042) for consideration, and it was selected for $12,998,596 in funding through the Highway Construction District Grant Program in the fifth round of the SMART SCALE prioritization process. The Project scope included installation of a roundabout at Route 35 and Route 40 and conversion of a commercial entrance to right-in/right-out on Sussex Drive. The Project is VDOT administered.

Since the project was submitted, VDOT installed a four-way stop configuration for this intersection, which has addressed the safety concerns. The Board was briefed on the proposed cancellation at its meeting on April 15, 2025.

The Board's Policy 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 Va. Code § 33.2-214, to reimburse the Department for all state and federal funds expended on the project.

The Board's Policy 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, the Prioritization Process 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 Policy 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.

Recommendation: VDOT recommends that the Board cancel the Project and transfer all Highway 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 Project and transfer all Highway 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 Highway Construction District Grant funds allocated to the Project 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