

# AGENDA

## CENTRAL VIRGINIA TRANSPORTATION AUTHORITY

Friday, June 17, 2022

11:00 a.m.

### PlanRVA James River Board Room and Zoom

This meeting is open to the public. Members of the public are invited to attend in-person or virtually.

If you wish to participate in this meeting virtually, please register via Zoom at [https://planrva-org.zoom.us/webinar/register/WN\\_M421w2MpTnmvJEjfDSAzZA](https://planrva-org.zoom.us/webinar/register/WN_M421w2MpTnmvJEjfDSAzZA)

Check out our complete [Public Participation Guide](#) online to learn about the different ways you can stay connected and involved.

Meetings are also live streamed and archived on our YouTube Channel at [www.youtube.com/c/PlanRVA](http://www.youtube.com/c/PlanRVA).

#### Members

Town of Ashland

Charles City  
County

Chesterfield  
County

Goochland  
County

Hanover County

Henrico County

New Kent County

Powhatan  
County

City of Richmond

VA House of  
Delegates

Senate of VA

Commonwealth  
Transportation  
Board

VDRPT

VDOT

VA Port Authority

GRTC

RMTA

**Call to Order** (Thornton)

**Pledge of Allegiance** (Thornton)

**Certification of a Quorum** (Firestone)

### Opening Statement for Virtual Participation of Members

(Parsons/as needed)

**Welcome and Introductions** (Thornton)

#### **A. ADMINISTRATION**

**1. Consideration of Amendments to the Agenda**  
(Thornton)

**2. Approval of April 29, 2022, CVTA Meeting Minutes** – page 3  
(Thornton)

**Action requested: motion to approve CVTA meeting minutes as presented.**

**3. Open Public Comment Period**  
**a. Public Comment Received** – page 39  
(Thornton/5 minutes)

**4. CVTA Chairman's Report**  
(Thornton/15 minutes)  
**a. Annual Joint Meeting Summary**  
**Information item**

## **B. COMMITTEE REPORTS**

### **1. CVTA Finance Committee Update**

(Stoney/Gregory/10 minutes)

- a. Future Funding and Project Investment Priorities**  
Information item
- b. I-64 Widening Project**  
Information item: **Virginia's Funding Strategy**  
Action requested: **motion to approve draft letter of support for distribution**

### **2. CVTA Technical Advisory Committee (TAC) Update**

(Eure/Parsons/20 minutes)

- a. Information item: June TAC meeting update**
- b. Information item: Fall Line Working Group update**
- c. VDOT / CVTA State Project Agreement** – page 40  
Action requested: **motion to adopt a Resolution to approve the Standard Project Agreement for Funding and Administration between Central Virginia Transportation Authority and Virginia Department of Transportation for portions of the Fall Line Trail project, UPC Number 121374, as presented, and to authorize the Chairman to execute it, and to authorize CVTA staff to take all actions necessary and prudent to fulfil its terms**

### **3. CVTA Staffing Update**

(Spoonhower/Paige/10 minutes)

- a. Information item: Members will hear a status report on the Executive Director recruitment process.**

### **4. CVTA Nominating Committee Report**– page 65

(Hodges/ 15 minutes)

- a. FY23 Slate of Officers and Finance Committee Appointments Information item: report of the Committee's work in anticipation of the Annual meeting on July 15, 2022.**

## **C. OTHER BUSINESS**

### **1. Proposed FY23 CVTA Meeting Schedule**

Action requested: **motion to approve FY23 CVTA meeting schedule.**

### **2. CVTA Member Comments**

## **D. ADJOURNMENT**



Central Virginia Transportation Authority

**CENTRAL VIRGINIA TRANSPORTATION AUTHORITY**

**MINUTES OF MEETING**

**Friday, April 29, 2022, 8:30 a.m.**

**PlanRVA James River Board Room and Zoom**

**Members Present:**

<b>Jurisdiction/ Agency</b>	<b>Member</b>	<b>Present</b>	<b>Absent</b>	<b>Designee</b>	<b>Present</b>	<b>Absent</b>
<b>Town of Ashland</b>	John H. Hodges	X		Daniel McGraw		X
<b>Charles City County</b>	Byron Adkins	X		Vacant		
<b>Chesterfield County</b>	Kevin P. Carroll, Vice Chair	X		Leslie Haley		X
<b>Goochland County</b>	Neil Spoonhower (virtual)	X		Susan F. Lascolette		
<b>Hanover County</b>	W. Canova Peterson	X		Sean M. Davis		X
<b>Henrico County</b>	Frank J. Thornton, Chair		X	Patricia S. O'Bannon	X	
<b>New Kent County</b>	Patricia A. Paige	X		Vacant		
<b>Powhatan County</b>	Michael W. Byerly	X		Steve McClung		X
<b>City of Richmond</b>	Mayor Levar M. Stoney (virtual)	X		Cynthia Newbille		X
<b>VA House of Delegates</b>	Delegate Delores McQuinn (virtual)	X		N/A		
<b>Senate of Virginia</b>	Senator Jennifer L. McClellan (virtual)	X		N/A		
<b>Commonwealth Transportation Board</b>	Carlos M. Brown (virtual)	X		N/A		

**Non-Voting Ex-Officio**

<b>Agency</b>	<b>Member</b>	<b>Present</b>	<b>Absent</b>	<b>Designee</b>	<b>Present</b>	<b>Absent</b>
<b>VDRPT</b>	Jennifer DeBruhl	X		Tiffany Dubinsky		X
<b>VDOT</b>	Stephen Brich		X	Shane Mann	X	
				Mark Riblett		X
<b>Virginia Port Authority</b>	Stephen A. Edwards		X	Cathie J. Vick (virtual)	X	
				Barbara Nelson		X
<b>GRTC Transit System</b>	Julie Timm	X		Sheryl Adams		X
<b>RMTA</b>	Joi Taylor Dean	X		N/A		

The technology used for this meeting was a web-hosted service created by YouTube Live Streaming and was open and accessible for participation by members of the public. Voting record tables are attached to the action meeting minutes in Appendix A. A recording of this meeting is available on the [Plan RVA YouTube Channel](#).

### **CALL TO ORDER**

The Central Virginia Transportation Authority (CVTA) Vice Chairman, Kevin P. Carroll, presided and called the April 29, 2022, Central Virginia Transportation Authority meeting to order at 8:32 a.m.

### **ATTENDANCE ROLL CALL & CERTIFICATION OF MEETING QUORUM**

Janice Firestone, Program Coordinator, took attendance by roll call and certified that a quorum was present.

### **A. ADMINISTRATION**

#### **1. Consideration of Amendments to the Action Meeting Agenda**

Mr. Parsons asked that Item 2.-a. - Innovation Funding - 288 Northbound Hard Shoulder Project be removed from the agenda.

On motion of Patricia A. Paige, seconded by Michael W. Byerly, the Authority unanimously approved the April 29, 2022, meeting agenda as amended (voice vote).

#### **2. Approval of March 25, 2022, CVTA Meeting Minutes**

On motion of W. Canova Peterson, seconded by John H. Hodges, the Authority voted to approve the minutes of the March 25, 2022, CVTA meeting as presented (voice vote).

#### **3. Open Public Comment Period**

There were no requests to address the CVTA.

#### **4. CVTA Chairman's Report**

Vice Chair Carroll reported that Mr. Thornton participated in a podcast with Chesterfield County this past week on behalf of Henrico County and the CVTA. The video will be available later this week. He invited other representatives to participate in future podcasts.

##### **a. Appointment of CVTA Nominating Committee Members**

Vice Chair Carroll reported that Chairman Thornton is recommending John H. Hodges be appointed as Chairman of the Nominating Committee. Mr. Hodges reported that the recommendation is that Michael W. Byerly and Cynthia I. Newbille also be appointed to the committee.

On motion by W. Canova Peterson, seconded by Patricia S. O'Bannon, the Authority unanimously approved the recommendations for Chairman and members of the Nominating Committee (roll call vote).

##### **b. Annual Joint Meeting Invitation**

Mr. Parsons distributed a flyer detailing the annual meeting.

**c. Public Outreach Update**

This item was covered in the Chairman's report.

**B. PUBLIC HEARING - FY2023 CVTA ADMINISTRATIVE AND OPERATING EXPENSE BUDGET**

Mr. Parsons reported that there was a public comment period from April 13 to April 28<sup>th</sup>. No public comments were received on the matter.

Vice Chair Carroll opened the public hearing and asked that anyone wishing to speak on the matter come forward. As there were no individuals present, in-person or virtually, who indicated they wished to speak, the public hearing was closed.

On motion by Levar M. Stoney, the Authority unanimously adopted the FY23 Administrative and Operating Expense Budget (roll call vote; see [Appendix A](#)).

**C. PUBLIC HEARING - REGIONAL DRAFT FUNDING SCENARIO –**

Mr. Parsons presented this matter. There was a public comment period from April 13 to April 28<sup>th</sup>. The comments received were compiled and distributed to Authority members (See [Appendix E](#)).

The application process was initiated in the fall of 2021. TAC and the Authority approved a framework for consideration of projects. The I-64 widening project was not recommended for funding, but all others were. The projects span eight of the nine jurisdictions.

Vice Chair Carroll opened the public hearing and asked that anyone wishing to speak on the matter come forward. As there were no individuals present, in-person or virtually, who indicated they wished to speak, the public hearing was closed.

John H. Hodges had questions about the criteria being reviewed and changed going forward. Mr. Parsons reported that TAC will be reviewing necessary adjustments. Todd Eure, Chair of TAC, clarified that this will be a yearly process. This allocation is for four years of funding, but some projects will ultimately receive funding from other sources. In those cases, those funds will be reallocated.

There was an in-depth discussion of the I-64 widening project not being recommended for funding. Members shared their concern that traffic conditions in New Kent County have worsened to the point that it is causing safety issues even on nearby secondary roads and the project is critical to address that. Members were concerned that not including the project in the funding scenario now will prevent it from scoring well in Smart Scale. There was further discussion about the likelihood of some funds for the project being included in the state budget but no clarity on the amount.

Senator Jennifer L. McClellan made a motion, seconded by Representative Delores McQuinn, that the Authority direct the Technical Advisory Committee (TAC) and the Finance Committee to reexamine the regional funding scenario, seek input from PFM, the financial services advisor, on possible bonding, and bring a recommendation to the Authority that includes some funding for the I-64 widening project. (Motion failed by roll call vote; see [Appendix B](#)).

On motion by Patricia S. O'Bannon, the Authority voted to approve the Regional Funding Scenario as presented. The motion was reported to have failed on a split vote, taken by roll call.

Upon review, it was determined that the motion passed. Email communication was provided to members of the Authority summarizing the review of the tool's consistency with the enabling Code Section and language regarding voting process (see [Appendix C](#)).

Ms. O'Bannon left the meeting at 9:49 a.m.

Members discussed amendments to the scenario being allowed and possible ways to have the I-64 widening project receive some funding.

W. Canova Peterson made a motion, seconded by Kevin P. Carroll, that the Authority Direct the Technical Advisory Committee (TAC) and the Finance Committee to examine an additional funding scenario and bring it to the Authority for consideration. (Motion failed by roll call vote due to lack of meeting the following rule: "4/5 population in affirmative"; see [Appendix D](#)).

There was further discussion on the matter. Eric Gregory, Legal Counsel, advised that the Finance Committee and TAC could both look at the matter without a vote/direction from the Authority. In order to have the matter reviewed and acted on in the necessary timeframe, the Authority will need to schedule a meeting in May or June.

## **D. COMMITTEE REPORTS**

### **1. CVTA Finance Committee Update**

#### **a. Finance Committee membership and Bylaws amendment**

Mayor Stoney reported that the proposed amendment did not result from a recommendation by the Finance Committee and should not be on the agenda in this location. There was discussion about the bylaws amendment to add additional members to the Finance Committee and to add the July 1, 2022, addition of Capital Region Airport Commission representative on the Authority.

No action was taken because the "4/5 population in affirmative" rule could not be met.

### **2. CVTA Technical Advisory Committee (TAC) Update**

#### **b. Fall Line Working Group Update (Eure)**

Mr. Eure provided an update on the working group and reported that they are meeting next Wednesday and will continue to develop a schedule and spending plan.

### **3. CVTA Staffing Update**

Ms. Paige reported that recruitment was open from March 1<sup>st</sup> to March 31<sup>st</sup> and 21 applications were received. They were ranked and split into tiers. The Committee plans to bring a recommendation to the Authority in June. Mr. Spoonhower commended on the outstanding qualities of the applicants.

## **E. OTHER BUSINESS**

### **1. Proposed FY23 CVTA Meeting Schedule**

There was discussion about scheduling a meeting in May or June at which the FY23 schedule could be reviewed and confirmed.

### **2. GRTC FY23 Regional Public Transportation Plan**

No action was taken because the “4/5 population in affirmative” rule could not be met.

### **3. Member comments**

Vice Chair Carroll commented on moving forward and the ability to work with the financial advisor, TAC and FC to have alternate for consideration. He asked that funding be kept in the state budget.

## **F. ADJOURNMENT**

Vice Chair Carroll adjourned the meeting at 10:09 a.m.

Motion as presented: **Motion to approve FY23 Administrative and Operating Expense Budget .**  
 First: **Levar M. Stoney**  
 Second: **Committee recommendation; no second necessary.**

Select location of proposed service/facility = **N/A**

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1	1				Ok	7,873	1	0
Charles City	6,773	1	1				Ok	6,773	1	0
Chesterfield	364,548	4	1				Ok	364,548	4	0
Goochland	24,727	2	1				Ok	24,727	2	0
Hanover	102,106	3	1				Ok	102,106	3	0
Henrico	334,389	4	1				Ok	334,389	4	0
New Kent	22,945	2	1				Ok	22,945	2	0
Powhatan	30,333	2	1				Ok	30,333	2	0
Richmond	226,610	4	1				Ok	226,610	4	0
Delegate		1	1				Ok		1	0
Senator		1	1				Ok		1	0
CTB Member		1	1				Ok		1	0
<b>* Census 2020</b>	<b>1,120,304</b>	<b>26</b>	<b>12</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>1,120,304</b>	<b>26</b>	<b>0</b>

↑  
**VALID**

A "Valid" vote requires all 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent".

OVERALL VOTE = **PASS**

Voting Check	<b>VALID</b>
Quorum Present	<b>YES</b>
4/5 Population in Affirmative	<b>PASS</b>

**Quorum:**

A majority of the voting members of the Authority (or designees) shall constitute a quorum. There are 12 voting members, therefore at least 7 members must be present to constitute a quorum.

**Quorum Present** **YES**

**Rule:**

Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion.

- A. Four-fifths of the pop. embraced by the Authority =
- B. Pop. of voting members (cities & counties) present & voting in the affirmative =

**896,243**  
**1,120,304** ← **PASS**

If B. is less than A., vote **FAILS**.

If B. is greater than or equal than A., motion **PASSES**.  
 If B. is less than A., motion **FAILS**.

\*\*If pop. criteria is not met, check to see if exception described in the rule applies.



Motion that the Authority Direct the Technical Advisory Committee (TAC) and the Finance Committee to reexamine the regional funding scenario, seek input from PRM, the financial services advisor, on possible bonding, and bring a recommendation to the Authority that includes some funding for the I-64 widening project.

Motion as presented:

First: McClellan

Second: McQuinn

Select location of proposed service/facility = N/A

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1	1				Ok	7,873	1	0
Charles City	6,773	1	1				Ok	6,773	1	0
Chesterfield	364,548	4		1			Ok	-	0	4
Goochland	24,727	2	1				Ok	24,727	2	0
Hanover	102,106	3	1				Ok	102,106	3	0
Henrico	334,389	4		1			Ok	-	0	4
New Kent	22,945	2	1				Ok	22,945	2	0
Powhatan	30,333	2	1				Ok	30,333	2	0
Richmond	226,610	4	1				Ok	226,610	4	0
Delegate		1	1				Ok		1	0
Senator		1	1				Ok		1	0
CTB Member		1	1				Ok		1	0
<b>* Census 2020</b>	<b>1,120,304</b>	<b>26</b>	<b>10</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>421,367</b>	<b>18</b>	<b>8</b>

OVERALL VOTE = FAIL

Voting Check	VALID
Quorum Present	YES
4/5 Population in Affirmative	FAIL

A "Valid" vote requires **all** 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent".

**Quorum:**

A majority of the voting members of the Authority (or designees) shall constitute a quorum. There are 12 voting members, therefore at least 7 members must be present to constitute a quorum.

Quorum Present

YES

**Rule:**

Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion.

A. Four-fifths of the pop. embraced by the Authority =

B. Pop. of voting members (cities & counties) present & voting in the affirmative =

896,243

421,367 ← FAIL

If B. is greater than or equal than A., motion **PASSES**.

If B. is less than A., motion **FAILS**.

\*\*If pop. criteria is not met, check to see if exception described in the rule applies.

If B. is less than A., vote **FAILS**.

**Motion as presented:** Motion to approve the regional funding scenario as presented.  
**First:** O'Bannon  
**Second:** Committee recommendation; no second necessary.

Select location of proposed service/facility = **N/A**

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yavs"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1		1			Ok	-	0	1
Charles City	6,773	1		1			Ok	-	0	1
Chesterfield	364,548	4	1				Ok	364,548	4	0
Goochland	24,727	2		1			Ok	-	0	2
Hanover	102,106	3		1			Ok	-	0	3
Henrico	334,389	4	1				Ok	334,389	4	0
New Kent	22,945	2		1			Ok	-	0	2
Powhatan	30,333	2		1			Ok	-	0	2
Richmond	226,610	4	1				Ok	226,610	4	0
Delegate		1		1			Ok		0	1
Senator		1		1			Ok		0	1
CTB Member		1		1			Ok		0	1
<b>* Census 2020</b>	<b>1,120,304</b>	<b>26</b>	<b>3</b>	<b>9</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>925,547</b>	<b>12</b>	<b>14</b>

A "Valid" vote requires all 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent". **VALID**

OVERALL VOTE = **PASS**

Voting Check	<b>VALID</b>
Quorum Present	<b>YES</b>
4/5 Population in Affirmative	<b>PASS</b>

**Quorum:**

A majority of the voting members of the Authority (or designees) shall constitute a quorum. There are 12 voting members, therefore at least 7 members must be present to constitute a quorum.

Quorum Present **YES**

**Rule:**

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- A. Four-fifths of the pop. embraced by the Authority = **896,243**
- B. Pop. of voting members (cities & counties) present & voting in the affirmative = **925,547**

**896,243**  
**925,547** ← **PASS**

If B. is less than A., vote **FAILS**.

If B. is greater than or equal than A., motion **PASSES**.  
 If B. is less than A., motion **FAILS**.

\*\*If pop. criteria is not met, check to see if exception described in the rule

**Motion as presented:** Motion that the Authority Direct the Technical Advisory Committee (TAC) and the Finance Committee to examine an additional scenario and bring it to the Authority for consideration.  
**First:** Peterson  
**Second:** Carroll

Select location of proposed service/facility = **N/A**

Members	Population*	Weighted Votes	UNWEIGHTED				Voting Check	Population "Yays"	WEIGHTED	
			"Yay"	"Nay"	Abstain	Absent			"Yay"	"Nay"
Ashland	7,873	1	1				Ok	7,873	1	0
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Delegate		1	1				Ok		1	0
Senator		1	1				Ok		1	0
CTB Member		1	1				Ok		1	0
<b>* Census 2020</b>	<b>1,120,304</b>	<b>26</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>12</b>	<b>785,915</b>	<b>22</b>	<b>0</b>

OVERALL VOTE = **FAIL**

Voting Check	VALID
Quorum Present	YES
4/5 Population in Affirmative	FAIL

A "Valid" vote requires all 12 members to have their vote marked "Yay", "Nay", "Abstain" or marked "Absent". **VALID**

**Quorum:**

A majority of the voting members of the Authority (or designees) shall constitute a quorum. There are 12 voting members, therefore at least 7 members must be present to constitute a quorum.

Quorum Present **YES**

**Rule:**

Decisions of the Authority shall require an affirmative vote of those present and voting whose votes represent at least four-fifths of the population embraced by the Authority; however, no motion to fund a specific facility or service shall fail because of this population criterion if such facility or service is not located or to be located or provided or to be provided within the county or city whose chief elected officer's or elected official's, or its respective designee's, sole negative vote caused the facility or service to fail to meet the population criterion.

- A. Four-fifths of the pop. embraced by the Authority =
- B. Pop. of voting members (cities & counties) present & voting in the affirmative =

896,243  
 785,915 ← **FAIL**

If B. is less than A., vote **FAILS**.

If B. is greater than or equal than A., motion **PASSES**.  
 If B. is less than A., motion **FAILS**.  
 \*\*If pop. criteria is not met, check to see if exception described in the rule applies.

# Public Comment Received

## FY 2023-2026 Regional Funding Scenario

From:	Nick Johnson	Date:	4/16/22
<p>Please find all the bike/pedestrian projects.</p> <p>Also, please put a sidewalk on every street in Richmond.</p> <p>Also, please add crosswalks on Laburnum Ave so my kids can more safely navigate our neighborhood.</p>			

From:	John David Krug	Date:	4/16/22
<p>Why isn't this in the Top 5? I see nepotism for the city of Richmond. City of Richmond-no police protection &amp; among the worst public schools in the United States of America.</p>			

From:	Joe Whiteman	Date:	4/16/22
<p>Repairing our bridges, roads, and pedestrian thoroughfares is great and all, but it's really just putting a band-aid on the real underlying problems!</p> <p>We need to build new commuter rail systems and help save our future and move people around more efficiently. Light rail, trams, trains, you name it. New roads are not the way forward.</p> <p>Driving sucks because most people aren't very good at it. De-stress everyones lives (yes, even you, politicians) and start creating excellent modern rail systems!</p> <p>Don't waste time pretending you can't. Think about "what if we did?" and all of the jobs creating new and BETTER infrastructure could generate.</p> <p>Do the right thing. Patch up that which is crumbling, and create new, better options for transportation for Virginians.</p>			

From:	Joseph Mensh	Date:	4/16/22
<p>My advice for specific projects:</p> <p>1 Connect and expand cannon creek Greenway, up the Richmond-Henrico turnpike, to meadowbridge road into Hanover/Mechanicsville. A separate bicycle lane should have plenty of space to exist next to route 627 through the chickahominy River swamp. Sidenote, but I don't know who allowed Amazon to build the abomination of a concrete fortress right off the side of the road there, that was probably one of the worst decisions anyone working in government offices could have allowed.</p> <p>2 connect cannon creek Greenway to downtown Richmond through Gilpin Court or via 5th street. Gilpin should see redevelopment and it would be amazing to have actually good bike lanes included in redevelopment for once. Make the building density high and keep roads small. Protect the bikelane on Oliver Hill way and 17th street all the way to the VA capital trail. Being able to bike to the city from outlying suburbs helps decrease car traffic and promotes good cardiac and physical health, not to mention tremendous recreation accessible by bike to many residents who live in the city and county, without the need to drive to the capital trail which requires a car and parking.</p> <p>3 connect the mixed use hiking/biking buttermilk trail of the James River park system to the pony pasture trail which connects to Huguenot flatwater. I understand wealthy people absolutely need 10 different choices to tee off in the city. Willow oaks needs to 1.) create a better riparian buffer along it's waterfront with the James River and 2.) allow public access via a hiking path for the good of the city and its inhabitants. The JRPS is currently the largest attraction of recreation in Richmond. We should treat it as the crown jewel with support and plans for its beautification and conservation well into the future, not pander to watered, fertilized, non biodiverse glorified lawn grass next to a protected waterway. Other cities in America have absolutely amazing recreational trails along their rivers ( c-o canal walk along the potomac). If willow oaks is [unwilling] to play ball, chart and plan a trail around their land parcel. It's one of the worst uses of land anyone could imagine.</p> <p>More generic comments on how we should be spending funding for transportation-</p> <p>Safety is a large concern for all cyclists. More people will bike if we build protection for them. Cars get heavier and heavier every year(an awful trend by the way) causing higher property damage and more injuries and casualties as their kinetic energy continues to increase, and drivers attention toward the road decreases (regardless of driver safety aids).</p> <p>We should build bicycle highways, paths, protected lanes, throughout the city and surrounding counties of Richmond. Make conscious decisions and plans to connect and design new paths to match current paths, that are very beautiful rides through Richmond. The capital trail, and the cannon creek Greenway are both very nice examples of bike paths that should exist throughout Richmond. Many of these bike path plans don't bode well for current or [non existent] city and county density planning. Current zoning laws make an average bicycle trip up to five times longer in Richmond as it would in a city with good bicycle infrastructure. VA DOT and Richmond, surrounding counties, must work together in revising zoning laws to benefit people, not</p>			

automobiles. Single family homes and suburban sprawl is how we end up like Atlanta, which has some of the worst traffic, worst public transportation system, and the absolute worst planning and density I've come across.

We should absolutely discontinue automotive lane additions or widening, full stop. Car and automotive related infrastructure is damaging the planet, environment, and even our own populace, with varying and increasing forms of pollution. Richmond doesn't have emissions testing, I personally witness many vehicles with exhaust leaks, poor operating conditions, modified exhaust systems, removed emissions equipment, all of which contribute to the development of, or severity of respiratory illnesses in people and children in the area. Exhaust and road noise from tire friction alone contribute to an inane amount of stress induced to people. There are multiple studies and research correlating noise with stress levels. Some of the roads in and around Richmond are treated like the straightaway at various NASCAR tracks, people exceed the speed limit, use turning lanes to pass, encroach into paint divided bike lanes, etc. Unprotected bike lanes (solid painted lines with or without plastic floppy pylons) is kinda like a swimming in a pool lane next to sharks. The painted lines don't keep cars from encroaching on cyclist space just like a pool lane rope doesn't prevent sharks from swimming in your lane. The end goal here isn't to just make more bike lanes, it's also to make car travel less attractive because it is so dangerous and encroaching on the daily lives of people.

Tire dust, oil, other fluids from automobiles end up in water and riverways, poisoning wildlife, tainting land, and lower the James River water quality enough to be unfit for recreation. If the James River was deemed too toxic to swim in, Richmond would lose a ton of visitors every day during the summer.

Also whomever keeps trying to get a casino voted into the city AFTER PREVIOUS VOTES HAVE ALREADY FAILED should be tarred and feathered.

From:	Conner Kasten	Date:	4/17/22
Please prioritize bike transit and pedestrian projects wherever possible over car-centric options. Moving trips to non-car modes is a critical piece of climate strategy, and necessary for the future of our region.			

From:	Daniel Robinson	Date:	4/16/22
It would be great if Richmond could implement a light rail transit train connecting the airport with downtown Richmond and the Staple Mills Amtrak train station.			

From:	Matthew Via	Date:	4/17/22
<p>I am a resident of the Forest Hill Neighborhood and I strongly support the Forest Hill Avenue Phase II project. I frequently bicycle from my home in Forest Hill to the shopping district in Stratford Hills and the section of Forest Hill Avenue between Dorchester Road and the Powhite Parkway is currently extremely hostile to cyclists. The current speed limit on the road is currently 35 miles per hour which makes the road extremely uncomfortable to ride on, and due to the lack of parallel roads, the only feasible way to avoid this section is to take a lengthy and hilly detour down Riverside Drive.</p> <p>This route, while scenic, is not optimal for someone that is riding to reduce their reliance on personal automobile use.</p> <p>The need for the proposed bicycle infrastructure on this segment of Forest Hill Avenue is critical, because under the current built environment only the most confident cyclists would attempt to ride on this segment of road. If this project were built as proposed, it would make it much more feasible for residents of the Forest Hill, Forest Hill Terrace, Cedarhurst and Westlake Heights Neighborhoods to replace short car trips with more environmentally friendly modes of transportation.</p>			

From:	Basile Nkeng	Date:	4/17/22
<p>I am a resident of Richmond VA, and I am writing in support of the Forest Hill Ave Phase II Project. This project would create a nearly continuous bike path from Manchester to Stratford Hills. This five-mile stretch would allow residents in this area to access a wide range of amenities such as grocery stores, restaurants, parks, health services and many more. Investing in the infrastructure that allows citizens to replace short car trips with other forms of transportation such as biking and walking has substantial benefits to the community ranging from reduced wear on city infrastructure, better air quality, to increasing the health of the community.</p> <p>Thank you.</p>			

From:	Heidi Robertson	Date:	4/17/22
<p>I would love to see Richmond fix it's brick sidewalks, and start a pedestrian safety campaign to promote residents to use the sidewalks, or walk opposing traffic if there is no sidewalk.</p> <p>I would also like Richmond to start a campaign to stop the littering of our city. We need more trash cans in public spaces, punish those who litter, and educate the children in schools what they can do to help the environment.</p> <p>Thank you for your time.</p>			

From:	Jerome Gilbert	Date:	4/18/22
<p>I am in full support of the \$276.4 million for infrastructure. I am particularly pleased with the funds to support the Fall Line Trail. These projects will advance Richmond as a progressive city with a commitment to the needs of its citizens.</p>			

From:	Alan T. Shaia, VA License Broker, Charter Realty, L.C.	Date:	4/18/22
<p>Please explain to me why under your "CVTA Regional Funding Scenario - Summary" report on pages 1 and 2 you do not list or show the I-64 Widening, Exit 205 to New Kent/James City County Line? This is a very important project because of the increased reliance on the port and transportation of goods from the port throughout the east coast. While all the states are racing ahead to complete the development of the Interstate to accommodate this increased traffic, we are lagging behind. Thus the Port traffic and economic benefits that would have been achieved will go to other states.</p> <p>This is why I think your Benefit number must take into consideration the economic benefits achieved by each project.</p>			

From:	Jerry Andrews Maers	Date:	4/18/22
<p>Please fund all the bike &amp; pedestrian projects. We have had lifetimes of funding for car projects, but very little for bike &amp; pedestrian projects. I use my bike more then my car, yet due to poor road design, I'm forced to deal with crazed car drivers who routinely pass illegally close, or fall into road rage over the fact that someone on a bicycle is using to road too.</p>			

From:	John Martin Owens	Date:	4/18/22
<p>I would question the prioritization of the Magellan Bridge and GreenCity bike/pedestrian bridge over the Staples Mill improvements that are only partially funded. I understand wanting to support these new developments (GreenCity and Retreat@One), however, I feel the need is much greater for the Staples Mill improvements. The I-64:ramp to Staples Mill road is dangerous. The development of Libbie Mill and Westwood zone is much further along than those other two, planned to be fully funded projects, and the need is greatest at Staples Mill and I-64.</p> <p>I'm not opposed to eventually doing the Magellan and GreenCity projects.</p> <p>Now, if other funding from other sources can be used to complete the Staples Mill work expediently, then I can support it.</p> <p>Thank you</p>			



From:	Dave J. Brogan	Date:	4/18/22
Lower the gas tax.			

From:	Ray Roakes	Date:	4/18/22
<p>Hello, thank you for all the work on everything. I strongly support all bike and pedestrian improvements - especially any that further the goals of vision zero. Biking throughout the metro area is especially dangerous, I know from first hand experiance. I would encourage future projects to create a more interconnected protected bike lane system as well as expand the reach for bikeshare. Further, any pedestrian improvements along Hull Street and Hull Street Road would be especially powerful as many communities along that route are historically marginalized and underinvested, more likely to depend on walking for transport, and I have numerous personal experiences where residents are forced to walk directly on the street because there are no sidewalks. This creates an especially dangerous situation along Hull Street Road as vehicles are prone to higher speeds. It is needless to say, as well, that I would support any transfer of funding from projects designed to increase vehicle usage or increased vehicle speed/ease of conveyance transferred to bike and pedestrian centered projects. Thanks, Ray.</p>			

From:	Andy Clarke	Date:	4/18/22
<p>I have reviewed the CVTA Regional Funding Scenario Summary. I am a resident of Henrico County and live in the Libbie Mill area.</p> <p>I fully support the four projects identified as Bike/Ped Projects, as well as the G Broad Street Streetscape with Pulse Expansion Phase III. These offer significant opportunities to encourage and facilitate transportation alternatives by providing safer, better connected, higher-quality facilities for people on foot, bike, and transit.</p> <p>I understand the need to replace the Mayo Bridge and support maintenance of existing infrastructure. I would be even more supportive if the opportunity were taken to increase opportunities to safely walk, bike, and take transit over the new bridge.</p> <p>There is insufficient information on the detail of the B Forest Hill Avenue Phase II project. I support the changes that are proposed/described but I am unclear what changes are being made to the travel lanes for motor vehicles and would not support increases in capacity for motor vehicles on this road.</p> <p>I appreciate that there are pedestrian and bicycle changes proposed that would add sidewalks, crosswalks and some bicycle infrastructure in the remaining projects identified as Highway projects. However, as all of these projects are basically designed to add or increase capacity and/or speed for motor vehicles I cannot support their funding -- the cost of adding more and more traffic outweighs the changes made for walking and biking at individual locations and overall.</p>			

I am shocked and disappointed that the Funding Scenario contains so many new highways, highway capacity increases, and other projects designed to increase motor vehicle traffic -- this flies in the face of the reality of the climate crisis and directly contradicts the explicit goals of Connect 2045 and the stated preferences of people who participated in that planning process. It is particularly disappointing to see a total absence of projects that address inequity and inaccessibility in our transportation system -- instead, the overwhelming majority of the funding continues to support suburban and exurban car-commuting for the predominantly wealthy white suburbs.

I do not see any details about the proposed Diverging Diamond Intersection proposed for I-64 and Ashland Road -- I know that these are appalling intersections for walking and biking and are little more than resume-builders for traffic engineers with no regard for the community, health, safety, accessibility, air quality, sustainability or any other sensible growth policy. I also do not see any additional detail on the proposed changes to the intersection of W Broad Street and Parham Road.

As far as I can tell, every highway project other than Forest Ave and Broad Street/Pulse ones mentioned above add capacity in the vain hope of relieving a few minutes of actual or perceived congestion that at worst is moderate for a short time. The resulting projects create known dangers for people walking and biking, making the system and community more hostile and unpleasant (for example, continuous right turn lanes) 24/7, 35 days a year.

Is the Broad Street Streetscape project the only one that serves transit, in the entire metro region? I don't know what to say except there has to be greater investment in transit than this in the region.

Finally I object most strongly to any funding for the proposed changes to the Staples Mill-I-64 interchange -- they are not improvements at all. There is absolutely no need for the proposed changes to add through-and turn lanes as proposed and this project creates even more hostile, noisy, polluting conditions at an area that is currently being transformed into an area of growth where people are going to be walking, biking and taking transit in greater numbers. This project is a complete waste of money and should be stopped immediately. As a reminder, Connect 2045 has safety, equity, connectivity, sustainability, and other worthy goals at its core -- please tell me how widening a huge intersection, adding dual left and TRIPLE right turn lanes, and widening all surrounding roads achieves any of these goals? If capacity is an issue, why are you proposing to add a signalized intersection? I walk, bike, and drive through this intersection practically every day (and take the bus to Amtrak on occasion) and I see no evidence of any problems that warrant this level of community destruction and unnecessary spending.

Indeed, the issues at Bethlehem and I-64 I see are that traffic is traveling way too fast and weaving across too many lanes of traffic already without adding more to the mix. There have been pedestrian fatalities and crashes here that would not be prevented by these changes. Future development is only going to increase the number of people walking and biking here and the proposed changes are totally incompatible with that future. I would much rather see a project to reduce the number of lanes on Staples Mill

south of the intersection to two in each direction with the addition of wide sidewalks, protected bike lanes, a slower speed limit, and more signalized crosswalks.

So, to recap. I support inclusion of the following projects:

FY23-32  
 FY23-33  
 FY23-21  
 FY23-35  
 FY23-34

I have qualified support for the following projects:

FY23-31  
 FY23-37  
 FY23-36

I am generally opposed to all the other proposed projects and take particular exception to the following projects:

FY23-14  
 FY23-25

Thanks for your attention.

From:	Flora Valdes-Dapena	Date:	4/18/22
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I'm a resident of the City of Richmond. Highway widening projects (US-360, US-1, etc) are a waste of time and money. Studies have repeatedly shown that adding traffic lanes creates induced demand, increasing congestion and air pollution from personal vehicles. Emissions from transportation are one of the biggest contributors to climate change, and widening highways guarantees that those emissions will continue unabated. Redirect funding from these highway projects into improvements to bike and pedestrian infrastructure to make active transportation easier, safer, and more attractive than driving.

Please also consider increasing funding for GRTC. Currently many of GRTC's routes are running at extremely low frequencies, making it an unreliable mode of transportation for many who have no other options. Increased funding for operations would allow GRTC to hire more operators and mechanics, increasing frequency and reliability by adding more buses to high-demand routes and keeping them in service consistently. I'm aware that funding for GRTC is not a part of the Draft Funding Scenario, however it is too important to leave out of my comments.

Thank you.

From:	Jonathan Wright	Date:	4/18/22
<p>I am excited to see CVTA commit some funding for active transportation projects, but the disparity in funding between highway projects and pedestrian-oriented projects is disappointing. I do appreciate continued funding towards the Fall Line trial mentioned in several of the project descriptions. I would like to see CVTA provide higher scores for projects that provide safer infrastructure for individuals not using cars for transportation, especially raising bike lanes to curb level. Forcing cyclists or cars to "share the road" is a recipe for disaster and narrow bike infrastructure doesn't really provide any better feeling of safety than a sharrow marking. Providing physically separate and parallel infrastructure is the way to maximize the current road network for new uses and users.</p> <p>If there is any additional documentation available for the project titled, "B Forest Hill Avenue Phase II," I would love to see it. Thank you!</p>			

From:	Carl Schwendeman	Date:	4/18/22
<p>Could they add extending the Powhatan Village Sidewalks to the Central Virginia Transportation Authority master plan. Such as could they extend the Powhatan Village sidewalks from the intersection of General Scot Boulevard and Old Buckingham Road a 1,000 feet to the intersection of Old Buckingham Road and Fighting Creek Lane. They also need to fund the 900 foot long Skaggs Road Spur sidewalk and extend the Mann Road Sidewalk by 1,500 feet.</p> <p>Also could they extend the Powhatan Village Sidewalks from the intersection of Mann Road and Old Buckingham Road to the intersection of US Route 60 and US Route 522 by the post office.</p> <p>And extend the Powhatan Village Sidewalks from the intersection of General Scot Boulevard and Old Buckingham Road to the intersection of US Route 60 and Academy Road.</p> <p>They need to get moving on building new sidewalks along US Route 60 from the intersection of the Woolridge Road and Route 60 to the Richmond City limits that whole section of Route 60 is a pedestrian dumpster fire.</p> <p>Huguenot Road needs new sidewalks from the James River Bridge to the intersection of Midlothian turnpike and Huguenot Road.</p> <p>Thank you Carl</p>			

From:	Shawn Scott	Date:	4/19/22
<p>I support funding for the fall line trail in the tune of as much \$\$\$ as possible  My vote goes to this as an avid runner walker an cyclist we need more  Outdoors to escape to  Yours truly va resident</p>			

From:	Katelyn Scott	Date:	4/19/22
<p>I vote for fall line trail</p>			

From:	Karl Zweerink	Date:	4/19/22
<p>Thanks for supporting improved bike access of James River from Manchester Semmes Ave area. I am a bike commuter and feel opening up the T Pott bridge will improve pedestrian and bike access.  Mayo Bridge - please consider bike lanes. Bridge is not safe for cyclists and pedestrians and is an important link between Capitol Bike Trail and the new proposed Fall Line Bike Trail</p>			

From:	Michael Keegan	Date:	4/19/22
<p>Please fund all the bicycle and pedestrian projects first.</p> <p>While I understand the need to maintain existing roads, please do not fund any new roads or highways. Due to global warming caused by fossil fuels, we need to discourage the use of roads until we eliminate the use of fossil fuels. Even worse is that creating new roads causes more heating of the earth as roads store heat and replace land that would otherwise absorb some heat.</p> <p>Thank you for considering this.</p>			

From:	Jack-Henry Bush	Date:	4/20/22
<p>Hi CVTA,</p> <p>I am writing to support the proposed Forest Hill Ave Phase II Project. I wanted to say that I wish for the project to focus on improving pedestrian and cyclist viability rather than prioritizing vehicle transportation. Access to the Eastbound Route of the 2A bus, which travels along Forest Hill Ave from Stony Point Medical Center to Downtown Richmond is currently extremely difficult for cyclists and pedestrians. There are four eastbound bus stops in the proposed project area and each of the bus stops have a safety issue.</p> <p>Four of the stops have no sidewalk access and do not have direct access via crosswalk. This has created a situation where not only is walking to the bus a danger but waiting for the bus is a hazard as well. Even at the low current posted speed limit, a collision between a pedestrian and a vehicle would be crippling if not outright fatal. Completion of the Forest Hill Ave Phase II Project would improve the quality of the travel for all kinds of travelers and also mitigate a long-standing traffic risk. On top of having the added benefits, this project will protect the lives of cyclists and pedestrians alike.</p> <p>Thanks,</p>			

From:	Bill & Linda Dismore	Date:	4/21/22
<p>To the Central Virginia Transportation Authority,</p> <p>My wife and I are homeowners who reside in New Kent County, VA, about one mile from exit 211 off I-64. As a result we frequently utilize the Interstate.</p> <p>We are strongly in favor of allocating the necessary funding to widen the stretch of I-64 within the CVTA district to complete the overall I-64 widening project between the Hampton Roads and Richmond areas. The section of I-64 that runs through New Kent County is the only remaining stretch that is still 2-lanes in each direction.</p> <p>In its current state I-64 between exits 205 and 227 represents a “bottleneck” that often becomes highly congested during peak periods. When this occurs, it produces overflow congestion on our local roads creating not only inconvenience but safety concerns as well. It also serves as a vital connector between coastal Virginia and the rest of the state which is particularly important for continued economic growth as well as emergency/disaster evacuation and relief efforts necessitated by natural disasters such as hurricanes. With the increasing usage of Virginia ports and the resulting truck traffic the congestion will only worsen in the coming days and weeks.</p> <p>Thank you for giving consideration to our comments. We are available at the phone and address provided below.</p>			

From:	Tom Ryan	Date:	4/21/22
Complete the job, I-64 at least three lanes from Richmond to the sea ASAP. I can't see how the traffic numbers won't support this.			

From:	Shirley Perrin	Date:	4/22/22
<p>Good Morning,</p> <p>As a resident in New Kent, Va. I'm asking that you support any effort to prioritize the I-64 road widening between the Hanover/Henrico/New Kent Corridor to James City County. We are so excited with the commercial and residential growth in New Kent but the interstate situation is getting more dangerous due to the lack of additional travel lanes..</p> <p>Please call me if you have any questions.</p> <p>Respectfully, Shirley Perrin</p>			

From:	Gloria Hanchey	Date:	4/22/22
<p>Please accept this as my request to have the following interstate situation be put on a "high" level of funding:</p> <p>I-64 between exits 205 and 227 represents a New Kent County "bottleneck" that often becomes highly congested during peak periods. When this occurs, it produces overflow congestion on New Kent's local roads creating not only inconvenience but potential safety concerns as well. It also serves as a vital connector between coastal Virginia and the rest of the state which is particularly important for continued economic growth as well as emergency/disaster evacuation and relief efforts necessitated by natural disasters such as hurricanes.</p> <p>Respectfully, Gloria Hanchey</p>			

From:	C. Samuel McDonald	Date:	4/25/22
<p>I disagree with the City's decision to replace the Mayo bridges (Mayo). I believe that the stated basis of deteriorating condition comes mainly from the City traffic engineers' projections of a significant increase in traffic over Mayo in years to come.</p> <p>I think this major assumption (<i>which has been used as the basis for making such an important decision</i>) is the opposite of what should be done and therefore is the wrong approach. Traffic should not be the tail wagging the important dog in this situation. As a City, we should be planning to significantly decrease Mayo traffic, eliminate the current stress on the structure, and rehabilitate the historic character and welcoming aspects that are Mayo at a significant savings when compared with the increasing cost of replacement.</p> <p>Here's why:</p> <ol style="list-style-type: none"> <li>1. Manchester will soon be at a <u>critical stage in its development</u>. All of the young and fragile businesses, sticking their necks out in a less established neighborhood than Scott's Addition, need customers and cannot weather the two year shut-down for a complete bridge replacement.</li> <li>2. The <u>neighborhood is increasingly pedestrian dependent</u>. Encouraging increased traffic down Hull divides and threatens a newly thriving neighborhood even with the planned Hull Street Streetscape scheduled for 2025. The already heavy and increasing commuter speeding traffic from the merge of 60 and 360 onto Hull Street as a feeder into downtown endangers pedestrians and creates a very unfriendly and unwelcoming environment at the entrance of and center piece for our rapidly growing neighborhood.</li> <li>3. <u>One lane of the Mayo Bridge should be closed to traffic and converted to pedestrian, bicycle, and fishing use</u>. Out of all the bridges, the Mayo bridge is closest to the surface of the James River, our tourists' and residents' jewel. Creating a pedestrian/bike lane completes the James River Park system loop.</li> </ol> <p>Here's how:</p> <ol style="list-style-type: none"> <li>1. <u>Prohibit heavy truck traffic across Mayo Bridge</u>. Trucks can use I-95, the Lee Bridge, and the Manchester Bridge to cross from Manchester into downtown. All are wide, sturdy, and built for more traffic than they currently serve. Trucks and pedestrians don't mix. The other 3 bridges keep trucks away from heavy pedestrian traffic, while the Mayo Bridge does not.</li> <li>2. Coming into the City, <u>allow left turns from Hull onto Cowardin and Commerce</u> so that traffic can use the bigger bridges going into downtown. City Traffic Engineering says they would have to expand the lanes for turning, but there are no expanded or separate lanes for the current left turn traffic leaving town at those intersections. Currently, from 22<sup>nd</sup> Street to Commerce, which is a 12-block stretch, there are only 3 places traffic can turn left to get cars to those big bridges. Those are at 21<sup>st</sup>, 11<sup>th</sup>, and 9<sup>th</sup>, all of which put you into the thick of neighborhoods, and not on the path to a bridge crossing.</li> </ol>			



3. Push up the implementation of the Hull Street Streetscape improvement plan to increase pedestrian safety in the growing neighborhood. Use some of the bridge replacement funds already in hand to finance this project earlier than is currently planned for 2025. The current plan tries to keep pedestrians safe in a heavier traffic scenario when it could ensure safety in a true, undivided neighborhood environment with less traffic obstacles. Greatly increasing the traffic expectation with additional pedestrian crossing measures is a recipe for disaster.

Sincerely,  
C. Samuel McDonald

From:	Justin Palanchi	Date:	4/25/22
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I just wanted to give my support for the widening of I 64 from 2 lanes to 3 lanes from the 205 MM to the 233 MM. I am a State Trooper, and worked the widening projects in Williamsburg and Newport News over the last few years. I can say first hand how much the 3rd lane greatly improved traffic slow and reduced the amount of crashes on that stretch of the Interstate. To only have 2 lanes in between Williamsburg and New Kent, with 3 lanes on each end, creates so much extra traffic and so many extra crashes, especially during peak rush hours and holidays.

Please prioritize the funding for the widening of I 64 from the 205 mm to the 233 mm from 2 lanes to 3 lanes.

Thanks for your time  
Justin Palanchi

From:	Michael Grabow	Date:	4/25/22
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The Secretary General of the UN said 4/23/22 that the main carbon emitters must drastically cut emissions starting this year (36 weeks left) to avert climate catastrophe. Over 100 people are killed by drivers every single day in the US with \*many\* more seriously injured. We absolutely must get away from privately owned automobiles as much as possible and dramatically improving public and active transportation will play a critical role in that. Put this money into public and active transportation.

From:	Steve Gude	Date:	4/25/22
To whom it may concern:			
Please consider moving the "I-64 Widening, Exit 205 to New Kent/James City County Line" Project up on the priority list.			
It is a tremendous bottleneck and impatient drivers make it very dangerous as they weave in and out of traffic. I drive this stretch of interstate daily, and have been passed several times on the emergency shoulder by drivers. I have received a chipped windshield from the deterioration of the road.			
Plus the number of vehicle accidents and traffic fatalities among this stretch of road is sad.			
Please expand the road.			
Thank you,			
Steve G.			

From:	Jason Walters	Date:	4/25/22
I did not see investments/projects in New Kent County. Are there future plans to expand safe multiuse trails to connect New Kent to the Capital Trail?			

From:	Elle De La Cancela	Date:	4/25/22
To Whom It May Concern:			
On behalf of the Chesapeake Climate Action Network and our members in the Richmond and Central Virginia region, I offer the following feedback on the draft documents.			
Alternative modes of travel have become a flagship for the federal administration, namely bike/ped infrastructure and public transportation, and the majority of our resources should be dedicated to these carbon-mitigating and safer alternatives to transportation in a personal vehicle. We support the proposed changes to increase bike/ped infrastructure, the proposals for installing medians as a safety measure, the proposed plans for Brook Road Streetscape for pedestrian accessibility and the Broad Street Streetscape of the Pulse system. CCAN takes issue with the construction of new roads and lanes, even if they are to include the needed amenities, and highway widening projects. Widening projects do not relieve any congestion, as evidenced by <a href="#">this Transportation for America study</a> and overall incentivize a way of life that we must transition away from if we are to continue to sustain the planet and ourselves.			

The total investment in car supportive infrastructure to bike/ped is over \$230M to around \$27M for the next 3 years. Highways are receiving almost 10x the amount of funding with 5x as many highway projects to bike/ped. CCAN encourages the CVTA to reconsider the priorities that would benefit the highest number of people in the commonwealth with a focus on equity, and not just serving those in wealthier suburbs. This would mean greater investment in public transit operating dollars and capital improvements in sidewalks and bike lanes.

Thank you for your consideration.

Respectfully,  
Elle De La Cancela

From:	Christian Schick	Date:	4/25/22
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I support all of the Bike/Ped projects on the project list but I really like the improvements under the C Commerce Road - FLT Phase I project. Last year, my wife and I lived in Manchester and often went into the city. While I am a confident cyclist and would bike on any road that I'm allowed to, my wife was not comfortable using the Manchester Bridge cycling lane because of how it connected to Commerce Rd. Very understandable. On Cowardin, there's a similar setup and I had a bad experience with road rage driver honking and making threatening gestures because I briefly took up space in the right lane from Cowardin + Semmes to the Robert E. Lee Bridge bike lane. If the Commerce Rd project had been completed a few years but, there would have been many trips that we could have ridden our bike for instead of driving. In particular, a once weekly trip at around 6:30p every Thursday. So I can testify that projects like this can make an impact on relieving congestion during peak traffic times.

From:	Evan Moog	Date:	4/26/22
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The 2023-2026 regional revenue draft funding scenario is entirely too highway focused. Of the \$765 million project funding requests, 89% of them are for highway improvements, whereas only about 4% are for bike/pedestrian projects. To truly be focused on how the region can plan better for the future much more should be considered for bike/pedestrian funding. I also don't see any mention of railway improvement or train infrastructure improvement in any of these proposals. As a transportation planning authority, one would think that trains would be a part of the solution of the future, instead of just adding new exits and more lanes to highways. Induced demand and continued pollution into the environment don't seem like they were a part of any of this "planning".

From:	Michael Palmen	Date:	4/26/22
<p>Concerning the potential widening of I-64 east of exit 205:</p> <p>As a ten year resident of New Kent County I have had an opportunity to witness the explosion of traffic where I-64 bottlenecks just east of exit 205. Our county has become one of the fastest growing counties in Virginia, and with the arrival of our new Advance Auto facility just off of exit 211, the congestion will only continue to become an issue. Particularly concerning times are Fridays heading east (toward VA Beach), and Sunday evenings heading west (during beach traffic returning home time.)</p> <p>I have witnessed ambulances and fire trucks backing up on the interstate leaving our exit 211 fire station, frustrated vehicles driving the shoulder to escape an hour long stand still, and an abundance of traffic leaving the interstate at both exit 211 and 214, creating a very dangerous level of traffic through our residential areas.</p> <p>Please consider the widening of this stretch of I-64, as it necessary now, and will only become increasingly necessary in the short years to come.</p> <p>Thank You!</p> <p>Michael Palmen</p>			

From:	David McCray	Date:	4/26/22
<p>Repave Mill road between Route 5 and Varina Road.</p>			

From:	Barbara Ferrara	Date:	4/26/22
<p>In Ettrick (South Chesterfield) Please consider extending the bus line on River Road just 1/2 mile further to the Ettrick-Matoaca Library. The library serves many diverse and marginalized residents of the region.</p>			

From:	Bob Patton	Date:	4/27/22
<p>Dear sir/madam,</p> <p>This is NOT the time to raise taxes of any type particularly the gas tax.</p> <p>I stand solidly against this proposal.</p> <p>Thank you,</p> <p>Bob Patton</p> <p>New Kent County resident</p>			

From:	Beth Wood Whitley	Date:	4/27/22
<p>To Whom It May Concern:</p> <p>I am writing to share my thoughts and concerns on the funding for the widening of I 64 from exit 205 to James City County line. I have been reading material on this issue and have heard from local businesses that this project rates very low on the project list. I am concerned that with the # of vehicles that travel this section and with two truck stops at my exit 211, we will have a bottle neck sooner rather than later. We experience many delays in traveling on I 64 East bound after mile post 205 due to the narrowing of I 64. Since New Kent County is the 2nd fastest growing county in the state (behind Loudoun), we need to ensure that this project (FY23.29) is a top priority in order to keep up with the population growth.</p> <p>Thank you for your time.</p>			

From:	Cheryl Myers Johnson	Date:	4/27/22
<p>Please consider low cost train fare to Washington DC from Richmond. It is a win/win for all. Less cars on 95 and less air pollution.</p>			

From:	Sarah Weisiger	Date:	4/27/22
<p>CVTA is missing an opportunity to create the transportation system of the future that won't require the region's residents to own and operate a private motor vehicle to get around. [The price of the average new vehicle is \$47,000 and used is \$28,000 (Kelley Blue Book, 1/22/22).] Why not use CVTA funds to improve mobility for all?</p> <p>The regional highway projects which appear to be good models include:</p> <ul style="list-style-type: none"> <li>A Hull Street Phase II</li> <li>B Forest Hill Ave Phase II</li> <li>C Broad Street Streetscape (250) with Pulse Expansion Phase III</li> </ul> <p>Projects that don't improve regional mobility and do not promote equity - example:</p> <ul style="list-style-type: none"> <li>1)Woolridge Road (Route288 – Old Hundred Road) Extension</li> <li>2)Anything that doesn't explicitly allow for well-designed bicycle and pedestrian accommodations including safe crossings</li> </ul>			

From:	Mike LaBelle	Date:	4/28/22
<p>I am totally against any additional funds being used for Pulse, I am up and down broad street just about every day and rarely see more than a handful of riders on any pulse bus, this has cost the taxpayers millions of dollars already and the disrupted traffic from the dedicated pulse lanes on Broad street . Seems like another Richmond, Va. Boondoggle.</p> <p>I also do not see the benefit of all this money being proposed for bike trails, bike lanes in the city, I just do not see that many people using them to see the benefit of the massive costs associated with their construction.</p> <p>I am totally against any additional funds being used for Pulse, I am up and down broad street just about every day and rarely see more than a handful of riders on any pulse bus, this has cost the taxpayers millions of dollars already and the disrupted traffic from the dedicated pulse lanes on Broad street . Seems like another Richmond, Va. Boondoggle.</p> <p>I also do not see the benefit of all this money being proposed for bike trails, bike lanes in the city, I just do not see that many people using them to see the benefit of the massive costs associated with their construction.</p>			

From:	Robert Sullivan	Date:	4/27/22
<p>There are far too many road widening projects and not enough bicycle/pedestrian infrastructure. We cannot keep building more roads and underfunding transportation modes that can encourage reduced emissions and personal safety. We need to building infrastructure that takes cars off the roads.</p>			

From:	Wyatt Gordon	Date:	4/28/22
<p>Hello,</p> <p>The fact that your transportation planning process resulted in a \$680 million list of highway projects compared to a much, much smaller \$28 million list of bike and pedestrian projects tells me everything I need to know about the CVTA. You don't care about safety. You don't care about access to opportunity. You don't care about the climate. We have no need for wider roads in our region. What we need are safe spaces to walk and bike and more frequent buses to get us out of our cars. Have you heard of induced demand? You're building the future traffic you claim to want to alleviate. You know this though. Your organization is furthering the exclusion of low-income communities and people of color in order to subsidize suburban sprawl and strip malls. Until you change your funding proposals, don't pretend that you're interested in community feedback.</p>			

From:	Zach Outzen	Date:	4/28/22
<p>This comment relates to the FY 2023-2026 Regional Revenue Draft Funding Scenario. As currently proposed, over 80% of the FY 2023-2026 Regional Revenue Draft Funding Scenario is allocated toward highway funding. While highway improvements in Central Virginia are necessary, the Draft Scenario unnecessarily prioritizes highway funding at the expense of public transit, bike, and pedestrian infrastructure.</p> <p>Spending on public transit, bike, and pedestrian infrastructure, would greatly increase accessibility to employment and education for Central Virginia residents. Crucially, it would also make living in Central Virginia significantly safer and more enjoyable for those who do not rely solely on cars for transportation. One example of an area that could benefit from such spending is the area surrounding Kanawha Plaza in downtown Richmond. This area exists to connect downtown Richmond with the James River, but it is extremely dangerous for pedestrians to do so due to the lack of pedestrian infrastructure. As a result, very few people even know that Kanawha Plaza exists, despite being located adjacent to the Federal Reserve, Dominion, and several prominent Richmond-area employers. As someone who has worked in downtown Richmond and frequently walks around the area, I know that I would not feel safe trying to get to Kanawha Plaza.</p> <p>While this is one specific example of how Richmond could benefit from increased spending in transit, bike, and pedestrian infrastructure, I want to emphasize that every locality in Central Virginia would be well-served by such investment. This type of infrastructure makes it easier and safer for people to commute to work without a car, increasing residents' satisfaction and the economic growth of the region. I strongly urge CVTA to reexamine the FY 2023-2026 Regional Revenue Draft Funding Scenario and reallocate funding towards projects that make it easier and safer to get around via bus transit, biking, or walking. As stated earlier, highway spending may be necessary, but that doesn't mean it needs the overwhelming majority of the proposed budget. Thank you for the opportunity to submit this public comment.</p>			



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ECONOMIC DEVELOPMENT AUTHORITY

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April 20, 2022

Central Virginia Transportation Authority  
Attn: Rashaunda Lanier-Jackson  
VIA EMAIL: [RLJackson@planrva.org](mailto:RLJackson@planrva.org)

RE: CVTA Regional Funding Public Comment – Project FY23\_14 – I-64 at Ashland Rd Interchange  
- DDI

Dear Central Virginia Transportation Authority:

Please accept this letter as support for proposed funding of the I-64 at Ashland Rd Interchange Divergent Diamond Project.

As Chairman of the Goochland Economic Development Authority, I am supportive of the project as it will improve a strategic economic development corridor that is extremely important to Goochland County. Furthermore, completion of the project will increase safety for businesses and citizens of Goochland County.

On behalf of the Goochland Economic Development Authority, I fully support the funding as described for the improvements proposed for I-64 at Ashland Road interchange. Thank you.

Sincerely,



Curt Pituck, Chairman  
Goochland County Economic Development Authority

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Ph: 804.556.5862

2931 River Road West • P.O. Box 103 • Goochland VA 23063

[www.GoochlandForBusiness.com](http://www.GoochlandForBusiness.com)



P.O. Box 5363  
Glen Allen, VA 23058  
804.364-0500  
804.364.1753 (Fax)  
coxreadymix.com



April 21, 2022

Central Virginia Transportation Authority  
Attn: Rashaunda Lanier-Jackson  
VIA EMAIL: [RLJackson@planva.org](mailto:RLJackson@planva.org)

RE: CVTA Regional Funding Public Comment – Project FY23\_14 – I-64 at Ashland Rd Interchange - DDI

Dear Central Virginia Transportation Authority:

Please accept this letter as support for proposed funding of the I-64 at Ashland Rd Interchange Divergent Diamond Project.

As President of S.B. Cox Ready Mix, Inc., I am very concerned about the safety of our employees and visitors who work at our facilities off Ashland Road. I am confident that I am not alone in my concern about traffic safety and congestion at the I-64 and Ashland Road interchange as there are other corporate neighbors and surrounding residential neighborhoods who also use Ashland Road as a primary thoroughfare.

On behalf of the employees and management of S.B. Cox Ready Mix, Inc., I fully support the funding as described for the improvements proposed for I-64 at Ashland Road interchange. Thank you:

Sincerely,

A handwritten signature in black ink that reads "Morgan Nelson". The signature is written in a cursive, flowing style.

Morgan Nelson  
President  
S.B. Cox Ready Mix, Inc.



April 27, 2022

**Central Virginia Transportation Authority**

Attn: Rashaunda Lanier-Jackson

VIA EMAIL: [RLJackson@planrva.org](mailto:RLJackson@planrva.org)

**RE: CVTA Regional Funding Public Comment – Project FY23\_14 – I-64 at Ashland Rd Interchange - DDI**

Dear Central Virginia Transportation Authority:

Please accept this letter as support for proposed funding of the I-64 at Ashland Rd Interchange Divergent Diamond Project.

As President & CEO of Luck Companies, I am very concerned about the safety of our employees and visitors who work at our facilities off Ashland Road. I am confident that I am not alone in my concern about traffic safety and congestion at the I-64 and Ashland Road interchange as there are other corporate neighbors and surrounding residential neighborhoods who also use Ashland Road as a primary thoroughfare.

On behalf of the employees and management of Luck Companies, I fully support the funding as described for the improvements proposed for I-64 at Ashland Road interchange. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Charlie Luck". The signature is fluid and cursive.

Charlie Luck  
President & CEO  
Luck Companies

April 27, 2022

Central Virginia Transportation Authority  
Attn: Rashaunda Lanier-Jackson  
VIA EMAIL: [RLJackson@planrva.org](mailto:RLJackson@planrva.org)

RE: CVTA Reginal Funding Public Comment – Project FY23\_14 – I-64 at Ashland Rd Interchange - DDI

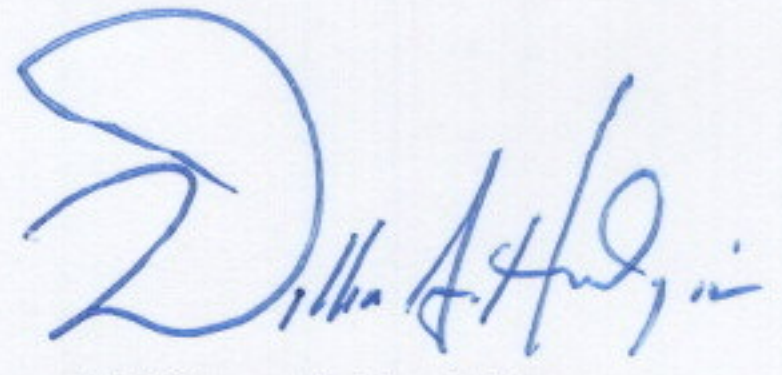
Dear Central Virginia Transportation Authority:

Please accept this letter as support for proposed funding of the I-64 at Ashland Rd Interchange Divergent Diamond Project.

As a Senior Development Manager for Panattoni Development Company, I've seen first hand the amount of development happening in the Ashland Road corridor, and am supportive of the project. This infrastructure improvement will enhance a strategic economic development corridor that is extremely important to Goochland County. With current projects in the pipeline this corridor has proved fruitful for new job growth, high capital investment, and new development in the County. Furthermore, completion of the project will increase safety for businesses and citizens of Goochland County.

On behalf of the development community, I would appreciate your careful review and funding for the improvements proposed for I-64 at Ashland Road interchange. Thank you.

Sincerely,



William A. Hudgins

Panattoni Development Company, Inc.



April 27, 2022

Honorable Frank J. Thornton  
 Chairman  
 Central Virginia Transportation Authority  
 9211 Forest Hill Avenue, Suite 200  
 Richmond, VA 23235

**Re: Comments on Proposed FY23 - FY26 CVTA Funding Plan**

Dear Chairman Thornton:

On behalf of the Greater Washington Partnership (the Partnership), we thank the Central Virginia Transportation Authority (CVTA) for the opportunity to comment on the draft CVTA Regional Funding Scenario and proposed FY23- FY26 funding plan.

The Partnership is a civic alliance of leading employers in the Capital Region of Baltimore, Washington, and Richmond, who together employ more than 300,000 residents and are committed to making this region one of the best places to live, work, and build a business. In 2018, the Partnership released the [Blueprint for Regional Mobility](#), an action-oriented strategy to transform the Capital Region's transportation system into an asset that ensures our global competitiveness, which included a call for better regional governance and funding embodied by the new CVTA structure and funding process.

The draft CVTA Regional Funding Scenario is a comprehensive list of 30 projects that will help transform the Richmond region with more than \$276 million of investment over the next four years. We are pleased to see the process and draft list is inclusive of the broader region and ranges from roadway improvements to bridge replacements and bike and pedestrian projects.

The Partnership respectfully submits the following comments:

1. We are especially pleased to see the inclusion of the Fall Line Trail, GreenCity Connector Trail and Bridge, the Mayo Bridge Replacement, Hull Street Phase II, and the Broad Street Streetscape with Pulse Extension Phase III projects included for their potential to increase multimodal access and safety across the region.
2. In future years, we encourage the CVTA members to work with GRTC staff and the GRTC board, as the primary provider of transit services in the region, to identify funding opportunities and additional roadway improvements that can help enhance the performance and reliability of the transit system and expand the internationally recognized Pulse Bus Rapid Transit network.
3. The final summary document could be strengthened by the addition of a summary chart that shows the funding broken down by project type category as well estimated timelines for each project.

GREATER WASHINGTON PARTNERSHIP  
 1200 17th St NW, Suite 550  
 Washington, DC 20036

greaterwashingtonpartnership.org  
 202.765.2024  
 info@greaterwashingtonpartnership.org

The Greater Washington Partnership would like to thank and commend the members of the CVTA and the staff of the Richmond Regional Planning District Commission for their leadership in advancing a regionally coordinated, multimodal transportation network that ensures the Richmond metro area and the Capital Region will remain one of the best places to live, work, and build a business and can become a showcase for inclusive mobility.

Sincerely,



Joe McAndrew  
Vice President, Government Affairs & Infrastructure  
Greater Washington Partnership



GREATER WASHINGTON PARTNERSHIP  
1200 17th St NW, Suite 550  
Washington, DC 20036

greaterwashingtonpartnership.org  
202.765.2024  
info@greaterwashingtonpartnership.org



Old Dominion Landfill  
2009 Charles City Road, Henrico, VA 23231  
o 804-479-0194 www.republicservices.com

**April 28, 2022**

Central Virginia Transportation Authority  
Attn: Rashaunda Lanier-Jackson  
VIA EMAIL: [RLJackson@planrva.org](mailto:RLJackson@planrva.org)

RE: CVTA Regional Funding Public Comment – Project FY23\_14 – I-64 at Ashland Rd Interchange - DDI

Dear Central Virginia Transportation Authority:

Please accept this letter as support for proposed funding of the I-64 at Ashland Rd Interchange Divergent Diamond Project.

As General Manager of Republic Services, I am very concerned about the safety of our employees and visitors who work at our facilities off Ashland Road. I am confident that I am not alone in my concern about traffic safety and congestion at the I-64 and Ashland Road interchange as there are other corporate neighbors and surrounding residential neighborhoods who also use Ashland Road as a primary thoroughfare.

On behalf of the employees and management of 623 Landfill, I fully support the funding as described for the improvements proposed for I-64 at Ashland Road interchange. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Wade Bailey".

Wade Bailey  
General Manager  
Republic Services

**From:** [Larry Clark](#)  
**To:** [CVTA](#)  
**Subject:** I-64 Widening, Please Support This Project With the Appropriation of \$125 Million  
**Date:** Sunday, May 29, 2022 9:18:23 AM

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As reported in the May 27, 2022 Richmond Times-Dispatch, the General Assembly of Virginia is now ready to appropriate \$470 million for the widening of I-64. It is my understanding that the CVTA will need to appropriate matching funds totaling \$125 million for this project. Why is it in your best interest of your Citizens to appropriate this funds:

1. This project will enhance Economic Development Opportunities for everyone in the region. The Hampton Roads area is an important player in the Richmond region and State. The I-64 widening project will allow District 15 to take advantage of these opportunities. Also, businesses within your jurisdictions need to be able to move goods and services to market. Businesses will thank you.
2. Safety of your Citizens. Due to the bottleneck that I-64 presents, your Citizens are at risk anytime they travel on this stretch of road. The lives of our families hang in the balance.
3. Tourism. Everyone in the region benefits from tourism, it is an economic driver for the region. This project is certain to enhance tourism in our area.
4. This project will reduce gas consumption, which is good for all Americans and your Citizens. We must do all we can to reduce consumption which will lower gas prices which is wonderful for your Citizens and businesses.
5. This project will most certainly improve quality of life for your Citizens. This is a win-win project.

Thank you for this opportunity to discuss the importance of this project and why the CVTA should support the appropriation of \$125 million. Thank you and God bless.

Larry and Karin Clark  
10951 Cosby Mill Road  
Quinton, VA 23141

**Standard Project Agreement for Funding and Administration  
between  
Central Virginia Transportation Authority  
and  
Virginia Department of Transportation**

Project: UPC Number (If Applicable): 121374

This Standard Project Agreement for Funding and Administration (the "Agreement") is made and executed in duplicate on this 13th day of June, 2022 as between the Central Virginia Transportation Authority ("CVTA") and the Virginia Department of Transportation ("VDOT").

**WITNESSETH**

**WHEREAS**, the 2020 Virginia General Assembly adopted and enacted into law House Bill 1541, 2020 Va. Acts Chapter 1235 ("Chapter 1235"); and

**WHEREAS**, Chapter 1235 establishes CVTA pursuant to Chapter 37 of Title 33.2 of the Code of Virginia (the "CVTA Act"); and

**WHEREAS**, Chapter 1235 provides for imposition of certain state taxes in localities comprising Planning District 15, and further provides that the revenues derived from such taxes be deposited in the Central Virginia Transportation Fund (the "Fund") and used solely for transportation purposes benefiting the localities comprising Planning District 15, and certain administrative and operating expenses pursuant to Va. Code § 33.2-3706(B); and

**WHEREAS**, Chapter 1235 establishes the Fund and specifies that all revenues dedicated to the Fund pursuant to Va. Code § 58.1-638 and Va. Code §§ 58.1-2291 *et seq.* shall be paid into the state treasury, credited to the Fund, and the amounts so dedicated deposited monthly by the Comptroller (such amounts, together with interest earned thereon, are the "CVTA Revenues"); and

**WHEREAS**, CVTA and VDOT have determined it is desirable to work cooperatively to ensure the most effective and efficient delivery and implementation of CVTA projects with CVTA Revenues and other state and federal transportation funding sources; and

**WHEREAS**, VDOT is the Virginia state agency responsible for building, maintaining and operating the interstate, primary, and secondary state highway systems ("VDOT Highways"); and

**WHEREAS**, in light of VDOT's responsibilities with respect to VDOT Highways, and CVTA's responsibilities with respect to CVTA Revenues, VDOT and CVTA entered into a Memorandum of Agreement dated December 21, 2020 (the "MOA"); and



**WHEREAS**, the MOA contemplates that CVTA and VDOT may, using the form of this Agreement (referred to as the “CVTA Model SPA” within the MOA), agree to undertake specific projects developed and/or administered by VDOT, and funded (in whole or in part) by CVTA Revenues; and

**WHEREAS**, CVTA desires to proceed with the project set forth and described on Appendix A to this Agreement (the “Project”), and that such Project would benefit the cities and counties that are embraced by CVTA and it otherwise satisfies the requirements of the CVTA Act; and

**WHEREAS**, VDOT agrees to administer and/or develop the Project in accordance with the budget (the “Project Budget”) and cashflow and construction schedule (the “Project Schedule”) set forth and described on Appendices A & B to this Agreement; and

**WHEREAS**, CVTA desires to provide funding for the administration and/or development of the Project out of CVTA Revenues, subject to the terms, conditions, and limitations set forth herein; and

**WHEREAS**, the Commonwealth Transportation Board (“CTB”) has the authority, pursuant to Va. Code § 33.2-214, to cause VDOT to enter into this Agreement and has authorized the Commissioner of Highways (the “Commissioner”) to enter into agreements with CVTA for project administration and development purposes, and Va. Code § 33.2-3708 authorizes CVTA to enter into this Agreement; and

**WHEREAS**, CVTA’s governing body and the CTB have each authorized their respective designee(s) to execute this Agreement on their respective behalf(s) as evidenced by copies of each such entity’s clerk’s minutes or such other official authorizing documents, which are appended hereto as Appendix E.

**NOW, THEREFORE**, in consideration of the foregoing premises and the mutual promises, covenants, and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, VDOT and CVTA (each a “Party” and together, the “Parties”) agree as follows:

#### **ARTICLE I – Affirmative Covenants and Responsibilities of VDOT**

1. Diligent Work. VDOT shall complete or perform or cause to be completed or performed all work relating to the Project, as described in Appendix A, advancing such work diligently and ensuring that all work is completed in accordance with (i) any and all applicable federal, state, and local laws and regulations (“Applicable Law”), and (ii) all terms and conditions of this Agreement, including, without limitation, the Project Budget and Project Schedule reflected in Appendices A & B.
2. Intended Purposes. Subject to and consistent with the requirements of **Article VII** of this Agreement, upon final payment to all contractors for the Project, if the Project is or is part of a VDOT Highway, VDOT shall use the Project for its intended purposes for the duration of the Project’s useful life. If the Project is or is part of a VDOT Highway, VDOT shall be responsible to operate and/or maintain the Project after its completion (including responsibility to correct any defects or to cause any defects to be corrected), and under no circumstances will CVTA have any responsibility or obligation to operate and/or maintain the Project (or correct

defects with respect to the Project). The provisions in this **Section I.2** will survive the completion of the Project under this Agreement and/or the expiration or termination of this Agreement.

3. Selection of Contractors. VDOT shall select contractors, contract with contractors, and administer and enforce contracts all in a manner that is consistent in all material respects with the policies, procedures, and practices that VDOT uses where the state or VDOT bears the cost of a project; for example, VDOT shall use its customary policies, procedures, and practices relating to requesting bids/proposals, negotiating/finalizing terms and conditions of contracts (using VDOT's standard terms/forms where applicable), and monitoring and enforcing performance of contracts.
4. Performance Standards. VDOT shall perform or have performed in accordance with VDOT's standards for highways, bridges, and tunnels all design and engineering, all environmental work, and all right-of-way acquisition, construction, contract administration, testing services, inspection services, or capital asset acquisitions, as is required by this Agreement or that may be necessary for completion of the Project pursuant to the terms of this Agreement. If VDOT determines that a delay will more likely than not prevent the completion of a material phase of the Project (e.g., preliminary engineering or right-of-way acquisition), or the entire Project, in accordance with the Project Schedule, VDOT shall notify CVTA in writing and provide CVTA with such information as CVTA may reasonably request, including information pertaining to potential corrective measures and remedies against the contractor.
5. Unsatisfactory Bids and Proposals. If bids or proposals received for any portion of the Project are not qualitatively consistent with VDOT's standards for that work or quantitatively within VDOT's projections for that work, each as determined by VDOT in its good faith judgment, VDOT shall seek the advice and consent of the CVTA Authorized Representative to (i) undertake a new procurement, or (ii) recommend alternative measures to CVTA, and seek CVTA's advice and consent regarding pursuit of those alternative measures. If CVTA grants its written consent to a modification to the Project Budget and/or Project Schedule to permit VDOT to enter into a contract to perform the work, VDOT and CVTA will work reasonably and in good faith to amend Appendices A & B to reflect the modified Project Budget and Project Schedule.
6. Multiple Funding Phases. VDOT recognizes that, if the Project contains multiple funding phases (as reflected on Appendices A & B), for which CVTA will provide funding (as scheduled on Appendix B), CVTA may not have sufficient cash flows to accelerate scheduled Project funding. In any circumstance where VDOT seeks to accelerate funding for the Project to the next funding phase, VDOT shall submit a written request to the CVTA Authorized Representative explaining VDOT's reasons why CVTA should authorize acceleration to the next funding phase. The CVTA Authorized Representative will thereafter review the circumstances underlying the request in conjunction with Appendices A & B and CVTA's current and projected cash flow position and make a determination whether to authorize

the requested accelerated funding. The foregoing shall not prohibit VDOT, with prior notice to and authorization from the CVTA Authorized Representative, which notice and authorization may be communicated via electronic mail, from providing its own funds to accelerate a future funding phase of the Project and from requesting reimbursement from CVTA for having advance funded the relevant funding phase of the Project. However, VDOT further recognizes that the timing of CVTA's reimbursement to VDOT for having advance funded a funding phase of the Project will be dependent upon CVTA's cash flow position at the time such a request for reimbursement is submitted and may be dependent upon the extent to which the reimbursement of any such advanced funding is otherwise consistent with the terms of this Agreement, including Appendix B.

7. Updating Cash Flow Estimates. VDOT and CVTA shall regularly update cashflow estimates for the Project with the objective of keeping those estimates accurate throughout the life of the Project. VDOT shall provide all available information reasonably required by CVTA so as to ensure and facilitate accurate cash flow estimates and accurate updates to those cash flow estimates throughout the life of the Project as described in Appendix B.
8. Payment Requisitions; Reports. VDOT shall provide to the CVTA Authorized Representative:

No more frequently than monthly, payment requisitions consistent with Appendix C (and the most recently approved CVTA cash flow estimates) that include (i) CVTA's standard payment requisition(s), containing detailed summaries of actual Project costs incurred with supporting documentation as determined by CVTA, and (ii) certifications that all such costs were incurred in the performance of work for the Project as authorized by this Agreement. Each payment requisition shall be in substantially the same form as set forth in Appendix C of this Agreement; VDOT will endeavor to submit payment requisitions within 90 days after the corresponding eligible project expenses are incurred by VDOT, however, CVTA will not be relieved of its duty to pay VDOT for payment requisitions submitted more than 90 days after the corresponding expenses were incurred by VDOT.

- a. All monthly reports described on Appendix D.

9. Use of Assets and CVTA's Interest in Same. VDOT shall use the real property and appurtenances and fixtures thereto, capital assets, equipment and all other transportation facilities that are part of the Project and funded by CVTA under this Agreement ("Assets") for the designated transportation purposes of the Project and in accordance with Applicable Law throughout the useful life of each such Asset. If VDOT intends to sell, convey, or dispose any Asset funded with CVTA funds or intends to use any Asset for a purpose inconsistent with this Agreement, VDOT shall notify the CVTA Authorized Representative in writing of any such intent before further action is taken by VDOT in furtherance thereof. The Parties shall, thereafter, meet and confer to discuss what measures need to be taken regarding

VDOT's proposed sale, conveyance, disposition, or use of any such Asset(s) so as to ensure compliance with all applicable requirements of the CVTA Act. All recommendations and/or proposed remedial actions developed by the Parties' Authorized Representatives during the meet and confer process shall be formally presented to CVTA and the Commissioner for their respective approvals.

10. Return of Unexpended Funds. VDOT shall release or return any unexpended funds to CVTA no later than ninety (90) days after final payment has been made in respect of the Project.
11. Accurate Financial Records. VDOT shall maintain complete and accurate financial records relative to the Project for all time periods as may be required by the Virginia Public Records Act and by all other Applicable Law.
12. Original Drawings. VDOT shall maintain all original conceptual drawings and renderings, architectural and engineering plans, site plans, inspection records, testing records, and as built drawings for the Project for the time periods required by the Virginia Public Records Act and any other applicable records retention laws or regulations. Throughout the project development process, VDOT will provide to CVTA the most recent plans and electronic design files (i) at key milestones (*i.e.*, conceptual design, final construction, and as-built) and (ii) at any time upon CVTA's written request.
13. Reimbursements. VDOT shall not use any funds provided by CVTA, including the funds specified on Appendix B, to pay any Project cost if the CVTA Act does not permit such Project cost to be paid with CVTA funds. VDOT shall reimburse CVTA (or such other entity as may have provided funds) for all funds provided by CVTA (or on behalf of CVTA) and, to the extent applicable and permitted by Applicable Law, with interest earned at the rate earned by CVTA, that VDOT misapplied, used, or requisitioned in contravention of the CVTA Act or any other Applicable Law, or any term or condition of this Agreement.
14. Compliance with Applicable Law. VDOT shall comply with all Applicable Law.
15. Certification after Final Payment. VDOT shall provide a certification to CVTA no later than ninety (90) days after final payment for the Project that VDOT adhered to all Applicable Law and all requirements of this Agreement.

## **ARTICLE II – Negative Covenants of VDOT**

1. Selection of Contracts; Use of Funds. VDOT shall not enter into any contract to perform the work related to the Project if (i) the cost of that contract would exceed the portion of the Project Budget reflected in Appendix B that is allocated to the work covered by that contract, (ii) the cost of that contract, when aggregated with the cost of all other contracts relating to the Project that have been, or are expected to be, entered into would exceed the Project Budget reflected in Appendix B, or (iii) the schedule in the contract for performing and paying for the work related to the Project would be materially different (whether accelerated or delayed) from the Project Schedule set forth in Appendix B.

2. Prohibition Against More Favorable Provisions. VDOT shall not include in any contract with a contractor working on the Project any term, condition or remedy in respect of Additional Costs that is more favorable to the contractor than the terms, conditions, or remedies VDOT includes in standard contracts where the state or VDOT bears the cost of the project.

### **ARTICLE III – Representation and Warranties of VDOT**

1. VDOT represents and warrants that each of the Project Budget and Project Schedule (Appendices A & B) have been prepared in good faith, in accordance with the practices and procedures that VDOT uses for projects where the state or VDOT bears the cost of the project (including, without limitation, the practices used to price and budget services that may be internally sourced, such as Construction Engineering Inspection).
2. VDOT represents that it is not acting as a partner or agent of CVTA; and nothing in this Agreement shall be construed as making any Party a partner or agent with any other Party.

### **ARTICLE IV – VDOT Acknowledgments**

1. VDOT hereby acknowledges that VDOT is solely responsible for the administration and/or development of the Project and all engagements, commitments, and agreements with contractors. VDOT shall ensure that VDOT's contractors maintain surety bonds (or other project security) and insurance in amounts and with coverages that VDOT requires under its Road and Bridge Specifications for all work to be performed for the Project, and name CVTA and its members, officers, employees and, if applicable, any CVTA bond trustee as additional insureds on any such insurance policy, and present CVTA with satisfactory evidence thereof before any work on the Project commences.
2. VDOT hereby acknowledges and recognizes that VDOT or its contractors are solely responsible for obtaining, and shall obtain, all permits, permissions and approvals necessary to construct and/or operate the Project, including, but not limited to, obtaining all required VDOT and local land use permits, zoning approvals, environmental permits, and regulatory approvals.
3. VDOT hereby acknowledges and recognizes if the Project is being funded, in whole or in part, with federal and/or state funds (in addition to CVTA Revenues), that VDOT shall (a) take any and all necessary actions to satisfy any conditions to such additional federal and/or state funding (provided that such actions are within the control of VDOT) and to enforce any commitments made in connection therewith, (b) comply with all applicable federal and state funding requirements within the control or purview of VDOT, and (c) include in its contracts with contractors provisions that permit such contracts to be terminated, without penalty, if the funding is rescinded or otherwise becomes unavailable (for clarification, a provision shall not be deemed to include a penalty solely as a result of terms that require payment of compensation due and owing at the time of cancellation and

reasonable costs associated with cancellation provided that such costs are consistent with costs paid pursuant to VDOT's standard contract terms relating to contract cancellation and termination). VDOT acknowledges and agrees that if funding from such an additional federal or state source is rescinded or otherwise becomes unavailable CVTA (i) shall not be responsible for any amount in excess of its commitment set forth on Appendix B, and (ii) may (A) replace said reduced funding with CVTA Revenues or (B) may request VDOT to immediately suspend or discontinue all work relating to the Project, provided if CVTA requests suspension, CVTA shall be responsible for the costs reasonably incurred in connection with such suspension. Should CVTA neither replace the rescinded or unavailable funding, nor request VDOT to suspend or discontinue work, VDOT may reduce the Project scope or take any other actions needed to reduce the Project costs to fit within the Project Budget.

## **ARTICLE V – Affirmative Covenants and Responsibilities of CVTA**

1. Reimbursement Basis. Subject to the limitations as to amounts set forth in Appendix B (and subject to **Article VII** of this Agreement), CVTA shall provide to VDOT the funding authorized by CVTA for the Project, on a reimbursement basis as set forth in this Agreement and as specified in Appendix B to this Agreement or the most updated amendment thereto, as approved by CVTA.
2. Program Coordinator. CVTA shall assign a person to serve as a Program Coordinator for the Project, who will be responsible for review of the Project on behalf of CVTA for purposes of ensuring it is being completed in compliance with this Agreement and all CVTA requirements. CVTA's Program Coordinator will be responsible for overseeing, managing, reviewing, and processing, in consultation with the CVTA Authorized Representative, all payment requisitions submitted by VDOT for the Project. CVTA's Program Coordinator will have no independent authority to direct changes or make additions, modifications, or revisions to the scope, budget or schedule of the Project as set forth on Appendices A & B.
3. Payment Requisitions. The CVTA Authorized Representative or Program Coordinator shall review all payment requisitions and supporting documentation for the Project to determine the submission's legal and documentary sufficiency. If the payment requisition is sufficient as submitted, payment will be made within thirty (30) days from receipt. Approved payments may be made by means of electronic transfer of funds from CVTA to or for the account of VDOT. If the payment requisition is, in CVTA's reasonable judgment, deemed insufficient, within twenty (20) days from receipt, CVTA's Program Coordinator will notify VDOT in writing and set forth the reasons why the payment requisition was declined or why and what specific additional information is needed to authorize the payment request. Payment will be withheld until all deficiencies identified by CVTA have been corrected to CVTA's reasonable satisfaction. Under no circumstances will CVTA authorize payment for any work performed by or on behalf of VDOT that is not in conformity with the requirements of the CVTA Act or this Agreement.

4. Accelerated or Supplemental Requests for Funding. CVTA's Finance Committee shall review all of VDOT's accelerated or supplemental requests for funding from CVTA under **Section I.5** and **Section X.3**, respectively, of this Agreement. CVTA's Finance Committee will thereafter make a recommendation on any such request to CVTA for final determination by CVTA.
5. Periodic Compliance Reviews. CVTA shall conduct periodic compliance reviews scheduled in advance for the Project so as to assess whether the work being performed likely remains within the scope of this Agreement, the CVTA Act, and other Applicable Law. Such compliance reviews may entail review of VDOT's financial records for the Project and on-Project site inspections.
6. Records Retention. Upon making final payment to VDOT for the Project, CVTA shall retain copies of all contracts, financial records, design, construction, and as-built project drawings and plans, if any, developed pursuant to or in association with the Project for the time periods required by the Virginia Public Records Act and as may be required by other Applicable Law.
7. CVTA Funds Determinations. CVTA shall be the sole determinant of the amount and source of CVTA funds to be provided and allocated to the Project and the amounts of any CVTA funds to be provided in excess of the amounts specified in Appendix B.

#### **ARTICLE VI – CVTA Acknowledgments**

1. CVTA hereby acknowledges that if, as a result of CVTA's review of any payment requisition or of any CVTA compliance review, CVTA determines that VDOT is required under **Section I.12** of this Agreement to reimburse funds to CVTA, CVTA will promptly advise VDOT's Authorized Representative in writing. VDOT will thereafter have thirty (30) days to respond in writing to CVTA's initial findings. CVTA's Finance Committee will review VDOT's response and make a recommendation to CVTA. If CVTA makes a final determination that VDOT is required under **Section I.12** of this Agreement to reimburse funds to CVTA, the Parties should engage in dispute resolution as provided in **Article VIII** of this Agreement. Pending final resolution of the matter, CVTA will not withhold further funding on the Project. Nothing herein shall, however, be construed as denying, restricting or limiting the pursuit of either Party's legal rights or available legal remedies.

#### **ARTICLE VII – Mutual Acknowledgments Regarding Appropriations**

1. The Parties hereby acknowledge and agree that nothing herein shall require or obligate CVTA to commit or obligate funds to the Project beyond those funds that have been duly authorized and appropriated by its governing body for the Project.
2. The Parties hereby acknowledge and agree that all funding provided by CVTA pursuant to Chapter 1235 is subject to appropriation by the Virginia General

Assembly. The Parties further acknowledge that: (i) the moneys allocated to the Fund pursuant to applicable provisions of the Code of Virginia and any other moneys that the General Assembly appropriates for deposit into the Fund are subject to appropriation by the General Assembly and (ii) CVTA's obligations under this Agreement are subject to such moneys being appropriated to the Fund by the General Assembly.

3. The Parties hereby acknowledge and agree that VDOT's obligations under this Agreement are subject to funds being appropriated by the General Assembly and allocated by the Commonwealth Transportation Board and otherwise legally available to VDOT for CVTA projects.
4. Should VDOT be required to provide additional funds in order to proceed or complete the funding necessary for the Project, VDOT shall certify to CVTA that such additional funds have been allocated and authorized by the CTB and/or appropriated by the Virginia General Assembly as may be applicable or have been obtained through another independent, lawful source.

#### **ARTICLE VIII — Dispute Resolution**

1. In the event of a dispute under this Agreement, the Parties agree to meet and confer promptly to ascertain if the dispute can be resolved informally without the need of a third party or judicial intervention. First, CVTA's Authorized Representative and the VDOT Program Manager are authorized to conduct negotiations on behalf of their respective entities. If a resolution of the dispute cannot be reached via the aforesaid meet and confer dispute resolution method, the dispute will be elevated to the CVTA Chair and the Commissioner to conduct negotiations on behalf of their respective entities. Upon reaching any resolution to a dispute, if required by law, the Parties will seek the consent of their respective governing bodies with respect to the resolution reached. However, if, after discussions between the CVTA Chair and the Commissioner have concluded, the Parties are unable to reach a satisfactory resolution, either Party is free to pursue any and all remedies it may have at law or in equity, including all judicial remedies. The foregoing dispute resolution method shall not bar either Party's right to seek equitable relief on an emergency basis.

#### **ARTICLE IX – Modification or Amendment of the Agreement**

1. This Agreement may not be modified or amended, except pursuant a written agreement that is duly authorized, executed, and delivered by both Parties.
2. If CVTA is able to obtain a source of funding for the Project that would reduce or replace the amount of CVTA Revenues expended on the Project, VDOT and CVTA will work in good faith to amend this Agreement so it takes into account that other funding.
3. If CVTA proposes to issue bonds, VDOT and CVTA will work in good faith to adopt such amendments to this Agreement as VDOT and CVTA may mutually agree are necessary and desirable in connection with the bond offering and to otherwise



cooperate to support and facilitate the bond offering.

4. The Parties acknowledge that each of the Project Budget and Project Schedule may be amended pursuant to **Section X** of this Agreement, or as follows:
  - a. If VDOT determines, after receipt of proposals or bids for any work related to the Project, that the cost of the contract for said work will result in a significant reduction in costs associated with a portion of the Project Budget reflected in Appendix B that is allocated to work covered by the contract, then VDOT shall promptly notify the CVTA Authorized Representative of the significant reduction in costs. For purposes of this **Section IX.4(a)**, CVTA and VDOT agree that a “significant reduction in costs” shall mean a reduction in costs that has the effect of reducing, in Appendix B, (x) the costs for the particular portion of the Project Budget allocated to work covered by the contract by more than 20 percent or (y) the entire Project Budget either by more than 10 percent or \$10,000,000, whichever applies. In the event there is a significant reduction in costs, VDOT and CVTA will work reasonably and in good faith to amend Appendix B fairly to reflect the effect of the reduction, with the goal of applying the savings to supplant state and CVTA funding commitments, and to maximize the use of federal funds on the project.
  - b. If any federal or state funding not previously available for the Project becomes available for any portion of the Project Budget reflected in Appendix B, then VDOT and CVTA will work reasonably and in good faith to amend Appendix B fairly to reflect the benefit of the additional funding, with the goal of applying the additional funding to supplant state and CVTA funding commitments, and to maximize the use of federal funds on the project.

## **ARTICLE X – Additional Costs**

1. Notice of Additional Costs. VDOT shall promptly notify the CVTA Authorized Representative if VDOT determines that any additional, unbudgeted costs (*i.e.*, in excess of the Project’s initial budget, inclusive of any contingency reserve) may be incurred to perform and complete the Project (“Additional Costs”), which notice shall include a description of the Additional Costs, an explanation of how they arose and the assumptions in the initial budget regarding those costs, and a detailed estimate of the Additional Costs.
2. VDOT Recommendations on Additional Costs. VDOT shall make recommendations regarding any curative actions that may be available relating to any identified Additional Costs, including any potential modification or reduction that may be made to the Project scope or design, or any other action, to stay within the initial budget for the Project.
3. Absorbable Additional Costs. If the Additional Costs can be absorbed in the Project

Budget by modifying or reducing the scope or design of the Project (or avoided by cancelling the Project or any portion thereof), CVTA may, in its sole discretion, elect to (i) authorize VDOT to proceed with such modifications or reductions, (ii) authorize the Additional Costs (or if a combination of (i) and (ii) is feasible, CVTA may elect such combination), or (iii) elect to cancel the Project or a portion thereof; provided, however, in any case, the respective obligations of VDOT and CVTA, as modified by the elected alternative, shall be set forth in an amendment to this Agreement (VDOT and CVTA shall work in good faith to finalize and execute such amendment).

4. Non-Absorbable Additional Costs. If the Additional Costs cannot be absorbed in the initial budget by modifying or reducing the scope or design of the Project then CVTA may, in its sole discretion, elect to (i) authorize the Additional Costs, or (ii) cancel the Project or a portion thereof. If CVTA elects to authorize the Additional Costs then, subject to **Article VII** of this Agreement, such Additional Costs shall be paid from federal, state, and/or CVTA Revenues, in proportions as agreed by the parties at the time, with the goal of expending federal funds first before expending state and/or CVTA Revenues.
5. Termination for Additional Costs. If CVTA elects to cancel the Project (or any portion thereof) pursuant to **Section X.3 or X.4**, (A) all compensation due and owing to any and all contractors for work on the Project that has been completed at the time of cancellation, shall be paid in accord with Appendix B, and (B) subject to **Article VII** of this Agreement, all reasonable costs associated with the cancellation due and owing to said contractors pursuant to the terms of the contracts with the contractors, which terms shall be consistent with VDOT's standard contract terms relating to contract cancellation and termination, and any amounts of federal funds that must be repaid because of the cancellation (any such amounts, collectively, the "Breakage Compensation"), shall be paid (or repaid) with CVTA Revenues, unless VDOT and CVTA mutually determine that cancellation of the Project is necessary or warranted, in which case, the Breakage Compensation shall be paid from federal, state, and/or CVTA Revenues, in proportions as agreed by the parties at the time, with the goal of expending federal funds first before expending state and/or CVTA Revenues.
6. Additional Costs from Right-of-Way Condemnation Resolution. Additional Costs may include costs incurred by VDOT as a result of eminent domain proceedings, including such costs incurred following construction completion. Until all such proceedings are resolved, VDOT shall provide the CVTA with quarterly reports of outstanding proceedings to include offer amounts at the time of right-of-way certificate filing and the anticipated schedule for resolution. Additional costs associated with right-of-way settlements or judgements shall be paid from available federal, state, and/or CVTA funds in proportions as agreed by the parties at the time, with the goal of expending federal funds first before expending state and/or CVTA Revenues.
7. Additional Costs from Contractor Claims. Notwithstanding the foregoing, Additional Costs may include costs incurred by VDOT as a result of contractor claims relating

to the Project made pursuant to the *VDOT Roads and Bridge Specifications* and Va. Code §§ 33.2-1101 through 33.2-1105. VDOT shall promptly notify CVTA if any such claims are made or VDOT receives a notice of intent to file a claim or other written communication from a contractor relating to a claim or contractual dispute that could result in increased contract costs, and whether in each such case the claimed amount is expected to become, or result in, Additional Costs (and the estimate thereof) or is expected to have a material adverse effect on the contingency reserves established as part of the Project Budget (and the estimated effect thereon). VDOT shall be responsible to handle all such claims and notices of intent, but VDOT may not settle any claim or notice of intent to file a claim and thereafter submit it as an Additional Cost pursuant to this **Section X.6** unless the settlement has been approved by CVTA. Funding for the settlement will be paid from available federal, state, and/or CVTA funds in proportions as agreed by the parties at the time, with the goal of expending federal funds first before expending state and/or CVTA Revenues. Should the claim not be settled, any final judgment from a court of competent jurisdiction shall be paid in accordance with the funding rule set forth in the preceding sentence. Notwithstanding anything to the contrary set forth herein, if any Additional Cost (including, without limitation, any Additional Cost relating to a contractor claim described in this **Section X.6**) arises out of or results from VDOT's negligence or breach of contract, CVTA shall not be responsible for such Additional Costs.

## **ARTICLE XI - Term and Termination**

1. Term. This Agreement shall be effective upon adoption and execution by both Parties and shall expire when all claims relating to the Project have been resolved or are barred.
2. Termination for Cause.
  - a. Termination for Cause by VDOT. VDOT may terminate this Agreement, for cause, in the event of a material breach by CVTA of this Agreement. VDOT will provide CVTA with sixty (60) days written notice that VDOT is exercising its rights to terminate this Agreement and the reasons for termination, thereby allowing CVTA an opportunity to investigate and cure any such alleged breach. Upon termination neither Party shall have any further obligations under this Agreement except that CVTA shall pay for Project costs incurred in accordance with the terms of this Agreement through the date of termination and all reasonable costs incurred by VDOT to terminate all Project-related contracts. The Virginia General Assembly's failure to appropriate funds to CVTA as described in **Article VII** of this Agreement and/or repeal or amendment of the legislation establishing the Fund or CVTA's powers shall not be considered material breaches of this Agreement by CVTA if such failure to appropriate or such repeal or amendment eliminates funds in the Fund to be used for the Project or renders CVTA without legal authority to provide funding for the Project. Before initiating any proceedings to terminate under this **Section XI.2(a)**,

VDOT shall give CVTA sixty (60) days' written notice of any claimed material breach of this Agreement and the reasons for termination, thereby allowing CVTA an opportunity to investigate and cure any such alleged breach.

- b. Termination for Cause by CVTA. CVTA may terminate this Agreement, for cause, resulting from VDOT's material breach of this Agreement. CVTA will provide VDOT with sixty (60) days written notice that CVTA is exercising its rights to terminate this Agreement and the reasons for termination, thereby allowing VDOT an opportunity to investigate and cure any such alleged breach. Upon termination neither Party shall have any further obligations under this Agreement except that obligations accruing prior to the termination of this Agreement, including VDOT's duty to refund misapplied funds, shall survive termination of this Agreement.
- c. Return of CVTA Funds. Upon expiration or termination, and payment of all eligible expenses as set forth in **Section XI.2(b)** above, VDOT will release or return to CVTA all unexpended CVTA funds and, to the extent permitted by Applicable Law, with interest earned at the rate earned by CVTA, no later than sixty (60) days after the date of termination.

## **ARTICLE XII – Miscellaneous**

- 1. Outside Counsel. If in connection with the work described herein, VDOT engages outside legal counsel approved by the Attorney General (as opposed to utilizing the services of the Office of the Attorney General), VDOT will give CVTA notice of the engagement so as to ensure that no conflict of interest may arise from any such representation.
- 2. Notices. Any notices required to be provided under this Agreement to either Party shall be in writing and forwarded to the other Party by United States Postal Service by certified mail, care of the following “Authorized Representatives”:

If to CVTA:

CVTA Executive Director (the “CVTA  
Authorized Representative”) with a copy to the  
CVTA Chair at:

Central Virginia Transportation Authority  
9211 Forest Hill Avenue, Suite 200  
Richmond, VA 23235

If to VDOT:

District Engineer, Virginia Department of Transportation  
2430 Pine Forest Drive  
Colonial Heights, VA 23834

with a copy to:

Commissioner, Virginia Department of Transportation  
1401 East Broad Street  
Richmond, Virginia 23219

3. Assignment. This Agreement shall not be assigned by either Party unless express written consent is given by the other Party.
4. Sovereign Immunity. This Agreement shall not be construed as a waiver of either Party's sovereign immunity rights.
5. No Personal Liability; No Creation of Third-Party Rights. This Agreement shall not be construed as creating any personal liability on the part of any officer, member, employee, or agent of the Parties. This Agreement shall not be construed as giving any rights or benefits to anyone other than the Parties hereto.
6. Governing Law. This Agreement is governed by the laws of the Commonwealth of Virginia, without giving effect to any choice of law or conflict of law provision or rule (whether of the Commonwealth of Virginia or any other jurisdiction) that would cause the application of the laws of any jurisdiction other than the Commonwealth of Virginia. THE PARTIES HEREBY KNOWINGLY, IRREVOCABLY, VOLUNTARILY AND INTENTIONALLY WAIVE ANY RIGHTS THAT ANY MAY HAVE TO A TRIAL BY JURY WITH RESPECT TO ANY ACTION, PROCEEDING, COUNTERCLAIM, OR DEFENSE BASED ON THIS AGREEMENT.
7. Incorporation of Recitals and Appendices; Section Headings. The recitals and Appendices to this Agreement are hereby incorporated into this Agreement and are expressly made a part hereof. The parties to this Agreement acknowledge and agree that the recitals are true and correct. The section and other headings contained in this Agreement are for reference purposes only and shall not affect the meaning or interpretations of this Agreement.
8. Mutual Preparation and Fair Meaning. The Parties acknowledge that this Agreement has been prepared on behalf of all Parties thereto and shall be construed in accordance with its fair meaning and not strictly construed for or against either Party.
9. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original, and such counterparts shall together constitute but one and the same instrument. The exchange of copies of this Agreement and of signature pages by facsimile or PDF transmission shall constitute effective execution and delivery of this Agreement as to the Parties

hereto and may be used in lieu of the original, manually executed Agreement for all purposes. Signatures of the Parties hereto transmitted by facsimile or PDF shall be deemed to be their original signatures for all purposes.

10. Severability. If any provision of this Agreement is held to be illegal, invalid or unenforceable under any present or future Applicable Law, then: (a) such provision shall be fully severable, (b) this Agreement shall be construed and enforced as if such illegal, invalid, or unenforceable provision had never comprised a part hereof, and (c) the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid, or unenforceable provision or by its severance herefrom.
11. Entire Agreement. This Agreement, collectively with all Appendices hereto contains the entire agreement by and between the Parties with respect to the transactions contemplated hereby and supersede all prior agreements, understandings, promises, and representations, whether written or oral, between the Parties with respect to the subject matter hereof.

*[Signature page follows]*

**IN WITNESS WHEREOF**, each Party hereto has caused this Agreement to be executed as of the day, month, and year first herein written by their duly authorized signatories.

**Central Virginia Transportation Authority**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Virginia Department of Transportation**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX A**

**PROJECT SCOPE, VDOT SCOPE OF SERVICES, & SCHEDULE**

**CVTA PROJECT:** Fall Line Trail Phase I Northern Bundle - Northern Section –  
Segments 7C.3 & 7C.4

Fall Line Trail Phase I Northern Bundle. This agreement covers UPC 121374, which in combination with UPC 119599 – Chickahominy River Crossing, will provide the Northern Bundle as presented to the CVTA in 2021. (UPC 121374 includes Segments 7C.3 & 7C.4, UPC 119599 includes Segment 7C.2)

**UPC NUMBER (IF APPLICABLE):** 121374

**VDOT PROGRAM MANAGER:** Scott Fisher, PE, CCM

**CVTA PROGRAM COORDINATOR:** CVTA Executive Director

**PROJECT SCOPE:** This project covers sections 7C.3 and 7C.4 of the Fall Line Trail impacting Henrico and Hanover Counties. The project will be a minimum of 10' wide asphalt multi-use path navigating primarily on the old Trolley line in the DOM power line easement.

**VDOT SCOPE OF SERVICES:** VDOT will administer development of the 30% plans, the RFQ, the RFP, procure the Design-Builder through a single-phase Design-Build procurement process, and administer the construction phase of the project through completion.

**SCHEDULE:**

<b><u>MILESTONE</u></b>	<b><u>ANTICIPATED DATE</u></b>
<b><u>PROJECT SCOPING MEETING</u></b>	<b><u>[N/A]</u></b>
<b><u>SURVEY</u></b>	<b><u>JUNE 2022</u></b>
<b><u>GEOTECHNICAL DATA REPORT</u></b>	<b><u>[N/A]</u></b>
<b><u>APPROVED NEPA DOCUMENT</u></b>	<b><u>[N/A]</u></b>



<b><u>PUBLIC HEARING</u></b>	<b><u>[N/A]</u></b>
<b><u>RELEASE RFP</u></b>	<b><u>DECEMBER 2022</u></b>
<b><u>LETTER OF SUBMITTAL</u></b>	<b><u>APRIL 2023</u></b>
<b><u>AWARD CONTRACT</u></b>	<b><u>MAY 2023</u></b>
<b><u>END CONSTRUCTION</u></b>	<b><u>OCTOBER 2024</u></b>

**APPENDIX B**

**PROJECT SCOPE, VDOT SCOPE OF SERVICES, & SCHEDULE**

**CVTA PROJECT:** Fall Line Trail Phase I Northern Bundle – Northern Section – Segments 7C.3 & 7C.4

Fall Line Trail Phase I Northern Bundle. This agreement covers UPC 121374, which in combination with UPC 119599 – Chickahominy River Crossing, will provide the Northern Bundle as presented to the CVTA in 2021. (UPC 121374 includes Segments 7C.3 & 7C.4, UPC 119599 includes Segment 7C.2)

**VDOT PROGRAM MANAGER:** Scott Fisher, PE, CCM

<b><u>ESTIMATED PROJECT COST AND REIMBURSEMENT</u></b>							
<b><u>PHASE</u></b>	<b><u>FY23</u></b>	<b><u>FY24</u></b>	<b><u>FY25</u></b>	<b><u>FY26</u></b>	<b><u>FY27</u></b>	<b><u>FY28</u></b>	<b><u>TOTAL</u></b>
<b><u>PRELIMINARY ENGINEERING (PE)</u></b>	\$782,167	\$456,264	\$65,181	\$0	\$0	\$0	\$1,303,612
- <b><u>FEDERAL</u></b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
- <b><u>STATE</u></b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
- <b><u>CVTA</u></b>	\$782,167	\$456,264	\$65,181	\$0	\$0	\$0	\$1,303,612
- <b><u>OTHER</u></b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b><u>RIGHT OF WAY &amp; UTILITIES (RW)</u></b>	\$784,862	\$1,831,345	\$0	\$0	\$0	\$0	\$2,616,207
- <b><u>FEDERAL</u></b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0

-	<u>STATE</u>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
-	<u>CVTA</u>	\$784,862	\$1,831,345	\$0	\$0	\$0	\$0	\$2,616,207
-	<u>OTHER</u>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	<b><u>CONSTRUCTION (CN)</u></b>	<b>\$892,258</b>	<b>\$2,453,710</b>	<b>\$1,115,323</b>	\$0	\$0	\$0	<b>\$4,461,292</b>
-	<u>FEDERAL</u>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
-	<u>STATE</u>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
-	<u>CVTA</u>	\$892,258	\$2,453,710	\$1,115,323	\$0	\$0	\$0	\$4,461,292
-	<u>OTHER</u>	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	<b><u>TOTAL</u></b>	<b>\$2,459,287</b>	<b>\$4,741,319</b>	<b>\$1,180,503</b>	\$0	\$0	\$0	<b>\$8,381,111</b>

**\*IF ADDITIONAL YEARS ARE NEEDED, PLEASE SUBMIT A SEPARATE FORM WITH ADDITIONAL COLUMNS.**

**THIS APPENDIX B IS CERTIFIED AND MADE AN OFFICIAL ATTACHMENT TO THE STANDARD PROJECT AGREEMENT DOCUMENTED BY THE PARTIES OF THIS AGREEMENT**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
CVTA Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPENDIX C**

**FORM OF PAYMENT REQUISITION**

CVTA Project: Fall Line Trail Phase I Northern Bundle  
UPC Number (If Applicable): 121374  
Project Scope/Services Description: [From Appendix B].

Fall Line Trail Phase I Northern Bundle. This project covers sections 7C.3 and 7C.4 (UPC 121374) of the Fall Line Trail through Hanover and Henrico Counties. The Design Build package also includes section 7C.2 (UPC 119599). The project will be a 10' wide asphalt multi-use path navigating primarily on the old Trolley line in the DOM power line easement through a fairly rural area.

Draw Request Number: \_\_\_\_\_

Date: \_\_\_\_\_, 20\_\_\_\_\_

Central Virginia Transportation Authority

CVTA Executive Director

Attention \_\_\_\_\_, Program Coordinator:

This requisition is submitted in connection with the Standard Project Agreement for Funding and Administration for the project services noted above and dated \_\_\_\_\_, 20\_\_\_\_ (the "Agreement") between the Central Virginia Transportation Authority ("CVTA") and the Virginia Department of Transportation ("VDOT"). VDOT hereby requests \$\_\_\_\_\_ of CVTA funds, to pay the costs of the project services described and set forth in Appendices A and B of the Agreement ("Project Services") and in accordance with the Agreement. Also included are copies of each invoice relating to the items for which this requisition is requested.

The undersigned certifies (i) the amounts included within this requisition will be applied solely and exclusively for the payment or the reimbursement of VDOT's costs of the Project Services, (ii) VDOT is responsible for payment to vendors/contractors, (iii) VDOT is not in breach or default with respect to any of its obligations under the Agreement, including without limitation (but only if applicable) the tax covenants set forth in another Appendix to the Agreement, (iv) the representations and warranties made by VDOT in the Agreement are true and correct as of the date of this Requisition and (v) to the knowledge of VDOT, no condition exists under the Agreement that would allow CVTA to withhold the requested advance.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**Recommended For Payment**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: CVTA Program Coordinator

**DETAILED PAYGO REQUEST**

Draw Request Number: \_\_\_\_\_

Request Date: \_\_\_\_\_

CVTA Project: Fall Line Trail Phase I

Project Title: Fall Line Trail Phase I

Northern Bundle \_\_\_\_\_

Northern Bundle \_\_\_\_\_

Cost Category	CVTA Approved Project Costs	Total PayGo Requests Previously Received	PayGo Requisition Amount this Period	Remaining PAYGO Project Budget (Calculation)
<b>Project Starting Balance</b>	\$ -			\$ -
Design Work	\$ -	\$ -	\$ -	\$ -
Engineering	-	-	-	\$ -
Environmental Work	-	-	-	\$ -
Right-of-Way Acquisition	-	-	-	\$ -
Construction	-	-	-	\$ -
Contract Administration	-	-	-	\$ -
Testing Services	-	-	-	\$ -
Inspection Services	-	-	-	\$ -
Capital Asset Acquisitions	-	-	-	\$ -
<b>Other (please explain)</b>	-	-	-	\$ -
<b>TOTALS</b>	\$ -	\$ -	\$ -	\$ -

**LISTING OF ATTACHED INVOICES**

Vendor/Contractor Name	Item Number	Invoice Number	Cost Category	Amount
	1			\$ -
	2			-
	3			-
	4			-
	5			-
	6			-
	7			-
	8			-
	9			-
	10			-
	11			-
	12			-
<b>Requisition Amount</b>				\$ -

**Instructions**

1. Column B-Please list approved PayGo Project Cost per category.
2. Column C-Please list Total PayGo Amounts per Category Previously Reimbursed by CVTA
3. Column D- Please list invoice amounts summarized by Category from the Listing of Attached Invoices
4. Column E - Is a calculation of the Remaining PAYGO Budget per Category

**Instructions-Listing of Attached Invoices: (please list each invoice separately)**

1. Column A- Please list the name as it appears on the Invoice
2. Column B- Please manually number the invoices attached with the corresponding Item number in this schedule.
3. Column C- Please list the invoice number as it appears on the Invoice
4. Column D- Please list the appropriate Cost Category based on the Project Category breakout above
5. Column E- Please enter the dollar amount listed on the invoice.
6. The calculated Requisition Amount should equal the total in Column D in the Schedule above.

**APPENDIX D**  
**REPORTS TO BE PROVIDED BY VDOT**

1) Monthly Project Expenditure Report which lists, by category of expense (*e.g.*, engineering, ROW, utility relocations, construction), (a) information regarding expenditures to date against the budget, both monthly and for the life of the project, and a statement of the percent completed; and (b) such other information as VDOT customarily provides with monthly expenditure reports.

2) Monthly Project Report which provides (a) an overview of progress on major project tasks; (b) information regarding the budget (such as, the baseline planned forecast, any approved changes thereto, the monthly expenditures, the cumulative expenditures, and the cumulative forecasted expenditures); (c) future key tasks; and (d) significant issues.

3) Quarterly Right-of-Way Acquisition Report demonstrating then-outstanding proceedings to include offer amounts at the time of right-of-way certificate filing and the anticipated schedule for resolution for each parcel in question.

**APPENDIX E**

**OFFICIAL AUTHORIZING DOCUMENTS**



**CVTA Agenda – June 17, 2022**

**ITEM B.-2.-c. - VDOT / CVTA State Project Agreement**

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**RESOLUTION**

RESOLVED that the Central Virginia Transportation Authority approves the Standard Project Agreement for Funding and Administration between the Central Virginia Transportation Authority and the Virginia Department of Transportation for portions of the Fall Line Trail project, UPC Number 121374, as presented;

FURTHER RESOLVED that the Central Virginia Transportation Authority authorizes the Chairman to execute the agreement and staff to take all actions necessary and prudent to fulfill its terms.

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This is to certify that the Central Virginia Transportation Authority approved the above resolution at its meeting held June 17, 2022.

BY:

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Frank J. Thornton  
Chairman



## **CVTA Nominating Committee – Report Item B.-4. – CVTA Agenda - June 17, 2022**

### **CVTA Nominating Committee Members:**

John Hodges, Town of Ashland, Chair  
Dr. Cynthia Newbille, City of Richmond  
Michael Byerly, Powhatan County

### **Committee Meeting Summaries:**

The Committee met on May 5<sup>th</sup> and May 11<sup>th</sup> with staff support. Under the bylaws, the Committee is charged with annually recommending the Chair and Vice Chair of the Authority as well as the two members of the Finance Committee that are not automatically reappointed (Chesterfield, Henrico and the City are automatically reappointed). The Committee discussed the potential for a regularly scheduled rotation system among localities for open positions like that used by Plan RVA and RRTPO in order to promote member involvement.

At the Committee's request, the staff provided examples of the nominating committee processes used by Northern Virginia Transportation and Hampton Roads Authorities. In both Northern Virginia and Hampton Roads, the nominating committee recommends the chair and vice chair, and the new chair appoints committee chairs. There was no formal rotation system in place for involving members. In both authorities the chair and vice Chair are appointed to one-year terms, but the Hampton Roads authority has a limited officers to serving no more than two consecutive terms (2 years).

Following discussion, the Committee voted to recommend the following members to hold office in FY 23, subject to their acceptance by the candidates:

- Kevin Carroll (current Vice Chair) for Chair
- Levar Stoney (current Chair of the Finance Committee) for Vice Chair
- Carlos Brown and Canova Peterson (current Finance Committee members) with Patricia Page as a replacement should either Mr. Brown or Mr. Peterson chose not to serve next year.

The Committee also voted to recommend that the new Chair consider establishing a committee to consider a rotation system for involving all CVTA members who are not automatically reappointed to encourage participation in the Authority's offices.

### **Committee Recommendation:**

Mr. Hodges, Committee Chair, contacted each of the recommended candidates and all agreed to serve, except for Mr. Brown. Mr. Brown indicated he was nearing the end of his term on the CTB and did not want to stand in the way of another CTVA member serving on the Finance Committee.

Therefore, the CVTA Nominating Committee's recommendation to the CTVA for officers in FY 23 are as follows:

- **Mr. Kevin Carroll**, Chesterfield County, for Chair
- **Mayor Levar Stoney**, City of Richmond, for Vice Chair
- **Mr. Canova Peterson**, Hanover County, for Finance Committee Member
- **Ms. Patricia Page**, New Kent County, for Finance Committee Member

The Nominating Committee also recommended that the new FY 23 Chair consider establishing a committee to consider a rotation system for involving all CVTA members who are not automatically reappointed.