

# Revenue Sharing Program Guidelines



For further information, contact

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or

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VIRGINIA DEPARTMENT OF TRANSPORTATION  
LOCAL ASSISTANCE DIVISION

REVENUE SHARING PROGRAM GUIDELINES

This revised document provides a comprehensive summary of the Revenue Sharing Program as established by the *Code of Virginia* and as governed by the policies of the Commonwealth Transportation Board. It is intended to serve as a reference for local jurisdictions and VDOT staff in preparation and disposition of applications for program funding.

This document defines eligible projects, summarizes funding limitations, and describes the roles of the parties involved in the application and approval process. The appendices in this publication include the enabling legislation, the Commonwealth Transportation Board's policy, associated forms, and procedural information for the convenience of the user.

All previous instructions regarding administrative procedures for revenue sharing projects are hereby superseded.

**REVENUE SHARING PROGRAM GUIDELINES**

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## I. Definitions

The following words and terms, when used in this document, shall have the following meanings, unless the context clearly indicates otherwise:

**Eligible Project** means work including construction, reconstruction, improvement, or maintenance and eligible street additions for which Revenue Sharing Program funds are available.

- **Construction Projects** are those projects that change or add to the characteristics of a road, facility or structure to provide a new or significantly modified transportation facility.
- **Reconstruction Projects** are those projects that completely replace an existing facility or significantly improve the functionality of an existing facility. (examples: replacement through the sub-base of a pavement structure or complete replacement of bridge).
- **Improvement Projects** are those projects that facilitate or control traffic or pedestrian flow, such as intersection improvements, turn lanes, channelization of traffic, traffic signalization and installation of new sidewalks, trails, curb and gutter or any new installation that will enhance traffic flow or safety.
- **Maintenance Projects** are those projects that involve work in preserving or restoring the roadway, facility, or structure to its original condition, as nearly as possible.

**Local VDOT Manager** means the department employee responsible for the administration of the Revenue Sharing Program for that locality. Unless otherwise indicated, the local VDOT Manager for counties is usually the Residency Administrator and for urban localities it is the urban liaison in the VDOT District office. The District Administrator will designate the employee responsible if different from above.

**Locality Capital Plan** means any plan utilized by the locality that identifies, prioritizes or allocates funding for eligible projects in that locality.

**Matching Allocations** means funds provided by the Commonwealth which are allocated to eligible items of work in participating localities to supplement, on a dollar-for-dollar basis to match the locality's contribution for eligible projects.

**Maintenance Needs Analysis** means a systematic approach of identifying maintenance needs based on an Asset Management approach. Condition assessment reviews are conducted on pavements and bridges maintained by VDOT on a regular basis based on established guidelines to determine when those assets are deficient and potentially in need of some corrective action.

**Maintenance Performance Target** means an established level of performance of the asset infrastructure network. The target is usually determined by the portion of the network above a threshold or benchmark rating. Whether the condition of the asset is below the benchmark rating for bridges and pavements will be used to establish whether or not maintenance projects meet the criteria for priority consideration.

**Revenue Sharing Program Fund** means the designation given to the fund used to finance the specially funded program. Projects are selected by the local government in

coordination with the Department of Transportation subject to approval by the Commonwealth Transportation Board.

**Rural Addition** means any subdivision street used as such by the date established under Section 33.1-72.1 of the *Code of Virginia* and eligible for addition into the secondary system of state highways.

**Six-Year Improvement Plan** means either the Six Year Improvement Program for Interstate, Primary, and Urban Systems, developed by VDOT and the Commonwealth Transportation Board; or the Secondary Six-Year Plan, the official listing of improvements to be constructed on the secondary system, which is developed jointly by the Virginia Department of Transportation (VDOT) and the county governments (Section 33.1-70.01, of the *Code of Virginia*).

**System of State highways** means the primary or secondary roads under the ownership, control or jurisdiction of VDOT.

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## II. Purpose

The “Revenue Sharing Program” provides additional funding for use by a county, city, or town to construct, reconstruct, improve or maintain the highway systems within such county, city, or town and for eligible rural additions in certain counties of the Commonwealth. Locality funds are matched, dollar for dollar, with state funds, with statutory limitations on the amount of state funds authorized per locality.

The program is administered by the Department of Transportation, in cooperation with the participating localities, under the authority of Section 33.1-23.05 of the *Code of Virginia* ([Appendix A](#)) and the Commonwealth Transportation Board’s Revenue Sharing Program Policy ([Appendix B](#)). An annual allocation of funds for this program is designated by the Commonwealth Transportation Board.

## III. Eligible Work

The Revenue Sharing Program may be used to finance eligible work on highway systems within a locality. The Revenue Sharing Program is intended to provide funding for immediately needed improvements or to supplement funding for existing projects. Larger new projects may also be considered, provided the locality identifies any additional funding needed to implement the project. Revenue Sharing Program funds are generally expected to be used to finance project costs in the same fiscal year and these projects should be in active development that is leading to their completion within the near term. Additional information about time limits for spending funds is addressed under Timely Implementation of Projects (Section [VII.C.](#)).

Below is a list of types of work that will be considered eligible for Revenue Sharing Program financing. All eligible work is then reviewed based on priority criteria identified under Funding Limitations (Section [IV.](#)).

### A. Supplemental Funding for Projects Listed in the Adopted Six-Year Plan

When additional allocations are determined to be necessary to completely finance a project listed in the adopted Six Year Improvement Plan, the locality may request that the anticipated deficit be financed by the Revenue Sharing Program. This includes, but is not limited to, such work as signalization, additional preliminary engineering, or acquisition of additional right-of-way. This procedure may be utilized to accelerate the funding of a project and thereby permit its completion earlier than otherwise would have been possible.

### B. Construction, Reconstruction or Improvement Projects not included in the Adopted Six-Year Plan

When the designated local VDOT Manager concurs that the proposed work may be eligible for program funding, the locality may request one half the funds to construct a project not currently in the Six-Year Plan. However, in such cases, the locality funds, together with the state matching funds, should finance the entire estimated cost of the project within the fiscal year involved. A preliminary engineering only project can be established, provided it is fully funded.

**C. Improvements necessary for the Acceptance of Specific Subdivision Streets Otherwise Eligible for Acceptance into the System for Maintenance (Rural Additions)**

Revenue Sharing Program funds may be used to fund the improvements (widening, surface treating, etc.) necessary for the acceptance of certain subdivision streets otherwise eligible under Section 33.1-72.1, *Code of Virginia*. Roads in cities and towns are not eligible as additions to the urban system under 33.1-72.1.

**D. Maintenance Projects Consistent with the Department's Operating Policies**

Suggested eligible types of maintenance work include plant mix overlays, bridge or culvert rehabilitation, guardrail replacement, sidewalk repairs, and curb & gutter repair.

**E. New Hardsurfacing (Paving)**

The first-time paving of a previously unpaved roadway, usually composed of a multiple course asphalt surface treatment, may be funded by the Revenue Sharing Program. Only roads in the state secondary system are eligible to use Revenue Sharing Program funds for new hardsurfacing. Urban system roads in cities and towns are not eligible.

**F. New Roadway**

Revenue Sharing Program funds may be used to establish a new facility to be part of the system of state highways or part of the road system in the locality that is eligible to receive maintenance payments from VDOT pursuant to Section 33.1-41.1 of the *Code of Virginia*. In order for a new roadway to be eligible for Revenue Sharing Program funding, it must be a part of a locally adopted plan such as the locality's Comprehensive Plan and must be expected to divert sufficient traffic from existing public roads so that those roads will not need to be improved in the foreseeable future. Projects may also need to be included in the regional Constrained Long Range Plan in air quality non-attainment areas.

**G. Deficits on Completed Construction, Reconstruction or Improvement Projects**

When a project in the CTB's Six-Year Improvement Plan is completed with a deficit, the locality may request that the deficit be financed by the Revenue Sharing Program.

**IV. Funding Limitations**

The total funds available each fiscal year will be determined by the Commonwealth Transportation Board. The maximum allocation the CTB may make to the Revenue Sharing Program is \$200 million annually. The minimum allocation the CTB may make to the Revenue Sharing Program is \$15 million annually.

A locality may apply for up to a maximum of \$10 million in matching allocations. Up to \$5 million of these requested funds may be specified for maintenance projects. Priority will be given first to allocations that accelerate construction projects in the Commonwealth Transportation Six-Year Improvement Program or the locality's capital plan. After funding

those requests, priority will be given to those maintenance projects for pavement resurfacing and bridge rehabilitation where the infrastructure has a condition rating that is below the Department's stated maintenance performance targets. The condition ratings that qualify a maintenance project as a priority project are described in detail in [Appendix C](#) of these Guidelines. *The locality is responsible for indicating on the detailed application if a project meets the established priority criteria.*

**Construction and maintenance projects will be evaluated and prioritized for funding as follows:**

**Priority 1 – Construction Projects that meet priority criteria of accelerating a project in the Six-Year Improvement Program or the locality's capital plan:**

- Locality requests up to a total of \$1 million will be evaluated first and funded first
- Locality requests over \$1 million and up to \$10 million will be evaluated next and funded next

**Priority 2 – Maintenance Projects that meet priority criteria** (as described in [Appendix C](#)):

- Locality requests up to a total of \$1 million will be evaluated first and funded first
- Locality requests over \$1 million and up to \$5 million will be evaluated next and funded next

**Priority 3 – Construction and Maintenance Projects that do not meet priority criteria:**

- Locality requests up to \$1 million will be evaluated first and funded first
- Locality requests over \$1 million with construction requests up to \$10 million or maintenance requests up to \$5 million will be evaluated next and funded next

**Note: If funds are depleted prior to completely funding all projects within a priority, any remaining funds will be pro-rated within that priority or allocated as otherwise directed by the Commonwealth Transportation Board.**

**In addition, if all priorities are not funded, transfers for that fiscal year can only be made to other projects in priority categories that received funding.**

## **V. Application for Funds**

Application for program funding must be made by resolution of the governing body of the jurisdiction requesting the funds. A locality may request funds for a project located within its own jurisdiction or in an adjacent jurisdiction, with concurrence from the governing body of the other locality. Towns not maintaining their own streets may not directly apply for Revenue Sharing Program funds but may include their requests as part of the package submitted by the county in which they are located.

Project funding is allocated by resolution of the Commonwealth Transportation Board. Projects may be developed and constructed by VDOT or the locality. The application process is described in [Appendix C](#). Forms for submission of Revenue Sharing Program funding requests and pertinent project information must be compiled and submitted for VDOT review. The forms utilized for this purpose are found in [Appendix E](#) (REVENUE SHARING DETAILED

APPLICATION FOR FUNDS Form) and [Appendix F](#) (SUMMARY OF PROJECTS - Designation of Funds Form). A sample resolution may be found in [Appendix G](#).

## **VI. Approval**

Upon receipt of the requests, the designated local VDOT Manager will review the application (REVENUE SHARING DETAILED APPLICATION FOR FUNDS Form) from each locality for eligibility. Once the localities' requests are found to be eligible, Local Assistance Division will develop the Statewide Program for submission to the Commonwealth Transportation Board for approval. The Local Assistance Division will review and coordinate with other divisions as necessary and appropriate.

The Commonwealth Transportation Board approves the statewide Revenue Sharing Program, including allocations to specific projects in consideration of each locality's request. The Commissioner of Highways may approve transactions, such as locality/state agreements, for Revenue Sharing Program projects prior to Commonwealth Transportation Board approval; however, no project work should be conducted, prior to approval of Revenue Sharing Program allocations by the Board, for which reimbursement from the requested Revenue Sharing Program funds is expected.

## **VII. Implementation**

Upon Commonwealth Transportation Board approval of the statewide program, development of the individual projects begins. The state matching funds for the approved projects are reserved and allocated, accordingly, to each of the approved projects. Projects may be developed and constructed by VDOT or the locality under an agreement with the Department.

### **A. VDOT Administered Work**

VDOT will request payment from the locality for its share of the estimated cost of work to be performed; the money is collected prior to the beginning of work or surplus funds (state funds and local match) from other Revenue Sharing projects may be transferred to cover the estimated cost. For projects exceeding \$500,000 in total estimated cost, VDOT and the locality may agree to payment of the local match by project phase (i.e., preliminary engineering, right of way, or construction). After the project is completed, the Local VDOT Manager will review the actual costs incurred to determine if there is a surplus or deficit. If a deficit exists, the locality may request surplus funds from other Revenue Sharing projects be transferred to cover the deficit and, if necessary, request a final billing for its share. If the locality's share of the actual cost is less than the amount received from the locality, the difference will be refunded to the locality or the locality may transfer the remaining funds to another existing Revenue Sharing project as noted in the section describing transfer of funds (Section [VIII](#)). [Appendix H](#) provides the steps for initiating project funding and invoicing.

If a local government wishes to cancel a project begun under the Revenue Sharing Program during the Preliminary Engineering (PE) or Right of Way (RW) phases but prior to the Construction (CN) phase, it may do so by resolution of the local governing body. The Department retains the sole option to require reimbursement by the locality of all state matching

funds spent from the time the project was begun until it is canceled. Reimbursement will be required for any project cancelled after the plans have been approved unless an exception is granted by the Commissioner.

## **B. Locally Administered Work**

VDOT has published the [Locally Administered Projects \(LAP\) Manual](#) that provides general guidance for locally administered projects. This guide is available on the Local Assistance Division webpage: [http://www.virginiadot.org/business/resources/LAP\\_Guide.pdf](http://www.virginiadot.org/business/resources/LAP_Guide.pdf). The Local Assistance Division, working with the designated local VDOT Manager will prepare the locality/state agreement that governs the performance of work administered by the locality. The agreement must be executed by both the locality and VDOT prior to incurring any cost to be financed from Revenue Sharing Program funds. If the project is funded entirely with Revenue Sharing funds and local funds a streamlined process is available. The locality should submit the state certification form ([Appendix I](#)) to the local VDOT Manager prior to advertisement but no later than prior to project award.

Once the project begins, the locality may submit monthly invoices to VDOT for eligible costs incurred. After all work is completed, the locality makes a final billing to VDOT for VDOT's share of the actual eligible costs incurred. If the actual cost is less than anticipated in the agreement, the remaining VDOT share of Revenue Sharing Program funds may be transferred to another existing project as noted in the section describing transfer of funds (Section [VIII.](#)) or, if the locality desires, returned to VDOT's statewide fund for the Revenue Sharing Program. [Appendix H](#) provides the steps for initiating project funding and invoicing.

If a local government wishes to cancel a locally administered project begun under the Revenue Sharing Program before it is completed, it may do so by resolution of the local governing body. The Department retains the sole option to require reimbursement by the locality of all state matching funds spent from the time the project was begun until it is canceled. Reimbursement will be required for any project cancelled after the plans have been approved unless an exception is granted by the Commissioner

## **C. Timely Implementation of Projects**

All requests for Revenue Sharing funding are expected to be for viable projects with work anticipated in the near future. Any project having funds allocated under this program shall be initiated where at least a portion of the Revenue Sharing funds have been expended within one year of allocation. Localities are advised to give careful consideration in applying for Revenue Sharing funds, particularly if the project has other VDOT managed funds, to ensure that at least a portion of the Revenue Sharing funds can be expended within one year of allocation. If Revenue Sharing Program funds are allocated for a project and that project is not initiated within the two fiscal years subsequent to allocation, the funds may be reallocated at the discretion of the Commonwealth Transportation Board.

Local Assistance Division has developed a de-allocation process to address funding that may be removed from a project under certain conditions. No funds will be de-allocated without the locality being notified. The de-allocation process is explained in [Appendix J](#).

## **VIII. Transfer of Funds**

### **Transfer of funds to an existing revenue sharing project**

To implement a transfer of funds between existing revenue sharing construction projects, the County Administrator or City/Town Manager may request via letter or email that funds be moved from one revenue sharing project to another existing revenue sharing project in order to provide additional funds. This request should be forwarded to the designated local VDOT Manager. The local VDOT Manager will, in turn, forward the request to the Local Assistance Division. (Please refer to [Appendix I](#) for more information on the procedures for transfer of funds.) Transfers between existing revenue sharing maintenance projects will also follow the same procedures as transfers between existing revenue sharing construction projects once the transfer request is initiated by the local government.

### **Transfer of funds to an existing non-revenue sharing project**

Revenue Sharing Program funds may also be transferred to an existing construction project in the Six Year Improvement Program, Secondary Six Year Plan, or Capital Improvement Program (CIP) for localities participating in the Urban Construction Initiative if needed to meet the approved federal obligation schedule or to ensure a scheduled advertisement date can be met or advanced, and if approved by the Commonwealth Transportation Board. Revenue Sharing Program funds may also be transferred to an existing maintenance project currently underway or with funds programmed in the current fiscal year providing it meets the priority criteria. Included in the request must be a resolution from the locality establishing the project as a revenue sharing project along with the detailed reasons for the request and the status of both projects. This documentation should be forwarded to the designated local VDOT Manager. The local VDOT Manager will, in turn, forward the request to the Local Assistance Division. (Please see [Appendix J](#) for more information on the procedures for transfer of funds)

NOTE: Transferring funds between construction and maintenance projects should not be assumed but will be evaluated on a case-by-case basis.

## **IX. Supplemental Allocations**

For any fiscal year in which less than the full program allocation has been allocated, those localities requesting the maximum allocation may be allowed an additional allocation at the discretion of the Commonwealth Transportation Board.

SECTION 33.1-23.05 OF THE CODE OF VIRGINIA

CHAPTER 729

An Act to amend and reenact §§ 2.2-1514, as it is currently effective and as it may become effective, 15.2-2223, 33.1-12, 33.1-23.05, 33.1-23.1, 33.1-49.1, 58.1-2201, and 58.1-2249 of the Code of Virginia, relating to transportation funding and operation.

[H 1248]

Approved April 9, 2012

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-1514, as it is currently effective and as it may become effective, 15.2-2223, 33.1-12, 33.1-23.05, 33.1-23.1, 33.1-49.1, 58.1-2201, and 58.1-2249 of the Code of Virginia are amended and reenacted as follows:

...only the portion pertaining to Revenue Sharing is included below...

§ 33.1-23.05. Revenue-sharing funds for systems in certain counties, cities, and towns.

A. From revenues made available by the General Assembly and appropriated for the improvement, construction, ~~or~~ reconstruction, or maintenance of the systems of state highways, the Commonwealth Transportation Board may make an equivalent matching allocation to any county, city, or town for designations by the governing body of up to \$10 million for use by the county, city, or town to improve, construct, or reconstruct the highway systems within such county, city, or town with up to \$5 million for use by the county, city, or town to maintain the highway systems within such county, city, or town. After adopting a resolution supporting the action, the governing body may request revenue-sharing funds to improve, construct, ~~or~~ reconstruct, or maintain a highway system located in another locality, between two or more localities, or to bring subdivision streets, used as such prior to the date specified in § 33.1-72.1, up to standards sufficient to qualify them for inclusion in the state primary and secondary system of highways. All requests for funding shall be accompanied by a prioritized listing of specified projects.

B. In allocating funds under this section, the Board shall give priority *first* to allocations that will accelerate projects in the Commonwealth Transportation Six-Year Improvement Program or the locality's capital plan and *next* to those pavement resurfacing and bridge rehabilitation projects where the maintenance needs analysis determines that the infrastructure is below the Department of Transportation's maintenance performance targets.

C. The Department of Transportation will contract with the county, city, or town for the implementation of the project or projects. Such contract may cover either a single project or may provide for the locality's implementation of several projects during the fiscal year. The county, city, or town will undertake implementation of the particular project or projects by obtaining the necessary permits from the Department of Transportation in order to ensure that the improvement is consistent with the Department's standards for such improvements. At the request of the locality, the Department may provide the locality with engineering, right-of-way acquisition, ~~and/or~~ construction, and/or maintenance services for a project with its own forces. The locality shall provide payment to the Department for any such services. If administered by the Department, such contract shall also require that the governing body pay to the Department within 30 days the local revenue-sharing funds upon written notice by the Department of its intent to proceed. Any project having funds allocated under this program shall be initiated in such a fashion where at least a portion of such funds have been expended within ~~two subsequent fiscal years~~ one year of allocation. Any revenue-sharing funds for projects not initiated after two subsequent fiscal years of allocation may be reallocated at the discretion of the Commonwealth Transportation Board.

D. Total Commonwealth funds allocated by the Board under this section shall not exceed \$200 million in any one fiscal year and no less than \$15 million each fiscal year, subject to appropriation for such purpose. For any fiscal year in which less than the full program allocation has been allocated by the Commonwealth Transportation Board to specific governing bodies, those localities requesting the maximum allocation under subsection A may be allowed an additional allocation at the discretion of the Board.

E. The funds allocated by the Commonwealth Transportation Board under this section shall be distributed and administered in accordance with the revenue-sharing program guidelines established by the Board.

Revised legislation to be in effect July 1, 2012

REVENUE SHARING PROGRAM POLICY



COMMONWEALTH of VIRGINIA

*Commonwealth Transportation Board*

Sean T. Connaughton  
Chairman

1401 East Broad Street  
Richmond, Virginia 23219

(804) 786-2701  
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*Agenda item # 7*

RESOLUTION  
OF THE  
COMMONWEALTH TRANSPORTATION BOARD

April 20, 2012

MOTION

Made By: Mr. Keen Seconded By: Mr. Koelemay

Action: Motion Carried, Unanimously

Title: Policy and Guidelines for the Revenue Sharing Program

WHEREAS, the General Assembly, during the 2011 general session, amended § 33.1-23.05 of the *Code of Virginia* (1950) relating to revenue-sharing funds for systems in certain counties, cities and towns of the Commonwealth; and

WHEREAS, § 33.1-23.05, as amended, specifically stipulates that the Commonwealth Transportation Board (CTB) shall establish guidelines for the purpose of distributing and administering revenue-sharing program funds allocated by the CTB; and

WHEREAS, the CTB approved a Revenue-Sharing Program Policy on April 17, 2008, published by the State Registrar of Regulations as an Administrative Process Act regulation (24VAC30-281), to comply with changes to the revenue-sharing program made by the General Assembly that year; and

WHEREAS, it is the sense of the CTB that its existing Revenue-Sharing Program Policy and the accompanying guidance should be amended to reflect the changes made by the 2011 General Assembly to the revenue-sharing program.

NOW, THEREFORE, BE IT RESOLVED that the CTB hereby adopts the following policy to govern the use of revenue-sharing funds pursuant to Section 33.1-23.05, as amended, of the *Code of Virginia* (1950):

1. The Revenue-Sharing Program shall provide a matching allocation up to \$10 million to any county, city or town for projects designated by the locality for improvement, onstruction or reconstruction of highway systems within such locality.

2. Revenue-Sharing funds shall be prioritized and allocated in accordance with the provisions of § 33.1-23.05 B. of the *Code of Virginia* and then, as further outlined in the Revenue Sharing Program Guidelines.

3. Application for program funding must be made by resolution of the governing body of the jurisdiction requesting the funds. A locality may request funds for a project located within its own jurisdiction or in an adjacent jurisdiction, with a supporting resolution from the governing body of the other locality. Towns not maintaining their own streets are not eligible to receive Revenue-Sharing Program funds directly; their requests must be included in the application of the county in which they are located. All requests must include a priority listing of projects.

4. Funds may be administratively transferred by the Department of Transportation from one revenue sharing project to another existing revenue-sharing project upon request of the locality. If approved by the CTB, revenue-sharing funds may also be transferred to an existing project in the Six Year Improvement Program or Secondary Six Year Plan if needed to meet the approved federal obligation schedule or to ensure that a scheduled advertisement date can be met or accelerated. Requests for all transfers must be made in writing by the County Administrator or City/Town Manager. All requests must include the reasons for the request and the status of both projects.

5. The Revenue-Sharing Program is intended to provide funding for, immediately needed improvements or to supplement funding for existing projects. Larger new projects may also be considered; however, if the estimated project cost exceeds the Revenue Sharing Program funding request, the locality must identify other funding sources and amounts necessary to complete the project. Revenue-sharing funds are normally expected to be used within the fiscal year following their allocation. If a project having funds allocated under this program has not been initiated so that a portion of such funds have been expended within two subsequent fiscal years of allocation, the funds may be reallocated at the discretion of the CTB.

**BE IT FURTHER RESOLVED** that the CTB approves the Revenue Sharing Program Guidelines as attached hereto.

**BE IT FURTHER RESOLVED** that the above policy shall become effective July 1, 2011, and all revenue-sharing program policies previously adopted heretofore by the CTB and the regulation published as the Revenue-Sharing Program Policy, 24VAC30-281, shall be repealed simultaneously.

**BE IT FURTHER RESOLVED**, that the Virginia Department of Transportation is directed to process the regulatory repeal action approved herein as provided for by the submission requirements established by the *Code of Virginia*, Executive Order 14 (10), and the State Registrar of Regulations.

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## **Criteria for Maintenance Priority Projects**

A locality may apply for up to \$10 million in matching allocations. Up to \$5 million of these requested funds may be specified for maintenance projects. Priority will be given first to allocations that accelerate construction projects in the Commonwealth Transportation Six-Year Improvement Program or the locality's capital plan. After funding those requests, priority will be given to those maintenance projects for pavement resurfacing and bridge rehabilitation where the infrastructure has a condition rating that is below the Department's stated maintenance performance targets.

The criteria for determining if a pavement resurfacing or bridge rehabilitation project meets the priority is described below.

### Pavement Resurfacing Projects

Any proposed pavement maintenance project to address a pavement section that was rated as "deficient" (Critical Condition Index (CCI) below 60 or comparable criteria) is eligible for consideration as a maintenance priority project. Any proposed bridge maintenance project to address a poor rating (General Condition Rating (GCR) of 4 or below) on a VDOT or locality maintained bridge or structure is eligible for consideration as a maintenance priority project.

It will be the responsibility of the requesting locality to indicate on the detailed application if a project for which funds are requested meets the priority criteria. VDOT will provide the condition data to verify that determination for all VDOT maintained facilities. For locally maintained facilities, the locality will submit their condition rating data to the local VDOT Manager for review. Any questions about the condition assessment data and whether a project qualifies for priority funds will be determined by the District Maintenance Engineer.

Pavement condition assessments are based on the surface distresses, such as roughness, cracking, patching, rutting, potholes, etc. The detailed findings are summarized into a CCI rating which is based on a scale of 0 to 100, with 100 being assigned to a pavement section with no visible distresses. Any pavement section receiving a CCI rating below 60 is termed "deficient" and can potentially be considered for maintenance activities. The type of maintenance activity is usually selected based on the extent and the severity of distresses present. Any pavement with a CCI rating below 60 can qualify for the established priority criteria.

### Bridge Rehabilitation Projects

Bridge Condition Assessments are based on the condition of structures as defined by GCRs that are assigned to each structure during regularly scheduled inspections. These inspections are required by VDOT policy and by the federally mandated National Bridge Inspection Program. For each bridge or culvert GCR are used to describe the existing, in-place structure as compared to its as-built condition. Evaluations are provided for the physical condition of the deck, superstructure, and substructure, or culvert components of a structure (therefore bridges will usually have three GCR and culverts have one). General Condition Ratings are based on a scale of 0 to 9, with 0 being the worst condition and 9 being the best condition. Virginia categorizes the structure inventory into three categories of Good, Fair, and Poor. They are defined as:

- Good – lowest GCR is greater than or equal to 6. Structures in this category are typically in need of preventive maintenance work such as bridge cleaning, deck sealing, sealing joints, thin deck overlays, and spot/zone painting
- Fair – lowest GCR is equal to 5. Structures in this category are typically in need of restorative maintenance actions such as deck patching, rigid deck overlays, reconstructing/closing joints, substructure repairs, fatigue retrofitting, over-coating or re-coating, scour repairs, cathodic protection and electrochemical chloride extraction.
- Poor – lowest GCR is less than or equal to 4. Structures in this category are typically in need of rehabilitation work actions such as deck replacements, superstructure replacements, and culvert rehabilitation, or complete structure replacement.

Virginia performs an annual needs assessment of the structure inventory in order to determine the resources required to address the structures in each condition category. Bridges and culverts that are in the poor condition category can qualify for the established priority criteria, providing the items deemed as poor are being addressed. While bridges and culverts that are in the fair and good condition categories do not meet the primary criteria for priority consideration, maintenance projects are encouraged for these structures as system preservation activities, and these projects would qualify for Revenue Sharing funding.

The requesting locality is responsible for indicating on the application if the project meets the priority criteria. VDOT will provide the condition data to verify that determination for all VDOT maintained facilities. For locally maintained facilities, the locality submits its condition rating data to the local VDOT Manager for review. Any questions regarding the condition assessment data and whether a project qualifies for priority funding will be determined by the District Maintenance Engineer (DME). If a secondary pavement condition assessment is several years old (with latest assessment above deficient determination) the DME will determine if a new assessment can be added to the current review schedule. Interim bridge ratings will not usually be considered and the latest regularly scheduled rating should be the basis for evaluation of the priority criteria.

Construction and maintenance projects will be evaluated and prioritized for funding as follows:

Priority 1 – Construction Projects that meet priority criteria of accelerating a project in the Six-Year Improvement Program or the locality’s capital plan:

- Locality requests up to a total of \$1 million will be evaluated first and funded first
- Locality requests over \$1 million and up to \$10 million will be evaluated next and funded next

Priority 2 – Maintenance Projects that meet priority criteria as described in Appendix C:

- Locality requests up to a total of \$1 million will be evaluated first and funded first
- Locality requests over \$1 million and up to \$5 million will be evaluated next and funded next

Priority 3 – Construction and Maintenance Projects that do not meet priority criteria:

- Locality requests up to \$1 million will be evaluated first and funded first
- Locality requests over \$1 million with construction requests up to \$10 million or maintenance requests up to \$5 million will be evaluated next and funded next

Note: If funds would be depleted prior to completely funding all projects within a priority, any remaining funds will be pro-rated within that priority or allocated as otherwise directed by the Commonwealth Transportation Board.

In addition, if all priorities are not funded, transfers for that fiscal year can only be made to other projects in priority categories that received funding.

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## APPLICATION PROCESS

1. VDOT's Director of Local Assistance sends a letter inviting all qualifying local governments to participate in the Revenue Sharing Program for the coming fiscal year.
2. The local government determines its intent to participate in the program, and the amount of local funds to be provided. The local government and designated local VDOT Manager jointly prepare an application to recommend assignment of requested funds for eligible projects. This application will:
  - indicate if project is for construction OR maintenance;
  - list what is to be included for each project (example: length of road, width of road, estimated cost, project schedule, etc.);
  - list projects in the locality's priority order;
  - identify each phase (i.e., preliminary engineering, right of way, and construction) of each project to be administered by the locality or by VDOT;
  - include a resolution from the governing body of the locality. A town not maintaining its own streets must submit its request with the county in which it is located.

There is no limit on the amount of funds the locality may contribute. The locality must submit a separate REVENUE SHARING DETAILED APPLICATION FOR FUNDS FORM (see [Appendix E](#)) for each project as well as the SUMMARY OF PROJECTS - Designation of Funds Form (see [Appendix F](#)) representing the locality's list of prioritized projects. These forms and all supporting documents must be sent to the designated VDOT Manager for review prior to submittal to the Local Assistance Division.

3. It is the responsibility of the designated local VDOT Manager to review the detailed application form developed in Step 2 of the process for eligibility. For questions regarding eligibility on maintenance performance targets or general condition ratings the designated VDOT Manager should contact the District Maintenance Engineer (DME). If a pavement condition assessment is several years old (with latest assessment above deficient determination) the District needs to work with their DME to see if a new assessment can be added to the review schedule. Bridges have regularly scheduled inspections, but if the condition of the bridge has degraded since the last regularly scheduled assessment the District should contact the DME to see if a new assessment can be requested ahead of schedule.
4. The appropriate VDOT personnel uploads detailed application form and summary of applications onto the Local Assistance Team Site..

Each signed REVENUE SHARING DETAILED APPLICATION FOR FUNDS Form, the locality's SUMMARY OF PROJECTS - Designation of Funds Form, and all supporting documents must be received by the Local Assistance Division by the date specified in the invitation letter.

5. VDOT's Local Assistance Division reviews the submitted detailed applications and notifies the designated local VDOT Manager of the amount of state matching funds

available for use on specified projects in their localities, subject to the approval of the Commonwealth Transportation Board.

6. After Local Assistance Division has reviewed the submitted detailed applications, LAD will request the designated local VDOT Manager to enter the data from the detailed application into VDOT's Project Pool and obtain the permanent UPC. A permanent UPC is required for all projects being recommended for approval by the CTB.

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DETAILED APPLICATION FOR FUNDS Form

**REVENUE SHARING DETAILED APPLICATION FOR FUNDS**

SEPARATE APPLICATION REQUIRED FOR EACH PROJECT TO BE CONSIDERED

FY: 2013-14 >choose locality type< of <insert locality name> District: >choose one<

# of Applications Locality is submitting: \_\_\_\_\_

PLEASE NOTE: **Projects receiving funding under this program are to be initiated and a portion of the Revenue Sharing funds expended within one year of the allocation.**

**PROJECT INFORMATION** (Please TAB from field to field)

Locality's Priority #: \_\_\_\_\_ Route #: \_\_\_\_\_ and local road name, if available: \_\_\_\_\_

State Project Number: \_\_\_\_\_ UPC #: \_\_\_\_\_

Type of Project: >select below< If Type of Project is "Maintenance", has appropriate analysis been provided confirming the pavement or structure is below VDOT maintenance performance targets? >select<

If Type of Project is "Construction", will the requested funds accelerate advertisement of the project that is already in the Six-Year Improvement Plan or in the locality's capital plan? >select<

If this is a Construction project AND the advertisement date will be accelerated, please fill in dates below:

Current Advertisement Date: \_\_\_\_\_ Advanced Advertisement Date: \_\_\_\_\_

Scope of Work: >select one<

Description of Work/Scope: \_\_\_\_\_

From: \_\_\_\_\_ To: \_\_\_\_\_

Length: \_\_\_\_\_ (miles)

Is this project in another locality? >select Yes or No< If yes, please identify the locality and reason for request on the line below.

**PROJECT ESTIMATES** (Please TAB from field to field)

PHASE	*Total Estimated Project Cost	Sections below pertain to Revenue Sharing funded portion only:		
		**Estimated Eligible Project Costs	***Estimated Eligible VDOT Project Expenses	****Estimated Reimbursement to Locality
PE	\$ 0	\$ 0	\$ 0	\$ 0
RW	\$ 0	\$ 0	\$ 0	\$ 0
CN	\$ 0	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>

**LOCALLY ADMINISTERED PROJECT** - Please answer on each line corresponding to each phase for this project below

Please note that indicating any phase of project work to be administered by the locality and reimbursed using Revenue Sharing Program funding constitutes a "Locally Administered Project". Submission of this application represents the locality's request to administer the project work.

PE Phase: >select one<	
RW Phase: >select one<	
CN Phase: >select one<	

**PROJECT FINANCIAL INFORMATION** (Please TAB from field to field)

VDOT Revenue Sharing matching funds UP TO \$1M requested for CONSTRUCTION project FY 2014: \_\_\_\_\_ \$ 0

VDOT Revenue Sharing matching funds OVER \$1M requested for CONSTRUCTION project FY 2014: \_\_\_\_\_ \$ 0

VDOT Revenue Sharing matching funds UP TO \$1M requested for MAINTENANCE project FY 2014: \_\_\_\_\_ \$ 0

VDOT Revenue Sharing matching funds OVER \$1M requested for MAINTENANCE project FY 2014: \_\_\_\_\_ \$ 0

VDOT Revenue Sharing matching TOTAL request (this application) (right click on "\$0" to the right & "Update Field" for total) \$ 0

Note: CONSTRUCTION projects total or combined CONSTRUCTION & MAINTENANCE projects total requested must not exceed \$10M; Also, MAINTENANCE projects total requested must not exceed \$5M

Locality Revenue Sharing MATCHING funds TOTAL (for this application & must equal or match VDOT TOTAL above) \_\_\_\_\_ \$ 0

Project has previously received Revenue Sharing funds: >select< If Yes, FY(s): \_\_\_\_\_ Totalling: \_\_\_\_\_ \$ 0

Other State / Federal / Local funds total (enter amount to the right): \_\_\_\_\_ \$ 0

List types of other funds: \_\_\_\_\_

Total funding to be programmed on Project (should equal total estimated cost above): (right click on "\$0" & "Update Field" for total) \$ 0

**COMMENTS**

Submitted by: >type Locality Official name & title< \_\_\_\_\_ Reviewed by: >type in VDOT Official name & title< \_\_\_\_\_

sign here for original hard-copy submission sign here for original hard-copy submission

Signature of Locality Official \_\_\_\_\_ Date \_\_\_\_\_ Signature of VDOT Official \_\_\_\_\_ Date \_\_\_\_\_

(Revised 08/01/2014)



## SAMPLE RESOLUTION

At a regularly scheduled meeting of the [name of locality (City/Town Council or County Board of Supervisors)] held on [month & day], 20\_\_\_\_\_, on a motion by [name of Council or Board member], seconded by [name of Council or Board member], the following resolution was adopted by a vote of [#] to [#]:

WHEREAS, the [name of locality (City/Town Council or County Board of Supervisors)] desires to submit an application for an allocation of funds of up to [enter amount locality intends to provide as its match] through the Virginia Department of Transportation Fiscal Year 20xx-xx, Revenue Sharing Program; and,

WHEREAS, [enter amount locality intends to provide as its match] of these funds are requested to fund [description of work], [termini]; and,

NOW, THEREFORE, BE IT RESOLVED THAT: The [name of locality (City/Town Council or County Board of Supervisors)] hereby supports this application for an allocation of [enter amount locality intends to provide as its match] through the Virginia Department of Transportation Fiscal Year 20xx-xx Revenue Sharing Program.

*(Note that the paragraph below is optional but ensures on locally administered projects a separate "Authority to Sign" is not required to execute the agreement.)*

BE IT FURTHER RESOLVED THAT the [name of locality (City/Town Council or Board of Supervisors)] hereby grants authority for the [title of position, i.e. City Manager/County Administrator] to execute project administration agreements for any approved revenue sharing projects.

ADOPTED this [day] day of [month year].

**A COPY ATTEST**

\_\_\_\_\_  
[name] [title]

## IMPLEMENTATION PROCESS

VDOT's Local Assistance Division coordinates with the Fiscal Division to program the state matching funds for the approved specific revenue sharing projects.

### VDOT Administered Projects

1. The Locality and VDOT coordinate the project schedule. Prior to proceeding with the development of the project, the locality and VDOT will coordinate the project schedule. The appropriate designated local VDOT Manager will request payment from the locality for its share of the estimated cost of work to be performed. The locality may request VDOT to provide an invoice for the locality's share of necessary funding.
2. After the project is completed, the Local VDOT Manager will review the actual costs incurred to determine if there is a surplus or deficit. If a deficit exists, the locality may request surplus, funds be transferred from other Revenue Sharing projects or request a final billing for its share. If the locality's share of the actual cost is less than the funding received, the difference may, if desired by the locality, be refunded to the locality or transferred to another existing project as noted in the section describing Transfer of Funds in this Guide.

### Locally Administered Projects

1. VDOT has published a Locally Administered Projects (LAP) Manual that provides general guidance for locally administered projects. The LAP Manual is available on the Local Assistance Division webpage on the VDOT website.
2. For those projects identified as being locally administered, VDOT will draft the Programmatic Project Administration Agreement, Appendix A, and Appendix B that governs the performance of work administered by the locality and will cover all projects being administered by the locality. The agreement must be executed by the locality and VDOT prior to incurring any cost to be financed from the Revenue Sharing Program. Any costs incurred prior to the agreement being executed will not be eligible for reimbursement. Note that a Standard Project Administration Agreement can be used instead if the locality prefers a separate agreement for each project. The Request to Administer (RtA) form is not required, since the application identifies whether or not the project is to be locally administered.
3. Upon execution of the agreement, and at the request of the District the project will be opened for a minimal time for VDOT to perform SERP, scoping or inspection if applicable and as provided in the agreement. As invoices are received for payment, the proper phase will be opened for a minimal time to allow the invoice to be processed.
4. As part of the streamlined process for locally administered projects, prior to award, the locality will forward to the designated Project Coordinator the State Certification Form (for projects funded solely with Revenue Sharing Funds), indicating all applicable laws and regulations pertaining to locally administered state funded projects has been met. The designated Project Coordinator will provide a letter or email to the locality giving their approval to proceed with the award process.

5. Once the project begins, a project level invoice, accompanied by supporting documentation, should be submitted to the VDOT Project Coordinator no more frequent than monthly. The supporting documentation should include copies of invoices paid by the locality and a to-date project summary schedule, tracking payment requests and any adjustments. In lieu of copies of invoices paid by the locality, a one-page summary of what documentation the locality has on file may be used, provided that the locality's Director of Finance or (equivalent official) similar position signs it. A request is then forwarded to Local Assistance Division from the local VDOT office requesting the phase opened and the funds authorized for payment. No invoice should be processed for payment without authorization from Local Assistance Division After all work is completed the locality makes a final billing to VDOT for its share of the actual eligible costs incurred. If the actual cost is less than that provided by the agreement, the difference may be transferred to another revenue sharing project in the locality, or, if the locality desires, refunded to the VDOT Revenue Sharing Program Fund.
6. Any updates to the project's status, schedule, or estimate shall be done by the designated local VDOT Manager or Project Coordinator during the course of the project.

**CERTIFICATION FORM For STATE FUNDED PROJECTS**

**Certification Form for State Funded Projects**

Project Number: \_\_\_\_\_

UPC: \_\_\_\_\_

This certification form is to be used to certify adherence to all applicable laws and regulations pertaining to locally administered state funded projects. This certification form will not be used for projects utilizing any federal funds. The signature at the bottom will certify that **>INSERT LOCAL GOVERNMENT NAME<** has met the following requirements for state funded projects. VDOT may perform project audits to verify compliance with this certification. False or inaccurate statements identified by VDOT or other state regulatory agencies may result in the requirement to return state aid and/or other penalties as allowed by State law.

Initials	Certification Statement
	<b>Check applicable statement:</b> <input type="checkbox"/> For highways maintained by the LPA, project plans have been designed in accordance with AASHTO standards and signed and sealed by a Virginia registered P.E. in accordance with DPOR; OR <input type="checkbox"/> For highways which will be operated and maintained by VDOT, project plans have been designed in accordance with VDOT Standards and that VDOT has reviewed the plans in accordance with the agreed upon schedule and all necessary design variances/waivers have been attained and the plans have been signed and sealed by a Virginia registered P.E. in accordance with DPOR.
	All required regulatory agency coordination has been made and applicable permits or approvals have been acquired.
	Where VDOT will operate and maintain the highway, that the LPA has performed appropriate due diligence to identify environmental hazards on new right of way and to the best of our knowledge, any existing environmental hazards have been identified and mitigated or a plan for mitigation during construction has been made.
	Project was developed in accordance with State laws and regulations governing public involvement so that adequate and appropriate public notice and opportunity for public comment was provided.
	All right of way has been obtained and that the LPA has legal right of entry onto each and every parcel for the advertisement and construction of the referenced Project.
	The LPA has complied with the Code of Virginia requirements pertaining to relocations and the acquisition of real property.
	All affected utilities have been relocated or companies authorized to relocate their facilities. If not, they are included as in-plan work to be performed by the road contractor.
	The project was advertised in accordance with the Virginia Public Procurement Act and that the advertisement package included all appropriate EEO provisions.
	All environmental regulations as are applicable to local government capital improvement projects and as required by State or federal laws applicable to non federal-aid projects have been met or provisions to meet continuing requirements during construction have been made.

**>INSERT LOCAL GOVERNMENT NAME<** acknowledges that failure to fulfill its legal obligations associated with those requirements identified in this certification may result in project delays and/or delays or forfeiture of State reimbursements. **>INSERT LOCAL GOVERNMENT NAME<** further acknowledges that obligations associated with those requirements identified in this certification may be subject to audit by VDOT or State oversight agencies.

\_\_\_\_\_  
 Local Government Manager (City Manager, County Administrator, City Engineer or County Director of Public Works or designated authority to sign)

\_\_\_\_\_  
 Date

cc: Project file  
 VDOT Project Coordinator  
 VDOT Local Assistance Director

(Please refer to the [Locally Administered Projects \(LAP\) Manual](#) for the most current form)

## **REVENUE SHARING PROGRAM DE-ALLOCATION, AND PROJECT TRANSFER PROCESS**

### **De-allocation**

#### Identification of Projects Subject to De-allocation:

- §33.1-23.05 was modified in 2008 to include a provision establishing timeframes for the expenditure of funds with an additional modification made in 2012. The language indicates that any project having funds under the revenue sharing program shall be initiated in such a fashion where at least a portion of the funds have been expended within one year of allocation. Any revenue sharing funds for projects not initiated after two subsequent years of allocations may be reallocated at the discretion of the Commonwealth Transportation Board. Criteria for identifying projects for potential de-allocation:
  - Projects that are new or on-going where no portion of allocated revenue sharing funds have been expended within one (1) year of allocation
  - Project completed with allocations remaining and no activity for 24 months
  - Project not initiated after two (2) subsequent fiscal years of allocations
  - Project on-going, where no portion of allocated revenue sharing funds have been expended within two (2) subsequent fiscal years of allocations

#### Process for de-allocation:

- At the end of each fiscal year, the Revenue Sharing Program Manager will obtain from Fiscal Division a list of revenue sharing projects that received allocations for fiscal year and have had no project expenditure activity.
- The Revenue Sharing Program Manager will send a letter to the locality advising potential of project funding being de-allocated if project is not initiated within the next twelve (12) months.
- Each spring, the Revenue Sharing Program Manager will obtain from Fiscal Division a list of revenue sharing projects that have had no activity in past 24 months for the formal de-allocation review.
- The Revenue Sharing Program Manager will provide to the designated local VDOT Manager a list of potential projects for de-allocation.
- The Designated local VDOT Manager will coordinate with each affected locality to determine the project status and provide an action plan and recommendation whether funds should be de-allocated or whether there is justification to retain the funds. This action plan and recommendation will be provided back to the Revenue Sharing Program Manager within 45 days.
- Projects that are identified by the designated local VDOT Manager as complete or that are cancelled at the request of the locality, will be closed and the designated local VDOT Manager will be asked to provide proper documentation within 45 days to transfer funds to another qualifying project. A qualifying project is a revenue sharing project that is completed and in deficit, or an on-going project that needs additional funds to meet a scheduled advertisement date and will be able to utilize the funds prior to the end of the current fiscal year in which the review is being done.
- Once a project is identified for de-allocation a list will be presented at the next upcoming CTB meeting for consideration in the removal of Revenue Sharing project funds. Localities will be notified of proposed de-allocations at least 30 days prior to presentation to the CTB.
- If the decision is made to de-allocate the funds, those funds will be removed from the project and made available for statewide redistribution at a later date. Any locality matching funds that had been provided by the locality for the funds being de-allocated will be refunded to that locality

through the respective District office.

## **Project Transfer**

Once a determination has been made that a requested project meets the criteria of transfer for Revenue Sharing funds, the process described below should be followed.

### **Process for transfer:**

- ***Existing Revenue Sharing Project to Existing Revenue Sharing Project:***
  - Designated local VDOT Manager submits PD24 along with email or letter from County Administrator, Board of Supervisors, or Town/City Manager requesting transfer (referencing from and to).
  - Revenue Sharing Program Manager reviews project allocations, expenditures, and pending VDOT charges to determine amount available for transfer (in coordination with Programming Division)
- Once funding is verified it is available:
  - Revenue Sharing Program Manager forwards PD24 to Programming Division for processing in PAM & records transfer in Revenue Sharing database.
  - Email is sent to the designated local VDOT Manager indicating the transfer of funding has been approved. If applicable, project agreements are modified (or request made of project manager to do so) and is transmitted with the transfer approval letter.
- ***Existing Revenue Sharing Project to New (project that has never had Revenue Sharing funds on it before):***
  - New project must be in VDOT's existing Six Year Improvement Plan, Secondary Six Year Plan, or the Capital Improvement and;
  - Movement of the funds must be needed to meet the approved federal obligation schedule or to ensure a scheduled advertisement date can be met or advanced.
  - Designated local VDOT manager must submit resolution from the Locality requesting the transfer, identifying the status of the "from" project and request establishment of the new project as a revenue sharing project.
  - Revenue Sharing Program Manager reviews project allocations, expenditures, and pending VDOT charges to determine amount available for transfer (in coordination with Programming Division)
- Once funding is verified it is available:
  - Revenue Sharing Program Manager drafts CTB resolution and Decision Brief for review by AG.
  - Once approved by AG, CTB Resolution & Decision Brief put on agenda for next CTB meeting.
  - Once CTB has approved, Revenue Sharing Program Manager forwards PD24 to Programming Division for processing in PAM and records transfer in Revenue Sharing database.
  - Email is sent to the designated local VDOT Manager indicating the transfer of funding has been approved. If applicable, project agreements are modified (or request made of the designated local VDOT Manager to do so) and is transmitted with the transfer approval letter.