



U. S. Department
of Transportation

Virginia Division
(804) 775-3320

400 North 8th Street, Room 750
Richmond, VA 23219-4825

**Federal Highway
Administration**

June 15, 2012

Route 29, Charlottesville Bypass
FHWA Concurrence in Award

Mr. Malcolm Kerley, P.E.
Chief Engineer
Virginia Department of Transportation
Richmond, Virginia

Attention: Mr. Jeff Roby, P.E.

Dear Mr. Kerley,

This letter concerns VDOT's June 5, 2012, request for FHWA's concurrence in award for the Route 29 Bypass Design-Build Project. We have reviewed this request, been briefed by your staff and reviewed various information provided by VDOT including the Skanska-Branch Joint Venture (SBJV) proposal.

By this letter and as indicated by the signature in the attached VDOT letter, FHWA concurs in the award and VDOT may proceed with the following two preliminary design activities bulleted in your letter:

- Traffic studies (IJR/IMR/Traffic analysis for Northern and Southern termini)
- Geometric alignment in support of IJR/IMR/traffic analyses.

We recognize this is a unique project and there are limitations in-place with a two phased Notice to Proceed (NTP). During our review of the April 17, 2012, SBJV proposal, we noted the exhibit on the initial proposed schedule indicated a possible future request to VDOT to allow other activities beyond the above two items, including relocation of the cemetery and beginning efforts to vacate the occupied properties. With NEPA studies underway, these must not be allowed under the NTP 1 but need to wait until NTP 2.

If you have any questions, please contact Mr. Jose Granado, our Area Engineer for the project, at 775-3349, or me at 775-3355.

Sincerely yours,

for Irene Rico
FHWA Division Administrator

Thomas Jennings
Director of Project Delivery

Attachment



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, 23219-2000

GREGORY A. WHIRLEY
COMMISSIONER

June 5, 2012

ROUTE #: Rte 29/Charlottesville Bypass
PROJECT #: 0029-002-844
COUNTY: Albemarle
DISTRICT: Culpeper
FHWA #: 5104(195)

SUBJECT: Rte 29/Charlottesville Bypass - Project Award

Irene Rico
Division Administrator
Federal Highway Administration
400 North 8th Street, Suite 750
Richmond, Virginia 23219

Attention: Mr. Jose Granado, P.E - FHWA Area Engineer

Dear Ms. Rico:

I am requesting your concurrence in the award of contract and proceeding with preliminary design work for the subject design-build project based on the bid of **\$135,988,092.00** submitted on May 9, 2012 by Skanska-Branch a Joint Venture. I have attached a copy of the Notice of Intent to Award Letter for your reference. The project is scheduled to be presented to the Commonwealth Transportation Board on June 20, 2012.

VDOT will be utilizing a two phased Notice to Proceed (NTP) for the project (a Phase One NTP and a Phase Two NTP) as defined in the design-build contract. The two phased approach meets the requirements of Title 23 CFR § 636.109(a)(5) which permits the contracting agency to issue notice to proceed with preliminary design pursuant to a design-build contract that has been awarded prior to the completion of the NEPA process. Pursuant to Title 23 CFR § 636.109(b)(3) the design-build contract for this project includes provisions preventing the design-builder from proceeding with final design activities and physical construction prior to the completion of the NEPA process. Specifically:

The work related to Phase One shall be limited to the following preliminary design activities:

- Traffic studies (IJR/IMR/Traffic Analysis for Northern and Southern termini)
- Geometric Alignment in support of IJR/IMR/Traffic Analyses.

Once the NEPA process has been completed, VDOT will request your authorization to proceed with final design and construction and obligate Federal funds for such purposes.

Your timely consideration of the request for concurrence in the award of contract and proceeding with preliminary design work is appreciated and I look forward to hearing from you at your earliest convenience.

Sincerely,



BY: Jeffrey A. Roby, P.E.
Design-Build Program Manager

We concur in the above action.

for 

Irene Rico, Division Administrator

Date 6/15/2012

*see
File
letter
6/15/12*

FOR: Malcolm T. Kerley, P.E.
Chief Engineer

Attachment