

Urban Construction and Maintenance Program (Urban Manual)

Policies and Guidelines Virginia Department of Transportation



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Introduction

The individuality of the municipalities of the Commonwealth of Virginia has long been recognized. The relationship between certain cities and towns and the Department of Transportation is one of mutual responsibility and cooperation in regard to street maintenance and construction. The *Code of Virginia* establishes the eligibility criteria of localities for receiving funds for these activities. The Code provides for certain localities to receive street maintenance payments; and to receive apportionments for highway construction work. These localities are responsible for maintenance and operation of their highway systems. The Code also provides for the Commonwealth Transportation Board to allocate such funds to the municipalities for specific improvement projects.

The Urban Manual is written for the purpose of providing policy and procedural guidance for constructing and maintaining urban highways in the Commonwealth of Virginia. The objectives of this manual are: a) to provide the municipalities with information on the various urban program requirements; b) to provide information in regard to the role municipalities play in transportation program delivery; and c) to serve as an instructional manual for Urban Program personnel and other Department employees. The manual therefore should be read and considered in light of these objectives recognizing that certain instructions or forms apply only in-house, while other information may be pertinent only to municipalities, and some to both.

This document is intended to supersede and replace all previous versions. All existing policies adopted by the Commonwealth Transportation Board remain in effect until modified or rescinded by the Board.

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I. Overview of the Urban Program

A. General Overview

The mission of the Urban Program is to administer the maintenance program and develop and manage the construction program with municipalities to provide safe, efficient, effective and environmentally balanced urban transportation systems.

Urban highways include certain roads and streets within the corporate limits of qualifying municipalities. A qualifying municipality is defined under Sections [33.1-23.3](#) and [33.1-41.1](#) of the Code as one having 3,500 or more inhabitants and maintaining certain streets under [Section 33.1-80](#) of the Code as then in effect, all cities and the Towns of Wise, Lebanon, and Altavista. The six municipalities qualifying under the old law under Section 33.1-80 are Chase City, Elkton, Grottoes, Narrows, Pearisburg, and Saltville.

As of September 2006, Urban highways consisted of 11,279 centerline miles stratified in the following categories:

State Classification	Federal Classification	Mileage
Arterial	Principal Arterial	665 miles
Arterial	Minor Arterial	1,329 miles
Collector	Collector	1,088 miles
Local	Local	8,197 miles
	TOTAL	11,279 miles

The Commonwealth Transportation Board annually allocates funds to eligible municipalities for street maintenance, construction, and reconstruction activities; these are apportioned based on certain qualifying criteria which are defined in [Chapter II](#) and [III](#). These funds are made available through maintenance payments and construction allocations made to eligible municipalities.

The Local Assistance Division is responsible for ensuring that such financial assistance for maintenance activities are properly made to localities, are properly expended, and that roadways are maintained and constructed to the proper standards. Maintenance payments made to support maintenance activities for eligible streets are based on the number of moving lane-miles available to peak hour traffic, multiplied by a specific rate of payment, which is discussed in further detail in [Chapter II](#).

The Department also works closely with cities and towns to oversee the development of a urban construction program. Construction allocations are apportioned based on population. The Urban Construction Program is described in further detail in [Chapter III](#).

B. Roles and Responsibilities

In 2002, the Local Assistance Division (LAD) was established within VDOT to develop statewide policy and guidance for special funding programs and other programs that involve work performed by/for localities, and to serve as a liaison to local government organizations. Responsibility for policies and procedures relating to the urban highway program resides within LAD.

With the establishment of LAD, there have been changes in the roles and responsibilities of the Central Office and District Offices related to the administration of the overall urban program. The role of the Urban Program Managers (formerly known as Urban Engineers) has been modified to reflect a shift to management of program activities rather than specific project level functions. District offices are now assigning separate project managers or project coordinators to each urban project to manage day-to-day project related activities.

The following is a summary of key roles and responsibilities related to the urban program:

Local Assistance Division – Central Office

The Local Assistance Division is responsible for statewide urban policy and provides program oversight and guidance for the urban construction and the urban maintenance programs. LAD also coordinates the development of the Urban Six Year Improvement Program (SYIP) and program level administration of the Urban Construction Initiative (First Cities) and Local Administration of VDOT Projects.

Urban Program Managers – District Office

Urban Program Managers are responsible for regular program-level coordination with urban municipalities. They are the key VDOT contact for urban municipalities and the conduit for communication between the locality and the Department. They are responsible for coordinating the SYIP, developing and executing project agreements, and coordinating the urban program with district and residency offices for their assigned district(s). A [listing of Urban Program Manager assignments](#) is available on LAD's website.

Project Managers/Coordinators – District Office

Project Managers or Project Coordinators will be assigned for each urban project by the district office. A project manager is responsible for day-to-day project management activities, conduct and coordinate project meetings, and on-time/on-budget preparation of VDOT-administered urban projects for construction. A project coordinator is responsible for providing project level coordination and technical assistance to municipalities that administer urban projects.

Residency Administrators – Residency Office

Residency Administrators are responsible for conducting the annual street inspections with the locality and also serves the conduit for modifications to the urban maintenance inventory with LAD.

II. Urban Maintenance Program

A. General Overview

The Urban Maintenance Program is managed based on statutes in the *Code of Virginia*, (1950), as amended which authorize the Commonwealth Transportation Commissioner to make payments to qualifying cities and towns for maintenance, construction and reconstruction of roads and streets meeting specific criteria and under certain conditions.

B. Municipalities Eligible for Street Payments

Payments are made to municipalities satisfying any of the following requirements, in accordance with [Section 33.1-23.3](#):

- all cities regardless of population;
- all incorporated towns of more than 3,500 population according to the latest U.S. Census;
- all incorporated towns which have obtained a population of more than 3,500 since the last U.S. Census, according to evidence satisfactory to the Board (by petition of the municipality);
- all incorporated towns which maintained certain streets under (repealed) Section 33.1-80 of the Code, on June 30, 1985 (They are Chase City, Elkton, Grottoes, Narrows, Pearisburg, and Saltville)
- the towns of Wise, Lebanon, and Altavista pursuant to subdivision 2 of subsection B of [Section 33.1-23.1](#).

All cities and towns qualifying under this section shall continue to apply regardless of any subsequent change in population.

All cities and towns to which allocations are made prior to July 1, 2001 meeting the criteria of the foregoing provisions of this section shall continue to apply.

C. Road and Street Eligibility Criteria

Street payments are made to eligible municipalities for roads and streets meeting any of the following criteria:

- at least 50' of Right of Way (RW) and at least 30' of hard surface;
- at least 80' of RW and at least 24' of hard surface and approved plans for the addition of at least 24' of hard surface within the same right of way;
- cul-de-sac with at least 40' of R/W and standard turnaround;
- **either:** paved, and in Primary or Secondary System prior to annexation or incorporation;
or: In Secondary System prior to annexation or incorporation and paved to at

least 16' subsequent to annexation or incorporation with the further exception of streets previously maintained under [Section 33.1-79](#) or [Section 33.1-82](#);

- eligible for and receiving payments under laws in effect on June 30, 1985;
- established prior to July 1, 1950 with at least 30' of R/W and at least 16' of hard surface;
- functionally classified as a local street and constructed on/or after January 1, 1996, to the criteria of the then current Subdivision Street Requirements for secondary roads. This includes service/frontage roads where contiguous to an interstate, primary, or urban system route;
- eligible local street with speed control devices within the right-of-way.

There are certain exemptions by Code to the criteria established above. These exemptions are as follows:

- Incorporated towns in which 70% or more of developable land has a natural grade of at least 20%. Such towns may, by ordinance, have a minimum right of way width of 40 feet and a minimum hard surface of 18 feet on Collector/Local streets.
- The Commissioner may waive the requirements for hard surface or right of way width at the request of the local governing body to protect its drinking water supply, or for highways constructed after July 1, 1994, to accommodate some other special circumstance where such action would not compromise the health, safety, or welfare of the public.

There are also other circumstances where the Code is silent or determination of eligibility is necessary based on Department policy:

- VDOT shall consider a request for waiver with appropriate supporting information. Each case will be considered on its own merits and should be site specific. At a minimum, a copy of a map or site plan showing the layout of the proposed street(s), the proposed pavement and right of way widths, forecasted traffic volumes and reasons for requesting a waiver should be sent to the Local Assistance Division.
- The Code is silent on the issue of pavement widths for cul-de-sacs. However, since the basic right-of-way width of 50' is reduced to 40', the Department shall consider requests for pavements less than 30' on a case by case basis giving consideration to the specifics of each case. For the purpose of making this assessment, a cul-de-sac will be defined as a dead end street and open only at one end.
- The Virginia Land Subdivision Law of 1946 requires subdivision plats to be prepared by a licensed surveyor or civil engineer, acknowledged by the owner and approved by the local governing body before recordation. And further, after recordation, the plat transfers the street or streets shown thereon to the county

or city in fee simple. Prior to 1946, the law required only that the platting of streets be accepted by a competent public authority.

- The Department has concluded if a city or town receiving street payments has jurisdiction over and operates a toll facility, such is eligible for street payments.
- Local one-way streets, loop roads, and school bus entrances, will be eligible for street payments if they are constructed to at least a width of 16 feet with a right of way width of not less than 40 feet.
- In determining lane mileage eligibility, the following conditions shall apply:
 - Turning lanes and ramps will not be considered for street payments. This includes center turn lanes unless they serve as moving through lanes during peak hours.
 - Parking must be restricted and enforced by towing during peak traffic periods.
 - Each road or street with more than two moving lanes must have pavement markings in accordance with the [Manual on Uniform Traffic Control Devices \(MUTCD\)](#).
 - Pavement widths of less than 14 feet will qualify for only one moving lane even if it carries traffic in two directions.
 - Non-hard surfaced streets do not qualify for street payments.

D. Maintenance of Primary Route Extensions within Municipalities

Normally when a municipality assumes responsibility for maintenance of its streets under [Section 33.1-41.1](#), it also has the option of maintaining all primary routes within its corporate limits, though such is not required by statute. VDOT has continued to maintain primary routes in some cases by mutual agreement with the municipality.

1. Procedures for Requesting Route Number Changes

Whenever a Municipality decides, or agrees to a request by the Department, to alter or eliminate the numbering of a primary route within the municipality, a resolution adopted by the local governing body should be submitted to the Urban Program Manager requesting the change. Requests will be forwarded to the Asset Management Division, which will obtain the necessary concurrence from the Commonwealth Transportation Board, FHWA, and AASHTO committee, as applicable. Once approved the Urban Maintenance Inventory System and maps will be revised. The Urban Program Manager will then notify the municipality that the route numbers can be changed.

E. Maintenance Payments

1. Payment Categories

Street payments shall be made for two highway categories based on Functional Classifications as follows:

1. Principal and Minor Arterial Roads
2. Collector Roads and Local Streets

The State Functional Classification System is distinct from, but is based on the Federal Classification of highways established by the Federal Highway Administration (FHWA). In general, the Functional Classifications are parallel; however for municipalities with a population of less than 5,000 State Functional Classification must be used. An explanation of the Functional Classification of Urban Highways is provided in [Appendix L](#).

2. Payment Rates

[Section 33.1-41.1](#) of the Code establishes base rates of payment per the number of moving-lane miles of highways available to peak-hour traffic for Fiscal Year 1986 of \$7,787 for principal and minor arterial roads and \$4,572 for collector roads and local streets.

The Code also required that the Department establish a statewide Maintenance Cost Index (MCI) of unit costs for labor, equipment, and materials used on roads and bridges for 1986 and to use changes in the MCI to determine annual adjustments to the payment rates. The MCI has not been used since 2002. In Fiscal Year 2002 and each subsequent year, the General Assembly has included language in the annual Appropriations Act that authorizes the Commonwealth Transportation Board to adjust payment rates at their discretion. The average annual adjustment has been 4%.

3. Quarterly Maintenance Payments

The total payment for each locality shall be determined no later than July 1, of each fiscal year using the adjusted payment rates multiplied by the number of approved moving lane miles for each category and the yearly calculated payments will be approved by the Board. Payments will be made on a quarterly basis; on or before September 30, December 30, March 30, and June 30. Payments will not be modified due to mileage adjustments submitted throughout the course of the year.

F. Maintenance Inventory

1. Mileage Adjustments

Mileage additions and deletions, including results of annexations, mergers or incorporations that occur during the fiscal year, should be submitted by the municipality to the Department's Residency Administrator as soon as they become eligible during the year. All adjustments submitted by February 1 will be eligible for payment effective July 1 of the following fiscal year. The submissions shall include: [Form U-1](#), a Council Resolution, and a map or sketch of the proposed addition (deletion). In lieu of a resolution for each change, the Department shall accept a single resolution authorizing multiple changes. Requests for such mileage additions (deletions) are made in centerline miles and lane miles and payments are made based on approved lane miles. A copy of [Form U-1](#) is found in [Appendix B](#).

a. Procedures for Additions, Deletions, and Functional Classification Changes

Streets must meet the criteria as specified in [Section 33.1-41.1](#) of the Code to qualify for street payments. When streets meet these criteria, the municipality may request the Department to accept the streets into the Urban Highway System as follows:

1. a. Additions (or deletions) – the municipality will prepare [Form U-1](#), completing all but the last column. (Note: If criteria is used which contains verifiable dates, include necessary documentation).

(Note to Residency Administrator: If deletions or changes occur due to project construction or traffic control measures by the municipalities, the municipalities should be notified that Form U-1 submission is required).
- b. Functional classification changes – the municipality will prepare [Form U-2](#) leaving last column blank. A copy of [Form U-2](#) is found in [Appendix C](#).
2. City or Town prepares a map or sketch (8 ½" x 11") showing location and dimensions.
3. City or Town Council adopts a resolution making a formal request.
4. City or Town submits resolution, form and sketch to local Residency Administrator.
5. Residency Administrator reviews documents, inspects proposed street(s), approves [Form U-1](#) and/or [Form U-2](#) and forwards these to the Local Assistance Division.
6. The Local Assistance Division, upon concurrence, shall transmit the submission to the Transportation and Mobility Planning Division for review and determination of the appropriate Federal Functional Classification of each road or street. An explanation of the State and Federal Functional Classification System for urban streets is provided in [Appendix L](#).
7. The Local Assistance Division shall have the appropriate lane mileage and Functional Classification added or changes made to the Urban Maintenance Inventory System.
8. Annual system changes are presented by the Local Assistance Division to the Board for approval of the centerline mileage.
(Note: In the event centerline mileage is not affected, i.e., request

involves modification only to lane mileage, the Local Assistance Division reviews and approves such requests and notifies all parties accordingly).

b. Procedures for Annexations, Mergers, Incorporations or when Town Population Exceeds 3,500

[Section 15.2-3530](#) of the Code requires that upon annexation or merger of a county with a city or town, and when in the opinion of the Commissioner, the annexed or merged areas become substantially urbanized, the streets may be transferred to the new municipality for construction, reconstruction and maintenance and funds therefore shall be allocated as provided by law. (Under [Section 33.1-23.2D](#), any allocation made to a primary system highway, which subsequently is incorporated into a City or Town, shall remain but such road shall not be eligible for an urban construction allocation or street payment within the same fiscal year).

[Section 33.1-1-224](#) requires that when a town's population exceeds 3,500, all roads and streets within the Secondary System shall be eliminated from that system and the control and jurisdiction shall be vested in the local authority. Under [Section 33.1-23.3](#), this is based on the latest U.S. Census or evidence satisfactory to the Department.

The procedures for the transfer of roads and streets to the municipality for street payments are as follows:

1. City or Town submits the following to the Residency Administrator:
 - a. Copy of approved annexation order, if applicable.
 - b. Certification of updated population.
 - c. Map of area involved.
 - d. [Form U-1](#) listing streets to be transferred.
 - e. Council resolution requesting the roads or streets be accepted for urban street payments (Note: Only hard surface roads are eligible for street payments).
2. The Residency Administrator should provide the necessary guidance to the City or Town in completing the required forms, etc. After receipt and verification of the documents, inspection of the proposed streets and approval of [Form U-1](#), they should be forwarded to the Local Assistance Division, along with any appropriate comments and recommendations.
3. The Local Assistance Division, upon concurrence, shall then transmit the submission to the Transportation and Mobility Planning Division for review and determination of the appropriate Federal and State functional classification of each road and street.
4. The inventory records will be updated accordingly. The effective date for street payments will be July 1 of the following fiscal year.
5. The completed assembly is presented by the Local Assistance Division to

the Board for approval of the centerline mileage.

2. Inventory

An inventory of all roads and streets eligible for street payments in each municipality will be kept by both the municipality and the Department. The inventory includes all roads and streets that were previously determined to be eligible as a result of a comprehensive field survey. All subsequently approved additions, deletions and changes in functional classification shall be made to the inventory on a continuing basis. Each fiscal year, each municipality is sent a complete inventory of its roads that receive payment. While the Department makes every reasonable effort to ensure the accuracy of the inventory, municipalities are asked to check for omissions or errors and advise of any changes or corrections needed.

G. Eligible Maintenance Activities

[Section 33.1-23.02](#) of the Code of Virginia defines the term "maintenance" as ordinary maintenance, maintenance replacement, and any other categories of maintenance which may be designated by the Commissioner. Ordinary maintenance activities pertain to preservation of each type of roadway structure and facility as near as possible in its condition as constructed. Maintenance replacement activities pertain to the function of restoring each type of roadway structure and facility as near as possible to its condition as constructed.

In general, replacements-in-kind are acceptable charges; betterments are not acceptable. However, betterment or improvement work may be accomplished along with maintenance work provided proper credits or deductions are made and documented in the accounting and recording process.

Maintenance payments, are not to be used for construction, reconstruction or improvement purposes, except as provided under Expanded Definition of Maintenance.

A list of authorized ordinary maintenance and maintenance replacement activities is included in [Appendix E](#).

1. Standards of Maintenance

[Section 33.1-41.1](#) of the Code provides that street payments shall only be made if, in the opinion of the Commonwealth Transportation Board, such highways are maintained in accordance with the applicable standards of the Department of Transportation.

The Department's Standards of Maintenance are contained in [Appendix E](#).

2. Maintenance of Roads Within Limited Access Interchanges

As a general policy, where the Interstate, Primary, or Toll Road System construction provides an interchange within a municipality, the Department of Transportation, through the appropriate system maintenance funds, shall be responsible for the maintenance of the complete highway facility within the controlled limits of the interchange. Street payments shall not be paid to any municipality for street or road mileage maintained by the Department under this provision.

Municipalities desiring to maintain municipal streets passing through Interstate, Primary, or toll road facilities may maintain such streets in accordance with the following provisions:

- Where the Interstate, Primary, or toll route passes under a street within a municipality maintaining its own street system, the maintenance of the surface and sidewalks of the structure and the approach roadways to the back of the shoulder line will be the responsibility of the municipality. The Department of Transportation shall maintain the remainder of the structure, and slopes beyond the shoulder line, within the limits of normal right of way.
- Where the Interstate, Primary, or toll route passes over a street within a municipality maintaining its own street system, the maintenance of the entire structure and slopes back of the normal ditch or sidewalks shall be the responsibility of the Department using the appropriate system funds. The street roadway underneath the Interstate, Primary, or toll route will continue to be the responsibility of the municipality.

The Department of Transportation shall continue to control and maintain all signs, signals, other traffic control devices and lighting within the limited access right of way of interchange areas. Signals within the interchange areas may be maintained by the municipality when mutually agreed upon by the Department and the Municipality. The municipality may install signs along limited access facilities under authority of a Land Use Permit issued by the Department. In such cases, the municipality will be responsible for maintenance of such guide signs.

Guide signs for interstate facilities, once installed, on urban streets beyond the limited access area within the municipality, will be maintained by the jurisdiction having maintenance responsibility for said streets.

H. Financial Accountability

1. Accounting, Reporting and Certifying of Expenditures

[Section 33.1-41.1](#) requires an annual audit of street payment receipts and expenditures related to maintenance, construction and reconstruction on eligible streets. Such receipts and expenditures will be recorded by the municipality in a separate highway maintenance fund. The fund should be supported by sufficiently detailed information to determine the source of all receipts and identifying all expenditures by category. Such expenditures may include cost for labor, equipment, materials and any

indirect or overhead charges related to applicable street maintenance, construction, or reconstruction expenditures. All expenditures must be documented and the records maintained by the municipality must meet reasonable audit tests.

The records of each fiscal year must be audited by a CPA firm, retained by the municipality under the State Auditor of Public Accounts procedures and requirements. The Department reserves the right to perform supplemental audits of accounting systems and records as it deems appropriate.

Following the completion of the audit, municipalities are required to make an annual report accounting for their expenditures and to certify that none of the payments received has been expended for other than street maintenance, construction or reconstruction on eligible streets. This required report is made through completion of the Weldon Cooper Center for Public Service Finance Survey. This online survey provides data to VDOT that fulfills both the state reporting requirements and the annual Federal Highway Administration form FHWA-536 requirements. In the past, the data was collected by two instruments, the U3 form and the [Weldon Cooper Highway Finance survey](#). Because the data required is so similar, it was decided to combine the two forms. Now with the one new online survey instrument, VDOT receives the data it needs for both the U3 and the FHWA-536 form. The survey will be sent to the municipality by the Weldon Cooper Center in January. Each municipality should submit their completed survey by March 31 which shows the total annual street payment receipts and how much was expended by categories. Municipalities also must electronically certify that all expenditures were spent on eligible activities.

2. Reimbursement/Carry Forward

Street payments are intended to be spent in the year the payments are made. However, any remaining balances will automatically be carried forward for use in the subsequent year. Those municipalities that have not expended all of their street payments will be required to provide a written explanation on the [Weldon Cooper Center for Public Service Finance Survey](#).

I. Annual Inspection and Performance Reporting

1. Inspection and Approval of Streets Eligible for Payments

The purpose of street inspections is to identify deficiencies and to expedite corrective actions. Urban system streets should meet the Department's minimum Standards of Maintenance. A copy of the Standards of Maintenance is provided in [Appendix E](#). The Residency Administrator is responsible for scheduling the inspections, which should be made in the company of an authorized municipal employee. All roads and streets, which are functionally classified as principal arterial and minor arterial, will be inspected each year. The Residency Administrator, or his representative who is performing the inspections, should exercise good judgment in determining maintenance deficiencies. The Street Condition Report [Form U-5](#) is to be submitted by the Residency Administrator to the Local Assistance Director following the annual inspection. A copy of [Form U-5](#) is found in [Appendix D](#).

Deficiencies identified on [Form U-5](#) shall be re-inspected after six months and another U-5 submitted with the Residency Administrator's recommendations as to whether or not the street payments should be deleted for the deficient section. This process will continue until the deficiency is corrected.

If a deficiency is not corrected within six months, funds will be deleted from the municipality's payment. A minimum of 0.1 lane mile, and increments of 0.1 mile, thereafter, shall be deleted for payment for each segment of street containing deficiencies. For example, if a drainage inlet is clogged, causing water to stand on one lane, which affects traffic in only one lane, then 0.1 mile shall be deleted. If more than one lane of traffic is affected, each should be counted. As another example, when a sign is non-standard and should be removed or changed, if it is visible to two lanes of traffic for 0.2 mile, then 0.4 mile would be deleted. All deficiencies noted will be totaled and the deletion of payment for the deficiencies will begin with the next quarterly payment. The Local Assistance Director shall make the final determination for such deletions. Any deletion of payment will extend for a minimum of six months (two quarters) and will not be recoverable.

2. Bridge Safety Inspections

Bridge safety is of utmost importance. The FHWA and the Department require strict compliance with the [National Bridge Inspection Standards \(NBIS\)](#) in particular regard to the frequency of inspection and load posting requirements. The FHWA has adopted a policy where the use of Federal Aid funds will be suspended in any State or Local jurisdiction in which there are substantial NBIS deficiencies. [Section 116 of Title 23 of the U. S. Code](#) indicates that if a project is constructed in whole or in part with Federal funds, that project is to be maintained at a level acceptable to the U. S. Secretary of Transportation or the Secretary will withhold Federal funds until an acceptable level of maintenance is achieved. The Local Assistance Director may also elect to withhold street payments for delinquent Bridge Inspection Reports.

The District Structure and Bridge Engineers are responsible for ensuring that the bridge inspection requirements are met by the localities. Additional guidance is available in the Instructional and Informational Memorandum [S&B 94-27.4](#), latest version.

J. Maintenance Performance Program

In 2004, the General Assembly modified [Section 33.1-41.1](#) of the *Code of Virginia* to require greater reporting and accountability of local governments receiving maintenance funds from the Commonwealth. The legislation required localities to report on their performance as specified in [subdivision B 3 of 33.1-23.02](#) of the *Code of Virginia*. After extensive work with a group of local government stakeholders, there was agreement to monitor performance on bridges and pavements to meet this requirement.

1. Bridges

Performance of bridges is measured based on the General Condition Rating (GCR) assessed during [NBI](#) bridge inspections. The performance target is that less than

40% of bridges are in need of repair or rehabilitation, meaning that less than 40% of structures have a minimum GCR rating of less than 6. The baseline measure in 2006 showed that 22% of structures in the Urban System had a minimum GCR rating of less than 6. The performance measure will be reviewed on a biennial basis.

VDOT provides Urban System bridge deficiency rates in “real time” on the [maintenance dashboard](#). Bridges with a minimum GCR of 6-9 are shown as green on the dashboard. Bridges with a minimum GCR of 4-5 are shown as yellow, and those with a GCR of 0-3 are shown as red.

2. Pavements

Measurement of pavement performance is very complex with multiple measures and indices available for use. The development of a statewide methodology and performance target is under development. Please check back later for additional information.

III. Urban Construction Program

A. General Overview

The Urban Construction Program is based on statutes in the *Code of Virginia*, (1950), as amended which provides the basis of funding and the distribution of such funding for urban construction projects in qualifying municipalities.

B. Eligible Municipalities

All cities and towns eligible for allocation of construction funds for urban highways under [Section 33.1-23.3](#).

- all cities regardless of population;
- all incorporated towns of more than 3,500 population according to the latest U.S. Census;
- all incorporated towns which have obtained a population of more than 3,500 since the last U.S. Census, according to evidence satisfactory to the Board (by petition of the municipality);
- all incorporated towns which maintained certain streets under (repealed) Section 33.1-80 of the Code, on June 30, 1985 (They are Chase City, Elkton, Grottoes, Narrows, Pearisburg, and Saltville)
- the towns of Wise, Lebanon, and Altavista pursuant to subdivision 2 of subsection B of [Section 33.1-23.1](#).

All cities and towns qualifying under this section shall continue to apply regardless of any subsequent change in population.

All cities and towns to which allocations are made prior to July 1, 2001 meeting the criteria of the foregoing provisions of this section shall continue to apply.

C. Project and Program Administration

1. Administration of Projects by Municipalities

[Section 33.1-12](#) of the Code allows the Commissioner to enter into agreements with localities to administer all phases of project development.

Upon concurrence by the Chief Engineer, Urban projects may be administered by the municipality including any or all phases of development such as: preliminary engineering, environmental, right of way acquisition, utility relocation, preparation of proposal, advertisement, review of bids, award of contract, inspection of work, payments to contractors, etc. The Urban Program Manager will coordinate the "[Request to Administer](#)" form with the locality.

In such instances, an agreement between the Department and the municipality must be executed to cover terms and conditions for various aspects of project development. Guidance on locally administered projects is included in the [Guide for Local Administration of VDOT Projects](#).

2. Urban Construction Initiative

Also known as the First Cities Initiative, this program was established as a result of an addition to [Section 33.1-23.3](#) of the Code which provides that a municipality may assume the responsibility and management of their entire construction program. Interested municipalities must inform the CTB by July 1, for implementation the following fiscal year. For additional information, please consult the [Project Administration Guide for the Urban Construction Initiative](#) or the [program website](#).

Those municipalities that elect to participate in the Urban Construction Initiative function under streamlined processes and procedures as outlined in the Program Administration Guide. As such, certain requirements or processes outlined in this manual may not apply. Please contact your Urban Program Manager for clarification.

D. Finance and Programming

1. Funding

[Section 33.1-23.1](#) provides that all funds (federal and state) available for highway purposes be combined and made available for all systems of state highways for maintenance, construction and other general purposes, with the exception of federal interstate funds and certain other special categories. Thirty percent (30%) of the combined funds available for construction are apportioned to the Urban System. These funds are further apportioned to qualifying municipalities based on population. Each municipality receives an apportionment of federal and state funds, by category. All qualifying urban projects are to be developed to receive federal funding.

Special federal planning funds may also be available for urban traffic studies. Likewise, other special federal funds, such as bridge discretionary funds, demonstration projects, emergency relief, timber bridge, etc., may become available from time to time. These special federal funds do not affect or reduce the standard apportionments. Also, special state funds from such sources as bonds, tolls, etc., may be provided.

Rules governing the allocation of urban funds establish how matching requirements will be provided. For the municipalities of 3,500 or more in population the combination of state and/or federal dollars is 98% of project cost for urban projects with the locality providing 2%. The distribution is 80-18-2 (federal, state, local) for federally funded and 98-2 (state, local) for state funded projects. For the seven municipalities qualified under Section 33.1-80 there is no local match and distribution is 80-20 (federal, state) for federally funded and 100 (state) for state funded projects.

Regular projects may receive allocations from more than one federal funding source. Under current legislation, these could be regular Surface Transportation Program (STP), Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ), Minimum Guarantee (MG), and Bridge Replacement and Rehabilitation (BR) funds. Expenditure protocol is to utilize the funds in the order they were allocated. When possible, the funds will be expended in the manner most advantageous to the

municipality.

RSTP and CMAQ are monies distributed under federal formula. The Metropolitan Planning Organizations (MPOs) in Northern Virginia, Richmond, Hampton Roads and Fredericksburg are given the authority to decide their use. These funds are matched off the top, thereby making them whole dollars not requiring a local match.

Other federal funding is distributed at the discretion of the Commonwealth Transportation Board. These funds are matched by the receiving system. For urban projects some localities are required to provide 2% of the system match (distribution is 80-19.6-0.4) and others no match (distribution is 80-20) is required. Thus local matching requirements for federal funding may vary from 0% to 2%.

Similar to above, if urban allocation funds are used to match special federal programs such as the Safety programs, then the local match is 2% of the urban match requirement for the federal funds for some localities and others no local match is required. Safety funds are made available by the Department through an annual application process.

2. Debt Reimbursement

[Section 33.1-23.3](#) allows a municipality to utilize up to one third (1/3) of its annual construction apportionment to reimburse the locality for debt incurred for eligible project costs on approved projects. The following provisions apply to debt reimbursement:

- For a project to be eligible, it must be included in the Commonwealth Transportation Board's Six-Year Improvement Program and included in the locality's capital improvement program.
- A resolution from the municipality will be required requesting a portion of its annual urban apportionment to be set aside for reimbursement for a specific eligible project.
- No more than one-third of the anticipated annual urban apportionment to a municipality shall be used for debt reimbursement.
- The apportionment to be set aside shall be limited by the amount of funds previously committed by the Board for projects contained in the Six-Year Improvement Program. (Procedurally, the Department will consider as committed: funding necessary to finance expenditures on any project, and the funding necessary to fully finance through construction any project that has progressed to the right of way acquisition stage.)
- The amount of debt that may be supported under this Section will vary based on the many possible strategies a municipality may pursue and the amount of urban apportionment determined to be uncommitted. The

payback is limited to a maximum 20 year timeframe.

- A local government resolution and municipal/state agreement will be required for all debt reimbursement.

3. Programming

When requesting the inclusion of urban construction projects in the Six-Year Improvement Program (SYIP), the municipality should determine that proposed projects meet the eligibility requirements (see below), hold a public hearing to receive public input, prioritize all needs, and make a formal request to the Department by submitting an adopted council resolution identifying and describing the requested project. The resolution must include a provision whereby the municipality of 3,500 population or more and certain other municipalities agree to pay its share of the total costs of preliminary engineering, right of way and construction. The resolution must also provide that, in the event the project is subsequently cancelled by the municipality, the municipality agrees to reimburse the Department for the total amount of all costs expended by the Department up to the date of cancellation. A sample resolution is provided in [Appendix F](#). Such resolutions should be submitted to the Department by the first of December for subsequent inclusion in the SYIP. This does not preclude emergency projects from being funded during the fiscal year of the SYIP.

In order to qualify for urban construction funds, proposed urban projects must:

- (a) be classified as an arterial or collector road/ local street in the State Functional Classification System, and
- (b) be reflected in an approved transportation plan/study conducted by or for the Department or the municipality, or
- (c) be identified as a safety and/or capacity need (as determined by established criteria of the Department); i.e., (i) deficient bridge on a public street, (ii) railroad grade protection, (iii) intersection improvement, (iv) signal or signal system improvement, or other projects approved by the Local Assistance Director.

In MPO areas for federally-funded projects, all federal planning regulations, such as the inclusion of the project in the fiscally constrained long-range plan, must be met prior to programming.

In the event the municipality elects to have a project removed from the SYIP, a resolution to this effect must be adopted by the municipality and submitted to the Local Assistance Director.

4. Six-Year Improvement Program

The Urban SYIP is updated annually to reconfirm or adjust cost data for projects already included, to make the actual allocations for the current fiscal year, to adjust the projected allocations for the five "out" years based on projected allocations, and to include new projects that are requested by the municipalities. In addition to the project description and the actual and projected allocations, the program includes the local

priority, estimated cost, previous funding, additional funding required and balance to complete. An important feature of the program is the schedule, which indicates the scheduled time frames for starting the preliminary engineering, right of way acquisition and construction phases.

Projects can also be added to the program by the MPOs through their authority to designate the allocation of RSTP and CMAQ funds or other funds apportioned to the MPOs. In some cases, the funding designated is only enough to undertake feasibility studies or to initiate preliminary engineering with no identified funding source beyond that phase. As a general rule, an MPO designated project should not be initiated unless a specific objective can be accomplished such as a feasibility study or unless a source of timely funding is identified to complete the project.

On bridge replacement and rehabilitation projects funded by Federal Highway Bridge Replacement and Rehabilitation Program funds, funding for the approach roadway will be limited to touchdown point to touchdown point or approximately 10% of the structure cost. The touchdown points will be approved by the FHWA.

5. Apportionments and Allocations

Thirty percent of the funds provided under [Section 33.1-23.1](#) are allocated to urban highways for construction projects.

Under [Section 33.1-23.3](#), such funds are to be apportioned to municipalities based on the proportion of population of a city or town to the total population of all qualifying cities and towns. If a city or town does not have an approved urban construction project, the apportionment due shall not be allocated; however, such apportionment shall accrue as a credit to the city or town and be held in an accrual account for its future construction projects for five succeeding years. Credits remaining in accrual accounts beyond five years will be lost to that municipality and redistributed to all other eligible municipalities.

6. Federal Obligation and Project Authorizations

Federal obligation authority is the amount of federal funds that a state must commit to qualifying projects within a federal fiscal year. Obligation is a commitment by FHWA to reimburse the state for eligible project expenses. States must obligate all federal funds available to them in each fiscal year. Unobligated federal funds are given to other states for their use. If the state is successful in obligating all federal funding, additional federal funding may be requested from FHWA for specific projects or phases of projects. Projects must be included in the Statewide Transportation Improvement Program (STIP) to be obligated.

Each year, VDOT Programming Staff develops a strategy to ensure that all federal funding is obligated. The federal strategy is developed based on established project schedules. Meeting the federal obligation is a responsibility that is shared between VDOT and the urban municipalities. It is critical to ensure that established

project schedules are met, as these are the basis for the federal strategy.

Funds are obligated to projects at the beginning of each phase which is the point at which funds are authorized. Upon issuance of such authorizations, the actual preliminary engineering work or land acquisition process may begin. No charges are to be made to the project prior to authorization. Supplemental authorizations are made when additional funding is required. Subsequent phases must be authorized prior to beginning any work on that phase of the project. For locally administered projects, no work should begin in a particular phase until authorization is received from the Department. Any work accomplished prior to authorization will not be reimbursed.

E. Special Funding Programs

1. Safety, CMAQ, and Regional STP

Municipalities may compete for special statewide federal funds such as Highway Safety Improvement Program (HSIP) funds through a yearly application process. In addition, municipalities in urbanized areas may also be awarded CMAQ (if non-attainment areas) and RSTP (urbanized areas over 200,000 in population) funds and by the MPO for specific projects.

When the original cost estimate of these projects increases, the municipality must either qualify for additional special funding, or be prepared to fund the difference with local funds. Additional urban allocations may be used to fund the local match for any additional special funding. Urban funding is not generally used to fund the entire difference in additional project cost.

If municipalities or MPOs have designated funds for projects which are insufficient for anything other than preliminary engineering, the Department will not initiate any such projects until a source of funding (CMAQ, RSTP, HSIP or local funds) is identified to allow the right of way and construction phases to follow in a timely manner.

2. Transportation Enhancement

Municipalities may compete through a yearly application process for another category of funds known as enhancement funds. The municipality is responsible for the required 20% match of the federal dollars awarded and for any costs above the allocated amount. Additional information on the Enhancement Program is available on VDOT's [website](#).

3. Revenue Sharing

The Revenue Sharing Program may be used to match municipality funds for improvement, construction or maintenance of the urban system. It is intended to provide financing for relatively small immediately needed improvements and is expected to be used in the same fiscal year they are received. Additional information is available in the [Guide to the Revenue Sharing Program](#).

4. Access Programs

a. Economic Development Access Program

The purpose of the Economic Development Access Program is to provide adequate access to economic development sites. Adequate access, in consideration of the type and volume of traffic anticipated to be generated by the subject site, may require the construction of a new roadway, improvement of an existing roadway, or both to serve the designated site. Additional information is available in the [Guide for the Economic Development Access Program](#).

b. Airport Access Program

The Airport Access Program assists localities in providing adequate access to licensed, public-use airports. Adequate access, in consideration of the type and volume of traffic to be generated by the subject site, may require the construction of a new roadway, improvement of an existing roadway, or both to serve the designated site. Additional information is available in the [CTB resolution of April 18, 1996](#) regarding this program.

c. Recreational Access Program

The Recreational Access Program assists localities in providing access to public recreational or historic areas owned by the Commonwealth of Virginia or a local government. Additional information is available in the [Guide to the Recreational Access Program](#).

F. Preliminary Engineering/Project Development

The Urban Program is a partnership between the Department and the municipalities in the Urban System. The relationship between the Department and the municipality is of utmost importance to the Department. To that end, the Department has assigned an Urban Program Manager to serve as the primary conduit between the municipality and VDOT. All project activities, whether administered by the Department or the municipality, should be coordinated with the Urban Program Manager to ensure successful project development and delivery.

The description of the plan development process and the accompanying Work Flow Chart should be used only as a guide and should be applied accordingly to the type of project development process involved. For detailed guidance on project development for locally administered projects, please refer to the [Guide for Local Administration of VDOT Projects](#). For detailed guidance on project development for VDOT administered projects, please refer to the [Concurrent Engineering Process](#).

The Department has four basic pre-construction project development processes: a) two public hearing, b) one public hearing, c) willingness, and d) no hearing. The two public hearing process is only required for projects being constructed on new location.

The most prevalent type of urban project occurs on the existing street and, therefore, the one hearing process is most frequently used. For the purpose of illustration, the work items required for a two hearing project utilizing federal funds will be outlined and briefly explained in the following paragraphs.

The project development process begins when preliminary engineering is requested by the Urban Program Manager and is authorized by the Programming Division. The preliminary stages of the project development process includes such elements as corridor, traffic, right of way and environmental studies, early notification to regulatory agencies as to possible environmental concerns and project scoping, all leading toward a location public hearing and adoption of an approved corridor, when applicable. The Project Manager is responsible for scheduling and receiving the development and materials presented at the public hearing. The Urban Program Manager is responsible for attending the public hearings and for providing financial data for the material presented. The municipality must approve a corridor location by council resolution and the letter of transmittal must include the vote count. A sample resolution is provided in [Appendix H](#). A corridor is then approved by the CTB.

After the adoption of the location and the completion of the Environmental Document, both are submitted to the Federal Highway Administration for approval of the document and location. The document may consist of a Categorical Exclusion Statement, a draft Environmental Assessment or a draft Environmental Impact Statement, depending on the complexities of the project.

Upon FHWA approval, surveys are conducted and plans begin to be developed. Sign, signal, lighting, landscape and preliminary noise abatement and bridge plans are also developed at this time as well as utility adjustment plans and railroad work. Plan designs should be based on VDOT standards, taking into consideration municipality-adopted standards if they meet or exceed VDOT standards. Under VDOT agreement with FHWA, the detailed design features of a project need not be approved by FHWA. However, the Department will keep FHWA apprised of and involved in the project development process.

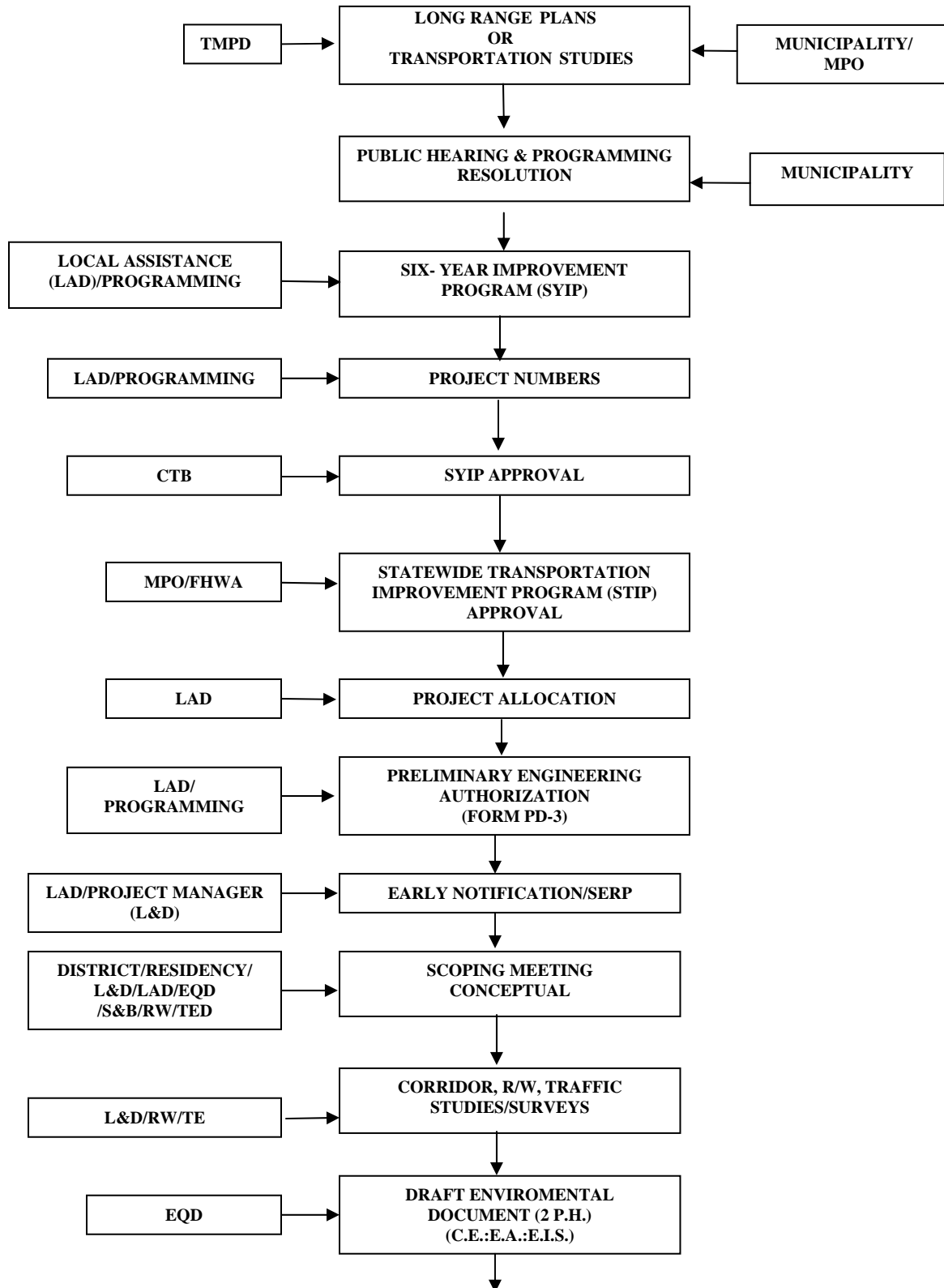
As plans continue to be designed, preliminary field reviews, and other meetings are held in order to develop plans to the design public hearing stage. The project manager/coordinator is responsible for coordinating all meetings with the Urban Program Manager and the municipality. Also, the Environmental Assessment or Environmental Impact Statement is finalized during this time. After the document is finalized, it is submitted to FHWA for approval and issuance of a Finding Of No Significant Impact (FONSI) or a Record of Decision (ROD).

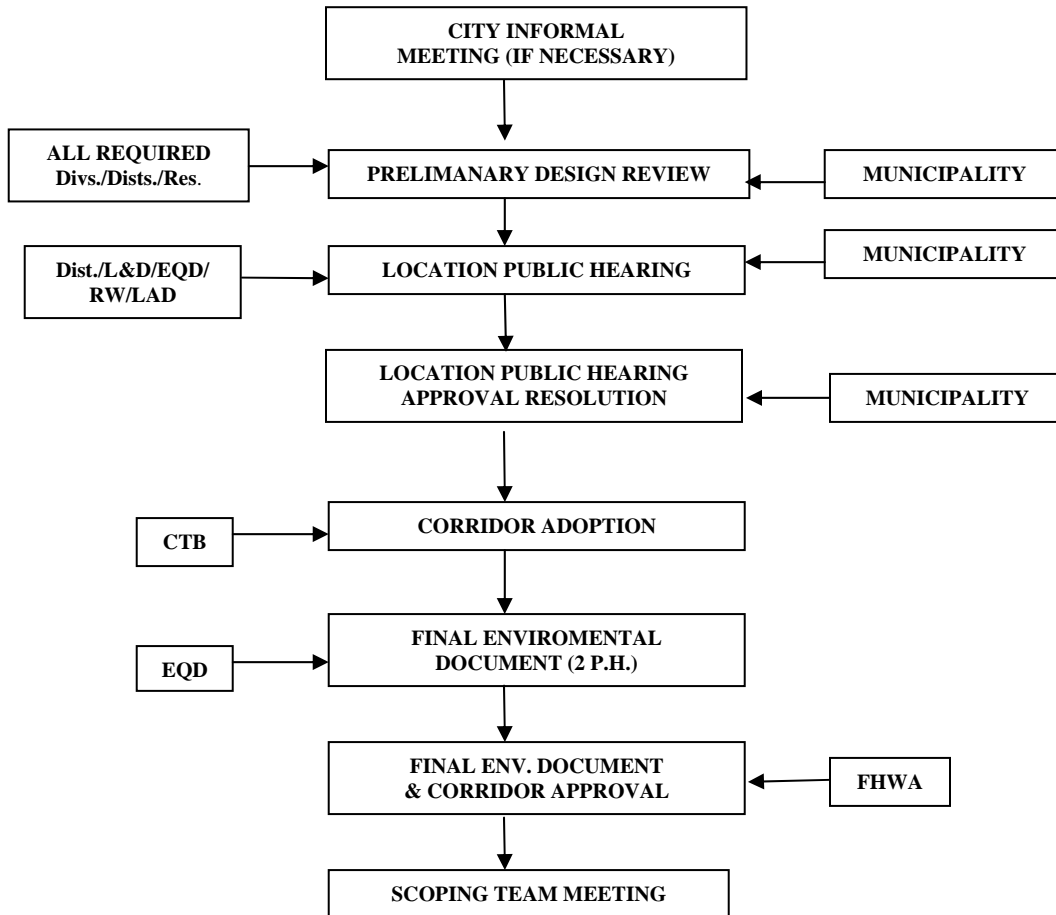
The municipality must approve the design hearing by council resolution and if so desired, request the Department to acquire the right of way. The letter of transmittal must include the vote count. A sample resolution is provided in [Appendix I](#). The plans are then approved for right of way and funds are requested by the Urban Program Manager and authorized by the Programming Division so right of way acquisition can begin.

The project manager/coordinator, in coordination with the Urban Program Manager, should schedule a pre-advertisement meeting for each urban project at least four months in advance of the scheduled advertisement date. The purpose of this meeting is to ensure timely completion of all phases of project development prior to construction advertisement. Items to be discussed include right of way, utilities, railroad coordination, structure plans, signs, signals, lighting, landscaping, permits, maintenance of traffic, sequence of construction, temporary signing, detours, work zone safety, construction time, special provisions, advertisement date, etc. The municipal representative, FHWA (when applicable), district/residency personnel and affected disciplines should be notified and requested to have a knowledgeable representative present. After the meeting is held, a report including recommendations should be prepared and sent to all interested parties by the Project Manager/Coordinator.

Upon receipt and tabulation of bids, the Urban Program Manager prepares the agreement and submits it to the municipality for execution with the concurrence and under authority of municipal council action. For VDOT administered projects, this will be in the form of a Municipal-State Agreement and will be the only financial agreement developed for the project. The Municipal-State Agreement must be signed under authority of the local governing body and by the Commonwealth Transportation Commissioner. For locally administered project, this will be in the form of an amendment to Appendix A of the Project Administration Agreement. The modified Appendix A can be executed by a person of responsible charge from the locality and the Urban Program Manager. The agreement or amendment must be fully executed with expediency in order that the contract can be awarded within 60 days of letting.

URBAN CONSTRUCTION PROJECT DEVELOPMENT PROCESS WORK FLOW CHART





CONCURRENT ENGINEERING PROCESS

4. Standards and Specifications

[Road Design Manual GS-5 thru GS-8](#), [Road and Bridge Standards](#), and [Road and Bridge Specifications](#) are utilized for Urban Construction projects administered by the Department. If a project is administered by the municipality, the municipality must conform to AASHTO standards and may choose to use standards or specifications other than VDOT's. However, any local standards or specifications must be approved by VDOT and FHWA prior to use.

5. Bicycle Facilities

The Department's policy for [Integrating Bicycle and Pedestrian Accommodations](#) for developing facilities in conjunction with urban highway projects or for comprehensive planning purposes became effective on March 18, 2004 with its adoption by the Commonwealth Transportation Board. Design guidance is provided in the Department's [Road Design Manual](#). This policy applies to both VDOT and locality managed projects that are receiving funding from the Department. The policy requires that accommodations for bicycles and pedestrians be considered as part of any project funded by the Commonwealth Transportation Board.

When bicycle facilities are provided on urban projects, the maintenance of the facility will be the responsibility of the municipality. The municipality will prohibit all motorized vehicles, except those for maintenance purposes.

6. Landscaping (Aesthetic Enhancements)/Streetscape

Landscaping is important to enhance the safety and visual quality of our roads, mitigate negative views, and maintain quality of life for our communities. It is VDOT's policy that a maximum of 3% of the construction budget for individual interstate, primary, and urban projects may be allocated for landscape improvements. Recommendations for landscaping should be made at the scoping stage of the project.

- No tree or shrub that will reach a caliper width of 4 inches (100 mm) at maturity may be planted within the clear zone. The clear zone width is provided in Appendix A, Section A-2 of the ["VDOT Road Design Manual"](#).
- Horizontal and vertical sight distances, and stopping sight distances, as determined by the ["VDOT Road Design Manual"](#) and the FHWA publication #FHWA-HI-97-026, *"Design Construction and Maintenance of Highway Safety Features and Appurtenances"*, shall not be obstructed. Similarly, the view of traffic control devices, signs, intersections, ramps and turn lanes shall not be obstructed.
- Where guard rails or other barriers are used, the designer must allow for the maximum deflection zone behind the barrier as indicated by the offsets provided in Appendix A, Section A-3 of the ["VDOT Road Design Manual"](#).
- Requests for irrigation systems in conjunction with a landscape project will be considered as a part of the landscape project. The locality will pay 100% of the

cost of an irrigation system and assume all maintenance responsibilities upon completion of the project.

- Where landscaping will be provided by local government or private groups or individuals all plant material, signs, irrigation systems, or other right of way encroachments shall comply with Regulation for Landscape Recognition and Identification Signs and Structures, [24 VAC 30-121-10 et seq.](#)
- [Section 33.1-47.1](#) of the Code provides that a municipality may elect to conduct a landscape study to evaluate the impact of proposed transportation projects on the existing flora and fauna. These studies must be funded by the municipality. The Department shall consider recommendations from these studies to protect natural flora as part of the project development process.

Landscaping for urban projects shall consist of planting beds or pits, plants, trees, groundcover and topsoil (when depth exceeds 2"). Other items to be included are pavers or non-standard materials in medians in conjunction with median landscaping, traffic islands and roundabouts. Also trellis structures when necessary for plantings in front of sound barrier walls.

Pavers and colored and stamped asphalt for crosswalks are considered as project participating items as they illuminate the pedestrian area and serve as a traffic calming device. Inclusion of these items increases the cost of projects and requires special treatment to maintain in the future.

Elements of streetscape including paver sidewalks, medians, veneers or inlaid panels on bridge parapets, piers and terminal walls, decorative signage, pedestrian lighting and street furniture can be constructed at project expense if the project is a gateway project or within historic and/or cultural districts. A gateway, historic, or cultural district must be defined as part of a municipality's comprehensive plan and be in place prior to initiation of the project. At all other times these elements would be considered 100% locality's cost.

G. Land Acquisition/Utility Relocation

1. Land Acquisition

a. Limited Access

Projects designated as Limited Access shall have the right of way acquired strictly as designated on the approved plans, no changes or additional access points will be permitted without official action and written approval of the Board. Under [Section 33.1-58](#) of the Code, the Commonwealth Transportation Board has the authority to regulate or limit the use of a highway including designating it as a limited access highway. If it is subsequently incorporated in the street system of a municipality, the city or town may discontinue such limited access features with the approval of the Board.

b. Advance Acquisition

Municipalities should work with their Urban Program Manager on site plan reviews where private development is (or will be) taking place along urban roads or streets which may require reconstruction or improvement as an urban highway project. Every effort should be made to preserve a corridor within an area that may be needed for future transportation projects.

Controlling such areas required for future project development is difficult. Some techniques available may be: deduction of right of way through zoning ordinance requirements, urban permit requirements, advance purchases by the municipality, advance right of way acquisition by the Department, or other procedures.

Advance purchase by the municipality is another possible procedure for preserving such needed right of way. In such cases, the city or town must utilize its own funds for the original purchase. Accurate records will be kept in order to document the value at the appropriate time.

Advance acquisition of right of way may be authorized for extreme landowner hardship or for protective buying for an impending transportation project. However, such procedures can only be authorized if (a) a project has been programmed, (b) funds are available (an allocation to the project) and authorized, and (c) a location has been approved by the CTB and a plan has been prepared for right of way acquisition.

c. Purchase of Residue Parcels

VDOT typically has purchased residue parcels as outlined in [Section 33.1-91](#) of the Code. That being, where it is economically appropriate, the residue is purchased along with the right of way. It is important to note that the Code limits the ability to purchase residue parcels of no more than two acres using the eminent domain procedures and no more than ten acres of residue parcels through voluntary conveyance. Where an acquisition results in an uneconomic remnant (that which cannot continue to be used because of size, shape, etc., for the same highest and best use as before) [Section 25.1-248](#) of the Code requires that the Department offer to acquire the entire property subject to the acreage limitations discussed above.

[Section 33.1-23.3](#) allows acquisition of property outside of the normal right of way width when the property's use has been impacted by the transportation improvement for which right of way is to be acquired. This broadens the traditional economic justification for right of way acquisition for construction improvements on functionally classified arterial streets. Accordingly, should a municipality want to pursue acquisition of residue parcels based on this legislation, it will be necessary for the municipality to demonstrate that one or all of the conditions in the legislation are satisfied. This should include, but not necessarily be limited to, the following:

- The locality master plan and zoning support the need for special land use control directly related to the purpose and need of the project.
- A traffic analysis of sufficient detail that provided justification for access

control.

- A traffic analysis that demonstrates improvements to traffic flows and traffic system utilization.
- A traffic engineering analysis that demonstrates improvements to traffic safety.

Procedurally, a locality interested in pursuing an improvement project in this manner should present the necessary data to support its request at the project scoping stage. Each such improvement will be considered by VDOT on a project by project basis, and approved by the District Administrator, if appropriate.

The Department may dispose of residue parcels remaining after completion of transportation projects. The proceeds of the sale of such parcels, less the costs associated with the sale of the property, will be included in the municipality's urban allocation. This may result in a deduction from the urban allocation if costs exceed the proceeds from the sale. Residue parcels may also be transferred to the municipality for disposition at their request.

d. Purchase of Right of Way Within Municipalities

The Commonwealth Transportation Commissioner is vested with the power to acquire by purchase, gift, or power of eminent domain such lands, structures, rights-of way, franchises, and easements deemed to be necessary for the construction and maintenance of public highways. For state and federal projects within a municipality, the Commissioner is authorized to exercise this power if requested by the municipality. The Commissioner shall convey the title for all property acquired on behalf of the municipality to the municipality under state law.

2. Utilities

a. Accommodation of Utilities on Street Right of Way

Municipalities have the responsibility to maintain the highway right of way under their jurisdiction and to preserve the operational safety, integrity, and function of the highway facility. Since the manner in which utilities cross or otherwise occupy highway right of way can materially affect the safe operation, maintenance and appearance of the highway; it is necessary that such use and occupancy be authorized and reasonably controlled.

[Section 15.2-2017](#) of the Code provides in essence that no utilities or like enterprises shall be permitted to use the right of way of a municipality without the consent of the corporate authority of such municipality.

The location and installation of utility poles and other above ground utility facilities on Urban projects shall conform to [VDOT Land Use Permit Manual](#) or be subject to the approval by the Department.

In regard to placing utility facilities underground, the municipality's urban

allocation can reimburse fifty percent (50% is capped at \$5,000,000) of the additional cost to place the facilities underground in conjunction with a transportation project. The 2000 General Assembly amended [Section 33.1-44](#) to eliminate the municipality's 50% cost for the Cities of Hampton and Newport News. See the Department's [Underground Utility Relocation Policy](#).

b. Roadway Lighting

The [Roadway and Structure Lighting Manual](#) (part of the Traffic Engineering Manual) embraces all systems and allows VDOT to participate in roadway lighting as a project cost for replacement of existing roadway lighting or when requested by a municipality and when deemed necessary for traffic safety. Illumination of a previously unlit roadway which is not considered a safety issue, can be illuminated at the municipality's expense. Stand alone lighting projects would also be considered, when deemed necessary, for traffic safety; however, they would have to be considered and weighted with other system needs.

The policy allows for the construction, operation and maintenance of roadway lighting systems on all VDOT roadway systems. Therefore, the operation and maintenance costs of roadway lighting is an eligible maintenance activities.

Many localities have depended on their power utility companies to provide roadway lighting, therefore:

- A utility company can install and maintain lighting exclusively in a given locality at project cost as described above. In this case, the lighting would be installed by the utility company and payment would be made by the plan and estimate method. This would make it unnecessary to use the low bid process as power companies' work under franchise agreements with localities and have SCC regulated service areas.
- Plans can specify utility poles and other materials if they meet the standards of the localities, the utility company and national standards. The utility company should be allowed to approve the poles and materials to ensure effective maintenance and service.
- A utility, whether a local government or a power company, can install lighting by using their crews or a contractor under the plan and estimate procedure once the lighting is approved by VDOT (Traffic Engineering Section of L&D and Right of Way Divisions).
- A utility company can supply their own poles, at project cost or their cost, for installation by the VDOT contractor but this is not recommended. It is best to specify the materials in the plans and require the contractor to bear the liability and responsibility of handling and installing.
- If the utility company is allowed to install lighting under the plan and estimate method at the same time the roadway contractor is pursuing

roadway work, a special provision must be included in the plans making the contractor aware of the street lighting work and schedule.

- If the plan and estimate method is used, the utility may want to use a consultant or VDOT to do the engineering design work. Either would be acceptable.
- Poles may be located inside of the desirable clear zone of 9.5 feet provided the justification for doing so exists (no right of way, building lines, undue cost, etc.) and the absolute minimum clear zone of 1.5' from the face of curb is not violated. The project manager is responsible for documenting any variation from the desirable clear zone.
- Existing non-roadway lighting may be replaced at project expense.

c. Storm Sewers

All storm sewers both parallel and transverse and all appurtenances, such as drop inlets, manholes, etc., that fall within the right of way limits of urban improvement or construction projects on existing or new locations and are considered necessary for adequate project drainage will be financed at the percentage required by law for the construction of the project. This participation is allowable provided that all storm water to be conveyed is normal to the project limits and is not diverted from another watershed.

All storm sewers and outfalls constructed outside of the normal right of way limits of urban projects that are considered necessary for adequate project drainage will be financed at the percentage required by law for the construction of the project; provided none of the storm water to be conveyed is diverted from another watershed. All storm sewers and outfalls constructed outside of the normal right of way limits of urban projects that are beyond that needed to adequately drain the highway project shall be financed on a run-off ratio basis between state funds and city or town funds.

Whenever parallel storm sewers, manholes, etc., within an urban project or outfalls beyond the project limits are utilized by a city or town for the conveyance of diverted storm drainage, then the cost of such storm sewers, outfalls, etc., shall be financed on a run-off ratio basis between state funds and city or town funds. See [I&IM 146](#) for further information.

H. Betterment Cost

Whenever a municipality desires to have certain items of work or materials specified in the highway construction contract which are better than the items normally provided for in the Department's specifications or better than what is needed for project construction purposes, such items may be specified with the provision and agreement that the betterment difference in cost will be borne by the municipality. Whenever betterment items or cost responsibility shares can not be determined on the basis of actual cost, agreed lump sum amounts may be used provided said amounts are

determined on the basis of reliable cost estimates which are mutually acceptable to the Department and the Municipality.

Some examples of betterments are: decorative lighting, special finishes, special materials, utility adjustments and other specifications that are better than standard specifications. Inclusion of such specifications should be coordinated with the Urban Program Manager prior to inclusion in construction contracts.

Cost responsibility shall be outlined in an agreement between the municipality and the Department prior to initiation of physical construction.

I. Construction, Inspection, and Acceptance

For VDOT administered projects, the District Construction Engineer (Assistant District Administrator) coordinates the work with the Area Construction Engineer (ACE), who has direct supervisory responsibilities over the progress of construction. The ACE conducts a pre-construction conference, which usually includes utility, railroad and municipal representatives, along with the contractor and other pertinent department personnel. The ACE issues the notice to proceed, supervises inspection, reviews and processes monthly progress billings, coordinates changes and/or work orders, etc. The ACE should also coordinate all construction activities, such as detours, maintenance of traffic, and signing, with the municipality.

Upon completion of the project, and prior to processing the final billing, the municipality is requested to participate in a final inspection and to accept the project for maintenance responsibility, in writing. After the project is accepted, the municipality should submit [Form U-1](#), requesting additional lane mileage, as applicable, for street payment purposes.

For locally administered projects, please refer to the [Guide for Local Administration of VDOT Projects](#) or consult with your VDOT Project Coordinator to discuss VDOT's oversight roles and responsibilities.

J. Other

1. Roundabouts

When a locality requests a Roundabout be part of a roadway improvement project, the request must be accompanied by a sketch indicating the geometrics, dimensions, volumes on each approach, design speed and a traffic analysis. Subsequently, the Department's Roundabout Review Committee will review all submittals and render a decision on a case by case basis. The initial request must be submitted to the Urban Program Manager, who will coordinate review by the Department.

2. Design-Build Projects

A Design-Build contract combines engineering design services, construction services, and/or maintenance services into a single contract. This innovative method for

delivery of construction improvements is generally utilized for projects that must be expedited and where it is not in the public interest to comply with normal design and construction contracting procedures. See the [Innovative Project Delivery Design-Build Manual](#) for additional information.

3. Public-Private Transportation Act of 1995

This legislation provides the framework for the Department or a locality to enter into agreements with private entities to develop and/or operate transportation facilities through private sector innovation and investment to address transportation needs. See [PPTA Implementation Guidelines](#) for additional information.

4. Construction Speed Zones

Municipalities shall make necessary provisions for establishing temporarily reduced speed limits on urban construction projects as may be required in the interest of safety to the traveling public and persons working on the project as per [Section 46.2-1300](#) of the Code.

5. Prison Labor

On federal-aid projects, prison labor shall not be used for any purposes whatsoever during the life of the construction contract.

K. Operations

When state/federal transportation funds are utilized for the implementation of a transportation improvement, it is expected that the municipality will continue to operate and maintain the facility as constructed. However, the Department recognizes that conditions may change and that a modification to operations may be warranted. In such cases, the municipality shall coordinate approval of such modifications with the Department. Modification to the width or number of travel lanes, placement of additional median crossovers, enlargement of existing crossovers, and alteration of channelization islands is not permitted without prior approval of the Department. Should the design features of the project be altered by the Municipality, subsequent to project completion, without the approval of the Department, the Municipality inherently agrees, by execution of the agreement, to make restitution, either physically or monetarily, as may be required by the Department.

1. On-street Parking

As a general rule, on-street parking is not to be provided at project cost as a part of an urban construction project. Where on-street parking is permitted, it is generally allowed until such time as traffic volumes warrant otherwise; at which time on-street parking will be removed. Where parking is prohibited, appropriate "No Parking" signs shall be erected in conformance with the [Manual on Uniform Traffic Control Devices \(MUTCD\)](#). Any changes in parking provisions shall be subject to the approval of the

Department.

All parking where permitted shall be parallel to the curb. No angle parking shall be allowed on Urban projects.

2. Traffic Control

a. Devices

All signs, signals and signal detection devices, pavement markings and other message relating mediums shall conform to the most current edition of the [MUTCD and the Virginia Supplement to MUTCD](#). To the extent possible, design and installation shall conform to the [VDOT Road and Bridge Specifications](#) and [Standards](#). All such devices shall be subject to the approval of the Department.

When a municipality requests the use of emerging types of devices, VDOT shall evaluate each request on a case by case basis. Generally, VDOT is supportive if the municipality is already using similar devices, plans to use these devices at other locations, or is truly interested in possible use at other locations and wants an evaluation test.

b. Restriction of Traffic

The installation, maintenance, and control of traffic signs and pavement markings will be under the jurisdiction of the municipality having street maintenance responsibilities on the Urban System. Prohibition of traffic through a municipality may be allowed on selective routes when reasonable alternative routes are provided and are properly signed and marked.

c. Traffic Signals

Installation of traffic control signals should meet the warrants established in the [MUTCD](#). Signal poles may need to be stronger and higher or provide an extension for luminaries. If such a pole is needed, it is eligible as a project expense. Non-breakaway Poles, cabinets and other associated fixed objects located within the clear zone should be protected with the appropriate guardrail system.

[Section 33.1-47](#) of the Code provides that all markings and traffic lights erected by Towns on Primary roads maintained by the Department shall be approved by the Commissioner.

d. Proprietary Traffic Signal Equipment

An affirmative public interest finding must be made in order to allow proprietary (brand name) traffic signal equipment to be used on urban projects. The use of proprietary equipment will not be approved for total traffic signal projects; however, additional local controllers may be included when the circuitry provides for direct interfacing with the master controller. The request, including the cost estimate, must be

made by the Municipality to the Urban Program Manager at the field inspection stage of the project.

Please refer to the "Guidelines for use of Proprietary Signal Controllers and Cabinets" in [Appendix B](#). A sample letter is also provided for your use.

When such request is approved, the municipality will purchase the equipment at its cost. A special provision will be included in the urban project proposal document advising the contractor of the specific equipment to be furnished by the Municipality and which is to be installed by the contractor at project expense. After the equipment is installed, and prior to the completion of the project, the Municipality may bill the Department for 100% of the received invoice price of the equipment. This billing should be processed through the Area Construction Engineer's Office. When the bill has been paid by the Department, the Department shall include such costs in the total project cost for which the Municipality will be billed its proportionate share.

3. Service Roads

Service roads/frontage roads must be constructed or reconstructed to meet the standards and minimum eligibility requirements as discussed in [Chapter II](#) of this manual in order to qualify for street payments.

4. Structures and Bridges

The District Structure and Bridge Engineer shall be notified immediately when a structure in a municipality is altered, thereby affecting the clearance or capacity either permanently or temporarily.

5. Interstate Interchanges

Federal Design Standards for interstate cross streets require access control and management within 100 and 300 feet of the ramp termini in rural and urban areas respectively. The two main reasons for maintaining this control of access are 1) to preserve the operational and safety integrity of the intersection and crossroad, and 2) prevent traffic from backing up onto the main lines of the interstate due to traffic conflicts too close to the exit terminal.

Municipalities should keep this standard in mind when reviewing land development proposals and access requests in the proximity of interstate interchanges.

APPENDIX A

LEGISLATION - ALPHABETICALLY

<u>SECTION 33.1-221</u>	ACCESS ROADS-INDUSTRIAL AND AIRPORT
<u>SECTION 46.2-808</u>	ACCESS ROADS-PROHIBIT CERTAIN USES
<u>SECTION 33.1-223</u>	ACCESS ROADS-RECREATIONAL AND HISTORICAL
<u>SECTION 33.1-12.1</u>	AGREEMENTS BETWEEN COMMISSIONER AND MUNICIPALITIES
<u>SECTION 15.2-2030</u>	AIR SPACE OVER PUBLIC STREETS
<u>SECTION 33.1-23.1A,B,B2</u>	ALLOCATION OF FUNDS AMONG HIGHWAY SYSTEMS
<u>SECTION 33.1-23.2</u>	ALLOCATION OF FUNDS FOR PRIMARY AND INTERSTATE MATCH
<u>SECTION 33.1-23.3</u>	ALLOCATION OF FUNDS FOR URBAN HIGHWAYS
<u>SECTION 46.2-1110</u>	BRIDGE CLEARANCES
<u>SECTION 33.1-39</u>	BYPASSES
<u>SECTION 33.1-288</u>	CHESAPEAKE BAY BRIDGE TUNNEL PAYMENTS
<u>SECTION 33.1-214</u>	CITY CONTRIBUTIONS TOWARD CONSTRUCTION OUTSIDE CITY
<u>SECTION 33.1-41.1</u>	CITY AND TOWN STREET PAYMENTS
<u>SECTION 2.2-4200</u> <u>TO 2.2-4201</u>	CONTRACTOR NON-DISCRIMINATION
<u>SECTION 2.2-4318</u>	CONTRACT NEGOTIATION WITH LOW BIDDER
<u>SECTION 15.2-2013</u> <u>15.2-2029</u>	CONTROL OF STREETS BY MUNICIPALITY
<u>SECTION 33.1-223.2:4</u>	DRAINAGE EASEMENTS
<u>SECTION 33.1-223.2:6</u>	FUNDING OF PEDESTRIAN/BIKEWAYS
<u>SECTION 33.1-12</u>	GENERAL DUTIES OF BOARD

<u>SECTION 15.2-2021</u>	HANDICAP RAMPS
<u>SECTION 33.1-42</u>	INCORPORATION INTO STATE HIGHWAY SYSTEM STREETS IN CITIES AND TOWNS
<u>SECTION 33.1-91</u>	LAND ACQUISITION OF ENTIRE TRACTS OF LAND
<u>SECTION 33.1-47.1</u>	LANDSCAPE STUDIES
<u>SECTION 33.1-58</u>	LIMITED ACCESS HIGHWAYS–BOARD AUTHORITY
<u>SECTION 33.1-23.02</u>	MAINTENANCE AND ASSET MANAGEMENT DEFINITION
<u>SECTION 33.1-249</u>	MAINTENANCE OF CITY LINE BRIDGES
<u>SECTION 33.1-46.1</u>	MASS TRANSIT AID
<u>SECTION 33.1-44</u>	MATCHING HIGHWAY FUNDS
<u>SECTION 33.1-61</u>	PARALLEL SERVICE ROADS
<u>SECTION 46.2-1149</u>	PERMITS - OVERSIZED/OVERWEIGHT VEHICLES
<u>SECTION 46.2-1303</u>	PERMITS - WITHIN RIGHT OF WAY
<u>SECTION 33.1-56</u>	RELOCATION, REMOVAL OF UTILITIES
<u>SECTION 33.1–89</u>	RIGHT OF WAY - ACQUISITION WITHIN MUNICIPALITY
<u>SECTION 15.2-2003</u>	RIGHT OF WAY - ACQUISITION OUTSIDE CORPORATE LIMITS
<u>SECTION 33.1-90</u>	RIGHT OF WAY - ADVANCE ACQUISITION
<u>SECTION 56-405</u>	R/R GRADE CROSSING – MAINTENANCE
<u>SECTION 33.1-79&82</u>	SECONDARY STREET ADDITION REQUIREMENTS IN TOWNS
<u>SECTION 15.2-3530</u>	SERVICE CONTINUATION AFTER ANNEXATION
<u>SECTION 33.1-46</u>	SIGNS/PAVEMENT MARKINGS APPROVED BY THE COMMISSIONER
<u>SECTION 33.1-25&37</u>	STATE HIGHWAY SYSTEMS
<u>SECTION 33.1-57</u>	STREETS AND ROADS OCCUPIED BY THE INTERSTATE SYSTEM

SECTION 1-251	SYSTEMS OF THE STATE HIGHWAYS
SECTION 33.1-43.2	TOWNS WITH RESTRICTED DEVELOPABLE LAND
SECTION 46.2-1300	TRAFFIC CONTROL
SECTION 33.1-47	TRAFFIC LIGHTS AND MARKINGS ON PRIMARY ROADS
SECTION 33.1-224	TRANSFER OF STREETS FROM SECONDARY SYSTEM TO URBAN
SECTION 46.2-1304	TRUCK TRAFFIC REGULATIONS - LOCAL AUTHORITIES
SECTION 46.2-809	TRUCK TRAFFIC REGULATIONS - SECONDARY HIGHWAYS
SECTION 15.2-2017	UTILITIES - OCCUPY RIGHT OF WAY WITH CONSENT
SECTION 33.1 - 190.1	VALUE ENGINEERING REQUIREMENT
SECTION 15.2-2114	WAIVER OF STORMWATER CHARGES FOR PUBLIC ROADS

LEGISLATION - BY SECTION CODES

SECTION 1-251	SYSTEMS OF STATE HIGHWAYS
SECTION 2.2-4200 TO 2.2-4201	CONTRACTOR NON-DISCRIMINATION
SECTION 2.2-4318	CONTRACT NEGOTIATION WITH LOW BIDDER
SECTION 15.2-2003	RIGHT OF WAY - ACQUISITION OUTSIDE CORPORATE LIMITS
SECTION 15.2-2013, 15.2-2029	CONTROL OF STREETS BY MUNICIPALITY
SECTION 15.2-2017	UTILITIES - OCCUPY RIGHT OF WAY WITH CONSENT
SECTION 15.2-2021	HANDICAP RAMPS
SECTION 15.2-2030	AIR SPACE OVER PUBLIC STREETS
SECTION 15.2 -2114	WAIVER OF STORMWATER CHANGES FOR PUBLIC ROADS
SECTION 15.2-3530	SERVICE CONTINUATION AFTER ANNEXATION

<u>SECTION 33.1-12</u>	GENERAL POWERS AND DUTIES OF BOARDS
<u>SECTION 33.1-12.1</u>	AGREEMENTS BETWEEN COMMISSIONER AND MUNICIPALITIES
<u>SECTION 33.1-18</u>	LOCATION OF ROUTES
<u>SECTION 33.1-23.02</u>	MAINTENANCE AND ASSET MANAGEMENT DEFINITION
<u>SECTION 33.1 -23.1</u>	ALLOCATION OF FUNDS AMONG HIGHWAY SYSTEMS
<u>SECTION 33.1-23.2</u>	ALLOCATION OF FUNDS FOR PRIMARY AND INTERSTATE MATCH
<u>SECTION 33.1-23.3</u>	ALLOCATION OF FUNDS FOR URBAN HIGHWAYS
<u>SECTION 33.1-25 & 37</u>	STATE HIGHWAY SYSTEMS
<u>SECTION 33.1-39</u>	BYPASSES
<u>SECTION 33.1-41.1</u>	CITY AND TOWN STREET PAYMENTS
<u>SECTION 33.1-42</u>	INCORPORATION INTO STATE HIGHWAY SYSTEM STREETS IN CITIES AND TOWNS
<u>SECTION 33.1-43.2</u>	TOWNS WITH RESTRICTED DEVELOPABLE LAND
<u>SECTION 33.1-44</u>	MATCHING HIGHWAY FUNDS
<u>SECTION 33.1-46</u>	SIGNS/PAVEMENT MARKINGS APPROVED BY THE COMMISSIONER
<u>SECTION 33.1 -46.1</u>	MASS TRANSIT AID
<u>SECTION 33.1-47</u>	TRAFFIC LIGHTS AND MARKINGS ON PRIMARY ROADS
<u>SECTION 33.1-47.1</u>	LANDSCAPE STUDIES
<u>SECTION 33.1-57</u>	STREETS AND ROADS OCCUPIED BY THE INTERSTATE SYSTEM
<u>SECTION 33.1-58</u>	LIMITED ACCESS HIGHWAYS – BOARD AUTHORITY
<u>SECTION 33.1-61</u>	PARALLEL SERVICE ROADS
<u>SECTION 33.1-79 & 82</u>	SECONDARY STREET ADDITIONS REQUIREMENTS IN TOWNS

<u>SECTION</u>	<u>33.1 –89</u>	RIGHT OF WAY - ACQUISITION WITHIN MUNICIPALITY
<u>SECTION</u>	<u>33.1-90</u>	RIGHT OF WAY - ADVANCE ACQUISITION
<u>SECTION</u>	<u>33.1-91</u>	LAND ACQUISITION OF ENTIRE TRACTS OF LAND
<u>SECTION</u>	<u>33.1 - 190.1</u>	VALUE ENGINEERING REQUIREMENT
<u>SECTION</u>	<u>33.1-214</u>	CITY CONTRIBUTION TOWARDS CONSTRUCTION OUTSIDE CITY
<u>SECTION</u>	<u>33.1-221</u>	ACCESS ROADS-INDUSTRIAL AND AIRPORT
<u>SECTION</u>	<u>33.1 –223</u>	ACCESS ROADS - RECREATIONAL AND HISTORICAL
<u>SECTION</u>	<u>33.1-223.2:4</u>	DRAINAGE EASEMENT
<u>SECTION</u>	<u>33.1-223.2:6</u>	FUNDING OF PEDESTRIAN/BIKEWAYS
<u>SECTION</u>	<u>33.1-224</u>	TRANSFER OF STREETS FROM SECONDARY SYSTEM TO URBAN
<u>SECTION</u>	<u>33.1-249</u>	MAINTENANCE OF CITY LINE BRIDGES
<u>SECTION</u>	<u>33.1-288</u>	CHESAPEAKE BAY BRIDGE TUNNEL PAYMENTS
<u>SECTION</u>	<u>46.2-808</u>	ACCESS ROADS - PROHIBIT CERTAIN USES
<u>SECTION</u>	<u>46.2-809</u>	TRUCK TRAFFIC REGULATIONS
<u>SECTION</u>	<u>46.2- 1110</u>	BRIDGE CLEARANCES
<u>SECTION</u>	<u>46.2-1149</u>	PERMITS - OVERSIZED/OVERWEIGHT VEHICLES
<u>SECTION</u>	<u>46.2-1300</u>	TRAFFIC CONTROL
<u>SECTION</u>	<u>46.2- 1303</u>	PERMITS - WITHIN RIGHT OF WAY
<u>SECTION</u>	<u>46.2-1304</u>	TRUCK TRAFFIC REGULATIONS – LOCAL AUTHORITIES
<u>SECTION</u>	<u>56-405</u>	R/R GRADE CROSSING - MAINTENANCE

Appendix E

LIST OF MAINTENANCE ACTIVITIES

Section 33.1-23.02 of the Code of Virginia defines the term "maintenance" as follows: "For the purpose of this title, unless otherwise explicitly provided, the term 'maintenance' shall include ordinary maintenance, maintenance replacement, and any other categories of maintenance which may be designated by the Commissioner".

Ordinary maintenance activities pertain to preservation of each type of roadway structure and facility as near as possible in its condition as constructed.

Maintenance replacement activities pertain to the function of restoring each type of roadway structure and facility as near as possible to its condition as constructed.

Maintenance payments, are not to be used for construction, reconstruction or improvement purposes, except as provided under Expanded Definition of Maintenance.

In general, replacements-in-kind are acceptable charges; betterments are not acceptable. However, betterment or improvement work may be accomplished along with maintenance work provided proper credits or deductions are made and documented in the accounting and recording process.

A list of authorized ordinary maintenance and maintenance replacement activities is follows in this appendix. In addition, the following items of acceptable and unacceptable allowable costs are set forth:

Acceptable items:

1. Costs to implement and continue these procedures.
2. Payroll additives and applicable overhead charges.
3. Expenditures for training in maintenance or bridge inspection work.
4. Bridge inspection costs for bridges on all public streets.
5. Replacement, maintenance and energy costs for traffic signals.
6. Maintenance and energy costs for roadway lighting.
7. Cost to maintain features within right of way such as sidewalks, bikeways etc.
8. Use of municipal prison labor as long as there is a work order system sufficient to document the work is an eligible activity on an eligible street.
9. Operation of intelligent and other traffic control and surveillance systems to monitor and control traffic.
10. Traffic calming devices which meets VDOT standards.
11. Storm drainage replacement for undersized culverts.
12. Minor pavement widening where tractor trailers run off the pavement or intersection radii need to be increased to accommodate turning movements.
13. Reconstruction or replacement of roadbeds or sidewalks where deteriorated beyond repair.

14. Plant mix overlays for streets previously only surface treated.
15. Higher grade materials, such as traffic signs and paint, than originally used.
16. High intensity pavement marking devices on roadways.
17. Traffic control devices upgrading and replacement.
18. Barriers or guardrails to protect traffic control cabinets when the barrier or guardrail is immediately adjacent to the cabinet.

Unacceptable items:

1. Parking meter costs.
2. All costs on ineligible streets, except for bridge inspection costs.
3. Follow-up repairs to utility cuts.
4. All non-highway related items.
5. Municipality's share (contribution) on construction projects.

**AUTHORIZED ORDINARY MAINTENANCE AND MAINTENANCE REPLACEMENT
ACTIVITIES FOR ELIGIBLE MUNICIPAL STREETS**

- I. ORDINARY MAINTENANCE ACTIVITIES – preserves the roadway structure and/or facility as near as possible in its condition as constructed.

<u>ACTIVITIES</u>	<u>DESCRIPTION</u>
<u>Engineering & Administration</u>	
Engineering	Salaries, expenses and equipment rentals for field engineering, inspection, and materials testing
Expendable Equipment	Purchase and repair of small tools and non-rental equipment; rental charges on inactive equipment
Administrative Overhead	Salary & expenses of maintenance supervisory personnel building overhead
<u>Surface Repair – Bituminous</u>	
Spot Sealing or Skin Patching	Patching with liquid asphalt
Premix Patching	Patching with commercial or shop prepared mixes
Spot Reconditioning	All surface and base repairs for reshaping and reconditioning sections of roadway less than 1,000 feet
Seal Cracks on Bituminous Surfaces	With liquid asphalt
Repairing Bleeding Pavements	General Maintenance
Slurry Patching	With slurry machine
Heavy Mechanized Patching	Application of hot or cold bituminous mixes with motor graders and paving machines
Other Bituminous Surface Maintenance	Planing and smoothing bituminous surface emergency patching with stone dust or other non bituminous materials.
<u>Surface Repair – Concrete</u>	
Patching with Concrete	Holes and blow-ups including removal of existing concrete
Patch with Other Material	With bituminous or epoxy material
Grouting, Undersealing, & Pavement Jacking	Pumping bituminous material beneath pavement, filling voids by grouting, and pavement jacking

Shoulder Maintenance

Non-Hard Surface	Machining and repairing low shoulders
Hard Surfaced Shoulders	Spot sealing, patching holes, sealing joint between shoulder and pavement, repairing low or high shoulders
Other Shoulder Maintenance	Applying dust palliatives to shoulder

Ditches and Drainage

Clean and Reshape Ditches by Machine	Where ditch spoil is used on shoulders or loaded and hauled
Hand Cleaning of Ditches	All hand ditch work
Other Drainage Maintenance	Cleaning curb and gutter and drop inlets

Road Side

Erosion Repair	To cut slopes, fill slopes, washouts, and the removal of minor slides
Cleaning Right-of-Way	Removing debris on right of way
Reseeding, Mulching, Sodding, and Resoiling	Replacing soil, sod, mulch, and reseeding right of way
Waysides and Rest Areas	General maintenance of areas to serve traveling public adjacent to eligible street
Bus Shelters	General maintenance
Roadside Structures	Maintenance of sidewalks, retaining walls, rip rap, curb and gutter and guard rails
Fences	Maintenance of right of way and access control fences
Street Sweeping	Mechanical cleaning of roadways

Vegetation Control

Tractor Mowing and Hand Mowing	Within standards of maintenance
Brush Cutting	Cutting and removal
Spraying Brush, Weeds and Grass	All use of herbicides or soil sterilants

Signs and Traffic Control

Signs	Cleaning, repairing, replacing, and resetting signs
Traffic Signals	Replacement, maintenance and energy costs

Railroad Protection Devices

Payments to railroads for maintenance and operation to grade crossing protection

Traffic Services and Operations

Traffic Counts

Arterial Roads and Collector/Road Streets

Highway Lighting

Maintenance and energy costs

Operation and Maintenance of Fog Warning System

General maintenance

Maintenance of Impact Attenuators

General maintenance

Snow and Ice Control

Deicing Chemicals and Abrasives

Snow Removal Expendable Equipment

Cost of spreaders, plows, or other snow removal equipment

Snow Fence

Cost of fence, erection and removal

Snow and Ice Control Support

Cleaning and servicing of snow removal equipment, and cleaning and washing bridges after storms

Snow Removal and Ice Control Availability Fee

Paid to hired equipment owners for making their equipment available for snow removal

Structures

Bridge Inspection

All structures

Repairing Substructure

Repair and repainting bridge substructure removal of drift and ice flows

Repairing Superstructure

Repair and repainting the bridge superstructure

Repairs to Large Drainage Pipelines

Repairs to Box Culverts

Waterproof Bridge Decks

Includes linseed oil or epoxy treatments to bridge decks, wheel guards, and rails

Underwater Substructure Investigations

Operation of non-toll Bridges

Operational expenses of drawbridges

Purchase of Equipment

Required to accomplish ordinary maintenance activities

Purchase of Materials

Required to accomplish ordinary maintenance activities

II. MAINTENANCE REPLACEMENT ACTIVITIES – restore the roadway structure and/or facility as near so possible to its condition as constructed.

<u>ACTIVITIES</u>	<u>DESCRIPTION</u>
<u>Engineering and Administration</u>	
Engineering	Salaries, expenses and equipment rentals for field engineering, inspection, and materials testing
Expendable Equipment	Purchase and repair of small tools and non-rental equipment; rental charges on inactive equipment
Administrative Overhead	Salary and expenses of maintenance supervisory personnel building overhead
Pavement Management Inspection	As required
<u>Surface Replacement</u>	
Reconditioning Hard-Surfaced Roads	Restoration of base and surface to original condition bituminous resurfacing
Bituminous Retreatments	Applied to existing bituminous surfaces
Portland Cement Concrete Pavement Slab Replacement	Portland cement concrete overlays and grooving
<u>Shoulders and Drainage</u>	
Bituminous Retreatments	Existing hard-surfaced shoulders
Drainage Structures	Replacement of structures with equivalent dimensions
Extraordinary Cleaning of Major Outfall Ditches and Channels	Street drainage only
<u>Roadside</u>	
Major Cut and Fill Washouts and Slides	Replacing major cut and fill slopes, removal of major slides
Major Waysides and Rest Areas	Major repairs or replacements of roadsides serving the traveling public adjacent to eligible street
Replacement of Right of Way Fences	All replacement
Replacement of Existing Shrubs and Trees	All replacement
<u>Signs</u>	
Signs	Replacing sign structures, refurbishing major signs
Traffic Signals	Replacing traffic signals and equipment

Pavement Marking

Painting centerlines, edge lines and messages

Reflectorize Pavement Markers

Replace raised pavement markers

Structures

Major Substructure

Major repairs with equivalent dimensions

Major Superstructure

Major repairs with equivalent dimensions

Equipment and Materials

Purchase of Equipment

Required to accomplish maintenance replacement activities

Purchase of Materials

Required to accomplish maintenance replacement activities

STANDARDS OF MAINTENANCE FOR URBAN HIGHWAYS

1. Pavement

The roadway surfaces shall be maintained as near as practical to the originally constructed, reconstructed, or improved condition. Maintenance performed on roadway surfaces should provide a reasonably smooth and safe traveling surface.

2. Shoulders and Curb and Gutter

These should be maintained as near as practical to the originally constructed, reconstructed, or improved condition. They should have a uniform slope that will conduct water away from the pavement and be free of excessive irregularities and drop-offs from the edge of the pavement.

3. Roadsides

Policy: The roadside shall be maintained in a reasonably safe manner and be aesthetically pleasing to the traveling motorist.

Vegetation:

Vegetation control shall be performed to protect erosion of embankment soils and to provide an unobstructed view of signs and other appropriate roadside features.

Sidewalk:

The sidewalk surfaces shall be maintained as near as practical to the originally constructed, reconstructed, or improved condition. Maintenance performed on sidewalk surfaces should provide a reasonably smooth and safe traveling surface.

4. Drainage

All drainage facilities shall be maintained to (a) provide safety and protection to the traveling motorist, (b) provide reasonably adequate drainage of the roadway surfaces, shoulders, and other any incidental drainage items, and (c) preserve the structural integrity of the roadway.

5. Traffic Control and Safety

All traffic control and safety devices shall be fabricated, erected, and maintained in conformance with the current standards. VDOT shall render any decisions regarding exceptions to the standards. In addition to physical maintenance, functional maintenance is required to adjust traffic control devices to current conditions and to remove devices when no longer required.

6. Snow and Ice Control

The municipality shall provide snow and ice control services when required and commensurate with the needs of all segments of the traveling public and the highway system.

7. Structures

- a. Bridges, box culverts and pipe culverts that meet the American Association of State Highway and Transportation Officials' (AASHTO) definition of a bridge, generally structures having a clear opening greater than 20', shall be inspected in accordance with the National Bridge Inspection Standards. Maintenance shall be performed as needed.
- b. Bridges, box culverts and pipe culverts that do not meet AASHTO's definition of a bridge should be inspected on a regular basis and maintained as regular drainage (Item 4 above).

**Appendix F
(EXAMPLE)
PROJECT PROGRAMMING RESOLUTION**

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by council resolution be made in order that the Department program an urban highway project in the City/Town of _____; now

THEREFORE BE IT RESOLVED, that the Council of the City/Town of _____, Virginia, requests the Virginia Department of Transportation to establish an urban system highway project for the improvement of _____ from _____ to _____, a distance of approximately _____. (or describe other type of project; such as bridge, signals, etc.)

BE IT FURTHER RESOLVED, that the Council of the City/Town of _____ hereby agrees to pay its share of the total cost for preliminary engineering, right of way and construction of this project in accordance with Section 33.1-44 of the Code of Virginia, and that, if the City/Town of _____ subsequently elects to cancel this project, the City/Town of _____ hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

Adopted this _____ day of _____, 20__
City/Town of _____, Virginia

ATTEST

Clerk of Council

BY _____
Mayor/Manager

**Appendix G
(EXAMPLE)
PROJECT PROGRAMMING RESOLUTION
(For Towns under 3500 Population)**

WHEREAS, in accordance with Virginia Department of Transportation construction allocation procedures, it is necessary that a request by council resolution be made in order that the Department program an urban highway project in the Town of _____; now

THEREFORE BE IT RESOLVED, that the Council of the Town of _____, Virginia, requests the Virginia Department of Transportation to establish a project for the improvement of _____ from _____ to _____, a distance of approximately _____. (or describe other type of project; such as bridge, signals, etc.)

BE IT FURTHER RESOLVED, that the Council of the Town of _____ hereby agrees that, if the Town subsequently elects to cancel this project, the Town hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

Adopted this _____ day of _____, 20____

City/Town of _____, Virginia

ATTEST

Clerk of Council

BY _____
Town Manager

**Appendix H
(EXAMPLE)
LOCATION PUBLIC HEARING APPROVAL RESOLUTION**

WHEREAS, a Location Public Hearing was conducted on _____, 20__, in the City/Town of _____ by representatives of the Commonwealth of Virginia, Department of Transportation after due and proper notice for the purpose of considering the proposed location of _____ Project _____ in the City/Town of _____, at which hearing aerial photographs, drawings and other pertinent information were made available for public inspection in accordance with state and federal requirements; and

WHEREAS, all persons and parties in attendance were afforded full opportunity to participate in said public hearing; and

WHEREAS, representatives of the City/Town of _____, were present and participated in said hearing; and

WHEREAS, the Council had previously requested the Virginia Department of Transportation to program this project; and

WHEREAS, the Council considered all such matters; now

THEREFORE BE IT RESOLVED that the Council of the City/Town of _____ hereby approves the location of the proposed project as presented at the Public Hearing.

Adopted this _____ day of _____, 20__

ATTEST:

City/ Town of _____, Virginia

CLERK OF COUNCIL

BY _____
MAYOR/MANAGER

Appendix I

(EXAMPLE)

**LOCATION AND DESIGN (OR DESIGN ONLY)
PUBLIC HEARING APPROVAL RESOLUTION**

WHEREAS, a Location and Design (Design) Public Hearing was conducted on _____, 20____, in the City/Town of _____ by representatives of the Commonwealth of Virginia, Department of Transportation after due and proper notice for the purpose of considering the proposed (location and design) (design) of _____ Project _____ in the City/Town of _____, at which hearing aerial photographs, drawings and other pertinent information were made available for public inspection in accordance with state and federal requirements; and

WHEREAS, all persons and parties in attendance were afforded full opportunity to participate in said public hearing; and

WHEREAS, representatives of the City/Town of _____, were present and participated in said hearing; and

WHEREAS, the Council had previously requested the Virginia Department of Transportation to program this project; and

WHEREAS, the Council considered all such matters; now

THEREFORE BE IT RESOLVED that the Council of the City/Town of _____ hereby approves the location and/or major design features of the proposed project as presented at the Public Hearing; and

(include one of the following clauses, as applicable)

BE IT FURTHER RESOLVED, that the City/Town of _____ will acquire all rights of way necessary for this project and certify same to the Department at the

appropriate time.

or

BE IT FURTHER RESOLVED, that the City/Town of _____ requests the Virginia Department of Transportation to acquire all rights of way necessary for the project in the name of the Commonwealth of Virginia at the appropriate time.

or

BE IT FURTHER RESOLVED that the City/Town of _____ requests the Virginia Department of Transportation to acquire all rights of way necessary for this project conveying said rights of way to the City/Town at the appropriate time.

and

BE IT FURTHER RESOLVED that the (include title of Municipal Official) is hereby authorized to execute, on behalf of the City/ Town of _____, all necessary railroad and utility agreements required in conjunction with acquiring such rights of way.

Adopted this ____ day of _____, 20__

ATTEST:

City/ Town of _____, Virginia

CLERK OF COUNCIL

BY _____
MAYOR/MANAGER

Appendix J

EXAMPLE RESOLUTION APPROVING DESIGN WHEN NO PUBLIC HEARING IS HELD

WHEREAS, a "Notice of Willingness to Hold a Public Hearing" was posted for the purpose of considering the design features for Project No. _____ in the City/Town of _____; and

WHEREAS, no requests were received or all inquiries were satisfactorily answered, so that a public hearing is not required; and

WHEREAS, Section 33.1-89 of the Code of Virginia authorizes the Department of Transportation to acquire rights of way for the construction of such projects, upon official request from the City/Town; and,

WHEREAS, the City/Town Council has previously requested the Department to program this project; now

THEREFORE, BE IT RESOLVED, that the City/Town Council of _____ hereby approves the major design features of the proposed project as presently designed; and,

(Include one of the following clauses, as applicable)

BE IT FURTHER RESOLVED, that the City/Town of _____ will acquire all rights of way necessary for this project and certify same to the Department at the appropriate time.

or

BE IT FURTHER RESOLVED, that the City/Town of _____ requests the Virginia Department of Transportation to acquire all rights of way necessary for the project in the name

of the Commonwealth of Virginia at the appropriate time.

or

BE IT FURTHER RESOLVED that the City/Town of _____ requests the Virginia Department of Transportation to acquire all rights of way necessary for this project conveying said rights of way to the City/Town at the appropriate time.

and

BE IT FURTHER RESOLVED that the (include title of Municipal Official) is hereby authorized to execute, on behalf of the City/ Town of _____, all necessary railroad and utility agreements required in conjunction with acquiring such rights of way.

Adopted this _____ day of _____, 20__

ATTEST:

City/ Town of _____, Virginia

CLERK OF COUNCIL

BY _____
MAYOR/MANAGER

Appendix K

VIRGINIA DEPARTMENT OF TRANSPORTATION GUIDELINES FOR USE OF PROPRIETARY SIGNAL CONTROLLERS AND CABINETS

- I. The following procedure is to be used in making public interest findings relative to requests from Municipalities to stockpile proprietary (Brand Name) signal controllers and cabinets, with Federal participation, for installation by contract:
 - A. The following must be furnished by the Municipality making the request:
 1. Number of signalized intersections (fixed-time or traffic actuated, as appropriate) in the Municipality.
 2. Number of signalized intersections (fixed-time or traffic actuated, as appropriate) in the Municipality controlled by the desired proprietary controller.
 3. Number of specific controller(s) and cabinet(s) (Brand name and model) to be stockpiled for a specific project.
 4. Statement of whether proposed stockpiled controller(s) and cabinet(s) will be interconnected to existing signal system. Give description of that system.
 5. Statement that present maintenance personnel have been predominantly trained in the desired proprietary controller.
 6. Statement that present maintenance equipment is designed to service the desired proprietary controller.
 7. Cost estimate for each particular controller and cabinet desired and statement that same will be obtained by means which will result in a cost equal to or less than the acceptable market value at the time of purchase.
 - B. Fixed-time controllers and traffic actuated controllers will be considered separately and, in order for an affirmative public interest finding to be made, the following conditions must be met:
 1. All the information required in Item I.A. must be furnished.
 2. The major number (at least 75%) of existing installations in Item I.A.1. must be of the same brand as that desired.
 3. The number of units to be stockpiled for the specific project is limited to a few installations, dependant upon individual consideration by the Department of location, distances between installations, interconnection coordination, etc., and which will not constitute a totally new traffic control system or subsystem.

- II. The information required in Item I.A. is to be submitted by the municipality through appropriate channels to the Urban Program Manager. The Urban Program Manager will review the information submitted, with necessary assistance from the Location & Design Division, and in the event the conditions in Item I.B. are met, will make a recommendation to the Scheduling and Contract Division concerning the public interest finding. Copies of supporting data must be attached to the recommendation.

The Scheduling and Contract Division will review the recommendation and supporting data and make a public interest finding accordingly:

- A. On Non Federal Oversight (NFO) projects, the files will be documented by letter, with copies to Urban Program Manager, Location and Design and Fiscal Divisions.
- B. On Federal Oversight (FO), affirmative public interest findings will be submitted by the Scheduling and Contract Division to the FHWA, requesting their concurrence. Copies of the request will be transmitted to Urban Program Manager, Location and Design, and Fiscal Divisions. Copies of the FHWA response will be transmitted to the same Divisions.
- III. The Scheduling and Contract Division (or locality for locally administered projects) will incorporate a special provision in the proposal documents for the project which advises the Contractor of the specific controller and cabinet which will be furnished by the Municipality and is to be installed by him at project expense.
- IV. Controllers and cabinets purchased and stockpiled by the Municipality will be at the expense of the Municipality. In the event of an affirmative public interest finding and upon installation of the specified equipment, the Municipality will bill the Department, through the normal billing process, for 100% of the receipted invoice price. (District personnel will ensure that the specific equipment installed is that for which the invoice is submitted). The Department will pay the receipted invoice price and will bill the Municipality for their share of the cost through the normal billing process. Accordingly, the FHWA will be billed for their share of the cost.

The total amount of cost increases which occur as a result of changing controller brands or wiring after award of the contract and at the request of a Municipality will be borne by the Municipality.

See the following Example Form Letter for requesting Proprietary Signal Equipment.

SAMPLE

Project No. _____

Subject: Request to Purchase and Stockpile
Proprietary Signal Equipment

Urban Program Manager
Virginia Department of Transportation

Dear _____:

We hereby request to be permitted to purchase and stockpile the following proprietary signal controller(s) and cabinet(s) for future installation on the above project by the Virginia Department of Highways and Transportation's contractor:

No.	Brand Name & Model Cabinet	Brand Name & Model	Estimated Cost Controller
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The following information is furnished in accordance with the Virginia Department of Transportation Guidelines for Use of Proprietary Signal Controllers and Cabinets:

- No. of signalized intersections in the Municipality
Pre-timed _____
Traffic Actuated _____
- No. of signalized intersections controlled by _____ controllers Pre-timed _____
Traffic Actuated _____
- The _____ controller(s) will/will not be interconnected to existing signal system.
Description of existing system, if to be interconnected (brand of Master Controller, brand(s) of Local Controllers): _____
- Our present maintenance personnel have been predominantly trained in _____ controllers.
- Our present maintenance equipment is designed to service controllers.
- The equipment for which this request is made will be obtained by means which will result in a cost equal to or less than the acceptable market value at the time of purchase.

Sincerely,

Appendix L

POLICY FOR FUNCTIONAL CLASSIFICATION OF URBAN HIGHWAYS

A State Functional Classification System has been developed for urban roads and streets in cities and towns eligible to receive street payments under Section 33.1-41.1 of the Code of Virginia. The State System consists of two categories: Arterial (Principal Arterial and Minor Arterial) and Collector/Local.

The Transportation and Mobility Planning Division (T&MPD) of the Virginia Department of Transportation will assign the appropriate Functional Classification to urban roadways and streets. T&MPD will generally follow the Federal Highway Administration guidelines as presented in the most recent publication of Highway Functional Classification, Concepts, Criteria, and Procedures. The state system will parallel the federal system as much as possible with the following exceptions:

- a. An existing year will be used rather than a future year.
- b. Non-existing highways will not be considered in the state system.
- c. Proposed new location highways that are included in the federal system will be removed. An existing facility (ies) that is to be replaced by the proposed new highway and/or primarily serves the traffic that will use the new facility may have its state classification changed to correspond to the federal classification for the new facility. The classifications will revert back to the original federal classifications when the new location facilities are opened to traffic.
- d. The percentage guidelines in the above referenced FHWA publication are statewide. Each municipality may not fall within the percentages for a particular functional classification, but we need to strive for equality in each area.
- e. Those facilities that qualify as major collector in the federal system in areas of under 5,000 population will be functionally classified in the state system as an Arterial.

The Local Assistance Division will be responsible for obtaining the Commonwealth Transportation Board's approval for any change in functional classification centerline mileage which effects the street payments. All functional classification changes will be approved as part of the CTB's annual action on the Urban Maintenance Program.

HIGHWAY FUNCTIONAL CLASSIFICATION - FEDERAL SYSTEM/STATE SYSTEM

Area Size	Federal Classification	State Classification
Urbanized (Population greater than 50,000)	<ol style="list-style-type: none"> 1. Principal Arterial 2. Minor Arterial 3. Collector 4. Local 	Arterial (Principal) Arterial (Minor) Collector Local
Urban (Population 5,000 – 50,000)	<ol style="list-style-type: none"> 1. Principal Arterial 2. Minor Arterial 3. Collector 4. Local 	Arterial (Principal) Arterial (Minor) Collector Local
Rural (Population less than 5,000)	<ol style="list-style-type: none"> 1. Principal Arterial 2. Minor Arterial 3. Major Collector 4. Minor Collector 5. Local 	Arterial (Principal) Arterial (Minor) Arterial (Minor) Collector Local

Appendix M

Agenda item # 5

**RESOLUTION
OF THE
COMMONWEALTH TRANSPORTATION BOARD**

December 14, 2006

MOTION

Made By: Mr. Bowie Seconded By: Mr. Witt Action: Motion Carried, Unanimously

Title: Urban Maintenance and Construction Program Policy

WHEREAS, the General Assembly has from time to time amended Section 33.1-41.1 of the *Code of Virginia*, which authorizes the Commonwealth Transportation Commissioner to make payments to qualifying cities and towns for maintenance, construction, and reconstruction of qualifying roads and streets; and

WHEREAS, the General Assembly has from time to time amended Section 33.1-23.3 of the *Code of Virginia*, which provides the basis of funding and the distribution of such funding for urban construction projects in qualifying municipalities; and

WHEREAS, the Department filed two Administrative Process Act (APA) - exempt regulations, 24 VAC 30-320 (Urban Division Manual Chapter II) and 24 VAC 30-330 (Urban Division Manual Chapter III), by description in the *Virginia Administrative Code* to provide internal and external instructions in the administration of maintenance and construction payments for qualifying cities and towns; and

WHEREAS, these regulations have become outdated due to changes in the *Code of Virginia* and the Virginia Department of Transportation's (VDOT's) organizational structure; and

WHEREAS, it is the sense of this Board that an updated policy should be established to guide the implementation of the Urban Construction and Maintenance Programs as established by Section 33.1-41.1 and Section 33.1-23.3 of the *Code of Virginia* (1950).

NOW, THEREFORE, BE IT RESOLVED that the Commonwealth Transportation Board hereby adopts the following policy to govern the use of urban

maintenance and construction funding pursuant to Section 33.1-41.1 and Section 33.1-23.3, as amended, of the *Code of Virginia* (1950):

1. In addition to the eligibility requirements identified in Section 33.1-41.1 of the *Code of Virginia* (1950), as amended, the road and street eligibility criteria for urban maintenance payments shall also include the following:
 - a) The basic right-of-way width for cul-de-sacs eligible for payment will be 40 feet, with consideration of requests for pavement widths less than 30 feet. For the purpose of making this assessment, a cul-de-sac will be defined as a dead end street, open only at one end.
 - b) If a municipality has jurisdiction over and operates a toll facility, such facility is eligible for street payments.
 - c) Local one-way streets, loop roads, and school bus entrances will be eligible for payment provided that they are constructed to a width of 16 feet with a right of way width of not less than 40 feet. This includes service and frontage roads where contiguous to an interstate, primary, or urban system route.
 - d) VDOT can consider a waiver of standards on a site specific basis with appropriate supporting information. Each case will be considered on its own merits.
2. In determining lane mileage eligibility, the following conditions will apply:
 - a) Turning lanes and ramps will not be considered for street payments. This includes center turn lanes unless they serve as moving through lanes during peak hours.
 - b) Parking must be restricted and enforced by towing during peak traffic periods.
 - c) Each road or street with more than two moving lanes must have pavement markings in accordance with the Manual on Uniform Traffic Control Devices.
 - d) Pavement widths of less than 14 feet qualify for only one moving lane even if it carries traffic in two directions.
 - e) Non-hard surfaced streets do not qualify for street payments.
3. Mileage adjustments, including the results of annexations, mergers, or incorporations, will be made on an annual basis as part of this Board's approval of the annual maintenance payments. All adjustments submitted to the Department by February 1 will be eligible for payment effective July 1 of the following fiscal year.
4. For the purpose of calculating maintenance payments, streets will be functionally classified based on the Federal Functional Classification system, except for where the federal system is not parallel with the state system.
5. Bridge safety and regular inspection is of utmost importance. The Federal Highway Administration and the Department require strict compliance with the National Bridge Inspection Standards regarding the frequency of inspection and load posting requirements. The Commonwealth

Transportation Commissioner may elect to withhold street payments from a municipality for delinquent or inadequate bridge inspection reports.

6. Municipalities, by resolution of their governing body and agreement with the Department, may elect to utilize up to one-third of their urban construction allocation for reimbursement of debt incurred for eligible project costs on approved projects. The payback is limited to a maximum 20-year timeframe.
7. Landscaping is important to enhance the safety and visual quality of roads and to maintain quality of life for communities. It is the intent of the Board that a maximum of 3% of the construction budget for individual urban construction projects may be allocated for landscape improvements. Pavers and stamped asphalt for crosswalks are considered a pedestrian safety and traffic calming measure for project participation and are not subject to this limitation. Elements of streetscape can also be constructed at project expense if the project is an identified gateway project or located within a historic or cultural district.
8. The Commonwealth Transportation Commissioner is directed to establish administrative procedures to assure the provisions of this policy and legislative directives are adhered to and complied with.

NOW, THEREFORE, BE IT RESOLVED, that 24 VAC 30-320 (Urban Division Manual Chapter II) and 24 VAC 30-330 (Urban Division Manual Chapter III) are hereby repealed.

BE IT FURTHER RESOLVED that this policy shall become effective upon filing with the State Registrar of Regulations.

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