



Commuter Choice Recipient Handbook

October 2023 Edition





Introduction: The Recipient Handbook

This handbook serves as a comprehensive resource for Commuter Choice program participants to understand how the program operates, and the roles and responsibilities of eligible applicants and funding recipients. The handbook is organized according to the lifecycle of a typical project, from program eligibility to managing long-lived capital assets funded through the program—and everything in between. The Northern Virginia Transportation Commission (NVTC) offers this handbook as a resource in tandem with guidance from NVTC’s program staff and additional materials available on the [NVTC Commuter Choice website](#).

The Commuter Choice program encompasses two corridors, I-66 Inside the Beltway and I-395/95 between Spotsylvania County and the D.C. line, that are governed by two separate agreements. Where the corridors differ, they are distinguished by references to “I-66 Commuter Choice” and “I-395/95 Commuter Choice”. In all other cases, the information provided applies to both corridors.

Highlights

The following key takeaways about the Commuter Choice program are discussed in detail in later chapters.

Commuter Choice Overview (Chapter 1)

- The Commuter Choice program invests toll revenues from two regional expressway corridors, I-66 Inside the Beltway and I-395/95 between Spotsylvania County and the D.C. line, to provide funding for multimodal transportation projects that benefit the respective corridor’s toll road users. Both corridors’ programs have defined levels of funding (beginning at \$15 million per year and escalating over time) extending over multiple decades.
- NVTC administers the overall Commuter Choice program, with the Potomac and Rappahannock Transportation Commission (PRTC) also having an approval role for I-395/95 Commuter Choice.
- Staff from eligible applicants/recipients, as representatives of the organizations that are responsible for proposing and carrying out projects, have several responsibilities under the program and are asked to familiarize themselves with these.

Commuter Choice Eligibility (Chapter 2)

- For the I-66 corridor, jurisdictions and public transportation providers in Virginia Planning District 8 are eligible applicants. For the I-395/95 corridor, any NVTC or PRTC jurisdiction or public transportation provider is an eligible applicant.
- Projects must benefit toll payers and support improvement goals of maximizing person throughput and implementing effective multimodal improvements for the respective corridor, I-66 or I-395/95.



- A wide range of multimodal transportation improvements that benefit toll payers and support the improvement goals are eligible, with further limitations summarized below.
- Commuter Choice funds must be obligated within two years of the effective date of the funds' allocation by the CTB and expended within five years of that date. For projects included in a June Six-Year Improvement Program approval, NVTC would measure from the start of the new fiscal year. For example, FY 2024 began on July 1, 2023, so any projects funded in this fiscal year would need to be obligated by July 1, 2025 and expended by July 1, 2028.
- The minimum funding award for any Commuter Choice project is \$200,000 and the maximum is \$20 million. Commuter Choice does not require a local match (other than fare revenues earned from a Commuter Choice-supported project).
- For operations projects, including transit services, bikeshare operations and transportation demand management (TDM) efforts, Commuter Choice funds costs net of any fare revenues received and for a maximum of 24 months at a time. Commuter Choice can only support new or expanded efforts; funds may not be used to supplant other funding for an existing service or program.
- Commuter Choice is limited in the share of overall funding in each corridor that can be allocated to transit operations.
- Commuter Choice can fund the purchase of vehicles needed to enable a proposed transit service expansion, including specialized types of bus (e.g., zero-emission buses along with needed infrastructure, higher-capacity buses) where consistent with applicants' fleet strategies and appropriate for the service improvement. The type of vehicle purchased must match that routinely deployed on the service.
- Standalone transportation demand management projects must be targeted exclusively to corridor toll payers and have directly measurable benefits in terms of ridership or usage. Further, direct incentives must comprise at least two-thirds of the proposed project's cost.
- Additional conditions and parameters apply to more complex "larger capital projects" – projects for which a minimum of approximately \$5 million in Commuter Choice funding is being requested for capital activities – to ensure that these projects can meet Commuter Choice funding obligation and expenditure deadlines. Among others, eligible activities are limited to asset acquisition (including land) and construction. Vehicle purchases for a transit service improvement do not trigger larger capital project provisions.
- Projects that require significant involvement of one or more third parties for successful implementation need to have received general support of each third party at the point of application. Documentation of that support must be provided with the application, along with a plan to conclude any remaining formal agreements with each third party.



- Standalone studies or design efforts are not eligible for Commuter Choice support. These activities must be proposed in tandem with the implementation of a project.

Applying for Funding (Chapter 3)

- The I-66 and I-395/95 corridors have calls for projects in alternating years. Each call solicits proposals for the upcoming two fiscal years. The next two calls for projects will be as follows:
 - Fall 2023: I-66 corridor for FY 2025 and 2026
 - Fall 2024: I-395/95 corridor for FY 2026 and 2027
- NVTC holds program webinars and one-on-one briefings with eligible applicants in advance of and during each call for projects.
- The application form is available online and will prompt applicants for all needed information, including: project endorsements/authorizations; the project's purpose, scope, cost and schedule; and the Commuter Choice technical evaluation criteria.
- Within program eligibility limitations, reasonable expenses that have a direct relationship to the benefits of the project are generally eligible for Commuter Choice support.
- Applications require a formal authorization resolution from the applicant's Board or Council. Applicants also should begin coordination with any affected entities and potential project partners in advance of applying.
- To maximize the funding support that Commuter Choice can provide for transit services, NVTC asks applicants for these projects to separate transit operating costs (fuel, oil, driver and dispatcher salaries and fringe benefits, licenses) from preventive maintenance and other operations-related costs.
- NVTC requires additional readiness documentation for larger capital projects—on the project's planning and development status; the project scope, cost and schedule; and on the status of other needed funds.

Project Evaluation (Chapter 4)

- All applications will initially be screened for eligibility. Larger capital projects will undergo a readiness review to determine if the project, if funded, would begin construction within two years of any funding award.
- All eligible projects are evaluated and scored under a technical evaluation process that emphasizes how well projects support the improvement goals for the corridors. The most significant factor in project scoring is the efficiency by which the project moves additional persons through the corridor.



Program Selection (Chapter 5)

- Once scoring is complete, NVTC holds a one-month public comment period to help identify which projects merit competitive funding from Commuter Choice.
- The programs of projects adopted for funding by the Commission(s) take project scores, public input and funding availability heavily into account. The Commonwealth Transportation Board (CTB) has final approval authority over the projects selected for funding.
- NVTC may split Commuter Choice funding awards for larger capital projects over two consecutive two-year funding programs to help accommodate these larger funding commitments.

Beginning Project Implementation (Chapter 6)

- Recipients may begin to incur costs on projects at the start of the fiscal year for which the CTB has allocated project funding, provided certain conditions are met.
- The two-year obligation requirement is met by executing a Standard Project Agreement (SPA), which serves as the funding agreement for each project and establishes terms and conditions. The SPA also identifies the project scope, target person-throughput increase and, for larger capital projects, the expected project completion date.
- Recipients should carefully review the SPA templates available on the Commuter Choice website and raise any questions with NVTC's Program Manager.
- Recipients must provide NVTC with certificates of insurance pertinent to project implementation. NVTC (as well as PRTC for I-395/95 Commuter Choice) and certain Commonwealth parties need to be named as additional insureds for the project work.
- Recipients should reflect the Commuter Choice program in any project marketing. Current NVTC and Commuter Choice logos and NVTC's style guide, which recipients should follow when referring to Commuter Choice, are available [online](#).
- NVTC is pleased to amplify recipients' project messaging over social media. NVTC asks recipients to provide notice of any planned events for major project milestones as early as possible to coordinate NVTC involvement.

Project Invoicing (Chapter 7)

- Recipients must pay eligible project expenses as they arise and submit regular reimbursement requests (no more often than monthly, no less often than quarterly for active projects) to NVTC for these expenses.
- NVTC requires reimbursement requests to be in a specific format (Appendix C of the SPA, templates available on the [Commuter Choice website](#)) and to include documentation of the expenses incurred and evidence that the expenses were paid.



- NVTC generally issues reimbursements within 45 business days of submittal of a request, provided that the request is acceptable.

Project Reporting (Chapter 8)

- Recipients must provide written quarterly reports on project progress, expenditures and marketing activities to NVTC and participate in quarterly meetings. NVTC may require more frequent updates for larger capital projects.
- Recipients must provide annual performance reports to NVTC each July on designated performance measures for the project. These reports may extend past the duration that the project is active.

Project Changes and Closeout (Chapter 9)

- Changes to a project's scope, schedule or budget are subject to NVTC approval on a case-by-case basis. NVTC distinguishes between administrative changes that can be considered and approved by staff, usually quickly, and exceptional changes that may or would require Commission and CTB consideration and approval due to a diminishment of project benefits, a request for additional time beyond the five-year expenditure deadline or a request for additional Commuter Choice funding.
- NVTC allows up to a three-month grace extension for operating projects if funding remains at the end of the project.
- Once a project is deemed complete, the recipient must submit a final reimbursement request and closeout request within 90 days of the final expenditure or date on which the project ended, whichever is earlier.

Asset Management (Chapter 10)

- Recipients must manage assets funded by the Commuter Choice program over the duration of their useful lives, at risk of needing to refund NVTC for any prematurely withdrawn assets.
- Following completion and close-out of a project with Commuter Choice-funded capital assets, NVTC requires annual certification letters attesting that the assets remain in use in a manner that benefits corridor toll payers. These letters are required until the earlier of the end of the useful life of the project's assets or the Commuter Choice program's conclusion.
- Recipients must also enter qualifying project assets into the Virginia Department of Rail and Public Transportation's [TransAM](#) asset management system - in general, all individual vehicles and any other individual or sets of assets valued in excess of \$50,000.



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Chapter 1 Commuter Choice Overview

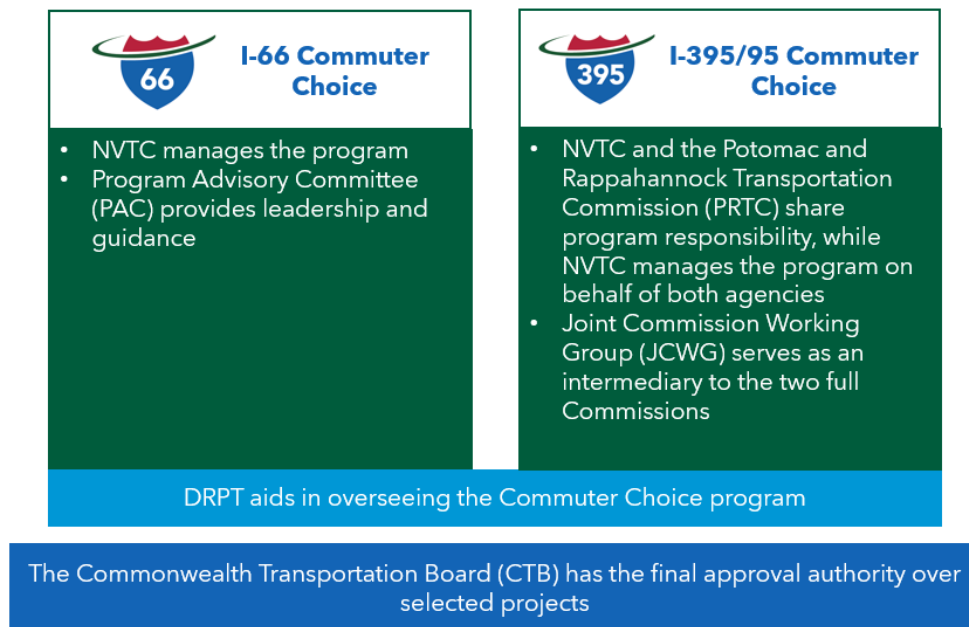
Commuter Choice invests toll revenues in public transit and other multimodal transportation improvements along two expressway corridors in Northern Virginia, I-66 Inside the Beltway and I-395/95. All projects funded through the program must benefit toll road users. Each project is evaluated through a competitive process that analyzes its ability to meet one or more improvement goals for each corridor, such as moving more people and expanding multimodal transportation options.

Each corridor's program is governed by a Memorandum of Agreement (MOA) that establishes roles, responsibilities, revenue streams, and project and applicant eligibility ([Section 1.1](#) for the I-66 Inside the Beltway corridor and [Section 1.2](#) for the I-395/95 corridor). Although the Commonwealth established Commuter Choice, the responsibility for the program's management is delegated as follows:

- For the I-66 Inside the Beltway corridor, NVTC solely manages the program.
- For I-395/95, responsibility is delegated to NVTC and the Potomac and Rappahannock Transportation Commission (PRTC), and NVTC administers the program on behalf of both agencies per a separate MOA between the two Commissions.

The Commonwealth Transportation Board (CTB) has the final approval authority over selected projects for both the I-66 and I-395/95 corridors. [Figure 1](#) summarizes program administration roles and responsibilities, which are discussed more in the following sections.

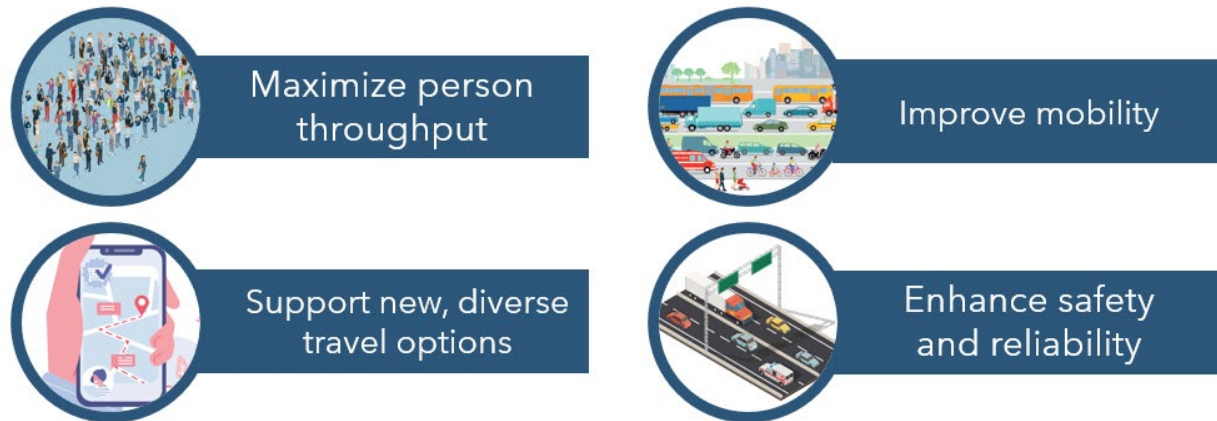
Figure 1: Commuter Choice Program Administration Roles and Responsibilities



The goals of the Commuter Choice program are to maximize person throughput and to implement multimodal improvements to improve mobility along the corridors, support new, diverse travel choices and enhance transportation safety and reliability ([Figure 2](#)).



Figure 2: Commuter Choice Improvement Goals



1.1 I-66 Commuter Choice

The Commonwealth created the innovative Commuter Choice program as a part of the introduction of peak-direction rush-hour tolling along the approximately 10 miles of I-66 between U.S. 29 in Rosslyn and I-495. Since 2017 and for 40 years after, a portion of the toll revenues will be used to fund transportation improvements that benefit the corridor's toll road users. NVTC administers I-66 Commuter Choice, a vital piece of the Transform66 Inside the Beltway multimodal improvements.¹

Projects funded under I-66 Commuter Choice must be multimodal transportation improvements that reasonably relate to or benefit toll road users of I-66 Inside the Beltway, discussed further in [Chapter 2](#). The current version of the MOA governing the program - the [Third Amended and Restated Memorandum of Agreement, Transform66: Inside the Beltway Project](#), approved by NVTC and the CTB in May 2021 - establishes two sources of revenue for the program over the remaining portion of the original 40-year agreement:

- A minimum annual NVTC Payment from Virginia Department of Transportation (VDOT)-collected toll revenues, beginning at \$10 million per year in FY 2021 and escalating by 2.5% per year, and
- A portion of the I-66 Outside the Beltway Express Lanes concessionaire's annual payment to the Commonwealth for public transportation improvements, beginning at \$5 million per year in FY 2022 and escalating by 2.5% per year.

NVTC administers revenues from the two sources as a single Inside the Beltway-focused program, as directed by the MOA. Each Program of Projects covers two fiscal years; for each, NVTC will announce the amount of funding reasonably expected to be available prior to or upon opening the call for projects. See [Chapter 2](#) for more information about program eligibility.

¹ The Virginia Department of Transportation (VDOT) is responsible for all matters related to tolling in the corridor, including revenue collection, and for widening I-66 between exits 67 and 71 in the City of Falls Church and Arlington County.



1.2 I-395/95 Commuter Choice

With the extension of the 95 Express Lanes to include the eight miles of formerly high occupancy vehicle (HOV) lanes along I-395 between I-495 and the D.C. line, the Commuter Choice program expanded to include the I-395/95 corridor. The Commonwealth and its concessionaire, Transurban, agreed to an annual transit investment that provides funds for multimodal transportation improvements for 68 years beginning from the late 2019 start of tolling along the 395 Express Lanes. Projects funded under I-395/95 Commuter Choice must be multimodal transportation improvements that reasonably relate to or benefit toll road users of the 95 and 395 Express Lanes, discussed further in [Chapter 2](#).

The [Amended and Restated Memorandum of Agreement Regarding the Annual Transit Investment from the 395 HOT Lanes, approved January 2022](#), governs the program. This MOA between NVTC, PRTC, the Virginia Department of Rail and Public Transportation (DRPT), VDOT and the CTB establishes that Transurban's annual payment to the Commonwealth for multimodal improvements in the corridor will be distributed via VDOT and DRPT to NVTC and PRTC to administer. A second MOA, approved by NVTC and PRTC in January 2019, establishes that NVTC will administer the program on behalf of the two Commissions, since PRTC/OmniRide is an eligible applicant for the funds.

The payment began at \$15 million in 2019 and escalates at 2.5% per year over a 68-year period. Each Program of Projects covers two fiscal years; for each, NVTC will announce the amount of funding reasonably expected to be available prior to or upon opening the call for projects.

See [Chapter 2](#) for more information about eligibility.

1.3 Program Management and Oversight

NVTC staff has day-to-day management responsibilities for the Commuter Choice program. The Commission provides the primary policy direction for and oversight of the program. As Commuter Choice is a Commonwealth program delegated to NVTC to manage, the CTB and DRPT have important oversight roles. Recipients' technical staff act as the primary project contacts for NVTC staff and have several responsibilities concerning their projects and the overall program.

1.3.1 Commonwealth Transportation Board

The CTB has the final approval authority over project selection for Commuter Choice funding. The CTB's approval actions formally adopt funded projects into the Six-Year Improvement Program (SYIP), the document by which the Commonwealth allocates funding to transportation projects and programs for the immediate fiscal year and outlines planned spending over the remainder of the six-year period. The CTB also receives an [annual report from NVTC](#) that summarizes projects selected for funding and their anticipated benefits. The annual report includes data on the performance of projects funded under the program.

1.3.2 Virginia Department of Rail and Public Transportation

DRPT aids in overseeing the Commuter Choice program by verifying that proposed projects meet eligibility requirements of the I-66 or I-395/95 MOA, including that they demonstrate a benefit to toll payers and sufficiently meet the improvement goals for the corridor. DRPT



engages with the Commonwealth's Office of the Attorney General to conduct this review. NVTC also coordinates with DRPT to advance programs of projects to the CTB for consideration.

1.3.3 Northern Virginia Transportation Commission

The MOAs for the two Commuter Choice corridors task NVTC with the administration of the program. General roles within NVTC are as follows:

- NVTC staff coordinate the project selection process, administer funding and reimbursements, oversee the implementation of funded projects, develop annual reports on funded projects and help to amplify awareness of transportation options in each corridor.
- NVTC's Program Advisory Committee (PAC) provides overall policy direction for Commuter Choice. The PAC also considers forthcoming actions regarding I-66 Commuter Choice prior to the full Commission. For I-395/95 Commuter Choice, the equivalent group is the NVTC-PRTC Joint Commission Working Group. Both are described below.
- The Commission considers program approval actions. These actions include opening calls for projects, adopting policy changes and approving programs of projects for referral to the CTB.

1.3.4 Potomac and Rappahannock Transportation Commission (I-395/95 Commuter Choice only)

PRTC maintains an approval role alongside NVTC for actions regarding I-395/95 Commuter Choice but is not involved in day-to-day management. The approval role results from the MOA with the Commonwealth, which delegated program management responsibilities to both Commissions. However, the two Commissions agreed through a [subsequent MOA](#) that NVTC would manage the program on both agencies' behalf since PRTC/OmniRide is an eligible applicant.

1.3.5 Program Advisory Committee (PAC)

The PAC, which consists of a subset of NVTC's Commissioners, provides leadership and guidance in the development and implementation of NVTC-administered programs. As such, the PAC provides policy direction to NVTC staff on the administration of Commuter Choice and receives regular program updates from staff. For I-66 Commuter Choice, the PAC considers proposed policy changes that NVTC staff seek to implement and endorses a draft program of projects for referral to the full Commission.

1.3.6 Joint Commission Working Group (JCWG; I-395/95 Commuter Choice only)

The JCWG consists of three Commissioners apiece from NVTC and PRTC and serves as an intermediary between jurisdictions and the two full Commissions for I-395/95 Commuter Choice. The JCWG considers proposed policy changes that NVTC staff seek to implement and endorses a draft program of projects for referral to the full Commissions.



1.3.7 Applicant/Recipient Staff

Staff from eligible applicants and recipients ([Chapter 2](#)) have the following roles and responsibilities under Commuter Choice, which are discussed in more detail in the following chapters:

- Raising any questions on the eligibility of potential project applications with NVTC staff ahead of applying ([Chapter 2](#))
- Submitting complete applications for funding on the jurisdiction or agency's behalf ([Chapter 3](#))
- Addressing follow-up questions from NVTC on the applications as needed, including in relation to technical evaluation ([Chapter 4](#))
- Helping NVTC publicize public comment opportunities on projects under consideration for funding ([Chapter 5](#))
- Managing implementation of funded projects ([Chapter 6](#) onward)
- Submitting regular reimbursement requests for project expenses ([Chapter 7](#))
- Providing required progress and performance reports to NVTC ([Chapter 8](#))
- Requesting project changes when needed to ensure successful implementation ([Chapter 9](#))
- Aiding NVTC's Commuter Choice Program Manager in responding to project inquiries from NVTC Commissioners, NVTC leadership and other stakeholders
- Attending periodic meetings and webinars to learn about upcoming calls for projects and provide input to NVTC staff on proposed changes to the program

1.4 Additional Resources

NVTC's Commuter Choice website, <http://www.novatransit.org/programs/commuterchoice/>, includes other documents of use to program participants, including information on funded projects, call for project materials, and reports on the program.

Please direct any questions on the program to:

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571-551-2310 (office)
571-565-4407 (cell)
benowen@novatransit.org

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Chapter 2 Commuter Choice Eligibility

The [I-66 corridor](#) and [I-395/95 corridor](#) MOAs establish an eligibility framework for Commuter Choice to fund multimodal transportation improvements that benefit toll road users, as required per Commonwealth legal precedent ([Elizabeth River Crossings OpCo, LLC v. Meeks, Va. Supreme Court 2013](#)). NVTC has established additional eligibility parameters to strengthen the toll payer nexus of funded projects and improve administration of the program.

NVTC has aligned program eligibility and policy between the two corridors to the greatest extent possible. Eligibility for the two corridors is therefore discussed jointly, with differences noted where applicable.

2.1 Eligible Applicants and Recipients

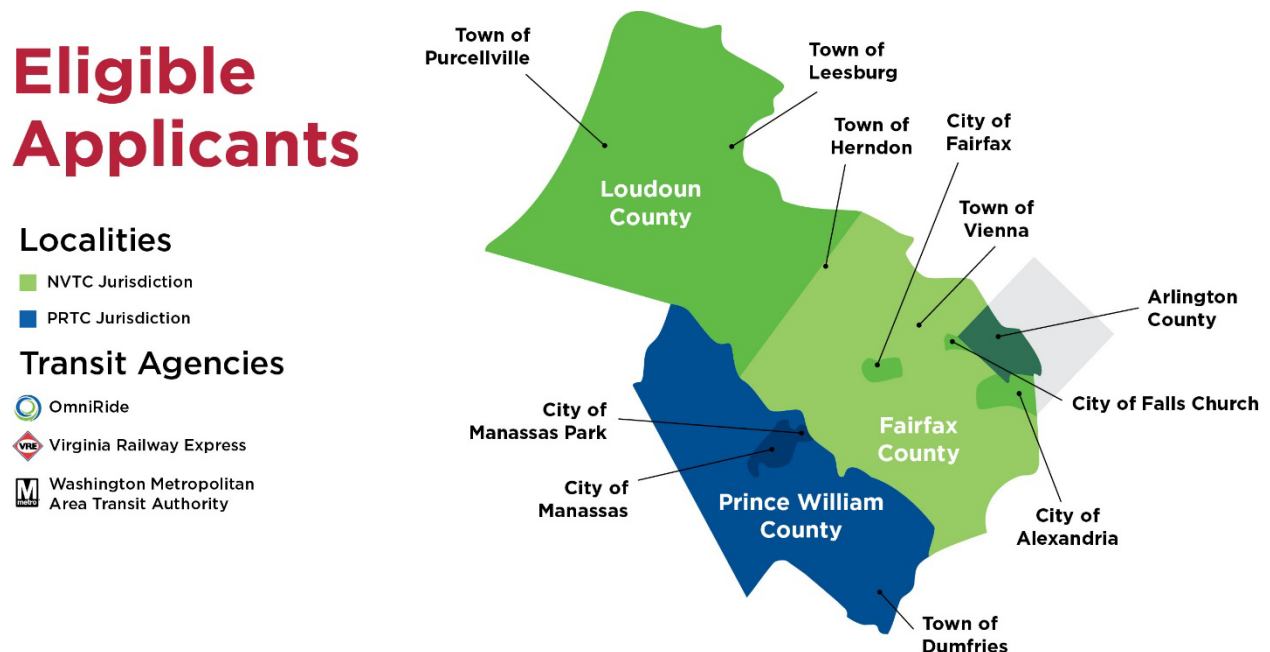
The MOAs identify the local entities and transit providers in each corridor that are eligible to apply for and receive Commuter Choice funding.

2.1.1 I-66 Commuter Choice

All jurisdictions and public transportation providers within Virginia Planning District 8 are eligible applicants and recipients ([Figure 3](#)):

- The counties of Arlington, Fairfax, Loudoun and Prince William;
- The cities of Alexandria, Falls Church, Fairfax, Manassas and Manassas Park;
- The towns of Dumfries, Herndon, Leesburg, Purcellville and Vienna; and
- The public transit systems that serve these areas including OmniRide, Virginia Railway Express (VRE) and the Washington Metropolitan Area Transit Authority (WMATA).

Figure 3: I-66 Commuter Choice Eligible Jurisdictions





2.1.2 I-395/95 Commuter Choice

Eligible applicants and recipients comprise all NVTC and PRTC jurisdictions and public transit providers that serve those jurisdictions ([Figure 4](#)):

- The counties of Arlington, Fairfax, Loudoun, Prince William, Stafford and Spotsylvania;
- The cities of Alexandria, Falls Church, Fairfax, Fredericksburg and Manassas; and
- The public transit systems that serve these areas including OmniRide, VRE and WMATA.

Figure 4: I-395/95 Commuter Choice Eligible Jurisdictions

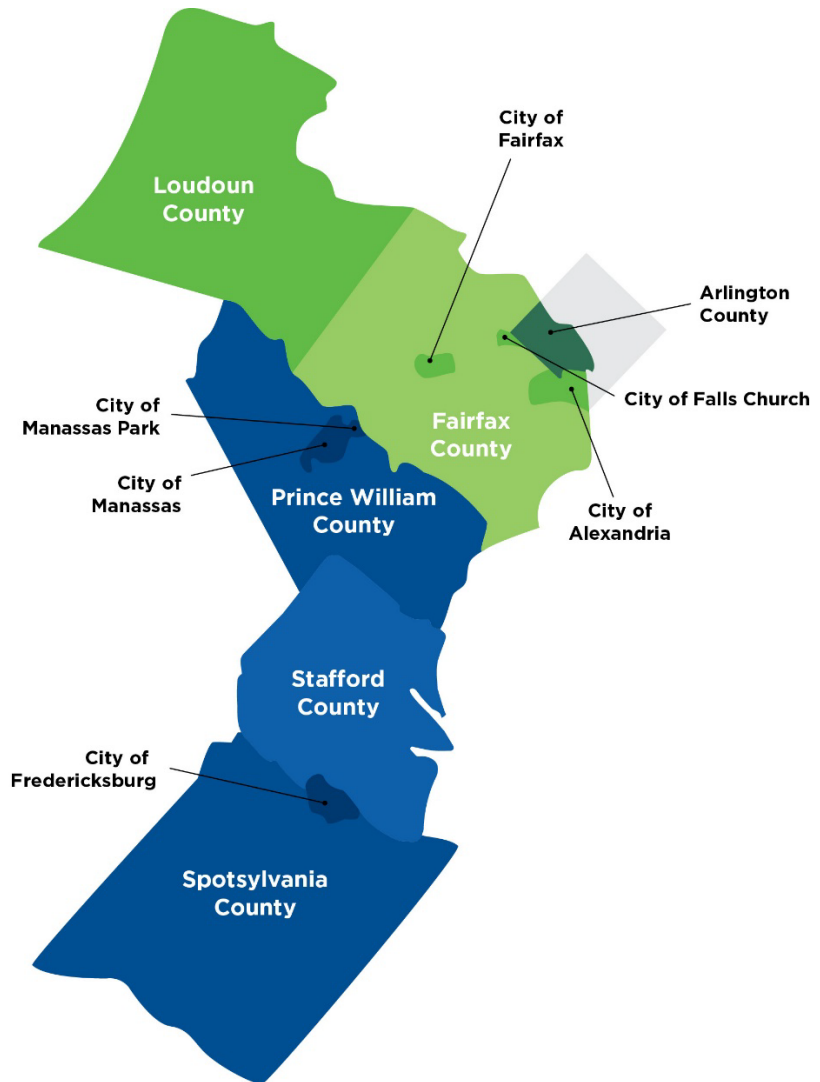
Eligible Applicants

Localities

- NVTC Jurisdiction
- PRTC Jurisdiction

Transit Agencies

- OmniRide
- Virginia Railway Express
- Washington Metropolitan Area Transit Authority



2.2 Eligible Projects

To be eligible, a project must meet all of the following criteria defined in the program MOAs:²

- (1) Reasonably relate to or benefit the toll-paying users of the I-66 Inside the Beltway or the 95 and 395 Express Lanes, respectively;
- (2) Have the capacity to attain one or more of the corridor improvement goals, specifically:

² See Section II.B.1 of the I-66 MOA and II.D.1 of the I-395/95 MOA.



- a. Maximize person throughput and/or
- b. Implement multimodal improvements to:
 1. Improve mobility along the corridors,
 2. Support new, diverse travel choices, and
 3. Enhance transportation safety and reliability;
- (3) Be one of a specific type of multimodal transportation improvements serving the corridor, defined as either I-66 Inside the Beltway or I-395/95 and adjacent and nearby routes ([Section 2.2.1](#));
- (4) Be able to have Commuter Choice funding obligated through execution of a Standard Project Agreement (SPA) within two years of the funds' allocation by the CTB and expended within five years of allocation³, which NVTC measures from the effective date of the CTB's allocation of funding (e.g., from July 1, 2024 for FY 2025 funds); and
- (5) Comply with all applicable laws, rules and regulations and have received or will receive all required regulatory approvals.

The minimum Commuter Choice funding award is \$200,000 and the maximum award is \$20 million. The maximum Commuter Choice funding share is 100% of eligible project costs.

2.2.1 Eligible Types of Multimodal Improvements

The following types of multimodal improvements are eligible to the extent that they meet the criteria above, subject also to further limitations and conditions ([Section 2.2.2](#)):⁴

- New bus service, namely up to 24 months of operating subsidy for a new route and any applicable capital expenses, including bus purchases
- Enhanced bus service, namely up to 24 months of operating subsidy for improvements to an existing route (e.g., route extension, more frequent service) and any associated applicable capital expenses, including bus purchases
- Operation of expanded Metrorail and/or VRE rail service and/or purchase of rail vehicles that will be used in expanded service
- Transit capital projects, including:
 - New construction or enlargement of park and ride lots and/or access improvements thereto
 - Bus stop enhancements
 - Transit priority improvements
 - Improvements to Metrorail and/or VRE facilities
- Access to transit improvements, including pedestrian and bicycle access improvements from residential areas to nearby transit stations, hubs and stops⁵

³ Only the I-66 MOA stipulates funding obligation and expenditure deadlines, but NVTC also applies these deadlines to the I-395/95 corridor program for consistency purposes.

⁴ This list simplifies the wording in the two corridors' MOAs for generalization purposes and adds policy clarifications. In the event of any conflict, the wording in the respective MOA takes precedence. See section II.B.1.c of the I-66 MOA and section II.D.1.c of the I-395/95 MOA.

⁵ It can be difficult to quantifiably link access to transit projects to increased peak-period, peak-direction person throughput and thus demonstrate toll payer benefits. Eligible applicants are encouraged to carefully review such potential project applications with NVTC staff.



- Roadway operations or intersection safety improvements, including operational and safety strategies and capital improvements to roadways that parallel or connect with I-66 Inside the Beltway or I-395/95⁶
- Transportation Demand Management (TDM): up to 24 months of support for direct incentive strategies to reduce drive-alone commute trips, including vanpool and/or carpool strategies, that specifically are targeted exclusively to toll payers and have directly measurable outcomes
- Transportation system management and operations
- Projects identified in Commonwealth studies and plans, the region's constrained long-range plan or NVTAs TransAction

A proposed project (excluding larger capital projects; [Section 2.2.2.5](#)) may include multiple types of eligible improvement, such as operation of a new bus service combined with construction of a new park-and-ride lot, and may include a reasonable level of cost to market the effort ([Section 3.2.2.7](#)). NVTC strongly encourages applicants to combine complementary strategies into a single project where possible and to provide for appropriate marketing of the project ([Section 6.6](#)). However, all project elements for which Commuter Choice funds are requested must have a relationship to the anticipated toll payer benefits.

While many types of transportation improvement are eligible, some are better-suited than others to benefit toll payers and robustly support program goals. It can be difficult, for instance, to quantifiably link access to transit projects to increased peak-period, peak-direction person throughput and thus demonstrate toll payer benefits. More information on the type and nature of projects that have successfully competed for funding is available on the [Commuter Choice website](#). Eligible applicants are strongly encouraged to review their potential projects with NVTC staff in advance of applying ([Section 3.1](#)).

2.2.2 Eligibility Limitations and Conditions

Eligibility limitations and/or conditions apply to some types of multimodal improvement within the general categories identified above:

- Any project involving operations - including transit services, bikeshare operations subsidies, software and application licensing, transportation demand management, traffic monitoring and other specialized staff positions ([Section 2.2.2.1](#))
- New and enhanced transit services specifically ([Section 2.2.2.2](#))
- Standalone TDM projects specifically ([Section 2.2.2.3](#))
- Transportation systems management and operations projects ([Section 2.2.2.4](#))
- Larger capital projects, i.e., those seeking more than approximately \$5 million in Commuter Choice funding for capital activities ([Section 2.2.2.5](#))
- Projects that require significant involvement of a third party such as VDOT, the Washington Metropolitan Area Transit Authority (WMATA) or another jurisdiction for successful implementation ([Section 2.2.2.6](#))

For more detailed information on eligible costs within a proposed project, see [Section 3.2.2](#).

⁶ For the I-66 corridor program, roadway improvements must intend to address impacts from I-66 Inside the Beltway tolling on other roadways in the corridor, including but not limited to Routes 7, 29, 50 and 309, Washington Blvd., Wilson Blvd. and Westmoreland St.



2.2.2.1 Limitations on Operating Support

For operating projects of any nature (for instance, transit services, bikeshare operations subsidies, software or application licensing and TDM, traffic monitoring or other specialized staff positions), a maximum of 24 months of operations will be funded at a time. Projects must successfully re-compete for funding under a subsequent call for projects to receive continued operating support. Commuter Choice also will only support operating costs net of any fare revenues received.

Commuter Choice funds cannot be used to supplant (replace) other funding supporting an existing service or program. Rather, Commuter Choice will only support new services/programs or expansions of existing services/programs.

2.2.2.2 Limitations on Transit Services

The following types of transit service projects are eligible for Commuter Choice support:

- a) a completely new service,
- b) a substantial enhancement to an existing service, such as a substantial extension to an existing route and/or improvement in service frequency, or
- c) an existing service that was established with Commuter Choice funding for which the applicant is seeking another installment of operating funding.

NVTC generally expects any new or enhanced services started with Commuter Choice funding support to remain continuously funded through the program to be eligible for funding in subsequent rounds. However, NVTC recognizes that this may not always be possible and will address eligibility in these situations on a case-by-case basis.

For bus service projects that do not cross a jurisdictional boundary or provide a direct connection to a Metrorail or VRE station, the maximum share of Commuter Choice operating support decreases over time, subject to successful re-competition for continued funding, as follows:

- For the first five years of service, maximum of 100% of net operating costs
- For the sixth year of service, maximum of 75% of net operating costs
- For the seventh year of service, maximum of 50% of net operating costs
- For the eighth year of service, maximum of 25% of net operating costs
- After the eighth year of service, no further operating support

NVTC is limited in the overall proportion of Commuter Choice funding that may be applied to transit operations per the I-66 and I-395/95 MOAs. Specifically:

- For I-66 Commuter Choice, no more than 50% of available program funds in the preceding nine fiscal-year period may be allocated to transit operations.
- For I-395/95 Commuter Choice, no more than 50% of available program funds over a nine-year average may be allocated to transit operations.

To help NVTC maximize the support that Commuter Choice can provide for transit service improvements, NVTC requests applicants to segment total operating costs into transit and non-transit operations ([Section 3.2.2.5](#)). NVTC defines transit operating expenses to consist of fuel, oil, drivers' salaries and fringe benefits, dispatcher salaries and fringe benefits, and



licenses, as per Federal Transit Administration (FTA) definitions.⁷ Further, NVTC no longer⁸ allows funds allocated to capital activities (for instance, funds remaining in the Capital Asset Acquisition line after purchase of buses) to be transferred to operations for transit service improvement projects.

Commuter Choice can fund vehicles needed to enable expanded service. Specialized types of bus – such as zero-emission buses (along with needed charging/fueling and other support infrastructure), over-the-road coaches, articulated buses and double-decker buses – are eligible for Commuter Choice funding support where consistent with applicants’ fleet strategies and appropriate for the service improvement. However, the type of vehicle purchased must match that routinely deployed on the service. For example, if zero-emission articulated buses are procured as part of a Commuter Choice-funded service expansion, NVTC expects that zero-emission articulated buses (whether the specific buses procured or others in the fleet) will be deployed on the expansion.

2.2.2.3 Limitations on Transportation Demand Management (TDM) Projects

To be eligible for Commuter Choice support, a proposed standalone TDM project must meet the following criteria:

- a) Be targeted exclusively to corridor commuters (toll payers), and
- b) Have directly measurable benefits in terms of ridership or usage.

Further, direct incentives must constitute at least two-thirds of the proposed project’s cost. Marketing activities and/or staffing expenses may constitute the remainder of the cost.

Eligible standalone TDM projects therefore include, but are not necessarily limited to, targeted new and returning rider incentives such as vanpool subsidies, rail station parking fee reductions and transit fare reductions. Applicants may combine strategies that meet the definition above into a single project and may include promotional activities specific to the strategies.

NVTC encourages applicants to include project-specific TDM activities in proposals for other types of projects. For instance, a proposal for a new bus service may include sufficient operating subsidies to provide fare-free service for an initial period, as well as advertising and promotion of the new service.

Generalized campaigns to bolster overall awareness of and promote existing alternatives to driving alone are no longer eligible for Commuter Choice funding support.

2.2.2.4 Allowable Transportation Systems Management and Operations Activities

Commuter Choice’s definition of transportation systems management and operations and allowable activities follow Federal highway code per the corridors’ MOAs.⁹

⁷ See [FTA Circular 9030 – Urbanized Area Formula Grant Program](#) and [FTA Circular 9040 – Rural Area Formula Grant Program](#).

⁸ Applies in the I-66 corridor to projects funded in the FY 2023-2024 Program of Projects or later, and in the I-395/95 corridor to projects funded in the FY 2024-2025 Program of Projects or later.

⁹ [23 U.S.C. § 101\(a\)\(30\)](#). The I-66 MOA specifies use of the definition in place on September 30, 2015, while the I-395/95 MOA specifies the use of the definition in place on September 30, 2017. The two definitions are identical and correspond to that shown here.



In general.—The term "transportation systems management and operations" means integrated strategies to optimize the performance of existing infrastructure through the implementation of multimodal and intermodal, cross-jurisdictional systems, services, and projects designed to preserve capacity and improve security, safety, and reliability of the transportation system.

Inclusions.—The term "transportation systems management and operations" includes:

- (i) actions such as traffic detection and surveillance, corridor management, freeway management, arterial management, active transportation and demand management, work zone management, emergency management, traveler information services, congestion pricing, parking management, automated enforcement, traffic control, commercial vehicle operations, freight management, and coordination of highway, rail, transit, bicycle, and pedestrian operations; and
- (ii) coordination of the implementation of regional transportation system management and operations investments (such as traffic incident management, traveler information services, emergency management, roadway weather management, intelligent transportation systems, communication networks, and information sharing systems) requiring agreements, integration, and interoperability to achieve targeted system performance, reliability, safety, and customer service levels.

2.2.2.5 Larger Capital Projects Introduction and Conditions

NVTC defines a larger capital project to be any proposed project for which a minimum of approximately \$5 million in Commuter Choice funding is being sought for capital activities, such as asset and land acquisition and construction. (Vehicle purchases for a transit service improvement do not trigger larger capital project provisions.) NVTC has developed additional parameters for these more complex projects to manage risk and ensure deliverability within Commuter Choice's five-year expenditure timeframe. NVTC encourages entities that are interested in pursuing infrastructure projects to discuss the proposals with NVTC in advance of applying for funding (Section [3.1](#)) to determine if the larger capital project provisions may apply.

The following eligibility parameters apply to larger capital projects:

- The project may only comprise acquisition activities (capital assets and/or land), construction and outfitting of infrastructure/facilities. Other activities - such as planning, design, engineering, operations or marketing - are not eligible as part of larger capital projects.
- The project must be ready to begin construction within two years of Commuter Choice funding allocation. At the point of application, NVTC will generally expect that:
 - Sufficient planning and development work has been conducted to execute the project;
 - The project scope, budget and schedule are consistent with each other, sufficiently detailed and achievable within the obligation and expenditure deadlines;



- Any other funds needed for the project are already available or will be available in a timeframe that does not jeopardize the project schedule; and
- The applicant has the capability and capacity to deliver the project successfully based on prior performance with projects of similar complexity, to the extent that such performance history is available.

The following additional parameters and procedures apply only to larger capital projects:

- Readiness documentation addressing the points above is required with the application (Section [3.2.5](#));
- NVTC reviews this documentation as part of its overall eligibility review (Section [4.1.1](#));
- Commuter Choice funding awards may be split across two consecutive two-year funding programs (Section [5.4](#));
- The expected completion date is a term of the SPA (Section [6.2](#));
- NVTC may require more frequent and in-depth progress reporting (Chapter [8](#)); and
- Substantive schedule changes, even if within the five-year expenditure period, require a formal request of NVTC (Section [9.1](#)).

NVTC strongly encourages prospective larger capital project applicants to review the documentation requirements closely, begin assembling the documentation and raise any questions with NVTC staff well in advance of applying. NVTC expects complete documentation to be submitted as part of the application.

Proposals for efforts that involve a combination of significant infrastructure improvement (that would qualify for consideration as a larger capital project) and operations or other non-capital activities should be split into two applications, one for the infrastructure improvement and one for the other activities, to the extent that both are eligible as standalone projects.

2.2.2.6 Conditions for Projects Requiring Significant Third-Party Engagement

Proposed projects that would require significant engagement of a third party (or parties) for successful implementation must have any such party's general support at the point of applying for Commuter Choice funding. For example, if a proposed project would be constructed or operated by a third party or substantially modify facilities owned by a third party, NVTC would generally deem the project to require significant third-party engagement. Such projects may include, but are not necessarily limited to:

- A proposed bus service improvement for which a local jurisdiction is the applicant but WMATA, OmniRide or another jurisdiction's bus service would be the operator.
- A proposed modification to a VDOT-owned roadway, park-and-ride facility or other right-of-way.
- A proposed expansion of a rail station owned by WMATA or VRE.

NVTC requires a signed executive-level letter, adopted Board/Council/Commission resolution or executed interagency project agreement to be included with the application that attests to each such third party's general support for the project and willingness to work with the applicant to implement the project if it receives funding (Section [3.2.1](#)).



Jurisdictional proposals involving WMATA Metrobus service should first be coordinated with WMATA's Office of Government Relations, with follow-on coordination with the Offices of Bus Planning and Management and Budget in advance of applying¹⁰. Metrobus service changes that WMATA staff elect to support may require public hearings and/or Title VI reviews that could impact whether the service can ultimately be added and likely will require an amendment to WMATA's budget. Implementation of the service change generally must coincide with WMATA's semiannual systemwide bus service changes in June or December. For the sake of eventual reimbursements, NVTC encourages applicants to work with WMATA budget staff upfront to ensure that the costs of the improvement are itemized in the jurisdiction's quarterly subsidy billing. Service improvements that would affect more than one jurisdiction also should be coordinated with the other affected jurisdictions.

2.2.2.7 Conditions for Studies and Project Development Activities

Studies and project development activities (planning, design and engineering) are eligible in conjunction with the costs to implement the proposed project, so long as it is not a larger capital project ([Section 2.2.2.5](#)). A standalone planning study or design effort is not eligible for Commuter Choice funding.

Applicants for projects that include study or design phases should ensure that they are committed to implementing the project regardless of the outcome of the study or design activities, at risk of needing to repay expended Commuter Choice funds to NVTC if the project ultimately does not advance beyond that phase.

Project development activities should represent a reasonable proportion of the overall project budget according to the type and scale of the project.

NVTC excludes project development activities from eligibility for larger capital projects because of the greater complexity of these projects and limited time for project implementation under Commuter Choice's framework. NVTC anticipates that any larger capital projects proposed for funding will be largely developed at the point of application, with any remaining project development work to be funded through other sources.

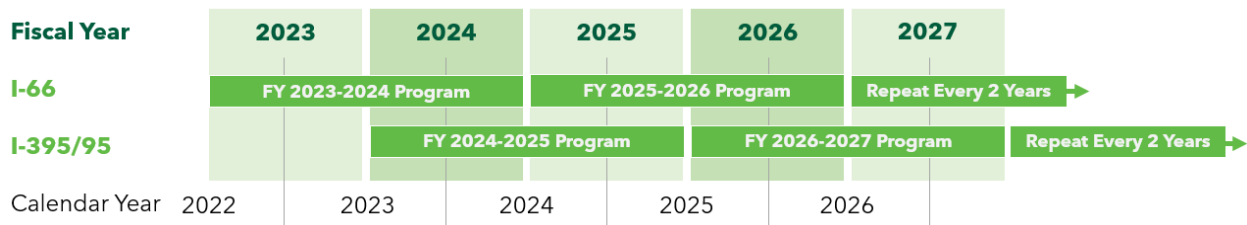
¹⁰ Commuter Choice-funded Metrobus projects are exempt from the three-percent cap on WMATA subsidy increases, consistent with the [CTB's September 18, 2018 guidance](#) (see item 2.d, page 5).



Chapter 3 Applying for Funding

NVTC receives applications for Commuter Choice funding during calls for projects every other year in each corridor ([Figure 5](#)) and begins to engage with eligible applicants in advance of these opportunities. These calls for projects each cover two fiscal years of funding. Each applicant and project must meet the requirements outlined in [Chapter 2](#) to be eligible. There is no limit to the number of project applications that can be submitted by a jurisdiction or agency.

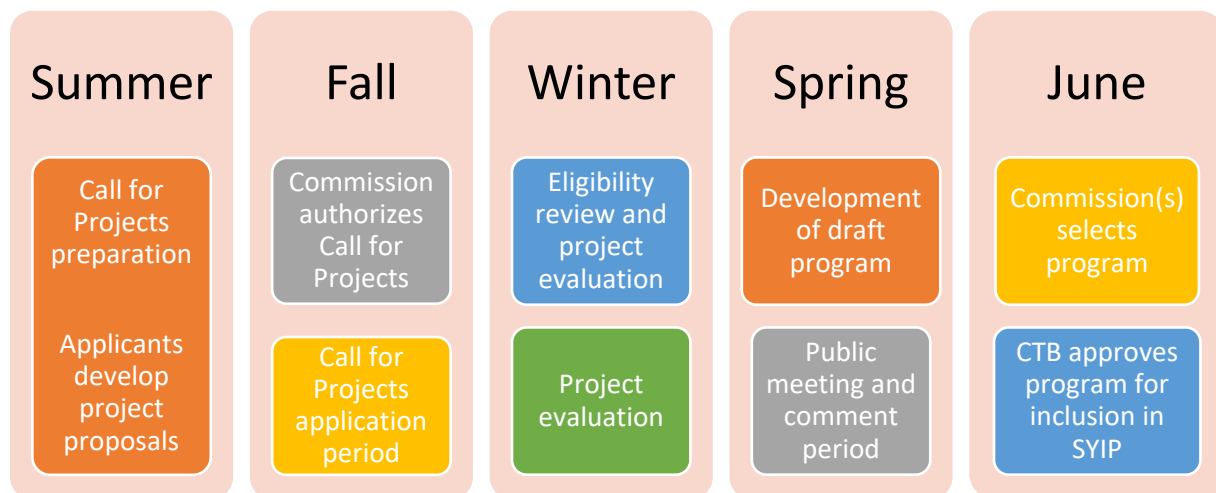
Figure 5: Current and Upcoming Funding Cycles by Corridor



The application period is typically about two months, between October and December. Complete applications are due by the deadline that NVTC will announce when the call for projects is opened. Applications received after the designated deadline will not be considered.

The call for projects initiates the overall program development process, as shown in [Figure 6](#). [Chapters 4, 5](#) and [6](#) describe project evaluation, program selection and project agreements, respectively.

Figure 6: Annual Program Selection Process

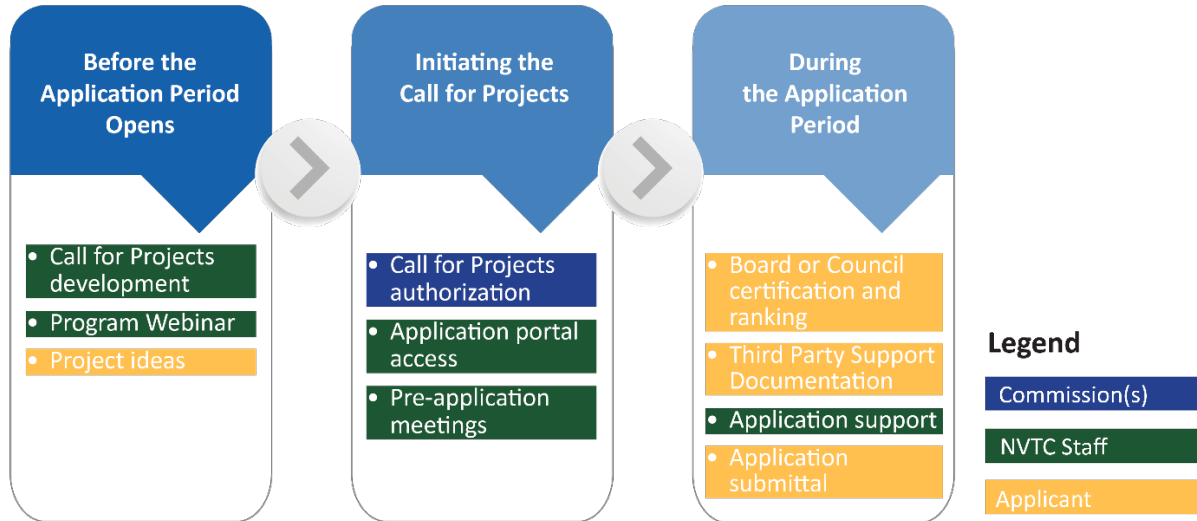


3.1 Key Steps in the Application Process



Figure 7 identifies the key steps in the application process, described further below.

Figure 7: Steps in the Application Process



Before the Application Period Opens

1. **Call for Projects Development.** NVTC staff will develop the call for projects schedule and application materials. NVTC staff will review and seek input on any proposed changes to program policy with applicant staff ahead of time, as well as briefing the PAC for I-66 Commuter Choice, the JCWG for I-395/95 Commuter Choice and the full Commission(s).
2. **Program Webinar.** NVTC staff will invite eligible applicants to participate in an overview webinar regarding the upcoming call for projects. The webinar will review program eligibility, project scoring, the application process and key dates regarding the call for projects. The webinar also will highlight any policy changes that will apply to the call for projects.
3. **Project Ideas.** NVTC staff will ask applicants interested in applying to identify potential projects for which they may wish to pursue Commuter Choice funding. This initial request for project ideas is non-binding, will be reviewed by NVTC staff only and is solely for NVTC staff to be able to provide feedback on how the project ideas align with program eligibility requirements ([Chapter 2](#)), including the need to benefit corridor toll payers, and goals.

Initiating the Call for Projects

1. **Call for Projects Authorization.** Following Commission approval by NVTC for I-66 Commuter Choice or by both NVTC and PRTC for I-395/95 Commuter Choice, online applications will be accepted for a designated period.
2. **Application Portal Access.** NVTC will provide access instructions to eligible applicants.
3. **Pre-Application Meetings.** NVTC will invite eligible applicants to participate in one-on-one pre-application workshops shortly after the call for projects opens to discuss project ideas and application questions in detail. Applicants also should begin to discuss and coordinate project ideas with other entities that may be affected by them.



During the Application Period

1. **Board or Council Certification and Ranking.** Applicants must receive the endorsement or authorization of their jurisdiction or agency's Board, Council or Commission to apply for Commuter Choice funding for each proposed project. In the case that there are multiple project applications from one applicant, the endorsement or authorization also must rank all potential projects in priority or preference. The endorsement or authorization may also allow the applicant to accept funding if awarded ([Section 6.2](#)).
2. **Third Party Support Documentation.** Where a third party would be significantly involved in project implementation - for instance, by constructing or operating the project, or if the project would significantly modify facilities owned by the third party - an applicant must obtain executive- or Board/Council/Commission-level support documentation from the third party (or parties; [Section 3.2.1](#)).
3. **Application Support.** NVTC staff will be available throughout the application period for further discussions and meetings regarding the information required for the application.
4. **Application Submission.** Applicants must submit complete applications by the specified deadline. Incomplete applications will not be considered for funding.

3.2 Project Application and Required Information

The Commuter Choice application process is fully online. NVTC will provide an application link to all eligible applicants as part of opening each call for projects. The online application form will prompt applicants for all information that NVTC will need to consider each proposal for funding. NVTC encourages applicants to review the application form and required attachments early in the application period and raise any questions with the Commuter Choice team. Application form sections and the attachments for each are shown in [Table 1](#).

A separate application must be prepared for each project to be considered for funding. Partially completed applications will not be considered for funding.

The application system allows users to save draft applications. The system will provide an email confirmation upon submittal of an application.

Proposed projects must comply with all applicable laws, rules and regulations. They must also have received or will receive prior to implementation all regulatory approvals as required by other funding sources and/or elements of the project.



Table 1: Application Form Sections and Attachments

Section	Topics	Attachments
General Information (Part 1)	<ul style="list-style-type: none"> Project contact information Project endorsements 	<ul style="list-style-type: none"> Board/Council/Commission endorsement/authorization to apply for funds Support documentation from any third parties that will be engaged in project implementation (Section 3.2.1)
Project Information and Eligibility (Part 2)	<ul style="list-style-type: none"> Project type and purpose Cost (Section 3.2.2) Schedule (Section 3.2.3) Scope¹¹ Other funding sources Planning status 	<ul style="list-style-type: none"> Commuter Choice Project Cost and Milestone Schedule Workbook Documentation of other committed funds (required for larger capital projects, optional otherwise; Section 3.2.4) Maps, sketches, drawings, GIS shapefiles, or other available documentation indicating the project location (optional) Detailed documentation of project cost, scope and schedule, as well as copies of any executed agreements needed for project implementation (required for larger capital projects, optional otherwise; Section 3.2.5)
Technical Merit Criteria (Part 3)	<ul style="list-style-type: none"> Person-throughput improvements Travel time savings Modal connectivity benefits Activity center and/or first/last mile accessibility benefits Ability to mitigate diversion of vehicle trips onto parallel routes 	<ul style="list-style-type: none"> Documentation of the person-throughput increase, including assumptions and sources for usage projections Additional documentation/explanation regarding the other Technical Merit factors (optional)
Additional Information (Part 4)	<ul style="list-style-type: none"> Further project features and/or outcomes (optional) 	<ul style="list-style-type: none"> Any additional and relevant documentation, maps, and files (optional)
Applicant Certifications and Signature (Part 5)	<ul style="list-style-type: none"> Required certifications, including that the project will be carried out consistent with the corridor MOA if funded 	<ul style="list-style-type: none"> None

¹¹ The application form requires less background information in cases where the proposed project is a continuation of a new or enhanced bus service that has previously received Commuter Choice funding.



3.2.1 Documenting Third-Party Involvement in Project Implementation

If another jurisdiction or agency would be significantly involved in a proposed project's implementation, the application must include executive- or Board/Council/Commission-level support documentation from the third party (or parties). NVTC considers a third party to be significantly involved in implementation if the project would be constructed or operated by a third party or the project would substantially modify facilities owned by a third party. Examples include ([Section 2.2.2.6](#)):

- A proposed bus service improvement for which a local jurisdiction is the applicant but WMATA, OmniRide or another jurisdiction's bus service would be the operator.
- A proposed modification to a VDOT-owned roadway, park-and-ride facility or other right-of-way.
- A proposed expansion of a rail station owned by WMATA or VRE.

The support documentation may take the form of:

- A signed executive-level letter (i.e., from a general manager, executive director or, in the case of VDOT, the District Engineer),
- An adopted Board, Council or Commission resolution, or
- An executed interagency project agreement.

If multiple third parties would be significantly involved in project implementation, then separate documentation is required from each.

The support documentation should indicate the third party's awareness of and general support for the proposed project. The documentation does not need to express unqualified support for the project or indicate that all matters related to the third party's engagement have been settled. However, the documentation should provide clear evidence of the third party's willingness to work with the applicant toward successful implementation should the project be selected for Commuter Choice funding.

In the event any third party approvals needed for project implementation are outstanding at the point of application submission, applicants must submit a plan to obtain such approvals from the third party or parties. This plan should document the remaining steps to final approval by each third party.

Documentation of general project interest or support from other jurisdictions or agencies in the region is optional. Other jurisdictions or agencies' support for a project, whether required or not, no longer factors into the technical evaluation process ([Section 4.2](#)).

3.2.2 Cost Estimates and Eligibility

As a general principle, eligible project expenses have a direct relationship to the benefits of the Commuter Choice project. Within this principle, NVTC generally will follow FTA guidance regarding the eligibility of specific expenses, though the NVTC Commuter Choice Program Manager will make the final determination on the eligibility of expenses submitted for reimbursement ([Chapter 7](#)). NVTC encourages recipients to contact the Program Manager



prior to submitting an application in case of any questions as to the eligibility of likely expenses. NVTC may request additional information on any proposed costs as part of its application review process. Applicants will be reimbursed for eligible project expenses only.

All phases or elements of a project may be considered eligible for funding so long as the project meets the eligibility requirements and any applicable limitations as set forth in [Chapter 2](#), particularly [Section 2.2.2](#), and all of the project phases and/or elements have a clear relationship to toll payer benefits.

Disproportionately high 'soft' costs, such as staffing and/or marketing, for a small project are not a means to reach Commuter Choice's \$200,000 funding award minimum. NVTC may deem a proposal with such costs ineligible.

[3.2.2.1 Travel Expenses and Meals](#)

NVTC will only reimburse travel expenses up to Commonwealth of Virginia approved rates for lodging, mileage and per diem amounts. The state travel regulations are promulgated by the [Virginia Department of Accounts](#).¹² Meals will only be reimbursed if related to overnight travel.

[3.2.2.2 Staffing Expenses and Overhead Costs](#)

NVTC recognizes that agency resources are necessary to implement funded projects. Gross payroll costs for staff time and related overhead, at a reasonable level according to the type and scale of the project, that are in direct support of project benefits constitute an eligible expense. However, they must be new expenses, specific to the project, that the agency is not already incurring. Project cost estimates should describe staff time at a specific level such as full time equivalent for a specified period.

In addition to gross payroll costs for staff time and related overhead, certain fringe benefits are allowable as explicitly stated elsewhere in this handbook (namely benefits for vehicle operators or dispatchers of a Commuter Choice-funded transit service) or to the extent that they relate to allowable staff time.

Applicants that wish to include overhead and/or fringe benefit expenses should discuss the eligibility of these expenses with NVTC staff prior to applying for Commuter Choice funding.

[3.2.2.3 Escalation](#)

Applicants may include escalation in cost estimates. The rate of escalation should be derived from recent rates of inflation per the U.S. Department of Labor Consumer Price Index for All Urban Consumers (CPI-U). However, other rates may be used if accompanied by explanation and documentation. The cost estimate should identify the inflation rate that was used. Escalation should be applied based on the anticipated cash flow of the project.

[3.2.2.4 Contingency](#)

Applicants may include contingency in cost estimates, provided that the contingency represents a reasonable proportion of the overall project budget according to the type and scale of the project. Contingency should be included in the appropriate budget line item(s) (e.g., Capital Asset Acquisition, Construction) in the Project Cost Estimate and Milestone

¹² The [most recent travel regulations](#) (as of November 2021) are dated July 2019.



Schedule Workbook, with the contingency assumptions detailed in the Additional Cost Details tab of the workbook or other supporting documentation attached to the application.

For larger capital projects, NVTC strongly encourages inclusion of contingency in the cost estimate. The reasonableness of the overall cost estimate is an aspect of the readiness review for this type of project (Section 4.1.1).

3.2.2.5 Transit versus Other Operating Costs

To maximize the support that Commuter Choice can provide for new and enhanced transit services, NVTC requests applicants to distinguish in their cost estimates between transit operating expenses - namely fuel, oil, drivers' salaries and fringe benefits, dispatcher salaries and fringe benefits, and licenses, as per FTA definitions¹³ - from other expenses related to operations, such as vehicle maintenance, insurance, training, and operations support. Although some of these expenses could be considered 'capital' expenses for federal purposes, they should be assigned to the Other Operating Costs line item in the application materials. The distribution of transit and other operating costs can be adjusted if needed once the project is underway (Section 9.1.1).

Applicants may either identify the costs for each of the operations lines as part of an application for funding or may simply identify percentage splits for NVTC to use to apportion the gross operating costs when processing reimbursement requests. NVTC recommends that applicants assume the splits between transit and non-transit operating costs shown in Table 2, following FTA standards (Exhibit IV-1 in [FTA Circular 9030](#)), unless the applicant has developed its own breakdown.

Table 2: Typical Transit/Non-Transit Operating Cost Splits

Scenario	Transit Operations Share	Other Operations Share
Contractor provides maintenance and service Applicant/recipient provides vehicles	60%	40%
Contractor provides service Applicant/recipient provides maintenance and vehicles	100%	0%
Contractor provides maintenance, service and vehicles	50%	50%

3.2.2.6 Estimating Fare Revenues

For operating projects whose total costs will be offset in part by fares, NVTC requires applicants to provide an estimate of fare revenue in the application and deduct this amount from the estimated gross operating cost. NVTC recognizes that the specific value of the fare revenues may vary year to year. NVTC recommends that applicants use fare recovery performance for comparable services to estimate the fare revenue that will be collected. In any case, the application must explain how the anticipated fare revenue was computed.

¹³ See [FTA Circular 9030 - Urbanized Area Formula Grant Program](#) and [FTA Circular 9040 - Rural Area Formula Grant Program](#).



3.2.2.7 Marketing Activities

NVTC encourages applicants to include project-specific marketing activities in proposals for funding. For instance, a proposal for a new bus service may include sufficient operating subsidies to provide fare-free service for an initial period, as well as advertising and promotion of the new service. The latter may include targeted advertising on social media, vehicle wraps, print/broadcast advertising and/or other activities of a similar nature, as appropriate, and the development and production of any associated collateral. (See [Section 6.6](#) for guidelines on the development of collateral.)

Proposed costs for advertising and promotion should be reflected in the 'Other' cost category when applying for funding.

Marketing activities proposed for funding must reasonably be expected to support achievement of the project's person-throughput targets. They must also be reasonable in relation to the cost and scope of the project. For a transit service expansion, the marketing costs should be proportionate to the level of Commuter Choice support for the route's overall operation. If, for example, Commuter Choice were asked to support two additional trips on a service with 10 existing trips, the funding request for marketing the service should not be for all 12 trips, but in line with the share of overall service on the route that Commuter Choice would be supporting.

3.2.3 Project Schedules

Commuter Choice funds must be obligated in two years and expended in five years from the effective date of the CTB's allocation of funding, which in most cases is the beginning of the new fiscal year. For example, the obligation and expenditure deadlines for fiscal year 2024 funds would be measured from July 1, 2023, the first day of that fiscal year. The obligation requirement is met by executing the SPA for the project (described further in [Chapter 6](#)). Project applications should incorporate a schedule that reasonably accommodates these requirements.

The schedules provided in the application and supporting documentation should be sufficiently detailed and feasible. NVTC staff may request additional information about the schedule, depending on the type and scale of the project.

3.2.4 Matching Funds

The Commuter Choice program does not have a funding match requirement (outside of fare revenue). However, the application and attachments should indicate all potential and committed funding sources related to the development and implementation of the project.

Commuter Choice funds are Commonwealth of Virginia funds. They therefore do not serve as a local match for other Commonwealth funding programs but would likely fulfill the required funding match for a federal funding program subject to that program's requirements.¹⁴

¹⁴ Should Commuter Choice funds be used as a match to federal funds, federal requirements would apply, including the need for a National Environmental Policy Act review, and the project schedule should take these requirements into account.



3.2.4.1 Committed Funds

Committed funds are defined as those that have been allocated for use on the project with no further action needed. They include such funds as:

- Federal funds programmed in an approved Transportation Improvement Program;
- Commonwealth funds programmed in an approved Six-Year Improvement Program;
- Local funds programmed in an approved Capital Improvement Plan or budget, or allocated to the project via an approved Board, Council or Commission resolution; and
- Approved proffers and in-kind contributions.

Applications for larger capital projects must include documentation of any committed funds, specifically copies of the adopted documents or approval actions by which the funds were committed. For other projects, inclusion of this documentation is optional but recommended.

3.2.4.2 Uncommitted Funds

Uncommitted funds include applications or requests for funding that have not yet been approved, be they at the federal, Commonwealth, regional or local level, or any such funds that the applicant intends to pursue.

Any applicant proposing a project for which matching funds are not committed at the time of the application should verify that the project will be able to meet Commuter Choice’s two-year funding obligation and five-year funding expenditure deadlines in light of the expected timing of the funding commitments and consider alternate approaches in the event that the anticipated funds do not become available. NVTC’s Commuter Choice Standard Project Agreements ([Section 6.2](#)) require recipients to certify that any needed matching funds have been authorized, appropriated or otherwise obtained.

For larger capital projects, NVTC requires a description with the application of the steps and timelines for obtaining commitments of any remaining funds. For other projects, such a description is optional but recommended.

3.2.5 Documentation Requirements for Larger Capital Projects

NVTC requires additional readiness documentation for larger capital projects ([Section 2.2.2.5](#)) to demonstrate ability to begin construction within two years and expend Commuter Choice funds within five years of the effective date of the CTB’s allocation of Commuter Choice funding to the project. [Table 3](#) identifies the additional required documentation. NVTC expects complete documentation to be submitted as part of the application.

Table 3: Required Additional Application Documentation for Larger Capital Projects

Topic	Expected Level of Development	Documentation
Planning and design	Sufficient planning and development work has been conducted to execute the project	<ul style="list-style-type: none"> • Brief summary of the planning conducted to date for the project • Links to studies, reports, plans, etc. that addressed the project



Topic	Expected Level of Development	Documentation
Scope, budget and schedule	Scope, budget and schedule are consistent with each other, sufficiently detailed and achievable within the obligation and expenditure deadlines	<ul style="list-style-type: none"> • Copies of any completed third-party agreements needed for the project (VDOT, WMATA, other jurisdictions) • Scope, budget and schedule detail to substantiate the summary information provided in the application form and Cost Estimate and Milestone Schedule workbook • Full project budget, including appropriate contingency • Schedule that identifies key milestones/deliverables, including SPA execution, start of construction, expenditure of Commuter Choice funds and project completion/opening
Financial plan	Any other funds needed for the project are already available or will be available in a timeframe that does not jeopardize the project schedule	<ul style="list-style-type: none"> • Evidence of committed funds for the project • Remaining steps and target timeframe for obtaining any outstanding commitments

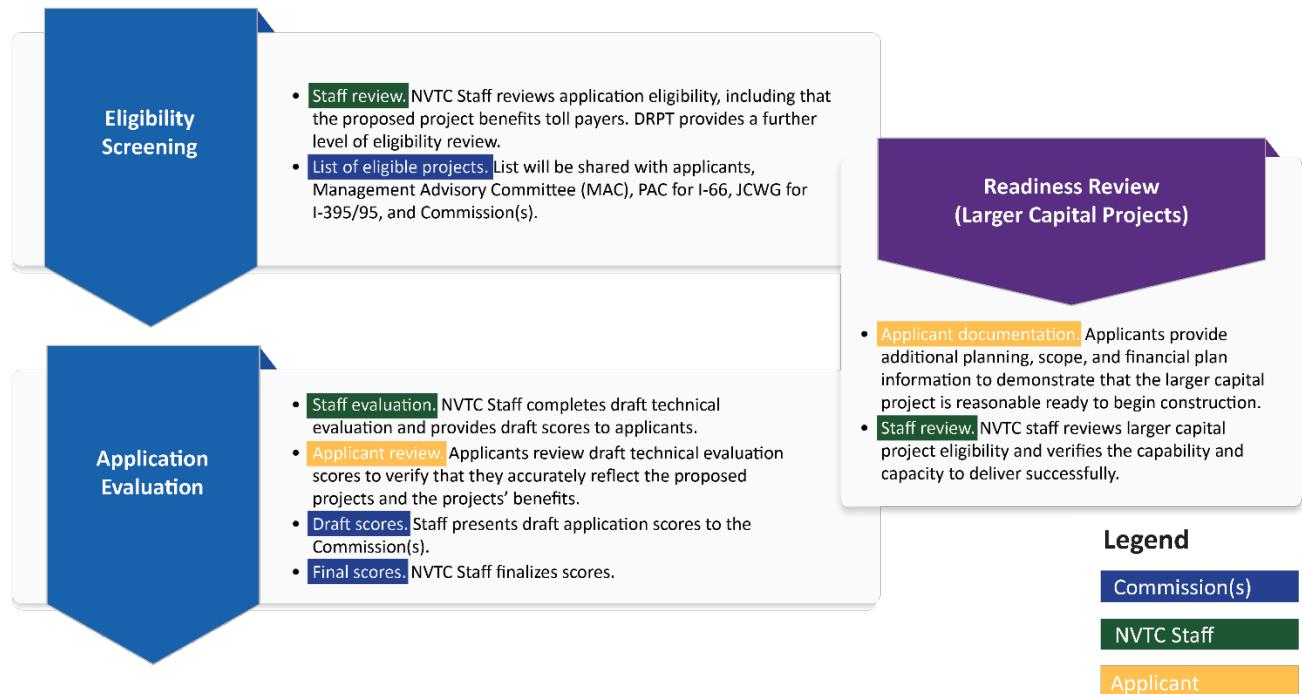
See Section [4.1.1](#) for a description of how NVTC will review this information as part of the eligibility review process.



Chapter 4 Project Evaluation

NVTC staff will evaluate applications in accordance with the Commission-approved review process (NVTC approval for I-66, both NVTC and PRTC for I-395/95). The review process entails an eligibility review and, for all eligible applications, development of project scores. [Figure 8](#) shows the key steps in the evaluation process.

Figure 8: Key Steps in the Evaluation Process



The readiness review for larger capital projects ([Section 4.1.1](#)) will be conducted parallel to the standard eligibility review ([Section 4.1](#)) and the subsequent technical evaluation ([Section 4.2](#)).

4.1 Eligibility Screening

Each application will be screened to determine if it meets the eligibility criteria outlined in [Chapter 2](#). NVTC will request additional information from applicants if needed to help determine projects' eligibility and will review project eligibility determinations with DRPT and Commonwealth Office of the Attorney General staff. Eligible applications will advance to the technical evaluation phase ([Section 4.2](#)); NVTC will notify applicants with ineligible projects.

4.1.1 Readiness Review for Larger Capital Projects

For larger capital projects ([Sections 2.2.2.5](#) and [3.2.5](#)), NVTC will conduct a readiness review parallel to the standard eligibility screening and technical evaluation. The readiness review will evaluate the supplemental planning, scope, cost, schedule and financial commitment documentation provided with the application to determine whether the project will be able to



have its Commuter Choice funding obligated and enter construction within two years of the allocation of Commuter Choice funds to the project, and fully expend Commuter Choice funds within five years of their allocation.

The review may also consider the applicant’s ability to implement a project of similar complexity. This aspect of the review would be based on the applicant’s prior project delivery experience, as available, with NVTC and potentially other funding agencies in the region, namely the Northern Virginia Transportation Authority (NVTA) and DRPT.

NVTC may use its technical support contractor or a DRPT support contractor to conduct the review, though NVTC will make the final determination as to readiness. If the required documentation is not available or NVTC cannot reasonably determine that a project will meet the funding obligation and expenditure deadlines, the project may be removed from funding consideration. Given limited time to conduct the review, applicants should anticipate limited opportunity to submit substantial additional documentation beyond that provided with the application.

4.2 Application Evaluation

All eligible applications will be scored according to the Commission-approved technical evaluation process. The current approved process is shown in **Figure 9**. The overall process assesses how well proposed projects meet the Commuter Choice improvement goals and other aspects of program policy. The project scores help to inform the list of projects that is recommended by the Commission(s) for final approval by the CTB. As a courtesy, NVTC provides evaluation results to each applicant along with an explanation of any significant changes in the scoring from what the applicant may have anticipated prior to presenting the results to any committee(s) or the Commission(s).

Figure 9: Technical Evaluation Criteria

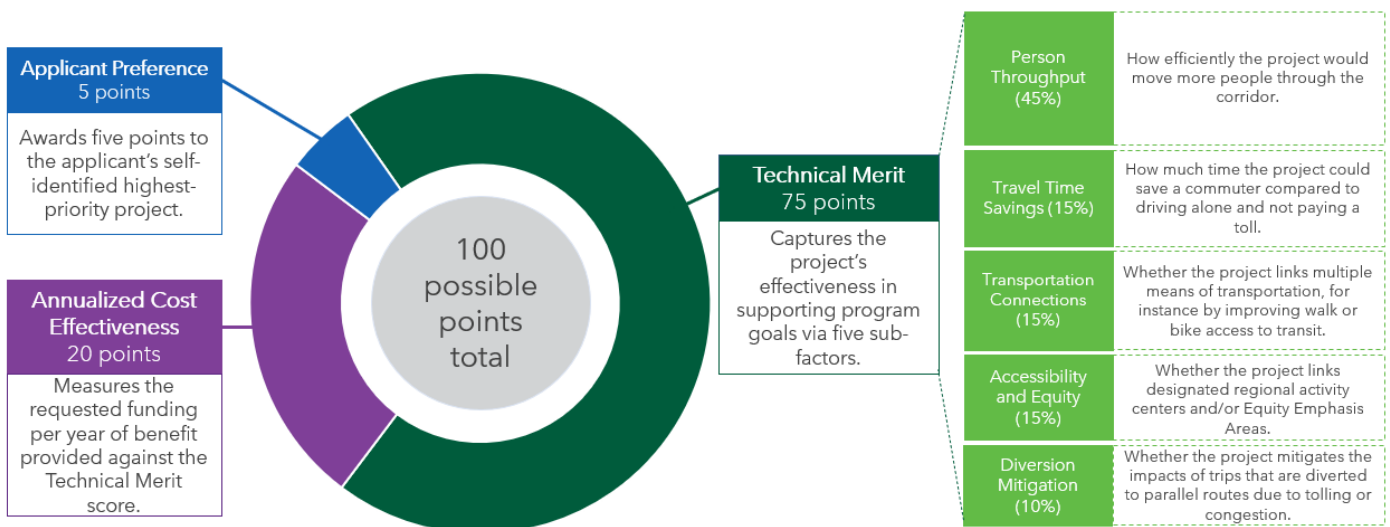


Table 4 summarizes the three Commuter Choice technical evaluation criteria, which are described further in the sections below.



Table 4: Commuter Choice Technical Evaluation Criteria

Criterion	What it Captures	General Scoring Approach
Technical Merit (Section 4.2.1)	Expected ability of the project to address some or all of the Commuter Choice improvement goals	<ul style="list-style-type: none"> • Maximum 75 points, split across five factors • Each factor is on a Higher/Medium/Lower scale • The Person Throughput factor's scoring is relative to other applications • The others are based on set criteria
Annualized Cost Effectiveness (Section 4.2.2)	Technical Merit score per million dollars of Commuter Choice investment accounting for the useful life of elements of the project	<ul style="list-style-type: none"> • Maximum 20 points • On a Higher/Medium/Lower scale relative to other applications
Applicant Preference (Section 4.2.3)	How the project ranks in priority relative to the applicant's other proposals	<ul style="list-style-type: none"> • Maximum 5 points • Applicant's top priority application receives all 5 points, the rest zero

4.2.1 Technical Merit

The Technical Merit criterion encompasses five factors that gauge how well proposed projects support the Commuter Choice improvement goals of maximizing person throughput and implementing multimodal improvements that improve mobility, support new and diverse travel choices, and enhance transportation safety and reliability. NVTC reaches the total Technical Merit score by combining the factor scores with the weights shown in [Figure 9](#) and the subsection headers below, then scaling the total so that the maximum possible score (if a project received a Higher rating under every factor) is 75 points.

4.2.1.1 Congestion Mitigation - Person Throughput (45%)

The person throughput factor assesses the efficiency by which a proposed project moves more people through the corridor - specifically the number of new people moved through the corridor by, or resulting from, a submitted project relative to the total number of vehicle trips involved in moving the additional people. In the case of previously awarded projects being submitted for continuation of funding, the number of 'new' people moved should be those commuters who would not make the same trip without the project in place.

For projects primarily affecting motorized travel modes - vehicular and/or transit - the project will be assessed based on the calculated increase in a.m. peak-period person throughput, inbound, divided by the number of vehicle trips involved in that increase. If there is a project that improves the p.m. peak period outbound capacity in the corridor to a greater extent than a.m. inbound, p.m. outbound may be considered.

Each project will be assigned a 'Higher,' 'Medium' or 'Lower' score based on the rank order of the calculated result. Projects in the top third of rankings will be scored 'Higher,' the second-highest third will be scored 'Medium,' and the remaining third will be scored 'Lower.' If the



number of projects is not evenly divisible by three, the 'Lower' tier and potentially 'Medium' tier will each have one project more than the 'Higher' tier.¹⁵

For projects primarily affecting non-motorized travel modes - biking and/or walking - the project will generally be given a 'Lower' score if the project can be reasonably assumed to increase person throughput.

This scoring recognizes the throughput benefits of projects geared towards non-motorized modes, but also realizes those benefits may not be on the same scale as the throughput benefits potentially realized by projects geared towards motorized travel.

In the event of ties in the ranking, multiple projects may have the same rank. This is the only case where the size of the tiers may vary from the mathematical approach identified above.

NVTC will review each proposed project's person throughput estimate for reasonableness based on transit ridership forecasting tools, past project performance and professional judgment. NVTC reserves the right to amend person throughput estimates on these bases.

4.2.1.2 Congestion Mitigation - Travel Time Savings (15%)

The travel time savings factor assesses how much time commuters could save by using the proposed project and thus how well the project would improve the operational efficiency of the transportation network.

Each project will be assigned a score of 'Higher,' 'Medium,' 'Lower,' or 'No Score' based on the extent of travel time reductions it would afford for a commute trip compared to a similar commute without the project:

Higher - the project is likely to result in reductions of 30% or greater in peak-direction, peak-hour total travel time per user

Medium - the project is likely to result in reductions of 15 to 30% in peak-direction, peak-hour total travel time per user

Lower - the project is likely to result in reductions of 5 to 15% in peak-direction, peak-hour total travel time per user

No Score - the project is likely to result in no change (less than 5%) in peak-direction, peak-hour travel time per user or users of the project would have longer travel times

Applicants must identify a zip code from which a typical home-to-work trip using the proposed project would reasonably originate. NVTC will then calculate travel time for a representative commute trip with the project, based on the following guidelines:

- For the trip destination, NVTC will assume the Pentagon, Crystal City or Rosslyn unless the project, such as a commuter bus service, ends in Washington, D.C..
- Unless otherwise appropriate due to the nature of the project, a worksite arrival at 8:30 AM will be used.

¹⁵ As an example, if there are four projects, the 'Lower' tier will have two projects while the 'Higher' and 'Medium' tiers will each have one. If there are five projects, the 'Lower' and 'Medium' tiers will each have two projects while the 'Higher' tier will have one.



- Any automobile travel will be timed using [Google Maps](#), assuming Tuesday, Wednesday or Thursday travel and the midpoint of the range of travel times.
- For trips including transit service, five minutes will be added to the start of the total trip calculation to account for time needed to reach the service for drive-access while 10 minutes will be added for walk or bike access. Half (½) of the headway time will be added at each transfer to different routes and services (e.g., for a trip that transfers to peak period Metrorail on 8-minute headways, the transfer would be estimated to take 4 minutes).
 - Applicants must identify running times for any proposed transit service projects. These will be incorporated into the travel time estimate.
- When calculating the travel time on an access to transit project such as a bikeshare expansion or trail construction, the full trip length, from origin to destination, will be considered.

NVTC will also estimate the travel time for a baseline (non-project) trip between the same home and work locations, using the guidelines above and assuming non-tolled automobile travel unless otherwise appropriate depending on the nature of the proposed project, and compute the travel time savings. Assumptions and inputs will be shared with applicants during the scoring review process.

4.2.1.3 Congestion Mitigation - Transportation Connections (15%)

The transportation connections factor assesses how well a project is suited to create, complete or link transportation network elements and/or modes, in particular between motorized and non-motorized travel. The measurement of this factor is based on the number of created or enhanced connections between different modes and the promotion of transportation choice in daily travel.

Each project will be assessed for potential impacts on modal interaction and transportation choice in the corridor and assigned a score of 'Higher,' 'Medium,' 'Lower,' or 'No Score.'

Higher - the project provides or directly enhances connections between motorized and non-motorized travel modes

Medium - the project meets at least one of the following conditions:

- It provides a new travel mode, not already available, between the origin and destination for the identified route
- It further promotes transportation choice
- It completes a significant existing gap in the transportation network
- It is a TDM project that does not consist of direct connections between two different modes

Lower - the project has minimal or no impact on connectivity

No Score - the project creates a barrier between modes or results in a loss of travel options

NVTC will consider the purpose of the project in assigning a score for this factor. NVTC will award a 'Medium' or 'Higher' score if in alignment with what the project has been designed to achieve, rather than connections that occur by chance as a factor of the project location.



In determining whether a project would receive a Higher score, NVTC will assess whether a project would directly create or enhance access to transit via inclusion of non-motorized scope elements. Transit-to-transit connections, such as bus-to-rail, are counted as one mode in this evaluation.

4.2.1.4 Congestion Mitigation - Accessibility and Equity (15%)

The accessibility and equity factor evaluates a project's ability to link people and opportunities along the corridor. This measure is based on the connections created or enhanced between activity centers and/or areas with high concentrations of low-income individuals or traditionally disadvantaged racial and ethnic population groups. NVTC compares a project's origin and destination locations against the following designated zones:

- Metropolitan Washington Council of Governments (MWCOG) Regional Activity Centers (projected for 2045) - for both I-66 and I-395/95 corridors
- MWCOG Equity Emphasis Areas (EEAs) - for both I-66 and I-395/95 corridors
- Fredericksburg Area Metropolitan Planning Organization Long Range Transportation Plan Activity Centers - for I-395/95 corridor only

NVTC assigns each project a score of 'Higher,' 'Medium,' 'Lower,' or 'No Score' based on the project's improvement to transportation options and connections between activity centers and/or EEAs:

Higher - Both the project's origin AND destination are defined as activity centers or EEAs

Medium - Only the project's origin OR destination is defined as an activity center or EEA

Lower - Neither the project's origin or destination is defined as an activity center or EEA but the project addresses, improves or enhances 'first/last mile' travel between home/employment locations, transit facilities, or carpool/vanpool facilities

No Score - the project does not connect travelers to activity centers or EEAs nor does it improve 'first/last mile' travel

In determining whether a project's origin is in an area defined as activity centers or EEAs, NVTC will assess locations where passengers using the project are likely to originate, not just the starting point of the service.

Access to transit projects are scored 'Lower' if the project is outside an activity center or EEA and 'Medium' if the project is within an activity center or EEA. TDM projects with unspecified origins or destinations are scored 'Medium,' based on the assumption that these projects will serve at least one destination activity center in alignment with major employment areas. Capital projects that involve improvements to a single facility (e.g., rail station, park-and-ride lot) are assessed based on their location and the connections available on existing transit services.

4.2.1.5 Diversion Mitigation (10%)

The diversion mitigation factor assesses how well a project is suited to mitigate the impacts of trips that are diverted from the expressway onto parallel routes because of tolling or HOV restrictions. The factor responds to jurisdictions' concerns that tolling policies may negatively impact parallel roadways and neighborhoods in the corridor.



NVTC assigns each project a score of 'Higher,' 'Medium,' 'Lower,' or 'No Score' based on the project type and an assessment of the potential for trip diversion mitigation:

Higher - the project provides or enhances transit service that attracts trips that are diverted from I-66 or I-395/95 due to tolling or HOV restrictions

Medium - the project either:

- provides, supports, or enhances carpool or vanpool services that attract trips that are diverted from I-66 or I-395/95 due to tolling or HOV restrictions or
- is a TDM project

Lower - the project either:

- provides, supports, or enhances operational or geometric improvements along a roadway in the corridor that may be used by trips that are diverted from I-66 or I-395/95 due to tolling or HOV restrictions or
- otherwise is another project type not specified in the 'Higher' or 'Medium' categories that can be demonstrated to mitigate diversion from I-66 or I-395/95 due to tolling or HOV restrictions, such as bicycle and pedestrian improvements

No Score - the project does not mitigate the impacts of diversion

4.2.2 Annualized Cost Effectiveness

The annualized cost effectiveness criterion assesses how efficiently proposed projects support the Commuter Choice improvement goals in terms of the amount of Commuter Choice funding requested and the duration of that funding's benefit to corridor commuters. Annualized cost effectiveness will be computed as the project's total Technical Merit score (Section 4.2.1) divided by the annualized funding request¹⁶, then projects will be ranked according to the resulting ratios. The top third will be given a 'Higher' score, the middle third will be given a 'Medium' score, and the bottom third will be given a 'Lower' score.

The approach to creating 'Higher,' 'Medium' and 'Lower' tiers is identical to that described for the person throughput factor (Section 4.2.1.1).

The useful lifespans for common capital assets among Commuter Choice projects are shown in Table 5. The useful lifespans of common Commuter Choice assets were determined using FTA and DRPT guidance, with simplified categories. The useful lives for determining projects' annualized funding requests are consistent with those that NVTC will apply for asset management purposes (Section 10.3).

¹⁶ The Commuter Choice Cost Estimate and Milestone Schedule workbook will perform this computation and identify the resulting figure to be entered on the application form.



Table 5: Useful Life of Commuter Choice Assets

Asset Type	Useful Life
Bikes	5 years
Bus shelters / Capital Bike Share Stations	15 years
Pavement (parking lot, roadway asphalt, sidewalk, trail)	20 years
Rail Vehicles	25 years
Real Estate	100 years
Structures / Buildings	40 years
Technology	10 years
Transit Buses	12 years
Vans	4 years
Other Capital Costs (does not include soft costs such as PE, promotion, design)	2 years

Note: Constructions, buildings, and improvements occupying land have useful specific lives. While for FTA purposes, the land itself does not depreciate and does not have a useful life, for the purposes of the Commuter Choice program a useful life of 100 years should be used for all land.

Where **Table 5** does not provide guidance on a particular asset class, recipients should contact NVTC’s Program Manager for assistance with identifying an appropriate useful life. NVTC may consider FTA guidance, Commonwealth guidance and/or industry standards in determining an appropriate useful life.

To help illustrate the annualizing of costs, consider a hypothetical project proposal for \$3.9 million in Commuter Choice funding that includes:

- A \$2.4 million bus purchase (useful life 12 years)
- \$200,000 for infrastructure upgrades at a park-and-ride lot (useful life 40 years)
- \$1.3 million for two years of transit operations

The annualized Commuter Choice funding request for this proposal is \$855,000, computed as follows:

$$\frac{\$2,400,000}{12} + \frac{\$200,000}{40} + \frac{\$1,300,000}{2} = \$855,000$$

The project’s total Technical Merit score would be compared against the \$855,000 figure.

4.2.3 Applicant Preference

As part of the application, each applicant must rank their application submissions in priority order on the application form and in the Board, Council or Commission endorsement or authorization to apply for funding. The top-ranked project for each applicant will be given 5 points. Should a project that is ranked highest be determined ineligible or otherwise withdrawn by the applicant during the application period, the 5 points will be assigned to the next highest-ranking project for that applicant.



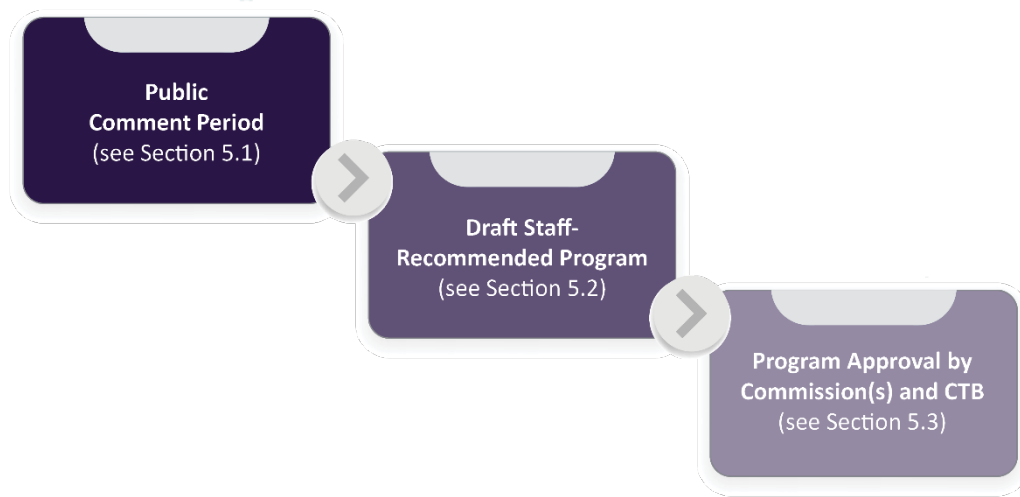
In case of any inconsistency in the priority order between the application form and the Board, Council or Commission endorsement/authorization, NVTC will use the order on the endorsement/authorization as the basis for scoring.



Chapter 5 Program Selection

Each two-fiscal year program of projects is selected from the pool of eligible project applications submitted to the Call for Projects. The project score, together with public input and the amount of funding available, informs the list of projects that is recommended by the Commission (NVTC for I-66 and both NVTC and PRTC for I-395/95) for approval by the CTB. **Figure 10** shows the key steps in the project selection process.

Figure 10: Key Steps in the Project Selection Process



5.1 Public Comment Period

NVTC holds a public comment period on the projects submitted for Commuter Choice funding consideration as required by the corridors' MOAs. The purpose of the Commuter Choice public comment period is to help identify which projects most merit funding from this competitive regional program.

The public comment period will take place between the completion of project scoring and the Commission's adoption of a program of projects. Comments may be submitted through the program website, by telephone or by email. NVTC will provide materials for interested parties to learn more about the proposed projects and opportunities to submit questions. NVTC may ask applicant staff to assist in responding to any proposal-specific questions from the public.

NVTC seeks to stimulate as much informed public input during comment periods as possible. All comment materials are now produced in both English and Spanish. Applicants with projects under consideration for funding will be asked to promote the comment period through their social media channels and contact lists. NVTC staff will present the full set of public comments to the Commission(s) prior to any action to adopt a program of projects.

5.2 Draft Staff-Recommended Program

NVTC staff will consider project scores, public input and funding availability to develop a draft Program of Projects. NVTC staff will submit the draft program to the PAC for I-66 Commuter



Choice and the JCWG for I-395/95 Commuter Choice for consideration and endorsement before advancing any program to the full Commission(s).

NVTC generally does not consider partial funding awards for projects that cannot be accommodated within available funding, but reserves the right to do so.

5.3 Program Approval by Commission(s) and CTB

The Commission(s) - NVTC for I-66 Commuter Choice and NVTC and PRTC jointly for I-395/95 Commuter Choice - will consider the program endorsed by the PAC or JCWG as a starting point. The Commission(s) may prescribe changes to the program according to their desired approach for prioritizing projects.

Once adopted by the Commission(s), the program will then be referred to the CTB for consideration and final approval, with the engagement of DRPT. As noted in [Chapter 3](#), the Call for Projects schedule is based around the CTB's June action to adopt the SYIP for the following year. For each program, NVTC seeks CTB approval of two fiscal years of projects in a single action.

5.4 Split Funding Awards for Larger Capital Projects

NVTC may program Commuter Choice funding awards for larger capital projects ([Section 2.2.2.5](#)) over two consecutive two-year Programs of Projects to help accommodate these more substantial funding commitments. NVTC will take the amount of funding requested and project cash flow, among other considerations, into account when developing programming arrangements for larger capital projects. NVTC will review proposed programming arrangements for larger capital projects with their applicants during the Program of Projects development process, before any draft program is presented to the PAC or JCWG.

Upon award of the first installment of Commuter Choice funding, which will be reflected in the initial Standard Project Agreement ([Section 6.2](#)), implementation of the full project may advance. However, reimbursements are limited to the amount of the first installment until the second installment of funding is awarded. NVTC will include the second installment of funding as an off-the-top deduction in the next Program of Projects brought forward for approvals, contingent upon sufficient funds being available and the project remaining active. Upon award of the second installment of funding, the Standard Project Agreement will be amended to reflect the total Commuter Choice award and reimbursements may be sought up to this amount.

In cases where NVTC splits Commuter Choice funding awards between two consecutive two-year programs, each installment of funding will have its own two-year obligation and five-year expenditure deadlines. This provision has the additional benefit of allowing additional time for project implementation in cases where NVTC believes it may be needed. However, applicants for larger capital projects should conservatively assume a total of five years to implement their projects (i.e., one installment of funding) when applying for funding.



Chapter 6 Beginning Project Implementation

Once a project has been approved by the CTB and funding is allocated, NVTC will create a Standard Project Agreement (SPA), which is how NVTC obligates Commuter Choice funding to a project. Each funded project has its own SPA. The information contained herein clarifies Commuter Choice program procedures and processes and does not replace or supersede the terms of the SPA. In case of any conflict, the language in the SPA takes precedent.

6.1 Pre-Award Authority

Recipients may begin to incur expenditures for a project upon the effective date of the CTB's allocation of funding to the project (for instance, July 1, 2023 for FY 2024), even if the SPA has not yet been executed. However, the following provisions apply:

- The recipient must have local or other permissions in place prior to starting work (i.e., authorization from Board or Council)
- The recipient must have a compliant Certificate of Insurance on file with NVTC ([Section 6.5](#))
- The recipient's expenditures must relate to the approved project and be deemed eligible expenses ([Chapter 3](#))
- The recipient assumes all risk and is responsible for ensuring that all applicable Commuter Choice program requirements are met to retain eligibility
- The recipient may not request reimbursements for project expenses until the SPA is executed

NVTC strongly encourages all recipients to review the SPA and Recipient Handbook and consult with the Program Manager regarding conditions and requirements before incurring any expenses prior to the execution of the SPA.

6.2 Standard Project Agreement (SPA)

The SPA establishes terms by which recipients must abide over the course of project implementation, including monitoring and reporting requirements. Recipients are expected to complete each project as defined in the project's SPA and its appendices, unless NVTC approves a change to the project budget, schedule and/or scope ([Chapter 9](#)). Each SPA is between NVTC and a single recipient entity. In cases where a project reflects a partnership between multiple entities or a third party (such as WMATA) is operating a transit service on the recipient's behalf, the recipient named on the SPA will be responsible for upholding the applicable terms of the agreement on behalf of itself and any other parties. NVTC may request to review draft agreements with any third parties to ensure that the terms of the Commuter Choice SPA will be met.

An SPA template for each corridor is available on the [Commuter Choice Resources webpage](#). **Recipients should carefully review all terms and conditions of the SPA (not all of which are specifically discussed in this handbook) and raise any questions with NVTC's Program Manager.** Elements of the SPA are as follows:

- **Agreement terms and conditions.** This section describes the recipient's obligations, NVTC's obligations, the term of the agreement, what to do in the event of a dispute, circumstances in which NVTC is entitled to a refund of the value of project assets



(Section 10.4), and other provisions regarding carrying out the project. The SPA also assigns a number to each project.

- **Signature block.** To be signed by NVTC and Recipient Entity.
- **Appendix A - Project Description and Performance Measures.** This section identifies the project scope that the recipient is expected to implement fully, the project's expected person-throughput increase and annual performance reporting requirements. For larger capital projects, the expected project completion date will be specified.
- **Appendix B - Project Budget and Cash Flow.** This section contains the project budget, including by cost category, and the anticipated cash flow by quarter.
- **Appendix C - Reimbursement Request.** This section consists of a blank reimbursement request template, which is also available in an editable version on the [Commuter Choice Resources webpage](#).
- **Appendix D - Reservation for Tax Covenants.** To be used for projects funded with bond proceeds, should NVTC issue bonds.
- **Appendix E - Authorization of designee(s).** This section consists of the recipient's governing body's authorization to execute the SPA, in the form of clerk's minutes or an approved resolution. Authorization to execute the SPA may be included in the authorization to apply for funding (Section 3.1); regardless, it should indicate the official, typically a city or county manager, transportation director or transit general manager, authorized to sign the agreement on behalf of the governing body.

6.3 Standard Project Agreement Preparation and Approval

Upon approval of a program of projects by the CTB, NVTC will draft the SPAs and share them with recipient staff for review. The agreement terms and conditions are consistent across all projects in each corridor, but recipients should review draft Appendices A and B for accuracy. The recipient must also obtain its governing body's authorization to execute the SPA if it was not granted as part of the authorization to apply for funding. The agreement is then released to the recipient for signature.

The agreement must be signed at the bottom of the contract and bottom of Appendix B by the individual authorized to enter the recipient into a binding agreement. A copy of this authorization by the recipient's Board, Council or Commission is to be attached to the SPA as Appendix E. Once the agreement is signed by the recipient, NVTC's Director of Finance and Administration and Executive Director will countersign to execute the agreement. The executed agreement will be shared with the recipient.

6.4 Deadline for Executing a Standard Project Agreement

A funded project's SPA must be executed within two years of the start of the fiscal year for which the CTB allocated funding to the project. (For instance, FY 2024 began on July 1, 2023, so a Commuter Choice project funded in that year would need to have an executed SPA by July 1, 2025.) Projects that do not meet this deadline are subject to cancellation of funding.

6.5 Requirement for Certificate of Insurance with Additional Insured Parties

Recipients must provide Certificates of Insurance (COI) to NVTC for work to be performed on Commuter Choice projects, as described in the SPA. Local procurement processes will normally require that contractors, transit operators and consultants provide insurance and list



the jurisdiction as additional insured. For Commuter Choice purposes, the recipient entity and/or contractors must include the following parties as additional insureds for the project work:

- For I-66 corridor projects: NVTC, the Commonwealth of Virginia, the CTB, VDOT, DRPT and their officers, employees, and agents.
- For I-395/95 corridor projects: NVTC, PRTC, the Commonwealth of Virginia, the CTB, VDOT, DRPT and their officers, employees, and agents.

A COI is not required in cases where a jurisdiction does not require that insurance be purchased for a project, such as in-house preliminary design work. However, recipients must provide documentation to NVTC for each such project that describes the work that does not require a COI and the reason why it does not. Recipients or their agents should provide COIs electronically to reimbursements@novatransit.org with the project number and "COI" in the subject line. NVTC will then acknowledge receipt and acceptance of the COI. A recipient may not advance reimbursable project activities until a compliant COI is on file.

6.6 Project Marketing

NVTC strongly encourages recipients to market their Commuter Choice projects regardless of whether a project includes program funding for this purpose. Commuter Choice-funded marketing efforts may include project-specific advertising and other promotion (Section 3.2.2.7). Recent and upcoming marketing activities are an element of quarterly progress reporting and reviews for active projects (Section 8.1).

NVTC also encourages recipients to take photos of their active projects and provide them to NVTC (at commuterchoice@novatransit.org) for potential inclusion in reports and other program materials.

New recipients should arrange for introductions between their agency's Public Information Officer (PIO) or other communications staff and NVTC's communications team.

6.6.1 Use of Commuter Choice Logo and NVTC Style Guide

To the greatest extent possible, recipients shall include the Commuter Choice logo and recognition of Commuter Choice as a project funding source in all publicly available materials including documents, social media, websites and print collateral. Current Commuter Choice logos are available for download at <http://bit.ly/CCshared>.

NVTC also asks recipients to adhere to the agency style guide in any references to Commuter Choice in printed materials. The current style guide is available at <http://bit.ly/CCshared>.

Particularly for any highly visible marketing elements, such as vehicle wraps, NVTC encourages recipients to submit draft materials in advance of production for the communications team to verify that the materials align with NVTC's current branding and guidelines.

6.6.2 Promotion by Events and Social Media

NVTC encourages recipients to hold in-person events for major project milestones, such as groundbreakings and grand openings, particularly for efforts that represent significant, highly visible improvements to the region's transportation network. Recipients should notify NVTC as



early as possible about the planning for any such event to coordinate NVTC officials' involvement in the event as appropriate.

NVTC is also pleased to use its social media channels to help amplify good news about project milestones and accomplishments, and to promote upcoming opportunities for public involvement. Recipients should provide NVTC with advance notice of press releases and media advisories. Recipients should also mention and tag NVTC's social media accounts (@NoVaTransit) when using social media to promote the project or announce public events.



Chapter 7 Project Invoicing

NVTC provides funding for approved projects on a reimbursement basis after expenses have been incurred. Recipients can submit reimbursement requests for eligible project expenses after the SPA has been executed. NVTC expects recipients to request reimbursements for each active project no less often than quarterly and no more often than monthly.

7.1 Reimbursement Request Contents

A complete reimbursement request comprises a completed SPA Appendix C cover letter and upfront table (available on the [Commuter Choice Resources webpage](#)) along with supporting documentation of the costs incurred and evidence that they were paid. Requests must be consistent with the approved distribution of Commuter Choice funds across project cost elements in Tables B-1 and B-2 of SPA Appendix B and the most recently approved NVTC cash flow estimates in Table B-3 of Appendix B. (Section 9.1 outlines the process for amending an approved Appendix B.)

Recipients must adhere to the following guidance in submitting reimbursement requests:

- Submit reimbursement requests by email to reimbursements@novatransit.org.
- A separate email is required for each reimbursement request.
- The Appendix C cover letter must be signed manually by the individual authorized to submit the request.
- Enter the jurisdiction/agency, project number and reimbursement number in the email subject line. For example: PRTC 013-02-120-17 #4
- Include documentation of the expenses incurred (such as receipts or invoices) in the order listed on Table C-2 and evidence that the expenses were paid (such as screenshots of the payment screen from an accounting system, wire transfer confirmations or canceled checks). Complete invoices, including subcontractor invoices, supporting schedules and expense receipts, must be included with the request.
 - In cases where the project expenses are not separately identified on the invoices from a transit operations contractor, the recipient should determine the operating cost per revenue hour, the number of revenue hours per day that the project operated and the number of service days in the invoicing period to determine the cost of service to be reimbursed. This amount should be reduced by the fare revenue received (actual from farebox data or calculated from average fares and ridership) for the service. Schedules supporting these calculations should be included with the request.
 - For WMATA Metrobus service improvements funded by a jurisdiction, WMATA's quarterly subsidy billing provides sufficient documentation of expenses so long as the invoice identifies the amount charged for the service improvement, and which subsidy line the service improvement charge is included in.
 - For eligible costs of labor provided by staff or personnel supporting project administration or implementation (**Section 3.2.2.2**), provide the timesheet detail of the hours charged (i.e., specific days and the hours charged for each of these days) and paystubs or accounting system output supporting the hourly wage and any benefits charges.



- The reimbursement request should be in one PDF, with the PDF in order. NVTC's email system allows for attachments totaling up to 25MB per email. Contact the Program Manager if the PDF is too large to email.

NVTC will only reimburse recipients for eligible expenses. Please see [Section 3.2.2](#) for general guidance on eligible expenses. In general, eligible project expenses have a direct relationship to benefits of the Commuter Choice project. Please contact the Commuter Choice Program Manager with any questions about the eligibility of an expense.

7.2 Reimbursement Frequency and Timing

The frequency of reimbursement requests should reflect the rate of expenditure on each project but should not exceed one request a month per project. NVTC expects reimbursement requests to be submitted at least quarterly, unless there have not been expenditures during the quarter.

The final reimbursement request should be submitted within 90 days of the final expenditure or the date on which the project ended, whichever occurs first. A request to close out the project must accompany the final reimbursement request ([Section 9.3](#)).

7.3 Reimbursement Request Review and Payment

Reimbursement requests are reviewed by the Commuter Choice Program Manager, Grants Manager, and Director of Finance and Administration. Recipients can generally expect to receive payment within 45 business days of submitting a request that is determined by NVTC to be acceptable. Failure to submit an acceptable reimbursement request can greatly delay reimbursement.

7.3.1 Unacceptable Reimbursement Requests

NVTC may determine a reimbursement request to be unacceptable for reasons that include, but are not limited to, the following:

- The request includes ineligible expenses
- The request lacks sufficient or complete documentation of the expenses incurred or payment of the expenses
- The expenses do not align with the distribution of Commuter Choice funds between cost categories in Tables B-1 and B-2 of the project's approved SPA Appendix B
- The amount of reimbursement sought is computed incorrectly (as an example, this may occur when breaking out a particular transit route from the contractor's overall bill for provision of service)
- Any fare revenues received were not deducted from the cost of operating the project
- The recipient has not provided NVTC with a Certificate of Insurance (COI) for the project that includes the necessary additional insured parties ([Section 6.5](#))
- The total request is for a de minimis amount, e.g., less than \$1,000, particularly if further project expenses are anticipated

In the event of an unacceptable request, NVTC staff will contact the recipient to explain why the reimbursement request has not been approved and discuss the actions the recipient must take to produce an acceptable request. NVTC may request additional documentation or an entirely new request, depending on the nature of the issue(s).



7.3.2 Payment

Recipients can generally expect to receive payment within 45 business days of submitting a reimbursement request, assuming NVTC finds the request acceptable. All payments will be made by electronic transfer to the bank account on file with NVTC.

7.4 Repayment for Misuse of Funds

The SPA outlines the procedure that NVTC (and PRTC for I-395/95 Commuter Choice) will follow should NVTC staff determine that a recipient has misused or misapplied Commuter Choice funds in derogation of the SPA or in contravention of the corridor's MOA or applicable law. Recipients must reimburse NVTC for any Commuter Choice funds (with interest earned at the rate earned by NVTC) that the recipient misapplied or used in contravention of the MOA or any term or condition of the SPA. NVTC may alternatively apply the amount of funding to be repaid as a credit against future reimbursement requests on any other active Commuter Choice projects that the recipient has within the same corridor.



Chapter 8 Project Reporting

NVTC monitors Commuter Choice projects' implementation and performance as part of its program administration responsibilities. NVTC must also report annually to the CTB on the projects selected for funding and the benefits that were the basis for the projects' evaluation and selection. These [annual reports](#) include a review of projects funded in past fiscal years, describing their performance and the degree to which their expected benefits were or are being realized.

NVTC has established a reporting process to which all recipients are expected to adhere. NVTC also holds quarterly progress meetings with all recipients with active projects.

8.1 Quarterly Progress Reporting and Project Reviews

Recipients must provide quarterly written status updates to NVTC on all approved, active projects. NVTC will provide a Quarterly Report Template for each active project in each reporting cycle that will seek information on expenditures, progress toward milestones, general performance information and project marketing. Quarterly reports are due to NVTC on the 30th of the month following the end of the quarter - October 30, January 30, April 30 and July 30.

Recipients must also participate in quarterly project review meetings with NVTC. NVTC staff will schedule these meetings, which will take place online by video call. The meetings will address the following topics for each active project:

- Invoicing and expenditures
- Progress toward completing the project
- Problems encountered and proposed resolutions
- Anticipated progress over the next quarter
- Project performance
- Project marketing opportunities

For larger capital projects, NVTC expects leads for all applicable disciplines (e.g., construction, finance, community affairs) to participate in the quarterly project review meetings. NVTC may combine review meetings for these projects with those required by DRPT or NVTA in cases where either is also a funding partner.

8.2 Supplemental Progress Updates for Larger Capital Projects

For larger capital projects, NVTC may also require more frequent progress updates while work is underway with Commuter Choice funds. The updates may take whatever format is convenient for the recipient but should address the same general topics as the quarterly reports. If required, they should be provided by the 10th of the month following the month for which progress is being reported (for instance, August 10 for a July progress report).

8.3 Annual Performance Monitoring

Recipients must submit performance data on each active project to NVTC annually. SPA Appendix A identifies the data to be reported for each project. The performance data will be incorporated into NVTC's annual report to the CTB that measures the degree to which expected program benefits are being realized. Annual performance reporting will be required



for the period described in SPA Appendix A and may apply to the duration of service provision for operating projects or a period of up to five years after the project is implemented for capital projects.

Annual performance data must be provided by July 1 or as otherwise identified by NVTC.

8.3.1 Underperforming Projects

Recipients and NVTC will discuss potential solutions for any projects that are not meeting implementation milestones or performance standards. For projects that are performing significantly below anticipated levels, the corridor MOAs require NVTC to identify strategies to modify the project or redeploy the funds elsewhere. Procedures for requesting changes to an approved project are discussed in [Chapter 9](#).



Chapter 9 Project Changes and Closeout

NVTC recognizes that recipients may need to make changes to funded projects to help ensure successful implementation and has established procedures for requesting changes to and modifying SPAs. Once a project is completed and all costs are incurred, recipients must request that NVTC close out the project.

9.1 Project Changes

Recipients may seek changes to a funded project's scope, cost and/or schedule where needed to complete the project successfully and/or ensure that the project meets its performance targets. NVTC considers requests for project changes on a case-by-case basis. NVTC distinguishes between:

- Administrative "minor" changes that can be considered and approved by NVTC staff (Section 9.1.1), and
- Exceptional "major" changes that may or would require Commission and CTB consideration and approval due to a diminishment of project benefits, a request for additional time beyond the five-year expenditure deadline or a request for additional Commuter Choice funding (Section 9.1.2).

All prospective project changes must align with program eligibility ([Chapter 2](#)) and policy. Commuter Choice funds may not be transferred between separate projects. Additionally, to help NVTC comply with limits on the overall share of program funds that may be allocated to transit operations, NVTC no longer permits funds within a transit service project to be reallocated from capital to operating line items.¹⁷

Key steps of the project change process are as follows:

1. The recipient submits a request for a project change to NVTC's Program Manager via email. The request must be provided on a scanned letter, with the manual signature of the official that signed the SPA, that identifies:
 - a. The desired cost, scope and/or significant schedule changes (cost/budget changes may be in the form of a draft revised SPA Appendix B)
 - b. The reason(s) for the changes
 - c. Any impacts to the anticipated benefits of the project compared to those submitted in the project application
2. NVTC's Program Manager will review the request and ask for additional information as needed.
3. NVTC's Program Manager will determine the type of change: Minor Change or Major Change. The Program Manager will inform the recipient of the corresponding next steps.

Schedule changes that would still result in project completion well within the five-year expenditure period generally do not require a project change request. However, NVTC will require a formal request for substantive schedule changes to larger capital projects and any other projects for which the five-year funding expenditure deadline is nearing.

¹⁷ This policy applies in the I-66 corridor to projects funded in the FY 2023-2024 Program of Projects or later, and in the I-395/95 corridor to projects funded in the FY 2024-2025 Program of Projects or later.



9.1.1 Minor Project Changes

Minor project changes are administrative in nature and as such may be approved by NVTC staff. Approval of these changes is still on a case-by-case basis, however.

Project changes will be considered 'minor' if all of the following conditions are met:

- The Commuter Choice funding amount is not proposed to increase;
- Any proposed schedule changes would still result in the project's completion within five years of the effective date of the CTB's allocation of funding to the project; and
- Proposed changes would result in the same or enhanced project benefits compared to those documented in the application for funding.

Modest funding reallocations between project cost elements in SPA Appendix B Tables B-1 and B-2, done for the purpose of aligning the funding distribution with actual drawdowns, will generally¹⁸ qualify as 'minor' changes so long as these would not reduce the project's duration or benefits.

NVTC's Commuter Choice Program Manager will indicate whether the change is allowable or not as promptly as possible following receipt of a complete request. Steps thereafter to formalize an approved minor project change are as follows:

1. The recipient provides a draft revised Appendix A and/or B reflecting the proposed changes.
2. The Program Manager reviews and requests revisions as necessary, to ensure that the draft Appendix A and/or B aligns with the requested project change.
3. The recipient obtains an official signature on the revised Appendix A and/or B, by the official authorized to sign SPAs, and sends a scanned copy to NVTC.
4. NVTC countersigns to execute the project change, at which point the change is formally approved. NVTC staff sends a scanned copy of the executed revised Appendix A and/or B to the recipient.

9.1.2 Major Project Changes

Major project changes may be escalated to the Commission(s) and/or CTB for review and approval at the discretion of NVTC's Executive Director. Project changes will be considered 'major' if any of the following conditions is met:

- The recipient is requesting additional Commuter Choice funding beyond that approved for the project by the CTB;
- The requested schedule extension would certainly or likely result in the project being completed more than five years from the effective date of the CTB's allocation of funding to the project; and/or
- The changes would result in diminished project benefits compared to those documented in the project application.

¹⁸ As noted in Section 9.1, NVTC is no longer permitting funds within a transit service project to be reallocated from capital to operating line items. The policy change applies in the I-66 corridor to projects funded in the FY 2023-2024 Program of Projects or later, and in the I-395/95 corridor to projects funded in the FY 2024-2025 Program of Projects or later.



NVTC will determine appropriate steps for consideration of major project change requests on a case-by-case basis. NVTC staff will keep the recipient apprised of the steps and likely timeframe. If approved, the steps to formalize the changes would be similar to those for a minor project change.

NVTC staff anticipate entertaining such requests major project changes only in rare, exceptional circumstances. To date, NVTC has not advanced any requests for additional Commuter Choice funding or an extension beyond the five-year expenditure period. Either would require the concurrence of the Commission(s) and CTB.

9.2 Grace Period for Operations Transitions

If actual expenditures for an operations project are less than budgeted such that unexpended budget remains at the conclusion of the project, NVTC will allow a maximum three-month grace extension of Commuter Choice-funded operations beyond the period that NVTC agreed to fund. For instance, a 24-month transit operations project with leftover operating funding at the end of the 24 months could be extended to a total of no more than 27 months as funding permits, so long as the end of operations occurs no more than five years from the effective date of the CTB's allocation of funding to the project.

The three-month period allows flexibility for service to be transitioned to other funding, which may be a new installment of Commuter Choice funding, and for any transit service changes or discontinuations to coincide with regular systemwide schedule changes. However, NVTC expects the budgets included with applications to be based on no more than 24 months of operations.

Use of the grace period requires only a written notification to NVTC (such as in a written quarterly project report). Recipients and NVTC will review expenditure progress and potential opportunities to use the grace period as part of regular project progress discussions.

9.3 Project Completion and Closeout

Once a project is successfully completed, the recipient must request that NVTC close it out. Key steps of the closeout process are as follows.

1. The recipient must submit a final reimbursement request within 90 days of the final expenditure or the date on which the project ended, whichever occurs first.
2. The recipient must attach a completed Request for Project Closeout to the final reimbursement request. The Request for Project Closeout template is available on the [Commuter Choice Resources webpage](#). The closeout request will include certifications of compliance with the terms of the SPA and therefore must be signed by the individual authorized to sign the SPA.
3. NVTC will confirm that the project has been closed out. Once the final reimbursement request is processed and paid, any unexpended Commuter Choice funds will be released and no further reimbursements will be processed for the project.

For WMATA-operated bus service enhancements that are being funded through a jurisdiction, recipients should keep WMATA apprised of their intentions for the service beyond the end of any installment of Commuter Choice operating support. WMATA will need to account for plans



for maintaining, changing or discontinuing the service in its budget and will generally seek to align the effective date of any service changes with its June or December systemwide bus service changes. Recipients will be responsible for any operating costs beyond the amount that NVTC agreed to fund and/or beyond the duration that NVTC agreed to fund plus the maximum three-month grace period ([Section 9.2](#)).

Once a project is closed out, continuing asset management requirements apply to any Commuter Choice-funded capital assets with remaining useful life ([Chapter 10](#)). Recipients will be required to refund NVTC for premature withdrawal of capital assets from uses that benefit toll payers and the purposes identified in the SPA.

9.4 Project Cancellation

If a project is cancelled at any time, for any reason, before or after work has commenced, the recipient shall immediately notify NVTC (and PRTC for I-395/95 Commuter Choice) in writing of the cancellation and shall immediately cease to incur project costs. Concurrently, and in no event later than 90 days after the date of cancellation, the recipient shall refund to NVTC 100% of all Commuter Choice funds provided by the Commission(s) for the project unless otherwise approved by the Commission(s), and the CTB as necessary, and set forth in an amendment to the project's SPA.



Chapter 10 Asset Management

NVTC expects capital assets funded through the Commuter Choice program to remain in use in a manner that benefits the corridor's toll payers for the duration of the assets' useful lives. NVTC requires annual certification letters from recipients to this effect once projects are closed out.

10.1 Use of Capital Assets

Recipients must use each project asset for appropriate project purposes for the duration of the useful life of the asset, which may extend beyond the duration of the SPA. NVTC must approve any disposal or removal of an asset prior to the end of its useful life and the associated Commuter Choice funds will need to be refunded to NVTC ([Section 10.4](#)).

10.1.1 Transit Vehicles and Other Substitutions

NVTC recognizes that transit vehicles purchased through the Commuter Choice program may be rotated between different services and does not expect that the use of these vehicles will be restricted to services that benefit toll payers. However, NVTC expects that a like number of vehicles comparable to or more substantial than those funded through the program remain regularly deployed on services that benefit the corridor's toll payers, be they Commuter Choice-funded routes/services or not. Recipients should describe their compliance with this expectation in their annual certification letters ([Section 10.2](#)).

Other like-for-like substitutions of assets are also permitted, so long as the substitute is of similar quality and serves the function intended for the original asset.

10.2 Certification of Use and Record Keeping

Following project completion and close-out, recipients are required to submit annual certifications that all project assets (and any like-for-like substitutions) with remaining useful life continue to be used for transportation purposes and to benefit toll payers. The certification letter template is available on the [Commuter Choice website](#); NVTC will provide a project-specific letter upon closeout of each project with assets that have remaining useful life. The annual certification for each applicable project must be signed by an official authorized to sign SPAs and should be submitted by July 30 until the earlier of the end of the useful life of all project assets or the Commuter Choice program's conclusion¹⁹. A separate certification letter is required for each Commuter Choice project with assets with remaining useful life.

Recipients must also keep sufficient records to support the certification letter, namely to provide legal assurance that project assets were used to benefit toll payers throughout their useful lives. These records shall be made available to NVTC upon request. All documentation should be maintained for the entire useful life of all project assets or the conclusion of the Commuter Choice program plus an additional seven (7) years.

¹⁹ Per the executed MOAs, the I-66 Commuter Choice program is anticipated to end in 2057 and the I-395/95 Commuter Choice program is anticipated to end in 2087.



Recipients must enter all qualifying project assets into [DRPT's TransAM asset management system](#) and keep condition reporting current. In general, all individual vehicles and any other individual or sets of assets valued in excess of \$50,000 must be reported in TransAM.²⁰

10.3 Useful Life Determination

The useful life of an asset is dependent upon the type of asset. For the purposes of the Commuter Choice program, the useful lives of the most common Commuter Choice assets are shown in [Table 6](#).

Table 6: Useful Life of Commuter Choice Assets

Asset Type	Useful Life
Bikes	5 years
Bus shelters / Capital Bike Share Stations	15 years
Pavement (parking lot, roadway asphalt, sidewalk, trail)	20 years
Rail Vehicles	25 years
Real Estate	100 years
Structures / Buildings	40 years
Technology	10 years
Transit Buses	12 years
Vans	4 years
Other Capital Costs (does not include soft costs such as PE, promotion, design)	2 years

Note: Constructions, buildings, and improvements occupying land have useful specific lives. While for FTA purposes, the land itself does not depreciate and does not have a useful life, for the purposes of the Commuter Choice Program a useful life of 100 years should be used for all land.

The useful lifespans of Common Commuter Choice assets were determined using FTA and DRPT guidance, with simplified categories. The useful lives for asset management purposes are consistent with those used to determine projects' Annualized Cost Effectiveness scores ([Section 4.2.2](#)).

Where [Table 6](#) does not provide guidance on a particular asset class, recipients should contact NVTC's Program Manager for assistance with identifying an appropriate useful life. NVTC may consider FTA guidance, Commonwealth guidance and/or industry standards in determining an appropriate useful life.

10.4 Disposal of Assets

Recipients must notify NVTC immediately if any Commuter Choice project assets are prematurely withdrawn from appropriate use benefiting toll payers, whether by planned withdrawal, misuse or casualty loss.

²⁰ Please contact your agency's DRPT representative for more specific guidance.



10.4.1 Before the End of Useful Life

Disposition of assets before the end of their useful life requires NVTC approval prior to the disposition.

- If a recipient no longer needs an asset for the purpose for which it was acquired, NVTC may seek to have the asset transferred to another eligible recipient.
- If NVTC cannot find an eligible recipient for the asset and approves the sale of the asset, interest of the proceeds of the sale must be returned to NVTC.

10.4.2 After Conclusion of Useful Life

After an asset's useful life is expended, with prior NVTC approval, the recipient may sell its Commuter Choice-funded asset for which there is no longer any public transportation purpose.

- For any single asset sold for \$5,000 or more, the recipient must notify NVTC's Commuter Choice Program Manager. NVTC will advise the recipient if the proceeds are to be used to reduce the gross project cost of other future eligible awards or returned to NVTC. The recipient is expected to record the receipt of the proceeds in the recipient's accounting system, showing that the funds are restricted for use in a future award, and reduce the liability as the proceeds are applied to one or more approved awards.
- For any single asset or equipment sold for less than \$5,000, the recipient still must inform NVTC. The proceeds are to be recorded in the recipient's accounting system and noted as such. These proceeds are to be used by the jurisdiction or transit agency for transportation related purposes. If another Commuter Choice proposal is anticipated, the proceeds should be used to reduce the gross project cost and the application should indicate the reduction.



Appendix: Acronyms and Abbreviations

COI - Certificate of Insurance

CTB - Commonwealth Transportation Board

DRPT - Virginia Department of Rail and Public Transportation

EEA - Equity Emphasis Area

FHWA - Federal Highway Administration

FTA - Federal Transit Administration

JCWG - Joint Commission Working Group

MOA - Memorandum of Agreement

NVTA - Northern Virginia Transportation Authority

NVTC - Northern Virginia Transportation Commission

PAC - Program Advisory Committee

PRTC - Potomac and Rappahannock Transportation Commission

SPA - Standard Project Agreement

TDM - Transportation Demand Management

VDOT - Virginia Department of Transportation

VRE - Virginia Railway Express

WMATA - Washington Metropolitan Area Transit Authority