

# Intercity Passenger Rail Operating and Capital (IPROC) Fund

## Application Procedures

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# Section I: Program Description

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## Executive Summary

This document describes application procedures for the Intercity Passenger Rail Operating and Capital Fund (IPROC) program.

The Intercity Passenger Rail Operating and Capital Fund (Code of Virginia §33.2-1603) was established by the Virginia General Assembly in 2011. According to legislation, the IPROC fund is a special, non-reverting, fund within the Transportation Trust Fund. The legislation provides a mechanism to fund continued operations of Amtrak's Virginia-sponsored regional trains; invest directly in projects related to growth and enhancement of intercity passenger rail service in the Commonwealth; and match federal transportation grants to improve intercity passenger rail and fund high-speed rail. The Department of Rail and Public Transportation (DRPT) administers this fund subject to the approval of the Commonwealth Transportation Board (CTB).

While the primary purpose of the program is for DRPT to identify and commit funding to strategic intercity passenger rail needs in the Commonwealth, the program is open for railroads, municipalities, local businesses and other economic development entities ("applicants") to seek funds for projects that advance the vision and goals of the IPROC fund.

This manual provides an overview of the program, its goals, and the applicant procedures to apply for IPROC funds.

The manual is organized in the following sections;

- *Program Overview:* provides a brief history of the development of the IPROC program and the purposes for which this manual may be used. It provides general guidelines applicable to all projects that receive IPROC funds and lays out the program vision and policy goals.
- *Program Roles:* provides an overview of the roles of several organizations and offices with respect to the IPROC program.
- *Funding Prioritization:* describes the order of priority with which DRPT will commit and expend IPROC funds.
- *Cost-Sharing:* provides guidelines for cost-sharing and matching contributions applicable to projects funded through IPROC.
- *Application Procedures:* provides the procedures for submission of initial grant application including a checklist of application requirements and guidelines for project evaluation and prioritization that DRPT will employ.
- *Project Recommendation:* describes the steps undertaken by DRPT and the applicant after submission of initial application and DRPT review, through execution of a signed agreement and issuance of Notice to Proceed. After CTB approval, successful applicants are deemed grantees.
- *Project Performance and Reporting:* provides guidelines for monitoring of projects through construction, starting from vendor selection through project completion and start of operations.
- *Project Closeout:* describes the steps after project completion through closeout of grant and DRPT's repayment policy for IPROC.

# 1. Program Overview

This section provides the background of the Intercity Passenger Rail Operating and Capital (IPROC) fund program and the purposes for which this manual may be used. It states the general guidelines applicable to all projects funded through this program and outlines the program's vision and policy goals.

Under §33.2-1603 of the Code of Virginia (Appendix A), the General Assembly declared it to be in the public interest that developing and continuing intercity passenger rail operations and the development of rail infrastructure, rolling stock, and support facilities to support intercity passenger rail service are important elements of a balanced transportation system in the Commonwealth. It further declared that *“the retention, maintenance, improvement, and development of intercity passenger rail-related infrastructure improvements and operations are essential to the Commonwealth’s continued economic growth, vitality, and competitiveness in national and world markets.”* The Code created the Intercity Passenger Rail Operating and Capital Fund, a non-reverting special fund within the Transportation Trust Fund.

The Code authorized the Director of the Department of Rail and Public Transportation (DRPT) to *“administer and expend or commit, subject to the approval of the Commonwealth Transportation Board (CTB), the IPROC Fund to support the costs of operating intercity passenger rail service, acquiring, leasing, and/or improving railways or railroad equipment, rolling stock, rights-of-way, or facilities for intercity passenger rail transportation purposes whenever the Board shall have determined that such acquisition, lease, and/or improvement is for the common good of a region of the Commonwealth or the Commonwealth as a whole.”* Funds may be used as matching funds to leverage federal funding for intercity passenger rail projects.

The Code further states that *“projects undertaken pursuant this section shall not require a matching contribution; however, projects proposed with matching funds may receive more favorable consideration. Matching funds may be provided from any source except CTB revenues.”*

The following general guidelines are applicable to all projects funded through the IPROC program.

## A. General Guidelines

- The Director of DRPT administers and, subject to CTB approval, expends or commits funds from the IPROC fund to support the cost of operating intercity passenger rail service and for the purpose of acquiring, leasing, and/or improving railways or railroad equipment, rolling stock, rights-of-way, or facilities for intercity passenger rail transportation purposes. IPROC funds are administered through the following project categories:
  1. Amtrak’s Virginia regional service operating needs
  2. DRPT-identified strategic regional and network capital needs
  3. Stakeholder-identified capital and operating needs
- Stakeholder-identified capital and operating needs must meet minimum threshold criteria and an assessment of public benefit as part of a competitive project selection process.
- Projects undertaken are limited to those determined by the CTB to promote the common good of a region of the Commonwealth or the Commonwealth as a whole.
- Funds provided through the IPROC program can also be used as matching funds for federal grants to support intercity passenger rail projects.

- Capital projects including tracks and facilities constructed, and property, equipment, and rolling stock purchased with IPROC funds shall be the property of the Commonwealth for the useful life of the project.
- The acquired capital infrastructure should be made available for use by all intercity passenger rail operations and common carriers using the railway system to which they connect under the trackage rights or operating agreements between the parties.
- Projects undertaken should be located within the boundaries of the Commonwealth.
- Projects undertaken do not require a matching contribution; however projects with matching contributions will be considered with a higher priority . Matching funds may be provided from any source except the Commonwealth Transportation Fund.
- Projects with matching funds should be contributed only after the approval of the project application.
- In cases of multiple beneficiaries and funding sources, DRPT will work in collaboration with stakeholders, sponsors, and beneficiaries to identify benefits to intercity passenger rail service and to determine the share of project costs that may be funded using IPROC funds. As a guideline, IPROC funds shall be used to cover project costs commensurate with the benefits to intercity passenger rail. Actual matching requirements will be determined on a case-by-case basis. See section 4 for details regarding cost-sharing guidelines.
- Grantees receiving IPROC funds are encouraged to solicit Small, Women, and Minority (SWAM) owned enterprises in relation to projects funded with a suggested goal of 42 percent of total eligible grant expenditures.
- DRPT will annually develop IPROC fund allocation recommendations, including Amtrak's Virginia regional service operating needs, DRPT-identified strategic regional and network capital needs, and projects selected through the competitive application process. Recommendations will be presented to the CTB as part of the annual Six-Year Improvement Plan (SYIP) process. As part of an annual presentation process, DRPT will include a determination that the projects are for the common good of a region of the Commonwealth or the Commonwealth as a whole.
- The CTB will approve the annual program of projects for the IPROC fund, allocate funds, and incorporate projects into the SYIP. Projects that fulfill the needs of Amtrak's operation or are identified by DRPT as a project of urgent significance, or are multi-year projects under construction may be considered throughout the year on a case-by-case basis.
- The Director of DRPT will develop and negotiate an agreement with each applicant for each project approved by the CTB. The agreement will stipulate the timeframe for implementation and completion for each project, and each agreement will include applicable environmental and public involvement requirements. Agreements may also include a contingent interest in ensuring that the project will achieve and maintain the proposed public benefit.
- Periodic status reports will be provided by the grantee to DRPT on all projects.

## **B. Program Vision and Policy Goals**

In accordance with the intent of § 33.2-1603, the primary vision of the IPROC program is:

*To ensure the continued operation, growth, and enhancement of intercity passenger rail service in the Commonwealth through identifying and prioritizing strategic regional and*

*network needs, in collaboration with service operators, railroad companies, and other local stakeholders across the Commonwealth.*

Service operation goals for intercity passenger rail service in the Commonwealth are:

- **To ensure continued operation of existing and future expansion of intercity passenger rail service** through continued investment in operations and acquisition of necessary capital equipment.

Service expansion and enhancement goals for intercity passenger rail service in the Commonwealth are:

- **To provide a reliable rail alternative in congested corridors:** Congestion on the rail system and on parallel competing modes should be one of the primary drivers for service expansion as it signals unmet demand for service.
- **To provide strategic inter-state connections:** This implies that a large portion of the demand for intercity passenger rail would be for destinations outside the Commonwealth. Providing and improving connections to urban centers of strategic importance in neighboring states is an important goal for the Commonwealth.
- **To provide reliable intercity passenger rail service connections to population centers and centers of economic activity:** Strengthening connections to centers of population and economic activity provides regional economic benefits.
- **To provide connections to parts of the state that are not currently being served by the passenger rail system:** DRPT will prioritize projects that expand regional passenger rail service to a greater percentage of the Commonwealth's population.
- **To improve system reliability and on-time performance:** DRPT identifies low on-time performance as a primary issue hindering ridership and viability of passenger rail in Virginia. Towards this goal, projects that improve reliability and on-time performance, particularly in congested corridors, will be prioritized over others.
- **Seek network benefits and integration with other rail uses:** Towards this goal, DRPT would advance projects that reduce conflict between multiple uses of shared rights-of-way or increase system redundancy towards a more robust system.
- **Improve speeds and service frequency:** Even in the absence of specific high-speed rail investment, enhancement of train speeds will be a high priority for DRPT. DRPT leadership identifies speeds up to 110 miles per hour in the Richmond to Raleigh corridor and 90 miles per hour in the Washington, D.C. to Richmond corridor as some of the high-priority goals. As train frequencies increase, DRPT would aim to balance the growth of express and local networks as express networks provide the advantage of lower travel times, while local networks enhance connectivity, accessibility, and ridership potential.
- **Attract more discretionary riders to rail:** DRPT will seek to advance projects that serve to make passenger rail a more attractive transportation alternative to commuters, business travelers, and tourists.



## **2. Program Roles**

This section provides an overview of the roles of several organizations and offices with respect to the IPROC program.

### **A. Role of the Commonwealth Transportation Board**

The Commonwealth Transportation Board (CTB) is the policy board for the Virginia Department of Rail and Public Transportation (DRPT) and the Virginia Department of Transportation (VDOT). This role includes the formulation and adoption of program development guidelines, policies, procedures, and allocation of funds for programs of projects. In accordance with §33.2-1603, the CTB must determine that projects undertaken pursuant to the IPROC program result in the common good of a region of the Commonwealth or the Commonwealth as a whole.

### **B. Role of the Virginia Department of Rail and Public Transportation**

The IPROC program is administered by the Director of the Virginia Department of Rail and Public Transportation (DRPT) in accordance with decisions of the CTB. The agency is responsible for developing the program of projects, implementing the program, and providing periodic progress reports to the CTB. DRPT executes necessary agreements and ensures program compliance for projects, including compliance with applicable environmental review and public involvement requirements.

### **C. Secretary of Transportation**

The Joint Commission on Transportation Accountability regularly reviews and provides oversight of the usage of funding generated pursuant to the provisions of House Bill 2313, 2013 Session of the General Assembly. To this end, by November 15 each year, the Secretary of Transportation is required to prepare a report on the uses of the Intercity Passenger Rail Operating and Capital Funds.

### **D. Role of Stakeholders**

Stakeholders are entities that play a key role in the planning, funding, development, delivery, and execution of grant funded projects, in partnership with DRPT, sponsors, and other stakeholders. Stakeholders may include freight and/or passenger railroads, local governments, planning district commissions, and other entities. Stakeholders must comply with any necessary agreements, planning requirements, and/or quarterly progress reports as determined by DRPT. In cases of multiple beneficiaries and funding sources, DRPT will work in collaboration with stakeholders, sponsors, and beneficiaries to identify benefits to intercity passenger rail service and to determine the share of project costs that may be funded using IPROC funds.

### **E. Relationship to DRPT Identified Strategic Initiatives**

Projects funded through the IPROC program should address the needs identified by the Department of Rail and Public Transportation. Demonstrate how the proposed project aligns with DRPT Strategic Initiatives published each year in a Notice of Funding Availability for the IPROC Program.

### 3. Funding Prioritization

This section describes the order of priority with which DRPT will commit and expend IPROC funds.

**Amtrak's Virginia regional service operating needs:** The IPROC Fund supports 100 percent of eligible needs to ensure continued operation of Amtrak service in the Commonwealth. This includes operations and acquisition of capital equipment necessary to operate this service. Funding for operations and capital equipment needs must be met before applications for capital improvement projects are considered.

In accordance with the vision and intent of §33.2-1603, IPROC funds are administered through the following project categories (in order of priority):

**A. DRPT-identified strategic regional and network capital needs:** DRPT will proactively identify and pursue projects of regional and strategic network importance that address the agency's goals for intercity passenger rail service expansion and enhancement.

**B. Stakeholder-identified capital and operating needs:** Remaining IPROC funds are administered through a competitive stakeholder grant application process. Projects must meet minimum threshold criteria and an assessment of public benefit as part of the project selection process, detailed in Section 5.

## 4. Cost-Sharing Guidelines

This section provides guidelines for cost-sharing and matching contributions applicable to projects funded through IPROC.

Intercity passenger rail in the Commonwealth shares corridors and infrastructure with both freight and commuter rail service. This implies that certain projects may have benefits beyond intercity passenger rail service, including commuter and freight rail service. Projects with multiple beneficiaries and stakeholders beyond intercity passenger rail service advance DRPT's overarching goals of moving people and goods in the state more efficiently. Such projects will receive favorable consideration.

Projects with benefits to services other than intercity passenger rail may also apply for state funds from other applicable rail grant programs.

In cases of multiple beneficiaries and funding sources, DRPT will work in collaboration with sponsors and beneficiaries to identify the relative benefits to intercity passenger rail service. (Section 5 provides discussion on potential measures to assess intercity passenger rail benefits.) IPROC funds shall be used to cover project costs commensurate with the benefits to intercity passenger rail service. As a guideline, the following cost-sharing assumptions may be followed:

- State-identified projects that exclusively benefit intercity passenger rail service
  - IPROC may be used to fund up to 100 percent of project costs
- State-identified projects that primarily benefit intercity passenger rail service, but also the host railroad:
  - The host railroad may be required to fund up to 20 percent of project cost. This may be provided using private funds or other relevant state funds in accordance with guidelines for the respective grant programs.
- Projects identified by host railroads that have clear freight benefits, but also result in measurable intercity passenger rail benefits:
  - The host railroad may be required to fund up to 30 percent of project cost. This may be provided using private funds or other relevant state funds in accordance with guidelines for the respective grant programs.
- Projects identified by the host railroad that have freight, commuter rail and intercity passenger rail benefits
  - The host railroad may be required to fund up to 20 percent of project cost. This may be provided using private funds or other relevant state funds in accordance with guidelines for the respective grant programs; and
  - The commuter railroad may be required to fund up to 10 percent of project cost. This may be provided using other relevant state funds in accordance with guidelines for the respective grant programs.

These assumptions provide a general guideline. Matching requirements on individual projects may vary depending upon an evaluation of the benefits to intercity passenger rail service.

## 5. Application Procedures

This section provides the procedures for submission of initial grant application including a checklist of application requirements and guidelines for project evaluation and prioritization that DRPT will employ.

DRPT will identify IPROC funds available for the competitive project selection process in advance of the annual grant application cycle. Amounts will vary depending on the needs for Amtrak operations and DRPT-identified strategic needs.

Applicants must complete a required pre-application discussion with:

Jeremy Latimer Rail Transportation Programs Administrator  
Virginia Department of Rail and Public Transportation  
600 East Main Street, Suite 2102  
Richmond, VA 23219  
804-225-4016  
Jeremy.Latimer@drpt.virginia.gov

### A. Eligible Recipients

Applications must come from the project sponsor responsible for implementing the project. The following organizations are eligible to apply for competitive IPROC funding:

- Intercity Passenger Rail Operators
- Freight Rail Operators
- Business, commercial or industrial enterprises
- Regional authorities
- Local Governments such as municipal and county governments and economic development agencies
- Non-Profit Organizations
- Any combination of the above

### B. Eligible Project Expenses

Eligible expenses may include the following:

- Preliminary service, engineering, or feasibility study
- Final engineering
- Permitting
- Environmental mitigation directly related to the project
- Site preparation including grading and drainage
- Public involvement expenses, as agreed
- Acquisition, lease, or improvement of rights of way or facilities (including station platforms, sidings, crossovers, upgrading existing tracks, servicing facilities for train equipment, train turning facilities,

and rights of way improvements that would otherwise add capacity for passenger rail service and preserve capacity of existing freight services)

- Acquisition, lease, or improvement of rolling stock, signal and communications equipment, and other related equipment
- Labor costs
- Materials and equipment required for operations
- Materials and equipment required for maintenance

### **C. Initiation of Application**

Applications may be submitted during the annual acceptance period which starts on December, 1 each year, with applications due by February, 1 of the following calendar year. Supporting documentation, outlined in the following sections, should be attached to the application cover sheet (See suggested format in Appendix B1) and submitted to DRPT via email at [Jeremy.Latmier@drpt.virginia.gov](mailto:Jeremy.Latmier@drpt.virginia.gov) in PDF format, OR in hard copy format at the following address:

Rail Transportation Programs Administrator  
Virginia Department of Rail and Public Transportation  
600 East Main Street, Suite 2102  
Richmond, VA 23219

See Appendix B1 for a suggested grant application cover sheet format.

The application should include:

#### **i. Project Scope, Budget, and Schedule**

The applicant should establish a scope of work, schedule, and budget for the proposed project. The application should include:

- Project scope, including identification as either an operating or capital project
- Estimated total cost of project including design, construction and applicable operating costs. Note that in developing initial cost estimates, only costs eligible for IPROC funding may be included. Certain items, such as utility relocation may not be funded by IPROC funds and should be excluded from project cost estimates.
- Other funding sources (if applicable)
- Schedule for construction or operation of service including major milestones and expected completion dates
- Projected start of operations
- Location sketch and an outline of the proposed project

#### **ii. Project Benefit**

All relevant categories of projected benefits of investment should be included in the application. For example:

- Catchment area: Population, employment and population and employment density of the locations benefiting from project
- Operational attributes: Additional revenue vehicle miles and revenue passenger miles resulting from project
- Travel Benefits: Travel time savings, rail speed improvement, ridership increase, increase in share of Commonwealth's population served, projected mode shift from automobile to rail, reduction in automobile vehicle hours and miles of travel and improvements in on-time performance
- Employment Creation: Estimated employment projections resulting from project

Additional details on demonstrating project benefits are described in Section 5D

### iii. Relationship to DRPT Initiatives

Demonstrate how the proposed project aligns with DRPT Strategic Initiatives published each year in a Notice of Funding Availability for the IPROC Program. (Appendix B1).

### iv. Demonstration of Local Support

- Letter of support from the host railroad
- Resolution from applicable local government(s) supporting the proposed project
- Certification of continuous maintenance and liability
- Guarantees of right of way

Applicants may attach optional supporting documentation for the project's scope, schedule, or budget to the application including any existing drawings, sketches, specifications, or plans.

DRPT will review the all the information included in the application for reasonableness and compliance. Any questions or other missing data will be requested of the applicant. Applicants will be permitted an opportunity to respond to questions concerning their application submittals.

## D. Evaluation of Application

### i. Minimum Threshold Criteria

The code outlines the type of expenditures that are eligible to be funded by IPROC funds. In particular, the legislation states that IPROC funds should “*support the cost of operating intercity passenger rail service; acquiring, leasing, and/or improving railways or railroad equipment, rolling stock, rights-of-way, or facilities.*” Applicants must demonstrate that the proposed project meets the eligibility requirements outlined in the legislation (Appendix B1) and the following minimum threshold criteria:

- **Projects should contribute to the benefit of the entire transportation system.** Projects should promote congestion relief, encourage economic development; enhance the competitiveness of Virginia multi-modal facilities, promote safety, health and environmental benefits; and improve mobility or any combination of these objectives.
- **Projects should contribute to the Commonwealth's vision and one or more of the stated goals of the IPROC program.** Projects should contribute to the growth and enhancement of intercity

passenger rail service by addressing one or more of the state service operation or enhancement goals. Projects that help meet multiple goals will receive higher prioritization.

- **Projects should be identified as a strategic need at the state, regional, or local level.** Projects should generally address the needs identified in the DRPT annual Notice of Funding Availability for the IPROC Program.
- **Projects should have a demonstrated commitment from local and regional stakeholders and the host railroad.** Projects should demonstrate support of the host railroad, affected city and county governments, local Metropolitan Planning Organizations, local businesses, and other potential stakeholders. This support could be demonstrated in the form of a Local Resolution and letters of support submitted along with the application or by inclusion of the project in local or MPO plans.
- **The program will encourage application of funds other than IPROC.** While local match is not required by law for IPROC funded projects, projects proposed with matching funds are given a more favorable consideration from DRPT. Applications with matching funding will be given priority consideration. The matching should be in cash or in-kind from a private or public source, which may include a railroad, a regional authority, a local government or federal government source, foundation or private business support, or a combination of multiple such sources. Projects that are part of a larger package of improvements funded from other sources are encouraged and will receive higher prioritization. Assumption of risk of cost overruns will also be considered as matching contribution.
- **Projects should demonstrate use of funds in a reasonable timeframe.** Projects should limit the long-term liability of IPROC funds by proposing and adhering to achievable schedules and budget. While the project need not be “shovel-ready,” any initial planning design or engineering analysis already undertaken will be favorably regarded. Well-defined project budgets and schedules should be developed prior to submission of applications. Once funded, projects should be completed within a specified timeframe. Applications for projects should include detailed cost, schedule and budget information. Environmental clearance and/or permitting requirements need not be complete at the time of application.

ii. **Assessment of Public Benefit**

Given the diversity of program goals, candidate IPROC projects may have very different intended benefits. Applicants are given the flexibility to select metrics that best describe how the project meets the minimum threshold grant criteria. Table 1 provides suggested measures and metrics to demonstrate achievement of IPROC program goals.

**Table 1: Suggested Metrics to Demonstrate Achievement of IPROC Program Goals**

Goal	Measures	Potential Metrics
<i>Provide a reliable rail alternative in congested corridors</i>	Does the project help mitigate congestion on intercity passenger rail?	<ul style="list-style-type: none"> <li>• Passenger load factor reduction</li> <li>• Seat miles versus passenger miles increase</li> <li>• Revenue Passenger Miles per Revenue Vehicle Miles</li> <li>• Travel-time reduction</li> </ul>
	Does the project help mitigate congestion on other modes?	<ul style="list-style-type: none"> <li>• Reduction in automobile vehicle-miles and -hours traveled in the same corridor</li> <li>• Projected ridership/ridership increase</li> </ul>

Goal	Measures	Potential Metrics
	Does the project contribute to provision of reliable intercity passenger rail service?	<ul style="list-style-type: none"> <li>• Rail speed facilitated by improvement</li> <li>• Travel-time reduction</li> </ul>
<i>Provide strategic interstate connections</i>	Does the project contribute to improvement to rail service to locations outside the Commonwealth?	<ul style="list-style-type: none"> <li>• Reduction in travel time to key locations outside the state</li> <li>• Projected interstate ridership/ridership increase</li> </ul>
<i>Provide reliable intercity passenger rail service to population centers and centers of economic activity</i>	What share of the Commonwealth's population will benefit from the proposed project?	<ul style="list-style-type: none"> <li>• Population and population density of locations served, measured as population within 15 -25 miles of passenger rail station</li> <li>• Increase in share of Commonwealth's population served</li> </ul>
	How does the project enhance connections to centers of economic activity?	<ul style="list-style-type: none"> <li>• Employment and employment density of locations served for locations within 10 miles of passenger rail station</li> <li>• Economic growth dependent upon rail service and enhancements</li> </ul>
	What is the estimated need/demand for the project?	<ul style="list-style-type: none"> <li>• Projected ridership/ridership increase</li> </ul>
<i>Provide connections to parts of the state that are not currently being served by the passenger rail system</i>	Does the project expand options for new service or additional trains? Does the project help provide service to a greater share of the Commonwealth's population?	<ul style="list-style-type: none"> <li>• Number of additional trains</li> <li>• Projected ridership/ridership increase</li> <li>• Increase in share of Commonwealth's population served</li> </ul>
<i>Improve system reliability and on-time performance</i>	Does the project improve system reliability?	<ul style="list-style-type: none"> <li>• Enhanced on-time performance</li> </ul>
<i>Seek network benefits and integration with other rail uses</i>	Does the project provide network benefits? Does the project improve the viability of the intercity passenger rail system overall? Does the project reduce conflict with the mainline system? Does the project improve system efficiency? Does the project improve speed and service frequency?	<ul style="list-style-type: none"> <li>• Projected ridership/ridership increase</li> <li>• Travel time reduction</li> <li>• Enhanced on-time performance</li> <li>• Schedule improvements</li> </ul>
<i>Improve speeds and service frequency</i>	Does the project help improve speeds and frequency on a portion of the network? Does the project advance the goal of provision of reliable intercity passenger rail service rail service?	<ul style="list-style-type: none"> <li>• Rail speed facilitated by improvement</li> <li>• Travel time reduction</li> <li>• Schedule improvements</li> </ul>



Goal	Measures	Potential Metrics
	Does the project advance the goal of achieving 110 miles per hour in the Richmond to Raleigh corridor and 95 miles per hour in the Washington, D.C. to Richmond corridor?	
<i>Attract more discretionary riders to rail</i>	Does the project attract more discretionary riders to intercity passenger rail?	<ul style="list-style-type: none"> <li>• Increase in projected ridership</li> <li>• Mode shift to rail</li> <li>• Increased share of leisure travelers</li> </ul>
<i>Others</i>	Are project benefits commensurate with the level of investment?	<ul style="list-style-type: none"> <li>• Benefit-Cost Analysis</li> <li>• Return on investment</li> <li>• Cost per passenger mile</li> </ul>
	For capital renewal/rehabilitation: What is the age and condition of current facility?	<ul style="list-style-type: none"> <li>• Age</li> <li>• Condition rating</li> </ul>

**iii. Project Prioritization Framework and Selection**

This framework identifies key DRPT priorities with regard to intercity passenger rail service in the Commonwealth and, based on their relative importance, assigns weights to each. Using a scoring scheme, proposed projects shall be evaluated against the weighted prioritization criteria.

In case of greater subscription to the program than available funding, the following criteria will be used for project prioritization.

- **Network benefit:** The project should contribute to the effectiveness of the system. The benefits resulting from the project could include congestion relief on highways or other modes in a parallel corridor (or between the same origin and destination pair), reduction in travel time, increase in the share of the Commonwealth’s population served, and enhancement of speeds or improvements in on-time performance on all or a portion of the network. Rail corridors across the Commonwealth are shared by intercity passenger rail, commuter rail, and freight rail. Projects which provide benefits across the network, and to multiple rail services as well as those that contribute to making the system more robust or reducing conflict among the various users of the corridors, will be prioritized over others.
- **Regional economic benefit:** Regional economic benefits could result from providing or enhancing access to intercity passenger rail and making improvements in service to regions of high employment and population density, both within and outside the Commonwealth. Travel time savings and increased ridership would constitute measurable economic benefits. Job creation as a result of project implementation would also constitute a measurable economic benefit. Toward this goal, inclusion of a benefit-cost (B/C) analysis in the application would be favorably considered.
- **Independent utility:** A project can be defined to have independent utility if it will result, upon completion, in the creation of new or substantially improved intercity passenger rail service, and will provide tangible and measurable benefits even if no additional investments in the same service are made. However, if a project requires additional investment to realize all or part of its benefits, it may

be deemed to not have independent utility. Therefore, the state should prioritize projects that demonstrate independent utility.

- **Other funding support:** While the legislation does not mandate other funding support, it views the availability of matching funds as favorable for advancement of a project through the IPROC program. Applications with matching funds will be given priority consideration. Multi-stakeholder projects and those with multiple funding sources and beneficiaries would also be regarded favorably.
- **Regional social benefit:** Providing access to currently unserved populations constitutes a social benefit.
- **Regional environmental benefit:** Expansion and improvements to intercity passenger rail that result in fewer cars on the road demonstrate a measurable environmental benefit. Increased ridership and significant mode shift from passenger vehicles to intercity passenger rail would signal environmental benefits for the region. Likewise, improvements that seek to increase the efficiency of the rail system and reduce fuel consumption would also result in environmental benefits.
- **Other Measures:**
  - Financial performance of the proposed improvement: Financial performance of a system improvement or expansion project can be measured by evaluating its revenue potential net of the incremental operations and maintenance cost resulting from it. While passenger rail service is not required to break even, relative financial performance of alternative plans or projects could be used as one measure for prioritization.
  - Schedule improvements: Schedule improvements could include measures to provide increased or better options for train service at particular locations. Service times could be oriented to particular types of travelers based on primary trip patterns between locations. For instance, in a corridor with a large share of daily commute trips, train schedules could be modified to suit the travel needs of commuters as such travel patterns emerge or become predominant to attract a greater share of such riders.

Table 2 presents the weighting to be applied to the above identified priorities.

Projects shall be scored on a linear scale—for example, from 1 (low) to 3 (high)—based on assessment of projected benefits in each of the criteria categories. The scoring scheme and guidelines are provided in Table 2.

**Table 2: Prioritization Scoring Scheme with Weighted Criteria**

Criteria	Weight	Scoring Guide
<b>Network benefit</b>	40%	<p><b>1</b> - Project benefits are largely localized; impacts limited to a very small share of system riders;</p> <p><b>2</b> - Project results in network benefits with measurable improvements in at least two metrics such as ridership, travel time, congestion relief and on-time performance, to almost 50 percent of system riders;</p> <p><b>3</b> - Project has network-wide impacts resulting in measurable improvements in multiple metrics such as ridership, travel time, congestion relief and on-time performance to a majority of system riders; in addition to passenger rail benefits, project benefits other services such as freight and/or commuter rail.</p>
<b>Regional economic benefit</b>	25%	<p><b>1</b> - Project does not benefit any region with a population of greater than 100,000 and/or (non-farm) employment greater than 20,000 measured within 10 miles of a passenger rail station;</p> <p><b>2</b> - Project benefits at least one region with a population of greater than 130,000 and/or (non-farm) employment greater than 30,000 measured within 10 miles of a passenger rail station;</p> <p><b>3</b> - Project benefits multiple regions with a population greater than 150,000 and/or (non-farm) employment greater than 40,000 measured within 10 miles of a passenger rail station.</p>
<b>Independent utility</b>	15%	<p><b>1</b> - Project has limited independent utility, i.e. benefits of project cannot be realized without additional investment;</p> <p><b>2</b> - Project has independent utility, but requires some additional investment to realize a portion of the benefits;</p> <p><b>3</b> - Project has independent utility i.e. the proposed investment will result in 100 percent of the projected benefits even in absence of any additional investments in the system.</p>
<b>Regional social benefit</b>	10%	<p><b>1</b> - Project does not result in providing access to state populations not currently served by intercity passenger rail service;</p> <p><b>2</b> - Project results in providing access to a small section of state populations that is currently not being served by intercity passenger rail service;</p> <p><b>3</b> - Project results in providing access to large sections of state populations that are currently not being served by intercity passenger rail service.</p>
<b>Regional environmental benefit</b>	10%	<p><b>1</b> - Project does not result in significant environmental benefits measured in terms of reduced cars on the road or increased fuel efficiency of the rail system;</p> <p><b>2</b> - Project results in some environmental benefits measured in terms of reduced cars on the road or increased fuel efficiency of the rail system;</p> <p><b>3</b> - Project results in significant environmental benefits measured in terms of reduced cars on the road or increased fuel efficiency of the rail system.</p>
<b>Total</b>	<b>100%</b>	

## **6. Project Approval Phase**

This section describes the steps undertaken by DRPT and the applicant after submission of initial application and DRPT review, through execution of a signed agreement and issuance of Notice to Proceed. After CTB approval, successful applicants are deemed grantees.

### **A. CTB Approval and Notification of Grantee**

Following project selection, DRPT will seek CTB approval of IPROC grant allocation recommendations. DRPT will present the proposed IPROC projects, along with each project's score according to the framework described in Section 5D, at a CTB meeting by May 31 of the calendar year of the applications deadline. The CTB is likely to vote on a resolution by June 30.

Following CTB approval of IPROC allocations, the DRPT will notify the successful applicant(s) and issue 'Letter of No Prejudice' on specific projects with conditions, if necessary. The Letter of No Prejudice is an agreement to allow the grantee to proceed with project scope at grantee's risk. Any expenses incurred will be reimbursed only after the agreement is signed.

### **B. Contract Development and Notice to Proceed**

Following CTB approval and notification of the applicant, the DRPT Project Manager will develop and negotiate an agreement with each applicant for each project approved by the CTB. DRPT will prepare and send an agreement to the grantee. The agreement will include the scope, milestone schedule, budget, and performance criteria. The grantee is required to forward any additional plans and specifications developed for the project to be included in the agreement. The agreement will stipulate the timeframe for implementation and completion of the project. Each agreement will include applicable environmental and public involvement requirements.

The applicant shall review, sign and return the agreement to the assigned DRPT Project Manager.

Following execution of the agreement, the grantee will have the project plans and cost estimates prepared by an engineering consultant, or will perform the design and cost estimating with in-house staff. These will be submitted to DRPT. This submittal should include:

- Plan title sheet and key plan
- Sheet list and legend
- Right-of-way lines

Projects involving work to be completed beyond the existing boundaries of railroad property will be reviewed on a case-by-case basis.

DRPT will undertake a review of the final scope, schedule, and budget for reasonableness and compliance. The timeframe for analysis will be determined by the Director of DRPT with a minimum planning horizon of 15 years. The applicant may suggest an alternate timeframe for the project being selected.

Once the final Scope, Budget, Schedule, and Plan submittal has been agreed upon by DRPT and grantee, DRPT provides a 'Notice to Proceed' to the grantee. Costs incurred prior to the issuance of a Notice to Proceed will not be paid unless granted by a written waiver from the Director of DRPT.

## **C. Project Management Plan and Risk Assessment**

Based on the project size and complexity, DRPT may require submittal of a Project Management Plan and Risk Assessment as a condition of funding.

## **7. Project Performance and Reporting**

This section provides guidelines for monitoring of projects through construction, starting from vendor selection through project completion and start of operations.

### **A. Bidding Process**

Once the particular project has completed design, engineering, environmental clearance, and permitting and when construction documents have been issued and acknowledged by DRPT, the grantee will typically determine whether or not they will accomplish the work with their own forces (in-house) or do the work with outside forces. If the grantee plans to utilize outside forces, they must abide by the guidelines outlined by DRPT and submit a bid summary to the DRPT Project Manager for approval.

The grantee shall provide the DRPT Project Manager with the following (as applicable) for review and acceptance, prior to the bidding process:

- Design plans and specifications at the 30 percent design completion, and additional plans at 60 percent and 90 percent design completion upon request from DRPT;
- All engineering reports prepared as part of the Preliminary Engineering design process;
- Design plans and specifications used as portions of the bid package; and
- Updated project schedule (Gantt chart) in electronic (pdf) format clearly identifying major milestones.

Upon completion of the bidding process, the grantee shall provide the DRPT Project Manager with a copy of the bid evaluation and recommendation of bid award to a specific bidder. The DRPT Project Manager will review the bid information and provide comments or concurrence with the recommendation to award the bid. The grantee shall not award the bid or start construction until it has received concurrence from DRPT. The bid evaluation should include:

- A copy of each bidder's response.
- A tabulation of the grant estimates for each item in the Schedule of Values, and each bidder's bid for each item on the Schedule of Values.
- An analysis of the results, typically containing high, low, and average bid prices and percentage difference for the apparent low bidder for each item on the Schedule of Values.
- An explanation for any items deviating significantly either from the average or the grant estimate for each item in the Schedule of Values.

Once DRPT has issued a construction Notice to Proceed (NTP), and the bid/award process has been accomplished (if applicable), work on the project would commence.

For operating projects, a final, approved operating plan will be utilized in the bidding process. Once DRPT has issued a construction Notice to Proceed (NTP), and the bid/award process has been accomplished (if applicable), the process of initiating necessary operating changes will commence.

## **B. Field Project Construction Reviews**

Throughout the construction period, DRPT may conduct field project construction reviews as at any time with the consent of the railroad. Construction reviews may be initiated:

1. **Upon receipt of invoice:** A representative from DRPT may initiate a site visit and prepare a site visit report upon receipt of invoice. Invoices should be submitted by the grantee quarterly with no greater than six months of accrued charges (See Section 7E for details regarding the invoicing process.) After a successful site visit, DRPT will issue payment for the respective invoice.
2. **Around the delivery of new materials to construction site:** DRPT representative may initiate a site visit to confirm the delivery of new materials particularly in cases where work is being conducted below ground level. The site visit report will be included with the invoice for the materials delivered in DRPT's records.
3. **After final completion of work:** A site visit including final inspection shall be completed within 20 days of receiving notice from the grantee that the project is completed.
4. **At any other time during construction** as considered necessary by DRPT Project Manager such as major project milestones

## **C. Operating Project Reviews**

For operating projects, grantees should submit annual performance reports related to IPROC grant funded operations. The DRPT Project Manager shall review performance against projected performance standards and any explanation for lagging performance. If any questions regarding performance are received by the grantee they should provide a response within 30 days.

## **D. Reporting Process and Intervals**

The following reporting process and timeline shall be followed through construction and operation of an IPROC project:

### **Quarterly Project Progress Reports (during Construction) for Capital Projects**

- Grantees shall submit quarterly progress reports during the planning and construction period. Progress reports shall also be submitted with each project invoice.
- Completed work will be subject to inspection by DRPT and the owning and/or operating railroad. The grantee will be required to replace any work which does not meet applicable standards, criteria, or specifications at the grantee's expense.

### **Annual Reporting of Projects Performance (during Operations) for both Capital and Operating Projects**

- Annual reporting of project performance and a follow-up review will be conducted on all funded and completed projects for at least 15 years following the performance period. The review will include a comparison of the public benefits of the project identified in the original application to the actual

results demonstrated by the project. A periodic program review will be conducted to ensure that program goals are met.

#### **DRPT Report to CTB (during Construction and Operations)**

- DRPT will provide periodic status reports to the CTB. Status reports will be prepared at completion of major project milestones

In addition to the above, DRPT may conduct random quality assurance/quality control (QA/QC) reviews at any time during the execution of the project.

#### **E. Invoicing Process**

Grantees must submit invoices for reimbursement on a quarterly basis, or in accordance with the specific terms of the agreement, but with no greater than six months of accrued charges. DRPT staff will review and process the invoice and will issue payment within 30 days of receipt.

DRPT may review the project's progress through a site visit prior to approval of invoice payments according to the agency's Grant Management procedures. Invoice backup documentation should include all certifications and test reports required by the project plan and specifications. Certifications and test reports required may be submitted under separate covers prior to submitting the invoice.

#### **F. Audit**

Grantees will maintain separate financial records for the project. After completion of the work, all of the grantee's records on the project are subject to an audit. Records are to be retained for five years after completion of the project.

## **8. Project Closeout**

This section describes the steps after project completion through closeout of grant and DRPT's repayment policy for IPROC.

### **A. Certification of Completion of Work and Final Billing**

The grantee must complete the project and submit invoices for reimbursement within two years after the final year of funding allocation, unless a project extension has been approved in writing by the Director of DRPT. The DRPT Project Manager performs a final site review to ensure that the project has been successfully completed and processes final payment as addressed in Section 7. The grantee is required to maintain and make available all documentation regarding project cost for five years from the date of final payment from DRPT. Upon acceptance and payment of the final project invoice, any unused funds will be returned to the IPROC fund. Grantees must submit W-9 tax forms prior to or with the final invoice.

### **B. Interest in Completed Work**

DRPT retains its right of contingent interest in the materials of the project for a given period of time per the terms of the executed agreement. At the end of the 15 year contingent interest period, the DRPT Project Manager prepares an *Acknowledgement of Expiration* of DRPT's interest which is signed by the Director of DRPT for the project file and notification to the grantee.

### **C. IPROC Repayment Policy**

The grant agreement requires repayment of grant funds if grantees fail to meet performance requirements of the agreement. In the event that a project's actual performance is significantly lower than projected in agreed upon performance measures, the grantee will be required to repay a proportionate amount of allocated IPROC funds to DRPT.



## **Appendix A: Intercity Passenger Rail Operating and Capital Fund Code**

**Code of Virginia § 33.2-1603. (Effective October 1, 2014)**

### **Intercity Passenger Rail Operating and Capital Fund**

A. The General Assembly declares it to be in the public interest that developing and continuing intercity passenger rail operations and the development of rail infrastructure, rolling stock, and support facilities to support intercity passenger rail service are important elements of a balanced transportation system in the Commonwealth and further declares it to be in the public interest that the retention, maintenance, improvement, and development of intercity passenger rail-related infrastructure improvements and operations are essential to the Commonwealth's continued economic growth, vitality, and competitiveness in national and world markets.

B. (Contingent expiration date, see note) There is hereby created in the state treasury a special non-reverting fund to be known as the Intercity Passenger Rail Operating and Capital Fund, referred to in this section as "the Fund," which shall be considered a special fund within the Transportation Trust Fund. The Fund shall be established on the books of the Comptroller and shall consist of funds as may be set forth in the appropriation act and by allocation of funds for operations and projects pursuant to this section by the Board in accordance with § 33.2-358. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Director of the Department of Rail and Public Transportation or his designee.

C. The Director of the Department of Rail and Public Transportation or his designee shall administer and expend or commit, subject to the approval of the Board, the Fund to support the cost of operating intercity passenger rail service; acquiring, leasing, or improving railways or railroad equipment, rolling stock, rights-of-way, or facilities; or assisting other appropriate entities to acquire, lease, or improve railways or railroad equipment, rolling stock, rights-of-way, or facilities for intercity passenger rail transportation purposes whenever the Board has determined that such acquisition, lease, or improvement is for the common good of a region of the Commonwealth or the Commonwealth as a whole. Funds provided in this section may also be used as matching funds for federal grants to support intercity passenger rail projects.

D. Capital projects including tracks and facilities constructed and property, equipment, and rolling stock purchased with funds under this section shall be the property of the Commonwealth for the useful life of the project, as determined by the Director of the Department of Rail and Public Transportation, and shall be made available for use by all intercity passenger rail operations and common carriers using the railway system to which they connect under the trackage rights or operating agreements between the parties. Projects undertaken pursuant to this section shall be limited to those of a region of the Commonwealth or the Commonwealth as a whole. Such projects undertaken pursuant to this section shall not require a matching contribution; however, projects proposed with matching funds may receive more favorable consideration. Matching funds may be provided from any source except Commonwealth Transportation Fund revenues.

(2011, cc. 830, 868, § 33.1-221.1:1.3; 2013, c. 766; 2014, c. 805.)

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# Section II: Application Instructions

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## **Appendix B1: Project Application Cover Sheet**

This Appendix provides the 3-page cover sheet to be filled out and provided as cover for each IPROC application. This cover sheet is intended to summarize data requirements for the IPROC application. Applicants should include full descriptions and relevant supporting documentation pertaining to each subsection as backup to their application.

See Appendix B2 for step-by-step instructions for filling the cover sheet along with instructions for providing relevant supporting documentation where applicable.

Required pre-application discussion contact:

Jeremy Latimer, Rail Transportation Programs Administrator  
Virginia Department of Rail and Public Transportation  
600 East Main Street, Suite 2102  
Richmond, VA 23219  
804-225-4016  
Jeremy.Latimer@drpt.virginia.gov

## Appendix B2: Project Application Instructions

This Appendix provides step-by-step instructions for filling the cover sheet provided in Appendix B1 along with instructions for including relevant supporting documentation where applicable and references to relevant sections in *Section I. Program Description*.

### **Cover Sheet Section I: General Information**

**1.0 Primary Applicant:** Provide the name of the organization that is the primary sponsor of the proposed project. Refer section *5A Eligible Recipients* for a list of eligible recipients.

**1.0a. Primary Applicant Contact Details:** Provide the name and contact details of the staff person at the primary applicant's office who will serve as the main point of contact for communications through the application process.

**1.1 Secondary Applicant:** If applicable, provide the name of the organization that is a co-applicant or supporter of the proposed project. Refer section *5A Eligible Recipients* for a list of eligible recipients.

**1.1a. Secondary Applicant Contact Details:** If applicable, provide the name and contact details of the staff person at the secondary applicant's office who will serve as the main point of contact for communications through the application process.

**2.0 Project Title:** Provide the title of the proposed project.

**3.0 Type of Project:** Indicate, by checking the appropriate box, whether proposed project is a capital or operating project.

**3.0 Scope, Budget, and Schedule:** Use fields 3.1 - 3.3 to provide details about the proposed project's scope, budget and schedule.

**3.1 Project Scope/ Project Narrative:** Provide a brief narrative of the proposed project. Provide detailed project scope along with location plans, maps and sketches as backup. Refer section *5C(i) Project Scope, Budget and Schedule* for details.

### **3.2 Summary Budget and Funding Plan**

**3.2a. Summary Budget:** Provide the total cost of the proposed project, including breakdown for planning, design and construction phases. Detailed cost estimates should be provided as backup. Refer to section *5B Eligible Project Expenses* for a list of IPROC eligible expenses.

**3.2b. Funding Plan:** Provide the amount of IPROC funding requested and other planned sources of funds for the proposed project. Detailed funding plan and copies of any existing funding agreements should be provided as backup. Refer section *4 Cost-Sharing Guidelines* for proposed cost-sharing guidelines for IPROC-funded projects.

**3.3 Project Milestones:** Provide major project milestones including project start and end date and start of operations. Detailed schedule and milestone dates should be provided as backup.

**4.0 Project Benefit:** Use fields 4.4 - 4.4 to summarize public benefits of proposed project. Refer section *5C(ii) Project Benefit*, *5D(ii) Assessment of Public Benefit* and *5D (iii) Project Prioritization Framework and Selection* for details regarding the benefits sought through IPROC funded projects.

**4.1 Catchment Area:** List key locations that will be served by the proposed project. Provide the radius, in miles, of catchment area at each of these locations and the population and population densities in the respective catchment area.

**4.2 Travel Benefits:** Indicate all relevant benefits of proposed project by checking relevant boxes in this field. Provide detailed description of project benefits as backup.

**4.3 Brief Description of Public Benefit:** Provide a brief description of public benefit of proposed project. Detailed description of public benefits along with relevant studies such as benefit-cost analyses, if available, should be provided as backup.

**4.4 Operational Attributes:** Provide the additional annual revenue vehicle miles and annual passenger vehicle miles resulting from proposed project.

**5.0 Relationship to DRPT Identified Strategic Initiatives:** Demonstrate how the proposed project aligns with DRPT Strategic Initiatives published each year in a Notice of Funding Availability for the IPROC Program. Refer section *2E Relationship to Transportation Plans* for relevant statewide and regional transportation plans.

**6.0 Demonstration of Local Support:** Note names of all agencies such as local governments, advocacy groups, freight rail operators, intercity passenger rail operators and regional authorities that have demonstrated support for proposed project. Refer section *5C(iv) Demonstration of Local Support* for a list of types of documentation indicating local support. Provide copies of Local Resolution and all documentation indicating local support as backup.

#### **Cover Sheet Section II: Minimum Threshold Criteria**

**7.0 Minimum Threshold Criteria:** Indicate, by checking the box next to each of the minimum threshold criteria listed, whether proposed project meets the respective criterion. Refer section *5D(i) Minimum Threshold Criteria* for a description of the criteria and its relationship to the legislative code.

#### **Cover Sheet Section III: Prioritization Criteria**

**8.0 Prioritization Criteria:** Indicate, by checking the box next to each of the prioritization criteria listed, whether proposed project meets the respective criterion. Refer section *5D(iii) Project Prioritization Framework and Selection* for a description of the criteria and the scoring scheme that will be used to score and prioritize projects.

**9.0 Declaration:** By signing this declaration, the applicant agrees that should the proposed project be awarded funding, they will work with DRPT to develop an agreement preserving the public benefit of the project.